



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(MARCH 12) (WEEK 11 OF 2024)

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Daniel A. Bittinger II
389-4405
dbittinger@woodburycountyiowa.gov

Mark Nelson
540-1259
mnelson@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

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held March 12, 2024, 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. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

- 1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of 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. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

AGENDA

3:00 p.m. Joint closed session with LEC Authority {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

1. Approval of the agenda Action
Consent Agenda

Items 2 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.

- 2. Approval of the minutes of the March 5, 2024 meeting
Approval of the minutes of the February 29, 2024 special meeting
3. Approval of claims
4. County Treasurer – Tina Bertrand
Approve property tax refund request for parcel #894734235021 in the amount of \$6,090.00

5. Board Administration – Karen James
 - a. Approval of resolution for a tax suspension for T.S.
 - b. Approval of resolution thanking and commending Lisa Anderson for her years of service with Woodbury County

6. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorization to Initiate Hiring Process
 - c. Approval of retiree request to remain on the county health and dental insurance

7. Secondary Roads – Mark Nahra

Approve the permit to work in the right of way for Ingios/David White and to direct the chair to sign the permit

End Consent Agenda

- | | | |
|-----|--|-------------|
| 8. | County Sheriff – Chad Sheehan Approval of waiving the nepotism policy for hiring C.P. as a correctional officer | Action |
| 9. | Reports on Committee Meetings | Information |
| 10. | Citizen Concerns | Information |
| 11. | Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- WED., MAR. 13** **7:30 a.m.** SIMPCO Executive-Finance Committee - Hybrid
- 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 11:00 a.m.** Western Iowa Tourism Region - Zoom
- 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
- THU., MAR. 14** **4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- FRI., MAR. 16** **12:00 p.m.** Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.
- WED., MAR. 20** **12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 1:00 p.m.** Regional Workforce Development Meeting, 2508 4th Street, Sioux City
- THU., MAR. 21** **10:00 a.m.** StarComm, Security Institute, WIT
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., MAR. 22** **9:00 a.m.** Hungry Canyons Alliance Quarterly Meeting, Atlantic, Iowa
- MON., MAR. 25** **6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- WED., MAR. 27** **2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., MAR. 28** **11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- MON., APR. 1** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WED., APR. 3** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., APR. 10** **7:30 a.m.** SIMPCO Executive-Finance Committee Meeting, 6401 Gordon Drive
- 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.
- THU., APR. 11** **12:00 p.m.** SIMPCO Board of Directors, 6401 Gordon Drive
- 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.

MARCH 5, 2024, TENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, March 5, 2024, at 4:30 p.m. Board members present were Nelson, Ung, Bittinger II (by phone), Radig, and Taylor. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, Dennis Butler, Budget and Finance 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. Motion by Taylor second by Radig to approve the agenda for March 5, 2024. Carried 5-0. Copy filed.

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

2. To approve minutes of the February 27, 2024 meeting. Copy filed.
3. To approve the claims totaling \$693,183.99. Copy filed.
4. To approve an application for a 8-month Class C Retail Alcohol License, with outdoor service sales privileges for Foot Wedge Lounge, effective 04/01/2024 through 12/31/24. Copy filed.
5. To lift tax suspension for James Tott, parcel #894726391007, 3500 1st St. Copy filed.
6. To approve the separation of Andres Garcia, Sheriff Reservist, County Sheriff Dept., effective 2-26-24. Resignation.; the appointment of Gavin Reitsma, Temporary Youth Worker, Juvenile Detention Dept., effective 3-08-24, \$21.41/hour. Job Vacancy Posted 12-20-23. Entry Level Salary: \$21.41/hour.; and the reclassification of Ryan Chytka, Environmental Project Supervisor, Building Services Dept., effective 03-18-24, \$3,290.08/bi-weekly, 3%=\$95.83/bi-weekly. Per Wage Plan Matrix, 6 year Salary Increase. Copy filed.
- 7a. To approve the Conflict Waiver from Ahlers & Cooney. Copy filed.
- 7b. To approve the engagement agreement from Ahlers & Cooney. Copy filed.
- 7c. To approve the engagement agreement from mechanical expert, HKA Global LLC. Copy filed.

