

#4

MARCH 31, 2015 — FOURTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, March 31, 2015 at 4:00 p.m. Board members present were Monson, Taylor, and Smith. Staff members present were Karen James, Board Administrator, Dennis Finance/Operations Controller, Joshua Widman, Assistant County Attorney, Ed Gilliland, Human Resources Mollet, Assistant Human Resources Director, Jean Jessen, Deputy County Auditor and Patrick Gill, Auditor/Clerk to the Board.

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

Motion by Clausen second by Taylor to go out of closed session per Iowa Code 21.5(1)(c). Carried 5-0 on roll-call vote.

1. The meeting was called to order – Pledge of Allegiance to the Flag – Moment of Silence.
2. Citizen concerns.
3. Motion by Taylor second by Ung to approve the Agenda for March 31, 2015. Carried 5-0. Copy filed.
4. Motion by Taylor second by Ung to approve the minutes of the March 24, 2015 Board meeting. Carried 5-0. Copy filed.
5. Motion by Taylor second by Ung to approve the county’s claims totaling \$504,301.54. Carried 4-0; Monson abstained. Copy filed.
- 6a. Motion by Smith second by Monson to approve the end of probation of Terry Boyle, Equipment Operator, Secondary Roads Dept., effective 4-6-15, \$21.35/hour, 3%=\$.64/hour, per CWA Secondary Roads Contract agreement, End of Probation Salary Increase; the reclassification of Cory Gaston, Civil Engineer Intern, Secondary Roads Dept., effective 4-6-15, \$55,000/year, 5.7%=\$3,000/year, per Wage Plan Matrix, 6 month Salary Increase; the reclassification of Nathan Sands, Deputy, County Sheriff Dept., effective 4-14-15, \$26.14/hour, 6.5%=\$1.60/hour, per CWA Deputy Sheriff Contract agreement, from Class 1 to Senior Class; and the reclassification of Loa Hensley, Asst. County Attorney, County Attorney Dept., effective 4-16-15, \$86,362/year, 3%=\$2,812/year, Per AFSCME Asst. County Attorney Contract agreement, from Step 11 to Step 12. Carried 5-0. Copy filed.
- 9a. A public hearing was held at 4:40 p.m. for the sale of property parcel #128595 (1201 W. 3rd St., Sioux City). The Chairperson called on anyone wishing to be heard.

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

Motion by Clausen second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to Donna Johnson, 313 Myrtle St., Sioux City, for real estate parcel #128595 (1201 W. 3rd St., Sioux City) for \$188.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #12,148**

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

By Donna L. Johnson in the sum of One Hundred Eighty-Eight Dollars & 00/100 (\$188.00)-----
-----dollars.

For the following described real estate, To Wit:

Parcel #128595

Lot 14, except the N 81 ft thereof, and except a grant to owners of other portions of said Lot to use of sewer line which passes through Lot 14 to the main sewer line on West Third Street, which grant provides that if in the future a sewer line is laid on Myrtle Street past any portion of the front lot line, the grantees agree to relinquish at such time all rights over that port of Lot 14 South of grantees established South lot line, in Block 3, Sioux City Davis Addition, in the County of Woodbury and State of Iowa (1201 W. 3rd Street)

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 31st Day of March, 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9b. A public hearing was held at 4:42 p.m. for the sale of property parcel #365370 (1930 Riverside Blvd., Sioux City). The Chairperson called on anyone wishing to be heard.

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

An auction took place with Donald Jolin and Terrence Ivener placing bids.
Motion by Clausen second by Taylor to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to Donald Jolin, 2802 W. 5th St., Sioux City, for real estate parcel #365370 (1930 Riverside Blvd., Sioux City) for \$5,000.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #12,149**

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

By Don Jolin in the sum of Five Thousand Dollars & 00/100 (\$5,000.00)-----
-----dollars.

For the following described real estate, To Wit:

Parcel #365370

Lot 8 and Lot 9, Except the North 21 feet of Lot 9, all in Block 2, North Riverside Addition, City of Sioux City (1930 Riverside Blvd.)

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 31st Day of March, 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6b. There was a discussion on the Sioux Rivers 28E Agreement. Jim Rixner, Siouxland Mental Health Center, offered public comments.
- 7a. Motion by Clausen second by Taylor to approve an application for a 12-month, Class A Liquor License (LA)(Private Club), with Sunday sales privileges for The White Horse Patrol Club, Sergeant Bluff, IA, effective 04/05/15 through 04/04/16. Carried 5-0. Copy filed.
- 7b. Motion by Clausen second by Taylor to approve an application for a 6-month, Class C Liquor License(LC)(Commercial), with Outdoor Service and Sunday sale privileges for Sloan Golf Course, Sloan, IA, effective 5/20/15 through 11/19/15. Carried 5-0. Copy filed.
- 8a. Motion by Ung second by Taylor to approve and authorize the Chairperson to sign a Resolution designating the Citizen Representative on the Woodbury County Information and Communication Commission. Carried 5-0.

