

AUGUST 9, 2022 THIRTY-SECOND MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, August 9, 2022 at 4:30 p.m. Board members present were Ung, Radig, Taylor, Wright, and De Witt. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance 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. Citizen concerns.
2. Motion by Radig second by De Witt to approve the agenda for August 9, 2022. Carried 5-0. Copy filed.

Motion by De Witt second by Taylor to approve the following items by consent:
3. To approve minutes of the August 2, 2022 meeting. Copy filed.
4. To approve the claims totaling \$650,458.04. Copy filed.
5. To approve the separation of Gene Hacker, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 07-29-22. Resignation.; the separation of Jacob Rader, Temporary Summer Laborer, Secondary Roads Dept., effective 08-03-22. End of Temporary Work.; the reclassification of David Dawson, Assistant County Attorney, County Attorney Dept., effective 08-22-22, \$105,971.83/year, \$3,924.88/b-weekly, 3.4%=\$3,65.81/yr. Per AFSCME Assist. County Attorney Contract agreement, from Step 10 to Step 11.; the reclassification of Cornelia Venable-Ridley, Assistant County Attorney, County Attorney Dept., effective 08-22-22, \$102,406.02/year, \$3,792.82/bi-weekly, 3.6%=\$3,567.95/yr. Per AFSCME Assist. County Attorney Contract agreement, from Step 9 to Step 10.; the appointment of Chad Fairbanks, Civilian Jailer, County Sheriff Dept., effective 08-22-22, \$21.60/hour. Job Vacancy Posted 7-27-22. Entry Level Salary: \$21.60/hour.; the appointment of Andrew McCain, Civilian Jailer, County Sheriff Dept., effective 08-22-22, \$21.60/hour. Job Vacancy Posted 7-27-22. Entry Level Salary: \$21.60/hour.; and the appointment of Charles Nelson, Civilian Jailer, Count Sheriff Dept., effective 08-22-22, \$21.60/hour. Job Vacancy Posted 6-29-22. Entry Level Salary: \$21.60/hour. Copy filed.
- 6a. To receive for signatures a Resolution Thanking and Commending Michael Weber for his years of service to Woodbury County.

**RESOLUTION # 13,492
A RESOLUTION THANKING AND COMMENDING
MICHAEL WEBER
FOR HIS SERVICE TO WOODBURY COUNTY**

WHEREAS, Michael Weber has capably served Woodbury County as an employee of the Woodbury County Emergency Services' Department for 23 years from July 7, 1999 to August 1, 2022.

WHEREAS, the service given by Michael Weber as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Michael Weber 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, Michael Weber

BE IT SO RESOLVED this 9th day of August 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6b. To receive for signatures a Resolution Thanking and commending Mark Petit for his years of service to Woodbury County.

RESOLUTION # 13,493
A RESOLUTION THANKING AND COMMENDING
MARK PETIT
FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, Mark Petit has capably served Woodbury County as an employee of the Woodbury County Secondary Roads' Department for 24 years from April 1, 1998 to May 31, 2022.

WHEREAS, the service given by Mark Petit as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Mark Petit 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, Mark Petit

BE IT SO RESOLVED this 9th day of August 2022.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 6C. To receive for signatures a Resolution Thanking and Commending John Forch for his years of service to Woodbury County.

RESOLUTION # 13,494
A RESOLUTION THANKING AND COMMENDING
JOHN FORCH
FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, John Forch has capably served Woodbury County as an employee of the Woodbury County Secondary Roads' Department for 40 years from June 22, 1982 to June 30, 2022.

WHEREAS, the service given by John Forch as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends John Forch 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, John Forch

BE IT SO RESOLVED this 9th day of August 2022.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 6d. To approve the lifting of tax suspension for Audrey Bitner, parcel #894716358009, 2933 Douglas St. Copy filed.

- 6e. To approve the lifting of tax suspension for petitioners who vailed to re-certify their income or income does not qualify for continues tax suspension. Copy filed.

Carried 5-0.

- 10. Information was presented by John Tolbert, Iowa Drainage District Association, about the annual report from Iowa Drainage District Association. Copy filed.
- 7. A public hearing was held at 4:35 p.m. for the sale of parcel #864528307007, 508 5th Ave., Hornick, IA. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #864528307007, 508 5th Ave., Hornick, IA, to the City of Hornick for \$750 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION # 13,495**

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

By City of Hornick _____ in the sum of **Seven Hundred Fifty and 00/100 (\$750.00)**-----
-----dollars.

