

SEPTEMBER 5, 2023, THIRTY-SIXTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, September 5, 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, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Resources 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. Motion by Ung second by Taylor to approve the agenda for September 5, 2023. Carried 5-0. Copy filed.
Motion by Taylor second by Bittinger to approve the following items by consent:
- 2. To approve minutes of the August 29, 2023 meeting. Copy filed.
- 3. To approve the claims totaling \$625,055.74. Copy filed.
- 4. To approve the setting of three public hearings for the proposed Zoning Ordinance Map Amendment (rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on parcel #884506200006 for September 19th @ 4:45 p.m., September 26th @ 4:45 p.m., and October 3rd @ 4:45 p.m. Copy filed.
- 5a. To approve the appointment of Tina Guevara, Clerk II, County Treasurer Dept., effective 09-06-23, \$18.68/hour. Job Vacancy posted 6-28-23. Entry Level Salary: \$18.68/hour.; the appointment of Terry Spencer, F/T Paramedic, Emergency Services Dept., effective 09-06-23, \$26.06/hour. Job Vacancy posted 8-31-22. Entry Level Salary: \$26.06/hour.; and the reclassification of Anthony Velasquez, Youth Worker, Juvenile Detention Dept., effective 09-18-23, \$28.44/hour, 5.5%=\$1.50/hour. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 4 to Grade 1/Step 5. Copy filed.
- 5b. To approve the 2023 Annual Health and Wellness Fair. Copy filed.
- 5c. To approve the employee wellness screenings and quarterly health coaching. Copy filed.
- 5d. To approve to provide flu shots to Woodbury County employees. Copy filed.

Carried 5-0.

- 6a. A public hearing was held at 4:35 p.m. for the sale of parcel #894721427009, 1908 Iowa St. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894721427009, 1908 Iowa St., to Patricia Montoya Aguilar, 1906 Iowa St., Sioux City, for \$525.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #13,656**

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

By Patricia Montoya Aguilar _____ in the sum of **Five Hundred Twenty-five and 00/100 (\$525.00)**-----
-----dollars.

For the following described real estate, To Wit:

Parcel #894721427009

**Lot Fifteen (15) in Block Fourteen (14) of Orchard Hill Addition to Sioux City in the County of Woodbury and State of Iowa
(1908 Iowa 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 5th Day of September, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6b. A public hearing was held at 4:37 p.m. for the sale of parcel #894721427008, 1914 Iowa St. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894721427008, 1914 Iowa St., to Patricia Montoya Aguilar, 1906 Iowa St., Sioux City, for \$400.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #13,657**

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

By Patricia Montoya Aguilar _____ in the sum of **Four Hundred and 00/100 (\$400.00)**-----
-----dollars.

For the following described real estate, To Wit:

Parcel #894721427008
**Lot Sixteen (16) in Block Fourteen (14) of Orchard Hill Addition to Sioux City in the County of Woodbury and State of Iowa
(1914 Iowa 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 5th Day of September, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 10. Motion by Taylor second by Nelson to approve \$155,000 from CIP to have the Emergency Services building tuckpointed and the south doors replaced. Motion was amended and bifurcated.

Motion by Taylor second by Nelson to approve \$143,794 from CIP to have the Emergency Services building tuckpointed. Carried 4-1, Radig opposed.

Motion by Nelson second by Taylor to approve up to \$11,206 from CIP to have the Emergency Services building south doors replaced. Carried 5-0.

- 7a. Motion by Radig second by Ung to remove Rocky De Witt as Woodbury County’s appointee to the LEC Authority. Carried 5-0 on roll call vote. Copy filed.

Rocky De Witt, expressed concerns to the Board regarding his removal.

Doyle Turner, 220th St Moville, expressed concerns to the Board regarding the removal of Mr. De Witt.

Felicia Hilton, North Central IA Carpenter’s Union, addressed the Board regarding the removal of Mr. De Witt.

- 7b. Motion by Ung second by Radig to approve and authorize the Chairperson to sign a resolution appointing Commissioner to Woodbury County Law Enforcement Center Authority’s Board of Commissions. Carried 5-0 on roll call vote.

RESOLUTION #13,658
RESOLUTION APPOINTING COMMISSIONER TO
WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY’S
BOARD OF COMMISSIONERS

WHEREAS, Woodbury County, State of Iowa (the “County”), is a political subdivision, organized and existing under and by the laws and Constitution of the State of Iowa; and

WHEREAS, the County has approached the City of Sioux City, Iowa (the “City”) with a proposal to establish a Joint County and City Building Authority pursuant to Iowa Code Section 346.27 (the “Authority”) for the purposes of building and financing a new law enforcement center for joint use by the City and County; and

WHEREAS, the County has now adopted a resolution adopting Articles of Incorporation to form the Woodbury County Law Enforcement Center Authority and has authorized the execution of the Articles of Incorporation: and

WHEREAS, Iowa Code Section 346.27 requires that the Authority be directed and governed by a Board of Commissioners of three members, one to be elected by the Board of Supervisors of the County from the area outside the county seat, one to be elected by the City Council of the City from the area inside the City, and one to be elected by the joint action of the Board of Supervisors of the County and the City Council of the City; and

WHEREAS, Article III, Section 3.4 of the Articles of Incorporation for the Woodbury County Law Enforcement Authority states “A Commissioner may be removed from office by the affirmative vote of two-thirds of the members of the governing body of the incorporating unit or units that elected the Commissioner”; and

WHEREAS, The Woodbury County Board of Supervisors has removed Rocky De Witt as the County's Commissioner on the Woodbury County Law Enforcement Authority's Board of Commissioners; and

WHEREAS, the County hereby intends to appoint a Commissioner to the Board of Commissioners of the Authority to serve the remainder of the current six-year term who is a current Woodbury County Supervisor; and

WHEREAS, the following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Section 1. Appointment. Mark Nelson, currently residing outside of the City of Sioux City, Iowa, is hereby appointed to serve as the County's Commissioner on the Woodbury County Law Enforcement Authority's Board of Commissioners for a remainder of the current six-year term ending December 31, 2027.

Section 2. Compensation. The Commissioner shall not receive compensation in any actual and necessary expenditures in connection with the performance of the Commissioner's duties.

Section 3. What constitutes vacancy. The appointment shall be vacant if any of the following occur:

- a. The Commissioner ceases to reside in the area outside of the county seat of Woodbury County, Iowa (i.e. Sioux City, Iowa).
- b. The Commissioner ceases to be a member of the Woodbury County Board of Supervisors. If a vacancy occurs, the Woodbury County Board of Supervisors shall fill the vacancy and the person filling such vacancy shall serve out the remainder of the term of the prior Commissioner.

PASSED AND APPROVED this 5th day of September 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 8a. Motion by Taylor second by Nelson to reduce the \$10,000,000 standard deduction to \$9,059,000 which will account for the transfer of funding FF & E in the amount of \$941,000. Carried 5-0. Copy filed.
- 8b. Discussion on financial recap for the LEC Project. Copy filed.
- 9. Motion by Taylor second by Ung to approve the increase of the EMS budget by .05 FTE. Carried 5-0. Copy filed.
- 11. Reports on committee meetings were heard.
- 12. Ernie Colt, North Central States Regional Council of Carpenters expressed concerns regarding the law enforcement authority.
- 13. Board concerns were heard.

The Board adjourned the regular meeting until September 12, 2023.

Meeting sign in sheet. Copy filed.