

OCOTBER 3, 2017, THIRTYEIGHT MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, October 3, 2017 at 4:30 p.m. Board members present were Radig, Ung, Taylor, De Witt, and Pottebaum. Staff members present were Dennis Butler, Budget/Tax Analyst, Karen James, Board Administrative Coordinator, Ed Gilliland, Human Resources Director, Abigail Sills, Assistant County Attorney and Patrick Gill, 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. There were no citizen concerns.
- 2. Motion by Ung second by Taylor to approve the Agenda for October 3, 2017. Carried 5-0. Copy filed.

Motion by Taylor second by Radig to approve the following items by consent excluding a claim payable to Rock Co. LLC.
- 3. To approve minutes of the September 26, 2017 meeting. Copy filed.
- 4. To approve the claims totaling \$548,071.63. Copy filed.
- 5a. To approve and authorize the Chairperson to sign a Resolution approving abatement of taxes for Council on Sexual Assault and Domestic Violence, for parcels #8947213130115, & #894721313012.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,633
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, Council on Sexual Assault and Domestic Violence is the titleholder of real estate Parcels #894721313011 and #894721313012 located in Woodbury County, Iowa and legally described as follows:

Parcel #894721313011

W 42 FT OF E 90 FT S 1/2 LOT 5 & W 42 FT OF E 90 FT LOT 6 ROSE HILL 2ND ADDITION

Parcel #894721313012

E 48' OF S 1/2 LOT 5 & E 48' LOT 6 BLK 15 ROSE HILL 2ND ADDITION

WHEREAS, the above-stated property has taxes owing for the 2017-2018 tax year, and the parcel is owned by Council on Sexual Assault and Domestic Violence; and

WHEREAS, the organization, namely Council on Sexual Assault and Domestic Violence is failing to immediately pay the taxes due; and

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 parcel according to Code of Iowa, 427.3 for the taxes owed for the tax year 2017-2018, and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 3rd day of October, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 5b. To approve Medical Examiner contract with Dr. Julie A. Breiner. Copy filed.
- 5c. To approve the appointments of Dr. Thomas Carroll and Dr. Bryce W. Noll as Deputy Medical Examiner. Copy filed.
- 5d. To receive for signatures a Resolution thanking and commending Mark Olsen for service to Woodbury County.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,634
A RESOLUTION THANKING AND COMMENDING
MARK OLSEN
FOR HIS SERVICE TO WOODBURY COUNTY**

WHEREAS, Mark Olsen has capably served Woodbury County as an employee of the Woodbury County Juvenile Detention for 35 years from October 26, 1982 to October 26, 2017; and

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

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

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

BE IT SO RESOLVED this 3rd day of October, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6a. To approve the transfer of David Gleiser, Director, Community & Economic Development Dept., effective 10-01-17, \$74,500/year. Position Transfer to Community & Economic Development Director.; the appointment of Austin Svendsen, Civilian Jailer, County Sheriff Dept., effective 10-11-17, \$18.72/hour. Job Vacancy Posted 8-23-17. Entry Level Salary: \$18.72/hour.; and the separation of Abigail Sills, Asst. County Attorney-Civil, County Attorney Dept., effective 10-27-17. Resignation. Copy filed.
- 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Asst. County Attorney-Civil, County Attorney Dept., Comparability with AFSCME Asst. County Attorney: \$57,115-\$66,051/year.; and P/T Courthouse Safety & Security Officer, County Sheriff Dept., Comparability with AFSCME Courthouse Grade 3: \$16.03-\$17.61/hour. Copy filed.

Carried 5-0.

- 7. A public hearing was held at 4:35 p.m. for the sale of parcel #894721406004, 1924 Ingleside 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 Ung second by Taylor to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894721406004, 1924 Ingleside Ave., to Lori McClaren, 30074 Juniper Ave, Hinton, IA, for \$313.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #12,635**

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

By Lori K. McClaren in the sum of **Three Hundred Thirteen Dollars & 00/100 (\$313.00)**-----
-----dollars.