RESOLUTION #12,150
A RESOLUTION DESIGNATING THE BOARD OF SUPERVISORS MEMBERS OF THE
WOODBURY COUNTY INFORMATION AND COMMUNICATION COMMISSION FOR 2015

WHEREAS Woodbury County, Iowa has previously entered into an intergovernmental agreement with Sioux City, Iowa pursuant to Chapter 28E of the Code of Iowa to form the Woodbury County Information and Communication Commission; and

WHEREAS said 28E agreement provides that two members from the Woodbury County Board of Supervisors shall serve on the Commission; and

WHEREAS said 28E agreement provides that the Board of Supervisors members shall be designated by resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa that **Jackie Smith** and **Matthew Ung** are hereby designated as the Board of Supervisors members of the Woodbury County Information and Communication Commission for 2015.

Dated March 31, 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 8b. Motion by Clausen second by Taylor to approve and authorize the Chairperson to sign a Resolution designating the Board of Supervisors members on the Woodbury County Information and Communication Commission. Carried 5-0.

RESOLUTION #12,151
A RESOLUTION APPROVING THE SELECTION OF THE CITIZEN REPRESENTATIVE ON THE
WOODBURY COUNTY INFORMATION AND COMMUNICATION COMMISSION

WHEREAS Woodbury County, Iowa has previously entered into an intergovernmental agreement with Sioux City, Iowa pursuant to Chapter 28E of the Code of Iowa to form the Woodbury County Information and Communication Commission; and

WHEREAS said 28E agreement provides that a Citizen Representative selected by Commission members shall serve on the commission subject to approval by the Woodbury County Board of Supervisors and the Sioux City City Council; and

WHEREAS the four City and County Commission members have selected Jeff Sypersma as the Citizen Representative on the Woodbury County Information and Communication Commission; and

WHEREAS Jeff Sypersma is currently serving his second three year term as the Citizen Representative on the Woodbury County Information and Communication Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa that the selection of Jeff Sypersma as Citizen Representative on the Woodbury County Information and Communication Commission is hereby ratified and approved pursuant to the terms of the aforementioned 28E agreement.

Dated March 31, 2015.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 9c. Motion by Clausen second by Smith to approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #475410, 1608 w. 6TH St., Sioux City. Carried 5-0.

RESOLUTION #12,152
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, Block Nine, South Smith's Villa Addition to City of Sioux City, Woodbury County, Iowa (1608 W. 6th 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 **14th Day of April, 2015 at 4:40 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 **14th Day of April, 2015**, 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 \$686.00** plus recording fees.

Dated this 31st Day of March, 2015.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 9d. Motion by Clausen second by Ung to approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #334080, 2730 Prospect St., Sioux City. Carried 5-0.

**RESOLUTION #12,153
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 Four in Block Ten of Lowell Addition to the City of Sioux City, Woodbury County, Iowa
(2730 Prospect 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 **14th Day of April, 2015 at 4:42 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 **14th Day of April, 2015**, 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 \$718.00** plus recording fees.

Dated this 31st Day of March, 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9e. Motion by Monson second by Ung to approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #511590, 1005 W. 6th St., Sioux City. Carried 5-0.

**RESOLUTION #12,154
NOTICE OF PROPERTY SALE**

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

**All that part of Lots Six and Seven in Block Eight, Tredway's Addition to Sioux City, lying West of a line parallel to and distant 60 feet at right angles westerly from the southeasterly line of said Lot Seven, in said Block Eight, in the County of Woodbury and State of Iowa
(1005 W. 6th 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 **14th Day of April, 2015 at 4:44 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 **14th Day of April, 2015**, 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 \$228.00** plus recording fees.

Dated this 31st Day of March, 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 9f. Motion by Clausen second by Taylor to approve and authorize the Chairperson to sign a Resolution authorizing tax abatement for Iglesia Christiana Fe Y Poder Inc., parcel #894721404001. Carried 5-0.

WOODBURY COUNTY, IOWA
RESOLUION #12,155
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Iglesia Fe Y Poder, Inc. is the titleholder of real estate Parcel #894721404001 located in Woodbury County, Iowa and legally described as follows:

Parcel #894721404001

Lots One (1), Two (2) and Three (3), Lawn Ridge Addition, City of Sioux City, Woodbury County, Iowa

WHEREAS, the above-stated property has taxes owing for the 2014-2015 tax year, and the parcel is owned by Iglesia Fe Y Poder, Inc.; and

WHEREAS, the organization, namely Iglesia Fe Y Poder is failing to immediately pay the taxes due; and

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and; and

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above parcel according to Code of Iowa, 445.16 for the taxes owed for the tax year 2014/2015, and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 31st day of March, 2015.
WOODBURY COUNTY BOARD OF SUPERVIOSRS
Copy filed.

