

## JANUARY 2, 2015 — FIRST MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Friday, January 2, 2015 at 10:00 a.m. Board members present Clausen, Monson, Smith, Taylor, and Ung. Staff members present were Heather Satterwhite, Public Bidder, Joshua Widman, Assistant County Attorney, Dennis Butler, Budget/Tax Analyst and Patrick F. Gill, Auditor/Clerk to the Board.

- 1a. The Oath of Office was administered to Elected Official Jeremy Taylor, Board of Supervisors, by Chief District Court Judge Duane Hoffmeyer.
- 1b. The Oath of Office was administered to Elected Official PJ Jennings, County Attorney, by Chief District Court Judge Duane Hoffmeyer.
- 1c. The Oath of Office was administered to Elected Official Michael Clayton, County Treasurer, by Chief District Court Judge Duane Hoffmeyer.
2. The meeting was called to order.

Motion by Ung to nominate Supervisor Monson as Temporary Chairperson.

There were no other nominations and Supervisor Monson assumed the Temporary Chair position by consent.

Motion by Clausen to nominate Supervisor Smith as Permanent Chair for 2015.

Motion by Taylor to nominate Supervisor Monson as Permanent Chair for 2015.

There was a discussion and nominees answered questions posed by members of the Board.

Temporary Chair Monson asked for a roll call vote.

The votes for Supervisor Smith were Clausen and Smith, those opposed were Ung, Taylor and Monson.

The votes for Supervisor Monson were Ung, Taylor, Monson and Smith; Clausen was opposed.

Supervisor Ung nominated Taylor for Vice Chair.

Taylor was elected Vice Chair on voice vote 3-2; Clausen and Smith were opposed.

- 3a. Motion by Smith second by Taylor to approve the appointment of County Engineer, Mark Nagra. Carried 5-0.
- 3b. Motion by Clausen second by Smith to approve the appointment of County Medical Examiner, Dr. Thomas Carroll. Carried 5-0.
- 3c. Motion by Ung second by Taylor to approve the appointment of Supervisor Monson as County Representative to the Third Judicial District, Department of Correctional Services. Carried 5-0.
- 3d. Motion by Clausen second by Taylor to approve the appointment of Jered Jepsen as County Weed Commissioner. Carried 5-0.
- 3e. Motion by Smith second by Taylor to approve the appointment of Supervisor Monson to the Loess Hills Development and Conservation Authority Board of Directors. Carried 5-0.
- 3f. Motion by Smith second by Ung to select The Sioux City Journal, The Sergeant Bluff Advocate, and The Merville Record as the County's official newspapers. Carried 5-0.
- 4a. Motion by Clausen second by Taylor to approve and receive for signatures, a Resolution authorizing the County Engineer to execute the certification of the completion of work and final acceptance for Farm to Market and Federal Aid construction projects. Carried 5-0.

**RESOLUTION NO. 12,116**

**RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO EXECUTE CERTIFICATION OF COMPLETION OF WORK ON  
FEDERAL AID, STATE AID, AND FARM TO MARKET CONSTRUCTION DURING 2015**

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

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 4b. Motion by Clausen second by Smith to approve and receive for signatures, a Resolution authorizing the County Engineer to close any secondary road for the purpose of construction, routine maintenance, or emergencies during 2015. Carried 5-0.

**RESOLUTION NO. 12,117**

**RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO CLOSE ANY SECONDARY ROAD FOR THE PURPOSE OF  
CONSTRUCTION, ROUTINE MAINTENANCE, OR EMERGENCIES DURING 2015**

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

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

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

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

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

5. The Chairperson asked if there were any individuals or groups wishing to make a presentation of items not on the agenda, or Supervisors concerns.

The Board adjourned the regular meeting until January 6, 2015.

**JANUARY 6, 2015 — SECOND MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, January 6, 2015 at 10:00 a.m. Board members present Clausen, Monson, Smith, Taylor, and Ung. Staff members present were Karen James, Board Administrative Coordinator, Joshua Widman, Assistant County Attorney, Dennis Butler, Budget/Tax Analyst and Patrick F. Gill, Auditor/Clerk to the Board.

1. The meeting was called to order.

Motion by Smith second by Taylor to approve the minutes of the 12/23/2014 Board meeting. Carried 3-0; Clausen and Taylor abstained. Copy filed.

