



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(NOVEMBER 2 2021) (WEEK 44 OF 2021)

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Live telephonic access at: 712-224-6014

Rocky L. DeWitt 253-0421 rdewitt@woodburycountyiowa.gov	Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov	Jeremy Taylor 259-7910 jtaylor@woodburycountyiowa.gov	Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov	Justin Wright 899-9044 jwright@woodburycountyiowa.gov
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held November 2, 2021 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 for speakers.

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, please limit your remarks 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 turn off all cell phones and other devices while in the Board Chambers.

AGENDA

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

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

Consent Agenda

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

3. Approval of the minutes of the October 26, 2021 meeting
4. Approval of claims
5. Building Services – Kenny Schmitz
Approval of items to be auctioned and/or disposed per Personal Property Disposition Policy

6. County Treasurer – Tina Bertrand
Approval of resolution for a tax abatement for S.L.
7. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Approval for the Chairman to sign the Delta Dental 2022 Renewal.
 - c. Approval for the Chairman to sign the 2022 Innovative Benefit Consultants plan renewal

End Consent Agenda

- | | |
|---|--|
| 8. Board of Supervisors – Jeremy Taylor
Remarks of appreciation of support for the county, Board of Supervisor Monson and presentation of the flag | Information |
| 9. Secondary Roads – Mark Nahra <ol style="list-style-type: none"> a. Receive bids for the Oak Ridge Park project and return them to the county engineer for review with the conservation department b. Award the bid for project STBG-SWAP-C097(142)—FG-97 to the low bidder and direct the county engineer to sign the contracts once approved and signed contract and bond are presented for signature c. Approve the federal aid project agreement for project STP-031-1(46)—2C-97 and direct the chair to sign said agreement d. Approve the federal aid project agreement for projects NHSX-020-19(179)—3H-97 and NHSX-020-19 (180)—2R-97 and direct the chair to sign said agreement | Action

Action

Action

Action |
| 10. Board Administration – Dennis Butler
Approval of resolution setting November 9, 2021 at 4:35 p.m. for a public hearing on the proposal to enter into an Amended and Substituted Lease Agreement with the Woodbury County Law Enforcement Center Authority | Action |
| 11. Reports on Committee Meetings | Information |
| 12. Citizen Concerns | Information |
| 13. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

MON., NOV. 1	6:00 p.m.	Board of Adjustment meeting, First Floor Boardroom
WED., NOV. 3	9:00 a.m.	Loess Hills Alliance Protection Meeting, Pisgah, Iowa
	10:30 a.m.	Loess Hills Alliance Stewardship Meeting
	1:00 p.m.	Loess Hills Alliance Executive Meeting
	3:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
THU., NOV. 4	10:00 a.m.	COAD Meeting, The Security Institute
WED., NOV. 10	8:05 a.m.	Woodbury County Information Communication Commission, First Floor Boardroom
	10:00 a.m.	STARComm Board Meeting, The Security Institute, WIT Campus
	12:00 p.m.	District Board of Health Meeting, 1014 Nebraska St.
	6:30 p.m.	911 Service Board Meeting, Public Safety Center, Climbing Hill
	8:00 p.m.	County's Mayor Association Meeting, Public Safety Center, Climbing Hill
THU., NOV. 11	12:00 p.m.	SIMPCO Board of Directors, 1122 Pierce St.
WED., NOV. 17	12:00 p.m.	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
	10:00 a.m.	Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
THU., NOV. 18	4:00 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
FRI., NOV. 19	12:00 p.m.	Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
MON., NOV. 22	6:00 p.m.	Zoning Commission Meeting, First Floor Boardroom
TUE., NOV. 23	2:00 p.m.	Decat Board Meeting, Western Hills AEA, Room F
WED., NOV. 24	2:30 p.m.	Rolling Hills Community Services Region Governance Board Meeting
THU., NOV. 25	11:00 a.m.	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
WED., DEC. 1	9:00 a.m.	Loess Hills Alliance Stewardship Meeting, Pisgah, Iowa
	10:30 a.m.	Loess Hills Alliance Executive Meeting
	1:00 p.m.	Loess Hills Alliance Board of Directors Meeting,
	3:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
THU., DEC. 2	10:00 a.m.	COAD Meeting, The Security Institute
FRI., DEC. 3	9:30 a.m.	SIMPCO Tri-State Legislative Forum, WITCC

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

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

OCTOBER 26, 2021, FORTY-THIRD MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, October 26, 2021 at 4:30 p.m. Board members present were Monson, Ung, De Witt, Radig, and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget Tax/Analyst, Joshua Widman, Assistant County Attorney, and Patrick Gill, Auditor/Clerk to the Board.

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

1. There were no citizen concerns.
2. Motion by De Witt second by Monson to approve the agenda for October 26, 2021. Carried 5-0. Copy filed.

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

3. To approve minutes of the October 19, 2021 meeting. Copy filed.
4. To approve the claims totaling \$413,325.54. Copy filed.
5. To receive the appointment of Eric Bebee, 100 5thAve., Hornick, IA, to fill the vacancy for City Council, City of Hornick, recently held by Derrick Fiedler, until the next regular/general Election. Copy filed.
- 6a. To approve the appointment of Daven Dekok, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 10-27-21, \$18.60/hour. Job Vacancy Posted 5-26-21. Entry Level Salary: \$17.78 to \$19.53/hour.; the separation of Mark Monson, Board Member, Board of Supervisors Dept., effective 10-31-21. End of Temporary Appointment.; the transfer of Tammy Blackburn, Clerk III, County Sheriff Dept., effective 11-01-21, \$26.54/hour, 7.7%=\$1.91/hour. Position Transfer from Clerk II to Clerk III.; the transfer of Molly Burnside, Clerk III, County Sheriff Dept., effective 11-01-21, \$26.54/hour, 7.7%=\$1.91/hour. Position Transfer from Clerk II to Clerk III.; the transfer of Cara Newman, Clerk III, County Sheriff Dept., effective 11-01-21, \$26.54/hour, 7.7%=\$1.91/hour. Position Transfer from Clerk II to Clerk III.; and the appointment of Rea Gonzalez, P/T Youth Worker, Juvenile Detention Dept., effective 11-01-21, \$20.38/hour. Job Vacancy Posted 8-25-21. Entry Level Salary: \$20.38/hour. Copy filed.
- 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for three (3) Clerk III, County Sheriff Dept., AFSCME Courthouse: \$21.54/hour. Copy filed.
- 6c. To approved and authorize the Chairperson to sign deauthorization position three (3) Senior Clerks, County Sheriff Dept. Copy filed.
7. To approve the underground utility permit for Telecom Construction (Lumen). Copy filed.

Carried 5-0.

8. Motion by De Witt second by Monson to approve the Impact 7G Processional Services Agreement. Carried 4-1; Radig opposed. Copy Filed.
9. Motion by Radig second by De Witt to receive the 2021 report of the weed commissioner. Carried 5-0. Copy filed.
- 10a. Motion by Radig second by De Witt to approve the selection of DGR Engineering for pipeline inspection work and request a contract for the work from DGR. Carried 5-0. Copy filed.
- 10b. Motion by Radig second by Monson to receive for signatures a resolution establishing a level B road system for Woodbury County.

