

## JANUARY 3, 2023, FIRST MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, January 3, 2023, at 3:30 p.m. Board members present were Taylor, Ung, Radig and Bittinger; De Witt was absent. 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. Motion by Radig second by Taylor to approve the adoption of current Board of Supervisors Bylaws. Carried 4-0. Copy filed.
2. Motion by Ung second by Taylor to appoint Supervisor Radig as Temporary Chair to preside over Election of Chairperson. Carried 4-0.
3. Motion by Taylor second by Radig to appoint Supervisor Ung as Chairperson for the 2023 session. Carried 4-0.
4. Motion by Ung second by Radig to appoint Supervisor Taylor as Vice-Chairperson. Carried 4-0.
5. There were no citizen concerns.
6. Motion by Ung second by Taylor to approve the agenda for January 3, 2023. Carried 4-0. Copy filed.  
Motion by Ung second by Radig to approve the following items by consent:
  7. To approve minutes of the December 20, 2022, meeting. Copy filed.
  8. To approve the claims totaling \$952,215.41. Copy filed.
  - 9a. To approve the appointment of County Engineer, Mark Nahra.
  - 9b. To approve the appointment of County Medical Examiner, Dr. Julie Breiner.
  - 9c. To approve the appointment of Jered Jepsen as Weed Commissioner.
  - 9d. To approve The Sioux City Journal, The Sergeant Bluff Advocate, and The Merville Record as the County's official newspapers. Copy filed.
  - 9e. To approve to the Third Judicial Department of Correctional Services. Copy filed.
  - 10a. No appointment to the Conservation Board. Copy filed.
  - 10b. To approve the appointment of George Boykin, 2737 Lemon, Sioux City, and Diane Prieksat, 801 5<sup>th</sup> St., Sioux City, to the Siouxland District Health Board. Copy filed.
  - 10c. To approve the appointment of Leo Jochum, 1691 250<sup>th</sup>, Salix, to the Commission of Assess Damages Category A – Owner/operators of Agricultural Property; Bob Batcheller, PO Box 3311, Sioux City, and Ruth Groth, 305 North Cauley Ave., Anthon, to the Commission to Assess Damages Category B – Owners of City Property; Colleen Baker, 3422 Jackson St, Sioux City, Tori Jackson, 4601 S Ridge Rd., Sioux City, and Rachel Law, 1407 Megan's Way, Correctionville, to the Commission to Assess Damages Category C – Licensed Real Estate Salesman or Real Estate Broker; and Patrick Curry, 502 Huntington Court, Sgt Bluff, Linda Mathison, 5008 Ravine Park Lane, Sioux City, and Doug Lehman, PO Box 1381, Sioux City, to the Commission of Assess Damages Category D – Persons Having Knowledge of Property Values in the County by Reason of their Occupation. Copy filed.
  - 11a. To approve the separation of Donald Scarlett, Youth Worker, Juvenile Detention Dept., effective 12-20-22. Resignation.; the separation of Jacob Smith, P/T Operations Officer-Paramedic, Emergency Services Dept., effective 12-26-22. Resignation.; the end of probation of Casey Cooper, Equipment Operator, Secondary Roads Dept.,

effective 12-26-22, \$26.92/hour, 3%=\$.81/hr. Per CWA Secondary Roads Contract agreement, End of Probation Salary Increase.; the appointment of Dean Lauters, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 01-05-23, \$20.02/hour. Job Vacancy Posted 11-23-22. Entry Level Salary: \$18.22 - \$20.02/hour.; the appointment of Sandra Williams, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 01-05-23, \$18.22/hour. Job Vacancy Posted 11-23-22. Entry Level Salary: \$18.22 - \$20.02/hour.; and the promotion of Austin Svendsen, Jail Sergeant, County Sheriff Dept., effective 01-09-23, \$34.57/hour, 36%=\$9.31/hr. Promotion from Civilian Jailer to Jail Sergeant. Copy filed.

- 11b. 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. Copy filed.
- 11c. To approve the request of Darin Fay and his spouse to remain on the county dental insurance. Copy filed.
- 12. To approve the property tax refund for 2820 3<sup>rd</sup> St, parcel #894727481012, in the amount of \$598.00. Copy filed.
- 13. To receive the appointment of Jeff Keleher, 206 Elm, Bronson, to the City Council of Bronson, previously held by Doug Williams, until the next regular/general election. Copy filed.
- 14a. To approve and authorize the Chairperson to sign a Resolution authorizing the County Engineer to execute Certification of Completion of Work on Federal Aid, State Aid, and Farm to Market Construction during 2023.

