



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS (DECEMBER 13) (WEEK 50 OF 2022)

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

Agenda and Minutes available at: www.woodburycountyiowa.gov

Live telephonic access at: 712-224-6014

Rocky L. DeWitt 253-0421 rdewitt@woodburycountyiowa.gov
Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov
Jeremy Taylor 259-7910 jtaylor@woodburycountyiowa.gov
Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov
Justin Wright 899-9044 jwright@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held December 13, 2022 at 4:30 p.m. in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

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

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

AGENDA

- 4:30 p.m. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence
1. Citizen Concerns Information
2. Approval of the agenda Action

Consent Agenda

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

- 3. Approval of the minutes of the December 6, 2022 meeting
4. Approval of claims
5. County Treasurer – Tina Bertrand
Approve refund request for overpayment of taxes for parcel #884705383017 in the amount of \$11.00
6. Board Administration – Karen James
a. Approval of resolution thanking and commending Jeannette Ford for years of service
b. Approval of resolution thanking and commending Darin Fay for years of service
c. Approval of resolution thanking and commending Dawn Snyder for years of service

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

### **End Consent Agenda**

8. Board of Supervisors – Keith Radig  
Discussion of County involvement in Rural Community Multi-City Inspector Information
9. Secondary Roads – Ben Kusler  
Approve the plans for project number BRS-SWAP-C097(147)—60-97 Action
10. Board Administration – Dennis Butler  
Approval of resolution fixing December 20, 2022 @ 4:35 p.m. for a public hearing on the proposal to amend the Lease Agreement with the Woodbury County Law Enforcement Center Authority Action
11. Building Services – Kenny Schmitz  
Approve reauthorization of unallocated CIP finding of \$315,000 toward a maintenance storage building at the new LEC Action
12. Reports on Committee Meetings Information
13. Citizen Concerns Information
14. Board Concerns Information

### **ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- WED., DEC. 14**    **7:30 a.m.** SIMPCO – Executive-Finance Committee Meeting, Hybrid  
**8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom  
**12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- THU., DEC. 15**    **4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue  
**5:00 p.m.** SIMPCO Board of Directors, Country Club, 4001 Jackson Street
- FRI., DEC.16**    **12:00 p.m.** Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- WED., DEC. 21** **12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., DEC. 22** **11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- MON., DEC. 26** **6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., DEC. 27**    **2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., DEC. 28** **2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- WED., JAN. 4**    **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., JAN. 5**    **10:00 a.m.** COAD Meeting, The Security Institute
- WED., JAN. 11** **7:30 a.m.** SIMPCO Executive – Finance Committee - Hybrid  
**8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom  
**10:00 a.m.** STARComm Board Meeting, The Security Institute, WIT Campus  
**12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.  
**6:30 p.m.** 911 Service Board Meeting, Public Safety Center, Climbing Hill  
**8:00 p.m.** County's Mayor Association Meeting, Public Safety Center, Climbing Hill
- THU., JAN. 12** **12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.  
**4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park

