



## NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS (JULY 9) (WEEK 28 OF 2024)

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

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held July 9, 2024, 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.

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### **AGENDA**

**4:00 p.m.** Closed Session General Relief Appeal Hearing for A.R. {Iowa Code Section 21.5(1)(a)}  
**First Floor Boardroom**

**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 6 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 2, 2024 meeting
3. Approval of claims
4. Human Resources – Melissa Thomas
  - a. Approval of Memorandum of Personnel Transactions
  - b. Authorization to Initiate Hiring Process

5. Board of Supervisors  
Approval to cancel the July 23, 2024 board meeting
6. County Auditor – Patrick Gill  
Receive County Recorder’s Report of Fees Collected

### **End Consent Agenda**

7. Secondary Road – Mark Nahra  
Receive bids for project number L-B(J178)—73-97 and return them to the county engineer for review Action
8. Board of Supervisors – Jeremy Taylor & Daniel Bittinger  
Authorization to sign letter from the Board of Supervisors to the legislature petitioning for the allowance of an ordinance abating taxes for surviving family members of fallen hero first responders and law enforcement in order to pass new county tax policy Action
9. Board of Supervisors – Matthew Ung & Daniel Bittinger  
Discussion regarding Woodbury County’s options going forward after SF 2442 (Division V) dissolved all county compensation boards and introduced new powers and requirements Information
10. Reports on Committee Meetings Information
11. Citizen Concerns Information
12. Board Concerns Information

### **ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

<b>WED., JUL 10</b>	<b>7:30 a.m.</b>	SIMPCO Executive-Finance Committee - Hybrid
	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>10:00 a.m.</b>	STARComm Board Meeting, The Security Institute, WIT Campus
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.
	<b>6:30 p.m.</b>	911 Service Board Meeting, Public Safety Center, Climbing Hill
<b>THU., JUL 11</b>	<b>12:00 p.m.</b>	SIMPCO Board of Directors, 6401 Gordon Drive
	<b>4:00 p.m.</b>	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
<b>WED., JUL 17</b>	<b>12:00 p.m.</b>	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
<b>THU., JUL 18</b>	<b>10:00 a.m.</b>	StarComm, Security Institute, WIT
	<b>4:30 p.m.</b>	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
<b>FRI., JUL 19</b>	<b>12:00 p.m.</b>	Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.
<b>MON., JUL 22</b>	<b>6:00 p.m.</b>	Zoning Commission Meeting, Courthouse Basement Boardroom
<b>WED., JUL 24</b>	<b>2:30 p.m.</b>	Rolling Hills Community Services Region Governance Board Meeting
<b>THU., JUL 25</b>	<b>11:00 a.m.</b>	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 6401 Gordan
<b>MON., AUG 5</b>	<b>6:00 p.m.</b>	Board of Adjustment meeting, Courthouse Basement Boardroom
<b>WED., AUG 7</b>	<b>11:00 a.m.</b>	Loess Hills Alliance Stewardship Meeting, Pisgah, Iowa
	<b>1:00 p.m.</b>	Loess Hills Alliance Executive Meeting
	<b>4:45 p.m.</b>	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
<b>THU., AUG 8</b>	<b>4:00 p.m.</b>	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
<b>WED., AUG 14</b>	<b>7:30 a.m.</b>	SIMPCO Executive-Finance Committee Meeting, 6401 Gordan
	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.

**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 2, 2024, TWENTY-SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, July 2, 2024, at 3:00 p.m. Board members present were Ung, Nelson, Taylor, Radig and Bittinger II. Staff members present were Heather Satterwhite-Van Sickle, Executive Secretary/Public Bidder, Melissa Thomas, Human Resources Director, and Patrick Gill, Auditor/Clerk to the Board.

Motion by Ung second by Bittinger to go into closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll-call vote.

Radig entered the meeting at 3:16 pm.

Radig left the meeting at 3:37 pm.

Motion by Taylor second by Ung to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll-call vote.

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 agenda for July 2, 2024. Carried 5-0. Copy filed.

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

2. To approve minutes of the June 25, 2024, meeting. Copy filed.
3. To approve the claims totaling \$416,475.88. Copy filed.
- 4a. To approve the property tax refund request for J & K Real Estate, parcel #884206101011, in the amount of \$468.83. Copy filed.
- 4b. To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Wade Anthony Sulsberger, Vin #874432300901.

