



JANUARY 19, 2016 —THIRD MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Monday, January 19, 2016 at 1:30 p.m. Board members present were Monson, Ung, Smith, and Taylor; Clausen arrived at 2:15 PM. Staff members present were Karen James, Board Administrative Coordinator, Dennis Butler, Finance/Operations Controller, Ed Gilliland, Human Resources Director and Patrick Gill, Auditor/Clerk to the Board.

1a. Update on Tax Rate Report.

1b. Motion by Clausen second by Monson to receive the Sheriff Uniform Patrol budget reduced by \$24,476.00. Carried 5-0.

Motion by Clausen second by Smith to receive the Sheriff CF Traffic Control budget as submitted. Carried 5-0.

Motion by Monson second by Smith to receive the Sheriff investigations budget increased by \$24,476.00. Carried 5-0.

Motion by Smith second by Monson to receive the Sheriff HIDTA – Federal Reimbursement budget as submitted 5-0. Carried.

Motion by Clausen second by Monson to receive the Sheriff US Marshall – Federal Reimbursement budget as submitted. Carried 5-0.

Motion by Monson second by Smith to receive the Sheriff Drug Task Force – Federal Reimbursement budget as submitted. Carried 5-0.

Motion by Clausen second by Smith to receive the revenue side of the Sheriff's Correctional Facility – LEC budget increased by \$10,000.00. Carried 5-0.

Motion by Monson second by Clausen to receive the Sheriff Correctional Facility – LEC budget reduced by \$20,000.00. Carried 5-0.

Motion by Ung second by Monson to receive the Sheriff Correctional Facility – Prairie Hills budget reduced by \$47,000.00. Carried 5-0.

Motion by Monson second by Clausen to receive the Sheriff Administration budget reduced by \$31,600.00. Carried 5-0.

Motion by Smith second by Ung to receive the Sheriff Civil Division budget as submitted. Carried 5-0.

Motion by Monson second by Smith to receive the Sheriff Highway Safety Grant budget as submitted. Carried 5-0.

Motion by Smith second by Monson to receive the Sheriff Crime Prevention budget as submitted. Carried 5-0.

Motion by Monson second by Ung to eliminate the Sheriff DARE Grant budget. Carried 5-0.

Motion by Clausen second by Monson to receive the Sheriff Courtroom Security budget reduced by \$2,000.00. Carried 5-0.

Motion by Clausen second by Smith to receive the Sheriff Courthouse Security budget as submitted. Carried 5-0.

Motion by Monson second by Ung to receive the Rural Services Sheriff Uniform Patrol budget as submitted. Carried 5-0.

Motion by Clausen second by Monson to receive the Sheriff Forfeiture budget as submitted. Carried 5-0.

Motion by Monson second by Smith to receive and approve the canvass of the Garretson and Farmers Drainage Districts. Carried 5-0.

We the undersigned Members of the Board of Supervisors and ex-officio Board of County Canvassers, for Woodbury County, hereby certify the following to be a true and correct abstract of the ballots cast in this county at the **Garretson Drainage District Elections for Sub-District #1** held on the 16th day of January, 2016 as shown by the tally list returned from the election precincts.

For the office of **Garretson Drainage District Trustee for Sub-District #1** there were eight hundred and forty-three (843) ballots cast.

Charles Widman Received eight hundred and forty-three (843) votes

We therefore declare **Charles Widman** duly elected to the office of **Garretson Drainage District Trustee for Sub-District #1** for a term of three (3) years (2016, 2017, and 2018).

Motion by second by to receive for signatures the canvass of the Garretson Drainage District election held January 16, 2016. Carried . Copy filed.

We the undersigned Members of the Board of Supervisors and ex-officio Board of County Canvassers, for Woodbury County, hereby certify the following to be a true and correct abstract of the ballots cast in this county at the **Farmers Drainage District Election for Sub-District #1** held on the 16th day of January, 2016 as shown by the tally list returned from the election precinct.