**RESOLUTION TO ESTABLISH AREA SERVICE B ROADS
RESOLUTION #13,357**

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 309.57, (Code of Iowa) as amended and Woodbury County Ordinance #17, held a public hearing on October 12, 2021 to consider assigning roads to level B classification, and

WHEREAS, Woodbury County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "B" roads pursuant to Iowa Code Section 309.57,

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors that has determined that the following roads are hereby classified as Area Service System B Roads:

Street	Location
100th Street	between Jasper Avenue & Jewell Avenue (Plymouth County line)
120th Street	between Jewell Avenue & Knox Avenue
120th Street	between Mason Avenue & Michigan Avenue
130th Street	between Humbolt Avenue & Highway 140
130th Street	between Jewell Avenue & Knox Avenue
130th Street	between Knox Avenue & Kossuth Avenue
130th Street	between Kossuth Avenue & Lee Avenue
130th Street	between Lenox Avenue & Minnesota Ave
130th Street	between Lucas Avenue & Lenox Avenue
140th Street	between Jewell Avenue & Knox Avenue
145th Street	east from Lenox Avenue
155th Street	west of 3949 155th Street
160th Street	between Hancock Ave & 2956 160th Street
170th Street	between 2318 170th Street (Fayette Avenue) & Franklin Avenue
170th Street	between 4511 170th Street (Story Avenue) & Taylor Avenue
170th Street	between Humbolt Avenue & Hancock Avenue
170th Street	between Merville Blacktop & Humbolt Avenue
180th Street	between 3102 180th Street (Jasper Avenue) & 3197 180th Street (Jewell Avenue)
180th Street	between Pocahontas Avenue & Safford Avenue
180th Street	between Story Avenue & Taylor Avenue
190th Street	between 2360 190th Street (Emmett Avenue) & 2460 190th Street (Garner Avenue)
190th Street	between Grundy Avenue & Merville Blacktop
190th Street	between Taylor Ave & 4687 190th Street (Union Avenue)
195th Street	between 3112 195th Street (Jasper Avenue) & Knox Avenue
200th Street	between 2343 200th Street (Emmett Avenue) & Garner Avenue
200th Street	between Garner Avenue & northbound Grundy Avenue
210th Street	between 2836 210th Street (Haskell Avenue) & Hancock Avenue
210th Street	between 3110 210th Street (Jasper Avenue) & 3239 210th Street (Knox Avenue)
210th Street	between Hancock Avenue & Ida Avenue
210th Street	between Ida Avenue & Jasper Avenue
210th Street	east of 4111 210th Street (O'Brien Avenue)
230th Street	east of 1755 230th Street (Carroll Avenue)
240th Street	between Dallas Avenue & Delaware Avenue
240th Street	between Eastland Avenue & Old Highway 141
240th Street	between Pocahontas Avenue & Safford Avenue
240th Street	between Safford Avenue & Story Avenue
240th Street	east from Delaware Avenue
240th Street	west from Dallas Avenue
252nd Street	between 260th Street & O'Brien Avenue
252nd Street	between Lee Avenue & Lucas Avenue
260th Street	between 2108 260th Street (Dallas Avenue) & Old Highway 141

260th Street	between Grundy Avenue & 2663 260th Street (Moville Blacktop)
260th Street	between King Avenue & Kossuth Avenue
260th Street	between Knox Avenue & King Avenue
260th Street	between Taylor Avenue & Union Avenue
260th Street	east from Highway 31
260th Street	west from Grundy Avenue
260th Street	west of 3874 260th Street (Mason Avenue)
270th Street	between 2006 270th Street (Dallas Avenue) & Emmett Avenue
270th Street	between Emmett Avenue & Fayette Avenue
270th Street	between Fayette Avenue & Old Highway 141
270th Street	between Kossuth Avenue & Kona Avenue
270th Street	west of 4093 270th Street (O'Brien Avenue)
280th Street	between Ida Avenue & Jasper Avenue
280th Street	east of 2937 280th Street (Hancock Avenue)
290th Street	between 2103 290th Street (Eastland Avenue) & Emmett Avenue
290th Street	between Emmett Avenue & Fayette Avenue
290th Street	between Fayette Avenue & Franklin Avenue
290th Street	between Franklin Avenue & 2489 290th Street (Garner Avenue)
290th Street	west from Benton Avenue
298th Street	east of 2663 298th Street
300th Street	between Charles Avenue & Dallas Avenue
300th Street	between Emmett Avenue & Fayette Avenue
300th Street	between Garner Avenue & Grundy Avenue (Moville Blacktop)
300th Street	between Owego Road & Franklin Avenue
300th Street	east from Franklin Avenue
310th Street	east from Highway 31
320th Street	between Eastland Avenue & Emmett Ave
320th Street	between Emmett Avenue & Fayette Avenue
320th Street	between Fayette Avenue & Franklin Avenue
320th Street	between Franklin Avenue & 2527 320th Street (Moville Blacktop)
320th Street	between Humbolt Avenue & Hancock Avenue
320th Street	between O'Brien Avenue southbound & 4195 320th Street (Osceola Avenue)
325th Street	west from Moville Blacktop
Buchanan Avenue	between Old Highway 75 & 275th Street
Charles Avenue	between 130th Street & 1367 Charles Avenue (140th Street)
Delaware Avenue	between 240th Street & 2450 Delaware Avenue (250th Street)
Eastland Avenue	between 120th Street & 1277 Eastland Ave (130th Street)
Eastland Avenue	between 2330 Eastland Avenue (Old Hwy 141) & 240th Street
Emmett Avenue	between 270th Street & 280th Street
Emmett Avenue	between 290th Street & 300th Street
Emmett Avenue	between Highway 141 & 340th Street
Fayette Avenue	between 270th Street & 280th Street
Franklin Avenue	between 290th Street & 300th Street
Franklin Avenue	between 300th Street & 310th Street
Franklin Avenue	between 310th Street & 320th Street
Garner Avenue	between 100th Street & 110th Street
Garner Avenue	between 110th Street & 120th Street
Garner Avenue	between 130th Street & 140th Street
Garner Avenue	between 140th Street & 1437 Garner Avenue (150th Street)
Garner Avenue	between 2717 Garner Avenue (270th Street) & 280th Street
Garner Avenue	between 290th Street & 300th Street
Grundy Avenue	between 210th Street & eastbound 220th Street