### **WOODBURY COUNTY, IOWA RESOLUTION #13,779 RESOLUTION APPROVING ABATEMENT OF TAXES**

**WHEREAS**, Wade Anthony Sulsberger is the titleholder of a mobile home

VIN #874432300901 located in Woodbury County, Iowa and legally described as follows:

**VIN #874432300901 Year/Model** B/LL 1980 Colt

**WHEREAS**, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Wade Anthony Sulsberger.

**WHEREAS**, these taxes are uncollectable or impractical to pursue collection through personal judgement or tax sale.

**WHEREAS**, the Board of Supervisors sees that good cause exists for the abatement of these taxes and;

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above mobile home according to Code of Iowa, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

**SO RESOLVED** this 2<sup>nd</sup> day of July, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

5. To receive the appointment of Hunter Folsom, 2931 Merville Blacktop, Hornick, as Willow Township Trustee, previously held by Deb Sulsburger, until the next regular/general election. Copy filed.
  6. To approve the items to be auctioned per Personal Property Disposition Policy. Copy filed.
  - 7a. To approve an application for a 14-day Class C Retail Alcohol License, with Outdoor Service Sales privileges, for Woodbury County Fair, Merville, effective 07/29/24 through 08/11/24. Copy filed.
  - 7b. To approve an application for a 1-year Cigarette/Tobacco Sales Permit for Heritage Express, Sloan, effective 07/01/24 through 06/30/25. Copy filed.
  8. To approve the appointment of Scott Herbold, 423 E Main St., Lawton, and Deborah Weaver, 1927 Rock Branch Rd., Anthon, to the Woodbury County Library Board of Trustees. Copy filed.
  - 9a. To approve the reclassification of Trevor Brass, Assistant County Attorney, County Attorney Dept., effective 7-8-24, \$95,024.00/year, 4%=\$3,992.00/yr. Per AFSCME: From 5<sup>th</sup> Step to 6<sup>th</sup> Step. Anniversary Date 7/15/24.; the reclassification of Emily Greer, Civilian Jailer, County Sheriff Dept., effective 7-8-24, \$25.57/hour, 4%=\$1.00/hr. Per CWA: From 3<sup>rd</sup> Class to 2<sup>nd</sup> Class. Anniversary Date 7/12/24.; the reclassification of Jon Mouw, Maintenance Technician, Building Services Dept., effective 7-8-24, \$27.16/hour, 10%=\$2.53/hr. Per AFSCME: From Step 4 to Step 5 (+.50/hr. Asbestos Certification). Anniversary Date 7/12/24.; and the separation of Andrew McCain, Civilian Jailer, County Sheriff Dept., effective 7-4-24. Separation. Copy filed.
  - 9b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Civilian Jailer, County Sheriff Dept. CWA Civilian: \$24.57/hour. Copy filed.
- Carried 5-0.
10. Motion by Radig second by Taylor to approve a 7.9% increase to the FY25 biweekly rate for sheriff's office employee in the position of Lieutenant/Office Manager effective June 24th, 2024. Carried 5-0. Copy filed.
  11. A public hearing was held at 4:35 p.m. for the sale of parcel #894824477010, 3101 Edmunds Ave. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of parcel #894824477010, 3101 Edmunds Ave., to Robert Bradham, 1625 110<sup>th</sup> St. Sioux City, for \$4,000.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF WOODBURY COUNTY, IOWA  
RESOLUTION #13,780**

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

**By Robert L. Bradham** \_\_\_\_\_ in the sum of **Four Thousand and 00/100 (\$4,000.00)**-----  
-----dollars.

For the following described real estate, To Wit:

**Parcel #894824477010**

**Lots 13 (Thirteen), 14 (Fourteen), 15 (Fifteen), 16 (Sixteen) and 17 (Seventeen) in Block 8 (Eight) of Highland Park Addition to City of Sioux City, Woodbury County, Iowa (3101 Edmunds Ave)**

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 2<sup>nd</sup> Day of July, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

12. Motion by Radig second by Nelson to approve 1 additional hour of paid time off for employees of Secondary Roads and Emergency Services, for use only on July 3, 2024, in appreciation of the extraordinary assistance to county citizens during the flooding disaster. Carried 5-0. Copy filed.
- 13a. Motion by Taylor second by Radig to receive for signatures a Resolution to waive County fees associated with repair and redevelopment of Flood-Damaged Property in unincorporated area. Carried 5-0.

**WOODBURY COUNTY, IOWA**  
**RESOLUTIN #13,781**  
**RESOLUTION TO WAIVE COUNTY FEES ASSOCIATED WITH**  
**REPAIR AND REDEVELOPMENT OF FLOOD-DAMAGED PROPERTY**

**WHEREAS**, Woodbury County suffered from a county-wide flooding event that occurred on June 21, 2024, causing severe damage to public and private property, disruption of utility service, and endangerment of health and safety to the citizens of Woodbury County within the disaster area; and

**WHEREAS**, the Woodbury County Board of Supervisors declared a state of emergency on June 24, 2024, as authorized under Iowa State Statute; and

**WHEREAS**, all repair and redevelopment within the Special Flood Hazard Area (floodplain) must be completed to the standards of the county's floodplain management ordinance; and

**WHEREAS**, a permit is needed for each building in the regulated floodplain where repairs will involve removing, altering or replacing the roof, walls, siding, wallboard, plaster, insulation, paneling, cabinets, flooring, electrical system, plumbing, heating and/or air conditioning; and

**WHEREAS**, the requirement for a permit cannot be waived, the Board of Supervisors may opt to waive the fees normally associated with a floodplain development permit in the unincorporated areas; and

**IT IS HEREBY RESOLVED** by the Board of Supervisors of Woodbury County, Iowa, as follows:

1. The Woodbury County Board of Supervisors fully support the repair and redevelopment of property damaged by the June 21, 2024 flood event.
2. The Woodbury County Community and Economic Development (Planning and Zoning) department is hereby authorized to waive the \$110 fee for any unincorporated area county resident that has been affected by the June 21, 2024 flood event and are required to obtain a county floodplain development permit.

