



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(JULY 31, 2018) (WEEK 30 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 July 31, 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

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 July 24, 2018 meeting
4. Approval of claims
5. Board Administration – Karen James
Approval to appoint Jay Hardy to the Woodbury County Library Board
6. County Auditor – Patrick Gill
a. Receive the appointment of Miyuki Nelson as a Sioux City School Board Director
b. Receive County Recorder's Report of Fees Collected
7. Human Resources – Melissa Thomas
Approval of Memorandum of Personnel Transactions

8. Secondary Roads – Mark Nahra
Consideration of permit to work in the county right of way
9. Community Economic Development – David Gleiser
Approval to schedule public hearing for the Meyer Addition Minor Subdivision Final Plat for Tuesday, August 14th at 4:45 p.m.

End Consent Agenda

- | | |
|---|-------------|
| 10. Board of Supervisor – Rocky De Witt
Information on proposed Expo Event Center | Information |
| 11. Conservation – Dan Heissel
Approve Telecommunications Facilities Exchange Agreement between Woodbury County and City of Sioux City and a Telecommunications agreement between Woodbury County and the Sioux City Railroad Museum | Action |
| 12. Secondary Roads – Mark Nahra
Consider approval of plans for project number L-B(J9)—73-97 | Action |
| 13. County Sheriff – Dave Drew
Approve the 2018 Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa for the Byrne Justice Assistance Grant Program award | Action |
| 14. Reports on Committee Meetings | Information |
| 15. Citizen Concerns | Information |
| 16. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- WED., AUG. 1** **9:00 a.m.** Loess Hills Alliance Protection Committee meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Stewardship Committee meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive meeting, Pisgah, Iowa
- MONDAY, AUG. 6** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUESDAY, AUG. 7** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED. AUG. 8** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 6:30 p.m.** Woodbury County Solid Waste Agency (Sanitary Landfill)
 Executive Committee Meeting, Public Safety Center, Climbing Hill
- THUR. AUG. 9** **12:00 p.m.** SIMPCO Board of Directors meeting, 1122 Pierce Street
- 4:30 p.m.** Conservation Board Meeting, Southwood Conservation Area, Smithland
- WED. AUG. 15** **10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THUR. AUG. 16** **10:30 a.m.** Department Head Meeting, LEC Conference Room
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- TUES., AUG. 28** **1:00 p.m.** Sioux Rivers Regional Governance Board Meeting, Plymouth County Courthouse
 Annex Building, 215 4th Ave. S.E., Le Mars, Iowa
- 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- MON., SEPT. 3** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUES., SEPT. 4** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., SEPT. 5** **9:00 a.m.** Loess Hills Alliance Stewardship Committee meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Executive meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Full Board meeting, Pisgah, Iowa

The following Boards/Commission have vacancies: Commission to Assess Damages - Category A, Category B, Category C and Category D, Civil Service Commission and Library Board of Trustees

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

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

JULY 24, 2018, TWENTY-NINTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, July 24, 2018 at 4:30 p.m. Board members present were Ung, De Witt, Taylor (by phone), Pottebaum, and Radig. Staff members present were Joshua Widman, Assistant County Attorney, Dennis Butler, Budget/Tax Analyst, Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

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

1. There were no citizen concerns.

2. Motion by De Witt second by Radig to approve the agenda for July 24, 2018. Carried 5-0. Copy filed.

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

3. To approve minutes of the July 17, 2018 meeting. Copy filed.

4. To approve the claims totaling \$636,926.75. Copy filed.

5a. To approve the reclassification of Donald Armstrong, % Lieutenant, County Sheriff Dept., effective 07-01-18, \$84,291.17/year, 2%=\$2,107/year. Increase from 78% to 80% Lieutenant.; the reclassification of Charles Hertz, % Lieutenant, County Sheriff Dept., effective 07-01-18, \$84,291.17/year, 2%=\$2,107/year. Increase from 78% to 80% Lieutenant.; the reclassification of Todd Trobaugh, % Lieutenant, County Sheriff Dept., effective 07-01-18, \$84,291.17/year, 2%=\$2,107/year. Increase from 78% to 80% Lieutenant.; the separation of Hogan Harman, Temporary Summer Laborer, Secondary Roads Dept., effective 07-26-18. End of Temporary Work.; the transfer of Kimberlee Koepke, Clerk II, County Treasurer Dept., effective 07-30-18, \$21.07/hour, -19%=-\$4.01/hour. Position Transfer from Youth Worker to Clerk II.; the appointment of Jill Fitch, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 08-01-18, \$18.05/hour. Job Vacancy Posted 6-13-18. Entry Level Salary: \$16.43-\$18.05/hour.; the reclassification of Jonathon Hatfield, Civilian Jailer, County Sheriff Dept., effective 08-04-18, \$23.15/hour, 10%=\$2.27/hour. Per CWA Civilian Officers Contract agreement, from Class 1 to Senior Class.; the reclassification of Darius Barnes, Civilian Jailer, County Sheriff Dept., effective 08-05-18, \$20.06/hour, 4%=\$.78/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.; the reclassification of Abby Riesberg, Clerk III, County Treasurer Dept., effective 08-09-18, \$21.40/hour, 3%=\$.71/hour. Per AFSCME Courthouse Contract agreement, from Grade 5/Step 2 to Grade 5/Step 3; and the reclassification of Dan Harstad, Civilian Jailer, County Sheriff Dept., effective 08-10-18, \$23.15/hour, 10%=\$2.27/hour. Per CWA Civilian Officers Contract agreement, from Class 1 to Senior Class. Copy filed.

5b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for (2) P/T Youth Workers, Juvenile Detention Dept. AFSCME Juvenile Detention: \$18.88/hour. and F/T Youth Worker, Juvenile Detention Dept. AFSCME Juvenile Detention: \$18.88/hour. Copy filed.

6. To approve the underground utility permit for the City of Merville. Copy filed.

Carried 5-0.

7. Motion by Radig second by Pottebaum to approve to include birth certificates in the General Assistance Fund. Carried 5-0. Copy filed.

8a. Motion by Pottebaum second by Ung to award the bid for pickup truck to Jensen Motors for \$32,429.00 and installation of equipment lift from Steffen Truck for \$3,630.00. Carried 5-0. Copy filed.

8b. Motion by De Witt second by Pottebaum to reallocate and utilize funding from the 2017 CIP LEC Intake Project. Carried 5-0. Copy filed.

