

**JULY 26, 2022 THIRTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, July 26, 2022 at 4:30 p.m. Board members present were Ung, Radig, De Witt, Taylor (by phone), and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Patrick Jennings, County Attorney, 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. Nick Lahrs, Bronson, addressed the Board about the county's wind ordinance.
2. Motion by Radig second by De Witt to approve the agenda for July 26, 2022. Carried 5-0. Copy filed.
9. A public hearing was held at 4:35 p.m. for the sale of parcel #894735332007, 1020 S Glass St. The Chairperson called on anyone wishing to be heard.

Motion by Radig second by De Witt to close the public hearing. Carried 5-0.

Motion by De Witt second by Radig to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894735332007, 1020 S. Glass St., to Jarrod Bumsted, 1024 S Glass St, Sioux City, for \$579.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD  
OF SUPERVISORS OF WOODBURY COUNTY, IOWA  
RESOLUTION #13,482**

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

**By Jarrod Bumsted and Lizbeth Bumsted** in the sum of **Five Hundred Seventy-nine 00/100 (\$579.00)**-----dollars.

For the following described real estate, To Wit:

**Parcel #894735332007**

**Lot Eleven (11) Block Fourteen (14) of Holman's Addition to Sioux City in the County of Woodbury and State of Iowa  
(1020 S. Glass St.)**

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close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.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 26<sup>th</sup> Day of July, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

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

3. To approve minutes of the July 19, 2022 meeting. Copy filed.
4. To approve the claims totaling \$306,092.40. Copy filed.
5. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #864528307007, 508 5<sup>th</sup> Ave, Hornick.

**RESOLUTION #13,481  
NOTICE OF PROPERTY SALE**

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

**That part of Out Lot 5 in the Auditor's Plat of Hornick in the W ½ SW ¼ Section 28 and E ½ SE ¼ Section 29, Township 86 North, Range 45, in the County of Woodbury and State of Iowa, described as follows: Commencing at a point on the West line of Out Lot 5 in the W ½ SW ¼ said Section 28, 6 rods South of the Northwest corner thereof, thence East on a line parallel to the North line of said Out Lot 5, 128 feet, thence South on a line parallel to the West line of Out Lot 5, 67.5 feet, thence West on a line parallel to the North line of Out Lot 5, 128 feet to the West line of Out Lot 5, thence North on the West line of Out Lot 5, 67.5 feet to the point of commencement of this description  
(508 – 5<sup>th</sup> Ave. Hornick, IA.)**

**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 **9<sup>th</sup> Day of August, 2022 at 4:35 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 **9<sup>th</sup> Day of August, 2022**, 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 \$432.00** 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 26<sup>th</sup> Day of July, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 6a. To receive the Auditor's Quarterly report for April 1, 2022 thru June 30,2022. Copy filed.
- 6b. To approve an application for a 14-day class B Beer License, with Outdoor Service and Sunday Sales privileges for Woodbury County Fair, effective 07/28/2022 thru 08/11/2022. Copy filed.
- 7a. To approve the separation of Kenneth Meyers, Civilian Jailer, County Sheriff Dept., effective 07-21-22. Resignation.; the reclassification of Tayea Kilbride, P/T Youth Worker, Juvenile Detention Dept., effective 07-25-22, \$21.72/hour, 3.9%=\$.83/hr. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2.; the reclassification of Jonathon Hatfield, Civilian Jailer, County Sheriff Dept., effective 07-25-22, \$28.94/hour, 11.6%=\$3.01/hr. Per CWA Civilian Officers Contract agreement, from Senior to Master Class.; the separation of Jacklyn Fox, Assist. County Attorney, County Attorney Dept., effective 08-05-22. Resignation.; the

reclassification of Haley Hayworth, Clerk II, County Treasurer Dept., effective 08-08-22, \$19.07/hour, 4.6%=\$.85/hr. Per AFSCME Courthouse Contract agreement, Grade 3/Step 1 to Grade 3/Step 2.; the separation of Carolina Ochoa, Civilian Jailer, County Sheriff Dept., effective 08-14-22. Resignation.; and the separation of Colin Ryan, Assistant County Engineer, Secondary Roads Dept., effective 08-19-22. Resignation. Copy filed.

7b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for (2) Civilian Jailers, County Sheriff Dept. CWA: \$21.60-\$23.33/hour.; P/T Courthouse Safety & Security Officer, County Sheriff Dept. Wage Plan comparability with AFSCME Courthouse: \$18.22-\$20.02/hour.; Civil Engineer Intern, Secondary Roads Dept. Wage Plan: \$69,334-\$73,000/year. or Assistant County Engineer, Secondary Roads Dept. Wage Plan: \$101,129-\$110,000/year. Copy filed.

