

NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(NOVEMBER 28, 2017) (WEEK 48 OF 2017)

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

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

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held November 28, 2017 at 4:30 p.m. in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board.

- 1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, your remarks may be limited to three minutes on any one item.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please silence cell phones and other devices while in the Board Chambers.

AGENDA

2:00 p.m. 1. Approval to retain expert legal counsel on a pro bono basis for the purpose of auditing the legal implications of the current moment of silence during board meetings - First Floor Boardroom Action

Immediately following the 2:00 p.m. item

2. Closed Session {Iowa Code Section 21.5(1) (c)} - First Floor Boardroom

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

3. Citizen Concerns Information

4. Approval of the agenda Action

Consent Agenda

Items 5 through 10 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.

5. Approval of the minutes of the November 21, 2017 meeting

6. Approval of claims

7. a. Approval of resolution thanking and commending Rick Schneider for his years of service to Woodbury County
- b. Approval of resolution thanking and commending David Benson for his years of service to Woodbury County

8. Human Resources – Ed Gilliland
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorize Chairman to sign Authorization to Initiate Hiring Process
 - c. Approval of retiree D.B. request to have the health and dental insurance plans
 - d. Approval of retiree R.S. request to have the health and dental insurance plans

9. Emergency Services – Gary Brown
 Approval of resolution setting public hearing for December 12, 2017 at 4:45 p.m. for the Lease Agreement between Woodbury County Board of Supervisors and the Climbing Hill East Water Association

10. Board Administration – Heather Satterwhite
 Approval of funds for the holiday luncheon on December 12, 2017

End Consent Agenda

- | | |
|--|--|
| <ol style="list-style-type: none"> 11. Building Services – Kenny Schmitz
 Trooper Hoyt – JD Master Control Security Electronics and Elevator Projects 12. Chairman’s Report 13. Reports on Committee Meetings 14. Citizen Concerns 15. Board Concerns | <p>Information</p> <p>Information</p> <p>Information</p> <p>Information</p> <p>Information</p> |
|--|--|

ADJOURNMENT

Subject to Additions/Deletion

CALENDAR OF EVENTS

MONDAY, NOV. 27	6:00 p.m.	Zoning Commission Meeting, First Floor Boardroom
MONDAY, DEC. 4	6:00 p.m.	Board of Adjustment Meeting, First Floor Boardroom
TUESDAY, DEC. 5	1:00 p.m.	Sioux Rivers Regional Governance Board Meeting, Plymouth County Courthouse Annex Building, 215 4th Ave. S.E., Le Mars
	4:30 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
WEDNESDAY, DEC. 6	9:00 a.m.	Loess Hills Alliance Stewardship Committee Meeting, Pisgah
	10:30 a.m.	Loess Hills Alliance Executive Committee Meeting
	12:00 p.m.	District Board of Health Meeting, 1014 Nebraska St.
	1:00 p.m.	Loess Hills Alliance Full Board Meeting, Pisgah
THURSDAY, DEC. 7	10:00 a.m.	Policy Review Committee Meeting, First Floor Boardroom
MONDAY, DEC. 11	8:00 a.m.	Department Head Meeting, LEC Conference Room
WEDNESDAY, DEC 13	8:05 a.m.	Woodbury County Information Communication Commission, First Floor Boardroom
THURSDAY, DEC. 14	5:00 p.m.	SIMPCO Board of Directors, 1122 Pierce St.
FRIDAY, DEC. 15	2:00 p.m.	Decat Board Meeting, Western Hills AEA, Room F
WEDNESDAY, DEC. 20	10:00 a.m.	Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook
	12:00 p.m.	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
THURSDAY, DEC. 21	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
TUESDAY, JAN. 2 2018	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
WEDNESDAY, JAN. 3	12:00 p.m.	District Board of Health Meeting, 1014 Nebraska St.
THURSDAY, JAN. 4	4:30 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park

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

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

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

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

Date: 11/21/2017 Weekly Agenda Date: 11/28/2017

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Matthew Ung

WORDING FOR AGENDA ITEM:

Approval to retain expert legal counsel on a pro bono basis for the purpose of auditing the legal implications of the current moment of silence during board meetings

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:

First Liberty Institute, national experts on legislative invocations, are willing to provide expert legal counsel and discuss possible alternatives to solemnize the Board's business meetings.