For the following described real estate, To Wit:

Parcel #894721406004

Lot 2, except the East 100 feet thereof, in Block 2, Boulevard Addition to Sioux City, in the County of Woodbury and State of Iowa (1924 Ingleside 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 3rd Day of October, 2017.

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 8. Motion by Ung second by Radig to receive for signatures a Resolution of Proclamation for Domestic Violence Awareness Month. Carried 5-0.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,636
PROCLAMATION**

WHEREAS, domestic violence is a serious crime affecting individuals and families in all Siouxland communities; all races, ages, income levels, lifestyles and sexes; and in fact is probably affecting someone you know; and every 9 seconds someone experiences the crime of domestic violence; and

WHEREAS, one in three women will be a victim of violence in her lifetime; domestic violence violates an individual's human rights by destroying dignity, security, and self-worth due to the systematic use of physical, emotional, sexual, psychological, and economic control or abuse; CSADV works every day to help end these acts of violence and to help rebuild the lives of the survivors; and

WHEREAS, in Siouxland, the Council on Sexual Assault & Domestic Violence is available 24 hours a day and last year responded to nearly 2000 victims, provided 12,768 nights of shelter to 425 adults and 331 children fleeing domestic abuse and despite high census, no one in an unsafe situation was turned away; and

WHEREAS, the impact of domestic violence affects all of the members of the community, and only a coordinated community response will put a stop to these atrocious crimes and assure funding is continuously available to provide these life-saving services; and

NOW, THEREFORE, I, Matthew A. Ung, Chairman, on behalf of the Woodbury County Board of Supervisors, do hereby proclaim the month of October, 2017 as

"DOMESTIC VIOLENCE AWARENESS MONTH"

in Woodbury County, Iowa and urge all citizens to actively participate in the scheduled events and programs and to think about the fact that it is someone you know.

BE IT SO RESOLVED this 3rd day of October, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

9. Motion by Taylor second by Radig to approve contractual agreement for employee assistance program. Carried 5-0. Copy filed.

10. Motion by Taylor second by Ung to approve the Woodbury County EMS Loan of \$50,000 to Merville Ambulance to purchase a 2017 Chevy Arrow C4500 with a five year payback agreement at zero percent interest. Carried 5-0. Copy filed.

11a. Motion by Ung second by Taylor to approve Steam Trap Project AIA C701 change order #4 for \$6,961.00. Carried 5-0. Copy filed.

11b. Motion by Taylor second by Ung to approve Goldberg Group Architects Trosper-Hoyt elevator replacement design proposal for \$28,600.00. Carried 4-1; Radig opposed. Copy filed.

Motion by Taylor second by Ung to approve Baker Group AIA C-132 contract for Trosper-Hoyt elevator replacement. Carried 4-1; Radig opposed. Copy filed.

12a. Bid letting was held for project #L-C07(7)—73-97. The bids are as follows:

Dixon Construction Co., Correctionville, IA	\$168,544.75
Graves Construction Co. Inc., Spencer, IA	\$317,730.42

Motion by Radig second by Ung to award the bid for project #LC07-(7)—73-97 to Dixon Construction Co. for \$168,544.75. Carried 5-0. Copy filed.

12b. Motion by Taylor second by Ung to postpone action to approve the contract for project #M-HC 17 with Dixon Construction for \$49,000. Carried 5-0. Copy filed.

12c. Motion by Ung second by Taylor to approve the proposal for road base reclamation from Midstate Reclamation. Carried 5-0. Copy filed.

12d. Motion by Ung second by Radig to approve the plans for project #L-B(L77)—73-97 and L-B(L78)—73-97. Carried 5-0. Copy filed.

12e. Motion by Radig second by Ung to approve the contracts for project HMA Levelers 2017. Carried 5-0. Copy filed.

