



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(APRIL 17, 2018) (WEEK 16 OF 2018)

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Rocky L. De Witt 253-0421 rdewitt@woodburycountyiowa.gov
Marty J. Pottebaum 251-1799 mpottebaum@woodburycountyiowa.gov
Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov
Jeremy J. Taylor 259-7910 jtaylor@woodburycountyiowa.gov
Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held April 17, 2018 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. Closed Session {Iowa Code Section 21.5 1 (c)} First Floor Boardroom

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

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

Consent Agenda

Items 3 through 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.

- 3. Approval of the minutes of the April 10, 2018 meeting
4. Approval of claims
5. Human Resources – Melissa Thomas
a. Approval of Memorandum of Personnel Transactions
b. Authorization to initiate hiring process
c. Approval of retiree request to have the health insurance plan
6. County Auditor – Patrick Gill
Receive Auditor's Quarterly Report

7. Approval of 28E Agreement between Woodbury County, Iowa and the Woodbury Soil and Water Conservation District for funding and management of watershed inspection and maintenance program in Woodbury County, Iowa
8. Board Administration – Karen James
 - a. Approval of resolution approving petition for suspension of taxes through the redemption process
 - b. Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension
9. Community Economic Development – David Gleiser
Approval of CEDCORP's request to modify loan

End Consent Agenda

- | | | |
|------------------|--|-------------|
| 4:35 p.m. | 10. Board Administration/Public Bidder – Heather Satterwhite | Action |
| (Set time) | Public hearing and sale of property parcel #894728115009 (aka 1015 Pierce Street) | |
| | 11. Human Resources – Melissa Thomas | Information |
| | Presentation of award certificate to Lisa Robinson | |
| 4:45 p.m. | 12. Community Economic Development – David Gleiser | Action |
| (Set time) | Public hearing and final reading to amend the text in the Land Use Summary Table of Allowed Uses (Section 3.03-4) in the Woodbury County Zoning Ordinance (2008) | |
| | 13. Board of Supervisors – Jeremy Taylor | Action |
| | Approval of MOU and policy regarding fallen heroes and their families to remain on county health insurance | |
| | 14. County Auditor – Patrick Gill | Action |
| | Approve and receive for signature and implementation a Grant Monitoring Policy/ Procedure that replaces any grant monitoring past policy/procedure for Woodbury County | |
| | 15. Emergency Services – Gary Brown | Action |
| | a. Approval of the salary increase for Emergency Services Operation Officers at AEMT & Paramedic | Action |
| | b. Approval of the job description for the Emergency Services Operations Officer- Paramedic | Action |
| | c. Approval of hiring two (2) full-time and one (1) ¼ part-time Paramedic Operations Officer | Action |
| | d. Authorization to Initiate Hiring Process | Action |
| | 16. Building Services – Kenny Schmitz | Action |
| | Approval of Trosper Hoyt HVAC systems repairs and upgrades in the amount of \$115,700.00 | |
| | 17. Secondary Roads – Mark Nahra | Information |
| | Review and discuss possible changes to county dust remediation policy | |
| | 18. Reports on Committee Meetings | Information |
| | 19. Citizen Concerns | Information |
| | 20. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- WED., APRIL 18** **10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
 12:00 p.m. Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THURSDAY, APRIL 19** **10:30 a.m.** Department Head Meeting, LEC Conference Room
 4:30 p.m. Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- TUESDAY, APRIL 24** **6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- WED., APRIL 25** **2:00 p.m.** Sioux City Conference Board Meeting, City Council Chambers
- TUESDAY, MAY 1** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WEDNESDAY, MAY 2** **9:00 a.m.** Loess Hills Alliance Protection Committee Meeting, Pisgah, Iowa
 10:30 a.m. Loess Hills Alliance Stewardship Committee Meeting, Pisgah, Iowa
 12:00 p.m. District Board of Health Meeting, 1014 Nebraska St.
 1:00 p.m. Loess Hills Alliance Executive Meeting, Pisgah, Iowa
 1:00 p.m. LEPC Commission Meeting, Sioux City Fire Rescue Station #4, 3109 Dearborn
- MONDAY, MAY 7** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WEDNESDAY, MAY 9** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
 6:30 p.m. 911 Service Board Meeting, Public Safety Center, Climbing Hill
- THURSDAY, May 10** **7:30 a.m.** SIMPCO Board of Directors/Annual Meeting, Sergeant Bluff Community Center
 4:30 p.m. Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WEDNESDAY MAY 16** **10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
 2:00 p.m. Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THURSDAY, MAY 17** **4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue

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

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

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

APRIL 10, 2018, FIFTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, April 10, 2018 at 4:30 p.m. Board members present were Ung, De Witt, Taylor, Pottebaum, and Radig. Staff members present were Dennis Butler, Budget/Tax Analyst, Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, and Patrick Gill, Auditor/Clerk to the Board.

1. Motion by De Witt second by Pottebaum to go into closed session per Iowa Code Section 21.5(1)(c). Carried 5-0 on roll-call vote.

Motion by De Witt second by Taylor to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 5-0 on roll-call vote.

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

2. There were no citizen concerns.
3. Motion by Pottebaum second by Ung to approve the agenda for April 10, 2018. Carried 5-0. Copy filed.
Motion by Radig second by Ung to approve the following items by consent:
 4. To approve minutes of the April 3, 2018 meeting. Copy filed.
 5. To approve the claims totaling \$778,566.75. Copy filed.
 - 6a. To approve the reclassification of the Human Resources Senior Clerk to Clerk III. Copy filed.
 - 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Clerk III, Human Resources Dept. Wage Plan: \$19.41/hour. Copy filed.
 - 5c. To approve the de-authorization of Senior Clerk, Human Resources Dept. Copy filed.
7. To approve local match for the Iowa Small Business Development Center's Iowa Board of Regents Innovation Fund Grant Application. Copy filed.
8. To approve and authorize the Chairperson to sign a Resolution for Weed Destruction Order.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,712
WEED DESTRUCTION ORDER**

WHEREAS, it is the responsibility of each of Iowa County's Board of Supervisors to enforce the provisions of Chapter 317 of the Code of Iowa as amended with regard to the destruction of weeds, and

WHEREAS, under Chapter 317 of the Code of Iowa as amended each county Board of Supervisors must prescribe and order a program of weed destruction to be followed by landowners, tenants, and other persons in possession or control of land, and

WHEREAS, it has been determined by the Woodbury County Board of Supervisors that a program of weed destruction for the year 2018 is necessary,

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa that each landowner, tenant or other person in possession or control of private land shall on or before the dates stated below, destroy the below-listed noxious weeds on their land by spraying them with a suitable herbicide in a strength sufficient to kill such weeds.

1. May 14, 2018 - for musk, thistle, sow thistle, bull thistle, leafy spurge, perennial pepper grass, sour dock perennial, smooth dock perennial, and sheep sorrel perennial.
2. June 4, 2018 - for Canada thistle, Russian knapweed, buckhorn perennial, wild mustard annual, horse nettle, and teasel biennial.
3. June 11, 2018 - for field bindweed, wild carrot biennial, and quack grass.
4. June 18, 2018 - for butterprint annual, puncture vine annual, and cocklebur annual.
5. July 2, 2018 - for wild sunflower annual and poison hemlock.
6. October 1, 2018 - all thistles in the rosette stage.

BE IT FURTHER RESOLVED AND ORDERED that any person using county road Right-of-Way for haying or grazing are responsible for following the labeled restrictions listed on the following products used by Woodbury County Weed Commissioner: Grazon P&D, Streamline, Perspective, Method 240SL, and MSN 60.

BE IT FURTHER RESOLVED AND ORDERED that all weeds on county trunk and local roads and between the fence lines of such roads, whether they be noxious weeds or other weeds, shall be eradicated or otherwise destroyed, to prevent seed production, by the owner of the land adjoining the road on or before June 15, 2018.

BE IT FURTHER RESOLVED that weeds that are not destroyed in compliance with the above order may be destroyed by the Weed Commissioner, and the costs of destruction by the Weed Commissioner, including the cost of serving notice, plus a penalty of twenty-five percent of total costs shall be assessed against the property upon which the weeds were destroyed, in the case of private lands, or against the adjoining land, in the case of weeds on county roads. Landowners are to contact Weed Commissioner and notify him if there are areas that should not be sprayed with herbicides.

SO RESOLVED this 10th day of April, 2018
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Carried 5-0.

- 9a. Motion by Radig second by Taylor to approve the FY 2019 Woodbury County Secondary Roads Department Budget to be submitted to the Iowa DOT. Carried 5-0. Copy filed.
- 9b. Motion by Radig second by Taylor to approve the FY 2019 Woodbury County Secondary Roads Department Five Year Construction Program to be submitted to the Iowa DOT. Carried 5-0. Copy filed.
11. A public hearing was held at 4:45 p.m. for the Second Reading to amend the text in the Land Use Summary Table of Allowed Uses (Section 3.03-4) in the Woodbury County Zoning Ordinance (2008). The Chairperson called on anyone wishing to be heard.

Motion by Taylor second by Radig to close the public hearing. Carried 5-0.

Motion by Taylor second by Radig to approve the Second Reading to amend the text of the Woodbury County Zoning Ordinance (2008) to add the sale of Fireworks as a Principal Allowed Use in the General Commercial Zoning District in the Land Use Summary Table of Allowed Uses in Section 3.03-4, under the Retail sales, service and rentals of consumer, home and business goods. Carried 5-0. Copy filed.

10. Motion by Radig second by Pottebaum to approve the Transport Agreement with Siouxland Paramedics for the transport of bodies from locations with Woodbury County, IA, per the guidelines included in the agreement Woodbury County will pay \$12,000.00 annually, payable in 12 monthly installments of \$1,000.00 due the first of each month. Carried 5-0. Copy filed.

12. Board members gave reports on their committee meetings.
13. There were citizen concerns.
14. Board concerns were heard.

The Board adjourned the regular meeting until April 17, 2018.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: April 17, 2018

* 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
Alexander, Ajay	County Attorney	4-13-18	Attorney – HIDTA Grant			S	Resignation.
Ahlquist, Susan	County Treasurer	4-18-18	Clerk III Cashier	\$21.95/hour	6.7%=\$1.39/hour	P	Promotion from Clerk II to Clerk III Cashier.
Abell, Tonia	Human Resources	4-18-18	Clerk III	\$20.88/hour	3.8%=\$.78/hour	T	Position Transfer from Senior Clerk to Clerk III.
Smith, Diane	County Attorney	4-30-18	Asst. County Attorney	\$89,973/year	3.5%=\$3,026/year	R	Per AFSCME Asst. County Attorney Contract agreement, from Step 10 to Step 11.
Casson, Jeremiah	Secondary Roads	4-30-18	Motor Grader Operator	\$23.29/hour	3%=\$.69/hour	E	Per CWA Secondary Roads Contract agreement, End of Probation Salary Increase.
Jansen, Christopher	County Sheriff	5-07-18	Deputy Sergeant	\$33.66/hour	7%=\$2.26/hour	P	Promotion from Master Deputy to Deputy Sergeant.
Sands, Nathan	County Sheriff	5-07-18	Deputy Sergeant	\$33.66/hour	7%=\$2.26/hour	P	Promotion from Master Deputy to Deputy Sergeant.

APPROVED BY BOARD DATE:

Melissa Thomas

MELISSA THOMAS, HR DIRECTOR:

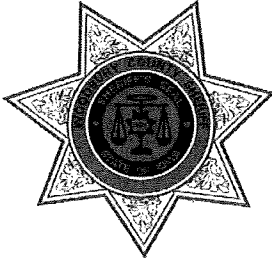
WOODBURY COUNTY
HUMAN RESOURCES DEPARTMENT

TO: Board of Supervisors and the Taxpayers of Woodbury County
FROM: Melissa Thomas, Human Resources Director
SUBJECT: Memorandum of Personnel Transactions
DATE: April 17, 2018

For the April 17, 2018 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

1. County Attorney HIDTA Attorney, Resignation.
2. County Treasurer Clerk III Cashier, Promotion.
3. Human Resources Clerk III, Position Transfer.
4. County Attorney Asst. County Attorney, from Step 10 to Step 11.
5. Secondary Roads Motor Grader Operator, End of Probation Salary Increase.
6. County Sheriff (2) Deputy Sergeants, Promotions.

Thank you



Woodbury County Sheriff's Office

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

DAVID A. DREW, SHERIFF

PHONE: 712.279.6010
E-MAIL: ddrew@sioux-city.org
FAX: 712.279.6522

12 Apr 2018

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

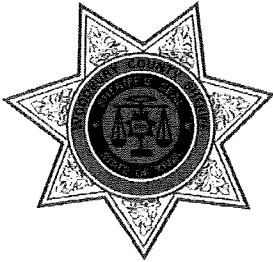
The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to promote for a Sworn Deputy Sergeant. With the recent Board approval of an additional Sworn Deputy Sergeant position, we will be promoting Deputy Chris Jansen to Sworn Deputy Sergeant effective Monday, May 7, 2018. We request this be placed on the agenda for the Tuesday, April 17, 2018, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "David Drew".

Dave Drew, Sheriff

Cc: file



Woodbury County Sheriff's Office

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

DAVID A. DREW, SHERIFF

PHONE: 712.279.6010
E-MAIL: ddrew@sioux-city.org
FAX: 712.279.6522

12 Apr 2018

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

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to promote for a Sworn Deputy Sergeant. With the recent Board approval of an additional Sworn Deputy Sergeant position, we will be promoting Deputy Nathan Sands to Sworn Deputy Sergeant effective Monday, May 7, 2018. We request this be placed on the agenda for the Tuesday, April 17, 2018, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "David Drew".

Dave Drew, Sheriff

Cc: file

HUMAN RESOURCES DEPARTMENT

WOODBURY COUNTY, IOWA

DATE: April 17, 2018

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Treasurer	Clerk II	AFSCME Courthouse: \$16.03/hour		
	Please see attached memo.			

Chairman, Board of Supervisors

To: Woodbury County Board of Supervisors
From: Michael Clayton
Date: April 11, 2018
Subject: Hire Universal Clerk II Treasurer's Office

I am requesting to authorization to hire a Universal Clerk II as a replacement for Susan Ahlquist who has accepted the position of Clerk III MV.

Thank you for your time and consideration.

Michael R. Clayton
Woodbury County Treasurer

cc Human Resources

April 2, 2018

Board of Supervisors
Woodbury County Iowa
405 6th Street
Sioux City, IA 51105

Dear Board Members,

I have submitted my letter of retirement to Kevin Grieme, Health Director and Linda Drey, Nursing Director, at Siouxland District Health Department. My last day will be Friday, May 11, 2018.

I am requesting permission for myself and my spouse to remain on the Wellmark insurance as a retiree. I understand that the cost of the insurance premium is my responsibility.

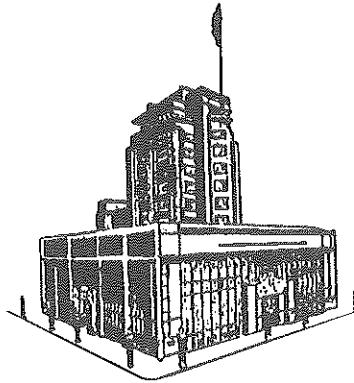
Thank you for your consideration.

A handwritten signature in cursive script that reads "Mona Scaletta".

Mona Scaletta

Office Of The
AUDITOR/RECORDER
Of Woodbury County

PATRICK F. GILL
Auditor/Recorder



Court House – Rooms 103
620 Douglas
Sioux City, Iowa 51101

Phone (712) 279-6702
Fax (712) 279-6629

AUDITOR'S QUARTERLY REPORT

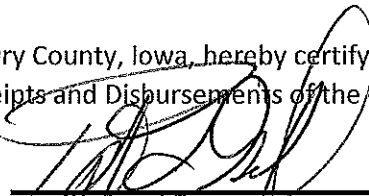
January 1, 2018 / March 31, 2018

Patrick F. Gill, Woodbury County Auditor/Recorder

Payroll Taxes

Beginning Cash Balance	January 1, 2018		
Payroll Taxes		292.79	
Other		44.74	
Total Beginning Balance			337.53
Receipts:			
Payroll Taxes		2,639,557.01	
Interest		174.19	
Other			
Total Receipts			2,639,731.20
Total Resources			2,640,068.73
Disbursements:			
Payroll Taxes		2,253,016.41	
Interest Paid to Treasurer		89.35	
Other			
Total Disbursements			2,253,105.76
Ending Cash Balance	March 31, 2018		
Payroll Taxes		386,833.39	
Other		129.58	
Total Ending Balance			386,962.97

I, Patrick F. Gill, County Auditor/Recorder of Woodbury County, Iowa, hereby certify the above to be a true and correct statement of the Receipts and Disbursements of the office of County Auditor for the 3rd Quarter ending 03/31/18.



