

APRIL 11, 2023, FIFTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, April 11, 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, Joshua Widman, Assistant County Attorney, 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 April 11, 2023. Carried 5-0. Copy filed.
Motion by Taylor second by Bittinger to approve the following items by consent:
2. To approve minutes of the April 4, 2023 meeting. Copy filed.
3. To approve the claims totaling \$749,708.71. Copy filed.
- 4a. To receive the Commission of Veteran Affairs First Quarterly Report from July 1, 2022 through September 30, 2022. Copy filed.
- 4b. To receive the Commission of Veteran Affairs Second Quarterly report from October 1, 2022 through December 31, 2022. Copy filed.
5. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale of parcel #894723362005, 1440 Glendale Blvd.

**RESOLUTION #13,581
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 9 Block 13 Kelly Park Addition, City of Sioux City, Woodbury County, Iowa
(1440 Glendale Blvd.)**

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 **25th Day of April, 2023 at 4:35 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 **25th Day of April, 2023**, 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 \$50.00** 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 11th Day of April, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 6. To receive the appointment of Shona Klingensmith, 3334 195th St., Anthon, as the Clerk of Wolf Creek Township previously held by Jeannie Krueger, until the next regular/general election. Copy filed.
- 7. To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Yes Communities, vin #S2451P, 1975 Rosewood.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,582
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, Yes Communities is the titleholder of a mobile home VIN #S2451P located in Woodbury County, Iowa and legally described as follows:

VIN #S2451P 1975 Rosewood

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Yes Communities.

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 mobile home 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 11th day of April, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 8a. To approve the separation of Anthony Klein, P/T Courthouse Safety & Security, County Sheriff Dept., effective 04-03-23. Resignation.; and the appointment of Thuy Vy Huynh Duong, Clerk II, County Treasurer Dept., effective 04-20-23, \$18.22/hour. Job Vacancy Posted 2-1-23. Entry Level Salary: \$18.22/hour. Copy filed.
- 8b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Civilian Jailer, County Sheriff Dept. CWA: \$23.33/hour. Copy filed.
- 8c. To approve the MOU for AFSCME Courthouse and Juvenile Detention employees. Copy filed.

Carried 5-0.

- 9. Motion by Radig second by Taylor to authorize an additional fulltime correctional officer position and reduce the part time hours by 2,080 to be utilized for Courthouse security. Carried 5-0. Copy filed.
- 10. Motion by Radig second by Nelson to approve the Board’s scoring and recommendation letter to the Iowa Department of Natural Resources (IDNR) for the Creasey Site Confinement Feeding Operation (Korey Krieg-Applicant). Carried 5-0. Copy filed.
- 11a. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution for Weed Destruction Order for 2023. Carried 5-0.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,583
WEED DESTRUCTION ORDER**

WHEREAS, it is the responsibility of each of Iowa County's Board of Supervisors to enforce the provisions of Chapter 317 of the Code of Iowa as amended with regard to the destruction of weeds, and

WHEREAS, under Chapter 317 of the Code of Iowa as amended each county Board of Supervisors must prescribe and order a program of weed destruction to be followed by landowners, tenants, and other persons in possession or control of land, and

WHEREAS, it has been determined by the Woodbury County Board of Supervisors that a program of weed destruction for the year 2023 is necessary,

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa that each landowner, tenant or other person in possession or control of private land shall on or before the dates stated below, destroy the below-listed noxious weeds on their land by spraying them with a suitable herbicide in a strength sufficient to kill such weeds.

1. May 1, 2023 – for Palmer amaranth annual.
2. May 8, 2023 - for musk, thistle, sow thistle, bull thistle, leafy spurge, perennial pepper grass, sour dock perennial, smooth dock perennial, and sheep sorrel perennial.
3. June 1, 2023 - for Canada thistle, Russian knapweed, buckhorn perennial, wild mustard annual, horse nettle, and teasel biennial.
4. June 5, 2023 - for field bindweed, wild carrot biennial, and quack grass.
5. June 12, 2023 - for butterprint annual, puncture vine annual, and cocklebur annual.
6. July 1, 2023 - for wild sunflower annual and poison hemlock.
7. October 2, 2023 - all thistles in the rosette stage.

BE IT FURTHER RESOLVED AND ORDERED that any person using county road Right-of-Way for haying or grazing are responsible for following the labeled restrictions listed on the following products used by Woodbury County Weed Commissioner: Grazon P&D, Streamline, Perspective, Method 240SL, and MSN 60.

BE IT FURTHER RESOLVED AND ORDERED that all weeds on county trunk and local roads and between the fence lines of such roads, whether they be noxious weeds or other weeds, shall be eradicated or otherwise destroyed, to prevent seed production, by the owner of the land adjoining the road on or before June 9, 2023.

BE IT FURTHER RESOLVED that weeds that are not destroyed in compliance with the above order may be destroyed by the Weed Commissioner, and the costs of destruction by the Weed Commissioner, including the cost of serving notice, plus a penalty of twenty-five percent of total costs shall be assessed against the property upon which the weeds were destroyed, in the case of private lands, or against the adjoining land, in the case of weeds on county roads. Landowners are to contact Weed Commissioner and notify him if there are areas that should not be sprayed with herbicides.

SO RESOLVED this 11th day of April, 2023
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11b. Motion by Radig second by Nelson to approve the FY24 Woodbury County Secondary Road Department Budget. Carried 5-0. Copy filed.

11c. Motion by Radig second by Ung to approve the FY24 Woodbury County Secondary Road Department Five Year Construction Program. Carried 5-0. Copy filed.

11d. Bid letting was held for project #L-B(E66)—73-97. The bids are as follows:

Dixon Construction, Correctionville, IA	\$777,985.70
Graves Construction, Spencer, IA	\$831,422.75
Cunningham Rels, Van Meter, IA	\$853,019.00

Motion by Radig second by Ung to receive the bids and return them to the County Engineer for review. Carried 5-0. Copy filed.

12. Motion by Taylor second by Ung to approve 28th Street Fiber Optic Infrastructure and Law Enforcement Center Fiber Services Agreement. Carried 5-0. Copy filed.

13. Motion by Radig second by Nelson to approve the Woodbury County Board to apply for the grant regarding juvenile delinquency prevention through the state of Iowa. Carried 5-0. Copy filed.

14. Motion by Taylor second by Bittinger to approve to direct Zoning to draft and amendment to Ordinance #56 which increases wind turbine setbacks from city limits and county conservation areas. Carried 5-0. Copy filed.

15. Information was presented by Gayle Palmquist about CO2 pipelines. Copy filed.

Motion by Ung second by Nelson to receive information presented by Gayle Palmquist about CO2 pipelines. Carried 5-0. Copy filed.

16. Motion by Taylor second by Bittinger to receive a letter of interest from Carbon Sink LLC. Carried 5-0. Copy filed.

Motion by Taylor second by Radig to request the county attorney’s office make a recommendation regarding Woodbury County’s unique standing on population or an alternate economic development basis and provide potential options. Carried 5-0.

17. There were no citizen concerns

18. Board concerns were heard.

The Board adjourned the regular meeting until April 18, 2023.

Meeting sign in sheet. Copy filed.