

JANUARY 2, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Goos presiding.

Motion by Danker, second by Williams, to approve the December 26, 1995 and December 27, 1995 minutes as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve "Cash Count Reports" for year ending December 29, 1995, for the following departments: Auditor's Office, Pottawattamie County Residential Care Facility, Pottawattamie County Sheriff/Civil Department, Recorder's Office and Treasurer's Office. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to adjourn Sine Die. Unanimous vote. Motion carried.

Delmar Goos, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JANUARY 3, 1996

PUBLISH: X

JANUARY 2, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:15 A.M., all members present.
Chairman Goos presiding.

Motion by Williams, second by Danker, to appoint Marilyn Jo Drake, County Auditor, as Temporary Chairman for the election of a new Board Chairman and Chairman Pro-Tem for the year 1996. Unanimous vote. Motion carried.

Drake, announced nominations are now in order for the office of Chairman for 1996:

Williams nominated by Grote

Grote nominated by Lehan

Grote withdrew his name.

There being no further nominations, Marilyn Jo Drake, Temporary Chairman, declared it ceased. The Board proceeded to vote via roll call, as follows:

Danker voted for Williams.

Goos voted for Williams.

Grote voted for Williams.

Lehan voted for Williams.

Williams abstained.

Bob Williams was elected Chairman for 1996.

Drake announced nominations are now in order for the office of Chairman for Pro-Tem for 1996:

Goos nominated by Danker.

There being no further nominations, Marilyn Jo Drake, Temporary Chairman, declared it ceased. The Board proceeded to vote via roll call, as follows: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye.

Delmar Goos was elected Chairman Pro Tem for 1996.

Thereupon Marilyn Jo Drake, Temporary Chairman, turned the meeting over to Chairman Williams.

Motion by Danker, second by Grote, to adopt Robert's Rules of Order as written, rules of parliamentary procedures for transaction of business in meetings, except when it conflicts with the Code of Iowa. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to establish a policy that the Board of Supervisors' regular sessions will be held on the following days: Mondays and Wednesdays. It shall be the prerogative of the Chairman, with Board approval, to cancel or add a meeting day. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Board to sign **Resolution No 1-96**, a resolution for payment of county bills. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Board to sign **Resolution No. 2-96**, to authorize the Auditor to destroy county vouchers and canceled county warrants, which have been on file on or before January 1, 1986, per Code of Iowa, Section 331.323(e). Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Board to sign **Resolution No. 3-96**, a resolution appropriating funds for each of the different officers and departments for January 1, 1996 through March 30, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Board to sign **Resolution No. 4-96**, approving deputy appointments for the Auditor's Office, Attorney's Office, Recorder's Office, Treasurer's Office and Sheriff's Department for 1996. Unanimous vote. Motion carried.

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Motion by Danker, second by Grote, to authorize Board to sign **Resolution No. 5-96**, "Depositories and Limitations" Resolution. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to approve the Pottawattamie County Courthouse being closed on the following legal holidays in 1996-97, as per Code of Iowa, Section 33.1:

PRESIDENT'S DAY	MONDAY	FEBRUARY 19, 1996
MEMORIAL DAY (OBSERVED)	MONDAY	MAY 27, 1996
INDEPENDENCE DAY	THURSDAY	JULY 4, 1996
LABOR DAY	MONDAY	SEPTEMBER 2, 1996
VETERAN'S DAY(OBSERVED)	MONDAY	NOVEMBER 11, 1996
THANKSGIVING DAY	THURSDAY	NOVEMBER 28, 1996
LIEU OF LINCOLN'S BIRTHDAY	FRIDAY	NOVEMBER 29, 1996
CHRISTMAS DAY	WEDNESDAY	DECEMBER 25, 1996
NEW YEAR'S DAY	WEDNESDAY	JANUARY 1, 1997

Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve the following newspapers as Official Newspapers for Pottawattamie County, Iowa, for the year 1996. The Walnut Bureau, The Avoca Journal Herald The Daily Nonpareil, The Gazette Reporter and The Herald. Pay no more than Iowa Code allows. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Board to sign **Engineer Resolution #96-2** "Resolution to Authorize the County Engineer to Issue and Sign Special permits for the Movement of Vehicles of Excessive Size and Weight Upon Pottawattamie County Secondary Roads. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Board to sign **Engineer Resolution #96-3**, "Resolution to Authorize the County Engineer to Proceed in Certifying Completion Papers and Make Final Acceptance of Contract Work on the Farm to Market System. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to authorize Board to sign **Engineer Resolution #96-4**, "Resolution Authorizing County Engineer to Close Secondary Roads for Construction and/or Maintenance". Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve the reappointment of Gene Olsen of Hancock, Iowa, to the Pottawattamie County Conservation Board for a term of five (5) years to expire December 31, 2000. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve the reappointment of Thomas Mackland of Crescent, Iowa to the Pottawattamie County Board of Adjustment for a term of (5) years to expire December 31, 2000. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve the reappointment of Donald Casson of McClelland and Dewan "Babe" Robinson of Oakland to the Pottawattamie County Planning and Zoning Commission for a term of (5) years, to expire December 31, 2000. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:10 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JANUARY 3, 1996

PUBLISH: X

JANUARY 3, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present.
Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the January 2, 1996, minutes as read.
Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve job classification change in Mental Health Department from Secretary to Administrative Assistant (G12S3), as per Troutman and Associates recommendation. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign **Board Resolution No. 6-96**, to transfer \$1,000,000. from Rural Services Basic Fund to the Secondary Road Fund, per F.Y. 96 Pottawattamie County budgeted tax dollars. Roll call vote: Goos-Aye; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Aye. Motion carried.

Motion by Goos, second by Danker to sign contract with **Newtown Avoca Historical Society** for **\$140,000.00.** paid over a three fiscal year period, with approval of Avoca City Council and County Attorney. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign **Secondary Road Resolution No. 96-5**, County Policy on Drug and Alcohol Testing for CDL positions. Roll call vote: Goos-Aye; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Absent. Unanimous vote. Motion carried.

The Board adjourned subject to call at 2:36 P.M.

Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: JANUARY 8, 1996

PUBLISH: X

JANUARY 8, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the January 3, 1996, minutes as read.

Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to go into Executive Session as per Code of Iowa, Chapter 21.5(c). Roll Call Vote: Goos-Nay; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Nay. Motion carried.

Motion by Lehan, second by Grote, to go out of Executive Session. Roll Call Vote: Goos-Aye; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Aye. Motion carried.

Motion by Lehan, second by Grote, to approve membership to Sams Club. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to disallow usage of gymnasium in the Services Building unless they have a "Contract" with the Board of Supervisors or "Special Permission" from the Board. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve payment of MAPA dues for the period January 1, 1996 to June 30, 1996 in the amount of \$13,109.50. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve **Board Resolution Number 7-96**, "Utilities Resolution". Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 2:34 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 10, 1996

PUBLISH: X

JANUARY 10, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Goos, second by Lehan, to approve the January 8, 1996, minutes as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to approve employment of Gregory Friedrichsen as part-time janitorial in the Buildings and Grounds Department at \$6.72/Hr., effective December 19, 1995. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to authorize use of gym for Council Bluffs Juniors Volleyball Club (WEO) on Sunday, February 4, 1996, with approval of County Attorney and Buildings and Grounds Superintendent and costs. Roll call vote: Goos-Aye; Williams-Aye; Grote-Aye; Lehan-Aye; Danker-Nay. Motion carried.

Motion by Danker, second by Grote, authorizing Chairman to sign **Engineer Resolution No. 96-6** to vacate a portion of a 40 foot roadway in Section 2-T75N-R44W (Lake Township), also known as Monkey Mountain and set public hearing for January 29, 1996 at 10:00 A.M. in the Supervisors Hearing Room in the Pottawattamie County Courthouse, 227 South 6th Street, Council Bluffs, Iowa. Roll call vote: Lehan-Aye; Grote-Aye; Williams-Aye; Danker-Aye; Goos-Aye. Motion carried.

Motion by Danker, second by Lehan, to approve and authorize the move of EMA to the EOC room of the courthouse, and the 911 Center expanding in the former EMA space. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize the county to offer a letter of intent to enter into an option agreement to any company interested for \$1,000,000 for land within the County Industrial Tract of 320 acres. Unanimous vote. Motion carried.

The Board adjourned subject to call at 4:10 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 15, 1996

PUBLISH: X

JANUARY 15, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members, except Danker, present. Chairman Williams presiding.

Motion by Lehan, second by Goos, to approve the January 10, 1996, minutes as read. Unanimous vote. Motion carried.

9:30 A.M. - PUBLIC HEARING

Motion by Grote, second by Lehan, to open public hearing on the request to amend the Floodplain Development Management Regulations by amending the definition of "recreational vehicle". Unanimous vote. Motion carried.

Mocha advised the Board that the proposed amendment is as required by FEMA. After discussing the amendment, the Board asked Mocha to get further clarification from FEMA on the wording proposed.

Motion by Goos, second by Lehan, to close the public hearing on the request to amend the Floodplain Development Management Regulations by amending the definition of "recreational vehicle". Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve first consideration of an ordinance to amend the subsection 5.30.042.12, definition of "recreational vehicle" Floodplain Management Regulations and to set second consideration for Monday, January 22, 1996 at 9:30 A.M.

10:00 A.M. - ZONING PUBLIC HEARINGS

A. CASE #ZMA-95-005: The request of Mark Sieh, represented by David J. Larson, for a zoning map amendment to rezone approximately 33,000 square feet from Class A-2 (Exclusive Agricultural) District to Class C-2 (General Commercial) District, located in Knox Township.

Motion by Grote, second by Lehan, to open the public hearing on Case #ZMA-95-005. Unanimous vote. Motion carried. Mark Sieh and David Larsen were present to represent the request. They explained the business and the reasons for the request. No objectors were present, nor were any written objections received by the Board.

Motion by Grote, second by Goos, to close the public hearing on Case #ZMA-95-005. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve first consideration of an ordinance to reclassify approximately 33,000 square feet from a Class A-2 (Exclusive Agricultural) District to a Class C-2 (General Commercial) District, as filed under Case #ZMA-95-005; to waive second consideration and adopt Ordinance #96-1 into law. Unanimous vote. Motion carried.

B. CASE #ZTA-95-002: The request of Pottawattamie County, represented by Kay E. Mocha, County Planning Director, for a zoning text amendment to revise the Pottawattamie County, Iowa, Subdivision Ordinance and to amend the following Sections of the Pottawattamie County, Iowa, Zoning Ordinance's: 8.002.490, definition of "Lot Frontage", 8.002.500, definition of "Lot Lines", 8.002.510, definition of "Lot Measurements", 8.002.530, add definition of "Flag Lot", 8.002.900, definition of "Street Right of Way Line", Section 8.003.010 add Planned Mixed Use Area Development District, Section 8.004.030, amend Water Supply, Sewage Disposal and Setbacks, Section 8.004.090.04, delete provisions on requiring principal buildings to be build prior to accessory buildings; Section 8.010.040.05, 8.015.04.04, and 8.020.040.04, requirements for lot area to keep horses and common farm animals in the A-2, R-1 and R-2 districts; Section 8.010.080, 8.015.080, 8.020.080 & 8.025.080, Lot Size And Coverage Requirements in the A-2, R-1, R-2 and R-3 Districts; 8.025.090, delete Density requirement; Section 1.50.090, Fees for Subdivisions; 8.098.040, Public Hearing Notice for Commission; Sections 8.045.030, 8.050.030, 8.055.030, 8.060.030, delete provisions for single-family dwellings being a conditional use in the C-1, C-2, I-1 and I-2 Districts.

Motion by Grote, second by Goos, to open the public hearing on Case #ZTA-95-002. Unanimous vote. Motion carried.

The Board discussed the proposed changes to the subdivision and zoning regulations. No objectors were present, nor were any written objections filed with the Board.

Motion by Grote, second by Goos, to close the public hearing on Case #ZMA-95-005. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve first consideration of an ordinance to amend the County Subdivision Regulations and various sections of the Zoning Ordinance and Fee Code as filed under Case #ZTA-95-002 and to set second consideration for Monday, January 22, 1995 at 9:30 A.M. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to approve employment of Virginia Holeton as a Payroll Clerk in the Auditor's Office at \$8.23561 (G11S1), effective January 15, 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve Claims Allowed for December 1995. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to authorize Chairman to sign letter of support for the MICA House application for funding from Emergency Shelter Grant Program and Iowa Homeless Shelter Operations Grant Program. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to appoint Stan Grote to work with Charles Smith, Attorney on the MCI case. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to appoint Connie Lehan to the Mental Health Advisory group. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve grant of \$3,000 for Southwest Iowa Transit Authority (SWITA) for Fiscal Year 1996-97. Unanimous vote. Motion carried.

The Board adjourned subject to call at 2:36 P.M.

Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: January 22, 1996

PUBLISH: X

JANUARY 22, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Grote, second by Goos, to approve the January 15, 1996, minutes as read. Unanimous vote. Motion carried.

9:30 A.M.-PUBLIC MEETING**A. Amendment to Floodplain Management Ordinance.**

Mocha advised the Board of her conversation with Ross Richardson, FEMA and told them of his suggested changes to comply with the Board desired changes to the amendments. No objectors were present, nor were any written objections filed with the Board.

Motion by Danker, second by Lehan, to approve second consideration of an ordinance to amend the subsection 5.30.041.12, definition of "recreational vehicle" Floodplain Management Regulations, with the minor amendment of delete proposed subsection "C", and to adopt Ordinance #96-2 into law.

Unanimous vote. Motion carried.

B. CASE #ZTA-95-002: The request of Pottawattamie County, represented by Kay E. Mocha, County Planning Director, for a zoning text amendment to revise the Pottawattamie County, Iowa, Subdivision Ordinance and to amend the following Sections of the Pottawattamie County, Iowa, Zoning Ordinance's: 8.002.490, definition of "Lot Frontage", 8.002.500, definition of "Lot Lines", 8.002.510, definition of "Lot Measurements", 8.002.530, add definition of "Flag Lot", 8.002.900, definition of "Street Right of Way Line", Section 8.003.010 add Planned Mixed Use Area Development District, Section 8.004.030, amend Water Supply, Sewage Disposal and Setbacks, Section 8.004.090.04, delete provisions on requiring principal buildings to be build prior to accessory buildings; Section 8.010.040.05, 8.015.04.04, and 8.020.040.04, requirements for lot area to keep horses and common farm animals in the A-2, R-1 and R-2 districts; Section 8.010.080, 8.015.080, 8.020.080 & 8.025.080, Lot Size & Coverage Requirements in the A-2, R-1, R-2 and R-3 Districts; 8.025.090, delete Density requirement; Section 1.50.090, Fees for Subdivisions; 8.098.040, Public Hearing Notice for Commission; Sections 8.045.030, 8.050.030, 8.055.030, 8.060.030, delete provisions for single-family dwellings being a conditional use in the C-1, C-2, I-1 and I-2 Districts.

The Board discussed the proposed changes to the subdivision and zoning regulations. No objectors were present, nor were any written objections filed with the Board.

Motion by Danker, second by Grote, to approve second consideration of an ordinance to amend the County Subdivision Regulations and various sections of the Zoning Ordinance and Fee Code as filed under Case #ZTA-95-002, and adopt Ordinance 96-3 and Ordinance 96-4 into law. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve the Financial Report of the Pottawattamie County Care Facility for the month of December 1995. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to authorize payment of annual membership dues in the amount of \$125 to the Iowa State Association of County Supervisors. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to accept the resignation of Catherine Bowlds payroll clerk in the Auditors Office effective January 5, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to accept resignation of Loren Knauss, Sheriffs Department, effective January 5, 1996 and termination of Rodney Pavelka, Sheriffs Department, effective January 5, 1996. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Reports**

Sheriff's Quarterly Report for 4th Quarter ending December 31, 1995

The Board adjourned subject to call at 4:40 P.M.

Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: JANUARY 25, 1996

PUBLISH: X

JANUARY 25, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present, except Goos, who is absent on county business. Chairman Williams presiding.

Motion by Grote, second by Lehan, to approve the January 22, 1996, minutes as read. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve the employment of Richard Eyberg as motor grader operator in the Secondary Road Department at \$9.79/hr., effective January 29, 1996. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve the employment of Mary Ryan as a bonding clerk in the Sheriffs Corrections Department at \$6.65935/hr., effective January 10, 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to contract with Speer Financial, Inc., of Waterloo, Iowa, as Financial Consultant for the new Pottawattamie County Jail. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 1:24 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 29, 1996

PUBLISH: X

JANUARY 29, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the January 25, 1996, minutes as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to go into executive session as per Code of Iowa, Chapter 21.5(c) for union negotiations/personnel. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Lehan, second by Danker, to go out of executive session. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Lehan, to approve Treasurer's Semi Annual report for July - December, 1995. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to open public hearing for a road vacation in Lake Township called Monkey Mountain Road. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Danker, second by Goos, to close the public hearing. Roll call vote: Williams: Aye; Danker: Aye; Goos: Aye; Lehan: Aye; Grote: Aye. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign **Engineer Resolution #96-7**, Road Vacation-Monkey Mountain Road, Lake Township, Final Order, 306.16, Code of Iowa. Roll call vote: Goos: Aye; Lehan: Aye; Grote: Aye; Williams: Aye; Danker: Aye. Motion carried.

Motion by Lehan, second by Grote, to approve contribution of \$1,000.00 to the Iowa Mormon Trails Association for 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to go into executive session per Chapter 21.5(c) pending litigation. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Lehan, second by Grote, to go out of executive session. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Danker, to authorize the County Attorney to settle the Secula Case for back taxes, penalties, interest and costs. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize the County Attorney to settle the Nonpareil case as per instructions of the Board. Roll call vote: Lehan: Aye; Grote: Aye; Williams: Aye; Danker: Aye; Goos: Aye. Motion carried.

