



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(OCTOBER 27 2020) (WEEK 44 OF 2020)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Live telephonic access at: 712-224-6014

Rocky L. De Witt
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Keith W. Radig
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Justin Wright
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held October 27, 2020 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

3:30 p.m. 1. Closed Session {Iowa Code Section 21.5(1)(k)}

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

2. Citizen Concerns Information

3. Approval of the agenda Action

Consent Agenda

Items 4 through 10 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.

4. Approval of the minutes of the October 20, 2020 meeting

5. Approval of claims

6. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorization to Initiate Hiring Process

7. County Auditor – Patrick Gill
Receive County Recorder’s Report of Fees Collected
8. Board Administration – Heather Satterwhite
 - a. Approval of Notice of Property Sale Resolution for Parcel #894730252001 (aka 2224 W. Palmer Ave.) for Tuesday, November 10th at 4:35 p.m.
 - b. Approval of Notice of Property Sale Resolution for Parcel #894721151017 (aka 111 ½ 23rd Street) for Tuesday, November 10th at 4:37 p.m.
 - c. Approval of Notice of Property Sale Resolution for Parcel #894711132008 (aka 4425 Central Street) for Tuesday, November 10th at 4:39 p.m.
9. County Attorney – PJ Jennings
Approval of appointment of Charles Hertz to the Civil Service Commission
10. Secondary Roads – Mark Naha
Approval of a utility permit for installation of new waterline in county rights of way in Union Township for Cherokee Rural Water

End Consent Agenda

- | | |
|--|--|
| 11. Board Administration – Dennis Butler & Building Services – Kenny Schmitz
Approval of Schematic Design Plans for the Woodbury County Law Enforcement Center | Action |
| 12. Weed Commissioner – Jered Jepsen
Receive and approve annual report of the county weed commissioner | Action |
| 13. Secondary Roads – Mark Nahra <ol style="list-style-type: none"> a. Approval of award for culvert outlet protection projects b. Approval of award for bids on weir repairs c. Approval to receive bids for the Culvert K-264 replacement project d. Approval to award bid if low quote is clearly determined by bid results e. Approval of contract for FY 2021 Gravel Purchase f. Approval of contract for FY 2021 Gravel Haul | Action
Action
Action
Action
Action
Action |
| 14. Reports on Committee Meetings | Information |
| 15. Citizen Concerns | Information |
| 16. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- MON., OCT. 26 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., OCT. 27 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., OCT. 28 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- MON., NOV. 2 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., NOV. 3 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., NOV. 4 9:00 a.m.** Loess Hills Alliance Protection Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Stewardship Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive Meeting
- THU., NOV. 5 10:00 a.m.** COAD Meeting, The Security Institute
- 1:30 p.m.** MPO Policy Board Meeting, City Hall 405 – 6th Street
- WED., NOV. 11 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 8:00 p.m.** County's Mayor Association Meeting, Public Safety Center, Climbing Hill
- THU., NOV. 12 12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., NOV. 18 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- 6:30 p.m.** 911 Service Board Meeting, Public Safety Center, Climbing Hill
- THU., NOV. 19 10:15 a.m.** Siouxland Regional Transit System, Zoom
- 11:15 a.m.** Western Iowa Community Improvement Regional Housing Trust Fund Meeting, Zoom
- 1:30 p.m.** SIMPCO Community and Economic Development - Zoom
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., NOV. 20 12:00 p.m.** Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- MON., NOV. 23 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., NOV. 24 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., NOV. 25 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting

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.

OCTOBER 20, 2020, FORTY-THIRD MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, October 20, 2020 at 4:30 p.m. Board members present were Pottebaum, Radig, De Witt, Ung, and Wright. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, HR Director, Dennis Butler, Budget/Tax Analyst, and Patrick Gill, Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

- 1. Citizen concerns.
- 2. Motion by Ung second by De Witt to approve the agenda for October 20, 2020, Carried 5-0. Copy Filed.

Motion by Ung second by Radig to approve the following items by consent:

- 3. To approve minutes of the October 13, 2020 meeting. Copy filed.
- 4. To approve the claims totaling \$391,172.30. Copy filed.
- 5a. To receive the appointment of Lori Teel, 400 Main St., Hornick, IA, to the City Clerk of Hornick. The appointment was made August 24, 2020, to fill a vacant position previously held by Candi Gress, until the next regular election. Copy filed.
- 5b. To receive the Auditor’s Quarterly report for July 1, 2020 thru September 20, 2020. Copy filed.
- 6a. To approve the appointment of Emma Sonier, P/T Youth Worker, Juvenile Detention Dept., effective 10-21-20, \$19.83/hour. Job Vacancy Posted 8-5-20. Entry Level Salary: \$19.83/hour.; the reclassification of Danielle Brady, Election Clerk II, County Auditor Dept., effective 11-06-20, \$18.10/hour. Per AFSCME Courthouse Contract agreement, from Grade 3/Step 1 to Grade 3/Step 2.; and the end of probation of Tyler Weaver, Equipment Operator, Secondary Roads Dept., effective 11-06-20, \$24.75/hour, 3%=\$.74/hr. Per CWA Secondary Roads Contract agreement, End of Probation Salary Increase. Copy filed.
- 6b. Presentation Award of Certificate to Dawn Norton. Copy filed.
- 7. To approve the permit to work in the right of way for Dave Brown. Copy filed.

Carried 5-0.

- 8. A public hearing was held at 4:35 p.m. for the sale of parcel #894828205034, 3611 W. 4th St. Cir. The Chairperson called on anyone wishing to be heard.

Motion by De Witt second by Ung to close the public hearing. Carried 5-0.

Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894828205034, 3611 W. 4th St. Cir., to City of Sioux City, PO Box 447, Sioux City, IA, for \$1.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,072**

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

By City of Sioux City in the sum of One Dollar & 00/100 (\$1.00)-----
dollars.

For the following described real estate, To Wit:

**Parcel #894825205034
Lot Three (3) in Block Eight (8) of Golf View Addition, City of Sioux City, Woodbury County, Iowa
(3611 W. 4th St. Cir.)**

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 20th Day of October, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9a. Motion by De Witt second by Radig to approve and authorize the Chairperson to sign engagement letter with Dorsey & Whitney, LLP. Carried 5-0. Copy filed.
- 9b. Motion by Ung second by De Witt to approve and authorize the Chairperson to sign a Resolution authorizing the execution of a Memorandum of Agreement with Jackson Recovery Centers, Inc. and fixing a date for a hearing on the proposed issuance of revenue bonds or notes. Carried 5-0.

**RESOLUTION #13,071
A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF
AGREEMENT WITH JACKSON RECOVERY CENTERS, INC. AND FIXING A DATE
FOR A HEARING ON THE PROPOSED ISSUANCE OF REVENUE BONDS OR NOTES**

WHEREAS, the County of Woodbury, State of Iowa (the "Issuer"), is a County authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, 2019 as amended (the "Act"), to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements, and equipment, or any interest therein suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") or to retire any existing indebtedness on a facility for a Tax Exempt Organization or to refund any Bonds issued pursuant to the Act and paying costs of issuance associated therewith; and

WHEREAS, the Issuer has been requested by Jackson Recovery Centers, Inc., or an affiliate thereof (the "Borrower"), a Tax Exempt Organization, to issue revenue bonds or notes, in an aggregate principal amount not to exceed \$5,500,000 (the "Bonds"), in one or more series, pursuant to the Act, and to loan said amount to the Borrower for the purposes of (1) refinancing certain existing indebtedness of the Borrower, the proceeds of which were used to refinance the Issuer's \$7,000,000 Healthcare Facilities Revenue Bond (Jackson Recovery Centers, Inc. Project), Series 2013 (the "Prior Bond"), the proceeds of which were used to (a) pay a portion of the costs of acquiring, constructing, furnishing and equipping a new Child and Adolescent Recovery Hospital located at 3500 W. 4th Street, Sioux City, Iowa (the "Project"), and (b) pay for certain costs of issuing the Prior Bond; and (2) paying for certain costs of issuance of the Bonds; and

WHEREAS, it is proposed to finance the foregoing through the issuance of the Bonds and to loan the proceeds from the sale of the Bonds to the Borrower under a Loan Agreement between the Issuer, the Borrower and BMO Harris

Bank N.A. (the "Purchaser"), the obligations of which will be sufficient to pay the principal of, premium, if any, and interest on the Bonds as and when the same shall be due and payable; and

WHEREAS, the Bonds, if issued, shall be limited obligations of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of, interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from the Loan Agreement; and

WHEREAS, before the Bonds may be issued, it is necessary to conduct a public hearing on the proposal to issue the Bonds, all as required and provided for by Section 419.9 of the Act and Section 147(f) of the Code; and

WHEREAS, a Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto, has been presented to the Issuer which sets forth certain mutual undertakings and agreements between the Issuer and the Borrower, relating to the further processing of said Bonds;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of the Issuer, as follows:

Section 1. The Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto is hereby approved, and the Chairperson is hereby authorized to execute said Memorandum of Agreement and the County Auditor is hereby authorized to attest the same; said Memorandum of Agreement, which constitutes and is hereby made a part of this Resolution, to be in substantially the form, text and containing the provisions set forth in Exhibit A attached hereto.

Section 2. Officials of the Issuer are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of the Memorandum of Agreement.

Section 3. This Board shall meet at 4:45 p.m. on the 17th day of November, 2020, in the lower level of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which time and place any resident or property owner of the Issuer may present oral or written objections on the proposal to issue the Bonds referred to in the preamble hereof.

Section 4. The County Auditor, or his designee is hereby directed to give notice of intention to issue the Bonds, setting forth the amount and purpose thereof, the time when and place where the hearing will be held, by publication at least once not less than fifteen (15) days prior to the date fixed for the hearing, in a newspaper published and having a general circulation within the Issuer. The notice shall be in substantially the following form:

NOTICE OF INTENTION TO ISSUE REVENUE BONDS OR NOTES
(ROSECRANCE JACKSON RECOVERY CENTERS PROJECT)

The Board of Supervisors of Woodbury County, Iowa, (the "Issuer") will meet on the 17th day of November, 2020 at 4:45 p.m., in the lower level of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, for the purpose of conducting a public hearing on the proposal to issue revenue bonds or notes of the Issuer, in the aggregate principal amount not to exceed \$5,500,000 (the "Bonds"), in one or more series, and to loan said amount to Jackson Recovery Centers, Inc., or an affiliate thereof (the "Borrower"), for the purpose of (1) refinancing certain existing indebtedness of the Borrower, the proceeds of which were used to refinance the Issuer's \$7,000,000 Healthcare Facilities Revenue Bond (Jackson Recovery Centers, Inc. Project), Series 2013 (the "Prior Bond"), the proceeds of which were used to (a) pay a portion of the costs of acquiring, constructing, furnishing and equipping a new Child and Adolescent Recovery Hospital located at 3500 W. 4th Street, Sioux City, Iowa (the "Project"), and (b) pay for certain costs of issuing the Prior Bond; and (2) paying for certain costs of issuance of the Bonds. The Project will be owned and operated by the Borrower.

