



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS ( FEBRUARY 8 ) (WEEK 6 OF 2022)

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

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held February 8, 2022 at 4:00 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

3:15 p.m. 1. Closed Session {Iowa Code Section 21.5 (j)} First Floor Boardroom

4:00 p.m. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

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

Consent Agenda

Items 4 through 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.

- 4. Approval of the minutes of the February 1, 2022 meeting
5. Approval of claims
6. County Treasurer – Tina Bertrand
Approval of resolution for abatement of taxes for R.B. & D.B.

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

### End Consent Agenda

- |                                |  |             |
|--------------------------------|--|-------------|
| <b>4:05 p.m.</b><br>(Set time) | 8. Community & Economic Development  |             |
|                                | a. Public hearing to amend the text in Sub-Section 2.01.4 and 2.01.5 of the Woodbury County Zoning Ordinance   | Action      |
|                                | b. Motion to approve the ordinance to amend Sub-Sections 2.01.4 and 2.01.5 in the County Zoning Ordinance  | Action      |
|                                | c. Motion to conduct the first reading of the ordinance  | Action      |
|                                | d. Motion to approve the Rules of Procedure for the Woodbury County Zoning Commission and Board of Adjustment  | Action      |
|                                | 9. Board of Supervisors – Jeremy Taylor  |             |
|                                | a. Discussion and action to approve the revised auction agreement with Stalcup Ag Service and authorize Chairperson to sign  | Action      |
|                                | b. Discussion and action to re-affirm the Rolling Hills Community Services Region employees' employment, that Woodbury County is record of employer for purposes of all costs related to employee, is reimbursed by the Region | Action      |
|                                | 10. Secondary Roads – Mark Nahra   |             |
|                                | a. Approve the certificate of completion of project L-B(M66)—73-97 with Godbersen Smith Construction of Ida Grove, Iowa for \$261,771.85   | Action      |
|                                | b. Discussion of gravel mining and land development in county gravel pits north of Little Sioux Park   | Information |
|                                | 11. <b>Budget Review Discussion for FY 2023</b>  |             |
|                                | Discussion and action of the FY 23 Woodbury County budget for all Departments and divisions  | Action      |
|                                | 12. Reports on Committee Meetings  | Information |
| 13. Citizen Concerns           | Information  |             |
| 14. Board Concerns             | Information  |             |

### ADJOURNMENT

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

<b>WED., FEB. 9</b>	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>10:30 a.m.</b>	Western Iowa Tourism Region Meeting, Lake City, Iowa
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.
<b>THU., FEB. 10</b>	<b>7:30 a.m.</b>	SIMPCO Executive-Finance Committee Meeting, Hybrid
	<b>12:00 p.m.</b>	SIMPCO Board of Directors, Hybrid
	<b>4:00 p.m.</b>	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
<b>WED., FEB. 16</b>	<b>12:00 p.m.</b>	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
	<b>1:00 p.m.</b>	Regional Iowa Workforce Development Meeting, 2508 4 <sup>th</sup> Street, Sioux City
	<b>10:00 a.m.</b>	Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
<b>THU., FEB. 17</b>	<b>4:30 p.m.</b>	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
<b>FRI., FEB. 18</b>	<b>12:00 p.m.</b>	Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
<b>TUE., FEB. 22</b>	<b>2:00 p.m.</b>	Decat Board Meeting, Western Hills AEA, Room F
<b>WED., FEB. 23</b>	<b>2:30 p.m.</b>	Rolling Hills Community Services Region Governance Board Meeting
<b>THU., FEB. 24</b>	<b>11:00 a.m.</b>	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
<b>MON., FEB. 28</b>	<b>6:00 p.m.</b>	Zoning Commission Meeting, First Floor Boardroom
<b>WED., MAR. 2</b>	<b>4:45 p.m.</b>	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
<b>THU., MAR. 3</b>	<b>10:00 a.m.</b>	COAD Meeting, The Security Institute
<b>FRI., MAR. 4</b>	<b>9:00 a.m.</b>	Hungry Canyons Alliance
<b>MON., MAR. 7</b>	<b>6:00 p.m.</b>	Board of Adjustment meeting, First Floor Boardroom
<b>WED., MAR. 9</b>	<b>7:30 a.m.</b>	SIMPCO Executive-Finance Committee - Hybrid
	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.
	<b>6:30 p.m.</b>	911 Service Board Meeting, Public Safety Center, Climbing Hill
	<b>8:00 p.m.</b>	County's Mayor Association Meeting, Public Safety Center, Climbing Hill
<b>THU., MAR. 10</b>	<b>12:00 p.m.</b>	SIMPCO Board of Directors, 1122 Pierce St.
	<b>4:00 p.m.</b>	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park

**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.*

**FEBRUARY 1, 2022, FIFTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, February 1, 2022 at 3:30 p.m. Board members present were Taylor, Ung, Radig, Wright, and De Witt. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget Tax/Analyst, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Services Director, 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 Radig second by Taylor to approve the agenda for January 1, 2022. Carried 5-0. Copy filed.

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

3. To approve minutes of the January 25, 2022 meeting. Copy filed.
4. To approve the claims totaling \$730,657.59. Copy filed.
5. To receive the County Treasurer's Semi-Annual report. Copy filed.
6. To receive the County Recorder's Report of Fees Collected for the period 10/1/21 through 12/31/21. Copy filed.
- 7a. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Nicole Angelle, 1315 Iowa St., parcel #894728226006.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,387  
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

**WHEREAS**, Nicole Angelle, is the titleholder of property located at 1315 Iowa St., Sioux City, IA, Woodbury County, Iowa, and legally described as follows:

**Parcel #894728226006**

**SIOUX CITY EAST EX W 38.4 FT E 100 FT LOT 10 & EX W 18.2 FT E 61.6 FT N 25.7 FT LOT 10 BLOCK 95**

**WHEREAS**, Nicole Angelle is the titleholder of the aforementioned property have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code section 427.9, and

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 1st day of February, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 7b. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes through the redemption process for Bobbi Jo Mendoza, 726 Fir St., parcel #894234478015.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,388**

**RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES THROUGH THE REDEMPTION PROCESS**

**WHEREAS**, Bobbie Jo Mendoza is a titleholder of property located at 726 Fir Street, Correctionville, Iowa, Woodbury County, Iowa, and legally described as follows:

**Parcel # 894234478015**

**RR ADDN W 88' OF S ½ LOT 7 & W 88' OF LOT 8 BLK 16**

**WHEREAS**, Bobbie Jo Mendoza, is a titleholder of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code Section 447.9(3) and,

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby directs the County Auditor to redeem this property Parcel #894234478015 owned by the petitioner from the holder of a certificate of purchase of the amount necessary to redeem under section 447.9, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this parcel.

**SO RESOLVED** this 1st day of February, 2022.  
WOODURY COUNTY BOARD OF SUPERRVISORS  
Copy filed.

- 8. To approve the items to be auctioned per Personal Property Disposition Policy. Copy filed.
- 9a. To approve the appointment of Melinda Wicks, Assistant County Attorney, County Attorney Dept., effective 02-07-22, \$73,088/year. Job Vacancy Posted 11-10-21. Entry Level Salary: \$63,200-\$73,088/year. Copy filed.
- 9b. To approve the request of Chris Garthright-Chwirka to remain on county health and dental insurances. Copy filed.

Carried 5-0.