Patrick F. Gill, County Auditor/Recorder

Preparer: David L. Dorff, Assistant Attorney General, Phone: 515-281-5351, Fax: 515-242-6072
IOWA DEPARTMENT of JUSTICE, Lucas Bldg., Room 018, 321 E. 12th St., Des Moines, IA 50319
Return to: Woodbury County SWCD, Pioneer Mall Professional Center, 204 First St., Ste C1, Sergeant Bluff, IA 51054

**28E AGREEMENT
BETWEEN WOODBURY COUNTY, IOWA, and the WOODBURY SOIL AND
WATER CONSERVATION DISTRICT for FUNDING AND MANAGEMENT of a
WATERSHED INSPECTION and MAINTENANCE PROGRAM in WOODBURY
COUNTY, STATE OF IOWA**

This Agreement is entered into this 21 day of March, 2018, by and between: Woodbury County, Iowa (hereinafter "County"), located at 620 Douglas Street, Rm. 104, Sioux City, Iowa 51101 and the Woodbury Soil and Water Conservation District (hereinafter "SWCD"), located at 204 First Street, Ste C1, Sergeant Bluff, Iowa 51054. This Agreement is entered into pursuant to Chapter 28E of the Code of Iowa.

1) PURPOSE

This Agreement is entered into between the County and the SWCD for the purpose of providing the terms under which the Parties agree to fund and manage a watershed inspection and maintenance program in Woodbury County as sponsors of the Little Sioux River Flood Protection Project. This project involves approximately 460 grade stabilization control structures which have been constructed with federal funds and local contributions since 1949. The Parties do not intend to create a separate legal entity under this Agreement.

2) TERM

This Agreement shall begin on July 1, 2018, and terminate on June 30, 2019. The Agreement may be extended by the written agreement of all parties on terms stated therein.

3) **ADMINISTRATION**

This Agreement shall be administered by the SWCD. All administrative decisions concerning this Agreement shall be undertaken pursuant to the terms outlined below.

4) **HOLDING OF PROPERTY UNDER THIS AGREEMENT**

All real and personal property used or acquired under the terms of this Agreement shall be held in the name of the SWCD.

5) **COUNTY RESPONSIBILITIES**

The County shall provide the SWCD with funds in the amount of Thirty-six Thousand Dollars (\$36,000.00), payable in installments of Twelve Thousand Dollars (\$12,000.00), due July 1, 2018; Twelve Thousand Dollars (\$12,000.00), due January 1, 2019, and Twelve Thousand Dollars (\$12,000.00) due June 1, 2019. Payments shall be sent to the SWCD office at 204 First Street, Ste C1, Sergeant Bluff, IA 51054. The funds provided to the SWCD by the County shall be used by the SWCD to employ individuals to inspect and maintain the watershed structures described in paragraph I of this Agreement. The individuals employed by the SWCD will record the condition of, and maintenance work performed on, each structure. Other related duties will be performed by the individuals employed by the SWCD, as outlined in a position description prepared for the position by the SWCD.

6) **SWCD RESPONSIBILITIES**

The SWCD shall employ individuals to inspect and maintain the watershed structures described in paragraph I of this Agreement. The individuals employed by the SWCD will record the condition of, and maintenance work performed on, each structure. The SWCD shall supervise the individuals employed as employees of the SWCD, and shall indemnify and hold harmless the County for any negligence on the part of the individuals employed by the SWCD. The individuals employed by the SWCD will represent the SWCD in performing all types of watershed work.

7) **FINANCING**

The SWCD shall pay all costs associated with the administration of this Agreement, except as provided in paragraph V of this Agreement.

8) **AMENDMENT**

This Agreement may be amended from time to time by written agreement of the Parties. All amendments shall be in writing, signed by both Parties, and electronically

filed with the Secretary of State as required by Iowa Code section 28E.8 (2018).

9) **TERMINATION**

The County may terminate this Agreement at any time with 120 days written notice to the SWCD. Upon termination of this Agreement, the Parties agree to use their best efforts to wrap up all operations undertaken pursuant to this Agreement. In the event of a conflict as to the distribution of any real or personal property, such conflict shall be resolved between the parties by arbitration paid for equally between the disputing parties.

X. **NOTICES**

Whenever notices and correspondence are to be given under this Agreement, the notices shall be given by personal delivery to the other party, or sent by mail, postage prepaid, to the other party as follows:

To the County

Woodbury County
Board of Supervisors
620 Douglas St Rm 104
Sioux City, IA 51101

To the SWCD

Woodbury SWCD
204 First Street, Ste C1
Sergeant Bluff, IA 51054

10) **APPLICABLE LAW**

This Agreement is to be governed by the laws of the State of Iowa.

11) **FILING**

It is agreed that the County will electronically file this Agreement with the Secretary of State as required by Iowa Code section 28E.8 (2018).

IN WITNESS WHEREOF, and in consideration of the mutual covenants set forth herein and for other good and valuable consideration, the receipt, adequacy, and legal sufficiency of which are hereby acknowledged, the parties have entered into this 28E Agreement and have caused their duly authorized representatives to execute this 28E Agreement.

WOODBURY COUNTY

BY: _____
Rocky DeWitt, Chairperson
Woodbury County Board of Supervisors

DATE: _____

STATE OF IOWA, WOODBURY COUNTY: This instrument was acknowledged before me on the ____ day of _____, 2018, by Rocky DeWitt, as Chairperson of the Woodbury County Board of Supervisors.

NOTARY PUBLIC FOR THE STATE OF IOWA

WOODBURY SOIL AND WATER CONSERVATION DISTRICT

BY: Kelly W Ingenthron
Kelly Ingenthron, Chairperson
Woodbury Soil and Water Conservation District

DATE: 3/21/18

STATE OF IOWA, WOODBURY COUNTY: This instrument was acknowledged before me on the 21st day of March, 2018, by Kelly Ingenthron, as Chairperson of the Woodbury Soil and Water Conservation District.

Kathleen M. Miller

NOTARY PUBLIC FOR THE STATE OF IOWA



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

Date: 4/12/18

Weekly Agenda Date: 4/17/18

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

WORDING FOR AGENDA ITEM:

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

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

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

BACKGROUND:

FINANCIAL IMPACT:

None

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

Yes No

RECOMMENDATION:

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

ACTION REQUIRED / PROPOSED MOTION:

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

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

#9

Date: 4/12/18 Weekly Agenda Date: 4/17/18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: David Gleiser, CED Director

WORDING FOR AGENDA ITEM:

Consideration to Approve CEDCORP's Request to Modify Loan

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The Board of Supervisors (BOS) will consider approving a request to modify an existing loan to Correctionville Economic Development Corp. (CEDCORP).

BACKGROUND:

In 2013 the BOS approved a loan to CEDCORP in the amount of \$125,000 at 2% fixed interest for a 10-yr term to construct a new building for a grocery store to operate. CEDCORP is requesting to re-amortize the principal balance of \$66,741.15 for an additional 5-yrs with the original interest rate. The county will retain it's original security (1st position on the building and equipment).

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 the request as proposed.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the request as proposed.

MODIFICATION OF PROMISSORY NOTE

This MODIFICATION OF PROMISSORY NOTE (“Modification”) is made and entered into on April 18, 2018 by and among CEDCORP, INC. (“Borrower”) and Woodbury County, Iowa (“County”).

WHEREAS, County agreed to lend to Borrower an amount not to exceed One Hundred Twenty-Five Thousand--and--No/100’s Dollars (\$125,000.00) (“Loan”), which Loan is evidenced by a certain Promissory Note dated April 9, 2013 in the face amount of One Hundred Twenty-Five Thousand--and--No/100’s Dollars (\$125,000.00) (“Note”).

WHEREAS, the parties hereto desire to modify the Note as hereinafter provided.

NOW, THEREFORE, in consideration of the foregoing promises and the covenants contained herein, the parties hereto agree as follows:

- 1. Modification. The Note is hereby modified to extend the expiration date from May 1, 2023 to May 1, 2028. The current principal balance of the Note is \$66,741.15 and will be re-amortized at 2% for ten (10) years.

IN WITNESS WHEREOF, the undersigned have caused this Modification to be executed as of the day and year first above written.

CEDCORP, INC. (“Borrower”)

By: _____
William B. Forbes, President

By: _____
Gayle Jacobs, Secretary

WOODBURY COUNTY, IOWA (“County”)

By: _____
Rocky De Witt, Chairperson

MORTGAGE AMORTIZATION

NAME: CEDCORP, INC.
MORTGAGE AMOUNT: \$66,741.15
INTEREST RATE - ANNUAL: 2.00%
NUMBER OF YEARS: 10
NUMBER OF MONTHLY PAYMENTS: 120
LOAN CLOSING DATE: 4/18/18
FIRST PAYMENT DUE: 6/1/18
MONTHLY PAYMENTS: \$614.11
ACCRUED INTEREST: \$44.49
TOTAL FIRST PAYMENT DUE: \$658.60

	PAYMENT #	PRINCIPAL	INTEREST	BALANCE	TOTAL MONTHLY PAYMENT	PAYMENT DUE DATE
BEG BALANCE				\$66,741.15		
	1	\$502.87	\$155.73	\$66,238.28	\$658.60	6/1/18
	2	\$503.71	\$110.40	\$65,734.57	\$614.11	7/1/18
	3	\$504.55	\$109.56	\$65,230.02	\$614.11	8/1/18
	4	\$505.39	\$108.72	\$64,724.63	\$614.11	9/1/18
	5	\$506.24	\$107.87	\$64,218.39	\$614.11	10/1/18
	6	\$507.08	\$107.03	\$63,711.31	\$614.11	11/1/18
	7	\$507.92	\$106.19	\$63,203.39	\$614.11	12/1/18
	8	\$508.77	\$105.34	\$62,694.62	\$614.11	1/1/19
	9	\$509.62	\$104.49	\$62,185.00	\$614.11	2/1/19
	10	\$510.47	\$103.64	\$61,674.53	\$614.11	3/1/19
	11	\$511.32	\$102.79	\$61,163.21	\$614.11	4/1/19
	12	\$512.17	\$101.94	\$60,651.04	\$614.11	5/1/19
	13	\$513.02	\$101.09	\$60,138.02	\$614.11	6/1/19
	14	\$513.88	\$100.23	\$59,624.14	\$614.11	7/1/19
	15	\$514.74	\$99.37	\$59,109.40	\$614.11	8/1/19
	16	\$515.59	\$98.52	\$58,593.81	\$614.11	9/1/19
	17	\$516.45	\$97.66	\$58,077.36	\$614.11	10/1/19
	18	\$517.31	\$96.80	\$57,560.05	\$614.11	11/1/19
	19	\$518.18	\$95.93	\$57,041.87	\$614.11	12/1/19
	20	\$519.04	\$95.07	\$56,522.83	\$614.11	1/1/20
	21	\$519.91	\$94.20	\$56,002.92	\$614.11	2/1/20
	22	\$520.77	\$93.34	\$55,482.15	\$614.11	3/1/20
	23	\$521.64	\$92.47	\$54,960.51	\$614.11	4/1/20
	24	\$522.51	\$91.60	\$54,438.00	\$614.11	5/1/20
	25	\$523.38	\$90.73	\$53,914.62	\$614.11	6/1/20
	26	\$524.25	\$89.86	\$53,390.37	\$614.11	7/1/20
	27	\$525.13	\$88.98	\$52,865.24	\$614.11	8/1/20
	28	\$526.00	\$88.11	\$52,339.24	\$614.11	9/1/20
	29	\$526.88	\$87.23	\$51,812.36	\$614.11	10/1/20
	30	\$527.76	\$86.35	\$51,284.60	\$614.11	11/1/20
	31	\$528.64	\$85.47	\$50,755.96	\$614.11	12/1/20
	32	\$529.52	\$84.59	\$50,226.44	\$614.11	1/1/21
	33	\$530.40	\$83.71	\$49,696.04	\$614.11	2/1/21
	34	\$531.28	\$82.83	\$49,164.76	\$614.11	3/1/21
	35	\$532.17	\$81.94	\$48,632.59	\$614.11	4/1/21
	36	\$533.06	\$81.05	\$48,099.53	\$614.11	5/1/21
	37	\$533.94	\$80.17	\$47,565.59	\$614.11	6/1/21
	38	\$534.83	\$79.28	\$47,030.76	\$614.11	7/1/21
	39	\$535.73	\$78.38	\$46,495.03	\$614.11	8/1/21
	40	\$536.62	\$77.49	\$45,958.41	\$614.11	9/1/21
	41	\$537.51	\$76.60	\$45,420.90	\$614.11	10/1/21
	42	\$538.41	\$75.70	\$44,882.49	\$614.11	11/1/21
	43	\$539.31	\$74.80	\$44,343.18	\$614.11	12/1/21
	44	\$540.20	\$73.91	\$43,802.98	\$614.11	1/1/22
	45	\$541.11	\$73.00	\$43,261.87	\$614.11	2/1/22
	46	\$542.01	\$72.10	\$42,719.86	\$614.11	3/1/22
	47	\$542.91	\$71.20	\$42,176.95	\$614.11	4/1/22
	48	\$543.82	\$70.29	\$41,633.13	\$614.11	5/1/22
	49	\$544.72	\$69.39	\$41,088.41	\$614.11	6/1/22
	50	\$545.63	\$68.48	\$40,542.78	\$614.11	7/1/22
	51	\$546.54	\$67.57	\$39,996.24	\$614.11	8/1/22
	52	\$547.45	\$66.66	\$39,448.79	\$614.11	9/1/22
	53	\$548.36	\$65.75	\$38,900.43	\$614.11	10/1/22