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

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

## DECEMBER 6, 2022 FORTY-NINETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, December 6, 2022, at 4:30 p.m. Board members present were De Witt, Taylor, Ung (by phone), Wright, and Radig. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Melissa Thomas, Human Resources Director, and Michelle Skaff, Deputy 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. Maria Rundquist, 3131 Norman Dr., Sioux City, expressed concerns related to an individual with delinquent taxes.  
Gayle Palmquist, 1848 130<sup>th</sup> St., Lawton, expressed concerns regarding pipeline.  
Motion by Radig second by Taylor to receive documents from Ms. Palmquist. Carried 5-0. Copy filed.  
James Loomis, County Attorney Elect, introduced himself to the Board.
  2. Motion by Radig second by Taylor to approve the agenda for December 6, 2022. Carried 5-0. Copy filed.  
Motion by Taylor second by Radig to approve the following items by consent:
    3. To approve minutes of the November 29, 2022, meeting. Copy filed.
    4. To approve the claims totaling \$247,430.46. Copy filed.
    5. To approve the property tax refund for 3215 Jennings St., parcel #894716401030, in the amount of \$22.00. Copy filed.
    6. To approve the Juvenile Detention Service Agreement between Woodbury County, Iowa and Omaha Nation, NE. Copy filed.
    - 7a. To approve the separation of Timothy Jordan, P/T Youth Worker, Juvenile Detention Dept., effective 12-02-22. Resignation; the reclassification of Aaron Tompkins, Civilian Jailer, County Sheriff Dept., effective 12-12-22, \$24.28/hour, 4%=\$.95/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.; and the separation of Darin Fay, Sheriff Deputy, County Sheriff Dept., effective 12-25-22. Retirement. Copy filed.
    - 7b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for (4) Civilian Jailers, County Sheriff Dept. CWA: \$23.33/hour.; and P/T Youth Worker, Juvenile Detention Dept. AFSCME: \$20.89/hour. Copy filed.
- Carried 5-0.
8. Motion by Taylor second by Radig to approve permission to Enter Property and Authorization to Drill agreement for monitoring well at Midway Park. Carried 5-0. Copy filed.
  - 9a. Motion by Radig second by Taylor to approve the contract for gravel purchase with Hallett Materials for \$2,100,000.00. Carried 5-0. Copy filed.
  - 9b. Motion by Radig second by De Witt to approve the contract for gravel purchase with Hallett Materials for \$412,500.00. Carried 5-0. Copy filed.
  - 9c. Motion by Taylor second by Radig to approve the project agreement from project #NHSX-020-19(179)—3H-97 and #NHSX-020-19(180)—3J-97. Carried 5-0. Copy filed.
  - 9d. Mark Nahra, Secondary Roads, presented information to amend the Secondary Road Driveways and Entrances policy to allow a second driveway on paved curb and gutter roads with minimum speed limits and limited access

(cul-de-sacs) where access is limited by existing septic systems, buildings, etc. limiting the usefulness of the property. Copy filed.

Don Eggerling, Rose Lane, Sioux City, addressed the Board regarding driveways and entrances.

10a. Motion by Radig second by De Witt to receive the Zoning Commission's recommendation from their 11/28/22 meeting to approve the final plat of the Zahnley First Addition, a minor subdivision to Woodbury County, Iowa. Carried 5-0. Copy filed.

10b. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution accepting and approving the final plat of the Zahnley First Addition, a Minor Subdivision. Carried 5-0.

**BOARD OF SUPERVISORS  
RESOLUTION #13,519  
ACCEPTING AND APPROVING ZAHNLEY FIRST ADDTION  
A MINOR SUBDIVISION  
WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE 28<sup>TH</sup> DAY OF NOVEMBER, 2022, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS "ZAHNLEY FIRST ADDITION", WOODBURY COUNTY, IOWA;  
AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA, HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA, HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE B.E., AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF "ZAHNLEY FIRST ADDITION", WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNER AND PROPRIETOR A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 6<sup>TH</sup> DAY OF DECEMBER, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

10c. Motion by Taylor second by De Witt to receive the Zoning Commission's recommendation and final report from the 11/28/22 meeting about a Zoning Ordinance Text Amendment concerning Hazardous Liquid Pipelines. Carried 5-0. Copy filed.

11a. Motion by Radig second by De Witt to approve the lease proposal between Woodbury County and Iowa Department of Public Safety at 1600 County Home Road, Sioux City, Iowa. Carried 5-0. Copy filed.

11b. Motion by De Witt second by Radig to approve creating new Jail Sergeant, January 1, 2023 and new Jail Lt., March 1, 2023. Carried 5-0. Copy filed.

12. Kenny Schmitz, Building Services, and Dennis Butler, Board of Supervisors, presented an update on Capital Improvement Financial. Copy filed.

Motion by De Witt second by Taylor to receive CIP documents. Carried 5-0. Copy filed.

13. Motion by Taylor second by Radig to approve the funding for FFE at the new Law Enforcement Center from Woodbury County's FY23 CIP, in the amount of \$941,000 contingent on amendment of the lease. Carried 5-0. Copy filed.