Motion by De Witt second by Ung to accept the quote by Duct Medic for \$37,500.00 and 15% contingency funding in the amount of \$5,625.00 to address problems that may arise while the vendor is on site. Carried 5-0. Copy filed.

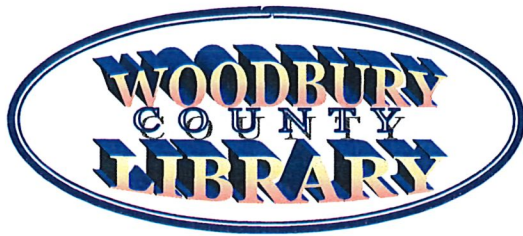
- 9a. Motion by Radig second by Pottebaum to approve the contract and bond for bridge replacement project #FM-CO97(132)—55-97 to Dixon Construction for \$1,019,550.42. Carried 5-0. Copy filed.
- 9b. Motion by Radig second by Ung to approve the plans for project #BROS-CO97(133)-5F-97. Carried 5-0. Copy filed.
10. A public hearing was held at 4:45 p.m. for 1st Tower Lease Amendment. The Chairperson called on anyone wishing to be heard.

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

Motion by De Witt second by Ung to approve the 1st Tower Lease Amendment with Senet. Carried 5-0. Copy filed.
11. Discussion on drafting a Resolution to withdraw funding for the Sioux City, IA Expo Center, f.k.a. Ag Expo Center. Copy filed.
12. The Board heard reports on committee meetings.
13. Patty Erickson-Puttmann shared Sioux Rivers meeting items.
14. Board concerns were heard.

The Board adjourned the regular meeting until July 31, 2018.

Meeting sign in sheet. Copy filed.



- 825 Main Street
- P.O. Box 625
- Merville, Ia. 51039

Karen James
Administrative Coordinator
Woodbury County Board of Supervisors
Woodbury County Courthouse
620 Douglas Street Room 104
Sioux City, Ia.
51101

July 19, 2018

Dear Karen,
The Woodbury County Library Board would like to submit the following name to the County Board of Supervisors to be appointed to the Woodbury County Library Board.

1. Jay Hardy, 3179 250th St. Anthon, Iowa 51004

Loyanne Jensen is still uncertain if she wants to be re-appointed to the Library Board. I will let you know when she decides.

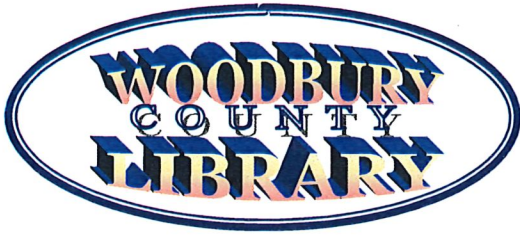
Enclosed is a list of Woodbury County Library Board Officers for July 2018 – June 2019 and a list of all the Woodbury County Library Board Members.

Thank you, Karen for your services to the Woodbury County Library. I do appreciate your assistance and advice.

Sincerely,

A handwritten signature in blue ink that reads "Donna Chapman". The signature is written in a cursive, flowing style.

Donna Chapman
Woodbury County Library Director



- 825 Main Street
- P.O. Box 625
- Merville, Ia. 51039

Woodbury County Library Board Officers July 2018-June 2019

President – Becky Jessen

Vice-President – Barb Hardie

Financial Secretary – Scott Linden

Recording Secretary – Loyanne Jensen ???

Woodbury County Library
Board of Trustee Members

June 2018

Rate of \$.505 per mile

2021	Boyle, Dennis 3079 Safford Ave. Danbury, Ia. 51019 Cell 712-880-1147 denboy9@icloud.com	66 miles	\$33.33
2020	Hardie, Barbara 203 Front Street Pierson, Iowa 51048-5587 712-375-5587 cell – 712-251-4330 tombarb@frontiernet.net	28 miles	\$14.14
2024	Hardy, Jay 3179 250 th Street Anthon, Iowa 51004 Cell – 712-870-4013	32 miles	\$16.16
<u>2018</u> 24 ?	Jensen, Loyanne 501 Erin's Cove Lawton, Iowa 51030 712-944-5947 cell 712-253-1540 dino814@wiatel.net	14 miles	\$ 7.07
2020	Jessen, Becky 3434 180 th Street Anthon, Iowa 51004 712-373-9800 cell 712-870-0847 supermom425@hotmail.com	20 miles	\$10.10
2024	Linden, Scott 104 Ash Street – P.O. Box 4 Moville, Iowa 51039 cell 712-870-1630 Sig1dog@yahoo.com	miles	\$
2021	Matthias, Susan 3386 Hancock Avenue Smithland, Iowa 51056 874-3400 cell 870-0051 loess1@wiatel.net	40 miles	\$20.20
2021	Peterson, Dale Box 245 Lawton, Iowa 51030 712-251-4014 dtpdc@waitel.net	18 miles	\$9.09
2020	Tyer, Barb 3287 150 th St. Kingsley, Ia. 51028 712-378-3551 ctyer1@hotmail.com	12 miles	\$6.06

WOODBURY COUNTY
SIOUX CITY, IOWA 51101

Office of Commissioner of Elections

620 DOUGLAS ST., ROOM 103



Patrick F. Gill
Commissioner
Phone 712-279-6465
Fax 712-279-6629
pgill@woodburycountyiowa.gov

Steve Hofmeyer
Deputy Commissioner
Phone 712-279-6465
Fax 712-279-6629
shofmeyer@woodburycountyiowa.gov

To: Board of Supervisors

From: Patrick F. Gill, Auditor/Recorder & Commissioner of Elections

Date: July 23, 2018

Re: Sioux City Community School District Board Director Appointment

Please receive the appointment of Miyuki Nelson, 1935 Plum Creek Road, Sioux City, IA, as a Sioux City School Board Director. The appointment was made on July 16, 2018, to fill the position previously held by Mike Krysl, until the next regular election.