Motion by Grote, second by Lehan, to commit \$10,000.00 to Special Deputies as a matching grant from gaming resources, for a patrol car. Ayes-Goos, Grote, Lehan, Williams. Absent-Danker. Motion carried.

The Board adjourned subject to call at 2:25 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 31, 1996

PUBLISH: X

JANUARY 31, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present, except Danker and Lehan who are absent on county business. Chairman Williams presiding.

Motion by Grote, second by Goos, to approve the January 29, 1996, minutes as amended. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:05 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 5, 1996
PUBLISH: X

FEBRUARY 5, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Goos second by Grote, to approve the January 31, 1996, minutes as read. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, approving **Board Resolution No. 8-96** to appoint Barb O'Neill as representative to the Board of Commissioners of the Southern Iowa Regional Housing Authority for a term of three years expiring April 9, 1999. Roll call vote: Lehan: Aye; Grote: Aye; Williams: Aye; Danker: Aye; Goos: Aye. Motion carried.

Motion by Grote, second by Danker, to disallow "Application For Military Exemptions". Parcel I.D. #000-035-855-025045-000-000 and #032-009-050-007063-004-006. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize the Chairman to sign Iowa Department of Natural Resources Grant Agreement for Private Water Wells for Fiscal Year 1996-97 in the amount of \$29,000.00. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to go into executive session as allowed by Code of Iowa, Chapter 21.5(c), pending litigation. Roll call vote. Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Lehan, to go out of executive session. Roll call vote. Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign **Engineer Resolution #96-8** for the establishment of stop signs on Meadowview Parkway in Heartland Country Estates subdivision, at Woodland Trail and Pioneer Trail intersections. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign contract for Project FM-78(83)--55-78 bridge replacement in Hazel Dell Township section 25. Unanimous vote. Motion carried.

The Board adjourned subject to call at 4:14 P.M.

Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: February 7, 1996

PUBLISH: X

FEBRUARY 7, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the February 5, 1996, minutes as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Claims allowed for the month of January 1996. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to authorize County Attorney to settle and sign an order, subject to Lehan and Goos listening to the tape of the meeting and approving same, in the lawsuit of the Daily Nonpareil versus Pottawattamie County, #69937. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to hire Sheriff's deputy to meet county commitment to the special services contracts with small cities. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:30 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 12, 1996

PUBLISH: X

FEBRUARY 12, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the February 7, 1996, minutes as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to accept the Pottawattamie County Fiscal Year 1996-97 budget and authorize publication for two hearings the first to be held Wednesday February 21, 1996 at 10:00 A.M. and the second to be held Wednesday March 6, 1996 at 10:00 A.M. in the Board of Supervisors Hearing Room, second floor of the County Court House. A roll call vote: Goos: Aye; Danker: Aye; Grote: Aye; Lehan: Aye; Williams: Absent on county business. Motion carried.

The Board adjourned subject to call at 3:45 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 14, 1996

PUBLISH: X

FEBRUARY 14, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Pro Tem Goos presiding, Williams absent.

Motion by Grote, second by Lehan, to approve the February 12, 1996, minutes as read. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve the final plat of Cloverleaf Subdivision, subject to the execution of an agreement, approved by the County Attorney and County Engineer, addressing the completion of the road construction project and to adopt **Planning and Zoning Resolution #96-1**. Ayes-4; Absent-Williams. Motion carried.

Motion by Danker, second by Grote, to approve the financial report of Pottawattamie County Care Facility for the month of January 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Beer permit/Sunday sales privilege for Warner's 66 Inc. in Avoca, Iowa. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to authorize Chairman to sign lease agreement with Case Management as of January 1, 1996 through December 31, 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to cancel the public hearing on the Fiscal Year 1996-97 Pottawattamie County budget which was set for 10:00 A.M. February 21, 1996, due to publication deadline requirements; and reset the first of two hearings for February 28, 1996 at 10:00 A.M., and second hearing to be held on March 6, 1996 at 10:00 A.M, both to be held in the Pottawattamie County Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:16 P.M.

Delmar Goos, Chairman Pro Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: FEBRUARY 21, 1996

PUBLISH: X

FEBRUARY 20, 1996

MET IN REGULAR SESSION

The Board of Supervisors met as Board of Canvassers at 9:00 A.M., all members except Williams present. Chairman Pro Tem Goos presiding.

Motion by Danker, second by Lehan, to approve results of the School Bond Election held Tuesday, February 13, 1996 and pay costs. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Delmar Goos, Chairman Pro Tem

ATTEST: _____
Marilyn Jo Drake, County

APPROVED: FEBRUARY 21, 1996

PUBLISH: X

FEBRUARY 21, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members except Williams present. Chairman Pro Tem Goos presiding.

Motion by Danker, second by Lehan, to approve the minutes of Tuesday, February 14, 1996 and February 20, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve quarterly report for CDBG E.D. Set-Aside Program (The Lift Ticket). Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve "Notice of Disallowances" for Family Farm Tax Credit. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to establish separate funding numbers for grant money for the Emergency Management Agency. Ayes: Lehan, Goos, Danker. Grote absent on county business. Motion carried.

Motion by Lehan, second by Grote, to authorize use of Services Building gymnasium for Steve Gilfillan. Ayes: Lehan, Grote, Goos. Absent-Danker. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary actions**

Sheriff's Department - Resignation of Mark Kuschel effective February 13, 1996

The Board adjourned subject to call at 11:45 A.M.

Delmar Goos, Chairman Pro Tem

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: FEBRUARY 26, 1996

PUBLISH: X

FEBRUARY 26, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of Wednesday February 21, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign **Engineer’s Resolution #96-10** to “Embargo Roads to Weight Limits over 10 Tons”. Roll Call Vote: Goos-Aye; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Aye. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign **Engineer’s Resolution #96-9** to “Set Policy for Purchase of Right-Of-Way by County Engineer. Roll Call Vote: Goos-Aye; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Aye. Motion carried.

10:00 A.M. - Public Hearings

A. **Case #ZMA-95-004:** The request of Jerry Pursell for a zoning map amendment to reclassify approximately 23 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Lewis Township.

B. **Case #SUB-95-002:** The request of Jerry Pursell for a preliminary plat approval of Anna Marie Acres, located in Lewis Township.

Motion by Goos, second by Lehan, to open the public hearings on Case #ZMA-95-004 and #SUB-95-002. Unanimous vote. Motion carried.

Mocha advised the Board that the Commission had recommended denial of the requests. Ron Sindelar was present to represent M. Pursell. The Board heard concerns of the typically high water table in this area and of the limited site clearance for driveways from Mr. and Mrs. Vanecek, Sherrie Massey, Bill Mott, Jacqueline Johnson and Greg Green.

Motion by Goos, second by Grote, to close the public hearings on Case #ZMA-95-004 and #SUB-95-002. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to continue first consideration of Case #ZMA-95-004 and Case #SUB-95-002 to Wednesday, March 6, 1995 at 10:30 A.M., with the Board touring the site on Tuesday, March 5, 1995 at 10:00 A.M. Unanimous vote. Motion carried.

C. **Case #ZMA-95-006:** The request of Council Bluffs Rifle and Pistol Club for a zoning map amendment to reclassify approximately 20 acres from a Class A-2 (Exclusive Agricultural) District to a Class C-3 (Commercial Recreational) District, located in Hazel Dell Township.

Motion by Grote, second by Lehan, to open the public hearings on Case #ZMA-95-006. Unanimous vote. Motion carried.

Mocha advised the Board that the Commission had recommended approval of the request. Bill McGinn was present to represent the Council Bluffs Rifle and Pistol Club. Ray Winfeldt, Rick Denton and Wesley Harwood also spoke in favor of the request. John Kocourek, attorney representing area landowners opposing the request, gave the Board historical court data on the shooting range. He also expressed concern over the amount of noise that this activity produces. Neal Larson, Gary Larson and Ron Larson spoke to the issues of concerns for more shooting accidents, the constant noise problems, the proximity of the range to feedlots and the effects on property values.

Motion by Grote, second by Lehan, to close the public hearings on Case #ZMA-95-006. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to continue first consideration of Case #ZMA-95-006 to Wednesday, March 6, 1996 at 1:30 P.M., with the Board touring the site on Tuesday, March 5, 1996 at 10:00 A.M. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve Deputy Auditor, Gary Herman as designated claims contact for workers compensation claims and notify Iowa Municipalities Worker’s Compensation Association. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve tax suspension notice for property located at 1906 3rd Ave. Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to authorize a stop payment on warrant No. 116823 issued to Midwest Equipment and issue a duplicate. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to approve a report of business transacted in the office of Pottawattamie County Recorder from 10/1/95 to 12/30/95. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to go into Executive Session per Code of Iowa 21.5(c) for purposes of union negotiations. Roll Call Vote: Goos-Aye; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Aye. Motion carried.

Motion by Grote, second by Lehan, to go out of Executive Session. Roll Call Vote: Goos-Aye; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Petitions

No. 69493 and No. 70133.

Salary Actions

County Attorney’s Office - Resignation of Brian Rhoten, effective February 14, 1996.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 28, 1996

PUBLISH: X

FEBRUARY 28, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present, except Lehan who was absent. Chairman Williams presiding.

Motion by Grote, second by Goos, to approve the minutes of February 26, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to approve for publication the payroll amounts paid in the year 1995. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to approve Class "C" Liquor License/Sunday Sales Privilege for "The Club" in Carson, Iowa. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to set aside agenda as allowed by Code of Iowa, Chapter 21.4(2) and authorize Chairman to sign Iowa West Foundation Grant Application Form in the amount of \$15,000, due to a March 1, 1996 deadline. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve for the Attorney's Office the employment of Charlotte Aten and Deb Schierbrock to fill in absence of Teresa Bahr and Alicia Gehrman. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to open public hearing on fiscal year 1997 Pottawattamie County Budget. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to close public hearing, no comments from the public. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to pass budget to second hearing on March 6, 1996 at Council Bluffs Courthouse and set hearing for 10:00 A.M. that date. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to correct the farm credit for Irvin Jensen and allow the credit for 1995. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign an option on land and authorize a warrant drawn to Thien Farm Management Real Estate Trust Account. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:35 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 4, 1996

PUBLISH: X

MARCH 4, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present except Danker who was absent. Chairman Williams presiding.

Motion by Goos, second by Grote, to approve the minutes of February 28, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to authorize Chairman to approve the Secondary Road amended fiscal year 1995-96 budget. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:20 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: MARCH 6, 1996

PUBLISH: X

MARCH 6, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:15 A.M., all members present. Chairman Williams presiding.

Motion by Goos, second by Danker, to approve the minutes of March 4, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Class "B" Beer Permit/Sunday sales and Outdoor Service Area Application for Quail Run Country Club, Neola, Iowa. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to authorize Chairman to sign Southwest Iowa Multijurisdictional Drug Task Force Agreement. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to open the public hearing on the Fiscal Year 1996-97 Pottawattamie County Budget. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to close the public hearing, noting Shawn Shea's comment for use of some gambling unappropriated funds to pay off the mental health loans. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution No. 13-96** adopting the 1996-97 Pottawattamie County Budget and certify same to the State of Iowa. Roll Call Vote: Williams-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Danker-Aye. Motion carried.

Motion by Goos, second by Grote, that the Board does not require an audit be performed on the Conservation Foundation as no dollars pass through the Pottawattamie County Budget. Unanimous vote. Motion carried.

10:30 A.M. - Continuation of First Consideration:

A. Case #ZMA-95-004: The request of Jerry Pursell for a zoning map amendment to reclassify approximately 23 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Lewis Twp.

B. Case #SUB-95-002: The request of Jerry Pursell for a preliminary plat approval of Anna Marie Acres, located in Lewis Township

Motion by Danker, second by Lehan, to deny first consideration of an ordinance to amend the zoning classification of approximately 23 acres located in Lewis Township from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-95-004, to set second consideration of said ordinance for Monday, March 11, 1996 at 10:30 A.M., and to continue Case #SUB-95-002 to said date and time. Roll Call Vote: Goos-Aye; Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

1:30 P.M. - Continuation of First Consideration:

C. Case #ZMA-95-006: The request of Council Bluffs Rifle and Pistol Club for a zoning map amendment to reclassify approximately 20 acres from a Class A-2 (Exclusive Agricultural) District to a Class C-3 (Commercial Recreational) District, located in Hazel Dell Township.

Motion by Danker, to deny first consideration of an ordinance to amend the zoning classification of approximately 20 acres located in Hazel Dell Township from a Class A-2 (Exclusive Agricultural) District to a Class C-3 (Commercial Recreational) District, as filed under Case #ZMA-95-006, and to set second consideration of said ordinance for Monday, March 11, 1996 at 10:30 A.M. Motion died for lack of a second.

Motion by Goos, second by Grote, to approve first consideration of an ordinance to amend the zoning classification of approximately 20 acres located in Hazel Dell Township from a Class a-2 (Exclusive Agricultural) District to a Class C-3 (Commercial Recreational) District, as filed under Case #ZMA-95-006, and to set second consideration of said ordinance for Monday, March 11, 1996 at 10:30 A.M., subject to the following conditions: 1) The startup time on Sunday shall be 10:00 A.M. 2) The Club shall pay for an inspector to perform an annual inspection to verify that the number of trees required by the Court Order are still living. 3) There shall be a cap on the number of members. 4) The Club shall pay for 50% of the cost of dust abatement if dust becomes a problem.

Mocha informed the Board that in order for conditions to be imposed in a rezoning case, the conditions must be agreed to by the applicant in writing prior to the close of the public hearing. Goos and Grote stated that they had trouble supporting a motion to approve this request if they could not impose the stated conditions. Goos stated that the Board restricts residential development on gravel roads and this type of development should have similar restrictions.

Motion by Danker, second by Lehan, to amend Mr. Goos' motion to read "to deny" and delete the stated conditions. Ayes-3; Nays-Grote., Goos. Motion carried.

Motion by Danker, second by Lehan, to authorize the Chairman to sign **Planning and Zoning Resolution #96-2**, relative to nonconforming use rights on 15876 Crystal Lane. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary Actions**

Mental Health Dept.-Resignation of Jodi Franks, effective March 5, 1996

The Board adjourned subject to call at 2:10 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 11, 1996

PUBLISH: X

MARCH 11, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Lehan, second by Goos, to approve the minutes of March 6, 1996 as read. Unanimous vote.

Motion carried.

Motion by Grote, second by Goos, to authorize a stop payment on warrant No. 119066 issued to Nishnabotna Valley REC and to issue a duplicate. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve claims allowed for the month of February 1996.

Motion by Lehan, second by Goos, to approve the promotion of Russell Ulmer from Case Manager to Case Management Supervisor at \$13.70 hr. effective March 1, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve the following motion, as amended, which reads as follows:

Motion by Goos, second by Grote, to deny first consideration of an ordinance to amend the zoning classification of approximately 20 acres located in Hazel Dell Township from a Class A-2 (Exclusive Agricultural) District to a Class C-3 (Commercial Recreational) District, as filed under Case #ZMA-95-006, and to set second consideration of said ordinance for Monday, March 11, 1996 at 10:30 A.M. Roll call vote: Danker: Aye; Lehan: Aye; Williams: Aye; Goos: Nay; Grote: Nay. Motion carried.

10:30 A.M.-Second Consideration

A. Case #ZMA-95-004: The request of Jerry Pursell for a zoning map amendment to reclassify approximately 23 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Lewis Twp.

and

B. Case #SUB-95-002: The request of Jerry Pursell for a preliminary plat approval of Anna Marie Acres, located in Lewis Township.

Motion by Danker, second by Goos, to deny second consideration of an ordinance to amend the zoning classification of approximately 23 acres located in Lewis Township from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-95-004 and to deny preliminary plat approval of Anna Marie Acres, as filed under Case #SUB-95-002. Roll call vote: Goos: Aye; Danker: Aye; Williams: Aye; Grote: Aye; Lehan: Aye. Motion carried.

C. Case #ZMA-95-006: The request of Council Bluffs Rifle and Pistol Club Inc. for a zoning map amendment to reclassify approximately 20 acres from a Class A-2 (Exclusive Agricultural) District to a Class C-3 (Commercial Recreational) District, located in Hazel Dell Township.

Motion by Danker, second by Lehan, to deny second consideration of an ordinance to amend the zoning classification of approximately 20 acres located in Hazel Dell Township from a Class A-2 (Exclusive Agricultural) District to a Class C-3 (Commercial Recreational) District, as filed under Case #ZMA-95-006. Roll call vote: Danker - Aye; Williams - Aye; Lehan - Aye; Goos - Nay; Grote - Nay. Motion carried.

Motion by Goos, second by Grote, to recommend Iowa Fittings Co. for an Intermediary Relending Program loan and authorize the Chairman to sign a letter of recommendation as required by the Intermediary Relending Program. Roll Call Vote: Danker-Abstain; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried. The Board adjourned subject to call at 11:30 A.M.

Bob Williams, Chairman

ATTEST: _____
Gary Herman, First Deputy/Auditor's Office

APPROVED: March 13, 1996
PUBLISH: X

MARCH 13, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of March 11, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to allow Con Agra employees to use the Service Building on May 4, 1996 from 8:00 A.M. to 3:00 P.M. for a rummage sale; open to the community, and with the community's involvement, contributing all proceeds to the American Heart Association. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to defer action on repayment of economic development loan by Vocational Development Center until further date. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve public official bonds for the trustees of the Ferndale Real Estate Improvement District, subject to county attorney approval. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan to approve **Engineers Resolution No. 96-11** a resolution of intent to vacate a 50 foot wide roadway in the vicinity of the City of Council Bluffs' wastewater treatment plant. Roll call vote: Goos: Aye; Danker: Aye; Williams: Aye; Grote: Aye; Lehan: Aye. Motion carried.

Motion by Grote, second by Goos, to approve the **Engineers Resolution No. 96-12** relating to real property acquisition for project KC-551995(9) and to authorize the chairman to sign the assurance statement. Roll call vote: Goos: Aye; Danker: Aye; Williams: Aye; Grote: Aye; Lehan: Aye. Motion carried.