The Bonds, when issued, will be limited obligations and will not constitute general obligations of the Issuer nor will they be payable in any manner by taxation, but the Bonds will be payable solely and only from amounts received by the Issuer pursuant to one or more Loan Agreements between the Issuer, the Borrower and the purchaser of the Bonds, the obligations of which will be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds as and when the same shall become due.

At the time and place stated above, oral or written objections from any resident or property owner of the Issuer may be presented. At such meeting or any adjournment thereof, the Issuer shall adopt a resolution determining whether or not to proceed with the issuance of the Bonds. Written comments may also be submitted to the Issuer at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa 51101. Written comments must be received by the above hearing date.

By order of the Board of Supervisors of Woodbury County, Iowa.

Section 5. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved on October 20, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9c. Motion by De Witt second by Pottebaum to approve and authorize the Chairperson to sign a Resolution levying a direct annual tax for payment of the base rent and additional rent due under the lease agreement by and between the Woodbury County Law Enforcement Center Authority and Woodbury County, Iowa, pursuant to section 346.27 of the code of Iowa. Carried 5-0.

RESOLUTION #13,072
**RESOLUTION LEVYING A DIRECT ANNUAL TAX FOR
PAYMENT OF THE BASE RENT AND ADDITIONAL
RENT DUE UNDER THE LEASE AGREEMENT BY AND
BETWEEN THE WOODBURY COUNTY LAW
ENFORCEMENT CENTER AUTHORITY AND
WOODBURY COUNTY, IOWA, PURSUANT TO
SECTION 346.27 OF THE CODE OF IOWA**

WHEREAS, Woodbury County, State of Iowa ("County"), is a political subdivision, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, pursuant to Section 346.27 of the Code of Iowa, the County entered into that certain Lease Agreement dated September 1, 2020 (the "County Lease") with the Woodbury County Law Enforcement Center Authority (the "Authority") for the non-exclusive use of the Facility (as defined in the County Lease); and

WHEREAS, Section 346.27(22) of the Code of Iowa provides that when the County enters into a lease with the Authority, the governing body of the County shall provide by ordinance or resolution for the levy and collection of a direct annual tax sufficient to pay the annual rent payable under the lease as and when it becomes due and payable. The tax shall be levied and collected in like manner with the other taxes of the County and shall be in addition to all other taxes authorized to be levied by the County. This tax shall not be included within and shall be in addition to any statutory limitation of rate or amount for the County. The taxes realized from the tax levy shall be deposited into an account in the debt service fund of the County for the payment of the annual rent and shall not be disbursed for any other purpose; and

WHEREAS, pursuant to the County Lease, the County agreed to make semi-annual payments of Base Rent and Additional Rent (as those terms are defined in the County Lease) to the Authority; and

WHEREAS, pursuant to the County Lease, the Authority agreed to issue its Law Enforcement Center Facilities Revenue Bonds (the "Bonds") for the purpose of financing the design, construction, equipping, and furnishing of the Facility (as defined in the County Lease), including the acquisition of land for such purposes, for the joint use of the County and City of Sioux City, Iowa (the "City"); and

WHEREAS, the County is now in need of funds to pay the Base Rent and Additional Rent due under the County Lease, and it is deemed necessary and advisable that a direct annual tax be imposed pursuant to Section 346.27 of the Code of Iowa for such purpose; and

WHEREAS, the Board of Supervisors has taken such acts as are necessary to levy and collect the direct annual tax.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Authorization. The direct annual tax authorized by Section 346.27 of the Code of Iowa is being specially levied to pay the Base Rent and Additional Rent due under the County Lease. The Base Rent shall be paid to the Authority to finance the design, construction, equipping, and furnishing of the Woodbury County Law Enforcement Center, including the acquisition of land for such purposes, for the joint use of the County and City, and not to finance the general purposes of the County. Subject to Section 3 below, the County shall continue to levy and collect the direct annual tax until such time as the bonds issued by the Authority to finance the Facility have been paid in full.

Levy of Direct Annual Tax. For the purpose of providing funds to pay the Base Rent and Additional Rent due under the County Lease as required under Section 346.27 of the Code of Iowa, there is levied for each future year the following direct annual tax upon all the taxable property in Woodbury County, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$2,131,028.23	2021/2022
\$2,134,187.20	2022/2023
\$2,133,688.26	2023/2024
\$2,134,952.90	2024/2025
\$2,134,860.70	2025/2026
\$2,130,812.40	2026/2027
\$2,134,710.00	2027/2028
\$2,135,195.26	2028/2029
\$2,133,798.26	2029/2030
\$2,134,950.00	2030/2031
\$2,139,113.26	2031/2032
\$2,131,240.76	2032/2033
\$2,131,384.50	2033/2034
\$2,134,231.00	2034/2035
\$2,134,573.50	2035/2036
\$2,133,532.50	2036/2037
\$2,136,101.00	2037/2038
\$2,132,124.50	2038/2039
\$2,126,757.50	2039/2040

Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Additional Bonds (as defined in the County Lease) to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Filing. A certified copy of this Resolution shall be filed with the County Auditor of Woodbury County, State of Iowa, who shall, pursuant to Sections 76.2 and 346.27 of the Code of Iowa, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying the Base Rent and Additional Rent due under the County Lease.

PASSED AND APPROVED this 20th day of October, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 10. Motion by Ung second by De Witt to approve \$19,983 for EMA to purchase equipment for technological upgrades to the Emergency Operations Center. Carried 5-0. Copy filed.
- 11a. Bid letting was held for the repair for two weirs. The bids are as follows:

PCI Inc., Reinbeck, IA	\$179,385.00	
LA Carlson, Hinton, IA		\$546,015.00

Motion by Radig second by De Witt to receive the bids and refer them back to the County Engineer for recommendation. Carried 5-0. Copy filed.

11c. Bid letting was held for the repair of two culverts. The bids are as follows:

PCI, Inc., Reinbeck, IA	\$135,052.00
LA Carlson, Hinton, IA	\$138,172.00

Motion by Radig second by Ung to receive the bids and refer them back to the County Engineer for recommendation. Carried 5-0. Copy filed.

11e. Bid letting was held for the repair of the D12 river bank. The bids are as follows:

Lieber Concs., North Sioux City, Sd	\$82,225.00
Johnston Exca., Sloan, IA	\$84,605.20
LA Carlson, Hinton, IA	\$88,873.00
Niewhoner, Onawa, IA	\$96,907.00
PCI, Inc., Reinbeck, IA	\$101,162.00
Nelson Rock, Onawa, IA	\$111,553.00

Motion by Radig second by De Witt to receive the bids and refer them back to the County Engineer for recommendation. Carried 5-0. Copy filed.

11g. Motion by Radig second by De Witt to approve the plans for the replacement of culvert K-264. Carried 5-0. Copy filed.

12. The Board heard reports on committee meetings.

13. Citizen concerns.

14. Board concerns were heard.

The Board adjourned the regular meeting until October 27, 2020.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: October 27, 2020

* PERSONNEL ACTION CODE:

- A- Appointment
- T - Transfer
- P - Promotion
- D - Demotion
- R- Reclassification
- E- End of Probation
- S - Separation
- O - Other

TO: **WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Jordan, Timothy	Juvenile Detention	11-22-20	P/T Youth Worker			S	Resignation.
Edmundson, Rachael	County Attorney	11-09-20	Asst. County Attorney	\$103,450.00/year	6.7%= \$6,557.00/yr	R	Per AFSCME Asst. County Attorney Contract agreement, from Step 11 to Step 12.
Risting, Cathia	Building Services	11-09-20	Custodian	\$15.55/hour		A	Job Vacancy Posted 9-30-20. Entry Level Salary: \$15.55/hour.
McDermott, Deborah	County Treasurer	11-11-20	Clerk II	\$20.05/hour	5.4%=\$1.04/hr	R	Per AFSCME Courthouse Contract agreement, from Grade 3/Step 3 to Grade 3/Step 4.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas HR Director

**HUMAN RESOURCES DEPARTMENT
WOODBURY COUNTY, IOWA**

DATE: October 27, 2020

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
Juvenile Detention	(2) P/T Youth Workers	AFSCME Juvenile Detention: \$19.83/hour		

Chairman, Board of Supervisors

COUNTY RECORDER'S REPORT OF FEES COLLECTED
(See Chapter 342, Code)

#7

State of IOWA) SS:
County of WOODBURY)

To the Board of Supervisors of WOODBURY County:


I, DIANE SWOBODA PETERSON, Real Estate/Recorder Deputy of the above-named County and State, do hereby certify that the following is a true and correct statement of the fees collected by me in my office for the period of 7/01/2020 through 9/30/2020 and the same has been paid to the County Treasurer.

	Fees Collected
R.E. Transfer Tax State-Monthly	51,563.18
County Share R.E. Transfer Tax—Quarterly	35,875.86
Recording of Instruments—Quarterly	110,825.00
Auditor's Transfer Fee—Quarterly	6,110.00
Records Management Fees—Quarterly	4,582.00
Elec Tran Fee State Untransferred (Quarterly)	4,562.00
Copy Money-Quarterly	58.50
Vitals Stats State-Monthly	9,299.00
Vitals Stats County-Quarterly	9,492.00
Accts. Receivable Payment-Quarterly	1,966.00
Transfer to Checking Account	0
Previous Qtr. Acct. Receivable Balance	(2,070.60)
Bad Check Adjustment—Quarterly	0
Recorder Over/Short--Quarterly	68.80
Vitals Over/Short--Quarterly	0
Refunds--Quarterly	90.35
Adjustment—Quarterly	(8.00)
Total	232,414.09

All of which is respectfully submitted.


DIANE SWOBODA PETERSON Real Estate/Recorder Deputy

Subscribed and sworn to before me by DIANE SWOBODA PETERSON, Woodbury County Real Estate/Recorder Deputy this 17th day of October, 2020.


