



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(SEPTEMBER 3, 2019) (WEEK 36 OF 2019)**

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 333-1714 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 September 3, 2019 at **4:30 p.m.** in the basement of the courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

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

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

AGENDA

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

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

Consent Agenda

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

3. Approval of the minutes of the August 27, 2019 meeting
4. Approval of claims
5. Board Administration – Karen James
Approval of resolution for a tax suspension for B.P.
6. County Auditor – Patrick Gill
 - a. Receive County Recorder’s Report of fees collected
 - b. Receive the appointment of Randy L. Crawford as Woodbury Township Trustee

7. Human Resources – Melissa Thomas
Approval of Memorandum of Personnel Transactions

End Consent Agenda

8. Communication Center – Glenn Sedivy
Set public hearing date for September 17, 2019 at 4:40 p.m. for 2nd Amendment to a Tower Lease Agreement for a Starcomm tower located at 2290 Platte Road, Homer, Nebraska Action
9. Secondary Roads – Mark Nahra
Approve the contract for propane for county buildings with Central Valley Ag Coop Action
10. Reports on Committee Meetings Information
11. Citizen Concerns Information
12. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- TUES., SEPT. 3** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., SEPT. 4** **9:00 a.m.** Loess Hills Alliance Stewardship Committee Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Executive Board Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Full Board Meeting
- 6:00 p.m.** Board of Adjustment Meeting, First Floor Boardroom, County Courthouse
- THUR., SEPT. 5** **10:00 a.m.** COAD Meeting, The Security Institute
- TUES. SEPT. 10** **4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., SEPT. 11** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 6:30 p.m.** Woodbury County Solid Waste Agency (Sanitary Landfill) Executive Committee Meeting, Public Safety Center, Climbing Hill
- 7:30 p.m.** 911 Service Board Meeting, Public Safety Center, Climbing Hill
- 8:00 p.m.** County's Mayor Association Meeting, Public Safety Center, Climbing Hill
- THUR., SEPT. 12** **12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 6:30 p.m.** Pierson Town Hall Meeting, Pierson City Hall
- WED., SEPT. 18** **10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THUR., SEPT.19** **4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- 6:30 p.m.** Hornick Town Hall Meeting, Hornick Community Center
- MON., SEPT. 23** **6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- WED., SEPT 25** **2:30 p.m.** Rolling Hills Community Services Region Governance Board meeting, Holstein
- THUR., SEPT. 26** **11:00 a.m.** Siouxland Regional Transit Systems Board Meeting, SIMPCO Office, 1122 Pierce St.
- TUES., OCT. 1** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., OCT. 2** **12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- THUR., OCT. 3** **10:00 a.m.** COAD Meeting, The Security Institute
- MON., OCT. 7** **6:00 p.m.** 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.

AUGUST 27, 2019, THIRTY-FIFTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, August 27, 2019 at 4:00 p.m. Board members present were Ung, Radig, De Witt, Taylor, and Pottebaum. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget/Tax Analyst, Joshua Widman, Assistant County Attorney and Patrick Gill, Auditor/Clerk to the Board.

- 1. Motion by Radig second by Taylor to go into closed session per Iowa Code Section 21.5(1)(a). Carried 5-0 on a roll-call vote.

Motion by Radig second by De Witt to go out of closed session per Iowa Code Section 21.5(1)(a). Carried 5-0 on a roll-call vote.

Motion by Radig second by De Witt to uphold the appeal of a General Relief decision and grant a request of \$500.00 for rental expenses. Carried 5-0 on a roll-call vote.

The Board recessed until 4:30 p.m.

The regular meeting was called to order at 4:30 p.m. with the Pledge of Allegiance to the Flag and a Moment of Silence.

- 2. There were no citizen concerns.
- 3. Motion by Radig second by Taylor to approve the agenda for August 27,2019. Carried 5-0. Copy filed.

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

- 4. To approve minutes of the August 20, 2019 meeting. Copy filed.
- 5. To approve the claims totaling \$831,631.17. Copy filed.
- 6a. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes through redemption process for Joseph Green, 2911 Pierce St., Sioux City, parcel #894716359017.