BACKGROUND:

The Supreme Court has repeatedly upheld the constitutionality of various types of expressions and activities to solemnize the meetings of policymaking bodies. The Board would benefit from an expert assessment of how those activities and expressions compare with the Board's current practice.

FINANCIAL IMPACT:

n/a

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

Yes No

RECOMMENDATION:

Accept the offer of First Liberty Institute to audit the Board's current practices on a cost-free basis.

ACTION REQUIRED / PROPOSED MOTION:

Motion to accept the pro bono services of First Liberty Institute to provide a confidential assessment of the legality of the Board's solemnizing practices.

NOVEMBER 21, 2017, FORTY-FIFTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, November 21, 2017 at 3:00 p.m. Board members present were Radig, Ung, Taylor, De Witt, and Pottebaum. Staff members present were Dennis Butler, Budget/Tax Analyst, Karen James, Board Administrative Assistant, Ed Gilliland, Human Resources Director, Joshua Widman, Assistant County Attorney, and Patrick Gill, Auditor/Clerk to the Board.

- 1. Motion by Ung second by De Witt to go into closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on roll-call vote; Radig was not present.

Motion by Ung second by De Witt to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on roll-call vote; Radig was not present.

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

- 2. There were no citizen concerns.
- 3. Motion by Taylor second by Radig to approve the Agenda for November 21, 2017 with an additional item added to observe the opening of the Courthouse cornerstone time capsule. Carried 5-0. Copy filed.
- 8a. A public hearing was held at 4:35 p.m. for the sale of parcels #894720160014 & #894720160013, 2211 Rebecca St. & 2300 Rebecca St. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcels #894720160014 & #894720160013, 2211 Rebecca St. & 2300 Rebecca St., to Nickolas Noyes, 2301 George St., Sioux City, IA, for \$2.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #12,657**

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

By Nickolas Noyes in the sum of **Two Dollars & 00/100 (\$2.00)**-----
dollars.

For the following described real estate, To Wit:

**Parcel #894720160014 & #894720160013
Southerly 55 feet Lot 10 Block 1 Pendleton Hill Addition to City of Sioux City, Woodbury County, Iowa
(2211 Rebecca Street)**

**Lot 10 except the southerly 55 feet in Block 1 of Pendleton Hill Addition, City of Sioux City, Woodbury County,
Iowa
(2300 Rebecca 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 14th Day of November, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

8b. A public hearing was held at 4:37 p.m. for the sale of parcel #894730257010, 2205 W.2nd St. The Chairperson called on anyone wishing to be heard.

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

Motion by Ung second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894730257010, 2205 W. 2nd St., to Jose & Teresa Sanchez, 2209 W. 2nd St., Sioux City, IA, for \$525.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #12,658**

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

By Jose Sanchez & Teresa Sanchez in the sum of **Five Hundred Twenty-Five Dollars & 00/100 (\$525.00)**-----
-----dollars.

For the following described real estate, To Wit:

**Parcel #894730257010
E 4 feet Lot 11 & Lot 12 in Block 20, City of Sioux City, Woodbury County, Iowa
(2205 W. 2nd 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 21st Day of November, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

The Board participated in the opening of a time capsule and displaying of the contents. The time capsule was recently removed from the cornerstone of the current courthouse to be included in the celebration marking the one-hundred-year anniversary of the opening of the courthouse.

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

Radig requested that the item dealing with a proposal for road base reclamation be considered separately.

