



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(FEBRUARY 27) (WEEK 9 OF 2024)**

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

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held February 27, 2024, at **4:15 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. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of 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. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

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## **AGENDA**

**4:00 p.m.** 1. Closed Session General Relief Appeal Hearing for T.L. Iowa Code Section {21.5(1)(a)}  
**First Floor Boardroom**

**4:15 p.m.** 2. **Budget Review Discussion for FY 2025**  
Medical Examiner's budget will be discussed at a later date

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

3. Approval of the agenda Action  
**Consent Agenda**

**Items 4 through 9 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 February 20, 2024 meeting

5. Approval of claims

6. Board Administration – Karen James  
Approval of resolution for a tax suspension for E.W.

7. Human Resources – Melissa Thomas
  - a. Approve the authorization of a Human Resources Clerk II position
  - b. Approval of Memorandum of Personnel Transactions
  - c. Authorization to Initiate Hiring Process
  - d. Approval of request to deauthorize county position
8. Secondary Roads – Mark Nahra  
Approve the permit to work in the right of way for Charles Milligan and to direct the chair to sign the permit
9. Receive resignation letter from Deputy Medical Examiner, Dr. Bryce Noll

**End Consent Agenda**

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|--|-------------|
| 10. Board of Supervisors – Daniel Bittinger & Agape Community Services<br>Opioid remediation settlement use funding request for Agape Community Services                             | Information |
| 11. Board of Supervisors – Jeremy Taylor   |             |
| a. Discussion to extend health insurance to employees and their families catastrophically injured in the line of duty if necessary and clarifying secondary roads worker’s inclusion | Information |
| b. Information on reconsideration of the present plan for a roundabout and closure of access to Old Lakeport at the junction of Elk Creek and Christy Road in Sioux City             | Information |
| 12. Reports on Committee Meetings  | Information |
| 13. Citizen Concerns   | Information |
| 14. Board Concerns   | Information |

**ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- MON., FEB. 26 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., FEB. 27 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., FEB. 28 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., FEB. 29 10:00 a.m.** Siouxland Regional Transit System Special Meeting – Zoom Only
- FRI., MAR. 1 9:00 a.m.** Hungry Canyons Alliance - TBD
- MON., MAR. 4 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WED., MAR. 6 10:00 a.m.** Loess Hill Alliance Stewardship Meeting, Pisgah, Iowa
- 11:00 a.m.** Loess Hill Alliance Executive Meeting
- 1:00 p.m.** Loess Hill Alliance Full Board Meeting
- 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., MAR. 7 12:00 p.m.** Regional Policy and Legislative Affairs Committee - Hybrid
- WED., MAR. 13 7:30 a.m.** SIMPCO Executive-Finance Committee - Hybrid
- 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 11:00 a.m.** Western Iowa Tourism Region - Zoom
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 6:30 p.m.** 911 Service Board Meeting, Public Safety Center, Climbing Hill
- THU., MAR. 14 12:00 p.m.** SIMPCO Board of Directors, 6401 Gordon Dr.
- 4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- FRI., MAR. 16 12:00 p.m.** Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.
- WED., MAR. 20 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 1:00 p.m.** Regional Workforce Development Meeting, 2508 4<sup>th</sup> Street, Sioux City
- THU., MAR. 21 10:00 a.m.** StarComm, Security Institute, WIT
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- MON., MAR. 25 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- WED., MAR. 27 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., MAR. 28 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St.

**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.*

**FY 25 Tax Rates & Askings After February 20, 2024 Adjustments**

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**Tax Askings**

	<b><u>FY 24</u></b>	<b><u>FY 25</u></b>		
General Basic	20,569,910	21,274,420	704,510	
General Supplemental	12,884,200	14,125,923	1,241,723	
Debt Service	4,684,804	4,684,804	-	
Rural Basic	<u>3,652,680</u>	<u>3,740,248</u>	87,568	
<b>Total Tax Asking</b>	41,791,594	43,825,395	2,033,801	4.86%

**Tax Rate**

	<b><u>FY 24</u></b>	<b><u>FY 25</u></b>	
General Basic	3.89354	3.81838	
General Supplemental	2.43876	2.53535	
Debt Service	<u>0.80239</u>	<u>0.75744</u>	
<b>Total County Wide</b>	7.13469	7.11117	-0.03%
Rural Basic	<u>2.46117</u>	<u>2.4129</u>	
<b>Total Rural</b>	9.59586	9.52407	-0.07%

County Wide Tax Base	5,573,311,871
Debt Service Tax Base	6,185,048,478
Rural tax Base	1,550,099,673

**Comparison between FY 24 and FY 25 Effect Taxes Assessed at \$100,000**

**Effects on Different Land Classes With a Assessed Value of \$ 100,000**

	<u>FY 2024</u>	<u>FY 2025</u>	<u>Dollar Increase</u>	<u>% Increase</u>
<b>Cities:</b>				
Residential	\$389.91	\$329.55	(\$60.36)	-15.48%
Commercial & Industrial	\$642.12	\$640.00	(\$2.12)	0.33%
<b>Townships:</b>				
Residential	\$524.41	\$441.37	(\$83.04)	-15.83%
Commercial & Industrial	\$879.39	\$857.17	(\$22.22)	-2.53%
Ag Lands	\$809.32	\$684.18	(\$125.14)	-15.46%

**State Ordered Rollbacks - %**

	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2025 Increase or (Decrease)</u>
Residential	54.6501	46.3428	-15.20%
Agricultural	91.6430	71.8370	-21.61%
Commercial & Industrial	90.0000	90.0000	0.00%

## **FEBRUARY 20, 2024, EIGHTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, February 20, 2024, at 3:30 p.m. Board members present were Nelson, Ung, Bittinger II, Radig, and Taylor. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, Dennis Butler, Budget and Finance Director, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

- 1a2. Motion by Taylor second by Bittinger to receive the Board of Supervisors WCICC budget as submitted. Carried 5-0.
- 1a1. Motion by Taylor second by Radig to receive the Board of Supervisors Medical Examiner budget as submitted. Carried 5-0.
- 1b1. Motion by Radig second by Nelson to receive the Juvenile Detention Facility budget as submitted. Carried 5-0.
- 1b2. Motion by Taylor second by Radig to receive the Juvenile Detention Federal Food Program budget as submitted. Carried 5-0.
- 1c1. Motion by Ung second by Radig to approve the additional \$200,000 for the line item 0002-01-9200-000-46000 funded by revenues over expenditures for FY25 and cash reserves. Carried 5-0. Copy filed.
- 1c2. Motion by Radig second by Bittinger to approve allocations from unobligated Gaming revenues to Debt Service Fund for FY25, allocate \$250,000 from unobligated L.O.S.T. revenues to Debt Service Fund for FY25, and allocate \$872,310 from the General Basic Fund to the Debt Service Fund to FY25. Carried 5-0. Copy filed.
- 1c3. Motion by Ung second by Nelson to approve to increase tax revenues in General Supplemental Fund which will balance the fund and result in a flat tax rate in the General Fund. Carried 5-0. Copy filed.  
  