**WOODBURY COUNTY, IOWA
 RESOLUTION #12,887
 RESOLUTION APPROVING PETITION FOR SUSPENSION
 OF TAXES THROUGH THE REDEMPTION PROCESS**

WHEREAS, Joseph Green and as joint titleholder of property located at 2911 Pierce St., Sioux City, Iowa, Woodbury County, Iowa, and legally described as follows:

Parcel # 894716359017

PEIRCES ADDITION LOT 7 BLOCK 19

WHEREAS, Joseph Green, as joint 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 #894716359017 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 27th day of August, 2019.
 WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 6b. To approve and receive for signatures a Resolution Thanking and Commending Lori Baldwin for her years of service to Woodbury County.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,888
A RESOLUTION THANKING AND COMMENDING
LORI BALDWIN
FOR HER SERVICES TO WOODBURY COUNTY**

WHEREAS, Lori Baldwin has capably served Woodbury County as an employee of the Siouxland District Health Department for 27 years from October 26, 1992 to September 3, 2019; and

WHEREAS, the service given by Lori Baldwin as a Woodbury County employee, has been characterized by her 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 Lori Baldwin for her 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, Lori Baldwin.

BE IT SO RESOLVED this 27th day of August, 2019.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 7a. To approve the separation of Briann Church, Civilian Jailer, County Sheriff Dept., effective 8-25-19. Resignation.; the transfer of Anthony Velasquez, Youth Worker, Juvenile Detention Dept, effective 8-26-19, \$24.28/hour, 0%. Position Transfer from P/T to F/T Youth Worker.; and the appointment of Todd Ferry, P/T Courthouse Safety & Security Officer, County Sheriff Dept, effective 8-28-19, \$18.50/hour. Job Vacancy Posted: 7-31-19. Entry Level Salary: \$16.84-\$18.50/hour. Copy filed.
- 7b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Civilian Jailer, County Sheriff Dept. CWA: \$19.86/hour. Copy filed.
- 7c. To approve the request of Lori Baldwin to remain on the County Health. Copy filed.
- 8a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcels #894720180045 & #894720180044, 2107 & 2111 Myrtle St.

**RESOLUTION #12,889
NOTICE OF PROPERTY SALE**

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

Lot Three (3) in Block Two (2), Myrtle Boulevard Addition to Sioux City, Woodbury County, Iowa (2107 Myrtle Street)

Lot Four (4) in Block Two (2), Myrtle Boulevard Addition to Sioux City, Woodbury County, Iowa (2111 Myrtle Street)

NOW THEREFORE,

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

1. That a public hearing on the aforesaid proposal shall be held on the **10th Day of September, 2019 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate on the **10th Day of September, 2019**, immediately following the closing of the public hearing to the **City of Sioux City only per Code of Iowa 331.361(2)**.
3. That said Board proposes to sell the said real estate to the **City of Sioux City only for consideration of \$1,040.00 plus recording fees.**
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 27th Day of August, 2019
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 8b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894729440009, 212 Kansas St.

**RESOLUTION #12,890
 NOTICE OF PROPERTY SALE**

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

Lot Three (3) in Block Forty-three (43), Sioux City Addition, in the County of Woodbury and State of Iowa (212 Kansas Street)

NOW THEREFORE,

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

1. That a public hearing on the aforesaid proposal shall be held on the **10th Day of September, 2019 at 4:37 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **10th Day of September, 2019**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$427.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 27th Day of August, 2019.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

9. To approve the underground utility permit for Qwest Communications/Century Link QC. Copy filed.

Carried 5-0.

- 10. Dawn Mentzer, Rolling Hills Community Services Region CEO, presented information on Woodbury County's transition to the Rolling Hills Community Services Region. Copy filed.
- 11. Motion by Taylor second by Pottebaum to allocate \$1,000.00 and 2 days (16 hours) of paid time off for the employee contribution campaign. Carried 5-0. Copy filed.
- 12. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution to vacate excess right of way on Old Highway 141. Carried 5-0.

**RESOLUTION #12,891
 WOODBURY COUNTY, IOWA
 VACATION OF EXCESS RIGHT OF WAY**

WHEREAS the Code of Iowa, section 306.10 gives the Board of Supervisors the power on its own motion to alter or vacate and close any highway or road under its jurisdiction, and

WHEREAS the Code of Iowa, section 306.11 allows the Board to vacate a road right of held by easement that will not change the traveled portion of the road or deny access to adjoining landowners, and

WHEREAS a road vacation under the circumstances outlined in 306.11 does not require a hearing, and

WHEREAS there is excess right of way on the north side of Old Highway 141 near Smithland that encompasses a portion of a private residence, and

WHEREAS vacation of the excess right of way does not affect access or highway use, and

WHEREAS the Board of Supervisors no longer believes the county needs to maintain its easement on the following county right of way,

NOW THEREFORE BE IT RESOLVED that the Woodbury County Board of Supervisors, in session this 28th day of August 2019, enters the following order in regard to the aforementioned right of way vacation.