4. To approve minutes of the November 14, 2017 meeting. Copy filed.
To approve minutes of the November 9, 2017 special meeting. Copy filed.
5. To approve the claims totaling \$452,725.73. Copy filed.
- 6a. To approve the separation of Likeisha Dotson, Civilian Jailer, County Sheriff Dept., effective 11-13-17. Resignation.; the separation of Douglas Washburn, Motor Grader Operator, Secondary Roads Dept., effective 11-14-17. Retirement.; and the transfer of Dawn Norton, Senior Clerk, Community & Economic Development, effective 11-20-17, \$22.20/hour, 8%=\$1.64/hr. Position Transfer from Clerk II to Senior Clerk. Copy filed.
- 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Civilian Jailer, County Sheriff Dept., CWA: \$18.72/hour; for Deputy Sheriff, County Sheriff Dept., CWA: \$23.07/hour.; for (2) Temporary Equipment Operators, Secondary Roads Dept., CWA: \$22.30/hour and for Motor Grader Operator, Secondary Roads Dept., CWA: \$22.60/hour. Copy filed.
- 6c. To authorize the chairman to sign the Medical Plan renewal agreement. Copy filed.
- 7a. To approve the above ground utility permits for Centurylink. Copy filed.
- 7b. To approve the above ground utility permits for Centurylink. Copy filed.
Carried 5-0.
- 7c. Motion by Taylor second by De Witt to accept and approve the proposal for road base reclamation from Midstate Reclamation. Carried 5-0. Copy filed.
- 9a. Quarterly update on SIMPCO City/County membership dues project presented by David Gleiser, Community & Economic Development. Copy filed.
- 9b. Motion by Taylor second by Ung to de-obligate \$1,804 from the FY 17-18 LOST budget line-item for SIMPCO dues and obligate those funds into the FY 17-18 LOST budget unallocated reserves. Carried 5-0. Copy filed.
- 9c. Quarterly update on Rural Comprehensive Planning project presented by David Gleiser, Community & Economic Development. Copy filed.
10. Motion by Ung second by Radig to approve the Annual Renewal Report for FY 2016-2017. Carried 5-0. Copy filed.

The Board recessed for a meeting of the Weber Drainage District.

The Supervisors meeting was called back to order.

12. The Chairperson reported on the day-to-day activities.
13. Board members gave reports on their committee meetings.
14. Connie Barrett, Sioux City, addressed the Board with concerns about the proposed change of mental health regions.
15. There were no Board concerns.

The Board adjourned the regular meeting until November 28, 2017.

November 21, 2017 Cont'd.

Page 4

Meeting sign in sheet. Copy filed.

WOODBURY COUNTY, IOWA

RESOLUTION NO. _____

A RESOLUTION THANKING AND COMMENDING

Rick Schneider

FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, Rick Schneider has capably served Woodbury County as an employee of the Woodbury County Conservation Department for 42 years from March 1, 1975 to December 15, 2017; and

WHEREAS, the service given by Rick Schneider as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Rick Schneider for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Rick Schneider.

BE IT SO RESOLVED this 28th day of November, 2017.

WOODBURY COUNTY BOARD OF SUPERVISORS

Matthew A. Ung, Chairman

Rocky L. De Witt, Member

Marty Pottebaum, Member

Keith W. Radig, Member

Jeremy J. Taylor, Member

Attest:

Patrick F. Gill, Woodbury County Auditor

WOODBURY COUNTY, IOWA

RESOLUTION NO. _____

A RESOLUTION THANKING AND COMMENDING

David Benson

FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, David Benson has capably served Woodbury County as an employee of the Woodbury County Sheriff's Office for 24 years from February 22, 1993 to December 17, 2017; and

WHEREAS, the service given by David Benson as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends David Benson for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, David Benson.

BE IT SO RESOLVED this 28th day of November, 2017.