54	\$549.28	\$64.83	\$38,351.15	\$614.11	11/1/22
55	\$550.19	\$63.92	\$37,800.96	\$614.11	12/1/22
56	\$551.11	\$63.00	\$37,249.85	\$614.11	1/1/23
57	\$552.03	\$62.08	\$36,697.82	\$614.11	2/1/23
58	\$552.95	\$61.16	\$36,144.87	\$614.11	3/1/23
59	\$553.87	\$60.24	\$35,591.00	\$614.11	4/1/23
60	\$554.79	\$59.32	\$35,036.21	\$614.11	5/1/23
61	\$555.72	\$58.39	\$34,480.49	\$614.11	6/1/23
62	\$556.64	\$57.47	\$33,923.85	\$614.11	7/1/23
63	\$557.57	\$56.54	\$33,366.28	\$614.11	8/1/23
64	\$558.50	\$55.61	\$32,807.78	\$614.11	9/1/23
65	\$559.43	\$54.68	\$32,248.35	\$614.11	10/1/23
66	\$560.36	\$53.75	\$31,687.99	\$614.11	11/1/23
67	\$561.30	\$52.81	\$31,126.69	\$614.11	12/1/23
68	\$562.23	\$51.88	\$30,564.46	\$614.11	1/1/24
69	\$563.17	\$50.94	\$30,001.29	\$614.11	2/1/24
70	\$564.11	\$50.00	\$29,437.18	\$614.11	3/1/24
71	\$565.05	\$49.06	\$28,872.13	\$614.11	4/1/24
72	\$565.99	\$48.12	\$28,306.14	\$614.11	5/1/24
73	\$566.93	\$47.18	\$27,739.21	\$614.11	6/1/24
74	\$567.88	\$46.23	\$27,171.33	\$614.11	7/1/24
75	\$568.82	\$45.29	\$26,602.51	\$614.11	8/1/24
76	\$569.77	\$44.34	\$26,032.74	\$614.11	9/1/24
77	\$570.72	\$43.39	\$25,462.02	\$614.11	10/1/24
78	\$571.67	\$42.44	\$24,890.35	\$614.11	11/1/24
79	\$572.63	\$41.48	\$24,317.72	\$614.11	12/1/24
80	\$573.58	\$40.53	\$23,744.14	\$614.11	1/1/25
81	\$574.54	\$39.57	\$23,169.60	\$614.11	2/1/25
82	\$575.49	\$38.62	\$22,594.11	\$614.11	3/1/25
83	\$576.45	\$37.66	\$22,017.66	\$614.11	4/1/25
84	\$577.41	\$36.70	\$21,440.25	\$614.11	5/1/25
85	\$578.38	\$35.73	\$20,861.87	\$614.11	6/1/25
86	\$579.34	\$34.77	\$20,282.53	\$614.11	7/1/25
87	\$580.31	\$33.80	\$19,702.22	\$614.11	8/1/25
88	\$581.27	\$32.84	\$19,120.95	\$614.11	9/1/25
89	\$582.24	\$31.87	\$18,538.71	\$614.11	10/1/25
90	\$583.21	\$30.90	\$17,955.50	\$614.11	11/1/25
91	\$584.18	\$29.93	\$17,371.32	\$614.11	12/1/25
92	\$585.16	\$28.95	\$16,786.16	\$614.11	1/1/26
93	\$586.13	\$27.98	\$16,200.03	\$614.11	2/1/26
94	\$587.11	\$27.00	\$15,612.92	\$614.11	3/1/26
95	\$588.09	\$26.02	\$15,024.83	\$614.11	4/1/26
96	\$589.07	\$25.04	\$14,435.76	\$614.11	5/1/26
97	\$590.05	\$24.06	\$13,845.71	\$614.11	6/1/26
98	\$591.03	\$23.08	\$13,254.68	\$614.11	7/1/26
99	\$592.02	\$22.09	\$12,662.66	\$614.11	8/1/26
100	\$593.01	\$21.10	\$12,069.65	\$614.11	9/1/26
101	\$593.99	\$20.12	\$11,475.66	\$614.11	10/1/26
102	\$594.98	\$19.13	\$10,880.68	\$614.11	11/1/26
103	\$595.98	\$18.13	\$10,284.70	\$614.11	12/1/26
104	\$596.97	\$17.14	\$9,687.73	\$614.11	1/1/27
105	\$597.96	\$16.15	\$9,089.77	\$614.11	2/1/27
106	\$598.96	\$15.15	\$8,490.81	\$614.11	3/1/27
107	\$599.96	\$14.15	\$7,890.85	\$614.11	4/1/27
108	\$600.96	\$13.15	\$7,289.89	\$614.11	5/1/27
109	\$601.96	\$12.15	\$6,687.93	\$614.11	6/1/27
110	\$602.96	\$11.15	\$6,084.97	\$614.11	7/1/27
111	\$603.97	\$10.14	\$5,481.00	\$614.11	8/1/27
112	\$604.97	\$9.14	\$4,876.03	\$614.11	9/1/27
113	\$605.98	\$8.13	\$4,270.05	\$614.11	10/1/27
114	\$606.99	\$7.12	\$3,663.06	\$614.11	11/1/27
115	\$608.00	\$6.11	\$3,055.06	\$614.11	12/1/27
116	\$609.02	\$5.09	\$2,446.04	\$614.11	1/1/28
117	\$610.03	\$4.08	\$1,836.01	\$614.11	2/1/28
118	\$611.05	\$3.06	\$1,224.96	\$614.11	3/1/28
119	\$612.07	\$2.04	\$612.89	\$614.11	4/1/28
120	\$612.89	\$1.02	\$0.00	\$613.91	5/1/28

\$66,741.15 \$6,996.34 \$73,737.49

RESOLUTION #

NOTICE OF PROPERTY SALE

Parcels #894728115009

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

Lot 11 Block 57 Sioux City East Addition, City of Sioux City, Woodbury County, Iowa (1015 Pierce 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 **17th Day of April, 2018 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 **17th Day of April, 2018**, 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 \$537.00** 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 3rd Day of April, 2018.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Rocky De Witt, Chairman

REQUEST FOR MINIMUM BID

Name: Michale Bentley Date: 7/11/17
Address: 2808 Myrtle St. Phone: 259-2431

Address or approximate address/location of property interested in:
1015 Pierce St

GIS PIN # 894728115009

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

Legal Description:
Lot 11 Block 57 Sioux City
East Addition to City of Sioux City,
Woodbury County, Iowa

Tax Sale #/Date: 0113/2013 Parcel # 024900

Tax Deeded to Woodbury County on: 3/14/18

Current Assessed Value: Land \$24,500 Building 0 Total \$24,500

Approximate Delinquent Real Estate Taxes: \$12,472

Approximate Delinquent Special Assessment Taxes: \$116,674

*Cost of Services: \$237

Inspection to: Matthew Ong Date: 7/11/17

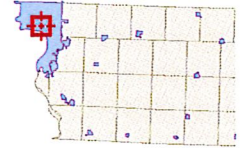
Minimum Bid Set by Supervisor: \$300

Date and Time Set for Auction: _____

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



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

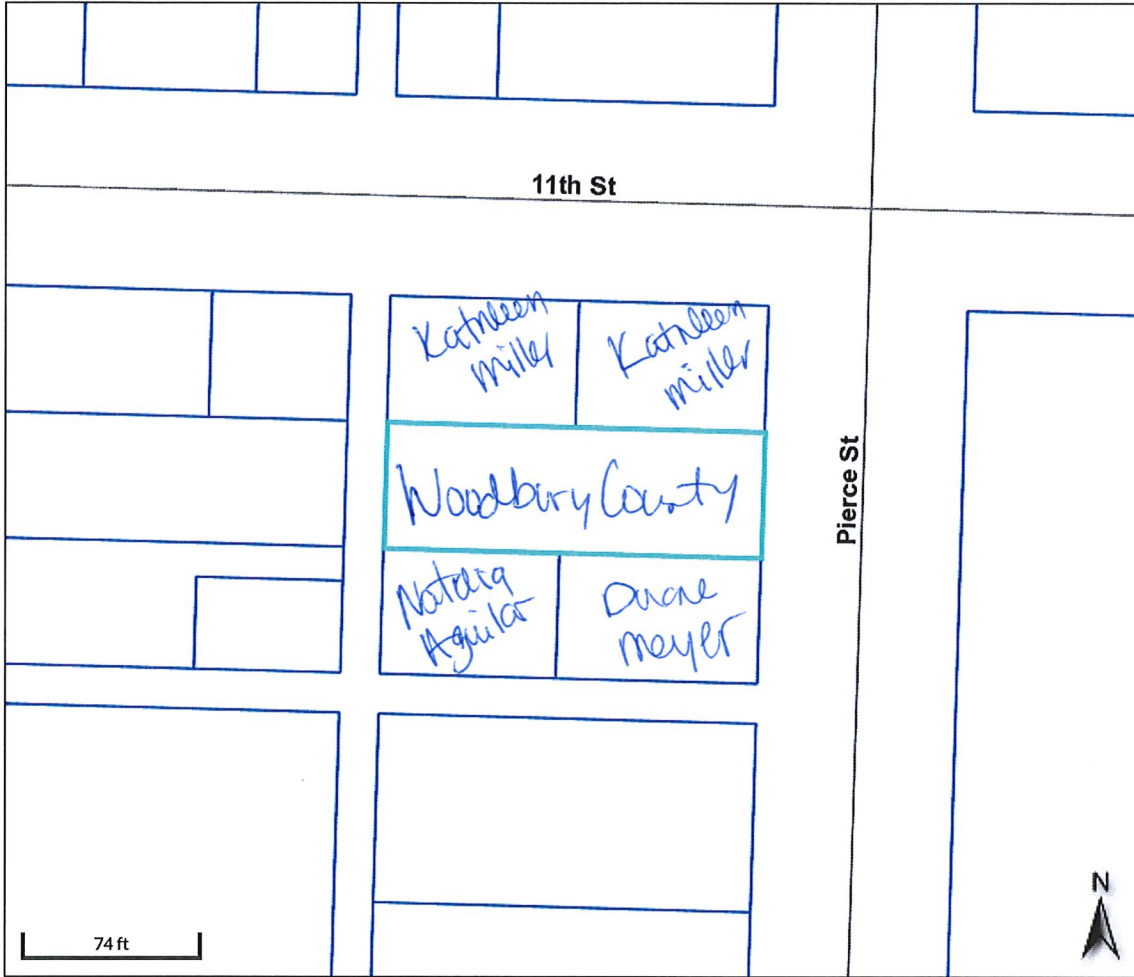
Parcel ID	894728115009	Alternate ID	24900	Owner Address	WOODBURY COUNTY COURTHOUSE
Sec/Twp/Rng	n/a	Class	C		620 DOUGLAS ST
Property Address	1015-17 PIERCE ST	Acreage	n/a		SIOUX CITY IA 51101
	SIOUX CITY				
District	087				
Brief Tax Description	SIOUX CITY EAST LOT 11 BLK 57				
	(Note: Not to be used on legal documents)				

Date created: 3/29/2018
 Last Data Uploaded: 3/28/2018 11:34:02 PM

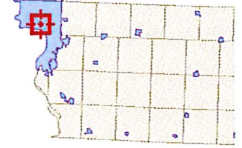
 Developed by
 The Schneider Corporation



Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	894728115009	Alternate ID	24900	Owner Address	WOODBURY COUNTY COURTHOUSE
Sec/Twp/Rng	n/a	Class	C		620 DOUGLAS ST
Property Address	1015-17 PIERCE ST	Acreage	n/a		SIOUX CITY IA 51101
	SIOUX CITY				

District 087
 Brief Tax Description SIOUX CITY EAST LOT 11 BLK 57

(Note: Not to be used on legal documents)

Date created: 3/29/2018
 Last Data Uploaded: 3/28/2018 11:34:02 PM



Developed by
 The Schneider Corporation

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

Date: 4-12-18 Weekly Agenda Date: 4-17-18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas

WORDING FOR AGENDA ITEM:

Presentation of Award Certificate to Lisa Robinson

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Presentation of Award Certificate for 4 hours of Paid Time Off to Lisa Robinson.

BACKGROUND:

On 6-16-15 the Board of Supervisors approved the participation of Woodbury County employees in the City of Sioux City Blood Drives and to provide the same incentive of four hours of paid time off to employees who reach gallon milestones. Recipients of this award have been kind enough to donate to the blood bank for the benefit of others.

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:

CERTIFICATE OF AWARD
FOUR (4) HOURS OF PAID TIME OFF
AWARDED TO
LISA ROBINSON

**FOR THE GENEROUS DONATION OF 2 GALLONS TO THE LIFESERVE BLOOD CENTER
(TIME OFF MUST BE REDEEMED WITHIN SIX MONTHS FROM THE DATE BELOW)**

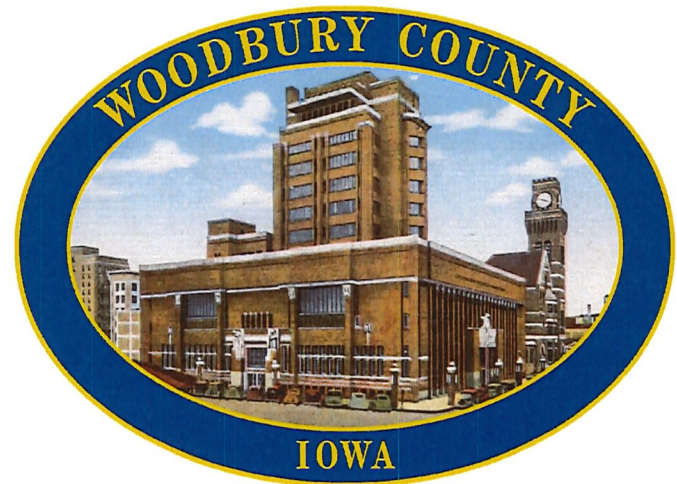
Rocky DeWitt, Board of Supervisors, Chairman

Marty Pottebaum, Board of Supervisors

Keith Radig, Board of Supervisors

Jeremy Taylor, Board of Supervisors

Matthew Ung, Board of Supervisors



April 17th, 2018

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

#12

Date: 4/12/18

Weekly Agenda Date: 4/17/18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: David Gleiser, CED Director

WORDING FOR AGENDA ITEM:

Public Hearing and Final Reading to Amend the Text in the Land Use Summary Table of Allowed Uses (Section 3.03-4) in the Woodbury County Zoning Ordinance (2008)

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors (BOS) will hold a public hearing to discuss a proposed amendment to the Zoning Ordinance which would allow the sale of fireworks to occur in the General Commercial (GC) zoning districts in unincorporated Woodbury County. Upon closing the public hearing and subject to the BOS's will based on public testimony, the BOS will conduct the third and final reading of the proposed amendment. The proposed amendment is attached.

BACKGROUND:

On 3/6/18 the Board of Supervisors (BOS) requested the Community & Economic Development (CED) department, Zoning Commission (ZC) and Board of Adjustment (BOA) to develop recommendations on which zoning districts would be the most appropriate to allow the retail sales of fireworks to occur in unincorporated Woodbury County.

In Coordination with the ZC and BOA, the CED department requested input from several relevant county departments and community stakeholders (attached). Notices were published in all local newspapers to inform the public of 2 public meetings to seek public input on this issue. Those meetings were held on 3/19/18 in Merville at the community center at 6pm, and on 3/21/18 in Salix at the community center at 6pm. The stakeholder comments received and the minutes from these public meetings are attached.

In addition, the ZC held a public hearing on 3/27/18 to discuss the proposed amendment to the Land Use Summary Table in the Zoning Ordinance. The Commission voted unanimously (3-0) in favor of the amendment and to send their recommendation to the BOA (as a professional courtesy) and to the BOS for consideration to make the formal amendment. The draft meeting minutes from the 3/27/18 ZC meeting are attached.

On 4/2/18 the BOA held their regularly scheduled meeting and reviewed the proposed amendment. There was a unanimous decision to support the decision of the ZC's recommendation and the proposed amendment. The draft meeting minutes from the 4/2/18 BOA meeting are attached.

The BOS held public hearings and 1st and 2nd readings of the proposed amendment on 4/3 and 4/10. There were no comments from the public.

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 third and final reading of the amendment as proposed.

ACTION REQUIRED / PROPOSED MOTION:

Upon closing the public hearing, motion to approve the third and final reading of the amendment as proposed.

ORDINANCE NO. _____
WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING PORTIONS OF SECTION 3.034-4 ENTITLED *LAND USE SUMMARY TABLE OF ALLOWED USES IN EACH ZONING DISTRICT* OF THE WOODBURY COUNTY, IOWA ZONING ORDINANCE.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE BELOW ZONING ORDINANCE LANGUAGE AMENDMENT BE MADE:

Amendment:

On page 35: To add the following line item use language within zoning ordinance Section 3.01:4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

“Fireworks (consumer, display, novelty)”. With placement of the letters “ok” within the General Commercial (GC) zoning district column of the table related to this line item use.

Adopted this _____ Day of _____, 2018

By: _____
Rocky De Witt, Chairman Dated

By: _____
Marty Pottebaum, Supervisor Dated

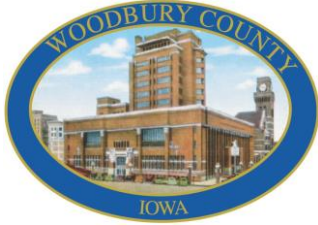
By: _____
Keith Radig, Supervisor Dated

By: _____
Jeremy Taylor, Supervisor Dated

By: _____
Matthew Ung, Supervisor Dated

ATTEST: _____
Patrick Gill, Auditor Dated

1st Reading: _____
2nd Reading: _____
3rd Reading and Adoption: _____
Effective Date: Upon Publication



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov
Telephone (712) 279-6609 Fax (712) 279-6530

To: Woodbury County Attorney's office; Woodbury County Conservation; Woodbury County Emergency Services; Woodbury County Engineer; Woodbury County Sheriff; Siouxland District Health; Woodbury County Emergency Management; Cities of Anthon, Bronson, Correctionville, Cushing, Danbury, Hornick, Lawton, Merville, Oto, Pierson, Salix, Sergeant Bluff, Sloan, and Smithland

From: Woodbury County Department of Community and Economic Development

Date: March 8, 2018

Subject: Comment on Fireworks Zoning Districts: Please Respond by 3/15/18

We are interested in receiving your input concerning the need to add the sale of fireworks to Section 3.03-4 of the Woodbury County Zoning Ordinance (2008) and identify which zoning districts this activity could lawfully occur.