**SO RESOLVED** this 2<sup>nd</sup> day of July, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 13b. Motion by Radig second by Taylor to receive the final report and the Zoning Commission's recommendation from their 6/24/24 meeting to approve the final plat of Second Chance Addition, a minor subdivision to Woodbury County, Iowa. Carried 5-0. Copy filed.
- 13c. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution accepting Second Chance Addition, a minor subdivision to Woodbury County, Iowa. Carried 5-0.

**BOARD OF SUPERVISORS  
RESOLUTION #13,782  
ACCEPTING AND APPROVING SECOND CHANCE ADDITION  
A MINOR SUBDIVISION  
WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNER AND PROPRIETOR DID ON

THE 24<sup>TH</sup> DAY OF JUNE, 2024 FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS SECOND CHANCE ADDITION, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT SECOND CHANCE ADDITION, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRPERSON AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNER AND PROPRIETOR A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 2<sup>ND</sup> DAY OF JULY, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

14. Motion by Radig second by Ung to direct the Zoning Commission to look at the zoning of nuclear energy. Carried 5-0. Copy filed.
15. Reports on committee meetings were heard.
16. Kevin Nelson, Salix, gave the Board an update on the progress of a drainage district being proposed for the City of Salix. Doyle Turner, Merville, commented on various issues affecting Woodbury County.
17. Board concerns were heard.

The Board adjourned the regular meeting until July 9, 2024.

Meeting sign in sheet. Copy filed.

# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

**DATE:** July 9th, 2024

**\* PERSONNEL ACTION CODE:**

A - Appointment

T - Transfer

P - Promotion

D - Demotion

R-Reclassification

E- End of Probation

S - Separation

O – Other

**TO: WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Farris, Marquesha	Juvenile Detention	6-29-2024	Youth Worker			S	Resignation
Montino, Michael	Emergency Management	7-8-2024	Coordinator	\$85,000/year	13%=\$9,551.00 /Year	O	Salary Increase Per Emergency Management Commission. Anniversary Date: 7/20/2024
Marksbury, Colin	Sheriff's Office	7-15-2024	Civilian Jailer	\$24.57/hour		A	Job Vacancy Posted on 5/29/2024. Entry Level Salary: \$24.57/hour.
Sopoci, Heather	Sheriff's Office	7-15-2024	Civilian Jailer	\$24.57/hour		A	Job Vacancy Posted on 5/29/2024. Entry Level Salary: \$24.57/hour.
Ping, Valerie	Treasurer-MV	7-19-2024	% Deputy			S	Retirement

**APPROVED BY BOARD DATE:** \_\_\_\_\_

**MELISSA THOMAS, HR DIRECTOR:** \_\_\_\_\_

**HUMAN RESOURCES DEPARTMENT  
WOODBURY COUNTY, IOWA**

**DATE: July 9th, 2024**

**AUTHORIZATION TO INITIATE HIRING PROCESS**

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
Juvenile Detention	Youth Worker - PT	AFSCME Juvenile: \$22.05/hour		

\_\_\_\_\_  
Chairman, Board of Supervisors

**COUNTY RECORDER'S REPORT OF FEES COLLECTED**  
(See Chapter 342, Code)

State of IOWA ) SS:  
County of WOODBURY )

To the Board of Supervisors of WOODBURY County:

I, DIANE SWOBODA PETERSON, Real Estate/Recorder Deputy of the above-named County and State, do hereby certify that the following is a true and correct statement of the fees collected by me in my office for the period of 4/01/2024 through 6/30/2024 and the same has been paid to the County Treasurer.

	<b>Fees Collected</b>
R.E. Transfer Tax State-Monthly	66,636.26
County Share R.E. Transfer Tax—Quarterly	35,574.19
Recording of Instruments—Quarterly	79,540.00
Auditor's Transfer Fee—Quarterly	5,980.00
Records Management Fees—Quarterly	3,301.00
Elec Tran Fee State Untransferred (Quarterly)	3,301.00
Copy Money-Quarterly	310.50
Vitals Stats State-Monthly	9,153.00
Vitals Stats County-Quarterly	8,824.00
Accts. Receivable Payment-Quarterly	7,873.00
Transfer to Checking Account	0
Previous Qtr. Acct. Receivable Balance	(3,819.00)
Bad Check Adjustment—Quarterly	0
Recorder Over/Short—Quarterly	92.00
Vitals Over/Short—Quarterly	0
Refunds--Quarterly	54.00
Adjustment—Quarterly	7.00
<b>Total</b>	<b>216,826.95</b>

All of which is respectfully submitted.

