

OCTOBER 22, 2013 — FORTYSECOND MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, October 22, 2013 at 10:00 a.m. Board members present were Boykin, Clausen, Smith, Tripp, and Monson. Staff members present were Karen James, Board Administrator, Dennis Butler, Finance/Operations Controller, Joshua Widman, Assistant County Attorney, and Patrick F. Gill, Auditor/Clerk to the Board.

The meeting was called to order.

Motion by Monson second by Boykin to approve the minutes of the 10/15/2013 Board meeting. Carried 5-0. Copy filed.

Motion by Tripp second by Monson to approve the minutes of the 10/17/13 Special Board meeting. Carried 5-0. Copy filed.

Motion by Boykin second by Tripp to approve the county's claims totaling \$1,685,159.51. Carried 5-0. Copy filed. 444d

Motion by Monson second by Tripp to approve the appointment of Travis Martin, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/02/13, \$1.00/year. Per Iowa Code 80D.11.; the appointment of Joshua McClure, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/02/13, \$1.00/year. Per Iowa Code 80D.11.; the appointment of Jereme Muller, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/02/13, \$1.00/year. Per Iowa Code 80D.11.; the appointment of Steven Pickering, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/2/13, \$1.00/year. Per Iowa Code 80D.11.; the appointment of Brent Vanderweil, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/2/13, \$1.00/year. Per Iowa Code 80D.11.; the appointment of Bryan Peterson, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/2/13, \$1.00/year. Per Iowa Code 80D.11.; the appointment of Brian Andreessen, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/2/13, \$1.00/hour. Per Iowa Code 80D.11.; the separation of Kyle Evans, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/16/13. Separation.; the separation of Randy Guy, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/16/13. Separation.; the separation of Joshua Stowe, Sheriff Reserve Volunteer, County Sheriff Dept., effective 10/16/13. Separation.; and the separation of Cynthia Combs, Custodian, Building Services Dept., effective 10/26/13. Other. Carried 5-0. Copy filed. 22

Motion by Smith second by Monson to approve and authorize the Chairperson to sign an "Authorization to Initiate Hiring Process" for Custodian, Building Services, AFSCME Courthouse: Grade 1/Step 1 to Step 3 Range: \$13.18-\$14.51/hour. Carried 5-0. Copy filed. 18

Motion by Monson second by Tripp to approve and receive for signatures a Letter of Appreciation for Macil Claus for Her Service to Woodbury County and the Little Township. Carried 5-0. Copy filed. 5

Motion by Monson second by Tripp to appoint Woodbury County Attorney as designee Under Section IV of the Woodbury County Employee Handbook for the Duration of a Confidential Personnel matter initiated October 14, 2013. Carried 5-0.

Motion by Monson second by Tripp to approve and authorize the Chairperson to sign an Addendum to Agreement Number 2013-C-043 for Project Administration with the Iowa Department of Transportation for 260th Street paving. Carried 5-0. Copy filed. 9-19-50

Motion by Boykin second by Tripp to approve and authorize the Chairperson to sign a Permit to Work in the Right of Way for Ron Haddock. Carried 5-0. Copy filed. 15b

Motion by Tripp second by Monson to approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Jerry Best, 100 Logan, Sioux City, parcel #894726384010. Carried 5-0. Copy filed.

WOODBURY COUNTY, IOWA
RESOLUTION #11,921
RESOLUTION APPROBING PETITION OF SUSPENSION OF TAXES 20

WHEREAS, Jerry Best is the titleholder of properties located at 100 Logan, Sioux City, Woodbury County, Iowa, and legally described as follows:

Parcel # 8947 26 384 010

MILLER LOTS 1 THRU 4 BLK 8

WHEREAS, Jerry Best 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 22nd day of October, 2013.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Boykin second by Smith to approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of Parcel #359715, 2502 W. 22nd St., Sioux City, IA. Carried 5-0.