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE NE1/4 SW1/4 SECTION 26, T-86-N, R-44-W OF THE 5TH PRINCIPAL MERIDIAN WOODBURY COUNTY, IOWA. ALSO BEING A PART OF LOT 15 OF AUDITORS PLAT OF THE S1/2 SECTION 26 IN SMITHLAND, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 26-86-44 THENCE N89°34'06"W AN ASSUMED BEARING 996.83 FEET ALONG THE NORTH LINE OF THE SW1/4 TO THE NW CORNER OF LOT 15 OF SAID AUDITORS PLAT; THENCE S19°34'19"W, 643.50 FEET ALONG THE WESTERLY LINE OF LOT 15; THENCE N89°34'06"W, 47.48 FEET TO THE CENTERLINE OF OLD HIGHWAY 141; THENCE ALONG SAID CENTERLINE ALONG A CURVE CONCAVE SOUTHWESTERLY WITH AN ARC LENGTH OF 64.68 FEET, A RADIUS OF 1273.30 FEET, AND A CHORD BEARING OF S32°37'49"E FOR 64.67 FEET; THENCE N58°49'30"E, 45.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N58°49'30"E, 45.00 FEET; THENCE ALONG A CURVE CONCAVE SOUTHWESTERLY WITH AN ARC LENGTH OF 266.39 FEET, A RADIUS OF 1363.30 FEET, AND A CHORD BEARING OF S25°34'39"E FOR 265.96 FEET; THENCE S19°58'47"E, 110.90 FEET; THENCE S70°01'13"W, 45.00 FEET; THENCE N19°58'47"W FOR 110.90 FEET; THENCE ALONG A CURVE CONCAVE SOUTHWESTERLY WITH AN ARC LENGTH OF 257.59 FEET, A RADIUS OF 1318.30 FEET, AND A CHORD BEARING OF N25°34'39"W FOR 257.18 FEET TO THE POINT OF BEGINNING.

SAID PARCEL DESCRIPTION CONTAINS 0.385 ACRES MORE OR LESS.

SO ORDERED THIS 28th DAY OF August, 2019;
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

13. Motion by Pottebaum second by Radig to approve the use of CIP funds to allow Woodbury County Emergency Services to purchase a 2006 Hackney Freightliner Air & Unit for \$149,000.00 to replace the 1989 F750 Air & Light Truck, Unit 208. Carried 4-1; De Witt was opposed. Copy filed.
14. Motion by Radig second by Taylor to process a claim for \$1,000.00 from The Sign Shop for ATV decals out of gaming funds. Carried 5-0. Copy filed.
15. The Board heard reports on committee meetings.
16. There were no citizen concerns.
17. Board concerns were heard.

The Board adjourned the regular meeting until September 3, 2019.

Meeting sign in sheet. Copy filed.

**WOODBURY COUNTY, IOWA
BOARD ADMINISTRATION
MEMORANDUM**

TO: Board of Supervisors
FROM: Karen James, Board Administrative Assistant
RE: Consideration of a Petition for a Tax Suspension
DATE: August 28, 2019

Please consider this request for a tax suspension for B.P. If the Board approves this request, the suspension resolution requires the chairman's signature

Thank you.

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

#6a

State of IOWA) SS:
County of WOODBURY)

To the Board of Supervisors of WOODBURY County:

I, DIANE SWOBODA PETERSON, Real Estate/Recorder Deputy of the above named County and State, do hereby certify that the following is a true and correct statement of the fees collected by me in my office for the period of 4/01/2019 through 6/30/2019 and the same has been paid to the County Treasurer.

	Number of Documents	Fees Collected
R.E. Transfer Tax State-Monthly		37,426.17
County Share R.E. Transfer Tax		23,222.91
Auditor Transfer Fee		5,465.00
Records Management Fees		3,690.00
Recording of Instruments		81,704.60
Elec Tran Fee to State Untransferred (May & June)		2,419.00
Copy Money-Quarterly		822.00
Vitals Stats State-Monthly		17,429.00
Vitals Stats County-Quarterly		10,016.00
Accts. Receivable Payment-Quarterly		6,695.00
Transfer to Checking Account		
Previous Qtr. Acct. Receivable Balance		(2,848.00)
Bad Check Adjustment—Quarterly		(20.00)
Odd Size Documents		300.00
Overpayment Fee		194.80
Total		186,516.48

All of which is respectfully submitted.


