

**JUNE 17, 2014 — TWENTYFIFTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, June 17, 2014 at 10:20 a.m. Board members present were Clausen, Smith, Monson and Boykin; Tripp was absent. Staff members present were Karen James, Board Administrator, Dennis Butler, Finance/Operations Controller, Joshua Widman, Assistant County Attorney and Jean Jessen, Deputy Auditor/Clerk to the Board.

The meeting was called to order.

Motion by Clausen second by Smith to approve the minutes of the 06/10/2014 Board meeting. Carried 2-0, Boykin and Monson abstained. Copy filed.

Motion by Monson second by Smith to approve the County's claims totaling \$322,308.02 Carried 4-0. Copy filed. 4+4d

Motion by Smith second by Monson to approve the appointment of Ronald Vogt, Jr., Civilian Jailer, County Sheriff Dept., effective 06/18/14, \$16.85/hour. Job Vacancy Posted 2-19-14. Entry Level Salary: \$16.85/hour. Carried 4-0. Copy filed. 22

Motion by Clausen second by Smith to approve and authorize the Chairperson to sign an "Authorization to Initiate Hiring Process" for F/T GIS Mapping Technician, Auditor/Recorder Dept., Wage Plan: \$21.89/hour and Engineering Tech I or Civil/Construction Engineer Intern, Secondary Roads Dept., CWA Secondary Roads Contract: \$19.94/hour of Wage Plan: \$50,000-\$55,000/year. Carried 4-0. Copy filed. 18

Motion by Smith second by Clausen to approve the request from Anna Kounas to remain on County Dental Insurance Plan. Carried 4-0. Copy filed. 18

Motion by Monson second by Smith to approve and receive for signatures a Resolution thanking and commending Scott Blakely for his years of services to Woodbury County. Carried 4-0.

**WOODBURY COUNTY, IOWA  
RESOLUTION #12,010  
RESOLUTION THANKING AND COMMENDING  
SCOTT BLAKELY  
FOR HIS SERVICE TO WOODBURY COUNTY**

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**WHEREAS**, Scott Blakely has capably served Woodbury County as an employee of the Woodbury County Secondary Roads for 27 years from January 6, 1987 to June 30, 2014; and

**WHEREAS**, the service given by Scott Blakely as a Woodbury County employee, has been characterized by his 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 Scott Blakely for his 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, Scott Blakely.

**BE IT SO RESOLVED** this 17th day of June, 2014.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Monson second by Clausen to approve and receive for signatures a Resolution thanking and commending Anna Kounas for her years of services to Woodbury County. Carried 4-0.

**WOODBURY COUNTY, IOWA  
RESOLUTION #12,011  
RESOLUTION THANKING AND COMMENDING  
ANNA KOUNAS**

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**FOR HER SERVICE TO WOODBURY COUNTY**

**WHEREAS**, Anna Kounas has capably served Woodbury County as an employee of the Woodbury County Treasurer's Department for 17 years from January 15, 1997 to July 7, 2014; and

**WHEREAS**, the service given by Anna Kounas 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 Anna Kounas 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, Anna Kounas.

**BE IT SO RESOLVED** this 17th day of June, 2014.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Smith second by Monson to approve the appointment of Barbara Tyer, 3287 150<sup>th</sup> St., Kingsley, IA and Becky Jessen, 3434 180<sup>th</sup> St., Anthon, IA to the Woodbury County Library Board. Carried 4-0. Copy filed.

Motion by Clausen second by Smith to approve the appointment of Barbara Hardie, 203 Fron St., Pierson, IA to the Woodbury County Library Board. Carried 4-0. Copy filed.

Motion by Clausen second by Monson to approve and authorize the Chairperson to sign the Amendment #1 Grant Agreement. Carried 4-0. Copy filed. 9-2036

Motion by Monson second by Clausen to approve and authorize the Chairperson to sign the SHSP Equipment and Supplies proposal. Carried 4-0. Copy filed. 9-2037

Discussion on Interest Rates for Drainage Warrants.

A public hearing was held at 10:15 a.m. for the sale of property parcel #88480120306 (1520 S. Linn St.).

Then the Chairperson called on anyone wishing to be heard.

Motion by Clausen second by Monson to close the public hearing. Carried 4-0.