PATRICK F. GILL County Auditor

RESOLUTION #
NOTICE OF PROPERTY SALE

Parcels #894730252001

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

Lot Seven (7) Block Six (6) Hornicks 2nd Addition, City of Sioux City, Woodbury County, Iowa (2224 W. Palmer Ave.)

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **10th Day of November, 2020 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **10th Day of November, 2020**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$100.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 27th Day of October, 2020.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Matthew A. Ung, Chairman

REQUEST FOR MINIMUM BID

Name: William Bounds Date: 10-2-20

Address: 2220 West Palmer Ave. S.C. IA 51103 Phone: 605-490-5291

Address or approximate address/location of property interested in:

2224 West Palmer Ave.

GIS PIN # 894730252001

**This portion to be completed by Board Administration **

Legal Description:

Hornicks 2nd Lot 7 Block 6

Tax Sale #/Date: 649/1938 Parcel # _____

Tax Deeded to Woodbury County on: 1-4-43

Current Assessed Value: Land 7,668 Building 0 Total 7,668

Approximate Delinquent Real Estate Taxes: 0

Approximate Delinquent Special Assessment Taxes: 0

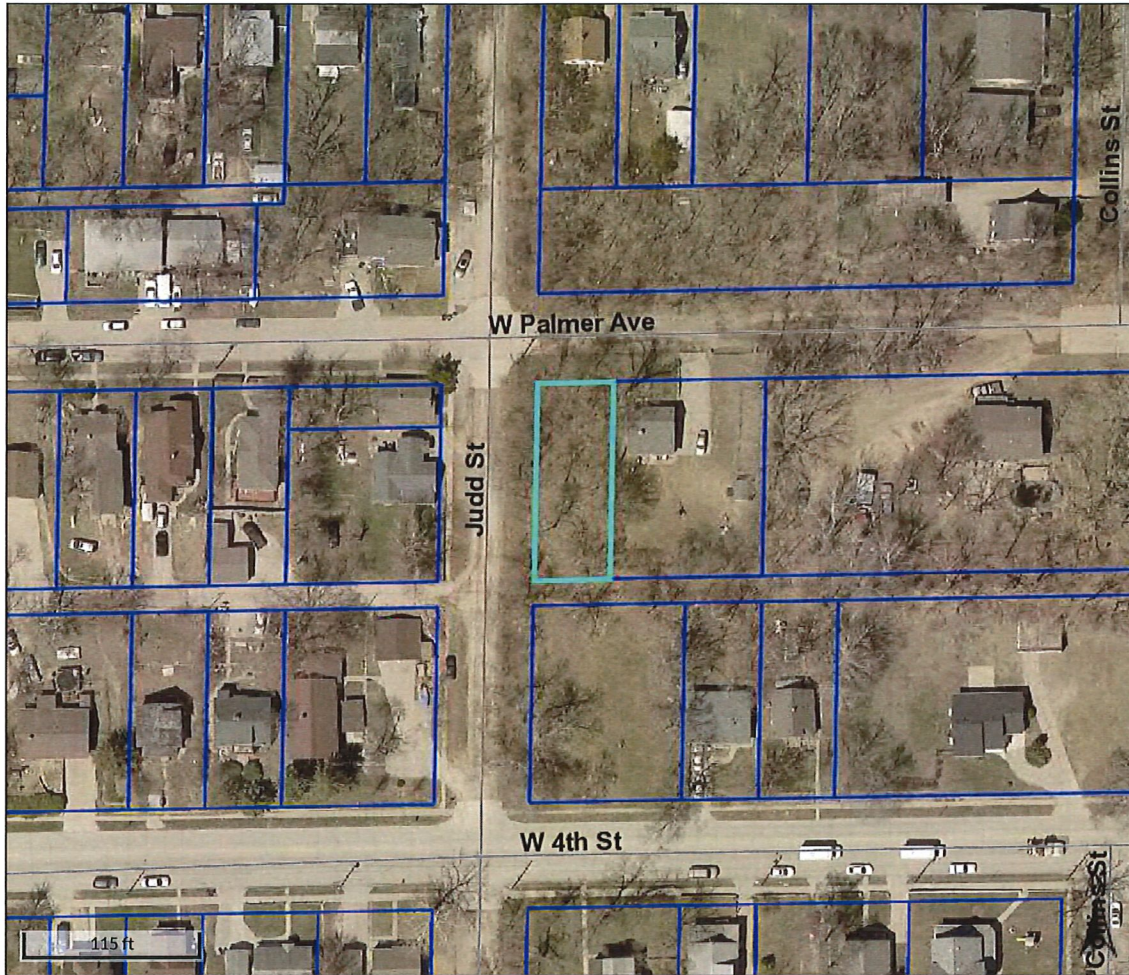
*Cost of Services: 0

Inspection to: Matthew Ung Date: 10-2-20

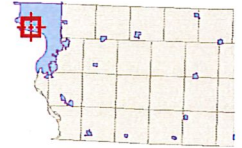
Minimum Bid Set by Supervisor: \$100

Date and Time Set for Auction: Tuesday, November 10th @ 4:35

* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	894730252001	Alternate ID	261885	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	2224 W PALMER AVE	Acreage	n/a		SIOUX CITY IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	HORNICKS 2ND LOT 7 BLK 6				
	(Note: Not to be used on legal documents)				

Date created: 10/2/2020
 Last Data Uploaded: 10/1/2020 7:50:48 PM

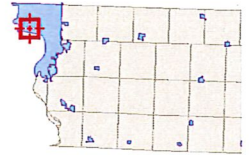


Beacon™

Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	894730252001	Alternate ID	261885	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	2224 W PALMER AVE	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	HORNICKS 2ND LOT 7 BLK 6				
	(Note: Not to be used on legal documents)				

Date created: 10/22/2020
 Last Data Uploaded: 10/21/2020 7:36:42 PM

Developed by Schneider
 GEOSPATIAL

RESOLUTION

NOTICE OF PROPERTY SALE

Parcel #894721151017

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

North 6 feet South 110 feet of Lot Eight (8) Block Six (6), Call's Summit 2nd Addition, City of Sioux City, Woodbury County, Iowa
Subject to restrictive covenants and easements of record and subject to a perpetual easement for alley purposes
(111 ½ 23rd Street)

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **10th Day of November, 2020 at 4:37 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate on the **10th Day of November, 2020**, immediately following the closing of the public hearing to **Julia Lesko and Olivia Lesko only per Code of Iowa 331.361(2)**.
3. That said Board proposes to sell the said real estate to **Julia Lesko and Olivia Lesko only for consideration of \$199.00 plus recording fees**.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 27th Day of October, 2020

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Matthew A. Ung, Chairman

REQUEST FOR MINIMUM BID

Name: Julia Lesko Date: 6/22/19
Address: 102 23rd St. S.C. 51104 Phone: 898-5366

Address or approximate address/location of property interested in:
111 1/2 23rd St.

GIS PIN # 894721151017

**This portion to be completed by Board Administration **

Legal Description:

The North 6 feet South 110 feet
of Lot 8 Block 6, City of Sioux City,
Woodbury County, Iowa

