

MARCH 14, 2023, ELEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, March 14, 2023, at 4:30 p.m. Board members present were Bittinger II, Nelson, Taylor, Ung, and Radig. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Loan Hensley, Assistant County Attorney, Melissa Thomas, Human Resources Director, and Patrick Gill, 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 Ung second by Taylor to approve the agenda for March 14, 2023. Carried 5-0. Copy filed.
Motion by Radig second by Ung to approve the following items by consent:
2. To approve minutes of the March 7, 2023 meeting. Copy filed.
3. To approve the claims totaling \$380,395.23. Copy filed.
- 4a. To approve the appointment of Haley Messerschmidt, Assistant County Attorney, County Attorney Dept., effective 03-15-23, \$88,323/year, \$3271.23/bi-weekly. Job Vacancy Posted 1-11-23. Entry Level Salary: \$69,962/year.; the separation of Dustin Johnson, Clerk II, County Treasurer Dept., effective 03-15-23. Resignation.; and the appointment of Anthony Klein, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 03-15-23, \$18.22/hour. Job Vacancy Posted 2-8-23. Entry Level Salary: \$18.22/hour. Copy filed.
- 4b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Clerk II, County Treasurer Dept. AFSCME Courthouse: \$18.22/hour. Copy filed.
5. To authorize Woodbury County Finance/Budget Director as the county's representative of the Opioid Settlement and funding for Opioid Settlement reporting resulting from the Iowa Opioid Allocation Memorandum of Understanding from the State of Iowa.
- 6a. To approve the property tax refund for Robert Rehan, 2227 Jennings St., parcel #894721252012, in the amount of \$913.00. Copy filed.
- 6b. To receive for signatures a Resolution naming depositories for the County Treasurer.

RESOLUTION NAMING DEPOSITORIES RESOLUTION #13,564

BE IT RESOLVED by the Woodbury County Board of Supervisors in Woodbury County, Iowa: That we do hereby designate the following named banks to be depositories of the Woodbury County funds in amounts not to exceed the amount named opposite each of said designated depositories and Tina Bertrand, Woodbury County Treasurer is hereby authorized to deposit the Woodbury County funds in amounts not to exceed in the aggregate the amounts named for said banks as follows, to wit:

NAME OF DEPOSITORY	LOCATION	MAXIMUM DEPOSIT In the effect Prior resolution	MAXIMUM DEPOSIT under the resolution
U.S. Bank	Sioux City, Iowa	\$50,000,000	\$50,000,000
Security National Bank	Sioux City, Iowa	100,000,000	100,000,000
Wells Fargo Bank	Sioux City, Iowa	50,000,000	50,000,000
PeoplesBank	Sioux City, Iowa	5,000,000	5,000,000
First National Bank	Sioux City, Iowa	50,000,000	50,000,000

Primebank	Sioux City, Iowa	50,000,000	50,000,000
Great Southern Bank	Sioux City, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	1,000,000	1,000,000
Pioneer Bank	Sergeant Bluff, Iowa	10,000,000	10,000,000
Sloan State Bank	Sloan, Iowa	5,000,000	5,000,000
Valley Bank & Trust	Danbury, Iowa	1,500,000	1,500,000
BankFirst	Hornick, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Moville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Anthon, Iowa	5,000,000	5,000,000
Liberty National Bank	Sioux City, Iowa	25,000,000	25,000,000
Availa Bank	Sioux City, Iowa	10,000,000	10,000,000
Central Bank	Sioux City, Iowa	10,000,000	10,000,000
Kingsley State Bank	Sergeant Bluff, Iowa	1,000,000	1,000,000
Shelby County State Bank	Danbury, Iowa	5,000,000	\$5,000,000

SO RESOLVED this 14th day of March, 2023
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

7. To approve an application for a 12-month, Class C Liquor License (LC) (Commercial), with Outdoor Services and Sunday sales privileges for the Anthon Golf Course, effective 04/01/23 through 03/31/24. Copy filed.
8. To approve the appointments of Kevin Grieme (Health), Sally Hartley (Early Childhood), and Kevin Kay (Financial) for a 3 year term on the Community Action Agency of Siouxland Board of Directors effective April 1, 2023. Copy filed.

Carried 5-0.

- 11a. Motion by Ung second by Taylor to receive the Zoning Commission's recommendation from their 2/27/23 meeting to approve the final plat of Barker Addition, a minor subdivision to Woodbury County, Iowa. Carried 5-0. Copy filed.
- 11b. Motion by Radig second by Taylor to approve and authorize the Chairperson to sign a Resolution accepting and approving the final plat of the Barker Addition, a Minor Subdivision, with the condition that the property owner(s) sign a pavement agreement for any future grading and hard surfacing and pavement along Barker Avenue and 230th Street. Carried 5-0.

**BOARD OF SUPERVISORS
 RESOLUTION #13,565
 ACCEPTING AND APPROVING BARKER ADDITION
 A MINOR SUBDIVISION
 WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNER AND PROPRIETORS DID ON THE 27th DAY OF FEBRUARY 2023 FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS BARKER ADDITION, WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF BARKER ADDITION, WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 14th DAY OF MARCH, 2023
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

11c. Motion by Radig second by Bittinger to approve the application and authorize the Chairperson to sign the Board's scoring and recommendation letter to the Iowa Department of Natural Resources (IDNR) for the "Sioux Jerseys, LLC" Confinement Feeding Operation. Carried 5-0. Copy filed.

9a. A public hearing was held at 4:35 p.m. for the sale of parcel #894728102018, 1311 Grandview Blvd. The Chairperson called on anyone wishing to be heard.