WOODBURY COUNTY BOARD OF SUPERVISORS

Matthew A. Ung, Chairman

Rocky L. De Witt, Member

Marty Pottebaum, Member

Keith W. Radig, Member

Jeremy J. Taylor, Member

Attest:

Patrick F. Gill, Woodbury County Auditor

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: November 28, 2017

* PERSONNEL ACTION CODE:

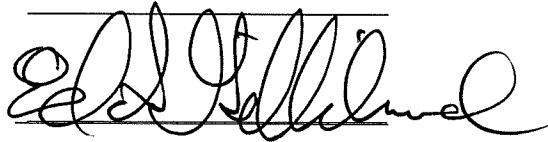
- A- Appointment
- T - Transfer
- P - Promotion
- D - Demotion
- R- Reclassification
- E- End of Probation
- S - Separation
- O - Other

TO: **WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Skaff, Sheryl	County Sheriff	11-29-17	P/T Courthouse Safety & Security Officer	\$17.61/hour		A	Job Vacancy Posted 10-04-17. Entry Level Salary: \$16.03-\$17.61/hour

APPROVED BY BOARD DATE:

ED GILLILAND, HR DIRECTOR:



WOODBURY COUNTY
HUMAN RESOURCES DEPARTMENT

TO: Board of Supervisors and the Taxpayers of Woodbury County

FROM: Ed Gilliland, Human Resources Director

SUBJECT: Memorandum of Personnel Transactions

DATE: November 28, 2017

For the November 28, 2017 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

- 1) County Sheriff P/T Courthouse Safety & Security Officer, Appointment.

Thank you

HUMAN RESOURCES DEPARTMENT
WOODBURY COUNTY, IOWA

DATE: November 28, 2017

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
Human Resources	Director	Wage Plan: \$60,000 - \$80,000/year		

Chairman, Board of Supervisors

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

Date: 11-21-17 Weekly Agenda Date: 11-28-17

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Ed Gilliland

WORDING FOR AGENDA ITEM:

Approval of retiree request to have the health and dental insurance plans.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Deputy Benson will be retiring 12-17-17. He is requesting Board Approval to have the Under 65 retiree health insurance for himself and family and the retiree dental insurance for himself.

BACKGROUND:

Please find attached a letter from David Benson with the Sheriff's Department. He is choosing to receive the benefit from the CWA Deputy Sheriff contract for the county to reimburse him for the single health insurance for one year in lieu of the sick leave payout.

FINANCIAL IMPACT:

\$691.01 per month X 12 months = \$8,292.12.

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:

Motion to Approve retiree request to have the health and dental insurance plans.

November 17, 2017

To: Woodbury County Board of Supervisors

I will be retiring from the Woodbury County Sheriff's Department on 12-17-17. I am requesting to remain on the County's Health Insurance as a retiree for myself and my family and on the Dental Insurance for myself.

I would also like to utilize the benefit from the CWA contract for the County to reimburse me for the single health insurance for one year in lieu of the sick leave payout.

Sincerely,

A handwritten signature in black ink that reads "David Benson". The signature is written in a cursive style with a long horizontal flourish extending to the right.

David Benson

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

Date: 11-21-17 Weekly Agenda Date: 11-28-17

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Ed Gilliland

WORDING FOR AGENDA ITEM:

Approval of retiree request to have the health and dental insurance plans.

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:

Rick Schneider will be retiring 12-15-17. He is requesting Board Approval to have the retiree health and dental insurance for himself and his spouse.

BACKGROUND:

Please find attached a letter from Rick Schneider with the Conservation Dept. He is requesting the under 65 retiree health insurance for his spouse and the United Healthcare supplement for himself and the retiree dental insurance for himself and spouse.

FINANCIAL IMPACT:

These plans are at their own expense after the County contribution of \$25.00 for the supplement.

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:

Motion to Approve retiree request to have the health and dental insurance plans.

November 19, 2017

Woodbury County Board of Supervisors
First Floor Woodbury County Courthouse
620 Douglas Street
Sioux City, IA 51101

Dear Board of Supervisors:

I will be retiring from employment with Woodbury County as the Conservation Director effective December 15, 2017.