Motion by Taylor second by Bittinger to receive budget update from Budget Director Butler. Carried 5-0. Copy filed.
- 1c4a. Motion by Taylor second by Ung to approve to use the unobligated CIP Funds on hand (\$205,398) towards funding the Bearcat Crawler for the Sheriff's office. Carried 5-0. Copy filed.
- 1c4b. Motion by Taylor second by Ung to approve to use the unspent ARPA Funds leftover from the Sheriff's Tasers and Radio Project (\$110,000) towards funding the Bearcat Crawler for the Sheriff's office. Carried 5-0. Copy filed.
- 1c4c. No action was taken to use MRHD Grand and donations (\$69,602) towards funding the Bearcat Crawler for the Sheriff's office.
- 1d. There was no review all funds.

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

- 2. Motion by Ung second by Nelson to approve the agenda for February 20, 2024. Carried 5-0. Copy filed.  
  
Motion by Ung second by Radig to approve the following items by consent:
- 3. To approve minutes of the February 13, 2024 meeting. Copy filed.
- 4. To approve the claims totaling \$541,849.64. Copy filed.
- 5a. To approve the appointment of Adam Alfredson, P/T Youth Worker, Juvenile Detention Dept., effective 2-22-24, \$21.41/hour. Job Vacancy Posted 10-16-23. Entry Level Salary: \$21.41/hour.; the reclassification of Haley Messerschmidt, Assistant County Attorney, County Attorney Dept., effective 3-04-24, \$102,613/year, 8%=\$7,289/year. Per AFSCME Assistant Co. Attorney Contract agreement, from Step 6 to Step 7.; and the reclassification of Devan Amick, Civilian Jailer, County Sheriff Dept., effective 03-04-24, \$25.95/hour, 4%=\$1.00/hour. Per CWA Civilian Officers Contract agreement, from Class 2 to Class 1. Copy filed.

- 5b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for (3) Temporary Engineering Aids, Secondary Roads Dept. Wage Plan: \$15.00-18.50/hour.; and (5) Temporary Summer Laborers, Secondary Roads Dept. Wage Plan: \$14.00-\$16.00/hour. Copy filed.
- 5c. To approve the wage reopener agreement for FT25 with the Communications Workers of America, AFL-CIO Civilian Officers' CWA 7177. Copy filed.
- 6. To approve the appointment of Michael List to the Siouxland District Board of Health. Copy filed.
- 7. To receive the County Recorder's Report of Fees Collected for the period October 1, 2023 through December 31, 2023. Copy filed.
- 8. To receive the Treasurer's semiannual report for the period ending December 31, 2023. Copy filed.
- 9. To approve the letter submitted by the state medical examiner's office for the training from 2023. Copy filed.

Carried 5-0.

- 10. The letter from the Woodbury County Medical Examiner rescinding resignation notice was noted. Copy filed.
- 11. Motion by Taylor second by Bittinger to approve a 4% increase to the biweekly rate of the Veteran's Services Director effective pay date 3-8-2024. Carried 5-0. Copy filed.
- 12. Motion by Taylor second by Nelson to receive for signatures a Resolution approving the City of Sioux City's FY 2024 request to the Iowa Department of Transportation and the Federal Highway Administration to revise the Federal Functional Classification Map. Carried 5-0.

**RESOLUTION APPROVING THE CITY OF SIOUX CITY'S FY 2024 REQUEST TO THE IOWA DEPARTMENT OF TRANSPORTATION AND THE FEDERAL HIGHWAY ADMINISTRATION TO REVISE THE FEDERAL FUNCTIONAL CLASSIFICATION MAP  
RESOLUTION #13,702**

**WHEREAS**, Federal Functional Classification is the process by which streets and highways are grouped into classes according to the character of service they are intended to provide; and

**WHEREAS**, these Classifications include Interstate, Other Principal Arterial, Minor Arterial, Collector, and Local streets; and

**WHEREAS**, Woodbury County and the City of Sioux City periodically reviews the system of streets and highways for appropriate changes to classification of the various segments of the system; and

**WHEREAS**, a recent review of the system has revealed the need for a change to the Federal Functional Classification Map of road segments due to changes in traffic flow and existing and planned roadway infrastructure in Sioux City.

**NOW, THEREFORE, BE IT RESOLVED BY THE WOODBURYCOUNTY BOARD OF SUPERVISORS**, that Woodbury County hereby requests the Iowa Department of Transportation to request the Federal Highway Administration to make the following changes to the Federal Functional Classification Map:

Map Number	Street	From	To	Street Length	Current Classification	New Classification
<b>Woodbury County</b>						
51	Glen Ellen Road	Whispering Creek Drive	Gordon Drive	1730	N/A	Collector

52	Buchanan Avenue	Gordon Drive	Correctionville Road	7500	Local	Collector
53	155th Street	Buchanan Avenue	Stone Avenue	6050	Local	Collector

Dated this 20<sup>th</sup> day of February, 2024.  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

- 13a. Motion by Taylor second by Ung to table the action to de-obligate \$150,000 from Building Services budget in support of the LEC Authority Maintenance for FY25. Carried 5-0. Copy filed.
- 13.b. Motion by Ung second by Taylor to table the action to reallocate \$150,000 to the new County Courthouse Long-Term CIP Fund. Carried 5-0. Copy filed.
- 14. Reports on committee meetings were heard.
- 15. Daniel Hair, Hornick, updated the board regarding MidAmerican and windfarms.  
  
 Kevin Nelson, Salix Mayor, addressed the board regarding the Salix drainage district.
- 16. Board concerns were heard.

The Board adjourned the regular meeting until February 27, 2024.

Meeting sign in sheet. Copy filed.



**WOODBURY COUNTY, IOWA  
BOARD ADMINISTRATION  
MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Karen James, Board Administrative Assistant  
**RE:** Consideration of a Petition for a Tax Suspension  
**DATE:** February 22, 2024

Please consider this request for a tax suspension for E.W. If the Board approves this request, the suspension resolution requires the chairman's signature.

Thank you.

kmj

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

Date: 02/23/2024 Weekly Agenda Date: 02/27/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Melissa Thomas HR Director

**WORDING FOR AGENDA ITEM:**

Approve the authorization of a Human Resources Clerk II position

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

This request is to authorize a Clerk II position for the Human Resources department.

**BACKGROUND:**

This position was previously a Senior Clerk and is now transitioning to a Clerk II. As part of a reorganization the responsibilities in this position are changing.

**FINANCIAL IMPACT:**

For the remainder of FY24, this will be a savings of approximately \$1,384.00 (wage only).