Haskell Avenue	between 2132 Haskell Avenue (210th Street) & 220th Street
Humbolt Avenue	north and east of 3081 Humbolt Avenue
Ida Avenue	between 200th Street & 210th Street
Ida Avenue	between 210th Street & 220th Street
Jasper Avenue	between 100th Street & 110th Street
Jewell Avenue	between Highway 20 & 160th Street
King Avenue	between 258th Street & 260th Street
Knox Avenue	between 260th Street & Deer Run Trail
Knox Avenue	between 3041 Knox Avenue (Kossuth Avenue) & Old Highway 141
Kossuth Avenue	between 2314 Kossuth Avenue (230th Street) & 245th Street
Kossuth Avenue	between 260th Street & 270th Street
Kossuth Avenue	between Highway 20 & 160th Street
Lenox Avenue	between 1710 Lenox Avenue (170th Street) & 180th Street
Lucas Avenue	between 100th Street & 110th Street
Lucas Avenue	between 140th Street & 150th Street
Lucas Avenue	between 150th Street & Highway 20
Lucas Avenue	between 160th Street & 170th Street
Lucas Avenue	between 1706 Lucas Avenue (170th Street) & 180th Street
Lucas Avenue	between Highway 20 & 160th Street
Mason Avenue	between 120th Street & 130th Street
Mason Avenue	between 280th Street & Michigan Avenue
Michigan Avenue	between 240th Street & 250th Street
Newton Path	east from Osceola Avenue
Newton Path	west from Osceola Avenue
Osceola Avenue	between 2219 Osceola Avenue (220th Street) & 230th Street
Osceola Avenue	between 230th Street & 240th Street
Osceola Avenue	between 2909 Osceola Avenue (290th Street) & 300th Street
Osceola Avenue	between 300th Street & Danbury Blacktop
Owego Road	between Fayette Avenue & 300th Street
Pocahontas Avenue	between 230th Street & 240th Street
Pocahontas Avenue	between 240th Street & 250th Street
Pocahontas Avenue	south from 335th Street to county line
Sidney Avenue	between 190th Street & 1937 Sidney Avenue (200th Street)
Snake Trail	west of 3438 Snake Trail
Story Avenue	between 240th Street & 250th Street
Story Avenue	between 250th Street & 260th Street
Story Avenue	between Highway 20 & 160th Street
Taylor Avenue	between 250th Street & 260th Street
Taylor Avenue	south from 330th Street
Union Avenue	between 290th Street & Highway 175
Wayside Avenue	south from 1516 Wayside Avenue (Highway 20) to Cushing city limits
Woodbury-Ida Co. Line	north from 3087 Woodbury-Ida County Line Road

Said level B status shall be effective when appropriate signs giving notice of reduced maintenance are erected.

Passed and approved this 12th day of October, 2021
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Carried 5-0. Copy filed.

- 10c. Motion by Radig second by De Witt to approve the certificate of completion of project #L-B(C278)—79-97 with Dixon Construction, Correctionville, IA, for \$175,979.00. Carried 5-0. Copy filed.

- 10d. Motion by Monson second by De Witt to approve the certificate of completion of project #L-B(C274)—73-97 with Prahm Construction, Slayton, MN, for \$513,120.22. Carried 5-0. Copy filed.
- 10e. Motion by De Witt second by Radig to approve the contract for gravel purchase with Bedrock Gravel for \$168,750.00. Carried 5-0. Copy filed.
11. Motion by Ung second by Radig to approve a new building for training at Prairie Hills using MRHD grant funds. Carried 5-0. Copy filed.
12. The Board heard reports on committee meetings.
13. There were no citizen concerns.
14. Board concerns were heard.

The Board adjourned the regular meeting until November 2, 2021.

Meeting sign in sheet. Copy filed.

Woodbury County Personal Property Disposition Form



DATE: 11/2/21

	NAME:
	DEPARTMENT: Community & Economic Development
	AUTHORIZED REPRESENTATIVE: Building Services Director
	PHONE: 712-279-6609

Fill in the fields below (* REQUIRED):

Item Description*	Loveseat sleeper from Community & Economic Development office.
Estimated Value*	\$ 50.00
Current Location*	Courthouse
County Asset Number	
Serial/VIN Number	
Year	
Make/Model	
Auction Reserve	
Notes	




For Office Use Only:

GovDeals ID #	400
Sale Price	
Date	

Woodbury County Personal Property Disposition Form



DATE: 11/2/21

	NAME:
	DEPARTMENT: Building Services
	AUTHORIZED REPRESENTATIVE: Building Services Director
	PHONE: 712-279-6539

Fill in the fields below (* REQUIRED):

Item Description*	Lincoln Electric welder.
Estimated Value*	\$ 100.00
Current Location*	Building Services
County Asset Number	334
Serial/VIN Number	
Year	
Make/Model	
Auction Reserve	
Notes	




For Office Use Only:

GovDeals ID #	401
Sale Price	
Date	

Woodbury County Personal Property Disposition Form



DATE: 11/2/21

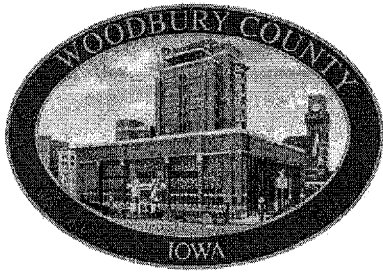
	NAME:
	DEPARTMENT: Building Services
	AUTHORIZED REPRESENTATIVE: Building Services Director
	PHONE: 712-279-6539

Fill in the fields below (* REQUIRED):

Item Description*	Office chairs (2).
Estimated Value*	\$ 10.00
Current Location*	Courthouse
County Asset Number	
Serial/VIN Number	
Year	
Make/Model	
Auction Reserve	
Notes	

For Office Use Only:

GovDeals ID #	402
Sale Price	
Date	



Tina M Bertrand
Treasurer of Woodbury County
Property Tax
822 Douglas Street Suite 102
Sioux City, IA 51101
712-279-6495

October 25, 2021

Abatement of taxes

Dear Board of Supervisors,

The following mobile home needs the March 2022 taxes abated:

1969 Homette owned by Sheryl Kay Livingston VIN-MK874C. A junking certificate was issued on this mobile home on 10-1-21. Total of taxes abated is \$59.00.

Thank you for your time,

A handwritten signature in cursive script that reads "Janet L. Trimpe".

Janet L. Trimpe
Woodbury County Tax Deputy

WOODBURY COUNTY, IOWA

RESOLUTION #

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Sheryl Kay Livingston is the titleholder of a mobile home VIN #MK874C located in Woodbury County, Iowa and legally described as follows:

VIN #MK874C 1969 Homette

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Sheryl Kay Livingston.

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 2nd day of November, 2021.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor/Recorder

Rocky De Witt, Chairman

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

Date: 10/28/2021 Weekly Agenda Date: 11/02/2021

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

WORDING FOR AGENDA ITEM:

Approval for the Chairman to sign the Delta Dental 2022 Renewal

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The paper work for the renewal of Woodbury County's dental plan is being submitted. This renewal lays out the administrative rates, direct bill and COBRA rates for 2022.

BACKGROUND:

Delta Dental renews annually on January 1.

FINANCIAL IMPACT:

The administrative rates have increased slightly by \$.13 per contract.

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 motion.

