



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(JULY 14, 2020) (WEEK 29 OF 2020)**

Live streaming at:  
<https://www.youtube.com/user/woodburycountyiowa>

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

**Boardroom Phone: 712-224-6014**

**Due to the Governor’s proclamation issued March 20th access to this meeting will be by live streaming on YouTube with telephonic access by telephone number listed above.**

Rocky L. De Witt 253-0421 <a href="mailto:rdewitt@woodburycountyiowa.gov">rdewitt@woodburycountyiowa.gov</a>	Marty J. Pottebaum 251-1799 <a href="mailto:mpottebaum@woodburycountyiowa.gov">mpottebaum@woodburycountyiowa.gov</a>	Keith W. Radig 560-6542 <a href="mailto:kradig@woodburycountyiowa.gov">kradig@woodburycountyiowa.gov</a>	Matthew A. Ung 490-7852 <a href="mailto:matthewung@woodburycountyiowa.gov">matthewung@woodburycountyiowa.gov</a>
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held July 14, 2020 at **4:30 p.m.** in the basement of the courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board.

1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, your remarks may be limited to three minutes on any one item.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item “Citizen Concerns.”
7. For the benefit of all in attendance, please silence cell phones and other devices while in the Board Chambers.

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**AGENDA**

**4:15 p.m.** Canvassing of the Special Election

**4:30 p.m.** Swearing in of Justin Wright for County Board of Supervisors

Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

- |                           |             |
|---------------------------|-------------|
| 1. Citizen Concerns       | Information |
| 2. Approval of the agenda | Action      |

**Consent Agenda**

**Items 3 through 7 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.**

3. Approval of the minutes of the July 7, 2020 meeting
4. Approval of claims

5. County Treasurer – Michael Clayton
  - a. Approval of resolution for abatement of taxes for Woodbury-Monona Drainage District #2
  - b. Approval of resolution for abatement of taxes for Lake Forest MHC LLC
  - c. Approval of resolution for abatement of taxes for M.H.
6. Board of Supervisors  
Receive Articles of Agreement for Western Iowa Workforce Development Region
7. Human Resources – Melissa Thomas
  - a. Approval of Memorandum of Personnel Transactions
  - b. Authorization to Initiate Hiring Process
  - c. Approve the purchase of Cyber Liability Insurance for FY 20/21

### **End Consent Agenda**

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|---|--|
| 8. Board of Supervisors – Marty Pottebaum<br>Approval to replace the existing Quality Assurance Questionnaire   | Action   |
| 9. Board of Supervisors – Matthew Ung & Board Administration – Dennis Butler <ol style="list-style-type: none"> <li>a. Approval of Conflict Waiver</li> <li>b. Approval of resolution to consider and approve a 28E Agreement between Woodbury County, Iowa and the Woodbury County Law Enforcement Center Authority for the payment of certain architectural design fees for the Law Enforcement Center</li> </ol>   | Action<br>Action                               |
| 10. Secondary Roads – Mark Nahra <ol style="list-style-type: none"> <li>a. Receive bids for PCC Crushing – 2020 and return them to the county engineer for review and recommendation</li> <li>b. Award bid if low quote is clearly determined by bid results</li> <li>c. Receive bids for Pavement Markings – 2020 and return them to the county engineer for review and recommendation</li> <li>d. Award bid if low quote is clearly determined by bid results</li> </ol>  | Action<br>Action<br>Action<br>Action           |
| 11. Community & Economic Development – David Gleiser <ol style="list-style-type: none"> <li>a. Adoption of Zoning District Designation Mapping Amendment to the Woodbury County Zoning Ordinance for Applicant, Gayle D. Weed</li> <li>b. Adoption of Zoning District Designation Mapping Amendment to the Woodbury County Zoning Ordinance for Applicant, Brian D. Peterson</li> <li>c. Adoption of Zoning District Designation Mapping Amendment to the Woodbury County Zoning Ordinance for Applicant, Chad Swanger</li> <li>d. Approval of Final Plat for the Teri Addition Minor Subdivision</li> <li>e. Approval of Final Plat for the Walnut View Minor Subdivision</li> </ol> | Action<br>Action<br>Action<br>Action<br>Action |
| 12. County Auditor – Patrick Gill<br>Approve amended Advanced Scheduling quote from Tyler Technologies  | Action   |
| 13. Reports on Committee Meetings   | Information                                    |
| 14. Citizen Concerns  | Information                                    |
| 15. Board Concerns  | Information                                    |

### **ADJOURNMENT**

## CALENDAR OF EVENTS

- WED., JULY 15 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- THU., JULY 16 4:00 p.m.** Conservation Board Meeting, Little Sioux Park
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- WED., JULY 22 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., JULY 23 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- MON., JULY 27 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., JULY 28 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- MON., AUG. 3 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., AUG. 4 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., AUG. 5 9:00 a.m.** Loess Hills Alliance Protection Committee Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Stewardship Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive Meeting
- THU., AUG. 6 10:00 a.m.** COAD Meeting, The Security Institute
- WED., AUG. 12 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- THU., AUG. 13 12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 4:30 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park

**Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.**

*Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.*

**JULY 7, 2020, TWENTY-EIGHTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, July 7, 2020 at 4:30 p.m. Board members present were Pottebaum, Radig, De Witt, and Ung. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget/Tax Analyst, Melissa Thomas, HR 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. There were no citizen concerns.
- 2. Motion by Ung second by De Witt to approve the agenda for July 7, 2020, Carried 4-0. Copy Filed.

Motion by Ung second by De Witt to approve the following items by consent:

- 3. To approve minutes of the June 30, 2020 meeting. Copy filed.
- 4. To approve the claims totaling \$675,685.58. Copy filed.
- 5. To receive Juvenile Detention June population report. Copy filed.
- 6a. To approve the underground utility permit for Frontier Communications for fiber optic cable and equipment on Lee Avenue. Copy filed.
- 6b. To approve the underground utility permit for CenturyLink for a telephone drop on Pocahontas Ave. Copy filed.

Carried 4-0.

- 7. Motion by Pottebaum second by Ung to approve and authorize the Chairperson to sign a Resolution 2020 Regional Hazard Mitigation plan. Carried 4-0.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,027  
ADOPTION OF THE 2020 REGIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, the 2020 Regional Hazard Mitigation Plan (for Plymouth, Cherokee, Ida, Monona, and Woodbury Counties in Iowa) has been prepared in accordance with FEMA requirements at 44C.F.R.201.6; and,  
**WHEREAS**, the County of Woodbury County, participated in the preparation of a regional plan, the 2020 Regional Hazard Mitigation Plan; and,

**WHEREAS**, Woodbury County is a governing unit that has afforded its residents an opportunity to comment on and provide input in the Plan and the actions in the Plan; and

**WHEREAS**, Woodbury County has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

**NOW THEREFORE, BE IT RESOLVED** by the County of Woodbury County that the Woodbury County Board of Supervisors adopts the 2020 Regional Hazard Mitigation Plan and resolves to execute the actions in the Plan.

**ADOPTED** this 7th day of July, 2020, at the meeting of the Woodbury County Board of Supervisors.  
**WOODBURY COUNTY BOARD OF SUPERVISORS**  
 Copy filed.

- 8a. A public hearing was held at 4:40 p.m. for proposed Zoning District Map Amendment for Gayle Dee Weed. The Chairperson called on anyone wishing to be heard.

Motion by Ung second by De Witt to close the public hearing. Carried 4-0.

8b. Motion by Ung second by Pottebaum to conduct the second reading of the ordinance and waive the third/final reading. Carried 4-0.

9a. A public hearing was held at 4:45 p.m. for General Obligation County Road Improvements Loan Agreement and Bonds. The Chairperson called on anyone wishing to be heard.

Rod Earlywine, Superintendent of Schools for the Sergeant Bluff/Luton Community School District objected to the issuance of the bonds.

Justin Iverson, Salix Fire Department, spoke in favor of the issuance of the bonds.

Motion by Ung second by De Witt to close the public hearing. Carried 4-0.

9b. Motion by Ung second by Pottebaum to approve and authorize the Chairperson to sign a Resolution expressing intent to enter into 2020 General Obligation Urban Renewal County Road Improvements Loan Agreement and issued 2020 General Obligation Bonds in an amount not to exceed \$10,000,000. Carried 4-0.

**RESOLUTION #13,028**

**EXPRESSING INTENT TO ENTER INTO 2020 GENERAL OBLIGATION URBAN RENEWAL COUNTY ROAD IMPROVEMENTS LOAN AGREEMENT AND ISSUE 2020 GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$10,000,000**

WHEREAS, Chapters 331 and 403 of the Code of Iowa authorize counties to enter into loan agreements and issue general obligation bonds for the purpose of paying the cost of planning, undertaking and carrying out certain types of urban renewal projects under the authority of Chapter 403, provided notice is published, including notice of the right to petition for an election; and

WHEREAS, the Board of Supervisors (the "Board") of Woodbury County, Iowa (the "County") has established the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area"), based on a finding of the need for economic development in the County and has amended the urban renewal plan for the Urban Renewal Area to designate an urban renewal project consisting of improvements to County gravel roads in order to assist economic development (the "Urban Renewal Project"); and

WHEREAS, on December 17, 2019, the Board adopted Resolution No. 12,935, entitled: "Resolution Expressing Intent to Enter into General Obligation Urban Renewal County Road Improvements Loan Agreement and Issue General Obligation Urban Renewal County Road Improvements Bonds"; and

WHEREAS, it has been determined that Resolution No. 12,935 should be repealed; and

WHEREAS, the County has proposed to enter into a loan agreement (the "2020 General Obligation Urban Renewal County Road Improvements Loan Agreement") and issue general obligation bonds in a principal amount not to exceed \$10,000,000 (the "2020 Bonds"), pursuant to the provisions of Section 331.402, Subsection 331.441(2)(b)(14), Section 331.442, Section 331.443 and Chapter 403 of the Code of Iowa, for the purpose of paying the costs of the Urban Renewal Project; and

WHEREAS, the County has published notice of the proposed action, including the right to petition for an election, and held a hearing thereon, and no petition has been filed asking that the question of entering into the 2020 Urban Renewal County Road Improvements Loan Agreement and issuing the 2020 Bonds be submitted to the registered voters of the County; and

WHEREAS, the County intends to enter into the 2020 Urban Renewal County Road Improvements Loan Agreement and issue the 2020 Bonds in the future;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

Section 1. Resolution No. 12,935, adopted December 17, 2019, is hereby repealed, effective as of the date of this Resolution.

Section 2. The Board of Supervisors declares its intent to enter into the 2020 Urban Renewal County Road Improvements Loan Agreement and issue the 2020 Bonds in the future, and also declares that this resolution constitutes the "additional action" required by Sections 331.402 and 331.443 of the Code of Iowa, with respect to the 2020 Urban Renewal County Road Improvements Loan Agreement and the issuance of the 2020 Bonds.

Section 3. This Resolution shall become effective upon its adoption and approval.

Passed and approved July 7, 2020.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

10a. A public hearing was held at 4:50 p.m. for proposed Zoning District Map Amendment for Chad Swanger. The Chairperson called on anyone wishing to be heard.

Motion by Ung second by De Witt to close the public hearing. Carried 4-0.

10b. Motion by Ung second by Radig to conduct the second reading of the ordinance and waive the third/final reading. Carried 4-0.

10c. A public hearing was held at 4:55 p.m. for proposed Zoning District Map Amendment for Brian Peterson. The Chairperson called on anyone wishing to be heard.

Motion by Ung second by De Witt to close the public hearing. Carried 4-0.

10d. Motion by Radig second by Ung to conduct the second reading of the ordinance and waive the third/final reading. Carried 4-0.

11a. Motion by Ung second by De Witt to receive the Zoning Commission's recommendation from their 6/22/20 meeting to approve the final plat for Teri Addison Minor Subdivision. Carried 4-0. Copy filed.

11b. Motion by Ung second by De Witt to postpone action to approve and authorize the Chairperson to sign a Resolution accepting and approving Teri Addition, Woodbury County, Iowa. Carried 4-0.

11c. Motion by Radig second by Ung to receive the Zoning Commission's recommendation from their 6/22/20 meeting to approve the final plat for Walnut View Addition Minor Subdivision. Carried 4-0. Copy fled.

11d. Motion by Radig second by Pottebaum to postpone action to approve and authorize the Chairperson to sign a Resolution accepting and approving Walnut View Addition, Woodbury County, Iowa. Carried 4-0.

12a. Motion by De Witt second by Radig to approve the contract and bond with Dixon Construction for the replacement of the Hancock Avenue bridge for \$603,406.90 and authorize the Chairperson to sign a Resolution designation and authorization for electronic signature resolution. Carried 4-0.

**DESIGNATION AND AUTHORIZATION FOR ELECTRONIC SIGNATURE  
RESOLUTION  
RESOLUTION #13,029**

**WHEREAS:** The Board of Supervisors has approved the contracts and bonds and is directing the County Engineer to electronically sign the contracts and bonds for the following project:

**BROS-SWAP-CO97(135)—FE-97  
Bridge Replacement Project – Bridge H-266 on Hancock Avenue**

**NOW, THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors have approved contracts and bonds and that the County Engineer is directed to electronically sign the contracts and bonds for the above captioned project.

Passed and approved this 7th day of July, 2020.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 12b. Motion by De Witt second by Radig to approve the contract and bond with Dixon Construction for the replacement of the Hancock Avenue bridge for \$501,470.00 and authorize the Chairperson to sign a Resolution designation and authorization for electronic signature resolution. Carried 4-0.

**DESIGNATION AND AUTHORIZATION FOR ELECTRONIC SIGNATURE  
RESOLUTION  
RESOLUTION #13,030**

**WHEREAS:** The Board of Supervisors has approved the contracts and bonds and is directing the County Engineer to electronically sign the contracts and bonds for the following project:

**BRS-SWAP-6012(601)—FF-97  
Bridge Replacement Project – Bridge B-255 on County Route D12**

**NOW, THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors have approved contracts and bonds and that the County Engineer is directed to electronically sign the contracts and bonds for the above captioned project.

Passed and approved this 7th day of July, 2020.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 13a. Motion by Ung second by De Witt to approve and authorize the Chairperson to sign a Resolution fixing date for public hearing on the proposal to enter into a lease agreement with the Woodbury County Law Enforcement Center authority. Carried 4-0.

**RESOLUTION #13,031  
RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON  
THE PROPOSAL TO ENTER INTO A LEASE AGREEMENT  
WITH THE WOODBURY COUNTY LAW ENFORCEMENT  
CENTER AUTHORITY**

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, (the "County") should provide for the authorization of a Lease Agreement with the Woodbury County Law Enforcement Center Authority (the "Authority") for the purpose of construction and operation of a new law enforcement center facility as hereinafter described; and

WHEREAS, Iowa Code Section 346.27 provides that the Authority shall have and exercise certain public and essential governmental powers and functions including the right to lease all or any part of a building to an incorporating unit upon rental terms agreed upon between the Authority and the incorporating unit; and

WHEREAS, the Authority and County have negotiated the form of a proposed Lease Agreement (the "Lease") by and between the Authority and the County, which would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease and would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease; and

WHEREAS, neither Chapter 331 nor any other Code provision sets forth any procedural action required to be taken before said Lease can be approved, and pursuant to Section 331.301(5), Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the Woodbury County Auditor causes to be published notice of the proposal and of the time and place of the meeting at which the Board of Supervisors proposes to take action thereon and to receive oral and/or written objections to such action; 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 this Board of Supervisors meet in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:45 P.M. on July 21, 2020, for the purpose of taking action on the matter of the proposal to enter into the Lease with the Woodbury County Law Enforcement Center Authority.

Section 2. That the Woodbury County Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in Woodbury County, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA, ON THE MATTER OF THE PROPOSAL TO ENTER INTO A LEASE AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, Iowa, will hold a public hearing on July 21, 2020, at 4:45 P.M. in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board of Supervisors proposes to take action on the proposal to enter into a Lease Agreement (the "Lease") with the Woodbury County Law Enforcement Center Authority (the "Authority").

The Lease would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center Facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease.

The Lease would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease.

A copy of the Lease is on file for public inspection during regular business hours in the office of the Auditor of Woodbury County, Iowa.

At the above meeting the Board of Supervisors shall receive oral or written objections to the proposal to enter into the Lease. After all objections have been received and considered, the Board of Supervisors will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Lease.

This notice is given by order of the Board of Supervisors of Woodbury County, Iowa.

Dated this 7<sup>th</sup> day of July, 2020.

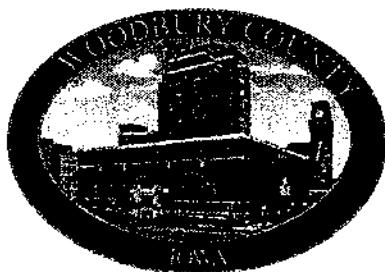


WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 13b. Motion by De Witt second by Radig to de-obligate the \$7,856 from Senior Community Service Employment Program and \$20,000 from Woodbury County Fair allocations. Carried 4-0. Copy filed.
14. The Board heard reports on committee meetings.
15. There were no citizen concerns.
16. Board concerns were heard.

The Board adjourned the regular meeting until July 14, 2020.

Meeting sign in sheet. Copy filed.



**Michael R. Clayton**  
Treasurer of Woodbury County  
Property Tax  
822 Douglas Street Suite 102  
Sioux City, IA 51101  
712-279-6495

July 9, 2020

Dear Board of Supervisors,

The following taxes need abated because of an error with the conversion process from Siouxlutions to Tyler.

Parcel 8645 15 300 003 (Woodbury-Monona Drainage District #2)-----\$11.00 (drainage taxes)

The following is for two mobile homes and B/LL that was abandoned and designated as valueless. The taxes are uncollectable.

Parcel--04510323D (Lake Forest MHC LLC)--1991 Cutlass Mobile Home \$86.00

Parcel--48520241DAB(Marcy Hutchinson)-- 1991 Sun Haven Mobile Home \$719.00

Parcel--8847 30 301 943(Marcy Hutchinson)-- B/LL \$111.00

Thank you for your time and consideration.

A handwritten signature in cursive script that reads "Janet L. Trimpe".

Janet L. Trimpe  
Property Tax Deputy

**WOODBURY COUNTY, IOWA**

**RESOLUTION #**

**RESOLUTION APPROVING ABATEMENT OF TAXES**

**WHEREAS**, Woodbury-Monona Drainage District #2 is the titleholder of property parcel #864515300003 located in Woodbury County, Iowa and legally described as follows:

**WILLOW TOWNSHIP W 40 FT SW ¼ SW ¼ 15-86-45**

**WHEREAS**, the above-stated property has taxes payable including special assessments and the property is owned by Woodbury-Monona Drainage District #2.

**WHEREAS**, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

**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, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

**SO RESOLVED** this 14<sup>th</sup> day of July, 2020.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

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Patrick F. Gill  
Woodbury County Auditor/Recorder

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Matthew Ung, Chairman

**WOODBURY COUNTY, IOWA**

**RESOLUTION #**

**RESOLUTION APPROVING ABATEMENT OF TAXES**

**WHEREAS**, Lake Forest MHC LLC is the titleholder of a mobile home VIN 04510323D located in Woodbury County, Iowa and legally described as follows:

**VIN# 04510323D 1991 Cutlass Mobile Home**

**WHEREAS**, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Lake Forest MHC LLC.

**WHEREAS**, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

**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, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

**SO RESOLVED** this 14th day of July, 2020.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Patrick F. Gill  
Woodbury County Auditor/Recorder

\_\_\_\_\_  
Matthew Ung, Chairman

**WOODBURY COUNTY, IOWA**

**RESOLUTION #**

**RESOLUTION APPROVING ABATEMENT OF TAXES**

**WHEREAS**, Marcy Hutchinson is the titleholder of a mobile home VIN 48520241DAB and Parcel 884730301943 located in Woodbury County, Iowa and legally described as follows:

**VIN 48520241DAB 1991 Sun Haven Mobile Home**

**Parcel 884730301943 Sergeant Bluff City B/LL Lot 230 LOC on P641374 Rail Addition Lots 2 & 3 Estates West Mobile Home Park**

**WHEREAS**, the above-stated mobile home has taxes payable including special assessments and the mobile home is owned by Marcy Hutchinson

**WHEREAS**, these taxes are uncollectable or impractical to pursue collection through personal judgment or tax sale.

**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, 445.16 for the taxes owed and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

**SO, RESOLVED** this 14th day of July, 2020.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

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Patrick F. Gill  
Woodbury County Auditor/Recorder

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Matthew Ung, Chairman

**ARTICLES OF AGREEMENT**  
*for*  
**WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM**

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**WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014**

**WHEREAS**, pursuant to the Workforce Innovation and Opportunity Act of July 2014 (WIOA), the State of Iowa has determined the counties of, Cherokee, Ida, Plymouth, Monona, and Woodbury and shall comprise Workforce Development Region 12; the counties of Audubon, Carroll, Crawford, Greene, Guthrie, and Sac shall comprise Workforce Development Region 8; and, the counties of Cass, Fremont, Harrison, Mills, Page, Pottawattamie, and Shelby shall comprise Workforce Development Region 13; and

**WHEREAS**, the counties of Audubon, Carroll, Cass, Cherokee, Crawford, Fremont, Greene, Guthrie, Harrison, Ida, Mills, Monona, Page, Plymouth, Pottawattamie, Sac, Shelby, and Woodbury desire to participate in and be a member of a new consolidated Workforce Development Area as designated by the Governor; and

**WHEREAS**, Chapter 28E of the Iowa Code allows units of local government to indicate their joint participation in the WIOA by executing a joint exercise of powers agreement in accordance with Chapter 28E and WIOA.

**IT IS NOW THEREFORE AGREED**, that the above-listed counties, hereinafter referred to as “Western Iowa Workforce Development Area,” hereby join together for the purpose of establishing a Chief Elected Official Board under the WIOA as follows:

**Article 1. Purpose**

The undersigned counties hereby establish a Chief Elected Official Board (CEO Board) pursuant to the revisions of Iowa Code Chapter 28E and to carry out the requirements of the WIOA.

**Article 2. Duration**

This Agreement shall be effective upon the approval of the Boards of Supervisors of each of the member counties and the filing of this Agreement with the Iowa Secretary of State. This Agreement shall continue until the WIOA is rescinded, the Area as currently designated is changed by the Governor, or upon the CEO Board amending or terminating this Agreement. This Agreement replaces any prior Workforce Development Regions 8, 12, and 13 Articles of Agreement filed with the Iowa Secretary of State.

**Article 3. New Entity**

No separate legal or administrative entity is being created because of this Agreement. Pursuant to Iowa Code Chapter 28E.6, the CEO Board shall be responsible for administering this agreement and joint undertaking.

#### **Article 4. Organization and Administration**

- A. A CEO Board of Eighteen (18) members is hereby created. Each county that is a signatory to this agreement shall appoint one (1) of its board members to this board and each member shall have one (1) vote on issues to come before the CEO Board.
- B. The CEO Board shall elect a Chief Lead Elected Official (CLEO), and one (1) or two (2) Vice-CLEOs by majority vote of the CEO Board and said officers shall be elected for one (1) year with each term expiring on December 31. The sole authority of the CLEO, different from any other board member, shall be to call, organize, conduct, and chair meetings of the Board. Otherwise, the CLEO shall have the same voting rights, duties, and responsibilities as any other board member.
- C. The CLEO shall act as duly authorized signatory for the CEO Board on all agreements, grants, or on any other document requiring a signature and duly approved by the CEO Board, in order to be legally binding. The CLEO will serve as the primary point of contact for IWD in the dissemination of information to the CEO Board. In the absence of the CLEO, a Vice CLEO may sign on behalf of the CEO Board and serve as the primary point of contact for the CEO Board.
- D. Conflict of Interest. Whenever a potential conflict of interest arises, either directly or indirectly, the Board members shall act to the benefit of the CEO Board and not their own interests. When any such situation occurs, the affected CEO Board member is required to disclose the possible conflict of interest. In such a situation, the CEO may participate in discussion but must abstain from voting.

#### **Article 5. Meetings, Quorum, Voting, Open Meetings, and Open Records**

- A. Meetings shall be called by the CLEO and held as needed at the discretion of the CLEO, but shall be held not less than semi-annually, or upon the written demand of 40% of the member counties. The place of the meeting shall be within the Area as determined by the CLEO and scheduled Monday through Friday.
- B. In-person meetings are preferred but telephonic meetings or electronic meetings may be called and held in CLEO's discretion due to inclement weather, pandemic or other disaster, or due to a timely matter that would better be served via a telephonic or electronic meeting.
- C. A quorum of three-fifths of the member counties is required to conduct a meeting.
- D. Voting on any matter or motion before the board shall be by simple majority of those members present at the meeting unless otherwise described herein. Proxy voting shall not be permitted. Each member county shall cast its own vote.
- E. Meetings and the records of the organization are open to the public subject to the Open Meetings and Open Records requirements and exceptions of the Code of Iowa. Notice of meetings and posting of agendas shall comply with State statute. Meetings, including electronic or telephonic meetings, shall be scheduled at place and time that permits the public to participate.
- F. The records of the organization that are public records shall be maintained by a County Auditor designated by the CEO Board and/or appointed professional staff to the board and shall be available to the public for inspection or copying during normal business hours.

## **Article 6. Financing**

This joint cooperative undertaking is to be financed by the federal funds allocated to the Area under the WIOA and with funds that the CEO Board may apply for and receive on behalf of the Western Iowa Workforce Development Area.

## **Article 7. Powers and Duties**

The roles and responsibilities of the CEO Board include:

- A. Providing input to the Governor on designation of local-workforce development areas.
- B. Securing nominations for vacancies on the Local Workforce Development Board (LWDB) in accordance with Section 84A.4(2) of the Code of Iowa, and making final selection for appointment.
- C. Accepting liability as described in Article 9 for any misuse of WIOA Title 1 funds expended under the contract. It is hereby acknowledged that any repayment of funds must be made from non-Federal fund sources.
- D. Serving as Local Grant Recipient under WIOA, including designating an entity to serve as sub-recipient (fiscal agent).
- E. In partnership with the Iowa Workforce Development, the CEO Board is responsible for:
  1. Allocating WIOA funds
  2. Developing reorganization plans for the LWDB if one is decertified.
  3. Certifying and operating local American Job Centers, including consultation regarding policies related to and funding of infrastructure costs.
- E. In partnership with the LWDB, the CEO Board is responsible for:
  1. Negotiating and reaching agreement with IWD on local performance standards for the WIOA program.
  2. Local budget approval.
  3. Maintaining a working relationship with staff at IWD for various topics.
  4. Appointing a Youth Advisory Council.
  5. Determining the role of the Coordinating Service Provider.
  6. Designating and certifying the Coordinating Service Provider.
  7. Developing a CEO Board/LWDB Agreement, outlining how the two boards will cooperate and collaborate in establishing and overseeing the Area's Workforce Development Center system.
  8. Selecting the WIOA Service Providers.
  9. Selecting the One Stop Operator(s).
  10. Developing and entering into a Memorandum of Understanding with the Workforce Development Center System Partners.
  11. Conducting oversight of the local WIOA adult, dislocated worker services, and youth programs and the Workforce Development Center system; evaluating service delivery to determine if local needs and priorities are being met; determining whether regional needs have changed and if so, whether a plan modification is necessary; ensuring quality improvement is on-going; and, ensuring that performance standards are met.
  12. Developing and submitting the Local Area Workforce Development Customer Service Plan based on the Local Area Assessment and Analysis.
- F. Any other activities later defined by Statute; authorized by State IWD, Federal Rule, or Regulation; or, agreed to by the CEO Board within the limits of their authority to so act.



**Article 8. Local Workforce Development Board (LWDB)**

Nominations and appointments for the LWDB shall be made in compliance with Iowa Code section 84A.4(2). A shared priority of all members of the CEO Board is to have a geographic mix of representation on the LWDB from as many counties as possible, within reason and in accordance with other board membership criteria. LWDB members may be removed by a majority vote of the CEO Board for good cause including but not limited to excessive absences, change in occupation, relocation outside the region, or violation of board policies. LWDB members will be appointed to staggered terms and may be reappointed to successive terms.

**Article 9. Liability**

By approval of this Agreement and the consummation of an agreement with the LWDB named above, each member county government jointly and separately accepts responsibility and liability for the operation of the WIOA Title 1 programs to the extent of the responsibilities assigned and agreed upon in any agreement between the CEO Board and local sub-recipient. Repayment of unallowable costs attributed to workforce programs administered through this agreement, as determined by audits conducted by the state or federal government, will first be collected from contractors responsible for payment of those unallowable costs before being assessed to members. In the event some or all of those costs are not able to be recaptured from responsible parties, member counties to this agreement will be assessed an appropriate share of those costs on a per-capita basis. Should it be determined by the CEO Board or by a judicial order that the misuse is attributable to one or more specific member counties, that county or those counties shall reimburse the other member counties and wholly restore them.

**Article 10. Procurement**

The CEO Board shall follow appropriate Federal Government procurement standards.

**Article 11. Property**

No property, real or personal, shall be acquired as a result of this Agreement.

**Article 12. Fiscal Agent**

The CEO Board shall designate a fiscal agent for Western Iowa Workforce Development Area. Initial and subsequent selections of a fiscal agent shall only be made after considering qualifications of the entity including capacity to and proven success with managing federal funds. The fiscal agent shall receive all funds, pay all claims, or make all disbursements after approval by the CEO Board. Said fiscal agent shall deposit and maintain such funds in accordance with federal and state laws and shall maintain a separate accounting for such funds. The fiscal agent shall make available at any time to any member county a complete accounting of funds managed for the CEO Board. The funds and disbursements shall be subject to annual audit in accordance with federal guidelines. Any irregularity in receipts, disbursements, or fund balances shall immediately be reported in writing to all members of the CEO Board. The fiscal agent shall provide an accounting at each regular meeting of the CEO Board of all receipts, disbursements, balances, any accounts receivable, as well as any accounts payable. The fiscal agent will ensure payments are proper and will perform other duties as directed by Iowa Workforce Development pertaining to monitoring and oversight as it relates to fiscal duties. The fiscal agent shall provide 90 days written notice to the CEO Board before discontinuing further

service and the CEO Board shall appoint a successor fiscal agent for the Area. Provisions of this Article may be altered by a majority vote of the CEO Board for operational necessity.

**Article 13. Termination by Counties**

A county may withdraw from this Agreement by resolution of their Board of Supervisors and by providing notice of said withdrawal to the CEO Board at least ninety (90) days prior to the beginning of the upcoming fiscal year.

**Article 14. Amendments**

The terms and provisions of this Agreement may be amended from time to time. Amendments must be proposed by the CEO Board for approval by each member county. Amendments will become incorporated into this Agreement when approved by 2/3 of the member counties of this Agreement.

Articles of Agreement for Western Iowa Workforce Development Area

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The Audubon County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

Rick Thompson  
Audubon County Board Chair

5-26-2020  
Date

State of Iowa )  
County of Audubon )

On this 26<sup>th</sup> day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Rick Thompson, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Audubon County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Rick Thompson as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Audubon County by it and by them voluntarily executed.

(Seal)



Joni Hansen  
Notary Public in and for the State of Iowa

Articles of Agreement for Western Iowa Workforce Development Area

The Carroll County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

Michael Ampt  
Carroll County Board Chair

5-26-20  
Date

State of Iowa )  
County of IOWA )

On this 26 day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard Ruggles, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Carroll County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Chairman as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Carroll County by it and by them voluntarily executed.

(Seal) 

Emily S. Loew  
Notary Public in and for the State of Iowa

Articles of Agreement for Western Iowa Workforce Development Area

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The Cass County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

Steve Baier  
Cass County Board Chair Steve Baier

May 29, 2020  
Date

State of Iowa )  
County of Cass )

On this 29<sup>th</sup> day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Steve Baier, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Cass County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Steve Baier as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Cass County by it and by them voluntarily executed.

(Seal)

Dale E. Sunderman  
Notary Public in and for the State of Iowa



Articles of Agreement for Western Iowa Workforce Development Area

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The Cherokee County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

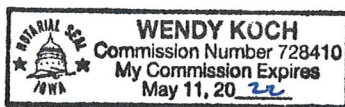
Gary Lundquist  
Cherokee County Board Chair

26 May 2020  
Date

State of Iowa )  
County of Cherokee )

On this 26<sup>th</sup> day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gary Lundquist, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Cherokee County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Gary Lundquist as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Cherokee County by it and by them voluntarily executed.

(Seal)



Wendy Koch  
Notary Public in and for the State of Iowa

Articles of Agreement for Western Iowa Workforce Development Area

The Crawford County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

*Cecil Blum*

Crawford County Board Chair

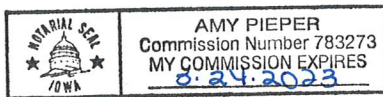
*6.3.2020*

Date

State of Iowa )  
County of Crawford )

On this 3rd day of June, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Cecil Blum, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Crawford County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said \_\_\_\_\_ as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Crawford County by it and by them voluntarily executed.

(Seal)



*Amy Pieper*

Notary Public in and for the State of Iowa

Articles of Agreement for Western Iowa Workforce Development Area

The Fremont County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

Randy Hickey  
Fremont County Board Chair

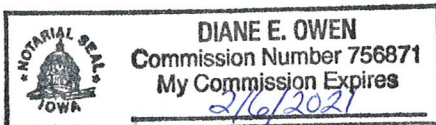
5/27/2020  
Date

State of Iowa )  
County of Fremont )

On this 27<sup>th</sup> day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Randy Hickey, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Fremont County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Randy Hickey as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Fremont County by it and by them voluntarily executed.

(Seal)

Diane E. Owen  
Notary Public in and for the State of Iowa







Articles of Agreement for Western Iowa Workforce Development Region

The Guthrie County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Region 28E agreement and the conditions, therein.

Mark D. [Signature]  
Guthrie County Board Chair

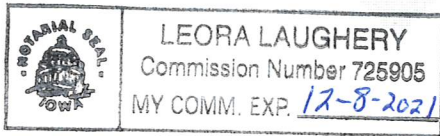
6-2-2020  
Date

State of Iowa )  
County of Guthrie )

On this 2 day of June, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Guthrie County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said \_\_\_\_\_ as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Guthrie County by it and by them voluntarily executed.

(Seal)

Leora Laughery  
Notary Public in and for the State of Iowa



Articles of Agreement for Western Iowa Workforce Development Region

The Harrison County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Region 28E agreement and the conditions, therein.

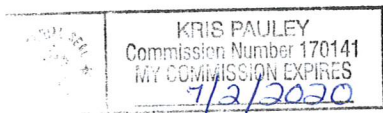
John Straight  
Harrison County Board Chair

May 14 2020  
Date

State of Iowa )  
County of Harrison )

On this 14 day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared John Straight, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Harrison County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said John Straight as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Harrison County by it and by them voluntarily executed.

(Seal)



Kris Pauley  
Notary Public in and for the State of Iowa

Articles of Agreement for Western Iowa Workforce Development Region

The Ida County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Region 28E agreement and the conditions, therein.

Creston Schubert

Ida County Board Chair

5-12-2020

Date

State of Iowa )  
County of Ida )

On this 12<sup>th</sup> day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Creston Schubert, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Ida County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Creston Schubert as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Ida County by it and by them voluntarily executed.

(Seal)

Lorna Steenbock  
Notary Public in and for the State of Iowa



Articles of Agreement for Western Iowa Workforce Development Region

The Mills County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Region 28E agreement and the conditions, therein.

Richard Crouch  
Mills County Board Chair-Vice

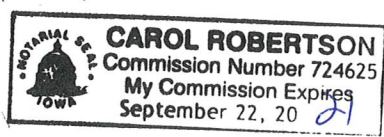
6-9-2020  
Date

State of Iowa )  
County of Mills )

On this 9th day of June, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard Crouch, to me personally known, who, being by me duly sworn, did say that he is the Vice-Chairperson of the Mills County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Richard Crouch as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Mills County by it and by them voluntarily executed.

(Seal)

Carol Robertson  
Notary Public in and for the State of Iowa



Articles of Agreement for Western Iowa Workforce Development Area

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The Monona County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

*Mike C.*  
Monona County Board Chair

6-23-2020  
Date

State of Iowa )  
County of Monona )

On this 23rd day of June, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Mike Collison, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Monona County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Mike Collison as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Monona County by it and by them voluntarily executed.

(Seal) 

*Lisa K. Jones*  
Notary Public in and for the State of Iowa

Articles of Agreement for Western Iowa Workforce Development Area

The Page County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

Chuck Morris  
Page County Board Chair

5/27/20  
Date

State of Iowa )  
County of Page )

On this 27<sup>th</sup> day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Chuck Morris to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Page County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Chuck Morris as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Page County by it and by them voluntarily executed.



Kristina Clark

Notary Public in and for the State of Iowa

Articles of Agreement for Western Iowa Workforce Development Area

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The Plymouth County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

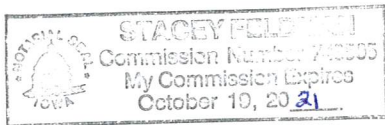
Don Kass  
Plymouth County Board Chair

5/12/20  
Date

State of Iowa )  
County of Plymouth )

On this 12th day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Don Kass, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Plymouth County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Don Kass as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Plymouth County by it and by them voluntarily executed.

(Seal)



Stacey Feldman  
Notary Public in and for the State of Iowa





Articles of Agreement for Western Iowa Workforce Development Area

The Sac County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

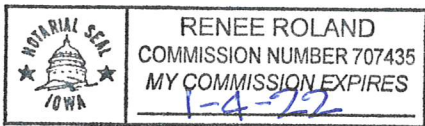
[Signature]  
Sac County Board Chair

6-23-2020  
Date

State of Iowa )  
County of IOWA )

On this 23rd day of June, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared James L. Wissler, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Sac County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said James L. Wissler as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Sac County by it and by them voluntarily executed.

(Seal)



Renee Roland  
Notary Public in and for the State of Iowa

Articles of Agreement for Western Iowa Workforce Development Area

The Shelby County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.

Charles K. Parkhurst  
Shelby County Board Chair

19/MAY/20  
Date

State of Iowa )  
County of Shelby )

On this 19<sup>th</sup> day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Charles Parkhurst, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Shelby County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Charles Parkhurst as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Shelby County by it and by them voluntarily executed.

(Seal)

Julie A. Goetzing  
Notary Public in and for the State of Iowa

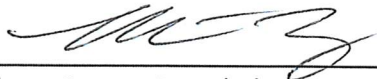


Articles of Agreement for Western Iowa Workforce Development Area

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The Woodbury County Board of Supervisors have read and agree to the conditions of the Western Iowa Workforce Development Area 28E agreement and the conditions, therein.



\_\_\_\_\_  
Woodbury County Board Chair

5-19-20

\_\_\_\_\_  
Date

State of Iowa )  
County of Woodbury )

On this 19<sup>th</sup> day of May, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Matthew Ung, to me personally known, who, being by me duly sworn, did say that he is the Chairperson of the Woodbury County, Iowa Board of Supervisors; and that this instrument was signed and sealed on behalf of said county by authority of its Board of Supervisors; and that the said Karen James \_\_\_\_\_ as such officer acknowledged the execution of the said instrument to be the voluntary act and deed of Woodbury County by it and by them voluntarily executed.

(Seal)



Karen James  
\_\_\_\_\_  
Notary Public in and for the State of Iowa

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

\* PERSONNEL ACTION CODE:

- A- Appointment
- T - Transfer
- P - Promotion
- D - Demotion
- R- Reclassification
- E- End of Probation
- S - Separation
- O - Other

DATE: July 14, 2020

TO: **WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Kerns, Derrick	Secondary Roads	6-30-20	Temporary Summer Laborer			S	End of Temporary Work.
Schroeder, Rodney	County Sheriff	7-13-20	Civilian Jailer	\$22.15/hour	4%=\$.86/hour	R	Per CWA Civilian Officers Contract agreement, from Class 2 to Class 1.
Wright, Justin	Board of Supervisors	7-14-20	Board Member	\$36,049.35/year		A	Elected Official.
Brass, Trevor	County Attorney	7-15-20	Asst. County Attorney	\$64,612/year		A	Job Vacancy Posted 5-20-20. Entry Level Salary: \$61,508-\$71,131/year.
Jensen, Brent	County Sheriff	7-15-20	P/T Courthouse Safety & Security Officer	\$19.01/hour		A	Job Vacancy Posted 6-24-20. Entry Level Salary: \$17.30-\$19.01/hour.
Jordan, Timothy	Juvenile Detention	7-15-20	P/T Youth Worker	\$19.83/hour		A	Job Vacancy Posted 5-13-20. Entry Level Salary: \$19.83/hour.
Taylor, Joshua	County Sheriff	7-19-20	Civilian Jailer			S	Resignation.
Williams, Gabriel	Juvenile Detention	7-19-20	P/T Youth Worker	\$21.33/hour	3%=\$.71/hour	R	Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 2 to Grade 1/Step 3.

APPROVED BY BOARD DATE: \_\_\_\_\_

MELISSA THOMAS, HR DIRECTOR:

*Melissa Thomas HR Director*



## Woodbury County Sheriff's Office

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LAW ENFORCEMENT CENTER  
P. O. BOX 3715 SIOUX CITY, IOWA 51102

DAVID A. DREW, SHERIFF

PHONE: 712.279.6010  
E-MAIL: [ddrew@woodburycountyiowa.gov](mailto:ddrew@woodburycountyiowa.gov)  
FAX: 712.279.6522

09 July 2020

To the Woodbury County Board of Supervisors & Human Resources Department,

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to hire Brent Jensen, effective Wednesday, July 15, 2020 as a Courthouse Security Officer. Brent Jensen is a Reserve Deputy Sergeant with 6 years of experience in law enforcement. We request this hire be placed on the agenda for the Tuesday, July 14, 2020, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink that reads "David Drew". The signature is written in a cursive style.

Dave Drew, Sheriff

Cc: file

HUMAN RESOURCES DEPARTMENT  
WOODBURY COUNTY, IOWA

DATE: July 14, 2020

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Attorney	P/T Assistant County Attorney	Wage Plan: \$29.57/hour		
County Sheriff	Civilian Jailer	CWA: \$20.46/hour		

\_\_\_\_\_  
Chairman, Board of Supervisors



## WOODBURY COUNTY ATTORNEY

**PATRICK "PJ" JENNINGS**  
COUNTY ATTORNEY

300 COURTHOUSE  
620 DOUGLAS STREET  
SIOUX CITY, IOWA 51101

# MEMORANDUM

TELEPHONE  
712-279-6516  
FAX # 712-279-6457

Date: July 7, 2020  
To: Board of Supervisors  
From: PJ Jennings  
RE: Request for New Hire

Supervisors:

Due to the retirement of Terry Ganzel, we will be transferring Athena Ladeas from the indictable division to the felony division and then moving Trevor Brass from the part time grant position to the indictable position. Trevor will start his new position on July 15, 2020 at the salary level 2.

We are now requesting authorization to hire for the part time position being vacated by Trevor. This position is fully funded by a Domestic Violence grant. And just so you are aware, we are currently seeking additional grant funding to change this position to full time.

I ask that you now approve the hiring of a new assistant prosecutor for this part time grant funded attorney position.





## Woodbury County Sheriff's Office

LAW ENFORCEMENT CENTER  
P. O. BOX 3715 SIOUX CITY, IOWA 51102

DAVID A. DREW, SHERIFF

PHONE: 712.279.6010  
E-MAIL: [ddrew@woodburycountyiowa.gov](mailto:ddrew@woodburycountyiowa.gov)  
FAX: 712.279.6522

July 8, 2020

To the Woodbury County Board of Supervisors & Human Resources Department,

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to begin the hiring process for a male Correctional Officer position, effective July 15th, 2020. We request this be placed on the agenda for Tuesday, July 14th, 2020, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "David Drew".

Dave Drew, Sheriff

Cc: file

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 07/09/2020 Weekly Agenda Date: 07/14/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Melissa Thomas HR Director

**WORDING FOR AGENDA ITEM:**

Approve the purchase of Cyber Liability Insurance for FY 20/21

**ACTION REQUIRED:**

- |  |   |  |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/>   | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The proposed Cyber Liability policy provides \$5,000,000 in coverage with a \$10,000 deductible. (attached)

**BACKGROUND:**

The cost for the annual premium is \$16,140, which is an increase of \$1,017.00. Although the premium had remained steady the past 2 years, the increase this year is due to the overall cyber attacks and losses in the marketplace.

**FINANCIAL IMPACT:**

\$16,410

**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:**

Approve the motion

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the purchase of Cyber Insurance for FY 20/21.

Woodbury County

# Proposal

Date: 06/29/2020



**Gallagher**

Insurance | Risk Management | Consulting



Arthur J. Gallagher Risk Management Services In  
Steve Schultz  
Area Vice President  
steve\_schultz@ajg.com  
712-274-8334

ajg.com



# Gallagher

Insurance | Risk Management | Consulting

June 27, 2020

Woodbury County  
620 Douglas Street, Suite #701  
Sioux City, IA 51101

Re: Cyber Liability  
Effective Dates: 06/30/2020 to 06/30/2021

Dear Melissa,

Your Cyber Liability policy will be renewing shortly. Attached is our quotation for coverage.

We are not aware of any changes in your exposures to loss, nor are we aware of any changes in your business operations that would necessitate additional coverage options. Please notify us immediately if you are planning any new business operations.

We would like to outline the following notable points for your consideration:

- Any entity not named in this proposal, may not be an insured entity. This may include affiliates, subsidiaries, LLC's partnerships and joint ventures.
- Defense costs are limited and included within the policy limits.
- The policy is claims-made and contains the following restrictions and claims reporting requirements:
  1. Retroactive Date: Full Prior Acts
  2. Definition of claim: Refer to the Policy Form
  3. Incident or Claim Reporting Provision: Refer to the Policy Form
  4. Continuity Date or specific dates/limits applicable to the claims made conditions: Refer to the Policy Form
- Immediately report any and all incidents that you believe could give rise to a claim by calling Baker Hostetler at the 24 Hour Security Breach Hotline: 1-855-217-5204



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- Gallagher is responsible for the placement of the following lines of coverage:

Cyber Liability

Property

Auto Physical Damage

General Liability, Auto Liability, Excess Liability

It is understood that any other type of exposure/coverage is either self-insured or placed by another brokerage firm other than Gallagher. If you need help in placing other lines of coverage or covering other types of exposures, please contact your Gallagher representative.

- It is recommended that you consider purchasing coverage for the following, which are not included in your insurance program: Professional Liability, Pollution Liability, Employment Practices Liability, Foreign Liability, Earthquake, Flood, Mechanical Breakdown and Increased building reconstruction costs due to enforcement of local building laws.
- Premiums are due and payable as billed and may be financed, subject to acceptance by an approved finance company. Following acceptance, completion (and signature) of a premium finance agreement with the specified down payment is required. Note: Unless prohibited by law, Gallagher may earn compensation for this optional value-added service.

**To bind this quote**, please refer to the “Client Authorization to Bind Coverage” page attached.

- Note any changes you desire to be made.
- Date and sign.
- Return prior to the effective date of coverage.

Additional Options Available:

LIMIT	RETENTION	PREMIUM + SURPLUS



# Gallagher

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We appreciate your business and look forward to working with you in the coming year. Please contact me if you have any questions.

Sincerely,

Heather Murad  
Client Service Manager II



## Compensation Disclosure Schedule

Coverage(s)	Carrier Name(s)	Wholesaler, MGA, or Intermediary Name 1	Estimated Annual Premium 2	Comm % or Fee 3	Gallagher U.S. owned Wholesaler, MGA or Intermediary %
Cyber Liability	BCS Insurance Company	Risk Placement Services, Inc.	\$14,673.00 + Cyber Deception Premium (if elected) \$1,467.00	15%	7.5%

1. We were able to obtain more advantageous terms and conditions for you through an intermediary/wholesaler.
2. The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.
3. The commission rate is a percentage of annual premium excluding taxes & fees.  
Gallagher is receiving 15% commission on this policy. The fee due Gallagher will be reduced by the amount of the commissions received.



## Important Disclosures

**IMPORTANT:** The proposal and/or any executive summaries outline certain terms and conditions of the insurance proposed by the insurers, based on the information provided by your company. The insurance policies themselves must be read to fully understand the terms, coverages, exclusions, limitations and/or conditions of the actual policy contract of insurance. Policy forms will be made available upon request. We make no warranties with respect to policy limits or coverage considerations of the carrier.

If this proposal contains options to purchase TRIA/TRIPRA coverage, the proposed TRIA/TRIPRA program may not cover all terrorism losses. While the amendments to TRIA eliminated the distinction between foreign and domestic acts of terrorism, a number of lines of coverage excluded under the amendments passed in 2005 remain excluded including commercial automobile, burglary and theft insurance; surety insurance, farm owners multiple perils and professional liability (although directors and officers liability is specifically included). If such excluded coverages are required, we recommend that you consider purchasing a separate terrorism policy. Please note that a separate terrorism policy for these excluded coverages may be necessary to satisfy loan covenants or other contractual obligations. TRIPRA includes a \$100 billion cap on insurers' aggregate liability.

The TRIPRA program increases the amount needed in total losses by \$20 million each calendar year before the TRIPRA program responds from the 2015 trigger of \$100 million to \$200 million by the year 2020.

TRIPRA is set to expire on December 31, 2020. There is no certainty of extension, thus the coverage provided by your insurers may or may not extend beyond December 31, 2020. In the event you have loan covenants or other contractual obligations requiring that TRIA/TRIPRA be maintained throughout the duration of your policy period, we recommend that a separate "Stand Alone" terrorism policy be purchased to satisfy those obligations.





# Gallagher

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## Compensation Disclosure

1. Gallagher Companies are primarily compensated from the usual and customary commissions, fees or, where permitted, a combination of both, for brokerage and servicing of insurance policies, annuity contracts, guarantee contracts and surety bonds (collectively "insurance coverages") handled for a client's account, which may vary based on market conditions and the insurance product placed for the client.
2. In placing, renewing, consulting on or servicing your insurance coverages, Gallagher companies may participate in contingent and supplemental commission arrangements with intermediaries and insurance companies that provide for additional compensation if certain underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company, not on an individual policy basis. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company. If you do not wish to have your commercial insurance placement included in consideration for additional compensation, contact your producer or service team for an Opt-out form.
3. Gallagher Companies may receive investment income on fiduciary funds temporarily held by them, or from obtaining or generating premium finance quotes, unless prohibited by law.
4. Gallagher Companies may also access or have an ownership interest in other facilities, including wholesalers, reinsurance intermediaries, captive managers, underwriting managers and others that act as intermediaries for both Gallagher and other brokers in the insurance marketplace some of which may earn and retain customary brokerage commission and fees for their work.

If you have specific questions about any compensation received by Gallagher and its affiliates in relation to your insurance placements, please contact your Gallagher representative for more details.

In the event you wish to register a formal complaint regarding compensation Gallagher receives from insurers or third-parties, please contact Gallagher via e-mail at [Compensation\\_Complaints@ajg.com](mailto:Compensation_Complaints@ajg.com) or by regular mail at:

Chief Compliance Officer  
Gallagher Global Brokerage  
Arthur J. Gallagher & Co.  
2850 Golf Rd.  
Rolling Meadows, IL 60008



## Carrier Ratings and Admitted Status

Proposed Insurance Companies	A.M. Best's Rating & Financial Size Category *	Admitted/Non-Admitted **
BCS Insurance Company	A- VIII (Excellent)	Admitted

\*Gallagher companies use A.M. Best rated insurers and the rating listed above was verified on the date the proposal document was created.

Best's Credit Ratings™ reproduced herein appear under license from A.M. Best and do not constitute, either expressly or impliedly, an endorsement of Gallagher's service or its recommendations. A.M. Best is not responsible for transcription errors made in presenting Best's Credit Ratings™. Best's Credit Ratings™ are proprietary and may not be reproduced or distributed without the express written permission of A.M. Best.

A Best's Financial Strength Rating is an independent opinion of an insurer's financial strength and ability to meet its ongoing insurance policy and contract obligations. It is not a warranty of a company's financial strength and ability to meet its obligations to policyholders. Best's Credit Ratings™ are under continuous review and subject to change and/or affirmation. For the latest Best's Credit Ratings™ and Guide to Best's Credit Ratings, visit the A.M. Best website at <http://www.ambest.com/ratings>.

\*\*If coverage placed with a non-admitted carrier, it is doing business in the state as a surplus lines or non-admitted carrier, and is neither subject to the same regulations as an admitted carrier nor do they participate in any state insurance guarantee fund.

Gallagher companies make no representations and warranties concerning the solvency of any carrier, nor does it make any representation or warranty concerning the rating of the carrier which may change.



## Client Authorization to Bind Coverage

After careful consideration of Gallagher's proposal dated June 27, 2020, we accept the following coverage(s). Please check the desired coverage(s) and note any coverage amendments below:

### POLICY OPTIONS:

YES	NO	OPTION DESCRIPTION
		<b>Bind All Policies As Shown Herein:</b>
		<b>Cyber Liability    Renewal Premium: \$16,140.00 / Expiring Premium: \$15,123.00</b>
		Limit: \$5,000,000
		Retention: \$10,000
		Premium: \$16,140.00



# Gallagher

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The above coverage may not necessarily represent the entirety of available insurance products. If you are interested in pursuing additional coverages other than those addressed in the coverage considerations included in this proposal, please list below:

## EXPOSURES AND VALUES

We confirm the payroll, values, schedules, and other data contained in the proposal, and submitted to the underwriters, are compiled from our records and we acknowledge it is our responsibility to see that they are maintained accurately. If no updates were provided to Gallagher, the values, exposures and operations used were based on the expiring policies.

**Fee Agreement:** In  addition to or  in lieu of commission received by Gallagher for the policy term reflected herein, effective , Gallagher will receive a fee of \$ XXX.00 for:

- placement of insurance coverage
- maintenance and management of the account
- loss/risk control services
- claim advocacy services
- consulting services
- data analytics program studies
- umbrella limits analysis
- pool administration
- program administration
- Risk Purchasing Group or Risk Retention Group program administration fees, and/or
- other

This fee IS NOT refundable, is fully earned by signing below, and is due and payable within thirty (30) days of such signing. Any placements that require the payment of additional state or federal taxes and/or fees are the client's responsibility.

By accepting this fee agreement, we agree and understand that it reflects services to be provided that have been discussed with and fully disclosed to us, and the above fee is consistent with our understanding. This agreement and any disputes that arise out of this fee agreement shall be governed by the laws of the state of Illinois.

Gallagher's liability to Client arising from any acts or omissions of Gallagher shall not exceed \$20 million in the aggregate. Gallagher shall only be liable for actual damages incurred by Client, and shall not be liable for any indirect, consequential or punitive damages or attorneys' fees. No claim or cause of action, regardless of form (tort, contract, statutory, or otherwise), arising out of, relating to or in any way connected with this Agreement or any Services



# Gallagher

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provided hereunder may be brought by either party any later than two (2) years after the accrual of such claim or cause of action.

Gallagher has established security controls to protect Client confidential information from unauthorized use or disclosure. For additional information, please review Gallagher's Privacy Policy located at <https://www.ajg.com/privacy-policy/>.

I have read, understand and agree that the above-information is correct and has been disclosed to us prior to authorizing Gallagher to bind coverage and/or provide services to us.

---

Client Signature

---

Dated

**BCS INSURANCE COMPANY**  
**2 Mid America Plaza, Suite 200**  
**Oakbrook Terrace, IL 60181**

# CYBER LIABILITY AND PRIVACY COVERAGE RENEWAL APPLICATION

**94.003 (07/19)**

CERTAIN COVERAGES OFFERED ARE LIMITED TO LIABILITY FOR CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED AND NOTIFIED TO US DURING THE POLICY PERIOD AS REQUIRED. CLAIM EXPENSES SHALL REDUCE THE APPLICABLE LIMITS OF LIABILITY AND ARE SUBJECT TO THE APPLICABLE RETENTION(S). PLEASE READ THE POLICY CAREFULLY.

"You", "Your" Company, and "Applicant" mean all corporations, organizations or other entities, including subsidiaries, proposed for this insurance.

## I. GENERAL INFORMATION

Name of <b>Applicant</b>	Woodbury County
Mailing Address	620 Douglas Street, Suite #701
City	Sioux City
State	Iowa
ZIP Code	51101
Description of <b>Applicant's</b> Operations	Government

## II. REVENUES

Indicate the following as it relates to the "Applicant"'s fiscal year end (FYE):	Most Recent FYE	Prior FYE
Operating expenditures for the most recent Financial Year End	\$55,600,000	\$55,600,000

\* With respect to the information required to be disclosed in response to the questions above, the proposed insurance will not afford coverage for any claim arising from any fact, circumstance, situation, event or act about which any executive officer of the "Applicant" had knowledge prior to the issuance of the proposed policy, nor for any person or entity who knew of such fact, circumstance, situation, event or act prior to the issuance of the proposed policy.

### FRAUD WARNING

It is a crime to knowingly and intentionally attempt to defraud an insurance company by providing false or misleading information or concealing material information during the application process or when filing a claim. Such conduct could result in your policy being voided and subject you to criminal and civil penalties.

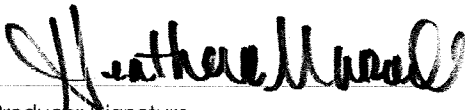
Signature of Applicant's Authorized  
Representative

Name (Printed)

Title

Date

**V. PRODUCER INFORMATION (ONLY REQUIRED IN FLORIDA, IOWA AND NEW HAMPSHIRE)**



Producer Signature

Heather Murad

Producer Name (Printed)

Arthur J. Gallagher Risk Management

Agency Name

16460339

Agency Code

License Number

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 7-9-2020 Weekly Agenda Date: 7-14-2020

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Marty Pottebaum

**WORDING FOR AGENDA ITEM:**

Quality Assurance Questionnaire

**ACTION REQUIRED:**

- Approve Ordinance
- Approve Resolution
- Approve Motion
- Public Hearing
- Other: Informational
- Attachments

**EXECUTIVE SUMMARY:**

This Quality Assurance Questionnaire, to be completed by winning bidders for contracts in excess of \$300,000, will make sure they adhere to all applicable laws.

**BACKGROUND:**

This questionnaire is meant to assure that all contractors doing projects in excess of \$300,000 in value for the County are adhering to all applicable laws.

**FINANCIAL IMPACT:**

None

**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

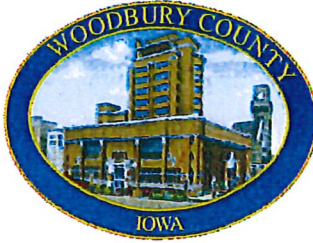
**RECOMMENDATION:**

Pass this motion to replace the existing Quality Assurance Questionnaire with this more comprehensive one.

**ACTION REQUIRED / PROPOSED MOTION:**

Pass this motion to replace the existing Quality Assurance Questionnaire with this version.





**WOODBURY COUNTY CAPITAL IMPROVEMENT PROJECTS  
"QUALITY ASSURANCE QUESTIONNAIRE"**

Pursuant to Iowa Code 26.9 which requires that contracts for public improvements to be awarded to the "lowest responsive, responsible bidder", and also recognizes that a government entity may obtain information from the lowest responsive bidder to determine bidder's responsibility relating to the bidders's experience, number of employees, and ability to finance the cost of the public improvement, and in accordance with Iowa Law allowing public entities to consider factors other than price in determining who is the lowest responsible bidder. The fully completed Questionnaire, with attachments, shall be submitted to the Woodbury County Board of Supervisors Office by the lowest apparent bidder within 10 business days of bid opening date. Contractors that do not complete and/or submit questionnaire by date required may be deemed to be non-responsive or non-responsible.

1. Full name of Contractor: \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

2. All other names under which Contractor has operated in the past five (5) years:

\_\_\_\_\_  
\_\_\_\_\_

3. Provide Contractors' Registration Number and full names of Registration Holders as per Iowa Construction Contractor Registration requirements:

\_\_\_\_\_  
\_\_\_\_\_

Contractor Registration Expiration Date \_\_\_\_\_

4. Has Registration ever been suspended or revoked in any jurisdiction?

{ } Yes

{ } No

If "yes", provide information regarding suspension/revocation and attach all relevant documents.

5. Within the past five(5) years, has Contractor been debarred by any federal, state or local government

entity from bidding on projects?

Yes

No

If "yes", provide information related to debarment.

6. On a separate sheet, list construction projects in value in excess of \$300,000 dollars that Contractor has in progress, giving the name of the project, owner, architect, contract amount, key Contractor personnel, percent complete and scheduled completion date.
7. On a separate sheet, list the major projects Contractor has completed in the past three (3) years, giving the name of the project, owner, architect, contract amount, Officer in Charge, Project Manager, Project Superintendent, and any other key Contractor personnel, date of completion and percentage of the total project performed by your own employees.
8. On a separate sheet, identify the individuals Contractor intends to be the Officer in Charge, Project Manager, Project Superintendent and any other key personnel on this project, Include a resume and/or recent work history for each identified individual.
9. On a separate sheet, for work Contractor intends to self-perform on the project; specify the level of training and experience Contractors' employees have had. Further indicate whether or not any such training has been in a United States Department of Labor (DOL) certified apprentice program. In the event Contractor intends to utilize apprentice workers on the Project, Contractor must be able to provide, upon Owners' request, documentation that each apprentice worker utilized on the Project is properly registered as participating in a DOL certified apprentice program or substantially equivalent apprenticeship program.
10. On a separate sheet, list the Contractors last five (5) completed projects, and for each the scheduled completion date and the final completion date, noting any owner approved extensions.
11. Within the past three (3) years, has Contractor defaulted on a contract, or been disqualified, removed or otherwise prevented from bidding on or completing any project.

Yes

No

If "yes", provide the year of the incident, name, address and telephone number of the owner of The project, project name and location.

12. Has Contractor ever been unable to obtain a bond or been denied a bond?

Yes

No

If "yes", please provide all relevant details.

13. On a separate sheet, list all surety/bonding companies Contractor has utilized in the past (5) years.

14. Has Contractor ever declared bankruptcy or been in receivership?

Yes

No

If "yes" please provide all relevant details.

15. Is Contractor currently being investigated for or previously been found to have violated in the past five (5) years any of the following state or federal laws: Iowa Minimum Wage Act; Iowa Non-English Speaking Employees Act; Iowa Child Labor Act; Iowa Labor Commissioner's Right to Inspect Premises, Iowa Compensation Insurance Act; Employment Security Act; Iowa Competition Act; Iowa Income, Corporate and Sales Tax Code; a "willful" violation of the Iowa or Federal Occupational Safety and Health Act; Iowa Employee Registration Requirements; Iowa Hazardous Chemical Risks Act; Iowa Wage Payment Collection Act; Federal Income and Corporate Tax Code; The National Insurance Security Act; The Fair Labor Standards Act:

Yes

No

If "yes" please explain:

---

---

---

---

16. Has Contractor ever failed to complete any work awarded to it?

Yes

No

If "yes" provide all relevant details.

17. Are there any judgements, arbitration proceeding or suits pending or outstanding against Contractor or its officers that relate to, arise out of or are in the course of the Contractor's Business?

Yes

No

If "yes" provide all relevant details.

18. Has Contractor filed any lawsuit or demanded arbitration with regard to any construction contract within the past five (5) years?

Yes

No

If "yes" provide all relevant details.

19. Has Contractor been found by a court or agency of competent jurisdiction to be delinquent in meeting its obligations under local, state or federal tax laws within the last five (5) years? ("delinquent" shall include, but is not limited to: failure to file, failure to pay or imposition of tax liens)

Yes

No

20. Contractor affirms that it will retain only subcontractors who can fully comply with the bid specifications, including those that address requirement concerning labor.

Yes

No

21. Contractor affirms that it will be responsible for ensuring that each subcontractor meets quality assurance specifications.

Yes

No

22. Contractor agrees to submit to the Woodbury County Facilities Director a list of all intended subcontractors **WITHIN 14 calendar days of notification** to the apparent lowest bidder. (in the event Contractor wishes to replace any originally-designated subcontractor, such may only occur with the approval of the Woodbury County Facilities Director. Such approval will not be unreasonably withheld)

Yes

No

23. Contractor attests that it will comply with each of the following:

Iowa's Minimum Wage Law.

Yes

No

Maintain worker's compensation insurance or be qualified as a self-insurer and provide proof of insurance or ability to self-insure upon request.

Yes

No

Properly license all Contractor employees with the appropriate licensing authority.

Yes

} No

24. Contractor will make available to Woodbury County Facilities Director or Woodbury County representative, upon County's request, documentation to satisfy the County and the County's sole discretion, that the Contractors' workers utilized on this project are actual employees, with unemployment and workers' compensation coverage, not "leased employees" or independent contractors.

) Yes

} No

25. That Contractor will provide with this Questionnaire, the name, address, phone number and name of contact for three (3) entities which will provide references.

} Yes

} No

26. Contractor will only utilize on-site employees who have completed the Occupational Safety and Health Act (OSHA) 10 hour Construction industry Training Program.

} Yes

} No

Provide Contractor's Federal ID Number \_\_\_\_\_

Provide Name and address of Contractor's Registered Agent \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Please continue to signature page)

I hereby certify, that (1) all of the information provided by me in this Questionnaire is true and correct to the best of my knowledge; (2) I am authorized to sign this Questionnaire on behalf of the Contractor whose name appears in Question #1; (3) if any of the information I have provided herein becomes inaccurate, prior to execution of any Project Contract. I will immediately provide Woodbury County Facilities Director with updated accurate information in writing; and (4) I hereby authorize any person or entity named herein to provide Woodbury County Facilities Director with whatever information might be required to verify this Questionnaire.

**THIS STATEMENT MUST BE NOTORIZED**

NAME OF CONTRACTOR \_\_\_\_\_

BY: \_\_\_\_\_  
Signature Title

\_\_\_\_\_  
Type/Print Name Date

STATE OF IOWA, \_\_\_\_\_ County, ss:

Subscribed and sworn to before me by the said \_\_\_\_\_ on this day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for the State of Iowa

\_\_\_\_\_  
Contractor Name

SPECIAL PROVISION  
CONTRACTUAL REQUIREMENTS

ON

(INCLUDE IMPROVEMENT)

SUBCONTRACTOR QUALITY ASSURANCE  
BID REQUIREMENTS

The following requirements are intended to be included in the Quality Assurance Sections of the Bid Specifications which the Contractor will, along with all other quality assurance requirements, be required to manage:

FOR ALL SUBCONTRACTORS

Subcontractor must not be under current investigation for or previously have been found to have violated in the last five (5) years any of the following state or federal laws: Iowa Minimum Wage Act, Iowa Non English Speaking Employees Act, Iowa Child Labor Act, Iowa Labor Commissioner's Right to Inspect Premises, Iowa Compensation Insurance Act, Iowa Employment Security Act, Iowa Competition Act, Iowa Income, Corporate and Sales Tax Code, a "willful" violation of the Iowa or Federal Occupational Safety and Health Act, Iowa Employee Registration Requirements, Iowa Hazardous Chemical Risks Act, Iowa Wage Payment Collection Act, Federal Income and Corporate Tax Code, The National Insurance and Social Security Act, The Fair Labor Standards Act. Subcontractor must notify the Contractor of any current investigation of Subcontractor for violation of any of the above laws.

Subcontractor will only utilize Subcontractor on-site employees that have completed the Occupational Safety and Health Act (OSHA) 10 hour Construction Industry Training Program.

Subcontractor must properly license all employees with the appropriate licensing authority.

Subcontractor at all levels, that is even a subcontractor of a subcontractor, will only utilize workers on this Project that have unemployment and workers compensation coverage provided by the subcontractor by which the worker is employed. Subcontractor will make available to Contractor or County such documentation that is necessary to satisfy City, in County's sole discretion, that subcontractor is in compliance with this provision.

## FOR SELECT SUBCONTRACTS

These requirements shall apply to the following Subcontracts:

List those subcontracts that will apply

In the event Subcontractor intends to utilize apprentice workers, Subcontractor must participate in an apprentice or training program approved by the United States Department of Labor (DOL) or substantially equivalent apprenticeship or training program which has graduated at least one apprentice in the immediately preceding three year period. Subcontractor must provide, upon County's or Contractor's request, documentation of such participation.

Subcontractor is not required to use apprentices on the Project. If subcontractor chooses to employ apprentices on this Project, subcontractor must provide upon request, evidence that each of the apprentices on the Project is participating in and registered with a DOL-approved apprentice or training program or substantially equivalent apprenticeship or training program.





Ahlers & Cooney, P.C.  
Attorneys at Law

100 Court Avenue, Suite 600  
Des Moines, Iowa 50309-2231

Phone: 515-243-7611

Fax: 515-243-2149

[www.ahlerslaw.com](http://www.ahlerslaw.com)

Maria E. Brownell  
515.246.0322  
[mbrownell@ahlerslaw.com](mailto:mbrownell@ahlerslaw.com)

July 9, 2020

**Via email only**

Woodbury County Board of Supervisors  
c/o Mr. Michael Clayton  
Woodbury County Treasurer  
Trosper Hoyt  
822 Douglas St. Room 102  
Sioux City, IA 51101

Re: Woodbury County, Iowa - Conflict Waiver

Dear Board of Supervisors:

Our firm concurrently represents the Woodbury County Board of Supervisors ("County") and the Woodbury County Law Enforcement Center Authority ("Authority"). Recently, we were asked by both parties to act as scrivener in the drafting of a 28E agreement to address payment by the County of certain up-front architectural design services associated with the Law Enforcement Center, which will be reimbursed by the Authority after issuance of revenue bonds for the project.

We do not believe such representation as scrivener of the parties' agreement presents a direct conflict of interest, but it is our duty to inform you of the nature of the concurrent representation. For the County we provide legal services on a variety of matters, including financing. Our firm is currently representing the Authority in connection with the financing of the Law Enforcement Center project along with other general project-related questions. This firm is not representing the County related to the 28E agreement, described above, and it is the firm's understanding that the County Attorney will review the 28E on behalf of the County.

While this transaction does not fall within the scope of our representation of the County, such representation could be perceived as a concurrent conflict of interest under the ethical standards governing the practice of law in Iowa. We do not believe this is an actual conflict of interest, but from a legal perspective, a concurrent conflict of interest exists under Iowa rules if (1) the representation of one client will be directly adverse to another client; or (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client, or a third person or by a personal interest of the lawyer. We know that the second condition stated above does not apply to this situation, as noted above, but our firm's representation of the Authority related to

July 8, 2020

Page 2

drafting this 28E Agreement concerning financing of the project will technically be directly adverse to the County.

The state's ethical rules allow a law firm to concurrently represent two adverse parties if (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client; (2) the representation is not prohibited by law; (3) the representation does not involve the assertion of a claim by one client against another represented by the lawyer in the same litigation or other proceeding before a tribunal; and (4) each affected client gives informed consent, confirmed in writing. We believe confidently that our attorneys will be able to provide competent and diligent representation to each of their affected clients as the matters being addressed are totally unrelated, the representation is not prohibited by law, and there will not be an assertion of a claim as described. The purpose of this letter is to seek the written consent of the County in order to proceed. We are requesting the same from the Authority.

Please feel free to contact me with any questions or concerns. If you consent to the concurrent representation, please so indicate below and return a copy of this fully executed letter to my attention. Thank you.

Very truly yours,

AHLERS & COONEY, P.C.

*Maria E. Brownell*

Maria E. Brownell

MEB:gc

cc: Dennis Butler (via email)  
Karen James (via email)

July 8, 2020

Page 3

The Woodbury County Board of Supervisors hereby waives and consents to any actual, potential, or perceived conflict of interest associated with Ahlers & Cooney, P.C.'s representation of the Woodbury County Board of Supervisors and the Woodbury County Law Enforcement Center Authority with respect to the above referenced transactions.

Dated this \_\_\_ day of \_\_\_\_\_, 2020.

WOODBURY COUNTY BOARD OF SUPERVISORS:

\_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_  
County Auditor

01743090-1\99520-322

**ITEMS TO INCLUDE ON AGENDA FOR JULY 14, 2020**

**WOODBURY COUNTY, IOWA**

- Resolution to consider and approve a 28E Agreement between Woodbury County, Iowa and the Woodbury County Law Enforcement Center Authority for the payment of certain architectural design fees for the Law Enforcement Center.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE COUNTY.

July 14, 2020

The Board of Supervisors of Woodbury County, State of Iowa, met in \_\_\_\_\_ session, in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at \_\_\_\_\_ .M., on the above date. There were present Chairperson \_\_\_\_\_, in the chair, and the following named Board Members:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Board Member \_\_\_\_\_ introduced the following Resolution entitled "A RESOLUTION APPROVING A 28E AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY CONCERNING THE PAYMENT OF COSTS FOR CERTAIN ARCHITECTURAL SERVICES" and moved that it be adopted. Commissioner \_\_\_\_\_ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

A RESOLUTION APPROVING A 28E AGREEMENT WITH  
THE WOODBURY COUNTY LAW ENFORCEMENT CENTER  
AUTHORITY CONCERNING THE PAYMENT OF COSTS  
FOR CERTAIN ARCHITECTURAL 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 architectural fees for the design, by issuing revenue bonds; and

WHEREAS, certain design 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 fees for the Project; and

WHEREAS, the parties desire to enter into a contract under Chapter 28E in order to define their respective rights and obligations in connection with payment associated with certain design fees for the Project.

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

The Board Chair is hereby authorized and directed to execute the proposed 28E Agreement with the Authority and such 28E Agreement shall be filed with the Iowa Secretary of State pursuant to Iowa Code § 28E.8.

PASSED AND APPROVED this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
County Auditor

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WOODBURY )

I, the undersigned County Auditor of Woodbury County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
County Auditor, Woodbury County, Iowa



**28E AGREEMENT BETWEEN  
WOODBURY COUNTY, IOWA  
AND THE  
WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY  
FOR CERTAIN ARCHITECTURE FEES RELATED TO THE WOODBURY  
COUNTY LAW ENFORCEMENT CENTER**

This 28E Agreement for Architecture Fees for the Woodbury County Law Enforcement Center (“Agreement”) is made and entered into pursuant to the provisions of Chapter 28E as of this \_\_\_\_ of \_\_\_\_\_, 2020, by and between WOODBURY COUNTY, IOWA, a political subdivision, organized and existing under and by virtue of the laws and Constitution of the State of Iowa (“County”) and the WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY, a body corporate, organized and existing under and by virtue of Iowa Code Section 346.27, (“Authority”). The County and the Authority are herein referred to as the “Parties” to this Agreement.

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

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

WHEREAS, the design fees for the Project will become due prior to the issuance of said bonds; and

WHEREAS, the Board of Supervisors of 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 certain design fees for the Project not to exceed \$350,000; and

WHEREAS, the Parties desire to enter into a contract under Chapter 28E in order to define their respective rights and obligations in connection with payment associated with the design fees for the Project.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the County and the Authority hereby agree as follows:

Section 1. Purpose. The purpose of this Agreement is to provide for the joint exercise of the respective powers of the parties in connection with financing certain design costs of the Project not to exceed \$350,000, which is a public improvement project of mutual benefit to the constituents and incorporating units of both Parties.

Section 2. Agreement – Manner of Financing. In order to effectuate the purpose hereunder and to facilitate the design and construction of the Project, the Parties

agree as follows:

A. County's Obligations – The County shall pay the Authority for the cost of certain architectural design services for the Project in an amount not to exceed \$350,000. The payment shall be financed in cash from such funds as may be legally available including cash on hand and such other funds as the Board of Supervisors may at its sole discretion determine and provide.

B. Authority's Obligations – The Authority shall use said payment from the County to pay the Project architect for the performance of such design services as the Board of Commissioners deems reasonable and necessary. The Authority shall accept payment from the County for the sole purpose of paying the Project architect fees due under the design services contract for the Project. The Authority shall reimburse the County for 100% of its payment(s), not to exceed \$350,000. The Authority's reimbursement to the County shall be made within a reasonable time after the proceeds from the Authority's revenue bonds for the Project become available.

Section 3. Agreement – Method of Approval. The Parties shall approve this Agreement by resolution adopted by action of their respective governing bodies, which resolution shall authorize the Chairperson and County Auditor of the County and the Chairperson and Secretary of the Authority to execute this Agreement.

Section 4. Agreement – Filing with Secretary of State. When this Agreement has been executed by the Parties, it shall be electronically filed with the Secretary of State of the State of Iowa in accordance with the provisions of Iowa Code Section 28E.8.

Section 5. Duration. This Agreement shall be in effect as of the date of the filing of the Agreement with the Secretary of State and shall continue indefinitely until and unless terminated by the action of any party to this Agreement as provided herein. This Agreement may also be terminated by either party for any reason, at any time, by providing the other party with written notice of such party's desire to terminate this Agreement. Upon such notice, this Agreement shall automatically terminate 60 days after such notice is provided.

Section 6. No Entity. No separate entity is created hereby.

Section 7. Designated Administrator. The parties agree that Dennis Butler shall be designated as the sole administrator of this Agreement for purposes of the filing requirements outlined by Iowa Code Section 28E.8. Each party shall otherwise separately administer its own activities.

Section 8. Notices. Any notice, demand or other communication under this Agreement shall be made in writing as follows:

Woodbury County Board of Supervisors  
Attn: Chairperson

Woodbury County Law Enforcement  
Center Authority  
Attn: Chairperson

Section 9. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Iowa now or hereinafter applicable hereto.

Section 10. Entire Agreement. This Agreement contains the entire Agreement between the parties hereto and may not be changed except by an amendment in writing signed by the parties hereto.

Section 11. No Third-Party Beneficiaries. Nothing in this Agreement shall be construed to confer any right upon any third party, and the parties hereto specifically acknowledge, agree and declare that no person is intended to be a third-party beneficiary to this Agreement.

IN WITNESS WHEREOF, the County has caused this Agreement to be duly executed in its name and behalf by the Chairperson of the Board of Supervisors and its seal to be hereunto duly affixed and attested by its Auditor, and the Authority has caused this Agreement to be duly executed in its name and behalf by its Chairperson and attested by its Board Secretary, all on or as of the day first above written.

*[Remainder of page intentionally left blank; Signature pages follow]*

(SEAL)

WOODBURY COUNTY, IOWA

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
County Auditor

STATE OF IOWA                    )  
  ) SS  
COUNTY OF WOODBURY         )

On this \_\_\_\_ day of \_\_\_\_\_, 2020, before me a Notary Public in and for said State, personally appeared the Chairperson of the Board of Supervisors of Woodbury County and the Woodbury County Auditor, to me personally known, who being duly sworn, did say that they are the Chair and Auditor, respectively, of Woodbury County, Iowa, an Iowa county created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said County, and that said instrument was signed and sealed on behalf of said County by authority and resolution of its Board of Supervisors, and said Chairperson and Auditor acknowledged said instrument to be the free act and deed of said County by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

WOODBURY COUNTY LAW  
ENFORCMENT CENTER  
AUTHORITY

(SEAL)

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Secretary

STATE OF IOWA                    )  
  ) SS  
COUNTY OF WOODBURY        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me a Notary Public in and for said State, personally appeared the Chairperson of the Board of Commissioners of the Woodbury County Law Enforcement Center Authority and the Board Secretary, to me personally known, who being duly sworn, did say that they are the Chair and Secretary, respectively, of said Board, created and existing under Iowa Code Section 346.27 , and that the seal affixed to the foregoing instrument is the seal of said Authority, and that said instrument was signed and sealed on behalf of said Authority by authority and resolution of its Board of Commissioners, and said Chair and Secretary acknowledged said instrument to be the free act and deed of said County by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

[ATTACH RESOLUTION OF BOARD OF SUPERVISORS APPROVING AGREEMENT]

[ATTACH RESOLUTION OF THE WOODBURY COUNTY LAW ENFORCEMENT  
CENTER AUTHORITY APPROVING AGREEMENT]

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**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

#10  
a,b

Date: 7/7/2020 Weekly Agenda Date: 7/14/2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Receive bids for PCC Crushing for 2020

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The county engineer is requesting quotes to crush stockpiles of broken PCC concrete from four stockpiles on county property for Woodbury County.

**BACKGROUND:**

The road department allows contractors and others to drop clean, broken PCC concrete at county properties in all four corners of the county. Periodically we take quotations to crush this material to a road aggregate gradation for use on county gravel roads.

**FINANCIAL IMPACT:**

The project is paid for with local Woodbury County secondary road funds.

**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:**

- 1) I recommend that the Board receive bids for PCC Crushing - 2020 and return them to the county engineer for review and recommendation.
- 2) If quotes show a clear low quote, the engineer may recommend award at the Board meeting after opening the quotes.

**ACTION REQUIRED / PROPOSED MOTION:**

- 1) Motion to receive bids for PCC Crushing - 2020 and return them to the county engineer for review and recommendation.
- 2) Motion to award bid if low quote is clearly determined by bid results.



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

#10  
c,d

Date: 7/7/2020 Weekly Agenda Date: 7/14/2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Receive bids for county pavement markings for 2020

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The county engineer has prepared plans for the application of pavement markings on various paved roads in Woodbury County.

**BACKGROUND:**

Annually the county reapplies paint to 33-50% of its paved road system. The proposed project will be completed during the 2020 construction season.

**FINANCIAL IMPACT:**

The project is paid for with local Woodbury County secondary road funds.

**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:**

- 1) I recommend that the Board receive bids for Pavement Markings - 2020 and return them to the county engineer for review and recommendation.
- 2) If quotes show a clear low quote, the engineer may recommend award at the Board meeting after opening the quotes.

**ACTION REQUIRED / PROPOSED MOTION:**

- 1) Motion to receive bids for Pavement Markings - 2020 and return them to the county engineer for review and recommendation.
- 2) Motion to award bid if low quote is clearly determined by bid results.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

#11a

Date: 7/9/20 Weekly Agenda Date: 7/14/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Adoption of Zoning District Designation Mapping Amendment to the Woodbury County Zoning Ordinance for Applicant, Gayle D. Weed

**ACTION REQUIRED:**

- |   |   |  |
|---|---|--|
| Approve Ordinance <input checked="" type="checkbox"/> | Approve Resolution <input type="checkbox"/>   | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>               | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The Board of Supervisors will take action to adopt a proposed zoning district designation mapping amendment to change the zoning district designation for parcel #874614100007 from Agricultural Preservation to Agricultural Estates.

**BACKGROUND:**

On 6/22/20 the Zoning Commission held a public hearing on the request submitted by Ms. Gayle D. Weed and subsequently voted 3-0 to recommend approval to the Board of Supervisors. On 6/30/20, the Board of Supervisors held a public hearing on the zoning district designation mapping amendment and subsequently approved the request. The Board also conducted the 1st reading of an ordinance to amend the zoning designation. On 7/7/20, the Board of Supervisors held a 2nd public hearing on the request and conducted the 2nd reading of the ordinance. The Board waived the 3rd public hearing and 3rd ordinance reading. Once adopted, the ordinance will become effective upon publication.

**FINANCIAL IMPACT:**

**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:**

Adopt the zoning district designation mapping amendment for applicant, Gayle D. Weed.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to adopt the zoning district designation mapping amendment for applicant, Gayle D. Weed.

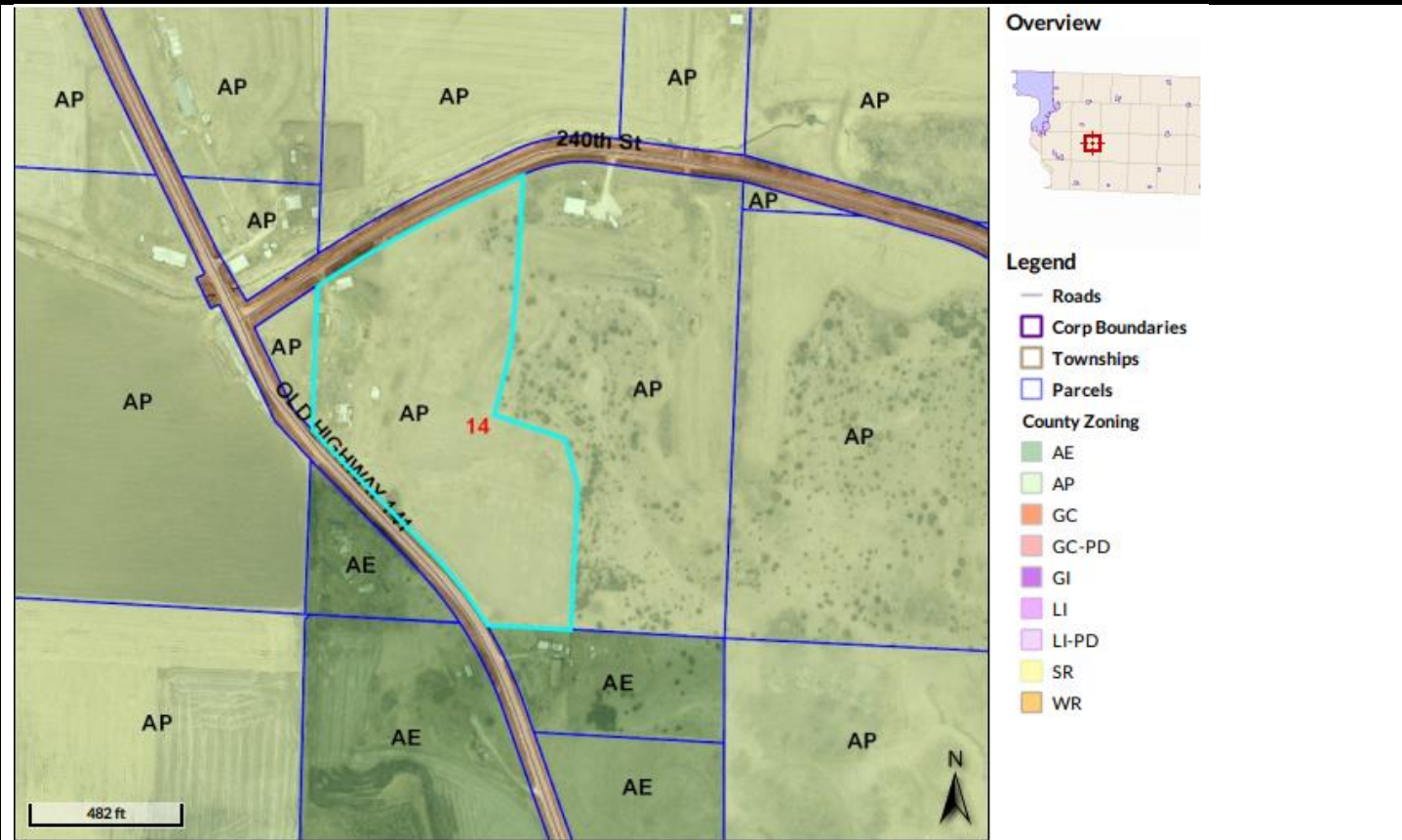


**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

**620 DOUGLAS STREET – SIOUX CITY, IA 51101**

David Gleiser · Director · dgleiser@woodburycountyiowa.gov  
 Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
 Telephone (712) 279-6609 Fax (712) 279-6530

**ZONING ORDINANCE MAP AMENDMENT PROPOSAL  
 Agricultural Preservation (AP) to Agricultural Estates (AE)  
 Parcel #874614100007**



- Legend**
- Roads
  - ▭ Corp Boundaries
  - ▭ Townships
  - ▭ Parcels
  - County Zoning**
  - AE
  - AP
  - GC
  - GC-PD
  - GI
  - LI
  - LI-PD
  - SR
  - WR

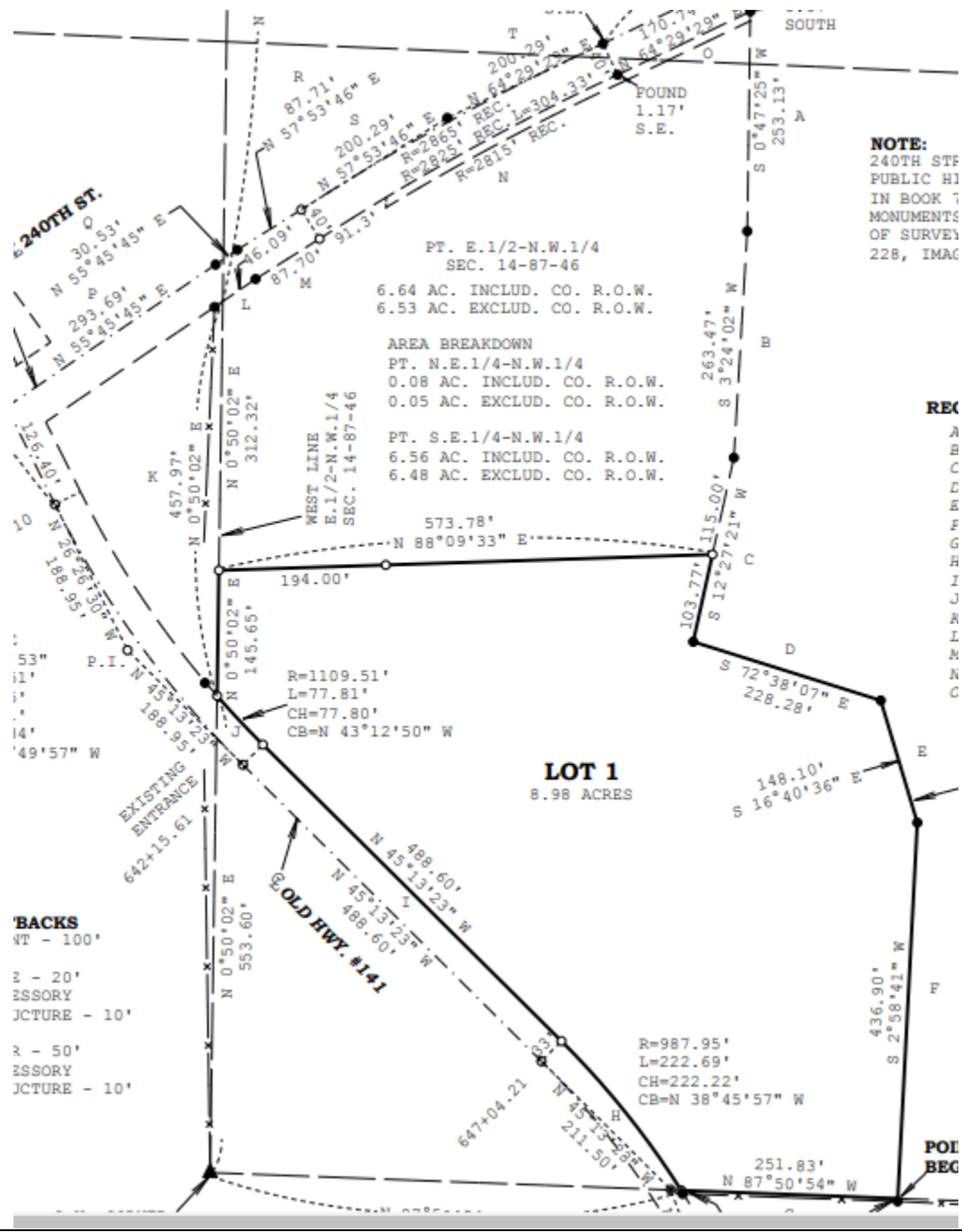
Parcel ID	874614100007	Alternate ID	749970	Owner Address	MATHIESON GAYLED
Sec/Twp/Rng	14-87-46	Class	AD		2206 240TH ST
Property Address	2206 240TH ST HORNICK	Acreage	15.77		HORNICK IA 51026-8031
District	0027				
Brief Tax Description	E1/2 NW1/4 LYING S OF RD EX 2 AC S OF RD SENW & EX A TCT BEING 13 94.40 FT ON EX 471.65 FT ON S NW 1/4 14-87-46				

*(Note: Not to be used on legal documents)*

**FACTS OF THE CASE**

Gayle Dee Weed, owner of Parcel #874614100007 located in the E ½ of the NW ¼ of Section 14, T87N R46W (Grange Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve her request to rezone her property from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. This proposal is being presented concurrently with a Minor Subdivision request as the applicant plans to build a new home on a newly created 8.98 acre lot. Section 3.01 of the Woodbury County Zoning Ordinance requires that a rezone process be executed before a third residence shall be added to any quarter-quarter section. This property is not located in a floodplain.

This proposed Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District is requested and being presented concurrently by the property owner(s) as part of a minor subdivision procedure to create one (1) residential lot for the purpose of constructing a new home.



**LEGAL NOTIFICATION**

Published in the Sioux City Journal Legals Section on July 12, 2020.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Proposal to rezone from the Agricultural Preservation

(AP) Zoning District to the Agricultural Estates (AE) Zoning District on Parcel #874614100007 located in the E 1/2 of the NW 1/4 of Section 14, T87N R46W (Grange Township) adjacent to Old Highway 141 and 240th Street about four miles southeast of Bronson. Applicant: Gayle Weed, 2206 240th Street, Hornick, IA 51026.

**PROPERTY OWNER NOTICE – 1000 FT**



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a July 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office had not received written comment from any property owner owning property within 1,000'. There was one (1) phone inquiry asking about the purpose of the rezone and subdivision.

When more comments are received after the printing of this packet, they will be provided at the meeting.

**STAKEHOLDER COMMENTS:**

CENTURYLINK:	I reviewed the area and CenturyLink does not have facilities. It is also outside of a CenturyLink wire center that we provide service to. We do not have any objection to the rezoning for a new subdivision. Any questions please let me know. – Sean Hostetter, 6/3/20.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LOESS HILL NATIONAL SCENIC BYWAY	Thanks for sending this along to us. I've been reviewing the maps and it looks like the property is in the Luton Special Landscape Area (SLA). Since it is only for one house, it seems like the disturbance would be minimal. I will work on preparing a letter with our potential concerns, but we wouldn't be staunchly in support or opposition of this project. In my letter, I'll also include contact information for Graham McGaffin with The Nature Conservancy, who can speak more to the SLAs and the Loess Hills in that area if the Supervisors or Zoning Committee would like additional information. Thanks for including us! Becca Castle – 6/19/20.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	Magellan Pipeline has no issues with this. Magellan is not in section 14 of Grange twp. We are at least 5 miles west with our closest pipeline so we are good. – Steven Eddy, 6/4/20.
MIDAMERICAN ENERGY COMPANY:	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in that area – Tom Hudson, 6/3/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20
NUSTAR PIPELINE:	No comments.
SIouxLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments and not opposed, was just curious about where it was going to be built as I know the Loess Hills Scenic Byway promotes the viewshed and that is the hills. If houses are built on top it takes away from. I have no objections to this, I will run by my board on Thursday but don't think they will want to comment either. Thanks for checking back. – Dan Heissel, 6/17/20.

	Do you know where they plan on building this second residential unit on the property??? – Dan Heissel, 6/3/20. I don't know what county policy or my Boards is on building on the hilltops for the Loess Hills. Noticed it was along 141 and know we have a lot of easements we monitor and I know the Scenic Byway did some work. I would have to look at and research before I would comment on something. Still trying to learn everything that is done in Woodbury. – Dan Heissel, 6/3/20.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments. – Gary Brown, 6/8/20.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD has no direct comments on this proposal. We would like to note however, that this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property. – Neil Stockfleth, 6/3/20.

### ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

#### CRITERIA 1:

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

#### Staff Analysis:

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. According to Section 3.01 of the Woodbury County Zoning Ordinance, “not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification” (p. 24). The AE Zoning District is designed for this type of proposal as its purpose is “to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county” (Section 3.01.2, p. 24).

#### CRITERIA 2:

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

#### Staff Analysis:

As noted by the WCSWCD, “this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property.” Becca Castle, Coordinator of the Loess Hills Scenic By-Way stated that the property is located in the Luton Special Landscape Area (SLA) and since this proposals is for a one house, the disturbance would be minimal to the Loess Hills. Graham McGaffin, Associate Director of Conservation & Loess Hills Programs of the Nature Conservancy, in a June 19 phone conversation, indicated that there are no restrictions in the SLA. However, their organization’s role is to minimize adverse impact to the Loess Hills. They work with landowners through conservation easements, deed restrictions, and development planning. McGaffin suggested that building closer to the road would lessen the impact on the Loess Hills.

#### CRITERIA 3:

Consideration of the Corn Suitability (CSR) of the property.

#### Staff Analysis:

40.26 CSR2 Rating. See attached soil report.

#### CRITERIA 4:

Compatibility with adjacent land uses.

**Staff Analysis:**

The proposal does facilitate adequate room to build one residential house on the 8.98 acre lot proposed for the subdivision including the ability to meet the Zoning District Dimensional Standards.

**CRITERIA 5:**

Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

**Staff Analysis:**

As previously noted, this property is located within the Loess Hills. This proposed one lot subdivision is being established for a new home. The proposed 8.98 acres contains enough room to adequately support the Zoning District Dimensional Standards as required by the county.

**CRITERIA 6:**

Any other relevant factors.

**Staff Analysis:**

This rezone request comports with the required procedures as enumerated in the Woodbury County Zoning Ordinance.

**STAFF RECOMMENDATION**

The staff recommends for the Zoning Commission to recommend approval to the Board of Supervisors.

**ZONING COMMISSION RECOMMENDATION**

At their Monday, June 22, 2020 meeting, the Woodbury County Zoning Commission voted to recommend approval of the rezone of Parcel #874614100007 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 15.77 acres located in the E ½ of the NW ¼ in Section 14, T87N, R46W (Grange Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel # 874614100007.

ALL THAT PART OF THE EAST HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA,. DESCRIBED AS COMMENCING AT THE NORTH QUARTER (N¼) CORNER OF SECTION 14-87-46, THENCE SOUTH 00°31'20" WEST 1231.52 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE NORTH 85°02'00" WEST 135.05 FEET, THENCE NORTH 83°39'00" WEST 304.90 FEET, THENCE SOUTH 79°48'20" WEST ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, A DISTANCE OF 241.20 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, BEING THE POINT OF BEGINNING, THENCE ALONG SAID EXISTING FENCE SOUTH 00°40'25" WEST 256.90 FEET, THENCE SOUTH 02°27'10" WEST 264.20 FEET, THENCE SOUTH 11°32'10" WEST 218.80 FEET, THENCE SOUTH 73°35'00" EAST 228.85 FEET, THENCE SOUTH 17°34'30" EAST 148.55 FEET, THENCE SOUTH 02°03'20" WEST 442.00 FEET TO THE INTERSECTION WITH EXISTING EAST-WEST FENCE, THENCE NORTH 88°19'05" WEST ALONG SAID FENCE 245.55 FEET TO AN INTERSECTION WITH NORTHEASTERLY RIGHT-OF-WAY OF PUBLIC ROAD, (FORMER IOWA PRIMARY #141), THENCE NORTH 41°55'00" WEST ALONG SAID RIGHT-OF-WAY LINE 311.75 FEET, THENCE NORTH 46°02'00" WEST 407.50 FEET, THENCE NORTH 44°28'20" WEST 97.40 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, THENCE NORTH 00°31'10" EAST ALONG SAID FENCE 438.40 FEET TO AN INTERSECTION WITH SOUTHERLY RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE ALONG SAID RIGHT-OF-WAY FENCE NORTH 54°58'50" EAST 58.80 FEET, THENCE NORTH 57°06'50" EAST 84.20 FEET THENCE ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, NORTH 60°22'35" EAST 398.80 FEET, THENCE NORTH 63°38'20" EAST 173.25 FEET TO THE POINT OF BEGINNING.

Property Owner and Applicant – Gayle Weed, 2206 240<sup>th</sup> Street, Hornick, IA 51026-8031.

# PARCEL REPORT



**Summary**  
 Parcel ID: 87461410007  
 Assessor ID: 2206 2407H ST  
 Property Address: HORNICKIA S1026  
 14-87-46  
 Section: 144 WINGS OF BO EX 2 AC OF RD SENW & EXA TCT BEING 13 94-40 FT ONE X 47-15 FT ONE S NW 214 14-87-46  
 Brief Tax Description: (Note: Not to be used on legal documents)  
 Deed Book/Page: 267-1240 (8/6/1992)  
 Gross Acres: 15.77  
 Adjusted CSR Pk: 127.35  
 Class: A - Agriculture, AD - Ag Dwelling  
 District: LAMOTON BRINSON  
 School District: LAMOTON BRINSON  
 Neighborhood: N/A  
 Main Area-Square Feet: N/A

**Owner**  
 Deed Holder: M...  
 M...  
 2206 2407H ST  
 HORNICKIA S1026-8031

**Contract Holder**

**Mailing Address**

**Land**  
 Lot Area: 15.77 Acres; 686,941 SF

**Residential Dwellings**  
 Single Family / Owner Occupied  
 Occupancy: 1-Story Frame  
 Style: 1936  
 Construction: Above Normal  
 Condition: Auph / Gable  
 Roof: Asphalt / Gable  
 Flooring: Concrete  
 Exterior Material: Vinyl  
 Interior Material: Plm / Dowl  
 Brick or Stone Veneer: 848 SF  
 Walk-out or Living Area: 314 Finished; 283 SF  
 A/R/C Type: 5 Above; 0 Below  
 Number of Bedrooms: 2 Above; 0 Below  
 Number of Bathrooms: 2  
 Basement Area: 624  
 Basement Finished Area: 1 Slat, 1 Base Plumbing (Full);  
 Plumbing: No  
 Heating: Central AC  
 Heat: No  
 Fireplaces: Yes  
 Pools: 15 Frame Enclosed (1163 SF);  
 Decks: Wood Deck Area (1485 SF);  
 Additions: 1-Story Frame (224 SF);  
 Garages: Main Area-Square Feet 624

**Agricultural Buildings**

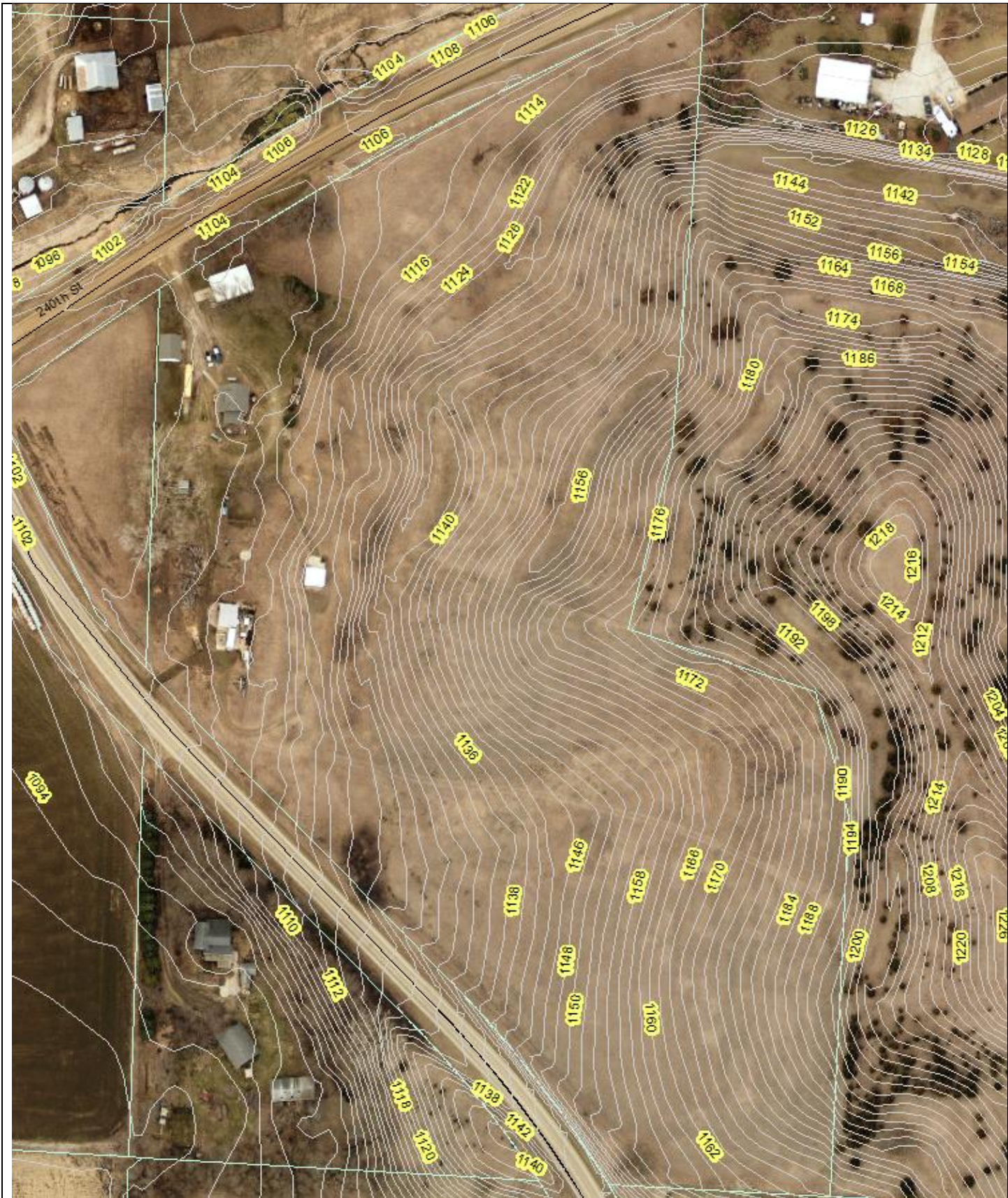
Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (Old Style)	HOG HOUSE	14	16	1920	1
0	Crp	GRANARY	8	16	1920	1
0	Machine or Utility Building	IMP SHED	24	28	1920	1
0	Swine Finish and Farrow (Old Style)	HOG SHED	20	48	1920	1
0	Steel Utility Building	MACHINE SHED	30	40	1994	1
0	Barn - Pole		16	20	2018	1
0	Steel Utility Building		20	20	2000	1

**Valuation**

Classification	2026	2019	2018	2017
Assessed Land Value	\$12,600	\$12,600	\$18,070	\$18,370
Assessed Building Value	\$2,990	\$2,990	\$5,470	\$5,470
Assessed Dwelling Value	\$86,580	\$86,580	\$68,510	\$68,510
Gross Assessed Value	\$102,190	\$102,190	\$92,550	\$92,550
Exempt Value	\$0	\$0	\$0	\$0
Net Assessed Value	\$102,190	\$102,190	\$92,550	\$92,550

# TOPOGRAPHY





## Summary

Parcel ID	874614100007		
Gross Acres	15.77		
ROW Acres	0.00		
Gross Taxable Acres	15.77		
Exempt Acres	0.00		
Net Taxable Acres	15.77	(Gross Taxable Acres - Exempt Land)	
Average Unadjusted CSR2	40.26	(634.85 CSR2 Points / 15.77 Gross Taxable Acres)	

Aglend Active Config 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	10.70	35.64	381.35	381.35
Non-Crop	5.07	50.00	253.50	145.96
<b>Total</b>	<b>15.77</b>		<b>634.85</b>	<b>527.31</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.37	210.93	210.93
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	0.21	17.22	17.22
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	2.32	97.44	97.44
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.39	12.48	12.48
100% Value	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	5.41	43.28	43.28
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.34	119.26	61.75
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	1.32	108.24	58.42
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.28	8.96	8.75
Non-Crop	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	2.13	17.04	17.04
<b>Total</b>				<b>15.77</b>	<b>634.85</b>	<b>527.31</b>



### Legend

— Roads

#### Soils

	0.000000 - 5.000000
	5.000001 - 20.000000
	20.000001 - 30.000000
	30.000001 - 40.000000
	40.000001 - 50.000000
	50.000001 - 60.000000
	60.000001 - 70.000000
	70.000001 - 80.000000
	80.000001 - 90.000000
	90.000001 - 100.000000



### Rezoning Application & Zoning Ordinance Map Amendment

<b>Owner Information:</b>	<b>Applicant Information:</b>
Owner <u>Gayle Weed (Mathison)</u>	Applicant _____
Address <u>2206 240th St</u>	Address _____
<u>Hornick IA 51026</u>	_____
Phone <u>712 820 6730</u>	Phone _____

Engineer/Surveyor AL Fagen Phone 712 539 1471

**Property Information:** AP-AE

Property Address or Address Range 2206 240th St Hornick IA 51026

Quarter/Quarter \_\_\_\_\_ Sec 14 Twnshp/Range 87-46

Parcel ID # 874614100007 or GIS # \_\_\_\_\_ Total Acres 15.77

Current Use AP Proposed Use AE

Current Zoning \_\_\_\_\_ Proposed Zoning \_\_\_\_\_

Average Crop Suitability Rating (submit NRCS Statement) \_\_\_\_\_

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date \_\_\_\_\_ Staff present \_\_\_\_\_

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner Gayle Weed Applicant \_\_\_\_\_

Date 6-3-20 Date \_\_\_\_\_

Fee: **\$400** Case #: 6566

Check #: 3648

Receipt #: \_\_\_\_\_



**ORDINANCE NO. \_\_\_\_**

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT  
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

**WHEREAS** the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

**WHEREAS** the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

**WHEREAS** the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

**WHEREAS** the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

**Dated this 14<sup>th</sup> day of July 2020.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:**

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Keith Radig, Vice Chairman

\_\_\_\_\_  
Rocky DeWitt

\_\_\_\_\_  
Marty Pottebaum

\_\_\_\_\_  
Justin Wright

ATTEST

\_\_\_\_\_  
Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading:	June 30, 2020
Public Hearing and 2nd Reading:	July 7, 2020
Public Hearing and 3rd Reading:	Waived on July 7, 2020
Adopted:	July 14, 2020
Effective:	

## ITEM ONE (1)

Property Owner: Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

Petitioner Applicant: Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 15.77 acres located in the E ½ of the NW ¼ in Section 14, T87N, R46W (Grange Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #874614100007.

ALL THAT PART OF THE EAST HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA,, DESCRIBED AS COMMENCING AT THE NORTH QUARTER (N¼) CORNER OF SECTION 14-87-46, THENCE SOUTH 00°31'20" WEST 1231.52 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE NORTH 85°02'00" WEST 135.05 FEET, THENCE NORTH 83°39'00" WEST 304.90 FEET, THENCE SOUTH 79°48'20" WEST ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, A DISTANCE OF 241.20 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, BEING THE POINT OF BEGINNING, THENCE ALONG SAID EXISTING FENCE SOUTH 00°40'25" WEST 256.90 FEET, THENCE SOUTH 02°27'10" WEST 264.20 FEET, THENCE SOUTH 11°32'10" WEST 218.80 FEET, THENCE SOUTH 73°35'00" EAST 228.85 FEET, THENCE SOUTH 17°34'30" EAST 148.55 FEET, THENCE SOUTH 02°03'20" WEST 442.00 FEET TO THE INTERSECTION WITH EXISTING EAST-WEST FENCE, THENCE NORTH 88°19'05" WEST ALONG SAID FENCE 245.55 FEET TO AN INTERSECTION WITH NORTHEASTERLY RIGHT-OF-WAY OF PUBLIC ROAD, (FORMER IOWA PRIMARY #141), THENCE NORTH 41°55'00" WEST ALONG SAID RIGHT-OF-WAY LINE 311.75 FEET, THENCE NORTH 46°02'00" WEST 407.50 FEET, THENCE NORTH 44°28'20" WEST 97.40 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, THENCE NORTH 00°31'10" EAST ALONG SAID FENCE 438.40 FEET TO AN INTERSECTION WITH SOUTHERLY RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE ALONG SAID RIGHT-OF-WAY FENCE NORTH 54°58'50" EAST 58.80 FEET, THENCE NORTH 57°06'50" EAST 84.20 FEET THENCE ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, NORTH 60°22'35" EAST 398.80 FEET, THENCE NORTH 63°38'20" EAST 173.25 FEET TO THE POINT OF BEGINNING.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 7/9/20 Weekly Agenda Date: 7/14/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Adoption of Zoning District Designation Mapping Amendment to the Woodbury County Zoning Ordinance for Applicant, Brian D. Peterson

**ACTION REQUIRED:**

- Approve Ordinance
- Approve Resolution
- Approve Motion
- Public Hearing
- Other: Informational
- Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors will take the final action to adopt a proposed zoning district designation mapping amendment to change the zoning district designation for parcels #884630300012, 884630300004, and 884630300006 from Agricultural Preservation to Agricultural Estates.

**BACKGROUND:**

On 6/22/20 the Zoning Commission held a public hearing on the request submitted by Brian D. Peterson and subsequently voted 3-0 to recommend approval to the Board of Supervisors. On 6/30/20, the Board of Supervisors held a public hearing on the zoning district designation mapping amendment and subsequently approved the request. The Board also conducted the 1st reading of an ordinance to amend the zoning designation. On 7/7/20, the Board of Supervisors held a 2nd public hearing on the request and conducted the 2nd reading of the ordinance. The Board waived the 3rd public hearing and 3rd ordinance reading. Once adopted, the ordinance will become effective upon publication.

**FINANCIAL IMPACT:**

**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:**

Adopt the zoning district designation mapping amendment for applicant, Brian D. Peterson.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to adopt the zoning district designation mapping amendment for applicant, Brian D. Peterson.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyia.gov  
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyia.gov  
Dawn Norton · Sr. Clerk · dnorton@woodburycountyia.gov  
Telephone (712) 279-6609 Fax (712) 279-6530

**ZONING ORDINANCE MAP AMENDMENT PROPOSAL  
Agricultural Preservation (AP) to Agricultural Estates (AE)  
Parcels #884630300012, #884630300004, #884630300006**



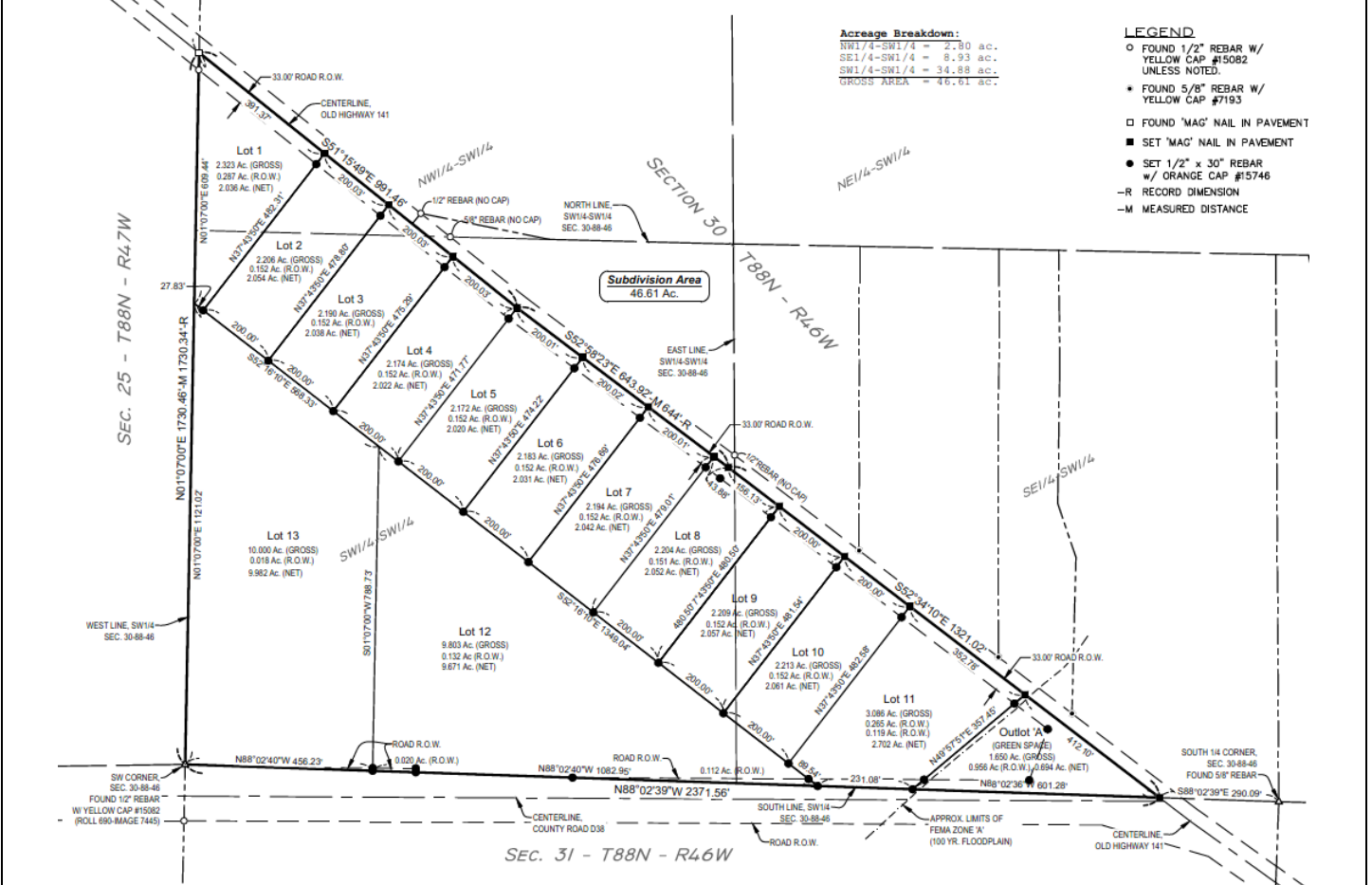
Brian D. Peterson, owner of Parcel #884630300012 located in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve his request to rezone his three parcels from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District to facilitate a concurrent minor subdivision proposal for the creation of thirteen buildable lots for residential homes and an outlot on Parcel #884630300006 which includes about one (1) acre in the Floodplain Zone A.

## FACTS OF THE CASE

This proposed Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District is requested and being presented concurrently by the property owner(s) as part of a minor subdivision procedure to create thirteen (13) residential lots and one outlot within a 46.61 acres area.

According to Section 3.01 of the Woodbury County Zoning Ordinance, "not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification" (p. 24). The AE Zoning District is designed for this type of proposal as its purpose is "to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county" (Section 3.01.2, p. 24).

This rezone request is being presented concurrently with a minor subdivision proposal as the property owner(s) wishes to establish thirteen (13) residential lots and one outlot within a 46.61 acre area.



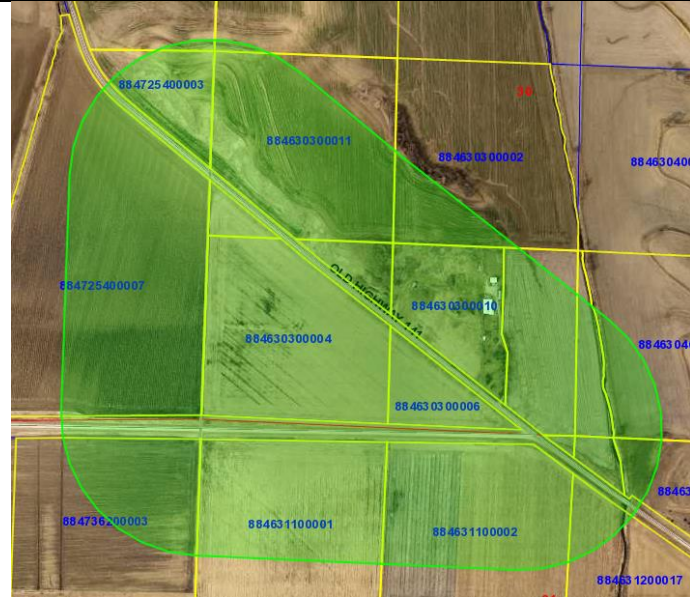
## LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on June 12, 2020.

**PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE):** Proposal to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District on Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton. Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1856 162nd St., Lawton, IA 51030.



## PROPERTY'S OWNER NOTICE – 1000 FT



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a June 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office has received two (3) general phone inquiries and five (5) written comments from property owners owning property within 1,000'

When more comments are received after the printing of this packet, they will be provided at the meeting.

## GARY L. WALTERS – ADJACENT NEIGHBOR

**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 4:53 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View subdivision  
**Attachments:** 20190314\_160327.mp4

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Video taken from the extreme NW corner of the proposed subdivision on the property line with my farm, with the Peterson land on the left and mine on the right. Video taken on 3/14/19 at 4 pm. I object to the proposed subdivision due to faulty flood plain maps that don't come close to identifying the serious flood threat to this area. To suggest that the flood plain is confined to the extreme SE corner (Outlot A) of this parcel is not only misleading but also blatantly incorrect. If I were a prospective buyer of any of these lots and was relying on FEMA or other information provided by County government to inform myself of the risk of flooding, this video and pictures that follow (in separate emails due to file size) would provide damning evidence that government failed miserably to appropriately inform and warn the public of potential danger.

Submitted by:

Gary L. Walters



## GARY L. WALTERS – ADJACENT NEIGHBOR

**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 4:58 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View  
**Attachments:** 20190314\_160551.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Here's the walnut trees along the proposed subdivision adjacent to old hwy 141 on March 14, 2019, in approximately the area of lots 7, 8, and 9. Notice in the background that 210th St disappears under water also.

Submitted by Gary L Walters



## GARY L. WALTERS – ADJACENT NEIGHBOR

**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 5:49 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View  
**Attachments:** 20190314\_160439.jpg

Here's another perspective of the water from the NW corner of the subdivision looking SE down old hwy 141. My opinion is that the only lots that might be suitable for any type of structural improvement (without raising elevations) would be 1-6, judging by the plat.

Additionally, I have safety concerns about all the accesses to the highway. I'm sure the county engineer will assess line of sight and other considerations relative to the approaches onto the highway but with the lots being significantly lower than the road grade, plus a slight incline in the road itself as it goes west, I don't see a pathway to safely adding up to 11 driveways in this short distance of less than 1/2 mile.

Another concern would be septic tank drain fields. The majority of the proposed lots would not seem to be sufficient for adequate drainage. I'm uncertain about who addresses the suitability of the plat as it relates to this issue. I just know that soils that are saturated a majority of the time do not lend themselves to a good functioning drain field.

Submitted by Gary L Walters



## GARY L. WATERS – ADJACENT NEIGHBOR

**From:** garylwalters <garylwalters@cableone.net>  
**Sent:** Friday, June 19, 2020 9:06 AM  
**To:** Daniel Priestley  
**Subject:** Flood potential map  
**Attachments:** Screenshot\_20200619-081244\_Chrome.jpg

Dan, attached is a map from the Iowa Flood Center. I suppose the county has seen this information as it reevaluates the flooding potential of the Walnut View subdivision but I wanted to be sure you have it as part of my argument that this tract of land is unfit for residential development.

Gary

Sent from my Verizon, Samsung Galaxy smartphone

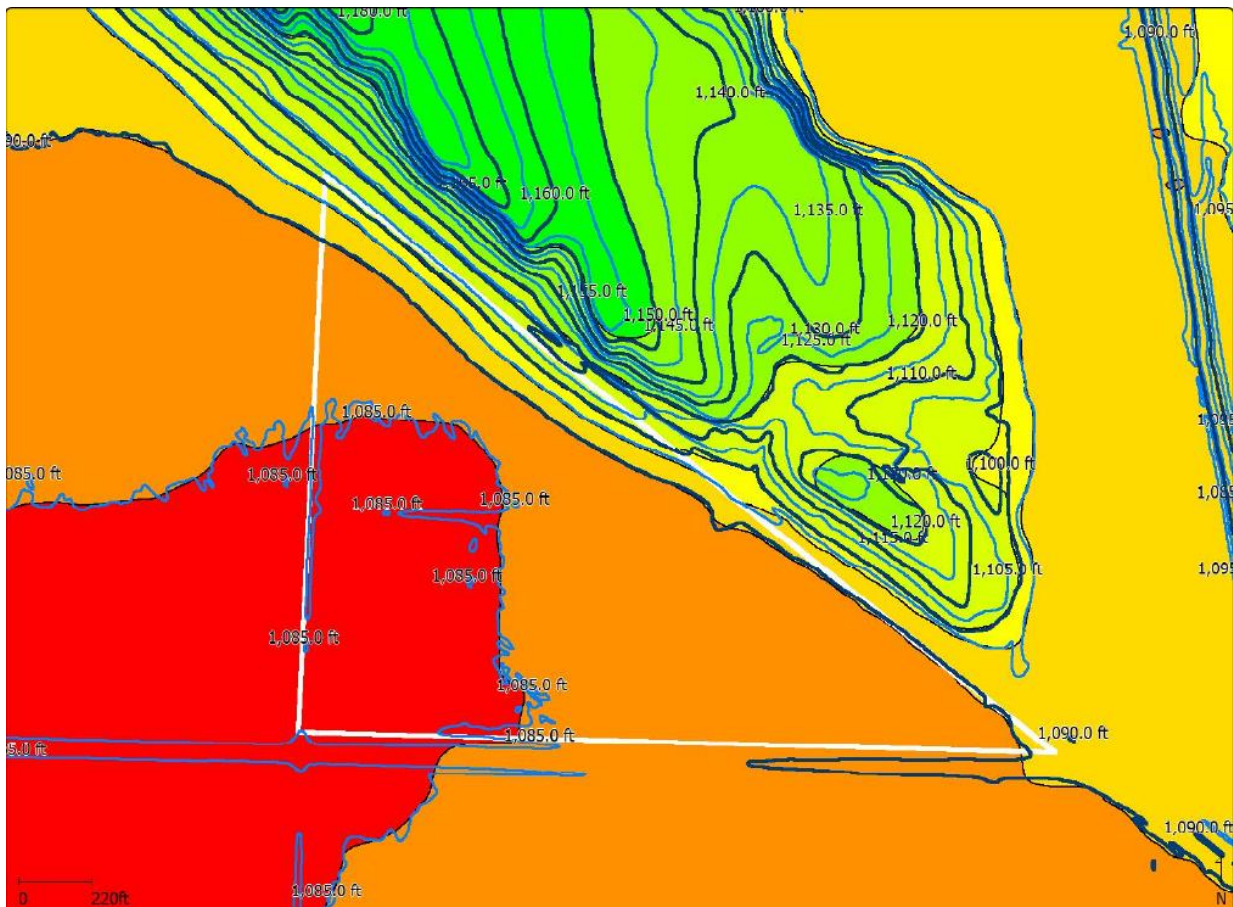
**From:** garylwalters <garylwalters@cableone.net>  
**Sent:** Friday, June 19, 2020 9:12 AM  
**To:** Daniel Priestley  
**Subject:** Lidar elevation map

Here's a map of elevations. Noteworthy is the fact that much of the ground is lower than the elevation in the extreme SE corner of the tract and that corner is the only area designated in the floodplain of the FEMA map.

Please include these two emails today with my previously submitted exhibits/comments.

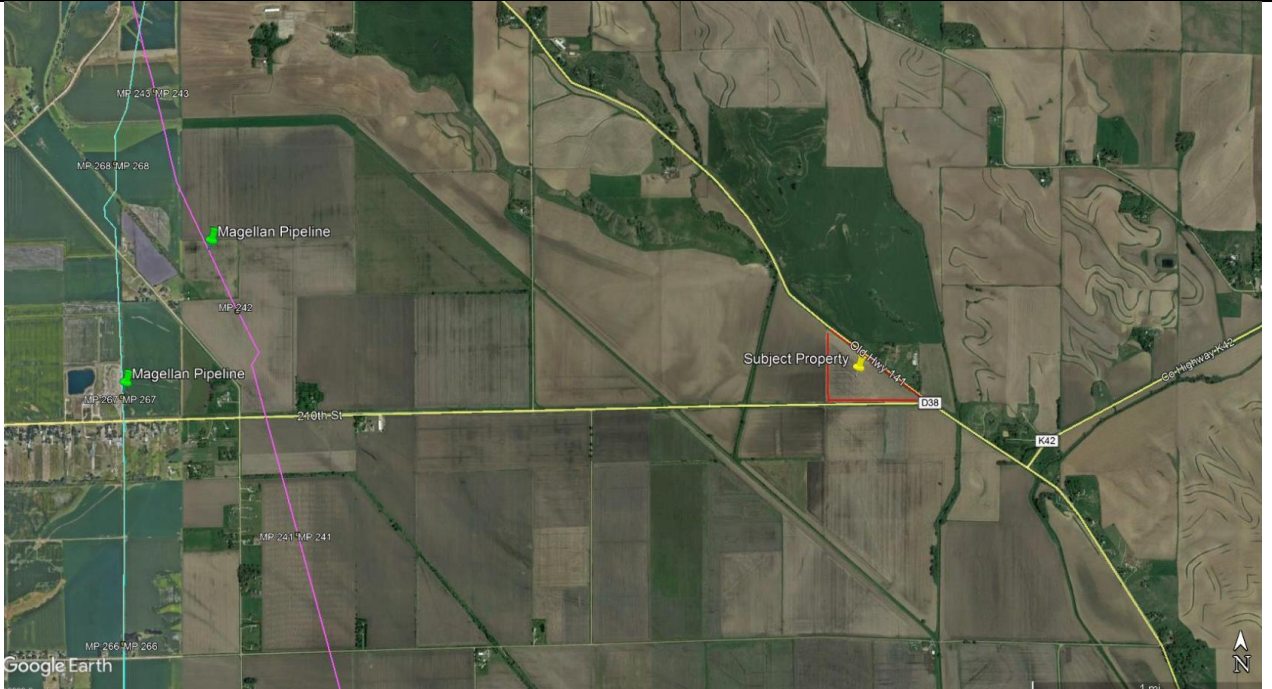
Gary

Sent from my Verizon, Samsung Galaxy smartphone



**STAKEHOLDER COMMENTS:**

CENTURYLINK:	I have verified through records that CenturyLink does not have any facilities in this area and this is outside of the CenturyLink serviceable area so CenturyLink does not have any concerns regarding this proposal. – Justin Melohn, 6/1/20.
FIBERCOMM:	FiberComm has not concerns. – Jeff Zyzda, 6/1/20.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	Well, I'm sure you're planning to inform the Zoning Commission that this property will eventually be shown as being in the SFHA. And, I assume the rezoning process allows the Commission to include conditions in their decision. So, I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible? – Bill Cappuccio, 6/2/20.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	This S/D is over two miles from any Magellan facility (Please see the attached Google map). I have no issues or comments and approve as submitted. – Tim Kassen, 6/3/20.



MIDAMERICAN ENERGY COMPANY:	No conflicts for MEC “gas” department. – Tyler Ahlquist, 6/2/20. This is REC territory. – Casey Meinen, 6/2/20.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in this area. – Tom Hudson, 6/1/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	No comments.
NUSTAR PIPELINE:	As far as Nustar, we do not have an pipeline near this location. – Domingo Torres, 6/4/20.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	<b>SEE STATEMENT BELOW:</b>
WIATEL:	Wiatel has no concerns. – Phil Robinson, 6/4/20.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	Hi Dan this is a follow up to our phone conversation, the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we have had to close 210 TH and Old 141 due to water over these roads. The area proposed has receives backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements. – Gary Brown, 6/2-20
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I'm not sure which portions of this parcel will be in the future floodplain, however according to the documents the area of land currently in the floodplain has been identified as an outlot/greenspace. If I'm not mistaken, this area was not accessible due road closures caused by flooding in 2019. If more portions of the parcel would

	be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards. – Rebecca Socknat, 6/10/20.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No Comments from Woodbury County REC. – Kent Amundson, 6/1/20.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	<b>SEE STATEMENT BELOW:</b>

### WOODBURY COUNTY SOIL & WATER CONSERVATION DISTRICT - NEIL STOCKFLETH

**From:** Stockfleth, Neil <NStockfleth@cfindustries.com>  
**Sent:** Monday, June 1, 2020 2:40 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan:

The WCSWCD has concerns about the suitability of development in this area due to wetness of the soil and flooding issues in the immediate area. In particular the southeastern end of this proposed area is low. Over the years it has appeared that farming has been delayed or hindered by wetness, based on personal observations. It appears that the western ends of the individual lots may extend into wet areas in some years.

Based on these observations, The WCSWCD has reservations about the suitability of housing development in this area. Significant steps would need to be taken to make septic systems functional in heavy, wet soils, for one example.

Neil Stockfleth

**Neil Stockfleth | CF Industries**  
Environmental Specialist | Port Neal Nitrogen Complex  
Office: 712-233-6276 | Mobile: 712-251-5155  
[nstockfleth@cfindustries.com](mailto:nstockfleth@cfindustries.com)

### IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20

#### THE FOLLOWING EMAIL ADDRESSES WELLS IN THE FLOODPLAIN.

**From:** Ivy Bremer  
**Sent:** Wednesday, June 17, 2020 12:05 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan,

Yes, if the property falls within a flood plain, the following protective factors will need to be completed by the contractor:

- The casing top height needs to be 3 feet higher than the surrounding area
- It should be graded or mounded around the well for a transition
- Bump protection to be installed: any structure that has been secured at a sufficient depth
  - o Bollard posts
- Well cap shall be watertight with a watertight interior
- Well cap vent needs to be raised another 12 inches above the cap

Ivy Bremer  
Environmental Specialist  
Siouxland District Health Department  
1014 Nebraska St Sioux City IA 51105  
Ph: 712-279-6119 | Fax: 712-255-2604  
[ibremmer@siouxlanddistricthealth.org](mailto:ibremmer@siouxlanddistricthealth.org)  
Visit us at: [www.siouxlanddistricthealth.org](http://www.siouxlanddistricthealth.org)

**IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20**

**From:** Ivy Bremer  
**Sent:** Wednesday, June 17, 2020 11:02 AM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone  
**Attachments:** Old 141 Sergeant Bluff Soils.pdf

Hi Dan,

I have reviewed the following parcels. Please be aware that prior to any installation of an on-site septic system an application to install and a site evaluation are required to determine the type of soils present, restrictive layers, e.g. water table, as well as any other required setbacks.

Based on information from you and the USDA Web Soil Survey there are some concerns as to the type of on-site septic system that would be allowed in this area. Due to the clay soils and potential issues due to a water table at approximately 0-12 inches, the property owners may not be able to install a soil-based system. Soil based systems require oxygen for the bacteria to properly treat the effluent. If the soils are continually saturated by the water table, this limits treatment. In these situations, they may be required to install an alternative system. These types of systems use media to filter and treat the effluent before discharging to the surface or ditch; however, these systems can cost anywhere from \$18,000-\$20,000. I cannot guarantee price, I just know they can be very expensive and an unexpected cost to homeowners.

Lastly, I am unable to determine which type would be required without completing an on-site evaluation but please be aware that it is likely given the area and known issues with standing water in the Sergeant Bluff area.

Thanks and please call with any other questions.

Ivy Bremer  
Environmental Specialist  
Siouxland District Health Department  
1014 Nebraska St Sioux City IA 51105  
Ph: 712-279-6119 | Fax: 712-255-2604  
[ibremer@siouxlanddistricthealth.org](mailto:ibremer@siouxlanddistricthealth.org)  
Visit us at: [www.siouxlanddistricthealth.org](http://www.siouxlanddistricthealth.org)

**Woodbury County, Iowa****734—Holly Springs silty clay loam, 0 to 2 percent slopes,  
rarely flooded****Map Unit Setting**

*National map unit symbol:* fh8h  
*Elevation:* 700 to 1,200 feet  
*Mean annual precipitation:* 26 to 36 inches  
*Mean annual air temperature:* 46 to 48 degrees F  
*Frost-free period:* 155 to 200 days  
*Farmland classification:* Farmland of statewide importance

**Map Unit Composition**

*Holly springs, rarely flooded, and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of  
the mapunit.*

**Description of Holly Springs, Rarely Flooded****Setting**

*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Clayey alluvium

**Typical profile**

*Ap - 0 to 6 inches:* silty clay loam  
*A1 - 6 to 12 inches:* silty clay loam  
*A2,A4 - 12 to 44 inches:* silty clay  
*Bg1,Bg2 - 44 to 70 inches:* silty clay  
*Cg - 70 to 80 inches:* silty clay

**Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Poorly drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Very  
low to moderately low (0.00 to 0.01 in/hr)  
*Depth to water table:* About 0 to 12 inches  
*Frequency of flooding:* Rare  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 30 percent  
*Available water storage in profile:* Moderate (about 8.2 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2w

*Hydrologic Soil Group:* D  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

#### **Minor Components**

##### **Holly springs, overwash, rarely flooded**

*Percent of map unit:* 10 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

##### **Tieville, rarely flooded**

*Percent of map unit:* 3 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

##### **Larpenteur, rarely flooded**

*Percent of map unit:* 1 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* No

##### **Grantcenter, rarely flooded**

*Percent of map unit:* 1 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* No

## **Data Source Information**

Soil Survey Area: Woodbury County, Iowa  
Survey Area Data: Version 29, Sep 12, 2019





## Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039

Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: June 17, 2020

Subject: Walnut View Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced minor subdivision application forwarded with your email dated June 3, 2020.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the subdivision for access. Normally for a subdivision with this many lots, I would prefer to see the lots serviced by an internal street or cul-de-sac to reduce the possible points of collision conflict on a major roadway. This option has not been offered by the developer. Stripping lots along a roadway, as is proposed with the Walnut View subdivision, increases the risk of collision for vehicles using Old Highway 141 and D38. Old Highway 141 is a heavily used road with an average daily traffic count of 1370 vehicles per day (vpd) for this road segment. D38/210<sup>th</sup> Street has a traffic count of 980 vpd. Options for a cul-de-sac or a frontage road serving the subdivision could have been offered, and would offer safer alternatives for access to the lots. I realize that this is costlier for the developer, but it does result in fewer potential collision conflicts for road users and safer conditions for adjacent residents.

A series of driveways on strip subdivisions frequently leads to a request for a speed limit on the adjacent road. A more restrictive speed limit on Old Highway 141 is not in concert with the road classification and use, which is major collector route/farm to market route/commuter route. Spot speed limits in locations like this are difficult to enforce and result in poor compliance and complaints to our department. Compare this spot to the Holly Springs speed zone which is frequently violated and subject of complaints of noncompliance with the 35-mph speed limit. If given my choice on the development of subdivisions with more than 3 or 4 lots, I would prefer to see the lots served by an internal roadway such as was done with the Dunn Estates, Niles Second

Addition, and Bollmeyer subdivisions adjacent to county route D12. Other examples include Sunview Estates and Berea Heights Addition off 155<sup>th</sup> Street.

I am resistant to the request for individual driveways for each lot and would prefer to see the adjacent lots utilize shared driveways to reduce the number of new points of conflict along the road. Knowing the developer's intentions, I checked each lot frontage for establishment of a single driveway. Some lots will require shared driveways due to sight distance limitations. I will lay out two options for serving the subdivision with driveways.

Option 1: Individual driveways

Lots 1 and 2 – driveway anywhere along lot frontage.

Lot 3 – driveway must be located within 50 feet of the north corner of the lot.

Lot 4 – driveway anywhere along the frontage

Lot 5 – driveway anywhere along the frontage

Lot 6 – driveway must be located at the north corner of the lot

Lot 7 through 11 – driveway can be located anywhere along frontage

Lot 12 and 13 – driveway can be located anywhere along frontage

Option 2 – preferred:

Lot 1 – solo driveway

Lot 2 and 3 – shared driveway at corner due to limited sight distance

Lot 4 - solo driveway

Lot 5 and 6 – shared driveway at corner due to limited sight distance

Lot 7 and 8 – shared driveway

Lot 9 and 10 – shared driveway

Lot 11 and Outlot A – shared driveway

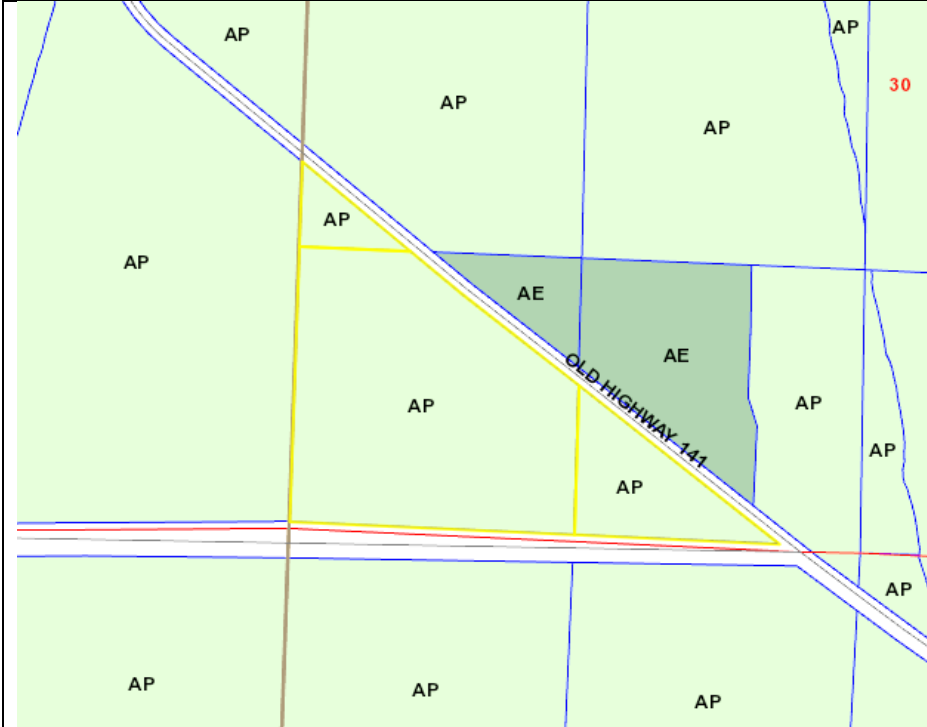
Lot 12 and 14 – shared driveway

- This area platted for this subdivision was subject to severe flooding during the March 2019 event. D38 between the Old 141 intersection and the eastern county bridge on D38 was underwater for over a week. The field from which the subdivision is being split was flooded during much of this period. Due to the winter conditions and snow filled ditches, the normal water courses were not carrying water or passing it to the improved drainage ditches west of the proposed subdivision and the water was forced to find its outlet by running through the field and overtopping the road. The Old 141/D38 intersection has been underwater due to flash flooding on Whiskey Creek four times since 2009. This has inundated the area shown as Outlot A and part of Lot 11 during those flood events. To protect the potential homes in the area, a base flood elevation for the lots within the subdivision should be established to assure that any eventual construction is set at an elevation above any likely flooding.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

## CURRENT ZONING DISTRICT:



## UTURE LAND USE MAP – WOODBURY COUNTY GENERAL DEVELOPMENT PLAN (2005)



## ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

### CRITERIA 1:

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

### Staff Analysis:

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including the rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. The applicant’s proposal to rezone from AP to AE can be associated with the future land use map (see above) that marks this area for “rural residential.” It appears that the intention in 2005 was to allow for more housing within this region. The AE Zoning District at this location allows for residential development on 2 acre lots with the idea of retaining much of the agricultural characteristics of the area vs. the more dense Suburban Residential (SR) Zoning District.

**CRITERIA 2:**

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

**Staff Analysis:**

This property is in an area that will likely be placed within the floodplain Special Flood Hazard Area (SFHA) during the next mapping IDNR/FEMA mapping process. According to Woodbury County Emergency Management, Emergency Services Secondary Roads, and the Soil & Water Conservation District, there has been past flooding on the property. Any development should comply with the county floodplain management ordinance including the elevation above the base flood elevation (BFE).

**CRITERIA 3:**

Consideration of the Corn Suitability (CSR) of the property.

**Staff Analysis:**

Parcel ID:	CSR Rating:
884630300012	81.39
884630300004	75.64
884630300006	82.96

These data have been provided by the Woodbury County Assessor' office:

**ITERIA 4:**

Compatibility with adjacent land uses.

**Staff Analysis:**

See Criterial #5 analysis. The intended use appears to be compatible. However, Criteria 5 includes information concerning the flooding issues and the future floodplain.

**CRITERIA 5:**

Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

**Staff Analysis:**

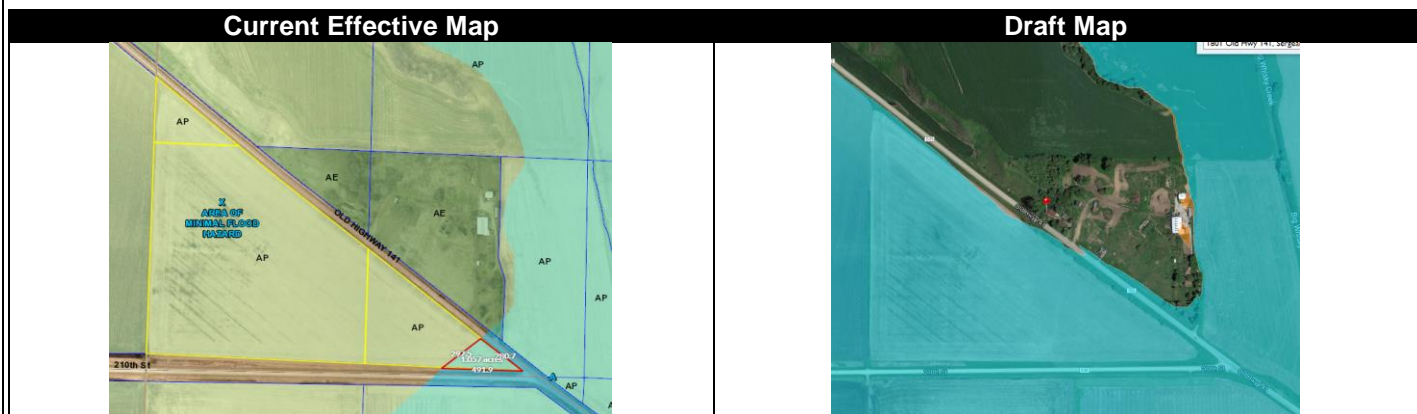
During the past year, the Iowa Department of Natural Resources (IDNR) and the Federal Emergency Management Agency (FEMA) have been developing a new floodplain map based on 2 ft. LiDAR intervals. The new maps are presently in the draft phase and have not been formally presented to the county for adoption. The current effective map is the map that is enforced by the county floodplain ordinance and the use of the draft map proposal can only be considered for informational purposes.

The current floodplain map includes a majority of this property as not being located with the special floodplain hazard area (SFHA). Presently, there is about 1.057 acres of floodplain located on the proposed outlot of the minor subdivision which is not meant for development (see attached plat). However, the draft map proposal almost entirely places the area proposed for the subdivision into the future floodplain.

Based on this information, Bill Cappuccio, PE, National Flood Insurance Program Coordinator, with the IDNR was contacted along with Gary Brown, Director of Emergency Services and Rebecca Socknat, Director of Emergency Management for comment. Brown stated that "the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we had to close 210<sup>th</sup> and Old 141 due to water over these roads. The area proposed has received backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements" (6/2/20). Socknat stated "if I'm not mistaken, this area was not accessible due to road closures caused by flooding in 2019. If more portions of the parcel would be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards" (6/10/20).

Cappuccio stated "... I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible" (6/5/20)? In a subsequent communication, Cappuccio stated that "our (DNR's) rules don't require us to use the effective FIRM if there is better information available. So, our BFE will be based on the best available information. Chances are that might be the information associated with the draft flood data" 6/5/20.

On June 5, CED staff attended a flood risk review meeting with representatives from the IDNR and FEMA and this situation was brought to their attention. The staff inquired about the discrepancy between the two maps (see below). Vikram Shrivastava, a FEMA contractor, stated that “we are investigating the area near Old Hwy 141 and the widening floodplain. I will get back to you in the next 2 weeks on our findings.” This investigation could result in a modification to the draft map.



Based on the comments of Socknat, Brown, Nahra and Cappuccio along with evidence provided by Gary Walters, an adjacent property owner, the position of the staff is that even though the current effective map does not include much of the property within the SFHA, portions of the property may be susceptible to water. Additionally, there is a possibility by 2022 that the draft map could be adopted thus placing this newly subdivided property into the floodplain. With this in mind, Cappuccio’s recommendation could be adopted as a condition for approval to “require the developer to determine the BFE for the property and ensure any structures constructed there are compliant with the County’s requirements for development in the SFHA...”

<b>CRITERIA 6:</b>
Any other relevant factors.
<b>Staff Analysis:</b>
This rezone request aligns with the Woodbury County General Development Plan for 2025.

**STAFF RECOMMENDATION**

The staff recommends that the Zoning Commission recommend and the Board of Supervisors approve this rezone from the Agricultural Preservation (AP) to the Agricultural Estates (AE) for the property composed of Parcels #884630300012, #884630300004, #884630300006.

**ZONING COMMISSION REZONE**

At their June 22, 2020 meeting, the Zoning Commission voted to recommend approval of the Rezone from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the property composed of Parcels #884630300012, #884630300004, #884630300006.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone the area inclusive of Parcel #884630300012 located in the NW ¼ of the SE ¼ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District which includes that portion of the southwest quarter (SW1/4) of Section 30, Township 88 North, Range 46 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THEN NORTH 01°07'00" EAST ALONG THE WEST LINE OF THE SW1/4 OF SAID SECTION 30 FOR A DISTANCE OF 1,730.46 FEET TO THE CENTER LINE OF OLD HIGHWAY NO. 141; THEN SOUTH 51°15'49" EAST ALONG SAID CENTER LINE FOR A DISTANCE OF 991.46 FEET; THENCE SOUTH 52°34'10" EAST ALONG SAID CENTERLINE FOR A DISTANCE OF 1,321.02 FEET TO THE SOUTH LINE OF SAID SW1/4; THENCE NORTH 88°02'39" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 2,371.56 FEET TO THE POINT OF BEGINNING, CONTAINING 46.61 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS, IF ANY, OR RECORD OR APPARENT.

Property Owner and Applicant – Brian Peterson, 1739 Charles Avenue, Lawton, IA 51030.

**PARCEL REPORTS - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .**

**Summary**

Parcel ID 884630300004  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 30-88-46  
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SW SW 30-88-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2020-02704 (3/9/2020)  
 Gross Acres 33.66  
 Net Acres 33.66  
 Adjusted CSR Pts 2545.86  
 Class A - Agriculture  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A

**Owner**

<b>Deed Holder</b> Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030	<b>Contract Holder</b>	<b>Mailing Address</b>
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**Land**

Lot Area 33.66 Acres ; 1,466,230 SF

**Sales**

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, SHELVIG DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

Show There are other parcels involved in one or more of the above sales:

**Valuation**

	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$60,930	\$60,930	\$88,670	\$88,670
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670

**Summary**

Parcel ID 884630300006  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 30-88-46  
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SE SW 30-88-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2020-02704 (3/9/2020)  
 Gross Acres 8.27  
 Net Acres 8.27  
 Adjusted CSR Pts 686.18  
 Class A - Agriculture  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A

**Owner**

<b>Deed Holder</b> Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030	<b>Contract Holder</b>	<b>Mailing Address</b>
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**Land**

Lot Area 8.27 Acres ; 360,241 SF

**Sales**

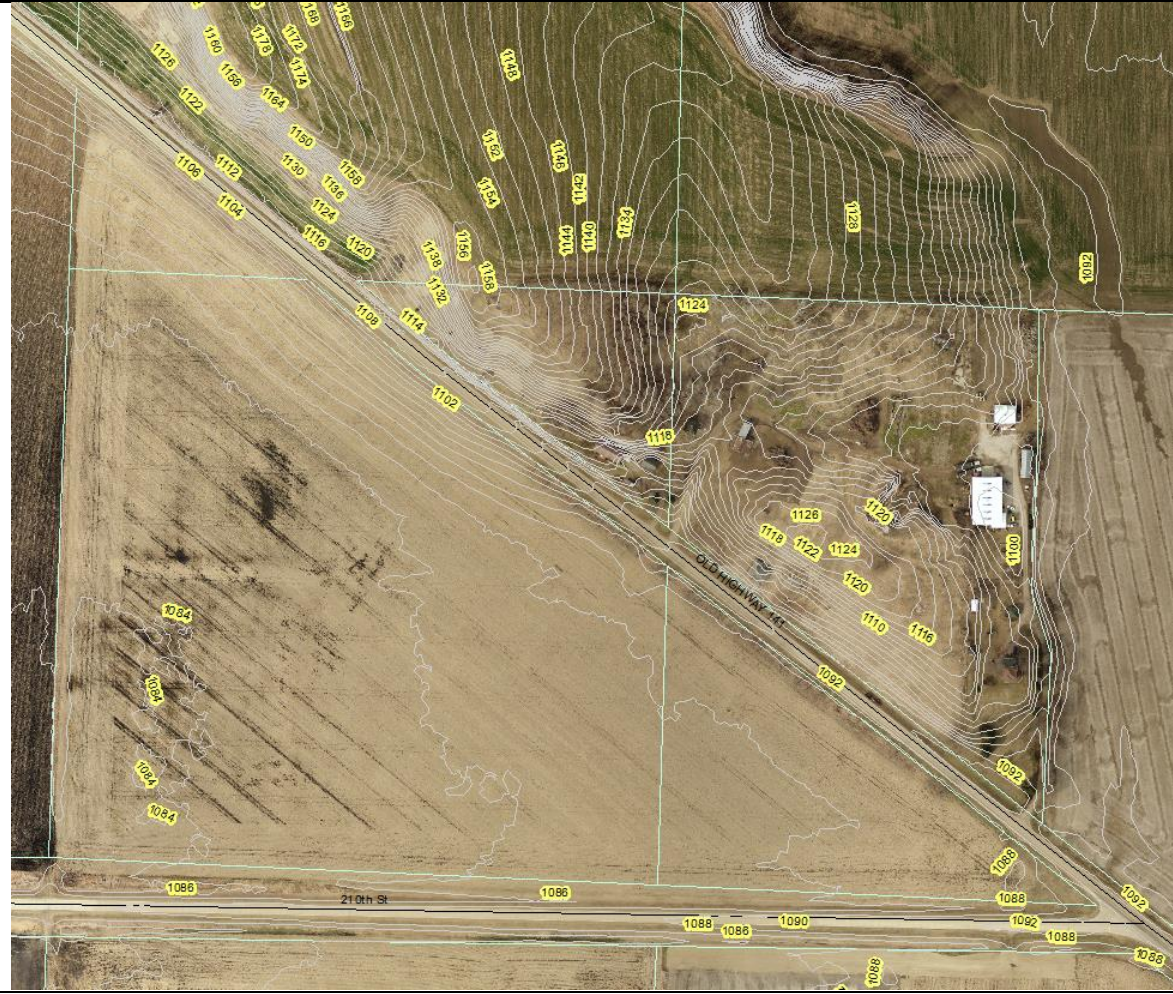
Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, SHELVIG DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

Show There are other parcels involved in one or more of the above sales:

**Valuation**

	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$16,420	\$16,420	\$23,900	\$23,900
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900

# TOPOGRAPHY



**SOIL - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .**



**Legend**

- Roads
- Soils**
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000

**Summary**

Parcel ID	884630300004	
Gross Acres	33.66	
ROW Acres	0.00	
Gross Taxable Acres	33.66	
Exempt Acres	0.00	
Net Taxable Acres	33.66	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	75.63	(2545.86 CSR2 Points / 33.66 Gross Taxable Acres)

Agland Active Config 2017 CSR2

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	33.66	75.64	2,545.86	2,545.86
Non-Crop	0.00	0.00	0.00	0.00
<b>Total</b>	<b>33.66</b>		<b>2,545.86</b>	<b>2,545.86</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	3.01	267.89	267.89
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODED	82.00	14.85	1,217.70	1,217.70
100% Value	734	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	68.00	15.17	1,001.56	1,001.56
100% Value	734+	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	67.00	0.09	6.03	6.03
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	0.54	22.68	22.68
<b>Total</b>				<b>33.66</b>	<b>2,545.86</b>	<b>2,545.86</b>

**Summary**

Parcel ID	884630300006	
Gross Acres	8.27	
ROW Acres	0.00	
Gross Taxable Acres	8.27	
Exempt Acres	0.00	
Net Taxable Acres	8.27	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	82.97	(686.18 CSR2 Points / 8.27 Gross Taxable Acres)

Agland Active Config 2017 CSR2

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8.27	82.97	686.18	686.18
Non-Crop	0.00	0.00	0.00	0.00
<b>Total</b>	<b>8.27</b>		<b>686.18</b>	<b>686.18</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.47	41.83	41.83
100% Value	266+	SMITHLAND SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLO	87.00	0.95	82.65	82.65
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODED	82.00	6.85	561.70	561.70
<b>Total</b>				<b>8.27</b>	<b>686.18</b>	<b>686.18</b>





**Rezoning Application &  
Zoning Ordinance Map Amendment**

<p><b>Owner Information:</b></p> <p>Owner <u>Brian Peterson</u></p> <p>Address <u>1739 Charles Ave</u> <u>Lauton, IA 51030</u></p> <p>Phone <u>712-943-5304</u></p>	<p><b>Applicant Information:</b></p> <p>Applicant <u>Brian Peterson</u></p> <p>Address <u>1739 Charles Ave</u> <u>Lauton IA 51030</u></p> <p>Phone <u>712-943-5304</u></p>
<p>Engineer/Surveyor <u>DGR, Dave Lamberton</u> Phone <u>712-266-1554</u></p>	
<p><b>Property Information:</b></p> <p>Property Address or Address Range <u>NA, Currently Farm land.</u></p> <p>Quarter/Quarter <u>SW</u> Sec <u>30</u> Twnshp/Range <u>88 North 46 West</u></p> <p>Parcel ID # _____ or GIS # <u>884630300006, 00004, 00001</u> Total Acres <u>46.61A.</u></p> <p>Current Use <u>AP - Ag Use</u> Proposed Use <u>AE - Ag Estate Lots</u></p> <p>Current Zoning <u>AP</u> Proposed Zoning <u>AE</u></p> <p>Average Crop Suitability Rating (submit NRCS Statement) <u>65</u></p>	
<p>The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).</p> <p>A formal pre-application meeting is recommended prior to submitting this application.</p> <p>Pre-app mtg. date <u>9-25-18, Phone Calls since.</u> Staff present <u>Dan Priestly, Mark Nabra, David Gleason</u></p>	
<p>The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.</p> <p>This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.</p> <p>Owner <u>Brian Peterson</u> Applicant <u>Brian Peterson</u></p> <p>Date <u>5-27-20</u> Date <u>5-27-20</u></p>	

Fee: \$400 Case #: 6562

Check #: 11213

Receipt #: \_\_\_\_\_



## David Gleiser

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**From:** Daniel Peterson <daniel@whiskeycreekinc.com>  
**Sent:** Tuesday, July 7, 2020 1:08 PM  
**To:** Matthew A. Ung; Keith Radig; Marty Pottebaum; Rocky De Witt; David Gleiser  
**Cc:** Daniel Priestley; Brian Peterson; Karen James  
**Subject:** Walnut View Proposed Plat - Driveway Information  
**Attachments:** Walnut View Driveway Data.pdf

**Importance:** High

### **Woodbury County Board of Supervisors and County Community and Economic Director:**

After our discussion last week regarding Walnut View and the proposed plat we wanted to provide you with some additional information.

We looked at the density of driveways on Old Hwy 141 and on 210<sup>th</sup> street (both side of the proposed plat).

We have found the following regarding our proposed plat:

- Walnut View would have seven total driveways entering Old Hwy 141 (there are already two existing entrances), so five new entrances
- These seven entrances would be spread across the 2,956 feet of lots along Old Hwy 141 and support 11 lots and and outlot A.
- Two entrances would be needed entering 210<sup>th</sup> Street to support two lots.

We compared this density per mile to two different miles also along Old Hwy 141 and one mile on 210<sup>th</sup> Street as well as longer sections of the same.

- See the attached file for the detail and rough map of the locations for your reference.
- After our proposed driveways our density per mile on comparable stretches of the same highway would be lower than what exists today.
- We would average 10 driveways per mile of straight road with some elevation change (this development plus existing) compared to
  - 1.5 miles further south has 10 driveways per mile on Old Hwy 141 around large curve.
  - 0.5 miles south has 14 driveways per mile on Old Hwy 141 some elevation and slight curves.
  - 2.5 miles to the west on 210<sup>th</sup> 32 driveways per mile from Elk Creek Road west one mile on straight flat road.

**After seeing the actual numbers and similar location in the area we are asking the following:**

- 1. Continue to approve the proposed rezoning to Agricultural Estates.**
- 2. Approve the proposed minor subdivision with the submitted plat.**

If you have any questions on this data I would be happy to discuss.

Thank you for your time and consideration.

Dan Peterson  
712-899-8276 (cell)  
712-943-5304 (office)

Walnut View - Old Hwy 141 Driveway Data Map.pdf

Walnut View - Old Hwy 141 Driveway Data.pdf

## Walnut View Proposed Driveway Data

- Data found using google maps and Beacon.

### Current

#### A - Old Hwy 141 from Bronson Blacktop to North end Proposed

	Road Intersections	Field Driveways	Home/Building Driveways
On Old Hwy 141			
Bronson Blacktop to North Corner Proposed	2	5	3
Distance in Miles	1.0	1.0	1.0
Average per Mile	2.0	5.0	3.0

#### B - South side of proposed 4.9 miles Old Hwy 141 to Sgt Bluff

	Road Intersections	Field Driveways	Home/Building Driveways
On 210th Street			
From Old Hwy 141 to Old Lakeport Rd	4	16	34
Distance in Miles	4.9	4.9	4.9
Average per Mile	0.8	3.3	6.9

#### C - On 210th One Mile from Elk Creek Road West

	Road Intersections	Field Driveways	Home/Building Driveways
On 210th Street			
From Old Hwy 141 to Old Lakeport Rd	1	3	32
Distance in Miles	1.0	1.0	1.0
Average per Mile	1.0	3.0	32.0

#### D - Half a mile south of proposed on Old Hwy 141

	Road Intersections	Field Driveways	Home/Building Driveways
On Old Hwy 141			
Bronson Blacktop to 220 th Street	2	1	14
Distance in Miles	1.0	1.0	1.0
Average per Mile	2.0	1.0	14.0

#### E - One and a half miles south of proposed on Old Hwy 141 - around large curve

	Road Intersections	Field Driveways	Home/Building Driveways
On Old Hwy 141			
220th Street south 1.0 mile around large curve in the road	1	2	10
Distance in Miles	1.0	1.0	1.0
Average per Mile	1.0	2.0	10.0

#### F - Current status 10.6 miles of Old Hwy 141 from Sioux City to Luton Blacktop

	Road Intersections	Field Driveways	Home/Building Driveways
On Old Hwy 141			
180th Street to 250 th Street	12	31	63
Distance in Miles	10.6	10.6	10.6
Average per Mile	1.1	2.9	5.9

## After Proposed: Option 2 driveway placement by County Engineer dated 6/17/2020.

	Road Intersections	Field Driveways	Home/Building Driveways
On Old Hwy 141			
Bronson Blacktop to North Corner Proposed	2	3	10
Distance in Miles	1.0	1.0	1.0
Average per Mile	2.0	3.0	10.0
On 210th Street			
From Old Hwy 141 to Old Lakeport Rd	4	16	36
Distance in Miles	4.9	4.9	4.9
Average per Mile	0.8	3.3	7.3
On 210th Street			
From Old Hwy 141 to Old Lakeport Rd	1.0	3.0	32.0
Distance in Miles	1.0	1.0	1.0
Average per Mile	1.0	3.0	32.0
On Old Hwy 141			
Bronson Blacktop to 220 th Street	2	1	14
Distance in Miles	1.0	1.0	1.0
Average per Mile	2.0	1.0	14.0
On Old Hwy 141			
220th Street south 1.0 mile around large curve in the road	1	2	10
Distance in Miles	1.0	1.0	1.0
Average per Mile	1.0	2.0	10.0
On Old Hwy 141			
180th Street to 250 th Street	12	29	70
Distance in Miles	10.6	10.6	10.6
Average per Mile	1.1	2.7	6.6

## Daniel Priestley

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**From:** Shrivastava, Vikram <Vikram.Shrivastava@atkinsglobal.com>  
**Sent:** Monday, July 6, 2020 4:36 PM  
**To:** Daniel Priestley  
**Cc:** Cappuccio, Bill; Scott Ralston; Schlesener, Mike; Kahle, Chris  
**Subject:** RE: Subdivision BFE

Hi Daniel,

This is following up to our discussion on Thursday about the property bounded by Old Hwy 141, 210<sup>th</sup> Street, and Little Whiskey Creek.

I discussed this with Bill Cappuccio, Scott Ralston, and Chris Kahle at the DNR. Bill mentioned that he had provide the response below to you. I agree with Bill that the best solution to this area is "Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA." (as Bill stated below). I understand that the DNR may be a good source to develop a BFE for this location.

I hope this helps in your presentation to the County Board on 7/7. Please feel free to call me if you would like to discuss in more detail.

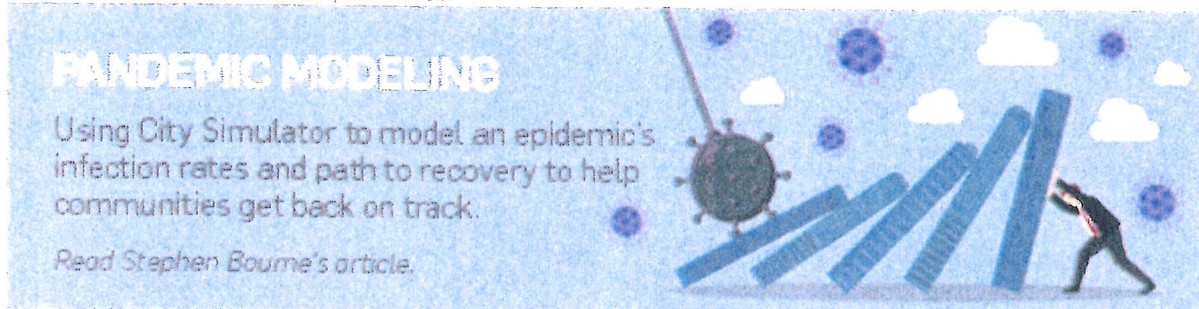
Thanks,

Vikram

**Vikram Shrivastava** PE, PMP, D.WRE, CFM  
Project Director  
Public and Private Business Unit

☎ (240) 264-8904 📠 (203) 252-4837

Atkins, member of the SNC-Lavalin Group  
3901 Calverton Blvd., Calverton, MD 20705



**PANDEMIC MODELING**

Using City Simulator to model an epidemic's infection rates and path to recovery to help communities get back on track.

*Read Stephen Bourne's article.*

# ATKINS

Member of the SNC-Lavalin Group

Company

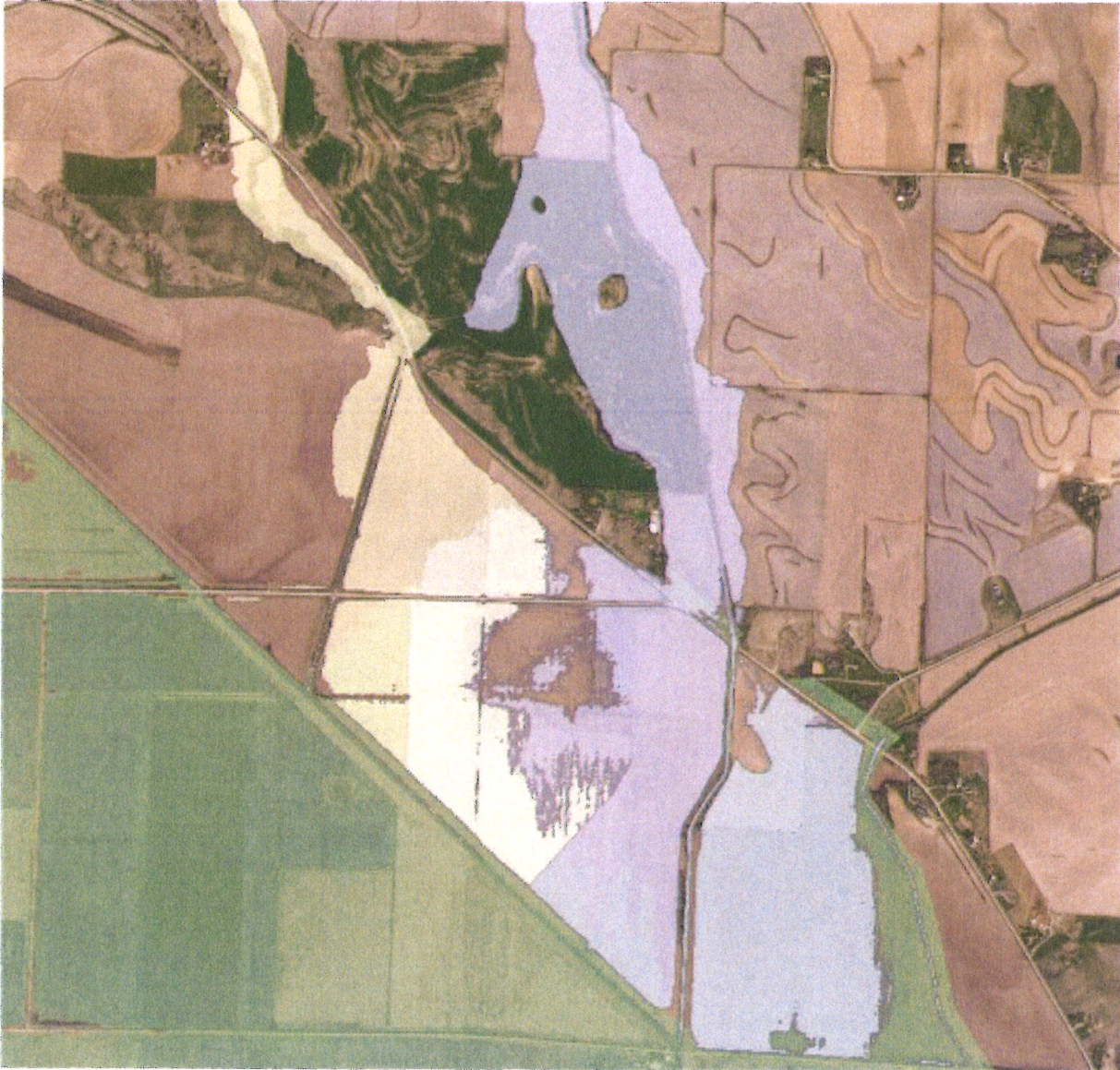


**Daniel Priestley**

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**From:** Shrivastava, Vikram <Vikram.Shrivastava@atkinsglobal.com>  
**Sent:** Thursday, July 2, 2020 4:22 PM  
**To:** Daniel Priestley  
**Subject:** RE: Woodbury County Old Hwy 141 Meeting Tuesday

Here is a figure that I want to send ahead to refer to in our call



**ORDINANCE NO. \_\_\_\_**

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT  
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

**WHEREAS** the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

**WHEREAS** the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

**WHEREAS** the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

**WHEREAS** the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

**Dated this 14<sup>th</sup> day of July 2020.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:**

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Keith Radig, Vice Chairman

\_\_\_\_\_  
Rocky DeWitt

\_\_\_\_\_  
Marty Pottebaum

\_\_\_\_\_  
Justin Wright

ATTEST

\_\_\_\_\_  
Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading:	June 30, 2020
Public Hearing and 2nd Reading:	July 7, 2020
Public Hearing and 3rd Reading:	Waived on July 7, 2020
Adopted:	July 14, 2020
Effective:	

## ITEM ONE (1)

Property Owner: Brian D. Peterson & Anita S. Peterson, 1739 Charles Avenue, Lawton, IA 51030.

Petitioner Applicant: Brian Peterson, 1739 Charles Avenue, Lawton, IA 51030.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone the area inclusive of Parcel #884630300012 located in the NW ¼ of the SE ¼ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District which includes that portion of the southwest quarter (SW1/4) of Section 30, Township 88 North, Range 46 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THEN NORTH 01°07'00" EAST ALONG THE WEST LINE OF THE SW1/4 OF SAID SECTION 30 FOR A DISTANCE OF 1,730.46 FEET TO THE CENTER LINE OF OLD HIGHWAY NO. 141; THEN SOUTH 51°15'49" EAST ALONG SAID CENTER LINE FOR A DISTANCE OF 991.46 FEET; THENCE SOUTH 52°34'10" EAST ALONG SAID CENTERLINE FOR A DISTANCE OF 1,321.02 FEET TO THE SOUTH LINE OF SAID SW1/4; THENCE NORTH 88°02'39" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 2,371.56 FEET TO THE POINT OF BEGINNING, CONTAINING 46.61 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS, IF ANY, OR RECORD OR APPARENT.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

**#11c**

Date: 7/9/20 Weekly Agenda Date: 7/14/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Adoption of Zoning District Designation Mapping Amendment to the Woodbury County Zoning Ordinance for Applicant, Chad Swanger

**ACTION REQUIRED:**

- |   |   |  |
|---|---|--|
| Approve Ordinance <input checked="" type="checkbox"/> | Approve Resolution <input type="checkbox"/>   | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>               | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The Board of Supervisors will take the final action to adopt a proposed zoning district designation mapping amendment to change the zoning district designation for parcels #884702200002, 884702200004, 884702200005, 884702200006, and 884702200007 from Agricultural Preservation to General Commercial.

**BACKGROUND:**

On 6/22/20 the Zoning Commission held a public hearing on the request submitted by Chad Swanger of the Terry V. Swanger Irrevocable Trust and subsequently voted 3-0 to recommend approval to the Board of Supervisors. On 6/30/20, the Board of Supervisors held a public hearing on the zoning district designation mapping amendment and subsequently approved the request. The Board also conducted the 1st reading of an ordinance to amend the zoning designation. On 7/7/20, the Board of Supervisors held a 2nd public hearing on the request and conducted the 2nd reading of the ordinance. The Board waived the 3rd public hearing and 3rd ordinance reading. Once adopted, the ordinance will become effective upon publication.

**FINANCIAL IMPACT:**

**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:**

Adopt the zoning district designation mapping amendment for applicant, Chad Swanger.

**ACTION REQUIRED / PROPOSED MOTION:**

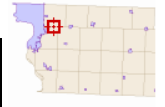
Motion to adopt the zoning district designation mapping amendment for applicant, Chad Swanger.



# WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov  
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
Telephone (712) 279-6609 Fax (712) 279-6530



## ZONING ORDINANCE MAP AMENDMENT PROPOSAL

**Agricultural Preservation (AP) to General Commercial (GC)**

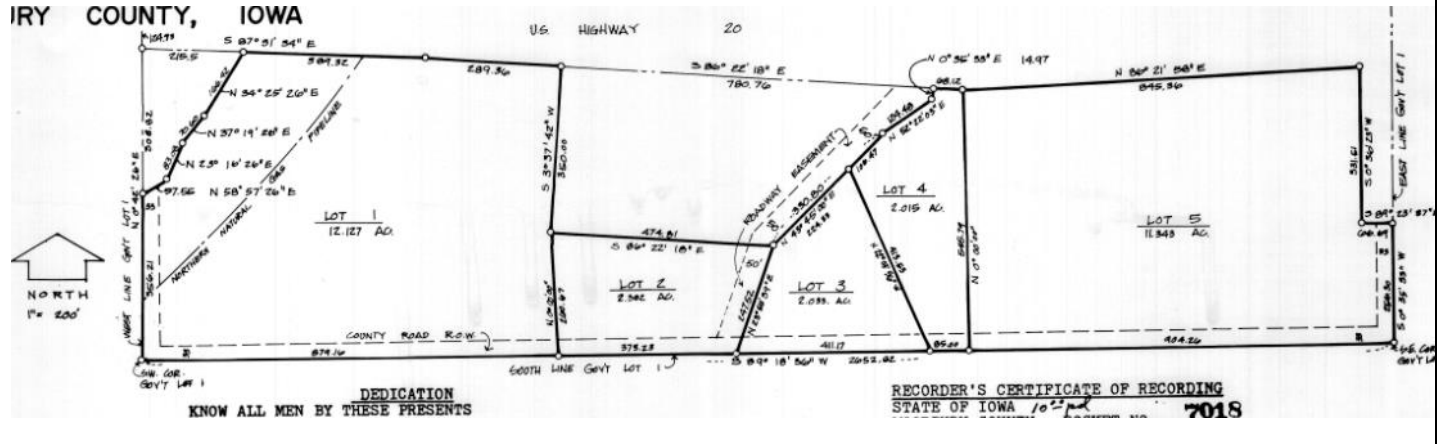
Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007



### FACTS OF THE CASE

Chad Swanger of the Terry V. Swanger Irrevocable Trust, owners of Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 (located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve their request to rezone their five parcels from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District for future commercial use. A western portion of Parcel # 884702200002 is located in the floodplain.

### IRY COUNTY, IOWA



DEDICATION  
KNOW ALL MEN BY THESE PRESENTS

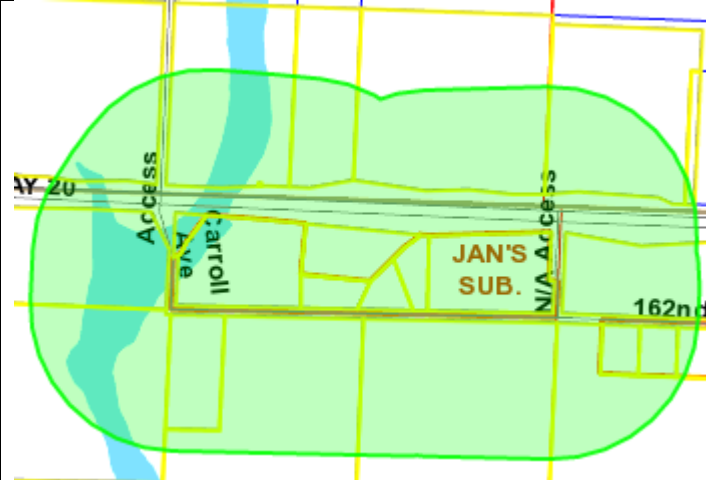
RECORDER'S CERTIFICATE OF RECORDING  
STATE OF IOWA 10/22/2018

**LEGAL NOTIFICATION**

Published in the Sioux City Journal Legals Section on June 12, 2020.

Item (1)  
**PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE):** Proposal to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District on Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton. Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162nd St., Lawton, IA 51030.

**PROPERTY'S OWNER NOTICE – 1000 FT**



The 17 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a June 11, 2020 letter of the public hearing. As of June 19, 2020, the Community & Economic Development office had not received two (2) phone inquiries from property owner owning property within 1,000'.

When more comments are received after the printing of this packet, they will be provided at the meeting.

**LEGAL NOTIFICATION**

<b>CENTURYLINK:</b>	After review CenturyLink has facilities in the area but are in public ROW. We currently have a copper cable that feeds LI but not AE. – Sean Hostetter, 6/3/20.
<b>FIBERCOMM:</b>	No comments.
<b>IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):</b>	No comments.
<b>IOWA DEPARTMENT OF TRANSPORTATION (IDOT)</b>	The change from AE to GC would not be a concern, unless a development occurs that would generate significant traffic volumes. With our access spacing requirement of 1000' minimum on US20, additional access locations would not be allowed to US20 from the Swanger parcels. Access to the parcels would only be from secondary roads. – Kelly Mulvihill, 6/15/20.
<b>LONGLINES:</b>	No comments.
<b>MAGELLAN PIPELINE:</b>	Magellan Pipeline has no issues with this. Magellan is along the west edge of section 3 at this point and is not in section 2 at all. – Steven Eddy, 6/3/20.
<b>MIDAMERICAN ENERGY COMPANY:</b>	I have reviewed the attached proposed rezoning for MEC "electric" MEC does have facilities on a near these properties any requested relocations would be at the expense of the property owner. – Casey Meinen, 6/3/20.
<b>NATURAL RESOURCES CONSERVATION SERVICES (NRCS)</b>	No comments.
<b>NORTHERN NATURAL GAS:</b>	<b>SEE STATEMENT BELOW:</b>
<b>NORTHWEST IOWA POWER COOPERATIVE (NIPCO):</b>	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20.

<b>NUSTAR PIPELINE:</b>	No comments.
<b>SIOUXLAND DISTRICT HEALTH DEPARTMENT:</b>	No comments.
<b>WIATEL:</b>	Wiatel has no concerns. – Phil Robinson, 6/3/20.
<b>WOODBURY COUNTY ASSESSOR:</b>	No comments.
<b>WOODBURY COUNTY CONSERVATION:</b>	No comments.
<b>WOODBURY COUNTY EMERGENCY SERVICES:</b>	No comments. – Gary Brown 6/8/20.
<b>WOODBURY COUNTY EMERGENCY MANAGEMENT:</b>	No comments.
<b>WOODBURY COUNTY ENGINEER:</b>	<b>SEE STATEMENT BELOW:</b>
<b>WOODBURY COUNTY RECORDER:</b>	No comments.
<b>WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):</b>	We have no concerns over the proposed changes. – Kent Amendson, 6/3/20.
<b>WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):</b>	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 6/3/20.

**NORTHERN NATURAL GAS – TOM HUDSON, 6/3/20**

**From:** Hudson, Tom <Tom.Hudson@nngco.com>  
**Sent:** Wednesday, June 3, 2020 2:20 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Proposed Rezone Adjacent to HWY 20

Dan,

Northern Natural Gas Company does own and operate a 16-inch-diameter high pressure natural gas transmission line in this area. The yellow line is where the pipeline is. Changing the land to commercial with the hopes of developing it will likely be hampered by the pipeline. Any party wishing to develop the land within the red boundary lines will want to consult with Northern prior to doing so.

Thanks,  
Tom





## Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nagra, P.E.  
mnagra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nagra, County Engineer

Date: June 9, 2020

Subject: Swanger Rezoning application

The Secondary Road Department has reviewed the information provided for the above referenced rezoning request forwarded with your memo dated June 3, 2020.

I am offering the following comments for your consideration.

- I have reviewed the parcel for access and I have concerns with the rezoning request and potential for commercial development. The lots are bordered by county gravel roads and US Highway 20. I am not sure access can be gained to most of the lots from highway 20 due to sight distance issues and a lack of median crossovers adjacent to the lots. If they are unable to be accessed from Highway 20, they will have to use the county gravel road. Not knowing the nature of the plan for marketing the lots, it is possible that significant traffic generating businesses might be developed in one or more of the lots. Should the lots develop, and the gravel road become the primary access for the lots, I believe the lots should be subjected to a paving agreement in compliance with the terms of the current county paving policy so that the owner is contributing to the cost of any improvements to the road necessitated by the development.
- Driveway access can be gained to each parcel, although the parcel ending in 00007 will have difficulty finding a location for a driveway that is level to the road that is not within the willow grove that occupies the southern part of the lot. The other lots either are served by a driveway already or have locations with adequate sight distance that are relatively level to the roadway.
- The subdivision borders on an area with existing residential development. I am not sure that the introduction of additional commercial properties is fully compatible with the residential use already existing, particularly if the traffic serving new commercial enterprises uses the gravel road. I have heard more than one complaint about commercial business adjacent to rural residential development in the Grandy Hills Subdivision and question the compatibility of the two types of development in close proximity to one another. I question whether the Grandy Hills pattern of development should be replicated in this location. I see no enhancement to surrounding land use by making this change, while the current zoning for Ag Estate is at complimentary to the development and land use already in place in the area.
- I have no other comments at this time.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

## ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

### CRITERIA 1:

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

#### Staff Analysis:

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. The applicant’s proposal to rezone from AE to GC fits this criteria as the GC Zoning District comports with the “Future Land Use Map” that was established in 2005 as part of the Woodbury County General Development Planning for 2025.



### CRITERIA 2:

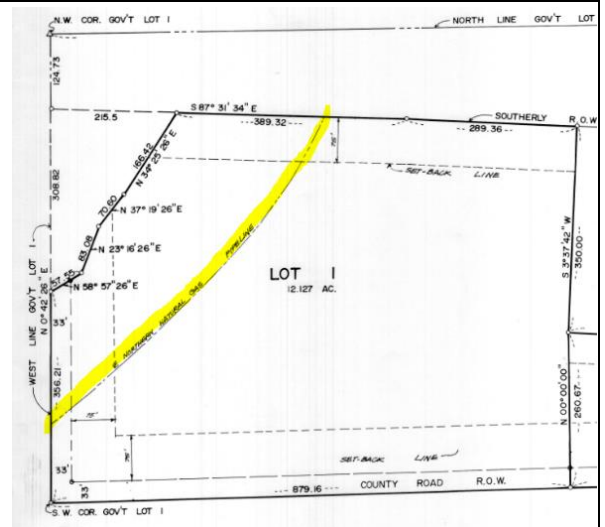
Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

#### Staff Analysis:

Northern Natural Gas has a 16" diameter high pressure natural gas transmission line crossing through Parcel #884702200002. As noted in their attached statement, “changing the land to commercial with the hopes of developing it will likely be hampered by the pipeline.” Northern Natural Gas must be contacted if any development were to take in the area crossing Parcel #884702200002.

CenturyLink has facilities in the public ROW and copper cable that feeds the adjacent Parcel # 884702200003 owned by Triple H International. CenturyLink must be involved with any development proposals.

According to the county engineer, should commercial lots develop and the gravel road become the primary access to the lots, they should be subject to a paving agreement in compliance with the terms of the county paving policy so the owner is contributing to the cost of any improvements to the road necessitated by the development. Four of the lots have adequate access to the road system. However, Parcel #884702200007 will have “difficulty finding a location for a driveway that is level to the road that is not within the willow drive that occupies the southern part of the lot.”



**CRITERIA 3:**

Consideration of the Corn Suitability (CSR) of the property.

**Staff Analysis:**

The following data has been provided by the Woodbury County Assessor' office:

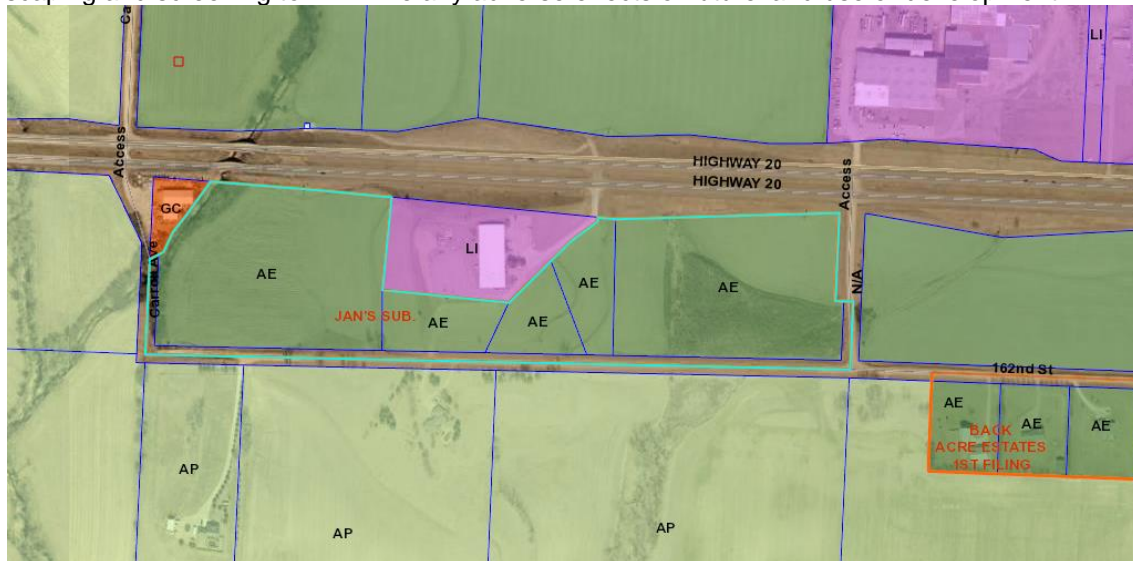
Parcel ID	CSR Rating
884702200002	avg 44.03
884702200004	avg 51.79
884702200005	avg 26.49
884702200006	avg 36.21
884702200007	avg 81.01
884702200002	avg 44.03

**CRITERIA 4:**

Compatibility with adjacent land uses.

**Staff Analysis:**

This property is located along the Highway 20 corridor which has been included in the future land use map for commercial uses. The land is also adjacent to agricultural ground including residential homes across 162nd Street. This rezone would directly place commercial land adjacent to Agricultural Preservation (AP) and Agricultural Estates (AE) land. It would be imperative for current and future property owners to implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

**CRITERIA 5:**

Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

**Staff Analysis:**

The intended use of the property appears to be compatible with the adjacent properties.

**CRITERIA 6:**

Any other relevant factors.

**Staff Analysis:**

This rezone request aligns with the Woodbury County General Development Plan for 2025.

## STAFF RECOMMENDATION

The staff considers this an opportunity to implement the vision of the Woodbury County General Plan (2005). However, staff acknowledges the concerns by the stakeholders including the county engineer who pointed out potential compatibility issues between commercial and agricultural residential property. In this situation, it is imperative for developers to minimize any adverse impact on the neighbors during any development and operation of the commercial property.

The staff recommends approval of the rezone from Agricultural Estates (AE) to General Commercial (GC) as this property is mapped for future commercial development under the Woodbury County General Plan's Future Land Use Map for 2025 under the condition that the current and/or future property owners comply with the following:

- Enter into a recorded paving agreement in compliance with the terms of the current county paving policy (see attached).
- Comply with any and all easements and encroachment agreements including area utilities not limited to Northern Natural Gas on Parcel # 884702200002.
- Implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

## ZONING COMMISSION RECOMMENDATION



At the June 22, 2020 public meeting, the Zoning Commission voted to recommend the Zoning Ordinance Map Amendment (Rezone) with the condition that the property owner(s) meet the following conditions:

- Enter into a recorded paving agreement in compliance with the terms of the current county paving policy (see attached).
- Comply with any and all easements and encroachment agreements including area utilities not limited to Northern Natural Gas on Parcel # 884702200002.
- Implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District on Lots One (1), Two (2), Three (3), Four (4), and Five (5) of Jan's Subdivision, Part of Government Lot One (1) of Section Two (2), Township Eighty-Eight (88) North, Range Forty-Seven (47), West of the Fifth Principal Meridian in the County of Woodbury and State of Iowa. Lot 1 also known as Parcel #884702200002 is 12.13 acres. Lot 2 also known as Parcel #884702200004 is 2.3 acres. Lot 3 also known as Parcel #884702200005 is 2.03 acres. Lot 4 also known as Parcel #884702200006 is 2.02. Lot 5 also known as Parcel #884702200007 is 11.34.

PART OF GOVERNMENT LOT 1, IN SECTION 2, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE N.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 0°42' 26" W ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 124.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 20; THENCE S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 215.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 389.32 FEET; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 289.36 FEET; THENCE S 3°37' 42" W FOR 350.00 FEET; THENCE S 86° 22' 18" E FOR 474.81 FEET; THENCE N 43°45' 00" E FOR 330.80 FEET; THENCE N 52°22' 03" E FOR 124.48 FEET; THENCE N 0°35' 33" E FOR 14.97 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 68.12 FEET; THENCE N 86°21' 58" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 845.36 FEET; THENCE S 0°36' 23" W FOR 331.51 FEET; THENCE S 89°23' 37" E FOR 66.69 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE S 0°35' 33" W ALONG SAID EAST LINE FOR 256.30 FEET TO THE S.E. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 89°18' 36" W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR 2652.82 FEET TO THE S.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE N 0°42' 26" E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 356.21 FEET; THENCE N 58°57' 26" E FOR 57.55 FEET; THENCE N 23°16' 26" E FOR 83.08 FEET; THENCE N 37°19' 26" E FOR 70.60 FEET; THENCE N 34°25' 26" E FOR 166.42 FEET TO THE POINT OF BEGINNING. CONTAINING 29.900 ACRES. PARCEL IS SUBJECT TO EXISTING ROADWAYS AND EASEMENTS OF RECORD. NOTE: THE NORTH LINE OF SAID GOVERNMENT LOT 1 IS ASSUMED TO BEAR DUE EAST.

Property Owner and Applicant – Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162<sup>nd</sup> St., Lawton, IA 51030.

# WOODBURY COUNTY PAVING POLICY



## Woodbury County Secondary Roads Department

759 E. Frontage Road • Moline, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

PPM #5, 2015

### WOODBURY COUNTY SECONDARY ROAD DEPARTMENT POLICY AND PROCEDURE MEMORANDUM

SUBJECT: PAVING POLICY

#### 1.0 Purpose

Subdivision development in the rural area creates additional traffic on gravel surfaced roads which were designed primarily for rural farm access. Fugitive dust and rough roads draw frequent complaints from residents who move to the rural area and construct new homes. The county receives requests for paving the roads to meet the new traffic demand.

Property taxes generated by rural residential development rarely pay back the cost of grading and paving a road to meet the new demand. As such, the county is developing this policy to gain participation in road improvement costs from the subdivider or those who purchase rural residential property. This policy states the level of county participation in road improvements and sets a framework for developing paving agreements in the rural area.

The County has not realized total reimbursement of roadway improvement costs from subdivision developers or land owners. Financial, human and other resources are limited and therefore the County desires to establish financial resource guidelines for future pavement extensions to, adjacent and through rural subdivisions.

For new subdivisions the terms of roadway improvement cost sharing within this Paving Policy shall be implemented by the use of Agreements to Impose Covenants; more commonly known as Paving Agreements. Specifically, as a condition of a subdivision's final plat approval, that the Board of Supervisors will require the timely recording of any Paving Agreement.

Samples of Paving Agreement language meeting this Paving Policy is attached and marked Exhibit A and Exhibit B.

#### Financial Resources

##### 1.1 Special Assessment District

Chapter 331, Section 485, Code of Iowa, establishes the procedures for "County Special Assessment Districts". This process would be the most logical form of cost reimbursement to the County. Section 331.486 indicates that "a county may construct and assess the cost of public improvements within a district in the same manner as a city may proceed under Chapter 384..." Sections 384.37 - 384.79 describes the procedures cities are required to follow for special assessment districts. District boundaries are established by the Board of Supervisors as per Section 331.485.

##### 1.2 Tax Increment Financing

Chapter 403, Code of Iowa, is the "Urban Renewal Law". Section 403.22 describes public improvements related to housing and residential development and low income assistance requirements. The County has use of the funds, but must designate the Low to Moderate Income (LMI) portion to go towards LMI benefit.

##### 1.3 Real Estate Improvements District

Chapter 358C, Code of Iowa, establishes the procedures for creation of a Real Estate Improvement District. The general assembly created this program to assist developers and communities in increasing the availability of housing in Iowa communities. Section 358C.4 authorizes the district to acquire, construct, reconstruct, install, maintain, and repair any of the public improvements listed in this section. Section 358C.4.2.m identifies "Public roads, streets, and alleys" as eligible public improvements.

##### 1.4 General Obligation Bonds

Section 331.441-331.460 describes the procedures for issuance of General Obligation Bonds for "Essential County Purpose". Section 331.441.2.b.2 identifies "Bridges on highway or parts of highways which are located along the corporate limits of cities and are partly within and partly without the limits and are in whole or in part secondary roads".

#### 2.0 Participation Guidelines

- 2.1 Woodbury County will begin to consider paving extensions and County participation when the Average Daily Traffic (ADT) falls within the range of 250 to 500 vehicles per day.
- 2.2 The County will participate up to 20% of the construction costs for paving extension to, adjacent or through a new subdivision or through an existing development. Project development costs will be borne solely by the developer, subdivider or land owners requesting the road upgrade. Grading costs to prepare the roadway for paving will be included in the cost of the project to be shared by the parties requesting the paving improvement.
- 2.3 Woodbury County will use six (6) vehicles per day as a planning number to estimate the number of trips generated by a single family residence.
- 2.4 Bridges, box culverts and other drainage structures will be negotiated individually as proposed projects are presented to the County.

- 2.5 Payment of the cost of the project will be made from funds of the County that may be legally used for such purpose at the sole discretion of the Board of Supervisors.
- 2.6 The Woodbury County Engineer may assist the developer with the development of opinions of cost related to the proposed pavement extension. This shall be considered as a planning tool only. Actual final construction costs will determine the necessary financial commitment of the developer, subdivider or land owner.
- 2.7 Design guidelines and standards will be established by the Woodbury County Engineer.
- 2.8 Schedules will be determined by the Woodbury County Engineer.
- 2.9 These guidelines are not intended to be all inclusive. The Board of Supervisors reserves the right to modify these guidelines as necessary to accommodate the social and economic needs of the project.

3.0 Summary

Woodbury County desires that these guidelines shall be made in accordance with a comprehensive plan and designed to facilitate the adequate provision of transportation, to encourage efficient urban development patterns and to lessen congestion in the street or highway.