**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 motion

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the authorization of a Human Resources Clerk II position

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: February 27, 2024

\* 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
Pasko, Tamarra	County Attorney	2-20-24	Clerk II			S	Resignation.
Ham, Taryn	Human Resources	2-28-24	Clerk II	\$20.52/hour		A	Job Vacancy Posted 1-10-24. Entry Level Salary: \$18.68-\$23.95/hour.

APPROVED BY BOARD DATE: \_\_\_\_\_

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas, HR Director

HUMAN RESOURCES DEPARTMENT  
WOODBURY COUNTY, IOWA

DATE: February 27, 2024

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Attorney	Clerk II	AFSCME Courthouse: \$18.68/hour		

\_\_\_\_\_  
Chairman, Board of Supervisors

HUMAN RESOURCES DEPARTMENT

WOODBURY COUNTY, IOWA

DATE: February 27, 2024

REQUEST TO DEAUTHORIZE COUNTY POSITION(S)

DEPARTMENT	POSITION	APPROVED	DISAPPROVED
Human Resources	Sr. Clerk		

\_\_\_\_\_  
Chairman, Board of Supervisors

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

Date: 02/22/2024 Weekly Agenda Date: 02/27/2024

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

**WORDING FOR AGENDA ITEM:**

Consideration of permit to work in the county right of way for the Charles Milligan

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Charles Milligan is doing grading on private property that will remove a snow trap adjacent to the county road. To do this work properly, some shaping in the county ROW is necessary.

**BACKGROUND:**

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa. I have reviewed the sites and recommend the work be permitted. The landowner is coordinating the work with the district road foreman.

**FINANCIAL IMPACT:**

No impact at this time.

**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 permit to work in the right of way.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the permit to work in the right of way for Charles Milligan 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

## WOODBURY COUNTY SECONDARY ROAD DEPARTMENT

### PERMIT & AGREEMENT TO PERFORM WORK WITHIN WOODBURY COUNTY RIGHT OF WAY

Name of Permittee: Charles Milligan Phone No.: 712-365-4319  
Mailing Address: 4455 230th Street Corredonville, IA 51016  
Township: (87-42) Morgan Section: 4

Woodbury County, State of Iowa, and Charles Milligan (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:

Snow trap removal - allow grading of backslope and within ROW to match excavation on private property. - Do not disturb ditch bottom. Reseed when complete.

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:

Will regrade ditch upon completion of landowner's project

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the 31st day of December, 2024.

Entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Charles V. Milligan  
Signature of Property Owner or Authorized Representative

\_\_\_\_\_  
Woodbury County Engineer

\_\_\_\_\_  
Chair, Woodbury County Board of Supervisors





Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	874204400003	Alternate ID	712035	Owner Address	MILLIGAN CHARLES V
Sec/Twp/Rng	4-87-42	Class	A		4455 230TH ST
Property Address		Acreage	39.0		CORRECTIONVILLE, IA 51016
District	0005				
Brief Tax Description	SWSE 4-87-42				
	(Note: Not to be used on legal documents)				

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Developed by  **Schneider**  
 GEOSPATIAL



Pathology Medical Services of Siouxland, P.C.  
2720 Stone Park Blvd., Sioux City, Iowa 51104-3734  
Phone: (712) 279-3226 Fax (712) 279-7034

J.T. Quesenberry, MD, FCAP, Lab Director  
J.A. Breiner, MD, FCAP  
B.W. Noll, MD, FCAP  
B.W. Steussy, MD, FCAP

February 22, 2024

Woodbury County Board of Supervisors  
620 Douglas Street  
Sioux City Iowa, 51101

Dear Woodbury County Board of Supervisors,

I am currently a full practicing partner in Pathology Medical Services of Siouxland, P.C., and a Deputy Medical Examiner for Woodbury County. It has come to my attention that you have received a letter rescinding the resignation of medical examiner services for Woodbury County. While I have not seen this letter and I am unaware of its wording, I would like to reiterate that effective April 1, 2024, I will be resigning my position as Deputy Medical Examiner for Woodbury County. I wish you and the county the best in your continued search for County Medical Examiner Investigators and your efforts to optimize the County Medical Examiner Service.

Sincerely,

A handwritten signature in black ink that reads "Bryce Noll, M.D." in a cursive script.

Bryce Noll, M.D.

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

Date: \_\_\_\_\_ Weekly Agenda Date: \_\_\_\_\_

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** \_\_\_\_\_

**WORDING FOR AGENDA ITEM:**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

**BACKGROUND:**

**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:**

**ACTION REQUIRED / PROPOSED MOTION:**



COMMUNITY SERVICES

# Our Purpose:

The purpose of Agape Community Services, as a religious nonprofit Christ-centered organization, is for the exclusive purpose of providing charitable services primarily focused on addiction recovery, transitional housing and related services.



# Our Focus:

The focus of Agape Community Services is aiding homeless and pre/post incarcerated people to transition back into society by providing addiction recovery, transitional housing and related services.

The population we plan to serve not only includes those trapped in addiction, the homeless and the formerly incarcerated but also those afflicted with mental illness.



# Why Agape is Different?

We combine Cognitive Behavior Therapy (CBT) with a Faith-based foundation to create a successful addiction recovery model.

- A therapeutic community has a 74 percent success rate.
- Long term communities of 9 months or more has anywhere from 75-92 percent rate, depending on the study.
- Faith based is 85% plus consistently across all factors.





