



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(JULY 9, 2019) (WEEK 28 OF 2019)**

Live streaming at:
<https://www.youtube.com/user/woodburycountyiowa>

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Rocky L. De Witt 253-0421 rdewitt@woodburycountyiowa.gov	Marty J. Pottebaum 251-1799 mpottebaum@woodburycountyiowa.gov	Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov	Jeremy J. Taylor 333-1714 jtaylor@woodburycountyiowa.gov	Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held July 9, 2019 at **4:30 p.m.** in the basement of the courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board.

1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, your remarks may be limited to three minutes on any one item.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please silence cell phones and other devices while in the Board Chambers.

AGENDA

4:30 p.m. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

- | | |
|---------------------------|-------------|
| 1. Citizen Concerns | Information |
| 2. Approval of the agenda | Action |

Consent Agenda

Items 3 through 7 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

3. Approval of the minutes of the July 2, 2019 meeting
4. Approval of claims
5. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorization to Initiate Hiring Process
6. Board Administration – Karen James

Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension

7. Secondary Roads – Mark Nahra
Approve the permit to work in the county right of way for Mark Boyle

End Consent Agenda

8. Secondary Roads – Mark Nahra
Award bid for project number ER-C097(138)—58-97 – Emergency PCC Patching Action
Project for Old Highway 141 to Iowa Civil Contracting Inc. for \$62,378.76
9. Reports on Committee Meetings Information
10. Citizen Concerns Information
11. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- WED., JULY 10** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 10:00 a.m.** STARComm Board Meeting, The Security Institute, WIT Campus
- 6:30 p.m.** 911 Service Board Meeting, Public Safety Center, Climbing Hill
- 8:00 p.m.** County's Mayor Association Meeting, Public Safety Center, Climbing Hill
- THUR., JULY 11** **12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 4:00 p.m.** Conservation Board Meeting, Southwood Conservation Area
- WED., JULY 17** **10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THUR., JULY 18** **4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- MON., JULY 22** **6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- THUR., JULY 25** **11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St.
- THUR., AUGUST 1** **10:00 a.m.** COAD Meeting, The Security Institute
- MON., AUGUST 5** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUES., AUGUST 6** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., AUGUST 7** **9:00 a.m.** Loess Hills Alliance Protection Committee Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Stewardship Committee Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive Meeting, Pisgah, Iowa
- THUR., AUGUST 8** **12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 4:30 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., AUGUST 14** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 2:00 p.m.** Rolling Hills Community Services Region Meeting, Holstein, Iowa

The following Boards/Commission have vacancies: Commission to Assess Damages - Category A, Category B, Category C and Category D

Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

JULY 2, 2019, TWENTY-SIXTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, July 2, 2019 at 4:30 p.m. Board members present were Ung, Radig, Pottebaum, De Witt, and Taylor. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Dennis Butler, Budget/Tax Analyst, and Patrick Gill, Auditor/Clerk to the Board.

The regular meeting was called to order at 4:30 p.m. with the Pledge of Allegiance to the Flag and a Moment of Silence.

1. Ernie Colt, Carpenter's Local 948, addressed the Board with language pertaining to county work with construction contractors.

2. Motion by Radig second by Ung to approve the agenda for July 2, 2019. Carried 5-0. Copy filed.

Motion by Radig second by De Witt to approve the following items by consent:

3. To approve minutes of the June 25, 2019 meeting. Copy filed.
4. To approve the claims totaling \$247,195.78. Copy filed.
- 5a. To approve the separation of Jacob Brosamle, Temporary Summer Laborer, Secondary Roads Dept., effective 6-24-19. Separation.; the separation of Jonathan Murad, Sheriff Reserve Officer, County Sheriff Dept., effective 6-25-19. Resignation.; the reclassification of Steven Hofmeyer, % Deputy, County Auditor Dept., effective 7-01-19, \$77,651.42/year, 9%=\$6,696.38/yr. Per County Auditor, from 80% to 85% Deputy.; the reclassification of Karla Fergen, Senior Clerk, Human Resources Dept., effective 07-11-19, \$20.06/hr., 3.8%=\$.74/hr. Per Wage Plan comparability with AFSCME Courthouse Contract, from Grade 4/Step 2 to Grade 4/Step 3.; the reclassification of William Brooks, Sheriff Deputy, County Sheriff Dept., effective 07-18-19, \$28.38/hr., 16%=\$3.97/hr. Per CWA Deputy Sheriff Contract agreement, from Class 2 to Class 1.; and the reclassification of Gabriel Williams, P/T Youth Worker, Juvenile Detention Dept., effective 7-19-19, \$20.07/hr., 4%=\$.77/hr. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2. Copy filed.
- 5b. Presentation of award certificate to Dawn Norton. Copy filed.
6. To approve the permit to work in the right of way for the City of Cushing. Copy filed.

