

September 8, 2020, THIRTY-SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, September 8, 2020 at 4:30 p.m. Board members present were Pottebaum, Radig, De Witt, Ung, and Wright. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, HR Director, Dennis Butler, Budget/Tax Analyst, 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 De Witt to approve the agenda for September 8, 2020, Carried 5-0. Copy Filed.

Motion by De Witt second by Radig to approve the following items by consent including a change of an ending date for a Secondary Roads employee:

3. To approve minutes of the September 1, 2020 meeting. Copy filed.
4. To approve the claims totaling \$1,142,815.76. Copy filed.
5. To approve the lifting of tax suspension for Linda Rask, 2000 Ingleside Ave., parcel #894721406003. Copy filed.
- 6a. To approve the separation of Amy Huls, Legal Secretary III, County Attorney Dept., effective 09-04-20. Separation.; the reclassification of Todd Hayes, P/T Youth Worker, Juvenile Detention Dept., effective 09-20-20, \$21.33/hour, 3.4%=\$.71/hr. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 2 to Grade 1/Step 3.; and the reclassification of Michael Ingram, P/T Youth Worker, Juvenile Detention Dept., effective 09-27-20, \$21.33/hour, 3.4%=\$.71/hr. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 2 to Grade 1/Step 3. Copy filed.
- 6b. Presentation of Award of Certificate to Dawn Lafave. Copy filed.
7. To receive the 4th quarter from SIMPCO for FY20. Copy filed.

Carried 5-0.

9. Motion by Radig second by Ung to approve the Iowa Secretary of State Vote Iowa Initiative Grant Agreement. Carried 5-0. Copy filed.
- 8a. A public hearing was held at 4:35 p.m. for the sale of parcel #894721151017, 111 ½ 23rd St. The Chairperson called on anyone wishing to be heard.

Julie Lesko, 2315 Grandview, spoke in support of the sale of the property. John and Kathy Brun, 2310 McDonald, had questions on the existence of an easement on the property.

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

Motion by Ung second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894721151017, 111 ½ 23rd St., to Julia and Olivia Lesko, 107 23rd St., Sioux City, for \$199.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,054**

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

By Julia Lesko and Olivia Lesko in the sum of One Hundred Ninety-Nine Dollars & 00/100 (\$199.00)-----
-----dollars.

For the following described real estate, To Wit:

Parcel #894721151017
North 6 feet South 110 feet of Lot Eight (8) Block Six (6), Call's Summit 2nd Addition, City of Sioux City, Woodbury County, Iowa
Subject to restrictive covenants and easements of record and subject to a perpetual easement for alley purposes (111 ½ 23rd 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 8th Day of September, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

8b. A public hearing was held at 4:37 p.m. for the sale of parcel #894711132008, 4425 Central St. The Chairperson called on anyone wishing to be heard.

Nicholas Wragge, 500 Huntington CT., Sergeant Bluff spoke in support of the sale.

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

Bids were offered.

Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894711132008, 4425 Central St., to Amanda Wragge, 500 Huntington Ct., Sergeant Bluff, for \$3,500.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,055**

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

By Amanda Wragge in the sum of Three Thousand Five Hundred Dollars & 00/100 (\$3,500.00)-----
-----dollars.

For the following described real estate, To Wit:

Parcel #894711132008
Lots 7, 8 and 9 in Block 25 of Leeds Addition to Sioux City, in the County of Woodbury and State of Iowa (4425 Central 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 8th Day of September, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 10a. Motion by Pottebaum second by Radig to approve Woodbury County Emergency Services to purchase ten sets of new turnout gear and two racks from MES for \$22,830.00. Carried 4-1; De Witt opposed. Copy filed.
- 10b. Motion by Radig second by Pottebaum to approve Woodbury County Emergency Services to purchase a new rescue truck from Jensen Ford for \$44,764.00. Carried 4-1; De Witt opposed. Copy filed.
- 11a. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution approving the site of the new Woodbury County Law Enforcement Center. Carried 5-0.

RESOLUTION #13,056
A RESOLUTION APPROVING THE SITE OF THE NEW
WOODBURY COUNTY LAW ENFORCEMENT CENTER

WHEREAS, the Woodbury County Law Enforcement Center Authority (the "Authority") has selected the site of the new Woodbury County Law Enforcement Center in the City of Sioux City, County of Woodbury, State of Iowa, said site being more particularly described as follows:

The Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) in Section Fourteen (14), Township Eighty-nine (89) North, Range Forty-seven (47) West of the Fifth Principal Meridian, Woodbury County, Iowa, consisting of 38.27 acres, more or less, except road right-of-way (Parcel No. 894714400008) described as follows:

A new right-of-way dedication to that part of 28th Street lying in part of the Southeast Quarter of Section 14, Township 89 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, more particularly described as follows:

Commencing at the Southeast corner of said Section 14; thence N 02°27'17" E along the East line of said Section 14 for 46.97 feet measured (47.00 feet recorded) to the North line of existing 28th Street being the point of beginning; thence continuing N 02°27'17" E along said East line of Section 14 for 20.00 feet; thence N 87°19'47" W for 913.64 feet; thence S 02°40'09" W for 20.00 feet to the North line of said existing 28th Street; thence S 87°19'47" E along the said North line of existing 28th Street for 913.72 feet measured (913.74 feet recorded) to the point of beginning. Containing a total area of 18273.57 square feet or 0.42 acres.