RESOLUTION #11,922
NOTICE OF PROPERTY SALE
PARCEL #359715

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

Ex pt for St. Lot 3 Block 10, Newspaper Addition to Sioux City, Woodbury County, Iowa
(2502 W. 22nd Street)

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 5th Day of November, 2013 at 10:20 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 5th Day of November, 2013, 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 \$25.00 plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 22nd Day of October, 2013.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Monson second by Tripp to approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of Parcel #359716, 2522 W 22nd St., Sioux City, IA. Carried 5-0.

RESOLUTION #11,923

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**NOTICE OF PROPERTY SALE
PARCEL #359716**

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

**The North one-half of the vacated east/west alley abutting a part of Lot 3, Block 10, Newspaper Addition to Sioux City, Iowa
(2522 W. 22nd Street)**

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 **5th Day of November, 2013 at 10:22 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 **5th Day of Novemer, 2013**, 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 \$25.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 22nd Day of October, 2013.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

A public hearing was held at 10:15 a.m. for the sale of property parcel #560913.

Then Chairperson called on anyone wishing to be heard.

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

Motion by Boykin second by Monson to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to William Posey (2201 Casselman St, Sioux City), for real estate parcel #560913 for \$10.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #11,924**

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

By William Posey & Shelly Posey in the sum of Ten Dollars & 00/100 (\$10.00)-----
-----dollars.

For the following described real estate, To Wit:

**Parcel #560913
W 1/2 Vac N-S Alley Block 10 Newspaper Addition lying N of S Line Lot 4 Block 10 and
Abutting N 317 ft of S 333 ft of W 185 ft SE NW Section 19 Township 89 Range 47 in the**

**County of Woodbury and State of Iowa
(See above legal description)**

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 22nd Day of October, 2013.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

A public hearing was held at 10:17 a.m. for the sale of property parcel #874613200008 (aka 2383 240th St., Hornick, IA).

Then Chairperson called on anyone wishing to be heard.

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

Motion by Boykin second by Tripp to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to Eric Healy & Tonia Hummel, for real estate parcel #874613200008 (aka 2383 240th St, Hornick, IA) for \$210,00.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #11,925**

WHEREAS the Woodbury County Board of Supervisors has set forth its proposal to sell the herein described real property in resolution #11,919; and

WHEREAS a public hearing was held on said proposal on October 22, 2013, pursuant to published notice as provided by law; and

WHEREAS the Woodbury County Board of Supervisors has heard all the comments for or against said proposal and believes selling the real property is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer of:

Eric Healy & Tonia Hummel in the sum of Two Hundred Ten Thousand & 00/100 (\$210,000.00)-----
-----dollars.

For the following described real estate, To Wit:

Parcel #874613200008

That part of the Northwest Quarter (NW ¼) and the Northeast Quarter (NE 1/4) of Section Thirteen (13), Township Eighty-seven (87) North, Range Forty-six (46) West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Tract of land in the NE ¼ of Section 13, T87N, R46W of the 5th P.M., Woodbury County, Iowa, more specifically described as: Commencing at the West ¼ corner of Section 13, T87N, R46W of the 5th P.M., Woodbury County, Iowa at a found 5/8"