I would like to request that my wife, Angela Schneider, be allowed to remain on the County's Health Insurance group policy at our expense, and that my wife and I both remain on the County's Delta Dental insurance policy at my expense, all to be effective January 1, 2018.

Also, I am requesting the United Health Care supplement for myself.
Thank you for your consideration.

Sincerely,



Rick D. Schneider
10 Heritage Pl.
Sioux City, IA 51106

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

#9

Date: 11/21/2017

Weekly Agenda Date: 11/28/2017

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

WORDING FOR AGENDA ITEM:

Set Public Hearing for the Lease Agreement between Woodbury County Board of Supervisors and the Climbing Hill East Water Association.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Set Public Hearing for the Lease Agreement between the Woodbury County Board of Supervisors and the Climbing Hill East Water Association.

BACKGROUND:

The Iowa Department of Natural Resources (DNR) and the Iowa Underground Storage Tank Fund Board (UST Fund) have jointly been involved with the unincorporated community of Climbing Hill for several years to find a permanent solution for the area wide groundwater contamination and the risks it poses to the residents of Climbing Hill. The DNR has determined that construction of this private system is currently the most practical option available to provide a safe source of drinking water to the Association members. The DNR has located a portion of the Woodbury County property which meets all siting requirements and is suitable for construction of the private well system.

Within the lease it states that Woodbury County has agreed to lease this portion of the parcel to the Climbing Hill East Water Association for 20 years for the amount of \$1.00.

The agreement also states that Woodbury County will allow the Climbing Hill East Water Association, the DNR and UST Fund Board and their authorized agents access to the leased property for the purpose of installation, maintenance, water monitoring, and any other activity necessary to keep the well and pipeline in operating condition. Also, reasonable access to the areas of the property adjoining as necessary to maintain and repair the well system.

FINANCIAL IMPACT:

There is no 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:

Woodbury County Emergency Services recommends the Woodbury County Board of Supervisors set Tuesday, December 12th, 2017 at 4:45pm as the public hearing date and time, in the Woodbury County Courthouse, lower level Board of Supervisors meeting room.

ACTION REQUIRED / PROPOSED MOTION:

Woodbury County Board of Supervisors set Tuesday, December 12th, 2017 at 4:45pm as the public hearing date and time, in the Woodbury County Courthouse, lower level Board of Supervisors meeting room.

RESOLUTION #
NOTICE OF PROPERTY LEASE

Parcel # 741555

WHEREAS Woodbury County, Iowa is the owner of a certain parcel of real estate described as:

AUD SUB DIV 16-87-45 LOT 17, Climbing Hill, Woodbury County, Iowa

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That said Board proposes to lease a portion of the said real estate to the Climbing Hill East Water Association for a term of twenty (20) years with a ten (10) year renewal option for the purposes of constructing and operating a well.
2. That a public hearing on the lease proposal shall be held on the **12th Day of December, 2017 at 4:45 o'clock p.m.** in the meeting room of the Board of Supervisors in the basement of the Woodbury County Courthouse.
3. That said Board proposes to lease a portion of said parcel of real estate to the Climbing Hill East Water Association following the public hearing.
4. That this resolution, preceded by the caption "Notice of Property Lease" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and lease.

Dated this 28th Day of November, 2017.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Matthew Ung, Chairman

WELL LEASE AGREEMENT

I. RECITALS

I-A Parties: This lease is between Woodbury County, Iowa, a political subdivision of the State of Iowa, (LESSOR), and the Climbing Hill East Water Association (Association), LESSEE.

I-B LESSOR's Subject Real Estate: LESSOR owns property (Property) in Climbing Hill, Woodbury County, Iowa, with Woodbury County parcel number, 741555, and legally described as AUD SUB DIV 16-87-45 LOT 17. LESSOR is agreeable to leasing a portion of said property to LESSOR as set forth in Exhibit B for the purposes of constructing and maintaining a well.