For the office of **Farmers Drainage District Trustee for Sub-District #1** there were two-thousand, three-hundred and seventy-two (2,372) ballots cast as follows:

Gary Walters Received two-thousand, three-hundred and seventy-two (2,372) votes

We therefore declare **Gary Walters** duly elected to the office of **Farmers Drainage District Trustee for Sub-District #1** for a term of three (3) years (2016, 2017, and 2018).

1c. Motion by Monson second by Ung to receive the Human Resources budget as submitted. Carried 5-0.

1d. Motion by Monson second by Clausen to receive the Building Services Courthouse budget reduced by \$28,740.00. Carried 5-0.

Motion by Ung second by Monson to receive the Building Services LEC budget reduced by \$23,360.00. Carried 5-0.

Motion by Ung second by Clausen to postpone action to review the Building Services Trosper-Hoyt budget, the Building Services Prairie Hills budget, the Building Services (Old Eagles Building) budget and the Building Services County Services Building (Tri-View) budget. Carried 5-0.

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

3. Citizen concerns.

4. Motion by Clausen second by Monson to approve the Agenda as submitted for January 19, 2016. Carried 5-0. Copy filed.

5. Motion by Monson second by Ung to approve the minutes of the January 12, 2016 Board meeting. Carried 4-0; Smith abstained. Copy filed.

6. Motion by Clausen second by Smith to approve the claims totaling \$736,250.76. Carried 5-0. Copy filed.

- 7a. Kenny Schmitz, Building Services Director, opened responses to a request for qualifications to retain Architectural services. Responses were submitted by RML Architects, M+ Architects and Cannon Moss Brygger Architects.

Motion by Taylor second by Monson to receive the responses and refer them to a committee appointed by the Board for review and recommendation. Carried 5-0. Copy filed.

- 7b. Motion by Monson second by Ung to award the bid for inmate clothes washer replacement to Horwath Laundry Equipment for \$9,999.00. Carried 5-0. Copy filed.

8. Motion by Clausen second by Ung to receive for signatures a Resolution Thanking and Commending Resolution Honoring Two Lifesaving Deputies. Carried 5-0.

RESOLUTION #12,319
A RESOLUTION THANKING AND COMMENDING
RESOLUTION HONORING TWO LIFESAVING DEPUTIES

Whereas a 24-year-old woman who went missing was found nearly two days later lying in severe weather conditions in rural Woodbury County by two deputies in the county sheriff's office;

Whereas these deputies, Deputy David Hansen and Lieutenant Tony Wingert, were able to locate the missing person in the snow and suffering from extreme exposure to the weather conditions;

Whereas the individual was transported in Lieutenant Wingert's patrol vehicle to a waiting Merville ambulance where she was then taken to Mercy Medical Center;

And whereas both Deputy Hansen and Lieutenant Wingert's actions show exemplary service as they are credited for saving this individual's life;

Now therefore be it resolved that the Woodbury County Board of Supervisors thanks, commends, and honors the service actions of Deputy Hansen and Lieutenant Wingert and wishes them the absolute best as they continue to show honor in their steadfast commitment to the citizens of Woodbury County.

SO RESOLVED this 19th day of January, 2016
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9a. Motion by Clausen second by Monson to approve the appointment of Paul Handke, P/T Operations Officer, Emergency Services Dept., effective 1-20-16., \$14.78/hour. Job Vacancy Posted 11-12-15. Entry Level Salary: \$13.46 to \$14.87/hr.; and the reclassification of Kelly Hansen, Service Officer, Veteran Affairs Dept., effective 02-04-16, \$19.22/hour, 4%=\$.74/hour. Per Wag Plan comparability w/AFSCME Courthouse Contract, from Grade 5/Step 1 to Grade 5/Step2. Carried 5-0. Copy filed.
- 9b. Motion by Monson second by Ung postpone action to approve the AFSCME Juvenile Detention Tentative Agreement, the AFSCME Courthouse Tentative Agreement and the AFSCME Assistant County Attorney Tentative Agreement. Carried 5-0. Copy filed.
- 10a. Motion by Monson second by Clausen to approve the lifting of tax suspension for Michael Anderson, 3117 Garretson Ave, Sioux City. Carried 5-0. Copy filed.
- 10b. Motion by Monson second by Smith to approve the lifting of tax suspension for Dorothy Lalumendre, 2701 Center St., Sioux City. Carried 5-0. Copy filed.
- 11a. Motion by Clausen second by Ung to approve and authorize the Chairperson to sign a Resolution approving abatement for taxes for Karla Fergen, building on leased land for a mobile home, parcel #884730301972, taxes for 2009-10 through 2014-15, total \$170.00 plus interest. Carried 5-0.

