

**DECEMBER 20, 2022 FIFTY-FIRST MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, December 20, 2022, at 4:30 p.m. Board members present were De Witt, Taylor, Ung (by phone), Radig and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Melissa Thomas, Human Resources Director, and Patrick Gill, 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. Doyle Turner, Moville, discussed pipeline regulations with the Board.
2. Motion by Radig second by Taylor to approve the agenda for December 20, 2022. Carried 5-0. Copy filed.
- 8a. A public hearing was held at 4:35 p.m. on the proposal to amend the Lease Agreement with the Woodbury County Law Enforcement Center Authority. The Chairperson called on anyone wishing to be heard.  
  
Motion by Radig second by De Witt to close the public hearing. Carried 5-0.
- 8b. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution approving and authorizing execution of the first amendment of the lease agreement with the Woodbury County Law Enforcement Center Authority. Carried 5-0

**RESOLUTION #13,524  
RESOLUTION APPROVING AND AUTHORIZING  
EXECUTION OF THE FIRST AMENDMENT OF THE LEASE  
AGREEMENT WITH THE WOODBURY COUNTY LAW  
ENFORCEMENT CENTER AUTHORITY**

WHEREAS, Woodbury County, State of Iowa (the "County") and the Woodbury County Law Enforcement Center Authority (the "Authority") have heretofore entered into that certain Lease Agreement dated September 1, 2020 (the "Lease"); and

WHEREAS, it is now deemed necessary and advisable that the County should provide for the authorization of a First Amendment to the Lease (the "Amendment") with the Authority; and

WHEREAS, Iowa Code Section 346.27 provides that the Authority shall have and exercise certain public and essential governmental powers and functions including the right to lease all or any part of a building to an incorporating unit upon rental terms agreed upon between the Authority and the incorporating unit; and

WHEREAS, the Authority and County have negotiated the form of a proposed Amendment, which is intended to clarify that after the Commencement Date (as defined in the Lease) the County may place partitions, fixtures, furniture, equipment and make improvements and other non-structural alterations in the interior of the Facility (as defined in the Lease) at its own expense and that the County will own all such partitions, fixtures, furniture, equipment and improvements; and

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to approve and authorize execution of the Amendment and has considered the extent of objections received from residents or property owners as to said proposed Amendment; and, accordingly 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, IOWA:

Section 1. That the performance by the County of its obligations under the Amendment, under the terms set forth in the Amendment, be and is hereby declared to be an appropriate and necessary undertaking of the County pursuant to Section 346.27, Code of Iowa.

Section 2. That the form and content of the Amendment, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Chairperson and the County Auditor be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Amendment for and on behalf of the County in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Amendment, the Chairperson and the County Auditor are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Amendment as executed.

PASSED AND APPROVED this 20th day of December, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy Filed.

Motion by Radig second by De Witt to approve the following items by consent:

3. To approve minutes of the December 13, 2022, meeting. Copy filed.
4. To approve the claims totaling \$740,375.85. Copy filed.
- 5a. To approve the transfer of Brigid Delaney, Civilian Jailer, County Sheriff Dept., effective 12-21-22, \$31.26/hour, 15%=\$4.06/hr. Position Transfer from Warrant Clerk III to Civilian Jailer.; the appointment of Juan De La Roca, P/T Youth Worker, Juvenile Detention Dept., effective 12-21-22, \$20.89/hour. Job Vacancy Posted 3-30-22. Entry Level Salary: \$20.89/hour.; the reclassification of Sheila Henningfeld, Clerk III, County Sheriff Dept., effective 12-26-22, \$23.74/hour, 3.4%=\$.79/hr. Per AFSCME Courthouse Contract agreement, from Grade 5/Step 2 to Grade 5/Step 3.; the appointment of Madison Rowe, P/T Youth Worker, Juvenile Detention Dept., effective 12-30-22, \$20.89/hour. Job Vacancy Posted 12-07-22. Entry Level Salary: \$20.89/hour.; the separation of Patrick Jennings, County Attorney, County Attorney Dept., effective 12-31-22. End of Elected Term of Office.; the separation of Justin Wright, Board Member, Board of Supervisors Dept., effective 12-31-22. End of Elected Term of Office.; the separation of James Loomis, Assistant Co. Attorney, County Attorney Dept., effective 12-31-22. Separation to assume Elected Office.; the appointment of James Loomis, County Attorney, County Attorney Dept., effective 01-01-23, \$150,467.40/year, \$5,572.87/bi-weekly. Elected County Attorney.; the appointment of Daniel Bittinger, Board Member, Board of Supervisors, effective 01-01-23, \$37,040.71/year, \$1,371.88/bi-weekly. Elected Official.; the reclassification of Jon Mouw, Maintenance Technician, Building Services Dept., effective 01-09-23, \$22.86/hour, 5%=\$1.15/hr. Per AFSCME Courthouse Contract agreement, from Grade 4/Step 3 to Grade 4/Step 4.; and the separation of Chad Fairbanks, Civilian Jailer, County Sheriff Dept., effective 12-15-22. Resignation. Copy filed.
- 5b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for a Civilian Jailer, County Sheriff Dept. CWA: \$23.33/hour.; P/T Courthouse Safety & Security Officer, County Sheriff Dept. Wage Plan comparability with AFSCME Courthouse: \$18.22- \$20.02/hour.; F/T Youth Worker, Juvenile Detention Dept. AFSCME: \$20.89/hour.; and P/T Youth Worker, Juvenile Detention Dept. AFSCME: \$20.89/hour. Copy filed.
- 5c. To approve the deauthorization of Warrant Clerk III, County Sheriff Dept. Copy filed.
- 5d. To approve the 2023 Innovative Benefit Consultant plan renewal. Copy filed.
6. To receive for signatures a Resolution Thanking and Commending Robert Brouillette for his years of service to Woodbury County.

**RESOLUTION #13,525**  
**A RESOLUTION THANKING AND COMMENDING**  
**ROBERT BROUILLETTE**  
**FOR HIS SERVICE TO WOODBURY COUNTY**

WHEREAS, Robert Brouillette has capably served Woodbury County as a member of the Board of Adjustment for 15 years from 2006 to 2010 and again from 2013 to 2022; and

WHEREAS, the service given by Robert Brouillette has been characterized as exemplary by his dedication to the best interests of the citizens of Woodbury County; and

WHEREAS, Robert Brouillette has contributed to the betterment of the county by hearing and deciding on matters related to the county zoning and flood plain ordinance, including variances and conditional uses; and

WHEREAS, notable actions made by the Board of Adjustment during Robert Brouillette's tenure include the review and recommendation of numerous commercial and residential developments, public and private infrastructure improvements, and various county ordinances to improve the quality of life for residents and businesses throughout Woodbury County, and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board hereby thanks and commends Robert Brouillette for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Robert Brouillette.

BE IT SO RESOLVED this 20th day of December 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

7. To approve the permit to work in the right of way for Nick Kerr. Copy filed.

Carried 5-0.

9. Motion by Radig second by Taylor to authorize WCICC-IT to spend \$578,000.00 FY2023 CIP dollars. Carried 5-0. Copy filed.
- 10a. Motion by Radig second by De Witt to approve the contract for project #M-PCC(K45)—7X-97 with Godbersen Smith Construction for \$318,847.40. Carried 5-0. Copy filed.
- 10b. Motion by Radig second by De Witt to approve the project agreement for project #IM-029-6(278)139--13-97 and #IM-029-6(170)139--0E-97. Failed 2-3; Taylor, Ung and Wright were opposed. Copy filed.
11. Motion by Taylor second by Radig to approve the first amendment to a Letter of Understanding between the City of Sioux City and Woodbury County in regard to the Elk Creek Road Project. Carried 5-0. Copy filed.
12. Information was presented by Jeremy Taylor, Board of Supervisor, about Woodbury County/Rolling Hills participation in the Hope Street and presentation of good news with community participation.
13. Reports on committee meetings were heard.
14. There were no citizen concerns.
15. Board concerns were heard.

The Board adjourned the regular meeting until January 03, 2023.