DIANE SWOBODA PETERSON Real Estate/Recorder Deputy

Subscribed and sworn to before me by DIANE SWOBODA PETERSON, Woodbury County Real Estate/Recorder Deputy this 8th day of August, 2019.

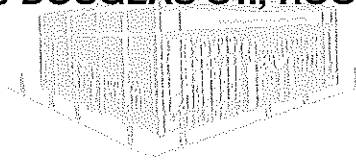

PATRICK F. GILL County Auditor

#6b

WOODBURY COUNTY
SIOUX CITY, IOWA 51101

Office of Commissioner of Elections

620 DOUGLAS ST., ROOM 103



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

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

To: Board of Supervisors

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

Date: August 23, 2019

Re: Woodbury Township Trustee Appointment

Please receive the appointment of Randy L. Crawford, 1005 Clairmont Circle, Sergeant Bluff, Iowa as a Woodbury Township Trustee. The position was previously held by Cindy Wulf-McGrath. The appointment was made on 08/19/2019.

To Whom It May Concern:

I, Cindy Wulf-McGrath, currently serve as a trustee on the Woodbury County Township Committee. I have decided to move to Spirit Lake, Iowa, on 8/6/19. Even though I have enjoyed participating on this committee, I will no longer be able to serve.

Sincerely,



Cindy Wulf-McGrath

7/27/19

PATRICK F. GILL
WOODBURY COUNTY
2019 AUG 22 PM 12 35
AUDITOR RECORDER
COMM OF ELECTIONS

Woodbury Township Trustees

Alexia Boggs - 2154 Buchanan Ave. - 712-253-1831

Per Judy Monson -
Appointed
8-19-19 (K)

Randy L. Crawford. - 1005 Clairmont Cir. - 712-281-2773

Dan Hunter. - 2090.Roundtable Rd. - 712-253-7186

Judy Monson - 302 3rd St. Box 565. - 712-943-5285

PATRICK F. GILL
WOODBURY COUNTY
2019 AUG 22 PM 12 35
AUDITOR RECORDER
COM. OF ELECTIONS

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: September 3, 2019

*** 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
Harmon, Hayden	County Sheriff	9-09-19	Civilian Jailer	\$19.86/hour		A	Job Vacancy Posted 7-10-19. Entry Level Salary: \$19.86/hour.
Newman, Preston	County Sheriff	9-09-19	Civilian Jailer	\$19.86/hour		T	Position Transfer from Sheriff Reserve Officer to Civilian Jailer.
Freemont, Ronald	Emergency Services	9-17-19	F/T Operations Officer-Paramedic	\$18.90/hour	0%	T	Position Transfer from P/T to F/T Operations Officer-Paramedic.
Hayes, Todd	Juvenile Detention	9-20-19	P/T Youth Worker	\$20.07/hour	4%=\$.77/hour	R	Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2.
Ingram, Michael	Juvenile Detention	9-27-19	P/T Youth Worker	\$20.07/hour	4%=\$.77/hour	R	Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2.

APPROVED BY BOARD DATE:

Melissa Thomas

MELISSA THOMAS, HR DIRECTOR:

WOODBURY COUNTY
HUMAN RESOURCES DEPARTMENT

TO: Board of Supervisors and the Taxpayers of Woodbury County
FROM: Melissa Thomas, Human Resources Director
SUBJECT: Memorandum of Personnel Transactions
DATE: September 3, 2019

For the September 3, 2019 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

1. County Sheriff Civilian Jailer, Appointment.
2. County Sheriff Reserve Officer, Transfer to Civilian Jailer.
3. Emergency Services Operations Officer-Paramedic, Transfer from Part-time to Full-time.
4. Juvenile Detention (2) P/T Youth Workers, from Grade 1/Step 1 to Grade 1/Step 2.