- 11. Motion by Radig second by Wright to approve the contract with Mercy One for nursing services. Carried 5-0. Copy filed.
- 10a. A public hearing was held at 3:35 p.m. for the sale of parcel #894720377012, 1601 Myrtle St. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894720377012, 1601 Myrtle St., to Robert Farley, 1603 Myrtle St., Sioux City, IA, for \$1,700.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA  
RESOLUTION #13,389**

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

**By Robert Farley** in the sum of **One Thousand Seven Hundred Dollars & 00/100 (\$1,700.00)**-----  
-----dollars.

For the following described real estate, To Wit:

**Parcel #894720377012**

**The South Ten feet (S 10') of Lot Five (5), and all of Lot Six (6), in Block Twenty-three (23) of North Sioux City, in the County of Woodbury and State of Iowa (1601 Myrtle Street)**

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

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

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

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

**SO DATED** this 1<sup>st</sup> Day of February, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

10b. A public hearing was held at 3:37 p.m. for the sale of parcel #884201258011, 3<sup>rd</sup> & Main. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #884201258011, 3<sup>rd</sup> & Main., to Anfinson Farm Store Inc., PO Box 68, Cushing, IA, for \$1,900.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD  
OF SUPERVISORS OF WOODBURY COUNTY, IOWA  
RESOLUTION #13,390**

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

**By Anfinson Farm Store Inc. in the sum of One Thousand Nine Hundred Dollars & 00/100 (\$1,900.00) dollars.**

For the following described real estate, To Wit:

**Parcel #884201258011**

**Lots Eleven and Twelve (11 & 12) Block Eight (8), City of Cushing, Woodbury County, Iowa (3<sup>rd</sup> St & Main)**

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

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

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

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

**SO DATED** this 1<sup>st</sup> Day of February, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Taylor second by Radig to receive the County Supervisors Medical Examiner budget reduced by \$70,000.00. Carried 5-0.

- 12. Motion by Radig second by De Witt to approve the right of way easements at the county farm property. Carried 5-0. Copy filed.
- 13a. Motion by Taylor second by Ung to approve Stalcup Ag Services, Inc. to manage the advertising, auctioneering, and sale of the Woodbury County Farm at the flat fee of \$20,000 plus 0.75% of the sale price. Carried 5-0. Copy filed.
- 13b. Motion by Taylor second by Ung to set a closed session for Tuesday, February 8, 2022 at 3:30 pm for the Board of Supervisors to discuss best conditions, timing, and other parameters for the sale with Stalcup Ag Services, Inc. Carried 5-0. Copy filed.
- 14a. Motion by Radig second by Taylor to receive the County Supervisors Communication Center budget reduced by \$35,388.00. Carried 5-0.

Motion by Radig second by Taylor to receive the County Supervisors StarComm Program budget reduced by \$10,053.00. Carried 5-0.

Motion by Radig second by Taylor to receive the County Supervisors Youth Guidance Services budget reduced by \$100,000.00. Carried 5-0.

- 14b. Motion by Taylor second by Radig to receive the 2023 CIP Program budget as submitted. Carried 5-0.
- 14c. Motion by Radig second by Wright to set the Wage Plan Employees raise at 4%.

Motion by Ung second by De Witt to amend the motion to set the raise at 7%.

The motion to amend failed 2-3 on a roll call vote; Taylor Wright and Radig were opposed.

The original motion at 4% carried 3-2 on a roll call vote with De Witt and Ung opposed.

- 15. Motion by Radig second by Taylor to approve Board of Supervisors public comment on proposed Water of the United States rule. Carried 5-0. Copy filed.
- 16. The Board heard reports on committee meetings.
- 17. Deb Main, Charles Avenue addressed the Board with concerns about a proposed pipeline.
- 18. Board concerns were heard.

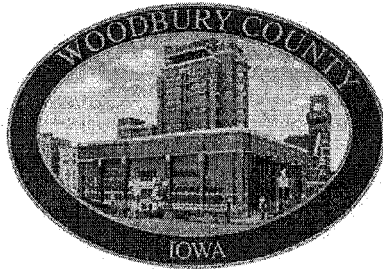
Motion by Ung second by Radig to reconsider the motion to set a closed session for Tuesday, February 8, 2022 at 3:30 pm for the Board of Supervisors to discuss best conditions, timing, and other parameters for the sale with Stalcup Ag Services, Inc. Carried 5-0. Copy filed.

Motion by Radig second by Ung to set a closed session for Tuesday, February 8, 2022 at 3:15 pm for the Board of Supervisors to discuss best conditions, timing, and other parameters for the sale with Stalcup Ag Services, Inc. Carried 5-0. Copy filed.

The Board adjourned the regular meeting until February 8, 2022.

Meeting sign in sheet. Copy filed.





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

February 3, 2022

RE: 8944 32 131 918 (30 S 5<sup>th</sup> St Lot 12-Moville, IA)

Dear Board of Supervisors,

We discovered an error on the above building on leased land parcel. The billings for a deck were going to the previous owner that had a home on the property that had burned down several years ago. The current owner assumed they were getting billed correctly. This was not brought to our attention until the previous owner called to say she hadn't lived there for a long time & we discovered the error.

I am asking to have the penalty abated of \$45.00 for the current owner. The current homeowner has already paid the back taxes for \$158.00. Since this was a clerical error, we are asking that the penalty be waived.

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**, Ronald Butler & Deborah Butler are the titleholders of property parcel #894432131918 located in Woodbury County, Iowa and legally described as follows:

**Parcel #894432131918**

**B/LL LOC ON P#622995 UNPLATTED LANDS 689' E & W X 230' N & S S OF BLK 3 HALLS ADDITION 32-89-44 LOT 12**

**WHEREAS**, the above-stated property has a penalty of \$45.00 owing and the parcel is owned by Ronald Butler & Deborah Butler and

**WHEREAS**, A clerical error was discovered on the above building on leased land parcel; and

**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 parcel according to Code of Iowa, 427.3 for the penalty of \$45.00 owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

**SO RESOLVED** this 8th day of February, 2022.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Patrick F. Gill  
Woodbury County Auditor/Recorder

\_\_\_\_\_  
Keith Radig, Chairman

# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

**DATE:** February 8, 2022

**\* PERSONNEL ACTION CODE:**

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

**TO: WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Hacker, Gene	County Sheriff	2-09-22	P/T Courthouse Safety & Security Officer	\$22.80/hour		A	Job Vacancy Posted 1-26-22. Entry Level Salary: \$17.78-\$19.53/hour.
Robley, Eric	Secondary Roads	2-09-22	Equipment Operator	\$24.55/hour		A	Job Vacancy Posted 11-23-21. Entry Level Salary: \$24.55/hour.
Meyers, Jr., Kenneth	County Sheriff	2-14-22	Civilian Jailer	\$21.02/hour		A	Job Vacancy Posted 12-8-21. Entry Level Salary: \$21.02/hour.
Trinh, Minh	County Sheriff	2-19-22	Civilian Jailer			S	Resignation.
Uhl, Randi	County Treasurer	2-21-22	Clerk II	\$19.53/hour	5%=\$.93/hour	R	Per AFSCME Courthouse Contract agreement, from Grade 3/Step 2 to Grade 3/Step 3.

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

**MELISSA THOMAS, HR DIRECTOR:** *Melissa Thomas HR Director*



## Woodbury County Sheriff's Office

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

DAVID A. DREW, SHERIFF

PHONE: 712.279.6010  
E-MAIL: [ddrew@woodburycountyiowa.gov](mailto:ddrew@woodburycountyiowa.gov)  
FAX: 712.279.6522

February 1, 2022

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

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to hire Gene Hacker for a Court House Security Officer position, with a starting wage of \$22.80 per hour. We request this be placed on the agenda for the Tuesday, February 8<sup>th</sup>, 2022, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Sheehan".