2. Motion by Taylor second by Smith to approve the county's claims totaling \$1,147,422.86. Carried 5-0. Copy filed.
3. Motion by Ung second by Taylor to approve the appointment of Jason Byers, Temporary Equipment Operator, Secondary Roads Dept., effective 01/07/2015 \$20.17/hour. Carried 5-0. Copy filed.

The Board discussed appointments for terms expiring on various boards and commissions.

- 4a. Motion by Clausen second by Smith to appoint Mark Taylor, 3718 Briar Path, Sioux City, Iowa, to the Conservation Board. Carried 5-0.
- 4b. Motion by Clausen second by Ung postpone appointments to the Siouxland District Board of Health, the Commission to Assess Damages, Category A – Owner/operators of agricultural property, the Commission to Assess Damages, Category B – Owners of City property, the Commission to Assess Damages, Category C – Licensed real estate salesman or real estate broker, the Commission to Assess Damages, Category D – Persons having knowledge of property values in the County by reason of their occupation and the Judicial Magistrate Nomination Commission. Carried 5-0.
5. Motion by Clausen second by Smith to approve and authorize the Chairman to sign a Certificate of Substantial Completion for work performed at the Social Services Office, 1211 Tri View Avenue. Carried 5-0. Copy filed.
- 6a. A public hearing and first reading was held for an amendment to change the Woodbury County Zoning Ordinance, for the zoning district designation of parcel #894632100011, Ron and Linda Clausen.

Motion by Smith second by Ung to close the public hearing. Carried 4-0; Clausen abstained.

Motion by Smith second by Taylor to approve and receive for signatures, an Ordinance Resolution amending the current Zoning and Subdivision Ordinance. Carried 4-0; Clausen abstained.

**WOODBURY COUNTY, IOWA  
RESOLUTION #12,118**

**Whereas** The Board of Supervisors of Woodbury County, Iowa, has enacted a Zoning and Subdivision Ordinance on August 01, 2008, by resolution No. 10,456, being recorded in the Office of the Woodbury County Recorder, and

**Whereas** the Woodbury County Board of Supervisors has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearing(s) on said amendment(s), all as by law provided; and which amendment(s) is/are attached hereto marked item(s) One (1), and hereby made a part hereof; and

**Whereas** the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearing(s) on said amendment(s), all as by law provided; and

**Whereas** the Woodbury County Board of Supervisors has concluded that the said this ordinance shall amend the aforesaid Zoning and Subdivision Ordinance;

**Now therefore, be it hereby resolved** by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning and Subdivision Ordinance is amended as shown on said attached Item(s) One (1); and

**Now therefore, be it hereby resolved** by the Woodbury County Board of Supervisors, duly assembled, that the previous zoning district designation shall be repealed upon the effective date of this amendment.

**Dated this 6<sup>th</sup> day of January, 2015.**

Woodbury County Board of Supervisors  
Copy filed.

- 7a. A public hearing was held at 10:15 a.m. for the sale of property parcel #008475 (aka 216 W. 2<sup>nd</sup> Street). The Chairman called on anyone wishing to be held.

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

Motion by Clausen second by Taylor to approve and authorize the Chairman to sign a Resolution for the sale of parcel #008475 (aka 216 W. 2<sup>nd</sup> Street) to Waltena Oliares, for \$263.00, plus recording fees. Carried 5-0.

RESOLUTION OF THE BOARD OF SUPERVISORS  
OF WOODBURY COUNTY, IOWA  
RESOLUTION #12,119

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

**By Waltena Olivares** in the sum of Two Hundred Sixty-Three Dollars & 00/100 (\$263.00)-----  
-----dollars.

For the following described real estate, To Wit:

**Parcel #008475**

**The East Forty-Eight and Twenty-Five Hundredths feet of the West Ninety-Six and Fifty hundredths feet of Lot One in Block Thirty-One Sioux City Addition, in the City of Sioux City, Woodbury County, Iowa (216 W. 2<sup>nd</sup> Street)**

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 6<sup>th</sup> Day of January, 2015.  
Woodbury County Board of Supervisors  
Copy filed.

- 6b. Motion by Taylor second by Smith to approve and authorize the Chairman to sign a Resolution approving the final platting of Clausen Acres Addition, a minor subdivision, GIS parcel #894632100011. Carried 4-0; Clausen abstained.