Thank you

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

#8

Date: 08-26-19 Weekly Agenda Date: 09-03-19

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Glenn Sedivy, Communications Director

WORDING FOR AGENDA ITEM:

Set Public Hearing Date for September 17, 2019 at 4:40 pm for 2nd Amendment to a Tower Lease Agreement for a Starcomm tower located at 2290 Platte Road, Homer Nebraska

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The Starcomm Executive Board recommends to the County Supervisors to set a public hearing for September 17, 2019, to amend a Tower Lease Agreement with New Cingular Wireless PCS

BACKGROUND:

Woodbury County (STARCOMM) currently owns and operates a tower located at 2290 Platte Road, Homer Nebraska. A public hearing is requested to be set for September 17, 2019 at 4:40 pm during the regular County Board of Supervisors meeting. New Cingular Wireless PCS, LLC, currently leases tower space on this tower and has requested to enter into a 2nd amendment to the current lease.

FINANCIAL IMPACT:

The rent will increase from \$2,502.50 to \$2,977.50 per month as new revenue to the Starcomm Operating 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:

Set Public Hearing

ACTION REQUIRED / PROPOSED MOTION:

Set Public Hearing for September 17, 2019 at 4:40 pm

NOTICE OF PUBLIC HEARING

Governmental Body: The Board of Supervisors of Woodbury County, Iowa
Date of Meeting: September 17, 2019
Time of Meeting: 4:40 p.m.
Place of Meeting: Boardroom, Woodbury County Courthouse, 620 Douglas Street,
Sioux City, Iowa

Pursuant to the requirements of Sections 331.301(10)(d) and 331.443 of the Code of Iowa, the Woodbury County Board of Supervisors will hold a public hearing on the date, time and place set forth above. The purpose of the public hearing will be for a 2nd amendment of a current tower lease with New Cingular to allow to them to operate on a Starcomm Communications radio tower located at 2290 Platte Road, Homer Nebraska. The amendment will increase the current lease amount by \$475.00 per month with a total amount of \$2,977.50 per month. This funding will provide new revenue to be applied towards the Starcomm operating budget. Any resident or property owner of Woodbury County may present oral or written objections at the public hearing.

Patrick F. Gill,
Auditor of Woodbury County, Iowa

AMENDMENT #2 TO SITE LEASE AGREEMENT

It is agreed between the Woodbury County Board of Supervisors, c/o Starcomm Public Safety Board, the City of Sioux City, Iowa (“Lessors”) and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of Suite 13-F West Tower, 575 Morosgo Drive NE, Atlanta, GA 30324 (“Lessee”) as follows:

WHEREAS, Lessor and Lessee (or their respective predecessors-in-interest) entered into a Site Lease Agreement between the parties signed on or about September 5th, 2006 and went into effect on September 29, 2006 when the building permit was issued, with respect to a cell tower located at 2290 Platte Road, Homer, NE; and

WHEREAS, the parties amended the Site Lease Agreement on October 21, 2014; and

WHEREAS, Lessor and Lessee, in their mutual interest, wish to amend the Agreement for a second time as set forth below accordingly.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

1. Exhibit A- (“Site Plan”) is modified and replaced as set forth in Exhibit A-2 of this Amendment
2. Section 6 of the Amendent to Site Lease agreement is hereby deleted in its entirety and replaced with the following:

Renewal Term Rent Lessee shall pay Woodbury County, Iowa, administrator of funds of Starcomm Public Safety Board, “Rent,” for each month of the Five (5) years for Renewal Terms as listed below in this paragraph. Each monthly Rent payment shall be due to Woodbury County, Iowa on or before the first day of each month. In addition, Lessee shall be responsible for all utility service payments with the exception of telephone service used exclusively by Lessors.

- a. First Renewal Term (years 6 through 10) Rent shall be increased by 10% of the highest amount paid during the initial term.
- b. Second Renewal Term (years 11 through 15) Rent shall be increased by 10% of the highest amount paid during the First Renewal Term. On August 1, 2019, Rent shall be increased to two thousand nine hundred and seventy-seven dollars and fifty cents (\$2,977.50) per month for the remainder of the Second Renewal Term. It is understood by the Parties that this increase in monthly rent is in consideration for allowing Lessee to update their equipment on the tower as identified in Exhibit A-2.
- c. Third Renewal Term (years 16 through 20) Rent shall be increased by 10% of the highest amount paid during the Second Renewal Term.
- d. Fourth Renewal Term (years 21 through 25) Rent shall be increased by 10% of the highest amount paid during the Third Renewal Term.

3. Notices. Section 12 of the Agreement is hereby deleted in its entirety and replaced with the following:

NOTICES. All notices, requests, demands and communications hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows.