ACTION REQUIRED / PROPOSED MOTION:

Accept the 2022 dental renewal for signature.



**Woodbury County
Group # 33541
Rating Period 1/1/22 through 12/31/23
Financial Exhibit**

Delta Dental PPOSM

Experience Period Claims Paid 9/1/20 through 8/31/21

Claims Paid 9/1/20 through 8/31/21	\$217,495
Adjustment of Claims to Incurred Basis	\$6,727
Incurred Claims	\$224,222
Trend in Claims	\$12,041
Projected Claims Based on Current Experience	\$236,262
Claims and Enrollment Fluctuation Adjustment	\$2,435
Projected Annual Claims Based on Current Enrollment	\$238,698

<u>Fixed Fees</u>	<u>Per Contract</u>	
Operating Costs	\$5.63	\$24,795
Broker Fee	\$0.00	\$0
Subtotal Fixed Fees	\$5.63	\$24,795
Projected Annual Expense		\$263,492

<u>Current Enrollment</u>			
<u>Single</u>	<u>E/S</u>	<u>E/C</u>	<u>Family</u>
174	82	30	81
Projected Claim Factors 1/1/22 through 12/31/22			
<u>Single</u>	<u>E/S</u>	<u>E/C</u>	<u>Family</u>
\$27.66	\$58.32	\$70.46	\$101.03
 Fixed Fees			
Cost Per Contract			
<u>Current</u>	<u>2022</u>	<u>2023</u>	
\$5.50	\$5.63	\$5.76	
 Suggested Rates 1/1/22 through 12/31/22			
<u>Single</u>	<u>E/S</u>	<u>E/C</u>	<u>Family</u>
\$30.53	\$64.37	\$77.77	\$111.53
 Direct Bill Rates 1/1/22 through 12/31/22			
<u>Single</u>	<u>E/S</u>	<u>E/C</u>	<u>Family</u>
\$30.84	\$65.02	\$78.28	\$112.81
 COBRA Direct Bill Rates 1/1/22 through 12/31/22			
<u>Single</u>	<u>E/S</u>	<u>E/C</u>	<u>Family</u>
\$31.46	\$66.32	\$79.84	\$115.07
The Direct Bill Rates above will be the amount charged unless desired rates are communicated to DDIA at least 45 days prior to the start of this contract period.			

Percent of Premium Contributed by Employer: Single _____ % Emp/Spouse _____ % Emp/Child(ren) _____ % Family _____ %

Total Employees Enrolled: _____

Total Employees Eligible: _____

Signature of Group Administrator
Please sign and return to fax # 888-337-5157 or
email to: TeamReNew@deltadentalia.com

E-Mail Address

Date

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

Date: 10/27/2021 Weekly Agenda Date: 11/02/2021

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas

WORDING FOR AGENDA ITEM:

Approval for the Chairman to sign the 2022 Innovative Benefit Consultants plan renewal.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

This renewal is for third party administrative services of our flexible medical benefits, dependent care benefits and HRA.

BACKGROUND:

This year, once again, IBC will perform our non-discrimination test with the IRS and the annual carryover amount is \$550, with the possibility of it increasing to \$575 depending on a possible IRS ruling.

FINANCIAL IMPACT:

Admin fees equal \$4.50 per member per month.

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 motion.

ACTION REQUIRED / PROPOSED MOTION:

Accept the 2022 IBC renewal for signature.



Innovative
Business
Consultants

412 Water Street
Sioux City, IA 51103
P 712-277-2424
F 712-277-2622

HRA, Flex and Dependent Care Employer Form

SECTION 1: EMPLOYER INFORMATION			
Employer Name	Woodbury County	Primary Contact Name	Melissa Thomas
Employer Address	620 Douglas Street Sioux City IA 51101	Title	Human Resource Director
		Contact Phone	712-279-6480
		Contact Email	melissathomas@woodburycountyiowa.gov
Corporate Name	Woodbury County		
Corporate Street Address (physical location)	620 Douglas Street		
City	Sioux City	State	IA
		Zip	51101
Federal Tax ID	42-6005221	Corporate Phone Number	712-279-6480
Business Entity Type	<input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Non-Profit Organization <input checked="" type="checkbox"/> Government Entity or Church		
SECTION 2: FLEX PLAN DESIGN			
Plan Type	<input checked="" type="checkbox"/> Renewal <input type="checkbox"/> New		
Plan Year	01/01/2022 12/31/2022		
Plan Options	Dependent Care Account	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Flexible Spending Account	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	HRA Employer Funded Account	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Payment Features	<input checked="" type="checkbox"/> Benny Debit Card (<i>Funding on a weekly basis</i>)		
	<input checked="" type="checkbox"/> Pay Provider		
	<input checked="" type="checkbox"/> Pay Member <i>Claims reimbursement submitted in person, via fax, mail or online</i>		
	Minimum check Amount \$20.00		
	Claims Reimbursed:	<input checked="" type="checkbox"/> Daily	<input type="checkbox"/> Weekly
	Frequency of Electronic Fund Transfers:	<input type="checkbox"/> Daily	<input checked="" type="checkbox"/> Weekly
Runout Period <i>Last date to submit claims for services received in the plan year</i>	Do you offer a 90-day runout period for both Flex and Dependent Care?		
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other:		
	Do mid-year terms have same runout period as above?		
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, provide runout timing:		
Divisions <i>For reporting purposes</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Carryover Option <i>Applies to Flex only</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

	\$550 Maximum Carryover Amount agreed to change to IRS maximum of \$575 if changed for 2022
Grace Period	Grace Period offered and applies to both HC and DC FSA Plans? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Only Flex Spending <input type="checkbox"/> Only Dependent Care Grace Period, if applicable, 2.5 months? NA <input type="checkbox"/> Yes Other:
Flex Spending Account	Minimum: \$0 Max: \$2750 agreed to change to IRS maximum of \$2,800 if changed for 2022 Employer contribution applies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, how much: \$
Dependent Care Account	Minimum: \$0 Max \$5000 agreed to change to IRS maximum of \$10,500 if changed for 2022 Employer contribution applies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, how much: \$
Employer Contribution Schedule if applicable	<input type="checkbox"/> 100% on Plan Year Start Date <input type="checkbox"/> 1 st Day of the Month (divided by 12) <input type="checkbox"/> Participants Payroll Frequency <input checked="" type="checkbox"/> Customize: HRA paid FOM for EE health insurance premium- 1 year duration only