  
DIANE SWOBODA PETERSON Real Estate/Recorder Deputy

Subscribed and sworn to before me by DIANE SWOBODA PETERSON, Woodbury County Real Estate/Recorder Deputy this 3 day of July, 2024.

  
PATRICK F. GILL County Auditor

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

Date: 07/03/2024 Weekly Agenda Date: 07/09/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Receive bids for project number L-B(J178)--73-97

**ACTION REQUIRED:**

Approve Ordinance ☐

Approve Resolution ☐

Approve Motion ☒

Public Hearing ☐

Other: Informational ☐

Attachments ☒

**EXECUTIVE SUMMARY:**

Plans have been completed for a bridge replacement project on Jewell Ave., between 170th St. and 180th St. Bids are due at the Board meeting on 07/09/2023

**BACKGROUND:**

The project will replace a bridge with a 90' continuous concrete slab bridge. The bridge currently has a load rating of 3 tons.

**FINANCIAL IMPACT:**

The projects are paid for with Woodbury County local funds .

**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:**

I recommend that the Board receive the bids for project L-B(J178)--73-97 and return them to the county engineer for review.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive bids for project number L-B(J178)--73-97 and return them to the county engineer for review.

## NOTICE TO BIDDERS

1. Sealed bids will be received by the Office of Public Bidding, Woodbury County Board of Supervisors at their office located at 620 Douglas St. Sioux City Iowa, until **4:00** o'clock, PM, CDST on **July 8,** 20**24** for the various items of construction work listed below.

2. A Certified check made payable to the County, or a Cashier's check made payable to either the County or to the contractor, drawn upon a solvent bank or a bid bond, shall be filed with each proposal in an amount as set forth in the proposal form. Cashier's check, made payable to the contractor, shall contain an unqualified endorsement to the County signed by the contractor or his/her authorized agent. Failure to execute a contract and file an acceptable bond and certificate of insurance within 30 days of the date of the approval for awarding of the contract, as herein provided, will be just and sufficient cause for the denial of the award and the forfeiture or the proposal guarantee.

3. Plans, specifications and proposal forms for the work may be seen and may be secured at the office of the County Engineer.

4. All proposals must be filed on the forms furnished by the County, scaled and plainly marked. Proposals containing any reservations not provided for in the forms furnished may be rejected, and the County Board reserves the right to waive technicalities and to reject any or all bids.

5. Attention of bidders is directed to the Special Provisions covering the qualifications of bidders and subletting or assigning of the contract.

6. As a condition precedent to being furnished proposal forms, a prospective bidder must be on the current Iowa Department of Transportation list of qualified bidders; except that this requirement will not apply when bids are received solely for materials, supplies, or equipment.

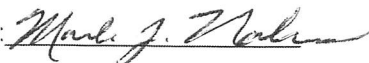
### Project: L-B(J178)—73-97

1. Clearing and Grubbing	Acre	0.20
2. Excavation Class 10 Roadway & Borrow	CY	111
3. Excavation Class 10 Channel	CY	1,058
4. Granular Surfacing on Road, Crushed Concrete	Ton	186
5. Removal of Existing Bridge	LS	1
6. Excavation, Class 20	CY	643
7. Structural Concrete (Bridge)	CY	200.1
8. Reinforcing Steel	LB	102
9. Reinforcing Steel Epoxy Coated	LB	58,841
10. Concrete Open Railing, TL-4	LF	202.2
11. Culvert CMP 24" Dia.	LF	236
12. Piles, Steel, HP 10x42	LF	1.825
13. Concrete Encasement of Steel H piles HP 10 X 42(P10L)	LF	376
14. Steel Beam Guardrail Barrier Transition Section, BA-221	Each	4
15. Steel Beam Guardrail End Anchor, Bolted	Each	4
16. Steel Beam Guardrail Tangent End Terminal, BA-225	Each	4
17. Engineering Fabric	SY	635
18. Revetment, Class E	Ton	730
19. Safety Closure	Each	2
20. Traffic Control	LS	1
21. Mobilization	LS	1
22. Corrugated Metal Pipe Drop Inlet	Each	2
23. Removal of Car Bodies in Stream Bank	LS	2
24. Mulching	Acre	0.50
25. Seeding and Fertilizing (Rural)	Acre	0.50

Required Proposal Guarantee: \$37,500.00

The Iowa Department of Transportation Standard Specification, Highway Division Series of 2015, Plus all Current supplemental specification and special provisions to date shall apply to all work on this project.