Such regulations shall be made with reasonable consideration, among other things, as to the character of the area of the district and the peculiar suitability of such area for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Woodbury County.

This Paving Policy approved this 5th day of May, 2015 for Woodbury County, State of Iowa,

SO APPROVED this 5th day of May, 2015.

WOODBURY COUNTY BOARD OF SUPERVISORS

Mark A. Monson  
Mark A. Monson, Chairman

Larry D. Clausen  
Larry D. Clausen, Member

Jaclyn Smith  
Jaclyn Smith, Member

Matthew A. Ung  
Matthew A. Ung, Member

Jeremy Taylor  
Jeremy Taylor, Member

ATTEST:

Patrick F. Gill  
Patrick F. Gill, County Auditor  
Recorder

**PARCEL # 884702200002**

Summary

Parcel ID 884702200002  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOT 1 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY  
 [Note: Not to be used on legal documents]  
 Deed Book/Page 230-2257 (3/27/1990)  
 Gross Acres 12.13  
 Net Acres 12.13  
 Adjusted CSR Pts 0  
 Class R - Residential  
 [Note: This is for tax purposes only. Not to be used for zoning.]  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A

Owner

Deed Holder  
Swanger Terry V  
1656 162nd St  
 Lawton IA 51030-9729

Land

Lot Area 12.13 Acres ; 528,383 SF

Valuation

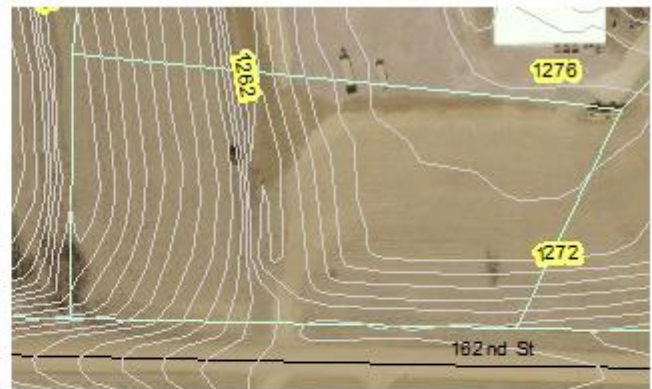
	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$16,130	\$16,130	\$11,310	\$11,310
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$16,130	\$16,130	\$11,310	\$11,310
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$16,130	\$16,130	\$11,310	\$11,310



## PARCEL # 884702200004

### Summary

Parcel ID 884702200004  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOT2 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBU RY  
*[Note: Not to be used on legal documents]*  
 Deed Book/Page 230-2257 (6/27/1990)  
 Gross Acres 2.30  
 Net Acres 2.30  
 Adjusted CSR Pts 0  
 Class R - Residential  
*[Note: This is for tax purposes only. Not to be used for zoning.]*  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



### Owner

**Deed Holder** **Contract Holder**  
 Swanger Terry V  
 1656 162nd St  
 Lawton IA 51030-9729

### Land

Lot Area 2.30 Acres ; 100,188 SF

### Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,860	\$10,860	\$7,490	\$7,490
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,860	\$10,860	\$7,490	\$7,490
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,860	\$10,860	\$7,490	\$7,490

## PARCEL # 884702200005

### Summary

Parcel ID 884702200005  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOT3 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBU RY  
*[Note: Not to be used on legal documents]*  
 Deed Book/Page 230-2257 (3/27/1990)  
 Gross Acres 2.03  
 Net Acres 2.03  
 Adjusted CSR Pts 0  
 Class R - Residential  
*[Note: This is for tax purposes only. Not to be used for zoning.]*  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



### Owner

**Deed Holder** **Contract Holder** **Mailing Address**  
 Swanger Terry V  
 1656 162nd St  
 Lawton IA 51030-9729

### Land

Lot Area 2.03 Acres ; 88,427 SF

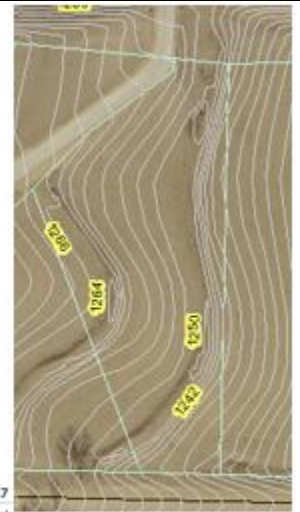
### Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,700	\$10,700	\$7,220	\$7,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220

## PARCEL # 884702200006

### Summary

Parcel ID 884702200006  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOT4 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY  
*(Note: Not to be used on legal documents)*  
 Deed Book/Page 230-2257 (3/27/1990)  
 Gross Acres 2.02  
 Net Acres 2.02  
 Adjusted CSR Pts 0  
 Class R - Residential  
*(Note: This is for tax purposes only. Not to be used for zoning.)*  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



### Owner

<b>Deed Holder</b>	<b>Contract Holder</b>	<b>Mailing Address</b>
Swanger Terry V 1656 162nd St Lawton IA 51030-9729		

### Land

Lot Area 2.02 Acres : 87,991 SF

### Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,700	\$10,700	\$7,220	\$7,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220

## PARCEL # 884702200007

### Summary

Parcel ID 884702200007  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOTS 5 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY  
*(Note: Not to be used on legal documents)*  
 Deed Book/Page 230-2257 (3/27/1990)  
 Gross Acres 11.34  
 Net Acres 11.34  
 Adjusted CSR Pts 0  
 Class R - Residential  
*(Note: This is for tax purposes only. Not to be used for zoning.)*  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



### Owner

<b>Deed Holder</b>	<b>Contract Holder</b>
Swanger Terry V 1656 162nd St Lawton IA 51030	

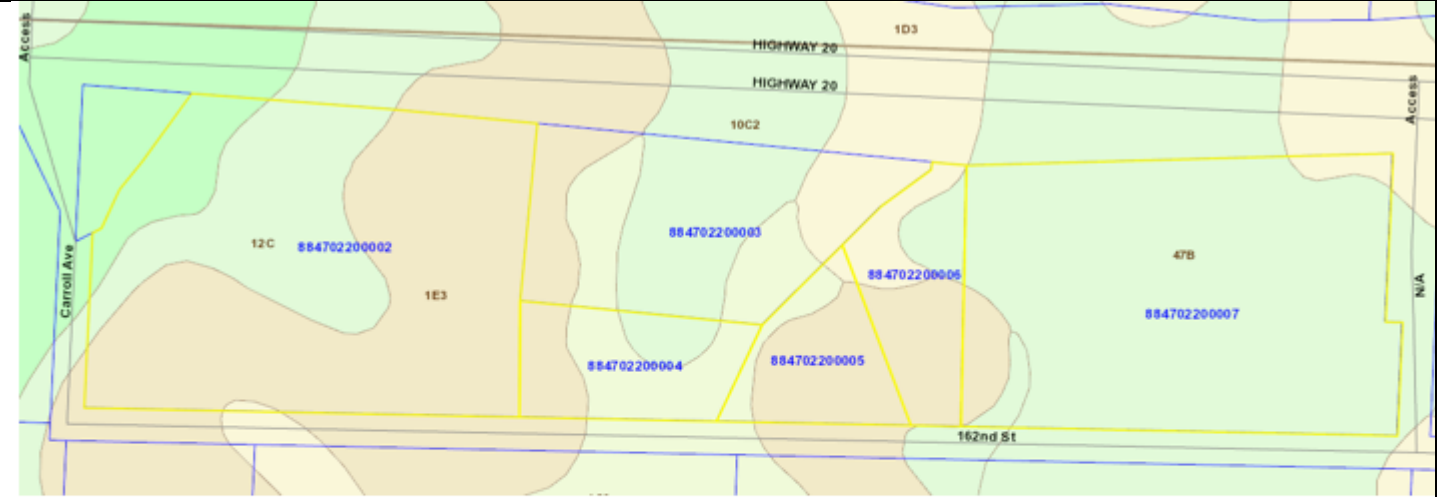
### Land

Lot Area 11.34 Acres : 493,970 SF

### Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$15,520	\$15,520	\$12,220	\$12,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$15,520	\$15,520	\$12,220	\$12,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$15,520	\$15,520	\$12,220	\$12,220

# SOIL



Parcel #	*Average Crop Suitability Rating
884702200002	44.03
884702200004	51.79
884702200005	26.49
884702200006	36.21
884702200007	81.01



\*Data provided from the Woodbury County Assessor's Office (5/28/20).

**REZONE APPLICATION**



OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance  
Section 2.02(4)  
Page 1 of 8

**Rezoning Application &  
Zoning Ordinance Map Amendment** AE → GC

<b>Owner Information:</b> <u>JAREVOCABLE</u>		<b>Applicant Information:</b>	
Owner	<u>TERRY V SWANGER TRUST</u>	Applicant	<u>CHAD SWANGER</u>
Address	<u>1656 162<sup>ND</sup> ST. LAWTON, IA 51030</u>	Address	<u>4274 DELAWARE CT. SAN JOSE, CA 95135</u>
Phone	<u>408-876-8347</u>	Phone	<u>408-876-8347</u>

Engineer/Surveyor \_\_\_\_\_ Phone \_\_\_\_\_

**Property Information:**

Property Address or Address Range 1656 162<sup>ND</sup> ST., LAWTON, IA 51030

Quarter/Quarter \_\_\_\_\_ Sec \_\_\_\_\_ Twship/Range LAWTON, IA 51030

Parcel ID # See enclosed or GIS # See enclosed Total Acres 30

Current Use Agriculture Proposed Use Agriculture

Current Zoning Agriculture Proposed Zoning Commercial General

Average Crop Suitability Rating (submit NRCS Statement) \_\_\_\_\_

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

**A formal pre-application meeting is recommended prior to submitting this application.**

Pre-app mtg. date \_\_\_\_\_ Staff present \_\_\_\_\_

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

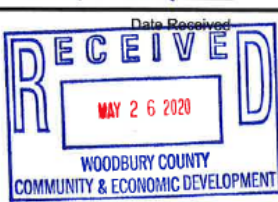
Owner [Signature] Applicant CHAD SWANGER

Date 5-22-2020 Date 5-22-2020

Fee: \$400 Case #: 6561

Check #: 4028

Receipt #: \_\_\_\_\_



AE 88 4700 22 00 002

AE 88 470 22 00 004

AE 88 47 022 00 005

AG 88 47 022 00 006

AK 88 47 022 00 007

**AGREEMENT TO IMPOSE COVENANT**

The undersigned, *Chad Swanger of the Terry V. Swanger Trust*, the owner(s) of the real estate known as *Jan’s* Subdivision, an Addition to Woodbury County, Iowa, and legally described as follows:

Lots One (1), Two (2), Three (3), Four (4), and Five (5) of Jan’s Subdivision of Part of Government Lot One (1) of Section Two (2), Township Eight-Eight (88) North, Range Forty-Seven (47), West of the Fifth Principal Meridian, in the County of Woodbury and the State of Iowa, a/k/a see legal described in Exhibit “A” attached hereto and by this reference made a part hereof.

In consideration of the approval of the Zoning Ordinance Map Amendment Proposal from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District I/we agree as follows:

1. To impose a recorded covenant on *162<sup>nd</sup> Street* agreeing to an assessment on said Lots in event *162<sup>nd</sup> Street* is hard surfaced and graded for that purpose (the Improvement).
  
2. At the time of the Improvement, the then owners, their successors, and assigns shall be assessed collectively a maximum of eighty percent (80%) of the total actual cost of the Improvement to the centerline of *162<sup>nd</sup> Street*. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Lots in *Jan’s Addition* Subdivision will be a maximum of forty percent (40%) of the total actual cost of the improvements abutting said lots.
  
3. The collective assessment shall be individually prorated to each of the lots based upon the total acres of the lots and not by lineal frontage abutting *162<sup>nd</sup> Street*. Based upon said acres the collective assessment shall be allocated on the following percentages. Should any of the currently existing lots be further split or be combined the resulting acres of the resulting lots shall control:

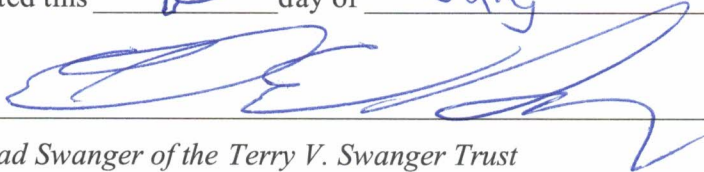
<b>Lot</b>	<b>Acres</b>	<b>Percentage of Acreage (%)</b>	<b>Collective Assessment (%)</b>
1	12.127	40.56%	16.22%
2	2.382	7.97%	3.19%



3	2.033	6.80%	2.72%
4	2.015	6.74%	2.70%
5	11.343	37.94%	15.17%
Total	29.9	100%	40%

4. In the event that statutes or ordinances existing at the time of the Improvements results in an overall lower assessment against the Lots in *Jan's* Subdivision, then the lower amount shall be assessed against said lots.

Dated this 8<sup>th</sup> day of July, 2020

  
 Chad Swanger of the Terry V. Swanger Trust

On this 8<sup>th</sup> day of July A.D. 2020, before me, the undersigned Notary Public, personally appeared to me known **Chad Swanger of the Terry V. Swanger Trust** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Chad Swanger of the Terry V. Swanger Trust** executed the same as a voluntary act and deed.

See Attached for Notary Certificate  
 Notary Public in and for said County

Seal or stamp above

# ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

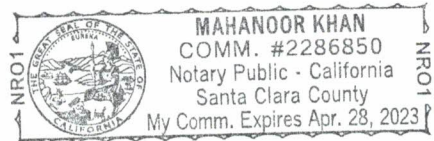
State of California  
County of SANTA CLARA )

On 7/8/2020 before me, MAHANOOR KHAN, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared CHAD ERIC SWANGER,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Mahanoor Khan (Seal)

## EXHIBIT A

PART OF GOVERNMENT LOT 1, IN SECTION 2, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE N.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 0°42' 26" W ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 124.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 20; THENCE S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 215.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 389.32 FEET; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 289.36 FEET; THENCE S 3°37' 42" W FOR 350.00 FEET; THENCE S 86° 22' 18" E FOR 474.81 FEET; THENCE N 43°45' 00" E FOR 330.80 FEET; THENCE N 52°22' 03" E FOR 124.48 FEET; THENCE N 0°35' 33" E FOR 14.97 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 68.12 FEET; THENCE N 86°21' 58" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 845.36 FEET; THENCE S 0°36' 23" W FOR 331.51 FEET; THENCE S 89°23' 37" E FOR 66.69 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE S 0°35' 33" W ALONG SAID EAST LINE FOR 256.30 FEET TO THE S.E. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 89°18' 36" W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR 2652.82 FEET TO THE S.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE N 0°42' 26" E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 356.21 FEET; THENCE N 58°57' 26" E FOR 57.55 FEET; THENCE N 23°16' 26" E FOR 83.08 FEET; THENCE N 37°19' 26" E FOR 70.60 FEET; THENCE N 34°25' 26" E FOR 166.42 FEET TO THE POINT OF BEGINNING. CONTAINING 29.900 ACRES. PARCEL IS SUBJECT TO EXISTING ROADWAYS AND EASEMENTS OF RECORD. NOTE: THE NORTH LINE OF SAID GOVERNMENT LOT 1 IS ASSUMED TO BEAR DUE EAST.

**ORDINANCE NO. \_\_\_\_**

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT  
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

**WHEREAS** the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

**WHEREAS** the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

**WHEREAS** the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

**WHEREAS** the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

**Dated this 14<sup>th</sup> day of July 2020.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:**

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Keith Radig, Vice Chairman

\_\_\_\_\_  
Rocky DeWitt

\_\_\_\_\_  
Marty Pottebaum

\_\_\_\_\_  
Justin Wright

ATTEST

\_\_\_\_\_  
Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading:	June 30, 2020
Public Hearing and 2nd Reading:	July 7, 2020
Public Hearing and 3rd Reading:	Waived on July 7, 2020
Adopted:	July 14, 2020
Effective:	

## ITEM ONE (1)

Property Owner: Terry V. Swanger, 1656 162<sup>nd</sup> St., Lawton, IA 51030.

Petitioner Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162<sup>nd</sup> St., Lawton, IA 51030.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District on Lots One (1), Two (2), Three (3), Four (4), and Five (5) of Jan's Subdivision, Part of Government Lot One (1) of Section Two (2), Township Eighty-Eight (88) North, Range Forty-Seven (47), West of the Fifth Principal Meridian in the County of Woodbury and State of Iowa. Lot 1 also known as Parcel #884702200002 is 12.13 acres. Lot 2 also known as Parcel #884702200004 is 2.3 acres. Lot 3 also known as Parcel #884702200005 is 2.03 acres. Lot 4 also known as Parcel #884702200006 is 2.02. Lot 5 also known as Parcel #884702200007 is 11.34 acres.

PART OF GOVERNMENT LOT 1, IN SECTION 2, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE N.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 0°42' 26" W ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 124.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 20; THENCE S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 215.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 389.32 FEET; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 289.36 FEET; THENCE S 3°37' 42" W FOR 350.00 FEET; THENCE S 86° 22' 18" E FOR 474.81 FEET; THENCE N 43°45' 00" E FOR 330.80 FEET; THENCE N 52°22' 03" E FOR 124.48 FEET; THENCE N 0°35' 33" E FOR 14.97 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 68.12 FEET; THENCE N 86°21' 58" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 845.36 FEET; THENCE S 0°36' 23" W FOR 331.51 FEET; THENCE S 89°23' 37" E FOR 66.69 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE S 0°35' 33" W ALONG SAID EAST LINE FOR 256.30 FEET TO THE S.E. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 89°18' 36" W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR 2652.82 FEET TO THE S.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE N 0°42' 26" E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 356.21 FEET; THENCE N 58°57' 26" E FOR 57.55 FEET; THENCE N 23°16' 26" E FOR 83.08 FEET; THENCE N 37°19' 26" E FOR 70.60 FEET; THENCE N 34°25' 26" E FOR 166.42 FEET TO THE POINT OF BEGINNING. CONTAINING 29.900 ACRES. PARCEL IS SUBJECT TO EXISTING ROADWAYS AND EASEMENTS OF RECORD. NOTE: THE NORTH LINE OF SAID GOVERNMENT LOT 1 IS ASSUMED TO BEAR DUE EAST.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

#11d

Date: 7/9/20 Weekly Agenda Date: 7/14/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Approval of Final Plat for the Teri Addition Minor Subdivision

**ACTION REQUIRED:**

- |   |   |  |
|---|---|--|
| Approve Ordinance <input checked="" type="checkbox"/> | Approve Resolution <input type="checkbox"/>   | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>               | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The Supervisors have received the Zoning Commission's recommendation on said plat and shall now approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

Gayle Dee Weed, owner of Parcel #874614100007 (2206 240th St.) proposes an 8.98 acre subdivision for future residential purposes and the construction of a new house. This proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) request to allow for more than two residential structures in a quarter-quarter section as is required by Section 3.01 of the Zoning Ordinance. This property is not located in a floodplain but is within the 1st rank of the Loess Hills. This property is greater than two miles from any incorporated area and does not require extraterritorial review. On 6/22/20 the Zoning Commission voted to recommend approval of this Minor Subdivision.

**FINANCIAL IMPACT:**

0

**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:**

Subject to any discussion or public testimony received (if any), approve the plat and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the Teri Addition Minor Subdivision plat and authorize the Chairman to sign the resolution.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov  
 Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
 Telephone (712) 279-6609 Fax (712) 279-6530

**TERI ADDITION  
MINOR SUBDIVISION PROPOSAL  
Parcel #874614100007**



Parcel ID	874614100007	Alternate ID	749970	Owner Address	MATHIESON GAYLE D
Sec/Twp/Rng	14-87-46	Class	AD		2206 240TH ST
Property Address	2206 240TH ST	Acreege	15.77		HORNICK IA 51026-8031
	HORNICK				
District	0027				
Brief Tax Description	E1/2 NW1/4 LYING S OF RD EX 2 AC S OF RD SENW & EX A TCT BEING 13 94.40 FT ON E X 471.65 FT ON S NW 1/4 14-87-46				
	(Note: Not to be used on legal documents)				

**FACTS OF THE CASE**

Gayle Dee Weed, owner of Parcel #874614100007 located in the E ½ of the NW ¼ of Section 14, T87N R46W (Grange Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve the proposed Teri Addition Minor Subdivision. This proposal encompasses the creation of one (1) lot with 8.98 acres for the purpose of constructing a residential home. This proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) request to allow for more than two residential structures in a quarter-quarter section as is required by Section 3.01 of the Woodbury County Zoning Ordinance. The property is not located in the floodplain.

**EXTRATERRITORIAL REVIEW**

This property is greater than two (2) miles from an incorporated area and does not require extraterritorial review under Iowa Code, Section 359.9.



**LEGAL NOTIFICATION**

Published in the Sioux City Journal Legals Section on July 12, 2020

**PROPOSED MINOR SUBDIVISION:** To be known as Teri Addition – a one lot minor subdivision in an 8.98 acre portion of the E ½ of the NW ¼ of Section 14, T87N R46W (Grange Township), on Parcel #874614100007, Woodbury County, Iowa, adjacent to Old Highway 141 and 240th Street about four miles southeast of Bronson. Applicant: Gayle Weed, 2206 240th Street, Homick, IA 51026.

**PROPERTY OWNER NOTICE – 1000 FT**



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a July 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office had not received written comment from any property owner owning property within 1,000'. There was one (1) phone inquiry asking about the purpose of the rezone and subdivision.

When more comments are received after the printing of this packet, they will be provided at the meeting.

**LEGAL NOTIFICATION**

CENTURYLINK:	I reviewed the area and CenturyLink does not have facilities. It is also outside of a CenturyLink wire center that we provide service to. We do not have any objection to the rezoning for a new subdivision. Any questions please let me know. – Sean Hostetter, 6/3/20.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LOESS HILL NATIONAL SCENIC BYWAY	Thanks for sending this along to us. I've been reviewing the maps and it looks like the property is in the Luton Special Landscape Area (SLA). Since it is only for one house, it seems like the disturbance would be minimal. I will work on preparing a letter with our potential concerns, but we wouldn't be staunchly in support or opposition of this project. In my letter, I'll also include contact information for Graham McGaffin with The Nature Conservancy, who can speak more to the SLAs and the Loess Hills in that area if the Supervisors or Zoning Committee would like additional information. Thanks for including us! Becca Castle – 6/19/20
LONGLINES:	No comments.
MAGELLAN PIPELINE:	Magellan Pipeline has no issues with this. Magellan is not in section 14 of Grange twp. We are at least 5 miles west with our closest pipeline so we are good. – Steven Eddy, 6/4/20.
MIDAMERICAN ENERGY COMPANY:	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in that area – Tom Hudson, 6/3/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.



WOODBURY COUNTY CONSERVATION:	No comments and not opposed, was just curious about where it was going to be built as I know the Loess Hills Scenic Byway promotes the viewshed and that is the hills. If houses are built on top it takes away from. I have no objections to this, I will run by my board on Thursday but don't think they will want to comment either. Thanks for checking back. – Dan Heissel, 6/17/20. Do you know where they plan on building this second residential unit on the property??? – Dan Heissel, 6/3/20. I don't know what county policy or my Boards is on building on the hilltops for the Loess Hills. Noticed it was along 141 and know we have a lot of easements we monitor and I know the Scenic Byway did some work. I would have to look at and research before I would comment on something. Still trying to learn everything that is done in Woodbury. – Dan Heissel, 6/3/20..
WOODBURY COUNTY EMERGENCY SERVICES:	No comments. – Gary Brown, 6/8/20.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	<b>SEE STATEMENT BELOW</b>
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD has no direct comments on this proposal. We would like to note however, that this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property. – Neil Stockfleth, 6/3/20.

**MARK NAHRA, PE – WOODBURY COUNTY ENGINEER, 6/10/20**



**Woodbury County Secondary Roads Department**

759 E. Frontage Road • Merville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: June 10, 2020

Subject: Teri Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced minor subdivision application forwarded with your email dated June 3, 2020.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the parcel for access. An existing driveway on Old Highway 141 will suffice for access to Lot 1. An alternative site for a driveway for Lot 1 also exists near the south line of the property, although it would take some significant grading work on private property to utilize this location. will provide adequate sight distance for access to the new Lot 1. The existing driveway is adequate serving the homesite on the north lot can continue to be used to access the current house and building site.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

**STAFF RECOMMENDATION**

The staff recommends for the Zoning Commission to recommend approval to the Board of Supervisors for this one-lot minor subdivision proposal.

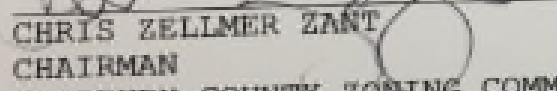
**STAFF RECOMMENDATION**

The Zoning Commission recommends approval to the Board of Supervisors for this one-lot minor subdivision proposal.

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY  
ZONING COMMISSION OF WOODBURY COUNTY, IOWA**

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF TERI ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 22nd DAY OF June, 2020 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS 23rd DAY OF June, 2020.

  
CHRIS ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

# PARCEL REPORT

## Summary

Parcel ID 874614100007  
 Alternate ID N/A  
 Property Address 2206 240TH ST  
 HORNIICK IA 51026  
 Sec/Twp/Rng 14-87-46  
 Brief Tax Description E1/2 NW1/4 LYING S OF RD EX 2 AC S OF RD SENW & EX A TCT BEING 13.94 40 FT ON E X 47.165 FT ON S NW 1/4 14-87-46  
(Note: Not to be used on legal documents)  
 Deed Book/Page 267-1240 (8/6/1992)  
 Gross Acres 15.77  
 Net Acres 15.77  
 Adjusted CSR Pts 527.31  
 Class A - Agriculture; AD - Ag Dwelling  
(Note: This is for tax purposes only. Not to be used for zoning.)  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



## Owner

Deed Holder  
 Mathison Gayle D  
 2206 240th St  
 Hornick IA 51026-8031

Contract Holder

Mailing Address

## Land

Lot Area 15.77 Acres; 686,941 SF

## Residential Dwellings

**Residential Dwelling**  
 Occupancy Single-Family / Owner Occupied  
 Style 1 Story Frame  
 Architectural Style N/A  
 Year Built 1938  
 Condition Above Normal  
 Roof Asph / Gable  
 Flooring Conc  
 Foundation Vinyl  
 Exterior Material Vinyl / Drawl  
 Interior Material Brick or Stone Veneer  
 Total Gross Living Area 848 SF  
 Attic Type 3/4 Finished; 281 SF  
 Number of Rooms 5 above; 0 below  
 Number of Bedrooms 3 above; 0 below  
 Basement Area Type Full  
 Basement Area 624  
 Basement Finished Area  
 Plumbing 1 Sink; 1 Base Plumbing (Full);  
 Appliances  
 Central Air No  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Enclosed (182 SF);  
 Decks Wood Deck-Med (168 SF);  
 Additions 1 Story Frame (224 SF);  
 Garages  
 Main Area Square Feet 624

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (Old Style)	HOG HOUSE	14	16	1950	1
0	Crib	GRANARY	8	16	1950	1
0	Machine or Utility Building	IMP SHED	24	28	1950	1
0	Swine Finish and Farrow (Old Style)	HOG SHED	20	48	1950	1
0	Steel Utility Building	MACHINESHED	30	40	1994	1
	Barn - Pole		16	20	2018	1
	Steel Utility Building		20	20	2000	1

## Valuation

Classification	2020	2019	2018	2017
	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$12,620	\$12,620	\$18,370	\$18,370
+ Assessed Building Value	\$2,990	\$2,990	\$5,470	\$5,470
+ Assessed Dwelling Value	\$86,580	\$86,580	\$68,510	\$68,510
= Gross Assessed Value	\$102,190	\$102,190	\$92,350	\$92,350
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$102,190	\$102,190	\$92,350	\$92,350

# TOPOGRAPHY



## Summary

Parcel ID	874614100007
Gross Acres	15.77
ROW Acres	0.00
Gross Taxable Acres	15.77
Exempt Acres	0.00
Net Taxable Acres	15.77
Average Unadjusted CSR2	40.26
	(Gross Taxable Acres - Exempt Land)
	(634.85 CSR2 Points / 15.77 Gross Taxable Acres)

Agland Active Config 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	10.70	35.64	381.35	381.35
Non-Crop	5.07	50.00	253.50	145.96
<b>Total</b>	<b>15.77</b>		<b>634.85</b>	<b>527.31</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.37	210.93	210.93
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	0.21	17.22	17.22
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	2.32	97.44	97.44
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.39	12.48	12.48
100% Value	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	5.41	43.28	43.28
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.34	119.26	61.75
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	1.32	108.24	58.42
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.28	8.96	8.75
Non-Crop	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	2.13	17.04	17.04
<b>Total</b>				<b>15.77</b>	<b>634.85</b>	<b>527.31</b>



### Legend

— Roads

Soils

0.000000 - 5.000000
5.000001 - 20.000000
20.000001 - 30.000000
30.000001 - 40.000000
40.000001 - 50.000000
50.000001 - 60.000000
60.000001 - 70.000000
70.000001 - 80.000000
80.000001 - 90.000000
90.000001 - 100.000000

WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION

Applicant: GAYLE DEE WEED  
Name of Owner

Mailing Address: 2206 240th ST. HORNICK, IA 51026  
Street City or Town State and Zip + 4

Property Address: 2206 240th ST. HORNICK, IA 51026  
Street City or Town State and Zip + 4

Ph/Cell #: 712 870-0730 E-mail Address: \_\_\_\_\_

To subdivide land located in the E 1/4 NW 1/4 Quarter of Section 14-87-46

Civil Township GRANGE GIS Parcel # 874614100007

Name of Subdivision: TERI ADDITION

Subdivision Area in Acres 8.98 AC. Number of Lots 1

**Attachments:**

1. Ten (10) copies of grading plans; if required. N/A
- ✓ 2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
- ✓ 3. An attorney's opinion of the abstract.
- ✓ 4. A Certified abstractor's certificate to include:
  - a. Legal description of proposed subdivision.
  - b. Plat showing clearly the boundaries of the subdivision.
  - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: ALAN L. FAGAN Ph/Cell: 712-539-1471

Attorney: RYAN C. ROSS Ph/Cell: 712 252-3226

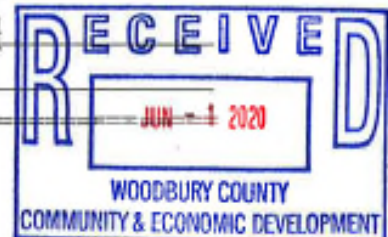
I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: [Signature]  
ALAN L. FAGAN - FOR OWNER  
Zoning Director: \_\_\_\_\_

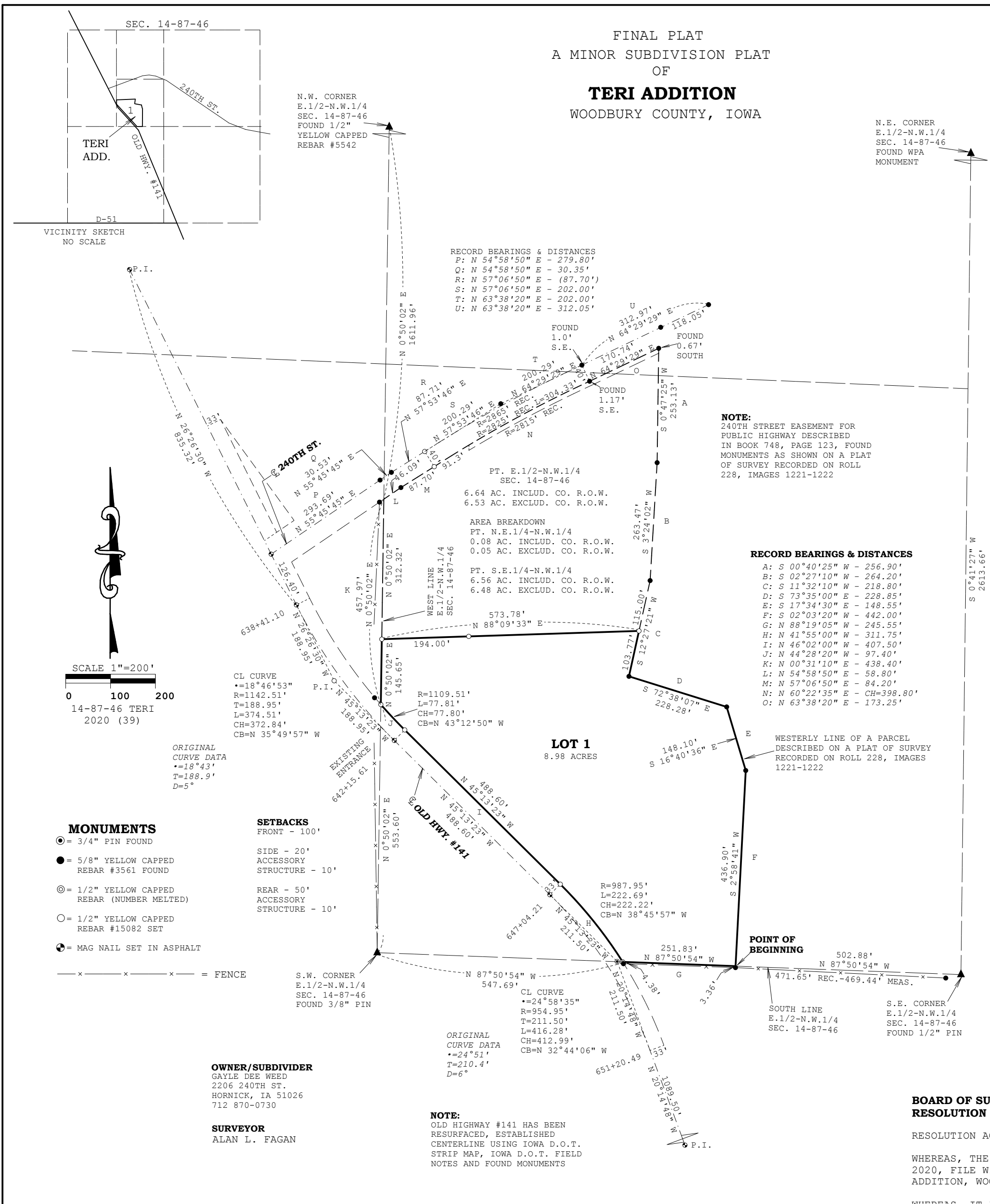
**For Office Use Only:**

Zoning District AP Flood District X Date \_\_\_\_\_ No. 6565

Application Fee 4 Lots or less (\$200) \$ 200.00 12344  
5 Lots or more (\$250 plus \$5 per lot) \_\_\_\_\_



FINAL PLAT  
A MINOR SUBDIVISION PLAT  
OF  
**TERI ADDITION**  
WOODBURY COUNTY, IOWA



**DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS:

THAT GAYLE D. WEED F/K/A GAYLE D. MATHIESON, A SINGLE PERSON, THE OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAS IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF ALAN L. FAGAN, A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS TERI ADDITION, WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND ACCORDANCE WITH THE DESIRES AS OWNER AND PROPRIETOR THEREOF.

EXECUTED AT \_\_\_\_\_, IOWA, THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

GAYLE D. WEED

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF IOWA :  
WOODBURY COUNTY: :SS

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED GAYLE D. WEED F/K/A GAYLE D. MATHIESON, A SINGLE PERSON, TO ME KNOWN TO BE THE PERSON NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME AS HER VOLUNTARY ACT AND DEED.

NOTARY PUBLIC

PATRICK F. GILL  
WOODBURY COUNTY AUDITOR  
BY: DIANE SWOBODA PETERSON, DEPUTY

**AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE**

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OF TERI ADDITION, WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED \_\_\_\_\_, 2020.

JULIE CONOLLY  
WOODBURY COUNTY ASSESSOR

**CERTIFICATE OF COUNTY ASSESSOR**

I, JULIE CONOLLY, HEREBY CERTIFY THAT ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.

DATED \_\_\_\_\_, 2020.

JULIE CONOLLY  
WOODBURY COUNTY ASSESSOR

**BOARD OF SUPERVISOR'S RESOLUTION**  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ACCEPTING AND APPROVING TERI ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNER AND PROPRIETOR DID ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS TERI ADDITION, WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF TERI ADDITION, WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS \_\_\_\_ DAY \_\_\_\_\_, 2020.

MATTHEW UNG  
CHAIRMAN  
BOARD OF SUPERVISORS  
WOODBURY COUNTY, IOWA

ATTEST: \_\_\_\_\_  
PATRICK F. GILL  
SECRETARY

**COUNTY ENGINEER'S CERTIFICATE**

I, MARK NAHRA, P.E. COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE, THAT ALL DIMENSIONS BOTH LINEAL AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, ALLEYS AND EASEMENTS ARE SHOWN.

MARK NAHRA, P.E.  
COUNTY ENGINEER  
WOODBURY COUNTY, IOWA

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA**

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF TERI ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CHRIS ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

**TITLE OPINION**

\_\_\_\_\_, 2020

County Auditor and Recorder  
Woodbury County, Iowa

Dear Sir:

We have this date examined a complete abstract of title, pursuant to Iowa Code Section 354.11(1)(c) to property which includes in its entirety, property described in the surveyor's certificate on the Minor Subdivision Plat of Teri Addition, Woodbury County, Iowa last certified by Engleson Abstract Co., Inc., dated \_\_\_\_\_, 2020 at 8:59 a.m. and from said abstract find good and merchantable title to said premises vested in Gayle Dee Weed a/k/a Gayle D. Weed f/k/a Gayle D. Mathieson, a single person, subject to the following, liens, limitations and exceptions:

1. All certified real estate taxes and special assessments due and payable have been paid. Real estate taxes and special assessments not certified are a lien in an undetermined amount.

Dated: \_\_\_\_\_, 2020.

Ryan C. Ross  
ATTORNEY AT LAW

**TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS**

I, MIKE CLAYTON, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

DATED \_\_\_\_\_

MIKE CLAYTON  
TREASURER,  
WOODBURY COUNTY, IOWA

**AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING**

STATE OF IOWA :  
WOODBURY COUNTY: : SS

DOCKET NO: \_\_\_\_\_

FILED FOR RECORD, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_

O'CLOCK \_\_\_\_M. RECORDED IN PLAT ENVELOPE \_\_\_\_\_, INDEXED AND

DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.