Tax Sale #/Date: #1320 - 6/18/2007 Parcel # —

Tax Deeded to Woodbury County on: we currently hold tax certificate

Current Assessed Value: Land Ø Building — Total Ø

Approximate Delinquent Real Estate Taxes: \$185-

Approximate Delinquent Special Assessment Taxes: \$150-

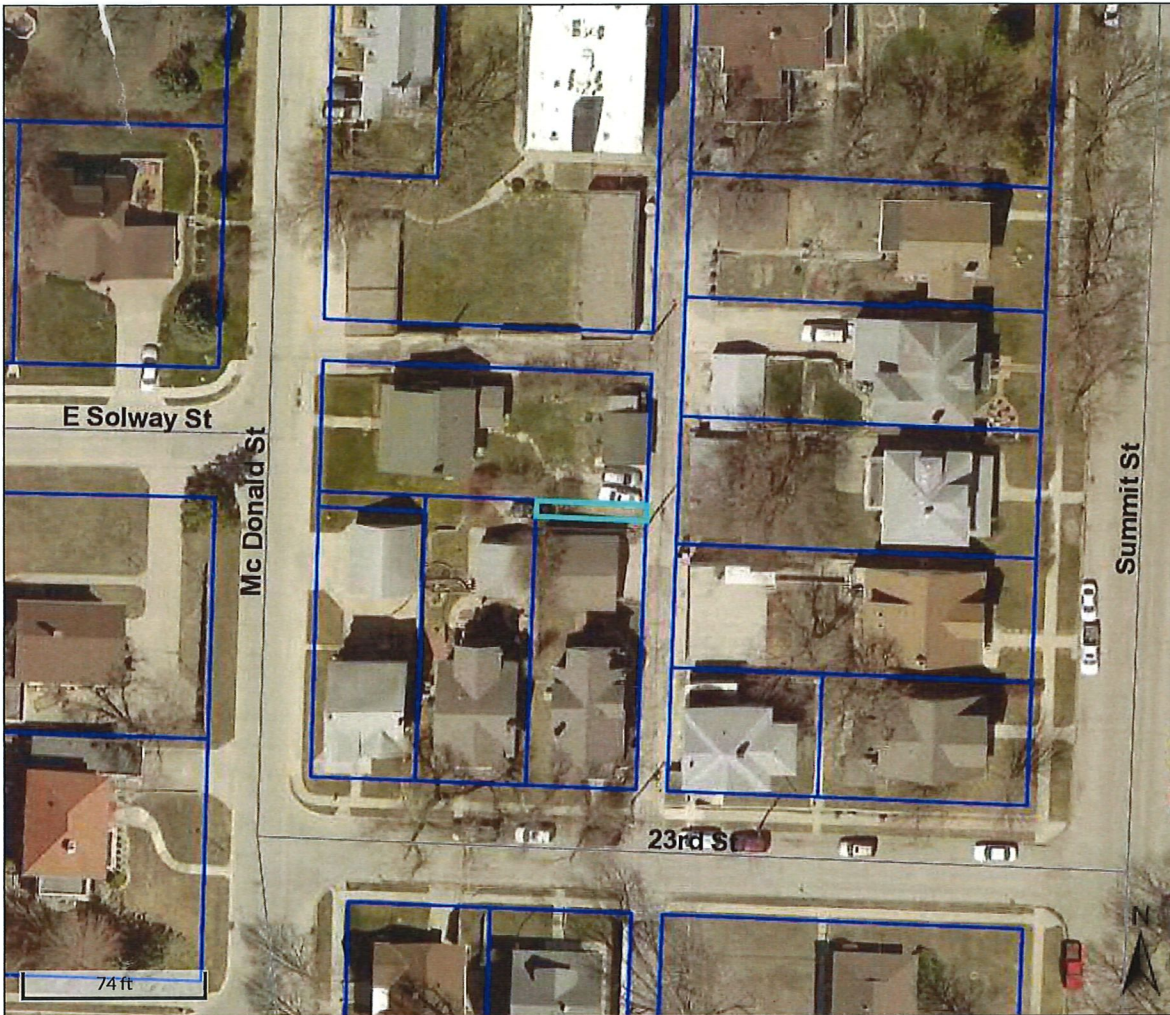
*Cost of Services: \$114

Inspection to: Keith Radig Date: 6/22/19

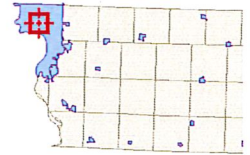
Minimum Bid Set by Supervisor: —

Date and Time Set for Auction: Tuesday, November 10th @ 4:37

* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



Overview

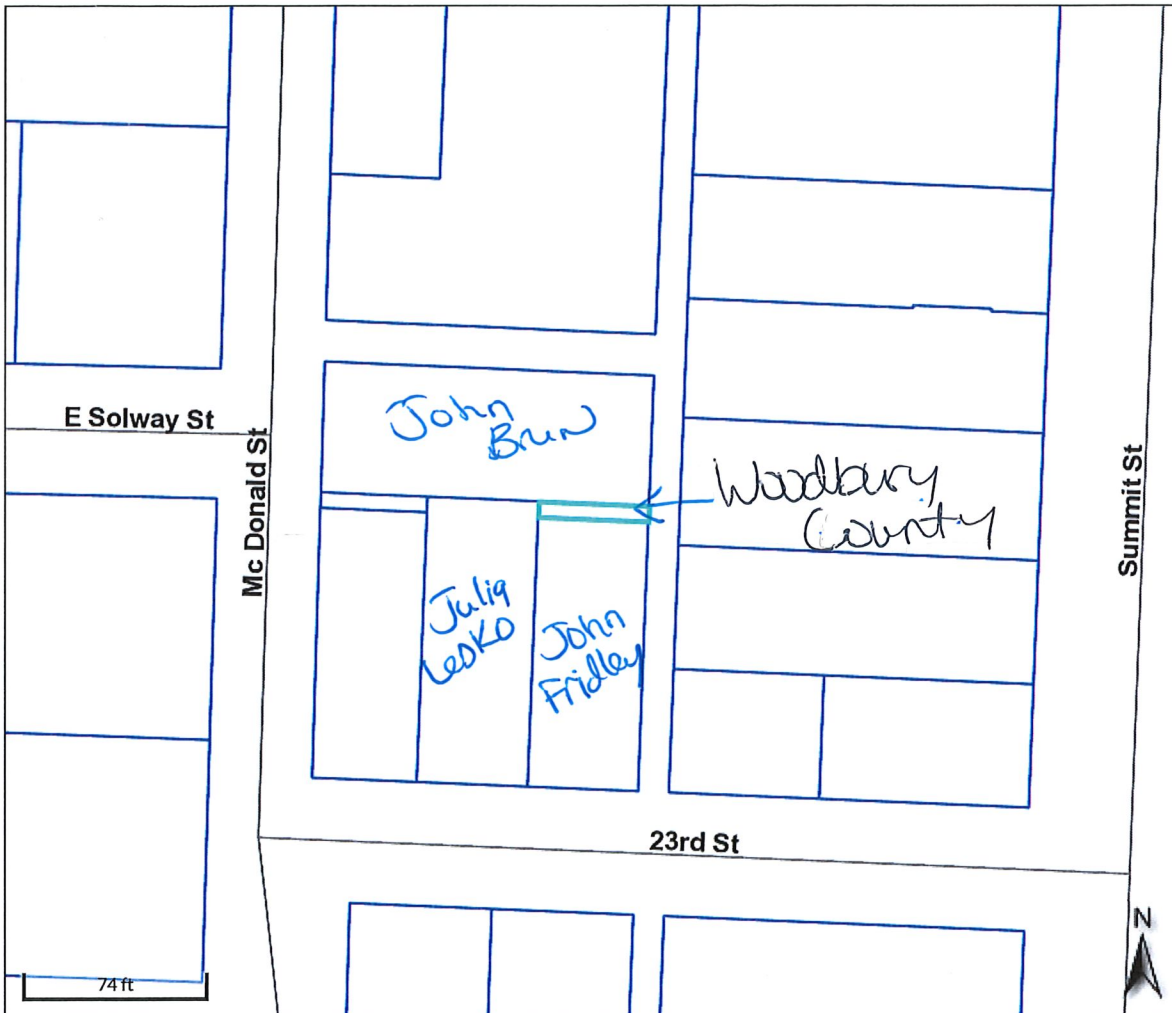


Legend

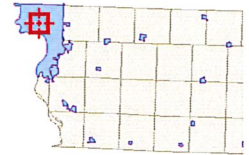
- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	894721151017	Alternate ID	88025	Owner Address	ZIMMERMAN GERALD G ZIMMERMAN ELVERA C
Sec/Twp/Rng	n/a	Class	R		111 1/2 23RD ST
Property Address	111 1/2 23RD ST	Acreage	n/a		MAIL RETURNED
	SIOUX CITY				
District	087				
Brief Tax Description	CALLS SUMMIT 2ND N 6 FT S 110 FT LOT 8 BLK 6				
	(Note: Not to be used on legal documents)				

Date created: 6/21/2019
 Last Data Uploaded: 6/20/2019 7:01:04 PM



Overview



Legend

-  Roads
-  Corp Boundaries
-  Townships
-  Parcels

Parcel ID	894721151017	Alternate ID	88025	Owner Address	ZIMMERMAN GERALD G ZIMMERMAN ELVERA C
Sec/Twp/Rng	n/a	Class	R		111 1/2 23RD ST
Property Address	111 1/2 23RD ST	Acreage	n/a		MAIL RETURNED
	SIOUX CITY				
District	087				
Brief Tax Description	CALLS SUMMIT 2ND N 6 FT S 110 FT LOT 8 BLK 6				
	(Note: Not to be used on legal documents)				

Date created: 6/21/2019
 Last Data Uploaded: 6/20/2019 7:01:04 PM

Developed by  Schneider
 GEOSPATIAL

RESOLUTION #**NOTICE OF PROPERTY SALE****Parcel #894711132008**

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**Lots 7, 8 and 9 in Block 25 of Leeds Addition to Sioux City, in the County of Woodbury and State of Iowa
(4425 Central Street)**

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **10th Day of November, 2020 at 4:39 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate on the **10th Day of November, 2020**, immediately following the closing of the public hearing to **Amanda Wragge only per Code of Iowa 331.361(2)**.
3. That said Board proposes to sell the said real estate to **Amanda Wragge only for consideration of \$3,500.00 plus recording fees**.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 27th Day of October, 2020

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Matthew A. Ung, Chairman

REQUEST FOR MINIMUM BID

Name: Chris Schaefer Date: 8/23/19
Address: 4421 Harrison St. Phone: 301-2040

Address or approximate address/location of property interested in:
4425 Central St.

GIS PIN # 894711132008

*This portion to be completed by Board Administration *

Legal Description:
Lot 7-9 in Block 25 of Leeds Addition
to Sioux City and Woodbury County, Iowa

Tax Sale #/Date: #947 - 6/18/2012 Parcel #

Tax Deeded to Woodbury County on: N/A - we hold certificate

Current Assessed Value: Land \$16,500 Building 0 Total \$16,500

Approximate Delinquent Real Estate Taxes: \$7,765

Approximate Delinquent Special Assessment Taxes: \$27,500

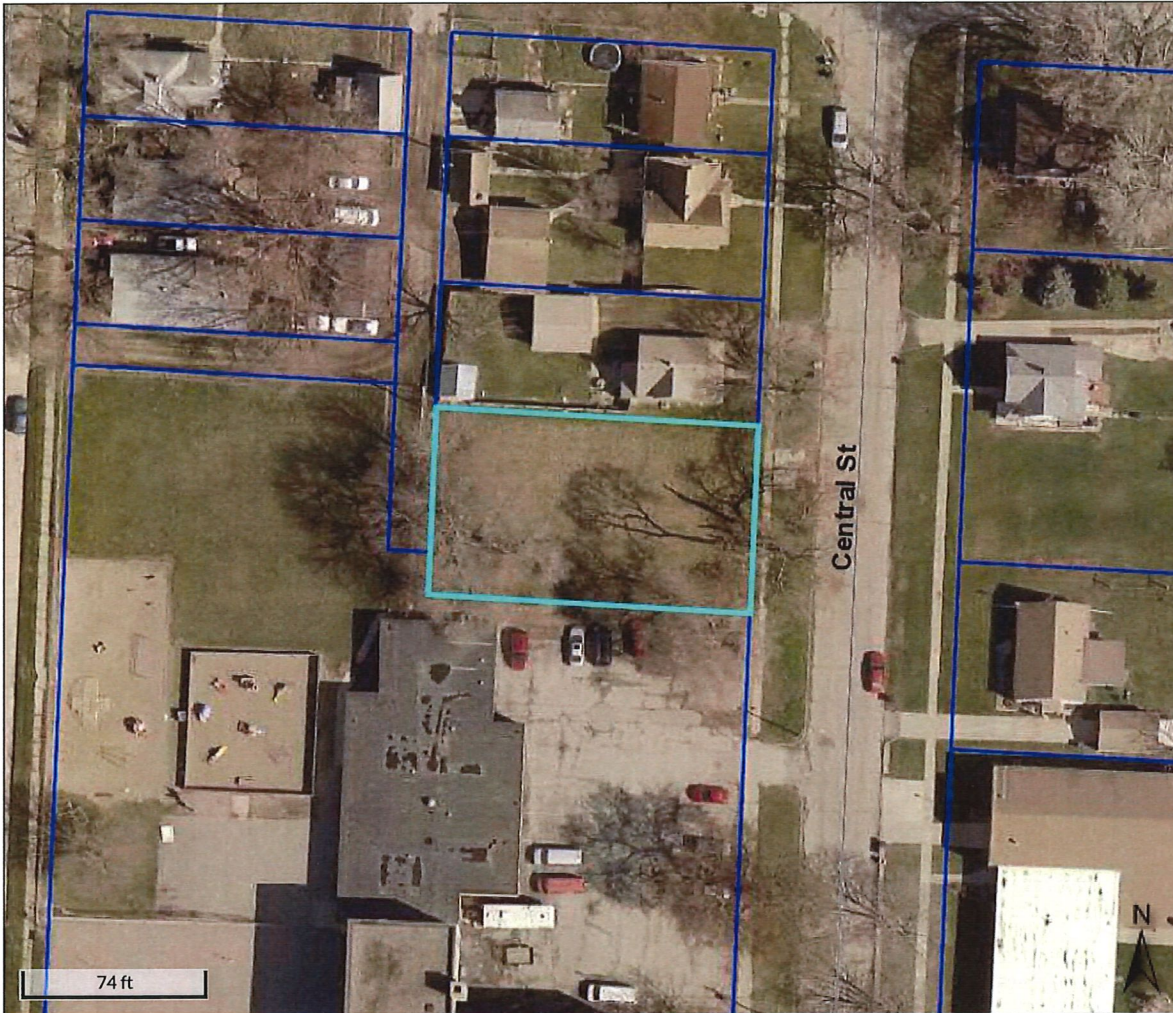
*Cost of Services: \$122

Inspection to: Keith Radig Date: 8/23/19

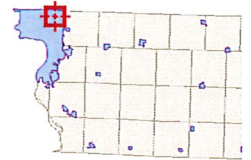
Minimum Bid Set by Supervisor:

Date and Time Set for Auction: Tuesday, November 10th @ 4:39

* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



Overview



Legend

- Roads
-  Corp Boundaries
-  Townships
-  Parcels

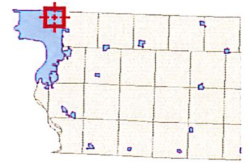
Parcel ID	894711132008	Alternate ID	306120	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	4425 CENTRAL ST	Acreage	n/a		SIOUX CITY 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	LEEDS LOTS 7-9 BLK 25				
	(Note: Not to be used on legal documents)				

Date created: 8/18/2020
 Last Data Uploaded: 8/17/2020 7:31:24 PM

Developed by  **Schneider**
 GEOSPATIAL



Overview



Legend

-  Roads
-  Corp Boundaries
-  Townships
-  Parcels

Parcel ID	894711132008	Alternate ID	306120	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	4425 CENTRAL ST	Acreage	n/a		SIOUX CITY 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	LEEDS LOTS 7-9 BLK 25				
	(Note: Not to be used on legal documents)				

Date created: 8/18/2020
 Last Data Uploaded: 8/17/2020 7:31:24 PM

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

#9

Date: 10/21/20 Weekly Agenda Date: 10/27/20

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: PJ Jennings

WORDING FOR AGENDA ITEM:

Appointment of Charles Hertz to the Civil Service Commission

ACTION REQUIRED:

- Approve Ordinance Approve Resolution Approve Motion
Give Direction Other: Informational Attachments

EXECUTIVE SUMMARY:

Pursuant to Iowa Code 341A.2, there are three members to this commission for six year terms. Due to the resignation of Rick Ellison, a vacancy now exists. This appointment is by the County Attorney.

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:

Approve the nomination and appointment of Charles Hertz to fill the vacancy created by the resignation of Rick Ellison. This approval will be to complete the remaining term of Ellison which is set to expire on June 30, 2024.

ACTION REQUIRED / PROPOSED MOTION:

Approve the appointment of Charles Hertz to fill the vacancy created by the resignation of Rick Ellison.

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

Date: 10/22/2020 Weekly Agenda Date: 10/272020

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

WORDING FOR AGENDA ITEM:

Consideration of a utility permit for installation of new waterline in county rights of way in Union Township for Cherokee Rural Water

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Cherokee Rural Water has applied for a permit to allow the installation of a buried waterline in county rights of way of Union Township.

BACKGROUND:

Work in county ROW requires a permit approved by the Board of Supervisors per section 318.8 of the Code of Iowa. The county engineer has reviewed the location and recommends that the work be allowed. The new waterline will serve the Jesse Bogenrief property.

FINANCIAL IMPACT:

No financial impact to the county.

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 Cherokee Rural Water for waterline in Union Township.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the underground utility permit for Cherokee Rural Water for new waterline in Union Township and to direct the chair to sign the permit.

PERMIT FOR USE OF COUNTY ROAD/HIGHWAY RIGHT-OF-WAY
FOR OVERHEAD AND/OR BURIED UTILITIES ACCOMMODATION

REQUEST BY APPLICANT:

Name Cherokee Rural Water

Highway 130th Street

Address P.O. Box 1022 Cherokee, IA 51012

Township Union

City of Pierson

Office Phone 712-225-6193 Local Phone 712-229-6547

Section: SE 1/4 of SW 1/4 Sec 16, NE 1/4 of NW 1/4 Sec 21

Type of Utility Installation Water Service Line - 1 1/2"

T 89 N, R 42 W

Plans Prepared By Matt Draper

Copy Enclosed Yes No

Map Showing Location Enclosed Yes No

Utility Location is _____ cross right-of-way _____ parallel to right-of-way

_____ overhead underground

Proposed Method of Installation

_____ tunnel	_____ suspend on poles	_____ cased
<input checked="" type="checkbox"/> jack & bore	_____ suspend on towers	_____ trench
_____ open cut	_____ plow	

Estimated Starting Date 10/28/20 Estimated Restoration Date 10/30/20

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions listed on the reverse side hereof, and special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof. Applicant is to complete in triplicate and send all copies including plans and maps to Woodbury County Engineer, 759 E. Frontage Road, Merville, IA 51039. One executed copy will be returned to the Applicant.

By [Signature]
(Signature of Authorized Utility Representative)

Title ASH Mgr

Date 10/22/20

PERMIT APPROVAL BY PERMITTING AUTHORITY

The forgoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated herein and on the reverse side hereof and all attachments hereto.

By _____
(Signature of Woodbury County Board Chairman)

Title _____

Date _____

By _____
(Signature of Woodbury County Engineer)

Title _____

Date _____

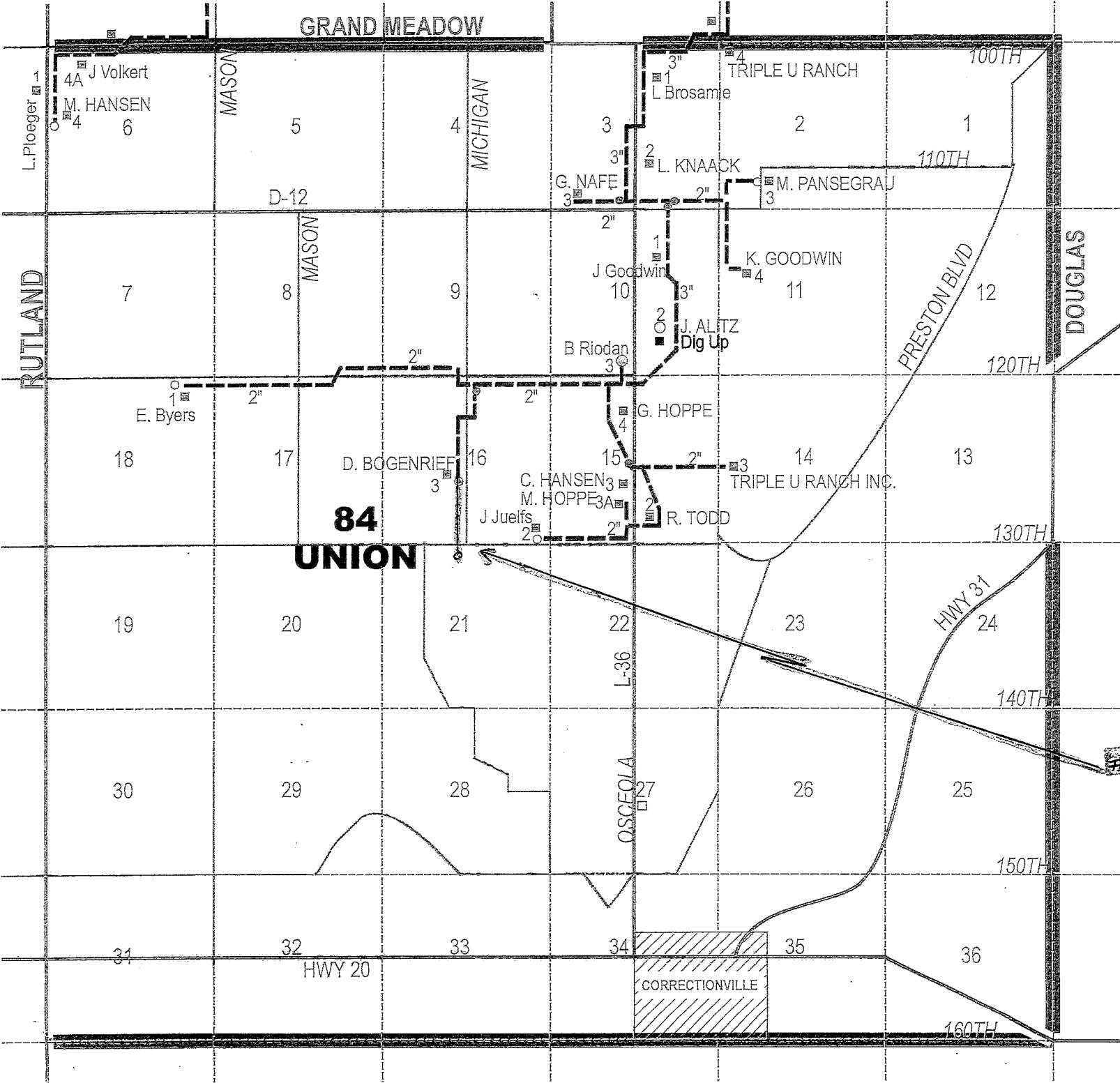
Other Special Provisions:

Permit Provisions and Conditions of Issuance

- The County and/or the County Board of Supervisors will not be charged with any responsibility for damages to the Applicant's property occasioned by any construction or maintenance operations on said county roads, including new or additional right-of-way acquired in connection therewith, subsequent to the building of the Applicant's facilities. The Board will endeavor to give the Applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way that is likely to expose, cover up, or disturb any facilities belonging to the Applicant, in order that the Applicant may arrange to protect the facilities. The Board will inform contractors, and others working on the job of the location of the facilities so that reasonable care may be taken to avoid damaging the facilities, however the County and the Board of Supervisors will assume no responsibility for failure to give such notice.

GRAND MEADOW

UPDATED: 9-2020



ADDRESSES:
WEST(ODD) TO EAST(EVEN)
3800 - 4300

NORTH (ODD) TO SOUTH (EVEN)
1000 - 1500

NOTES:

T89N-R42W

More
Detail

ABANDON
PIPE IN DITCH
TRACER WIRE

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

#11

Date: 10/22/2020 Weekly Agenda Date: 10/27/2020

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Kenny Schmitz/ Dennis Butler

WORDING FOR AGENDA ITEM:

Law Enforcement Center Schematic Design (SD Phase) Drawings

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 type="checkbox"/> |

EXECUTIVE SUMMARY:

Goldberg Group Architects have completed the schematic design drawings phase of the new LEC. The LEC Authority / Woodbury County Agreement specifies Woodbury County must approve the drawings.

BACKGROUND:

The Woodbury County Board of Supervisors have met in closed session- Iowa Code Chapter 21.5(1)(k) to review LEC facility and confidential detention design drawings. The Law Enforcement Authority has approved the schematic drawing (SD Phase) design. GGA has completed the schematic design (SD) phase of the new LEC.

FINANCIAL 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:

Approve Goldberg Group Architects schematic design drawings

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the Law Enforcement Center schematic design drawings by Goldberg Group Architects

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

Date: 10/22/2020 Weekly Agenda Date: 10/27/2020

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Jered Jepsen, Weed Commissioner

WORDING FOR AGENDA ITEM:

Receive and approve annual report of the county weed commissioner

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 type="checkbox"/> |

EXECUTIVE SUMMARY:

The county weed commissioner prepares an annual report for the Department of Agriculture. The report is reviewed with and signed by the Board in advance of submittal.

BACKGROUND:

The county weed commissioner is a position established under Chapter 317 of the Code of Iowa and is a Board appointed county official. The secondary road department provides logistic and clerical support to the weed commissioner. In his annual report he will provide the board with information on his 2020 work and a discussion of upcoming programming and needs.

FINANCIAL IMPACT:

The county funds the work of the weed commissioner through the weed eradication budget.

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 that the Board receive the 2020 report of the weed commissioner and direct the chair to sign the report.

ACTION REQUIRED / PROPOSED MOTION:

Motion to receive the 2020 report of the weed commissioner and direct the chair to sign the report.



2020 WEED COMMISSIONER'S REPORT

For the County of: Woodbury

Submit to County Board of Supervisors by: November 1, 2020
 Return copy to the IDALS office by: December 1, 2020

Weed Commissioner's Contact Information:

Name <u>Tered Jensen</u>	Year Appointed <u>2012</u>
Address <u>303 2nd P.O. Box 202</u>	Telephone <u>712-898-0822</u>
City, Zip Code <u>Correanville, Ia 51016</u>	Alternate Telephone <u>712-593-9718</u>
Email Address <u>wcweedcomm@gmail.com</u>	Pesticide Certificate # <u>41681</u>

Which of the noxious weeds have you found in your county?

- 1 - Found, a problem in my county
- 2 - Found, but not a problem

- 3 - Not known in my county
- ? - If you cannot identify this plant

Primary Noxious Weeds	Answer	Secondary Noxious Weeds	Answer
Buckthorn	3	Buckhorn Plantain	3
Bull Thistle	2	Cocklebur	2
Canada Thistle	2	Curly Dock (Sour Dock)	2
Field Bindweed	2	Multiflora Rose	2
Hoary Cress (Perennial Pepper-grass)	2	Poison Hemlock	2
Horse Nettle	2	Puncturevine	2
Leafy Spurge	2	Red Sorrel (Sheep sorrel)	2
Musk Thistle	2	Shattercane	2
Palmer Amaranth	3	Smooth Dock	2
Perennial Sow Thistle	2	Teasel	2
Quackgrass	2	Velvetleaf (Butterprint)	2
Russian Knapweed	2	Wild Carrot	2
		Wild Mustard	2
		Wild Sunflower	2

Invasive Prohibited Plants	Answer		
Garlic Mustard	2		
Japanese Hop	3		
Japanese Knotweed	3		
Oriental Bittersweet	2		
Purple Loosestrife	2		

Please list any other plants which are a problem or a concern in your county:

Trying to control the trees & brush in the county ROW

As County Weed Commissioner, do your duties include roadside spraying?

Yes No

Did your county publish a Notice of Program for weed control pursuant to the provisions of Title VIII Chapter 317 Section 317.14?

Yes No

Did your county employ contract spraying during 2020?

Yes No

If yes, what percentage of your total spray program is contracted? _____%

If possible, please list the contract rates. \$/mile _____

Total contract cost \$ _____

In the past year how much did your county spend on purchasing herbicides?

\$20,000.00

How many times during 2020 was it necessary to serve a noxious weed notice?

Private (written) 0 Public (written) (DOT, DNR, CCB) 0

How many times did you contact individuals personally, rather than sending them a weed control notice?

Private (verbal) 17 Public (verbal) (DOT, DNR, CCB) 3

How many times did you actually enter private or public land, control weeds, and assess the cost to the owner?

0

How many months were you employed as weed commissioner in 2020?

9 months

Are your duties as weed commissioner incorporated into another county job?

Yes No

If Yes, what? Equipment Operator

Weed Comm. Duties 25 % IRVM Duties 75 %

Other County Duties _____%

How does the overall county weed situation compare with last year?

Improved Unchanged Worse

Comments? _____

Is brush control included in your weed commissioner duties?

Yes No

If yes, what method(s) do you use? (Circle all that apply):

Spraying Cutting Stump treatment Basal bark

Other, explain _____

What are your suggestions and/or recommendations which may improve your county weed and brush infestations?

Allow more hours during spray season

What herbicides did your county use in your weed control program? Be specific, please list brand name and quantity of each. Please do not list surfactants or adjuvants. If the spray program is contracted in your county, ask your contractor for this information. Add another page if necessary.

Herbicide usage table:

CHEMICAL/BRAND	RATE USED	QUANTITY USED	TO CONTROL?
(Example) Milestone	4 fluid ounces per acre	3.32 gallons	Thistle and teasel on roadside
<i>Milestone</i>	<i>5 to 7oz/acre</i>	<i>65 gal</i>	<i>weeds</i>
<i>Escort X P</i>	<i>1oz/Acre weeds 2oz/Acre trees.</i>	<i>960 oz</i>	<i>weeds & brush</i>
<i>Vastlan</i>	<i>Trees & brush 3qt/acre</i>	<i>87.5 gallons</i>	<i>Trees & brush</i>

The above report is true to the best of my knowledge.

Signature 
County Weed Commissioner

10/01/20
Date

Signature _____
Chairman, County Board of Supervisors

Date

Please return a copy to:

Iowa Department of Agriculture and Land Stewardship
Attn: State Weed Commissioner
2230 S Ankeny Blvd
Ankeny, IA 50023-9093

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

#13a

Date: 10/22/2020 Weekly Agenda Date: 10/27/2020

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

WORDING FOR AGENDA ITEM:

Award bid for Culvert outlet protection projects

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The county board received bids for outlet improvements at two box culverts damaged during 2019 flooding.

BACKGROUND:

March 2019 flooding damaged two RCB Culverts and degraded the stream at the culvert outlets . The secondary road department received Hungry Canyons funding for repair of the culvert outlets. The county also is receiving Emergency Watershed Protection (EWP) funding to allow stream protection to be installed to protect and reinforce the culverts.

FINANCIAL IMPACT:

The project is paid for with a combination of Hungry Canyons, EWP and local Woodbury County secondary road funds.

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 that the Board award the quote to Peterson Contractors, Inc.

ACTION REQUIRED / PROPOSED MOTION:

Motion to award the bid to Peterson Contractors, Inc for \$135,052.00.

TABULATION OF BIDS

PROJECT NO. G-104-1 & L-162-1
 LETTING: TUESDAY, October 20, 2020
 Sections 18-88-46 & 32-88-42

NOTE: IN CASE OF MATHEMATICAL ERROR, UNIT PRICE SHALL GOVERN

		*****		*****		*****		*****		*****		*****		*****	
		**		**		*		*		*		*		*	
		**		**		* PCI Inc		* LA Carlson		*		*		*	
		**		**		* 104 Black Hawk Street		* 25164 Hillside Dr		*		*		*	
		**		**		* Reinbeck IA 50669		* Hinton IA 51024		*		*		*	
		**		**		*		*		*		*		*	
ITEM NO	ITEM	QUANTITIES	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	* SUMMARY OF BIDS		
1	Clearing and Grubbing	0.20 Acre	\$ 5,000.00	\$ 1,000.00	\$ 25,000.00	\$ 5,000.00	\$ 45,000.00	\$ 9,000.00	\$ -	\$ -	\$ -	\$ -	* 1) PCI Inc \$ 135,052.00		
2	Excavation Class 10 Channel	401 C.Y.	\$ 12.00	\$ 4,812.00	\$ 10.00	\$ 4,010.00	\$ 6.00	\$ 2,406.00	\$ -	\$ -	\$ -	\$ -	* 2) LA Carlson \$ 138,172.00		
3	Concrete Grout for Revetment or gabion	74 C.Y.	\$ 500.00	\$ 37,000.00	\$ 225.00	\$ 16,650.00	\$ 375.00	\$ 27,750.00	\$ -	\$ -	\$ -	\$ -	* 3) 0 \$ -		
4	Revetment Class E	1024 Ton	\$ 62.00	\$ 63,488.00	\$ 58.00	\$ 59,392.00	\$ 52.75	\$ 54,016.00	\$ -	\$ -	\$ -	\$ -	* Engineer's Est. \$ 122,300.00		
5	Mobilization	1 L.S.	\$ 8,000.00	\$ 8,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -			
6	Dewater	2 L.S.	\$ 4,000.00	\$ 8,000.00	\$ 17,500.00	\$ 35,000.00	\$ 15,000.00	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -			
		TOTAL		\$ 122,300.00		\$ 135,052.00		\$ 138,172.00	\$ -	\$ -	\$ -	\$ -			

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

Date: 10/22/2020 Weekly Agenda Date: 10/27/2020

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

WORDING FOR AGENDA ITEM:

Award bids for Weir Repairs

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The county board has received bids for repairs to two weirs damaged during 2019 flooding. The county engineer has examined the bids and is making an award recommendation.

BACKGROUND:

March 2019 flooding damaged two stream grade control weirs. The secondary road department received FEMA funding for repair of the weirs. The county also is receiving Emergency Watershed Protection (EWP) funding to allow the weirs to be reinforced and improved to meet current design standards.

FINANCIAL IMPACT:

The project is paid for with a combination of FEMA, EWP and local Woodbury County secondary road funds.

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 that the Board award the low quote from Peterson Contractors, Inc.