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

Motion by Ung second by Taylor to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894728102018, 1311 Grandview Blvd., to Angelica Rios, 1401 W 3rd St., Apt. 1, Sioux City, for \$546.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,566**

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

By Angelica M. Rios in the sum of **Five Hundred Forty-Six and 00/100 (\$546.00)**-----
-----dollars.

For the following described real estate, To Wit:

Parcel #894728102018
Lot Nine (9) Block Seventy-nine (79) Sioux City East Addition, City of Sioux City, Woodbury County, Iowa
(1311 Grandview 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 14th Day of March, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 9b. A public hearing was held at 4:37 p.m. for the sale of parcel #894729402013, 210 ½ Main St. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894729402013, 210 ½ Main St., to Maria & Isidro Luna Serrano, 3401 Le Mese Way, South Sioux City, NE, for \$100.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,567**

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

By Maria Serrano and Isidro Luna Serrano in the sum of **One Hundred Dollars and 00/100 (\$100.00)----**
-----dollars.

For the following described real estate, To Wit:

Parcel #894729402013

**Irreg. Ely part NW of R/W 6.1 feet ex 68.8 feet x 51.3 feet x 85.8 feet, Lot 4 Block 17 Sioux City Addition to City of Sioux City, Woodbury County, Iowa
(210 ½ Main 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 14th Day of March, 2023.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 9c. A public hearing was held at 4:39 p.m. for the sale of parcel #894730254010, 315 Collins St. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894730254010, 315 Collins St., to [REDACTED], Sioux City for \$349.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
 OF SUPERVISORS OF WOODBURY COUNTY, IOWA
 RESOLUTION #13,568**

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

[REDACTED] in the sum of Three Hundred Forty-Nine and 00/100 (\$349.00) -----
 -----dollars.

For the following described real estate, To Wit:

Parcel #894730254010

The South Fifty-Five feet of Lots One and Two and the South Fifty-Five feet of the East Fourteen feet of Lot Three in Block Nine, Hornicks 2nd Addition to Sioux City, Iowa, in the County of Woodbury County and State of Iowa (315 Collins 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 14th Day of March, 2023.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 11d. Motion by Ung second by Bittinger to approve the application and authorize the Chairperson to sign the Board's scoring and recommendation letter to the Iowa Department of Natural Resources (IDNR) for the "Salix Farms, LLC" Confinement Feeding Operation. Carried 5-0. Copy filed.

- 10a. A public hearing was held at 4:42 p.m. for Zoning Ordinance Map Amendment to rezone Parcel #874704300003 from Agricultural Preservation (AP) to Agricultural Estates (AE) for Maxys Family Farm LLC & Brian & Bonnie Ivener Trust. The Chairperson called on anyone wishing to be heard.

Motion by Taylor second by Ung to close the public hearing. Carried 5-0.
- 10b. Motion by Ung second by Taylor to approve the second reading of the Zoning Ordinance Map Amendment (Rezone) as the final reading. Carried 5-0. Copy filed.
- 10c. Motion by Ung second by Bittinger to waive the third reading of the Zoning Ordinance Map Amendment (Rezone). Carried 5-0. Copy filed.
- 10d. Motion by Ung second by Bittinger to adopt the Ordinance #71, Zoning Ordinance Map Amendment to rezone from Agricultural Preservation (AP) to Agricultural Estate (AE) Zoning district for Maxys Family Farm LLC & Brian & Bonnie Ivener Trust, parcel #874704300003. Carried 5-0.
- 12a. Motion by Radig second by Taylor to accept the petition and bond presented by the City of Salix for the establishment of a new drainage district. Carried 5-0. Copy filed.
- 12b. Motion by Radig second by Bittinger to appoint a drainage engineer to prepare a report for the Board of Supervisors as required by Section 468.10 of the Code of Iowa, and to direct said engineer to prepare a contract for board approval as required by Section 468.10(2) of the Code of Iowa. Carried 5-0. Copy filed.
- 12c. Motion by Ung second by Radig to approve the Fiscal Year 23-24 County Parking Plan. Carried 5-0. Copy filed.
13. Motion by Radig second by Bittinger to approve the project agreement for project #IM-029-6(278)139—13-97 and # IM-029-6(170)139—0E-97. Carried 3-2 on a roll call vote; Nelson and Taylor opposed. Copy filed.
- 14a. Motion by Radig second by Ung to approve to un-obligate \$444,447 from ARPA Funds for the 28th Street Sewer Project and then obligate \$444,447 to be paid from FY 23 CIP. Carried 5-0. Copy filed.
- 14b. Motion by Ung second by Radig to approve funding source from ARPA funding to FY23 CIP Funds for the 5 new Sheriff vehicles. Carried 5-0. Copy filed.
- 14c. Motion by Ung second by Taylor to amend ARPA Funds obligated for Conservation and Emergency Services radios from \$344,000 down to \$162,745. Carried 5-0. Copy filed.
- 14d. Motion by Ung second by Radig to reduce the previously approved ARPA Funds for the Trosper/Hoyt emergency repairs from \$292,750 to \$200,000. Carried 5-0. Copy filed.
- 14e. Motion by Ung second by Radig to obligate ARPA Funds in the amount of \$300,000 to replace the outdated Life Pack heart monitors for Emergency Services. Carried 5-0. Copy filed.
- 14f. Motion by Ung second by Radig to amend the funding of the Sheriff's cameras and tasers by obligating \$300,000 to FY23 CIP and \$687,840 to ARPA Funding. Carried 5-0. Copy filed.
15. Reports on committee meetings were heard.
16. Auditor Gill requested the Board review of section 1.10 of the employee handbook titled employee attire, review of county job classifications and descriptions and consideration of an inflation adjustment for bargaining units that have not received such.
17. Board concerns were heard.

The Board adjourned the regular meeting until March 21, 2023.

Meeting sign in sheet. Copy filed.