SECTION 3: HRA PLAN DESIGN	
Health Reimbursement Arrangement <small>An HRA may not provide tax-free benefits to self-employed individuals (e.g. sole proprietors, partners, and more-than-2% Subchapter S corporation shareholders and their spouse, child, parent or grandparent). Individuals not allowed participation in a Cafeteria Plan include: self-employed individuals (but they can sponsor a plan); partners in a partnership (but the partnership can sponsor a plan); and a more-than-2% shareholder in a Subchapter S corporation.</small>	<input checked="" type="checkbox"/> Option 1: HRA pays 100% of health insurance premium to member <input type="checkbox"/> Option 2: Upfront Member HRA Deductible _____ to plan maximum _____ <input type="checkbox"/> Option 3: Upfront Member HRA Deductible ___ HRA Pays ___% to plan maximum ____ Aggregate Deductible: <input type="checkbox"/> All family members or any one member could satisfy the deductible or entire funding Embedded Deductible: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ___2x Individual amount ___3x Individual amount <small>(Embedded: a specific number of family members must meet the HRA individual deductible along with the family meeting an HRA deductible)</small> Individual Cap: <input type="checkbox"/> Yes Amount \$ _____ <input checked="" type="checkbox"/> No <small>(Limits funding on each individual within a family)</small> HRA Expense List: <input type="checkbox"/> Deductible <input type="checkbox"/> Coinsurance <input type="checkbox"/> Prescriptions <input type="checkbox"/> Copay <input checked="" type="checkbox"/> retiree premium In-network Claims only? <input type="checkbox"/> Yes <input type="checkbox"/> No Pro-Ration of HRA- I would like new enrollees to receive a pro-rated HRA amount for the months that they are enrolled in the plan year. <input type="checkbox"/> Yes <input type="checkbox"/> No Pro-Ration Method: <input type="checkbox"/> Monthly (1/12) <input type="checkbox"/> Quarterly (1/4) Divisions by Location: <input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 4: ENROLLMENT INFORMATION	
Open Enrollment Dates	11/1/2021-11/30/2021
Collecting Enrollment Information	How will enrollment information be collected by the employer from the employee <i>(please describe)</i> : Online enrollments – may have some paper enrollments
Providing Enrollment Information to IBC	How will enrollment information be provided to IBC (select one): <input checked="" type="checkbox"/> IBC Online Portal

- Excel file to be uploaded to IBC
- Manual enrollments

If contact responsible for this is different than the Primary Contact, please provide information below:

Contact Name: **Melissa Thomas** Title: Human Resource Director
 Contact Phone: Contact Email: melissathomas@woodburycountyiowa.gov

SECTION 5: ELIGIBILITY

New Hire Waiting Period	Healthcare FSA: first of the month following 30-days Dependent Care FSA: first of the month following 30-days HRA: 20 years or 500 hours Waiting period applies to new hires during OE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Who is eligible	<input checked="" type="checkbox"/> Full Time Only Per union contract
# of Hours Required for Eligible Status	Follows medical plan eligibility rules HRA: 20 years of service and 500 hours.
Effective Date	<input checked="" type="checkbox"/> 1 st of the month after meeting eligibility requirements
Termination	When does coverage end upon termination? <input checked="" type="checkbox"/> Termination Date <input type="checkbox"/> End of month following termination

SECTION 6: QUALIFIED CHANGES

Election Changes	Election changes must be submitted within 30 days after the date of the event. <i>(Enter 0 if midyear election changes are not allowed under this Plan)</i>
Coverage Begins	If qualified changes allowed, coverage following a qualified life change will begin: <i>(select one)</i> <input type="checkbox"/> On any day of the month following request for new enrollment or change in enrollment. <input checked="" type="checkbox"/> On the first of the month following request for new enrollment or change in enrollment (with the exception of changes resulting from birth, adoption or placement for adoption, which will be made as of the date of the qualified event in accordance with HIPAA).
Coverage Ends	If Coverage ends due to qualified event, coverage ends: Any day of the month <input checked="" type="checkbox"/> End of the month

SECTION 7: PAYROLL CONTRIBUTION REPORTING

Payroll Frequency	FLEX: <input type="checkbox"/> Monthly (12) <input type="checkbox"/> Bi-Weekly (24) <input checked="" type="checkbox"/> Bi-Weekly (26) <input type="checkbox"/> Weekly (52) <input type="checkbox"/> Semi-Monthly HRA: <input type="checkbox"/> Beginning of Plan Year <input checked="" type="checkbox"/> Other: Per eligibility guidelines for retirees
First payroll date in plan year	12/31/2020 Every other Friday due to the 1st of Jan. falling on a Friday.

SECTION 8: OTHER CONTACTS

Contact: Lisa Anderson	Secretary	
(712) 279-6480	Fax #:	lisanderson@woodburycountyiowa.gov
Contact:		
(712) 279-6480	Fax #:	

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

Date: 10/28/2021 Weekly Agenda Date: 11/2/2021

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

WORDING FOR AGENDA ITEM:

Remarks of Appreciation of Support for the County, Board of Supervisor Monson and Presentation of Flag

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

As Supervisor Taylor was on military deployment, and Mark Monson was appointed on temporary basis to fill the vacancy, Taylor wishes to thank all involved.

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:

Receive remarks and flag brought back from overseas deployment.

ACTION REQUIRED / PROPOSED MOTION:

No action required.

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

Date: 10/28/2021 Weekly Agenda Date: 11/2/2021

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

WORDING FOR AGENDA ITEM:

Receive bids for the Oak Ridge Park project

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Plans have been completed for repairs to a dike and outlet structure for a watershed in Oak Ridge Park for the Conservation Department. Bids are due at the Board meeting on 11/2/2021

BACKGROUND:

The project will repair a dam embankment that provides watershed retention and wetland habitat in the Oak Ridge Park area. The county successfully applied for Hungry Canyons funds to pay for the majority of the project.

FINANCIAL IMPACT:

The projects are paid for with Woodbury County Conservation and Hungry Canyons 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 receive the bids for the Oak Ridge Park project and return them to the county engineer for review with the conservation department.

ACTION REQUIRED / PROPOSED MOTION:

Motion to receive bids for the Oak Ridge Park project and return them to the county engineer for review with the conservation department.

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

Date: 10/28/2021 Weekly Agenda Date: 11/2/2021

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

WORDING FOR AGENDA ITEM:

Consider award of bid for project number STBG-SWAP-C097(142)--FG-97 and approve resolution to direct county engineer to sign contract and bond

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The county received bids through Iowa DOT for PCC Pavement Replacement on County Route K64/Moville Blacktop north of IA Hwy 141.

BACKGROUND:

Woodbury County prepared plans for replacement of the pavement on K64 through the town of Hornick, north to 300th Street, then east to Highway 141. Bids were received and a recommendation is made for award. Due to fast changing material costs and in cooperation with DOT Office of Contracts, we asked to accelerate contract signing as shown in the resolution.

FINANCIAL IMPACT:

The bank protection project is paid for with SWAP funds from the RPA matched with Woodbury County farm to market funds, local funds, and city of Hornick reimbursement of costs within town.

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

Yes No

RECOMMENDATION:

Recommend that the board award the bid for project STBG-SWAP-C097(142)--FG-97 to the low bidder and direct the county engineer to sign the contracts once proper paperwork is presented by the contractor.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board award the bid for project STBG-SWAP-C097(142)--FG-97 to the low bidder and direct the county engineer to sign the contracts once approved and signed contract and bond are presented for signature.