# OUR PROCESS



Intake



Housing



Evaluation



Mental Health  
Referral



Addiction  
Restoration



Education and  
Training



Wellness  
Habits

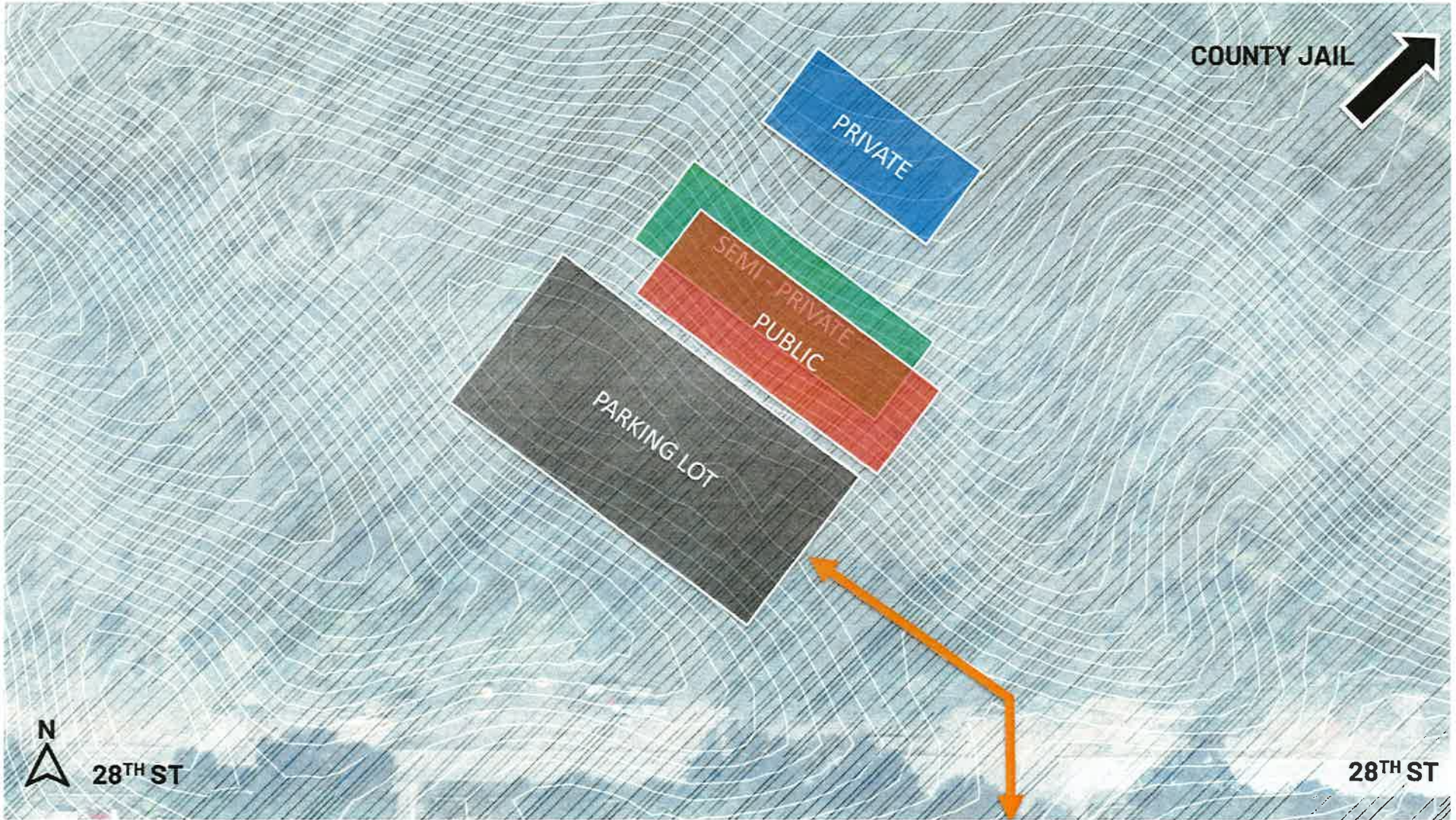


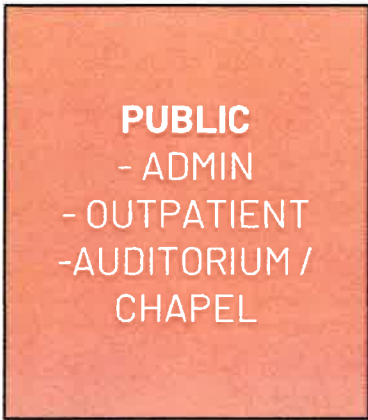
# Where Are We In The Process?

- Board of Directors selected: made up of representatives from local Siouxland churches
- New website is being designed & will launch this spring
- Finalized land purchase with Sioux City City Council and passed Planning & Zoning Commission
- Updated Agape Community Services Constitution & Bylaws
- Ongoing building design & planning with CMBA Architects & McClure Engineering
- Working with a grant writer to secure additional sources of income from state & federal sources
- Beginning capital campaign fundraising



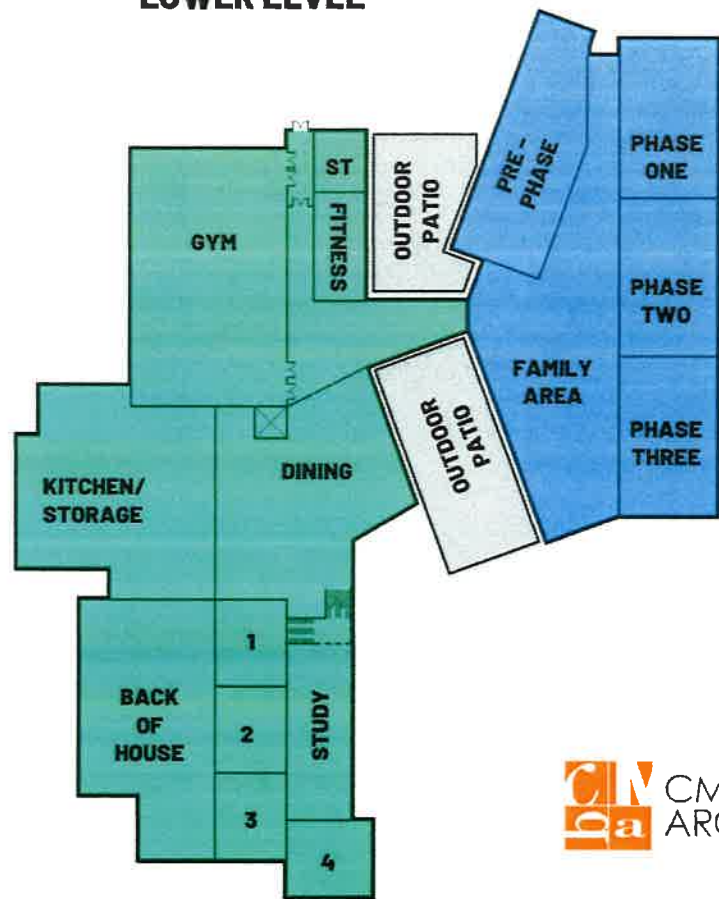
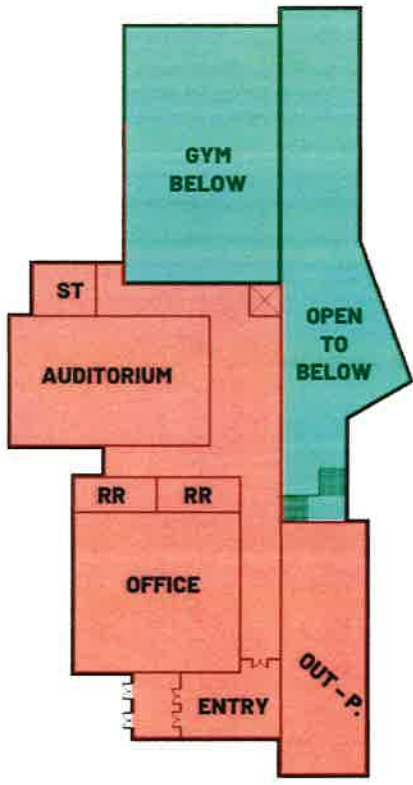