Chad Sheehan, Sheriff

Cc: file

**HUMAN RESOURCES DEPARTMENT  
WOODBURY COUNTY, IOWA**

**DATE: February 8, 2022**

**AUTHORIZATION TO INITIATE HIRING PROCESS**

<b>DEPARTMENT</b>	<b>POSITION</b>	<b>ENTRY LEVEL</b>	<b>APPROVED</b>	<b>DISAPPROVED</b>
County Sheriff	Civilian Jailer	CWA: \$21.02/hour		

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



## Woodbury County Sheriff's Office

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

Chad Sheehan, SHERIFF

PHONE: 712.279.6010  
E-MAIL: [cshieehan@woodburycountyiowa.gov](mailto:cshieehan@woodburycountyiowa.gov)  
FAX: 712.279.6522

February 1, 2022

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

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to begin the hiring process for one (1) Correctional Officer position, effective February 9th, 2022. We request this be placed on the agenda for Tuesday January 8<sup>th</sup>, 2022, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Sheehan", with a long horizontal flourish extending to the right.

Chad Sheehan, Sheriff

cc: file

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

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

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

**WORDING FOR AGENDA ITEM:**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

**BACKGROUND:**

**FINANCIAL IMPACT:**

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

Yes  No

**RECOMMENDATION:**

**ACTION REQUIRED / PROPOSED MOTION:**



## Minutes - Woodbury County Zoning Commission Meeting – January 24, 2022

The Zoning Commission (ZC) meeting convened on the 24th of January 24 at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Barb Parker, Corey Meister  
County Staff Present: David Gleiser, Dan Priestley  
Public Present: None

### Call to Order

Chair Chris Zellmer Zant formally called the meeting to order at 6:00 PM.

### Public Comment on Matters Not on the Agenda

None.

### Approval of Minutes

The 11/22/21 minutes were approved. Motion to approve: Parker. Second: Meister. Motion approved 3-0 with 1 Abstention: Zellmer Zant.

### Election of Chair and Vice-Chair

Motion to nominate Chris Zellmer Zant as Chair for 2022: Parker. Second: Meister. Motion approved 4-0.

Motion to nominate Tom Bride as Vice-Chair for 2022: Meister. Second: Parker. Motion approved 4-0.

### Public Hearing: Proposed Zoning Ordinance Amendments. Planning and Zoning Commission and Board of Adjustment (Sections 2.01.4 & 5).

Priestley offered background on the proposed amendments to the Woodbury County Zoning Ordinance to repeal and replace Subsection 2.01.4: Planning and Zoning Commission and Subsection 2.01.5: Board of Adjustment with revised language pertaining to the establishment, appointment and membership, rules of procedure, and powers and duties of both the Commission and Board. Since the 11/22/21 meeting, language was added to clarify the impact of terms limits on past and current service on the Commission and Board. Gleiser indicated that the language presented mostly comes from Iowa Code Chapter 335. He also indicated that the language is under review by Assistant County Attorney Joshua Widman. The Commissioner's weighed the impact of the proposed term limits. Bride asked, if the Board of Supervisors approve the amendment with terms limits, would the Zoning Commission have a say or not? Gleiser affirmed that the Commission is required to make its formal recommendation to the Supervisors for use in their required public hearing, and individual Commission members may also attend the Board's public hearings to speak on said matters. However, the Supervisors ultimately have the discretion to approve or deny any proposed amendment and may do so with or without incorporating the Commission's recommendation. Bride suggested following the gender balance language in the ordinance, when following a good faith effort to recruit applicants has failed, a previous board member could be appointed. Zellmer Zant suggested taking the term limits out. Meister inquired if someone could continue serving until the position is filled. Meister also offered concerns about recruitment as well as the experiences of serving with members under positive and possibly negative conditions. Gleiser asked what the consensus of the Commission is as it relates to this ordinance change. Gleiser indicated that the Commission could recommend a proposal with term limits, or a version with exceptions to the term limits, or a version without term limits. Zellmer Zant suggested removing the term limits. Bride suggested using similar language as to the gender balance requirement. After discussion, there was consensus amongst the Commission to recommend adding the following language to address term limits on the boards. *"The Board of Supervisors may appoint any qualified applicant regardless of terms or years served, after making a three-month good faith effort to appoint a new Commissioner."* Following the public hearing, a motion was made by Parker to recommend to the Board of Supervisors the approval of the proposed ordinance amendments including the revised language pertaining term limits. Second: Bride. Motion approved 4-0.

### Discussion/Action: Proposed Rules of Procedure for The Woodbury County Planning and Zoning Commission

Gleiser indicated that these are the bylaws and codifies past practices including routine administrative procedures. It addresses electronic participation. It assures that Commissioners and Board Members will be at meetings person but would recognize practical difficulties if they needed to call into the meeting. This language was adapted from the Board of Supervisors rules of procedure. Zellmer Zant inquired if the Commissioners approve the language. Bride inquired about abstaining and the difference between abstaining for a conflict of interest versus another issue. Gleiser indicated that through past recommendations from attorneys, it is the personal individual decision to make the choice to abstain. Abstaining can have the effect as a "nay" and is not a vote. Motion to recommend adoption of the rules of procedures: Bride. Second: Meister. Motion approved 4-0.

### Public Comment on Matters Not on the Agenda

None.

### Commissioner Comment or Inquiry

None.

### Adjourn

Meeting adjourned at 6:58 PM.

WOODBURY COUNTY, IOWA

ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO REPEAL AND REPLACE SUB-SECTION 2.01.4 ENTITLED "PLANNING AND ZONING COMMISSION" AND SUB-SECTION 2.01.5 ENTITLED "BOARD OF ADJUSTMENT" WITH REVISED LANGUAGE PERTAINING TO THE ESTABLISHMENT, APPOINTMENT AND MEMBERSHIP, RULES OF PROCEDURE, AND POWERS AND DUTIES OF BOTH THE PLANNING AND ZONING COMMISSION AND THE BOARD OF ADJUSTMENT.

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

Amendment #1 –

Beginning on page 5: remove Sub-Section 2.01.4: Planning and Zoning Commission and replace with the following:

4. Planning and Zoning Commission

- A. Establishment. Pursuant to Chapter 335 of the Code of Iowa, a County Zoning Commission, consisting of five members, as previously established, is hereby continued.
- B. Appointment and Membership.
  - (1) The members of the Zoning Commission shall be appointed by the Board of Supervisors for terms of five years. Members may serve up to 2 terms on the Commission, whether the terms are successive or not. Terms of the Commissioners shall be staggered so that no more than two memberships expire on December 31 of any year. Vacancies shall be filled in the same manner for the remainder of an unexpired term. Commissioners with past service on the Zoning Commission prior to (insert effective date), regardless of the number of terms or years served, shall be eligible for appointment and membership on the Zoning Commission for up to 2 additional five-year terms. The Board of Supervisors may appoint any qualified applicant regardless of terms or years served, after making a three-month good faith effort to appoint a new Commissioner.
  - (2) Members of the Zoning Commission shall consist of eligible electors, as defined by Iowa Code section 39.3, who reside within the area regulated by the County Zoning Ordinance and shall not be officers or employees of any agency or department of the County. Iowa law requires all appointive boards, commissions, committees, and councils of a political subdivision to be gender balanced by using a fair and unbiased method of selecting the best qualified applicants. The Board of Supervisors may appoint any qualified applicant, regardless of gender, after making a three-month good faith effort to appoint a gender balanced Commission.
  - (3) Members of the Zoning Commission shall serve without compensation but may be reimbursed for the actual expenses incurred while performing their official duties, which shall be subject to the approval of the Board of Supervisors.
  - (4) Any member of the Zoning Commission may be removed for cause by the Board of Supervisors following a public hearing on written charges. Cause for removal may be found by the Board of Supervisors in any action or condition which it determines to be detrimental to the proper functioning of the Commission, including conflicts of interest, violations of laws or regulations pertaining to the role of the Commission, failing to carry out the duties of a member of the Commission, including failure to attend 50% or more

regular meetings in any twelve month period, or other conduct which casts doubt upon the integrity or effectiveness of the member.