- 10. Motion by Smith second by Clausen to approve the request for Conservation Board to proceed with issuing a request for proposals to supply the Conservation Board with turnkey installation of a photovoltaic solar facility within two county parks. Carried 3-2; Taylor and Ung opposed. Copy filed.
- 11a. Motion by Clausen second by Ung to approve a consultant services contract for surveying and platting right of way necessary for 250th St. grading for paving. Carried 5-0. Copy filed.
- 11b. Motion by Ung second by Taylor to approve a permit for work within the Right of Way for ditch cleaning for Hunt Farms, Salix, IA. Carried 5-0. Copy filed.
- 11c. Motion by Ung second by Smith to approve and authorize the Chairperson to sign a Resolution to place a seasonal embargo on 250th St., County Route D51 in section 20 and 21 of Miller Township. Carried 5-0.

WOODBURY COUNTY, IOWA
TEMPORARY ROAD EMBARGO – 260TH STREET
RESOLUTION #12,156

WHEREAS, the Woodbury County Board of Supervisors believe certain secondary roads in Woodbury County, Iowa which are paved or unpaved, will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or permissible weight thereon reduced, and

WHEREAS, Chapter 321, Section 471 of the Code of Iowa, gives said Board the power to prohibit the operations of said vehicles on such roads, and to impose restrictions as to the weight of vehicles on said roads.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors, that, where signs are erected on a highway, operations of vehicles weighing in excess of said weight limit are prohibited on said highway.

BE IT RESOLVED, that the said secondary roads subject to this resolution are more particularly described as:

1. 260th Street from Highway 31 east to the intersection of County Routes D51 and L27. The effective of this resolution is April 1, 2015 through and including June 15, 2015. The County Engineer is instructed to remove said embargo earlier if road conditions allow.
2. 220th Street from County Route K29 east one and one half miles to the end of the seal coat segment. The effective of this resolution is April 1, 2015 through and including June 15, 2015.

SO RESOLVED this 31st day of March, 2015.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

12. Motion by Taylor second by Ung to approve a directive that the original document of all contracts entered into on behalf of Woodbury County be filed with the Woodbury County Auditor's office and to further direct that the items be published on the County's website. Carried 5-0.
- 13a. Motion by Ung second by Monson to support the Sergeant Bluff Dogwood Trail project and to proceed with the development of an amendment to the Liberty Park Urban Renewal Tax Increment Area Ordinance. Carried 4-1 on a roll call vote, Clausen opposed.
- 13b. Motion by Monson second by Taylor to direct the Woodbury County staff to work with McClure Engineering, Bob Josten of Dorsey and Whitney Law Firm, the City of Sergeant Bluff and others to develop an amendment to the Liberty Park Urban Renewal Tax Increment Area Ordinance to accommodate the completion of the Dogwood Trail Project. Carried 4-1 on a roll call vote; Clausen opposed.
- 13c. Motion by Taylor second by Smith to approve hiring West Plains Engineering to provide engineering services for the development of bid documents to update elevators within county buildings. Carried 5-0.
- 14a. Motion by Smith second by Monson to approve a loan application for Ultimate Fitness, Inc. in the amount of \$60,000 on a five year fixed term of 2%. Carried 5-0. Copy filed.
- 14b. Motion by Monson second by Ung to approve the loan application for Countryman Financial Group, LLC in the amount of \$35,000 on a five year fixed term at 2%. Carried 3-1; Clausen opposed and Taylor abstained. Copy filed.
- 14c. Motion by Clausen second by Smith to approve the participation of Woodbury County in the Iowa Board of Regents Innovation Fund grant application being submitted by the Iowa Small Business Development Center at Western Iowa Tech Community College and provide a \$500.00 match from the Rural Economic Development budget. Carried 3-2; Taylor and Ung opposed. Copy filed.
- 15a. A public hearing was held for an amendment to Woodbury County's Zoning Ordinance Mapping Re: the Rezoning of a 7.57 acre portion GIS #884633200008 for James L. and Monica M. Young.
Motion by Clausen second by Taylor to close the public hearing. Carried 5-0.
- 15b. Motion by Clausen second by Taylor to approve the reading for the third time proposed Ordinance #37 for the amendment of Woodbury County's Zoning Ordinance Mapping Re: the Rezoning of a 7.57 acre portion of GIS #884633200008 for James L. and Monica M. Young. Carried 5-0. Copy filed.
Motion by Ung second by Taylor to approve the adoption of Ordinance #37 for the amendment of Woodbury County's Zoning Ordinance Mapping Re: the Rezoning of a 7.57 acre portion of GIS #884633200008 for James L. and Monica M. Young. Carried 5-0. Copy filed.
16. Motion by Ung second by Clausen to authorize Sheriff to retain the Stuart Tinley Law Firm for pending litigation. Carried 5-0.
17. Reports on committee meetings.

18. Citizen's concerns.

19. Board concerns and comments.

Dennis Butler informed the Board that information has been gathered to forward to the City of Sioux City for a possible joint effort to contract for trash container services.

The Board adjourned the regular meeting until April 7, 2015.

Meeting sign in sheet. Copy filed.