ACTION REQUIRED / PROPOSED MOTION:

Motion to award the quote to Peterson Contractors, Inc. for \$179,385.

TABULATION OF BIDS

PROJECT NO. Weir Repair P-3 & P-35
 LETTING: TUESDAY, October 20, 2020
 Weir Repair Sections 1-87-45 & 12-87-45

NOTE: IN CASE OF MATHEMATICAL ERROR, UNIT PRICE SHALL GOVERN

*****		*****		*****		*****		*****		*****		*****		*****		
		**	**	*	*	*	*	*	*	*	*	*	*	*	*	
		**	** Engineer's Estimate	*	LA Carlson	*	Peterson Contractors Inc.	*	*	*	*	*	*	*	*	
		**	**	*	* 25164 Hillside Drive	*	* 104 Black Hawk St.Reinbeck I	*	*	*	*	*	*	*	*	
		**	**	*	* Hinton Iowa 51024	*	*	*	*	*	*	*	*	*	*	
		**	**	*	*	*	*	*	*	*	*	*	*	*	*	
*****		*****		*****		*****		*****		*****		*****		*****		
ITEM NO	ITEM	QUANTITIES	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
		**	**	**	**	**	**	**	**	**	**	**	**	**	**	**
1	Clearing and Grubbing	0.20	Acre	\$ 5,000.00	\$ 1,000.00	\$ 100,000.00	\$ 20,000.00	\$ 25,000.00	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	Excavation Class 12, Boulders Rock Frag	195	C.Y.	\$ 30.00	\$ 5,850.00	\$ 65.00	\$ 12,675.00	\$ 31.00	\$ 6,045.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	Concrete Grout for Revetment or gabion	65	C.Y.	\$ 550.00	\$ 35,750.00	\$ 400.00	\$ 26,000.00	\$ 225.00	\$ 14,625.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4	Revetment Class B	759	Ton	\$ 55.00	\$ 41,745.00	\$ 74.00	\$ 56,166.00	\$ 56.00	\$ 42,504.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5	Revetment Class E	151	Ton	\$ 55.00	\$ 8,305.00	\$ 74.00	\$ 11,174.00	\$ 61.00	\$ 9,211.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6	Mobilization	1	L.S.	\$ 15,000.00	\$ 15,000.00	\$ 120,000.00	\$ 120,000.00	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7	Dewater	2	L.S.	\$ 5,000.00	\$ 10,000.00	\$ 150,000.00	\$ 300,000.00	\$ 43,500.00	\$ 87,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				TOTAL	\$ 117,650.00		\$ 546,015.00		\$ 179,385.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

SUMMARY OF BIDS

1) PCI Inc	\$ 179,385.00
2) LA Carlson	\$ 546,015.00
3)	0 \$ -
Engineer's Est.	\$ 117,650.00

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

#13c

Date: 10/22/2020 Weekly Agenda Date: 10/27/2020

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

WORDING FOR AGENDA ITEM:

Receive bids for Culvert K-264 replacement project

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 type="checkbox"/> |

EXECUTIVE SUMMARY:

The county engineer has prepared plans for the replacement of an aging box culverts under Old Highway 20/160th St. SE of Merville.

BACKGROUND:

The existing RCB Culvert/cattle pass is in poor condition. Changes in the landscape have created conditions where there is erosion at the inlet of the culvert, damaging the adjacent landowner's field. The existing culvert will be replaced with a corrugated metal pipe with a drop inlet.

FINANCIAL IMPACT:

The project is paid for with local Woodbury County secondary road funds.

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:

- 1) I recommend that the Board receive bids for the replacement of the culvert and return them to the county engineer for review and recommendation.
- 2) If quotes show a clear low quote, the engineer may recommend award at the Board meeting after opening the quotes.

ACTION REQUIRED / PROPOSED MOTION:

- 1) Motion to receive bids for the replacement of the culvert and return them to the county engineer for review and recommendation.
- 2) Motion to award bid if low quote is clearly determined by bid results.

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

#13e

Date: 10/22/2020 Weekly Agenda Date: 10/27/2020

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

WORDING FOR AGENDA ITEM:

Approve contract for FY 2021 Gravel Purchase

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 type="checkbox"/> |

EXECUTIVE SUMMARY:

Annually the secondary road department solicits quotes for gravel for county stockpiles. Contracts have been returned for Board approval.

BACKGROUND:

The county secondary road department has requested quotations for gravel production and purchase Material will be furnished and hauled to assorted gravel stockpiles.

FINANCIAL IMPACT:

The project is paid for with Woodbury County secondary road funds from the maintenance area of our budget.

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 that the board approve the contracts for gravel to be purchased for county stockpiles.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board approve the contracts for gravel for county stockpiles.



WOODBURY COUNTY, IOWA

CONTRACT

Kind of Work Gravel Stock Pile Wright Pit
Project No. G-2021- Stock Pile County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Matthew Ung, Rocky De Witt, Keith Radig, Marty Pottebaum,, and Justin Wright, Contracting Authority, and Hallett Materials Wall Lake, IA , Contractor.

WITNESSETH: That the Contractor, for and in consideration of One Hundred Twenty-Three Thousand Seven Hundred Fifty and 00/100 (\$123,750.00)

payable as set forth in the specifications constituting a part of this contract, hereby agrees to construct in accordance with the plans and specifications therefore, and in the locations designated in the notice to bidders, the various items of work as follows:

Table with 5 columns: Item No., Item, Quantity, Unit Price, Amount

The Standard Specifications of the Iowa Department of Transportation, Highway Division for Highway and Bridge Construction, Series 2015 and all applicable current Supplemental Specifications to date and Special Provisions shall apply to all work.

Attachments 1 through 3 inclusive form a part of this contract as if fully contained herein.

Said specifications and plans are hereby made part of and the basis of this agreement and a true copy of said plans and specifications are now on file in the office of the County Engineer under the date of October 12, 2020

That in consideration of the foregoing, the Contracting Authority hereby agrees to pay the Contractor, promptly and according to the requirements of the specifications the amounts set forth, subject to the conditions as set forth in the specifications.

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. G-2021 Stock Pile Wright in Woodbury County, Iowa, the within contract, the contractor's bond, and the general and detailed plans are and constitute the basis of contract between the parties hereto.

That it is further understood and agreed by the parties of this contract that the above work shall be commenced and completed on or before:

Table with 4 columns: Approximate Starting Date, Specified Starting Date, Completion Date (December 15, 2020), Number of Working Days

That time is the essence of this contract and that said contract contains all of the terms and conditions agreed upon by the parties hereto.

It is further understood that the Contractor consents to the jurisdiction of the courts of Iowa to hear, determine, and render judgment as to any controversy arising hereunder.

IN WITNESS WHEREOF the parties hereto have set their hands for the purposes herein expressed to this and three other instruments of like tenor, as the

day of 2020

Approved: [Signature]
By Contractor: Hallett Materials

Date 10/22/2020

By Contracting Authority: Woodbury County Board Chair

Date


Wright Pit Production
10/6/2020

MAINTENANCE GRAVEL- PIT PRODUCTION FY 2021

ITEM NO.	DESCRIPTION	QUANTITIES	UNIT PRICE	
TOTALS				
1.	Gravel – Mined, Produced, and Stockpiled at Wright Pit	15,000 Tons	<u>\$8.25</u> /Ton	\$123,750.00
TOTAL	Gravel Produced at Pit	15,000 <u>Tons</u>		
			CONTRACT TOTAL	<u>\$123,750.00</u>

Quotations are due to The Woodbury County Engineer by October 13, 2020.

Completion date for the project is December 7, 2020.

Signed:  _____ Date: October 12, 2020

Printed Name: Steve Atkins

Representing: Hallett Materials

SPECIAL PROVISIONS

MAINTENANCE GRAVEL

1. Gravel produced by the Contractor shall be crushed pit run material. The gravel shall be a uniformly graded product complying with the following gradation specification.

NOTE: New Gradation Limits

<u>Sieve</u>	<u>Percent Passing</u>
1 1/4"	100%
3/4"	80-95%
#4	50-65%
#8	35-50%
#30	10-30%

The contractor will present the county with certified gradations at 1500 ton production intervals from the stockpiles utilized. The county will also be taking random quality assurance samples during gravel production. When the county inspector arrives on site, the contractor will cooperate with the county staff member in obtaining a sample. The county will split the sample and retain both halves. County maintenance staff assisting in stockpiling gravel will also be observing the quality of the material being delivered to stockpiles. If there is a question of the material meeting requirements, county maintenance staff will have the authority to contact the County Engineer and stop delivery of material until a quality assurance gradation is run.

If the quality assurance sample does not meet gradation requirements, the county will immediately notify the contractor to take steps to return the material to county specifications. The county will obtain a second quality assurance sample after at least 300 tons has been processed and run a second sample. If the material still does not meet the specified gradation, the County Engineer, at his option, may order deliveries to cease until production returns to specified gradations as shown by supplier's quality control samples and the county's quality assurance samples.

A price adjustment will be assessed for non-complying material. After the failure of the first quality assurance sample to meet gradation requirements, the supplier will have 300 tons to make corrections. If when a second sample is taken, it still fails to meet specifications, a 5% price deduction will be assessed

for the next 300 tons or until the gradation comes back within limits. This price adjustment will be on all material produced and delivered to county stockpiles after the first sample is taken and will be assessed on a minimum of 300 tons of gravel until the next sample is taken by the county. If the follow-up sample meets gradation requirements, payment will resume at bid price for the material. After one sample has

failed to meet gradation, and any subsequent samples taken during the total run of production fail to meet county gradation requirements a 10% price deduction from the bid price per ton will be assessed as defined above.

2. The contractor shall hold harmless and indemnify Woodbury County, Iowa and its officers and employees from any and all claims, demands, actions, fines, and judgments for damages arising out of or in connection with any activity of the contractor or any of the contractor's agents or employees under this contract or upon the premises to which this contract applies. **A certificate of insurance listing Woodbury County as an additional insured shall be provided by the successful bidder. A performance bond may be required if determined necessary by the county engineer.**

3. The contractor shall abide by and enforce the rules and regulations of the Federal Occupational Safety and Health Act (OSHA), as amended; and the Federal Mine Safety and Health Act (MSHA) of 1977, as amended; and shall comply with all other Federal, State, and County laws and regulations and shall hold the county and the public harmless of any penalties and fines that may be assessed against Woodbury County and/or the public resulting from the contractors operations and/or any other of his activities relative thereto. The haul road within the pit and the access road to the pit shall be considered an integral part of the pit and shall be built and maintained by the contractor to meet the above referenced laws and regulations. Any penalties and/or fines assessed to Woodbury County relative to the contractors operations shall be reimbursed in full to the County by the Contractor prior to final settlement of the contract. An access road is defined as an ingress or egress roadway between the pit and an official county road normally used by the traveling public.

4. The contractor shall bear the full costs of any litigation or other proceedings brought against Woodbury County, Iowa or any of its officers or employees which involves an alleged injury to any employee(s) or agent of the Contractor or to any other person who has been authorized by the contractor to be upon the premises covered by this contract prior to completion of the project, except employees of Woodbury County.

5. The contractor shall complete the gravel stockpile by December 7, 2020. A \$400 per day penalty will be assessed for each working day beyond the completion date.

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

#13f

Date: 10/22/2020 Weekly Agenda Date: 10/27/2020

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

WORDING FOR AGENDA ITEM:

Approve contract for FY 2021 Gravel Haul

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 type="checkbox"/> |

EXECUTIVE SUMMARY:

Annually the secondary road department solicits quotes for hauling gravel to county stockpiles. Contracts have been returned for Board approval.

BACKGROUND:

The county secondary road department has requested quotations for stockpiled material. Material will be furnished and hauled to assorted gravel stockpiles.

FINANCIAL IMPACT:

The project is paid for with Woodbury County secondary road funds from the maintenance area of our budget.

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 that the board approve the contracts for gravel to be hauled to county stockpiles.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board approve the contracts for hauling gravel to county stockpiles.



WOODBURY COUNTY, IOWA

CONTRACT

Kind of Work Road Haul Gravel
Project No. G-2021- Stock Pile Haul County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Matthew Ung, Rocky De Witt, Keith Radig, Marty Pottebaum,, and Justin Wright, Contracting Authority, and Hallett Materials Wall Lake, IA , Contractor.

WITNESSETH: That the Contractor, for and in consideration of Four Hundred Forty-Three Thousand Three Hundred Fifty and 00/100 (\$443,350.00)

payable as set forth in the specifications constituting a part of this contract, hereby agrees to construct in accordance with the plans and specifications therefore, and in the locations designated in the notice to bidders, the various items of work as follows:

Table with 5 columns: Item No., Item, Quantity, Unit Price, Amount

The Standard Specifications of the Iowa Department of Transportation, Highway Division for Highway and Bridge Construction, Series 2015 and all applicable current Supplemental Specifications to date and Special Provisions shall apply to all work.

Attachments 1 through 3 inclusive form a part of this contract as if fully contained herein.

Said specifications and plans are hereby made part of and the basis of this agreement and a true copy of said plans and specifications are now on file in the office of the County Engineer under the date of October 12, 2020

That in consideration of the foregoing, the Contracting Authority hereby agrees to pay the Contractor, promptly and according to the requirements of the specifications the amounts set forth, subject to the conditions as set forth in the specifications.

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. G-2021 Stock Pile Haul in Woodbury County, Iowa, the within contract, the contractor's bond, and the general and detailed plans are and constitute the basis of contract between the parties hereto.

Table with 4 columns: Approximate Starting Date, Specified Starting Date, Completion Date, Number of Working Days. Completion Date is December 15, 2020.

That time is the essence of this contract and that said contract contains all of the terms and conditions agreed upon by the parties hereto.

It is further understood that the Contractor consents to the jurisdiction of the courts of Iowa to hear, determine, and render judgment as to any controversy arising hereunder.

IN WITNESS WHEREOF the parties hereto have set their hands for the purposes herein expressed to this and three other instruments of like tenor, as the

day of 2020

Approved: [Signature]
By Contractor: Hallett Materials

By Contracting Authority: Woodbury County Board Chair

Date 10/22/2020

Date

MAINTENANCE GRAVEL-STOCKPILE HAUL QUOTATION
Project G-2021- Stockpile Haul stockpile haul quotation

ITEM NO.	DESCRIPTION	QUANTITIES	UNIT PRICE	TOTALS
1.	Gravel, (Load and haul from RR Pit to stockpile at SE Cor. SE¼ NE¼ Sec. 32-89-44) Arlington Twp. County Maintenance yard Merville, Iowa	15,000 Tons	<u>\$5.55 /Ton</u>	<u>\$83,250.00</u>
2.	Gravel, (Load and haul from RR Pit to stockpile at SW Cor. Section 22-89-45) Concord Twp. Lawton	5,000 Tons	<u>\$8.40 /Ton</u>	<u>\$42,000.00</u>
3.	Gravel, (Load and haul from Wright Pit to stockpile in the NW¼SW¼ Sec. 15-87-44) Grant Twp.	3,000 Tons	<u>\$3.95 /Ton</u>	<u>\$11,850.00</u>
4.	Gravel, (Load and haul from Wright Pit to stockpile in the NE¼NE¼ Sec. 26-87-43) Miller Twp.	0 Tons	<u>\$ N/A /Ton</u>	<u>\$0.00</u>
5.	Gravel, (Load and haul from Wright Pit to stockpile in the SW Cor. NW¼ NW¼ Sec. 27-86-42) Liston Twp at Danbury Maintenance Building	9,000 Tons	<u>\$5.30 /Ton</u>	<u>\$47,700.00</u>
6.	Gravel, (load and haul from Wright Pit to stockpile at Luton in NW¼ Sec. 20-87-46) Grange Twp.	18,000 Tons	<u>\$8.15/Ton</u>	<u>\$146,700.00</u>
7.	Gravel, (load and haul from Wright Pit to stockpile Near N¼ Cor. Sec. 16-86-45 Willow Twp., (Holly Springs)	6,000 Tons	<u>\$6.05/Ton</u>	<u>\$36,300.00</u>
8.	Gravel, (load and haul from Wright Pit to stockpile at N.E. Cor. Section 6-87-44) Grant Twp. Landfill	5,000 Tons	<u>\$4.05 /Ton</u>	<u>\$20,250.00</u>
9.	Gravel, (load and haul from Wright Pit to stockpile at N.E. Cor. Section 6-86-43) Oto Twp.	0 Tons	<u>\$ N/A /Ton</u>	<u>\$0.00</u>
10.	Gravel (load and haul to stockpile At intersection of Hwy 31 and 250 th Street, Miller Bridge Stockpile	14,000 tons	\$3.95/ton	\$55,300.00
TOTAL	Gravel	75,000 <u>Tons</u>		
CONTRACT TOTAL				<u>\$ 443,350.00</u>

SPECIAL PROVISIONS

MAINTENANCE GRAVEL

1. Gravel for this quotation shall be hauled from the RR Gravel Pit (items 1 & 2) in section 23 of Union Township and Wright Pit (items 3 thru 10) in section 28 of Kedron Township as noted on the quote sheet. The quantities of work as shown in the contract documents are approximate only and are subject to increase or decrease. All quantities of work, whether increased or decreased, are to be performed at the unit prices stipulated in the contract. No adjustment in price will be made on any item of work due to a variance from the contract quantities.

The contractor shall furnish all necessary machinery, equipment, tools, materials and supplies, labor and shall be capable of providing the means of construction necessary to complete the work. The county shall furnish all granular material where specified in the contract. A scale house, when or where needed, shall be provided along with the scale prior to commencing of weighing. The scale shall be of sufficient size and length to accommodate all tandem axle and smaller trucks. Any other method of weighing shall have prior approval of the County Engineer. **Weighing equipment shall meet the requirements of Section 2001.07, loader scale will be the means of measurement at Rail Road pit and will be acceptable as the sole requirement for volume measurement.**

The contractor will do all "Extra Work" which may be required to complete the contract contemplated at the contract unit prices, or lump sums to be agreed upon in writing before starting such work, or if such prices or sums can not be agreed upon, to perform such work on a force account basis, as provided in the IDOT Standard Specifications.

The contractor shall complete the work prior to December 15, 2020 **or 100 days from executed contract.** Once work is started, it shall continue without interruption until completion, unless otherwise agreed to by the county engineer.

The contractor will pay liquidated damages of \$400.00 per working day elapsing after the expiration of the contract period accruing until the completion of the work. Will not apply if a federally mandated stop work order would take place or a similar catastrophic situation would occur.

The contractor shall provide a minimum of 10 trucks hauling to the county at all times. If the number of trucks hauling to a county stockpile drops below 10, the county, at its option, may stop stockpiling operations for the day and charge a full working day. County will communicate a new minimum truck quantity 2 days before stock pile starts on shorter hauls to eliminate trucks being released early from a full day of hauling.

2. The county shall furnish all equipment for stockpiling, and perform the stockpile work at the sites designated. In addition, the contractor shall furnish all granular material for stockpile items 1 through 10 inclusive. The County Engineer will approve the spot for stockpiling at the proposed sites. Stockpiling at locations away from production sites shall be done with a crawler type tractor.

G-2021-Stockpile Haul
10/06/2020
Haul

Maintenance Gravel-Stockpile
Project G-2021-Stockpile

Special Provisions Continued

3. The condition of the roads in the spring will be the controlling factor for starting work on any item. The County Engineer will be the final authority in determining if the haul roads are stable enough for hauling.
4. The contractor shall hold harmless and indemnify Woodbury County, Iowa and its officers and employees from any and all claims, demands, actions, fines, and judgments for damages arising out of or in connection with any activity of the contractor or any of the contractor's agents or employees under this contract or upon the premises to which this contract applies.
5. The contractor shall abide by and enforce the rules and regulations of the Federal Occupational Safety and Health Act (OSHA), as amended; and the Federal Mine Safety and Health Act (MSHA) of 1977, as amended; and shall comply with all other Federal, State, and County laws and regulations and shall hold the county and the public harmless of any penalties and fines that may be assessed against Woodbury County and/or the public resulting from the contractors operations and/or any other of his activities relative thereto. The haul road within the pit and the access road to the pit shall be considered an integral part of the pit and shall be built and maintained by the contractor to meet the above referenced laws and regulations. Any penalties and/or fines assessed to Woodbury County relative to the contractor's operations shall be reimbursed in full to the County by the Contractor prior to final settlement of the contract. An access road is defined as an ingress or egress roadway between the pit and an official county road normally used by the traveling public.
6. The contractor shall bear the full costs of any litigation or other proceedings brought against Woodbury County, Iowa or any of its officers or employees which involves an alleged injury to any employee(s) or agent of the Contractor or to any other person who has been authorized by the contractor to be upon the premises covered by this contract prior to completion of the project, except employees of Woodbury County.

I have read and understand the gravel contract special provisions:



Name

Steve Atkins

October 12, 2020

Date