

MAY 14, 2024, TWENTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, May 14, 2024, at 4:30 p.m. Board members present were Nelson, Ung, Bittinger II, Radig, and Taylor. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Dennis Butler, Budget and Finance Director, 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. Motion by Ung second by Nelson to approve the agenda for May 14, 2024. Carried 5-0. Copy filed.
Motion by Ung second by Nelson to approve the following items by consent:
2. To approve minutes of the May 7, 2024 meeting. Copy filed.
3. To approve the claims totaling \$1,835,812.97. Copy filed.
- 4a. To approve an application for a 12-month, Class C Retail Liquor License, with Outdoor Services Sales privileges for Oscar Carl Vineyard, effective 06/02/2024 through 06/01/2025. Copy filed.
- 4b. To approve an application for a 12-month, Class C Retail Liquor License, with Outdoor Services Sales privileges for Scarecrow Farm, effective 06/01/2024 through 05/31/2025. Copy filed.
- 5a. To approve the appointment of Andrew Baier, Director, Emergency Services Dept., effective 05-20-24, \$92,157.00/year. Job Vacancy Posted 3-14-2024.; and the appointment of Zachary Simons, Deputy 1st Class, County Sheriff Dept., effective 5-20-24, \$32.71/hour. Copy filed.
- 5b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Legal Secretary III, Attorney Dept. AFSCME Courthouse: \$22.63/hour.; PT Youth Worker-Male, Juvenile Detention Dept., AFSCME Juvenile: \$21.41/hr.; and Deputy Sheriff, County Sheriff Dept., CWA Deputy Sheriff: \$28.14/hr. Copy filed.
- 6a. To receive for signatures a Resolution Thanking and Commending Drew Bockenstedt for his years of service with Woodbury County.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,728
A RESOLUTION THANKING AND COMMENDING
DREW BOCKENSTEDT
FOR HIS SERVICE TO WOODBURY COUNTY**

WHEREAS, Drew Bockenstedt has capably served Woodbury County as an employee of the County Attorney's office for 24 years from January 10, 2000 to May 3, 2024.

WHEREAS, the service given by Drew Bockenstedt 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 Drew Bockenstedt 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, Drew Bockenstedt.

BE IT SO RESOLVED this 14th day of May 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6b. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Timothy Utesch, 3437 4th Ave., parcel #884706135018.

WOODBURY COUNTY, IOWA
RESOLUTION #13,729
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES

WHEREAS, Timothy Utesch, as titleholder of a property located 3437 – 4th Ave., Sioux City, Woodbury County, Iowa, and legally described as follows:

Parcel #884706135018

HENRIETTA PLACE LOT 20 BLOCK 8

WHEREAS, Timothy Utesch of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 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 14th day of May 2024.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 6c. To approve the lifting of tax suspension for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension. Copy filed.

Carried 5-0.

- 7a. Motion by Radig second by Ung to receive for signatures a resolution setting interest rates for drainage warrants for districts under the jurisdiction of Woodbury County Board of Supervisors. Carried 5-0.

WOODBURY COUNTY, IOWA
RESOLUTION #13,730
RESOLUTION ESTABLISHING THE INTEREST PAID ON DRAINAGE WARRANTS

WHEREAS, the Woodbury County Board of Supervisors has the authority to establish the interest rate on drainage warrants pursuant to Iowa Code Chapter 468.

NOW, THEREFORE, BE IT RESOLVED, by the Woodbury County Board of Supervisors that the interest rate for Drainage Warrants is hereby set at 5% APR for Fiscal Year 2025.