13. Motion by Radig second by Taylor to receive for signatures a Resolution thanking and commending Support Siouxland Soldiers for their service to Woodbury County. Carried 5-0.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,637
A RESOLUTION THANKING AND COMMENDING
SUPPORT SIOUXLAND SOLDIERS
FOR THEIR SERVICE TO WOODBURY COUNTY**

WHEREAS, Support Siouxland Soldiers is a non-profit (501c3) organization located in Woodbury County that provides numerous resources, programs, and services to military families, Veterans, inactive and active-duty soldiers; and

WHEREAS, The dedicated volunteers of Support Siouxland Soldiers have been providing these invaluable services to Woodbury County's estimated 10,000 Veterans and the Siouxland community's estimated 18,000 Veterans since the Iraqi Freedom Tour in 2007, thereby increasing the morale of the troops and military families during such deployments; and

Whereas, Woodbury County is an official Home Base Iowa Community and Support Siouxland Soldiers has chosen to partner and assist Woodbury County's Home Base Iowa initiative to help Veterans and service members identify and access economic benefits and resources for an improved quality of life; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thank and commend Support Siouxland Soldiers for their service to, and partnership with 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 organization, Support Siouxland Soldiers.

BE IT SO RESOLVED this 3rd day of October, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 14. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution to withdraw from the Sioux Rivers Regional Mental Health and Disabilities Services.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #12,638
RESOLUTION TO WITHDRAW FROM THE SIOUX RIVERS REGIONAL MENTAL
HEALTH AND DISABILITIES SERVICES**

WHEREAS, Woodbury County is one of three member counties of the Sioux Rivers Regional Mental Health and Disabilities Services ("Sioux Rivers Region") formed under Iowa Code Chapter 331 and Iowa Code Chapter 28E; and

WHEREAS, mental health and disability services regions must work with service providers to ensure that mental health and disability services are available to residents of the region consistent with and pursuant to Iowa Code Chapter 331 and applicable regulations; and

WHEREAS, Woodbury County has determined that the Governing Board of Sioux Rivers Region, the Sioux Rivers Region management, and the Sioux Rivers Region staff have demonstrated an unwillingness to operate in a transparent and equitable manner to ensure that appropriate mental health and disability services are provided to the residents of Woodbury County and therefore it is not in the best interest of Woodbury County residents to remain a member of the Sioux Rivers Region; and

WHEREAS, the 28E Agreement for Sioux Rivers Region permits a county to withdraw from the Sioux Rivers Region by resolution of the county's Board of Supervisors and written notice to the Governing Board of the Sioux Rivers Region by November 15 prior to the end of the fiscal year in which the withdrawal will be effective; and

WHEREAS, Woodbury County desires to exercise its right under the 28E Agreement to withdraw from the Sioux Rivers Region at the end of the current fiscal year.

NOW, THEREFORE, BE IT RESOLVED, pursuant to the 28E Agreement for Sioux Rivers Region, Woodbury County shall withdraw from the Sioux Rivers Region effective June 30, 2018, at the end of the current fiscal year, and that Woodbury County shall give written notice to the Governing Board of Sioux Rivers Region no later than November 15, 2017 of this decision to withdraw and take any other necessary and appropriate actions to carry out this decision to withdraw.

SO DATED this 3rd day of October, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS

Supervisor Taylor asked the Chairperson to rule on a point of order that Supervisor Pottebaum was in violation of Section 8 of the Bylaws of the Woodbury County Board of Supervisors. The Chairperson declared Supervisor Pottebaum out of order.

Monique Scarlett, Sioux City, Connie Barrett, Sioux City, Jim Rixner, Sioux City, Chris Hall, Sioux City, Dick Owens, Sioux City, Jerry Fields, Sioux City, Flora Lee, Sioux City, Todd Wleck, Sioux City, John Williams, Sioux City, Fitz Grant, Sioux City and Shane Walter, Orange City discussed the resolution with the Board.

Carried 3-2 on a roll call vote; DeWitt and Pottebaum opposed.

15. The Chairperson reported on the day-to-day activities.
16. Board members gave their reports on committee meetings.
17. Patrick Jennings, Sergeant Bluff and Nia Key, Sioux City, discussed the Board's withdrawal from the Sioux Rivers Mental Health Region. Sheriff Dave Drew discussed the Jail Mental Health Coordinator position with the Board.
18. Board member concerns.

The Board adjourned the regular meeting until October 10, 2017.

Meeting sign in sheet. Copy filed.