I-C. LESSEE'S Interest. The Climbing Hill East Water Association (Association) is an Iowa association formed by written agreement dated August 12, 2003. (copy attached as Exhibit A) The Association consists of residents of Climbing Hill who desire to access a portion of the Lessors Property (leased property) for the purpose of constructing a private drinking water system which will serve all the Association members.

I-D. LESSEE'S Need For Alternative Water Supply: The private wells of the Association members have been contaminated or threatened with contamination by ground water contamination associated with leaking petroleum underground storage tanks in Climbing Hill. The Iowa Underground Storage Tank Fund Board (UST Fund) is an agency of the State of Iowa created under Iowa Code chapter 455G. The UST Fund has agreed to pay for the construction of the private water well system that LESSEE needs to replace their existing wells.

I-E. Suitability of Subject Property: The Iowa Department of Natural Resources (DNR) and the Iowa UST Fund have jointly been involved with the unincorporated community of Climbing Hill for a number of years to find a permanent solution for the area wide groundwater contamination and the risks it poses to the residents of Climbing Hill. The DNR has determined that construction of this private well system is currently the most practicable option available to provide a safe source of drinking water to the Association members. The DNR has located a portion of the Lessor's property which meets all siting requirements and is suitable for construction of the private well system. The Lessor has agreed to lease this portion of the parcel to the Association for a term of years as provided in this agreement.

I-F. Termination of Lease and Well Closure. The intention of the parties to this lease and the UST Fund/DNR is that in the event a public water system such as rural water becomes reasonably available to all its members and they have had a reasonable period of time to connect to the system at a reasonable cost, this lease should be deemed terminated and the well properly closed. Although the DNR and the Iowa UST Fund are not parties to this lease, the expectation is that the costs of closing the well and connection to the public water system would be reimbursed through the Iowa UST Fund remedial benefit program or through a successor fund.

II. AGREEMENT

On the basis of the foregoing recitals, LESSOR grants to LESSEE the right to install and maintain a well and associated equipment and piping on a well site generally described as a 60 by 60 foot square as depicted on the attached Exhibit B and which adjoins the Woodbury County right of way to the south (leased property). This lease is subject to the following conditions:

II-A. LEASE DURATION. The lease duration shall be for a period of twenty years commencing with execution and delivery of this agreement to LESSEE.

II-B. RENEWAL. LESSEE shall have the option to renew the lease for another ten-year term if, prior to expiration of the term of the lease, the DNR, or lawful successor agency, determines that there is still a need for an alternative water supply for LESSEE.

II-C. MID-TERM TERMINATION. The parties agree that the lease shall terminate upon a written finding by the DNR that an alternative public water system is reasonably available and has been made available for a reasonable period of time at a reasonable cost to allow all Association members to connect to it. The lease shall terminate upon 60 days' notice by the DNR notifying the parties to this agreement of this finding. The parties further agree that upon such finding and termination, the wells shall be considered abandoned as defined in Iowa Code section 455B.171(1) and by this agreement they are authorizing and consenting to the closure of the wells in accordance with state law.

II-D. CONSIDERATION. In consideration for this lease, the lessee shall make a one-time payment of \$1. In the event LESSEE opts to renew the lease, the lease payment shall be \$1.

II-E. ACCESS. LESSEE, the DNR, UST Fund Board, and their authorized agents shall have reasonable access to the leased property upon advance notice to the LESSOR for the purpose of installation, maintenance, water monitoring, and any other activity necessary to keep the well and pipeline in operating condition. Lessor shall also grant reasonable access to areas of the Property adjoining the leased property as necessary to maintain and repair the well system. LESSEE shall promptly and reasonably restore the land surface after all land disturbance activities related to this lease.

II-F. MAINTENANCE OF THE LEASED PROPERTY. It shall be the responsibility of the Lessee to maintain the leased property and appurtenances in reasonable condition such as mowing the grass and maintaining the visual appearance of any structures. LESSEE may at its option choose to construct a fence around the parcel. LESSOR shall have a joint right to access the property for purposes of ground maintenance as long as access does not disturb damage, obstruct, or in any way interfere with the normal operation of the well system.