NOTICE OF APPOINTMENT TO FILL A VACANCY

TO: Patrick F. Gill, Woodbury County Auditor/Recorder & Commissioner of Elections

From: Cynthia Lloyd School/City/Township/
Board Secretary - SCCSD Extension/Soil & Water
July 17, 2018 Secretary/Clerk
Date

This is to notify you and the Board of Supervisors of Woodbury County that the following person has been appointed until the next regular/general election:

For the office of Board Director
Name Miyuki Nelson
Address 1935 Plum Creek Road
City/Zip Sioux City, Ia 51103
Date of appointment July 16, 2018

This appointment is to fill the office previously held by:

Mike Krupl
(Name of previous official)

WOODBURY COUNTY
AUDITOR/RECORDER
PATRICK F. GILL
2018 JUL 20 AM 10 22

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

#6b

State of IOWA) SS:
County of WOODBURY)

To the Board of Supervisors of WOODBURY County:

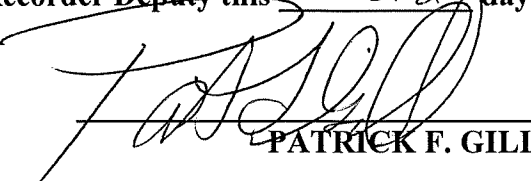
I, DIANE SWOBODA PETERSON, Real Estate/Recorder Deputy of the above named County and State, do hereby certify that the following is a true and correct statement of the fees collected by me in my office for the period of 4/01/2018 through 6/30/2018 and the same has been paid to the County Treasurer.

	Number of Documents	Fees Collected
R.E. Transfer Tax State-Monthly		48,871.49
County Share R.E. Transfer Tax		29,859.75
Auditor Transfer Fee	1,108	6,205.00
Records Management Fees	3,750	3,783.00
Lien	105	545.00
Deed	1,070	12,655.00
Mortgage	1,031	55,481.00
Contract	44	1,610.00
Release/Assignment	1,032	6,267.00
Miscellaneous	362	7,090.00
Claimants	51	415.00
Agreement	42	2,125.00
Elec Tran Fee to State Untransferred (May & June)		2,609.00
UCC 1 & Addendum	24	375.00
Copy Money-Quarterly		650.00
Vitals Stats State-Monthly		14,328.00
Vitals Stats County-Quarterly		9,456.00
Accts. Receivable Payment-Quarterly		3,533.00
Transfer to Checking Account		0
Previous Qtr. Acct. Receivable Balance		(3,887.00)
Bad Check Adjustment—Quarterly		0
Odd Size Documents	35	350.00
Overpayment Fee	24	97.87
Total	8,678	202,419.11

All of which is respectfully submitted.


DIANE SWOBODA PETERSON Real Estate/Recorder Deputy

Subscribed and sworn to before me by DIANE SWOBODA PETERSON, Woodbury County Real Estate/Recorder Deputy this 23rd day of July, 2018.


PATRICK F. GILL County Auditor

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: July 31, 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

Table with 8 columns: NAME, DEPARTMENT, EFFECTIVE DATE, JOB TITLE, SALARY REQUESTED, % INCREASE, *, REMARKS. Contains 4 rows of personnel transactions.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: 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: July 31, 2018

For the July 31, 2018 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

1. Secondary Roads (2) Temporary Summer Laborers, End of Temporary Work.
2. County Sheriff P/T Courthouse Safety & Security Officer, from Grade 3/Step 4 to Grade 3/Step 5.
3. Secondary Roads Equipment Operator, End of Probation Salary Increase.

Thank you

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

Date: 7/26/2018 Weekly Agenda Date: 7/31/2018

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

WORDING FOR AGENDA ITEM:

Consideration of permit to work in the county right of way

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Lawton Bronson Family Group has requested a permit to work in the right of way to hold Lawton Fest in Lawton.

BACKGROUND:

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa. This event will be held on August 8 from 4 PM to 8 PM and would require closing Cedar Street in Lawton.

FINANCIAL IMPACT:

No impact

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

Yes No

RECOMMENDATION:

Recommend approval of the permits for the Lawton Bronson Family Group.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the permit to work in the right of way for the Lawton Bronson Family Group and to direct the chair to sign the permits.



Woodbury County Secondary Roads Department

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

COUNTY ENGINEER
Mark J. Nahra, P.E.
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@sioux-city.org

SECRETARY
Tish Brice
tbrice@sioux-city.org

WOODBURY COUNTY SECONDARY ROAD DEPARTMENT

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

Name of Permittee: Molly Schellinger/LB FAMILY Group Phone No.: 712-898-5282

Mailing Address: PO Box 103 Lawton IA

Township: _____ Section: _____

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

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

Close 2 blocks of Cedar St in Lawton and reroute a detour to the west from 4pm-8pm on

Wednesday, August 8th for Lawton Fest activities.

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

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

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

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

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

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

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

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

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

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

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

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

N/A

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

N/A

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the 8th day of August, 2018

Entered into this 25th day of July, 2018.

Molly Schellinger

Signature of Property Owner or Authorized Representative

Woodbury County Engineer

Chair, Woodbury County Board of Supervisors

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

#9

Date: 7/26/18 Weekly Agenda Date: 7/31/18

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

WORDING FOR AGENDA ITEM:

Schedule Public Hearing for the Meyer Addition Minor Subdivision Final Plat

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:

This item requests the Board to schedule the date, time, and location for a public hearing to review and vote on the final plat of the Meyer Addition Minor Subdivision.

BACKGROUND:

Alwayne and Geraldine Meyer propose to subdivide 15.7 acres into 3 lots. This property is zoned Agricultural Preservation and is located in Parcel 874419400005. The current and proposed uses are permitted under Woodbury County Zoning Ordinances. On 7/23/18 the Zoning Commission held a public hearing on this subdivision application and formulated their recommendation for the Board of Supervisors.

FINANCIAL IMPACT:

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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

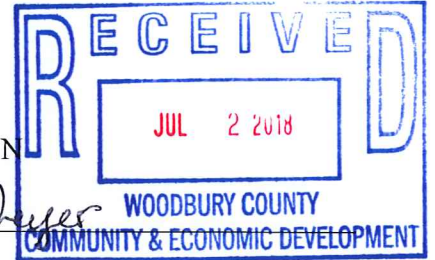
RECOMMENDATION:

Set the public hearing for Tuesday, 8/14/18, at 4:45pm in the basement of the Woodbury County Courthouse.

ACTION REQUIRED / PROPOSED MOTION:

Motion to set the public hearing for Tuesday, 8/14/18, at 4:45pm in the basement of the Woodbury County Courthouse.

