

AUGUST 26, 2014 — THIRTYFIFTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, August 26, 2014 at 10:00 a.m. Board members present were Clausen, Smith, Boykin, Monson, and Tripp. Staff members present were Karen James, Board Administrative Coordinator, Dennis Butler, Finance/Operations Controller, Joshua Widman, Assistant County Attorney, and Patrick Gill, Auditor/Clerk to the Board.

The meeting was called to order.

Motion by Tripp second by Monson to approve the minutes of the 08/19/2014 Board meeting. Carried 5-0. Copy filed.

Motion by Smith second by Clausen to approve the County's claims totaling \$483,150.68. Carried 4-0; Monson opposed. Copy filed. *444d*

Motion by Smith second by Tripp to approve the appointment of Kyle Jernberg, P/T Courthouse Safety & Security Officer, Human Resources Dept., effective 08/27/14, \$14.96/hour. Job Vacancy Posted 6-4-14. Entry Level Salary: \$14.96-\$16.43/hour.; the promotion of Forrest Johnston, District Foreman, Secondary Roads Dept., effective 08/27/14, \$59,892/year. Job Vacancy Posted 8-6-14. Entry Level Salary: \$56,029-\$59,892/year.; the reclassification of April Gardner, P/T Youth Worker, Juvenile Detention Dept., effective 09/04/14, \$17.86/hour, 3.8%=\$.67/hour. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2.; and the reclassification of Donald Scarlett, Youth Worker, Juvenile Detention Dept., effective 09/08/14, \$24.32/hour, 6.5%=\$1.49/hour. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 5 to Grade 1/Step 6. Carried 5-0. Copy filed. *22*

Discussion on Courthouse Safety & Security Policy.

Motion by Smith second by Clausen to approve and authorize the Chairperson to sign a Resolution establishing the Woodbury County Courthouse Safety and Security Policy. Carried 5-0.

A RESOLUTION ESTABLISHING THE WOODBURY COUNTY COURTHOUSE SAFETY AND SECURITY POLICY
RESOLUTION #12,058 *20*

WHEREAS, the Woodbury County Board of Supervisors is charged with the duty to act in the best interests of the citizens of Woodbury County;

WHEREAS, Iowa Code § 331.301(1) authorizes the Board to "exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the county or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents";

WHEREAS, Woodbury County policies and the county employee handbook provide for the safety of Woodbury County employees;

WHEREAS, the Woodbury County Board of Supervisors directs the "general custody and control" of the courthouse" (See Iowa Code § 331.502(1)) and provides for the courthouse physical facilities and its operational funding (See Iowa Code § 602.1303);

WHEREAS, the Woodbury County Board of Supervisors has determined that establishing a Woodbury County Courthouse Safety and Security Policy would promote the aforementioned interests;

THEREFORE, BE IT RESOLVED:

1. The Woodbury County Board of Supervisors hereby approves and adopts the Woodbury County Courthouse Safety and Security Policy attached hereto and by this reference incorporated herein.

2. The provision of Resolution #10,795 that applies it to the Woodbury County Courthouse is hereby repealed. Resolution #10,795 shall otherwise remain in force and effect.

3. Notices shall be posted in the entryways of the Woodbury County Courthouse to advise members of the public of the existence of the Safety and Security Policy.

Dated this 26TH day of August, 2014.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Discussion on Courthouse Safety & Security Use of Force Policy.

Motion by Clausen second by Smith to approve and authorize the Chairperson to sign the Woodbury County Courthouse Security Use of Force Policy. Carried 5-0. Copy filed. *9-2016*

Discussion on SPI Supplemental Funding for FY 2015.

Motion by Tripp second by Monson to approve SPI Supplemental Funding for FY 2015. Carried 5-0. Copy filed. *9-2016*

A public hearing was held at 10:15 a.m. for the sale of property parcel #03660 (1011 1/2 Jennings St.).

Then the Chairperson called on anyone wishing to be heard.

Motion by Tripp second by Monson to close the public hearing. Carried 5-0.

Motion by Clausen second by Monson to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to Salvador Carrasco (1011 Jennings St., Sioux City) for real estate parcel #03660 (1011 1/2 Jennings St.) for \$595.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #12,059**

20

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

By Salvador Carrasco in the sum of **Five Hundred Ninety-Five Dollars & 00/100 (\$595.00)**-----
-----dollars.

For the following described real estate, To Wit:

Parcel #036600

**N 5 feet W 58 feet Lot 8 Block 120 W 58 feet Lot 9 Block 120 Sioux City East Addition, in the County of Woodbury and State of Iowa
(1011 1/2 Jennings Street)**

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 26th Day of August, 2014.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by Clausen second by Monson to approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #004755, 117 Sioux St, Unit A, Sioux City. Carried 5-0.

RESOLUTION #12,060 20
NOTICE OF PROPERTY SALE

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**The Westerly 49 feet of the Easterly 116 feet of Lot 17 in Block 18 Sioux City Addition in the County of Woodbury and State of Iowa
(117 Sioux Street Unit A)**

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 **9th Day of September, 2014 at 10:15 o'clock a.m.** in the meeting room of the Board of Supervisors on the first floor 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 **9th Day of September, 2014**, 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 \$319.00** plus recording fees.