- C. Rules of Procedure. The Commission shall organize itself and shall adopt and maintain, subject to the approval of the Board of Supervisors, Rules of Procedure in conformance with the provisions of this ordinance and the Iowa Code to govern the conduct of its business.
- D. Powers and Duties. The Zoning Commission shall have the following powers and it shall be its duty:
  - (1) To recommend the boundaries of the various districts and appropriate regulations and restrictions to be enforced in the districts within the area regulated by the County Zoning Ordinance.
  - (2) To, with due diligence, prepare a preliminary report and hold public hearings on the preliminary report before submitting the Commission's final report to the Board of Supervisors as provided in the County Zoning Ordinance and Subdivision Regulations.
  - (3) To recommend to the Board of Supervisors amendments, supplements, changes or modifications to the text or Zoning District Map of the County Zoning Ordinance. The Commission's report and any recommendations may include a proposed ordinance or amendments to an ordinance.
  - (4) To recommend to the Board of Supervisors, the adoption of a comprehensive plan pursuant to Iowa Code Section 335.5, or amendments thereto.
  - (5) To contract with professional consultants, regional planning commissions, the economic development authority, or the federal government, for local planning assistance, with the approval of the Board of Supervisors.

Amendment #2 –

Beginning on page 7: remove Sub-Section 2.01.5: Board of Adjustment and replace with the following:

5. Board of Adjustment.

- A. Establishment. Pursuant to Chapter 335 of the Code of Iowa, a County Board of Adjustment, consisting of five members, as previously established, is hereby continued.
- B. Appointment and Membership.
  - (1) The members of the Board of Adjustment shall be appointed by the Board of Supervisors for terms of five years. Members may serve up to 2 terms on the Board, whether the terms are successive or not. Terms of the Board shall be staggered so that no more than two memberships expire on December 31 of any year. Vacancies shall be filled in the same manner for the remainder of an unexpired term. Members with past service on the Board of Adjustment prior to (insert effective date), regardless of the number of terms or years served, shall be eligible for appointment and membership on the Board of Adjustment for up to 2 additional five-year terms. The Board of Supervisors may appoint any qualified applicant regardless of terms or years served, after making a three-month good faith effort to appoint a new Board Member.
  - (2) Members of the Board of Adjustment shall consist of eligible electors, as defined by Iowa Code section 39.3, who reside within the area regulated by the County Zoning Ordinance and shall not be officers or employees of any agency or department of the County. Iowa law requires all appointive boards, commissions, committees, and councils of a political subdivision to be gender balanced by using a fair and unbiased method of selecting the

best qualified applicants. The Board of Supervisors may appoint any qualified applicant, regardless of gender, after making a three-month good faith effort to appoint a gender balanced Board.

- (3) Members of the Board of Adjustment shall serve without compensation but may be reimbursed for the actual expenses incurred while performing their official duties, which shall be subject to the approval of the Board of Supervisors.
  - (4) Any member of the Board of Adjustment may be removed for cause by the Board of Supervisors following a public hearing on written charges. Cause for removal may be found by the Board of Supervisors in any action or condition which it determines to be detrimental to the proper functioning of the Board, including conflicts of interest, violations of laws or regulations pertaining to the role of the Board, failing to carry out the duties of a member of the Board, including failure to attend 50% or more regular meetings in any twelve-month period, or other conduct which casts doubt upon the integrity or effectiveness of the member.
- C. Rules of Procedure. The Board of Adjustment shall organize itself and shall adopt and maintain, subject to the approval of the Board of Supervisors, rules of procedure in conformance with the provisions of this ordinance and the Iowa Code to govern the conduct of its business.
- D. Powers and Duties. The Board of Adjustment shall have the following powers and it shall be its duty:
- (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of Iowa Code Chapter 335, or of any ordinance adopted pursuant thereto.
  - (2) To hear and decide special exceptions to the terms of the ordinance upon which such Board is required to pass under such ordinance.
  - (3) To authorize upon appeal, in specific cases, such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed, and substantial justice done.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:**

\_\_\_\_\_  
Keith Radig, Chairman

\_\_\_\_\_  
Jeremy Taylor, Vice Chairman

\_\_\_\_\_  
Rocky De Witt

\_\_\_\_\_  
Matthew A. Ung

\_\_\_\_\_  
Justin Wright

ATTEST

\_\_\_\_\_  
Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading:

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Adopted:

Effective:

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

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

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

**WORDING FOR AGENDA ITEM:**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

**BACKGROUND:**

**FINANCIAL IMPACT:**

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

Yes  No

**RECOMMENDATION:**

**ACTION REQUIRED / PROPOSED MOTION:**

**RULES OF PROCEDURE  
FOR THE  
WOODBURY COUNTY ZONING COMMISSION**

**ARTICLE I: PURPOSE**

The Woodbury County Zoning Commission created the foregoing rules with the intent of making its procedures clear, clean, and easy to follow, both for the Commission members and for members of the public.

The following rules of procedure have been approved by the Board of Supervisors on MONTH/DATE/YEAR and are hereby adopted by the Woodbury County Zoning Commission.

**ARTICLE II: MEMBERS**

There are 5 members of the Woodbury County Zoning Commission. They shall be residents of unincorporated Woodbury County, Iowa and are appointed by the Woodbury County Board of Supervisors.

**ARTICLE III: OFFICERS**

**Section 1. Officers**

The Commission shall select from its membership a Chair and a Vice-Chair who will perform the usual duties pertaining to such office. Per Section 2.01: B of the County Zoning Ordinance, the Zoning Director or his/her appointee, will serve as Secretary.

**Section 2. Selection**

At the first regular meeting of the calendar year the Commission will pick its officers from its membership. All officers are eligible for re-election.

**Section 3. Tenure**

The Chair shall take office immediately following their selection and shall hold office for a term of 1 year or until their successor is selected and assumes office.

The Vice-Chair shall take office immediately following their selection and shall hold office for a term of 1 year or until their successor is selected and assumes office.

**Section 4. Duties**

The Chair will preside at all regular meetings and hearings, appoint committees, and perform such other duties as may be ordered by the Commission. The Vice-Chair shall act in the capacity of the Chair in their absence. If the Chair and Vice-Chair are both absent from a meeting and there is a quorum, the most-senior Commissioner shall serve as Chair of that meeting. The Secretary will record and maintain minutes of the meetings, maintain all records, and perform such other duties as the Zoning Commission may determine.

**Section 5. Vacancy**

If office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. If only the office of the Vice-Chair becomes vacant, the Commission shall select a successor to the office of Vice-Chair for the unexpired term.

## **ARTICLE IV. MEETINGS**

### **Section 1. Compliance with the Open Meetings Law**

All meetings of the Commission shall be conducted in compliance with Chapter 21 of the Code of Iowa and other applicable law.