Carried 5-0.

7. Motion by Radig second by Pottebaum to approve the increase in the amount paid for General Assistance burial expenses from \$835.00 to \$1,100.00 effective July 1, 2019. Carried 5-0. Copy filed.
8. Motion by Radig second by Ung to receive and approve the FY 19/20 parking plan. Carried 5-0. Copy filed.
- 9a. Bid letting was held for pavement marking 2019. The bids are as follows:

Iowa Plains Signing Inc., Slater, IA \$111,480.00

Motion by Radig second by Ung to receive the bids. Carried 5-0.
- 9b. Motion by De Witt second by Taylor to award the bid to Iowa Plains Signing Inc. for \$111,480.00. Carried 5-0. Copy filed.
- 9c. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution to amend the FY 2020-2024 construction program. Carried 5-0.

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Construction Program, and previous revisions, requiring changes to the sequence, funding and timing of the proposed work plan,

The Board of Supervisors of Woodbury County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2020), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following approved Priority Year projects shall be ADDED to the Program's Accomplishment year:

Project Number Local ID TPMS #	Project Location Description of work	AADT Length NBIS #	Type Work Fund basis	Accomplishment Year (\$1000's of dollars)		
					New amount	
BRS-SWAP-6012(601)- FF-97 Bridge B-255 Replacement TPMS ID: 39478	On D 12, Over CREEK, from Haines Avenue East 0.15 Miles to Minnesota Avenue, on NLINE S12 TT89N RR43W Cooperative Bridge replacement project with City of Pierson	428 0.1 MI 354765	SWAP-HBP		\$1005	
Totals					\$1005	

Fund ID	Accomplishment year (\$1000's of dollars)		
	Previous Amount	New Amount	Net Change
Local Funds	\$2,260	\$2,260	\$0
Farm to Market Funds	\$1,614	\$1,819	\$205
Special Funds	\$2,120	\$2,120	\$0
Federal Aid Funds	\$56	\$56	\$0
SWAP Funds	\$2,250	\$3,050	\$800
Total construction cost (All funds)	\$8,300	\$9,305	\$1,005
Local 020 Construction cost totals (Local Funds + BROS-8J FA funds)	\$2,260	\$2,260	\$0

DATED this 2nd day of July, 2019
 WOODBURY COUNTY BOARD OF SUPERVISSORS
 Copy filed.

- 9d. Motion by Radig second by Taylor to approve and authorize the Chairperson to sign a Resolution setting interest rates for drainage district warrants for district under the jurisdiction of the Woodbury County Board of Supervisors. Carried 5-0.

WOODBURY COUNTY, IOWA
RESOLUTION #12,874
RESOLUTION ESTABLISHING THE INTEREST RATE PAID ON DRAINAGE WARRANTS

WHEREAS, the Woodbury County Board of Supervisors has the authority to establish the interest rate on drainage warrants pursuant to Iowa Code Chapter 468.

NOW, THEREFORE, BE IT RESOLVED, by the Woodbury County Board of Supervisors that the interest rate for Drainage Warrants is hereby set at 5% APR for Fiscal Year 2020.

SO RESOLVED this 2nd day of July, 2019.
WOODBURY COUNTY BOARD OF SUPERVISORS

DATED this 2nd day of July, 2019
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9e. Motion by Radig second by Ung to receive for signatures a Resolution closing and vacating a road right of way 145th Street (Road #481). Carried 5-0.

RESOLUTION #12,875
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY
145TH STREET (ROAD NO. 481)

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), on June 11, 2019 held a public hearing on the proposed vacation of a Woodbury County Secondary Road Right-Of-Way described as follows:

That portion of 145th Street (Road No. 481) lying easterly of the NE Corner of the NW¼ of the SW¼ to a point 33' west of the East ¼ Corner, in Section 26 T89N, R42W, Union Township of the 5th P.M. Woodbury County, Iowa

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 2nd day of July 2019.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution closing and vacating a road right of way Sidney Avenue (Road # 94). Carried 5-0.

