



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(JULY 18) (WEEK 29 OF 2023)

Live streaming at:
https://www.youtube.com/user/woodburycountyiowa

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Daniel A. Bittinger II
389-4405
dbittinger@woodburycountyiowa.gov

Mark Nelson
540-1259
mnelson@woodburycountyiowa.gov

Keith W. Radig
560-6542
kradig@woodburycountyiowa.gov

Jeremy Taylor
259-7910
jtaylor@woodburycountyiowa.gov

Matthew A. Ung
490-7852
matthewung@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held July 18, 2023, at 4:30 p.m. in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

- 1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

AGENDA

4:30 p.m. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

- 1. Approval of the agenda Action

Consent Agenda

Items 2 through 5 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

- 2. Approval of the minutes of the July 11, 2023, meeting
3. Approval of claims
4. Human Resources – Melissa Thomas
a. Approval of Memorandum of Personnel Transactions
b. Authorization to Initiate Hiring Process
5. Juvenile Detention – Ryan Weber
Approval of contract amendment with Nebraska Probation

End Consent Agenda

- | | |
|----------------------------------------------------------------------------------------------------------------------------------|-------------|
| 6. Board of Supervisors – Jeremy Taylor & Mark Nelson
Approval of resolution and Energy Policy and Growth for Woodbury County | Action |
| 7. LEC Authority – Kenny Schmitz
Woodbury County Justice Center – Building Services Facility information | Information |
| 8. Reports on Committee Meetings | Information |
| 9. Citizen Concerns | Information |
| 10. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

THU., JULY 20	10:00 a.m.	StarComm, Security Institute, WIT
	4:00 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
FRI., JULY 21	12:00 p.m.	Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.
MON., JULY 24	6:00 p.m.	Zoning Commission Meeting, First Floor Boardroom
WED., JULY 26	2:30 p.m.	Rolling Hills Community Services Region Governance Board Meeting
THU., JULY 27	11:00 a.m.	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
WED., AUG. 2	10:00 a.m.	Loess Hills Alliance Protection Meeting, Pisgah, Iowa
	11:00 a.m.	Loess Hills Alliance Stewardship
	1:00 p.m.	Loess Hills Alliance Executive Meeting
	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
MON., AUG. 7	6:00 p.m.	Board of Adjustment meeting, First Floor Boardroom
WED., AUG. 9	7:30 a.m.	SIMPCO Executive-Finance Committee Meeting, Hybrid
	8:05 a.m.	Woodbury County Information Communication Commission, First Floor Boardroom
	12:00 p.m.	District Board of Health Meeting, 1014 Nebraska St.
THU., AUG. 10	12:00 p.m.	SIMPCO Board of Directors, 1122 Pierce St.
	4:00 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
WED., AUG. 16	12:00 p.m.	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
THU., AUG. 17	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
FRI., AUG. 18	12:00 p.m.	Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.

Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

JULY 11, 2023, TWENTY-EIGHTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, July 11, 2023, at 4:30 p.m. Board members present were Nelson, Taylor, and Ung; Radig and Bittinger II were absent. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Dennis Butler, Finance and Budget 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 July 11, 2023. Carried 3-0. Copy filed.

Motion by Ung second by Nelson to approve the following items by consent:

2. To approve minutes of the June 27, 2023 meeting. Copy filed.
3. To approve the claims totaling \$1,629,021.02. Copy filed.
4. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale of parcel #894721409027, 825 17th St.

**RESOLUTION #13,645
NOTICE OF PROPERTY SALE**

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

The East one-half (E ½) of Lot Eight (8) and all of Lot Nine (9), Block One (1), Lawn Ridge Addition to Sioux City in the County of Woodbury and State of Iowa (825 17th 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 **25th Day of July, 2023 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 **25th Day of July, 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 \$544.00** 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 11th Day of July, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

5. To approve an application for a 14-Day, Class C Retail Liquor License, with Outdoor Service Sales privileges for Woodbury County Fair, effective 07/27/2023 through 08/09/2023. Copy filed.
- 6a. To approve the separation of Kayla Orr, Civilian Jailer, County Sheriff Dept., effective 06-29-23. Separation. Copy filed.