### **Section 2. Regular Meetings**

The Zoning Commission is on-call for its regular meeting scheduled on the last Monday of every month beginning at 6pm in the 1<sup>st</sup> Floor Board Room at the Woodbury County Courthouse, subject to formal business to be considered. Notice of the regular meeting shall typically be sent by the Secretary to the members at least 2-days prior to such meeting and shall state the purpose and time of the meeting.

### **Section 3. Special Meetings**

Special meetings may be called at the request of the Chair from time to time as required to conduct the business of the County, provided that at least 24-hours notice of such meeting is given to each member.

### **Section 4. Quorum and Consensus**

The presence of three members shall constitute a quorum. Without a quorum, no business will be transacted and no official action on any matter will take place.

### **Section 5. Majority Required**

A majority of the quorum present is required for the adoption of any matter to come before the Commission.

### **Section 6. Manner of Acting**

Any question to come before the Commission shall be in the form of a motion by a commissioner and shall require a second for consideration. Remarks made by a Commissioner shall be limited to 10-minutes unless an extension is granted by a majority of the Commission. Commissioners shall address the Chair and confine their remarks to the question before the Commission and shall be respectful of other Commissioners and avoid referencing or questioning the motives of another Commissioner.

### **Section 7. Roll Call Votes.**

The Chair shall order a roll call vote when requested by a member. The roll shall be called alphabetically, except the Chair shall be called last.

### **Section 8. Effects of Abstention.**

When a Commissioner abstains due to a conflict of interest, the vote of the Commission shall be computed on the basis of the number of Commissioners not disqualified by reason of conflict of interest. However, at least 3 Commissioners eligible to vote are required for a quorum on any matter. Abstentions that are not due to a conflict of interest shall be counted as a "no" vote.

### **Section 9. Electronic Participation**

Members of the Commission may participate in a meeting by electronic means only in circumstances where participation in person is impossible or impractical. Any member participating electronically shall be connected by a speaker phone, video conference, or other device or software, so that the public can hear any discussion by that member. The vote of any

member participating electronically must be made public at the meeting and the minutes of the meeting shall include sufficient information to indicate the vote of each member participating.

## **ARTICLE V: ADMINISTRATION**

### **Section 1.**

Commission meetings are administered by the Chair. The Chair has the right to:

1. Call the meeting to order
2. Recognize speakers
3. Call for motions on agenda items, and facilitate debate
4. Preserve order and decorum
5. Determine points of order

## **ARTICLE VI. ORDER OF BUSINESS**

### **Section 2.**

The Secretary will prepare an agenda for each meeting and send it to each member typically at least 2-days before the meeting. The order of business shall typically be as follows:

1. Call to order and opening statement by Chair
2. Roll call
3. Public comments on matters not on the established agenda (3-minute limit)
4. Approval of minutes
5. Item of business
6. Public comments on matters not on the established agenda (3-minute limit)
7. Commissioner comments
8. Adjournment

### **Section 3.**

As to an item of business, the order shall typically be as follows:

1. Staff report
2. Petitioner comments
3. Commissioner comments and questions for staff/petitioner
4. Staff/petitioner rebuttal opportunity
4. Public comments
5. Staff/petitioner rebuttal opportunity
6. Vote

## **ARTICLE VII. MOTIONS AND VOTING**

### **Section 1.**

Motions may be made by anyone on the Commission. The Chair will restate the motion before a vote is taken. The Commission typically recognizes three kinds of motions:

- A. Main Motion – request for action on an item; can be made by any member, including the Chair.
- B. Motion to Amend a Motion – which the Commission must vote on first, then the Commission votes on the underlying motion.
- C. Motion to Postpone discussion of a matter until a future meeting.



**Section 2.**

Another Commissioner may then second a motion. The motion dies if no member seconds it.

**Section 3.**

The Commission may then debate the motion further.

1. Members should keep their discussion concise and limited to the motion on the table.
2. A member may withdraw his/her own motion at any time during debate.

**Section 4.**

The Chair may then conclude debate by calling for a vote. Each member must respond:

1. Yes (“aye”)
2. No (“nay”)
3. Abstain

**Section 5.**

The Chair shall then state whether the motion passes or fails, and the final vote tally

**ARTICLE VIII. PUBLIC PARTICIPATION**

**Section 1.**

Any member of the public wishing to address the Commission may do so during the appropriate “public comments” section of the Order of Business.

**Section 2.**

Comments by any one member of the public shall be limited to 3 minutes.

**Section 3.**

Any person so addressing the Commission shall step up to the microphone and give their name and address for the record.

**Section 4.**

Should a person engage in slanderous remarks, personal attacks, or boisterous behavior, the Chair may refuse to recognize the speaker, may ask the speaker to leave, or may have the speaker removed.

**ARTICLE IX. AMENDMENTS**

**Section 1.**

The Commission may suspend or amend these rules at any regular or special meeting by a majority vote of the members present.

\_\_\_\_\_  
DATE ADOPTED

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
ATTESTOR

**RULES OF PROCEDURE  
FOR THE  
WOODBURY COUNTY BOARD OF ADJUSTMENT**

**ARTICLE I: PURPOSE**

The Woodbury County Board of Adjustment created the foregoing rules with the intent of making its procedures clear, clean, and easy to follow, both for the Board members and for members of the public.

The following rules of procedure have been approved by the Board of Supervisors on MONTH/DATE/YEAR and are hereby adopted by the Woodbury County Board of Adjustment.

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The Chair will preside at all regular meetings and hearings, appoint committees, and perform such other duties as may be ordered by the Board. The Vice-Chair shall act in the capacity of the Chair in their absence. If the Chair and Vice-Chair are both absent from a meeting and there is a quorum, the most-senior Board member shall serve as Chair of that meeting. The Secretary will record and maintain minutes of the meetings, maintain all records, and perform such other duties as the Board of Adjustment may determine.

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\_\_\_\_\_  
DATE ADOPTED

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
ATTESTOR



Farm Management • Real Estate • Appraisal • Consultation

**Auction Agreement**

In consideration of services to be performed, I appoint Stalcup Agricultural Service, Inc. of Storm Lake, Iowa as exclusive agent to sell the Woodbury County farm property, legally described as:

63.029 surveyed acres and 18.626 surveyed acres in the West Half of the Southwest Quarter (W ½ SW ¼) of Section 14, Township 88 North, Range 47 West of the 5<sup>th</sup> P.M., and

134.95 surveyed acres in the Northwest Quarter (NW ¼) of Section 23, Township 88 North, Range 47 West of the 5<sup>th</sup> P.M., all in Woodbury County, Iowa

**Auction Terms**

- Tentative sale date \_\_\_\_\_
- Established minimum sale price \_\_\_\_\_
- Earnest money due upon acceptance of offer 10% of sale price
- Possession (closing) date \_\_\_\_\_
- Real Estate Taxes will be prorated to the date of closing.
- I/We agree: to
  - o Direct all inquiries to you including real estate brokers and salespersons.
  - o Maintain the same terms to all parties and advise you of any changes that are contemplated.
- Announcements made on the date of the sale supersede any previously advertised information.

**Property Information**

- Present tenant Rick Bousquet
- Lease expiration \_\_\_\_\_
- Amount of insurance \_\_\_\_\_
- Insurance company \_\_\_\_\_
- Location of Abstract \_\_\_\_\_
- Mortgage or Contract Balance n/a
- Mortgage or Contract Holder n/a

**Advertising**

- Stalcup Agricultural Service will place "Auction" or "For Sale" signs on the property.
- Stalcup Agricultural Service will pay 100% of normal advertising expenses including newspaper ads, sale bills, radio advertising, internet listings, social media, drone video, and property signs.

