

**AUGUST 27, 2019, THIRTY-FIFTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, August 27, 2019 at 4:00 p.m. Board members present were Ung, Radig, De Witt, Taylor, and Pottebaum. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget/Tax Analyst, Joshua Widman, Assistant County Attorney and Patrick Gill, Auditor/Clerk to the Board.

- 1. Motion by Radig second by Taylor to go into closed session per Iowa Code Section 21.5(1)(a). Carried 5-0 on a roll-call vote.

Motion by Radig second by De Witt to go out of closed session per Iowa Code Section 21.5(1)(a). Carried 5-0 on a roll-call vote.

Motion by Radig second by De Witt to uphold the appeal of a General Relief decision and grant a request of \$500.00 for rental expenses. Carried 5-0 on a roll-call vote.

The Board recessed until 4:30 p.m.

The regular meeting was called to order at 4:30 p.m. with the Pledge of Allegiance to the Flag and a Moment of Silence.

- 2. There were no citizen concerns.
- 3. Motion by Radig second by Taylor to approve the agenda for August 27,2019. Carried 5-0. Copy filed.

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

- 4. To approve minutes of the August 20, 2019 meeting. Copy filed.
- 5. To approve the claims totaling \$831,631.17. Copy filed.
- 6a. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes through redemption process for Joseph Green, 2911 Pierce St., Sioux City, parcel #894716359017.

**WOODBURY COUNTY, IOWA  
 RESOLUTION #12,887  
 RESOLUTION APPROVING PETITION FOR SUSPENSION  
 OF TAXES THROUGH THE REDEMPTION PROCESS**

**WHEREAS**, Joseph Green and as joint titleholder of property located at 2911 Pierce St., Sioux City, Iowa, Woodbury County, Iowa, and legally described as follows:

**Parcel # 894716359017**

**PEIRCES ADDITION LOT 7 BLOCK 19**

**WHEREAS**, Joseph Green, as joint titleholder of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code Section 447.9(3) and,

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby directs the County Auditor to redeem this property Parcel #894716359017 owned by the petitioner from the holder of a certificate of purchase of the amount necessary to redeem under section 447.9, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this parcel.

**SO RESOLVED** this 27th day of August, 2019.  
 WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 6b. To approve and receive for signatures a Resolution Thanking and Commending Lori Baldwin for her years of service to Woodbury County.

**WOODBURY COUNTY, IOWA  
RESOLUTION #12,888  
A RESOLUTION THANKING AND COMMENDING  
LORI BALDWIN  
FOR HER SERVICES TO WOODBURY COUNTY**

**WHEREAS**, Lori Baldwin has capably served Woodbury County as an employee of the Siouxland District Health Department for 27 years from October 26, 1992 to September 3, 2019; and

**WHEREAS**, the service given by Lori Baldwin as a Woodbury County employee, has been characterized by her dedication to the best interests of the citizens of Woodbury County; and

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA** that the undersigned members of this Board thanks and commends Lori Baldwin for her years of service to Woodbury County; and

**BE IT FURTHER RESOLVED** that it is the wish of all those signing below that the future hold only the best for this very deserving person, Lori Baldwin.

**BE IT SO RESOLVED** this 27th day of August, 2019.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 7a. To approve the separation of Briann Church, Civilian Jailer, County Sheriff Dept., effective 8-25-19. Resignation.; the transfer of Anthony Velasquez, Youth Worker, Juvenile Detention Dept, effective 8-26-19, \$24.28/hour, 0%. Position Transfer from P/T to F/T Youth Worker.; and the appointment of Todd Ferry, P/T Courthouse Safety & Security Officer, County Sheriff Dept, effective 8-28-19, \$18.50/hour. Job Vacancy Posted: 7-31-19. Entry Level Salary: \$16.84-\$18.50/hour. Copy filed.
- 7b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Civilian Jailer, County Sheriff Dept. CWA: \$19.86/hour. Copy filed.
- 7c. To approve the request of Lori Baldwin to remain on the County Health. Copy filed.
- 8a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcels #894720180045 & #894720180044, 2107 & 2111 Myrtle St.

**RESOLUTION #12,889  
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 Three (3) in Block Two (2), Myrtle Boulevard Addition to Sioux City, Woodbury County, Iowa (2107 Myrtle Street)**

**Lot Four (4) in Block Two (2), Myrtle Boulevard Addition to Sioux City, Woodbury County, Iowa (2111 Myrtle 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 **10<sup>th</sup> Day of September, 2019 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 on the **10<sup>th</sup> Day of September, 2019**, immediately following the closing of the public hearing to the **City of Sioux City only per Code of Iowa 331.361(2)**.
3. That said Board proposes to sell the said real estate to the **City of Sioux City only for consideration of \$1,040.00 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 27<sup>th</sup> Day of August, 2019  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

- 8b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894729440009, 212 Kansas St.