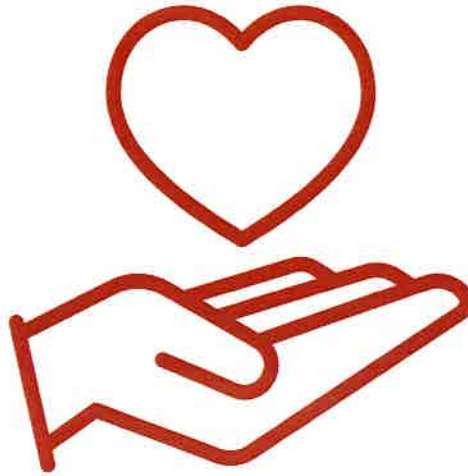




**UPPER LEVEL**

**LOWER LEVEL**





## Ways To Give:

- Mail checks to Agape Community Services, PO Box 5051, Sioux City, IA 51102-5051
- Give online through <https://secure.subsplash.com/ui/access/Q56CRB/>
- Venmo:



## WHY OUR PROGRAM IS DIFFERENT

We know that the only way to true freedom is through Christ and the renewing of our mind. If we do not fill the person's life with Christ, the result is relapse. While in our intense program patients will address:

- **Trauma**

*Exploring adverse experiences in people's lives*

- **Thinking Errors/Core Beliefs**

*Wrong ways of thinking/Lies one believes*

- **Spiritual Truths/Biblical Counseling**

*Learning what Jesus says and living by it*

- **Accountability**

*Being responsible and answerable for goals, actions, and outcomes*

- **Relationships/Pro-Social Skills**

*How to communicate well and do life with others*

- **Community Support**

*Learning how to get involved, volunteer, and build a new community around themselves.*

- **Rational Thinking**

*Examining thoughts before making decisions*

- **Ending Violence**

*Challenging belief systems to get to root issues*

- **Discipleship**

*Giving back and walking beside others  
(The student becomes the teacher)*

By starting with men, the leaders of the house, we will impact families with these changes.

## AGAPE

**Can you imagine** a city where people are free from strongholds and live in freedom instead?

**Can you imagine** people who thirst for Christ and His Love instead of drugs, alcohol, porn, and criminal activity?

*"When an impure spirit comes out of a person, it goes through arid places seeking rest and does not find it. Then it says, 'I will return to the house I left.' When it arrives, it finds the house swept clean and put in order. Then it goes and takes seven other spirits more wicked than itself, and they go in and live there. And the final condition of that person is worse than the first."*

*Luke 11:24-26 NIV*

**At Agape Community Services**, we have big dreams - dreams of ending violence, raising men as leaders, setting them free from strongholds, and breaking chains of bondage of any kind.

The focus of the program includes overcoming these strongholds by teaching people through evidence-based programs utilizing Cognitive Behavior Therapy (renewing of the mind) and building a spiritual life through biblical counseling.

This process is the heart of **Agape Community Services** in our nine-months to a year or longer program.

*Agape*  
**COMMUNITY SERVICES**



# STRUCTURE

## ○ Therapeutic Community

People living together in a community that holds each other accountable, works intentionally on behaviors and issues, and raises up those struggling in life to not only be healed, but to become active participants and leaders who raise up those who come behind them. Residents share personal information about themselves within the community to help themselves and others in the change process. They also hold each other accountable for unacceptable behavior. Community discussions are crucial to successful treatment. Meetings can be positive, intense, confrontational, and challenging. Peers also provide support and encouragement to one other.

## ○ Spiritual Groups

Guiding residents through structured activities, exercises, scripture, and interactive journaling. The group assists members in growing in their relationships with God. Participants are led through the five-stage *Trans-theoretical Model of Behavior Change* to help create goals and live the transforming good news of salvation through Jesus Christ.

## ○ Small Groups

Providing for each resident to share his challenges in recovery with his fellow participants on a more intimate level. In sharing, he learns there is nothing he has experienced other group members have not encountered.

## ○ Module Groups

Emphasizes learning skills and putting these skills into action. Module groups are designed to assist participants in learning critical thinking and problem-solving skills.

## ○ Mutual Help Groups

Celebrate Recovery is a Christ-centered, 12-step recovery program for anyone struggling with a hurt, pain, or addiction of any kind. Celebrate Recovery is a safe place to find community and freedom from life controlling issues. Upon completion, meetings are readily available to anyone who wishes to attend. These meetings can provide unconditional support in a time of crisis when a participant is in society and does not have peers or community professionals readily available to him.

## ○ Casework one-on-one

Residents regularly meet with their primary counselor who formulates an individualized treatment plan. Participants discuss questions during this time, set goals, and evaluate progress.

## ○ Additional Classes

Including fitness and life-building skills as they are available.



For questions OR to make a donation  
Email: [AgapeCommunityServices.ia@gmail.com](mailto:AgapeCommunityServices.ia@gmail.com)

Teri Quintana  
Rachelle Rawson

712-899-0920  
P.O. Box 5051 • Sioux City, IA 51102

Donate electronically on our Facebook page or  
<https://secure.subsplash.com/ui/access/Q56CRB>

# PHASES

Each phase is approximately four months

## PHASE 1 ORIENTATION

Residents must demonstrate their commitment and motivation to change their addiction behavior and criminal thinking.

## PHASE 2 CORE

Residents continue to develop a plan of recovery that is shown in their thinking, behavior, attitude, and respect towards others. Participants receive constant feedback about their progress. Detailed feedback will be given every two months and specific plans for improvement will be given to any who are struggling.

## PHASE 3 TRANSITION

Residents prepare for maintaining and sustaining their recovery through learned skills in high-risk situations that lead to drug use, weighing the costs of the criminal lifestyle and participating in an intense exploration of the pain they caused others. Finally, they will be given the skills to obtain employment and develop a balanced lifestyle, which includes physical, emotional, and spiritual avenues to cope with stress.



INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **JAN 17 2020**

AGAPE COMMUNITY SERVICES INC  
C/O HEARTLAND CHURCH  
2201 WEST 19TH STREET  
SIOUX CITY, IA 51103-0000

Employer Identification Number:  
84-3993872  
DLN:  
26053754002129  
Contact Person:  
CUSTOMER SERVICE ID# 31954  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
509(a)(2)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
March 15, 2019  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

AGAPE COMMUNITY SERVICES INC

Sincerely,

*Stephen A. Martin*

Director, Exempt Organizations  
Rulings and Agreements



# Executive Director

## Role and Responsibilities:

- **Leadership and Vision:** Provide visionary leadership and strategic direction to achieve the organization's mission and objectives.
- **Organizational Development:** Develop and implement organizational policies, procedures, and structures to ensure operational efficiency and effectiveness.
- **Fundraising and Development:** Lead fundraising efforts, cultivate relationships with donors, and secure funding to support the organization's programs and initiatives.
- **Financial Management:** Oversee budgeting, financial planning, and financial reporting to ensure fiscal responsibility and sustainability.
- **Program Development and Implementation:** Collaborate with stakeholders to design, implement, and evaluate programs that align with the organization's mission and address community needs.
- **Staff and Volunteer Management:** Recruit, hire, and manage a high-performing team of staff and volunteers, fostering a culture of collaboration, innovation, and excellence.
- **Community Engagement:** Build and maintain relationships with community partners, stakeholders, and other relevant organizations to enhance the organization's visibility and impact.
- **Advocacy and Public Relations:** Serve as the primary spokesperson for the organization, advocate for its mission and goals, and represent the organization in various forums and events.

Position	Count	Salary	Total	Column1
Executive Director	1	68,300	68300	skilled
Finance/ human resources	1	58,000	58000	skilled
Financial Assistant	1	30,000	30000	skilled
Drug treatment staff	6	51,574	309444	skilled
Administrative assistant	1	40,000	40000	entry
Volunteer Coordinator	1	40,000	40000	entry
Social media	1	20,921	20921	skilled
Pastoral staff	1	50,000	50000	skilled
Social Worker	2	55,225	110450	skilled
Nurse Practitioner	1	100,000	100000	skilled
LPN	1	48,006	48006	skilled
Psychologist	2	73,994	147988	skilled
Day Floor Manager	1	30,689	30689	entry
2nd shift floor manager	2	40,000	80000	entry
Night Floor Manager	2	51,898	103796	entry
Floater Floor Manager	1	40,000	40000	entry
Project Manager construction	1	56,919	56919	skilled
Kitchen Staff	1	35,00	35000	entry
Kitchen part time	1	17,000	17000	entry
Maintenance	1	35,000	35000	entry
Maintenance Part time	1	17,000	17000	entry
Snow/Lawn	1	15,000	15000	entry
	<b>31</b>		<b>1453513</b>	

Utilities	1.5	50,000	75000
Food	12	1,500	18000
Curriculum	60	33	1968
Training	12	300	3600
Insurance	12	10,000	120000
Internet	12	250	3000
Phone	12	250	3000
Supplies (paper)	12	400	4800
Field & Travel	12	800	9600

1692481                      People                      year/ person                      person/day  
120                      14104.0083                      38.6411187



July 12, 2023

Dear Rachelle,

Thank you so much for meeting with us regarding your exciting project for Siouxland! This is an enormous undertaking that will have a significant impact. We are so humbled and blessed to have this opportunity. We would love to collaborate with you and your board to bring your vision to reality. Doing His work will never be easy, but it is so rewarding.

We have included a professional fee proposal as requested for the scope of work discussed during our meeting. Please let me know if you have any questions or concerns regarding our understanding of the work and our plan to assist you during this initial project design work.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Brian N. Crichton'.

Brian N. Crichton, AIA  
President/CEO

Cc: Terry Glade  
Lee Beukelman



**CONFIDENTIAL FEE PROPOSAL**  
**Agape Community Services – Conceptual Planning of New Campus**  
July 12, 2023

**PROJECT UNDERSTANDING**

Agape Community Services intends to hire an architectural firm to assist in the planning, fundraising, design, and construction of a new Christ-Centered Community Treatment Center & Campus. This new campus will initially serve the men of Siouxland but will continue to add services for women and teens as programming develops. The new campus will be located on property near the new Woodbury County Correctional Facility on the eastern edge of Sioux City. Over time, it is envisioned that vocational training and education will be included to provide job-training and skill development for those in the treatment programs. If CMBA is selected, we will work with you to determine the vision and goals of your new campus and how that becomes a reality here in Siouxland.

**PREDESIGN AND FUNDRAISING SUPPORT SERVICES**

Based upon our interpretation of the information provided, CMBA proposes an **Hourly Not to Exceed Fee of \$3,000.00** for our Pre-design and Fundraising Support services. CMBA has a long and rich history of helping Christ-Centered organizations, and we want to be a part of this highly impactful endeavor. We know that our actual time to complete this work will greatly exceed the proposed fee, but we believe this project will have a lasting impact on His kingdom - this is what we are all called to do.

We try to limit our initial costs for our clients during this planning and fundraising stage because we know that budgets are tight and the needs are great. Depending on what materials are desired to promote your project, the costs can vary, but we will review with you to stay within your budget. The services provided during this phase are listed below.

1. Facilitate a Board workshop to strategize educational vision, priorities, and goals – **One (1) Meeting**
2. Facilitate a discussion with the Board and key supporters to prioritize needs versus wants – **One (1) Meeting**
3. Attend limited facility tours with staff and board members to review similar facilities and programs – **Two (2) tours anticipated.**
4. Prepare preliminary site and floor plan concepts and overall project estimates.
5. Facilitate a meeting to review options and budgets for final prioritization – **Two (2) Meetings**
6. Prepare the final concept plan and present it to the Board – **One (1) Meeting**
7. Prepare materials for a capital campaign, including rendered images and promotional materials to be used during the initial fundraising efforts.

**DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES**

Upon a successful fundraising campaign, our fees would transition to a percentage fee based on the size of the construction project funded. CMBA requests to understand the full scope of work prior to agreeing to the final fee percentage, but based on the information provided, we propose a fee range of **Percentage of Construction Cost of 6.0-7.0%**.

**SERVICES INCLUDED FOR THESE PROJECTS**

- Architectural Design
- Interior Design
- Structural Engineering
- Mechanical Engineering
- Electrical Engineering
- Plumbing Engineering

Our fee range does not include site survey, topography or soil testing, and civil engineering as the extent of services required is currently unknown.

**Reimbursable Expense Allowance of 2-3% of Professional Fees** for printing of final contract documents for construction and State Fire Marshal fees.



## 2023 STANDARD BILLING RATES

*Rates are reviewed and adjusted periodically including, but not limited to, calendar year reviews.*

PRINCIPAL .....	\$225
SENIOR ARCHITECT .....	\$180
ARCHITECT III .....	\$170
ARCHITECT II .....	\$150
ARCHITECT I .....	\$120
ARCHITECTURAL DESIGNER II .....	\$100
ARCHITECTURAL DESIGNER I .....	\$90
PROJECT MANAGER III .....	\$150
PROJECT MANAGER II .....	\$130
PROJECT MANAGER I .....	\$110
INTERIOR DESIGNER III .....	\$120
INTERIOR DESIGNER II .....	\$110
INTERIOR DESIGNER I .....	\$90
TECHNICIAN III .....	\$115
TECHNICIAN II .....	\$100
TECHNICIAN I .....	\$90
INTERN .....	\$60
MARKETING SPECIALIST .....	\$140
GRAPHIC DESIGNER .....	\$90
CLERICAL .....	\$80

## STANDARD REIMBURSABLE EXPENSES

Delivery/Shipping  
Fees/Permits  
Mileage  
Out-of-town Travel (hotel, meals, transportation)  
Printing



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

Date: 2-22-24

Weekly Agenda Date: 2-27-24

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Taylor

## WORDING FOR AGENDA ITEM:

Approval of Policy to Allow the Board of Supervisors to Extend Health Insurance to Employees and their Families Catastrophically Injured in the Line of Duty if Necessary and Clarifying Secondary Roads Workers' Inclusion

## ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

## EXECUTIVE SUMMARY:

Nearly two years ago, the Woodbury County Board of Supervisors became a leader in support of employees who engage in work that is often dangerous from jailers and courthouse security personnel to deputies, juvenile detention, and first responders.

