



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(DECEMBER 4, 2018) (WEEK 48 OF 2018)**

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

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

Rocky L. De Witt 253-0421 <a href="mailto:rdewitt@woodburycountyiowa.gov">rdewitt@woodburycountyiowa.gov</a>	Marty J. Pottebaum 251-1799 <a href="mailto:mpottebaum@woodburycountyiowa.gov">mpottebaum@woodburycountyiowa.gov</a>	Keith W. Radig 560-6542 <a href="mailto:kradig@woodburycountyiowa.gov">kradig@woodburycountyiowa.gov</a>	Jeremy J. Taylor 259-7910 <a href="mailto:jtaylor@woodburycountyiowa.gov">jtaylor@woodburycountyiowa.gov</a>	Matthew A. Ung 490-7852 <a href="mailto:matthewung@woodburycountyiowa.gov">matthewung@woodburycountyiowa.gov</a>
--	--	--	--	--

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held December 4, 2018 at **4:30 p.m.** in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

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

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

---

---

**AGENDA**

**3:30 p.m.** 1. 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

- |                           |             |
|---------------------------|-------------|
| 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 November 27, 2018 meeting
5. Approval of claims
6. Human Resources – Melissa Thomas  
Approval of Memorandum of Personnel Transactions

7. Secondary Roads – Mark Nahra
  - a. Approval of permit for work in the right of way
  - b. Approval of annual report of the county weed commissioner

**End Consent Agenda**

- |                                       |  |  |
|---------------------------------------|--|--|
| <b>Set Time</b><br><b>(4:45 p.m.)</b> | <ol style="list-style-type: none"><li>8. Secondary Roads – Mark Nahra<ol style="list-style-type: none"><li>a. Second reading of the compression brake use ordinance</li><li>b. Approval of the second reading and setting the third reading for the compression brake use ordinance for December 18, 2018</li></ol></li><li>9. Reports on Committee Meetings</li><li>10. Citizen Concerns</li><li>11. Board Concerns</li></ol> | <p>Action</p> <p>Action</p> <p>Information</p> <p>Information</p> <p>Information</p> |
|---------------------------------------|--|--|

**ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

<b>MON., DEC. 3</b>	<b>6:00 p.m.</b>	Board of Adjustment meeting, First Floor Boardroom
<b>TUES., DEC. 4</b>	<b>4:45 p.m.</b>	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
<b>WED., DEC. 5</b>	<b>9:00 a.m.</b>	Loess Hills Alliance Stewardship Meeting, Pisgah, Iowa
	<b>10:30 a.m.</b>	Loess Hills Alliance Executive Meeting
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.
	<b>1:00 p.m.</b>	Loess Hills Alliance Full Board Meeting, Pisgah, Iowa
<b>THUR., DEC. 6</b>	<b>6:00p.m.</b>	Emergency Management Commission meeting, lower level of The Security Institute
<b>WED., DEC. 12</b>	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
<b>THUR., DEC. 13</b>	<b>4:00 p.m.</b>	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
	<b>5:30 p.m.</b>	SIMPCO Board of Directors, 1122 Pierce St.
<b>TUES. DEC. 18</b>	<b>11:00 a.m.</b>	Woodbury County Board of Supervisors' Employee Christmas & Holiday Luncheon
<b>WED., DEC. 19</b>	<b>10:00 a.m.</b>	Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
	<b>12:00 p.m.</b>	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
<b>THUR., DEC. 20</b>	<b>4:30 p.m.</b>	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
<b>WED., JAN. 2</b>	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.
<b>MONDAY, JAN. 7</b>	<b>6:00 p.m.</b>	Board of Adjustment meeting, First Floor Boardroom

**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.*

**NOVEMBER 27, 2018, FORTY-SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, November 27, 2018 at 4:30 p.m. Board members present were Ung (by phone), De Witt, Radig, Taylor, and Pottebaum. Staff members present were Dennis Butler, Budget/Tax Analyst, Karen James, Board Administrative Assistant, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Resources 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 De Witt second by Radig to approve the agenda for November 27, 2018. Carried 5-0. Copy filed.

