

MAY 16, 2023, TWENTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, May 16, 2023, at 3:30 p.m. Board members present were Bittinger II, Nelson, Taylor, Radig, and Ung. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

Motion by Taylor second by Bittinger to go into closed session per Iowa Code Section 21.5(1)(c). Carried 5-0 on roll-call vote.

Motion by Radig second by Ung to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 5-0 on roll-call vote.

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 Radig to approve the agenda for May 16, 2023. Carried 5-0. Copy filed.

Motion by Ung second by Nelson to approve the following items by consent:

2. To approve minutes of the May 9, 2023 meeting. Copy filed.

3. To approve the claims totaling \$668,583.86. Copy filed.

4. To receive the appointment of Micah Lang, 234 5th Ave SW, Le Mars, to fill the vacancy of the office of WIT Director District I, previously held by Neal Adler, until the next regular/general election. Copy filed.

5a. To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Lake Forest MHC, VIN #19A19896, 1991 Chief Mobile Home.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,591
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, Lake Forest MHC is the titleholder of a mobile home VIN #19A19896 located in Woodbury County, Iowa and legally described as follows:

VIN #19A19896 1991 Chief Mobile Home

WHEREAS, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Lake Forest MHC.

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 16th day of May, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

5b. To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Yes Homesales, VIN #114575D2143, 1974 Titan Mobile Home.

RESOLUTION #13,592
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Yes Homesales is the titleholder of a mobile home VIN #114575D2143 located in Woodbury County, Iowa and legally described as follows:

VIN #114575D2143 1974 Titan Mobile Home

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

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 16th day of May, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 5c. To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Dream Homes, VIN #05971481054, 1997 Forest Park Mobile Home.

WOODBURY COUNTY, IOWA
RESOLUTION #13,593
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Dream Homes is the titleholder of a mobile home VIN #05971481054 located in Woodbury County, Iowa and legally described as follows:

VIN #05971481054 1997 Forest Park Mobile Home

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

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 16th day of May, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 5d. To approve property tax refund for Hy-Vee for parcel #894735156022, 3301 Gordon Dr., in the amount of \$5,358.00. Copy filed.

- 5e. To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Woodbury County, Iowa, parcels #884301100009 and #884301100010.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,594
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, Woodbury County, Iowa is the titleholder of real estate Parcels #884301100009 and #884301100010 located Woodbury County, Iowa and legally described as follows:

Parcel # 884301100009
KEDRON TOWNSHIP BRIESE FIRST ADDITION LOT 3

Parcel #884301100010
KEDRON TOWNSHIP BRIESE FIRST ADDITION LOT 4

WHEREAS, the above-stated property has an unpaid balance of taxes owing, and the parcel is owned by a political subdivision of the state; and

WHEREAS, the political subdivision, namely the Woodbury County, Iowa is failing to immediately pay the taxes due; and

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, 427.3 and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 16th day of May 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 5f. To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Woodbury County, Iowa, parcels #884714300001, #884723100001, #884723100002, and #884723100004.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,595
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, the Woodbury County, Iowa are the titleholders of real estate Parcels #884714300001, #884723100001, #884723100002 and #884723100004 located in Woodbury County, Iowa and legally described as follows:

Parcel #884714300001

Woodbury Township NW SW & SW SW 14-88-47

Parcel #884723100001

Woodbury Township NW NW 23-88-47

Parcel #884723100002

Woodbury Township SW NW 23-88-47

Parcel #884723100004

Woodbury Township SW of RD E ½ NW 23-88-47

WHEREAS, the above-stated property has an unpaid balance of taxes owing, and the parcel is owned by a political subdivision of the state; and

WHEREAS, the political subdivision, namely the Woodbury County, Iowa, is failing to immediately pay the taxes due; and

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and any future taxes that may be levied against this parcel; and

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above parcels according to Code of Iowa, 427.3, and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 16th day of May, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6a. To approve the lifting of tax suspension for petitioners who failed to re-certify their income or income does not qualify for continues tax suspension. Copy filed.
- 6b. To receive for signatures a Resolution Thanking and Commending Jennifer Johnson for her years of service with Woodbury County.

WOODBURY COUNTY, IOWA
RESOLUTION #13,596
A RESOLUTION THANKING AND COMMENDING
JENNIFER JOHNSON
FOR HER SERVICE TO WOODBURY COUNTY

WHEREAS, Jennifer Johnson has capably served Woodbury County as an employee of the Siouxland District Health Department for 34 years from December 11, 1989 to July 14, 2023

WHEREAS, the service given by Jennifer Johnson as a Woodbury County employee, has been characterized by her dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Jennifer Johnson for her years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Jennifer Johnson.