RESOLUTION ACCEPTING AND APPROVING THE PLAT OF CLAUSEN ACRES  
ADDITION, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA

BOARD OF SUPERVISORS  
RESOLUTION #12,120

WHEREAS, THE OWNER AND PROPRIETOR DID ON}

{THE 11TH DAY OF NOVEMBER, 2014, FILE WITH  
THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT  
DESIGNATED AS CLAUSEN ACRES 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 THE PLAT OF CLAUSEN ACRES ADDITION, A MINOR SUBDIVISION  
TO WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED  
AND APPROVED, AND THE CHAIRMAN 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 6th DAY OF JANUARY, 2015  
Woodbury County Board of Supervisors  
Copy filed.

- 6c. Motion by Smith second by Clausen to approve and authorize the Chairman to sign a Construction Evaluation Resolution, covering the period of 02/01/2015 through 01/31/2016. Carried 5-0.

WOODBURY COUNTY, IOWA  
RESOLUTION #12,121  
CONSTRUCTION EVALUATION RESOLUTION  
FOR PERIOD FEBRUARY 1, 2015 – JANUARY 31, 2016

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

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

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

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2015 and January 31, 2016 and submit an adopted recommendation regarding that application to the DNR; and

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

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

- 6d. The Board discussed appointments to the Woodbury County Board of Adjustment, for the 2015-2019 term and an appointment to the Woodbury County Zoning Commission, for the 2015-2019 term.

Motion by Clausen second by Smith to appoint Barb Parker to the Woodbury County Zoning Commission for the 2015-2019 term. Motion was ruled out of order by the chair.

Motion by Taylor second by Ung to postpone action to appoint to the Woodbury County Board of Adjustment for the 2015-2019 term and the Woodbury County Zoning Commission for the 2015-2019 term. Carried 3-2 with Clausen and Smith opposed.

- 7b. Motion by Clausen second by Ung to approve and authorize the Chairman to sign a Resolution setting the public hearing and sale date for parcel #079305. Carried 5-0.

RESOLUTION #12,122  
NOTICE OF PROPERTY SALE

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

**Lot Twenty-Two in Block Two, Boulevard Park Addition, City of Sioux City, Woodbury County, Iowa  
(1209 Hill Avenue)**

**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 **20<sup>th</sup> Day of January, 2015 at 10:15 o'clock a.m.** in the meeting room of the Board of Supervisors on the first floor 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 **20<sup>th</sup> Day of January, 2015**, 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 \$332.00** plus recording fees.

Dated this 6<sup>th</sup> Day of January, 2015.  
Woodbury County Board of Supervisors  
Copy filed.

- 8a. Motion by Smith second by Clausen to approve and authorize the Chairman to sign a Certificate of Completion for 2014 PCC patching at various locations in Woodbury County. Carried 5-0. Copy filed.

- 8b. Motion by Clausen second by Smith to approve and authorize the Chairman to sign a Certificate of Completion for 2014 HMA routing and sealing at various locations in Woodbury County. Carried 5-0. Copy filed.
- 8c. Motion by Smith second by Ung to approve and authorize the Chairman to sign a Certificate of Completion for project #ER-CO97(123)—58-97, roadway embankment slide repairs on D-12 and D-38. Carried 5-0. Copy filed.
- 8d. Motion by Clausen second by Smith to approve and receive for signatures, a Resolution setting a temporary speed limit on 210<sup>th</sup> Street in Bronson. Carried 5-0.

## SPEED LIMIT RESOLUTION

210<sup>TH</sup> STREET-BRONSONRESOLUTION #12,123

**WHEREAS:** The Board of Supervisors of Woodbury County is empowered under the authority of sections 321.255 and 321.285, subsection 4 of the Code of Iowa to determine upon the basis of an engineering and traffic investigation conducted by the County Engineer that the speed limit of any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit and,

**WHEREAS:** the road and bridge are under construction and the project corridor has been reopened to traffic with a temporary road surfacing, and

**WHEREAS:** Such investigation has been requested and completed and the county engineer has reached an opinion concerning the reasonable and proper speed for the road listed herein,

**NOW, THEREFORE BE IT RESOLVED,** by the Woodbury County Board of Supervisors that the following speed limit be established and appropriate signs erected at the locations described as follows:

- 1.) Beginning at the intersection of the Bronson Blacktop and 210<sup>th</sup> Street then proceeding southeast on 210<sup>th</sup> Street to the south corporate line of the city of Bronson, a speed limit of 30 miles per hour is established.

Speed limit shall be effective when appropriate signs giving notice for the speed limits are erected.

