

APRIL 26, 2022 SEVENTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, April 26, 2022 at 4:30 p.m. Board members present were Ung, Radig, De Witt, Taylor, and Wright. Staff members present were Karen James, Board Administrative Assistant, 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. There were no citizen concerns

2. Motion by Radig second by De Witt to approve the agenda for April 26, 2022. Carried 5-0. Copy filed.

Motion by De Witt second by Radig to approve the following items by consent:

3. To approve minutes of the April 19, 2022 meeting. Copy filed.

4. To approve the claims totaling \$660,681.54. Copy filed.

5a. To receive the appointment of Sherry Welte, 127 2nd St., Danbury, IA, to the City of Danbury council, previously held by Brock Boyle, until the next regular/general election. Copy filed.

5b. To receive the appointment of Blanca Martinez, 3306 Stone Park Blvd., Sioux City, IA, to the Western Iowa Tech District III Board, previously held by Robert Rasmus, until the next regular/general election. Copy filed.

6. To approve the transfer of Allen Robert Welte, Interim Director, Emergency Services Dept., effective 04-25-22, \$30.00/hour. Transfer to Interim Director.; the transfer of Christopher Tritz, Youth Worker, Juvenile Detention Dept., effective 04-27-22, \$21.92/hour, 0%. Position Transfer from Part-time to Full-time Youth Worker.; the reclassification of Cathia Wise, Custodian, Building Services Dept., effective 05-02-22, \$16.76/hour, 4.8%=\$.78/hr. Per AFSCME Courthouse Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2.; the reclassification of Steven Holden, Supervisor, Building Services Dept., effective 05-02-22, \$70,144.81/year, 6.5%=\$4,281.14/yr. Per Wage Plan Matrix, 6 year Salary Increase.; and the reclassification of Katie Nelson, Custodian, County Sheriff Dept., effective 05-16-22, \$16.76/hour, 4.8%=\$.78/hour. Per AFSCME Courthouse Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2. Copy filed.

Carried 5-0.

7a. Bid letting was held for front wheel assist tractor. The bids are as follows:

Titan Machinery, Kingsley, IA	\$83,100.00
S & S Equipment, Inc., Lawton, IA	\$63,950.00
S & S Equipment, Inc., Lawton, IA	\$65,650.00
S & S Equipment, Inc., Lawton, IA	\$66,850.00
Agrivision Equipment, Inc., Lawton, IA	\$131,747.75
Agrivision Equipment, Inc., Lawton, IA	\$120,455.47

Motion by De Witt second by Radig to receive the bids and refer them to the County Engineer for recommendation. Carried 5-0. Copy filed.

7b. Motion by Radig second by De Witt to award the quotes of two motor graders to Murphy Tractor. Carried 5-0. Copy filed.

7c. Motion by Radig second by De Witt to award the quote for a new John Deere 644P front end loader to Murphy Tractor for \$265,050. Carried 5-0. Copy filed.

8a. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign Resolutions authorizing the Chairperson to sign the deeds for the sale of the county farm to Morningside University and South Woodbury, LLC. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #13,417**

WHEREAS the Woodbury County Board of Supervisors has set forth its proposal to sell the herein described real property in resolution #13,401; and

WHEREAS a public hearing was held on said proposal on March 15, 2022, pursuant to published notice as provided by law; and

WHEREAS the Woodbury County Board of Supervisors has heard all the comments for or against said proposal and believes selling the real property is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of: Morningside University in the sum of \$1,052,601 for Parcel 1 and \$232,225 for Parcel 2

For the following described real estate, To Wit:

Parcel 1:

All of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows: Beginning at the Northwest corner of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14; thence South 89°32'09" East along the North line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 1328.16 feet to the Northeast corner of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence South 0°04'33" East along the East line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the East line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 2511.20 feet to the centerline of Old Highway # 141; thence North and West along said centerline on the following courses and distances: North 59°43'02" West for 691.82 feet; Northwesterly for 322.20 feet on an 1145.92 foot radius curve, concave Northeasterly, having a long chord of 321.14 feet, bearing North 51°39'44" West; North 43°36'26" West for 699.13 feet to the West line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence North 0°00'08" East along said West line and the West line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 1467.67 feet to the point of beginning

Said described parcel contains 63.029 acres, more or less, which includes 3.936 acres in roadway easement.

Parcel 2:

All that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Commencing at the Northwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 14; thence South 0°00'08" West along the West line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the West line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 1467.67 feet to the centerline of Old Highway # 141 and the point of beginning; thence continuing South 0°00'08" West along the West line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 1210.78 feet to the Southwest corner of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence South 89°52'45" East along the South line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 1331.77 feet to the Southeast corner of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence North 0°04'33" West along the East line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 159.30 feet to the centerline of Old Highway # 141; thence North and West along said centerline on the following courses and distances: North 59°43'02" West for 691.82 feet; Northwesterly for 322.20 feet on an 1145.92 foot radius curve, concave Northeasterly, having a long chord of 321.14 feet, bearing North 51°39'44" West; North 43°36'26" West for 699.13 feet to the point of beginning

Said described parcel contains 18.626 acres, more or less, which includes 5.354 acres in roadway easement.