Fireworks legislation was signed into Iowa law on Tuesday, May 9th, 2017 (Iowa Code 727.2 Fireworks, 2018). Iowa law grants counties and cities the authority to limit the use of fireworks via ordinance or resolution. At the March 6th Board of Supervisors meeting, the Zoning Commission and the Board of Adjustment were requested to research and make recommendations concerning the sale of fireworks in unincorporated Woodbury County.

Currently, fireworks are not listed as an allowed or conditional use within the Woodbury County Zoning Ordinance (2008) Table of Allowed Uses in Each Zoning District (Section 3.03-4). Therefore, the Community and Economic Development requests your comments on this subject by Thursday, March 15th as we have also scheduled a series of public meetings to receive input from the public about adding the sale of fireworks as a retail use to Section 3.03-4 of the ordinance.

There will be a public meeting at the Merville Area Community Center, located at 815 Main Street, on Monday, March 19th at 6:00 PM. The next meeting will be held on Wednesday, March 21st at 6:00 PM at the Salix Community Center, located at 317 Tipton Street.

On Tuesday, March 27th at 6:00 PM, the Community & Economic Development staff will present their recommendations to the Zoning Commission on which zoning districts in unincorporated Woodbury County could lawfully allow the sale of fireworks to occur. The Zoning Commission will accept public input and discuss the recommendations before formulating their recommendations for the Board of Adjustment. On Monday, April 2nd at 6:00 PM, the Community & Economic Development staff will present the Zoning Commission's recommendations to the Board of Adjustment. The Board of Adjustment will accept public input and discuss the recommendations before formulating their recommendations for the Board of Supervisors, who will receive them during their regularly scheduled board meeting on Tuesday, April 3rd at 4:30 PM.

Send your written comments to Dan Priestley, Zoning Coordinator at dpriestley@woodburycountyiowa.gov. Please know that you are invited to attend any of the meetings mentioned above. Your participation is greatly appreciated.



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov
Telephone (712) 279-6609 Fax (712) 279-6530

To: City of Anthon; City of Bronson; City of Correctionville; City of Cushing; City of Danbury; City of Hornick; City of Lawton; City of Merville; City of Oto; City of Pierson; City of Salix; City of Sergeant Bluff; City of Sioux City; City of Sloan; City of Smithland

From: Woodbury County Department of Community and Economic Development

Date: March 9, 2018

Subject: Comment on Fireworks Zoning Districts: Please Respond by 3/23/18

We are interested in receiving your input concerning the need to add the sale of fireworks to Section 3.03-4 of the Woodbury County Zoning Ordinance (2008) and identify which zoning districts this activity could lawfully occur.

Fireworks legislation was signed into Iowa law on Tuesday, May 9th, 2017 (Iowa Code 727.2 Fireworks, 2018). Iowa law grants counties and cities the authority to limit the use of fireworks via ordinance or resolution. At the March 6th Board of Supervisors meeting, the Zoning Commission and the Board of Adjustment were requested to research and make recommendations concerning the sale of fireworks in unincorporated Woodbury County.

Currently, fireworks are not listed as an allowed or conditional use within the Woodbury County Zoning Ordinance (2008) Table of Allowed Uses in Each Zoning District (Section 3.03-4). Therefore, the Community and Economic Development requests your comments on this subject by Thursday, March 23 as we have also scheduled a series of public meetings to receive input from the public about adding the sale of fireworks as a retail use to Section 3.03-4 of the ordinance.

There will be a public meeting at the Merville Area Community Center, located at 815 Main Street, on Monday, March 19th at 6:00 PM. The next meeting will be held on Wednesday, March 21st at 6:00 PM at the Salix Community Center, located at 317 Tipton Street.

On Tuesday, March 27th at 6:00 PM, the Community & Economic Development staff will present their recommendations to the Zoning Commission on which zoning districts in unincorporated Woodbury County could lawfully allow the sale of fireworks to occur. The Zoning Commission will accept public input and discuss the recommendations before formulating their recommendations for the Board of Adjustment. On Monday, April 2nd at 6:00 PM, the Community & Economic Development staff will present the Zoning Commission's recommendations to the Board of Adjustment. The Board of Adjustment will accept public input and discuss the recommendations before formulating their recommendations for the Board of Supervisors, who will receive them during their regularly scheduled board meeting on Tuesday, April 3rd at 4:30 PM.

Send your written comments to Dan Priestley, Zoning Coordinator at dpriestley@woodburycountyiowa.gov. Please know that you are invited to attend any of the meetings mentioned above. Your participation is greatly appreciated.

Stakeholder Comments

Several stakeholder agencies were asked to make written comments concerning the need to add the sale of fireworks to Section 3.03-4. The Fire Marshal from Sioux City Fire Rescue, Mark Aesoph, stated that he has a concern for the sales of fireworks near “residential properties that abut the current city limit boundaries.” He suggested that the ordinance/policy include language such as “any parcel that abuts a city limit boundary must meet city zoning requirements” (Written Communication, March 12, 2018).

Woodbury County Engineer, Mark Nahra, P.E., stated that he would prefer to see the sales of fireworks located along paved roads. He indicated at this point we may not have enough experience to know whether the sales of fireworks will cause any road problems due to seasonally increased traffic. Nahra asserted that “I would suggest that if they are located on a gravel road, that the business be responsible for any dust control needed on roads adjacent to the site.” He suggested that the use of a conditional use permit would allow us “to make providing the dust control a requirement as part of the permit.” Nahra also asserted that the “secondary road department should not be responsible to subsidize their choice of location by providing any more than normal road maintenance in the area of business” (Written Communication, March 12, 2018).

Gary Brown, Director of Woodbury County Emergency Services, stated that “if the county is under a burn ban that the discharging of fireworks should be prohibited. In a normal year we would not have a burn ban in July or December but if we are in a drought its possible” (Written Communication, March 12, 2018).

Dan Heissel, Director of the Woodbury Conservation Board, offered the following comments on fireworks:

I do have a concern with this and would not support allowing firework in the parks for the following reasons. Safety is my number one concern. In the campground setting, you have a lot of people packed into small area and just the thought of allowing fireworks makes me cringe. Bottle rockets, roman candles, spinners, all these things that are a projectile that could do bodily harm to an innocent bystander cause me concern and would open the county up to liability in my mind. There is just too many people and activity in a campground or park for fireworks to be allowed.

In a park setting you have a lot of people of different ages utilizing a space, just as you do in a campground. These people come to the park with the thought of peace and quiet and to relax, not to have fireworks exploding let alone being hit with an errant bottle rocket or other projectile. Another liability and exposure the county doesn't need.

One final concern is for fires to county structures or lands do to dry weather and to personal campers and awnings should burning embers from aerial fireworks land on them. In a nutshell it is not a good thing for us in the parks or campgrounds.

With that in mind I respectfully request that fireworks are not allowed in the county parks or areas. (Written Communication, March 23, 2018)

Major Todd Wieck, Woodbury County Sheriff's Department, offered the following comments on fireworks enforcement:

As it relates to the enforcement of fireworks use, we would respond to calls and address situations accordingly. We would defer to the County Attorney's office as to how those matters would be handled in the courts. It has been our practice to defer to what the state code provides for direction on fines and sentencing when such issues are already defined by the code." (Verbal Communication, March 23, 2018)

At the public meeting held in Merville on March 19, 2018, a discussion was held concerning the most appropriate zoning district to consider for the sale of fireworks in unincorporated Woodbury County. Participants commented on a range of concerns including fire safety, traffic flow, appropriate roads, adequate parking, building permits, conditional uses, permanent structures, temporary structures, signs, state licensing, and agency coordination. At this meeting, the Iowa Department of Transportation (IDOT) District Transportation Planner, Dakin Schultz, indicated the use of signs in the IDOT right-of-way were a concern last year. He asserted that they must be placed on private property with safety issues in mind such as blind spots. Other issues discussed included ample room for the entrance and exit of vehicles, and the avoidance of congestion and traffic back-ups on highways. In effect, there was overall consensus for approved fireworks sales to be permitted in the General Commercial (GC) Zoning District with appropriate signage, parking spaces, and driveway entrances/exits that allow good traffic flow without congesting highway traffic (Minutes: Merville Public Meeting - Sale of Fireworks & Zoning Districts, 2018)

A second public meeting was held in Salix on March 21, 2018. The participants offered their concerns about a range of issues including the process of receiving a permit to sell fireworks through the state fire marshal's office, the county building permit process for both permanent and temporary structures, and the sale of fireworks within the GC Zoning District. The GC Zoning District was pointed out as an option as much of the principal allowed activities include retail sales, service, and business goods. It was noted that the higher populated areas including the cities might be the most popular place to sell fireworks. A participant asserted that the sale of fireworks is a commercial activity and should be valued as such on commercial zoned land. Like the Merville meeting, the general consensus was support for designating the GC Zoning District as a suitable location for allowed fireworks sales (Minutes: Salix Public Meeting - Sale of Fireworks & Zoning Districts, 2018).

Minutes - Woodbury County Public Hearing Regarding Sale of Fireworks in Unincorporated Areas March 19, 2018

The Public Hearing convened on the 19th of March 2018 at 6:00 p.m. at the Merville Area Community Center, 815 Main Street, Merville, Iowa.

Attendees Present: Jerry Sailer, Jim Fisher, Bruce Garbe, Chris Zant, Bob Brouillette, Dale Erickson, JoAnn Sadler, Dakin Schultz. Community & Economic Development staff - David Gleiser, Dan Priestley, Dawn Norton.

Dan Priestley gave background of the Fireworks law, Iowa Code 727.2, that took effect May 9, 2017, which addresses sales and use of fireworks in the State of Iowa. Currently Woodbury County has no ordinances restricting the sites where fireworks may be sold in the unincorporated areas. Approved sale dates are June 1st – July 8th and December 10- January 3rd for permanent structures; June 13th – July 8th for temporary structures.

Conditional Use Permitting was mentioned as an option for allowing sales in certain areas. David Gleiser stated any ordinance would only apply to unincorporated areas of the County and listed points to consider when determining appropriate sites such as traffic flow, roads, adequate parking, including handicap spaces. Lawton Mayor, Dale Erickson, asked about fire suppression and storage requirements for firework sale facilities. David Gleiser stated that the issue would be addressed with the State Fire Marshall in the process of obtaining a license.

Bob Brouillette asked if incorporated areas didn't have any regulations, could they be sold anywhere; David Gleiser said local incorporated area have jurisdiction of their areas. Jim Fisher stated they can't ban them, sellers would have to go through the State permitting process and be approved by the City and could be sold in certain areas.

David Gleiser pointed out permanent structures would be preferred over temporary structures because of factors such as wind, rain and possible theft. Bob Brouillette asked about signage for sites. Gleiser stated County sign requirements would apply.

JoAnn Sadler asked how sales locations were handled last year, Gleiser stated the previous Zoning Director had discretion on approving permits.

The Community & Economic Development staff recommend sales be allowed in General Commercial (GC) Zoning Districts, with the possibility to review later. Priestley stated there are 62 parcels or combined parcels in Woodbury County that are in this category. Light Industrial (LI) areas could also be considered, which would increase the total to 72 areas. Chris Zant asked if a Conditional Use Permit would be needed, and stated sales would mostly be in more populated areas. Zant mentioned the Zoning Commission had been advised to avoid CUPs during a Zoning workshop. Staff agreed it would be best to determine an appropriate Zoning district and prohibit the use elsewhere.

Bruce Garbe asked what would prevent people from setting up a temporary structure to sell fireworks without a permit. Gleiser said the Zoning Department has been, and will continue to work with local law enforcement, along with the Sheriff's Department, fire departments, EMS, Secondary Roads, DOT and DNR on issues. Violations will be complaint driven and followed

up on. Use of fireworks during designated times could be restricted under certain circumstances such as drought or no-burn bans.

Dakin Schultz from the DOT stated concern about signage. They must be placed on private property with safety issues in mind, such as blind spots. Other important issues are ample room for entrance and exit of vehicles, and avoiding congestion and traffic back-ups on highways.

There was overall agreement for approved firework sales to be permitted in General Commercial (GC) with appropriate signage, parking spaces, and driveway entrances/exits that allow good traffic flow without congesting highway traffic.

The next Public Hearing regarding firework sales will be held Wednesday, March 21st at the Salix Community Center, beginning at 6 p.m.

Meeting adjourned at 6:53 p.m.

Minutes - Woodbury County Public Hearing Regarding Sale of Fireworks in Unincorporated Areas March 21, 2018

The Public Hearing convened on the 21st of March 2018 at 6:00 p.m. at the Salix Community Center, 317 Tipton St, Salix, Iowa.

Attendees Present: Dwight Rorholm, Bob Brouillette, Stanley Johnson, Dan Lee, Kathy Brouillette, Justin Iverson, Justin Mitchell, Chris Mitchell. Community & Economic Development staff - David Gleiser, Dan Priestley, Dawn Norton.

Dan Priestley gave background of the Fireworks law, Iowa Code 727.2, that took effect May 9, 2017, which addresses sales and use of fireworks in the State of Iowa. Sales cannot be prohibited, but local and County restrictions can be applied. An on-line application must be submitted and approved by the State Fire Marshall prior to sales. Currently Woodbury County has no ordinance restricting the sites where fireworks may be sold in the unincorporated areas. The Community & Economic Development department (CED) is looking for input from stakeholders on appropriate Zoning districts to allow sales. Approved sale dates are June 1st – July 8th and December 10- January 3rd for permanent structures; June 13th – July 8th for temporary structures.

From research the CED has done, David Gleiser said most Iowa counties have designated General Commercial (GC) and Light Industrial (LI) areas for sales. There are 62 parcels or parcel combinations zoned GC in Woodbury County.

Dwight Rorholm asked what type of structures could be used for sales, and whether water and restrooms would be required. Priestley explained temporary and permanent structures. Building permits applications and set-back distances would be required for permanent structures. Sprinkler systems, adequate parking, including handicap spaces, would need to be included, based on square footing of the facility. Dan Lee asked if sites would have to be approved, Priestley and Gleiser stated yes, in unincorporated areas. Incorporated towns can decide what type of structures to allow.

Gleiser pointed out firework sale locations are not listed in any Zoning district. Most sale locations will be requested in high traffic areas, such as along I-29 and Hwy 20, making General Commercial zoned areas more desirable because issues such as roads, traffic control and accessibility would be addressed in this district already. If the County does not make a designated zoning area, the CED administrator would exercise discretion on locations.

Bob Brouillette offered that General Commercial could be approved now, and looked at again in the future to include other districts such as Light Industrial. Gleiser added if Light Industrial was included it would add approximately 20 other parcels to the count. Gleiser also added he has spoken with City of Sioux City officials, they would recommend picking one Zoning district instead of going with Conditional Use Permits.

Kathy Brouillette asked how much interest there has been on setting up sales locations. Gleiser stated there is currently one building permit application for a permanent structure off Hwy 20. Rorholm had concerns about traffic management in some General Commercial areas.

Comments from citizens in attendance agree with placement in General Commercial areas, stating business owners in those areas are paying commercial taxes and should be able to sell there.

There were some issues with signage within the City limits last year. The DOT had reported that signs in violation will be asked to be removed, or they will remove them. Regular restrictions for signs in unincorporated areas will also apply to firework sales locations.

Gleiser stated the Planning department of Sioux City would prefer locations close to fire departments, with adequate traffic flow.

Bob Brouillette asked about sales on reservations. Gleiser noted that would not be in the County's jurisdiction. Tribal land that located in Woodbury County is not in GC zoning.

Dan Lee asked if fees would go to County, Gleiser answered no, fees generated from building permits and sign permits go toward administration fees. Lee also asked about liability issues to sellers or landowners that allow use on their property. Gleiser said State Law only allows discharge on your own property, or with owner's consent. There is a provision in the seller's application process to show proof of insurance.

