

OCTOBER 31, 2023, FORTY-FOURTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, October 31, 2023, at 4:30 p.m. Board members present were Nelson, Ung, Bittinger II, Radig, and Taylor. 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 October 31, 2023. Carried 5-0. Copy filed.
Motion by Ung second by Radig to approve the following items by consent:
2. To approve minutes of the October 24, 2023 meeting. Copy filed.
3. To approve the claims totaling \$696,002.48. Copy filed.
- 4a. To approve property tax refund for Lawrance Rubis, for parcel #884706377006, 2730 S Coral St., in the amount of \$322.00. Copy filed.
- 4b. To approve property tax refund for Closing Siouxland, for parcel #894729401008, 611 W 2nd St., in the amount of \$226.00. Copy filed.
- 4c. To approve property tax refund for Washington Prime Group, for parcel #884707476002, 4400 Sergeant Rd., in the amount of \$438,476.00. Copy filed.
- 4d. To approve property tax refund for Britt Capital LLC, for parcel #884333351004, 315 E Main St., Anthon, in the amount of \$1,457.00. Copy filed.
- 5a. To approve the appointment of Katrina Cox, Clerk II, County Treasurer Dept., effective 11-01-23, \$18.68/hour. Job Vacancy Posted 7-26-23. Entry Level Salary: \$18.68/hour.; and the reclassification of Jacob Gilreath, Civil Engineer Intern, Secondary Roads Dept., effective 11-13-23, \$3,010.52/bi-weekly, 5.75%=\$163.69/bi-weekly. Per Wage Plan Matrix, 6 month Salary Increase. Copy filed.
- 5b. Presentation of Award Certificate to Cynthia Wiemold. Copy filed.
6. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Delores Sturgeon, 2362 W. 1st St., parcel #894730401004.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,676
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

WHEREAS, Delores Sturgeon, as titleholder of a property located 2362 W. 1st St., Sioux City, Woodbury County, Iowa, and legally described as follows:

Parcel #894730401004

HIGHLAND 1 & 2 SUB DIV LOT 2 TAX LOT B

WHEREAS, Delores Sturgeon of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 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 31st day of October 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Carried 5-0.

- 7. Motion by Radig second by Bittinger to receive the 2023 report of the weed commissioner. Carried 5-0. Copy filed.
- 8a. Motion by Taylor second by Ung to receive the final staff report and Zoning Commission’s recommendation from their 10/23/23 meeting to approve the final plat of Back Acre Estates, Second Filing, a minor subdivision to Woodbury County, Iowa. Carried 5-0. Copy filed.
- 8b. Motion by Taylor second by Radig to approve and authorize the Chairperson to sign a Resolution accepting and approving the final plat of Back Acre Estates, Second Filing, a minor subdivision to Woodbury County. Carried 5-0.

**BOARD OF SUPERVISORS
RESOLUTION #13,677
ACCEPTING AND APPROVING BACK ACRE ESTATES
SECOND FILING, A MINOR SUBDIVISION
WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE 23RD DAY OF OCTOBER, 2023, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS BACK ACRE ESTATES, SECOND FILING, WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF BACK ACRE ESTATES, SECOND FILING, WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 31ST DAY OF OCTOBER, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 8c. Motion by Radig second by Ung to receive the final staff report and Zoning Commission’s recommendation from their 10/23/23 meeting to approve the final plat of Gray First Addition, a minor subdivision to Woodbury County, Iowa. Carried 5-0. Copy filed.
- 8d. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution accepting and approving the final plat of Gray First Addition, a minor subdivision to Woodbury County. Carried 5-0.

**BOARD OF SUPERVISORS
RESOLUTION #13,678
ACCEPTING AND APPROVING GRAY FIRST ADDITION
A MINOR SUBDIVISION
WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE 23RD DAY OF OCTOBER, 2023, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS "GRAY FIRST ADDITION", WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND WHEREAS THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA, HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA, HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF "GRAY FIRST ADDITION", WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNER AND PROPRIETOR A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 31ST DAY OF OCTOBER, 2023
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9. Dan Bittinger II and Mark Nelson, Board of Supervisors, gave an update on legal fee expenditures to-date for open records request as approved by the Board on August 8, 2023. Copy filed.
- 10. Mark Nelson, Board of Supervisor, presented correction and information regarding statements made about Baker Group's compensation. Copy filed.

Doyle Turner, Merville, addressed the board with compliments of their response to the law enforcement center project's progress.
- 11. Motion by Taylor second by Ung to postpone the hiring of outside legal counsel, and authorize the Chairperson to sign Letter of Engagement with Whitfield and Eddy Law, John A. Templar, Jr. Carried 5-0. Copy filed.

Doyle Turner, Merville, addressed the board in support of hiring Mr. Templar as outside counsel.
- 12. Reports on committee meetings were heard.
- 13. There were no citizen concerns.
- 14. Board concerns were heard.

The Board adjourned the regular meeting until November 7, 2023.

Meeting sign in sheet. Copy filed.