14. Reports on Committee Meetings were heard.

15. Dan Bittinger II, Supervisor Elect, introduced himself to the Board.

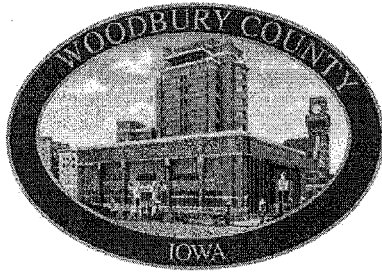
Maria Rundquist, 3131 Norman Dr., Sioux City, addressed the Board regarding Mr. Bittinger.

Deb Main, 1026 Charles Ave., Sioux City, Gayle Palmquist, 1848 130<sup>th</sup> St., Lawton, and Doyle Turner, 220<sup>th</sup> St., Merville, addressed the Board regarding pipeline concerns.

16. Board concerns were heard.

The Board adjourned the regular meeting until December 13, 2022.

Meeting sign in sheet. Copy filed.



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

December 6, 2022

RE: Refund

Dear Board of Supervisors,

The following has requested a refund from the Treasurer's office for overpayment of taxes on the below parcel. Would you please approve this refund?

8847 05 383 017 (2825 S Cypress St)      Corelogic Tax Services      \$11.00

The refund will be processed upon confirmation that funds were not returned as non-sufficient.

Thank you for your time,

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

Janet L Trimpe  
Woodbury County Tax Deputy

WOODBURY COUNTY, IOWA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION THANKING AND COMMENDING

*Jeannette Ford*

FOR HER SERVICE TO WOODBURY COUNTY

WHEREAS, Jeannette Ford has capably served Woodbury County as an employee of the Siouxland District Health for 21 years from November 4, 2002 to January 6, 2023

WHEREAS, the service given by Jeannette Ford 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 Jeannette Ford 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, Jeannette Ford.

BE IT SO RESOLVED this 13th day of December 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Keith W. Radig, Chairman

\_\_\_\_\_  
Jeremy Taylor, Member

\_\_\_\_\_  
Rocky L. De Witt, Member

\_\_\_\_\_  
Matthew A. Ung, Member

\_\_\_\_\_  
Justin Wright, Member

Attest:

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



WOODBURY COUNTY, IOWA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION THANKING AND COMMENDING

*Darin Fay*

FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, Darin Fay has capably served Woodbury County as an employee of the Woodbury County Sheriff's Office for 27 years from August 15, 1995 to December 25, 2022

WHEREAS, the service given by Darin Fay 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 Darin Fay 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, Darin Fay.

BE IT SO RESOLVED this 13th day of December 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Keith W. Radig, Chairman

\_\_\_\_\_  
Jeremy Taylor, Member

\_\_\_\_\_  
Rocky L. De Witt, Member

\_\_\_\_\_  
Matthew A. Ung, Member

\_\_\_\_\_  
Justin Wright, Member

Attest:

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

WOODBURY COUNTY, IOWA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION THANKING AND COMMENDING

*Dawn Snyder*

FOR HER SERVICE TO WOODBURY COUNTY

WHEREAS, Dawn Snyder has capably served Woodbury County as an employee of the Woodbury County Conservation's Department for 35 years from June 16, 1988 to February 2, 2023.

WHEREAS, the service given by Dawn Snyder 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 Dawn Snyder 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, Dawn Snyder.

BE IT SO RESOLVED this 13th day of December 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Keith W. Radig, Chairman

\_\_\_\_\_  
Jeremy Taylor, Member

\_\_\_\_\_  
Rocky L. De Witt, Member

\_\_\_\_\_  
Matthew A. Ung, Member

\_\_\_\_\_  
Justin Wright, Member

Attest:

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

# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

**DATE:** December 13, 2022

**\* PERSONNEL ACTION CODE:**

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

**TO: WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Farris, Marquesha	Juvenile Detention	12-16-22	P/T Youth Worker	\$20.89/hour		A	Job Vacancy Posted 10-19-22. Entry Level Salary: \$20.89/hour.
Grimm, Robert	County Sheriff	12-16-22	P/T Courthouse Safety & Security Officer			S	Resignation.