Gleiser pointed out the Board of Supervisors are not interested in shortening the time frame for usage, however, there may be times when usage not allowed, such as during drought or burn bans. The Conservation department may have their own restriction on where they may be discharged. Lee pointed out they shouldn't be discharged in fields where there is no access to water.

Lee asked if sales will be taxed, Gleiser answered yes. Citizen asked if there would be a building permit fee for temporary structures, Gleiser said no since the structures will only be allowed for a short period of time.

Gleiser stated staff recommends firework sales in General Commercial zoned districts. The issue could be reviewed later and possibly revised.

Gleiser explained public input is now being gathered, recommendations will be given to the Zoning Commission, then Board of Adjustment. From there recommendations will be forwarded to the Board of Supervisors, which will adopt amendments to the zoning ordinances. He expects a final ordinance by the first part of May 2018.

Meeting adjourned at 6:50 p.m.

Minutes - Woodbury County Zoning Commission Meeting March 27, 2018

The Zoning Commission (ZC) meeting convened on the 27th of March 2018 at 6:12 p.m. in the Board of Supervisors' Meeting Room Number 104 in the County Courthouse, 620 Douglas Street, Sioux City, Iowa.

ZC Members Present: Tom Bride, Barbara Parker, Christine Zellmer-Zant
ZC Members Absent: Bruce Garbe, Shawn Streck
Staff Present: David Gleiser, Dawn Norton, Dan Priestley
Public Present: James Williams, Scott Gernhart

Chairperson Zellmer-Zant called the meeting to order at 6:12 p.m.

Mr. James Williams, 1730 162nd Street, is considering installing a small wind generator on his property. There was discussion about adding wind turbines to the ordinances.

The February 26, 2017 meeting minutes were amended on page 4 to read *'Tom Bride stated there wouldn't need to be a new zoning district, but a provision to allow for small contractor yards, or a classification somewhere in between home occupation and General Commercial.'* Motion to approve minutes by Bride, second by Barb Parker. Carried 3-0.

A public hearing was held to consider a minor subdivision application and final platting by Mary Berg. The proposed Berg Addition would subdivide the 23.31 acres of Parcel #894325100001 into two lots to meet bank mortgage requirements. The property is zoned AP (Agricultural Preservation), located in the NW ¼ of Section 25, T89N, R43W (Rutland Township) of the 5th P.M., an addition to Woodbury County, Iowa. The property is not located within extraterritorial review. One letter from neighboring property owner, Kay Shever. Written comment was received from Woodbury County Engineer and local office of USDA NRCS, and Woodbury County Treasurer. None of the comments received indicated opposition to the proposed subdivision. The staff support final plat approval.

Bride asked about well and septic; Scott Gernhart stated all will stay with Lot 1. Parker asked about driveway; Gernhart stated Berg plans to continue renting out the other lot so it won't be an issue. Chris Zellmer-Zant stated the maintenance agreement shouldn't be an issue since it's in Berg's name.

The public hearing was closed. Motion to approve with no conditions by Parker, second by Bride; Carried 3-0.

Public hearing of proposed amendment to text in land use summary table of allowed areas to sell fireworks in unincorporated areas of Woodbury County. Public meetings were held in Merville and Salix. Consensus was to limit sales to General Commercial (GC) zoning. David Gleiser stated the City of Sioux City's main issue last year was related to sellers placing signs in unapproved areas. Zellmer-Zant asked what small incorporated towns are doing regarding sales; Gleiser in towns without local ordinances, local administrators will have jurisdiction. Bride asked if there were Zoning requirements as stating how close to town fireworks can be sold. Gleiser stated they none, but would recommend they not be sold in residential areas. With the recommended GC zoning, that should not be an issue. Gleiser stated the issue will move forward to the Board of Supervisors for motion, vote, and approval following 3 readings.

The public hearing was closed. Motion to approve with no conditions by Parker, second by Bride; Carried 3-0.

The Commission reviewed the draft ordinance on use, sales, and display of fireworks.

The following amendments will be made;

Section 5: Prohibition.

1. Consumer, display, or novelty fireworks retail sales is prohibited in any zones other than General commercial (GC) Zoning District and shall not be approved for sales within unincorporated Woodbury County.

2. The wholesale of consumer, display, or novelty fireworks in any zones other than Light Industrial (LI) Zoning District and shall not be approved for sales within unincorporated Woodbury County.

Gleiser mentioned anyone operating a commercial fireworks display must be certified, with liability insurance. Gleiser clarified use of fireworks on Conservation land. It will be their policy not to allow usage; also, fireworks cannot be discharged on public property, only on private property with owner's consent.

Zellmer-Zant asked who receives fees and fines collected. Gleiser stated they are set by the State and they will receive the money. Bride questioned if liability amounts should be higher, they are currently \$300,00. Gleiser will consider the issue further and consult with the County Attorney.

Motion to send to Board of Adjustment for information, then forward to Board of Supervisors with recommendations by Parker; second by Bride; carried 3-0.

No citizens wishing to be heard.

Gleiser informed commission Community & Economic Development (CED) is currently updating and posting on department website a list of permits issued daily.

Gleiser stated CED is researching wind turbines. Bride pointed out they are smaller now and possibly could be listed as an accessory structure for residential use. Bride also mentioned solar panels.

Gleiser mentioned interest for beekeeping business in the County. No current ordinance.

Motion to adjourn by Parker; second by Bride; motion carried 3-0.

Meeting adjourned 7:14 p.m.

Next meeting April 24, 2018.

Minutes - Woodbury County Board of Adjustment Meeting April 2, 2018

The Board of Adjustment (BOA) meeting convened on the 2nd of April 2018 at 6:00 pm in the Board of Supervisors' Meeting Room Number 104 in the County Courthouse, 620 Douglas Street, Sioux City, Iowa.

BOA Members Present: Bob Brouillette, Katie Colling, Tom Thiesen, Dwight Rorholm, JoAnn Sadler
Staff Present: David Gleiser, Dawn Norton, Dan Priestley
Public Present: None

Chairperson Rorholm called the meeting to order at 6:00 p.m.

There were no citizen comments on non-agenda items.

The March 5, 2018 meeting minutes were approved. Motion by Brouillette, second by Colling. Carried 5-0.

Informational presentation by Gleiser regarding Zoning District for firework sales in unincorporated areas of Woodbury County. On 3/6/18 the Board of Supervisor's (BOS) requested Zoning Commission (ZC) and Board of Adjustment (BOA) to develop a recommendation on zoning districts where the sales of fireworks could occur in unincorporated Woodbury County. Public meetings were held in Merville and Salix, county departments and agencies possibly impacted were notified and asked for comment. The consensus has been to allow retail sales in General Commercial (GC) zoned areas. Wholesale firework sales would be allowed in Limited Industrial (LI).

Members were informed that a Public Hearing and first reading of the amendment will occur at the BOS meeting on April 3. There will be three readings, with the times and dates published in the Sioux City Journal. The amendment will be formally adopted upon publishing the amendment after the third reading.

Staff will also propose that the BOS adopt a standalone ordinance for fireworks use, sales, and display permits in unincorporated Woodbury County. This will include language on the use of fireworks during time allowed by the State; retail sales location in GC zones, wholesale in LI; and an application for display permits to be provided, accepted and reviewed by the Community and Economic Development office, then placed on the BOS agenda for approval through a resolution. This ordinance only requires action from the BOS, although the ZC, BOA, relevant county departments and outside agencies have been provided the opportunity to make comment.

Rorholm asked about firework discharge in parks. Gleiser stated they can only be used on private property with the owner's consent. Conservation will not allow fireworks.

Brouillette asked about the liability insurance. Gleiser stated the draft was set at the State minimum of \$300,000, it was suggested in the ZC meeting to be increased, staff will check with County Attorney.

Thiesen asked about sales at another location on Hwy 20, Gleiser stated if it is in GC it would be an accepted area if the owner obtained a license for sale from the State.

Brouillette made a motion to accept reviewed information with no concerns; Sadler seconded. Motion approved 5-0.

There were no citizens wishing to be heard.

The next meeting was scheduled for May 7, 2018.

Meeting adjourned at 6:32 p.m. Motion by Brouillette, second by Colling. Carried 5-0.

DRAFT

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

Date: April 11, 2018

Weekly Agenda Date: April 17, 2018

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Jeremy Taylor

WORDING FOR AGENDA ITEM: Approval of MOU and Policy Regarding Fallen Heroes and their Families to Remain on County Health Insurance

ACTION REQUIRED:

Approve Ordinance <input type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input checked="" type="checkbox"/>
Give Direction <input type="checkbox"/>	Other: Informational <input type="checkbox"/>	Attachments <input checked="" type="checkbox"/>

EXECUTIVE SUMMARY: Law enforcement stands in the gap between our citizens in Woodbury County and emergencies, criminal activity, and natural disaster. They often put their life on the line. Sadly, some lose their lives as we have witnessed in Woodbury County during the last years, something we commemorate annually. Woodbury County can lead the way in taking care of families for those who continue to sacrifice without more of an impact to their family than is necessary.

BACKGROUND: My brother-in-law is on the Austin PD and the concern of our family coupled with watching our law enforcement encounter likewise dangerous situations has brought home to me what families go through. Recently, a bill in the legislature did not see movement: it called for funding insurance premiums until a child is aged 26 after Officer Buenting was killed and his wife and family were left without the continuation of insurance. This could be mirrored after what happened in the Des Moines Police Department’s policy.

In consulting with our Assistant County Attorney Joshua Widman, nothing is prohibitive from us doing so. I have asked our Human Resources Director Melissa Thomas to likewise vet this and will ask for her response in dealing with insurance parameters. It appears that doing this in an MOU is most appropriate as it relates to insurance, a matter of bargaining. There is no intent on opening up any other language, but I believe the union in good faith—as it recently did in great cooperation with the training center—has come to the table to honor those they represent.

FINANCIAL IMPACT: Unknown and hopefully rarely utilized: two lives have been lost the last 34 years.

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: Pass the proposed motion.

ACTION REQUIRED / PROPOSED MOTION: Authorize the Chairman to sign Memorandum of Understanding and move to approve attached policy language update to the Employee Handbook

Memorandum of Understanding

This Memorandum of Understanding entered into by and between Woodbury County, Iowa (employer) and Communication Workers of America, AFL-CIO, Civilian Officers'-CWA 7177, effective April _____, 2018, and continuing until such time as the parties shall agree otherwise, Article XIV (Insurance), Sections F, shall be inserted as follows:

Section F. Surviving Spouse

The health, medical and dental insurance referred to in this article shall continue in effect at Employer's expense for the surviving spouse and dependents of any employee who dies as a result of personal injury sustained in the line of duty and who is the recipient of benefits under the Federal Public Safety Officers' Benefits Act of 1976, originally enacted at 42 U.S.C. 3796, but transferred to 34 U.S.C. 10281, as presently in effect or as may be amended during the term of this Agreement, subject to the following exceptions:

- (1) The insurance coverage extended by this section shall terminate 30 days after the remarriage of the surviving spouse. Any dependent's coverage shall terminate upon the dependent reaching the age of 26 years old.
- (2) The insurance coverage shall not be extended to a surviving spouse or to any dependent who already has insurance coverage provided by another employer and shall terminate 30 days after the surviving spouse or dependent becomes eligible for other insurance.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their duly-authorized representatives this _____ day of April, 2018.

WOODBURY COUNTY, IOWA

COMMUNICATION WOKERS OF AMERICA

By: _____
Chair, Board of Supervisors

By: _____
CWA Representative

By: _____
CWA Local 7177 President

Memorandum of Understanding

This Memorandum of Understanding entered into by and between Woodbury County, Iowa (employer) and Communication Workers of America, AFL-CIO, Deputy Sheriff's-CWA 7177, effective April _____, 2018, and continuing until such time as the parties shall agree otherwise, Article XIII (Insurance), Sections F, shall be inserted as follows:

Section F. Surviving Spouse

The health, medical and dental insurance referred to in this article shall continue in effect at Employer's expense for the surviving spouse and dependents of any employee who dies as a result of personal injury sustained in the line of duty and who is the recipient of benefits under the Federal Public Safety Officers' Benefits Act of 1976, originally enacted at 42 U.S.C. 3796, but transferred to 34 U.S.C. 10281, as presently in effect or as may be amended during the term of this Agreement, subject to the following exceptions:

- (1) The insurance coverage extended by this section shall terminate 30 days after the remarriage of the surviving spouse. Any dependent's coverage shall terminate upon the dependent reaching the age of 26 years old.
- (2) The insurance coverage shall not be extended to a surviving spouse or to any dependent who already has insurance coverage provided by another employer and shall terminate 30 days after the surviving spouse or dependent becomes eligible for other insurance.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their duly-authorized representatives this _____ day of April, 2018.

WOODBURY COUNTY, IOWA

COMMUNICATION WOKERS OF AMERICA

By: _____
Chair, Board of Supervisors

By: _____
CWA Representative

By: _____
CWA Local 7177 President

Surviving Spouse of Public Safety Officers

The health, medical and dental insurance referred to in this article shall continue in effect at Employer's expense for the surviving spouse and dependents of any employee who dies as a result of personal injury sustained in the line of duty and who is the recipient of benefits under the Federal Public Safety Officers' Benefits Act of 1976, originally enacted at 42 U.S.C. 3796, but transferred to 34 U.S.C. 10281, as presently in effect or as may be amended during the term of this Agreement, subject to the following exceptions:

- (1) The insurance coverage extended by this section shall terminate 30 days after the remarriage of the surviving spouse and shall terminate upon any dependent reaching the age of 26 years old.
- (2) The insurance coverage shall not be extended to a surviving spouse or to any dependent who already has insurance coverage provided by another employer and shall terminate 30 days after the surviving spouse or dependent becomes eligible for insurance from another employer.

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

Date: 04/12/18 Weekly Agenda Date: 04/17/18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Auditor Pat Gill

WORDING FOR AGENDA ITEM:

Approve and Receive for Signature and Implementation a Grant Monitoring Policy/Procedure that replaces any Grant Monitoring past policy/procedure for Woodbury County.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Due to audit findings related to our grants, the Dept of Justice has requested a review and edit of our grant policy/procedure.

BACKGROUND:

On 03-8-18 , the policy committee reviewed and discussed the Grant Monitoring Policy/Procedure last approved 07-31-2012. The Policy Committee directed Deputy Auditor Michelle Skaff to send the policy to the department heads, elected officials and grant administrators for review and feedback. Feedback was collected and incorporated into the policy as proposed here.

FINANCIAL IMPACT:

n/a

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 and Receive for signature the attached Grant Monitoring Policy/Procedure and implement immediately.

ACTION REQUIRED / PROPOSED MOTION:

Approve and Receive for signature the attached Grant Monitoring Policy/Procedure and implement immediately.

GRANT MONITORING POLICY/PROCEDURE

Policy

It is the policy of Woodbury County to have a comprehensive Grant Monitoring Policy/Procedure. The purpose of this standardized procedure is to provide transparency of all Woodbury County grant details to the Board of Supervisors, citizens, county auditor and independent auditor and to ensure Woodbury County maintains accurate and reconciled financial reports for all grants.

Scope

All grants and agreements with monetary rewards involving Woodbury County and their designated component units shall be included in this Policy.

County Departments governed by the Board of Supervisors should follow these procedures in its entirety.

County Offices and Departments other than those governed by the Woodbury County Board of Supervisors must follow their appropriate policies and procedures for grant approval. Upon the approved monetary award from a grant or agreement, these County Offices and Departments should provide the Grant Monitor with the grant details to begin the monitoring process necessary for inclusion in the Schedule of Expenditures of Federal Awards (SEFA).

Procedure

Board Process for County Departments

The Grant Administrator should provide the Board with the grant title or the entities party to an agreement to be included on the Board Agenda for presentation by the recipient department.

The Grant Administrator presents the grant application or agreement to the Board of Supervisors to approve and authorize the Chairman to sign the documents. The request for approval to apply should include all available information such as match requirements and other fiscal concerns.

Grant Application Submission

The Department or Office requesting the grant submits the grant application to the grantor agency.

Upon submission, the Grant Administrator will provide a complete copy or screen prints of the application to the Grant Monitor.

