

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

#17b

Date: 8-01-16 Weekly Agenda Date: 8-02-16

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Matthew Ung

WORDING FOR AGENDA ITEM:

Improper public posting of Sioux Rivers' "mediation committee" for August 1, 2016

ACTION REQUIRED:

- Approve Ordinance Approve Resolution Approve Motion
Give Direction Other: Informational Attachments

EXECUTIVE SUMMARY:

There was apparently communication lapses within Sioux Rivers leading to improper posting of the informal mediation 9:30 a.m. meeting today. Sioux Rivers canceled the meeting at 9:10 a.m.

BACKGROUND:

The Sioux Rivers secretary asked the Woodbury County board office to post notice of the 9:30 a.m. meeting today at 8:38 a.m. today. 52 minutes notice is not the required 24 hours advance notice for the public and the media.

FINANCIAL IMPACT:

N/A

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

See attached emails.

ACTION REQUIRED / PROPOSED MOTION:

N/A

RE: Resolution to hold meeting as closed session

From: Matthew Ung
To: Shane Walter
BC:
Date: Monday - August 1, 2016 10:22 AM
Subject: RE: Resolution to hold meeting as closed session

Understood, thanks for the explanation. This was all scheduled in a time crunch; hopefully it's obvious we tried to meet within the two weeks required in the Sioux Rivers motion, and that we attempted to head off any public posting problems by emailing to that effect the night the Woodbury County Board authorized us to participate. I'll be updating the Woodbury County Board tomorrow and we'll discuss if this informal mediation practice is the best way to handle this or if we should go ahead with formal mediation with an actual mediator.

Matthew Ung

County Supervisor
620 Douglas St.

Sioux City, IA 51101

Cell: (712) 490-7852

matthewung@woodburycountyiowa.gov

>>> Shane Walter <shanew@siouxcounty.org> 08/01/16 10:09 AM >>>

Nothing to reconcile, Matthew - you are absolutely right about it not being posted at the Woodbury Courthouse until this morning. I didn't get the message to post sent in time for it to be done on Friday as I wasn't certain that it needed to be a posted meeting - my mistake. It was posted elsewhere in a timely manner, however, but that isn't sufficient notice unless posted in all counties at least 24 hours ahead of time. So we will make certain it is posted well ahead of the next meeting - someone needs to let me know when that will be at least a couple of days before that. By the way, Denny was already in Sioux City, he just didn't show up at the courthouse because he was informed of the decision not to hold the meeting - so he wasn't being rude. Hanks for your input.

Shane

From: Matthew Ung [mailto:matthewung@woodburycountyiowa.gov]
Sent: Monday, August 01, 2016 9:56 AM
To: Shane Walter
Subject: RE: Resolution to hold meeting as closed session

Shane,

I'm trying to reconcile that with what witnesses told me this morning. Courthouse security told me someone taped the closed meeting notice for 9:30 a.m. today ... just this morning, which obviously isn't 24 hours ahead of time. Then the board secretaries showed me an email from the Sioux Rivers secretary asking for the agenda you mentioned to be posted, at 8:38 a.m. today. I'm not sure others followed up on your request to have it properly posted in Woodbury, which is really unfortunate.

Supervisor Monson told me Supervisor Henrich turned around and went home after being notified of our legal counsel, and we were not able to get a hold of Supervisor Wright, so Supervisor Monson and I waited until 9:30 a.m. and then left our courthouse. We waited so that we could notify Supervisor Wright as a courtesy, but he didn't show up, so someone else must have been able to get into contact with him.

Matthew Ung

County Supervisor

620 Douglas St.

Sioux City, IA 51101

Cell: (712) 490-7852

matthewung@woodburycountyiowa.gov

>>> Shane Walter <shanew@siouxcounty.org> 08/01/16 9:11 AM >>>

Sorry, Matthew, I missed this until this morning. This was the advice provided by our Regional Attorney, he obviously thought the resolution would be sufficient. However, I had the agenda posted (with one agenda item: closed session of the Dispute Resolution Committee) to our website and in the respective county courthouses as we usually do for our meetings.

Shane

-----Original Message-----

From: Matthew Ung [mailto:matthewung@woodburycountyiowa.gov]

Sent: Sunday, July 31, 2016 6:08 PM

To: Shane Walter

Subject: Re: Resolution to hold meeting as closed session

I'm confused. Is the resolution meant to replace a public posting of a meeting 24 hours beforehand?

Thanks,

>>> Shane Walter <shanew@siouxcounty.org> 07/31/16 16:22 PM >>>

Gentlemen,

As per the advice of our Regional Attorney, the Dispute Resolution Committee meeting scheduled for tomorrow may be held as a closed meeting with the passage of the attached Resolution. If you would like to change it in any way let me know and I can get that done for you. Thank you.

Shane Walter, CEO

Re: Agenda NOZIX

From: Julie Albright <jalbright@woodburycountyiowa.gov>
To: HSATTERWHITE@woodburycountyiowa.gov
Date: Monday - August 1, 2016 8:46 AM
Subject: Re: Agenda NOZIX

You are a lifesaver!! Thank you thank you!!!

Sent from my iPhone

> On Aug 1, 2016, at 8:44 AM, Heather Satterwhite <hsatterwhite@woodburycountyiowa.gov> wrote:
>
> I just posted this.
>
> >>> Julie Albright 8/1/2016 8:38 AM >>>
> Hi Heather,
>
> Would you be able to post this in the courthouse lobby ASAP and let me know when it is there? THANKS!!!!
>
> JULIE

Re: Agenda NOZIX

From: Julie Albright <jalbright@woodburycountyiowa.gov>
To: HSATTERWHITE@woodburycountyiowa.gov
Date: Monday - August 1, 2016 9:10 AM
Subject: Re: Agenda NOZIX

Can you pull it down. I was just informed that there will be no meeting. Sorry for the hassle!!

Sent from my iPhone

> On Aug 1, 2016, at 8:44 AM, Heather Satterwhite <hsatterwhite@woodburycountyiowa.gov> wrote:
>
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> >>> Julie Albright 8/1/2016 8:38 AM >>>
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