Now and included in and forming a part of Woodbury County, Iowa, the same is hereby accepted:

BE IT RESOLVED that payment is due by as set forth in the Purchase Agreement approved by this Board on March 29, 2022.

BE IT FURTHER RESOLVED that the Chairman of this Board, Keith Radig, be and he is hereby authorized to execute a Deed for the said property to the said purchaser.

SO DATED this 26th Day of April, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #13,418**

WHEREAS the Woodbury County Board of Supervisors has set forth its proposal to sell the herein described real property in resolution #13,401; and

WHEREAS a public hearing was held on said proposal on March 15, 2022, pursuant to published notice as provided by law; and

WHEREAS the Woodbury County Board of Supervisors has heard all the comments for or against said proposal and believes selling the real property is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of: South Woodbury, LLC in the sum of \$2,024,250

For the following described real estate, To Wit:

All that part of the Northwest $\frac{1}{4}$ of Section 23, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Commencing at the Northwest corner of said Northwest $\frac{1}{4}$ of Section 23; thence South 89°52'45" East along the North line of said Northwest $\frac{1}{4}$ for 531.00 feet to the point of beginning; thence continuing South 89°52'45" East along said North line for 1074.33 feet to the centerline of Old Highway # 141; thence South and East along said centerline on the following courses and distances: South 59°43'02" East for 547.70 feet; Southeasterly for 315.21 feet on an 1145.92 foot radius curve, concave Southwesterly, having a long chord of 314.22 feet, bearing South 51°50'13" East; South 43°57'24" East for 466.81 feet to the East line of said Northwest $\frac{1}{4}$; thence South 1°00'33" West along the East line of said Northwest $\frac{1}{4}$ for 1862.15 feet to the Southeast corner of said Northwest $\frac{1}{4}$; thence North 89°46'29" West along the South line of said Northwest $\frac{1}{4}$ for 2652.80 feet to the Southwest corner of said Northwest $\frac{1}{4}$; thence North 0°46'46" East along the West line of said Northwest $\frac{1}{4}$ for 1230.43 feet; thence South 89°20'41" East for 594.00 feet; thence North 0°41'17" East for 438.50 feet; thence North 4°43'39" East for 241.50 feet; thence North 5°10'48" West for 760.50 feet to the point of beginning

Said described parcel contains 134.950 acres, more or less, which includes 3.980 acres in roadway easement.

Now and included in and forming a part of Woodbury County, Iowa, the same is hereby accepted:

BE IT RESOLVED that payment is due by as set forth in the Purchase Agreement approved by this Board on March 29, 2022.

BE IT FURTHER RESOLVED that the Chairman of this Board, Keith Radig, be and he is hereby authorized to execute a Deed for the said property to the said purchaser.

SO DATED this 26th Day of April, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 8b. Motion by Radig second by De Witt to authorize the Chairperson to sign termination of lease purchase agreement with Dubuque Bank & Trust Company date October 25, 2017 and release of purchase option contained therein. Carried 5-0. Copy filed.
- 9. Motion by Taylor second by Radig to approve and authorize the Chairperson to sign a Resolution to extend health insurance to employees and their families catastrophically physically injured in the line of duty. Carried 4-0, De Witt abstained.

RESOLUTION #13,419

WHEREAS: Woodbury County employs approximately 400 employees and values each and every one of them:

WHEREAS: Woodbury County employees often engage in public safety, law enforcement, emergency services, on county roads during hazardous conditions, and may become injured due to acting in the "line of duty", and

WHEREAS: health insurance is a benefit extended by virtue of employment and a "line of duty" catastrophic physical injury is an event that may necessitate a medical discharge from otherwise being able to fulfill employment, and

WHEREAS: the Board of Supervisors upon receiving the filing of an employee to include a written statement detailing the circumstances of injury after the immediate/timely filing of workmen's compensation and any witnesses accompanied by a medical examination at the choice of the county's designated physician when a "line of duty" injury is found to be the direct causation of performing in the line of duty;

WHEREAS: upon receiving such certification the county subject to the approval of the Board of Supervisors will pay both the premium and cost of coverage at the current level of insurance that the employee retained upon the date of the line-of-duty injury; and

WHEREAS: such insurance benefit may only be paid by the county up until the age of 65 and will not be retained when insurance is offered (and denied) by another employer should the employee become gainfully employed, retaining coverage by through SSI/Medicaid, nor when the former employee elects to be put on a spouse's insurance plan,

NOW BE IT RESOLVED: on this 26th day of April 2022, that the Woodbury County Board of Supervisors hereby passes such a policy to protect its valued employees and recognizes the service that they perform in the line of duty.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 10. The Board heard reports on committee meetings.
- 11. There were no citizen concerns.
- 12. Board concerns were heard.

The Board adjourned the regular meeting until May 3, 2022.

Meeting sign in sheet. Copy filed.