Notification of acceptance or denial of award

A copy of the grant award letter or notification of denial should be sent to the Board of Supervisors office for the inclusion in the Board Packet.

A copy should also be sent to the Grant Monitor in the Auditor's office.

The Grant Monitor should prepare an updated Grant Monitoring Inventory (GMI) worksheet including all introductory information and budget documentation.

If a grant application is denied it should be marked as denied by the Grant Monitor and removed from the quarterly grant summary at the end of the fiscal year.

Grant Financial Accounting

Upon notification of the acceptance of the award, the Budget and Financial Analyst will issue Fund-Department-Division accounting codes and unique expense and revenue codes if required.

A request will be made by the Grant Administrator to the County Treasurer for a separate grant checking account if it is determined that a grant has a trust fund account requirement. This request will also be shared with the Grant Monitor so the appropriate Fund-Department-Division accounting codes can be created.

Approval of invoices for payment should be completed by the Grant Administrator and forwarded to the Auditor's office for payment. This approval should include the proper Fund-Department-Division code to ensure proper coding of the disbursement. The payments will be made in synch with the routine accounts payable deadlines and procedures.

The Grant Administrator is responsible for contacting the Human Resources Department to initiate the hiring process for any new or reassigned employees funded by the grant. This should only be done when a grant application has been approved.

During the term of the grant, the Grant Administrator is responsible for submitting monthly grant status reports to the Grant Monitor by submitting copies of expenses and supporting documentation. If there was no activity during the month, the Grant Administrator should notify the grant monitor via email that there was no activity.

The Grant Monitor is responsible for recording the expenses and revenue on the Grant Monitor Inventory Sheet and verifying the accuracy by comparing the Department Administrator submissions with the account activity and detail reports for the Fund-Department-Division(s) involved.

The Grant Monitor is responsible for preparing quarterly reports to present to the Board of Supervisor's to show a compilation of all grant funding including beginning balance, quarterly expenses, revenue, and ending balance.

Grant Financial Reporting

All grant financial reports should be completed using the Cash Basis of accounting (June 30th of the fiscal year).

Following the grant guidelines, the Grant Administrator prepares all grant financial reports and submits the same to the Grantor Agency for quarter, annual, and other report requirements.

Prior to submission the Grant Administrator is responsible for submitting the financial reports to the Grant Monitor to ensure the reconciliation of the financial reports to the general ledger. Any discrepancies noted by the Grant Administrator should be included in the pre-filing reports submitted to the Grant Monitor and reconciliation reports completed to document the variances.

Each financial report must be reconciled to the general ledger prior to submission to the Grantor Agency.

The Grant Monitor will notify the Grant Administrator when the financial reconciliation has been reviewed for accuracy and the financial report can be submitted. This must be done prior to the due date of any financial report.

Audit Preparations

The Grant Monitor is responsible for maintaining a comprehensive grant summary. The quarterly county-wide summaries presented to the Board of Supervisors is used by the Grant Monitor to prepare the Schedule of Expenditures of Federal Awards (SEFA) on an annual basis to be submitted to the external auditor as required by OMB Circular A-133.

All expenditures of Federal funds must be accounted for in the annual SEFA whether funds are received directly from a Federal agency or indirectly from a pass-through entity. To ensure that Federal funds are properly included in the SEFA report and spent in accordance with Federal requirements at Woodbury County, this Grant Policy helps to mitigate the risk of inaccurate reporting and helps to promote compliance with Federal laws, regulations and provisions of agreements related to Federal programs.

The grant monitor will include the following on the SEFA:

- The name of the Federal grantor agency or organization;
- The official program title of the Federal award;
- The applicable CFDA (Catalog of Federal Domestic Assistance) number for each award;
- The contract or grant numbers assigned by Federal or state agencies;
- Current year expenditures;
- Footnote disclosures

Grant Monitor = County Auditor's Office

Grant Administrator = Department

Approved and Adopted Date

Signature of Board of Supervisor Chairperson

Attestor

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

Date: 4/10/2018

Weekly Agenda Date: 4/17/2018

#15a & b

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Gary Brown, Director

WORDING FOR AGENDA ITEM:

- A) Approval of the Salary Increase for Emergency Services Operation Officers at AEMT & Paramedic
- B) Approval of the job description for the Emergency Services Operations Officer-Paramedic

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

EXECUTIVE SUMMARY:

A) Emergency Services is requesting the Woodbury County Board of Supervisors approve the salary increases for the specific levels of Advanced Emergency Medical Technician and Paramedic.

B) Emergency Services is requesting the Woodbury County Board of Supervisors approve the job description for the position of the Emergency Services Operations Officers for Paramedics.

BACKGROUND:

After working closely with the Woodbury County Board and Woodbury County leaders, municipalities and area EMS responders a solution was found to provide funding to add two Full-Time Paramedics and one 1/4 Part-time Paramedic to the Emergency Services Department staff. This would at a minimum provide at least one Paramedic to be available to respond to rural EMS emergencies that would benefit having the assistance from a higher certification level AEMT or Paramedic; which was previously provided to the rural EMS agencies by Siouxland Paramedics until January 1st, 2018.

The decision was made to hire effective July 1st, 2018. However, the real concern remained on the availability of experienced Paramedics being available and the current salary being competitive. For this reason Emergency Services did collect information from departments that are similar in job description, scheduling and responsibilities. The EMS agencies we gathered information from were Sioux City Fire EMS, South Sioux City Fire EMS, LeMars Fire & EMS; additional data was retrieved from www.indeed.com from Muscantine Fire Department, Dallas County Paramedic and Mercy Medical Center, Sioux City Iowa.

After the numbers were gathered it appeared that the FY18 Full-time Tenured Operations Officer's salary is \$46,506.00 (at 2760 hours annually) at \$16.85. The research shown majority of the time salaries are significantly less then those with similar tenure, without set increase or step increases. The gap in salary was from \$7,395.00 to \$15,494, that is 15% to 33% less. The need is state wide for example in Dallas County EMS they have begun to hire Paramedic Students at \$32,732.00 to get the needed staff before they actually test and earn their Paramedic Certification.

Emergency Services is requesting the approval to increase the annual salaries for the positions of Operations Officer based on the level of certification they have. Officers at Emergency Medical Technician (EMT) Level will remain the same, Advanced Emergency Medical Technicians (AEMT) level will receive a 3% increase and the Paramedics (P) will receive a 6% increase. This increase is to make the salaries of these positions more competitive with salaries of similar positions in our area and adjust for the additional educational requirements of the specific certifications. Additionally, the previous Job Description for the Operational Officer included all three certifications EMT, AEMT and Paramedics. It has been revised for these positions to have have no less than the minimum education required to practice as a Paramedic in the state of Iowa.

FINANCIAL IMPACT:

The financial impact will be \$10,575.03 after the FY19 increase of the 2.5%. There will be a total of three Full-time Paramedics whom will receive a 6% increase (\$2,867.10 each) and one 1/4 Part-time Paramedic also receiving 6% (\$540.18). There is currently one AEMT who will receive a 3% increase (\$1,433.55).

3 Full-time Paramedics	\$ 8,601.30
1 Part-time 1/4 Paramedic	\$ 540.18
1 Full-time AEMT	\$ 1,433.55
Total Financial Impact:	\$10,575.03

There will be no financial impact for the approval of the job description.

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:

A) Woodbury County Emergency Services recommends the Woodbury County Board of Supervisors motion to approve the salary increases of 3% for the certification level of Advanced Emergency Technicians & 6% for the certification of Paramedic in the Operations Officer positions.

B) Woodbury County Emergency Services recommends the Woodbury County Board of Supervisors motion to approve the revised job description for the position of Operations Officers to reflect the minimum educational requirements as an Iowa Paramedic.

ACTION REQUIRED / PROPOSED MOTION:

A) The Woodbury County Board of Supervisors motions to approve the salary increases of 3% for the certification level of Advanced Emergency Technicians & 6% for the certification of Paramedic in the Operations Officer positions.

B) The Woodbury County Board of Supervisors motions to approve the revised job description for the position of Operations Officers to reflect the minimum educational requirements as an Iowa Paramedic.

Woodbury County
Job Description
Emergency Services, Operations Officer

Department:	Woodbury County Emergency Services	Title:	Operational Officer
Reports To:	Director of Emergency Services	Status:	(2) Full-Time and (1) ¼ Part-Time
Effective Date:	March 2018	FLSA Designation:	207K

Purpose:

The purpose of this position is of a nature requires medical, technical and administrative skills in the operations and oversight of the diverse landscape of emergency planning, emergency training, emergency response, and emergency recovery programs for the county. Organizes, coordinates, and maintains on-site policies, equipment and preparedness duties of Woodbury County Emergency Services systems. Employee exercises independent judgment and discretion in decision making while providing emergency services to the public. Employee must fully understand and navigate through all stages of planning, response, rescue and recovery.

Essential Functions, Responsibilities and Tasks:

The following duties are typical for this position. These are not to be construed as exclusive or all inclusive. Other duties may be required and assigned.

- Responds to emergencies as an emergency responder for both medical and fire emergencies, also emergency incidents or accidents both man-made and natural, as well as environmental disaster events such as; severe weather-related emergencies, flooding and others
- Responsible for maintaining operational Emergency Services facilities readiness 24 hours a day, seven days a week inclusive of equipment, grounds and communications
- Coordinates and performs daily operational services of the Emergency Services facility and systems
- Assist the Director in coordination of all phases of emergency response to major emergencies or disasters
- Plans and provides emergency services education for both the general public and private entities including groups and individuals
- Participates in meetings on emergency services matters by sharing information, job related experiences and responding to job related questions
- Assist in interpretation and implementation of policies and plans among local and state emergency departments and emergency responders
- Assist in the preparation of both long and short-range emergency plans of the County systems
- Assist in the development of volunteer resources in support of emergency services response and all emergency phases. Monitors weather conditions
- Completes all necessary and required paperwork and reports on emergency and or disaster incidents
- Performs routine office equipment of telephone, copier, fax, computer, and the communications systems
- Performs other duties as directed related to the job position or a situation warrants within confines of the position

Non-Essential Functions and Responsibilities:

- Have the ability to exercise good judgment in evaluating situations and making decisions
- Perform related duties as may be requested

Minimum Education and Experience Required Performing Essential Functions:

- Minimum experience of one year of public contact work which involved planning, organizing or controlling human or physical resources, i.e., foreman, store manager, teacher, etc. OR thirty semester hours of college course work.
 - Have and maintain a Paramedic Certification valid within Iowa;
At a minimum level of skills, no less than;
 - Paramedic (P)

- Have and maintain all other required certifications and trainings that are required by the Emergency Services Department, the medical director and the Iowa Department of Public Health (IDPH) and continuously monitor these requirements and guidelines as they are subject to change.
- Have and maintain all other required certifications of Iowa Firefighters Association and/or Emergency Services Department
- Graduation from high school or GED equivalent
- Must have knowledge of the communication systems, frequency and equipment capabilities
- Ability to exercise tact, discretion, and confidentiality
- Ability to coordinate and work with multiple issues
- Must be able to work on a 24 hour 7 day a week work schedule
- Ability to express oneself clearly and concisely, both orally and in writing
- Ability to establish and maintain an effective working relationship with other employees, public officials, and the general public
- Ability to prepare accurate reports
- Ability to follow directions and assist in writing plans and direct the use of resources
- Assist in coordinating emergency services response under extraordinary circumstances
- Ability to exercise good judgment in evaluating situations and making decisions
- Ability to instruct and train other Emergency Services staff, volunteers and general public is helpful

Mental and Physical Competencies Required To Perform Essential Functions:

Language Ability

- Ability to read and interpret documents such as safety rules, operation and maintenance instructions, and procedure manuals and/or Iowa or County Emergency Services systems
- Ability to write routine reports and correspondence
- Ability to speak effectively before groups of customers or employees of the County
- Ability to read and understand policies, and procedures
- Able by voice communications to express or exchange ideas by means of the spoken word in clearly spoken English
- Ability to interpret Woodbury County policies in writing

Mathematical Skills

- Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions, and decimals
- Ability to compute rate, ratio, and percent and to draw or interpret
- Knowledge of basic bookkeeping and inventory principles

Behavior Skills

- Ability to begin work at the starting time without tardiness, absenteeism, or leaving work early without authorization
- Conduct an appearance in good keeping with a professional image and/or position of the County
- Ability to read and understand the work place rules as written within the County policies such as:
 - Bullying will not be tolerated
 - Theft and dishonesty will not be tolerated
 - Disobedience, insubordination, or refusal to comply with
 - reasonable instructions or authorized supervision will not be tolerated

Cognitive Demands

- Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form
- Ability to communicate and report any issues or concerns involving several variables in standardized situations
- Ability to establish and maintain effective working relationships with associates, co-workers and general public

Equipment Used

- Possess knowledge of any equipment relating to County systems such as:
 - Computer, typewriter, printers, calculator (10 key), copier, mail process machine
- Possess knowledge of common emergency response tools and equipment
- Possess the ability to instruct and train staff on all emergency tools and equipment

Physical Demands

- Typical environment involving sitting, walking, occasional bending, lifting and carrying objects
- Utilize a negligible amount of force frequently or consistently to move objects
- Horizontal and vertical reaching motion is required
- Aptitude requiring are those typically associated with operations related to County Emergency Services systems
 - Numerical and forms perceptions
 - Clarity of vision 20" or less to view computer screens and for preparing and analyzing written data
 - to determine the accuracy and thoroughness of work and observing general surroundings and activities
 - Eye, hand and foot coordination
 - Hand and finger dexterity
 - Motor coordination
 - Grasping and repetitive motions
 - Hearing to perceive information at normal spoken word levels and conversation skills for expressing or exchanging ideas by means of the spoken word

Environmental Adaptability

- Work is performed in all environments and has exposure to all environmental issues
- Employee is subject to adverse environmental conditions

Special Requirements

- Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks
 - Possession and maintain a driver's license valid in the state of Iowa
 - Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks
-

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

#15c

Date: 4/10/2018

Weekly Agenda Date: 4/17/2018

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Gary Brown, Director

WORDING FOR AGENDA ITEM:

Approve the hiring of two Full-time and one 1/4 Part-time Paramedic Operations Officers.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Emergency Services would like the approval to begin the hiring of two Full-time & one 1/4 Part-time Operations Officers Paramedics.

BACKGROUND:

In August of last year Siouxland Paramedics (SPI) made an announcement they would be transitioning from 911 emergent responds to transports and this was effective on January 1st, 2018 and had a serious impact on the rural squads who had previously relied on SPI to provide Paramedics 24/7. Woodbury County Emergency Services along with the Woodbury County Board of Supervisors, additional county offices, area municipalities, townships and many rural Woodbury County EMS agencies worked together to find a solution.

Currently Emergency Services has one FT Paramedic at Climbing Hill from 7am-7pm Monday-Friday and 7am-7pm Monday-Thursday. In order to provide that 24/7 Coverage it would require no less than two additional Full-time Paramedics and one 1/4 Part-time Paramedic. The additional staff was approved during the planning for the FY19 Budget.

Emergency Services would like the approval to begin the hiring process.

FINANCIAL IMPACT:

The cost to hire a Full-time Paramedic
Annual Salary \$ 50,652.02
Ben-Dental EMP Only \$352.44
Ben-Family Medical \$ 17,580.60
Ben-IPERS EMS-Protected \$ 4,576.19
Ben-Life Insurance \$ 52.80
Ben-Long Term Disability \$ 382.50
Ben-Medicare \$ 674.34
Ben-Social Security \$ 2,883.37
Total Wages & Benefits \$ 77,127.26

The cost to hire a 1/4 Part-time Paramedic
Annual Salary \$ 9,543.14
BEN-IPERS EMS-Protected \$ 862.18
BEN-Medicare \$ 127.05
BEN-Social Security \$ 543.24
Total Wages & Benefits \$11,075.61

Two Full-time Paramedics (\$77,127.26 each) \$154,254.52
One 1/4 Part-time Paramedic (\$11,075.61) \$ 11,075.61

Total Financial Impact for FY19 New Positions \$165,330.13

The salary range for each of the two Full-time Paramedics is from \$47,784.92 (\$17.31/hour) to \$50,652.02 (\$18.35/hour).