Carried 5-0.

13. A presentation was made to the County Engineer Mark Nahra for the oldest concrete road in the nation by Greg Mulder and Andy Loonan from Iowa Concrete and Pavement Association.

- 8a. A public hearing was held at 4:40 p.m. for authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

- 8b. Motion by Ung second by Radig to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$406,000 General Obligation Capital Loan Notes. Carried 5-0.

RESOLUTION #13,704
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$406,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$406,000 General Obligation Capital Loan Notes, for the essential county purposes, in

order to provide funds to pay the costs of costs of capital projects for the construction, reconstruction, improvement, repair or equipping of bridges, roads, and culverts which assist in economic development through the creation of jobs and wealth, including the Frontage Road project, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$406,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 5th day of March, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11. Reports on committee meetings were heard.
- 12. There were no citizen's concerns.
- 10. Nelson presented an update from the law enforcement authority.

Motion by Ung second by Nelson to approve the LEC authority report. Carried 5-0. Copy filed.

- 9a. A public hearing was held at 4:45 p.m. for authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

- 9b. Motion by Ung second by Nelson to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$394,000 General Obligation Capital Loan Notes. Carried 5-0.

RESOLUTION #13,705
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$394,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$394,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing sidewalks on the site of the district health building; equipping the law enforcement center including software, hardware and other equipment; equipping the Courthouse including software, hardware and other equipment, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$394,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 5th day of March, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9c. Motion by Ung second by Nelson to approve and authorize the Chairperson to sign a Resolution authorizing the issuance of \$800,000 General Obligation Capital Loan Notes, Series 2024A, and Levying a tax for the payment thereof. Carried 5-0.

RESOLUTION #13,706
RESOLUTION AUTHORIZING THE ISSUANCE OF \$800,000
GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES
2024A, AND LEVYING A TAX FOR THE PAYMENT
THEREOF

WHEREAS, Woodbury County, State of Iowa ("Issuer"), is a political subdivision, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of of capital projects for the construction, reconstruction, improvement, repair or equipping of bridges, roads, and culverts which assist in economic development through the creation of jobs and wealth, including the Frontage Road project; and erecting, equipping, remodeling or reconstructing sidewalks on the site of the district health building; equipping the law enforcement center including software, hardware and other equipment; equipping the Courthouse including software, hardware and other equipment (the "Project"), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, Series 2024A , in the amount of \$800,000 be issued; and

WHEREAS, the Board of Supervisors has taken such acts as are necessary to authorize issuance of the Notes.

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

Section 1. Authorization of the Issuance. General Obligation Capital Loan Notes, Series 2024A, in the amount of \$800,000 shall be issued pursuant to the provisions of Iowa Code Sections 331.402 and 331.443 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76, there is levied for each future year the following direct annual tax upon all the taxable property in Woodbury County, State of Iowa, to wit:

| <u>AMOUNT</u> | <u>FISCAL YEAR (JULY 1 TO JUNE 30)</u> <u>YEAR OF COLLECTION</u> |
|---------------|---|
| \$190,666.67 | 2024/2025 |

| | |
|--------------|-----------|
| \$184,000.00 | 2025/2026 |
| \$178,000.00 | 2026/2027 |
| \$172,000.00 | 2027/2028 |
| \$166,000.00 | 2028/2029 |

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Notes to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Woodbury, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Notes.

PASSED AND APPROVED this 5th day of March, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

The Board adjourned the regular meeting until March 12, 2024.

Meeting sign in sheet. Copy filed.

FEBRUARY 29, 2024, SPECIAL MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

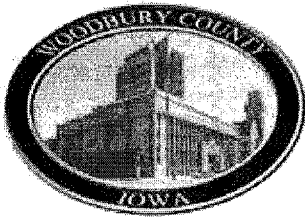
The Board of Supervisors met on Thursday, February 29, 2024, at 3:00 p.m. Board members present were Taylor (by phone), Radig, Nelson, and Ung; Bittinger II was absent. Staff members present were Michelle Skaff, Deputy Auditor/Clerk to the Board and Joshua Widman, Assistant County Attorney.