Motion by Danker, second by Goos, to set Monday March 18, 1996 at 10:00 A.M. for bid award on project LC-1995(8). Unanimous vote. Motion carried.
The Board adjourned subject to call at 2:35 P.M.

Bob Williams, Chairman

ATTEST: _____
Gary Herman, First Deputy Auditor

APPROVED: March 18, 1996

PUBLISH: X

MARCH 18, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:15 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of March 13, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve abatement of Parcel No. 19-5-26-3668-1. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Class "BC" Beer Permit/Sunday Sales Privilege for 4 Sons Handy Shop in Neola. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to deny use of Services Building gymnasium for John Lynch. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to go into executive session as per Code of Iowa, Chapter 21.5(c) for union negotiations/personnel. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Lehan, to go out of executive session. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Grote, to authorize Chairman to award bid to Neil Jensen Construction Inc. and authorize Chairman to sign contract on Project LC-1995(8) and accept performance bond, of \$59,068.56. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to support the Missouri River Restructuring Plan of the U.S. Army Corps of Engineers, Public Law 104-46, as written and contact Congressional members to express support. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to authorize Chairman to sign the PBX Maintenance Contract with Lintel Corp. for \$12,471.60 pro-rated by office. Unanimous vote. Motion carried. The Board adjourned subject to call at 2:00 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: MARCH 25, 1996

PUBLISH: X

MARCH 25, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Grote, second by Goos, to approve the minutes of March 18, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to go into executive session as per Code of Iowa, Chapter 21.5(c) to discuss strategy with council in matters that are presently in litigation. Roll call vote: Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye; Danker-Absent. Motion carried.

Motion by Grote, second by Lehan, to go out of executive session. Roll call vote: Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye; Danker-Absent. Motion carried.

Motion by Goos, second by Grote, to approve abatement Parcel # 049-16-9-15574-2, for current year and forward, due to double assessment. Ayes-4; Absent-Danker. Motion carried.

Motion by Lehan, second by Goos, to appoint Director of Mental Health/Case Management as Central Point of Coordination Administrator. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to fill positions of: 1) Case Manager; 2) Secretary; 3) Social Worker. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to make remodeling changes in Services Building to accommodate the Mental Health Department and seek partial reimbursements from Case Management, State of Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to pay court cost of \$100 to clear title on county owned property sold to Doyle Pilling. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Pottawattamie County Care Facility for the month of February 1996

East Pottawattamie County Agricultural Extension Council Certificate of Organization

The Board adjourned subject to call at 12:30 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 27, 1996

PUBLISH: X

MARCH 27, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of March 25, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve the employment of Jon Jacobmeier as a Law Clerk in the County Attorney's Office at \$5.30/Hr., effective 3/22/96. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve tax suspension for property located at 2924 3rd Avenue in Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve Class "C" Beer Permit/Sunday Sales Privilege for Honey Creek Campground, Crescent, Iowa. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to open public hearing on Managed Care Final Plan. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to close public hearing. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to authorize Chairman to sign **Resolution No.9-96** to adopt the Pottawattamie County Managed Care Plan, to be effective July 1, 1996. Roll call vote: Goos: Aye; Williams: Aye; Grote: Aye; Lehan: Aye; Danker: Aye. Motion carried.

Motion by Lehan, second by Grote, to go into executive session per Iowa Code Section 21.5(c) for Union negotiations. Roll call vote: Lehan: Aye; Grote: Aye; Goos: Aye; Danker: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Goos, to go out of executive session. Roll call vote: Lehan: Aye; Grote: Aye; Goos: Aye; Danker: Aye; Williams: Aye. Motion carried.
The Board adjourned subject to call at 2:57 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 1, 1996

PUBLISH: X

APRIL 1, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 11:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of March 27, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to approve Class "B" Beer Permit/Sunday Sales Privilege/Outdoor Service Area for Field of Greens in Council Bluffs. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Class "C" Beer Permit/Sunday Sales Privilege for Aeroplane Inn in Honey Creek. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign a contract with Dana Larson Roubal and Associates for architectural services for the Pottawattamie County jail project. Roll call vote: Williams: Aye; Danker: Aye; Goos: Aye; Lehan: Aye; Grote: Aye. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign contract with HGM Associates of Council Bluffs for surveying services for Pottawattamie County new jail site. Roll call vote: Williams: Aye; Danker: Aye; Goos: Aye; Lehan: Aye; Grote: Aye. Motion carried.

The Board adjourned subject to call at 3:00 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: APRIL 3, 1996
PUBLISH: X

April 3, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present except Lehan who is absent on County business. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of April 1, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to take the bids for Secondary Road's Project KC/SS-1995(9) under advisement and set for Monday April 8, 1996 at 10:00 A.M. for the bid awarding. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:10 P.M.

RECEIVED AND FILED THE FOLLOWING

Petition

Law No. 70381

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: APRIL 8, 1996

PUBLISH: X

April 8, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of April 3, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve **Board Resolution No. 11-96**, in support of the "North Route" proposal for the new bridge across the Missouri River. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve **Engineer Resolution No. 96-13**, for "Temporary Closure of County Road G-30 and Detour Designation." Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to approve Project No: BROS-9078(112)--8J-78 Agreement between Pottawattamie County, Iowa and the Iowa Department of Transportation for Greybill Creek on north line of Section 13, 74N-40, at an estimated cost of \$275,000. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to sign contract and performance bond with Niewohner Construction, Inc. for project KC/SS-1995(9). Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign bond form with Neil Jensen on project number LC-1995(8). Unanimous vote. Motion carried.

Danker left to attend Press Conference "Back To The River Project", in Omaha.

Motion by Grote, second by Lehan, to approve for the Sheriff's Department the employment of Michael Holm as a Corrections Specialist I at \$10.62/hr. and Robert Daley as a Deputy at \$11.48/hr. both to be effective 3/25/96. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve for the Sheriff's Department a job title change for Linda Hensley from Administrative Aide to Office Coordinator to be effective July 1, 1995. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to approve the Claims Allowed for the Month of March 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to authorize Chairman to sign Board **Resolution No. 10-96** to set public hearing for sale of county owned property for Wednesday, May 1, 1996 at 10:00 A.M. in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to approve Beer Permit/Sunday Sales Privilege for Westfair, Council Bluffs, Iowa. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary Actions**

Sheriff's Department - Resignation of Dan Newby effective 3/17/96.

The Board adjourned subject to call at 2:33 P.M.

 Robert Williams

ATTEST: _____
 Marilyn Jo Drake, County Auditor

APPROVED: APRIL 10, 1996

PUBLISH: X

April 10, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of April 8, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to approve abatement on parcel number 5-60-15-10481-209 due to military dropped in error. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to approve Medical Case Management Services Agreement between Pottawattamie County and Jennie Edmundson Business Health and shall become effective on February 1, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign the 1997 Secondary Roads Budget and the 1997 Secondary Roads Five Year Construction Budget and Program. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Robert Williams

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 15, 1996

PUBLISH: X

APRIL 15, 1996**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present except Goos who is absent due to illness. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of April 10, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Class "C" Beer Permit/Sunday Sales privilege for I-80 Lounge in Underwood. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve for the Auditors Office the employment of Amie Groat as a temporary clerk for the Election Department from April 8 through November 30, 1996 at \$6.00 per hour. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve Garden Agreement with Richard Najmon. Mr. Najmon will be allowed to plant a garden on the back half of Lot 17, Block 9, Jefferies Addition and have possession of said lot for garden purposes until 10/15/96. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign bond for Secondary Roads Project LC-1995(5). Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWINGReports

Financial Report of Pottawattamie County Care Facility for the month of March 1996

The Board adjourned subject to call at 10:50 A.M.

Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: April 17, 1996

PUBLISH: X

APRIL 17, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present except Goos who was absent. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of April 15, 1996 as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to approve for the Sheriff's Department the employment of Ryan Zimmerman as a Corrections Specialist I at \$10.62/hr. effective April 8, 1996. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Sheriff's Department - Resignation of Glen Birks effective March 30, 1996

The Board adjourned subject to call at 11:25 A.M.

Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: April 22, 1996

PUBLISH: X

April 22, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of April 17, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to approve Class "C" Liquor License/ Sunday Sales Privilege and Outdoor Service Area Permits for "The Terra Jane" located in Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to set public hearing to amend Chapter 3.20, Conservation Board Lands Rules and Regulations by adding Section 3.20.140(a) Consumption of Alcohol, for Monday, May 6, 1996 at 10:00 A.M. in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution No. 12-96**, to amend Resolution No. 3-96 regarding appropriations for 3rd quarter. Roll Call Vote: Goos-Aye; Danker-Aye; Williams-Aye; Grote-Aye; Lehan-Aye. Motion carried.

Motion by Goos, second by Danker, to authorize Chairman to sign Secondary Roads Amendment #2 to Project Agreement for Western Iowa Hungry Canyons Stream Channel Stabilization Project Agreement #69-6114-4-12. Unanimous vote. Motion carried.

10:00 AM-Public Hearings

- A. Case #ZMA-96-001: The request of Steve Howertson for a zoning map amendment to reclassify approximately 16.824 acres from A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Rockford Township.
- B. Case #SUB-96-001: The request of Steve Howertson for a preliminary plat approval of Rivendell Acres Subdivision, located in Rockford Township.

Motion by Danker, second by Lehan, to open the public hearings on Case #ZMA-96-001 and #SUB-96-001. Unanimous vote. Motion carried.

George West Jr. told the Board that he opposed the proposed development, as he felt water from these homes would cause him drainage problems.

Motion by Grote, second by Goos, to close public hearings on Case #ZMA-96-001 and #SUB-96-001. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve first consideration of an ordinance to reclassify approximately 16.824 acres from a Class A-2 (Exclusive Agricultural) District to Class R-1 (Rural Residential) District, as filed under Case #ZMA-96-001, to waive second consideration, to adopt **Ordinance #96-5**, to approve the preliminary plat of Rivendell Subdivision, as filed under Case #SUB-96-001, with the condition that joint driveway entrances totaling no more than 4 shall be provided and to adopt **Planning and Zoning Resolution #96-3**. Ayes-Goos, Danker, Williams, Grote, Lehan. Motion carried.

- C. Case #ZMA-96-002: The request of Lawrence McKern Jr. for a zoning map amendment to reclassify approximately .61 acres from a Class A-2 (Exclusive Agricultural) District to a Class C-1 (Highway Commercial) District, located in Lewis Township.

Motion by Grote, second by Lehan, to open public hearings on Case #ZMA-96-002. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to close the public hearings on Case #ZMA-96-002. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve first consideration of an ordinance to reclassify approximately .61 acres from a Class A-2 (Exclusive Agricultural) District to a Class C-1 (Highway Commercial) District, as filed under Case #ZMA-96-002, to waive second consideration, and to adopt **Ordinance #96-6**. Ayes-Goos, Danker, Williams, Grote, Lehan. Motion carried.

- D. Case #ZTA-96-001: The request of Pottawattamie County, Iowa, represented by Kay E. Mocha, for a zoning text amendment to amend Section 8.002.270, definition of "dwelling" in the Pottawattamie County, Iowa, Zoning Ordinance.

Motion by Goos, second by Lehan, inasmuch as the Planning Director was unable to attend, to continue the public hearing on Case #ZTA-96-001 to April 24, 1996 at 9:45 A.M. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan to defer action on double assessment on Parcel #049-016-009-015574-002-000 until County Rick Crowl researches the problem. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Petition

Equity No. 70439

Reports

Pottawattamie County Recorder from 1/2/96 to 3/29/96
Animal Control Report for 1995

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 24, 1996

PUBLISH: X

April 24, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of April 22, 1996 as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to amend minutes of March 6, 1996 to include **Board Resolution No. 13-96**, approving budget for Fiscal Year 1996-97. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to approve for the Buildings and Grounds Department the employment of Ethel Zuroski at \$6.71/hr. effective April 22, 1996. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to set Monday May 6, 1996, 9:30 A.M. to accept quotes for a track excavator for Secondary Road Department. Unanimous vote. Motion carried.

9:45 AM-Public Hearing

A. Case #ZTA-96-001: The request of Pottawattamie County, Iowa, represented by Kay E. Mocha, for a zoning text amendment to amend Section 8.002.270, definition of "dwelling" in the Pottawattamie County, Iowa, Zoning Ordinance.

Motion by Danker, second by Lehan, to open the public hearing on Case #ZTA-96-001. Unanimous vote. Motion carried.

The Board discussed the proposed amendment.

Motion by Grote, second by Goos, to close the public hearing on Case #ZTA-96-001. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to approve first consideration of an ordinance to amend Section 8.002.270, definition of "dwelling", County Zoning Ordinance and to set second consideration for Monday, April 29, 1996 at 10:00 A.M. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to pass first consideration and set second consideration for April 29, 1996 at 10:00 A.M. in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Buildings and Grounds Department - Resignation of Greg Friedrichsen
SWI Juvenile Detention Center - Don Uhlig appointed as "Temporary" Director and Phyllis Mulkey to remain as management consultant until July 5, 1996, effective April 20, 1996

The Board adjourned subject to call at 10:40 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 29, 1996

PUBLISH: X

April 29, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present Chairman Williams presiding.

Motion by Goos, second by Lehan, to approve the minutes of April 24, 1996 as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to sign letter of support for the Juvenile Crime Prevention Community Grant application (Home Team: Neighbors Helping Neighbors). Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve a 3 month application for retail cigarette permit for Quail Run Country Club in Neola, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Class "B" Beer Permit/Sunday Sales for Dave's Car Stop in Walnut, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve for the Pottawattamie County Care Facility a title change for Dan Rhoades from Certified Nurse's Aide to Certified Medication Aide at \$7.42/hr (G7S2) to be effective 4/16/96. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve contract for Engineering Services for the new Pottawattamie County Jail with HGM Associates, Inc. Unanimous vote. Motion carried.

10:00 AM-Public Meeting/Second Consideration

A. Case #ZTA-96-001: The request of Pottawattamie County, Iowa, represented by Kay E. Mocha, for a zoning text amendment to amend Section 8.002.270, definition of "dwelling" in the Pottawattamie County, Iowa, Zoning Ordinance.

Motion by Danker, second by Lehan, to approve second consideration of an ordinance to amend Section 8.002.270, definition of "dwelling", County Zoning Ordinance and to adopt Ordinance #96-7 into law. Ayes-Goos, Danker, Williams, Grote, Lehan. Motion carried.

Motion by Grote, second by Lehan, to authorize Chairman to sign an amended application for "Agreement for Quality Jobs Program" document clarifying "Recipient" and "Project Operator" definitions. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:05 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 1, 1996
PUBLISH: X

May 1, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of April 29, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve for the County Attorney's Office a job classification change for Theresa Bahr from Assistant Paralegal to Legal Assistant at \$10.13/Hr.(G11S7). Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to amend the Pottawattamie County Personnel Policy regarding job classification changes in the Attorney's Office by deleting three (3) existing job classifications of Senior Legal Assistant, Administrative Assistant and Assistant Paralegal from the union and county pay plan and approve the new job description for the Paralegal job classification and leave grade assignment at G 12. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to open the public hearing for the sale of County-owned land at 10:00 A.M. Roll call vote: Goos: Aye; Williams: Aye; Grote: Aye; Lehan: Aye. Motion carried.

Motion by Goos, second by Grote, to close public hearing. Roll call vote: Goos: Aye; Williams: Aye; Grote: Aye; Lehan: Aye. Motion carried.

Motion by Grote, second by Goos, to sign **Board Resolution No. 14-96** to sell county owned property as follows: **1)** Anderson's Third Addition, northerly 13 inches of the easterly 63 feet of Lot 3 - No Bid; **2)** Auditor's Subdivision of the SW1/4 NE 1/4 Section 15, Township 77, Range 39, Lot 1, lying North of railroad right of way (0.8 Ac) to Donald Peters Farms for \$1.00; **3)** Auditor's Sub. of S 1/2 of NE 1/4 of Section 25-75-44, Nly 9 ft tri strip of Sly 15 ft Lt 7 to Thomas Emge for \$1.00; **4)** Auditor's Subdivision, E 3 feet of N 330 feet of Lot 1 give to Council Bluffs Public Schools **5)** Bayliss Second Addition, Lot 6, Block 17 to Habitat for Humanity for \$100; **6)** Beer's Addition, east 1/2 of Lot 1, Block 18 - No Bid; **7)** Beer's Addition, part Lots 3, 4 and 6, Block 9 except railroad right of way to Mark Andrews for \$100; **8)** Beer Addition, W9.3 feet 11th St Sly from South Line of West BDW 274.85 ft., Adj Blk 9 on E - Hold; **9)** Chapman's Addition, Lot 10 to Vincent Carl Albertson for \$200; **10)** Cottage Acres, E2.43 Feet N225 Feet South 68.8 Feet, Exc. West 117 Feet, Lt 15 - Hold; **11)** Curtis and Ramsey's Addition, S 43 1/3 feet of Lot 1 and S 43/13 feet of W 1 foot of Lot 2 in Block G to Steve Huss and Gary Dicky for \$200; **12)** Galesburg Addition, Resurvey, Lot 2, Block 24 to Norma Tyrrell for \$200; **13), 14) and 15)** Glendale Acres, part of Lot 44, Lot 45 and Lot 46; to Marvin James for \$100; **16)** Howards Addition, Lot 10, Block 30 except Railroad to Jerry Underwood for \$100; **17)** Lakewood Villas, part Lot 83, 84 and 85 give to City of Council Bluffs; **18)** Mid City Addition, North 9 feet of Lot 7, Block 12 to Robert and Janet Magers for \$1.00; **19)** Moore's Addition, Lot 25, Block 5 to Vivian Ingram for \$5,100; **20)** Moore's Addition, Lot 6, Block 3 to Angie Shanks for \$3,200; **21)** Musical Hills Subdivision, common area to Home Owners Association for \$1,200; **22)** Omaha Addition, Lot 22, Block 12 to Virgil Clark for \$100; **23)** Partition Sub., Dickey Place, Lot 1 lying North of centerline of Hyde Avenue to Kathy Alder for \$600; **24)** Potter & Cobb's Second Add., Lt 12, Blk D to Thomas Tyson for \$100; **25)** S 1, T 75, R 44, S 16.5 feet of N 33 feet W 1/2 NW 1/4 SW 1/4 - No Bid; **26)** S 25-75-44 NE NE, E5 E98 W398 S74 N1/2 S1/2 Pt Lt B - No Bid; **27)** Section 12-74-44, W 1 RD South of Highway SE SW - No Bid; **28)** Stutsman Second Addition, Lots 6 & 7, Block 17 - No Bid; **29)** Stutsman Second Addition, Lot 3, Block 7 to Bernard and/or Sandy Duis for \$1.00; **30)** Wavecrest Add, Lot 15, Block 17 to Charles Davidson for \$550. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:30 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 6, 1996

PUBLISH: X

May 6, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of May 1, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution No. 16-96**, to transfer \$420,799.00 from General Basic Fund to the General Supplemental Fund, per 1995-96 budget. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to approve Class C Beer Permit/ Sunday Sales Privilege and Cigarette Permit for three months for Carson 92 Grocery, Carson, Ia. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to accept bid by Jerry Underwood of \$100 for "Howards Addition, Lot 10, Block 30, except railroad". Published April 11, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to certify the results of the April 30, 1996 Lewis Central School District election, and authorize the Auditor to pay the cost of the election, to be reimbursed by the district. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to rent the gymnasium in the Services Building to Society for Creative Anachronism for \$150.00 for one days use, and pay for maintenance personnel. Roll call vote: Goos: Aye; Williams: Aye; Grote: Aye; Lehan: Aye; Danker: Nay; Motion carried.