WOODBURY COUNTY, IOWA
MINOR SUBDIVISION APPLICATION



Applicant: Alwayne and Geraldine Meyer
Name of Owner

Mailing Address: 3091 255th St Anthon IA 51004-8047
Street City or Town State and Zip + 4

Property Address: 3091 255th St Anthon IA 51004-8047
Street City or Town State and Zip + 4

Ph/Cell #: 712-876-2603 E-mail Address: Meyer.geri@hotmail.com

To subdivide land located in the NE Quarter of Section 19

Civil Township Grant GIS Parcel # 974419400005

Name of Subdivision: Meyer Addition

Subdivision Area in Acres 18.74 Number of Lots 3

Attachments:

1. Ten (10) copies of grading plans; if required.
2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
 - a. Legal description of proposed subdivision.
 - b. Plat showing clearly the boundaries of the subdivision.
 - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: Gregg Stroschein Ph/Cell: 712-259-0483
712-870-9789

Attorney: Patrick Phipps Ph/Cell: 712-823-3210

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: Alwayne Meyer
Geraldine Meyer

Zoning Director: _____

For Office Use Only:

Zoning District AP Flood District X Date 7-2-18 No. 6338

Application Fee _____ 4 Lots or less (\$200) CL# 2168

5 Lots or more (\$250 plus \$5 per lot) _____

Final Plat - Parcel #874419400005

FINAL PLAT OF MEYER ADDITION

A MINOR SUBDIVISION
IN SE1/4NE1/4 OF SECTION 19, T87N, R44W OF THE 5TH P.M.,
AN ADDITION TO WOODBURY COUNTY, IOWA



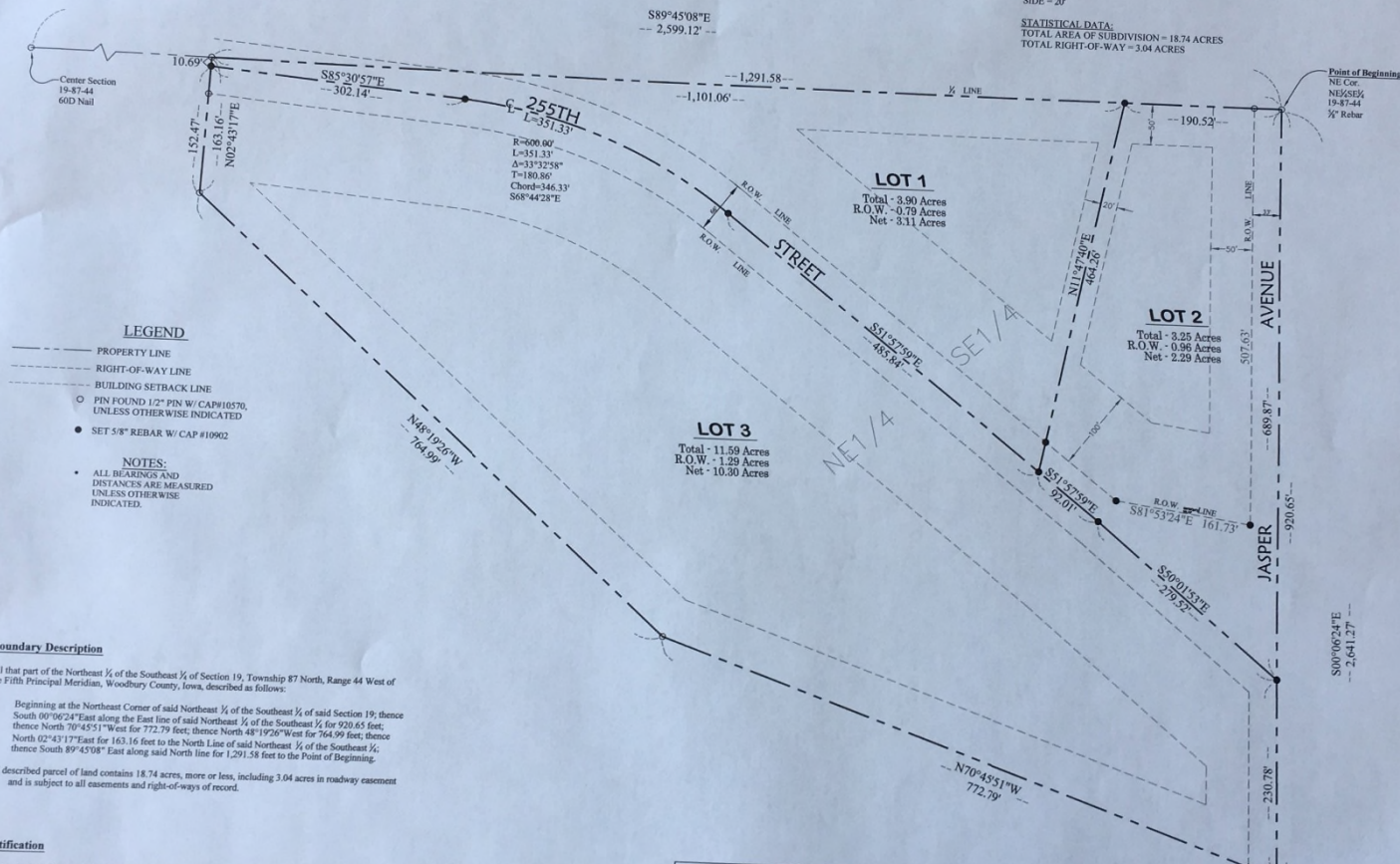
OWNERS/SUBDIVIDERS:
ALWAYNE MEYER
3091 255TH STREET
ANTHON, IOWA 51004

ENGINEER & LAND SURVEYOR:
SCOTT L. GERNHART, P.E.
GREGG A. STROSCHEIN, PLS
TRUE ENGINEERING & LAND SURVEYING, LLC
325 HOWARD ROAD
MOVILLE, IOWA 51039

ZONING: AP, AG PRESERVATION

BUILDING SET BACK LINES:
FRONT = 100'
REAR = 50'
SIDE = 20'

STATISTICAL DATA:
TOTAL AREA OF SUBDIVISION = 18.74 ACRES
TOTAL RIGHT-OF-WAY = 3.04 ACRES



- LEGEND**
- PROPERTY LINE
 - - - RIGHT-OF-WAY LINE
 - BUILDING SETBACK LINE
 - PIN FOUND 1/2" PIN W/ CAP #10570, UNLESS OTHERWISE INDICATED
 - SET 5/8" REBAR W/ CAP #10902
- NOTES:**
- ALL BEARINGS AND DISTANCES ARE MEASURED UNLESS OTHERWISE INDICATED.