RESOLUTION #12,876
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY
SIDNEY AVENUE (ROAD NO. 94)

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), on June 11, 2019 held a public hearing on the proposed vacation of a Woodbury County Secondary Road Right-Of-Way described as follows:

That portion of Sidney Avenue (Road No. 94) lying north of the SE Corner of the NE¼ of the NW¼ thence north to the south ROW line of 190th Street in Section 21 T88N, R42W, Rock Township of the 5th P.M. Woodbury County, Iowa

WHEREAS, no objections to the closure and vacation were received in either writing or by persons present, a request was made to change the northern point of road closure to allow field access.

WHEREAS, the Board does not object to the revised point of closure,

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

That portion of Sidney Avenue (Road No. 94) lying north of the SE Corner of the NE¼ of the NW¼ thence north to a point 100 feet north of the Sidney Avenue Bridge in Section 21 T88N, R42W, Rock Township of the 5th P.M. Woodbury County, Iowa.

SO RESOLVED this 2nd day of July 2019.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Radig second by De Witt to receive for signatures a Resolution closing and vacating a road right of way 260th Street (Road # 744). Carried 5-0.

RESOLUTION #12,877
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY
260th STREET (ROAD NO. 744)

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), on June 11, 2019 held a public hearing on the proposed vacation of a Woodbury County Secondary Road Right-Of-Way described as follows:

That portion of 260th Street (Road No. 744) lying easterly of the east ROW line of Jasper Avenue to a point 33' west of the SE Corner of the NE¼ of the NW¼ in Section 29 T87N, R44W, Grant Township of the 5th P.M. Woodbury County, Iowa

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 2nd day of July 2019.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution closing and vacating a road right of way 280th Street. Carried 5-0.

RESOLUTION #12,878
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY
280th STREET

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), on June 11, 2019 held a public hearing on the proposed vacation of a Woodbury County Secondary Road Right-Of-Way described as follows:

A portion of 280th Street ROW in the SE¼ SE¼ Section 31, T87N, R45W, West Fork Township of the 5th P.M. Woodbury County, Iowa. more particularly described as follows:
Commencing at the SE Corner Section 31-87-45 thence N87°20'58"W (an assumed bearing) along the south line of the SE¼ 816.71 feet to the centerline of county road D25; thence N46°40'41"W 571.41 feet along the centerline of said D25; thence N60°12'18"E 62.70 feet to the ROW line and point of beginning; thence N60°12'18"E 360.37 feet; thence along a curve concave southerly with an arc length of 146.28 feet, a radius of 782.80 feet, with a chord of N65°33'30"E 146.07 feet; thence N19°05'18"W 66.00 feet to the northerly ROW line of 280th Street; thence along a curve concave southerly with an arc length of 158.62 feet, a radius of 848.80 feet, with a chord of S65°33'30"W 158.38 feet; thence S60°12'18"W 380.40 feet; thence S46°40'41"E 68.97 feet to the point of beginning. Said description contains 0.792 acres more or less.

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 2nd day of July 2019.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution closing and vacating a road right of way 150th Street (Road # 436). Carried 5-0.

RESOLUTION #12,879
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY
150th STREET (ROAD NO. 436)

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), on June 11, 2019 held a public hearing on the proposed vacation of a Woodbury County Secondary Road Right-Of-Way described as follows:

That portion of 150th Street (Road No. 436) lying east of the east ROW line of Dallas Avenue and west of the northwest ROW line of Correctionville Road in Sections 25,36 T89N, R46W, Concord Township of the 5th P.M. Woodbury County, Iowa

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 2nd day of July 2019.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution closing and vacating a road right of way Garner Avenue (Road # 798). Carried 5-0.

RESOLUTION #12,880
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY
GARNER AVENUE (ROAD NO. 798)

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), on June 11, 2019 held a public hearing on the proposed vacation of a Woodbury County Secondary Road Right-Of-Way described as follows:

That portion of Garner Avenue (Road No. 798) lying south of the south ROW line of Deer Run Trail and north of the north ROW line of 260th Street in Sections 17,18,19,20 T87N, R45W, West Fork Township of the 5th P.M. Woodbury County, Iowa

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 2nd day of July 2019
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

10. The Board heard reports on committee meetings.

11. There were no citizen concerns.

12. Board concerns were heard.

The Board adjourned the regular meeting until July 9, 2019.

Meeting sign in sheet. Copy filed.