8. To approve the permit to work in the right of way for SCS Carbon Transport. Copy filed.

Carried 5-0.

10a. A public hearing was held at 4:40 p.m. for permanent closure and vacation of the county roads in the Morningside Second addition. The Chairperson called on anyone wishing to be heard.

Motion by Radig second by De Witt to close the public hearing. Carried 5-0.

Motion by Radig second by De Witt to receive for signatures a Resolution closing and vacating a road right of way. Carried 5-0.

**RESOLUTION #13,483  
WOODBURY COUNTY, IOWA  
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY**

**WHEREAS**, the Woodbury County Board of Supervisors in accordance with Section 306.11 of the Code of Iowa held a public hearing on July 26, 2022 on the proposed vacation of Woodbury County Secondary Road Right-Of-Way described as follows:

Vacate in Morningside Addition to Sioux City Iowa, Second Filing located in Section 4, T88N, R47W

1. All of Wells Avenue lying between Block 29 (lots 20 – 32) & 30 (lots 7 – 19).

Vacate in Morningside Addition to Sioux City Iowa, Third Filing located in Section 4, T88N, R47W

1. All of Wells Avenue lying between Block 29 (lots 33 – 38) & 30 (lots 1 – 6).

**WHEREAS**, no objections were received in either writing or by persons present.

**NOW THEREFORE BE IT RESOLVED** by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

**SO RESOLVED** this 26<sup>th</sup> day of July, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

10b. Motion by Radig second by De Witt to receive a letter of support for the Resolution closing and vacating a road right of way. Carried 5-0. Copy filed.

Motion by De Witt second by Radig to receive for signatures a Resolution closing and vacating a road right of way. Carried 5-0.

**RESOLUTION #13,484  
WOODBURY COUNTY, IOWA  
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY**

**WHEREAS**, the Woodbury County Board of Supervisors in accordance with Section 306.11 of the Code of Iowa held a public hearing on July 26, 2022 on the proposed vacation of Woodbury County Secondary Road Right-Of-Way described as follows:

Vacate a parcel of land located in the SE1/4 of the SW1/4 of section 27, T89N, R42W of the 5<sup>th</sup> P.M., Woodbury County, Iowa described as follows:

Commencing at the southeast corner of the SW1/4 of said section 27; thence north 00°00'00" east 322.23 feet along the east line of said SE1/4 of the SW1/4; thence south 89°03'40" west 80.01 feet to the point of beginning; thence south 00°00'00" west 171.97 feet; thence south 34°44'26" west 122.84 feet; thence south 89°14'16" west 218.67 feet to the existing right-of-way; thence northeasterly 357.99 feet along a 921.65 foot radius curve concave northwesterly with a chord of north 39°25'36" east 355.74 feet along said right-of-way; thence north 89°03'40" east 62.73 feet to the point of beginning. containing 0.92 acres.

**WHEREAS**, no objections were received in either writing or by persons present.

**NOW THEREFORE BE IT RESOLVED** by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

**SO RESOLVED** this 26<sup>th</sup> day of July, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

11a. A public hearing was held at 4:45 p.m. for bids for Prairie Hills demolition project. The bids are as follows:

J. Pettiecord, Inc, Bondurant, IA	\$899,000
D.W. Zinser Company, Walford, IA	\$267,900
Hebert Construction Co, Inc, Sioux City, IA	\$399,560

Motion by De Witt second by Wright to receive the bids and return them to Building Services for recommendation. Carried 4-1; Radig was opposed. Copy filed.

11b. Motion by Ung second De Witt to award the bid for Prairie Hills demolition project to D.W. Zinser Company for \$267,900. Carried 4-1; Radig was opposed. Copy filed.

11c. Motion by De Witt second by Ung to approve 5% project contingency (amount not to exceed 5% of contract bid). Carried 4-1; Radig was opposed. Copy filed.

11d. Motion by Radig second by De Witt to approve a letter of understanding dated July 11, 2022 to address 28<sup>th</sup> Street construction project change order improvements required to meet City of Sioux City's additional anticipated developments along 28<sup>th</sup> Street. Carried 5-0. Copy filed.

12. Julie Haman & Carol Nelson, Woodbury County Library, discussed the air conditioner issue. Copy filed.

13. Motion by Radig second by Ung to approve the CWA Civilian Jailer MOU. Carried 5-0. Copy filed.

14. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution establishing a rate of pay for Woodbury County precinct election officials and precinct election chairpersons. Carried 5-0.