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

3. To approve minutes of the November 20, 2018 special meeting. Copy filed.

To approve minutes of the November 20, 2018 meeting. Copy filed.

4. To approve the claims totaling \$394,551.86. Copy filed.

5a. To approve the reclassification of Todd Caster, Custodian, Building Services Dept., effective 12-11-18, \$18.69/hour, 8%=\$1.42/hr. Per AFSCME Courthouse Contract agreement, from Grade 1/Step 4 to Grade 1/Step 5. Copy filed.

5b. To approve the renewal of Medical Plan. Copy filed.

6. To approve \$2,985 plus mileage for holiday luncheon on December 18, 2018. Copy filed.

Carried 5-0.

7a. First reading for compression brake use ordinance was held at 4:45 p.m. Motion by Taylor second by Radig to approve the first reading. Carried 5-0. Copy filed.

7b. Motion by Taylor second by Pottebaum to set the second reading for the compression brake use ordinance for December 4, 2018. Carried 5-0. Copy filed.

8. The Board heard reports on committee meetings.

9. There were no citizen concerns.

10. Board concerns were heard.

The Board adjourned the regular meeting until December 4, 2018.

Meeting sign in sheet. Copy filed.



**WOODBURY COUNTY**  
**HUMAN RESOURCES DEPARTMENT**

**TO:** Board of Supervisors and the Taxpayers of Woodbury County  
**FROM:** Melissa Thomas, Human Resources Director  
**SUBJECT:** Memorandum of Personnel Transactions  
**DATE:** December 4, 2018

For the December 4, 2018 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

1. Juvenile Detention P/T Youth Worker, Resignation.
2. Asst. County Attorney, from Step 1 to Step 2.

Thank you

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

#7a

Date: 11/29/2018 Weekly Agenda Date: 12/04/2018

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

**WORDING FOR AGENDA ITEM:**

Consideration of permit for work in the county right of way

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The City of Salix has requested a permit to work in the right of way to allow the city to perform ditch cleaning maintenance work in the west ditch of Carroll Avenue NE of Salix.

**BACKGROUND:**

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa. The city drains their treated lagoon output into the west ditch of Carroll Avenue. There is water standing in the ditch. The county has surveyed the ditch and determined that cleaning the ditch will help keep water moving to the drainage district lateral into which the Carroll Avenue ditch drains.

**FINANCIAL IMPACT:**

No impact.

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

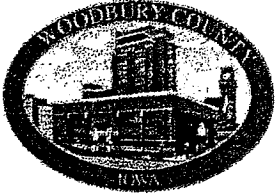
Yes  No

**RECOMMENDATION:**

Recommend approval of the permit for the City of Salix.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the permit to work in the right of way for the City of Salix and to direct the chair to sign the permits.



# Woodbury County Secondary Roads Department

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

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

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

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

## WOODBURY COUNTY SECONDARY ROAD DEPARTMENT PERMIT & AGREEMENT TO PERFORM WORK WITHIN WOODBURY COUNTY RIGHT OF WAY

Name of Permittee: CITY OF SALIX Phone No.: 712-946-5645

Mailing Address: PO BOX 240 SALIX, IA 51052

Township: LIBERTY Section: \_\_\_\_\_

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

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

CLEAR DEBRIS & BRUSH FROM DITCH ALONG CARROLL AVENUE  
(WESTSIDE) TO ALLOW FOR BETTER DRAINAGE.