July 9, 2024 Board of Supervisors of Woodbury County

By: 

Mark J. Nahra P.E. - County Engineer

# BIDDING PROPOSAL

Proposal ID No. \_\_\_\_\_

Bid Order No. \_\_\_\_\_

Type of Work **Bridge Replacement**

Project No. **L-B(J178)--73-97**

System **Local** Miles **0.10**

County **Woodbury**

Location and Description **Bridge replacement on Jewell Ave. South of 170<sup>th</sup> St. over Wolf Creek**

Proposal of \_\_\_\_\_

Name of Bidder

Street Address

City

State

Zip Code

The bidder hereby certifies that no other principal is involved in or has an interest in this proposal; that the bidder has thoroughly examined the plans and specifications and this contract form and is aware of the special provisions contained herein, that the bidder has examined the site of the work and understands that the quantities of work required by the plans and specifications are approximate only and are subject to increases and decreases- that the bidder understands that all quantities of work actually required must be performed and that payment therefore shall be at the unit prices stipulated herein- that the bidder proposes to timely furnish the specified materials in the quantities required and to furnish the machinery, equipment labor and expertise necessary to competently complete this project by the time specified, that no state or county official or employee has a direct or indirect interest in the contract which would cause violation of Section 314.2 Code of Iowa; that the bidder has made no agreement with any supplier of motor fuel or special fuel which will result in a violation of Section 324.17(8) Code of Iowa.

If this bid is accepted Bidder agrees: to perform all "extra work" required to complete the project at unit prices or lump sums to be agreed upon in writing prior to commencement of such "extra work" or if prior agreement cannot be reached to perform the work on a "force-account basis" as provided in the specifications, to execute the format contract within thirty days of the date of approval, for award or to forfeit the proposal guaranty furnished herewith; to begin work in accordance with the contract documents and to either complete the work within the contract period or pay liquidated damages which shall accrue at the daily rate specified below for each additional working day the work remains uncompleted furnish a performance bond in an amount equal to the contract award as security for the full and complete performance of the contract in accordance with the plans and specifications.

Group or Division No.	Amount of Proposal Guaranty	Construction Period	Working Days	Liquidated Damages Per Day
	<b>\$37,500.00</b>	<b>Late Start Date: April 1, 2025</b>	<b>90</b>	<b>\$1,000.00</b>

Enclosed herewith is a certified check credit union share draft Cashier's check, bank draft on a solvent bank or a bid bond in the penal sum shown in the contract document as a proposal guaranty. It is understood by bidder that the said guaranty document shall be retained by the Iowa Department of Transportation as a forfeiture in the event the formal contract is not executed or performance bond is not furnished if the award is made to the undersigned.

By virtue of statutory authority preference will be given to products and provisions grown and coal produced within the state of Iowa where applicable.

DBE Goal: \_\_\_\_\_

TIE Information: \_\_\_\_\_

Minimum Wages: \_\_\_\_\_

Signatures are to be by authorized agent: If joint venture, each should sign.

Signed \_\_\_\_\_

Date of Letting: **July 9, 2024**

**Time: 4:45 PM CST**

Line No. Item No.	Item on which bid is based. Bidder shall show unit price and extension for each item and total for each group	Quantity and Units	Unit Price		Amount	
			Dollars X.XXX.XXX	Cents XXXX	Dollars Xx.XXX.XXX	Cents XX
1	Clearing and Grubbing	0.20 Acre				
2	Excavation Class 10 Roadway	111 CY				
3	Excavation Class 10 Channel	1058 CY				
4	Granular Surfacing on Road					
	Crushed Concrete	186 CY				
5	Removal of Existing Bridge	1 LS				
6	Excavation, Class 20	643 CY				
7	Structural Concrete (Bridge)	200.1 CY				
8	Reinforcing Steel	102 LB				
9	Reinforcing Steel Epoxy Coat	58,841 LB				
10	Concrete Open Railing, TL-4	202.2 LF				
11	Culvert CMP 24"	236 LF				
12	Piles Steel HP 10 X 42	1825 LF				
13	Concrete Encasement of Steel					
	H Piles HP 10 X 42 (P10L) 3	376 LF				
14	Steel Beam Guardrail Barrier					
	Transition Section, BA-221	4 EACH				
15	Steel Beam Guardrail End					
	Anchor Bolted	4 Each				
16	Steel Beam Guardrail Tangent					
	End Terminal, BA-225	4 Each				
17	Engineering Fabric	635 SY				
18	Revetment, Class E	730 TON				
19	Safety Closure	2 EACH				
20	Traffic Control	1 LS				
21	Mobilization	1 LS				
22	Corugated Metal PipeDrop					
	Inlet 30" on 24"	2 EACH				
23	Removal of Car Bodies in					
	Stream Bank	1 LS				
24	Mulching	0.50 Acre				
25	Seeding and Fertilizing (Rural)	0.50 Acre				
		TOTAL =				