II-G. RESTRICTION ON LESSOR'S USE OF WELL SITE. LESSOR will not apply any agricultural chemicals or fertilizers on the leased property

II-H. LESSEE RESPONSIBLE TO PLUG WELL. Upon expiration or termination of the lease due to the availability of public water, the lessee will be required to obtain contract for plugging the well, and shall plug the well in accordance with state law. LESSOR shall allow LESSEE and LESSEE's agents reasonable access to plug the well.

II-I. AGREEMENT RUNS WITH THE LAND. This lease agreement shall run with the land and bind the successors and assigns of LESSOR and LESSEE.

II-J. INSURANCE: Each Association member shall carry combined single limit (CSL) coverage property insurance or another personal liability insurance policy providing for no less than \$300,000 in personal liability coverage. As an alternative, the Association shall carry commercial general liability coverage for bodily injury in an amount no less than \$700,000. Each Association member or the Association shall provide proof of coverage annually as requested by the Lessor.

II-K. CONNECTION TO WELL. The LESSOR, its successors and assigns, future buyers and lessees of the property surrounding the leased property shall have a right to join the Association and connect to the Association well if it is determined the connection would not violate Federal, State or County laws, change the well classification to a public well and the connection would not jeopardize the quality and quantity of water necessary to serve the then existing Association members.

II-M. RECORDING. LESSEE shall be responsible for filing this lease with the Woodbury County Recorder.

WOODBURY County Board of Supervisors (BOS), LESSOR, by:

Matthew Ung
Chair, Board of Supervisors

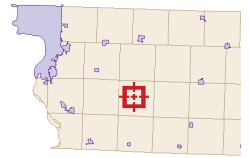
Attest: Patrick Gill
County Auditor

CLIMBING HILL EAST WATER ASSOCIATION, LESSEE, by:

_____	Date _____
_____	Date _____
_____	Date _____
_____	Date _____
_____	Date _____
_____	Date _____



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- County Residential Sales**
- 2015
- 2016
- 2017
- **Sioux City Residential Sales**
- ▭ Parcels

Date created: 9/19/2017
 Last Data Uploaded: 9/18/2017 10:37:15 PM

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

#10

Date: 11/21/2017 Weekly Agenda Date: 11/28/2017

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Heather Satterwhite - Executive Secretary

WORDING FOR AGENDA ITEM:

Approval of funds for the holiday luncheon on December 12, 2017

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Each year the Board of Supervisors hosts a holiday luncheon for county employees.

BACKGROUND:

Last year \$2,614 was paid out of the Gaming Fund for the holiday luncheon.

FINANCIAL IMPACT:

Hy-Vee quote is \$2,700. Allow up to \$3,000 for any additional costs.

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

Yes No

RECOMMENDATION:

Approve \$3,000 for the cost of the holiday luncheon.

ACTION REQUIRED / PROPOSED MOTION:

Approve the motion.

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

#11

Date: 11/16/2017 Weekly Agenda Date: 11/28/2017

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Kenny Schmitz

WORDING FOR AGENDA ITEM:

Trosper Hoyt- JD Master Control Security Electronics & Elevator Projects

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 type="checkbox"/> |

EXECUTIVE SUMMARY:

The scope for the projects has been modified to remove detention doors and allow case-work to be bid as an alternate cost.

BACKGROUND:

The projects have been adjusted in an attempt to provide the best value for the County's financial commitment considering the past project bids received came in above anticipated budgets. It has been determined that both elevators need to be upgraded and this would be a budget amendment to the 2018 CIP.

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:

Building Services recommends altering the projects scope as described and to seek new project competitive bids.

ACTION REQUIRED / PROPOSED MOTION:

Information Only-
Building Services will return to the Board at a later date for consideration to approve the bid process.