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

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

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

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

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

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



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

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

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

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

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

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Kathy Bronollette, CITY CLERK  
Signature of Property Owner or Authorized Representative

\_\_\_\_\_  
Woodbury County Engineer

\_\_\_\_\_  
Chair, Woodbury County Board of Supervisors

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

Date: 11/29/2018 Weekly Agenda Date: 12/04/2018

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Jered Jepsen, Weed Commissioner

**WORDING FOR AGENDA ITEM:**

Receive and approve annual report of the county weed commissioner

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The county weed commissioner prepares an annual report for the Department of Agriculture. The report is reviewed with and signed by the Board in advance of submittal.

**BACKGROUND:**

The county weed commissioner is a position established under Chapter 317 of the Code of Iowa and is a Board appointed county official. The secondary road department provides logistic and clerical support to the weed commissioner. In his annual report he will provide the board with information on his 2018 work and a discussion of upcoming programming and needs.

**FINANCIAL IMPACT:**

The county funds the work of the weed commissioner through the weed eradication budget.

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

Yes  No

**RECOMMENDATION:**

I recommend that the Board receive the 2018 report of the weed commissioner and direct the chair to sign the report.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the 2018 report of the weed commissioner and direct the chair to sign the report.



# 2019 COUNTY WEED COMMISSIONER CERTIFICATION FORM

For the County of: Woodbury

**Weed Commissioner's Contact Information:**

Name <u>Jered Jepsen</u>	Year Appointed <u>2012</u>
Mailing Address <u>3956 240th St.</u>	Telephone <u>712-898-0822</u>
City, Zip Code <u>Anthon Ia 51004</u>	Alternate Telephone <u>712-373-9718</u>
Email Address <u>wcweedcomm@gmail.com</u>	Pesticide Certificate # <u>41681</u>

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Chair/President, County Board of Supervisors

PLEASE RETURN THIS FORM TO:

**IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP**  
**State Weed Commissioner**  
**2230 South Ankeny Boulevard**  
**Ankeny, IA 50023-9093**

**317.3 Weed commissioner -- standards for noxious weed control.**

The board of supervisors of each county may annually appoint a county weed commissioner who may be a person otherwise employed by the county and who passes minimum standards established by the department of agriculture and land stewardship for noxious weed identification and the recognized methods for noxious weed control and elimination. The county weed commissioner's appointment shall be effective as of March 1 and shall continue for a term at the discretion of the board of supervisors unless the commissioner is removed from office as provided for by law. The county weed commissioner may, with the approval of the board of supervisors, require that commercial applicators and their appropriate employees pass the same standards for noxious weed identification as established by the department of agriculture and land stewardship. The name and address of the person appointed as county weed commissioner shall be certified to the county auditor and to the secretary of agriculture within ten days of the appointment. The board of supervisors shall fix the compensation of the county weed commissioner and deputies. In addition to compensation, the commissioner and deputies shall be paid their necessary travel expenses. At the discretion of the board of supervisors, the weed commissioner shall attend a seminar or school conducted or approved by the department of agriculture and land stewardship relating to the identification, control, and elimination of noxious weeds.

The board of supervisors shall prescribe the time of year the weed commissioner shall perform the powers and duties of county weed commissioner under this chapter which may be during that time of year when noxious weeds can effectively be killed. Compensation shall be for the period of actual work only although a weed commissioner assigned other duties not related to weed eradication may receive an annual salary. The board of supervisors shall likewise determine whether employment shall be by hour, day or month and the rate of pay for the employment time.



# 2018 WEED COMMISSIONER'S REPORT

For the County of: Woodbury

Submit to County Board of Supervisors by: November 1, 2018  
 Return copy to the IDALS office by: December 1, 2018

## Weed Commissioner's Contact Information:

Name <u>Jered Jepsen</u>	Year Appointed <u>2012</u>
Address <u>3956 240th Street</u>	Telephone <u>712-898-0822</u>
City, Zip Code <u>Anthon, Ia 51004</u>	Alternate Telephone <u>712-373-9718</u>
Email Address <u>wcweedcomm@gmail.com</u>	Pesticide Certificate # <u>41681</u>