## Supplemental Provisions

Project No. L-B(J178)—73-97

Date of Letting: July 9, 2024

- #101 Woodbury County will issue Tax Exemption Certificates to successful bidder.
- #102 Unit bids shall be typed or shown in ink or the bid may be rejected.
- #103 The County Board of Supervisors reserves the right to evaluate each bid and award a contract which in their judgement will best serve the interest of the County.
- #104 Free winter work will be allowed on the project the winter of 2024/2025.
- #105 **Bids are due in the Office of Public Bidding by 4:00 PM CDST on July 8, 2024.**  
The office is located in the Woodbury County Board of Supervisors Office, 1<sup>st</sup> Floor of the Woodbury County Court House. The Court House is located at 620 Douglas Street Sioux City, Iowa 51101

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

Date: 7/1/2024

Weekly Agenda Date: 7/9/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Supervisors J. Taylor/D. Bittinger

**WORDING FOR AGENDA ITEM:**

Authorization to Sign Letter from the Board of Supervisors to the Legislature Petitioning for the Allowance of an Ordinance Abating Taxes for Surviving Family Members of Fallen Hero First Responders and Law Enforcement in Order to Pass New County Tax Policy

**ACTION REQUIRED:**

Approve Ordinance ☐

Approve Resolution ☐

Approve Motion ☒

Public Hearing ☐

Other: Informational ☐

Attachments ☐

**EXECUTIVE SUMMARY:**

Purpose: To ease the burden and honor the sacrifice of first responders and law enforcement who give their lives in the line of duty, Woodbury County can help through tax policy its citizens who are surviving spouses and direct beneficiaries of fallen heroes. They have by their sacrifice left behind family members (similar in the military to Gold Star families). They deserve every consideration of how we can make life less burdensome and support them.

Message: Doing so not only sends the right message but it has a practical effect on knowing from a taxation standpoint that we stand by those family members who will continue to sacrifice for the rest of their lives.

Policy: This is a property tax abatement but because enabling language is required by Iowa Code, and one does not yet exist for such a purpose, Woodbury County can pass the attached letter to our legislative representatives and key leaders in the Iowa House, Iowa Senate, and the Governor's office. Doing so will pave the way in 2025 to pass this important provision.

**BACKGROUND:**

Legal Considerations: Back in February of this year, I (J. Taylor) had conversations with Treasurer Tina Bertrand and Assistant County Attorney Joshua Widman. Both concurred that there is not enabling language in Iowa Code that would allow a county to enact such an annual abatement of property taxes. Treasurer Bertrand has several ideas about how this could be carried out. Now that we are beyond the budget, we would like to petition the Legislature for the upcoming session to allow us to do this. We cannot imagine why/how it would be resisted as we are simply asking for permission to do this.

This does not cost the State of Iowa any money. We are simply asking for enabling legislation that would allow us such an ordinance and believe that other counties may very well adopt similar provisions. This mirrors what Woodbury County did in being "ahead of the curve" for extending insurance to the families of fallen hero law enforcement and first responders after hearing and ultimately working with the spouse of a Rockwell City fallen hero whose family as a result of the sacrifice lost insurance coverage.

In exploring this issue for family members of the military, we learned as liaisons to Veteran Affairs that there is already a provision in Iowa that allows for Dependent Indemnity whereby a surviving family member can show a form to the County Tax Assessor showing a certificate of death in the line of duty. However, in speaking to Sheriff Sheehan, he was unaware through his research that any such provision covered law enforcement or first responders.

The next step would be to pass the attached letter and request letters of support from Sheriff Sheehan and Treasurer Bertrand both of whom had positive response to such an initiative. While the contemplated policy is not yet before us, the parameters below should help in fleshing out what kind of policy is looking to be crafted and what it is that we are asking of the Legislature.

(see below under "Financial Impact")

I have met with State Senator Kevin Alons and State Representative Bob Henderson both of whom are interested in helping to potentially draft concurrent bills through LSA.

**FINANCIAL IMPACT:**

- Petitioner must be the surviving immediate family member (spouse) of law enforcement or first responder (fire, EMT/EMS).
- Along with application the petitioner must provide verification from County/City Human Resource Office that the death of the fallen spouse incurred as a direct causation of actions taken in the "line of duty."
- Such legislation would enable but not mandate that a county, municipality, school district, township enact an ordinance abating property taxes upon application of the petitioner for the following fiscal year upon receipt of the application.
- Abatement can be from multiple entities but the enactment of such an ordinance by one taxing body does not bind nor obligate any other.
- Such abatement expires upon sale of the property and is not transferable.
- This is intended for the primary residence of the sole surviving spouse and family and cannot be applied to a business entity.

**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:**

Approve the letter from the Board of Supervisors to key State House / Senate members as well as the Governor's office petitioning a change in Iowa Code to allow for enabling tax language in order to abate the property taxes of fallen hero law enforcement and first responders who fall in the line of duty (see attached letter).

**ACTION REQUIRED / PROPOSED MOTION:**

Approve the letter from the Board of Supervisors to key State House / Senate members as well as the Governor's office petitioning a change in Iowa Code to allow for enabling tax language in order to abate the property taxes of fallen hero law enforcement and first responders who fall in the line of duty (see attached letter).

July 10, 2024

Dear Honorable Representative \_\_\_\_\_,

The Woodbury County Board of Supervisors passed a motion on July 9, 2024 requesting your assistance in a change to Iowa Code which would enable a tax ordinance that would allow us to abate the property taxes upon application for the surviving spouse direct beneficiary of a member of our law enforcement or first responder community who falls in the “line of duty.” As you know, we cannot offer an abatement or refund of property taxes except by enabling legislation.

While we learned that military member “Gold Star” families laudably have such a provision, we believe that this should likewise extend to those who have made the ultimate sacrifice in upholding the law and keeping us safe and yet by that sacrifice have left family members behind. Those families have sacrificed enough, and we ask for your help to allow counties like ours (and perhaps other who choose to pass such an ordinance) to do so. This allows mirrors what our county and the State of Iowa eventually did on extending health insurance to surviving spouses and family members of fallen heroes.

Here is why we believe that you will find this easily supportable:

- Petitioner must be the surviving immediate family member (spouse) of law enforcement or first responder (fire, EMT/EMS).
- Along with application the petitioner must provide verification from County/City Human Resource Office that the death of the fallen spouse incurred as a direct causation of actions taken in the “line of duty.”
- Such legislation would **enable** but not mandate that a county, municipality, school district, township enact an ordinance abating property taxes upon application of the petitioner for the following fiscal year upon receipt of the application.
- Abatement can be from multiple entities but the enactment of such an ordinance by one taxing body does not bind nor obligate any other.
- Such abatement expires upon sale of the property and is not transferable.
- This is intended for the primary residence of the sole surviving spouse and family and cannot be applied to a business entity.

To us, this is a rare “win-win.” This costs the state of Iowa no money. This mandates nothing. This honors a sacrifice. Please see attached letters of support from...

Finally, thank you for your work and efforts on behalf of our state. We know this is not an easy job and the nature of the Iowa Legislature takes you from your family in session for at least 100 days. We look forward to working with you on this important provision. If you have any questions, issues, or concerns, please feel free to contact any of us on the Board of Supervisors as our contact information is enclosed.

The Woodbury County Board of Supervisors

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Matthew Ung

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Dan Bittinger

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Mark Nelson

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Keith Radig

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Jeremy Taylor

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

Date: 7/3/2024 Weekly Agenda Date: 7/9/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Supervisors Ung and Bittinger II

**WORDING FOR AGENDA ITEM:**

Discussion regarding Woodbury County's options going forward after SF 2442 (Division V) dissolved all county compensation boards and introduced new powers and requirements

**ACTION REQUIRED:**

Approve Ordinance ☐

Approve Resolution ☐

Approve Motion ☐

Public Hearing ☐

Other: Informational ☒

Attachments ☒

**EXECUTIVE SUMMARY:**

By law, all compensation boards dissolved July 1, 2024. Regardless of whether or not a county reestablishes it, new requirements to document comparable positions and justify recommendations now exist.

**BACKGROUND:**

The code appears to allow the board of supervisors to dissolve the comp board at any time (rather than only at certain times) by a majority vote. This inherent ambiguity is certainly a disincentive to utilize a comp board in the future, particularly when the comp board or board of supervisors are subject to the exact same "show your work" requirements in the new law.

**FINANCIAL IMPACT:**

As always, this affects the annual salaries of elected officials and their appointed deputies by extension, as state law requires be decided every year. Attached is a handout from ISAC, and a sample resolution to establish a compensation board if desired before or during the Fiscal Year 2025-2026 budget process.

**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:**

In our opinion, the biggest argument FOR a comp board is it transfers the burden of proof to a group of citizens and ideally makes the board meeting less of a spectacle. Regardless of anything, supervisors will always be accused of bias, and this process sometimes seems to matter more to the public than the entire budget. The biggest argument AGAINST is efficiency. Why debate the same data twice?

**ACTION REQUIRED / PROPOSED MOTION:**

The new law requires more work from comp boards and more scrutiny upon them. Because a comp board would require full membership, our only recommendation at this point is to receive input (via elected officials) as to whether or not their past representatives are willing in the first place to continue with this volunteer appointment. This will determine whether the option can be considered at all.

## **2024 Changes to County Compensation Boards**

Prepared by the Iowa State Association of Counties (ISAC)

On May 1, 2024, Governor Reynolds signed SF 2442. Division V of this tax omnibus bill makes changes to the county compensation board system. Essentially, these provisions authorize boards of supervisors in each county to determine whether they want to utilize a compensation board or take on the duties and responsibilities themselves. Below are answers to common questions to help your county navigate the changes made in SF 2442.