The salary range for the one 1/4 Part-time Paramedic is from \$9,002.96 (\$17.31/hour) to \$9,543.14 (\$18.35/hour).

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:

Woodbury County Emergency Services recommends the Woodbury County Board of Supervisors to approve the hiring of two Full-Time and one 1/4 Part-time Operations Officer-Paramedic.

ACTION REQUIRED / PROPOSED MOTION:

Woodbury County Board of Supervisors motions to approve the hiring of two Full-Time and one 1/4 Part-time Operations Officer-Paramedic.

JOB VACANCY NOTICE

Woodbury County, Iowa, a governmental unit as prescribed by the Iowa Code, will accept applications in Room 701 of the Woodbury County Court House, 620 Douglas Street, Sioux City, Iowa for the following position(s):

**TITLE: (2) Full-time Operations Officers-Paramedics
(1) ¼ Part-time Operations Officer-Paramedic**

**EMERGENCY SERVICES
121 Deer Run Trail
Climbing Hill, IA 51015**

ENTRY SALARY: \$17.31-\$18.35/hour
Full-time: \$47,784.92-\$50,652.02 Annually
Part-time: \$9,002.96-\$9,543.14 Annually
Plus Benefits
FLSA 207K Wage Plan

ESSENTIAL FUNCTIONS:

Under general supervision, responds to medical and fire emergencies in a prompt and efficient manner; is familiar with department policies, standard operating procedures and protocols. Will assist the Director and department by providing accurate medical documentation, assist with training, inventories of medical supplies, equipment, provides updates on changing procedures and required state policies. Will also attend work related meetings, conferences, and seminars. Maintain all certifications of an Iowa Paramedic. Schedule is subject to rotating schedules and staggered shifts.

APPLICANTS MUST MEET THE FOLLOWING REQUIREMENTS:

Minimum experience of one year of public contact work which involved planning, organizing or controlling human or physical resources, i.e., foreman, store manager, teacher, etc., OR thirty semester hours of college course work. Have the ability to express communications clearly and concisely, have the capability to establish and enhance effective working relationships with co-workers and the general public; ability to organize assigned specific tasks and present effective work methods; have the knowledge or the capacity to become familiar with state and federal guidelines for emergency response for all skill levels. Willing to obtain all minimal required certifications of Iowa Firefighters Association and the Emergency Services Department

Requirements

Paramedic Certification and CPR Certification

A valid Driver's License

A County Application form and a resume

Candidate for hire must successfully pass a background check, physical exam, and drug screening prior to employment. Woodbury County is an Equal Opportunity Employer. In compliance with the ADA, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.

Applicants for employment should contact the Human Resources Dept., Room 701, Woodbury County Court House, between the hours of 8:00 a.m. to 4:30 p.m. for further information.

Deadline for receipt of applications shall be: Opened until filled.

Human Resources Dept., Room 701
Woodbury County Court House
620 Douglas Street
Sioux City, IA 51101

EQUAL OPPORTUNITY EMPLOYER

**WOODBURY COUNTY
EMERGENCY SERVICES DEPARTMENT
(2) Full-Time & (1) 1/4 Part-Time Operations Officer Paramedics**

Entry Salary Range: \$47,784.92-\$50,652.02 annually (\$17.31-\$18.35/hr.) Plus Benefits. Location: 121 Deer Run Trail, Climbing Hill, IA 51015 FLSA 207K Wage Plan (Approx. hours annually: Full-time 2,760 hrs. & Part-time 520 hrs.). Accepting Paramedic Level ONLY-1 year experience in public contact work or 30 semester hours of college course work may be substituted for each one year of experience. Have or willing to obtain certifications for National Incident Management System (NIMS), Jump/Jump Start, Mandatory Reporter, and Operational Hazmat. Must have and maintain required certifications of an Iowa Emergency Medical License for Paramedic, and CPR Certification required. A valid Driver's License is required. Candidate for hire must pass background checks, physical exam and drug screening prior to employment.

A County application form and a resume are required. Full Description at: www.woodburycountyiowa.gov

Deadline: 4:30 p.m., Monday, May XX, 2017 or until position filled.

APPLY: Human Resources Dept.
Woodbury County Court House
620 Douglas Street – Rm. 701
Sioux City, IA 51101

E O E

Please run the above ad: Sunday, May XX, 2017.

Please email ad proof and cost estimate to: lisaanderson@woodburycountyiowa.gov

If you have any questions please contact Lisa Anderson, 279-6480.

Send Billing to: Woodbury County Human Resources Dept.
(See Address above)
Phone: 712-279-6480
Fax: 712-279-6597

(ADEOCPT Operations Officer/PERSONNEL)

HUMAN RESOURCES DEPARTMENT

WOODBURY COUNTY, IOWA

DATE: April 17, 2018

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
Emergency Services	(2) F/T Operations Officers (1) P/T ¼ Operations Officer (2.25 FTE)	Wage Plan: \$17.31- \$18.35/hour		
	Please see attached memo.			

Chairman, Board of Supervisors



Memo

Date: April 11, 2018
To: Woodbury County Human Resources
Melissa Thomas, Director
Lisa Anderson, Administrative Assistant
From: Woodbury County Emergency Services
Gary Brown, Director
Subject: Request Approval to Hire
Two Full-Time and One Part-time Operations Officers-Paramedics

Woodbury County Emergency Services is requesting the Woodbury County Human Resources to prepare an Action Item for the Tuesday, April 17th Woodbury County Board of Supervisors Meeting to request the approval to hire two Full-time and One ¼ Part-time Operations Officers at the Paramedic level.

The annual salary for each of the Full-time Operations Officers is \$50,652.02, plus benefits.
The annual salary for the one ¼ Part-time Operations Officer is \$9,543.14, plus benefits.

The salary range for each of the two Full-time Operations Officers is from \$47,784.92 (\$17.31/hour) through \$50,652.02 (\$18.35/hour).

The salary range for the one Part-time Operations Officer is from \$9,002.96 (\$17.31/hour) through \$9,543.14 (\$18.35/per hour)

Please feel free to contact me with any questions.

Thank You,

Gary Brown, Director
Woodbury County Emergency Services

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

Date: 4/09/2018

Weekly Agenda Date: 4/17/2018

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Kenny Schmitz

WORDING FOR AGENDA ITEM:

Trosper Hoyt- HVAC Systems Repairs

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Various areas in the Trosper Hoyt building are either inoperable, do not have the capability to be controlled, or not able to be viewed to determine how systems are operating.

There are Four separate operating control systems that do not interface with one another. Each system is trying to control their own areas while not communicating with any other to know what the rest of the building is doing. Repairs are needed to address failed systems.

Bids were received as follows:

Star Controls- \$98,700.00 (excluding, electrical, plumbing, insulation)

Rasmussen Mechanical- \$106,575.00 (excluding, electrical, plumbing, insulation)

BACKGROUND:

A second bid was sought due to the County policy of \$100K maximum allowed before seeking bids (State limit is \$135K). Rasmussen Mechanical bid was not able to be competitive due to manufacture incompatibility of current control system.

Install programming control points on Chiller and Boilers.

Replace valves and actuators, temperature sensors, damper actuators, with electronic controls to 5 Air Handling Units and tie into front end computer system.

Install Variable Frequency drives and motors (2) on AHU to replace vortex damper and allow variable duct pressure regulation.

Install a chilled water loop control valve on one AHU that currently has no control valve whatsoever (not sure why?).

There are 9 Variable Air Volume boxes serving areas that are not able to be controlled. This would install 9 electronic hot water reheat valves/ controls to these units.

AHUs 474-1 & 474-2 require actuators and discharge air sensors for Nine zones.

Re-control 2 hot water converters with electronic valve control.

FINANCIAL IMPACT:

CIP= B13-17

Star Controls= \$98,700.00

Plumbing, Electrical, & Insulating = \$17,000.00 (estimate)

TOTAL = \$115,700.00

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:

Building Services requests authorization and approval to make necessary equipment and repairs to the Trospen Hoyt HVAC systems in areas as described.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve repairs and upgrades in the amount of \$115,700.00.



April 4, 2018

Darrin Hay
Rasmussen Mechanical Services
2425 East 4th Street
Sioux City, Iowa 51101

Kenny Schmitz
Woodbury County Building Services
401 8th Street
Sioux City, IA 51101

Proposal: Trospen Hoyt Building- New Controls

Kenny Schmitz:

Rasmussen Mechanical Services shall provide the controls for the Trospen Hoyt Building to meet the specifications outlined by Corey Metzger from Resource Consulting Engineers.

- New Honeywell controllers on 6 AHUs, 9 VAVs, 2 steam/hot water converters
- Replace chilled valve for AHU 338
- Replace 1 valve on converter
- Wiring, programming, and training on Honeywell Controls System
- Internet/LAN/IP address and access provided by customer
- Not Included: Any electrical power wiring, conduit, plumbing, or insulation unless stated above
- Work to be completed during normal business hours

Base Bid:

Rasmussen Mechanical Services will furnish the Equipment, Materials, Tools, Labor, Supervision, and Services as outlined in the above Scope of Work for the net sum of:

One Hundred Six Thousand Five Hundred Seventy-Five and 00/100 Dollars.... \$106,575.00

Alternate #1: Add VFDs & new motors to modulate pressure in ducts: Add **\$11,560.00**

Alternate #2: Budgets for additional services excluded in base bid package:

Electrical: Add **\$5,500.00**

Mechanical Piping: Add **\$5,000.00**

Insulation: Add **5,750.00**

Certified Balancing: **Time & Material Only**



The above price(s) do not include sales or use taxes. If applicable, Buyer shall provide Seller with an appropriate tax exemption certificate. In the absence of a valid tax exemption certificate, Buyer herein acknowledges that any/all appropriate or required taxes shall be added to Seller's Invoices or Progress Billings as applicable.

Terms and Conditions

Job Order without Retainage

- Deposit Required with Contract - 25%
- Monthly payment requests (progress billings), less retainage, per progress schedule.
- Balance is due upon start-up or thirty (30) days after completion of installation or work performed (if start-up is delayed thru no fault of Seller).
- Invoices to be paid, Net 30 Days per Seller's Terms and Conditions.
- **Note:** For your convenience, monthly payment request invoices will be submitted on or before the end of each month and will be submitted on Seller's Standard Payment Request Forms.

Rasmussen Mechanical Services is grateful for the opportunity to be of service. Thank you for considering our Proposal and we look forward to working with you. If there are any questions, please do not hesitate to contact me.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Darrin Hay', written over a light blue horizontal line.

Darrin Hay
Sales Representative
712-635-6820
712-252-4613
Darrin.hay@rasmech.com



February 26, 2018

To: Woodbury County Building Services
401 8th Street
Sioux City, IA 51101

RE: Trosper Hoyt Building

Mr. Kenny Schmitz,

Star Control shall provide the following to replace the controls for all air handlers in the Trosper Hoyt Building and to add control points required to meet sequence outline by Corey Metzger from Resource Consulting Engineers:

- AHU-116, AHU-119, AHU-236, AHU-338, AHU-474-1 and AHU-474-2 will be re-controlled with new BACnet controllers, the control valves actuators will be converted to electronic, all the temperature sensors will be replaced with new, replace pneumatic actuators with electronic actuators for the vortex dampers and all the damper actuators will be converted from pneumatic to electronic
- Provide chilled water control valve for AHU-338 currently this unit has no chilled water valve
- 9 VAV boxes that are presently not visible to the maintenance personnel will be re-controlled; the 9 hot water reheat control valve shall be converted to electronic
- 9 controllers, electronic actuators and discharge air sensors for the zones associated with AHU-474-1 and AHU-474-2 this will allow us to provide better comfort in these areas
- Re-control 2 steam to hot water converters replace the valve pneumatic actuators with electronic actuator
- provide One control valve for converter that has a leaky steam valve
- Provide added points to chiller and boilers required to meet points list provided
- Labor to install and pull low voltage wire
- Programming on server to reflect changes
- Generate graphics to reflect point changes

Base Bid: **\$ 88,810.00**

Star Control would recommend providing ABB variable frequency drives to vary the duct pressure and abandon the vortex dampers in place. This would require us to replace 2 of the motors to inverter duty motors with grounding rings, for these services please add; **\$ 9,890.00**

Exclusions:

- Malfunctioning devices to remain in service
- Plumbing for valve replacement (**Budget for plumber \$ 5,500.00**)
- Insulating (**Budget \$ 6,500.00**)
- Electrical for new VFD's (**Budget \$ 5,000.00**)
- Balancing

Accepted By: _____

Date: _____

Pricing will need to be reviewed after 60 days

Sincerely,

Kevin Welty
Star Control
Phone: 712-224-2429

Star Control • 1800 11th Street • Sioux City, IA 51101
P: 712.252.3007 F: 712.252.2410

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

Date: 4/12/2018 Weekly Agenda Date: 4/17/2018

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

WORDING FOR AGENDA ITEM:

Review and discuss possible changes to county dust remediation policy

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The Secondary Road Department periodically reviews departmental policies with the Board of Supervisors. The Board requested review of dust control policy.

BACKGROUND:

The Board of Supervisors received complaints requesting application of dust palliatives to control fugitive dust caused by a nearby farm/ranch operation from an area that is not eligible for dust control under the current county policy. The Board requested a review of the current policy to determine whether changes to the policy are necessary.

FINANCIAL IMPACT:

Changes to the dust control policy would have significant impact to the county roadway maintenance budget. Each year, the county expends 100-105% of this budget area, as allowed by code. Increasing the amount of dust control applied by the county may double or triple this budget expenditure.

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 will share some possible language to deal with situations like those faced by the complainants, offer the board some alternatives, explain the cost of the changes, and their impact on the budget. After reviewing these topics with the board, a revised dust policy can be presented to the board for approval at a later meeting.

ACTION REQUIRED / PROPOSED MOTION:

Discussion only, no action proposed for this meeting.

To: Board of Supervisors

From: Mark J. Nahra, Woodbury County Engineer

Date: April 12, 2018

Subject: Dust control policy

COMMENTS ON PROGRAM AND COMPLAINT

I spoke with two individuals at Iowa DNR on April 11, 2018. The first stated that Iowa DNR would not force Woodbury County to apply dust control under the circumstances present on Buchanan and 180th Street. As is shown on the attached Iowa Administrative Code section, agricultural traffic is noted as normal traffic on rural granular surfaced roads. The county is not liable for fugitive dust generated by that traffic. He then referred me to another individual at the Spencer DNR office that handles normally dust control complaints. Cindy Martin of Iowa DNR stated that she feels that Whiskey Creek Farms is a business and the county should work to get dust control applied when they are using the roads heavily. In the past, she noted that the Peterson's had voluntarily tried to mitigate dust in the past and encouraged us to work with Peterson's for a solution. She felt these efforts should continue and that she would work with the county and Whiskey Creek Farms to assure that effort continues.

I spoke with Dan Peterson of Whiskey Creek Farms on April 11. He was concerned about a dust complaint, surprised there had been a complaint so early in the year. I explained that the complaint was a result of last year's activities and briefly discussed the group that had appeared before the Board of Supervisors. He responded that he and his family farm operation are concerned about the impact of their traffic on the neighbors and on their own operation. He indicated that on days that they utilizing the roads, such as when they are doing silage or manure hauling, that they have a water truck running all day to assist with keeping dust down for the safety of their own truckers and for the safety of the neighbors.

The Iowa Department of Natural Resources (DNR) does not require application of dust palliatives as the only mitigation for dust generation. Hauling water to the road to keep dust down is considered acceptable mitigation according to IDNR and meets all requirements for controlling fugitive dust. We have used water hauling frequently to deal with dust caused by material hauling as part of the Highway 20 construction project and for some county projects in a response to dust complaints. The county does not have to change its policies to accommodate the residents of 180th Street and Buchanan Avenue if we work with Peterson farms/Whiskey Creek Acres to mitigate their active use of the roads with water hauled to control dust.

Virtually everyone on a gravel road would like their life to be dust free. Some residents do apply their own dust control annually under our program for residents who do not qualify for county applied dust control.