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

Date: 10/28/2021 Weekly Agenda Date: 11/02/2021

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

WORDING FOR AGENDA ITEM:

Consider approval of a project agreement with Iowa DOT for project numbered STP-031-1(46)--2C-97

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Iowa DOT has prepared plans for the HMA overlay of Highway 31 from Oto to Old Highway 20. A project agreement is presented for board approval.

BACKGROUND:

The county engineers office requested that during the resurfacing of Highway 31, that the DOT add paved approach fillets at all county road intersections with Highway 31. The county is required to pay the cost for these fillets beyond the shoulder line of highway 31. The paved fillets improve safety for our motor graders by allowing them to grade up to the fillet, separated from traffic.

FINANCIAL IMPACT:

The project cost will be paid with Woodbury County local 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:

Recommend that the board approve the project agreement with the Iowa DOT for the above captioned project and direct the chair to sign the agreement.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the federal aid project agreement for project STP-031-1(46)--2C-97 and direct the chair to sign said agreement.

July 2014

**IOWA DEPARTMENT OF TRANSPORTATION
Preconstruction Agreement
For Primary Road Project**

County	<u>Woodbury</u>
Project No.	<u>STP-031-1(46)—2C-97</u>
Iowa DOT	
Agreement No.	<u>2022-C-038</u>
Staff Action No.	<u></u>

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and Woodbury County, Iowa, a Local Public Agency, hereafter designated the "LPA" in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4 as applicable;

The DOT proposes to establish or make improvements to Iowa 31 within Woodbury County, Iowa; and

The DOT and the LPA are willing to jointly participate in said project, in the manner hereinafter provided; and

This Agreement reflects the current concept of this project which is subject to modification by mutual agreement between the LPA and the DOT; and

Therefore, it is agreed as follows:

1. Project Information

- a. The DOT will design, let, and inspect construction of the following described project in accordance with the project plans and DOT standard specifications:

Hot Mix Asphalt (HMA) resurfacing on Iowa 31 from the south corporate limit of Oto to County Road D22. See Exhibit A for location.

- b. Paving of granular secondary road approaches beyond 2 feet from the edge of the primary road pavement shall be 100% LPA cost based on the estimated quantities as shown on Exhibit B.

2. Project Costs

- a. The LPA shall reimburse the DOT for its share of the project costs estimated at \$74,934.00, as shown in Exhibit B. The amount paid by the LPA upon completion of construction and proper billing by the DOT will be determined by the actual quantities in place and the accepted bid at the contract letting.
- b. The DOT will bear all costs except those allocated to the LPA under other terms of this Agreement.

3. Traffic Control

- a. Iowa 31 through-traffic will be maintained during the construction.

4. Right of Way and Permits

- a. The DOT will be responsible for the coordination of utility facility adjustments for the primary road project.

5. Construction & Maintenance

- a. Upon completion of the project, no changes in the physical features thereof will be undertaken or permitted without the prior written approval of the DOT.
- b. Future maintenance of the primary highway within the project area will be carried out in accordance with the terms and conditions contained in Instructional Memorandum 7.110.

6. General Provisions

- a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.
- b. The LPA will comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as required by Iowa Code Chapter 216. No person will, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which State funds are used.
- c. It is the intent of both parties that no third party beneficiaries be created by this Agreement.
- d. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.
- e. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
- f. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

July 2014

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2022-C-038 as of the date shown opposite its signature below.

BOARD OF SUPERVISORS OF WOODBURY COUNTY:

By: _____ Date _____, 20____.
Chairperson

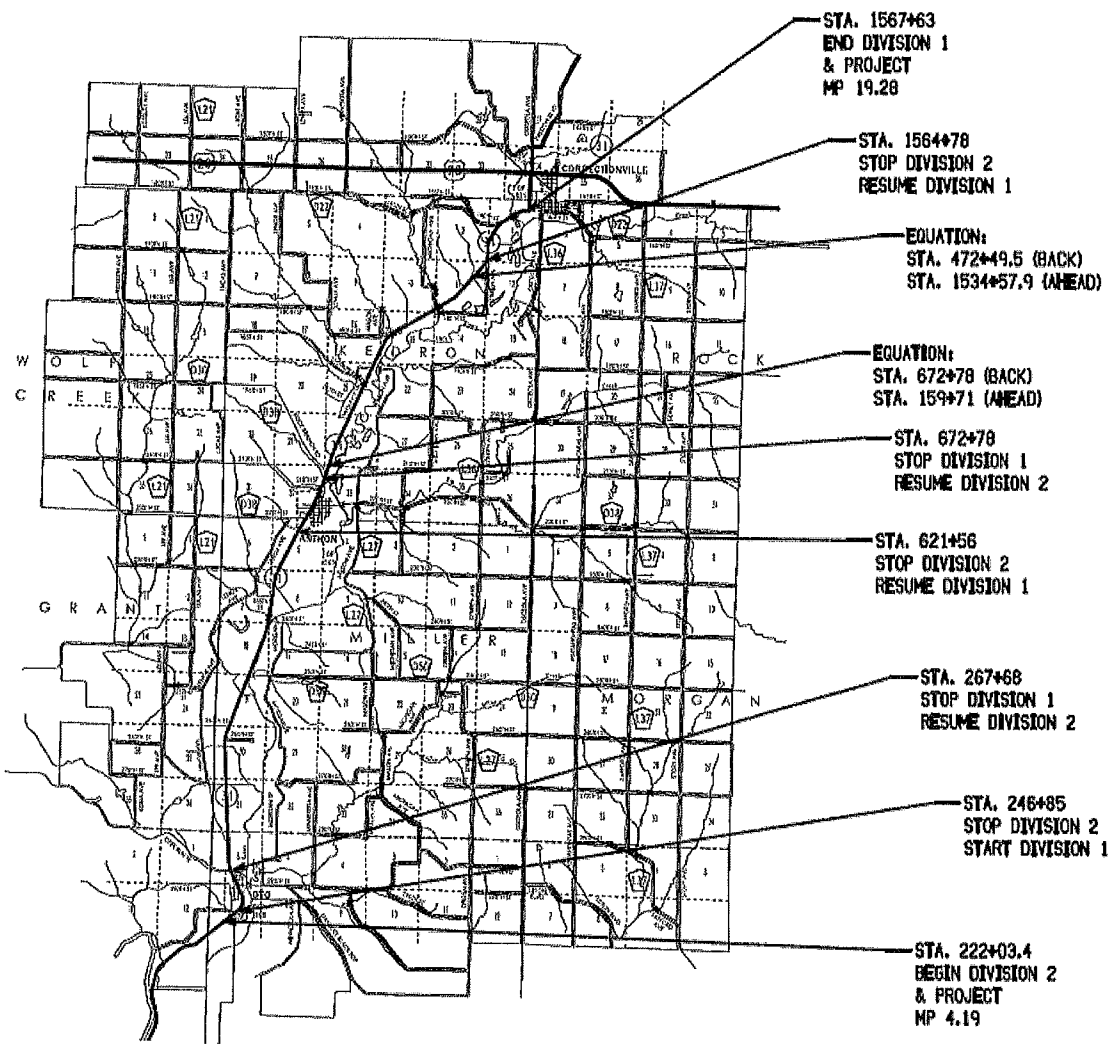
ATTEST:

By: _____
County Auditor

IOWA DEPARTMENT OF TRANSPORTATION:

By: _____ Date _____, 20____.
Tony G. Lazarowicz
District Engineer
District 3

Exhibit A – Project Location



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

Date: 10/28/2021 Weekly Agenda Date: 11/02/2021

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

WORDING FOR AGENDA ITEM:

Consider approval of a project agreement with Iowa DOT for project numbered NHSX-020-19(179)--3H-97 and NHSX-020-19(180)--2R-97

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Iowa DOT has prepared plans for a grading and paving project on US Highway 20 from US 75 to Whiskey Creek. A project agreement is presented for board approval.

BACKGROUND:

The Iowa DOT, as part of a grading and paving project on US Hwy 20, will be regrading portions of county roads, specifically Carroll Avenue, Buchanan Avenue, and Grandy Drive. This agreement gives Iowa DOT to acquire right of way and perform the work of connecting county roads to the new Hwy 20 alignment.

FINANCIAL IMPACT:

No project costs are allocated to the county as part of this project. Some work on behalf of the county that will be determined at a later date will be paid with Woodbury County local 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:

Recommend that the board approve the project agreement with the Iowa DOT for the above captioned projects and direct the chair to sign the agreement.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the federal aid project agreement for projects NHSX-020-19(179)--3H-97 and NHSX-020-19(180)--2R-97 and direct the chair to sign said agreement.

July 2014

**IOWA DEPARTMENT OF TRANSPORTATION
Preconstruction Agreement
For Primary Road Project**

County	<u>Woodbury</u>
Project No.	<u>NHSX-020-1(179)--3H-97 & NHSN-020-1(180)--2R-97</u>
Iowa DOT Agreement No.	<u>2022-C-035</u>
Staff Action No.	<u>N/A</u>

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and Woodbury, Iowa, a Local Public Agency, hereafter designated the "LPA" in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4 as applicable;

The DOT proposes to establish or make improvements to Iowa 20 within Woodbury County, Iowa; and

The DOT and the LPA are willing to jointly participate in said project, in the manner hereinafter provided; and

This Agreement reflects the current concept of this project which is subject to modification by mutual agreement between the LPA and the DOT; and

Therefore, it is agreed as follows:

1. Project Information

- a. The DOT will design, let, and inspect construction of the following described project in accordance with the project plans and DOT standard specifications:

Grade and new Pavement from the U.S. 75/Iowa 12 Interchange in Sioux City to Little Whiskey Creek (east bound and west bound). See Exhibit A for location.

2. Project Costs

- a. The DOT will bear all costs except those allocated to the LPA under other terms of this Agreement.

3. Right of Way and Permits

- a. The DOT will be responsible for the coordination of utility facility adjustments for the primary road project.
- b. In connection with this project any real estate and rights to real estate necessary for right of way at the connection of any public road and a primary highway project, any access road or frontage road, or any permanent utility easements which are or which will be under the jurisdiction of the LPA may be acquired by the DOT, for and in the name of the LPA. Where acquired by contract the LPA will receive title from the contract seller and the LPA will accept title thereto. Where acquired by condemnation, a single joint condemnation proceeding will be instituted by the DOT to acquire real estate or rights in real estate needed by the LPA for the LPA and to acquire real estate or rights in real estate needed by the DOT for the DOT. See Exhibit B for the location of the to be acquired right of way.

4. Construction & Maintenance

- a. Upon completion of the project, no changes in the physical features thereof will be undertaken or permitted without the prior written approval of the DOT.
- b. Future maintenance of the primary highway within the project area will be carried out in accordance with the terms and conditions contained in Instructional Memorandum 7.110.

5. General Provisions

- a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.
- b. The LPA will comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as required by Iowa Code Chapter 216. No person will, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which State funds are used.
- c. It is the intent of both parties that no third party beneficiaries be created by this Agreement.
- d. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.
- e. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
- f. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

July 2014

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2022-C-035 as of the date shown opposite its signature below.

BOARD OF SUPERVISORS OF WOODBURY COUNTY:

By: _____ Date _____, 20__.
Chairperson

ATTEST:

By: _____
County Auditor

IOWA DEPARTMENT OF TRANSPORTATION:

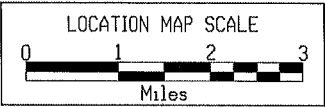
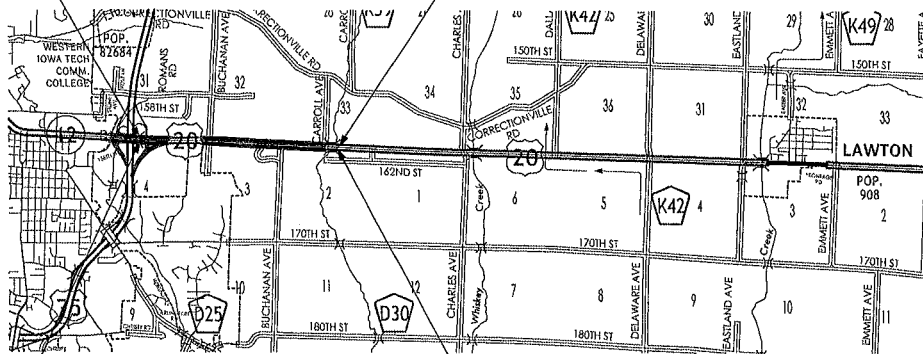
By: _____ Date _____, 20__.
Tony G. Lazarowicz
District Engineer
District 3