Passed and approved this 6<sup>th</sup> day of January, 2015.

Woodbury County Board of Supervisors

Copy filed.

9. The Board discussed County Supervisor assignments for various County departments/committees.

Motion by Taylor second by Ung to approve the following appointments:

County Buildings:

Trosper-Hoyt Building – CIP	Jeremy Taylor
Law Enforcement Center/Eagles – CIP	Mark Monson
Prairie Hills – CIP	Jeremy Taylor
Courthouse – CIP	Mark Monson
Tri View Facility – CIP	Matthew Ung
Courthouse National Landmark Designation	Ed Gilliland

Departments:

Board Administration	Mark Monson
County Social Services (CPC)	Mark Monson and Matthew Ung
Human Resources	Mark Monson and Matthew Ung
Economic Development	Jeremy Taylor

Building Services	Mark Monson and Jeremy Taylor
WCICC-IT	Jaclyn Smith and Matthew Ung
Planning and Zoning	Jeremy Taylor
Juvenile Detention	Jeremy Taylor
Secondary Roads	Mark Monson and Matthew Ung

County Social Services Committees:

Sioux Rivers Region Mental Health and Disability Serv.	Mark Monson, Matthew Ung, Department Head
Citizens Advisory Board – Cherokee MHI	Mark Monson
Hospitalization Committee	Mark Monson, Matthew Ung, Department Head
Programs Committee	Mark Monson, Matthew Ung, Department Head
Criminal Justice Committee	Mark Monson, Matthew Ung, Department Head
Social Services Providers (new)	Mark Monson, Matthew Ung, Department Head

Committees and Commissions:

Conservation Board	Larry Clausen
Prevention Commission for Youth at Risk	Jaclyn Smith
Veteran's Affairs and Commission	Jeremy Taylor
Safety/Security Committee	Mark Monson and Jeremy Taylor
E911 Board	Matthew Ung
Area Solid Waste Board (Landfill)	Jaclyn Smith and Matthew Ung
Hazardous Materials Committee	Matthew Ung
District Health Board	Jeremy Taylor
Chief Elected Officials Board	Mark Monson and Jeremy Taylor
Security Institute	Matthew Ung
Emergency Management Commission	Matthew Ung
Department Meetings	Mark Monson and Matthew Ung
Health Committee	Jaclyn Smith
Responder Task Force	Matthew Ung
Workforce Investment Act (WIA)	Mark Monson and Jeremy Taylor
Grow Siouxland Committee	Mark Monson and Jeremy Taylor

Other:

Woodbury County Conference Board (Assessor)	All
Sioux City Conference Board (Assessor)	All
Department of Human Resources (DHS)	Jeremy Taylor
Court Administration	Mark Monson
Juvenile Court Services	Jeremy Taylor
County Courthouse Foundation	All
County Board Controlled Drainage Districts	All
Compensation Board	Mark Monson and Jeremy Taylor

County Related Committees:

Contract Negotiations/Union Relations	Mark Monson and Matthew Ung
Siouxland Regional Housing Authority	Jeremy Taylor
Third Judicial District Department of Corrections	Mark Monson
Simpco	Mark Monson
Loess Hills Development and Conservation Authority	Mark Monson
Hungry Canyons	Matthew Ung
Loess Hills Alliance	Mark Monson

Loess Hills Scenic Byway	Mark Monson
Highway 20 Association	Jeremy Taylor
Siouxland Economic Development Corp. (SEDC)	Matthew Ung, David Gleiser
Siouxland Human Investment Partnership (SHIP)	Mark Monson
DECAT (Decaterization) Board	Mark Monson
Siouxland Chamber of Commerce	Mark Monson and Jeremy Taylor
Transportation Committee	Mark Monson and Jeremy Taylor
Jail Committee	Mark Monson and Jeremy Taylor
Governmental Relations Committee	Mark Monson and Jeremy Taylor
The Siouxland Initiative	Mark Monson and Jeremy Taylor
Western Iowa Tourism	Matthew Ung

Carried 3-2; Clausen and Smith opposed.

10. The Board discussed a new format for the Board Agenda, a new meeting place and time for Board meetings, by-laws and parliamentary procedures and tributes and recognitions of service.
14. The Chairperson asked if there were any individuals or groups wishing to make a presentation of items not on the agenda, or Supervisors concerns.

The Board adjourned the regular meeting until January 13, 2015.