### **What changes take effect automatically and what actions do boards of supervisors need to consider taking?**

With the way the legislation was crafted and by operation of law, all county compensation boards will be dissolved on July 1, 2024. The establishment of a county compensation board requires a motion to that effect and a simple majority vote of the board of supervisors. ISAC has developed the accompanying resolution template for your convenience, though a resolution is not required for this action.

### **What timeline must be followed if the board of supervisors chooses to establish a county compensation board? Or chooses to dissolve the compensation board later?**

The legislation does not prescribe a timeline or deadline for the establishment of a compensation board. Your county should consider your typical timeline for compensation board deliberations, collective bargaining agreement negotiations, wages for all other personnel, budget development, and other interrelated activities, to ensure sufficient time for the work to be completed. There is no obligation to establish a compensation board in the first year, so a board of supervisors could take on the responsibilities this year and decide to establish a compensation board in the future. The board of supervisors may dissolve the compensation board at any time with a majority vote.

### **Were changes made to the membership of the county compensation board? And what is the process for appointing members?**

The representative nature of the compensation board remains the same with each of the county elected officials choosing a member of the public as their representative and the board of supervisors choosing two members. Because all county compensation boards are dissolved by operation of law, these appointments will need to be made if a compensation board is established. There is no obligation for the elected officials to appoint their previous representative as the dissolution of the compensation board ends the current terms.

Though not explicitly prescribed by law, ISAC recommends drawing lots to determine which representatives will serve an initial four-year term and which representatives will serve an initial two-year term. This will establish staggered terms and subsequent appointments will all be for four-year terms.

**What changes were made to the process if a county chooses to establish a compensation board?**

Several notable changes were made to the requirements of the compensation board and how the board of supervisors can act on the compensation recommendations it receives.

First, the legislation put in place the so-called “show your work” provision ISAC has advocated for. The compensation board will be required to provide documentation that demonstrates how it determined the recommended compensation schedule. This must include information on comparable officers in other counties, other states, private enterprise, and the federal government.

The legislation also made changes to the authority of boards of supervisors to adjust the recommended compensation schedule. The board of supervisors may:

- Approve a compensation schedule that is greater than or less than the compensation board recommendation.
- Make adjustments to the compensation schedule for individual elected officials without being required to adjust by the same percentage for all others.
- Set compensation at less than the current year if the compensation schedule recommends changing the position (county attorney) to part-time.

**What is required of the board of supervisors if a county compensation board is not established?**

If a board of supervisors chooses not to establish a compensation board or in the future chooses to dissolve the compensation board, the duties and responsibilities of the county compensation board contained in Iowa Code §331.905 are transferred to the board of supervisors. This includes the new requirement to document comparable positions and justify recommendations.

Additionally, in the absence of a compensation board, “the board of supervisors shall set the sheriff’s salary so that it is comparable to the salaries paid to professional law enforcement administrators and command officers of the state patrol, the Division of Criminal Investigation of the Department of Public Safety, and city police chiefs employed by cities of similar population to the population of the county.”

## RESOLUTION ESTABLISHING A COUNTY COMPENSATION BOARD

A resolution by \_\_\_\_\_ County to establish a county compensation board as authorized by Iowa Code Section 331.905.

**WHEREAS**, pursuant to Iowa Code Section 331.905, as amended in 2024 by Senate File 2442, the county board of supervisors may vote to establish a county compensation board.

**WHEREAS**, pursuant to this same Code Section, when the board of supervisors establishes a county compensation board, the compensation board shall be comprised of seven members who are residents of the county. Two members shall be appointed by the board of supervisors, one member each by the county auditor, county attorney, county recorder, county treasurer, and county sheriff. The members of the county compensation board shall not be officers or employees of the state or a political subdivision of the state and shall serve staggered terms.

**WHEREAS**, lots were drawn to determine the duration of initial staggered terms for members of the county compensation board.

**NOW, THEREFORE, BE IT RESOLVED**, \_\_\_\_\_ County hereby establishes a county compensation board for the county.

**BE IT FURTHER RESOLVED**, \_\_\_\_\_ County directs each of the elected officials to submit their respective appointments to the board of supervisors by \_\_\_\_\_, 2024.

**BE IT FURTHER RESOLVED**, the representatives of A, B, C, and D shall serve an initial term of four years and the representatives of X, Y, and Z shall serve an initial term of two years.

**BE IT FURTHER RESOLVED**, this resolution shall apply retroactively to July 1, 2024.

HEREBY RESOLVED by the Board of Supervisors for \_\_\_\_\_ County on this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chair, Board of Supervisors

Attested: \_\_\_\_\_

**Commented [KH1]:** Alternatively, if the elected officials know who they want to appoint, they can be listed here.

Regardless of when elected officials submit their appointees, per 331.905, terms are to be retroactive to July 1, 2024.

**Commented [KH2]:** Insert elected official offices drawn for 4 year terms.

**Commented [KH3]:** Insert elected official offices drawn for 2 year terms.