The meeting was called to order.

Motion by Ung second by Nelson to go into closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on roll-call vote.

Motion by Ung second by Nelson to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on roll-call vote.

The Board adjourned the meeting.



Tina M. Bertrand
Woodbury County Treasurer
822 Douglas St Ste 102
Sioux City IA 51101
712-279-6495

March 7, 2022

RE: 8947 34 235 021 (423-25 S Rustin St)

Dear Board of Supervisors,

The City of Sioux City has requested a refund on parcel 8947 34 235 021. There was an Auditor correction that was done on this parcel, to make it exempt of taxes being charged for the last two years. The City had paid ALL taxes for the last two years. They are requesting a refund check of \$6090. Please approve this request for me to issue the refund check. If you have any questions, please feel free to contact me.

Thank you,

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

Janet L. Trimpe
Woodbury County Tax Deputy
jtrimpe@woodburycountyiowa.gov
712-224-6024

**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: March 7, 2024

Please consider this request for a tax suspension for T.S. If the Board approves this request, the suspension resolution requires the chairman's signature.

Thank you.

kmj

WOODBURY COUNTY, IOWA

RESOLUTION NO. _____

A RESOLUTION THANKING AND COMMENDING

Lisa Anderson

FOR HER SERVICE TO WOODBURY COUNTY

WHEREAS, Lisa Anderson has capably served Woodbury County as an employee of the Human Resources Department for 16 years from December 01, 2008 to April 12, 2024.

WHEREAS, the service given by Lisa Anderson 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 Lisa Anderson 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, Lisa Anderson.

BE IT SO RESOLVED this 12th day of March 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Matthew A. Ung, Chairman

Jeremy J. Taylor, Member

Daniel A. Bittinger II, Member

Keith W. Radig, Member

Mark E. Nelson, Member

Attest:

Patrick F. Gill, Woodbury County Auditor

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: March 12, 2024

*** 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 |
|-----------------|--------------------|----------------|----------------------------------|-------------------------|---------------------------------|---|--------------------------------------|
| Chytka, Ryan | Building Services | 3-18-24 | Environmental Project Supervisor | \$3401.87/ bi-weekly | 6.5%= \$207.62/ bi-weekly | R | Correction from 3% to 6.5% Increase. |
| Mitchell, Scott | Emergency Services | 3-22-24 | Director | | | S | Resignation. |
| Anderson, Lisa | Human Resources | 4-12-24 | Secretary III | | | S | Retirement. |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas HR Director

HUMAN RESOURCES DEPARTMENT

WOODBURY COUNTY, IOWA

DATE: March 12, 2024

AUTHORIZATION TO INITIATE HIRING PROCESS

| DEPARTMENT | POSITION | ENTRY LEVEL | APPROVED | DISAPPROVED |
|--------------------|-----------------|--|-----------------|--------------------|
| Emergency Services | Director | Wage Plan: \$70,473- \$92,157/year | | |
| Human Resources | Secretary III | Wage Plan Comparability with AFSCME Courthouse: \$22.63- \$27.88/hour | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Chairman, Board of Supervisors

March 7, 2024

TO: Woodbury County Board of Supervisors

I am retiring effective 4-12-24. I am asking to remain on Woodbury Countys' health insurance for myself and dental insurance for myself and spouse at my own expense as a retiree.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Anderson".

Lisa Anderson

Human Resources Department

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

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:



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

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

Name of Permittee: David White / Ingios Phone No.: (515) 502-7587

Mailing Address: 2716 SE 5th St., Ames, IA 50010

Township: Countywide Section: various roads

Woodbury County, State of Iowa, and David White / Ingios (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:

Mapping county granular roads with automated plate testing to determine
base strength on county roads.

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:

Real department must support as needed.

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the _____ day of _____, 202~~4~~

Entered into this 7th day of March, 202~~4~~.