## Which of the noxious weeds have you found in your county?

- 1** - Found, a problem in my county  
**2** - Found, but not a problem  
**3** - Not known in my county  
**?** - If you cannot identify this plant

Primary Noxious Weeds	Answer	Secondary Noxious Weeds	Answer
Buckthorn	<u>3</u>	Buckhorn Plantain	<u>2</u>
Bull Thistle	<u>2</u>	Cocklebur	<u>2</u>
Canada Thistle	<u>2</u>	Curly Dock (Sour Dock)	<u>2</u>
Field Bindweed	<u>2</u>	Multiflora Rose	<u>2</u>
Hoary Cress (Perennial Pepper-grass)	<u>2</u>	Poison Hemlock	<u>2</u>
Horse Nettle	<u>2</u>	Puncturevine	<u>2</u>
Leafy Spurge	<u>2</u>	Red Sorrel (Sheep sorrel)	<u>2</u>
Musk Thistle	<u>2</u>	Shattercane	<u>2</u>
Palmer Amaranth		Smooth Dock	<u>2</u>
Perennial Sow Thistle	<u>2</u>	Teasel	<u>2</u>
Quackgrass	<u>2</u>	Velvetleaf (Butterprint)	<u>2</u>
Russian Knapweed	<u>2</u>	Wild Carrot	<u>2</u>
		Wild Mustard	<u>2</u>
		Wild Sunflower	<u>2</u>

<i>Invasive Prohibited Plants</i>	<i>Answer</i>		
Garlic Mustard	2		
Japanese Hop	3		
Japanese Knotweed	3		
Oriental Bittersweet	2		
Purple Loosestrife	2		

**Please list any other plants which are a problem or a concern in your county:**

---

**As County Weed Commissioner, do your duties include roadside spraying?**

Yes X No \_\_\_\_\_

**Did your county publish a Notice of Program for weed control pursuant to the provisions of Title VIII Chapter 317 Section 317.14?**

Yes X No \_\_\_\_\_

**Did your county employ contract spraying during 2017?**

Yes \_\_\_\_\_ No X

If yes, what percentage of your total spray program is contracted? \_\_\_\_\_%

If possible, please list the contract rates. \$/mile \_\_\_\_\_

Total contract cost \$ \_\_\_\_\_

**In the past year how much did your county spend on purchasing herbicides?**

\$ \_\_\_\_\_

**How many times during 2018 was it necessary to serve a noxious weed notice?**

Private (written) 2 Public (written) (DOT, DNR, CCB) 1

**How many times did you contact individuals personally, rather than sending them a weed control notice?**

Private (verbal) 23 Public (verbal) (DOT, DNR, CCB) 2

How many times did you actually enter private or public land, control weeds, and assess the cost to the owner?

0

How many months were you employed as weed commissioner in 2018?

9 months

Are your duties as weed commissioner incorporated into another county job?

Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, what? \_\_\_\_\_

Weed Comm. Duties 25% IRVM Duties 75%

Other County Duties \_\_\_\_\_%

How does the overall county weed situation compare with last year?

Improved X Unchanged \_\_\_\_\_ Worse \_\_\_\_\_

Comments? \_\_\_\_\_

Is brush control included in your weed commissioner duties?

Yes X No \_\_\_\_\_

If yes, what method(s) do you use? (Circle all that apply):

Spraying Cutting Stump treatment Basal bark

Other, explain \_\_\_\_\_

What are your suggestions and/or recommendations which may improve your county weed and brush infestations?

more hours spent during spray months.

What herbicides did your county use in your weed control program? Be specific, please list brand name and quantity of each. Please do not list surfactants or adjuvants. If the spray program is contracted in your county, ask your contractor for this information. Add another page if necessary.

method 240 SL by Bayer, Alligare MSM 60  
Broadleaf: method = 5.5oz/acre, MSM .75oz/acre  
Trees: method = 11.03/acre MSM 1.50oz/acre

Herbicide usage table:

CHEMICAL/BRAND	RATE USED	QUANTITY USED in gallons or lbs	TO CONTROL?
(Example) Milestone	4 fluid ounces per acre	3.32 gallons	Thistle and teasel on roadside
method	weeds = 5.5 oz/A trees = 11.03/A	74 <sup>1</sup> / <sub>4</sub> gallon.	Trees. weeds & Brush
msm 60	weeds = .75 oz/A trees = 6.5 oz/A	928.03	Trees. weeds & Brush
milestone	weeds = 3.5 oz/A	1 gal	weeds & trees.
pathway	1 gallon/Acre	100 gal	trees.

The above report is true to the best of my knowledge.

Signature   
County Weed Commissioner

11/28/18  
Date

Signature \_\_\_\_\_  
Chairman, County Board of Supervisors

\_\_\_\_\_  
Date

Please return a copy to:

Iowa Department of Agriculture and Land Stewardship  
Attn: State Weed Commissioner  
2230 S Ankeny Blvd  
Ankeny, IA 50023-9093



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

Date: 11/29/2018 Weekly Agenda Date: 12/04/2018

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

**WORDING FOR AGENDA ITEM:**

SET TIME: 4:45 PM - Second reading for new compression brake use ordinance and set date and time for third reading of the ordinance

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The county has received requests to expand its compression brake use ordinance. The county engineer and county attorney have reviewed the ordinance, added new locations, and offer it for approval.

**BACKGROUND:**

Complaints received about compression brake use by semis and other large trucks that create noise levels considered excessive by homeowners and communities adjacent to truck routes. Currently, the county covers two locations for prohibition of use defined in Ordinance numbers 14 and 20. These ordinances are proposed for replacement with a new ordinance covering old and new areas of the county.

**FINANCIAL IMPACT:**

The county will have the expense of posting signs at all enforcement areas. It requires 4 signs per area at a cost of about \$800 per location enforced.

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

Yes  No

**RECOMMENDATION:**

Recommend that the board approve the second reading of the ordinance and set the the third reading for the new ordinance on December 18, 2018 at 4:45 PM.

**ACTION REQUIRED / PROPOSED MOTION:**

Move to approve December 4, 2018 second reading of the compression brake use ordinance and set December 18, 2018 at 4:45 PM for the third reading of the new ordinance.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ESTABLISHING AREAS PROHIBITING THE USE OF COMPRESSION BRAKES OR BRAKING, ALSO KNOW AS “JAKE BRAKES” WITHIN WOODBURY COUNTY, IOWA

(This ordinance repeals and replaces Ordinance Numbers 14 and 20.)

Be It Enacted by the Woodbury County Board of Supervisors, Woodbury County, Iowa:

**SECTION 1. PROHIBITION AND PENALTY**

A. Engine Brakes and Compression Brakes. It is unlawful for the driver of any vehicle to use or operate within the area described in Section B any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle, except in the case of an emergency.

B. The prohibition above described shall be in effect for the following described roads and highways within Woodbury County, Iowa:

1. U.S. Highway 20 beginning one half mile east of the intersection of U.S Highway 20 and Emmett Avenue and continuing to the intersection of U.S. Highway 20 and Eastland Avenue. This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
2. County Route K49 (Easter Avenue) from 150<sup>th</sup> Street south to the City Limits of the City of Lawton, Woodbury County Iowa.
3. U.S. Highway 20 beginning one half mile east of the intersection of U.S. Highway 20 and Humboldt Avenue to the intersection of U.S. Highway 20 and Iowa Highway 140/County Route K64 (Moville Blacktop). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
4. County Road D38 from the intersection of Old Lakeport Road east to the intersection of Elk Creek Road (north)/Buchanan Avenue (South). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
5. U. S. Highway 75 Bypass beginning at the U.S. Highway 20 interchange and continuing north to the 28<sup>th</sup> Street/Outer Drive interchange. This restriction shall apply to both northbound traffic and southbound traffic in the designated area in the rural portions of U.S. Highway 75 Bypass.
6. U.S. Highway 20 from the intersection of Buchanan Avenue/Glen Ellen Road west to the U.S. 20/75 interchange. This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
7. Iowa Highway 141 beginning at the intersection with Dillon Avenue and continuing west to the intersection of Iowa Highway 141 and County Route K45 (Old Highway 75). This restriction shall apply to both westbound traffic and eastbound traffic in the designated area.
8. County Road K45, also known as Old Highway 75, beginning ¼ mile north of the north city limits of the city of Salix to a point ¼ mile south of Salix. The restriction shall apply to northbound and southbound traffic.

C. Violation of this ordinance is a scheduled violation with a penalty of \$100.00.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. This includes current county ordinances Number 14 (enacted April 11, 2006) and Number 20 (enacted December 12, 2006), which are combined within this new ordinance.

**SECTION 3. SEVERABILITY CLAUSE.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law and when appropriate signage is erected and placed upon the areas described above to give notice of the ordinance.

First Hearing: \_\_\_\_\_

Second Hearing: \_\_\_\_\_

Third Hearing: \_\_\_\_\_

Passed and approved by the Woodbury County Board of Supervisors \_\_\_\_\_, 2018.

\_\_\_\_\_  
Chairman Woodbury County Board of Supervisors

Attest:

\_\_\_\_\_  
Woodbury County Auditor



# Woodbury County Secondary Roads Department

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

COUNTY ENGINEER

Mark J. Nahra, P.E.

mnahra@woodburycountyiowa.gov

ASSISTANT TO THE COUNTY ENGINEER

Benjamin T. Kusler, E.I.T.

bkusler@woodburycountyiowa.gov

SECRETARY

Tish Brice

tbrice@woodburycountyiowa.gov

To: Board Members

From: Mark Nahra, County Engineer

Date: November 27, 2018

RE: Weekly Work Report

## **Construction Project Report**

### **To be let:**

**FM-CO97(136)—55-97**, D38 HMA resurfacing project between Bronson and the Merville Blacktop. Letting date: March 19, 2019. Late start date: to be determined. The project involves cold in place recycling of existing pavement followed by an overlay of the pavement with new hot mix asphalt pavement. Work will be done in 2019.

**FM-C97(137)—55-97**, K49 HMA resurfacing project between Plymouth County line and county route D12. Letting date: February 19, 2019. Late start date: to be determined. This project is being done in coordination with a Plymouth County project on the same county route. The project involves cold in place recycling of the existing pavement followed by an overlay of high performance asphalt surfacing. The high-performance surface provides a thinner overlay on top of the recycled pavement than standard hot mix asphalt. This is Woodbury County's first project using this material. Work will be done in 2019.

### **Under Contract:**

**L-B(U51)—73-97**, 320<sup>th</sup> Street Bridge replacement. Letting date: October 30, 2018. Late start date: April 15, 2019. Contractor: Graves Construction, Spencer, IA. Contract price: \$475,343.66. Working days: 65. This bridge has been closed since 2014 due to a failed substructure piling.

The project will allow winter work at the contractor's option. We are awaiting a request for a preconstruction meeting from the contractor and expect him to move in within the next two weeks.

**BROS-CO97(133)—55-97**, Hancock Avenue Bridge replacement. Letting date: October 16, 2018 (IDOT Letting) Late start date: June 17, 2019. Working days: 85. Contractor: Dixon Construction. Bid Price: \$567,393.30. This project replaces an aging truss bridge on Hancock Avenue near the 200<sup>th</sup> Street intersection. The current bridge is posted 3 tons.

The project contract has been signed and approved by Iowa DOT. After the contractor requests a preconstruction meeting, we will know when the start date for construction will be. The project schedule allows winter work that may allow the bridge project to be completed earlier in 2019.

**STP-S-CO97(134)—55-97**, D50 PCC Resurfacing near Oto. Letting date: April 17, 2018. Late start date: July 23, 2018. Working days: 60. Contractor: Cedar Valley Corporation, Waterloo, IA. Contract price: \$2,354,844.71.

All mainline paving is complete. The bridge approaches on the Little Sioux River bridge have been poured and should be ready for traffic by Thursday. Shouldering is complete up to Morgan Trail with only the segment between Morgan Trail and Highway 31 remaining. The guardrail subcontractor is coming on Tuesday to install new guardrail on the river bridge east of Oto. The project should reopen to traffic Thursday, November 29 after pavement markings are applied.

**BROS-CO97(132)—55-97**, 150<sup>th</sup> Street Bridge replacement near Lawton. Letting date: June 19, 2018 (IDOT Letting). Late start date: May 1, 2019. Working days: 105. Contractor: Dixon Construction, Correctionville, IA. Contract price: \$1,019,550.42. This project replaced an aging truss bridge on 150<sup>th</sup> Street (Old Highway 20) north of Lawton.

The bridge removal is complete and channel excavation for the new bridge opening is almost completed. The contractor is going to drive east pier pile on the bridge this week. Work will continue as weather allows through the winter.

**L-B(J9)—73-97**, County Bridge J9 is on 170<sup>th</sup> Street between Jasper and Jewell Avenues. Letting date: August 21, 2018. Late start date: April 15, 2019. Contractor: Dixon Construction, Correctionville, IA. Contract price: \$544,821.40. This bridge was one of the flood damaged structures from the June 18, 2016 storm event. The bridge has been closed to traffic since it was damaged in the flood.

The contractor is replacing county road closed signs with new traffic control. Removal of the old bridge should begin this week. Work will continue through the winter as weather allows.

### **Work Under Design:**

Design work is underway on the following projects for letting sometime during 2018 and 2019.

250<sup>th</sup> Street Grading Project - 2.25-mile grade for paving project south of Anthon. Right of way will be necessary to allow construction of this road. Final design is complete. Plats for right of way acquisition are complete and acquisition has started. We have been delayed in further right of way negotiations in cooperation with landowners who have been busy with fall harvest. We hope to resume right of way acquisition in December after harvest. We are working toward a winter 2018 letting. This project is funded with the \$1.3 million per year special project levy funds.

Bridge D156 – This structure is on Franklin Avenue north of Old Highway 20/150<sup>th</sup> Street. The structure is posted 8 tons. The existing structure is significantly oversized and built from salvaged materials. The replacement structure is proposed to be a large culvert. This project is funded with money received in the local budget from the new \$0.10 state fuel tax. The project is scheduled for early 2019 construction.

Haskell Avenue Bridge C-160 - Design work and permitting are complete on the Haskell Avenue Bridge. The new bridge will be a single span 100' x 30.5' pretensioned, prestressed concrete beam bridge. Final plans are being prepared for a March 2019 letting.

Gravel crushing is underway at both the Railroad pit and the Briese pit. About 17,000 tons has been processed at the Railroad pit. The crusher at the Briese pit broke down last week and production is just starting for the contract quantity.

**Mason Avenue Bridge:**

The Mason Avenue bridge was severely damaged by flooding on the Little Sioux River in July 2018. The bridge has been closed to traffic due to damage caused by the bridge being struck by a large tree. The county engineer's office was notified Wednesday that FEMA has determined that the damage is eligible for repair/replacement assistance. The county road department is filing preliminary documentation requesting assistance from FEMA for assistance with eligible costs and will be having an applicant briefing on Tuesday, October 16th. Communication is open with FEMA at this time to replace the existing bridge. We expect that work to be completed in 2020 at this time.