Motion by Clausen second by Smith to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to Sonya Radican (1061 235<sup>th</sup> St., Sergeant Bluff, IA), for real estate parcel #88480120306 (1520 S. Linn St.) for \$1,000.00 plus recording fees. Carried 4-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF WOODBURY COUNTY, IOWA  
RESOLUTION #12,012 20**

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

**By SMD Properties LLC** in the sum of **One Thousand Dollars & 00/100 (\$1,000.00)**-----  
-----dollars.

For the following described real estate, To Wit:

**Parcel #88480120306  
Lot Six (6) in Block Thirty-three (33) of West Morningside Addition, City of Sioux City,  
Woodbury County, Iowa  
(1520 S. Linn)**

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 17<sup>th</sup> Day of June, 2014.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Monson second by Smith to approve and authorize the Chairperson to sign a Resolution approving petition of suspension of taxes for Cindy Trobaugh, 2831 S. Cedar, Sioux City, parcel #884705381028. Carried 4-0.

**WOODBURY COUNTY, IOWA**  
**RESOLUTION #12,013**  
**RESOLUTION APPROVING PETITION OF SUSPENSION OF TAXES**

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**WHEREAS** Cindy Trobaugh, as titleholder of a property located 2831 S. Cedar., Sioux City, Woodbury County, Iowa, and legally described as follows:

**Parcel # 884705381028**

**Lot 302 & Lot 303 Belmont Addition, City of Sioux City, Woodbury County, Iowa**

**WHEREAS**, Cindy Trobaugh of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2009 Iowa Code section 427.9, and

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 17th day of June, 2014.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Smith second by Monson to approve and authorize the Chairperson to sign a Resolution approving petition of suspension of taxes for Patricia Dailey, 2716 W. Cottage Ave., Sioux City, parcel #894719352004. Carried 4-0.

**WOODBURY COUNTY, IOWA**  
**RESOLUTION #12,014**  
**RESOLUTION APPROVING PETITION OF SUSPENSION OF TAXES**

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**WHEREAS**, Patricia T. Dailey, is the titleholder of property located at 2716 W. Cottage Ave., Sioux City, Woodbury County, Iowa, and legally described as follows:

**Parcel # 894719352004**

**GARDEN ACRES 2ND EX NE 5 FT LOT 32 EX NE 5 FT LOT 33, CITY OF SIOUX CITY, WOODBURY COUNTY, IOWA**

**WHEREAS**, Patricia T. Dailey, is the titleholder of the aforementioned properties have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2009 Iowa Code section 427.9, and

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 17th day of June, 2014.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Monson second by Smith to approve and authorize the Chairperson to sign a Resolution to approve 28E agreement between the City of Sergeant Bluff, Iowa and Woodbury County relating to law enforcement mutual aid and emergency/disaster response. Carried 4-0.

**RESOLUTION TO APPROVE 28E AGREEMENT BETWEEN THE CITY OF  
SERGEANT BLUFF, IOWA AND WOODBURY COUNTY RELATING TO  
LAW ENFORCEMENT MUTUAL AID AND EMERGENCY/DISASTER  
RESPONSE  
RESOLUTION #12,015**

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This Agreement made on the 17th day of June, 2014, by and between the City of Sergeant Bluff, Iowa, (herein "City"), Woodbury County (herein "Woodbury Co.").

**Recitals**

The City of Sergeant Bluff, Iowa, and Woodbury County, Iowa are separate governmental entities which provide law enforcement protection and other services within their respective jurisdictions. The parties have in the past cooperated in providing requested assistance from the other jurisdictions in emergency and non emergency situations on a case by case basis. The parties further acknowledge that situations will continue to arise in the future when cooperate efforts will be needed between the law enforcement and other public agencies of the respective governmental entities. The parties' desire at this time to enter into a more formal mutual aid and emergency/disaster agreement which defines rights and responsibilities of the parties when providing requested assistance to other agencies are clarified.

**Definitions**

The terms as used in this agreement shall have the following meaning:

1. "Requesting agency" shall mean the law enforcement or other public service agency of the jurisdiction requesting aid within its territorial limits.
2. "Responding agency" shall mean the law enforcement or other public service agency of the jurisdiction supplying aid outside its territorial limits.
3. "Organized Civic Event" shall mean an annual or semi-annual fair, festival, and/or celebration.
4. "Scheduled Special Event" shall mean an event which is not an annual or semi-annual event or occurrence such as RAGBRAI or an historical commemoration.
5. "Shift work" shall mean regularly occurring patrol or investigative duties normally assigned in eight (8), nine (9) or ten (10) hour increments for which law enforcement officers are regularly employed to work by a law enforcement agency.

