

## JANUARY 18, 2022, THIRD MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, January 18, 2022 at 3:15 p.m. Board members present were Taylor, Ung, De Witt, Radig, and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget Tax/Analyst, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Services 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. Sheriff Sheehan addressed the board regarding the officer involved shooting.
2. Motion by Taylor second by Radig to approve the agenda for January 18, 2022. Carried 4-0. Copy filed.  
Motion by Taylor second by Radig to approve the following items by consent:
  3. To approve minutes of the January 11, 2022 meeting. Copy filed.
  4. To approve the claims totaling \$450,476.06. Copy filed.
  5. To approve the Chairperson's 2022 Liaison and Committee assignments. Copy filed.
  6. To approve the lifting of tax suspensions for Florence Snoozy, parcel #008550, 116 Bluff St. Copy filed.
  7. To approve the separation of Jacob Hamann, Sheriff Reserve Officer, County Sheriff Dept., effective 12-01-21. Resignation.; and the appointment of Jordan Maxon, Civilian Jailer, County Sheriff Dept., effective 01-24-22, \$21.02/hour. Job Vacancy Posted 11-17-21. Entry Level Salary: \$21.02/hour. Copy filed.
- 8a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894720377012, 1601 Myrtle St.

### **RESOLUTION #13,381 NOTICE OF PROPERTY SALE**

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

**The South Ten feet (S 10') of Lot Five (5), and all of Lot Six (6), in Block Twenty-three (23) of North Sioux City, in the County of Woodbury and State of Iowa (1601 Myrtle 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 **1<sup>st</sup> Day of February, 2022 at 3:35 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 **1<sup>st</sup> Day of February, 2022**, 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 \$489.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 18<sup>th</sup> Day of January, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 8b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #884201258011, 3<sup>rd</sup> & Main St., Cushing.

**RESOLUTION #13,382**  
**NOTICE OF PROPERTY SALE**

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

**Lots Eleven and Twelve (11 & 12) Block Eight (8), City of Cushing, Woodbury County, Iowa (3<sup>rd</sup> St & Main)**

**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 **1<sup>st</sup> Day of February, 2022 at 3:37 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 **1<sup>st</sup> Day of February, 2022**, 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 \$376.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 18<sup>th</sup> Day of January, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 9. To designate Dean Stevens as the Citizen Representative on the Woodbury County Information and Communication Commission for a three-year term expiring December 31, 2024. Copy filed.

Carried 4-0.

- 10. Motion by Taylor second by Ung to approve a new part-time paramedic position of 335 hours within the EMS Department. Carried 4-0. Copy filed.

Supervisor Wright entered the meeting.

- 11a. Motion by Radig second by Ung to approve and authorize the Chairperson to sign the Construction Evaluation Resolution for large animal confinement operations. Carried 5-0.

Ken Alexander, Smithland, addressed the board with concerns regarding the resolution.

**RESOLUTION #13,383**  
**CONSTRUCTION EVALUATION RESOLUTION**

**WHEREAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2022 and January 31, 2023 and submit an adopted recommendation regarding that application to the DNR; and

**WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Dated this 18<sup>th</sup> Day of January, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 11b. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution Setting Date for a Public Hearing on Amendment to the Urban Renewal Plan for the Grow Woodbury County Urban Renewal Area. Carried 5-0.

**RESOLUTION #13,384**  
**RESOLUTION SETTING DATE FOR A PUBLIC HEARING ON AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE GROW WOODBURY COUNTY URBAN RENEWAL AREA**

**WHEREAS**, this Board by resolution previously established the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives to be undertaken therein; and

**WHEREAS**, an amendment to the Plan has been prepared which would facilitate the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to Ag Processing Inc. (the "Cooperative") in connection with the expansion of a soybean processing facility for use in the Cooperative's business operations in the Urban Renewal Area, and it is now necessary that a date be set for a public hearing on that plan amendment;

**NOW, THEREFORE, Be It Resolved** by the Board of Supervisors of Woodbury County, Iowa, as follows:

Section 1. This Board will meet at the Woodbury County Courthouse, Sioux City, Iowa, on February 15, 2022, at 4:35 o'clock p.m., at which time and place it will hold a public hearing on the proposed amendment to the Plan for the Urban Renewal Area.

Section 2. The County Auditor shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in Woodbury County, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for the hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, the County Finance Director and/or the Community and Economic Development Director are hereby designated as the County's representatives in connection with the consultation process which is required under that section of the urban renewal law.

Passed and approved January 18, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 12a. Motion by Radig second by Taylor to accept the Rule 23-4 Groundwater Protection in Woodbury County as approved by Siouxland District Board of Health. Carried 5-0. Copy filed.
- 12b. Motion by Taylor second by Radig to approve the Iowa DNR Agreement ID 21ESDWQBEDAY0001 for private water well permitting and designating Siouxland District Health as the permitting entity. Carried 5-0. Copy filed.
- 13a. Motion by Taylor second by Ung to approve the sale of the county farm with a possession date after the current lease expires. Carried 4-1, De Witt opposed. Copy filed.  
  
Ken Alexander, Smithland, addressed the board in support of selling the county farm.
- 13b. Motion by Taylor second by Radig to approve proceeds go to Debt Service obligations for FY23 & FY24. Carried 5-0. Copy filed.
- 13c. Motion by Taylor second by Ung to approve the Military Differential Pay Policy. Carried 5-0. Copy filed.
- 13d. Motion by Taylor second by Radig to receive for signatures a Resolution establishing differential military pay for Woodbury County employees called to active duty military service. Carried 5-0.