- Stalcup Agricultural Service procures sale site and covers cost of rental.
- The property will be advertised under the name of “Woodbury County Farm”

### **Closing Costs**

Sellers agree to pay:

- Any unpaid taxes unless otherwise noted on this agreement
- Abstracting fees to bring the abstract up to date
- Normal legal fees to prepare deeds or other necessary documents
- Iowa Real Estate Transfer Tax
- Recording fees
- Other requirements which may be listed in any accepted offer
- Stalcup Agricultural Svc. will coordinate with the seller's and buyer's attorneys to accomplish the closing

Sale proceeds will be transferred to Seller by wire / mail (circle one)

### **Commission Agreement**

Stalcup Agricultural Service will use due diligence in advertising and conducting the auction to attempt to obtain the highest bid possible.

Commission of \$20,000 plus 0.75% of the sale price shall be pro-rated as:

Parcel 1 – 63.029 acres at \$6,000 base plus 0.75%;

Parcel 2 – 18.626 acres at \$2,000 base plus 0.75%;

Parcel 3 – 134.95 acres at \$12,000 base plus 0.75%.

Base and commission will be paid to Stalcup Agricultural Service, Inc. upon closing the sale. Commission is also payable under these conditions:

- Property is sold by owner or his representative during the listing period.
- Property is sold by owner within 90 days after the expiration of this contract to any person to whom the property was presented by Stalcup Ag Service or their representative.
- If a purchaser is found or sale made at acceptable price and terms, and you are prevented from closing for any reason attributable to the seller, including existing liens, judgments, pending lawsuits, or failure on the seller's part to show merchantable title.

### **Other Provisions**

- If no sale is accomplished, Stalcup Ag Service will charge no fee
- The sale of the property is contingent upon a public hearing and approval following the hearing by the Woodbury County Board of Supervisors. If after the public hearing, the Board of Supervisors do not approve the property disposition, then no sale is accomplished.

**FSA/NRCS Authorization**

Stalcup Agricultural Service personnel are authorized by signatures below to acquire any FSA or NRCS information related to this property legally described as:

63.029 surveyed acres and 18.626 surveyed acres in the West Half of the Southwest Quarter (W ½ SW ¼) of Section 14, Township 88 North, Range 47 West of the 5<sup>th</sup> P.M., and

134.95 surveyed acres in the Northwest Quarter (NW ¼) of Section 23, Township 88 North, Range 47 West of the 5<sup>th</sup> P.M., all in Woodbury County, Iowa

This listing EXPIRES on April 30, 2022, unless extended by mutual agreement.

**For Stalcup Agricultural Service, Inc.**

Signed \_\_\_\_\_ day of February, 2022.

By \_\_\_\_\_

Dennis Reyman, for Stalcup Agricultural Service Inc.

**Property Owners (Sellers)**

Signed \_\_\_\_\_ day of February, 2022.

**Property**

**Owner** \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Email Address \_\_\_\_\_

Phone # \_\_\_\_\_

Fax # \_\_\_\_\_

SS# or Tax ID# \_\_\_\_\_

**Owner** \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Email Address \_\_\_\_\_

Phone # \_\_\_\_\_

Fax # \_\_\_\_\_

SS# or Tax ID# \_\_\_\_\_



## AGENCY POLICY DISCLOSURE AND ACKNOWLEDGMENT

When you enter into a discussion with a real estate licensee regarding a real estate transaction, you should from the outset understand who the licensee is representing in the transaction. More importantly, you should understand how that agency relationship impacts your relationship with the licensee. **The term "Broker" shall hereinafter refer to: Stalcup Ag Service Inc. and Broker's affiliated sales associates (licensees).**

**A. IT IS THE POLICY OF THE BROKER NAMED ABOVE TO OFFER THE FOLLOWING TYPES OF AGENCY RELATIONSHIPS TO THE CONSUMER IN THE REAL ESTATE TRANSACTION.** Iowa law requires a brokerage company to clearly disclose their company's policy on representing buyers and sellers in the transaction. The appropriately checked boxes indicate the types of relationships available through the Brokerage/Firm listed above.

**1. Seller Agency.** Single Seller Agency exists when the Broker and the Seller enter into an "Exclusive Right to Sell Real Estate" listing agreement and the property is sold to a buyer not represented by this Broker, a "Customer". The Broker and Broker's affiliated sales associates' policy is to represent the Seller exclusively as their "Client."

**2. Buyer Agency.** Single Buyer Agency exists when the Broker and the Buyer, by agreement or through a written "Buyer Agency Agreement", enter into a brokerage agreement for the Broker and affiliated sales associates to represent the Buyer as a "Client" in the transaction. The seller would either be represented by another Brokerage Company or would be representing himself and would be considered the "Customer" in the transaction.

**3. Consensual Dual Agency.** Brokerage Dual Agency exists when the Broker has previously represented the Seller exclusively as a "Client" through the "Exclusive Right to Sell Real Estate" listing agreement and also has previously represented the Buyer exclusively as a "Client" through agreement or a written discussion, view, or negotiate for purchase a property that is listed by the Broker, therefore representing the "Seller Client" as well. It is the Policy of the Broker to offer to act as a Consensual Dual Agency in this transaction. Under this circumstance, prior to acting as a Dual Agent, the Buyer and the Seller **MUST** sign a **consent to Dual Agency Representation**.

**4. No Agency Representation.** A person(s), partnership, or company may represent themselves in a real estate transaction. If a Buyer or Seller elect to represent themselves in the transaction, it is the policy of the Broker to treat that Buyer or Seller as a "Customer" and not as a "Client" and will provide the duties listed in "B" below to you as a Customer. If you are the "Customer" in the transaction, you are advised not to disclose your negotiating position about such things as price that you, as a seller may accept other than your list price or as a buyer, the price you might offer other than the price in the offer to purchase. Except for information required to be disclosed, if you have reason to believe information about your financial status, motivation to sell or buy, as well as other personal information, will adversely affect your negotiating position, this should not be disclosed to anyone. Each party to the transaction has the responsibility to exercise good judgement in protecting his/her respective interests.

**5. It is the Policy of the Broker  to offer /accept subagency with other Brokers,  not to offer/accept subagency with other Brokers.**

**IOWA LAW (543.B56) Requires the Broker to Disclose to All Parties the Duties that the Broker Owes to the Consumer(s) in the Transaction.**

**B. DUTIES OF A REAL ESTATE LICENSEE TO ALL PARTIES TO THE TRANSACTION**

In providing brokerage services to all parties (Customer or Client) to a transaction, a licensee shall do all of the following:

1. Provide brokerage services to all parties to the transaction honestly and in good faith.
2. Diligently exercise reasonable skill and care in providing brokerage services to all parties.
3. Disclose to each party all material adverse facts that the licensee knows except for the following:
  - a. Material adverse facts known by the party
  - b. Material adverse facts the party could discover through a reasonably diligent inspection and which would be discovered by a reasonably prudent person under like or similar circumstances.
  - c. Material adverse facts the disclosure of which is prohibited by law.
  - d. Material adverse facts that are known to a person who conducts an inspection on behalf of the party.
4. Account for all property coming into the possession of a licensee that belongs to any party within a reasonable time of receiving the property.