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

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

## Dennis Butler

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**From:** Joshua Widman  
**Sent:** Tuesday, December 6, 2022 2:22 PM  
**To:** Keith Radig; Justin Wright; Rocky De Witt; Matthew A. Ung; Jeremy Taylor  
**Cc:** Dennis Butler  
**Subject:** Movable inspector loan request

Supervisors,

I believe PJ has notified you that I've been reassigned to the criminal docket in our office until some more prosecutors can be hired to fill the numerous open positions in our office. I believe the plan is to refer civil matters to outside counsel for the indeterminate future.

Given my sudden move to full-time on the prosecution side I was not able to fully research the question of the permissibility of a loan to the City of Movable for the inspector position.

In the research that I was able to do, I did not find any statutes that would authorize it and I tend to think that it probably is not permissible (esp. since part of the funds would be used for salary and the duties of the position would be wholly within cities and partially out of county).

However, perhaps there is a way that I was not able to identify in my limited research.

I encouraged Dennis to reach out to his contacts in the State Auditor's office and Department of Revenue to see if they had any thoughts.

It seems to me that the concerns identified by the Mayor of Movable concerning the funding of the position raised by the State Auditor could be alleviated if all the cities sign the 28E agreement prior to the request for, and expenditure of, funds.

Joshua D. Widman  
Assistant Woodbury County Attorney  
620 Douglas Street #300  
Sioux City, IA 51101

Phone: 712-279-6516  
Fax: 712-279-6457

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

Date: 12/08/2022 Weekly Agenda Date: 12/13/2022

<b>ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:</b> <u>Mark J. Nahra, County Engineer</u>
<b>WORDING FOR AGENDA ITEM:</b> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Consider approval of plans for project number BRS-SWAP-C097(147)--60-97</div>
<b>ACTION REQUIRED:</b>
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:**

Plans have been completed for a project which will replace the A24 bridge on D12 east of Pierson.

**BACKGROUND:**

The bridge project is 2.25 miles east of Pierson on D12/110th Street. A new 130' x 30'-6: continuous concrete slab bridge will replace the existing 125' x 20' foot wide concrete slab bridge built in 1956. Construction is anticipated in the 2023 construction season.

**FINANCIAL IMPACT:**

The projects are paid for with 80% federal aid funds and 20% federal replacement funds (SWAP). The board has approved the funding agreement with the Iowa DOT.

**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 approve the plans for project number BRS-SWAP-C097(147)--60-97 .

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the plans for project number BRS-SWAP-C097(147)--60-97 .

Project Number: BRS-C097(147)-60-97

INDEX OF SHEETS

Table with 2 columns: No., Description. Lists sheet numbers and titles such as TITLE SHEET, LOCATION MAP, ESTIMATE OF QUANTITIES, etc.

ROAD STANDARD PLANS

The following Bridge Standards shall be considered applicable to construction work on this project.

Table with 6 columns: Identification, Date, Identification, Date, Identification, Date. Lists various bridge standards like BA-200, BR-103, SI-173, etc.

BRIDGE STANDARDS

The following Standard Plans shall be considered applicable to construction work on this project.

Table with 6 columns: Identification, Date, Identification, Date, Identification, Date. Lists various standard plans like J30-01-06, J30-23-06, J30-45-06, etc.

SECTION 404 PERMIT AND CONDITIONS
CONSTRUCT THIS PROJECT ACCORDING TO THE REQUIREMENTS OF THE U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NO 14 CEMVR-RD-2021-1344.

Project Development Division
PLANS OF PROPOSED IMPROVEMENT ON THE

FARM-TO-MARKET SYSTEM
WOODBURY COUNTY
BRIDGE REPLACEMENT C.C.S.
PROJECT NO: BRS-C097(147)-60-97

UTILITY CONTACTS

WESTERN IOWA TELEPHONE, 202 CEDAR STREET
LAWTON, IA 51030 - 712-944-5711 - ERIN NELSON
WOODBURY COUNTY REC, 1495 HUMBOLT AVE
MOVILLE, IA 51039 - 712-870-1031 - NATE BAUER

TRAFFIC CONTROL PLAN

THIS ROAD WILL BE CLOSED TO THROUGH TRAFFIC DURING CONSTRUCTION. LOCAL TRAFFIC TO ADJACENT PROPERTIES WILL BE MAINTAINED AS PROVIDED FOR IN ARTICLE 1107.08 OF THE CURRENT STANDARD SPECIFICATIONS.