The following proposal extends from the original extension of insurance benefits that the Board of Supervisors extends to fallen heroes (those who give their life in the line of duty). This item clarifies that Secondary Roads employees are included. This is a result of having the BOS/county engineer highlight that those clearing snow sometimes do so under treacherous conditions and in some cases, their doing so is the only avenue for law enforcement or emergency responders to be able to reach our citizens.

Bottom line up front: should a secondary roads worker be catastrophically injured in the line of duty, the Board of Supervisors can extend health insurance coverage to employees who will retain the current level of coverage. The premium will be paid by the county until the employee secures other health coverage through virtue of other employment, election of spousal coverage, the paid-for-coverage by a legal settlement, or by reaching the age of 65.

## BACKGROUND:

This coverage seeks to fix the problem that is inherent in an employee by virtue of performing his or her duties becomes injured and is no longer able to be employed. To no longer employ that person is no one's choice but becoming injured in harm's way should be commended not punished. The following clarification will help:

-Woodbury County will pay the premium that otherwise would have been paid by the employee.

-The insurance benefit will only be paid at the current level when the catastrophic injury occurred, e.g. single coverage can be extended or family coverage can be extended but not changed after the date of a line-of-duty injury.

-This policy recognizes the understandable and laudable work of law enforcement and first responders but is not limited to any one group per se and will cover, for example, the law enforcement deputy, jailer, courthouse security officer, juvenile detention employee, conservation officer, or motor grader--as long as the injury can be verified by the county's designated physician to be a direct result of catastrophic causation.

-The employee must file a written statement detailing the circumstances of injury and any witness statements and be certified by an accompanying physician report.

-Such insurance benefit may only be paid by the county up until the age of 65 and will not be retained when insurance is offered (and denied) by another employer should the employee become gainfully employed, nor when elected to be put on a spouse's insurance plan.

**FINANCIAL IMPACT:**

Should be rare and have little financial impact overall.

**RESOLUTION NO:**

WHEREAS Woodbury County employs approximately 400 employees and values each and every one of them;

WHEREAS county employees often engage in public safety, law enforcement, emergency services, on county roads during hazardous situations, and may become injured due to acting in the "line of duty", and

WHEREAS health insurance is a benefit extended by virtue of employment and a "line of duty" catastrophic injury is an event that may necessitate a medical discharge from otherwise being able to fulfil employment, and

WHEREAS the Board of Supervisors upon receiving the filing of an employee to include a written statement detailing the circumstances of injury and any witnesses accompanied by a medical examination at the choice of the county's designated physician when a "line of duty" injury is found to be the direct causation of performing in the line of duty;

WHEREAS upon receiving such certification the county subject to the approval of the Board of Supervisors will pay both the premium and cost of coverage at the current level of insurance that the employee retained upon the date of the line-of-duty injury, and

WHEREAS such insurance benefit may only be paid by the county up until the age of 65 and will not be retained when insurance is offered (and denied) by another employer should the employee become gainfully employed, nor when the former employee elects to be put on a spouse's insurance plan,

Now be it resolved on this            day of the month of            , 2022 that the Woodbury County Board of Supervisors hereby passes such a policy to protect its valued employees and recognize the service that they perform in the line of duty.

**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:**

Ensure that the policy of the Board of Supervisors extending health insurance coverage with the policy points and procedures as described here contain the certain provisions for secondary roads workers and if not that the BOS takes action to amend policy to match the above resolution and communicate this safeguard with our appreciation to each secondary roads worker.

**ACTION REQUIRED / PROPOSED MOTION:**

Ensure that the policy of the Board of Supervisors extending health insurance coverage with the policy points and procedures as described here contain the certain provisions for secondary roads workers and if not that the BOS takes action to amend policy to match the above resolution and communicate this safeguard with our appreciation to each secondary roads worker.

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

Date: 2/22/2024

Weekly Agenda Date: 2/27/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Supervisor J.Taylor

**WORDING FOR AGENDA ITEM:**

Information on Reconsideration of the Present Plan for a Roundabout and Closure of Access to Old Lakeport at the Juncture of Elk Creek and Christy Road in Sioux City

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

On February 22, a public information meeting was held at Morningside Assembly of God Church. More than 30 residents attended. Many of them shared concerns with me as the representative from the Board of Supervisors and Alex Watters (the lone City of Sioux Council member). With appreciation, County Engineer Mark Nahra stayed until 6 p.m. along with his City of Sioux City Engineer counterpart Gordon Phair and staff from DGR.

The Board of Supervisors should give direction for the county engineer to study all viable options for the 19 homes without vehicle access for the 2-3 months during construction. This was far and away the greatest source of contention to include concerns shared below.

The project intent originally addressed several needs: paving to new development that typically does not abut to an old intersection where the city plans to do utility work; 10-15 year future projections of increased traffic from such increased development; the difficult issue of egressing from the dead-end section of Old Lakeport onto Christy Road especially turning left.

**BACKGROUND:**

The greatest amount of feedback that I heard was with those concerned about access to include parking vehicles and vandalism, elderly/infirm people carrying groceries or driving back and forth from residents to a parking lot across the street in a golf cart; groceries; package deliveries; trash pick up; weather damage from normally garaged vehicles; child-seat laws or larger families normally in a mini-van; safety and security at night. The prospect of this for 2-3 months made people overwhelmingly share opposition to the project.

-This is an irony because the project was sold in no small part on the inability of those folks to egress from the dead-end portion of Old Lakeport onto Christy Road. I spoke to 7 households that night with a promise of hearing from more in the future. When residents asked why access couldn't be given over a certain path, the design team answered how one leech field could not be traversed without ruining a homeowner's septic system. Many shared that the increased signage has helped mitigate the turning issues from Old Lakeport and that given the lack of access during a shutdown, they would rather things stayed the same the way they are.

My greatest heartburn came from a resident who said that this project was going to be done no matter how much public input was given, so what was the point of elected officials being there. I assured her that though I'm one person, our Board takes citizens' concerns very seriously and is responsive as I believe both our elected bodies are.

I wanted to see if the engineers could be sent back to the drawing board regarding access-and I'm understanding there may be a possibility of an alternative after all. I would also like to see if project opposition was the case if the neighborhood access issue was solved (it seemed that opposition went down by at least some homeowners).