DATED \_\_\_\_\_

PATRICK F. GILL  
AUDITOR AND RECORDER  
WOODBURY COUNTY, IOWA  
BY: DIANE SWOBODA PETERSON, DEPUTY

**SURVEYOR'S DESCRIPTION:**

PART OF THE E.1/2 OF THE N.W.1/4 OF SECTION 14, TOWNSHIP 87 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE S.E. CORNER OF SAID E.1/2 OF THE N.W.1/4; THENCE N.87°50'54"W. ALONG THE SOUTH LINE OF SAID E.1/2 OF THE N.W.1/4 FOR 502.88 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N.87°50'54"W. ALONG SAID SOUTH LINE FOR 251.83 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF OLD HIGHWAY #141; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND A 987.95 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY FOR 222.69 FEET, SAID CURVE HAVING A CHORD BEARING OF N.38°45'57"W. AND A CHORD LENGTH OF 222.22 FEET; THENCE N.45°13'23"W. ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE FOR 488.60 FEET; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND A 1109.51 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY FOR 77.81 FEET TO THE WEST LINE OF SAID E.1/2 OF THE N.W.1/4, SAID CURVE HAVING A CHORD BEARING OF N.43°12'50"W. AND A CHORD LENGTH OF 77.80 FEET; THENCE N.0°50'02"E. ALONG SAID WEST LINE FOR 145.65 FEET; THENCE N.88°09'33"E. FOR 573.78 FEET TO THE WESTERLY LINE OF A PARCEL DESCRIBED ON A PLAT OF SURVEY RECORDED ON ROLL 228, IMAGES 1221-1222 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE S.12°27'21"W. ALONG SAID WESTERLY LINE FOR 103.77 FEET; THENCE S.72°38'07"E. ALONG SAID WESTERLY LINE FOR 228.28 FEET; THENCE S.16°40'36"E. ALONG SAID WESTERLY LINE FOR 148.10 FEET; THENCE S.2°58'41"W. ALONG SAID WESTERLY LINE FOR 436.90 FEET TO THE POINT OF BEGINNING. CONTAINING 8.98 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE SOUTH LINE OF SAID E.1/2 OF THE N.W.1/4 IS ASSUMED TO BEAR N.87°50'54"W.

INDEX LEGEND	
SURVEYOR: ALAN L. FAGAN	712 539-1471
MAIL TO: AL FAGAN LAND SURVEYING, P.C.	P.O. BOX 858 - MERRILL, IA 51038
COUNTY: WOODBURY	
SECTION(S): 14	T. 87 N., R. 46 W.
ALIQUOT PART: PART OF THE E.1/2 OF THE N.W.1/4	
CITY:	
SUBDIVISION:	
BLOCK(S):	
LOT(S):	
PROPRIETOR(S): GAYLE D. WEED F/K/A GAYLE D. MATHIESON, A SINGLE PERSON	
REQUESTED BY: GAYLE D. WEED	

**SURVEYOR'S CERTIFICATE**

I, ALAN L. FAGAN, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 15082, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF TERI ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE ATTACHED DESCRIBED PROPERTY.

I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AND STREETS DESCRIBED IN THE ADDITION PLATTED; THAT THE SAME ARE OF THE DIMENSIONS, NUMBERS, NAMES AND LOCATIONS AS SHOWN ON SAID PLAT AND THAT IRON STAKES WERE DRIVEN AT EACH CORNER OF EVERY LOT AND TRACT EXCEPT AS NOTED ON SAID PLAT.

DATED AT SIOUX CITY, IOWA \_\_\_\_\_, 2020.

ALAN L. FAGAN  
IOWA NO. 15082  
LICENSE RENEWAL DATE: DECEMBER 31, 2021



AL FAGAN  
LAND SURVEYING, P.C.  
P.O. BOX 858  
MERRILL, IA 51038  
712 539-1471

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

#11e

Date: 7/9/20

Weekly Agenda Date: 7/14/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Approval of Final Plat for the Walnut View Minor Subdivision

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Supervisors have received the Zoning Commission's recommendation on said plat and shall now approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

Brian D. Peterson, owner of parcels #884630300012, 884630300004, and 884630300006 (Floyd Township) proposes a 13-lot and 1 out-lot minor subdivision for future residential purposes. This proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) request to allow for more than two residential structures in a quarter-quarter section as is required by Section 3.01 of the Zoning Ordinance. A portion of this property is located in the floodplain, and the entire project area will likely be brought into the floodplain once FEMA's new flood maps are published. This property is greater than two miles from any incorporated area and does not require extraterritorial review. On 6/22/20 the Zoning Commission voted to recommend approval of this plat with the condition the lots be serviced by an internal road or cul-de-sac, and deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with the county's floodplain regulations.

The applicant is agreeable to the County Engineer's recommendation for lot access which is described as "Option 2 - preferred:" in the County Engineers memo to the Zoning Coordinator and Community & Economic Development Director dated 6/17/20.

The applicant is also agreeable to the Zoning Commission's condition that deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with the county's floodplain regulations.

As such, the applicant shall modify the final plat to reflect the certificate of the zoning commission, and the conditions they are agreeable to and request the Board to approve the plat as proposed. The applicant will also need to record the lot restrictions as a separate document as a declaration of use restrictive covenant on the subdivision lots, so it will follow the deed and show up in future title opinion searches.



**FINANCIAL IMPACT:**

**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:**

Reach consensus on a final plat with the applicant and table the subdivision application until the applicant can provide a final plat as it is to be recorded.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to table the Walnut View Addition Minor Subdivision until the applicant can provide a final plat as it is to be recorded.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyia.gov  
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyia.gov  
Dawn Norton · Sr. Clerk · dnorton@woodburycountyia.gov  
Telephone (712) 279-6609 Fax (712) 279-6530

**WALNUT VIEW**

**MINOR SUBDIVISION PROPOSAL**

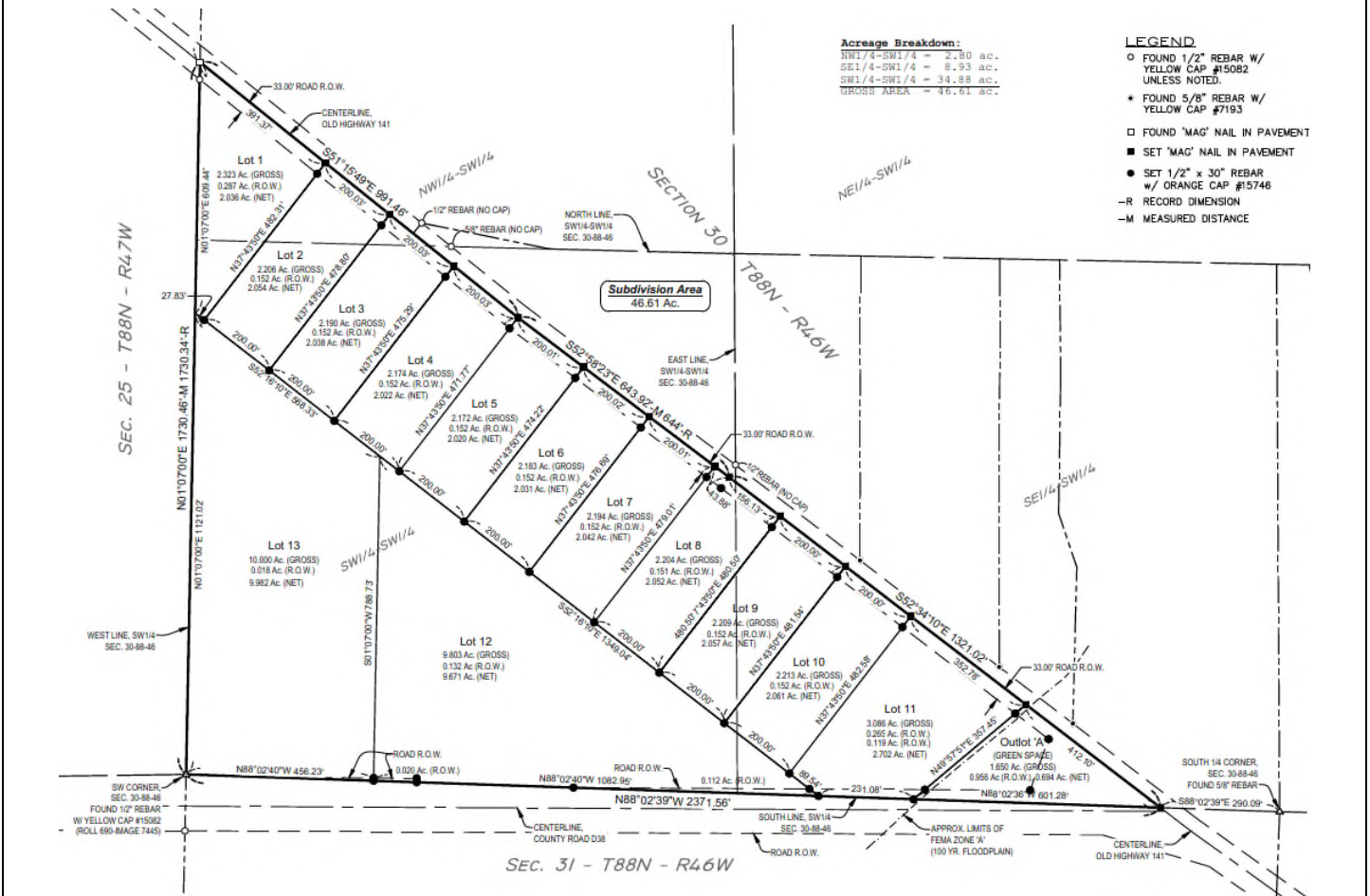
**Parcels #884630300012, #884630300004, #884630300006**



Brian D. Peterson, owner of Parcel #884630300012 located in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve the proposed Walnut View Minor Subdivision. This proposal encompasses the creation of thirteen buildable lots for residential homes and an outlot on Parcel #884630300006 which includes about one (1) acre in the Floodplain Zone A. This proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) request to allow for more than two residential structures in a quarter-quarter section as is required by Section 3.01 of the Woodbury County Zoning Ordinance.

# FACTS OF THE CASE

This proposed minor subdivision is to establish thirteen lots for residential homes and an outlet.



# EXTRATERRITORIAL REVIEW

This property is less than 2 miles from the incorporated area of Bronson and requires extraterritorial review under Iowa Code, Section 359.9. Glenn Metcalf, Attorney for the City of Bronson has stated that the community by City Code only reviews within one mile of the Bronson city limits.

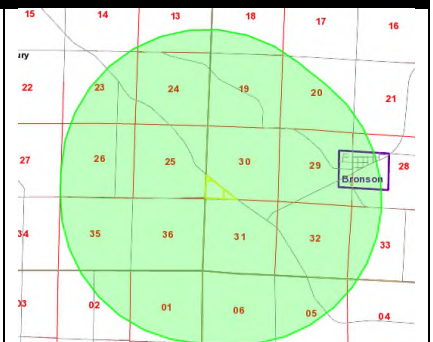
**From:** Glenn Metcalf <glenn.metcalf@movillelawoffice.com>  
**Sent:** Friday, May 29, 2020 9:19 AM  
**To:** Daniel Priestley  
**Cc:** Bronson City Hall; Jason Garnand; Dave West; Jamie Amick; Doug Williams; jessenb@lp-eagles.org; Chad Merchant; merch3013@hotmail.com  
**Subject:** RE: County Subdivision Extraterritorial Review

Dan I have looked at your request. While it is within two miles of the City of Bronson it outside the area the City exercises extraterritorial review. The City code provides:

**SECTION 4 PLATS IN UNINCORPORATED AREAS WITHIN ONE MILE OF THE BRONSON CORPORATE LIMITS. APPLICATION.** Every owner who divides any original parcel of land, forty (40) acres or part thereof, entered of record in the office of the County Recorder as a single lot, parcel or tract on or after the effective date of these regulations into three or more lots, parcels, or tracts for the purpose, whether immediate or future, of laying out an addition, subdivision, building lot or lots, acreage or suburban lots, transfer of ownership or building development within the city of Bronson, Iowa or within one and one half (1.5) miles of said city and also within the following described parcels: The All of Section 28, the West Half of Section 27, the Northwest Quarter of Section 34, The North Half of Section 33, The North Half of Section 32, The Northeast quarter of Section 31, The Southeast Quarter of Section 30, The All of Section 29, The South Half of Section 20, The South Half of Section 21, and the South half of the Southwest Quarter of Section 22, Township 88 North, Range 46 west of the 5<sup>th</sup> PM, shall cause plats of such area to be made in the form, and containing the information, as hereinafter set forth before selling any lots therein contained or placing the plat on record.

The City reviews in the South East Quarter Section 30 but not the South West Quarter where the proposed Subdivision is located. Therefore I do not think City approval is required. Thank you for calling the proposed Subdivision to the City's attention.

Glenn Metcalf City Attorney  
 City of Bronson

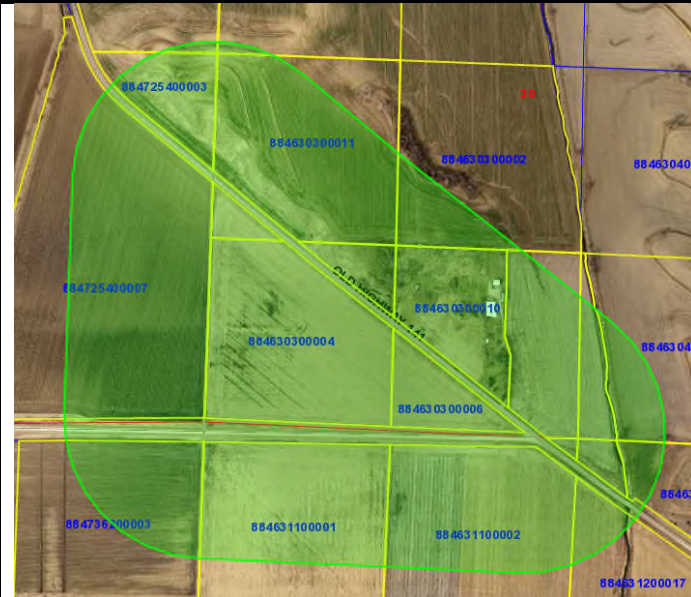


## LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on June 12, 2020.

**PROPOSED MINOR SUBDIVISION:** To be known as Walnut View Addition – a fourteen lot minor subdivision in an 46.61 acre portion of the following parcels: #884630300012 located in the NW ¼ of the SE ¼ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township); and Parcel #884630300006 located in the SE ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township). The parcels are located about four miles east of Sergeant Bluff and about 1.5 miles west of Bronson. Applicant: Brian Peterson, 1739 Charles Ave., Lawton, IA 51030.  
Published in the Sioux City Journal June 12, 2020. LGL#32881

## PROPERTY'S OWNER NOTICE – 1000 FT



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a June 12, 2020 letter of the public hearing.

As of June 16, 2020 the Community & Economic Development office has received two (3) general phone inquiries and four (4) written comments from property owners owning property within 1,000'

When more comments are received after the printing of this packet, they will be provided at the meeting.

## GARY L. WALTERS – ADJACENT NEIGHBOR

**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 4:53 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View subdivision  
**Attachments:** 20190314\_160327.mp4

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Video taken from the extreme NW corner of the proposed subdivision on the property line with my farm, with the Peterson land on the left and mine on the right. Video taken on 3/14/19 at 4 pm. I object to the proposed subdivision due to faulty flood plain maps that don't come close to identifying the serious flood threat to this area. To suggest that the flood plain is confined to the extreme SE corner (Outlot A) of this parcel is not only misleading but also blatantly incorrect. If I were a prospective buyer of any of these lots and was relying on FEMA or other information provided by County government to inform myself of the risk of flooding, this video and pictures that follow (in separate emails due to file size) would provide damning evidence that government failed miserably to appropriately inform and warn the public of potential danger.

Submitted by:

Gary L. Walters



### GARY L. WALTERS – ADJACENT NEIGHBOR

**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 4:58 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View  
**Attachments:** 20190314\_160551.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Here's the walnut trees along the proposed subdivision adjacent to old hwy 141 on March 14, 2019, in approximately the area of lots 7, 8, and 9. Notice in the background that 210th St disappears under water also.

Submitted by Gary L Walters



## GARY L. WALTERS – ADJACENT NEIGHBOR



**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 5:49 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View  
**Attachments:** 20190314\_160439.jpg

Here's another perspective of the water from the NW corner of the subdivision looking SE down old hwy 141. My opinion is that the only lots that might be suitable for any type of structural improvement (without raising elevations) would be 1-6, judging by the plat.

Additionally, I have safety concerns about all the accesses to the highway. I'm sure the county engineer will assess line of sight and other considerations relative to the approaches onto the highway but with the lots being significantly lower than the road grade, plus a slight incline in the road itself as it goes west, I don't see a pathway to safely adding up to 11 driveways in this short distance of less than 1/2 mile.

Another concern would be septic tank drain fields. The majority of the proposed lots would not seem to be sufficient for adequate drainage. I'm uncertain about who addresses the suitability of the plat as it relates to this issue, I just know that soils that are saturated a majority of the time do not lend themselves to a good functioning drain field.

Submitted by Gary L Walters

## GARY L. WATERS – ADJACENT NEIGHBOR

**From:** garylwalters <garylwalters@cableone.net>  
**Sent:** Friday, June 19, 2020 9:06 AM  
**To:** Daniel Priestley  
**Subject:** Flood potential map  
**Attachments:** Screenshot\_20200619-081244\_Chrome.jpg

Dan, attached is a map from the Iowa Flood Center. I suppose the county has seen this information as it reevaluates the flooding potential of the Walnut View subdivision but I wanted to be sure you have it as part of my argument that this tract of land is unfit for residential development.

Gary

Sent from my Verizon, Samsung Galaxy smartphone



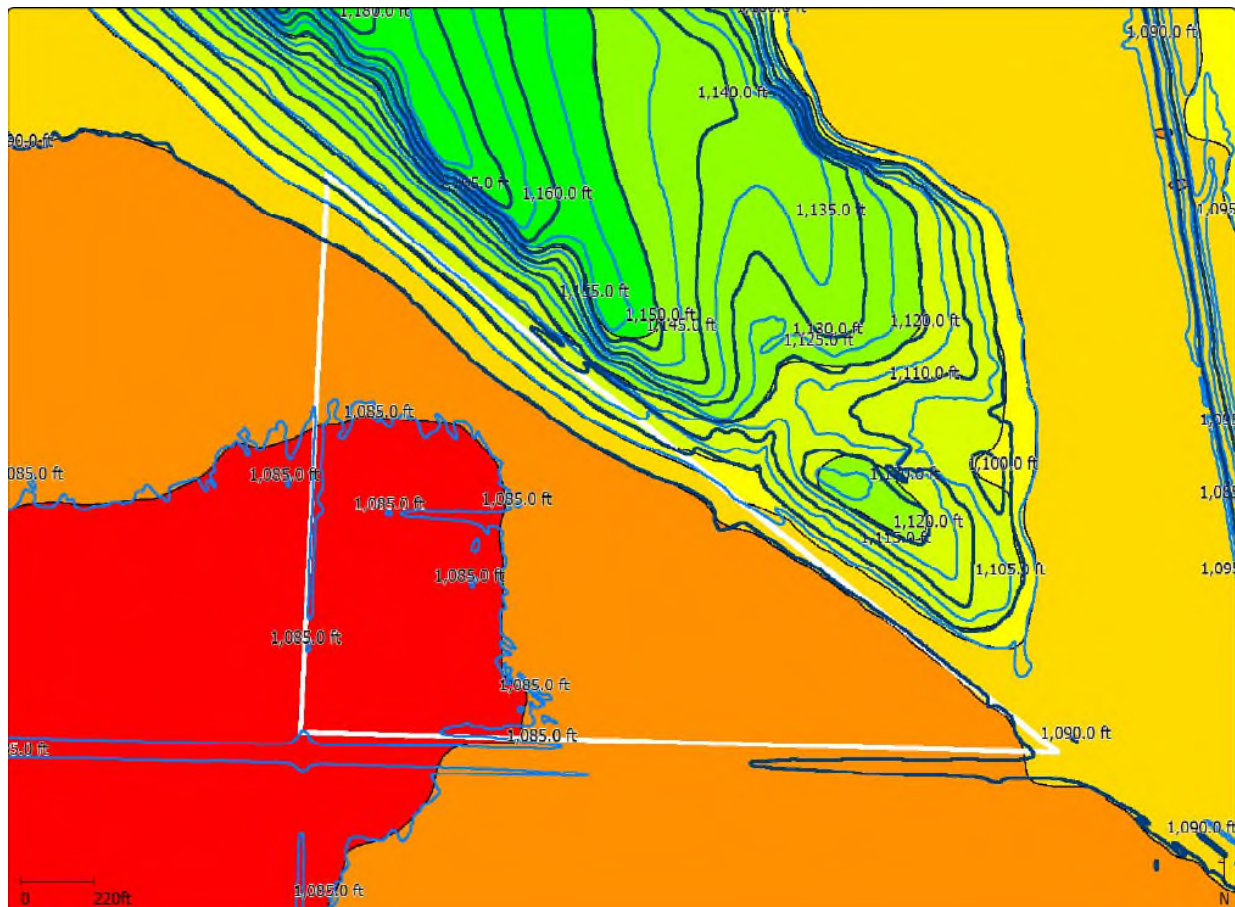
**From:** garylwalters <garylwalters@cableone.net>  
**Sent:** Friday, June 19, 2020 9:12 AM  
**To:** Daniel Priestley  
**Subject:** Lidar elevation map

Here's a map of elevations. Noteworthy is the fact that much of the ground is lower than the elevation in the extreme SE corner of the tract and that corner is the only area designated in the floodplain of the FEMA map.

Please include these two emails today with my previously submitted exhibits/comments.

Gary

Sent from my Verizon, Samsung Galaxy smartphone



**STAKEHOLDER COMMENTS:**

CENTURYLINK:	I have verified through records that CenturyLink does not have any facilities in this area and this is outside of the CenturyLink serviceable area so CenturyLink does not have any concerns regarding this proposal. – Justin Melohn, 6/1/20.
FIBERCOMM:	FiberComm has not concerns. – Jeff Zyzda, 6/1/20.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	Well, I'm sure you're planning to inform the Zoning Commission that this property will eventually be shown as being in the SFHA. And, I assume the rezoning process allows the Commission to include conditions in their decision. So, I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible? – Bill Cappuccio, 6/2/20.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	I have no issues or comments and approve as submitted. – Tim Kassen, 6/3/20. There are no ammonia lines in this area. – Chris Niehaus, 6/3/20.



MIDAMERICAN ENERGY COMPANY:	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in this area. – Tom Hudson, 6/1/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20.
NUSTAR PIPELINE:	As far as Nustar, we do not have an pipeline near this location. – Domingo Torres, 6/4/20.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	<b>SEE STATEMENTS BELOW:</b>
WIATEL:	Wiatel has no concerns. – Phil Robinson, 6/4/20.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	Hi Dan this is a follow up to our phone conversation, the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we have had to close 210 TH and Old 141 due to water over these roads. The area proposed has receives backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements. – Gary Brown, 6/2-20
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I'm not sure which portions of this parcel will be in the future floodplain, however according to the documents the area of land currently in the



	floodplain has been identified as an outlot/greenspace. If I'm not mistaken, this area was not accessible due road closures caused by flooding in 2019. If more portions of the parcel would be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards. – Rebecca Socknat, 6/10/20.
WOODBURY COUNTY ENGINEER:	<b>SEE STATEMENT BELOW:</b>
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No Comments from Woodbury County REC. – Kent Amundson, 6/1/20.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	SEE STATEMENT BELOW:

### WOODBURY COUNTY SOIL & WATER CONSERVATION DISTRICT - NEIL STOCKFLETH

**From:** Stockfleth, Neil <NStockfleth@cfindustries.com>  
**Sent:** Monday, June 1, 2020 2:40 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan:

The WCSWCD has concerns about the suitability of development in this area due to wetness of the soil and flooding issues in the immediate area. In particular the southeastern end of this proposed area is low. Over the years it has appeared that farming has been delayed or hindered by wetness, based on personal observations. It appears that the western ends of the individual lots may extend into wet areas in some years.

Based on these observations, The WCSWCD has reservations about the suitability of housing development in this area. Significant steps would need to be taken to make septic systems functional in heavy, wet soils, for one example.

Neil Stockfleth

**Neil Stockfleth | CF Industries**  
Environmental Specialist | Port Neal Nitrogen Complex  
Office: 712-233-6278 | Mobile: 712-251-5155  
[nstockfleth@cfindustries.com](mailto:nstockfleth@cfindustries.com)

### IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20

#### THE FOLLOWING EMAIL ADDRESSES WELLS IN THE FLOODPLAIN.

**From:** Ivy Bremer  
**Sent:** Wednesday, June 17, 2020 12:05 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan,

Yes, if the property falls within a flood plain, the following protective factors will need to be completed by the contractor:

- The casing top height needs to be 3 feet higher than the surrounding area
- It should be graded or mounded around the well for a transition
- Bump protection to be installed: any structure that has been secured at a sufficient depth
  - Bollard posts
- Well cap shall be watertight with a watertight interior
- Well cap vent needs to be raised another 12 inches above the cap

Ivy Bremer  
Environmental Specialist  
Siouxland District Health Department  
1014 Nebraska St Sioux City IA 51105  
Ph: 712-279-6119 | Fax: 712-255-2604  
[ibremer@siouxlanddistricthealth.org](mailto:ibremer@siouxlanddistricthealth.org)  
Visit us at: [www.siouxlanddistricthealth.org](http://www.siouxlanddistricthealth.org)

**IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20**

**From:** Ivy Bremer  
**Sent:** Wednesday, June 17, 2020 11:02 AM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone  
**Attachments:** Old 141 Sergeant Bluff Soils.pdf

Hi Dan,

I have reviewed the following parcels. Please be aware that prior to any installation of an on-site septic system an application to install and a site evaluation are required to determine the type of soils present, restrictive layers, e.g. water table, as well as any other required setbacks.

Based on information from you and the USDA Web Soil Survey there are some concerns as to the type of on-site septic system that would be allowed in this area. Due to the clay soils and potential issues due to a water table at approximately 0-12 inches, the property owners may not be able to install a soil-based system. Soil based systems require oxygen for the bacteria to properly treat the effluent. If the soils are continually saturated by the water table, this limits treatment. In these situations, they may be required to install an alternative system. These types of systems use media to filter and treat the effluent before discharging to the surface or ditch; however, these systems can cost anywhere from \$18,000-\$20,000. I cannot guarantee price, I just know they can be very expensive and an unexpected cost to homeowners.

Lastly, I am unable to determine which type would be required without completing an on-site evaluation but please be aware that it is likely given the area and known issues with standing water in the Sergeant Bluff area.

Thanks and please call with any other questions.

Ivy Bremer  
Environmental Specialist  
Siouxland District Health Department  
1014 Nebraska St Sioux City IA 51105  
Ph: 712-279-6119 | Fax: 712-255-2604  
[ibremer@siouxlanddistricthealth.org](mailto:ibremer@siouxlanddistricthealth.org)  
Visit us at: [www.siouxlanddistricthealth.org](http://www.siouxlanddistricthealth.org)

**Woodbury County, Iowa****734—Holly Springs silty clay loam, 0 to 2 percent slopes,  
rarely flooded****Map Unit Setting**

*National map unit symbol:* fh8h  
*Elevation:* 700 to 1,200 feet  
*Mean annual precipitation:* 26 to 36 inches  
*Mean annual air temperature:* 46 to 48 degrees F  
*Frost-free period:* 155 to 200 days  
*Farmland classification:* Farmland of statewide importance

**Map Unit Composition**

*Holly springs, rarely flooded, and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of  
the mapunit.*

**Description of Holly Springs, Rarely Flooded****Setting**

*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Clayey alluvium

**Typical profile**

*Ap - 0 to 6 inches:* silty clay loam  
*A1 - 6 to 12 inches:* silty clay loam  
*A2,A4 - 12 to 44 inches:* silty clay  
*Bg1,Bg2 - 44 to 70 inches:* silty clay  
*Cg - 70 to 80 inches:* silty clay

**Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Poorly drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Very  
low to moderately low (0.00 to 0.01 in/hr)  
*Depth to water table:* About 0 to 12 inches  
*Frequency of flooding:* Rare  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 30 percent  
*Available water storage in profile:* Moderate (about 8.2 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2w

*Hydrologic Soil Group:* D  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

#### **Minor Components**

##### **Holly springs, overwash, rarely flooded**

*Percent of map unit:* 10 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

##### **Tieville, rarely flooded**

*Percent of map unit:* 3 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

##### **Larpenteur, rarely flooded**

*Percent of map unit:* 1 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* No

##### **Grantcenter, rarely flooded**

*Percent of map unit:* 1 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* No

## **Data Source Information**

Soil Survey Area: Woodbury County, Iowa  
Survey Area Data: Version 29, Sep 12, 2019



## Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039

Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: June 17, 2020

Subject: Walnut View Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced minor subdivision application forwarded with your email dated June 3, 2020.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the subdivision for access. Normally for a subdivision with this many lots, I would prefer to see the lots serviced by an internal street or cul-de-sac to reduce the possible points of collision conflict on a major roadway. This option has not been offered by the developer. Stripping lots along a roadway, as is proposed with the Walnut View subdivision, increases the risk of collision for vehicles using Old Highway 141 and D38. Old Highway 141 is a heavily used road with an average daily traffic count of 1370 vehicles per day (vpd) for this road segment. D38/210<sup>th</sup> Street has a traffic count of 980 vpd. Options for a cul-de-sac or a frontage road serving the subdivision could have been offered, and would offer safer alternatives for access to the lots. I realize that this is costlier for the developer, but it does result in fewer potential collision conflicts for road users and safer conditions for adjacent residents.

A series of driveways on strip subdivisions frequently leads to a request for a speed limit on the adjacent road. A more restrictive speed limit on Old Highway 141 is not in concert with the road classification and use, which is major collector route/farm to market route/commuter route. Spot speed limits in locations like this are difficult to enforce and result in poor compliance and complaints to our department. Compare this spot to the Holly Springs speed zone which is frequently violated and subject of complaints of noncompliance with the 35-mph speed limit. If given my choice on the development of subdivisions with more than 3 or 4 lots, I would prefer to see the lots served by an internal roadway such as was done with the Dunn Estates, Niles Second

Addition, and Bollmeyer subdivisions adjacent to county route D12. Other examples include Sunview Estates and Berea Heights Addition off 155<sup>th</sup> Street.

I am resistant to the request for individual driveways for each lot and would prefer to see the adjacent lots utilize shared driveways to reduce the number of new points of conflict along the road. Knowing the developer's intentions, I checked each lot frontage for establishment of a single driveway. Some lots will require shared driveways due to sight distance limitations. I will lay out two options for serving the subdivision with driveways.

Option 1: Individual driveways

Lots 1 and 2 – driveway anywhere along lot frontage.

Lot 3 – driveway must be located within 50 feet of the north corner of the lot.

Lot 4 – driveway anywhere along the frontage

Lot 5 – driveway anywhere along the frontage

Lot 6 – driveway must be located at the north corner of the lot

Lot 7 through 11 – driveway can be located anywhere along frontage

Lot 12 and 13 – driveway can be located anywhere along frontage

Option 2 – preferred:

Lot 1 – solo driveway

Lot 2 and 3 – shared driveway at corner due to limited sight distance

Lot 4 - solo driveway

Lot 5 and 6 – shared driveway at corner due to limited sight distance

Lot 7 and 8 – shared driveway

Lot 9 and 10 – shared driveway

Lot 11 and Outlot A – shared driveway

Lot 12 and 14 – shared driveway

- This area platted for this subdivision was subject to severe flooding during the March 2019 event. D38 between the Old 141 intersection and the eastern county bridge on D38 was underwater for over a week. The field from which the subdivision is being split was flooded during much of this period. Due to the winter conditions and snow filled ditches, the normal water courses were not carrying water or passing it to the improved drainage ditches west of the proposed subdivision and the water was forced to find its outlet by running through the field and overtopping the road. The Old 141/D38 intersection has been underwater due to flash flooding on Whiskey Creek four times since 2009. This has inundated the area shown as Outlot A and part of Lot 11 during those flood events. To protect the potential homes in the area, a base flood elevation for the lots within the subdivision should be established to assure that any eventual construction is set at an elevation above any likely flooding.
  
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

## FLOODPLAIN ANALYSIS & RECOMMENDATION

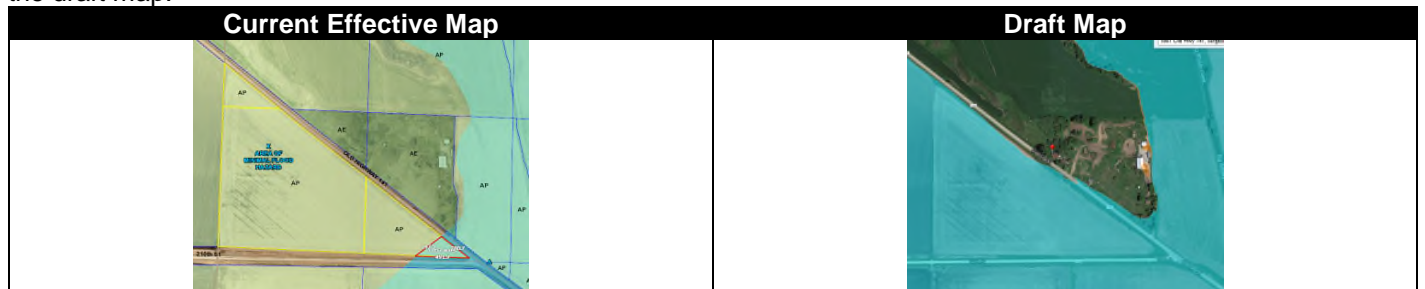
During the past year, the Iowa Department of Natural Resources (IDNR) and the Federal Emergency Management Agency (FEMA) have been developing a new floodplain map based on 2 ft. LiDAR intervals. The new maps are presently in the draft phase and have not been formally presented to the county for adoption. The current effective map is the map that is enforced by the county floodplain ordinance and the use of the draft map proposal can only be considered for informational purposes.

The current floodplain map includes a majority of this property as not being located with the special floodplain hazard area (SFHA). Presently, there is about 1.057 acres of floodplain located on the proposed outlot of the minor subdivision which is not meant for development. However, the draft map proposal almost entirely places the area proposed for the subdivision into the future floodplain.

Based on this information, Bill Cappuccio, PE, National Flood Insurance Program Coordinator, with the IDNR was contacted along with Gary Brown, Director of Emergency Services and Rebecca Socknat, Director of Emergency Management for comment. Gary Brown stated that "the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we had to close 210<sup>th</sup> and Old 141 due to water over these roads. The area proposed has received backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements" (6/2/20). Socknat stated "if I'm not mistaken, this area was not accessible due to road closures caused by flooding in 2019. If more portions of the parcel would be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards (6/10/20).

Cappuccio stated "... I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible" (6/5/20)? In a subsequent communication, Cappuccio stated that "our (DNR's) rules don't require us to use the effective FIRM if there is better information available. So, our BFE will be based on the best available information. Chances are that might be the information associated with the draft flood data" 6/5/20.

On June 5, CED staff attended a flood risk review meeting with representatives from the IDNR and FEMA and this situation was brought to their attention. The staff inquired about the discrepancy between the two maps (see below). Vikram Shrivastava, a FEMA contractor, stated that "we are investigating the area near Old Hwy 141 and the widening floodplain. I will get back to you in the next 2 weeks on our findings." This investigation could result in a modification to the draft map.



Based on the comments of Socknat, Brown, Nahra and Cappuccio along with evidence provided by Gary Walters, an adjacent property owner, the position of the staff is that even though the current effective map does not include much of the property within the SFHA, portions of the property may be susceptible to water. Additionally, there is a possibility by 2022 that the draft map could be adopted thus placing this newly subdivided property into the floodplain. With this in mind, Cappuccio's recommendation could be adopted as a condition for approval to "require the developer to determine the BFE for the property and ensure any structures constructed there are compliant with the County's requirements for development in the SFHA..."

The staff recommends that the Zoning Commission recommend and the Board of Supervisors approve this minor subdivision proposal based on the condition that the developer be required as per Bill Cappuccio's comments to determine the base flood elevation (BFE) through the IDNR's office and be subject to the Woodbury County floodplain development ordinance including new structures built one (1) foot above the BFE .

## ZONING COMMISSION RECOMMENDATION

At their June 22, 2020 meeting, the Woodbury County Zoning Commission voted 3-0 to recommend the acceptance and approval of the Walnut View Minor Subdivision plat based on the following conditions that the lots be serviced by an internal road or cul-de-sac, and deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with Woodbury County's floodplain regulations.

## PARCEL REPORTS - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .

### Summary

Parcel ID 884630300004  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 30-88-46  
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SW SW 30-88-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2020-02704 (3/9/2020)  
 Gross Acres 33.66  
 Net Acres 33.66  
 Adjusted CSR Pts 2545.86  
 Class A - Agriculture  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 District N/A  
 School District LAWTON BRONGSON  
 Neighborhood N/A  
 Main Area Square Feet N/A

### Owner

Deed Holder	Contract Holder	Mailing Address
Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030		

### Land

Lot Area 33.66 Acres ; 1,466,230 SF

### Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, WHELWIG DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00

[Show](#) There are other parcels involved in one or more of the above sales:

### Valuation

Classification	2020	2019	2018	2017
	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$60,930	\$60,930	\$88,670	\$88,670
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670



**Summary**

Parcel ID 884630300006  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 30-88-46  
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SE SW 30-88-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2020-02704 (3/9/2020)  
 Gross Acres 8.27  
 Net Acres 8.27  
 Adjusted CSR Pts 686.18  
 Class A - Agriculture  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A

**Owner**

<b>Deed Holder</b>	<b>Contract Holder</b>	<b>Mailing Address</b>
<a href="#">Peterson Brian D &amp; Anita S</a> 1739 Charles Ave Lawton IA 51030		

**Land**

Lot Area 8.27 Acres ; 360,241 SF

**Sales**

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, SHELVIG DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00

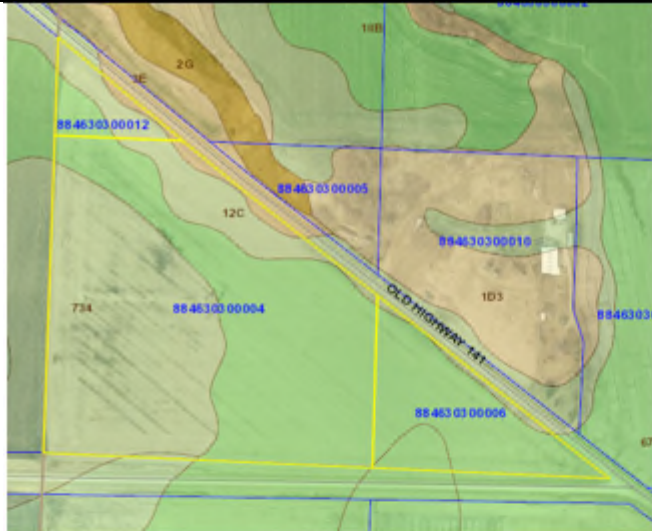
Show There are other parcels involved in one or more of the above sales:

**Valuation**

	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$16,420	\$16,420	\$23,900	\$23,900
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900



**SOIL - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .**



**Legend**

— Roads

**Soils**

- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000

**Summary**

Parcel ID	884630300004
Gross Acres	33.66
ROW Acres	0.00
Gross Taxable Acres	33.66
Exempt Acres	0.00
Net Taxable Acres	33.66 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	75.63 (2545.86 CSR2 Points / 33.66 Gross Taxable Acres)

Agland Active Config 2017 CSR2

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	33.66	75.64	2,545.86	2,545.86
Non-Crop	0.00	0.00	0.00	0.00
<b>Total</b>	<b>33.66</b>		<b>2,545.86</b>	<b>2,545.86</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	3.01	267.89	267.89
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODEE	82.00	14.85	1,217.70	1,217.70
100% Value	734	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	68.00	15.17	1,031.56	1,031.56
100% Value	734+	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	67.00	0.09	6.03	6.03
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	0.54	22.68	22.68
<b>Total</b>				<b>33.66</b>	<b>2,545.86</b>	<b>2,545.86</b>

**Summary**

Parcel ID	884630300006
Gross Acres	8.27
ROW Acres	0.00
Gross Taxable Acres	8.27
Exempt Acres	0.00
Net Taxable Acres	8.27 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	82.97 (686.18 CSR2 Points / 8.27 Gross Taxable Acres)

Agland Active Config 2017 CSR2

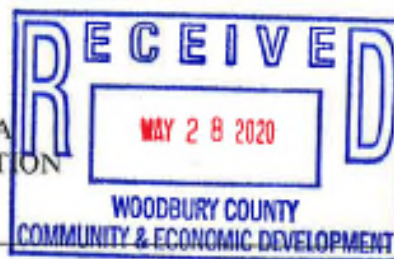
**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8.27	82.97	686.18	686.18
Non-Crop	0.00	0.00	0.00	0.00
<b>Total</b>	<b>8.27</b>		<b>686.18</b>	<b>686.18</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.47	41.83	41.83
100% Value	266+	SMITHLAND SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLO	87.00	0.95	82.65	82.65
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODEE	82.00	6.85	561.70	561.70
<b>Total</b>				<b>8.27</b>	<b>686.18</b>	<b>686.18</b>

WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION



Applicant: Brian D. and Anita S. Peterson  
Name of Owner

Mailing Address: 1739 Charles Ave, Lawton Iowa 51030-8076  
Street City or Town State and Zip + 4

Property Address: Old Hwy 141 and 210th Street, Sergeant Bluff, IA 51054  
Street City or Town State and Zip + 4

Ph/Cell #: 712-943-5304 E-mail Address: brian@whiskeycreekinc.com; daniel@whiskeycreekinc.com

To subdivide land located in the SW Quarter of Section 30 012  
Civil Township 88 North 46 West GIS Parcel # 884630300006,00004,00001

Name of Subdivision: Walnut View

Subdivision Area in Acres 46.61 Acres Number of Lots 13 building lots

**Attachments:**

1. Ten (10) copies of grading plans; if required.
2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
  - a. Legal description of proposed subdivision.
  - b. Plat showing clearly the boundaries of the subdivision.
  - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: DGR Engineering-Dave Lamberton Ph/Cell: 712-266-1554

Attorney: Jeff Johnson, Crary Huff Law Firm Ph/Cell: 712-277-4561

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: Brian Peterson 5-27-20

Zoning Director: \_\_\_\_\_

**For Office Use Only:**

Zoning District AP Flood District X Date 5-28-20 No. 6563

Application Fee  
4 Lots or less (\$200) \_\_\_\_\_  
5 Lots or more (\$250 plus \$5 per lot) 5x12 = 60 + 250 = 310

## David Gleiser

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**From:** Daniel Peterson <daniel@whiskeycreekinc.com>  
**Sent:** Tuesday, July 7, 2020 1:08 PM  
**To:** Matthew A. Ung; Keith Radig; Marty Pottebaum; Rocky De Witt; David Gleiser  
**Cc:** Daniel Priestley; Brian Peterson; Karen James  
**Subject:** Walnut View Proposed Plat - Driveway Information  
**Attachments:** Walnut View Driveway Data.pdf

**Importance:** High

### **Woodbury County Board of Supervisors and County Community and Economic Director:**

After our discussion last week regarding Walnut View and the proposed plat we wanted to provide you with some additional information.