WOODBURY COUNTY
HUMAN RESOURCES DEPARTMENT

TO: Board of Supervisors and the Taxpayers of Woodbury County
FROM: Melissa Thomas, Human Resources Director
SUBJECT: Memorandum of Personnel Transactions
DATE: July 9, 2019

For the July 9, 2019 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

1. County Sheriff Civilian Jailer, Resignation.
2. Asst. County Attorney, from Step 10 to Step 11.
3. Asst. County Attorney, from Step 8 to Step 9.

Thank you

HUMAN RESOURCES DEPARTMENT

#5b

WOODBURY COUNTY, IOWA

DATE: July 09, 2019

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Sheriff	Civilian Jailer	CWA: \$19.86/hour		

Chairman, Board of Supervisors



Woodbury County Sheriff's Office

LAW ENFORCEMENT CENTER
P. O. BOX 3715 SIOUX CITY, IOWA 51102

DAVID A. DREW, SHERIFF

PHONE: 712.279.6010
E-MAIL: ddrew@woodburycountyiowa.gov
FAX: 712.279.6522

3 July 2019

To the Woodbury County Board of Supervisors & Human Resources Department,

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to begin the hiring process for a Correctional Officer position, July 10th, 2019. We request this be placed on the agenda for the Tuesday, July 9th, 2019, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink that reads "David Drew".

Dave Drew, Sheriff

Cc: file

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 7/2/19

Weekly Agenda Date: 7/9/19

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Karen James - Admin. Assistant

WORDING FOR AGENDA ITEM:

Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Annually, the Board of Supervisors requires those receiving tax suspensions to re-certify their income. Those petitioners who fail to re-certify their income by the deadline or if their income does not qualify for continued tax suspension, will be turned over to the Board of Supervisors for action on lifting the tax suspension.

BACKGROUND:

FINANCIAL IMPACT:

None

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

To lift the tax suspension of the petitioners that are listed on the attachment.

ACTION REQUIRED / PROPOSED MOTION:

Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension.

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 7/3/2019 Weekly Agenda Date: 7/9/2019

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, County Engineer

WORDING FOR AGENDA ITEM:

Consideration of permit to work in the county right of way

ACTION REQUIRED:

- | | | |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/> | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/> |

EXECUTIVE SUMMARY:

Mark Boyle has requested a permit to work in the right of way to place a waterline across Pocahontas Avenue.

BACKGROUND:

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa.

FINANCIAL IMPACT:

No impact

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

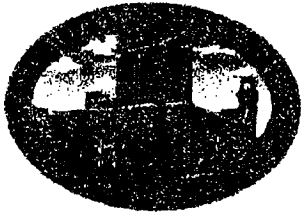
Yes No

RECOMMENDATION:

Recommend approval of the permit for the Mark Boyle.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the permit to work in the right of way for Mark Boyle and to direct the chair to sign the permit.



Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER
Mark J. Nahra, P.E.
mnahra@woodburycountyiowa.gov

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kuster, E.I.T.
bkuster@woodburycountyiowa.gov

SECRETARY
Tish Brice
tbrice@woodburycountyiowa.gov

WOODBURY COUNTY SECONDARY ROAD DEPARTMENT PERMIT & AGREEMENT TO PERFORM WORK WITHIN WOODBURY COUNTY RIGHT OF WAY

Name of Permittee: Mark Boyle Phone No.: 712-883-2274

Mailing Address: 4289 - 300th ST

Township: Liston Section: 7-8

Woodbury County, State of Iowa, and Mark Boyle (hereinafter referred to as property owner, organization or authorized representative) do hereby enter into the following permit and agreement:

1. Woodbury County hereby consents to and grants permission to the property owner, organization or authorized representative, to conduct the following described construction or activities within the right-of-way:

Place waterline across Pocahontas Avenue north of farm buildings to supply water for livestock. Permittee to mark location of line after construction with location signs.

2. In consideration of Woodbury County granting said permission and consent, the property owner, organization or authorized representative hereby promises and agrees to the following:

A. The applicant shall carry on the construction, repair and maintenance with serious regard to the safety of the traveling public and adjacent property owners.

B. The property owner, organization or authorized representative, at his/her own expense, shall provide all safety measures and warning devices necessary to protect the traveling public such as but not limited to, signs, lights, and barricades during the day and at night if the roadway will be obstructed. Traffic protection shall be in accordance with Part VI of the current Manual on Uniform Traffic Control Devices for Streets and Highways. The Department will loan the required signs to the applicant who shall be responsible for placing the signs and covering or removing when not in use, removal after the work has been completed, and return of the Department owned signs to the Department maintenance facility from which obtained. The applicant shall be responsible for correctly using signs as needed while work is in progress. Flagging operations are the responsibility of the applicant.