6. "Calls for service" shall mean routine requests for law enforcement services including responding to citizen calls, taking reports, and performing other generally non emergency law enforcement duties.
7. "Employing agency" shall mean the department which is the primary employer of the law enforcement officer or public employee.
8. "Emergency assistance" shall mean requests for assistance where the lives of the public or other law enforcement officers are in danger and include but are not limited to assisting with search and rescue operations, standoff situations or other incidents where additional personnel, law enforcement officers, or equipment are needed to aid in restoring order or assisting in a natural or manmade disaster or assisting in an arrest in an emergency situation.

## **Agreement**

### **I. Requesting Agency Obligations**

- (a) The requesting agency shall contact the ranking officer or department employee on duty for the responding agency to request assistance and shall provide the ranking officer or employee with the number of officers or employees requested, the type of equipment requested and the estimated time that the officer(s) or employee and/or equipment will be required to assist the requesting agency during the emergency.
- (b) The requesting agency shall assume liability for loss or damage to equipment supplied in response to the request for assistance.
- (c) It is understood that the requesting agency shall assume command authority over the responding officer(s) utilizing the NIMS. A member of the responding agency will be afforded a position in the unified command/incident command, however, it is agreed that no officer or employee shall be ordered to perform actions which are in direct conflict with the training, standard operating procedures or policy directives of his/her employing agency.
- (d) The responding law enforcement officer(s) shall be given by the requesting agency the same authority as to law enforcement matters as sworn members of the requesting agency within its jurisdiction.
- (e) The requesting agency shall be responsible for reimbursing the responding agency for all lost or damaged equipment.
- (f) Requests for non emergency assistance for organized civic events or special scheduled events shall be handled as set forth in Section III, Miscellaneous Provisions.
- (g) This agreement expressly excludes requests for assistance in filling shift work.

### **II. Responding Agency Obligations**

- (a) The responding agency shall respond to the request for emergency assistance in a timely fashion and shall provide the requesting agency with an estimate of the time needed to comply with the request for assistance.
- (b) The responding agency shall not be obligated to respond to a request for emergency assistance if doing so would endanger the lives, property or safety of the citizens of the responding agency's jurisdiction.
- (c) The responding agency shall not be obligated to provide assistance to the requesting agency in filling regular shift work.
- (d) The responding agency will not be responsible for providing officer(s) to answering routine calls for service when the requesting agency does not have sufficient officers on duty to cover the calls.
- (e) The responding agency has the ability to review the request for assistance and evaluate their ability to respond to the request.
- (f) In the event the responding agency would have a higher priority incident occur within their own jurisdiction, the responding agency has the right and ability to recall personnel and equipment necessary to meet its own obligations.

(g) The responding agency when acting outside its normal jurisdiction, shall promptly submit its reasonable charges for payment to the requesting agency.

**III. Miscellaneous Provisions.**

(a) This agreement does not apply to providing assistance with regular non emergency shift work and each department's and/or agency's policy directives regarding secondary employment are not waived by entry into this agreement.

(b) It is agreed that off duty officers or employees from any of the undersigned jurisdictions may work organized civic events or scheduled special events at the request of the hiring agency and subject to the approval of the employing agency and that while doing so the off duty officer or employee is not acting as an employee of primary employing agency and all liability for the officer or employee's actions while performing the off duty work shall be the responsibility of the agency hiring the off duty officer or employee to work the organized civic or scheduled special event.

(c) The duration of this Agreement shall be continuous until terminated by either party. Any party may terminate this Agreement upon 120 days written notice to the other parties to this agreement.

(d) No separate legal entity shall be created as a result of this agreement.

(e) Each party shall finance its obligations herein from its current revenues. No separate budget shall be created.

(f) Any notice regarding this agreement shall be sent to the following person by certified mail:

To Sergeant Bluff: Mayor  
City of Sergeant Bluff

To Woodbury County: Woodbury County Board Chair  
Courthouse  
620 Douglas Street  
Sioux City, Iowa 51101

To Woodbury County: Woodbury County Sheriff  
407 7<sup>th</sup> St  
Sioux City, Iowa 51101

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Monson second by Clausen to approve and authorize the Chairperson to sign a contract with Cott Systems. Carried 4-0. Copy filed. 9-2038

Motion by Monson second by Clausen to table the awarding of the bid for motor grader. Carried 4-0.

Motion by Monson second by Clausen to table the awarding of the bid for motor grader. Carried 4-0.

Motion by Monson second by Clausen to table the awarding of the bid for truck mounted hydraulic excavator. Carried 4-0.

Motion by Smith second by Monson to award the bid for project L-B(L136)—73-97, Bridge Replacement on Pocahontas Ave. Section 5, 6-88-42 to Dixon Construction for \$580,368.12. Carried 4-0. Copy filed. 9-2033

Motion by Monson second by Clausen to award the bid for project L-B(H109)—73-97, Bridge Replacement on 185<sup>th</sup> St., Section 13-88-45 to Dixon Construction for \$508,087.40. Carried 4-0. Copy filed. 9-2034

Motion by Clausen second by Smith approve and authorize the Chairperson to sign an Underground Utility Permit for Waterline for CF Industries. Carried 4-0. Copy filed. 156

Motion by Smith second by Monson to approve and receive for signatures a Resolution for annexation of the Hackley Lateral to the Farmers Drainage District. Carried 4-0.

**WOODBURY COUNTY BOARD OF SUPERVISORS RESOLUTION**  
**RE: ANNEXATION OF HACKLEY LATERAL TO THE FARMERS DRAINAGE DISTRICT**  
**RESOLUTION #12,016** 20

WHEREAS, the Woodbury County Board of Supervisors, pursuant to I.C.A. Chapter 468, presently manages the Hackley Lateral located in Woodbury County, Iowa;

AND WHEREAS, a Petition, attached hereto, for the Hackley Lateral to be annexed into the Farmers Drainage District (a drainage district located in Woodbury County, Iowa) pursuant to I.C.A. Chapter 468.119 has been presented to the Woodbury County Board of Supervisors;

AND WHEREAS, that Petition comprises more than 20% of the Hackley Lateral landowners but less than 100% of the Hackley Lateral landowners;

BE IT THEREFORE RESOLVED, pursuant to I.C.A. Chapter 468.119(2), that the Petition for Hackley Lateral to be annexed into the Farmers Drainage District is hereby approved and the Woodbury County Board of Supervisors consent to that annexation.

IT IS SO RESOLVED this 17<sup>th</sup> day of June, 2014.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Monson second by Smith to approve and receive for signatures a Resolution for Amended Resolution for Bennett-McDonald and Smithland Districts. Carried 4-0.

**WOODBURY COUNTY**  
**BENNETT-MCDONALD & SMILTHAND DISTRICTS**  
**RESOLUTION LEVYING SPECIAL ASSESSMENT LEVY AND CERTIFICATE**  
**TO THE AUDITOR OF WOODBURY COUNTY**  
**AMENDMENT**  
**RESOLUTION #11,495**  
**RESOLUTION #12,017** 20

WHEREAS, The Woodbury County Board of Supervisors did on December 10, 2013 approve said resolution, and

WHEREAS, an error was found when applying the tax levy to the listed properties affected by said resolution, and

THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Bennett-McDonald & Smithland Districts, does amend the distribution of the special tax and/or assessment in the sum of \$98,000.00 levied against the benefited tracts of land in the ratio herein established, adopted and confirmed as follows:

Parcel Number	86443610001	18 acres	16%
Parcel Number	864435276001	21 acres	19%
Parcel Number	864435400004	65 acres	59%
Parcel Number	864435400005	2 acres	2%
Parcel Number	864436300001	4 acres	4%

BE IT FURTHER RESOLVED that all other provisions of the original resolution remain the same.

Passed and approved this 17th day of June, 2014.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

June 17, 2014 Cont'd.

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The Chairperson asked if there were any individuals or groups wishing to make a presentation of items not on the agenda, or Supervisors concerns.

Recess for Employee Appreciation Luncheon from 11:30 a.m. – 1:00 p.m.

1:30 p.m. Presentation of Purchasing County Supplies.

The Board adjourned the regular meeting until June 24, 2014.