SO RESOLVED this 14th day of May 2024.
 WOODBURY COUNTY BOARD OF SUPERVISORS

DATED this 14th day of May 2024
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 7b. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Orton Slough Drainage District Levying Special Assessment and Certificate to the County Auditor for Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,731
ORTON SLOUGH DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Orton Slough Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Orton Slough Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7c. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Smokey Hollow Drainage District Levying Special Assessment and Certificate to the County Auditor for Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,732
SMOKEY HOLLOW DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Smoky Hollow Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Smoky Hollow Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7d. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Weber Creek Drainage District Levying Special Assessment and Certificate to the County Auditor for Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,733
WEBER CREEK DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Weber Creek Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Weber Creek Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 7e. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Wolf Creek Drainage District Levying Special Assessment and Certificate to the County Auditor for Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,734
WOLF CREEK DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Wolf Creek Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Wolf Creek Drainage District, that a special tax and/or assessment in the sum of \$ 500.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7f. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Bennett-McDonald Drainage District Levying Special Assessment and Certificate to the County Auditor of Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,735
BENNETT-MCDONALD DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Bennett-McDonald Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Bennett-McDonald Drainage District, that a special tax and/or assessment in the sum of \$ 100.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7g. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Smithland Drainage District Levying Special Assessment and Certificate to the County Auditor of Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,736
SMITHLAND DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Smithland Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies, and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Smithland Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies, and public highways within said Drainage District and same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7h. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Wolf Creek Pumping District #2 Levying Special Assessment and Certificate to the County Auditor for Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,737
WOLF CREEK PUMPING DISTRICT #2
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Wolf Creek Pumping District #2 of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies, and public highways within the boundaries of the said Pumping District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Wolf Creek Pumping District #2, that a special tax and/or assessment in the sum of \$ 100.00 be levied against all the tracts of land, lots, railroad companies, and public highways within said Pumping District and same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7i. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Wolf Creek Pumping District #3 Levying Special Assessment and Certificate to the County Auditor of Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,738
WOLF CREEK PUMPING DISTRICT #3
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body

of the Wolf Creek Pumping District #3 of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies, and public highways within the boundaries of the said Pumping District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Wolf Creek Pumping District #3, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies, and public highways within said Pumping District and same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7j. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Anthon Central Drainage District Levying Special Assessment and Certificate to the County Auditor of Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,739
ANTHON CENTRAL DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Anthon Central Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Anthon Central Drainage District, that a special tax and/or assessment in the sum of \$ 0.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7k. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Maple River Drainage District Levying Special Assessment and Certification to the County Auditor of Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,740
MAPLE RIVER DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Maple River Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Maple River Drainage District, that a special tax and/or assessment in the sum of \$ 100.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 7l. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution Poverty Hollow Drainage District Levying Special Assessment and Certification to the County Auditor of Woodbury County, Iowa. Carried 5-0.

RESOLUTION #13,741
POVERTY HOLLOW DRAINAGE DISTRICT
RESOLUTION LEVYING SPECIAL ASSESSMENT AND CERTIFICATE
TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Board of Supervisors is the governing body of the Poverty Hollow Drainage District of Woodbury County, Iowa; and

WHEREAS, said Board, as Trustees, has determined that it is necessary to levy a special tax and/or assessment on all tracts of land, lots, railroad companies and public highways within the boundaries of the said Drainage District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors as the governing body of the Poverty Hollow Drainage District, that a special tax and/or assessment in the sum of \$ 100.00 be levied against all the tracts of land, lots, railroad companies and public highways within said Drainage District, same to be in the same ratio and upon the same classification as heretofore established, adopted and confirmed.

BE IT FURTHER RESOLVED that the said levy and/or assessment be and the same is hereby certified to the Woodbury County Auditor who is hereby directed to effect said levy and/or assessment against all of the said lands, etc., in the same ratio and upon the same classification as heretofore adopted, established and confirmed and enter same upon the tax list of Woodbury County for collection with the first half of the current year real estate taxes.

DATED this 14th day of May, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7m. Motion by Radig second by Ung to award quote for one new motor grader to Murphy Tractor. Carried 5-0. Copy filed.
8. Motion by Taylor second by Ung to authorize hiring three deputies starting on August 12, 2024 to replace three known retirements in early 2025. Carried 5-0. Copy filed.
9. Motion by Radig second by Ung to approve the transfer \$1,250,000 from General Basic to the Debt Service Fund. Carried 5-0. Copy filed.
10. Matthew Ung, Board of Supervisors, presented good news report that Woodbury County's General Basic Reserve Level of 24.60% is above the 20% level targeted by policy. Copy filed.
11. Reports on committee meetings were heard.
12. Doyle Turner, Merville, discussed eminent domain issues with the Board.
13. Board concerns were heard.

The Board adjourned the regular meeting until May 21, 2024.

Meeting sign in sheet. Copy filed.