**RESOLUTION #12,320
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, Karla Fergen. is the titleholder of a building on leased land Parcel #884730301972 located in Woodbury County, Iowa and legally described as follows:

Parcel #884730301972

SERGEANT BLUFF CITY B/LL LOT 367 LOC ON P 641374 RAIL ADDN

WHEREAS, the above-stated property has taxes payable Including special assessments and the parcel is owned by Karla Fergen

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes 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 and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 19th day of January, 2016
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11b. Motion by Clausen second by Smith to approve and authorize the Chairperson to sign a Resolution approving abatement for taxes for Carolyn Kay Jacobsen, building on leased land for a mobile home, parcel #894432131912, taxes for 2009-10 through 2014-15, total \$186.00 plus interest. Carried 5-0.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,321
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, Carolyn Kay Jacobsen is the titleholder of a building on leased land Parcel #894432131912 located in Woodbury County, Iowa and legally described as follows:

Parcel #894432131912

MOVILLE CITY OF B/LL LOT 25 LOC ON P #622995 UNPLATTED LA NDS 689' E & W X 230 ' N & S S OF
BLK 3 HALLS ADDN 32-89-44

WHEREAS, the above-stated property has taxes payable Including special assessments and the parcel is owned by Carolyn Kay Jacobsen and

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes 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 and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 19th day of January, 2016.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11c. Motion by Monson second by Clausen to approve and authorize the Chairperson to sign a Resolution approving abatement for taxes for Virasack Phonphiboun, building on leased land for a mobile home, parcel #884730301923, taxes for 2012-13 through 2014-15, total \$74.00 plus interest. Carried 5-0.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,322
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, Virasack Phonphiboun is the titleholder of a building on leased land Parcel #884730301923, located in Woodbury County, Iowa and legally described as follows:

Parcel #884730301923

SERGEANT BLUFF CITY B/LL LOT 246 LOC ON P 641374 RAIL ADDN

WHEREAS, the above-stated property has taxes payable Including special assessments and the parcel is owned by Virasack Phonphiboun, and

WHEREAS, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes 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 and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 19th day of January, 2016
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 12a. Motion by Smith second by Clausen to approve the request of \$1,000 from the Rural Economic Development Department budget to support the regional entrepreneur grant competition "Swimming with the Sharks". Carried 3-2 on a roll call vote; Taylor and Ung opposed. Copy filed.
- 12b. Motion by Monson second by Smith to receive for signatures a Resolution to provide a financial contribution in support of the City of Correctionville and their filing of an application for funding with the vision Iowa community attraction and tourism grant program. Carried 5-0.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,323
A RESOLUTION TO PROVIDE A FINANCIAL CONTRIBUTION IN SUPPORT OF THE CITY
OF CORRECTIONVILLE AND THEIR FILING OF AN APPLICATION FOF FUNDING WITH
THE VISION IOWA COMMUNITY ATTRACTION AND TOURISM GRANT PROGRAM**

WHEREAS, the City of Correctionville, is an incorporated municipality in Woodbury County, Iowa, and owner of the public pool located at 819 8th Street, Correctionville, Iowa, 51016; and

WHEREAS, the Woodbury County Board of Supervisors supports the need for this project to repair and make significant improvements to the public pool; and

WHEREAS, such proposed improvements will create an expanded recreational and quality of life amenity for all residents of Correctionville and the surrounding rural areas and small communities within Woodbury County through new and expanded recreational, wellness, and education opportunities, and