**RESOLUTION #12,890  
 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 Three (3) in Block Forty-three (43), Sioux City Addition, in the County of Woodbury and State of Iowa (212 Kansas 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 **10<sup>th</sup> Day of September, 2019 at 4:37 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 **10<sup>th</sup> Day of September, 2019**, 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 \$427.00** 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 27<sup>th</sup> Day of August, 2019.  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

9. To approve the underground utility permit for Qwest Communications/Century Link QC. Copy filed.

Carried 5-0.

- 10. Dawn Mentzer, Rolling Hills Community Services Region CEO, presented information on Woodbury County's transition to the Rolling Hills Community Services Region. Copy filed.
- 11. Motion by Taylor second by Pottebaum to allocate \$1,000.00 and 2 days (16 hours) of paid time off for the employee contribution campaign. Carried 5-0. Copy filed.
- 12. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution to vacate excess right of way on Old Highway 141. Carried 5-0.

**RESOLUTION #12,891  
 WOODBURY COUNTY, IOWA  
 VACATION OF EXCESS RIGHT OF WAY**

**WHEREAS** the Code of Iowa, section 306.10 gives the Board of Supervisors the power on its own motion to alter or vacate and close any highway or road under its jurisdiction, and

**WHEREAS** the Code of Iowa, section 306.11 allows the Board to vacate a road right of held by easement that will not change the traveled portion of the road or deny access to adjoining landowners, and

**WHEREAS** a road vacation under the circumstances outlined in 306.11 does not require a hearing, and

**WHEREAS** there is excess right of way on the north side of Old Highway 141 near Smithland that encompasses a portion of a private residence, and

**WHEREAS** vacation of the excess right of way does not affect access or highway use, and

**WHEREAS** the Board of Supervisors no longer believes the county needs to maintain its easement on the following county right of way,

**NOW THEREFORE BE IT RESOLVED** that the Woodbury County Board of Supervisors, in session this 28<sup>th</sup> day of August 2019, enters the following order in regard to the aforementioned right of way vacation.

**LEGAL DESCRIPTION:**

A PARCEL OF LAND IN THE NE1/4 SW1/4 SECTION 26, T-86-N, R-44-W OF THE 5TH PRINCIPAL MERIDIAN WOODBURY COUNTY, IOWA. ALSO BEING A PART OF LOT 15 OF AUDITORS PLAT OF THE S1/2 SECTION 26 IN SMITHLAND, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 26-86-44 THENCE N89°34'06"W AN ASSUMED BEARING 996.83 FEET ALONG THE NORTH LINE OF THE SW1/4 TO THE NW CORNER OF LOT 15 OF SAID AUDITORS PLAT; THENCE S19°34'19"W, 643.50 FEET ALONG THE WESTERLY LINE OF LOT 15; THENCE N89°34'06"W, 47.48 FEET TO THE CENTERLINE OF OLD HIGHWAY 141; THENCE ALONG SAID CENTERLINE ALONG A CURVE CONCAVE SOUTHWESTERLY WITH AN ARC LENGTH OF 64.68 FEET, A RADIUS OF 1273.30 FEET, AND A CHORD BEARING OF S32°37'49"E FOR 64.67 FEET; THENCE N58°49'30"E, 45.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N58°49'30"E, 45.00 FEET; THENCE ALONG A CURVE CONCAVE SOUTHWESTERLY WITH AN ARC LENGTH OF 266.39 FEET, A RADIUS OF 1363.30 FEET, AND A CHORD BEARING OF S25°34'39"E FOR 265.96 FEET; THENCE S19°58'47"E, 110.90 FEET; THENCE S70°01'13"W, 45.00 FEET; THENCE N19°58'47"W FOR 110.90 FEET; THENCE ALONG A CURVE CONCAVE SOUTHWESTERLY WITH AN ARC LENGTH OF 257.59 FEET, A RADIUS OF 1318.30 FEET, AND A CHORD BEARING OF N25°34'39"W FOR 257.18 FEET TO THE POINT OF BEGINNING.

SAID PARCEL DESCRIPTION CONTAINS 0.385 ACRES MORE OR LESS.

**SO ORDERED THIS 28th DAY OF August, 2019;**  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

13. Motion by Pottebaum second by Radig to approve the use of CIP funds to allow Woodbury County Emergency Services to purchase a 2006 Hackney Freightliner Air & Unit for \$149,000.00 to replace the 1989 F750 Air & Light Truck, Unit 208. Carried 4-1; De Witt was opposed. Copy filed.
14. Motion by Radig second by Taylor to process a claim for \$1,000.00 from The Sign Shop for ATV decals out of gaming funds. Carried 5-0. Copy filed.
15. The Board heard reports on committee meetings.
16. There were no citizen concerns.
17. Board concerns were heard.

The Board adjourned the regular meeting until September 3, 2019.

Meeting sign in sheet. Copy filed.