For the following described real estate, To Wit:

Parcel #864528307007

**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 – 5th Ave. Hornick, IA.)**

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 9th Day of August, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 8a. Motion by Taylor second by De Witt to receive the county staff report. Carried 5-0. Copy filed.
- 8b. A public hearing was held at 4:40 p.m. for an ordinance to amend portions of Woodbury County Ordinance #56: an amendment to modify Section 6.1A: Wind Turbines Set Back Requirements in the ordinance regulating Commercial Wind Energy Conversion Systems in unincorporated Woodbury County. The Chairperson called on anyone wishing to be heard.
- Larry Fillipi, Anthon; Daniel Hair, 2889 Humbolt Ave, Hornick, IA; Bob Fritzmeier, Leech Ave, Sioux City; Adam Jablonski, MidAmerican Energy; Mason Fleenor, Ida Grove area; Will Dougherty, MidAmerican ; Mark Nelson, 3773 180th St, Correctionville; Roger Wilson, 1610 Jasper Ave; Doyle Turner, 2738 200th St, Merville, IA; Stacey Hair, 2889 Humbolt Ave, Hornick, IA; David Cooper, 1212 Franklin Ave, Merville; Chuck Widman, Bronson; Ryan Vander Molen, 1233 Buchanan Ave, Sioux City; Brenda Holtz, 135 West Creek Dr, Lawton, IA; David Dietrich, 2651 Franklin Ave, Hornick, IA; Elizabeth Widman; Maria Rundquist (by phone); Bev Zenor, 2294 Hancock Ave; Amber Widman, 1847 Old Hwy 141, Sgt Bluff; Glenn Eckert, 1726 Garner Ave, Lawton; Kim Brouwer, 2163 220th St, Bronson, IA; Ryan Thomas, 342 Main St, Merville; addressed the Board regarding the ordinance.
- 8b1. Motion by Taylor second by Radig to receive petitions from Mr. Hair. Carried 5-0. Copy filed.
- 8b2. Motion by Taylor second by De Witt to receive drawings from Will Dougherty, MidAmerican. Carried 5-0. Copy filed.
- 8b3. Motion by Taylor second by DeWitt to receive map from Mr. Nelson. Carried 5-0. Copy filed.
- Motion by Radig second by De Witt to close the public hearing. Carried 5-0.
- 8c. Motion by De Witt second by Taylor to conduct the first reading of the ordinance. Carried 5-0. Copy filed.
- 9a. A public hearing was held at 4:45 p.m. for a Zoning Ordinance Map Amendment to rezone from AP to AE for Mark A & Michelle M Livermore's property. The Chairperson called on anyone wishing to be heard.
- Motion by Taylor second by De Witt to close the public hearing. Carried 5-0.
- 9b. Motion by Radig second by De Witt to conduct the second reading as final reading for Ordinance for Zoning District Map amendment (Rezone). Carried 5-0.
- 9c. Motion by Radig second by De Witt to waive the third reading of the Ordinance for Zoning District Map Amendment (Rezone). Carried 5-0.
- 9d. Motion by Radig second by De Witt to adopt the Zoning District Map Amendment (Rezone) to the Zoning Ordinance #66. Carried 5-0. Copy filed.
11. A presentation regarding Wind Turbine Project by Mid-American.
- Motion by Radig second by De Witt to receive documents from MidAmerican. Carried 5-0. Copy filed.
12. Motion by De Witt second by Taylor to approve to purchase equipment for Phase 1 of 2 for the New LEC which includes Network Switch Gear, Access Points, Firewalls, Technical Room Surveillance, Network Cables, Cable Management, and UPS. Carried 5-0. Copy filed.
13. Motion by Ung second by De Witt to approve Heidman Law Firm as Woodbury County's designated legal counsel for collective bargaining and union relations. Carried 5-0. Copy filed.

14. Motion by Ung second by Taylor to approve the purchase of six new seats for county dump trucks with Gaming Funds for \$5,344.89. Carried 5-0. Copy filed.
15. Reports on committee meetings were heard.
16. Motion by Taylor second by De Witt to receive additional petitions from Mr. Hair. Carried 5-0 Copy filed. Daniel Hair, 2889 Humbolt Ave, Hornick, IA; Mark Nelson, 3773 180th St, Correctionville; addressed the Board regarding the ordinance.
17. Board concerns were heard.

The Board adjourned the regular meeting until August 16, 2022.

Meeting sign in sheet. Copy filed.