BE IT SO RESOLVED this 16th day of May 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6c. To receive for signatures a Resolution Thanking and Commending Stephanie Powell for her years of service with Woodbury County.

WOODBURY COUNTY, IOWA
RESOLUTION #13,597
A RESOLUTION THANKING AND COMMENDING
STEPHANIE POWELL

FOR HER SERVICE TO WOODBURY COUNTY

WHEREAS, Stephanie Powell has capably served Woodbury County as an employee of the Siouxland District Health Department for 19 years from August 9, 2004 to October 2, 2023

WHEREAS, the service given by Stephanie Powell as a Woodbury County employee, has been characterized by her dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Stephanie Powell for her years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Stephanie Powell.

BE IT SO RESOLVED this 16th day of May 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7a. To approve an application for a 12-month, Class C Retail Liquor License (LC) (Commercial), with Outdoor Services Sales privileges for Correctionville Golf Club, Correctionville, effective 06/02/2023 through 06/01/2024. Copy filed.
- 7b. To approve an application for a 5-day, Special Class C Liquor License, with Outdoor Service and Sunday Sales privileges for Backpocket Brewing LLC, Merville, effective 07/21/2023 through 07/25/2023. Copy filed.
- 8. To approve the reclassification of Alyse Morris, Clerk II, County Treasurer Dept., effective 05-29-23, \$23.37/hour, 10.6%=\$2.25/hr. Per AFSCME Courthouse Contract agreement, from Grade 3/Step 4 to Grade 3/Step 5.; the appointment of Andrew Britton, P/T Youth Worker, Juvenile Detention Dept., effective 05-29-23, \$20.89/hour. Job Vacancy Posted 12-21-22. Entry Level Salary: \$20.89/hour.; the appointment of Jared Clausen, Deputy Sheriff, County Sheriff Dept., effective 06-05-23, \$36.13/hour. Appointment by County Sheriff.; the appointment of Joseph Greco, Civilian Jailer, County Sheriff Dept., effective 06-12-23, \$23.33/hour. Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.33/hour.; the appointment of Nicholas Schmidt, Civilian Jailer, County Sheriff Dept., effective 06-12-23, \$23.33/hour. Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.33/hour.; the appointment of Isaiah Walker, Civilian Jailer, County Sheriff Dept., effective 06-12-23, \$23.33/hour. Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.33/hour.; and the appointment of Joel Yarte, Civilian Jailer, County Sheriff Dept., effective 06-12-23, \$23.33/hour. Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.33/hour. Copy filed.
- 9. To approve the permit to work in the right of way for Jeff Stewart. Copy filed.

Carried 5-0.

- 10. Motion by Radig second by Bittinger to appoint Lloyd Trout, Jr. to the Civil Service Commission. Carried 5-0. Copy filed.
- 11a. A public hearing was held at 4:40 p.m. for the FY24 County Maximum Property Tax Dollars. The Chairperson called on anyone wishing to be heard.

Motion by Ung second by Taylor to close the public hearing. Carried 5-0.
- 11b. Motion by Ung second by Taylor to approve and authorize the Chairperson to sign a Resolution Approval of FY24 Maximum Property Tax Dollars. Carried 5-0.

**APPROVAL OF FY24 MAXIMUM PROPERTY TAX DOLLARS
RESOLUTION #13,598**

WHEREAS, the Woodbury County Board of Supervisors have considered the proposed FY24 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county web site and/or social media accounts if applicable, and

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on May 16, 2023,

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Woodbury County that the maximum property tax dollars for General County Services and Rural County Services for FY24 shall not exceed the following:

General County Services - \$34,269,177

Rural County Services - \$3,806,583

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY24 represents an increase over 102% from the Maximum Property Tax dollars requested for FY23

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

14. Motion by Radig second by Bittinger to approve the Sidwell Parcel Fabric Migration Agreement. Carried 5-0. Copy filed.

12a. Motion by Radig second by Taylor to receive the updated county staff report concerning proposed amendments to Ordinance #56. Carried 5-0. Copy filed.

12b. A public hearing was held at 4:45 p.m. for an ordinance to amend portions of Woodbury County Ordinance #56: Amendments to modify Section 6.1.A: Wind Turbines Set Back Requirements to increase certain setback requirements to the Ordinance regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County. The Chairperson called on anyone wishing to be heard.

Matthew Ung presented public concerns on behalf of Dan Hair, Hornick. Larry Fillipi, Kossuth Ave, Anthon, Chuck Hoelker, Kingsley, Bob Fritzmeier, Sioux City, Doyle Turner, Merville, Dan Heissel, Conservation Director, Scott Mitchell, Hornick Mayor, and William Dougherty (by phone), MidAmerican, addressed the board regarding the wind turbine ordinance.