If to Lessee: New Cingular Wireless PCS, LLC
 Attn: Network Real Estate Administration
 Re: Cell Site #:DESMNEU1754
 Cell Site Name: Homer-LLW-NESC
 FA No: 13169481
 Suite 13-F West Tower
 575 Morosgo Drive NE
 Atlanta, GA 30324

With a copy to: New Cingular Wireless PCS, LLC
 Attn: Legal Department
 Re: Cell Site #:DESMNEU1754
 Cell Site Name: Homer-LLW-NESC
 FA No: 13169481
 208 S. Akard Street
 Dallas, TX 75202-4206

The copy sent to the Legal Department is an administrative step which alone does not constitute legal notice.

If to Lessors: Woodbury County, Iowa
 Board of Supervisors
 620 Douglas Street, Suite 104
 Sioux City, Iowa 51101

 Starcomm Public Safety Board
 P.O. Box 447
 Sioux City, Iowa 51102
 ATTN: Glenn Sedivy

In all other respects, the original Site Lease Agreement, Amendment to Site Lease Agreement dated September 5, 2006 Agreement and Amendment #1 to Site Lease Agreement dated October 21, 2014 are unchanged.

Dated _____, 2019

LESSORS:

Attest:

Woodbury County, Iowa

By:

Patrick Gill
County Auditor

By:

Keith Radig
Chairman
Woodbury County Board of Supervisors

Date:

LESSEE:

Attest:

New Cingular Wireless PSC, LLC
By: AT&T Mobility Corporation
Its: Manager

By:

[Print Name]

By:

[Print Name]

Title:

[Print Title]

Title:

[Print Title]

Date:

CONSENT TO SUBLEASE AMENDMENT

On this _____ day of _____, 2019, The City/County Law Enforcement Center of South Sioux City/Dakota County, State of Nebraska as Landlord and pursuant to Paragraph 9 of the Lease – Business Property dated April 14, 2009 hereby consents to the Sublease Amendment between Starcomm, Woodbury County, Iowa, and New Cingular Wireless PSC, LLC.

The City/County Law Enforcement Center
Of South Sioux City/Dakota County

By:

Print Name:

Title:

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

#9

Date: 8/29/2019 Weekly Agenda Date: 9/03/2019

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

WORDING FOR AGENDA ITEM:

Approve contract for FY 2020 Propane

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Annually the Secondary Road Department solicits quotes for propane for several county departments for winter heating. Contracts have been returned for board approval.

BACKGROUND:

The County Secondary Road Department has requested quotations for propane. The board awarded the bid to the low bidder and contracts are ready for signature.

FINANCIAL IMPACT:

The project is paid for with Woodbury County Secondary Road funds from the operations area of our budget. The other departments pay for propane from their departmental operating budgets.

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 contract for propane for county buildings.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board approve the contract for propane for county buildings with Central Valley Ag Coop.

County Woodbury

SUPPLY CONTRACT

THIS AGREEMENT made entered into by and between Woodbury County, by its Board of Supervisors, consisting of the following members Keith W. Radig, Rocky L. DeWitt, Marty J. Pottebaum, Matthew A. Ung and Jeremy J. Taylor Party of the first part, and Central Valley Ag Coop of LeMars, IA, party of the second part.

WITNESSETH: That the party of the second part, for and in consideration of \$0.78 per gallon payable as set forth in the specifications constituting a part of this contract, hereby agrees to furnish f. o. b. the locations as designated in the Instructions to bidders, and within the time specified propane as follows: Furnish and deliver approximately 50,200 gallons of propane fuel at the bid price of \$0.78/per gallon to the Woodbury County Secondary Roads Department, Conservation Department, Sheriff's Department, Emergency Services Department, Emergency Operations Department and Treasurer's Office.

Deliveries to be made at locations as noted in the NOTICE/INSTRUCTIONS TO BIDDERS.

Deliveries to be made within forty-eight (48) hours of County order unless other delivery arrangements are agreed upon by both parties.

This contract is valid only for the period commencing September 1, 2019 through and including August 31, 2020.

Payment to vendor will be made from current funds upon receipt of invoices.

IN WITNESS WHEREOF, the parties hereto have set their hands for the purpose herein expressed, to this and three other instruments of like tenor, this _____ day of _____ 2019

Woodbury County, Iowa
Party of the First Part

By _____
Keith W. Radig, Chairman

Central Valley Ag Coop

By Hane R. Kuehl
Party of the Second Part