ALL SAFETY CLOSURES SHALL BE FURNISHED, ERECTED, MAINTAINED AND REMOVED BY THE CONTRACTOR.

MAINTENANCE OF SIGNS, BARRICADES AND SAFETY CLOSURES AS STATED IN ARTICLE 1107.09 SHALL APPLY ON THIS PROJECT.

ROAD CLOSURES ON THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE IN ACCORDANCE WITH ROAD STANDARD TC-252. GUARDRAIL INSTALLATION MUST BE COMPLETE BEFORE THE ROAD IS OPENED TO TRAFFIC.

WOODBURY COUNTY WILL BE RESPONSIBLE FOR DETOUR ROUTE

REFER TO THE PROPOSAL FORM FOR LIST OF APPLICABLE SPECIFICATIONS.

ON D12 OVER PIERSON CREEK 0.8 MILES
TO MICHIGAN AVE S 9, T89, R42

REFER TO SHEET 2 FOR LOCATION MAP

Approval table with rows for Board of Supervisors and Approved.

Professional Engineer certification box containing text: 'I hereby certify that this engineering document was prepared by me or under my direct personal supervision...' and fields for Signature, Date, Printed or Typed Name.

2019 AADT 200 V.P.D.

Woodbury County

Project Number: BRS-C097(147)-60-97

Sheet 1





Ahlers & Cooney, P.C.  
Attorneys at Law

100 Court Avenue, Suite 600  
Des Moines, Iowa 50309-2231

Phone: 515-243-7611

Fax: 515-243-2149

[www.ahlerslaw.com](http://www.ahlerslaw.com)

Jason L. Comisky

515.246.0337

[jcomisky@ahlerslaw.com](mailto:jcomisky@ahlerslaw.com)

December 8, 2022

**Via E-mail Only**

Mr. Dennis Butler  
Finance/Budget Director  
Woodbury County Courthouse  
620 Douglas Street, Room 104  
Sioux City, Iowa 51101

Re: Woodbury County, Iowa  
Resolution Fixing Date of Hearing on the First Amendment to the Lease  
Agreement

Dear Dennis:

We have now prepared and are enclosing suggested proceedings to be acted upon by the Board of Supervisors in fixing the date of a meeting on the proposition to amend the Lease Agreement with the Woodbury County Law Enforcement Center Authority and ordering publication of a notice of hearing.

**Publication Requirement - Notice of Hearing.**

Notice of this meeting must be published at least once in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The date of publication is to be not less than four clear days nor more than twenty days before the date of the public meeting on the proposition to amend the Lease Agreement. In computing time, the date of publication should be excluded. If the last day falls on Sunday, the whole of the following Monday should be excluded. [See Section ICS 4.1(34).]

At the time of hearing the Board of Supervisors shall receive oral or written objections from any resident or property owner to the proposed action to amend the Lease Agreement with the Woodbury County Law Enforcement Center Authority. After all objections have been received and considered, the Board of Supervisors is required, at that meeting or at any adjournment thereof, to take additional action for the authorization of the amendment to the Lease Agreement or to abandon the proposal.

Please return a completed copy of the proceeding, via email followed up by a hard copy, filled in as the original and certified back to us. **We are also enclosing an extra copy of the notice of hearing to be delivered to the newspaper for publication purposes.** A certificate to attest the proceeding is attached as well.

We will prepare and forward to you in the near future, suggested procedure to be acted upon on the date of hearing. If you have any questions pertaining to the proceedings enclosed or the above instructions, please do not hesitate to either write or call.

Ahlers & Cooney, P.C.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason L. Comisky".

Jason L. Comisky  
FOR THE FIRM

JLC:ks

Enclosures

cc: Karen James (via email)



**ITEMS TO INCLUDE ON AGENDA FOR DECEMBER 13, 2022**

**WOODBURY COUNTY, IOWA**

Woodbury County, Iowa.