**C. DUTIES OF A REAL ESTATE LICENSEE TO A CLIENT TO THE TRANSACTION**

In addition to the licensee's duties under subsection (B), a licensee providing brokerage services to a client shall do all of the following:

1. Place the client's interests ahead of the interest of any other party, unless loyalty to a client violates the licensee's duties under subsection B, section 543.58 (Licensees representing more than one client in a transaction) or under other applicable law.
2. Disclose to the client all information known by the licensee that is material to the transaction and that is not known by the client or could not be discovered by the client through a reasonably diligent inspection.
3. Fulfill any obligation that is within the scope of the agency agreement, except those obligations that are inconsistent with other duties that the licensee has under this chapter or any other law.
4. Disclose to a client any financial interest the licensee or the brokerage has in any business entity to which the licensee or brokerage refers a client for any service or product related to the transaction.

Note: Broker/Licensee has a financial interest in the following business entity: N/A

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**ACKNOWLEDGEMENT OF AGENCY DISCLOSURE**

The undersigned have read this disclosure and understand the type of representation being offered to them by the Broker. The undersigned acknowledge receipt of this agency disclosure. This is a disclosure notice ONLY! The providing of the disclosure is required by the Iowa Law of all Licensees. Signing of the disclosure does not obligate you in any way. If you do not understand this document, seek the advice of the legal counsel of your choice, before signing. The undersigned is being offered the following agency relationship with the Broker/Licensee signed below:

Seller's Agent, no possibility of Dual Agency       Seller's Agent, possibility of Dual Agency       Consensual Dual Agency  
 Buyer's Agent, no possibility of Dual Agency       Buyer's Agent, possibility of Dual Agency       No Agency Relationship

_____	_____	_____
Print Prospective Seller name	Signature	Date
_____	_____	_____
Print Prospective Seller name	Signature	Date
<u>Stalcup Agricultural Service Inc.</u>	_____	_____
Seller's Agent	Licensee – Dennis Reyman	Date

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

Date: 02/01/2022 Weekly Agenda Date: 02/08/2022

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

**WORDING FOR AGENDA ITEM:**

Consider approval of completion certificate for project L-B(M66)--73-97.

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The county approved a contract with Godberson Smith Construction on 06/28/2020 to replace the existing bridge M66 on 240th from Taylor 0.8 miles east on north line Section 14-87-42.

**BACKGROUND:**

The project was completed August 2, 2021. The work was done within compliance with county standards. The total contract amount for the project was \$261,771.85.

**FINANCIAL IMPACT:**

This project was funded with Secondary Roads 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 the Board approve, accept and certify the completed project.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the certificate of completion of project L-B(M66)--73-97 with Godberson Smith Construction of Ida Grove, Iowa for \$261,771.85.

CERTIFICATION AS TO COMPLETION OF WORK  
AND FINAL ACCEPTANCE BY THE BOARD OF SUPERVISORS  
WOODBURY COUNTY, IOWA

PROJECT NO. L-B(M66 )—73-97

This is to certify that work covered by the contract entered with

**Godbersen Smith Construction**

**of Ida Grove, IA under the date of June 28, 2020**

On 240<sup>th</sup> Street from Taylor Ave 0.8 Miles East on the North line Section 14-87-42

Contract Amount: **\$261,771.85**

in Woodbury County was completed in accordance with the plans and specifications  
therefore, and in a satisfactory manner on **August 02, 2021**

February 8, 2022 By \_\_\_\_\_  
Date County Engineer

Approved: Board of Supervisors  
Woodbury County, Iowa

February 8, 2022 By \_\_\_\_\_  
Date Chairperson

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

Date: 2/01/2022 Weekly Agenda Date: 2/8/2022

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

**WORDING FOR AGENDA ITEM:**

Discussion of gravel mining and land development in county gravel pits north of Little Sioux Park

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

Board members requested information on development of gravel assets on the Briese property and the Little Sioux Gravel Pit property.

**BACKGROUND:**

The County Road Department was asked to provide its proposed development plan for mining gravel and disposition of the land following the completion of mining on properties. The county engineer will share the long term plans for utilizing the county's gravel asset and proposals for post-mining use of the properties.

**FINANCIAL IMPACT:**

Information only.

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

Yes  No

**RECOMMENDATION:**

No recommendation. Information only.

**ACTION REQUIRED / PROPOSED MOTION:**

No motion or action. Information only.

↑  
North

STAGE "A" 30,000 to 80,000 TON  
AREA STILL NEEDS EXPLORATION TO DETERMINE DEPTH

STAGE 5 50,000 to 100,000 TON

STAGE 2 300,000 TO 400,000 TON

STAGE 3 200,000 TO 400,000 TON

STAGE 4 200,000 TO 400,000 TON

STAGE 1 300,000 TO 400,000 TON



**Running Tally Report for Tax Askings**  
**Proposed FY 2023**  
Updated - February 2, 2022

To hold the line on the tax rates for the General Basic Fund, General Supplemental Fund and Rural Basic Fund Projected Taxes exceed Current FY 22 Taxes by the following amounts.\*

	<u>To Hold the Line to the Current Rates of FY 22 Proposed Tax Revenues over Current Tax Revenues</u>				<u>Mandated Taxes</u>	
	<u>Countywide Funds</u>		<u>Township Only</u>	<u>Total Revenues Over Expenditures</u>	<u>Countywide Funds</u>	
	<u>General Basic</u>	<u>General Supplemental</u>	<u>Rural Basic</u>	<u>Totals</u>	<u>Debt Service</u>	<u>County Services (MH)</u>
<b>* January 3, 2022 - Potential Increase in Taxes</b>	<b>(3,765,585)</b>	<b>(2,749)</b>	<b>(527,644)</b>	<b>(4,295,978)</b>	<b>(2,840,739)</b>	2,179,682
New Tax Revenue Growth using FY 22 Tax Rates	918,963	624,294	121,142	1,664,399	198,317	
Total of 1,664,399						
To Achieve the Goal of the Same Tax Rate as FY 22	<b>(2,846,622)</b>	621,545	<b>(406,502)</b>	<b>(2,631,579)</b>	<b>(2,642,422)</b>	2,179,682
<b>Changes:</b>						
<b>January 3, 2022</b>						
Reductions:						
General Relief	15,000					
Medical Examiner	9,000					
Human Services	15,800					
<b>January 3, 2022 Total Changes</b>	39,800	0	0	39,800		
Subtotal	<b>(2,806,822)</b>	621,545	<b>(406,502)</b>	<b>(2,591,779)</b>	<b>(2,642,422)</b>	2,179,682

	<u>Expenditures over Revenues</u>				<u>Mandated Expenditures</u>	
	<u>Countywide Funds</u>		<u>Township Only</u>	<u>Total Revenues Over Expenditures</u>	<u>Countywide Funds</u>	
	<u>General Basic</u>	<u>General Supplemental</u>	<u>Rural Basic</u>	<u>Totals</u>	<u>Debt Service</u>	<u>County Services (MH)</u>
<b>January 11, 2022</b>						
Denied Conservation Improvement Request	69,753					
Denied Emergency Services Improvement Request		88,740				
0% increase for Supervisors	52,288					
<b>January 11, 2022 Total Changes</b>	122,041	88,740	0	210,781	0	0
Subtotal	(2,684,781)	710,285	(406,502)	(2,380,998)	(2,642,422)	2,179,682
<b>January 18, 2022:</b>						
Co. Attorney Collections Revenue Increase	120,390					
Reduced Sheriff's Improvement Request	180,503					
Reduced Bldg. Services LEC Budget	25,000					
<b>January 18, 2022</b>	325,893	0	0	325,893	0	0
Subtotal	(2,358,888)	710,285	(406,502)	(2,055,105)	(2,642,422)	2,179,682
<b>January 25, 2022:</b>						
Increase Juvenile Health Assistance		(1,000)				
Increase in Lunch Revenues		3,000				
Decrease in Secondary Road Minimum Tax Askings			140,000			
Decrease District Health Allocation	360,000					
<b>January 25, 2022</b>	360,000	2,000	140,000	502,000	0	0
Subtotal	(1,998,888)	712,285	(266,502)	(1,553,105)	(2,642,422)	2,179,682