We looked at the density of driveways on Old Hwy 141 and on 210<sup>th</sup> street (both side of the proposed plat).

We have found the following regarding our proposed plat:

- Walnut View would have seven total driveways entering Old Hwy 141 (there are already two existing entrances), so five new entrances
- These seven entrances would be spread across the 2,956 feet of lots along Old Hwy 141 and support 11 lots and and outlot A.
- Two entrances would be needed entering 210<sup>th</sup> Street to support two lots.

We compared this density per mile to two different miles also along Old Hwy 141 and one mile on 210<sup>th</sup> Street as well as longer sections of the same.

- See the attached file for the detail and rough map of the locations for your reference.
- After our proposed driveways our density per mile on comparable stretches of the same highway would be lower than what exists today.
- We would average 10 driveways per mile of straight road with some elevation change (this development plus existing) compared to
  - 1.5 miles further south has 10 driveways per mile on Old Hwy 141 around large curve.
  - 0.5 miles south has 14 driveways per mile on Old Hwy 141 some elevation and slight curves.
  - 2.5 miles to the west on 210<sup>th</sup> 32 driveways per mile from Elk Creek Road west one mile on straight flat road.

**After seeing the actual numbers and similar location in the area we are asking the following:**

- 1. Continue to approve the proposed rezoning to Agricultural Estates.**
- 2. Approve the proposed minor subdivision with the submitted plat.**

If you have any questions on this data I would be happy to discuss.

Thank you for your time and consideration.

Dan Peterson  
712-899-8276 (cell)  
712-943-5304 (office)

Walnut View - Old Hwy 141 Driveway Data Map.pdf

Walnut View - Old Hwy 141 Driveway Data.pdf

# Walnut View Proposed Driveway Data

- Data found using google maps and Beacon.

## Current

Road Intersections	Field Driveways	Home/Building Driveways
2 1.0 2.0	5 1.0 5.0	3 1.0 3.0
4 4.9 0.8	16 4.9 3.3	34 4.9 6.9
1 1.0 1.0	3 1.0 3.0	32 1.0 32.0
2 1.0 2.0	1 1.0 1.0	14 1.0 14.0
1 1.0 1.0	2 1.0 2.0	10 1.0 10.0
12 10.6 1.1	31 10.6 2.9	63 10.6 5.9

### A - Old Hwy 141 from Bronson Blacktop to North end Proposed

On Old Hwy 141  
Bronson Blacktop to North Corner Proposed  
Distance in Miles  
Average per Mile

### B - South side of proposed 4.9 miles Old Hwy 141 to Sgt Bluff

On 210th Street  
From Old Hwy 141 to Old Lakeport Rd  
Distance in Miles  
Average per Mile

### C - On 210th One Mile from Elk Creek Road West

On 210th Street  
From Old Hwy 141 to Old Lakeport Rd  
Distance in Miles  
Average per Mile

### D - Half a mile south of proposed on Old Hwy 141

On Old Hwy 141  
Bronson Blacktop to 220 th Street  
Distance in Miles  
Average per Mile

### E - One and a half miles south of proposed on Old Hwy 141 - around large curve

On Old Hwy 141  
220th Street south 1.0 mile around large curve in the road  
Distance in Miles  
Average per Mile

### F - Current status 10.6 miles of Old Hwy 141 from Sioux City to Luton Blacktop

On Old Hwy 141  
180th Street to 250 th Street  
Distance in Miles  
Average per Mile

# After Proposed: Option 2 driveway placement by County Engineer dated 6/17/2020.

Road Intersections	Field Driveways	Home/Building Driveways
2 1.0 2.0	3 1.0 3.0	10 1.0 10.0
4 4.9 0.8	16 4.9 3.3	36 4.9 7.3
1 1.0 1.0	3 1.0 3.0	32 1.0 32.0
2 1.0 2.0	1 1.0 1.0	14 1.0 14.0
1 1.0 1.0	2 1.0 2.0	10 1.0 10.0
12 10.6 1.1	29 10.6 2.7	70 10.6 6.6

## Daniel Priestley

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**From:** Shrivastava, Vikram <Vikram.Shrivastava@atkinsglobal.com>  
**Sent:** Monday, July 6, 2020 4:36 PM  
**To:** Daniel Priestley  
**Cc:** Cappuccio, Bill; Scott Ralston; Schlesener, Mike; Kahle, Chris  
**Subject:** RE: Subdivision BFE

Hi Daniel,

This is following up to our discussion on Thursday about the property bounded by Old Hwy 141, 210<sup>th</sup> Street, and Little Whiskey Creek.

I discussed this with Bill Cappuccio, Scott Ralston, and Chris Kahle at the DNR. Bill mentioned that he had provide the response below to you. I agree with Bill that the best solution to this area is "Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA." (as Bill stated below). I understand that the DNR may be a good source to develop a BFE for this location.

I hope this helps in your presentation to the County Board on 7/7. Please feel free to call me if you would like to discuss in more detail.

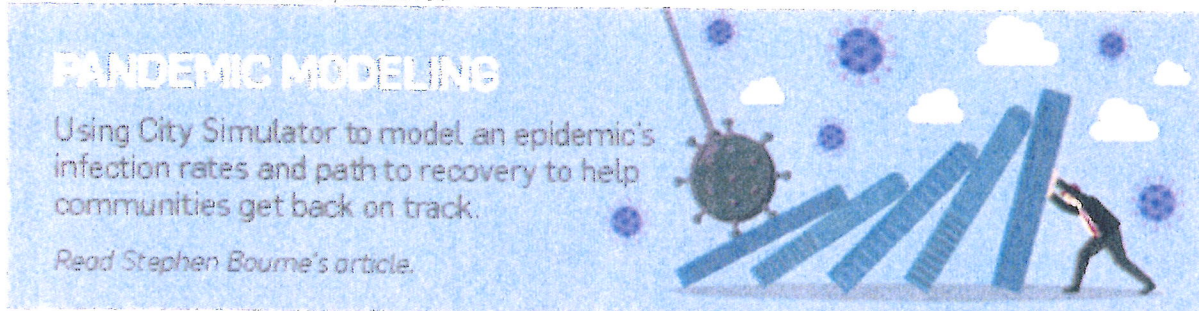
Thanks,

Vikram

**Vikram Shrivastava** PE, PMP, D.WRE, CFM  
Project Director  
Public and Private Business Unit

☎ (240) 264-8904 📠 (203) 252-4837

Atkins, member of the SNC-Lavalin Group  
3901 Calverton Blvd., Calverton, MD 20705



# ATKINS

Member of the SNC-Lavalin Group

Company



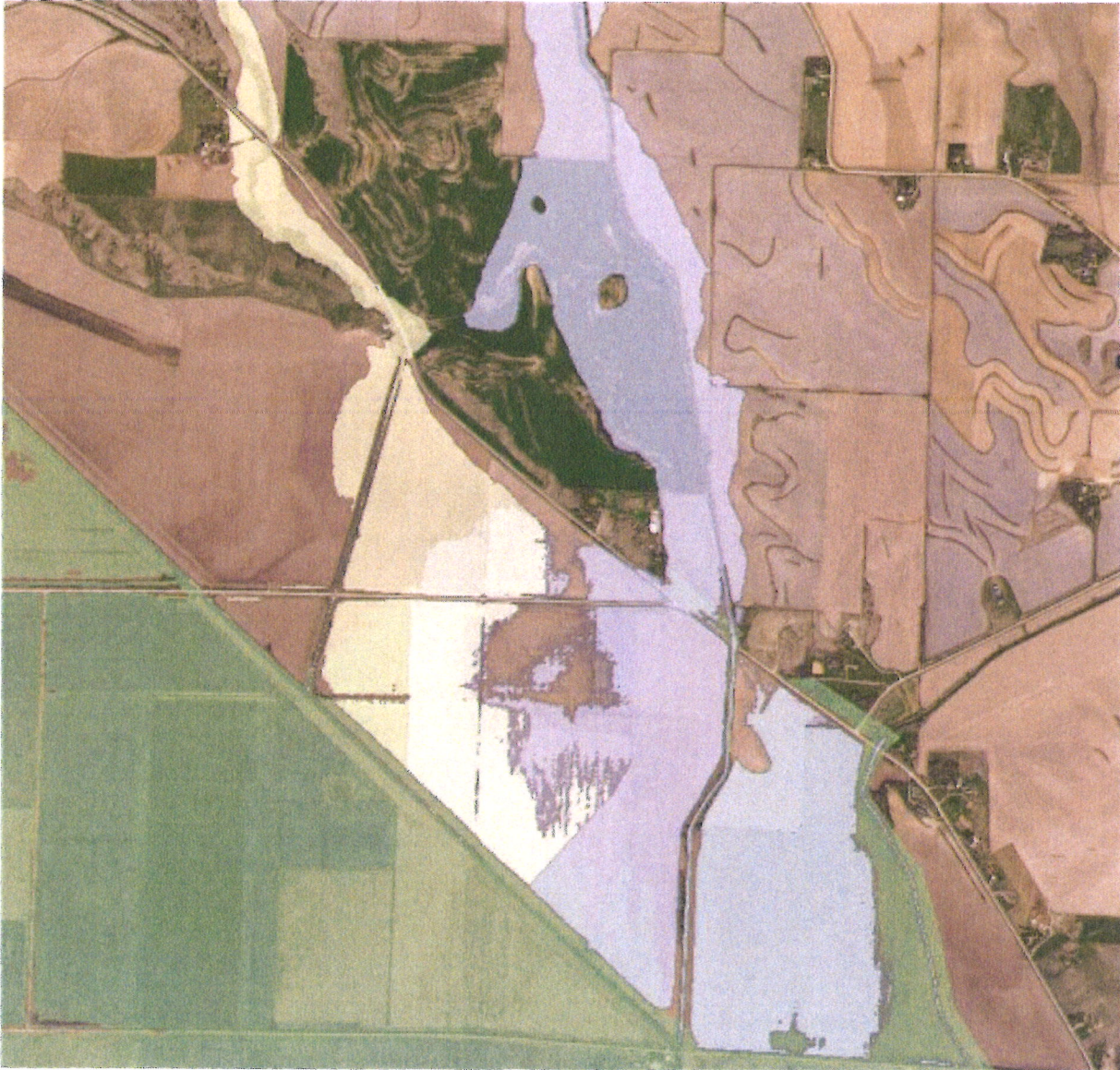


**Daniel Priestley**

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**From:** Shrivastava, Vikram <Vikram.Shrivastava@atkinsglobal.com>  
**Sent:** Thursday, July 2, 2020 4:22 PM  
**To:** Daniel Priestley  
**Subject:** RE: Woodbury County Old Hwy 141 Meeting Tuesday

Here is a figure that I want to send ahead to refer to in our call



**FINAL PLAT OF**  
***Walnut View,***  
**A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA**

**INDEX LEGEND:**  
PART OF: SW1/4, SECTION 30-88-46  
CURRENT PROPRIETOR: Brian D. & Anita S. Peterson  
SURVEY REQUESTED BY: Whiskey Creek, Inc.  
PREPARED BY AND RETURN TO:  
David A. Lamberton, DGR Engineering, 6115 Whispering Creek Dr.,  
Sioux City, IA 51106 (712) 266-1554 dave.lamberton@dgr.com

**OWNER / SUBDIVIDER**  
Brian D. and Anita S. Peterson  
1739 Charles Avenue  
Lawton, IA 50130  
(712) 943-5304

**EXISTING ZONING:**  
AP - Agricultural Preservation

**PROPOSED ZONING:**  
AE - Agricultural Estates

**SURVEYOR:**  
DGR Engineering  
6115 Whispering Creek Drive  
Sioux City, IA 51106  
(712) 266-1554  
David A. Lamberton, PLS

Minimum Lot Area: 2 Ac.  
Lot Width: 200'  
Front Yard: 75'  
Side Yard: 20'  
Side Yard Accessory Structure: 10'  
Corner Side Yard: 50'  
Minimum Rear Yard: 50'  
Minimum Accessory Rear Yard: 10'  
Maximum Height: 45'  
Other regulations apply.  
See Subdivision Ordinances for details.

**SUBDIVISION:**  
13 Building Lots  
1 Outlot (Green Space)  
Total Parcel = 46.61 Acres.

No streets, roads, parks, school sites or public facilities are proposed.

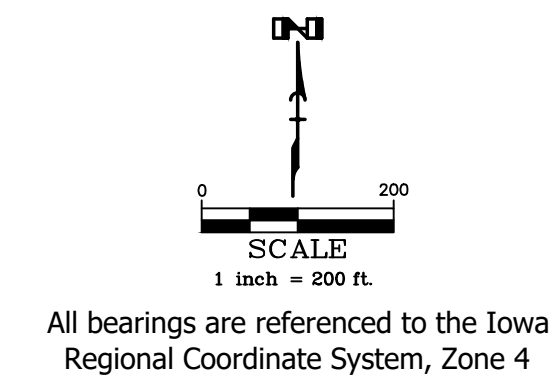
**FEMA:**  
Lots 1 - 13, Zone X.  
Outlot A, Zones A & X

**DESCRIPTION OF SUBDIVISION:**

That portion of the southwest quarter (SW1/4) of Section 30, Township 88 North, Range 46 West of the 5th P.M., Woodbury County, Iowa, described as follows:

Beginning at the southwest corner of said Section 30; thence North 01°07'00" East along the west line of the SW1/4 of said Section 30 for a distance of 1,730.46 feet to the center line of Old Highway No. 141; thence South 51°15'49" East along said center line for a distance of 991.46 feet; thence South 52°58'23" East along said center line for a distance of 643.92 feet; thence South 52°34'10" East along said centerline for a distance of 1,321.02 feet to the south line of said SW1/4; thence North 88°02'39" West along said south line for a distance of 2,371.56 feet to the Point of Beginning, containing 46.61 acres, more or less, subject to easements, if any, of record or apparent.

**Acresage Breakdown:**  
NW1/4-SW1/4 = 2.80 ac.  
SE1/4-SW1/4 = 8.93 ac.  
SW1/4-SW1/4 = 34.88 ac.  
GROSS AREA = 46.61 ac.



- LEGEND**
- FOUND 1/2" REBAR W/ YELLOW CAP #15082 UNLESS NOTED.
  - ★ FOUND 5/8" REBAR W/ YELLOW CAP #7193
  - FOUND "MAG" NAIL IN PAVEMENT
  - SET "MAG" NAIL IN PAVEMENT
  - SET 1/2" x 30" REBAR w/ ORANGE CAP #15746
  - R RECORD DIMENSION
  - M MEASURED DISTANCE

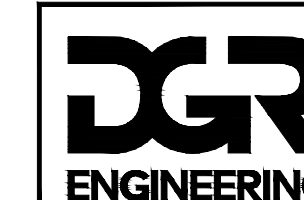
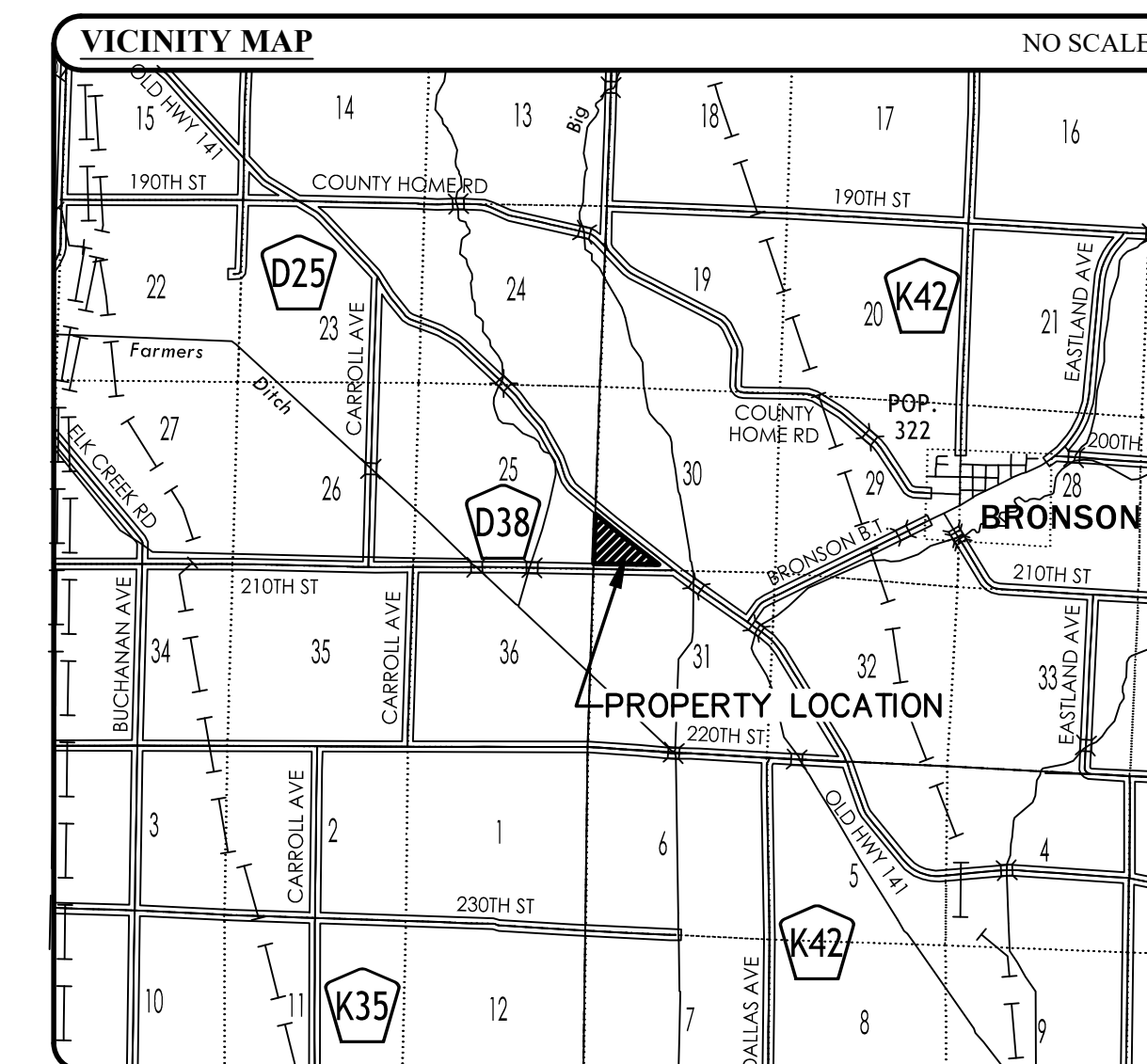
**SURVEYORS CERTIFICATION:**

I, David A. Lamberton, a duly licensed Land Surveyor under the provisions of the laws of the State of Iowa, holding Certificate No. 15746, do hereby certify that the Plat of Walnut View, a Minor Subdivision to Woodbury County, Iowa, is a true representation of a survey made by me or under my direct supervision, and that the same is located upon and comprises the whole of the attached described property.

I do hereby certify that there are contained in said description the lots described in the Addition platted; that the same are of the dimensions, numbers, names and locations as shown on said plat and that iron stakes will be placed as required by Iowa Code.

Dated at Sioux City, Iowa \_\_\_\_\_, 2020

David A. Lamberton, Iowa No. 15746  
License Renewal Date: December 31, 2020



**DGR Engineering**  
6115 Whispering Creek Drive  
Sioux City, IA 51106  
(712) 266-1554  
www.dgr.com

Date: April 28, 2020  
Drawn By: DAL  
Project No. 268057  
Sheet: 1 OF 2

FINAL PLAT OF  
***Walnut View,***  
A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA

**DEDICATION**

Brian D. and Anita S. Peterson, husband and wife, the owners of the real estate described in the attached Surveyor's Certificate, have in the pursuance of the law, caused said described real estate to be surveyed, staked and platted into lots, as is particularly shown and set forth in the attached Plat and said Certificate of David A. Lamberton, a Licensed Surveyor who surveyed and platted the real estate to be known as Walnut View, a Minor Subdivision to Woodbury County, Iowa, and that the same is prepared with the free consent and in accordance with their desires as owner and proprietor thereof.

Executed at Sioux City, Iowa, the \_\_\_\_\_ day of \_\_\_\_\_, 2020

By: \_\_\_\_\_  
Brian D. Peterson

By: \_\_\_\_\_  
Anita S. Peterson

STATE OF IOWA :  
: ss  
COUNTY OF WOODBURY :

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Brian D. and Anita S. Peterson.

\_\_\_\_\_  
Notary Public

**BOARD OF SUPERVISORS RESOLUTION NO. \_\_\_\_\_**

Resolution accepting and approving the Plat of Walnut View, a Minor Subdivision to Woodbury County, Iowa.

Whereas, the owners and proprietors did on

the \_\_\_\_\_ of \_\_\_\_\_, 2020, file with the Woodbury County Zoning Commission a certain plat designated as Walnut View, a Minor Subdivision to Woodbury County, Iowa; and

Whereas, it appears that said plat conforms with all of the provisions of the Code of the State of Iowa and Ordinances of Woodbury County, Iowa, with reference to the filing of same; and

Whereas the Zoning Commission of Woodbury County, Iowa has recommended the acceptance and approval of said plat; and

Whereas the County Engineer of Woodbury County, Iowa has recommended the acceptance and approval of said plat.

Now therefore, be, and it is hereby resolved by the Woodbury County Board of Supervisors, Woodbury County, State of Iowa, that the Plat of Walnut View, a Minor Subdivision to Woodbury County, Iowa be and the same is hereby accepted and approved, and the Chairman and Secretary of the Woodbury County Board of Supervisors, Woodbury County, State of Iowa, are hereby directed to furnish to the owner and proprietor a certified copy of this resolution as required by law.

Passed and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Matthew Ung  
Chairman of Board of Supervisors  
Woodbury County, Iowa

ATTEST  
\_\_\_\_\_  
Heather Satterwhite  
Secretary

**CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION**

We do hereby certify that we are the Chair and the Administrator of the Zoning Commission, Woodbury County, Iowa, and we further certify that the said Zoning Commission did take under advisement the attached plat and that said Zoning Commission did on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 recommend to the Woodbury County Board of Supervisors the acceptance and approval of said subdivision.

Dated \_\_\_\_\_, 2020

\_\_\_\_\_  
Christine Zellmer Zant  
Chair  
Woodbury County Zoning Commission

\_\_\_\_\_  
David Gleiser  
Planning and Zoning Director  
Woodbury County Zoning Commission

**TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS**

I, Michael R. Clayton, Treasurer of Woodbury County, Iowa, do hereby certify that the land described in the attached and foregoing Surveyor's Certificate is free from certified taxes and certified special assessments.

Dated \_\_\_\_\_, 2020

\_\_\_\_\_  
Michael R. Clayton  
Treasurer Woodbury County, Iowa

**CERTIFICATE OF COUNTY ASSESSOR**

I, Julie Conolly, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, a copy of this Plat was filed in the County Assessor's Office.

Dated \_\_\_\_\_, 2020

\_\_\_\_\_  
Julie Conolly  
County Assessor

**COUNTY ENGINEER'S CERTIFICATE**

I, Mark Nahra, P.E., the County Engineer of Woodbury County, Iowa, do hereby certify that the boundary lines of the attached plat and lots therein were mathematically checked and conform with the closure requirements as provided for in the Woodbury County Subdivision Ordinance for the unincorporated area of Woodbury County, Iowa.

Dated \_\_\_\_\_, 2018

\_\_\_\_\_  
Mark Nahra, P.E.  
Woodbury County Engineer

**COUNTY AUDITOR AND RECORDER  
WOODBURY COUNTY, IOWA**

Dear Sir:

We have this date examined a complete abstract of title, pursuant to Iowa Code section 354.11(3), to the property described in the Surveyor's Certificate on the Plat of Walnut View, a Minor Subdivision to Woodbury County, Iowa, which abstract was last certified by \_\_\_\_\_ dated \_\_\_\_\_, 2020 at 8:59 o'clock, a.m. and from said abstract find good and merchantable title to said premises vested in Brian D. and Anita S. Peterson, the proprietors, free and clear of all mortgages, liens and other encumbrances, except the following:

Dated: \_\_\_\_\_, 2020,

\_\_\_\_\_  
Jeffrey A. Johnson  
Attorney at Law

**AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING**

STATE OF IOWA :  
: ss  
COUNTY OF WOODBURY :

Docket No: \_\_\_\_\_

Filed for record, this \_\_\_\_\_ day of \_\_\_\_\_, 2020, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., recorded in Plat Envelope \_\_\_\_\_, indexed and delivered to the County Auditor of Woodbury County, Iowa.

Dated \_\_\_\_\_, 2020

\_\_\_\_\_  
Patrick F. Gill, Auditor and Recorder,  
Woodbury County, Iowa  
By: Diane Swoboda Peterson, Deputy

**AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE**

The County Auditor hereby accepts and approves the name or title of the attached Subdivision Plat as required by Iowa Code section 354.6(2).

Dated \_\_\_\_\_, 2020

\_\_\_\_\_  
Patrick F. Gill, Auditor and Recorder,  
Woodbury County, Iowa  
By: Diane Swoboda Peterson, Deputy




**DGR Engineering**  
6115 Whispering Creek Drive  
Sioux City, IA 51106  
(712) 266-1554  
www.dgr.com

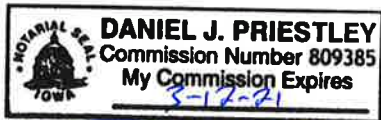
Date: April 28, 2020  
Drawn By: DAL  
Project No. 268057  
Sheet: 2 OF 2

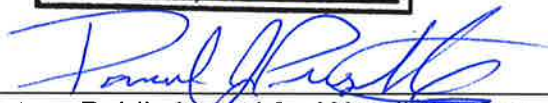
**CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION**

I, Chris Zellmer Zant, do hereby certify that I am the Chairman of the Woodbury County Zoning Commission of Woodbury County, Iowa and do further certify that said Commission has heretofore taken under advisement the plat of Walnut View Addition, Woodbury County, Iowa, and that said Woodbury County Zoning Commission of Woodbury County, Iowa did on the 22<sup>nd</sup> of June, 2020 approve the same and does further hereby recommend to the Woodbury County Board of Supervisors, Woodbury County, Iowa, the acceptance and approval of said plat based on the following conditions that the lots be serviced by an internal road or cul-de-sac, and deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with Woodbury County's floodplain regulations.

Dated this 1 Day of July, 2020

  
Chris Zellmer Zant,  
Chairman  
Woodbury County Zoning Commission of  
Woodbury County, Iowa



  
Notary Public in and for Woodbury County, Iowa

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 07/08/20 Weekly Agenda Date: 07/14/20

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Auditor Pat Gill

**WORDING FOR AGENDA ITEM:**

Approve amended Advanced Scheduling quote from Tyler Technologies

**ACTION REQUIRED:**

- Approve Ordinance
- Approve Resolution
- Approve Motion
- Public Hearing
- Other: Informational
- Attachments

**EXECUTIVE SUMMARY:**

The original quote from Tyler was based on Woodbury owning the software and purchasing the license, but since we are subscription based in the rest of the software, the quote should have been the same.

**BACKGROUND:**

On 06-23-20, the Board approved the quote from Tyler Technologies to purchase the ExecuTime Advanced Scheduling Module. Since then, Tyler reps have advised that since we have a subscription for a five year contract with Tyler, the quote should have been subscription based instead of ownership based. First year savings would be \$14,047.00

**FINANCIAL IMPACT:**

Original first year one time cost approved = \$23,130.00	Amended one time cost proposed = \$6,240.00
Orig first year annual cost approved = \$3,378.00	Amended annual cost proposed = \$6,221.00
Total Approved = \$26,508.00	Total = \$12,461

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:**

Approve motion

**ACTION REQUIRED / PROPOSED MOTION:**

Approve motion and receive for signature the amended ExecuTime Advanced Scheduling quotation.



Quoted By: Tami Bates  
 Quote Expiration: 11/24/2020  
 Quote Name: Woodbury County, IA - ExecuTime Adv Scheduling add-on  
 Quote Number: 2020-110484-2  
 Quote Description: premise

**Sales Quotation For**  
 Woodbury County  
 620 Douglas St Rm 102  
 Sioux City , IA 51101-1248  
 Phone: +1 (712) 279-6119

**Tyler Software and Related Services - SaaS**

**One Time Fees**

Description	Impl. Hours	Impl. Cost	Data Conversion	Annual Fee
<b>ExecuTime</b>				
Advanced Scheduling - Up to 250ee	48	\$6,240	\$0	\$5,488
ExecuTime Advanced Scheduling Mobile	0	\$0	\$0	\$733
	<i>Sub-Total:</i>	\$6,240	\$0	\$6,221
	<b>TOTAL:</b>	<b>\$6,240</b>	<b>\$0</b>	<b>\$6,221</b>

Summary	One Time Fees	Recurring Fees
Total Tyler SaaS	\$0	\$6,221
Total Tyler Services	\$6,240	\$0
Total Third Party Hardware, Software and Services	\$0	\$0
<b>Summary Total</b>	<b>\$6,240</b>	<b>\$6,221</b>
<b>Contract Total</b>	<b>\$12,461</b>	

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held for six (6) months from the Quote date or the Effective Date of the contract, whichever is later.

Client Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ P.O.#: \_\_\_\_\_

## Comments

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms:

- License fees for Tyler and third party software are invoiced upon the earlier of (i) deliver of the license key or (ii) when Tyler makes such software available for download by the Client;
  - Fees for hardware are invoiced upon delivery;
  - Fees for year one of hardware maintenance are invoiced upon delivery of the hardware;
  - Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software available for download by the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the Agreement, with renewals invoiced annually thereafter in accord with the Agreement.
  - Fees for services included in this sales quotation shall be invoiced as indicated below.
    - Implementation and other professional services fees shall be invoiced as delivered.
    - Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.
    - Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and materials basis.
    - Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where "Project Planning Services" are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
    - If Client has purchased any change management services, those services will be invoiced in accordance with the Agreement.
    - Notwithstanding anything to the contrary stated above, the following payment terms shall apply to services fees specifically for migrations: Tyler will invoice Client 50% of any Migration Fees listed above upon Client approval of the product suite migration schedule. The remaining 50%, by line item, will be billed upon the go-live of the applicable product suite. Tyler will invoice Client for any Project Management Fees listed above upon the go-live of the first product suite.
  - Expenses associated with onsite services are invoiced as incurred.
- Travel Expenses will be billed as incurred according to Tyler's standard business travel policy.





## Comments

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms:

- License fees for Tyler and third party software are invoiced upon the earlier of (i) deliver of the license key or (ii) when Tyler makes such software available for download by the Client;
- Fees for hardware are invoiced upon delivery;
- Fees for year one of hardware maintenance are invoiced upon delivery of the hardware;
- Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software available for download by the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the Agreement, with renewals invoiced annually thereafter in accord with the Agreement.
- Fees for services included in this sales quotation shall be invoiced as indicated below.
  - Implementation and other professional services fees shall be invoiced as delivered.
  - Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.
  - Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and materials basis.
  - Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where "Project Planning Services" are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
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- Expenses associated with onsite services are invoiced as incurred.

Executime SSL Certificate Requirements: Clients must obtain an SSL certificate (2048-bit minimum) for on-premises Tyler servers from a trusted Certificate Authority (CA), such as a commercial provider (e.g. Verisign, GeoTrust, DigiCert) or client managed CA. SSL certificates are required to secure application communication by encrypting data over HTTPS. Server specific certificates (e.g. tylerapp.yourdomain.org) are supported, though a wildcard certificate (e.g. \*.yourdomain.org) is commonly used for multiple servers on the same domain

- Travel Expenses will be billed as incurred according to Tyler's standard business travel policy.



## Advanced Scheduling

ExecuTime Advanced Scheduling™ automates, simplifies and streamlines your staff scheduling process while minimizing labor costs and overtime expenses. The Advanced Scheduling solution makes sure you have the right people working the right job at the right time through a fully-integrated, easy-to-use solution that easily scales to suit the needs of small, medium and large organizations.

## Reduce Labor Costs

Labor costs are a big part of your organization's budget. And those costs escalate through human error, manual processes and requests, and scheduling conflicts. ExecuTime scheduling allows you to cut labor costs while drastically reducing human error and manual processes. Even better, ExecuTime can be configured to easily handle the complex scheduling in public safety, public works and parks and recreation. With ExecuTime, you'll effectively manage complex costs while incorporating union agreements, overtime and premium pay into your workforce management strategy.

## Increase Workforce Productivity

You're being told to do more with fewer resources. In these challenging economic times, decreasing budgets and increasing expectations go hand-in-hand. ExecuTime Advanced Scheduling allows your staff and supervisors to securely access customized and insightful data to eliminate unnecessary confusion and scheduling errors while enhancing employee accountability. Self-service tools allow your staff to request schedule changes and shift swaps, leave requests, bid for days off and vacation requests, and more. It's centralized, 24x7x365, real-time scheduling and management across departments, teams and locations.

## Seamless Integrations

The ExecuTime Advanced Scheduling solution integrates seamlessly with third-party applications (HR, payroll, CAD and more) and eliminates manually running scripts, passing files back and forth, and the wasteful production of paperwork. Of course, you can also integrate the scheduling solution with the ExecuTime Time & Attendance solution to create a powerful, automated and fully-integrated workforce management solution.

## Easy to Use and Implement

If you can use a web browser, then you can learn to use ExecuTime Advanced Scheduling in a snap. This solution is entirely web-based and requires no software to install or maintain on workstations. The user interface is extremely intuitive and userfriendly to make adoption easy even for users with little or no experience with computers.

## Key Features

- Unlimited schedules/shifts
- View and print daily roster reports
- Schedule grid and calendar view
- Post open positions for sign-up or bidding
- Time exchange feature for shift swaps and shift trades
- Automated time-off request and approval process
- Overtime eligibility management
- Track certifications and work limits
- Cloud-based and on-premises options
- Holiday and events calendar
- Reporting and auditing
- Employee self-service

**“Hands down, ExecuTime offers the best technical support in a software company I've ever seen.”**

- Roy Lavicky, VP of Information Technology

For more information, visit  
[www.tylertech.com](http://www.tylertech.com)  
or email [info@tylertech.com](mailto:info@tylertech.com)



## ExecuTime Mobile Solutions

### Workforce Management

ExecuTime™ mobile solutions allow employees and supervisors to have access to their time and attendance, as well as their scheduling, anytime, anywhere. Regardless of your location, you will have peace of mind knowing that you can effortlessly respond to any workforce management needs through your mobile or tablet device. Employees can easily clock in or out and access a variety of time and attendance tools. We understand that your workforce is not always behind a desk; there are many employees out in the field who need a time management solution that is just as mobile as they are. ExecuTime mobile solutions will dynamically increase the efficiency in which your workforce operates.

### Answers at your Fingertips

Through your mobile device you can find out when your shift is, request time off and answers to the many other questions that come up throughout the day. This means that you don't have to call the administration office during work hours to find out how many days of vacation you have or if you can swap a shift with someone else. ExecuTime mobile solutions increase workforce productivity by putting the answers to your time management questions right at your fingertips.

This tool is not only a great benefit to employees but managers as well. Managers can resolve exceptions, approve timesheets and handle employee requests in real-time, while also having access to view job costing and employee schedules.

### ExecuTime Mobile Benefits

- Allow supervisors to dynamically manage employees with real-time data
- Give employees the flexibility to manage their day from anywhere
- Receive notifications and alerts in numerous formats including email and text messaging
- Take action fast, achieve instant visibility and increase efficiency throughout your day
- Allow managers and employees to handle a variety of tasks regardless of their physical location

### Key Features

#### *Employee Actions:*

- Clock in/out
- Job costing
- View schedule
- View time card
- View benefit balances
- Submit and manage time-off requests
- Apply job costing to time-off requests
- Submit and manage OT requests
- Apply job costing to hours requests
- Accept or decline shift trades
- Accept or decline shift offers
- Approve time cards

#### *Supervisor Actions:*

- Approve or decline time-off requests
- Approve or decline OT requests
- View employee time cards
- Approve employee time cards

For more information, visit  
[www.tylertech.com](http://www.tylertech.com)  
or email [info@tylertech.com](mailto:info@tylertech.com)