STA. 443+82.43
BEGIN WB CONSTRUCTION

STA. 559+19.37
END WB CONSTRUCTION

BEGIN EB CONSTRUCTION
STA. 443+84.62

END EB CONSTRUCTION
STA. 558+77.07

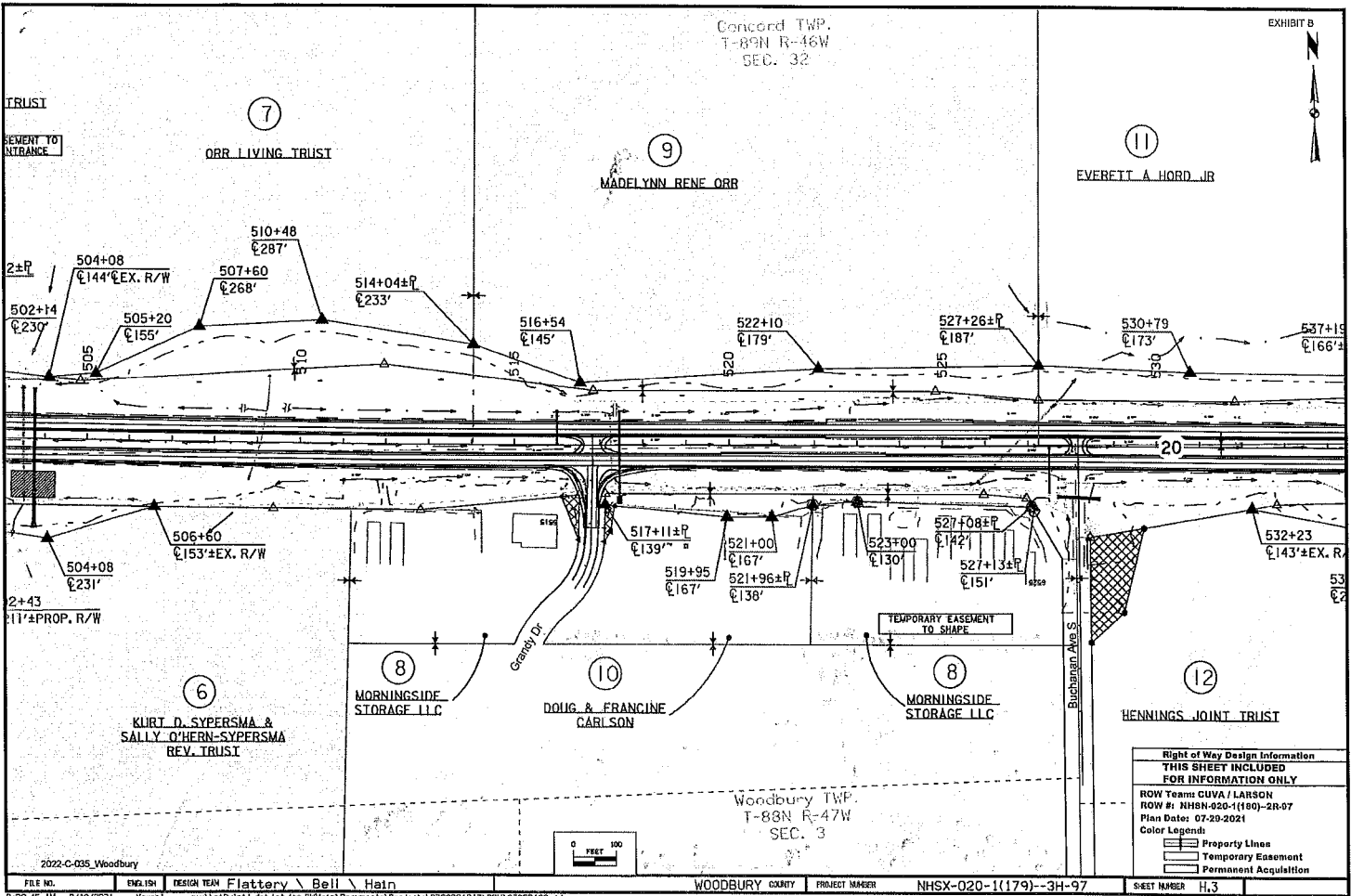


2022-03-03 Woodbury	DESIGN TEAM Flattery \ Bell \ Hein	WOODBURY COUNTY	PROJECT NUMBER NHSX-020-1(179)--3H-97	SHEET NUMBER A.2
FILE NO.	ENGLISH			

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Concord TWP.
T-89N R-46W
SEC. 32

EXHIBIT B



ORR LIVING TRUST

MADELYNN RENE ORR

EVERETT A HORD JR

KURT D. SYBERSMA &
SALLY O'HERN-SYBERSMA
REV. TRUST

MORNINGSIDE
STORAGE LLC

DOUG & FRANCINE
CARLSON

MORNINGSIDE
STORAGE LLC

HENNINGS JOINT TRUST

Woodbury TWP.
T-88N R-47W
SEC. 3

Right of Way Design Information	
THIS SHEET INCLUDED FOR INFORMATION ONLY	
ROW Team: GUYA / LARSON	
ROW #: NHSX-020-1(180)-2R-07	
Plan Date: 07-20-2021	
Color Legend:	
	Property Lines
	Temporary Easement
	Permanent Acquisition



8/20/2021 8/19/2021 jlarson1 p:\V\p\int1.dot\int1.tan#Main\Documents\Projects\970201017\ROW\97020180.sht

RESOLUTION NO. _____

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO AN AMENDED AND SUBSTITUTED LEASE AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, (the "County") should provide for the authorization of An Amended and Substituted Lease Agreement with the Woodbury County Law Enforcement Center Authority (the "Authority") for the purpose of construction and operation of a new law enforcement center facility as hereinafter described; and

WHEREAS, Iowa Code Section 346.27 provides that the Authority shall have and exercise certain public and essential governmental powers and functions including the right to lease all or any part of a building to an incorporating unit upon rental terms agreed upon between the Authority and the incorporating unit; and

WHEREAS, the Authority and County have negotiated the form of a proposed Lease Agreement (the "Lease") by and between the Authority and the County, which would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease and would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease; and

WHEREAS, the Authority and County entered into a lease agreement dated September 1, 2021. Said lease provided that the Authority and County would update the lease agreement with an Amended and Substituted Lease Agreement when Additional Bonds were issued by the Authority. The Authority is now issuing additional bonds and the Authority and County wish to enter into an Amended and Substituted Lease Agreement.

WHEREAS, neither Chapter 331 nor any other Code provision sets forth any procedural action required to be taken before said Lease can be approved, and pursuant to Section 331.301(5), Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the Woodbury County Auditor causes to be published notice of the proposal and of the time and place of the meeting at which the Board of Supervisors proposes to take action thereon and to receive oral and/or written objections to such action; and

WHEREAS, the following action is now considered to be in the best interests of the County.

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

Section 1. That this Board of Supervisors meet in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:35 P.M. on November 9, 2021, for the purpose of holding a public hearing and taking action on the matter of the proposal to enter into the Lease with the Woodbury County Law Enforcement Center Authority.

Section 2. That the Woodbury County Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in Woodbury County, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA, ON THE MATTER OF THE PROPOSAL TO ENTER INTO AN AMENDED AND SUBSTITUTED LEASE AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, Iowa, will hold a public hearing on November 9, 2021, at 4:35 P.M. in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board of Supervisors proposes to take action on the proposal to enter into an Amended and Substituted Lease Agreement (the "Lease") with the Woodbury County Law Enforcement Center Authority (the "Authority").

The Lease would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center Facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease.

The Lease would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease.

A copy of the Lease is on file for public inspection during regular business hours in the office of the Auditor of Woodbury County, Iowa.

At the above meeting the Board of Supervisors shall receive oral or written objections to the proposal to enter into the Lease. After all objections have been received and considered, the Board of Supervisors will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Lease.

This notice is given by order of the Board of Supervisors of Woodbury County, Iowa.

Dated this 2nd day of November, 2021.

Auditor, Woodbury County, Iowa

(End of Notice)

PASSED AND APPROVED this 2nd day of November, 2021.

Chairperson

ATTEST:

County Auditor