C. In placing any drainage structure, no natural drainage course will be altered or blocked.

D. The finished project shall be left in a satisfactory condition subject to the approval of the County Engineer. The traveled portion of the roadway shall not be damaged or disturbed. The property owner, organization or authorized representative assumes all liability and agrees to reimburse Woodbury County for any damage to the roadway or ditch caused by placement of this structure. Permittee is to call County Engineer for upon completion for final inspection.

E. The property owner, organization or authorized representative shall notify all appropriate telephone and utility companies in advance of any excavation and shall check for underground electric or telephone lines.

F. Woodbury County will not assume any of the cost of the construction of the said improvement or structure nor will Woodbury County assume any future costs for maintenance or replacement of said improvement or structure. If in the best interest of Woodbury County, the said improvement or structure may be removed by the County, or may be caused to be removed, without any obligation by Woodbury County to pay damages or cost of replacement.

G. Property owner, organization or authorized representative will reseed and mulch the disturbed areas. Property owner, organization or authorized representative will be responsible for seed, mulch, and labor unless otherwise provided in section L.

H. The property owner, organization, or authorized representative hereby agrees to hold Woodbury County and the Woodbury County Secondary Road Department, its employees and agents harmless against any and all claims for damages and personal injury arising out of work performed or actions taken by the applicant related to the construction or maintenance of the facility. The applicant further agrees to reimburse the County or the Department for any expenditures that the County or Department may have to make on said highway rights of way on account of said applicant's construction or maintenance activity or other activities or lack thereof. The applicant shall also save Woodbury County and the Woodbury County Secondary Road Department harmless of any damage or losses that may be sustained by the traveling public on account of such construction, repair or maintenance operations, or other activities.

I. FAILURE TO CONFORM TO OR TO ACQUIRE A PERMIT IS A VIOLATION OF SECTION 318.8, 2009 CODE OF IOWA. This permit is subject to any laws now in effect or any laws that may be hereafter enacted and all applicable rules and regulations of local, state and federal agencies. This permit is subject to all the rules and regulations of Woodbury County and the Woodbury County Secondary Road Department.

J. This permit is subject to revocation by the Department at any time and at no cost to the Department, when in the judgment of the Department it is necessary in the improvement or maintenance of the highway or for other reasonable cause.

K. All proposed work covered by this permit shall be at the applicant's expense. The applicant shall reimburse the Woodbury County Secondary Road Department for any materials removed from the highway right of way described as follows:

N.A.

L. Woodbury County agrees to provide the following contribution toward completion of this project:

None

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the 30th day of November, 2019.

Entered into this 9th day of July, 2019.

Mark Boyle
Signature of Property Owner or Authorized Representative

Mark J. Valera
Woodbury County Engineer

Chair, Woodbury County Board of Supervisors

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 7/3/2019 Weekly Agenda Date: 7/9/2019

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, County Engineer

WORDING FOR AGENDA ITEM:

Award bid for project number ER-C097(138)--58-97 - Emergency PCC Patching project for Old Highway 141.

ACTION REQUIRED:

- Approve Ordinance
- Approve Resolution
- Approve Motion
- Public Hearing
- Other: Informational
- Attachments

EXECUTIVE SUMMARY:

Bids were received on July 2, 2019 for PCC Patching damaged pavement on Old 141 near the Wolf Creek Bridge. The county engineer is recommending award.

BACKGROUND:

Old Highway 141 was damaged by flash flooding the week of March 12, 2019. The pavement and shoulder were washed out when the road overtopped with flood water. The road embankment and shoulders have been rebuilt by county staff, temporary surfacing has been placed and the road reopened to traffic. Bids have been received from Iowa DOT and an award recommendation is being made.

FINANCIAL IMPACT:

This repair is initially paid for with farm to market funds. We are applying for FHWA Emergency Relief funds for repairing the road, but in my judgment we can't wait for award of the funds to make for the repair. We are still eligible for funds, but we do take a risk by doing the work ahead of award.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

I recommend award of the project to Iowa Civil Contracting, Inc., the low bidder for the project.

ACTION REQUIRED / PROPOSED MOTION:

Motion to award bid to Iowa Civil Contracting Inc. for \$62,378.76.