At the very least, it seems wise to "tap the brakes" and seek public input exploring all possible avenues. Similarly to what happened when we actually came to the hearing for a newly proposed drainage district (when things become soon-to-be reality with "real world" implications) then people voice their concerns the most specifically and passionately. I also believe that public notice should be sent informing affected landowners of any upcoming agenda item. As much as we believe people will follow our Board agenda, when projects affect them this specifically, it is a courtesy that can go a long way.

**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:**

Receive the information, hold a public agenda item on 3-5-2024 and consider the following:

Completing only the paving portion of Elk Creek Road as a standalone project.  
Completing the roundabout project additionally upon alternative access/egress from residents' homes.  
Alternatively completing an alternate access route long-term from the dead-end portion of Old Lakeport.

**ACTION REQUIRED / PROPOSED MOTION:**

Receive the information, hold a public agenda item on 3-5-2024 and consider the following:

Completing only the paving portion of Elk Creek Road as a standalone project.  
Completing the roundabout project additionally upon alternative access/egress from residents' homes.  
Alternatively completing an alternate access route long-term from the dead-end portion of Old Lakeport.

Date: 2/23/2024

Discussion items for Elk Creek Road Project:

Project Scope	Length 0.42 miles
	Elk Creek Road Grading and Paving plus intersection reconstruction

Project connects the Elk Creek Road pavement by the Residences at Elk Creek subdivision to the intersection of Christy Road/Old Lakeport Road/Southern Hills Road and Elk Creek Road. Cost share between the city and county is approximately 50-50 for the project. Project is undertaken under the terms of a letter of agreement between the Sioux City Council and the Woodbury County Board of Supervisors. Both governmental bodies approved development of the project.

Preliminary Total Project Cost estimate: \$1,709,086

Breakout Stage Cost:	Stage 1-	Elk Creek Grade and Pave:	\$ 787,323
	Stage 2-	Intersection reconstruction:	\$ 930,763

**This is not a \$2 million roundabout project.** Reconstruction of the intersection is only part of the project (~55% of total project cost). Whether a roundabout design is built or a standard four-way intersection is reconstructed, the intersection work will take approximately the same amount of time. The consultant is providing a diagram showing the footprint of the existing intersection on top of the roundabout for presentation at the Board meeting on February 27th. The existing footprint of intersection shows that the roundabout is only slightly larger but allows all five legs of the intersection to be accommodated within roughly the same footprint as the original intersection design and will smoothly allow all traffic to be accommodated.

Current condition: - Gravel Road on Elk Creek Road alignment east of the intersection.  
Intersection pavement is a PCC Pavement constructed in 1989. Pavement age is 35 years.

Proposed improvement: Elk Creek Road - grading and 24-foot-wide PCC Paving with 6' Granular Shoulders  
Intersection to be reconstructed with PCC. Reconstructing the intersection consists of changing intersection from current two-lane intersection E-W and N-S with fifth intersection leg 40 feet +/- NW of the intersection with a roundabout bringing all five streets into a single intersection. Sidewalks, utility improvements, and storm sewer improvements are also included in the project.

The intersecting leg from the NW is a dead end portion of Old Lakeport Road serving 18 residences. Currently the dead-end road outlets to Christy Road approximately 40' north of four way intersection. As traffic has grown in the area following the construction of new medical offices and commercial development, at least three residents have complained to county engineer about difficulty entering traffic on Christy Road and reported that the intersection is sometimes blocked by traffic backed up at the southbound stop sign. The county added a "Do Not Block Intersection" sign several years ago. Reported results are mixed on the effectiveness of this sign.

Project construction details: The project is divided into two stages. The first stage is grading and paving of Elk Creek Road. The start date is mid-May for this work. While the Elk Creek Road is underway, utilities will be relocated at the intersection. Once utilities are relocated, the reconstruction at the intersection will begin.

Project goals:

- 1) Grade and pave Elk Creek Road to improve the roadway for use by area residents and encourage additional development in the area.
- 2) Provide access to the intersection for residents on the dead-end road that is equal to access of the other four legs of the intersection so that the residents of this street can safely enter traffic in the intersection.

While not all residents on the dead end seem to agree on the whether access to Christy Road is a problem at the current intersections, based on comments I received at Thursday night's meeting much of their frustration with the project and the proposed intersection reconstruction was due to the loss of access to drive home to their respective residences during the project. The inconvenience of parking in the church parking lot and walking or using provided golf carts while the intersection construction underway was deemed to be unacceptable by residents on the dead end. Any improved access to the intersection provided by the roundabout was not deemed worth the temporary inconvenience.

The original plan for access for residents on the dead end had been to construct a temporary road through an easement across the Agnes property to Southern Hills Drive west of the intersection closure. This was found to be impractical due to this easement area being on top of the leaching field for the Agnes' septic system. A temporary access road would have damaged the septic system leaching field.

The alternative access accommodation proposed at the meeting was to put a wood chip surfaced walking trail/golf cart path across the Agnes easement. This type of traffic would not damage the septic leaching field, but would provide access. Parking spots would be leased from the church across the street. This alternative was not deemed adequate by residents who commented at the meeting. Golf carts have been used on other county projects when paving disrupts access to homes in a project corridor. Sioux City's normal policy is to require residents to walk home during street construction.

In the course of the meeting, it was learned that the residence across from the Agnes property had changed hands and that an easement might be able to be obtained from the new owner. City staff is pursuing this option over the course of the next week and the county engineer will report on the feasibility of this option on March 5. It is hoped that if continuous construction access to homes is provided, the residents' objections to the project will be addressed.

Emergency vehicle access and garbage pickup access concerns have been addressed by engineering staff working with Sergeant Bluff fire and rescue and requiring the contractor to assist with the collection of garbage. Delivery of mail and packages is also a concern. Mailboxes are typically relocated during construction. Package delivery concerns will be addressed with the contractor. Most of these issues should be addressed if a temporary road can be built off Christy Road as is being worked on by city staff.

#### NEXT STEPS:

Tabling the project could jeopardize completion of all work prior to the winter of 2024. The current project timetable with work beginning in May should ensure completion in one construction season.

At this point, I recommend that the Board allow the consultant and city and county engineering staff to address the concerns expressed at the meeting. Most of the residents' objections can be addressed. It is too early to pull the plug on the project.

Traffic will continue to grow at this intersection as development continues in the area. If the replacement of the intersection pavement is not done now, greater disruption to higher volumes of traffic will be incurred 5, 10, or 15 years from now and the access problems for the residents on the NW leg of Old Lakeport Road will only grow. Regardless of when the work is done, this year, or in 10 years, some inconvenience for these residents will occur. By delaying intersection construction today, we only kick the can down the road. The board has done this on other projects, such as 220<sup>th</sup> Street. Not only will the work be no less disruptive to these peoples' lives in the future, but it will be more costly to the city and county as construction costs will only continue to grow.