**RESOLUTION #13,385**  
**A RESOLUTION ESTABLISHING DIFFERENTIAL MILITARY PAY FOR WOODBURY COUNTY**  
**EMPLOYEES CALLED TO ACTIVE DUTY MILITARY SERVICE**

**WHEREAS**, Woodbury County currently has employees that have been called to military duty, and

**WHEREAS**, the current military leave agreement language is based on the Code of Iowa Chapter 29A which sets a minimum responsibility of paid leave, and

**WHEREAS**, the Woodbury County employees called to active duty military service are making a tremendous sacrifice on behalf of citizens of Woodbury County, the State of Iowa and the United States and,

**WHEREAS**, the families of the Woodbury County employees on full-time military call-up continue their sacrifice by having to live on a military salary which is in some cases substantially less monthly income, and

**WHEREAS**, the pay differential will greatly assist those families, and

**WHEREAS**, there is little cost to the County for this policy, and

**NOW, THEREFORE BE IT RESOLVED** that the Woodbury County Board of Supervisors whole-heartedly endorses the policy and authorizes Woodbury County Human Resources to facilitate the program.

**SO RESOLVED** this day of January, 2022  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 14a. Motion by Ung second by Taylor to elect the standard allowance of \$10 million to spend on government services, as permitted by the U.S. Treasury's ARPA Final Rule. Carried 5-0. Copy filed.

- 14b. Motion by Ung second by De Witt to appropriate \$10 million from current Fiscal Recovery Funds towards the Law Enforcement Center Project. Carried 5-0. Copy filed.

Maria Rundquist, Sioux City, David Bushaw, by phone, and Shane Albrecht, The Baker Group, addressed the board in respect to ARPA spending.

- 14c. No action was taken to increase by \$8,000,000 General Basic reserves in the FY 23 budget. Copy filed.
- 14d. Motion by Ung second by Taylor to approve reducing funding of \$15,600,000 previously approved to \$14,200,000 for the Woodbury County LEC Authority project from county funds, including eligible ARPA funds, and general basic reserves. Carried 5-0. Copy filed.

Shane Albrecht, The Baker Group discussed contingency funds for the LEC project.

- 14e. Motion by Ung to reduce all county supervisors' annual salaries to \$5,000.00 for the FY23 budget, including the Chairperson. Motion died due to lack of a second. Copy filed.

- 15a. Motion by Radig second by De Witt to receive the Sheriff Uniform Patrol budget as submitted. Carried 5-0.

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

Motion by Radig second by De Witt to receive the Sheriff Investigations budget as submitted. Carried 5-0.

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

Motion by De Witt second by Radig to receive the Sheriff Correctional Facility - LEC budget reduced by \$180,413.00. Carried 4-1, Taylor opposed.

Motion by Taylor second by De Witt to receive the Sheriff Administration budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Sheriff Crime Prevention budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Sheriff Civil Division budget as submitted. Carried 5-0.

Motion by De Witt second by Ung to receive the Sheriff Courthouse Security budget as submitted. Carried 4-1, Radig opposed.

Motion by Radig second by De Witt to receive the Sheriff Courtroom Security & Transport budget as submitted. Carried 5-0.

Motion by Radig second by Ung to receive the Sheriff Commissary budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Sheriff Prisoner Room & Board budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Sheriff Uniform Patrol budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Sheriff Forfeiture budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Sheriff Dare Donations budget as submitted. Carried 5-0.

- 15b. Motion by Radig second by De Witt to receive the County Attorney Administration budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the County Attorney Edward Byrne Grant budget as submitted. Carried 5-0.

Motion by Taylor second by Radig to receive the County Attorney - Collections budget with revenue increased by \$120,390. Carried 5-0.

Motion by De Witt second by Radig to receive the County Attorney HIDTA Grant budget as submitted. Carried 5-0.

Motion by Taylor second by De Witt to receive the County Attorney Juvenile Division budget as submitted. Carried 5-0.

Motion by Taylor second by De Witt to receive the County Attorney Jury & Witness Fees budget as submitted. Carried 5-0.

Motion by Taylor second by Radig to receive the County Attorney Forfeiture budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the County Attorney Fine Collections budget as submitted. Carried 5-0.

15c. Motion by Taylor second by De Witt to receive the Building Services Courthouse budget as submitted. Carried 5-0.

Motion by Taylor second by Wright to receive the Building Services LEC budget reduced by \$25,000. Carried 5-0.

Motion by Radig second by De Witt to receive the Building Services Trosper/Hoyt budget as submitted. Carried 5-0.

Motion by De Witt second by Radig to receive the Building Services budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Building Services Anthon Courthouse budget as submitted. Carried 5-0.

Motion by Taylor second by Radig to receive the Building Services Prairie Hills Facility budget as submitted. Carried 5-0.

Motion by Taylor second by De Witt to receive the Building Services District Health Building budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Building Services Tri View Facility budget as submitted. Carried 5-0.

16. The Board heard reports on committee meetings.

17. There were no citizen concerns.

18. Board concerns were heard.

The Board adjourned the regular meeting until January 25, 2022.

Meeting sign in sheet. Copy filed.