**RESOLUTION #13,485**

**A RESOLUTION ESTABLISHING A RATE OF PAY FOR WOODBURY COUNTY PRECINCT ELECTION OFFICIALS AND PRECINCT ELECTION CHAIRPERSONS**

**WHEREAS**, Iowa Code Section 49.20 states that the members of election boards shall receive compensation at a rate established by the Board of Supervisors while engaged in the discharge of their duties and shall be reimbursed for actual and necessary travel, and

**WHEREAS**, Section 49.125 states that the members of election boards attending a training course shall be paid for attending such course, and shall be reimbursed for travel at the rate determined by the Board of Supervisors, and

**WHEREAS**, the rates of pay for the Precinct Election Officials and Precinct Election Chairpersons are currently \$10.00 and \$12.00 per hour, respectively, and have not increased since 2016, and

**WHEREAS**, the duties of Precinct Election Officials and Precinct Election Chairpersons have become greater and more complex due to changes in election laws and equipment, and

**WHEREAS**, some election days require Precinct Election Officials and Precinct Election Chairpersons to work up to twelve hours per shift, and

**WHEREAS**, the Auditor & Recorder/Commissioner of Elections requests that the rates of pay be raised to \$15.00 and \$17.00 per hour for Precinct Election Officials and Precinct Election Chairpersons respectively, and

**WHEREAS**, the Auditor & Recorder/Commissioner of Elections requests that an hourly rate of one and half times the regular rate be established for all hours worked after eight hours worked per shift be established

**BE IT THEREFORE RESOLVED** there is established a rate of one and half times the regular rate for hours worked after eight hours per shift for Precinct Election Officials and Precinct Election Chairpersons.

**BE IT FUTHER RESOLVED** that the Woodbury County Board of Supervisors hereby sets the hourly rate for Precinct Election Officials at \$15.00 per hour and the hourly rate for Precinct Election Chairpersons at \$17.00 per hour, effective July 26, 2022.

**SO RESOLVED** this 26th day of July, 2022  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 15. Motion by De Witt second by Radig to approve and authorize the Chairperson to sign a Resolution for participation in SS4A Grant Application. Carried 5-0.

**RESOLUTION FOR PARTICIPATION IN SS4A GRANT APPLICATION  
RESOLUTION #13,486**

**WHEREAS**, as part of the new Federal Transportation Bill, Infrastructure Investment and Jobs Act (IIJA), there is over \$1B of roadway safety funding available in the form of Safe Streets and Roads for All (SS4A) grants. To be an eligible applicant for this new safety funding, a county **MUST** have an eligible Action Plan in place; and

**WHEREAS**, the Iowa County Engineers Association (ICEA) plans to apply for a SS4A grant to develop and supply all 99 counties in Iowa with an eligible Action Plan at no cost to the counties. ICEA encourages all 99 counties to participate in this grant application; and

**WHEREAS**, the Woodbury County Board of Supervisors will commit to achieve significant declines in roadway fatalities and serious injuries in Woodbury County; and

**WHEREAS**, the Woodbury County Board of Supervisors recognizes the Action Plan and will assist the County Engineer's department in achieving the goal of a dramatic decrease in roadway fatalities and serious injuries by the years 2030 and 2050, respectively; and

**WHEREAS**, the Woodbury County Board of Supervisors, after consulting with the Woodbury County Engineer, desires to participate in a joint SS4A grant to develop and receive an eligible Action Plan for Woodbury County.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY** that this County does hereby request to be included in the statewide SS4A grant to develop Actions Plans for all 99 counties in Iowa.

Resolution adopted this 26th day of July 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

16. Information was presented by Dan Priestly, Community & Economic Development, about Planning & Zoning fees for Conditional Use Permits and other permits/services. Copy filed.
17. Motion by Radig second by De Witt to approve to renew Community & Economic Development parking spot in the Williges Parking Ramp. Carried 5-0. Copy filed.
18. Motion by De Witt second by Taylor to move forward to amend the wind turbine ordinance, changing the setback to 2,500 feet from 1,250 feet.

Mark Nelson, Correctionville, Daniel Hair, Hornick, Eric Nelson, Merville, and Elizabeth Widman, Sgt. Bluff addressed the Board in regard to the ordinance.

Carried 3-2 on a roll call vote; Wright and Radig were opposed. Copy filed.

- 19a. Jeremy Taylor, Supervisor, updated the Board on Rolling Hills Governance Board. Copy filed.
- 19b. Motion by Radig second by Taylor to approve purchasing up to two tables for the Siouxland Chamber of Commerce Annual meeting. Carried 5-0. Copy filed.
20. Reports on committee meetings were heard.
21. There were no citizen concerns.
22. Board concerns were heard.

The Board adjourned the regular meeting until August 2, 2022.

Meeting sign in sheet. Copy filed.