- Resolution fixing date for a public hearing on the proposal to amend the Lease Agreement with the Woodbury County Law Enforcement Center Authority.

NOTICE MUST BE GIVEN PURSUANT TO IOWA  
CODE CHAPTER 21 AND THE LOCAL RULES OF THE  
COUNTY.

December 13, 2022

The Board of Supervisors of Woodbury County, State of Iowa, met in \_\_\_\_\_ session, in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at \_\_\_\_\_ .M., on the above date. There were present Chairperson \_\_\_\_\_, in the chair, and the following named Board Members:

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

Absent: \_\_\_\_\_

\* \* \* \* \*

Board Member \_\_\_\_\_ introduced the following resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO AMEND THE LEASE AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY", and moved that the resolution be adopted. Board Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Resolution was duly adopted as follows:

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON  
THE PROPOSAL TO AMEND THE LEASE AGREEMENT WITH  
THE WOODBURY COUNTY LAW ENFORCEMENT CENTER  
AUTHORITY

WHEREAS, Woodbury County, State of Iowa (the "County") and the Woodbury County Law Enforcement Center Authority (the "Authority") have heretofore entered into that certain Lease Agreement dated September 1, 2020 (the "Lease"); and

WHEREAS, it is now deemed necessary and advisable that the County should provide for the authorization of a First Amendment to the Lease (the "Amendment") with the Authority; and

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

WHEREAS, the Authority and County have negotiated the form of a proposed Amendment, which is intended to clarify that after the Commencement Date (as defined in the Lease) the County may place partitions, fixtures, furniture, equipment and make improvements and other non-structural alterations in the interior of the Facility (as defined in the Lease) at its own expense and that the County will own all such partitions, fixtures, furniture, equipment and improvements; and

WHEREAS, neither Chapter 331 nor any other Code provision sets forth any procedural

action required to be taken before said Amendment can be approved, and pursuant to Section 331.301(5), Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the Woodbury County Auditor causes to be published notice of the proposal and of the time and place of the meeting at which the Board of Supervisors proposes to take action thereon and to receive oral and/or written objections to such action; and

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

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

Section 1. That this Board of Supervisors meet in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at \_\_\_\_\_ .M. on December 20, 2022, for the purpose of taking action on the matter of the proposal to amend the Lease Agreement with the Woodbury County Law Enforcement Center Authority.

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

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

**(One publication required)**

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

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, Iowa, will hold a public hearing on December 20, 2022, at \_\_\_\_\_.M. in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board of Supervisors proposes to take action on the proposal to authorize a First Amendment to the Lease Agreement (the "Amendment") with the Woodbury County Law Enforcement Center Authority (the "Authority") said Lease Agreement dated September 1, 2020.

The Amendment is intended to clarify that after the Commencement Date (as defined in the Lease) the County may place partitions, fixtures, furniture, equipment and make improvements and other non-structural alterations in the interior of the Facility (as defined in the Lease) at its own expense and that the County will own all such partitions, fixtures, furniture, equipment and improvements.

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

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

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

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

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Auditor, Woodbury County, Iowa

(End of Notice)

PASSED AND APPROVED this 13th day of December, 2022.

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Chairperson

ATTEST:

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County Auditor

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WOODBURY )

I, the undersigned County Auditor of Woodbury County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
County Auditor, Woodbury County, Iowa





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

Date: 12/07/2022 Weekly Agenda Date: 12/13/2022

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Kenny Schmitz

**WORDING FOR AGENDA ITEM:**

Unallocated CIP Funds Request

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

There is a substantial need for a maintenance equipment storage building at the new Law Enforcement Center

**BACKGROUND:**

There will need to be indoor storage for equipment such as lawnmowers, skid-steer, transport trailer, snow blowers, salt, and other associated maintenance/ landscaping equipment and/or materials.

**FINANCIAL IMPACT:**

Unallocated CIP Funds- \$315,000.

**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:**

Authorization of unallocated CIP funding of \$315,000 toward a maintenance storage building at the new LEC.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve reauthorization of unallocated CIP funding of \$315,000 toward a maintenance storage building at the new LEC.