APRIL 28, 2015 — EIGHTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, April 28, 2015 at 4:30 p.m. Board members present were Clausen, Monson, Taylor, Smith, and Ung. Staff members present were Karen James, Board Administrator, Dennis Butler, Finance/Operations Controller, Joshua Widman, Assistant County Attorney, Ed Gilliland, Human Resources Director, Gloria Mollet, Assistant Human Resources Director, Jean Jessen, Deputy County auditor, and Patrick Gill, Auditor/Clerk to the Board.

1. The meeting was called to order – Pledge of Allegiance to the Flag – Moment of Silence.

2. Citizen concerns.

3. Motion by Ung second by Taylor to approve the Agenda for April 28, 2015. Carried 5-0. Copy filed.

4. Motion by Taylor second by Smith to approve the minutes of the April 21, 2015 Board meeting. Carried 5-0. Copy filed.

5. Motion by Clausen second by Ung to approve the county's claims totaling $750,540.24. Carried 5-0. Copy filed.

6a. Motion by Taylor second by Ung to approve the separation of Jason Byers, Temporary Equipment Operator, Secondary Roads Dept., effective 4-22-15. End of Temporary Work.; the reclassification of Forrest Johnston, Foreman, Secondary Roads Dept., effective 04-27-15, $61,180/year, 2%=$1,288/year. Per Wage Matrix, from Step 3 to Step 4.; the separation of Martin Pottebaum, Supervisor, Courthouse Safety & Security, effective 05-01-15. Position Eliminated.; and the appointment of Michelle Skaff, Emergency Management Coordinator, Emergency Management Dept., effective 5-01-15, $45,395/year. Job Vacancy Posted 2-11-15. Entry Level Salary: $43,000-$45,000/year. Carried 5-0. Copy filed.

6b. Motion by Clausen second by Taylor to approve and authorize the Chairperson to sign and "Authorization to Initiate Hiring Process" for P/T Courthouse Safety & Security Officer, County Sheriff Dept., AFSCME Grade 3: $14.96-$16.43/hour. Carried 5-0. Copy filed.

6c. Motion by Monson second by Taylor to approve and receive for signatures a Resolution Thanking and Commending Harlan Salvatori for his service to Woodbury County. Carried 5-0.

RESOLUTION #12,168
A RESOLUTION THANKING AND COMMENDING
HARLAN SALVATORI
FOR YOUR SERVICE TO WOODBURY COUNTY

WHEREAS, Harlan Salvatori has demonstrated himself to be as an outstanding citizen of Woodbury County by volunteering many hours unselfishly for years; and
WHEREAS, the service given by Harlan Salvatori as a Woodbury County citizen, 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 thank and commend Harlan Salvatori 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, Harlan Salvatori.

BE IT SO RESOLVED this 5 day of May.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

7a. Motion by Clausen second by Ung to approve and authorize the Chairperson to sign a Resolution for suspension of taxes through redemption process for Jason Kishiku, 2941 Sunset Circle, parcel #894717478040. Carried 5-0.

WOODBURY COUNTY, IOWA
RESOLUTION #12,169
RESOLUTION APPROVING PETITION FOR SUSPENSION
OF TAXES THROUGH THE REDEMPTION PROCESS

WHEREAS, Jason Kishiku as joint titleholders of a property located at 2941 Sunset Circle, Woodbury County, Iowa, and legally described as follows:

Parcel # 8947 17 478 040

SUNSET VIEW LOT 44 BLK 4

WHEREAS, Jason Kishiku, as joint titleholders of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 1999 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 #894717478040 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 28th day of April, 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

7b. Motion by Smith second by Taylor setting the hearing date for FY2015 Budget Amendment #2 for at. Carried 5-0. Copy filed.

8a. Motion by Smith second by Clausen to receive County Recorders for Fees Collected for the period 01/01/2015 through 03/31/2015. Carried 5-0. Copy filed.

7c. A public hearing was held at 4:40 p.m. for the sale of property parcel #260761 (1814 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 Taylor to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to Robert Kelsheimer, 10886 Kentucky Road, Neosho, MO, for real estate parcel #260761 (1814 W. 3rd St., Sioux City) for $357.00 plus recording fees. Carried 5-0.

RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #12,170

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

By Robert Kelsheimer in the sum of **Three Hundred Fifty-Seven Dollars & 00/100 ($357.00)**----------dollars.

For the following described real estate, To Wit:

Parcel #260761

West 18 feet Lot 3 & Lots 4 & 5 Block 16, Hornick's Addition, City of Sioux City, Woodbury County, Iowa (1814 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 28th Day of April, 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

8b. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign proposed bylaws.

Motion by Smith second by Taylor to consider the bylaws by paragraph. Carried 5-0.

Motion by Clausen second by Smith to amend the proposed by laws by striking Sections 1 and 2 under Article IV and insert these amended Sections 1 and 2 under Article IV".

Section 1. Officers and Duties. The officers shall be a Chairperson, a Vice Chairperson, if nominated and elected by a majority of the Board, and a Clerk to the Board. These officers shall perform the duties as prescribed by Iowa Code, these bylaws and by the parliamentary authority adopted by the Board in descending order.

a. **Chairperson.** The Chairperson shall preside at all the meetings of the Board during the year. The Chairperson shall make all committee assignments to committees recognized in these bylaws. The Chairperson shall set the tentative agenda for all meetings of the Board. The Chairperson shall oversee the daily operations of county administration while acting within the policies established by the Board. The Chairperson shall be authorized to establish special purpose committees as needed subject to approval of the Board.
b. **Vice Chairperson.** If elected by a majority of the Board, the Vice Chairperson shall serve during the absence of the Chairperson.
c. **Clerk to the Board.** The Auditor and Recorder or the designee of the Auditor and Recorder shall serve as Clerk to the Board *ex officio*. The Clerk to the Board shall be recognized as the parliamentarian for all meetings of the Board.

Section 2. Time, Nomination Procedure, Method of Elections and Term of Office. The election of The Chairperson shall occur at the first meeting in each year. Nominations shall be made from the floor and the election shall be by roll call vote. A temporary chair shall be elected to preside over the election of the Chairperson. The Chairperson's term shall begin immediately. The Chairperson shall preside over the election of the Vice Chairperson if an election is held. Motion failed 2-3 on a roll call vote; Taylor, Ung and Monson opposed.

Motion by Clausen second by Taylor to strike the last sentence in Article VI, **Section 5. Agenda** and insert in its place: 'Any member of the Board may direct the Chairperson to place an information or discussion item on the agenda of a subsequent meeting. The Chairperson shall place an action item on the agenda of a subsequent meeting when directed by a majority of the Board. Carried 5-0.

Motion by Clausen second by Smith to strike the last sentence in **Section 8. Manner of Acting** under Article VI. Motion failed 2-3 on a roll call vote; Taylor, Ung and Monson opposed.

Motion by Clausen second by Taylor to strike the second sentence in **Section 9. Roll Call Votes** and insert in its place, In each meeting, the roll shall be called from the Chairperson's left on the first request and from the Chairperson's right on the second request and alternate as needed thereafter. Motion failed 2-3 on a roll call vote; Taylor, Ung and Monson opposed.

Motion by Smith second by Clausen to strike **Section 11. Electronic Participation** and insert in its place, **Section 11. Member Participation** A member must be physically present in the meeting room in order to participate in a meeting of the Board. Motion failed on 2-3 roll call vote; Taylor, Ung and Monson opposed.

Motion by Ung second by Taylor to insert after the word *year* in **Section 1. Adoption of Bylaws** under Article X, following a general election. Carried 5-0 on a roll call vote.

The main motion as amended carried 3-2on a roll call vote; Clausen and Smith opposed. Copy filed.

9a. Jon Buffington, Sioux City, asked the Board to approve the proposal presented by Turnkey Corrections Vending for the jail kiosk commissary contract.

Motion by Taylor second by Monson to approve the jail kiosk commissary contract with CBM as recommended by the staff of the Woodbury County Sheriff's Office. Carried 5-0 on a roll call vote. Copy filed.

9b. Nick DeRoos, C.F. Industries, Dale Patten, Sgt. Bluff, Roland Christensen, Sgt. Bluff and Gary Lester, Sgt. Bluff, discussed the traffic congestion at the C.F. Industries construction site.

Motion by Monson second by Clausen to approve the proposal for C.F. Industries traffic control at each of C.F. Industries shift changes and direct that the expenditures be funded up to $18,000.00 with gaming funds. Carried 5-0. Copy filed.

9c. There was a discussion about the purchase of speed data signs to be used in the C.F. Industries area to help with the control of traffic flow. The County Engineer will provide the funds to purchase the signs.

10. There was a discussion on safety and security policy.

11. Motion by Monson second by Taylor to approve the agreement between RML Architects L.L.C. and the County. Carried 5-0. Copy filed.

12a. Motion by Clausen second by Ung to approve and receive for signatures a Resolution supporting a RISE Grant application for improvements to Port Neal Circle to support the AGP, Inc. expansion project. Carried 5-0.

WOODBURY COUNTY, IOWA
RESOLTUION #12,171
A RESOLUTION IN SUPPORT OF AND AUTHORIZING THE FILING OF
AN APPLICATION FOR RISE PROJECT FUNDING
WITH THE IOWA DEPARTMENT OF TRANSPORTATION

WHEREAS, Ag Processing, Inc., desires to expand it existing operations in Woodbury County, State of Iowa, at 2753 Port Neal Circle, Sergeant Bluff, Iowa. Ag Processing, Inc. (also known as AGP, Inc.) will make a capital investment of $90 million for this expansion, and will directly hire 19 highly paid skilled employees to perform specialized work associated with its vegetable oil refinery;

WHEREAS, Woodbury County has determined it necessary to improve its current highway system serving the area to the property owned by AGP, Inc. at which the new refinery will be constructed; and

WHEREAS, the planned refinery and permanent job creation commitments are contingent upon transportation improvements being made to support the plant expansion and the new traffic generated by the business expansion; and

WHEREAS, the Iowa Department of Transportation administers the RISE program, which is designed to fund transportation improvements related to job creation; and

WHEREAS, RISE funding is essential in order for the county to make necessary transportation improvements in the area; and

WHEREAS, without an immediate commitment of RISE funds, these necessary transportation improvements cannot be completed in a timely manner, thus jeopardizing the AGP, Inc. commitment to creating jobs and opportunities for future industrial growth in Port Neal Area of Woodbury County; and

WHEREAS, Woodbury County is a duly recognized political subdivision of the State of Iowa acting under the laws of the State of Iowa; and

WHEREAS, the Board of Supervisors is the duly elected governing body of Woodbury County, Iowa; and

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

1. The Woodbury County Board of Supervisors is in full support of the opportunity to promote permanent job creation in Woodbury County and the related RISE program application.
2. The improved road serving the expanded plant site will continue to be dedicated to serve the public use.
3. Improvements to existing highways will serve not only the new plant, but assist in accommodating traffic to other area industries, present and future.
4. Woodbury County will assure that the RISE funded improvements will be adequately maintained according to the RISE program administrative rules.
5. Woodbury County will guarantee at least 20% of the funds for the Project from funds other than the RISE program.
6. County staff is authorized to prepare and file a RISE program application and any materials deemed necessary.

SO RESOLVED this 28th day of April 2015.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

12b. Motion by Monson second by Taylor to approve the final quantities as per IDOT audit for county highway bridge project #BROS-CO97(93)—8J-97 located on Glenn Ellen Road over Dead Man Creek section 21 Woodbury Township. Carried 5-0. Copy filed.

12c. Motion by Clausen second by Taylor to approve the final quantities as per IDOT audit for county highway bridge project #BROS-CO97(100)—8J-97 located on 290th Street over Wolf Creek section 02 of Willow Township. Carried 5-0. Copy filed.

12d. Motion by Smith second by Taylor to approve the permits for installation of an underground and overhead electric lines within the Highway Right of Way for MidAmerican Energy along and under Old Highway 141. Carried 5-0. Copy filed.

12e. Motion by Smith second by Taylor to approve the permits for work within the Highway Right of Way for Randy Hunt for replacement of culvert in an existing entrance on 260th Street. Carried 5-0. Copy filed.

13. Reports on committee meetings.

14. Citizen's concerns.

15. Board concerns and comments.

The Board adjourned the regular meeting until May 5, 2015.

Meeting sign in sheet. Copy filed.