Boundary Description

All that part of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 87 North, Range 44 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

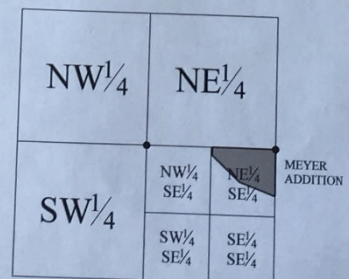
Beginning at the Northeast Corner of said Northeast 1/4 of the Southeast 1/4 of said Section 19; thence South 00°06'24" East along the East line of said Northeast 1/4 of the Southeast 1/4 for 920.65 feet; thence North 70°45'51" West for 772.79 feet; thence North 48°19'26" West for 764.99 feet; thence North 02°43'17" East for 163.16 feet to the North Line of said Northeast 1/4 of the Southeast 1/4; thence South 89°45'08" East along said North line for 1,291.58 feet to the Point of Beginning.

Said described parcel of land contains 18.74 acres, more or less, including 3.04 acres in roadway easement and is subject to all easements and right-of-ways of record.

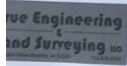
Certification

I, Gregg A. Stroschein, a duly Licensed Land Surveyor under the laws of the State of Iowa, do hereby certify that there are contained in said description, the lots described in the subdivision as platted; that the lots, blocks, streets and easements are of the dimensions, numbers, names and locations as shown on said plat; and that iron stakes are set at each corner of every lot of said subdivision as indicated hereon.

Gregg A. Stroschein PLS #10902 _____ Date _____
License renewal date: 12-31-19 _____ Pages covered by seal _____



VICINITY MAP
Section 19, T87N, R44W



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

#10

Date: 7/26/18

Weekly Agenda Date: 7/31/18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Rocky De Witt

WORDING FOR AGENDA ITEM:

Information on proposed Expo Event Center

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Representatives from the City of Sioux City and Expo Event Center will provide information on the financing and design changes as it relates to the proposed new Expo Event Center located in the Sioux City Reinvestment District.

BACKGROUND:

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:

Information.

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

#11

Date: 07-16-18

Weekly Agenda Date: 07-31-18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dan Heissel

WORDING FOR AGENDA ITEM:

Approve Telecommunications Facilities Exchange Agreement between Woodbury County and City of Sioux City, and a Telecommunications agreement between the County and the Sioux City Railroad Museum.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Conservation Board has been working on getting the Fiber Optic ran out to its office. To do this we must hook into a vault with fiber that is owned and managed by the city. We will be hooking up to fiber owned and managed by the city. This agreement allows us to access 6 fibers for service. The agreement spells out terms that have been negotiated by Glenn Sedivy and myself, without this agreement we have no way to access and run fiber to the Dorothy Pecaut Nature Center. The second agreement is with the Railroad Museum and it allows us to cross their property and in exchange for this gives them access to 6 fibers. They will be responsible for hooking up to a carrier for service.

BACKGROUND:

The County has discussed and planned to run fiber from Riverside out to the Dorothy Pecaut Nature Center for the past few years. With funding in place we are able to accomplish this through several partnerships. The city allows us to hook up to 6 of their fibers and we agree to give them access to 6 of our fibers being run out to the Nature Center. We will also give the Railroad Museum access to 6 fibers for allowing us an easement across their property. There will be 24 fibers ran in this conduit out to the Nature Center leaving room for expansion if needed.

FINANCIAL IMPACT:

Woodbury County Conservation Board has agreed to put up \$60,000 of the anticipated cost out of its CIP Budget and the Supervisors have budgeted \$50,000 this fiscal year to help make this happen. We will see a savings in time and labor of staff as speed of our internet is increased and staff isn't waiting for documents to load from the U drive.

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 Telecommunications Facilities Exchange Agreement between the City of Sioux City as well as one with the Railroad Museum.

ACTION REQUIRED / PROPOSED MOTION:

Approve and sign the Telecommunications Facilities Exchange Agreement between the City of Sioux City and Woodbury County and the Telecommunications Facilities Exchange Agreement with the Railroad Museum.

TELECOMMUNICATIONS FACILITIES EXCHANGE AGREEMENT

THIS AGREEMENT (the "Agreement") made and entered into as of _____, 2018 by and between the City of Sioux City, Iowa (the "City") and Woodbury County, Iowa (the "County").

Background

- A. The City owns and operates a fiber optic cable that extends from the Woodbury County Courthouse at 7th Street and Douglas Street to 8th Street, to Wesley Parkway, to 14th Street and Hamilton Boulevard to 19th Street and Hamilton Boulevard, to W. 19th Street and Riverside Boulevard and to the intersection of Riverside Boulevard and Pacquette Avenue.
- B. The County will install two (2) 2" underground conduit with one (1) twenty-four (24) count single mode fiber optic cable from the City vault at the intersection of Riverside Boulevard and Pacquette Avenue, proceeding northeast to the southeast corner of Riverside Boulevard and Military Road and continue east on the south side of Military Road under the railroad tracks at Military Road and Highway 12 (Attachment A). The route will proceed north on the west side of Highway 12 with 1¼" underground conduit to the Sioux City Railroad Museum at 3400 Sioux River Road, continuing north on Highway 12 to the Dorothy Pecaut Nature Center (Attachment B).

Terms

NOW, THEREFORE, the parties agree as follows:

1. Obligations of the City.

The City will own, operate, and maintain the existing City Conduit described in Background Paragraph A.

2. Grant of Rights to the County.

- (a) The City grants the County the right to have two (2) conduit penetrations into the fiber vault located at the intersection of Riverside Boulevard and Pacquette Avenue, for the sole purpose of connecting the County's twenty-four (24) fiber cable into the City's ninety-six (96) fiber cable, no side penetrations into the vault allowed.
- (b) The City grants the County the right to have unconditional use of six (6) dark "un-lit" fibers owned by the City as described above in Background Paragraph A. The County will be assigned fibers number 61, 62, 63, 64, 73, 74 of the City's ninety-six (96) fiber cable described in Background Paragraph A.

3. Obligations of the County.

The County will own, operate, and maintain the existing County Conduit described in Background Paragraph B.

4. Grant rights to the City

(a) The County grants the City the right to have unconditional use of six (6) dark “un-lit” fibers owned by the County as described above in Background Paragraph B. The County will be assigned fibers number 13, 14, 15, 16, 17, 18 of the County’s twenty-four (24) fiber cable described in Background Paragraph B and will provide all of the labor and for the initial installation to the City’s ninety-six (96) fiber cable at the intersection of Riverside Boulevard and Pacquette Avenue. The County grants the City the right to have access to enter in to any of the County’s fiber vaults along the fiber route described in Background Paragraph B for the sole purpose of splicing into the fiber assigned to the City, this future access will be to the expense of the City, no side penetrations to the vaults will be allowed.

5. Indemnification.

(a) The City shall defend at its own expense, indemnify and hold harmless the County, its elected officials, officers, employees and agents from all claims and liability due to activities of persons employed by or representing the City while performing this Agreement. The County shall defend at its own expense, indemnify and hold harmless the City, its elected officials, officers, employees and agents from all claims and liability due to activities of persons employed by or representing the County while performing this Agreement.

6. Miscellaneous.

(a) This Agreement, and any related written Agreement that expressly references this Agreement, constitutes the entire Agreement of the parties with respect to the City Conduit, the County Conduit, ducts, fiber, and the County facilities, and the parties’ rights and obligations with respect thereto and supersedes and cancels all prior discussions, arrangements, or agreements, written and oral, with respect to those subjects.

(c) Each party agrees to execute such additional documents and to take such actions as may reasonably be requested by the other party to confirm or carry out the intent and purposes of this Agreement.

(d) This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa.

(e) This Agreement may be executed in two (2) or more counterparts, all of which shall be considered one and the same Agreement.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

Woodbury County

City of Sioux City Iowa

By: _____
Rocky DeWitt
Chairman

By: _____
Robert E. Scott
Mayor of Sioux City, Iowa

Certification of City Clerk:

I, Lisa L. McCardle, certify that I am the City Clerk of the City of Sioux City, Iowa, and that Mayor Robert E. Scott, who executed this Agreement for and on behalf of the City, was duly authorized and empowered to do so as of _____, 2018.

Lisa L. McCardle,
City Clerk of the City of Sioux City, Iowa

Certification of County Auditor:

I, Patrick Gill, certify that I am the County Auditor of Woodbury County, Iowa, and that Rocky DeWitt, who executed this Agreement for and on behalf of the County, was duly authorized and empowered to do so as of _____, 2018.

Patrick Gill
County Auditor of Woodbury County, Iowa

Attachment B

Photo 1 of 3

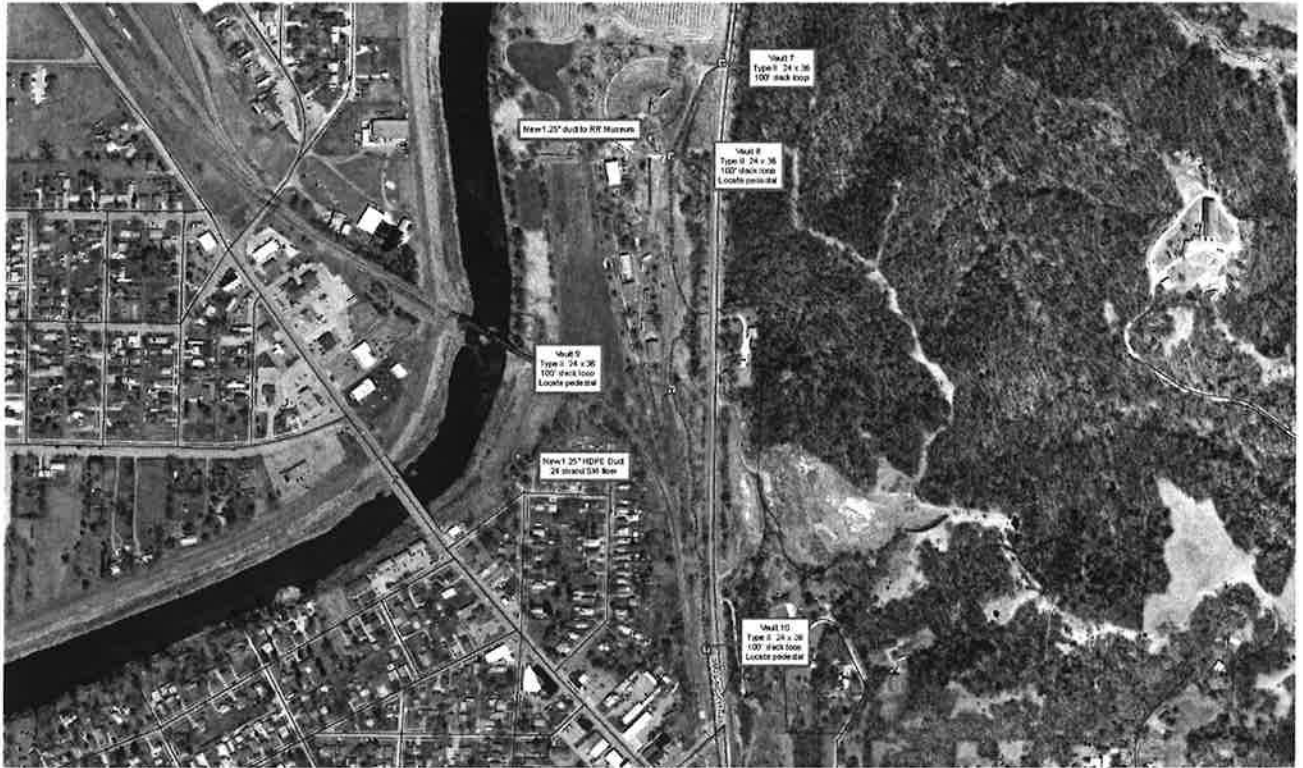


Photo 2 of 3

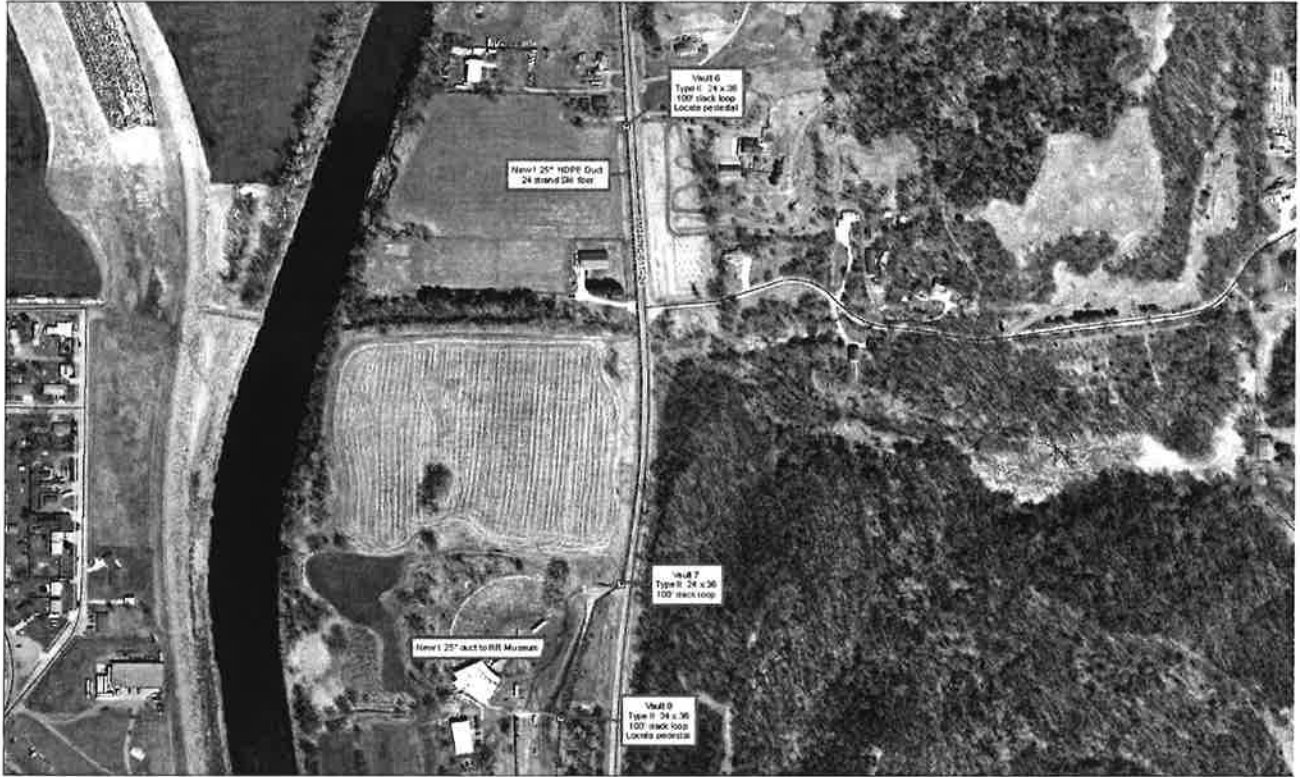
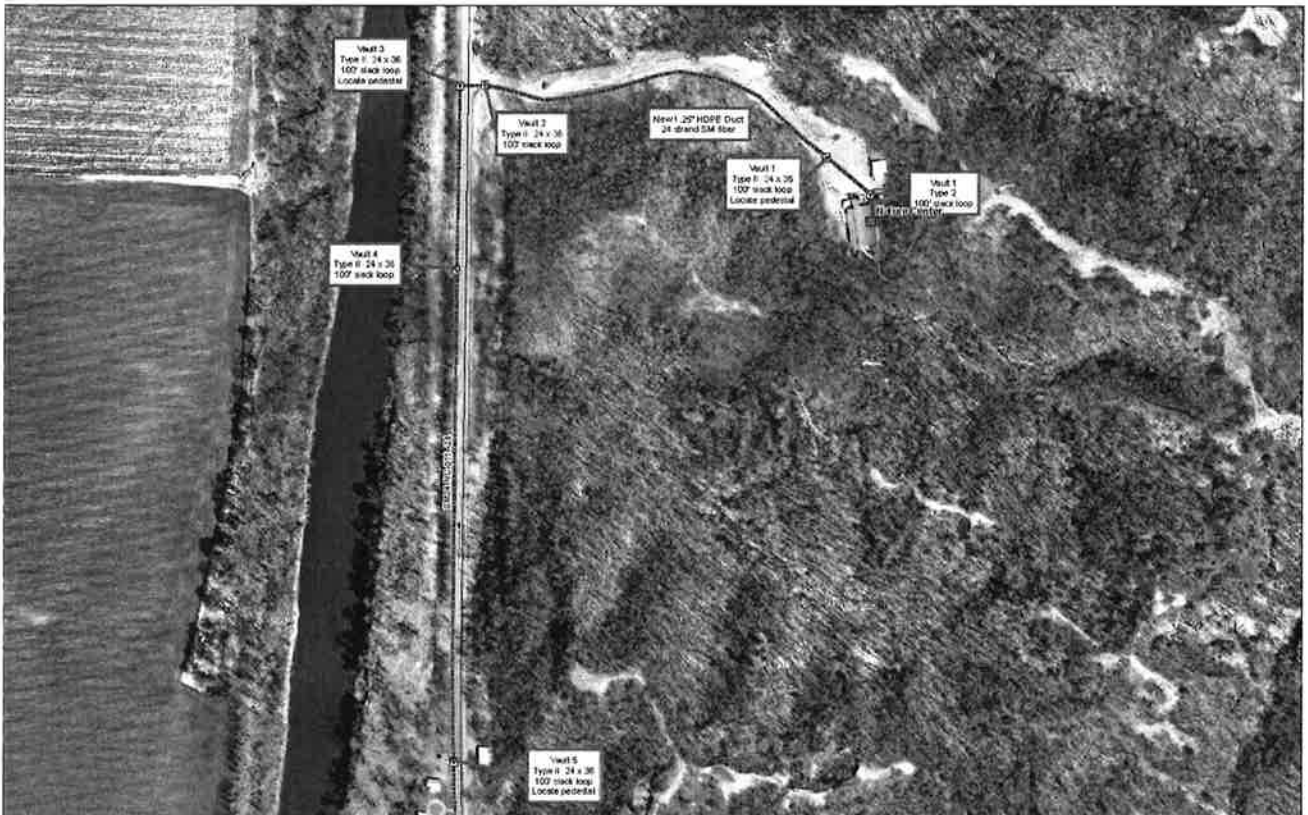


Photo 3 of 3



TELECOMMUNICATIONS FACILITIES EXCHANGE AGREEMENT

AGREEMENT (the "Agreement") made and entered into as of June 20, 2018 by and between Woodbury County, Iowa (the "County" and) the Siouxland Historical Railroad Association d.b.a. the Sioux City Railroad Museum (the Railroad Museum).

Background

- A. The County will install 1-1 ¼" underground conduit with one (1) twenty-four (24) count single mode fiber optic cable from the City vault at the intersection of Riverside Blvd and Pacquette Ave., proceeding north under the railroad tracks at Riverside Blvd and Hwy 12, to the Sioux City Railroad Museum at 3400 Sioux River Road, continuing north on Hwy 12 to the Dorothy Pecaut Nature Center, Attachment A.

Terms

NOW, THEREFORE, the parties agree as follows:

1. Obligations of the County,

The County will own, operate, and maintain the existing County Conduit described in Background Paragraphs A.

4. Grant rights to the Sioux City Railroad Museum

- (a) The County agrees to pay for all expenses for the installation of one (1) 1 ¼" underground conduit and one (1) 12 county single mode fiber cable from the main conduit route described in paragraph A to the Railroad Museum's main office building.
- (b) The County grants the Sioux City Railroad Museum the right to have conditional use of (6) dark "un-lit" fibers owned by the County as described above in paragraph A, from their main office building to the City's fiber vault located at the intersection of Riverside Blvd and Pacquette Ave. The Museum will be assigned fibers number 19,20,21,22,23,24 of the County's 24 fiber cable described in paragraph A. The Museum's use of the fiber will be limited to non-commercial purposes.
- (c) The County agrees that it will be responsible for the relocation of the County's Conduit and County's Fiber as described in paragraphs A at its expense.

5. Obligations of the Railroad Museum,

The Railroad Museum will own, operate and maintain the underground conduit and fiber cable from their main office building to the County's fiber vault described in paragraph A.

6. Grant rights to the County

- (a) The Railroad Museum agree to provide the County with an easement for access to the Railroad Museum's property, Attachment B, for the purpose of constructing the easement, owning and operating the fiber optic underground conduit, fiber optics cable and all fiber optic vaults within the property of the Railroad Museum as described in paragraph A.
- (b) The Railroad Museum agrees that it will be responsible for the relocation of the Railroad Museums Conduit and Railroad Museums fiber from their office building to the County's fiber optic vault. at its expense.

7. Hold Harmless

- (a) In no event shall the County be liable to the Railroad Museum for any interruptions to service or interference with the operations of the Railroad Museum's services or business.

8. Indemnification.

- (a) The Railroad Museum shall defend at its own expense, indemnify and hold harmless the County from all claims and liability due to activities of persons employed by or representing the Railroad Museum.

9. Miscellaneous.

- (a) This Agreement, and any related written agreement that expressly references this Agreement, constitutes the entire agreement of the parties with respect to the Railroad Museum Conduit, the County Conduit, ducts, fiber, and the County facilities, and the parties' rights and obligations with respect thereto and supersedes and cancels all prior discussions, arrangements, or agreements, written and oral, with respect to those subjects.
- (b) Each party agrees to execute such additional documents and to take such actions as may reasonably be requested by the other party to confirm or carry out the intent and purposes of this Agreement.
- (c) This Agreement shall be governed by and construed in accordance with the internal laws of the State of Iowa applicable to contracts made and to be performed entirely within such State, without regard to the conflict of laws principles of such State.
- (d) This Agreement may be executed in two or more counterparts, all of which shall be considered one and the same agreement.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

Woodbury County

Siouxland Historical Railroad Assoc.

By: _____
Rocky DeWitt
Chairman

By: Ken Brown
Ken Brown
President

Certification of County Auditor:

I Patrick Gill, certify that I am the County Auditor of Woodbury County, Iowa, and that Rocky DeWitt, who executed this Agreement for and on behalf of the County, was duly authorized and empowered to do so as of _____, 2018.

Patrick Gill
County Auditor of Woodbury County, Iowa

Certification of The Siouxland Historical Railroad Association (Sioux City Railroad Museum):

I Ken Brown, certify that I am the Executive Secretary of the Siouxland Historical Railroad Association (Sioux City Railroad Museum), and that Larry Obermeyer, who executed this Agreement for and on behalf of the Siouxland Historical Railroad Association, was duly authorized and empowered to do so as of June 20, 2018.

Larry Obermeyer
Larry Obermeyer
Executive Secretary

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

Date: 7/26/2018 Weekly Agenda Date: 7/31/2018

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

WORDING FOR AGENDA ITEM:

Consider approval of plans for project number L-B(J9)--73-97

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Plans have been completed for the replacement of a bridge on 170th Street, southeast of Merville. We request approval of the plans for letting.

BACKGROUND:

The county has programmed the 170th Street bridge for replacement. The existing bridge was damaged beyond repair in the June 2016 storm event and has been closed since then due the damage. Plans have been completed for the bridge and permitting has been received. The plans are being prepared for a August 14, 2018 local letting in the Board Room.

FINANCIAL IMPACT:

The projects are paid for with local county secondary road funds.

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

Yes No

RECOMMENDATION:

I recommend that the Board approve the plans for project number L-B(J9)--73-97.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the plans for project number L-B(J9)--73-97.

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

#13

Date: 07.26.2018 Weekly Agenda Date: 07.31.2018

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Sheriff Dave Drew

WORDING FOR AGENDA ITEM:

2018 Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa for the Byrne Justice Assistance Grant Program award.

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:

2018 Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa for the Byrne Justice Assistance Grant Program award.

BACKGROUND:

Woodbury County is submitting the 2018 JAG Grant application August 22, 2018.

FINANCIAL IMPACT:

City of Sioux City, Iowa award \$20,300.00. Woodbury County, Iowa award \$20,300.00.

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:

Approve and sign the Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa in order to complete the application process.

ACTION REQUIRED / PROPOSED MOTION:

Approve and sign the Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa.

GMS APPLICATION NUMBER 2018-H3115-IA-DJ

THE STATE OF IOWA

KNOW ALL BY THESE PRESENT

COUNTY OF WOODBURY

INTERLOCAL AGREEMENT

BETWEEN THE COUNTY OF WOODBURY, IOWA AND THE CITY OF SIOUX CITY, IOWA;

2018 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this 31st day of July, 2018 by and between The COUNTY of Woodbury, acting by and through its governing body, the Board of Supervisors, hereinafter referred to as COUNTY, and the CITY of Sioux City, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Woodbury County, State of Iowa, witnesseth:

WHEREAS, this Agreement is made under the authority of Iowa Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the COUNTY agrees to provide the CITY JAG award for the Justice Assistance Grant Program; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

COUNTY agrees to pay CITY 50% of funds received under the federal award for a total of **\$20,300.00** in JAG funds.

Section 2.

CITY agrees to use \$20,300.00 for eligible activities under the JAG program until 9-30-2022.

COUNTY agrees to use \$20,300.00 for eligible activities under the JAG program until 9-30-2022.

GMS APPLICATION NUMBER 2018-H3115-IA-DJ

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Iowa Tort Claims Act

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Iowa Tort Claims Act

Section 5.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 6.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement

Section 7.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

COUNTY OF Woodbury County

CITY OF Sioux City

Chairman, Woodbury County, IA.

Mayor, City of Sioux City, IA.

Board of Supervisors

ATTEST

Woodbury County Auditor

City Clerk