Signature of Property Owner or Authorized Representative

Woodbury County Engineer

Chair, Woodbury County Board of Supervisors

PERMIT TO WORK IN ROAD RIGHT-OF-WAY IN IOWA COUNTIES

1. The following counties hereby authorize the below listed contractor to work in the road right-of-way:

Benton, Black Hawk, Boone, Buchanan, Buena Vista, Calhoun, Carroll, Clayton, Crawford, Delaware, Greene, Grundy, Hamilton, Hardin, Ida, Linn, Marshall, Pottawattamie, Sac, Shelby, Story, Tama, Webster, Woodbury

2. Contractor to perform the following work in support of the **Accelerated Innovation Deployment (AID) Demonstration Grant: Asset Management Tool for Iowa County Engineers – Unpaved Granular Road Modulus**

1. Mapping of granular surfacing using an instrumented smooth drum vibratory roller.
2. Automated plate load testing and dynamic cone penetration testing in selected locations for calibration.
3. Bag sample collection of surface gravel/aggregate at selected locations for laboratory gradation analysis.
4. Parking roller overnight at locations suggested by County Engineer or in agreement with farmers (i.e., at field entrances).

3. CONTRACTOR:

Ingios Geotechnics, Inc.
2716 SE 5th St, Ames, IA 50010
Contact: David White, (515) 509-7587

5. County will inspect and approve site before and after work is performed.

6. All work to be done as specified above.

7. All work shall be done in a neat appearance.

8. The contractor is to provide all signing and traffic control in accordance with the Manual on Uniform Traffic Control Devices.

9. If work is not completed as specified above, the contractor will be given one opportunity to make the necessary corrections within a ten-day period or the County will make the necessary corrections and bill all expenses to the contractor.

10. The contractor shall hold the Counties listed harmless for their actions and shall provide the county with a certificate of insurance indicating coverage of the contractor for Public Liability Insurance in the amount of at least \$750,000.

11. The contractor shall notify Iowa One Call at 1-800-292-8989 at least 48 hours prior to work and protect existing utilities. The contractor is responsible for any damages because of their work in the right-of-way.

(Contractor's Signature) (Date)

Benton County Site Approval) (Date)

Black Hawk County Site Approval) (Date)

Boone County Site Approval) (Date)

Buchanan County Site Approval) (Date)

Buena Vista County Site Approval) (Date)

Calhoun County Site Approval) (Date)

Carroll County Site Approval) (Date)

Clayton County Site Approval) (Date)

Crawford County Site Approval) (Date)

Delaware County Site Approval) (Date)

Greene County Site Approval) (Date)

Grundy County Site Approval) (Date)

Hamilton County Site Approval) (Date)

Hardin County Site Approval) (Date)

Ida County Site Approval) (Date)

Linn County Site Approval) (Date)

Marshall County Site Approval) (Date)

Pottawattamie County Site Approval) (Date)

Sac County Site Approval) (Date)

Shelby County Site Approval) (Date)

Story County Site Approval) (Date)

Tama County Site Approval) (Date)

Webster County Site Approval) (Date)

Woodbury County Site Approval) (Date)

Date of Permit: February 5, 2024, to December 31, 2026

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

Date: March 4th 2026 Weekly Agenda Date: March 12th 2024

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Sheriff Chad Sheehan

WORDING FOR AGENDA ITEM:

Nepotism policy in Employee Handbook

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

I am requesting the Board approve waiving the nepotism policy for hiring C.P. as a correctional officer. His father Hediberto Ponce is a CO in good standing and has no supervisory authority.

BACKGROUND:

The employee handbook Nepotism Policy 1.3 prohibits hiring immediate family members into the same department. Law Enforcement and Corrections is historically a profession that draws family members including multiple generations. Similar to military service.

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

The policy already exempts our Deputies (Civil Service) from the policy. The policy allows the Board the authority to waive the policy. I am requesting the board waive the policy for the above hire. The Sheriff will not assign family members to the same shift and no family member will supervise another family member.

ACTION REQUIRED / PROPOSED MOTION: