

**AUGUST 8, 2023, THIRTY-SECOND MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, August 8, 2023, at 4:30 p.m. Board members present were Nelson, Taylor, Ung, Radig, and Bittinger II. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Finance and Budget Director, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, 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. Motion by Ung second by Taylor to approve the agenda with the removal of item 8 (To approve the lifting of tax suspension for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension) and swapping item 13 and 14's order for August 8, 2023. Carried 5-0. Copy filed.

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

2. To approve minutes of the August 1, 2023 meeting. Copy filed.
3. To approve the claims totaling \$779,972.86. Copy filed.
4. To approve to reappointment of Thomas Fennell to the Veteran Affairs Commission. Copy filed.
- 5a. To approve the appointment of Philip Hamman as, 2519 S Mulberry St., Sioux City, to Sioux City Community School District Board, previously held by Perla Alarcon-Flory, until the next regular/general election. Copy filed.
- 5b. To approve the appointment of Erin Muck, 2150 Deloit Blvd, Denison, to WITCC Director District IX, previously held by Derrick Franck, until the next regular/general election. Copy filed.
- 6a. To approve the appointment of Suzanne Salberg, Clerk II, County Treasurer Dept., effective 08-09-23, \$18.68/hour. Job Vacancy Posted 3-15-23. Entry Level Salary: \$18.68/hour.; the transfer of Jason Byers, Equipment Operator, Secondary Roads Dept., effective 08-09-23, \$27.46/hour, -1%=-\$.30/hour. Transfer from Motor Grader to Equipment Operator.; the reclassification of David Dawson, Assistant County Attorney, County Attorney Dept., effective 08-21-23, \$116,144/year, 6.7%=\$7,362/year. Per AFSCME Asst. County Attorney Contract agreement, from Step 11 to Step 12.; the reclassification of Cornelia Venable-Ridley, Assistant County Attorney, County Attorney Dept., effective 08-21-23, \$108,782/year, 3.5%=\$3,659/year. Per AFSCME Asst. County Attorney Contract agreement, from Step 10 to Step 11.; the reclassification of McKenzie Thompson, Legal Secretary III, County Attorney Dept., effective 08-21-23, \$27.88/hour, 9%=\$2.31/hour. Per AFSCME Courthouse Contract agreement, Grade 5/Step 4 to Grade 5/Step 5.; and the reclassification of Caleb Edwards, Sheriff Deputy, County Sheriff Dept., effective 08-21-23, \$34.84/hour, 6.5%=\$2.13/hour. Per CWA Deputy Sheriff's Contract agreement, from Class 1 to Senior Class. Copy filed.
- 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Temporary Youth Worker, Juvenile Detention Dept. Wage Plan: \$21.41/hour. Copy filed.
7. To approve property tax refund for Anthony Holmberg for parcel #894730241007, 1711 W Palmer Ave., in the amount of \$495.70 . Copy filed.
9. To approve the permit to work in the right of way for Terracon Consultants. Copy filed.

Carried 5-0.

- 10a. Motion by Radig second by Taylor to receive for signatures a Resolution to establish Speed Limit on Humbolt Avenue. Carried 5-0.

**SPEED LIMIT RESOLUTION  
HUMBOLT AVENUE  
RESOLUTION #13,651**

WHEREAS: The Board of Supervisors of Woodbury County is empowered under the authority of sections 321.255 and 321.285, subsection 4 of the Code of Iowa to determine upon the basis of an engineering and traffic investigation conducted by the County Engineer that the speed limit of any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS: Such investigation has been requested and completed and the county engineer has reached an opinion concerning the reasonable and proper speed for the road listed herein,

NOW, THEREFORE BE IT RESOLVED, by the Woodbury County Board of Supervisors that the following speed limit be established, and appropriate signs erected at the locations described as follows:

1). Beginning at the intersection of Glen Drive, Merville, then north 2690 feet on Humbolt Avenue, a speed limit of 45 miles per hour is established.

Speed limit shall be effective when appropriate signs giving notice of the speed limits are erected.

