

FEBRUARY 21, 2017, EIGHTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, February 21, 2017 at 2:00 p.m. Board members present were Ung, De Witt, Pottebaum, Radig, and Taylor. 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.

1. Dennis Butler provided an update on the proposed tax rate.
- 2a. Motion by Taylor second by Ung to approve a reduction of \$26,905 in the proposed budget for the Sheriff Lease/Purchase for additional cells. Carried 5-0.
- 2b. Motion by Taylor second by Ung to increase the term of the 2017 CIP Capital Loan program from five to ten years. Carried 5-0.
- 2c. Motion by Taylor second by Ung to allocate the proceeds from the change to the term of the 2017 CIP Capital Loan program to Cash Reserves. Carried 5-0.
- 2d. Motion by Ung second by Pottebaum to approve the 2018 CIP Program plan as submitted. Carried 5-0.
- 2e. Motion by Ung second by Taylor to remove a duplicated \$11,000 expenditure for county fair operations from the proposed general basic fund budget. Carried 5-0.
3. Motion by Ung second by Taylor to go into closed session per Iowa Code Section 21.5. Carried 5-0 on a roll-call vote.

Motion by Taylor second by Ung to go out of closed session per Iowa Code Section 21.5. Carried 5-0 on a roll-call vote.

Motion by Ung second by De Witt to approve the recommendation of the County Attorney as advised in the previous executive session. Carried 5-0.

Motion by Ung second by Taylor to approve the request of the County Auditor and Recorder to engage an attorney for representation in pending litigation. Carried 5-0.
4. Motion by Ung second by Radig to go into closed session per Iowa Code Section 21.5(1)(a). Carried 5-0 on a roll-call vote.

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

Motion by Ung second by De Witt to defer a decision on an appeal for two weeks. Carried 5-0
5. The meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.
6. There were no citizen concerns.
7. Motion by Ung second by Taylor to approve the Agenda for February 21, 2017. Carried 5-0. Copy filed.

Motion by Radig second by Taylor to approve the following items by consent:
8. To approve minutes of the February 14, 2017 meeting. Copy filed.
9. To approve the claims totaling \$414,682.53. Copy filed.

10. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Mary Miller, 1619 Isabella St, parcel #894720376008. Carried.

WOODBURY COUNTY, IOWA
RESOLUTION #12,490
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES

WHEREAS, Mary F. Miller, is the titleholder of property located at 1619 Isabella St., Sioux City, Woodbury County, Iowa, and legally described as follows:

Parcel # 894720376008

NORTH SIOUX CITY LOT 2 BLOCK 22

WHEREAS, Mary F. Miller, is the titleholder of the aforementioned properties have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2009 Iowa Code section 427.9, 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 grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

SO RESOLVED this 21st day of February, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing date and sale date of parcel #194595, 320 Argonne Place, Sioux City.

RESOLUTION #12,491
NOTICE OF PROPERTY SALE

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

South 16 ft VAC 37th St. North of Lots 7-8 West ½ Lot 9 Block 4 Hatfield Addition, City of Sioux City, Woodbury County, Iowa
(320 Argonne Place)

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 **7th Day of March, 2017 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 at a public auction to be held on the **7th Day of March, 2017**, 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 \$127.00** plus recording fees.

Dated this 21st Day of February, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 11b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing date and sale date of parcel #016488, 1221 Tri-View Ave, Sioux City.

RESOLUTION #12,492
NOTICE OF PROPERTY SALE

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

A tract of land being part of vacated Isabella Street and part of Tax Lot 5 of the auditor's plat of Tax Lots in Government Lots 1, 2, 3 and 4 of Section 29, Township 89 North, Range 47 West of the 5th P.M., Sioux City, Woodbury County, Iowa, described as follows:

**Commencing at the intersection of North line of West Highland Avenue and the East line of Isabella Street; Thence South along said East line for 432.19 feet; Thence Southeasterly along the Southerly Line of South Myrtle Street for 118.95 feet; Thence South for 178.00 feet to the Northerly Line of the Tri View Avenue; Thence Northwesterly along the Northerly Line of the Tri View Avenue for 29.00 feet to the Point of Beginning; Thence continuing along the Northerly Line of Tri View Avenue for 51.00 feet; Thence continuing along the Northerly Line of Tri View Avenue for 71.12 feet to the Center Line of vacated Isabella Street; Thence North along said Center Line for 65.00 feet; Thence Southeasterly for 121.70 feet; Thence South for 67.25 feet to the Point of Beginning.
(1221Tri-View 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 **7th Day of March, 2017 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 **7th Day of March, 2017**, 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 \$5,000.00** plus recording fees.

Dated this 21st Day of February, 2017.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

12. To approve the separation of Richard Elliott, Sheriff Reserve Officer, County Sheriff Dept., effective 02-15-17. Resignation.; the reclassification of Jerardo Cruz, Court Security Officer, County Sheriff Dept., effective 03-09-17, \$24.12/hour, 11.5%=\$2.51/hour. Per CWA Civilian Officers Contract agreement, from Senior Class to Master Class.; the separation of Susan Everton, Motor Vehicle Clerk, County Treasurer Dept., effective 03-31-17. Retirement.; and the separation of Margaret Napier, Clerk II, Planning & Zoning Dept., effective 09-05-17. Retirement. Copy filed.
13. To receive the appointment of Don Joy, Jr., 105 State St., Cushing, IA to the Cushing's City Council until the next regular/general election. Copy filed.
14. To approve an underground utility permit for Western Iowa Telephone. Copy filed.

Carried 5-0.

15. A public hearing was held at 4:35 p.m. for the sale of parcel #652425, 117 E. State St. The Chairperson called on anyone wishing to be heard.

Motion by Ung second by Taylor 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 this parcel to Grant & Susan Fitch, 1488 Lenox Ave, Correctionville, IA, for real estate parcel #842296, , for \$300.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #12,493**

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

By Grant & Susan Fitch in the sum of Three Hundred Dollars & 00/100 (\$300.00)-----
-----dollars.

For the following described real estate, To Wit:

Parcel #842296

A parcel of land being part of abandoned railroad right of way in the NW NE of 34-89-42 lying north of the northerly line of the Little Sioux River with said parcel being 100 foot wide and containing 1.89 acres more or less

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 21st Day of February, 2017.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

16. Dennis Butler presented an update on the proposed tax rate as the result of action the Board took previously in the meeting.
17. Motion by Taylor second by Pottebaum to approve the awarding of \$25,000 from gaming revenues to the Art Center Association of Sioux City's Planned Learning Center contingent on a successful application to Advance Iowa. Carried 4-1; De Witt opposed. Copy filed.
18. Motion by Taylor second by Ung to set a public hearing on the LEC Optimization Plan for Feb. 28, 2017 at 5:00 p.m. Carried 5-0. Copy filed.

19. Motion by Taylor second by Radig to approve the consolidation of the Rural Economic Development and Planning and Zoning Departments and to direct the Human Resources Department to formulate a plan to implement the consolidation by January 1, 2018. Carried 3-2; De Witt and Pottebaum were opposed. Copy filed.
20. The Chairperson reported on the day-to-day activities.
21. The Board members reported on their committee meetings.
22. Citizen concerns.
23. Board members presented their concerns and comments.

The Board adjourned the regular meeting until February 28, 2017.

Meeting sign in sheet. Copy filed.