**RESOLUTION #13,526**  
**RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO EXECUTE**  
**CERTIFICATION OF COMPLETION OF WORK ON FEDERAL AID, STATE AID, AND**  
**FARM TO MARKET CONSTRUCTION DURING 2023**

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that Mark J. Nahra, the County Engineer of Woodbury County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and federal or state aid construction projects in this county.

Dated at Sioux City, Iowa, this 3<sup>rd</sup> day of January 2023.  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

- 14b. To approve and authorize the Chairperson to sign a Resolution authorizing the County Engineer to close any secondary roads for the purpose of construction, maintenance, or emergencies during 2023.

**RESOLUTION #13,527**  
**RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO CLOSE ANY**  
**SECONDARY ROADS FOR THE PURPOSE OF CONSTRUCTION, ROUTINE**  
**MAINTENANCE, OR EMERGENCIES DURING 2023**

WHEREAS, the Woodbury County Board of Supervisors is concerned about traffic safety involved during construction and maintenance work or during natural or traffic emergencies on the secondary road system, and

WHEREAS, they are further interested in making appropriate traffic accommodations for the traveling public, adjacent landowners and related users during construction and maintenance operations, and

WHEREAS, the Board of Supervisors under section 306.41 of the Code of Iowa can delegate the authority to temporarily closure of roads to the County Engineer,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors give Mark J. Nahra, Woodbury County Engineer the authority to temporarily close sections of highway in Woodbury County's Road system when necessary, because of construction, maintenance, emergencies, or natural disaster.

DATED this 3<sup>rd</sup> day of January 2023.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 15a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894725454004, 5217 1<sup>st</sup> St.

**RESOLUTION #13,528**  
**NOTICE OF PROPERTY SALE**

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

**Lot Thirty (30) in Block Two (2) of the Hamilton's Addition, City of Sioux City, Woodbury County, Iowa (5217 1<sup>st</sup> 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 **17<sup>th</sup> Day of January 2023 at 3:35 o'clock p.m.** in the basement 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 **17<sup>th</sup> Day of January 2023**, 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 \$400.00** 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 3<sup>rd</sup> Day of January 2023.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 15b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894723379019, 3431 Athlone Ave.

**RESOLUTION #13,529**  
**NOTICE OF PROPERTY SALE**

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

**Lot Nine (9) in Block Seventeen (17) of Kelly Park, an Addition to Sioux City in the County of Woodbury and State of Iowa (3431 Athlone Ave.)**

**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 **17<sup>th</sup> Day of January 2023 at 3:37 o'clock p.m.** in the basement 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 **17<sup>th</sup> Day of January 2023**, 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 \$718.00** 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 3<sup>rd</sup> Day of January 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Carried 4-0.

16. Action to receive for signatures a Resolution of proclamation for "Slavery and Human Trafficking Prevention and Awareness Month" was postponed.
17. Chief Judge Patrick Tott discussed with the Board the usage of the 2<sup>nd</sup> floor of the Trosper-Hoyt building. Copy filed.
- 18a. Motion by Ung second by Radig to defer action to approve an appointment to the Board of Adjustment for a five-year term (2023 to 2027). Carried 4-0. Copy filed.
- 18b. Motion by Ung second by Taylor to approve the appointment of Tom Bride to the Zoning Commission for a five-year term (2023 to 2027). Carried 4-0. Copy filed.
- 18c. Motion by Ung second by Radig to approve and authorize the Chairperson to sign the Construction Evaluation Resolution for large animal confinement operations. Carried 4-0.