WHEREAS, the City of Correctionville has successfully approved a bond issue and have secured private grants along with local funding to carry out the project's scope of work; and is submitting an application for a Vision Iowa Community Attraction and Tourism program grant award to supplement funds already secured; and

WHEREAS, the Vision Iowa Board of Directors requires county governments to provide a direct financial contribution to Vision Iowa-eligible projects located within its jurisdiction as part of the project's total funding mix; and the City of Correctionville will not be able to complete their preservation and redevelopment of their public pool without the aid of a Vision Iowa program grant; and

NOW, THEREFORE IT BE RESOLVED BY THE BOARD OF SUPERVISORS THAT WOODBURY COUNTY does hereby demonstrate its full support for the City of Correctionville Project with a financial contribution of \$5,000 to the proposed public pool improvements. Woodbury County's financial commitment to this project is contingent upon the successful award of a Vision Iowa program grant.

Dated this 19th day of January 2016.

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

13a. Motion by Monson second by Clausen to approve and authorize the 2016 amendment to development agreement between Woodbury County and CF Industries Nitrogen, LLC related to State of Iowa High Quality Jobs Program. Carried 5-0. Copy filed.

Motion by Ung second by Smith to authorize the Chairperson to sign a Resolution and development agreement between Woodbury County and CF Industries Nitrogen, LLC. Carried 5-0.

RESOLUTION #12,324

APPROVING 2016 AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN WOODBURY COUNTY AND CF INDUSTRIES, LLC RELATED TO STATE OF IOWA HIGH QUALITY JOBS PROGRAM

WHEREAS, Woodbury County (the "County") and CF Industries Nitrogen, LLC (the "Company") have entered into a development agreement dated as of the 9th day of September, 2013 (the "Development Agreement"), pursuant to which the Company has agreed to construct a facility (the "Project") and the County has agreed to provide certain incentives; and

WHEREAS, in the Development Agreement, the Company agreed to invest not less than \$1,690,000,000 on capital improvements; and

WHEREAS, the Company now anticipates that its capital improvement investment will be not less than \$2,100,000,000; and

WHEREAS, in the Development Agreement, the County agreed to provide an exemption from property taxation for new taxable valuation that would result from the construction of the Project, beginning with the January 1, 2016 tax assessment year and continuing through the January 1, 2035 tax assessment year; and

WHEREAS, it has been proposed that an amendment to the Development Agreement be approved, in the form attached to this resolution as Exhibit A (the "2016 Amendment"), which would modify the Property Valuation Exemption Schedule shown as Exhibit C to the Development Agreement to add 100% exemption for valuation added in the January 1, 2015 assessment year, to delete any exemption for the January 1, 2035 assessment year, and to modify the exemptions in the intervening years to equalize the economic loss of the exemption in 2035;

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

Section 1. The 2016 Amendment to Development Agreement attached hereto as Exhibit A is hereby approved.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved January 19, 2016.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 13b. An update on Tax Rate Report was presented.
- 14a. Motion by Monson second by Ung to approve and authorize the Chairperson to sign a certification of completion for L.A. Carlson Construction. Carried 5-0. Copy filed.
- 14b. Motion by Smith second by Clausen to approve and authorize the Chairperson to sign a certification of completion for Dixon Construction. Carried 5-0. Copy filed.
- 14c. Motion by Monson second by Ung to approve and authorize the Chairperson to sign final payment voucher for Knife River Paving Corporation for project FM-CO97(122)—55-97. Carried 5-0. Copy filed.
- 14d. Motion by Smith second by Clausen to approve and authorize the Chairperson to sign final payment voucher for Knife River Paving Corporation for project STP-S-CO97(110)005E-97. Carried 5-0. Copy filed.
- 14e. Motion by Monson second by Clausen to reapprove the construction plans for project #STP-S-CO97(127)—5E-97. Carried 5-0. Copy filed.

The Board recessed for a meeting of the Wolf Creek Drainage District.

The supervisor meeting was called back to order.

- 16. Reports on committee meetings.
- 17. Citizen Concerns
- 18. Board concerns and comments.

The Board adjourned the regular meeting until January 26, 2016.

Meeting sign in sheet. Copy filed.