Motion by Grote, second by Lehan, to take the bids for Secondary Roads excavator under advisement, and set May 13, 1996, 10:00 A.M. to award the bid. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to open public hearing on Amendment to Chapter 3.20 Conservation Board Lands Rules and Regulations by adding Section 3.20.140(a) Consumption of Alcohol. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Goos, to close public hearing. No protests were registered. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Danker, to set second consideration of Chapter 3.20.140(a) Consumption of Alcohol for Conservation Board Lands Rules and Regulations for Wednesday, May 8, 1996 at 10:15 A.M. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Sheriff's Quarterly report of fees collected & disbursed for quarter ending March 31, 1996

The Board adjourned subject to call at 3:48 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 8, 1996
PUBLISH: X

May 8, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present except Danker who is absent on County business. Chairman Williams presiding.

Motion by Lehan, second by Grote, to approve the minutes of May 6, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to set public hearing for May 29, 1996 at 10:00 A.M., to consider the application for a Community Development Block Grant on behalf of OSI Industries, Inc. to help finance a potential business start-up project and create new employment opportunities in the County. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve Claims allowed for the month of April 1996. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to sign a contract and bond with Henningson Co. of Atlantic for Secondary Roads Project #FM-78(86) M 47 AC overlay. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to defer until Monday May 13, 1996 at 9:45 A.M. the awarding of an excavator quote for Secondary Roads. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to receive bids and set Monday May 13, 1996 9:50 A.M. to award bid for Secondary Roads Project LC1992(1). Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to open a public hearing for continuous Second Consideration Amendment to Chapter 3.20 Conservation Board Lands Rules and Regulations. Roll call vote: Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Grote, to close public hearing. Roll call vote: Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Lehan, to approve second consideration of an ordinance to amend Chapter 3.20 Conservation Board Lands Rules and Regulations by adding thereto Subsection 3.20.140(a) entitled "Consumption of Alcohol" and to adopt **Ordinance #96-8** into law.. Roll call vote: Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Report

County Auditor for quarter ending December 31, 1995 and March 31, 1996

The Board adjourned subject to call at 11:30 A.M.

Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: May 13, 1996

PUBLISH: X

May 13, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present except Danker who is absent. Chairman Williams presiding.

Motion by Grote, second by Goos, to approve the minutes of May 8, 1996 as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve for the Auditors Office the employment of Myrna Venable as a temporary clerk for the Election Department from May 8, 1996 through November 30, 1996 at \$6.00 per hour. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to sign **Board Resolution No. 18-96**, a "Depository Resolution" to reflect the changing of the name of Hawkeye Bank of Council Bluffs to Mercantile Bank of the Bluffs. Roll call vote: Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Lehan, second by Grote, to sign **Board Resolution No. 15-96** to transfer \$29,185.00 from General Basic Fund to WIC Fund, per State Auditor David Voy. Roll call vote: Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Goos, to sign Board Resolution No. 17-96 on Industrial Development. Roll call vote: Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Lehan, to approve Class "C" Beer Permit/Sunday Sales for Armstrong's Standard in Minden, Iowa. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to appoint Elmer Hessel to serve as a commissioner of the Veterans Affairs Commission for a term of 3 years beginning July 1, 1996 and ending June 30, 1999. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to set public hearing to amend Fiscal Year 1995-96 budget. for May 29, 1996 at 10:15 A.M. in the Board of Supervisors Hearing Room, second floor, Courthouse,. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to award the bid for Secondary Roads excavator to Komatsu for \$136,715. from Fehrs Nebraska Machinery. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to authorize Chairman to sign contract and bond for Neil Jensen Co. for Project LC1992(1). Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to authorize Chairman to sign **Engineers Resolution #96-14** Establishment of Speed Limit on Meadowview Parkway in Heartland Estates. Roll call vote: Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Lehan, to award a contract for Environmental Site Assessment Services Contract for new Pottawattamie County Jail to Professional Services Industry Inc. of Omaha, Nebraska; in the amount of \$5,246 subject to approval by Pottawattamie County Attorney and bonding attorney Ken Haynie. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Report

Pottawattamie County Care Facility for April 1996

The Board adjourned subject to call at 11:15 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: MAY 20, 1995

PUBLISH: X

May 20, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present Chairman Williams presiding.

Motion by Lehan, second by Grote, to approve the minutes of May 13, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution 19-96** for the destruction of noxious weeds. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to appoint Tom Mackland of Crescent and Louis Pedersen Jr. of Walnut as Weed Commissioners effective May 1, 1996 through September 30, 1996 at a salary of \$1,500 each. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to approve "Group Master Contract" and "Rate Addendum" effective July 1, 1996 for the HMO Plan, with Principal Health Care of Nebraska, Inc. The rates are \$177.30 single & \$390.05 family. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to approve for the Sheriff's Department the employment of Chadwick Driver and Michael Swanson as Corrections Specialists I at \$10.62 per hour, to be effective 4/29/96. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to sell previously published county owned properties as follows: Beer's Addition, E 1/2 of Lt 1, Blk 18-Bid of \$5.00 from Beckie Edie; Central Sub, N 1/2 vacated E/W alley abutting Lot 13, Block 32-Bid of \$1.00 from Donald J. Hennig; Riddles Sub, N 12 feet Lt 11 Blk 70-Bid of \$1.00 each from Duane Rayburn and Carmen White, adjoining strips; Hughes & Doniphans Addition, West 10 feet of the NS alley adjoining Lot 10 Blk 18-Bid of \$1.00 from Hilario Reyes; Town of Crescent, East 16 feet of Lots 1, 2, and 3, Blk 127-Bid of \$1.00 from Jeff or Becky Saar. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize reimbursement of \$998.00 overcharge for double assessment to Axel Kjeldgaard for parcel # 049-016-009-015574-002-000, notifying involved taxing entities. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to amend Board Resolution No. 17-96, to include the name of the company "Bunge Corporation" in resolution. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Pottawattamie County Conservation Board/Iowa Youth Corps Employees: Phillip Kennedy, Chad Kunze, Jason Best, John Fenner, Mark Conway, Shauna Hale, Blaine Soll, Chad Graeve, Dennis King.

The Board adjourned subject to call at 12:00 P.M.

Robert Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: MAY 22, 1996
PUBLISH: X

May 22, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:15 A.M., all members present, except Grote, who was absent on County business. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of May 20, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Homemaker Home Health Aide CHORE Grant to the State of Iowa. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4(2), and authorize the Chairman to sign Secondary Roads Agreement for "Detour for Highway 191 Project". Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:00 A.M. to tour Ameristar.

Robert Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 29, 1996
PUBLISH: X

May 29, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of May 22, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve tax suspension for property located at 712 W Washington, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to sign "Rewrite of Workers Compensation Policy for County Inmates", Policy No. 6C28UB344V786 with Cincinnati Insurance Co. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to send financial statement to State Auditor to satisfy the Conservation Foundation audit. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to hold open enrollment for the Principal Health Insurance in June 1996 effective July 1, 1996. Unanimous vote. Motion carried.

Motion by Grote to approve a \$300 donation to the "Celebration 150" project. Motion died for lack of a second.

Motion by Grote, second by Danker, to open the Public Hearing on the matter of consideration of a CDBG grant for OSI, at 10:00 A.M. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

The purpose of the hearing is to discuss a Community Development Block Grant application under the Economic Development Set-Aside component of the program. The application, on behalf of OSI Industries, Inc., is to help finance a business expansion project north of Oakland, Iowa.

The total project cost is estimated at approximately \$34,274,304.

The County is being asked to sponsor a grant application in the amount of \$500,000 through the CDBG Set-Aside program to help support the project. If the grant application is approved, the County would make a forgivable loan to the company. If the job creation and capital investment goals are met, the loan would be forgiven.

It is estimated that approximately 327 new (FTE) permanent jobs would be created over a two-year period.

At least 51% of the new jobs created will be taken by low and moderate income persons.

All project activities will be conducted at the former Excel Corp. facility located north of Oakland.

The project will not result in the displacement of any individuals or businesses.

All records pertaining to the grant will be open for public inspection at the Courthouse.

Motion by Grote, second by Goos, to close public hearing. No objectors were present. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Danker, to proceed to file the CDBG grant for OSI. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to open public hearing at 10:15 A.M. on the Amendment to the 1995-96 Pottawattamie County Budget. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Goos, to close public hearing. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Danker, second by Grote, to amend the 1995-96 Pottawattamie County Budget as advertised and authorize the Chairman to sign **Resolution No. 20-96**. Roll call vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

10:30 A.M. - Public Hearing - OSI

Mr. Dale Haden formally requests a tax exemption (partial) for OSI regarding former Oakland Beef Plant:

1st year - 75% exempt	2nd year - 60% exempt
3rd year - 45% exempt	4th year - 30% exempt
5th year - 15% exempt	6th year - 100% taxed

Motion by Lehan, second by Danker, to set 10:00 A.M. June 10, 1996 as a public hearing for OSI tax exemption under Chapter 427B Code of Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to go into Executive Session per Code of Iowa Chapter 21.5(i) at the request of the following department heads for job evaluation/salary review: Hare, Munson, Mocha, McMartin, Chollet. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Lehan, second by Grote, to go out of Executive Session. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Robert Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JUNE 3, 1996

June 3, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present Chairman Williams presiding.

Motion by Lehan, second by Grote, to approve the minutes of May 29, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to authorize the transfer of title of property legally described as being 1) Part of Lot 6, OP Hancock Town, W165 feet East 195 feet North 220 feet and 2) Lots 1 and 2, Block 2, Town of Hancock to the City of Hancock for \$100. Unanimous vote. Motion carried

Motion by Danker, second by Grote, to cancel interest and cost on BLL NESE due to being a state assessed property. Parcel #089029002025800001. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to adopt the recommendations of Compensation Board for the 1996-97 fiscal year as follows: Attorney-\$52,345.57; Auditor-\$35,754.07; Recorder-\$34,896.50; Sheriff-\$48,560.45; Treasurer-\$35,754.07 and Supervisors-\$20,233.46. Ayes-Grote, Lehan, Williams. Nays-Danker, Goos. Motion carried.

Motion by Goos, second by Lehan, to approve Permit for Supervised Display of Fireworks for Underwood Memorial Building Association in Underwood, Iowa. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to sign contract of employment with Jerry Hare/County Engineer at \$59,947.80 annually effective July 1, 1996. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to sign contract of employment with John A. Munson III/ Assistant County Engineer at \$51,050.24 annually effective July 1, 1996. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to sign contract of employment with Kay Mocha/County Planning Director at \$30,437.30 annually effective July 1, 1996. Ayes-Lehan, Grote, Danker, Williams. Nay-Goos. Motion carried.

Motion by Grote, second by Danker, to sign contract of employment with Darlene McMartin/ Administrator, Veterans Affairs at \$25,343.11 annually effective July 1, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign contract of employment with Linda Chollett/ Administrator, Pottawattamie County Care Facility at \$30,001.01 annually effective July 1, 1996 and \$1,000 increase effective November 1, 1996. Ayes-Danker, Grote, Lehan. Nays-Goos, Williams. Motion carried.

The Board adjourned subject to call at 2:00 P.M.

Robert Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JUNE 10, 1996

PUBLISH: X

June 10, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members except Grote present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of June 3, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to certify the results of the election and pay election expenses. Ayes-4; Absent-Grote. Motion carried.

Motion by Danker, second by Lehan, to open public hearing on OSI tax exemption - Code of Iowa, Chapter 427B. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to close public hearing on OSI tax exemption - Code of Iowa - Chapter 427B. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to go into Executive Session per Code of Iowa Chapter 21.5(c) pending litigation. Roll call vote: Danker-Aye; Goos-Aye; Grote-Absent; Lehan-Aye; Williams-Absent. Motion carried.

Motion by Lehan, second by Danker, to go out of Executive Session. Roll call vote: Danker-Aye; Goos-Aye; Grote-Absent; Lehan-Aye; Williams-Absent. Motion carried.

Motion by Danker, second by Lehan, to take no action on information received in executive session until the full board is present and aware of the situation. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Fireworks Permit for Frank McNeal, Sr. of Honey Creek for July 5, 1996 (Rain date - July 6, 1996). Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign "Revised Promissory Note" to Council Bluffs Community Economic Betterment Account Loan/Forgivable Loan Agreement (CEBA-93-22: SCOLA). Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve claims allowed for May 1996. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to sign authorization for stop payment on warrant no. 116846 issued to Quarterdeck Corporation and issue new warrant. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve .Class C Liquor License/Sunday Sales Privilege for Iowa Feed and Grain Company, Crescent, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign **Resolution No. 21-96** to transfer \$1,000,000 from the Rural Basic Fund to the Secondary Roads Fund. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:15 P.M.

Robert Williams, Chairman

ATTEST: _____
 Gary Herman, First Deputy/Elections
 County Auditor's Office

APPROVED: June 12, 1996

PUBLISH: X

June 12, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members except Grote present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of June 10, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve the employment of Stacie Neufeld as summer help in the Treasurer’s Office at \$5.25/Hr., effective June 13, 1996. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to authorize Chairman to sign **Engineer Resolution #96-15** for the “Establishment of Speed Limit Zones for Pioneer Trail”. Roll Call Vote: Danker-Aye; Goos-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Danker, to authorize Chairman to sign **Engineer Resolution #96-16**, to establish parking restrictions near Council Bluffs, Iowa. Roll Call Vote: Danker-Aye; Goos-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Goos, second by Danker, to authorize Chairman to sign **Engineer Resolution #96-17** “Speed Zone for Berryhill Avenue”. Roll Call Vote: Danker-Aye; Goos-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Danker, to sign **Resolution No. 22-96**, amending Fourth (4th) Quarter Appropriations Resolution. Roll Call Vote: Danker-Aye; Goos-Aye; Lehan-Aye; Williams-Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Bond

Jerry Hare/County Engineer - \$5,000 - July 1, 1996 through June 30, 1997.

Robert Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JUNE 20, 1996

PUBLISH: X

June 20, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of June 12, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign Request for Release of Funds Form and Certification from Iowa Community Development Block Grant Program (OSI). Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign "Rural Transit System Joint Participation Agreement" between Southwest Iowa Planning Council (SWIPCO) and Pottawattamie County. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Fireworks Permits for Bill Bracker/Underwood and Scott Smith/Minden. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to open public hearing "Foreign Ownership of Lane" and approve Resolution No. 23-96 for "New Jobs and Income Program". Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Lehan, to close public hearing. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to sign Board Resolution No. 23-96, approving application of Bunge Corporation for the purpose of receiving benefits under the New Jobs and Income Act, Part 14 of Chapter 15, Code of Iowa, 1995 and amendments thereto under House Files 2234 and 2481 of the Second Session of the Iowa 76th GA, with amendment. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Goos, to accept Fact-Finders ruling for Courthouse Union. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Standard Operating Procedures (SOP) and revised and new job descriptions for Courthouse Union Employees. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign **Engineer's Resolution #96-18**, a 28E Agreement with the City of Walnut. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Report

Financial Report of Pottawattamie County Care Facility for month of May 1996

The Board adjourned subject to call at 12:00 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 24, 1996

PUBLISH: X

June 24, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of June 20, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to authorize Chairman to sign contract and contractor's bond for BROS 9078(112). Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to authorize Chairman to sign Worker's Compensation Contract for July 1, 1996 through June 30, 1997. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to go into Executive Session per Code of Iowa Chapter 21.5(i) for personnel matters. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Danker, second by Goos, to go out of Executive Session. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

10:00 A.M.-Public Hearings

A. **Case #ZMA-96-004**

Applicant: Tad Nenneman
 Request: Zoning map amendment to reclassify approximately 1.69 acres from a Class C-2 (General Commercial) District to a Class A-2 (Exclusive Agricultural) District.
 Address: 23126 Idlewood Road, Underwood, IA
 Township: Hazel Dell
 Legal Description: S432.9' E170' W696.56' Lot 15, Auditor's Subdivision NW1/4 SW1/4, Section 36, Township 76N, Range 43W of the 5th P.M.

Motion by Grote, second by Danker, to open the public hearing on Case #ZMA-96-004. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to close the public hearing on Case #ZMA-96-004. Unanimous vote.. Motion carried.

Motion by Goos, second by Lehan, to approve first consideration of an ordinance to amend the zoning classification of approximately 1.69 acres located in Hazel Dell Township from a Class C-2 (General Commercial) district to a Class A-2 (Exclusive Agricultural) district, as filed under Case #ZMA-96-004, and to set second consideration of said ordinance for Wednesday, June 26, 1996 at 10:00 A.M. Unanimous vote. Motion carried.

B. **Case #ZTA-96-002**

Applicant: Pottawattamie County Office of Planning and Development
 Represented By: Kay E. Mocha
 Request: Text amendment to amend Section 9.02.680, definition of "subdivision", Pottawattamie County, Iowa, County Code.

Motion by Grote, second by Danker, to open the public hearing on Case #ZTA-96-002. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to close the public hearing on Case #ZTA-96-002. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve first consideration of an ordinance to amend the text of Section 9.02.680, definition of "Subdivision", Pottawattamie County, Iowa, Code as filed under Case #ZTA-96-002, and to set second consideration of said ordinance for Wednesday, June 26, 1996 at 10:00 A.M. Unanimous vote. Motion carried.

C. **Case #MIS-96-001**

Applicant: Pottawattamie County
 Request: Amendment to the Official Land use Plan for Pottawattamie County, Iowa, by changing the future land use designation of the following described property from Suburban Residential/Agricultural/Suburban Estates to Heavy Industrial.
 Address: Area roads include 192nd Street, Atwood Avenue (also known as County Road H-10 and Iowa Highway #370) and Highway 275
 Township: Lewis
 Legal Description: Section 32, Township 74N, Range 43W of the 5th P.M., that part of Section 33, Township 74N, Range 43W of the 5th P.M. which lies west and north of Atwood Avenue (also known as County Road H-10 and Iowa Highway #370) and northwesterly of Highway #275 and that part of Section 31, Township 74N, Range 43W of the 5th P.M. which lies east of the westerly right-of-way of Interstate 29.

D. **Case #ZMA-96-005**

Applicant: Pottawattamie County
 Request: Zoning map amendment to reclassify approximately 982 acres from a Class A-2 (Exclusive Agricultural) District to a Class I-2 (General Industrial) District.
 Address: Area roads include 192nd Street, Atwood Avenue (also known as County Road H-10 and Iowa Highway #370) and Highway 275
 Township: Lewis
 Legal Description: Section 32, Township 74N, Range 43W of the 5th P.M., that part of Section 33, Township 74N, Range 43W of the 5th P.M. which lies west and north of Atwood Avenue (also known as County Road H-10 and Iowa Highway #370) and northwesterly of Highway #275 and that part of Section 31, Township 74N, Range 43W of the 5th P.M. which lies east of the westerly right-of-way of Interstate 29.

Motion by Grote, second by Danker, to open the public hearing on Case #MIS-96-001 and #ZMA-96-005. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to close the public hearing on Case #MIS-96-001 and #ZMA-96-005. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve first consideration of an ordinance to amend the zoning classification of approximately 982 acres located in Lewis Township from a Class A-2 (Exclusive Agricultural) District to a Class I-2 (General Industrial) District, as filed under Case #ZMA-96-005, and to set second consideration of said ordinance for Wednesday, June 26, 1996 at 10:00 A.M. and continue the final decision on Case #MIS-96-001 to the same date and time. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Petition
 No. 70771

The Board adjourned subject to call at 11:20 A.M.

Robert Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JUNE 26, 1996
PUBLISH: X

June 26, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of June 24, 1996 as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve Western Iowa Development Association (WIDA) membership dues in the amount of \$27,500 for 1996/97, with a review in 2 months. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve Class "C" Liquor License/Sunday Sales Privilege/Outdoor Service Area for Double Bar Seven in Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to approve Fireworks Permit for Caputo Enterprises d/b/a Mother Goose Child Care & Preschool in Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve the following applications for "Iowa Retail Cigarette Permits": Armstrongs Service-Minden; Burns Bros Truck Stop-Minden; Desoto Bend-Missouri Valley; Dewdrop Inn-Missouri Valley; Honey Creek Campground-Crescent; Horseman Lounge-Crescent; Iowa Feed & Grain-Crescent; I-80 Lounge-Underwood; Kopper Kettle #2-Minden; Maguire Auto Center-Council Bluffs; Warners 66 Inc.-Avoca; K-C Mart-Underwood; Carson 92/Grocery-Carson; Double Bar/Seven-Council Bluffs; Four Sons-Neola.

Motion by Goos, second by Lehan, to sign **Board Resolution No. 24-96** to appropriate funds to complete Fiscal Year 1995-96, per State Auditor Christa. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye.. Motion carried.

Motion by Lehan, second by Danker, to sign **Board Resolution No. 25-96**, to transfer **\$545,015.02**, from the General Basic Fund to the General Supplemental Fund which represents tax dollars per the 1995-96 Pottawattamie County Budget. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye.. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution No. 26-96** to transfer **\$165,014.00**, from the General Basic Fund to the Secondary Road Fund per the Fiscal Year 1995-96 Pottawattamie County Budget. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye.. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution No. 27-96**, to transfer **\$1,282,100.14**, from the Rural Services Basic Fund to the Secondary Road Fund per the Fiscal Year 1995-96 Budget for Pottawattamie County, tax dollars. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye.. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution No. 30-96**, to transfer **\$6,500.00** from the General Basic Fund to the Economic Development Revolving Fund (78). Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye.. Motion carried. (See Minutes of 7/17/96)

Motion by Danker, second by Grote, to authorize Chairman to sign contract of employment with Don Malick, Director/Data Resources in the amount of \$42,749.94, beginning July 1, 1996 through June 30, 1997. Roll Call Vote: Danker-Aye; Goos-Nay; Grote-Nay; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Lehan, to authorize Chairman to sign contract of employment with Timothy Adams, Superintendent/Buildings and Grounds in the amount of \$31,902.27, beginning July 1, 1996 through June 30, 1997. Roll Call Vote: Danker-Aye; Goos-Nay; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Williams, second by Grote, to approve year end blanket abatements for the Treasurer's Office. Unanimous vote. Motion carried.

10:00 A.M. - PUBLIC HEARING ZONING SECOND CONSIDERATION

A. **Case #ZMA-96-004:** The request of Tad Nenneman for a zoning map amendment to reclassify approximately 1.69 acres from a Class C-2 (General Commercial) District to a Class A-2 (Exclusive Agricultural) District, located at 23126 Idlewood Road, Underwood, Iowa, in Hazel Dell Township, to-wit: S432.9' E170' W696.56' Lot 15, Auditor's Subdivision NW1/4 SW1/4, Section 36, Township 76N, Range 43W of the 5th P.M.

Motion by Danker, second by Grote, to approve second consideration of an ordinance to amend the zoning classification of approximately 1.69 acres located in Hazel Dell Township from a Class C-2 (General Commercial) District to a Class A-2 (Exclusive Agricultural) District, as filed under Case #ZMA-96-004, and adopt **Ordinance #96-9**.

B. **Case #ZTA-96-002:** The request of Pottawattamie County Office of Planning and Development, represented by Kay E. Mocha, for a Text amendment to amend Section 9.02.680, definition of "subdivision", Pottawattamie County, Iowa, County Code.

Motion by Danker, second by Lehan, to approve first consideration of an ordinance to amend the text of Section 9.02.680, definition of "Subdivision", Pottawattamie County, Iowa, Code, as filed under Case #ZTA-96-002, and adopt **Ordinance #96-10**. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

C. **Case #MIS-96-001:** The request of Pottawattamie County, for an amendment to the Official Land use Plan for Pottawattamie County, Iowa, by changing the future land use designation of the following described property from Suburban Residential/Agricultural/Suburban Estates to Heavy Industrial, area roads include 192nd Street, Atwood Avenue (also known as County Road H-10 and Iowa Highway #370) and Highway 275, located in Lewis Township to wit: Section 32, Township 74N, Range 43W of the 5th P.M., that part of Section 33, Township 74N, Range 43W of the 5th P.M. which lies west and north of Atwood Avenue (also known as County Road H-10 and Iowa Highway #370) and northwesterly of Highway #275 and that part of Section 31, Township 74N, Range 43W of the 5th P.M. which lies east of the westerly right-of-way of Interstate 29.

D. **Case #ZMA-96-005:** The request of Pottawattamie County, for a zoning map amendment to reclassify approximately 982 acres from a Class A-2 (Exclusive Agricultural) District to a Class I-2 (General Industrial), area roads include 192nd Street, Atwood Avenue (also known as County Road H-10 and Iowa Highway #370) and Highway 275, in Lewis Township, legally described as: Section 32, Township 74N, Range 43W of the 5th P.M., that part of Section 33, Township 74N, Range 43W of the 5th P.M. which lies west and north of Atwood Avenue (also known as County Road H-10 and Iowa Highway #370) and northwesterly of Highway #275 and that part of Section 31, Township 74N, R 43W of the 5th P.M. which lies east of the westerly right-of-way of Interstate 29.

Motion by Danker, second by Goos, to amend the Pottawattamie County, Iowa, Land Use Plan by changing the designation of certain properties in Lewis Township, as filed under case #MIS-96-002, from Suburban Residential/Agricultural/Suburban Estates to Heavy Industrial and to adopt **Planning and Zoning Resolution #96-4**. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to approve Second Consideration of an Ordinance to amend the zoning classification of approximately 982 acres located in Lewis Township from a Class A-2 (Exclusive Agricultural) District to a Class I-2 (General Industrial) District, as filed under Case #ZMA-96-005, and to adopt **Ordinance #96-11**. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JULY 24, 1996
PUBLISH: X

July 1, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Grote, second by Lehan, to go into executive session as per Code of Iowa, Chapter 21.5(I), personnel issues. Roll Call Vote: Goos-Aye; Grote-Aye; Danker-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Goos, to go out of executive session. Roll Call Vote: Goos-Aye; Grote-Aye; Danker-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Goos, second by Lehan, to contribute \$5,000 per year for 1996-1997 and 1997-1998 to West Central Iowa Marketing for the creation of a regional organization that is totally focused on the marketing of the economic development opportunities that exist in four counties of Western Iowa. Specifically, organizations located in the counties of Pottawattamie, Mills, Harrison and Shelby. To be paid for from the Economic Development Fund or Gaming Revenue fund. Roll Call Vote: Goos-Aye; Grote-Aye; Danker-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to approve Pottawattamie County Involuntary Admission Agreement with Bluffs Psychiatric Associates, P.C. and Jennie Edmundson Memorial Hospital, to be effective July 1, 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve contract with Mercy Hospital for six months. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to sign Agreements between Pottawattamie County, Iowa, and the Pottawattamie County Public Safety Association and the Pottawattamie County Courthouse Employees AFSCME/Iowa Council 61. The term of this agreement is July 1, 1996 to June 30, 1997. Unanimous vote. Motion carried. (See Minutes of August 26, 1996)

Motion by Lehan, second by Grote, to approve a 3.25% increase for all county non-union employees plus their regular longevity and shift differential pay. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to amend the ambulance contract with the city of Council Bluffs, Iowa, to assign parts of the response area in Crescent and Lake townships to the Crescent Fire Department. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve abatements for Burlington Northern Railroad Company. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve Class "C" Liquor License/Sunday Sales Privilege/Outdoor Service Area for Country Junction Restaurant & Lounge, Crescent, Iowa. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve Fireworks Permit for Gary Herman, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to go into executive session as per Code of Iowa, Chapter 21.5(c), pending litigation. Roll Call Vote: Goos-Aye; Grote-Aye; Danker-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Goos, second by Grote, to go out of executive session. Roll Call Vote: Goos-Aye; Grote-Aye; Danker-Aye; Lehan-Aye; Williams-Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Pottawattamie County Conservation Contracts - LeRoy Kadel/Director - \$33,000; Cynthia Thompson/Administrative Director - \$22,000; David Fischer/Park Ranger - \$22,500; Christopher Williams/Naturalist - \$21,500; Kurt Peterson/ Park Ranger - \$22,500; Mark Shoemaker/Park Ranger - \$22,500; Galen Barrett/Park Ranger - \$18,000.

The Board adjourned subject to call at 2:30 P.M.

Bob Williams, Chairman

ATTEST: _____
Gary Herman, First Deputy Elections
Auditor's Office

APPROVED: JULY 8, 1996

July 8, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:45 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of July 1, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize County Engineer Jerry Hare to sign a contract with Earth Group for a "Needs Assessment" Report that will complete Phase One of a multi-phased GIS deployment in the amount of \$6,200. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to refuse the gift of parcel #2-35-,83-1 5592-2, due to underground storage tank clean-up. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to go into Executive Session as allowed by Code of Iowa - Chapter 21.5(i) for purposes of discussing personnel issues. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Goos, to go out of Executive Session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Danker, to authorize Pottawattamie County Planning Director to send 30 day notice of need for compliance to John Roame, or an infraction occurs. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign **Resolution No. 28-96**, partial five (5) year tax abatement to OSI Industries, Inc. of Oakland, Iowa. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Grote, to authorize Chairman to sign a contract with Woodward-Clyde of Omaha, for "Geotechnical Services" for the new Pottawattamie County Jail, for a lump sum fee of \$9,500. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Danker, to approve for the Case Management and Mental Health Department the employment of the following: Shelli Batchelder as a Case Manager at \$11.31/Hr., effective March 26, 1996; Sandra Carberry as a Secretary 1 at \$7.68/Hr., effective April 29, 1996; Corliss Klungseth as a Case Manager at \$10.92/Hr., effective June 17, 1996; Sandra Williams as Secretary 1 at \$7.95/Hr. effective May 28, 1996 and Julie Will as a Social Worker at \$11.28/Hr., effective July 9, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve Service Agreement between Vocational Development Center and the Pottawattamie County Care Facility. The term of this contract shall be from July 1, 1996 through June 30, 1997. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve Service Agreement between The Mercy Center and the Pottawattamie County Care Facility. The term of this contract shall be from July 1, 1996 through June 30, 1997. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Cash Count

Auditor's Office, Recorder's Office, Residential Care Facility, Sheriff's Department, Treasurer's Office

The Board adjourned subject to call at 11:55 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JULY 10, 1996

PUBLISH: X

July 10, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present, except Lehan, who is absent on County Business. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of July 8, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve Cigarette Permits for the following: Dave's Car Stop-Walnut, Iowa; The Filling Station, Inc.-Council Bluffs, Iowa; & Quail Run Golf Course-Neola, Ia. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve Claims Allowed for June 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to sign **Resolution No. 29-96**, to appropriate funds for each of the different officers and departments for fiscal year beginning July 1, 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to amend the June 26, 1996 minutes to include Treasurer's Abatement of certain taxes. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:00 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 15, 1996

PUBLISH: X

July 15, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present, except Goos. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of July 10, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve for the Recorder's Office the employment of Ruth Thieschafer as a Clerk 1, at \$7.48/Hr., effective July 16, 1996. Unanimous vote. Motion carried.

10:00 Public Hearing:

A. **Case #ZMA-96-003:** The request of the Pottawattamie County Conservation Board for a zoning map amendment to reclassify approximately 661 acres from a Class A-2 (Exclusive Agricultural) District to a Class A-1 (Open Space and Conservation) District, located in Crescent Township, to-wit:

Part of the W 1/2 Section 1, part of Section 2, lying east of railroad right-of-way, Lot "J" Honey Creek Lake, Section 2, and E 1016' NW 1/4 NE 1/4 and E 3/4 NE 1/4 NW 1/4 Section 11, all in Township 76N, Range 44W of the 5th P.M.

Motion by Grote, second by Lehan, to open the public hearing on Case #ZMA-96-003. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye; Goos-Absent. Motion carried.

Motion by Grote, second by Danker, to close the public hearing on Case ZMA-96-003. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye; Goos-Absent. Motion carried.

Motion by Grote, second by Lehan, to approve the first consideration of an Ordinance to amend the zoning classification of approximately 661 acres located in Crescent Township from a Class A-2 (Exclusive Agricultural) District to a Class A-1 (Open Space and Conservation) District, as filed under Case #ZMA-96-003, and to set second consideration of said Ordinance for Wednesday, July 17, 1996 at 11:15 A.M. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye; Goos-Absent. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

County Auditor's Report of Fees Collected for quarter ending June 30, 1996

Salary Actions

Treasurer's Office - Transfer of Ruth Thieschafer to Recorder's Office effective July 16, 1996

The Board adjourned at 10:10 A.M. to attend a ground breaking ceremony in Avoca.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 17, 1996

PUBLISH: X

July 17, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of July 15, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to adopt the changes in the job description's presented by labor negotiator Gary Troutman, for the following departments: Part-time Secretary/Board of Supervisors' Office - Grade 5, Step 2; Assistant to Election Deputy/Auditor's Office - Grade 13, Step 7; Assistant Administrator/Care Facility - Grade 14, Step 5. All be effective July 1, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to amend minutes as allowed by Code of Iowa, Chapter 21.4(2) of June 26, 1996 to include Board Resolution No. 30-96 to transfer \$6,500.00 from the General Basic Fund to the Economic Development Revolving Fund (78). Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to sign Board Resolution No. 31-96, to set public hearing for Wednesday, July 31, 1996 at 10:00 A.M. in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa, to consider and or sell the following county owned property: 1) Hancock Town, 8-76-39, W262.4', Lot 1 Auditor's Subdivision, NE SW W262.4' N542" Lot 1, Sub SE SW to Clifford W. Fischer for \$8,500 and 2) Hancock Town - Original Plat, W165' E195' N220', Block 6, Lots 1 and 2, Block 2 and Lot 3, except the North 11 feet thereof, Block 2, Town of Hancock, Pottawattamie County, Iowa, to the City of Hancock for \$100. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign Emergency Medical Services Training Money Contract between the Iowa Department of Public Health and the Pottawattamie County Board of Supervisors in the amount of \$12,541.00, to be effective July 1, 1996 through June 30, 1997. Unanimous vote. Motion carried.

11:15 A.M. - SECOND CONSIDERATION - ZONING

- A. Case #ZMA-96-003: The request of the Pottawattamie County Conservation Board for a zoning map amendment to reclassify approximately 661 acres from a Class A-2 (Exclusive Agricultural) District to a Class A-1 (Open Space and Conservation) District, located in Crescent Township, to-wit:

Part of the W 1/2 Section 1, part of Section 2, lying east of railroad right-of-way, Lot "J" Honey Creek Lake, Section 2, and E 1016' NW 1/4 NE 1/4 and E 3/4 NE 1/4 NW 1/4 Section 11, all in Township 76N, Range 44W of the 5th P.M.

Motion by Lehan, second by Goos, to approve second consideration of an ordinance to amend the zoning classification of approximately 661 acres located in Crescent Township from a Class A-2 (Exclusive Agricultural) District to a Class A-1 (Open Space and Conservation) District, as filed under Case #ZMA-96-003, and to adopt **Ordinance #96-12**. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 2:15 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JULY 24, 1996

PUBLISH: X

July 24, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of July 17, 1996 and June 26, 1996 as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to officially change Workers Compensation Policy coverage from IMWCA to Hartford Insurance Company at a savings of \$11,000 plus dividend possibilities, to be effective July 1, 1996. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to sign **Engineer's Resolution #96-19** to set public hearing for August 14, 1995 at 10:00 A.M., for road closure in Boomer Township, Sections 29 and 30. Unanimous vote. Motion carried..

Motion by Danker, second by Lehan, to approve fiscal year 1996-97 payment to Newtown Avoca Historical Society in the amount of \$50,000 as per agreement signed January 3, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve the following to the Pottawattamie County Condemnation Commission for at term of one year beginning July 1, 1996 and ending June 30, 1997: Robert Leaders-Neola; Marion Hotze-Treynor; Randall Hotze-Carson; Keith Kay-Council Bluffs; Frank Roennau-Minden; Harry Schultz-Crescent; David Wagner-Oakland; Bob Martens-Walnut; Gerald Forristall-Treynor; Donald Goos-Council Bluffs; Gerald Waltrip-Carter Lake; Delores Lindgren-Council Bluffs; Hans Schmidt-Treynor; Harry Crowl-Council Bluffs; Thomas Eichacker-Council Bluffs; Maxine Klahn-McClelland; David Niemann-Avoca; Sharon Wilson-Crescent; George Collins-Council Bluffs; Earl Williams-Oakland; Warren Goos-Macedonia; Cletis Gress-Hancock; Russell Haney-Council Bluffs; Robert Pingel-Underwood; Shoan McCready-Macedonia; Charles Walter-Walnut; Douglas Wigington-Council Bluffs. Unanimous vote. Motion carried.

Motion by Goos, second by Danker to allow the Conservation Board to place any funds that they receive for flood damages in the Conservation Board's Reserve Fund. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Recorder's Office - Quarterly Report - 4/1/96 to 6/30/96.

Sheriff's Department - Quarterly Report - 4/1/96 to 6/30/96.

The Board adjourned subject to call 11:55 A.M.

Bob William's, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JULY 31, 1996

PUBLISH: X

July 31, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present, except Williams, who is absent on county business. Chairman Pro-Tem Goos presiding.

Motion by Danker, second by Lehan, to approve the minutes of July 24, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to sign authorization for stop payment on Warrant No. 24013 issued to Schlautman Inc. Co. and issue a new warrant. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to set aside agenda as allowed by Code of Iowa, Chapter 21.4(2) and approve the Beer Permit for Maguire Auto Center, Council Bluffs, Iowa, due to time frame involved. Roll Call Vote: Grote-Aye; Goos-Aye; Lehan-Aye; Danker-Nay. Motion carried.

Motion by Lehan, second by Danker, to open public hearing on proposal to sell county owned property. No objections voiced. Several from audience in favor of sale. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan to close public hearing and sign **Board Resolution No. 32-96** to sell the following county owned property: **1)** Hancock Town, 8-76-39, W262.4', Lot 1 Auditor's Subdivision, NE SW W262.4' N542'' Lot 1, Sub SE SW to Clifford W. Fischer for \$8,500 and **2)** Hancock Town - Original Plat, W165' E195' N220', Block 6, Lots 1 and 2, Block 2 and Lot 3, except the North 11 feet thereof, Block 2, Town of Hancock, Pottawattamie County, Iowa, to the City of Hancock for \$100. Roll Call Vote: Lehan-Aye; Grote-Aye; Goos-Aye; Danker-Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Report

East Pottawattamie County Agricultural Extension Education Fund - July 1, 1995 through June 30, 1996.

Salary Actions

SWI Juvenile Emergency Services - Employment of Richard W. Sousa effective July 8, 1996 at \$30,000 annually.

The Board adjourned subject to call at 12:10 P.M.

Delmar Goos, Chairman Pro-Tem

ATTEST: _____
Pam Rodenburg, Clerk/Auditor's Office

APPROVED: AUGUST 5, 1996

PUBLISH: X

August 5, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:30 A.M., all members present.
Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of July 31, 1996 as read.
Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve for the Attorney's Office the employment of Troyce Wheeler as an Assistant County Attorney at Attorney 1, Step 5, to be effective September 3, 1996. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve Juvenile Crime Prevention Grant Contract with a 25% match to be effective July 1, 1996 through June 30, 1997. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan to approve FY96 Library Contracts with Avoca, Carter Lake, Council Bluffs, Oakland and Walnut for a total distribution amount of \$52,773 for services in 1995-96. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to authorize Chairman to sign Contract Addendum No. 1R from Woodward-Clyde, in regard to new jail, for \$5,700 for street and sewer improvements, with County Attorney approval. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to amend the Pottawattamie Managed Care Plan to include the service of Adult Day Care. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:35 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: AUGUST 7, 1996

PUBLISH: X

August 7, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:45 A.M., all members, except Lehan, present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of August 5, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to sign stop payment authorization for Warrant No. 120240 issued to VODEC RE-HAB in the amount of \$1,397.50 and issue a new warrant. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to authorize Chairman to sign "Exchange/Transfer Provisions" for the NACO Nationwide Life Group Fixed Retirement Contract (Deferred Comp.). Unanimous vote. Motion carried.

Motion by Danker, second by Groteto authorize Chairman to sign Pottawattamie County Cost Allocation Plan "Certification Statement" with David M. Griffith & Associates, LTD for the reimbursement of indirect costs applicable to social services administration for the fiscal year ended June 30, 1995. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Lost And Found

Jewelry found in McCurdy's Parking lot on June 25, 1996 - Published as required by Code of Iowa, Chapter 644.8(2).

The Board adjourned subject to call at 9:25 a.m., to attend the Loess Hills Scenic Byway Committee Meeting at the Hitchcock Nature Area in Honey Creek, Iowa.

Bob Williams, Chairman

ATTEST: _____
 J. Evelyn Tudor, First Deputy
 Auditor's Office

APPROVED: AUGUST 12, 1996
 PUBLISH: X

August 12, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present, except Goos. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of August 7, 1996 as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to upgrade the current telephone system for the Courthouse. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to sign **Engineer's Resolution #96-20**, for detour route for County Road L52. Roll Call Vote: Danker-Aye; Goos-Absent; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to approve Class "C" Beer Permit/Sunday Sales Privilege for The Filling Station Inc. in Council Bluffs. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to apply for a grant from Voc/Rehab for a County Supported Employment Project Grant, October 1, 1996 to September 30, 1997. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:40 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 14, 1996

PUBLISH: X

August 14, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, except Lehan, present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of August 12, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to approve Consulting Agreement with Grennan & Associates, Inc. for risk management services and renewals to start July 1, 1996 through June 30, 1997 in the amount of \$8,625.00. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve Tax Suspension for property located at 19 Bay Blvd., Council Bluffs, IA . Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to open public hearing for road vacation in Boomer Township. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Absent; Williams-Aye. Motion carried.

Motion by Goos, second by Grote, to close public hearing on road vacation in Boomer Township. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Absent; Williams-Aye. Motion carried.

Motion by Danker, second by Goos, to sign **Engineer's Resolution #96-21**, for road vacation in Boomer Township described as a 40 foot wide road in the NE 1/4 Section 30-T77N-R43W and SW 1/4 NW 1/4 Section 29-T77N-R43W (0.325 mile), per Code of Iowa, Chapter 306.16. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Absent; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to sign **Engineer's Resolution #96-22**, to set speed limit to 35 mph on Honeysuckle Road. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Absent; Williams-Aye. Motion carried.

Motion by Goos, second by Grote, to authorize Chairman to sign agreement for Living Road Side Trust Fund. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to lease purchase a Minolta EP 6000 CS Pro Series, with Minolta EP 8602 to be moved to the Recorder's Office, upon approval from the County Recorder. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Report

West Pottawattamie County Agricultural Extension Education Fund - July 1, 1995 to June 30, 1996.

The Board adjourned subject to call at 11:50 A.M.

Bob Williams, Chairman

ATTEST: _____
 Gary Herman, First Deputy Elections
 Auditor's Office

APPROVED: AUGUST 19, 1996

PUBLISH: X

August 19, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Goos, second by Lehan, to approve the minutes of August 14, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve for the Treasurer's Office the employment of Robbie Chollett as Real Estate Clerk at \$7.46186/Hr., effective 9/3/96, Jody Rengo as Motor Vehicle Clerk at \$7.46186/Hr., effective 8/26/96, Brenda Stotts as a Motor Vehicle Clerk at \$7.46186/Hr., effective 9/3/96 and the re-hiring of Leah Smith as a Real Estate Clerk at \$9.74586/Hr., effective 8/5/96. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Communications - Employment of Shawn Landon as a Telecommunications Operator at \$8.48/Hr., effective August 7, 1996.

The Board adjourned subject to call at 11:53 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 21, 1996
PUBLISH: X

August 21, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of August 19, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve Financial Report of Pottawattamie County Care Facility for June 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to abate the back taxes on Hancock property described as: "Lots 6 through 10, Block 2 Williams Second Addition" Parcel #078-100-056-023662-001-000 in the amount of \$2,632.00. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to reinstate Homestead and Military exemptions for Parcel #078-100-066-023759-000, Hancock Town 8-76-39 W262.4' Lot 1 Auditors Sub NE SW W262.4' N542' Lot 1 Sub SE SW. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Board to sign **Engineer's Resolution No. 96-23** for Proposed Road Vacation Waveland Township, Sections 11, 12 and 1 and set public hearing for September 16, 1996 at 10:00 A.M. Roll call vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Goos, second by Danker, to go into Executive Session per Code of Iowa Chapter 21.5(c) pending litigation. Roll call vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to go out of Executive Session. Roll call vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 11:35 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: AUGUST 26, 1996
PUBLISH: X

August 26, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of August 21, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to amend the minutes of July 1, 1996 to include the following motion: "Motion by Danker, second by Grote, to sign Agreements between Pottawattamie County, Iowa, and Pottawattamie County Public Safety Association and the Pottawattamie County Courthouse Employees AFSCME/Iowa Council 61. The term of this agreement is July 1, 1996 through June 30, 1997. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to approve the following Military Abatements: Parcel Number: 0-35-255-9395 (military dropped in error) \$73.97; Parcel Number: 005-60-26-9299 (single should have been double military) \$72.99; Parcel Number: 8-40-170-912 (belated military) \$46.95; Parcel Number: 049-16-148-15574-5 (belated military) \$45.27. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to authorize Chairman to sign "Voluntary Annexation Response Form", approving the annexation of property described as: Part of Lot 6 of Auditor's Subdivision of the Southeast 1/4 Northwest 1/4 of Section 5, Township 74 North, Range 43 West of the 5th P.M., Pottawattamie County, Iowa.", by the City of Council Bluffs. This is a voluntary annexation. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:48 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: AUGUST 28, 1996
PUBLISH: X

August 28, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of August 26, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign Contract Addendum No. 1RR "Street And Sewer Improvements - New Pottawattamie County Jail, Council Bluffs, Iowa", with Woodward-Clyde to provide geotechnical services for a lump sum fee of \$2,850.00. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve the Claims Allowed for the month of July 1996. Unanimous vote. Motion carried.

The Board adjourned subject to call at 9:30 A.M., to attend FEMA briefing.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: SEPTEMBER 4, 1996

PUBLISH: X

September 4, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of August 28, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign **Engineer's Resolution #96-24**, "To Authorize County Engineer to Sign Natural Resources Conservation Service (NRCS) Reimbursement Form 270". Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign **Engineers Resolution #96-25**, "To Establish Parking Restrictions Near Council Bluffs, Iowa", and that appropriate signs be erected giving notice thereof - Concord Loop. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Danker, to authorize Chairman to sign **Engineer's Resolution #96-26**, to prohibit material hauling by southbound vehicles on county road L19 between Lime Kiln Road and north corporate limits of Council Bluffs". Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Danker, to take bids under advisement submitted for Project SCS-RCD-13 and set bid awarding for Monday, September 9, 1996, at 10:00 a.m., in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign letter of support for a grant application for the PRIMECARRE Community Grant for Oakland, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign financial report of Pottawattamie County Care Facility for July 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution No. 33-96** authorizing Richard J. Hansen on behalf of Honey Creek #6, to submit an application to the Iowa Emergency Management Division for purpose of obtaining Federal/State financial assistance under the Disaster Relief Act. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to sign **Board Resolution No. 34-96**, authorizing LeRoy Kadel on behalf of the Pottawattamie County Conservation Board to submit an application to the Iowa Emergency Management Division for the purpose of obtaining Federal/State financial assistance under the Disaster Relief Act. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Danker, to go into Executive Session as per Code of Iowa, Chapter 21.5(i) for personnel purposes. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to go out of Executive Session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Grote, to authorize Chairman to sign contract with Monica Murray, Director/Mental Health and Case Management for a term of one year beginning September 11, 1996 and ending September 10, 1997 in the amount of \$46,462.50. She is also Central Point of Coordinator for Mental Health. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Civil Service Commission

Rick Crawl/Pottawattamie County Attorney's appointment of John Dalton - Six year term - Expires 8/15/02

The Board adjourned subject to call at 11:00 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: SEPTEMBER 9, 1996
PUBLISH: X

September 9, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of September 4, 1996 as read. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to award bid on Project SCS-RCD-13 to Joy Dirt Construction, in the amount of \$48,348.25 and sign contract. Unanimous vote. Motion carried.

Motion by Grote, to sign letter of intent to turn over portions of the Law Enforcement Center to the City of Council Bluffs for use by the Council Bluffs Police Department. Motion died for lack of a second.

The Board adjourned subject to call at 11:00 A.M.

Bob Williams, Chairman

ATTEST: _____
Gary Herman, First Deputy
Auditor's Office

APPROVED: SEPTEMBER 11, 1996
PUBLISH: X

September 11, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:30 A.M., all members present.
Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of September 9, 1996 as read.
Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign letters of endorsement that Pottawattamie County will be using Home Town Health as the tool to conduct a community assessment. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve for the Treasurer's Office the employment of Amanda Phillips as a Motor Vehicle Clerk at \$7.46186/Hr., effective September 16, 1996.
Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve a tax suspension for property at 3103 Ave. B, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to adjust the salaries of the attorneys in the County Attorney's Office by 2% effective July 1, 1996. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve the employment contract with Monica Murray with intent to revisit all contracts when renewed in regard to "no cause needed to terminate". Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to award bid and sign Bond and Contract for project SCS-RCD-14 and award bid and sign Bond for project SCS-RCD-13. on Monday September 16, 1996, at 9:30 A.M. in the Board of Supervisors' Hearing Room, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to authorize Chairman to sign Project Agreement for Site 17-Twin Ponies. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to sign letter of intent as recommended by County Attorney Rick Crowl concerning the future use of the Law Enforcement Center. Roll call vote: Lehan: Aye; Grote: Aye; Williams: Aye; Danker: Aye; Goos: Aye. Motion carried.

Motion by Danker, second by Lehan, to approve the schematic design for the proposed jail and proceed to develop design documents. Roll call vote: Lehan: Aye; Grote: Aye; Williams: Aye; Danker: Aye; Goos: Aye. Motion carried.

RECEIVED AND FILED THE FOLLOWING:Petition

Equity No. 71222

Reports

Treasurer's Semi-Annual/January - June 1996 and Semi Annual Settlement of the Board of Supervisors of Pottawattamie County for Period January 1 - June 30, 1996 inclusive.

The Board adjourned subject to call at 2:00 P.M.

Bob Williams, Chairman

ATTEST: _____

Gary Herman, First Deputy
Auditor's Office

APPROVED: SEPTEMBER 16, 1996

PUBLISH: X

September 13, 1996

MET IN REGULAR SESSION

The Board of Supervisors met as Board of Canvassers at 3:00 P.M., all members present except Goos and Lehan. Chairman Williams presiding.

Motion by Grote, second by Danker, to certify the results of the school elections held on Tuesday, September 10, 1996, and authorize Auditor to pay costs of the election, to be reimbursed by the school districts. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:15 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: SEPTEMBER 16, 1996
PUBLISH: X

September 16, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present except Goos. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of September 11, 1996 and September 13, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve the Financial Report of Pottawattamie County Care Facility for August 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to approve MAPA dues for the period July 1, 1996 to December 31, 1996 in the amount of \$13,553.75. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve Tax Suspension for property located at 2725 Avenue A, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign contractor's bond for project SCS-RCD-13 and award bid and bond for Project SCS-RCD-14. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to open public hearing on a road vacation in Waveland Township. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Danker, to close public hearing. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to authorize Board to sign **Engineer's Resolution #96-27**, "Final Order On Road Vacation, Iowa Code 306.16" to vacate a 66 foot wide road in the SE 1/4 NE 1/4 Section 11, NW 1/4 NW 1/4 Section 12 and SW 1/4 SW 1/4 Section 1, all in T74N-R38W (Waveland Township) (.0.844 mile). Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

10:15 A.M. - ZONING PUBLIC HEARING

1. **CASE #SUB-96-003:** The request of Bill Sherer for approval to divide a lot in Glendale Acres Subdivision, 19223 Hawthorne Avenue, Council Bluffs, Iowa, Garner Township, Lot 28 Glendale Acres Subdivision.

Motion by Grote, second by Danker, to open the public hearing on Case #SUB-96-003. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to close the public hearing on Case #SUB-96-003. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to approve the division of Lot 28, Glendale Acres, as presented under Case #SUB-96-003, and to adopt **Planning and Zoning Resolution #96-5**. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

2. **CASE #SUB-96-005(SUB-91-007):** The request of Jeff Hiller and Rodney Reimer for approval to divide a lot in Reimer's Subdivision, Highway 183, Crescent Township, Lot 3, Reimer's Subdivision.

Motion by Grote, second by Lehan to open the public hearing on Case #SUB-96-005. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to close the public hearing on Case #SUB-96-005. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to approve the property line adjustment between Lots 3 and 4, Reimer's Subdivision, Glendale Acres, as presented under Case #SUB-96-005, and to adopt **Planning and Zoning Resolution #96-6**. Roll Call Vote: Danker-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 11:54 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 23, 1996
PUBLISH: X

September 23, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:45 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of September 16, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve Claims Allowed for the month of August 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to approve for the Sheriff's Department the employment of Tiffany Hull as a Corrections Specialist I at \$11.21/hr. effective August 31, 1996. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to approve Tax Suspension for property located at 32 New Blvd., Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to approve Tax Apportionment Request for the 1995 assessment years on the following described parcels: 008 040 030 001052 000 000 (Achenbach); 008 040 030 001052 000 000 (Achenbach); 008 040 030 001052 002 000 (Rollins). Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to authorize Board to sign **Engineer Resolution No. 96-28** to establish detour around section 30, county road G24. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Danker, to go into Executive Session per Code of Iowa - Chapter 21.5(c). Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Danker, to go out of Executive Session. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Danker, second by Grote, to approve Mental Health placement from Cherokee. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to publish the notice of public hearing on Proposed Contract documents for site pregrading for the Pottawattamie County Jail in the City of Council Bluffs, Iowa, and the taking of bids for such improvement and set the hearing for October 15, 1996 at 1:45 P.M. with bid opening at 2:00 P.M. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to authorize Chairman to sign the Law Enforcement Contracts with Avoca, Carson, Crescent, Hancock, Macedonia, McClelland, Minden, Neola, Oakland, Treynor, Underwood and Walnut. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Sheriff's Office - Resignation of Tim Fullmer effective 9/1/96, Daniel Nielsen effective 9/7/96 and termination of Michael Holm effective 9/13/96.

The Board adjourned subject to call at 12:00 P.M.

Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: SEPTEMBER 25, 1996

PUBLISH: X

September 24, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to go into Executive Session as allowed by the Code of Iowa - Chapter 21.5(c), for purposes of union negotiations. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Goos, to go out of Executive Session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 11:55 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: SEPTEMBER 25, 1996
PUBLISH: X

September 25, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present, except Danker, who is absent on county business. Chairman Williams presiding.

Motion by Grote, second by Goos, to approve the minutes of September 23, 1996 and September 24, 1996, as read. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to authorize stop payment on Warrant No. 116525, issued to Principal Health Care in the amount of \$1,555.03, Warrant No. 116103, issued to Principal Health Care in the amount of \$28,701.64 and Warrant No. 115693, issued to Principal Health Care in the amount of \$39,355.36, and issue new warrants. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to extend funds to HGM, Inc. not to exceed \$5,000 for engineering services connected with the Bunge project. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:20 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 30, 1996
PUBLISH: X

September 30, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of September 25, 1996, as read. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve application for Homestead Tax Credit on Parcel No. 002-035-175-16359-003-001. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to approve "Abatement" on Parcel No. 0-35-039-2492 - military dropped in error. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve tax suspension for 2322 Ave. E, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to sign **Board Resolution No. 35-96**, to amend first quarter appropriations resolution. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Danker, second by Grote, to sign **Board Resolution No. 36-96**, to approve second quarter appropriations for each of the different officers and departments. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Lehan, second by Goos, to authorize Chairman to sign Lease Agreement between Pottawattamie County and The Railway Lounge/Mark Andrews for use of the gymnasium in the Services Building beginning October 15, 1996 and ending April 2, 1997, during the evening nights of Tuesday and Wednesday from 6:00 P.M. to 11:00 P.M., in the amount of \$800.00, for volleyball use. Unanimous vote Motion carried.

Motion by Goos, second by Lehan, to certify the results of the Merged Area XIII September 12, 1996 school election. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:15 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 30, 1996
PUBLISH: X

October 2, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of September 30, 1996, as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve annual membership fee for Fiscal Year 1997-1998 for Western Iowa Development Association in the amount of \$28,325.00, payable on or before July 1, 1997. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve tax suspension for property located at 3033 Ave. A, Council Bluffs. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign **Engineer Resolution No. 96-29** for Engineer to rescind Resolution No. 96-26. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign amendment No. 3 Project agreement No. 69-6114-4-12-SCS RCD-14. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 7, 1996

PUBLISH: X

October 7, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of October 2, 1996, as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve Claims allowed for September, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve Class "C" Beer Permit/Sunday Sales - change of ownership for Desoto Bend Conoco Mini Mart in Missouri Valley. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to open public hearing on petition of Robert and Marian Jensen for an expansion of an existing Agricultural Area (240 acres). Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to close public hearing. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve the petition for the expansion of an existing Agricultural Area, Case #AA-96-001, an extension of Case #AA-94-007. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to authorize Chairman to sign letter to Iowa Director of Corrections regarding cell size for new Pottawattamie County Jail. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to authorize Chairman to sign agreement with Council Bluffs, to seek a Waste Tire Grant Program for 1996-97. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to set a policy on ambulance service and have County Attorney draw up a policy. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:20 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 10, 1996
PUBLISH: X

October 10, 1996

MET IN SPECIAL STUDY SESSION

The Board of Supervisors met in a special study session at 2:00 P.M. with Larry Burger/Vice President from Speer Financial to discuss bonding for new jail, all members were present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of October 7, 1996, as read. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:45 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 14, 1996

PUBLISH: X

October 14, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of October 10, 1996, as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to go into Executive Session as per Code of Iowa, Chapter 21.5(c), labor negotiations. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Goos, to go out of Executive Session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Goos, to authorize for Monica Murray/Director, Mental Health/Case Management a \$250.00 incentive, pro rated over a period ending June 30, 1996. Roll Call Vote: Danker-Nay; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to approve **Board Resolution No. 37-96** to give to the City of Council Bluffs property described as part of Outlot A, Moore's Sub of 16-74-44 SW NE (3615 Scott Drive in Malmore Acres). Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Williams-Aye; Lehan-Nay-Felt there were misunderstandings about trading of property and confusion over the acres for new jail site. Motion carried.

Motion by Lehan, second by Danker, to approve Long Term Disability Policy No. SR-83082975 with CNA Insurance Companies at the current rate for policy year beginning January 1, 1997. Unanimous vote. Motion carried.

RECEIVED AND FILED

Reports

County Auditor's Report of Fees Collected quarter ending September 30, 1996.

The Board adjourned subject to call at 2:35 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: OCTOBER 16, 1996
PUBLISH: X

October 15, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:45 P.M., all members present except Goos and Lehan. Chairman Williams presiding.

Motion by Danker, second by Grote, to reschedule the public hearing and bid opening scheduled for 1:45 P.M. and 2:00 P.M., this date until October 24, 1996 at 1:45 P.M. and 2:00 P.M., in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa and publish notice of said hearing. Unanimous vote. Motion carried.

The Board adjourned subject to call at 1:50 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 21, 1996
PUBLISH: X

October 16, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present except Lehan who is absent on county business. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve the minutes of October 15, 1996, as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve **Engineer's Resolution No. 96-30** for temporary closure of county road L66 and detour designation. Roll call vote: Danker: Aye; Goos: Aye; Grote: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Danker, to authorize chairman to sign agreement for miscellaneous Engineering Services required for utility extensions to Bunge site with total cost estimated not to exceed \$5000.00. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to authorize chairman to approve stop payment on Warrant No. 112870 issued to Frank & Doris Kellegher in the amount of \$237.17. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve financial report of Pottawattamie County Care Facility for September, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize chairman to sign Contract No. 96-ED-014 for Community Development Block Grant-Economic Development Set-Aside with OSI Industries, Inc. in the amount of \$500,000. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve proposal with Simmering-Cory Inc. for Community Development Block Grant Administrative services for OSI Industries, in the amount of \$5,000.00. Unanimous vote. Motion carried.

RECEIVED AND FILEDReports

Recorder's Office - Quarterly Report for 7/1/96-9/30/96.

The Board adjourned subject to call at 11:15 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 21, 1996

PUBLISH: X

October 21, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of October 15, 1996, and October 16, 1996, as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign FY 1998 Grant Application-Water Well Program with the Iowa Department of Natural Resources, establishing a higher priority to well test and well closure over well rehabilitation in the amount of \$30,000.. Unanimous vote. Motion carried.

10:00 A.M. - PUBLIC HEARINGS

- A. **CASE #MIS-96-002:** The request of David VanHorn for an amendment to the Official Land Use Plan for Pottawattamie County, Iowa, by changing the future land use designation of the following described property from Highway Commercial to Heavy Industrial in the northeast quadrant of the Underwood I-80 Interchange and Magnolia Road in Norwalk Township, legally described as 3.1 acres in the SW corner of the SE 1/4 SE1/4 lying east of I-80, Section 16, Township 76N, Range 42W of the 5th P.M.
- B. **CASE #ZMA-96-006:** The request of David VanHorn for a zoning map amendment to reclassify approximately 3.1 acres from a Class A-2 (Exclusive Agricultural) District to a Class I-1 (Limited Industrial), in the northeast quadrant of the Underwood I-80 Interchange and Magnolia Road in Norwalk Township legally described as 3.1 acres in the SW corner of the SE1/4 SE1/4 lying east of I-80, Section 16, Township 76N, Range 42W of the 5th P.M.

Motion by Danker, second by Lehan, to open the public hearing on Case #MIS-96-002 and #ZMA-96-006. Unanimous vote. Motion carried.

David and LeaAnn Van Horn were present. The Board discussed their proposed development of the site and the Commission's recommendation.

Motion by Goos, second by Lehan, to close the public hearing on Case #MIS-96-002 and #ZMA-96-006. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to approve first consideration of an ordinance to amend the zoning classification of approximately 3.1 acres from a Class A-2 (Exclusive Agricultural) to a Class I-1 (Limited Industrial) District in Norwalk Township, as filed under Case #ZMA-96-006 and to set **second consideration for October 28, 1996 at 11:00 A.M.** and to give final consideration to Case #MIS-96-002 at that time. Unanimous vote. Motion carried.

- C. **CASE #ZMA-96-007:** The request of J & M Development LLC for a zoning map amendment to reclassify approximately 100 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) on McPherson Avenue, Hardin Township, legally described as: SE1/4 NW1/4, SW1/4 NE1/4 except the East 10 acres, NW1/4 NE1/4, except East 10 acres, Section 30, Township 75N, Range 42W of the 5th P.M.
- D. **CASE #SUB-96-004:** The request of J & M Development LLC for a preliminary plat approval of Cloverleaf Acres, Phase II, McPherson Avenue, Hardin Township, legally described as SE1/4 NW1/4, SW1/4 NE1/4 except the East 10 acres, NW1/4 NE1/4, except East 10 acres, Section 30, Township 75N, Range 42W of the 5th P.M.

Motion by Lehan, second by Danker, to open the public hearing on Case #ZMA-96-007 and #SUB-96-004. Unanimous vote. Motion carried.

John Jerkovich and Richard Heininger were present. The Board discussed the proposed development of the site and the Commission's recommendation.

Motion by Grote, second by Lehan, to close the public hearing on Case #ZMA-96-007 and #SUB-96-004. Unanimous vote. Motion carried.

Motion by Lehan, second by Danker, to approve first consideration of an ordinance to amend the zoning classification of approximately 100 acres from a Class A-2 (Exclusive Agricultural) to a Class R-1 (Rural Residential) District in Hardin Township, as filed under Case #ZMA-96-007 and to set second consideration for October 28, 1996 at 11:00 A.M. and to give final consideration to Case #SUB-96-004 at that time. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 28, 1996

PUBLISH: X

October 24, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:45 P.M., all members except Lehan, present. Chairman Williams presiding.

Motion by Danker, second by Goos, to open the public hearing on proposed contract documents for site pregrading. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Goos, to close the public hearing. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Williams-Aye. Motion carried.

Motion by Goos, second by Danker, to take bids for Pottawattamie County Jail Site Pregrading under advisement and set bid awarding after sufficient information has been supplied to the Board of Supervisors. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:00 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 28, 1996
PUBLISH: X

October 28, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present except Lehan. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of October 21, 1996 and October 24, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to authorize Chairman to sign "Letter of Agreement" concerning emergency response, between Omaha Public Power District (Fort Calhoun Station) and Pottawattamie County Board of Supervisors, effective October 28, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to award bid for boiler for Law Enforcement Center to Pitlar & Sons for \$28,200. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve for the Case Management Department the hiring of a Case Manager. Unanimous vote. Motion carried.

11:00 A.M.-PUBLIC MEETINGS

A. CASE #MIS-96-002

APPLICANT: David VanHorn
REQUEST: Amendment to the Official Land Use Plan Pottawattamie County, Iowa, by changing the future land use designation of the following described property from Highway Commercial to Heavy Industrial. Northeast quadrant of the Underwood I-80 Interchange and Magnolia Road
ADDRESS: Northeast quadrant of the Underwood I-80 Interchange and Magnolia Road
TOWNSHIP: Norwalk
LEGAL DESCRIPTION: 3.1 Acres in the SW corner of the SE1/4 SE1/4 lying east of I-80, Section 16, Township 76N, Range 42W of the 5th P.M.

B. CASE #ZMA-96-006

APPLICANT: David VanHorn
REQUEST: Zoning map amendment to reclassify approximately 3.1 acres from a Class A-2 (Exclusive Agricultural) District to a Class I-1 (Limited Industrial). Northeast quadrant of the Underwood I-80 Interchange and Magnolia Road
ADDRESS: Northeast quadrant of the Underwood I-80 Interchange and Magnolia Road
TOWNSHIP: Norwalk
LEGAL DESCRIPTION: 3.1 Acres in the SW corner of the SE1/4 SE1/4 lying east of I-80, Section 16, Township 76N, Range 42W of the 5th P.M.

Motion by Danker, second by Grote, to approve second consideration of an ordinance to amend the zoning classification of approximately 3.1 acres from a Class A-2 (Exclusive Agriculture) to a Class I-1 (Limited Industrial) District in Norwalk Township, as filed under Case #ZMA-96-006, subject to the terms of a zoning map amendment agreement signed by Lea Ann and David Van Horn and subject to the dirt work being done in accordance with Natural Resources Conservation District's rules and regulations and to amend the Official Land Use Plan by changing the land use designation of said property from highway commercial to heavy industrial, as filed under Case #MIS-96-002, and to adopt Ordinance #96-13 and Resolution #96-7. Ayes-4; Absent-Lehan. Motion carried.

C. Case #ZMA-96-007

APPLICANT: J & M Development LLC
REQUEST: Zoning map amendment to reclassify approximately 100 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential). McPherson Avenue
ADDRESS: McPherson Avenue
TOWNSHIP: Hardin
LEGAL DESCRIPTION: SE1/4 NW1/4, SW1/4 NE1/4 except the East 10 acres, NW1/4 NE1/4, except East 10 acres, Section 30, Township 75N, Range 42W of the 5th P.M.

D. CASE #SUB-96-004

APPLICANT: J & M Development LLC
REQUEST: Preliminary plat approval of Cloverleaf Acres, Phase II
ADDRESS: McPherson Avenue
TOWNSHIP: Hardin
LEGAL DESCRIPTION: SE1/4 NW1/4, SW1/4 NE1/4 except the East 10 acres, NW1/4 NE1/4, except East 10 acres, Section 30, Township 75N, Range 42W of the 5th P.M.

Motion by Danker, second by Goos, to approve second consideration of an ordinance to amend the zoning classification of approximately 100 acres from a Class A-2 (Exclusive Agricultural) to a Class R-1 (Rural Residential) District in Hardin Township, as filed under Case #ZMA-96-007 and to approve the preliminary plat of Cloverleaf Acres, Phase II, as filed under Case #SUB-96-004, subject to the following conditions: 1-the final plat shall show the location of all proposed well and septic systems; 2-the name of the roadway shall be changed from "Richfield Drive" to "Richfield Loop" and 3-the grade of the street shall be modified so that it does not exceed 10% and to adopt Ordinance #96-14 and Planning and Zoning Resolution #96-8. Ayes-4; Absent-Lehan. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Report

Sheriff's Quarterly Report - 7/1/96 To 9/31/96

Request

Pottawattamie County Commission of Veteran Affairs - Remodeling of Office Space.

The Board adjourned subject to call at 11:35 A.M.

 Bob Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: OCTOBER 30, 1996

PUBLISH: X

October 30, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Grote, to approve the minutes of October 28, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to stay with two deferred compensation companies at this time. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to take bids for sheriffs cars under advisement and set Monday, November 4, 1996 at 9:30 A.M. in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa, to award bid. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to accept the amended Official Statement for Pottawattamie County in regard to sale of bonds for new jail. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to authorize the repair of the industrial site sign by Faust Sign Company not to exceed \$300.00. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize the expense of \$2,376.00 to obtain an aerial mapping covering water main extension to Bunge Site. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to accept low bid of Anderson Excavating for \$948,500 for jail site pregrading contract. Roll Call Vote: Williams-Aye; Danker-Aye; Lehan-Aye; Grote-Aye; Goos-Abstain, due to contamination concerns and going over budget estimates. Motion carried.

Motion by Lehan, second by Grote, to approve the New Jobs & Income Program (NJIP) contract for Bunge Corporation (Emporia), Mills County, Pottawattamie County, and the Iowa Department of Economic Development as amended. Chairman will sign when corrections have been made. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to authorize Chairman to sign Addendum for Additional Test Pit Excavations New Pottawattamie County Jail in the amount of \$1000. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to approve Abatement on Parcel Number 0-35-838-4650-2. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve for Lynda Bergeron use of the gymnasium in the Services Building on Thursday evenings at 6:30 P.M., beginning the third (3rd) week of December for approximately 10 weeks at a cost of \$25.00 per week. Signed waivers to be submitted to the Board. Ayes-Williams, Grote, Goos, Lehan. Nays-Danker. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Bob Williams

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: NOVEMBER 4, 1996

PUBLISH: X

November 4, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of October 30, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve bid of \$143,550.20 for the purchase of eight (8) sheriff's cars from Oakland Ford. Interest at Peoples Bank at 4.75%. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:45 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: NOVEMBER 12, 1996

PUBLISH: X

November 12, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 11:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve the minutes of November 4, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve Class "C" Beer Permit/Sunday Sales and Cigarette Permit for Kum & Go #46 in Walnut. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to sign agreement for Professional Services between Pottawattamie County and Simmering Cory, Inc. for OSI Industries project. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to approve Claims Allowed for the month of October, 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve East Pottawattamie County Weed Commissioners Report for 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to sign an Addendum to the investment policy. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign **Board Resolution No. 38-96**, Five Year Capital Improvement Plan for Pottawattamie County. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to certify the results of the 1996 November 5th General Election and authorize the Auditor to pay the costs of the election. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to purchase insurance to cover the bonds for the new jail, at approximately \$44,000. We received three bids and this is the recommendation of Larry Burger of Speer Financial. This will give Pottawattamie County a triple "A" bond rating. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to go into executive session per Code of Iowa, Chapter 21.5(c). Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Goos, second by Lehan, to go out of executive session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 3:25 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: NOVEMBER 13, 1996

PUBLISH: X

November 13, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Goos, second by Lehan, to approve the minutes of November 12, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve for the Sheriff's Department the employment of Mark Garedo as a Corrections Specialist I, at \$11.11345/Hr., effective 11/6/96; the employment of Clifton Howard as a Corrections Specialist I, at \$11.11345/Hr., effective 10/31/96; the employment of Don Myers as a Corrections Specialist I, at \$11.21345/Hr., effective 11/01/96 and the employment of John Owens as a Corrections Specialist I at \$11.21345/Hr., effective 10/29/96. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to sign **Engineers' Resolution #96-31** to set November 25, 1996 at 10:00 A.M. for a public hearing on proposed road vacation in part: SW 1/4 33-T75N-R38W. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Goos, to take the bids for Engineer Project #LOT-FM-1996(5) under advisement and set Monday, November 18, 1996 at 11:30 A.M.. for the bid letting. Unanimous vote. Motion carried.

Board Member Grote introduced **Resolution No. 39-96** entitled "RESOLUTION DIRECTING SALE OF \$9,800,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 1996A" and moved its adoption. Whereas, the best bid received is determined to be Griffin, Kubik, Stephens & Thompson, Inc. of Chicago, for a purchase price of \$9,703,300.00 with a net interest rate of 5.30561% and a net interest cost of \$7,465,270.00. Board Member Lehan seconded the motion to adopt. The roll was called and the vote was, Ayes: Williams, Danker, Goos, Lehan, Grote. Nays: None. Whereupon, the Chairperson declared Resolution No. 39-96 duly adopted.

Board Member Lehan introduced **Resolution No. 40-96** entitled "RESOLUTION DIRECTING SALE OF \$2,400,000 TAXABLE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 1996B" and moved its adoption. Whereas, the best bid received is determined to be from Griffin, Kubik, Stephens & Thompson, Inc. of Chicago, for a purchase price of \$2,376,000.00 with a net interest rate of 6.4588% and a net interest cost of \$745,993.75. Board Member Goos seconded the motion to adopt. The roll was called and the vote was, Ayes: Williams, Danker, Goos, Lehan, Grote. Nays: None. Whereupon, the Chairperson declared Resolution No. 40-96 duly adopted.

The Board adjourned subject to call at 2:38 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 18, 1996
PUBLISH: X

November 14, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:15 A.M., all members except Goos and Lehan present. Chairman Williams presiding.

Motion by Danker, second by Grote, to authorize recount for Carl Heinrich/ Mike Gronstal Unanimous vote. Motion carried.

The Board adjourned subject to call at 9:45 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 18, 1996
PUBLISH: X

November 18, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Goos, second by Grote, to approve the Minutes of November 13, 1996 and November 14, 1996 as read. Ayes: Goos, Grote, Lehan, Williams. Absent-Danker. Motion carried.

Motion by Lehan, second by Grote, to authorize Chairman to sign “Excessive Force Policy” and “Residential Anti-Displacement and Relocation Assistance Plan”, to comply with federal regulations regarding a Community Development Block Grant for OSI Industries, Inc. Ayes: Goos, Grote, Lehan, Williams. Absent-Danker. Motion carried.

Motion by Lehan, second by Grote, to go into Executive Session per Code of Iowa, Chapter 21.5(c). Roll call vote: Danker: Absent; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Goos, second by Grote, to go out of Executive Session. Roll call vote: Danker: Absent; Goos: Aye; Grote: Aye; Lehan: Aye; Williams: Aye. Motion carried.

Motion by Grote, second by Goos, to open the public hearing on Case #SUB-96-002: The request of Donald Hoffman for approval to divide a lot in Handke Subdivision, located at 23565 Highway 183, Crescent, Iowa, Crescent Township, Lot 3, Handke Subdivision. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to close the public hearing on Case #SUB-96-002. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to concur with the Planning and Zoning Commission’s recommendation and deny the division of Lot 3, Handke Subdivision, as presented under Case #SUB-96-002 and adopt **Planning and Zoning Resolution No. 96-9**. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to open the public hearing on Case #SUB-96-006: The request of Glenn Ferris for approval to divide a lot in Handke Subdivision, Highway 183, Crescent Township, Lot 2, Handke Subdivision. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to close the public hearing on Case #SUB-96-006. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to concur with the Planning and Zoning Commission’s recommendation and approve the division of Lot 3, Handke Subdivision, as presented under Case #SUB-96-006, and to adopt **Planning and Zoning Resolution #96-10**. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to open the public hearing on Case #ZTA-96-003: The request of Pottawattamie County for a zoning text amendment to amend Section 8.004.040, Lot Frontage Requirement, Pottawattamie County, Iowa, Zoning Ordinance. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to close the public hearing on Case #ZTA-96-003. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve first consideration of an ordinance to amend Section 8.004.040, Lot Frontage Requirements, Pottawattamie County, Iowa, Zoning Ordinance, as presented under Case #ZTA-96-003, and to set second consideration for Monday, November 25, 1996 at 9:00 A.M. Unanimous vote. Motion carried.

Motion by Lehan, second by Goos, to award bid for Secondary Roads to Fred Carlson Co. of Dekorah, Iowa, for \$805,634.55 for Project LOT-FM-1996(5) Div. I and II. Ayes: Goos, Grote, Lehan, Williams. Absent-Danker. Motion carried.

Motion by Lehan, second by Grote, to set agenda aside and consider Engineers Resolution No. 96-32. Ayes: Goos, Grote, Lehan, Williams. Absent-Danker. Motion carried.

Motion by Goos, second by Lehan, to authorize Chairman to sign **Engineers Resolution No. 96-32** to establish detour on L-45. Roll call vote: Danker-Absent; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Lehan, to set December 2, 1996 at 10:00 A.M to open bids for two (2) trucks for Secondary Road Department.. Ayes: Goos, Grote, Lehan, Williams. Absent-Danker. Motion carried.

Motion by Grote, second by Goos, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c). Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Goos, to go out of Executive Session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to accept design concept of new proposed jail. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign Service Agreement between Pottawattamie County Targeted Medicaid Case Management and the Pottawattamie County Care Facility. The term of this contract shall be from November 1, 1996 to June 30, 1997. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign contract with WIC for consulting services on dietary needs for Pottawattamie County Care Facility. Unanimous vote. Motion carried.

Motion by Goos, second by Danker, to increase private pay for Pottawattamie County Care Facility clients from \$800 per month to \$1000 per month as of January 1, 1997. Unanimous vote. Motion carried.

The Board adjourned subject to call at 4:15 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: NOVEMBER 25, 1996
PUBLISH: X

November 25, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Grote, second by Danker, to approve Minutes of November 18, 1996 and as read. Unanimous vote. Motion carried.

9:00 A.M. - Public Meeting - Second Consideration:

A. **CASE #ZTA-96-003:** The request of Pottawattamie County for a zoning text amendment to amend Section 8.004.040, Lot Frontage Requirement, Pottawattamie County, Iowa, Zoning Ordinance.

Motion by Lehan, second by Grote, to approve second consideration of an ordinance to amend Section 8.004.040, Lot Frontage Requirements, Pottawattamie County, Iowa, Zoning Ordinance, as presented under Case #ZTA-96-003, and to adopt **Ordinance #96-15**. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign **Engineer Resolution #96-33**, Road Vacation, Section 4, Wright Township. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Goos, second by Lehan, to go into Executive Session per Code of Iowa 21.5(c) - Union Negotiations. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to go out of Executive Session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign Board Resolution No. 41-96, "Approving and Authorizing a Form of Loan Agreement and Authorizing and Providing For The Issuance of \$9,800,000 General Obligation Capital Loan Notes, Series 1996A, And \$2,400,000 Taxable General Obligation Capital Loan Notes, Series 1996B, And Levying A Tax To Pay The Notes." Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Grote, to approve West Pottawattamie County Weed Commissioner's Report for 1996. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve court ordered refund of taxes to American Heritage Cablevision in the amount of \$17,002 for 1994 and \$16,540 for 1995. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to approve military abatements on the following parcel numbers: 61-80-45-18362; 20-50-50-3484-3-1; 14-45-75-2798; 8-40-80-519; 0-35-63-3953-1 and 2-35-559-15611-21. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Pottawattamie County WIC Program - Resignation of Doris Rocha effective 11/15/96.

The Board adjourned subject to call at 3:15 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 2, 1996

PUBLISH: X

December 2, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve minutes of November 25, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to accept bids for 2 trucks for Secondary Roads and set Monday, December 9, 1996 at 9:00 A.M., in the Board of Supervisors Office, Second Floor, Courthouse, Council Bluffs, Iowa, for bid awarding. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to authorize Chairman to sign USDA amendment to project agreement #69-6114-6-1. Unanimous vote. Motion carried.

Motion by Grote, second by Danker, to authorize Chairman to sign “Standard Form of Agreement” between Pottawattamie County Board of Supervisors and Anderson Excavating Company for Pottawattamie County Jail Site Pregrading Contract Project in the amount of Nine Hundred Forty-Eight Thousand Five Hundred Dollars (\$948,500.00), subject to additions and deductions as provided in the Contract Documents. Unanimous vote. Motion carried.

Motion by Lehan, second by Grote, to approve tax suspension for property located at 202 Evans, Macedonia, Iowa. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Report

Animal Control Report - January 1996 through October 1996.

The Board adjourned subject to call at 11:30 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 4, 1996

PUBLISH: X

December 4, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Goos, to approve minutes of December 2, 1996 as read. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to approve for Buildings and Grounds the employment of Terry Evans as a part time custodian at \$6.99/Hr., effective December 2, 1996 and Richard Hadden as a part time custodian at \$6.99/Hr., effective November 18, 1996, with a six month probationary period. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign a contract for consulting services with Brendis & Brendis for one year at \$22,000, contingent on County Attorney's approval. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:20 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: DECEMBER 9, 1996
PUBLISH: X

December 9, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve minutes of December 4, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve Resolution No. 42-96, "A Resolution Authorizing The Approval Of And Participation In A Joint Powers Agreement And Declaration Of Trust For the Iowa Public Agency Investment Trust, Authorizing Investments Through The Fixed Term Automated Investment Program Of IPAIT And Authorizing IPAIT To Designate And Name Depositories. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to appoint Wayne Rodenburg of Underwood, Iowa, to the Condemnation Commission. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to award bid for two (2) trucks for secondary roads to Freightliner in the amount of \$78,870.00. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign Engineer's Resolution #96-34 Stop Sign at Richfield Loop at County Road G60 (Old 6). Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to authorize Chairman to sign contract and bond for Fred Carlson for Project LOT-FM-1996(5), Secondary Roads. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign USDA Amendment for Project Agreement #69-6114-6-12, Secondary Roads. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to advertise a public hearing for a budget amendment for Pottawattamie County for Fiscal Year 1996-97 and set date of hearing for Monday, December 30, 1996 at 10:00 A.M., in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to go into Executive Session as per Code of Iowa, Chapter 21.5(c). Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Lehan, second by Goos, to go out of Executive Session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to adopt the Personnel Policy for non-union county employees, as amended, to be effective July 1, 1996. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:00 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: DECEMBER 12, 1996

PUBLISH: X

December 12, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 11:15 A.M., all members except Danker and Lehan who were absent on County business, present. Chairman Williams presiding.

Motion by Goos, second by Grote, to approve minutes of December 9, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to approve snow removal agreement between Pottawattamie County and Mike Murray/Snowfighter Removal Service for the winter season of 1996-97. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to approve Beer Permit/Sunday Sales Privilege for Dew Drop Inn, Loveland, Iowa. Unanimous vote. Motion carried.

Motion by Grote, second by Goos, to approve claims allowed for the month of November 1996. Unanimous vote. Motion carried.

The Board adjourned at 3:50 P.M.

Bob Williams, Chairman

ATTEST: _____
Gary Herman, First Deputy Elections
Auditor's Office

APPROVED: DECEMBER 16, 1996
PUBLISH: X

December 16, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Grote, second by Goos, to approve minutes of December 12, 1996 as read. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to approve military abatements on parcel number: 0-35-915-1292-98 (\$74.00) and parcel number: 47-70-65-14325 (\$56.00). Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to authorize Chairman to sign "Nishna Valley Conservation Club Trap Shooting Range" Agreement between Nishna Valley Conservation Club, Pottawattamie County Conservation Board and Pottawattamie County. Unanimous vote. Motion carried.

Motion by Grote, second by Lehan, to authorize Chairman to sign "Amendment To Ambulance Agreement" between the City of Council Bluffs, Iowa and Pottawattamie County, Iowa, to provide emergency ambulance services to Pottawattamie County residents who do not reside within the corporate bounds of Council Bluffs, and to approve an increase as follows: Basic Rate - from \$240 to \$412; Advanced Life Support - from \$300 to \$412; Unit summoned but not used - from \$240 to 412; Oxygen - included in above; Mileage - \$4.00 per loaded mile and consumable items - cost plus \$15%. Unanimous vote. Motion carried.

Motion by Goos, second by Grote, to accept proposal from Mercantile Bank of Council Bluffs, Iowa for investment of funds from sale of bonds for new Pottawattamie County Jail. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Williams-Aye; Lehan-Nay, as two Board members were not present for review meeting. Motion carried.

Motion by Danker, second by Grote, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c). Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Goos, to go out of Executive Session. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 1:45 P.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: DECEMBER 18, 1996
PUBLISH: X

December 18, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve minutes of December 16, 1996 as read. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Pottawattamie County WIC Program - Employment of Mary Nixon as a part-time Clinic/Aide Clerk I at \$6.65/Hr., effective December 19, 1996.

The Board adjourned subject to call at 11:45 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: DECEMBER 23, 1996
PUBLISH: X

December 23, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

Motion by Danker, second by Lehan, to approve minutes of December 18, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Grote, to authorize Chairman to sign letter of intent between Pottawattamie County and City of Council Bluffs Board of Water Works Trustees for “Water Main Extension for Bunge Site” and “Water Main Extension for Pottawattamie County Jail”. Unanimous vote. Motion carried.

Motion by Goos, second by Lehan, to approve Board Resolution No. 43-96, authorizing Redland and Associates to put in force a comprehensive builders risk policy to cover new jail during construction phase. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Grote, to authorize the lease of a water softener for the County Care Facility, due to the problems with hard water and equipment. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Bob Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: DECEMBER 30, 1996

PUBLISH: X

December 30, 1996

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

Motion by Lehan, second by Grote, to approve minutes of December 23, 1996 as read. Unanimous vote. Motion carried.

Motion by Danker, second by Goos, to approve Class "C" Beer Permit/Sunday Sales privilege for K.C. Mart Inc. in Underwood, Iowa. Unanimous vote. Motion carried.

Motion by Danker, second by Lehan to approve **Resolution No. 44-96**, to transfer \$97,500 from General Basic Fund to the Secondary Road Fund. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan to approve **Resolution No. 45-96**, to transfer \$1,152,500 from Rural Services Basic Fund to the Secondary Road Fund. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion Danker, second by Lehan to approve **Resolution No. 46-96** to transfer \$27,000. from Consolidated Payment balance in General Basic Fund to Flood and Erosion Fund. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan to approve **Resolution No. 47-96** to transfer \$10,000 from Rural County Assistance Fund to the Economic Development fund. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Danker, second by Lehan, to approve towing of cars for unpaid parking tickets. Roll call vote: Williams-Nay; Lehan-Aye; Danker-Aye; Grote-Nay; Goos-Aye. Motion carried.

Motion by Grote, second by Lehan, to open public hearing for amendment to current budget. Roll call vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Lehan, to close public hearing for amendment to current budget. Roll call vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

Motion by Grote, second by Goos, to approve **Resolution No. 48-96**, to amend the Fiscal Year 1996-97 budget. Roll Call Vote: Danker-Aye; Goos-Aye; Grote-Aye; Lehan-Aye; Williams-Aye. Motion carried.

The Board adjourned subject to call at 11:40 A.M.

Bob Williams, Chairman

ATTEST: _____
 J. Evelyn Tudor, First Deputy
 Auditor's Office

APPROVED: January 2, 1997
 PUBLISH: X