Passed and approved this 8th day of August 2023 by the Woodbury County Board of Supervisors.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

10b. Motion by Radig second by Bittinger to approve the quit claim deed for vacated excess right of way on Old Lakeport Road. Carried 5-0. Copy filed.

11. Motion by Ung second by Radig to approve the Rules of Procedure for the Woodbury County Zoning Commission. Carried 5-0. Copy filed.

15. Motion by Taylor second by Nelson to approve the transfer of revenues from General Supplemental to Emergency Paramedic Services in the amount of \$61,749 for FY's 21, 22, & 23. Carried 5-0. Copy filed.

12a. A public hearing was held at 4:45 p.m. for Zoning Ordinance Text Amendments to add solar energy systems (private use) as accessory uses in each zoning district, add solar energy systems (utility scale) as a conditional use in the AP and GI Zoning Districts to the land use summary table, amend the table of contents, definitions, and renumber definitions, and page numbers in the Woodbury County Zoning Ordinance.

Tom Treharne, NextEra Energy, Amber Widman, Sgt Bluff, Elizabeth Widman, Sgt Bluff, Bob Fritzmeier, 2933 Leech, Sioux City, Leo Jochum, Salix, Doyle Turner, 2738 200<sup>th</sup> St, Merville, Daniel Hair, Hornick, Eric Nelson, Merville, Kim Alexander, Smithland, addressed the board regarding the ordinance.

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

Tom Bride and Chris Zellmer-Zant, Planning and Zoning Commission, responded to Board inquiries related to the commission's position on the ordinance.

Doyle Turner and Daniel Hair, Board of Adjustment, responded to Board inquiries related to the ordinance.

12b. Motion by Radig second by Bittinger to adopt the ordinance with the conditional permit option for solar on Ag preservation land and an 8,500 acre limit.

After discussion, Radig withdrew the motion.

Motion by Radig to adopt the ordinance with the conditional permit option for solar on Ag preservation land. Motion died for lack of a second.

Motion by Taylor second by Nelson to strike the conditional permit option for solar on Ag preservation land and approve the 2<sup>nd</sup> reading on Zoning Ordinance Amendments. Carried 4-1 on roll call vote; Radig opposed.

- 12c. Motion by Taylor second by Nelson to waive the 3<sup>rd</sup> reading on Zoning Ordinance Amendments. Carried 5-0.
- 12d. Motion by Taylor second by Nelson to adopt Ordinance #74, an Ordinance Amending the Text of the Woodbury County Zoning Ordinance to Amend Portions of: The Table of Contents; Section 3.03.4 Entitled: Land Use Summary Table of Allowed Uses in Each Zoning District; Portions of: Section 6.02 Entitled Definitions; and the Renumbering of Definitions and Page Numbers. Carried 5-0.
- 14. Motion by Taylor second by Ung to give direction for a New Proposed Ordinance in Regard to Utility-Scale Solar. Carried 5-0. Copy filed.

- 13. Taylor excused himself from the room for this item.

Motion by Ung second by Bittinger to approve the hiring of outside legal counsel with a cap of \$20,000.00 to complete a Woodbury County FOIA request. Carried 4-0. Copy filed.

Taylor re-entered the room.

- 16. Motion by Ung second by Nelson to purchase tables for the Siouxland Chamber of Commerce Annual meeting using gaming funds. Carried 5-0. Copy filed.
- 17. Reports on committee meetings.
- 18. Tom Treharne, NextEra Energy, addressed the Board regarding conditional use for solar energy versus zoning changes to industrial.

Craig Jochum, 1629 270<sup>th</sup> St, Salix regarding Farm Bureau policy regarding siting and setbacks for wind and solar farms.

Daniel Hair, Vice President, Woodbury County Farm Bureau, addressed the Board regarding Farm Bureau policies versus the view of the local Farm Bureau. Leo Jochum, Salix, addressed the board regarding County Resolution language and Board comments.

- 19. Board concerns were addressed.

The Board adjourned the regular meeting until August 15, 2023.

Meeting sign in sheet. Copy filed.