CURRENT PROGRAM COST:

Current cost of regular dust control program, not including detour application is:

S. Ridge Road	1,200'
Glenn Ellen Road	12,200'
140 th , Buchanan, 120 th , and Barker	27,600'
Southwood Park area	1,000'
Mason Avenue Gravel Pit Haul Route	<u>1,375'</u>
Total treated road length:	43,375'

Total Cost of treatment per year (2 applications): \$73,737.50 (\$0.85/foot)

BUDGET IMPACT OF POLICY CHANGE

The Board could take action to make more areas eligible for county supplied dust control. There are two ways of doing this, one to lower the action level for dust control from 200 vpd to a lower traffic count.

If the board can reduce the action traffic level for the application of dust control, the additional dust control cost would be as follows:

If the board goes to 150 vpd based on Iowa DOT traffic count, extra program cost: \$(to be provided)*

If the board goes to 100 vpd based on Iowa DOT traffic count, extra program cost: \$(to be provided)*

* costs to be calculated and shared with board prior to April 17 board meeting.

The reduction in action level even to 100 vpd Iowa DOT traffic count does not help the people on Buchanan Avenue and 180th Street as both roads have Iowa DOT traffic counts that are below that action level. Since the county does have the capability of taking traffic counts, but not the supporting data to convert peak traffic counts to the equivalent of average daily traffic, I would suggest we consider adding language to the policy for providing dust control if there is excessive traffic on a road, as is alleged on Buchanan Avenue and 180th Street. This language uses the provisions of the Iowa Administrative Code and Iowa DNR Program Implementation Guidance to determine an action level for dust palliative application

PROPOSED LANGUAGE ADDITION TO CURRENT POLICY:

For areas claiming to be impacted by fugitive dust at levels above normal traffic, the county will conduct traffic counts. If the traffic count exceeds the following levels, the road in question will be added to dust control program for part of the season with consideration for permanent addition to the county provided program:

- 1) Traffic count at or in excess of 300 vpd for five consecutive days during a 7-14-day traffic count with the county owned meters. Subsequent counts will be taken at least two other times during the spring-summer-fall seasons to confirm high traffic count to be added to the regular dust control program until the next Iowa DOT count can be obtained. The later counts must show that the traffic count meets or exceeds the level required for the initial dust control application.
- 2) Traffic count exceeds 30 vehicles per hour for one or more hours per day for five or more days during a 7-14 day traffic count. Subsequent counts will be taken at least two other times during the spring-summer-fall seasons to confirm high traffic count to be added to the regular dust control program until the next Iowa DOT count can be obtained. The later counts must show that the traffic count meets or exceeds the level required for the initial dust control application.

This standard sets a tough bar to get over, but I think fair to other county gravel road homeowners as it ties the need for dust control to the applicable Iowa DNR fugitive dust mitigation standards. Due to the expense of this program and the minimal impact this expense makes to road improvement, I believe a high bar should be set prior to the county expending funds intended for road maintenance and improvement to county roads.

COMMENTS FROM THE COUNTY ENGINEER

The residents of this area do not pay enough money in property taxes to cover the cost of providing dust control. Total property taxes collected from 180th street and Buchanan Avenue residents for road department:

Taxable valuation of properties on 180th and Buchanan**:

\$1,475,854

Secondary Road Levy for FY 2018: \$2.19/thousand

\$3,232.12

Secondary Road Levy for FY 2019: \$0.96/thousand

\$1,416.82

Total cost of dust treatment:

5400 l.f. x \$0,85/foot = \$4,590

Two applications per year x 2

Total cost for county supplied dust control:

\$9,180

** Valuation for properties from Woodbury County Treasurer’s Property Tax website.

Total property taxes for secondary road department:

\$1,100,000 for FY 2019

\$2,328,000 for FY 2018

The property taxes collected for the residents in this area do not cover the cost of the dust control requested for their properties. We have maintained low secondary road levies in Woodbury County to benefit property tax payers. The cost of this is that we cannot afford to provide every possible service to rural residents that they may wish to request from the county.

RECOMMENDATIONS:

- 1) I do not recommend changes to the current county dust control policy. I recommend that the Board approve the policy as has been in force since before 2009.
- 2) If the Board chooses to make changes to the current policy, I recommend that they adopt the draft language for dust mitigation shared in this memo, adding it to the current policy provisions, including not changing the 200 vpd traffic count level for participation in the current dust control policy.

Attachments: Iowa Administrative Code Fugitive Dust provisions
Iowa DNR Program implementation guidance for fugitive dust
Current Woodbury County Dust Control Policy

567 IAC 23.3(2)c. Fugitive dust.

(1) Attainment and unclassified areas. A person shall take reasonable precautions to prevent particulate matter from becoming airborne in quantities sufficient to cause a nuisance as defined in Iowa Code section 657.1 when the person allows, causes or permits any materials to be handled, transported or stored or a building, its appurtenances or a construction haul road to be used, constructed, altered, repaired or demolished, with the exception of farming operations or dust generated by ordinary travel on unpaved roads. Ordinary travel includes routine traffic and road maintenance activities such as scarifying, compacting, transporting road maintenance surfacing material, and scraping of the unpaved public road surface. All persons, with the above exceptions, shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property on which the emissions originate. The public highway authority shall be responsible for taking corrective action in those cases where said authority has received complaints of or has actual knowledge of dust conditions which require abatement pursuant to this subrule. Reasonable precautions may include, but not be limited to, the following procedures.

1. Use, where practical, of water or chemicals for control of dusts in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.
2. Application of suitable materials, such as but not limited to asphalt, oil, water or chemicals on unpaved roads, material stockpiles, race tracks and other surfaces which can give rise to airborne dusts.
3. Installation and use of containment or control equipment, to enclose or otherwise limit the emissions resulting from the handling and transfer of dusty materials, such as but not limited to grain, fertilizer or limestone.
4. Covering, at all times when in motion, open-bodied vehicles transporting materials likely to give rise to airborne dusts.
5. Prompt removal of earth or other material from paved streets or to which earth or other material has been transported by trucking or earth-moving equipment, erosion by water or other means.
6. Reducing the speed of vehicles traveling over on-property surfaces as necessary to minimize the generation of airborne dusts.

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL SERVICES DIVISION

PROGRAM IMPLEMENTATION GUIDANCE

TOPIC: Procedure for addressing fugitive dust complaints related to construction and maintenance activities on unpaved public roads.

Procedure Number: 3-b-14 (AQ)

Replaces Number: None

Effective Date: 4/1/2006

Expiration Date: 4/1/2011

Prepared by: Wayne Gieselman

Reviewer: Barbara Lynch

Approval: AQ Bureau Chief: Catharine Fitzsimmons *CF* **Date:** 4/5/06
FS Bureau Chief: Barb Lynch *BAL* **Date:** 4/10/06
Division Administrator: Wayne Gieselman *WG* **Date:** 4-10-06

Synopsis of Guidance: This document outlines the procedures that will be followed by field office staff when addressing complaints regarding fugitive dust from maintenance and construction activities on unpaved public roads.

Applicable Iowa Code or IAC provisions: Iowa Code Sec.: 455B.133; IAC Provisions: 567 IAC 23.3(2)"c" (Fugitive dust).

Background: The department receives many complaints regarding fugitive dust from unpaved public roads, particularly during the peak summer road construction and maintenance period or in relation to transport of road surfacing material from quarries. The department and public highway authorities have struggled for many years to establish a common understanding of what road activities constitute ordinary travel and are exempt from the requirements of the fugitive dust rule and which road activities should be subject to the requirements of the fugitive dust rule. A common understanding of what road activities constitute ordinary travel was established and incorporated into a revised fugitive dust rule, which became effective on October 19, 2005.

Issue: Some public highway authorities and legislators have attempted in the past to redefine, through legislation or rule, what constitutes ordinary travel on unpaved public roads. These proposals would have included all types of road construction activities, detours, and the transport of surfacing material for road construction activities as ordinary travel. Defining these activities as ordinary travel would exempt them from the requirements of the fugitive dust rule, thereby eliminating the requirement to control fugitive particulate matter (dust) emissions generated as a result these activities.

The department has determined that unpaved public road maintenance activities such as scarifying, compacting, transporting road maintenance surfacing material, and scraping are not continuous by nature and are normally of a short duration at a specific location. These activities usually do not generate particulate matter in quantities sufficient to be considered a nuisance or threaten public health. The department has historically treated these types of road maintenance activities as ordinary travel.

Definitions: For the purposes of this document, the terms below are defined as follows:

“department” means the Iowa Department of Natural Resources.

“local program” means the Polk County Air Quality Division and the Linn County Air Quality Division.

“public highway authority” means any municipal, county, or state government body that is responsible for the maintenance and construction of public roads.

Guidance

Complaint Guidance: If the department receives a first time complaint about fugitive dust from an unpaved public road, the department will contact the appropriate public highway authority or local program and request that they investigate the complaint to determine whether the fugitive dust cited by the complainant is the result of road maintenance activities or road construction activities. Road maintenance activities include scarifying (including blading), compacting, and scraping of the road surface (1) to maintain the road surface or (2) in preparation for or during the application of rock to the road surface (a) as part of normal road maintenance activities or (b) to repair the road following a washout. Road maintenance activities also include culvert maintenance or repair, and the application of dust suppressants on unpaved public roads in the vicinity of residences or businesses. Road maintenance activities are considered to be part of ordinary travel and are exempt from the requirements of the fugitive dust rule.

The public highway authority or local program will inform the individual(s) making the complaint of the expected duration of the road maintenance activities in their area and of the times of day when fugitive dust from the road maintenance activities is most likely to impact their location. The public highway authority or local program also will inform the complainant(s) about what measures could be taken by the complainant(s) to minimize exposure to fugitive dust.

Road construction activities include paving or repaving an existing road surface, establishing a new paved or unpaved road, and bridge repairs. Road construction activities are not considered to be ordinary travel and therefore are subject to the provisions of the fugitive dust rule. The department or local program will coordinate with the public highway authority to ensure that the appropriate corrective actions to abate the fugitive dust emissions related to road construction activities are taken.

Transport of Surfacing Materials: The transport of road maintenance surfacing material for use in road maintenance activities on unpaved public roads is

considered to be ordinary travel and exempt from the requirements of the fugitive dust rule. This includes transport occurring on any secondary road to or from a road gravel pit, where the primary activity of the gravel pit is providing rock for road maintenance, to the site of the road maintenance activity.

For complaints related to the transport of surfacing materials for road maintenance activities, the public highway authority or local program will inform the individual(s) making the complaint of the expected duration of the transport activities in their area, the times of day when fugitive dust from the transport activities is most likely to impact their location, and what measures can be taken to minimize exposure to fugitive dust.

Transport on roads leading to or from a commercial quarry that provides rock for road construction activities is not considered to be ordinary travel and is subject to the provisions of the fugitive dust rule, even if some of the rock being hauled out of the commercial quarry is used for unpaved road maintenance activities. Any transport of surfacing materials for road construction activities is not considered ordinary travel and is subject to the provisions of the fugitive dust rule.

For complaints related to the transport of surfacing materials for road construction activities, the department or local program will coordinate with the public highway authority to ensure that the appropriate corrective actions to mitigate the fugitive dust emissions related to transport activities are taken.

Detours: For road maintenance activities, detours are not established due to the short duration of the maintenance activities. For road construction activities, the public highway authority is not required to post a detour route unless the construction activities will result in a road closure that will exceed 48 hours in duration. The public highway authority is encouraged to use a paved, numbered road system for the marked detour route.

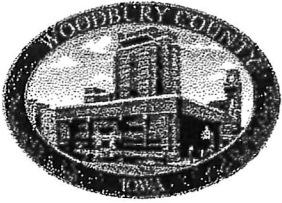
The department or local program will coordinate with the public highway authority to ensure that fugitive dust emissions on the detour route are abated if complaints are received regarding fugitive dust resulting from the increased traffic on the detour route, or the department or local program has knowledge of fugitive dust conditions on the detour route that should be abated.

The department or local program may require the public highway authority to abate fugitive dust emissions on public roads that are not part a marked detour route but that experience an increase in traffic volume due to the choice of some drivers to use roads not included in the marked detour. The decision to request that fugitive dust emissions be abated in this instance should be based on a vehicle count. A vehicle count of 30 or more vehicles per hour constitutes sufficient justification for requesting that the public highway authority abate the fugitive dust emissions.

The public highway authority or local program will inform individual(s) filing complaints regarding a posted detour route, or regarding roads that are not part

of a posted detour route but that see an increase in traffic volume due to road construction activities, of the expected duration of the road construction activities in their area and possible measures that they could take to minimize their exposure to fugitive dust. The department or local program will use its enforcement discretion as appropriate in these instances.

Department Enforcement Discretion: This document is intended to provide guidance to field office staff to ensure a uniform approach to dealing with complaints related to activities on unpaved public roads and to clarify the fugitive dust rule language. This document does not limit or modify the department's enforcement discretion in regard to complaints related to fugitive dust. If a violation of the rules is determined and the public highway authority is not actively working with the department to take timely and appropriate corrective action, then a letter, which may be a Notice of Violation (NOV), should be sent to the public highway authority formally documenting the complaint and what steps the public highway authority should take to address the problem. If the department continues to receive complaints related to the same road construction project or the department determines that the public highway authority has not implemented the necessary abatement actions, then the department may take additional action, including issuance of a second Notice of Violation (NOV) or an Administrative Order.



Woodbury County Secondary Roads Department

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

ASSISTANT TO THE COUNTY ENGINEER
Roger L. Milligan
rmilligan@sioux-city.org

COUNTY ENGINEER
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ASSISTANT TO THE COUNTY ENGINEER
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SECRETARY
Tish Brice
tbrice@sioux-city.org

PPM #9, 2010

WOODBURY COUNTY SECONDARY ROAD DEPARTMENT POLICY AND PROCEDURE MEMORANDUM

SUBJECT: DUST CONTROL POLICY

Purpose

Subdivision development, signed detour traffic, road construction haul road use in the rural area creates additional traffic on gravel surfaced roads which were designed primarily for rural farm access. Fugitive dust draws frequent complaints from residents who live in rural areas. The county receives requests for dust control on roads to meet address higher traffic levels and associated dust generated by that traffic.

The county has developed this policy to address fugitive dust created by traffic in the rural area.

County Treated Roads - Participation Guidelines

- 1) Woodbury County will place dust control twice per year to gravel roads when the Average Daily Traffic (ADT) exceeds 200 vehicles per day as determined by the Iowa DOT quadrennial traffic counts at county expense. The county will also consider the application of dust control on roads with more than 12 houses per mile if they are adjacent to a dust treated roadway.
- 2) The County will use Calcium or Magnesium Chloride for dust control.
- 3) The first application of dust control material will normally be applied between May 15 and Memorial Day, depending upon weather. The second application will be applied sometime between mid-July and mid-August depending upon road condition and weather.
- 4) Dust treated roads will be bladed and readied for winter after October 1 of each calendar year. Treated roads will all be bladed before winter conditions set in.
- 5) Schedules for application will be determined by the Woodbury County Engineer.

Resident Treated Roads – Participation Guidelines

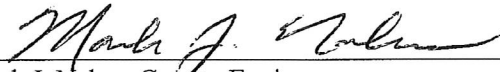
Residents on roads that do not meet traffic requirements for county applied dust control may apply dust control at their own expense. Work in the county right of way must comply with section 318.8 of the Code of Iowa. Residents desiring dust control should contact their dust palliative applicator of choice. The applicator will contact the county and notify the engineer's office of the location for dust treatment and request road

preparation and approval of the site. The county will prepare the roadway and notify the applicator that the roads are ready for spraying.

Dust control applicators may apply calcium or magnesium chloride, lignon sulfonate, or a blend of the two materials for dust mitigation on private dust palliative applications.

Detour and Haul Roads

Traffic detoured onto county gravel roads and haul road use connected with highway construction are not normal traffic as defined by Iowa Code and Administrative rules. The county engineer will arrange for the application of dust control palliative on signed detour routes and on designated haul roads. Applications will be 400 feet wide at each residential driveway and a minimum of 300 feet long at each gravel approach to an intersection on a designated haul road or detour route. Cost of dust treatment will be billed to the road authority responsible for the gravel road haul road or detour route designation.



Mark J. Nahra, County Engineer