- 6b. To approve the deauthorization of GIS Facilities and Inventory Manager, Secondary Roads Dept. Copy filed.
- 6c. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Civilian Jailer, County Sheriff Dept. CWA: \$23.97/hour. Copy filed.
- 7. To schedule dates/times for 3 public hearings to consider amending the zoning ordinance to include solar energy systems, private and solar energy systems, utility scale, for 8/1/23 @ 4:45 p.m., 8/8/23 @ 4:45 p.m., and 8/15/23 @ 4:45 p.m. Copy filed.

Carried 3-0.

- 8. Doyle Turner, Merville, Steve Corey, 1757 290th St, Salix, Daniel Hair, Hornick, Kim Alexander, Smithland, Gayle Palmquist, Lawton, spoke in support of the ordinance.

Motion by Taylor second by Nelson to receive document from Mr. Corey. Carried 3-0. Copy filed.

Motion by Taylor second by Nelson to postpone action on approval of the Resolution and Energy Policy and Growth for Woodbury County until a future meeting. Carried 3-0.

- 9a. Motion by Ung second by Nelson to receive the final report and Zoning Commission recommendation for Zoning Ordinance Amendments to temporary heavy construction services uses Aggregate crush & screen (temporary); Asphalt mixing (temporary); & Concrete mixing (temporary) from prohibited to conditional in the General Commercial and Highway Commercial Zoning Districts from their 6/26/23 meeting. Carried 3-0. Copy filed.
- 9b. A public hearing was held at 4:45 p.m. for Zoning Ordinance Amendments to temporary heavy construction services uses (Aggregate crush & screen (temporary); Asphalt mixing (temporary); & Concrete mixing (temporary) from prohibited to conditional in the General Commercial and Highway Commercial Zoning Districts. The Chairperson called on anyone wishing to be heard.

Motion by Taylor second by Ung to close the public hearing. Carried 3-0.
- 9c. Motion by Ung second by Nelson to approve the 1st reading on Zoning Ordinance Amendments as final reading. Carried 3-0.
- 9d. Motion by Ung second by Nelson to waive the 2nd and 3rd readings of the Zoning Ordinance Amendments. Carried 3-0.
- 9e. Motion by Ung second by Nelson to adopt Ordinance #73, an Ordinance Amending the text of the Woodbury County Zoning Ordinance to amend portions of Section 3.03.4 entitled: Land Use Summary Table of Allowed Uses in each Zoning District. Carried 3-0.
- 10. The board reported on committee meetings.
- 11. Doyle Turner, Merville, addressed the board regarding support of the farming community.
- 12. Board concerns were heard.

The Board adjourned the regular meeting until July 18, 2023.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: July 18, 2023

*** PERSONNEL ACTION CODE:**

A - Appointment	R - Reclassification
T - Transfer	E - End of Probation
P - Promotion	S - Separation
D - Demotion	O - Other

TO: WOODBURY COUNTY BOARD OF SUPERVISORS

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Palsma, Kurtus	Secondary Roads	7-21-23	Temporary Engineering Aide			S	End of Temporary Work.
Murray, Michael	County Sheriff	7-24-23	P/T Courthouse Safety & Security Officer	\$21.65/hour	5.5%= \$1.13/hour	R	Per Wage Plan comparability with AFSCME Courthouse Contract, from Grade 3/Step 3 to Grade 3/Step 4.
Juarez, Carlos	County Sheriff	7-24-23	Civilian Jailer	\$23.97/hour		A	Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.97/hour.
Mireles, Israel	County Sheriff	7-24-23	Civilian Jailer	\$23.97/hour		A	Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.97/hour.
Newton, Jackson	County Sheriff	7-24-23	Civilian Jailer	\$23.97/hour		A	Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.97/hour.
Perez, Jose	County Sheriff	7-24-23	Civilian Jailer	\$23.97/hour		A	Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.97/hour.
Clark, Lacey	County Sheriff	7-25-23	Civilian Jailer	\$23.97/hour		A	Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.97/hour.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas HR Director

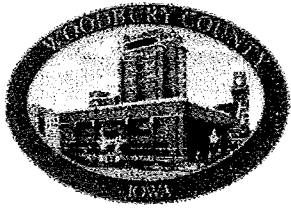
**HUMAN RESOURCES DEPARTMENT
WOODBURY COUNTY, IOWA**

DATE: July 18, 2023

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
Secondary Roads	Equipment Operator	CWA: \$26.63/hour		

Chairman, Board of Supervisors



Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER
Mark J. Nahra, P.E.
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@sioux-city.org

SECRETARY
Tish Brice
tbrice@sioux-city.org

To: Board of Supervisors
Human Resources Department

From: Mark Nahra, Woodbury County Engineer

Date: July 6, 2023

Subject: Correctionville District Staff Level – Tim McCormick promotion

With the promotion of Tim McCormick, an equipment operator position is vacant in our District 3 unit at Correctionville. This will leave the district shorthanded if the vacancy is not filled. I would like to start the hiring process immediately to minimize the time we will be shorthanded in this district.

RECOMMENDATION: It is my recommendation that we fill the vacant equipment operator position created by the promotion of Tim McCormick immediately. Thank you for your attention.

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 2023-07-11

Weekly Agenda Date: 2023-07-18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Ryan M Weber

WORDING FOR AGENDA ITEM:

Approval contract amendment with Nebraska Probation.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Requesting approval to amend contract with Nebraska probation which includes a rate change from \$156 per day to \$200 per day.

BACKGROUND:

Juvenile Detention contracts out available beds to other states and counties when not in use.

FINANCIAL IMPACT:

Adjustment of \$44 a day.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

It is my recommendation that the contract be approved.

ACTION REQUIRED / PROPOSED MOTION:

Approval of contract by board and signed by board chairman.

SERVICE CONTRACT – (93679-04)
WOODBURY COUNTY JUVENILE DETENTION CENTER
AMENDMENT TWO

This Amendment is entered into by and between the Administrative Office of the Courts & Probation (hereinafter “Probation”) and Woodbury County Juvenile Detention Center (hereinafter “Detention Center”).

Purpose: to increase the service rate effective July 1, 2023.

The Contract for Detention Services between the parties dated January 26, 2021 is hereby amended as follows:

Section B. PAYMENT, ARTICLE 2. subsection b. is hereby amended to read:

- b. In consideration of the Detention Center’s provision of the Services described herein, effective July 1, 2023, Probation shall pay detention costs to Detention Center in the sum of \$200.00 (two-hundred dollars) per Juvenile for each day.
 - i. Probation will begin to incur costs on the date of admission and for each subsequent night the juvenile is detained. Probation shall not be billed for the last day of Service.
 - ii. The parties agree that over the remaining life of the agreement, any future rate increases as determined by Probation and appropriated by Nebraska Legislature may be presumptively agreed to and authorized by Detention Center upon written notice to Detention Center and its Governing Board, so long as no other term or condition of this agreement is consequently, contingently, or otherwise altered.

All other terms and conditions remain in full force and effect.

IN WITNESS THEREOF, the parties have duly executed this Amendment hereto, and each party acknowledges the receipt of a duly executed copy of this Amendment.

**ADMINISTRATIVE OFFICE
OF THE COURTS & PROBATION**

**WOODBURY COUNTY JUVENILE
DETENTION CENTER**

Jeanne K. Brandner
Deputy Administrator

Ryan M. Weber
Director

Date

Date

Deb Minardi
State Probation Administrator

Matthew Ung, Chairman
Woodbury County Board of
Supervisors

Date

Date

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA:
RESOLUTION # _____**

WHEREAS, Woodbury County has a renewed interest in seeing our county grow for the benefit of families, residents, and future generations. In short, we want to grow the right way as stewards of the land entrusted to us from our forebearers and leave our county an even better place to work, live and raise a family for future generations; and

WHEREAS, During the past five years, the county has been confronted by several energy ideas that often seem shortsighted, trading short-term gain for the long-term pain that could degrade the land, safety, private property rights, quality of life, and the true economic growth; and

THEREFORE, Woodbury County supports:

- Economical and dependable forms of energy that have helped historically build America such as coal and natural gas and urges technologies that improve environmental stewardship and are not dependent on weather which has proven to cause shortages when needed most.
- Recognizing the long-term sustainability of coal-fired electricity and the jobs necessary to support it at Port Neal.
- Cost-effective energy rather than those that purport to be cost-effective but instead heavily subsidized with reliance on federal and state government program, which in reality are taxpayer dollars that “pick winners and losers.”
- Mindfulness for landowners and families who reside on the land over and above the interests of out-of-state companies and absentee landowners whose projects may negatively affect the quality of life and future economic prosperity.
- An absolute right for private property land rights with a rejection of the use of eminent domain to force landowners to place pipelines, turbines, solar panels, or any other energy commodity of their land against their will and consent.
- A commitment to land use that does not take productive ground out of agricultural production at a time when young farmers and true economic development needs a place to grow.
- Free-market capitalism and market-driven technologies that from a taxation standpoint do not rely on abatements, incentives, credits, and other advantages over and above other industries.
- The safety of citizens and families not subjecting residents to harm.
- Technologies that truly steward the environment but not from supposed “green energy” that comes from China, is not biodegradable, is not founded on research/science, and does not meet a “common sense” threshold.
- Energy industries that steward the land and do not degrade the soil in such ways as erosion, compaction, water quality, and wildlife ecosystems and preserve our most valuable natural resource-the land- for future generations.

SO DATED this 18th day of July, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Matthew A. Ung, Chairman

Jeremy J. Taylor, Member

Daniel A. Bittinger II, Member

Keith W. Radig, Member

Mark E. Nelson, Member

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 7/06/2023 Weekly Agenda Date: 7/18/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Kenny Schmitz / LEC Authority

WORDING FOR AGENDA ITEM:

Woodbury County Justice Center- Building Services Facility Information

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Board Requested information & further discussion relating to both standard & scaled down design versions of a Building Services Facility at Justice Center Location.

BACKGROUND:

During the June 27th Board of Supervisors Meeting Building Services, Goldberg Group Architects, & Baker Group discussed an informational item relating to the Justice Center, more specifically providing information relating to a Building Services Facility design as part of contract deliverables from GGA to the Woodbury County LEC Authority.

FINANCIAL IMPACT:

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

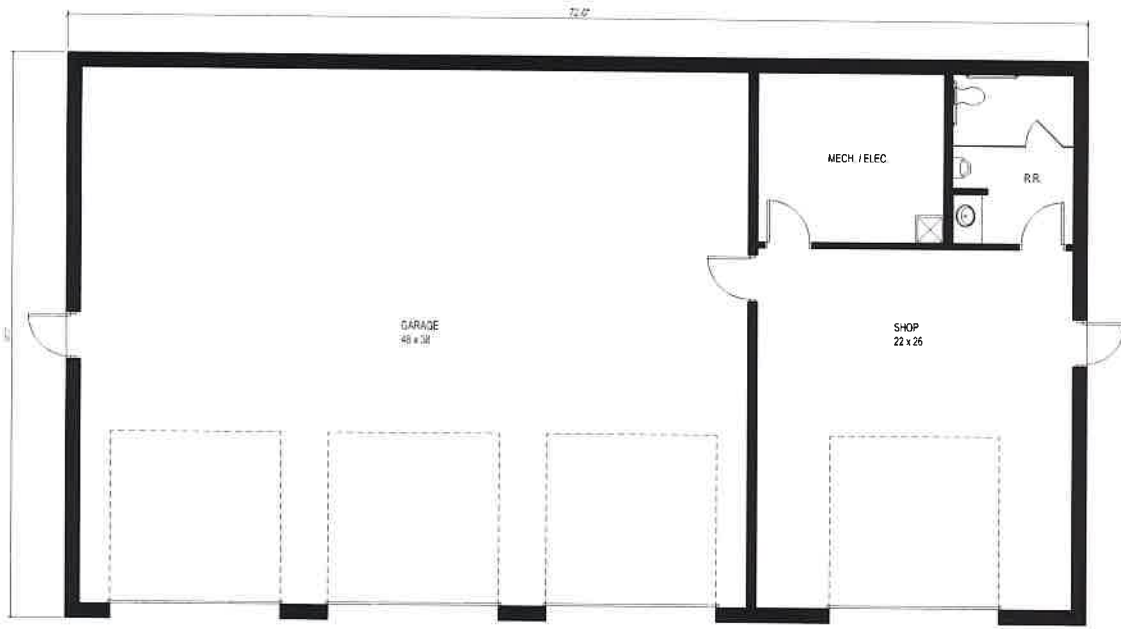
RECOMMENDATION:

Information

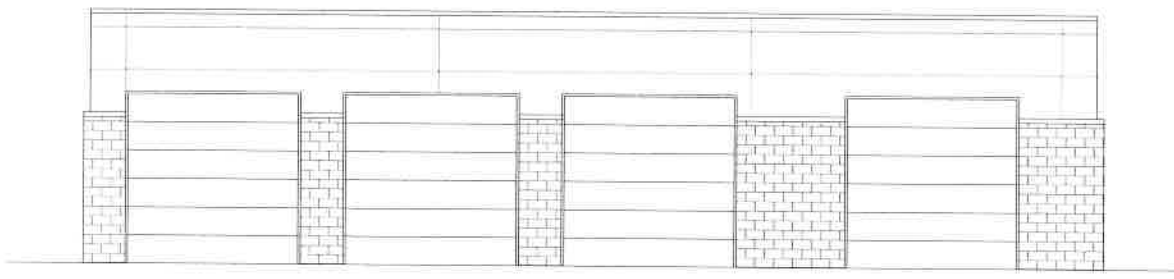
ACTION REQUIRED / PROPOSED MOTION:

Information

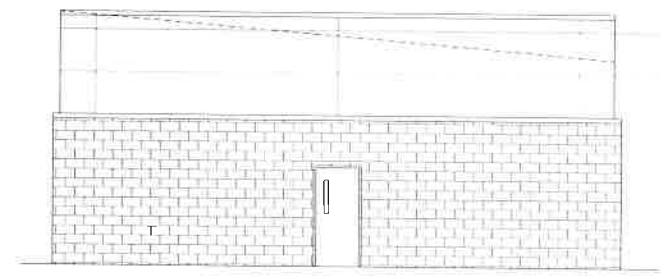
DRAFT



1 MAIN FLOOR PLAN
1/4" = 1'-0"



2 EXTERIOR ELEVATION
1/4" = 1'-0"



3 EXTERIOR ELEVATION
1/4" = 1'-0"

06.28.2023
SCHEMATIC 1.02
FLOOR PLANS

WOODBURY CO. BUILDING SERVICES
28th STREET



110 Riverway Street, Suite 3100, St. Louis, MO 63103, (314) 431-1100

DRAFT



1 MAIN FLOOR PLAN
3/17/23

03.24.2023
SCHEMATIC 1.01
FLOOR PLANS

WOODBURY CO. BUILDING SERVICES
28th STREET