rebar; thence S88 29'42" E a distance of 1571.02 feet to a point of intersection of said East-West ¼ line and the Centerline of 240th Street; thence N69 32'54" E a distance of 418.01 feet to a found pin; thence continuing N69 32'54" E a distance of 207.50 feet to a 5/8" rebar set on the Centerline of 240th Street; thence N10 12'13" W a distance of 50.81 feet to a point on the North Right of Way line of 240th Street; thence continuing on said Right of Way line N69 32'54" E a distance of 224.76 feet to a Point of Curvature; thence continuing on said curve with an arc length of 205.15 feet to the left, having a radius of 496.84 feet, and a chord bearing of N57 43'09" E for a distance of 203.70 feet; thence continuing on said Right of Way line N45 53'24" E a distance of 250.46 feet; thence continuing on the said Right of Way line N44 06'36" W a distance of 10.00 feet; thence continuing on said Right of Way line N45 53'24" E a distance of 29.11 feet on said Right of Way line; thence continuing on said Right of Way line N45 53'24" E a distance of 899.94 feet to the Point of Beginning; thence N01 06'24" E a distance of 1274.07 feet to the North line of Section 13; thence S88 53'36" E a distance of 507.54 feet along the North line of Section 13; thence S01 06'24" W a distance of 791.06 feet to a point on the North Right of Way line of 240th Street; thence S45 53'24" W a distance of 20.00 feet along said Right of Way; thence N44 06'36" W a distance of 125.69 feet along said Right of Way to the Point of Beginning. The above described parcel contains 12.134 acres (528,557 sq. ft.) more or less" And

Tract of land in the NE ¼ of Section 13, T87N, R46W of the 5th P.M., Woodbury County, Iowa, more specifically described as: Commencing at the West ¼ corner of Section 13, T87N, R46W of the 5th P.M., Woodbury County, Iowa at a found 5/8" rebar; thence S88 29'42" E a distance of 1571.02 feet to a point of intersection of said East-West ¼ line and the Centerline of 240th Street; thence N69 32'54" E a distance of 418.01 feet to a found pin; thence continuing N69 32'54" E a distance of 207.50 feet to a 5/8" rebar set on the Centerline of 240th Street; thence N10 12'13" W a distance of 50.81 feet to a point on the North Right of Way line of 240th Street; thence continuing on said Right of Way line N69 32'54" E a distance of 224.76 feet; thence continuing on said Right of Way line with an arc length of 205.15 feet to the left, having a radius of 496.84 feet, the chord of which is N57 43'09" E for a distance of 203.70 feet; thence continuing on said Right of Way line N45 53'54" E a distance of 250.46 feet; thence continuing on said Right of Way line N44 06'36" W a distance of 10.00 feet; thence continuing on said Right of Way line N45 53'24" E a distance of 29.11 feet, thence continuing on said Right of Way line N45 53'24" E a distance of 899.94 feet; thence continuing on said Right of Way line N45 53'24" E a distance of 125.69 feet; thence S45 06'36" E a distance of 574.66 feet on said Right of Way line to the Point of Beginning; thence N01 06'24" E a distance of 791.06 feet to the North line of Section 13; thence S88 53'36" E a distance of 662.06 feet along the North line of Section 13; thence S22 00'22" W along 240th Street on said Right of Way a distance of 42.71 feet to a point of curvature; thence continuing on said Right of Way line along a curve with an arc length of 340.96 feet to the right, having a radius of 817.95 feet, and a chord bearing of S33 56'53" W for a distance of 338.50 feet; thence S45 53'24" W a distance of 657.62 feet along said Right of Way line to the Point of Beginning. The above described parcel contains 6.797 acres (296,080 sq. ft.) more less.

(2383 – 240th Street, Hornick, Iowa)

Now and included in and forming a part of Woodbury County, Iowa, the same is hereby accepted:

BE IT RESOLVED that payment is due by as set forth in the Purchase Agreement approved by this Board on October 1, 2013.

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Deed for the said premises to the said purchaser.

SO DATED this 22nd Day of October, 2013.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by Smith second by Tripp to receive as submitted the Recorder's Report of Fees Collected for the period of 7/1/2013 through 9/30/2013. Carried 5-0. Copy filed. 4a

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

Motion by Boykin second by Smith to go into Executive Session per Iowa Code Section 21.5(1)(j). Carried 5-0 on a roll call vote.

Motion by Boykin second by Smith to go out of Executive Session per Iowa Code Section 21.5(1)(j). Carried 5-0 on a roll call vote.

The Board adjourned the regular meeting until October 29, 2013.