	<u>Expenditures over Revenues</u>				<u>Mandated Expenditures</u>	
<b>February 1, 2022</b>						
Communication Center	35,388					
Star Comm		10,053				
Youth Guidance		20,000				
Emergency Paramedics Wage Adjustments	(1,310)		(1,310)			
Wage Adjustments	(28,480)	(8,236)	(2,758)			
Transfer In				2,068		
Medical Examiner	70,000					
<b>February 1, 2022</b>	75,598	21,817	(2,000)	95,415	0	0
Subtotal	(1,923,290)	734,102	(268,502)	(1,457,690)	(2,642,422)	2,179,682
<b>Grand Total</b>	<u>(1,923,290)</u>	<u>734,102</u>	<u>(268,502)</u>	<u>(1,457,690)</u>	<u>(2,642,422)</u>	<u>2,179,682</u>

# *The Running Total: Current Tax Rates for FY 22*

Certified budget April 20, 2021

Woodbury County: County-Wide  
\$7.165 / \$1,000

Woodbury County: Rural Unincorporated  
\$9.631 / \$1,000

## *The Running Total: Current Tax Rates for FY 23*

Proposed January 3, 2022 Tax Rates

Woodbury County: County-Wide  
\$7.614 / \$1,000

+\$0.449

Woodbury County: Rural Unincorporated  
\$10.372 / \$1,000

+\$0.741

# *The Running Total: Current Tax Rates for FY 23*

After January 3, 2022 Adjustment

Woodbury County: County-Wide  
\$7.607 / \$1,000

+\$0.442

-\$0.007

Woodbury County: Rural Unincorporated  
\$10.365 / \$1,000

+\$0.734

-\$0.007

# *The Running Total: Current Tax Rates for FY 23*

After January 11, 2022 Adjustment

Woodbury County: County-Wide  
\$7.566 / \$1,000

+\$0.401

-\$0.041

Woodbury County: Rural Unincorporated  
\$10.324 / \$1,000

+\$0.693

-\$0.041

# *The Running Total: Current Tax Rates for FY 23*

After January 18, 2022 Adjustment

Woodbury County: County-Wide  
\$7.503 / \$1,000

+\$0.338

-\$0.063

Woodbury County: Rural Unincorporated  
\$10.261 / \$1,000

+\$0.630

-\$0.063

# *The Running Total: Current Tax Rates for FY 23*

After January 25, 2022 Adjustment

Woodbury County: County-Wide  
\$7.433 / \$1,000

+\$0.268

-\$0.070

Woodbury County: Rural Unincorporated  
\$10.161 / \$1,000

+\$0.530

-\$0.100

# *The Running Total: Current Tax Rates for FY 23*

After February 1, 2022 Adjustment

Woodbury County: County-Wide  
\$7.414 / \$1,000

+\$0.249

-\$0.019

Woodbury County: Rural Unincorporated  
\$10.145 / \$1,000

+\$0.514

-\$0.016



**FY23 Purposed Wages Regular Budget-0002-41-1200-000-10003 Wage Plan Employees**

Hire Date	Name	Years of Service FY23	EMS Level	FF Cert	Current Hourly Wages	Current Hourly Wages @ 2760	Using Actual Wages Chart from Sioux City Fire	Annual Salary Sioux City Fire EMS w/2912 Hours	Purposed FY23 Hourly Wages	Annual Salary w/2912 Hours
5/16/1994	Nelson	28	EMT	YES	\$18.32	\$50,563.20	\$27.32	\$79,555.84	\$21.53	\$62,695.36
7/1/1999	Weber	23	EMT	YES	\$18.32	\$50,563.20	\$27.32	\$79,555.84	\$21.53	\$62,695.36
11/14/2001	Plummer	20	AEMT	YES	\$19.38	\$53,488.80	\$28.00	\$81,544.79	\$21.53	\$62,695.36

**\$154,615.20                      \$240,656.47                      \$188,086.08      \$33,470.88**

**FY23 Purposed Wages Regular Budget-0002-41-1200-000-10003 Wage Plan Employees**

Hire Date	Name	Years of Service FY23	EMS Level	FF Cert	Current Hourly Wages	Current Hourly Wages @ 1560	Using Actual Wages Chart from Sioux City Fire	Annual Salary Sioux City Fire EMS w/2184 Hours	Purposed FY23 Hourly Wages	Annual Salary w/2184 Hours
1/20/2016	Handke	6	EMT	YES	\$18.32	\$28,579.20	\$26.00	\$56,784.00	\$21.53	\$47,021.52

**\$28,579.20                      \$56,784.00                      \$47,021.52      2184 Hours      \$18,442.32**

**FY23 Purposed Wages Paramedic Budget-0029-36-1201-000-10003 Wage Plan Employees**

Hire Date	Name	Years of Service FY23	EMS Level	FF Cert	Current Hourly Wages	Current Hourly Wages @ 2760	Using Actual Wages Chart from Sioux City Fire	Annual Salary Sioux City Fire EMS w/2912 Hours	Purposed FY23 Hourly Wages	Annual Salary w/2912 Hours
7/6/2016	Kelley	6	Paramedic		\$19.95	\$55,062.00	\$26.92	\$78,391.04	\$21.53	\$62,695.36
7/2/2018	McCrea	4	Paramedic		\$19.95	\$55,062.00	\$25.71	\$74,867.52	\$21.53	\$62,695.36
11/3/2021	Hinds	2	Paramedic	Now in FF	\$19.95	\$55,062.00	\$24.78	\$72,159.36	\$21.53	\$62,695.36

**\$165,186.00                      \$225,417.92                      \$188,086.08      \$22,900.08**

**FY23 Purposed Wages Paramedic Budget-0029-36-1201-000-10100 Wage Plan Employees Part Time**

Hire Date	Name	Years of Service FY23	EMS Level	FF Cert	Current Hourly Wages	Current Hourly Wages @ 670	Using Actual Wages Chart from Sioux City Fire	Annual Salary Sioux City Fire EMS w/335 Hours each	Purposed FY23 Hourly Wages	Annual Salary w/335 Hours each
11/15/2019	Welte	3	Paramedic	Fire	\$19.95	\$13,366.50	\$24.78	\$8,301.30	\$21.53	\$7,212.55
TBD	1/8 PT P	1st Year	Paramedic	YES	\$20.33	N/A	\$20.33	\$6,810.55	\$21.53	\$7,212.55

**\$13,366.50                      \$15,111.85                      \$14,425.10      335 Hours      335 Hours      \$1,058.60**

PT Positions	Annual (2912)	Currently Annual (1560)
3/4 PT	2184 Hours	1560 Hours
1/8 PT	364 Hours	335 Hours
1/8 PT	364 Hours	335 Hours

			FY22	Increase	FY23
<b>Increase</b>	Regular Budget	Wage Plan	\$157,621.00	\$33,470.88	\$191,091.88
	Regular Budget	Wage PT	\$29,365.00	\$18,442.32	\$47,807.32
			<b>\$51,913.20</b>		

<b>Increase</b>	Paramedic Bdgt	Wage Plan	\$165,459.00	\$22,900.08	\$188,359.08
	Paramedic Bdgt	Wage PT	\$13,369.00	\$1,058.60	\$14,427.60
			<b>\$23,958.68</b>		