Dated this 26th Day of August, 2014.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by Monson second by Clausen to approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #004740, 117 Sioux St, Unit B, Sioux City. Carried 5-0.

RESOLUTION #12,061 20
NOTICE OF PROPERTY SALE

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**Except 116 feet Lot 17, Block 18, Sioux City Addition , City of Sioux City, Woodbury County, Iowa
(117 Sioux Street Unit B)**

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 **9th Day of September, 2014 at 10:17 o'clock a.m.** in the meeting room of the Board of Supervisors on the first floor 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 **9th Day of August, 2014**, 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 \$200.00** plus recording fees.

Dated this 26th Day of August, 2014.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by Monson second by Tripp to approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Debbie Evernham, 203 D. St., Sioux City, parcel #884730383010. Carried 5-0.

WOODBURY COUNTY, IOWA
RESOLUTION #12,062
RESOLUTION APPROVING PETITION OF SUSPENSION OF TAXES

WHEREAS, Debbie L. Evernham, is the titleholder of property located at 203 D. Street, Sergeant Bluff, Woodbury County, Iowa, and legally described as follows:

Parcel # 8847 30 383 010

SERGEANT BLUFF CITY N 1/2 LOT 10 BLK 84 & LOT 11 BLK 84

WHEREAS, Debbie L. Evernham, 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 26th day of August, 2014.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by Tripp second by Monson to approve and authorize the Chairperson to sign a Resolution authorizing tax abatement for Florence Crittenton Center, parcel #894728112013, for taxes owing for 2013-14 tax year. Carried 5-0.

WOODBURY COUNTY, IOWA
RESOLUTION #12,063
RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Florence Crittenton Center is the titleholder of real estate Parcels #894716484006 located in Woodbury County, Iowa and legally described as follows:

Parcel #894716484006

PEIRCES ADDITION W 45 FT S 40 FT LOT 4 & W 45 FT N 26 FT

WHEREAS, the above-stated property has taxes owing for the 2013-2014 tax year, and the parcel is owned by Florence Crittenton Center; and

WHEREAS, the organization, namely Florence Crittenton Center 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; 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 for the tax year 2013/2014, and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 26th day of August, 2014.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Discussion on bids for Fire Alarms. The bids are as follows:

Stokes Electric, Inc, Sgt Bluff, IA	\$101,745.00
Lewis Electric Company, Sioux City, IA	\$98,900.00
Electric Innovations, Sioux City	\$106,998.96

9-2007

Motion by Smith second by Monson to award the bid for Fire Alarms to Lewis Electric Company, Sioux City, IA for \$98,900.00. Carried 5-0. Copy filed.

The Board proceeded under section 21.4 (4) to hold a public hearing and take action to approve three resolutions to vacate platted roads and alleys within Woodbury County.

David Blutt, 1900 Decatur St., spoke in opposition to the vacation.

Motion by Smith second by Clausen to close a public hearing held to discuss the vacation of platted roads and alleys within Woodbury County. Carried 5-0.

Motion by Monson second by Tripp to approve a resolution to vacate an alley. Carried 5-0.

RESOLUTION #12,064 20
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11 of the Code of Iowa held a public hearing on August 26, 2014 on the proposed vacation of Woodbury County Secondary Road Right-Of-Way described as follows:

- 1) All of the 16 foot wide alley lying between lots 1-29 of Block 44 and lots 30-34 of Block 44 of Morningside Second Addition to Sioux City, Iowa, in Section 4 T88N, R47W, Woodbury Township of the 5th P.M. Woodbury County, Iowa.

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 26th day of August, 2014.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by Tripp second by Monson to approve a resolution to vacate a portion of Stoddard. Carried 5-0.

RESOLUTION #12,065 20

**WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY**

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11 of the Code of Iowa held a public hearing on August 26, 2014 on the proposed vacation of Woodbury County Secondary Road Right-Of-Way described as follows:

1) All of Stoddard Avenue lying between blocks 34 and 35 and the 16 foot wide alleys within blocks 34 and 35 of Morningside Second Addition to Sioux City, Iowa, in Section 4 T88N, R47W, Woodbury Township of the 5th P.M. Woodbury County, Iowa.

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 26th day of August, 2014.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Clausen second by Tripp to approve a resolution to vacate a portion of Morningside Ave. Carried 5-0.

RESOLUTION #12,066
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11 of the Code of Iowa held a public hearing on August 26, 2014 on the proposed vacation of Woodbury County Secondary Road Right-Of-Way described as follows:

1) All of Morningside Avenue beginning at the east right of way line of Decatur Street as established by use by Woodbury County, thence east to the east line of Block 34 extended south to the platted south line of Morningside Avenue of Morningside Second Addition to Sioux City, Iowa, in Section 4 T88N, R47W, Woodbury Township of the 5th P.M. Woodbury County, Iowa.

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 26th day of August, 2014.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Tripp second by Monson to approve and authorize the Chairperson to sign an Underground Utility Permit for Woodbury County REC. Carried 5-0. Copy filed.

Motion by Clausen second by Monson to approve and authorize the Chairperson to sign an Underground Utility Permit for Nustar Pipeline. Carried 5-0. Copy filed.

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

Woody Gottburg discussed open meetings.

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

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

The Board adjourned the regular meeting until September 2, 2014.