Woodbury County Parcel No. 8947 14 400 008

WHEREAS, Iowa Code Section 346.27 provides that the selection of the site is subject to the approval by a majority

of the members of each governing body of the incorporating units; and

WHEREAS, the following action is now considered to be in the best interests of the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA:

Section 1. That the site selected by the Woodbury County Law Enforcement Center Authority for the new Woodbury County Law Enforcement Center is hereby approved.

PASSED AND APPROVED this 8th day of September, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11b. Motion by Radig second by Pottebaum to approve and authorize the Chairperson to sign a Resolution approving an amended and restated 2E Agreement with the Woodbury County Law Enforcement Center Authority concerning the payment of costs for certain design, engineering, testing and project management services. Carried 5-0.

RESOLUTION #13,057
**A RESOLUTION APPROVING AN AMENDED AND
 RESTATED 28E AGREEMENT WITH THE WOODBURY
 COUNTY LAW ENFORCEMENT CENTER AUTHORITY
 CONCERNING THE PAYMENT OF COSTS FOR CERTAIN
 DESIGN, ENGINEERING, TESTING AND PROJECT
 MANAGEMENT SERVICES**

WHEREAS, the Woodbury County Law Enforcement Center Authority (the "Authority") was created pursuant to Iowa Code Section 346.27, by its incorporating units, Woodbury County, Iowa (the "County") and Sioux City, Iowa, for purposes of constructing and owning a new law enforcement center ("Project"); and

WHEREAS, the Authority intends to finance the entire cost of the Project, including fees for the design, engineering, testing and project management, by issuing revenue bonds; and

WHEREAS, certain design, engineering, testing and project management fees for the Project will become due prior to the issuance of said bonds; and

WHEREAS, the Board of Supervisors for the County and the Board of Commissioners of the Authority have determined it to be in the best interests of their respective constituencies and incorporating units to cooperate in the payment of the design, engineering, testing and project management fees for the Project; and

WHEREAS, the parties desire to enter into an amended and restated contract under Chapter 28E of the Code of Iowa in order to define their respective rights and obligations in connection with payment associated with certain design, engineering, testing and project management fees for the Project.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA:

The Chairperson is hereby authorized and directed to execute the proposed Amended and Restated 28E Agreement with the Authority and such Amended and Restated 28E Agreement shall be filed with the Iowa Secretary of State pursuant to Section 28E.8 of the Code of Iowa.

PASSED AND APPROVED this 8th day of September, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11c. Motion by Ung second by De Witt to approve and authorize the Chairperson to sign a Resolution requesting reimbursement from the Iowa Covid-19 Government relief fund. Carried 5-0.

RESOLUTION #13,058

**RESOLUTION REQUESTING REIMBURSEMENT FROM THE IOWA COVID-19
GOVERNMENT RELIEF FUND**

A resolution by Woodbury County to request reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund.

WHEREAS, the United States Congress approved the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide economic relief related to the COVID-19 pandemic.

WHEREAS, Governor Kim Reynolds allocated \$125 million of the State of Iowa's CARES Act funding to local governments for direct expenses incurred in response to the COVID-19 emergency.

WHEREAS, local government funding reimbursements may only be used for necessary expenditures incurred due to the COVID-19 pandemic, were not accounted for in the current fiscal year county budget, were incurred during the time period of March 1, 2020 through December 30, 2020 and have not been reimbursed from other sources.

NOW, THEREFORE BE IT RESOLVED, Woodbury County requests reimbursement of \$1,307,191.28 in eligible expenditures in response to the COVID-19 public health emergency.

BE IT FURTHER RESOLVED, Woodbury County affirms that the above requests for reimbursement follow all formal published Federal and State of Iowa guidance on how the funds should be spent, and understand if the reimbursements are misrepresented, the local government will be liable for any applicable penalty and interest.

HEREBY RESOLVED but the Board of Supervisors for Woodbury County on this 8th day of September, 2020.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 12a. Motion by Radig second by Ung to approve \$15,000 from gaming funds as requested for 7' trail along Christy Road – Dan Hiserote, Overlook Developers LLC. Carried 5-0. Copy filed.
- 12b. Motion by Pottebaum second by Ung to approve the permit to work in the right of way for Overlook Developers. Carried 5-0. Copy filed.
- 12c. Motion by Radig second by De Witt to approve the federal aid project agreement for project #STBG-SWAP-C097(144)—F-97. Carried 5-0. Copy filed.
- 12d. Motion by De Witt second by Radig to award the quotes for two new hitch mounted mowers to Titan Machinery for \$28,411. Carried 5-0. Copy filed.
13. The Board heard reports on committee meetings.
14. There were no citizen concerns.
15. Board concerns were heard.

The Board adjourned the regular meeting until September 15, 2020.

Meeting sign in sheet. Copy filed.