Motion by Taylor second by Nelson to receive a document from Mr. Fillipi. Carried 5-0. Copy filed.

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

12c. Motion by Radig second by Taylor to approve the second reading of the Ordinance Amendment. Carried 5-0. Copy filed.

13. Riley Gibson, Summit Carbon Solution, gave an update on Summit Carbon Solution Project. Copy filed.

Motion by Taylor second by Nelson to receive handout from Mr. Gibson. Carried 5-0. Copy filed.

Doyle Turner, Merville, addressed the board regarding the pipeline presentation.

- 15. Motion by Radig second by Taylor to approve the contract for HMA Rout and Seal 2023 project with Sioux Commercial Sweeping for \$25,136.00. Carried 5-0. Copy filed.
- 16a. Motion by Radig second by Nelson to approve increasing EMS holidays worked pay to double 24 hours and holiday benefit pay to 12 hours. Carried 5-0. Copy filed.
- 16b. Action was deferred for the purchase of Cyber Liability Insurance for FY 23/24.
- 16c. Motion by Ung second by Bittinger to approve and authorize the Chairperson to sign a Resolution to authorize and implement security awareness training for Woodbury County employees using the WCICC-IT network. Carried 5-0.

RESOLUTION #13,599

A RESOLUTION TO AUTHORIZE AND IMPLEMENT SECURITY AWARENESS TRAINING FOR WOODBURY COUNTY EMPLOYEES USING THE WCICC-IT NETWORK

WHEREAS, cyber-attacks and ransom-ware threats can lead to a compromised workstation or spread malware through the County's internal network which could potentially cripple or shutdown our entire network and

WHEREAS, WCICCAT is responsible for the network which serves the County_ and desires to educate its users on tools and methods used in Cyberthreats and test them for social engineering vulnerabilities related to cyber-attacks and

WHEREAS, WCICC-IT desires to employ additional training and restrictions for repeatedly failing simulated cyber-attacks,

BE IT THEREFORE RESOLVED by the Board of Supervisors, Woodbury County, Iowa, hereby ' declare that users will only be granted to appropriate network resources based on need and successful training and

BE IT FURTHER RESOLVED that the Woodbury County Supervisors declare that all new county employees needing access to the County's network must complete basic computer security awareness training administered by WCICC-IT before they are granted network access and

BE IT FURTHER RESOLVED that the Woodbury County Supervisors declare that all currently employed county employees are to complete basic computer security awareness training administered by WCICC-IT within fourteen days of notification by WCICC-IT and the Woodbury County Human Resources Department and

BE IT **FURTHER RESOLVED** that the Woodbury County Supervisors declare that WCICC-IT is authorized to measure employee's security awareness through the use such tools as phishing campaigns and

BE IT **FURTHER RESOLVED** that the Woodbury County Supervisors declare that WCICC-IT is authorized to require additional training and restrict access to network resources for county employees that repeatedly expose the county network to cyber-attacks that are identified as real or simulated phishing emails.

SO RESOLVED this 16th day of May, 2023 and supersedes resolution #12,323 of May 10th, 2016.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 17a. Information was presented on H.F. 718 relating to Iowa Property Tax Reform Bill.

- 17b. Motion by Radig second by Taylor to approve the letter of support for Kosovich & Murphy Developments application for the Iowa Workforce Housing Tax Credits. Carried 5-0. Copy filed.
- 18a. Motion by Taylor second by Radig to approve the joint representation letter of Woodbury County in Iowa Utilities Board Pipeline Permit proceedings, Navigator Heartland Greenway. Carried 5-0. Copy filed.
- 18b. Motion by Ung second by Radig to approve the joint representation letter of Woodbury County Iowa Utilities Board Pipeline Permit proceedings, Summit Carbon Solutions. Carried 5-0. Copy filed.
- 18c. Motion by Ung second by Radig to approve the engagement letter with Ahlers & Cooney for representation in the matter of hazardous liquid pipeline permits and regulations. Carried 5-0. Copy filed.
19. Information was presented by Jeremy Taylor and Mark Nelson regarding future direction and recommendations for Climbing Hills Emergency Services building. Copy filed.

Doyle Turner addressed the Board regarding the EMS facility.
20. Reports on committee meetings were heard.
21. Loren Petersen, 1836 Taylor Ave, addressed the board regarding road conditions on Taylor Ave.

Deborah Main, 1026 Charles Ave, Gayle Palmquist, Lawton, and Doyle Turner, Merville, addressed the board regarding the concerns regarding the pipelines.
22. Board concerns were heard.

The Board adjourned the regular meeting until May 23, 2023.

Meeting sign in sheet. Copy filed.