**RESOLUTION #13,531**

**CONSTRUCTION EVALUATION RESOLUTION**

**WHEREAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of

supervisors between February 1, 2023 and January 31, 2024 and submit an adopted recommendation regarding that application to the DNR; and

**WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

DATED this 3<sup>rd</sup> day of January 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

19. Supervisor Ung discussed the reappointment of Rocky De Witt to the LEC Authority following his resignation from the Woodbury County Board of Supervisors. Copy filed.
20. Reports on committee meetings were heard.
21. There were no citizen concerns.
22. State of the Budget was presented by Dennis Butler. Copy filed.
23. Supervisor Ung presented remarks on FY 2024 budget.
- 24a. Motion by Ung second by Radig to receive the General Relief Administration budget as submitted. Carried 4-0.  
Motion by Taylor second by Radig to receive the General Relief Assistance budget reduces by \$25,500.00. Carried 4-0.
- 24b. Motion by Radig second by Taylor to receive the County Supervisors CF Rebates & Miscellaneous Funds budget as submitted. Carried 4-0.  
Motion by Taylor second by Ung to receive the County Supervisors Expense budget reduced by \$6,839.00. Carried 4-0.  
Motion by Radig second by Ung to receive the County Supervisors Administration budget reduced by \$3,517.00. Carried 4-0.  
Motion by Radig second by Ung to receive the County Supervisors Public Bidder budget as submitted. Carried 4-0.  
Motion by Radig second by Taylor to receive the County Supervisors Mail Services budget as submitted. Carried 4-0.  
Motion by Taylor second by Ung to receive the County Supervisors District Court Operations budget as submitted. Carried 4-0.  
Motion by Taylor second by Ung to receive the County Supervisors Court Appointed Juvenile Attorneys budget reduced by \$5,000.00. Carried 4-0.  
Motion by Radig second by Ung to receive the County Supervisors Risk Management budget as submitted. Carried 4-0.  
Motion by Taylor second by Ung to receive the County Supervisors Rolling Hills Region budget as submitted. Carried 4-0.

Motion by Taylor second by Ung to receive the County Supervisors Soil Conservation funded thru LOST budget as submitted. Carried 4-0.

Motion by Radig second by Taylor to receive the County Supervisors Solid Waste Landfill budget as submitted. Carried 4-0.

Motion by Taylor second by Radig to receive the County Supervisors Township Officers budget as submitted. Carried 4-0.

Motion by Radig second by Taylor to receive the County Supervisors Tax Increment Funds budget as submitted. Carried 4-0.

24c. Motion by Taylor second by Ung to receive the County Library budget as submitted. Carried 4-0.

24d. Motion by Ung second by Bittinger to receive the Department of Human Services budget reduced by \$2,000.00. Carried 4-0.

24e. Motion by Radig second by Ung to receive the Human Resources budget reduced by \$2,189.00. Carried 4-0.

24f. Motion by Taylor second by Ung to receive the Conservation Administration budget reduced by \$4,996.00. Carried 4-0.

Motion by Taylor second by Ung to receive the Conservation Parks budget reduced by \$3,481.00. Carried 4-0.

Motion by Taylor second by Ung to receive the Conservation Naturalist budget reduced by \$1,458.00. Carried 4-0.

Motion by Radig second by Taylor to receive the Conservation Nature Center budget as submitted. Carried 4-0.

Motion by Taylor second by Ung to receive the Conservation REAP budget as submitted. Carried 4-0.

Motion by Taylor second by Radig to receive the Conservation Nature Center- non-tax budget as submitted. Carried 4-0.

Motion by Taylor second by Ung to receive the Conservation Reserve budget as submitted. Carried 4-0.

24g. Motion by Taylor second by Ung to receive the County Auditor Recorder budget reduced by \$1,996.00. Carried 4-0.

Motion by Taylor second by Ung to receive the County Auditor budget reduced by \$4,345. Carried 4-0.

Motion by Radig second by Ung to receive the County Auditor Election Administration budget reduced by \$1,996.00. Carried 4-0.

Motion by Radig second by Ung to receive the County Auditor General Election budget as submitted. Carried 4-0.

Motion by Radig second by Ung to receive the County Auditor School/City Elections budget as submitted. Carried 4-0.

Motion by Radig second by Taylor to receive the County Auditor City Primary Election budget as submitted. Carried 4-0.

Motion by Radig second by Taylor to receive the County Auditor Recorder Records Management budget as submitted. Carried 4-0.

24h. Motion by Taylor second by Radig to receive the County Treasurer Motor Vehicle budget reduced by \$3,875. Carried 4-0.

Motion by Taylor second by Ung to receive the County Treasurer Tax Department budget reduced by \$6,106.00. Carried 4-0.

24i. Motion by Taylor second by Ung to receive the Civil Service budget as submitted. Carried 4-0.

25. Board concerns were heard.

The Board adjourned the regular meeting until January 10, 2023.

Meeting sign in sheet. Copy filed.