



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(AUGUST 2) (WEEK 31 OF 2022)

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Live telephonic access at: 712-224-6014

Rocky L. DeWitt 253-0421 rdewitt@woodburycountyiowa.gov	Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov	Jeremy Taylor 259-7910 jtaylor@woodburycountyiowa.gov	Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov	Justin Wright 899-9044 jwright@woodburycountyiowa.gov
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held August 2, 2022 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 for speakers.

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, please limit your remarks 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 turn off all cell phones and other devices while in the Board Chambers.

AGENDA

4:30 p.m. 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 26, 2022 meeting
4. Approval of claims
5. Human Resources – Melissa Thomas
Approval of Memorandum of Personnel Transactions
6. Secondary Roads – Mark Nahra
Approve the underground utility permit for John Hindman/City of Hornick and to direct the chair to sign the permit

7. Secondary Roads – Mark Nahra & Community & Economic Development – Daniel Priestley
Approval to set the dates and times for three public hearings, August 9th @ 4:40 p.m., August 16th @ 4:40 p.m. and August 23rd @ 4:40 p.m. for a proposed amendment to the set back requirements in Ordinance #56

End Consent Agenda

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|--------------------------------|--|--------|
| 4:35 p.m.
(Set time) | 8. Board Administration – Karen James
Public hearing and sale of property parcel #894734252016 (aka 515 S. College St.) | Action |
| 4:40 p.m.
(Set time) | 9. Board Administration – Dennis Butler | |
| | a. Public hearing on the issuance of conduit revenue bonds or notes (Siouxland Regional Transit System Project) | Action |
| | b. Approval of resolution relating to the holding of public hearing and approving taking additional action for the issuance of conduit revenue bonds or notes (Siouxland Regional Transit System Project) in an aggregate principal amount not to exceed \$2,100,000 | Action |
| | 10. Community & Economic Development – Daniel Priestley | |
| | a. Receive final report and Zoning Commission recommendation from their 7/25/22 meeting | Action |
| 4:45 p.m.
(Set time) | b. Public hearing on proposed Zoning Ordinance Map Amendment | Action |
| | c. Conduct and approve the first reading of the ordinance | Action |
| | d. Receive the final staff report and P&Z Commission’s recommendation from their 7/25/22 meeting | Action |
| | e. Approve The Evergreens Addition, final plat with the condition that a 60/40 pavement agreement with Woodbury County be recorded and authorize Chairman to sign the resolution | Action |
| | f. Approve resolution setting the fees for various zoning, subdivision, and floodplain permit applications submitted to the Community and Economic Development Department | Action |
| | 11. Building Services – Kenny Schmitz
Approve Sioux City Engineering Company 28 th Street Paving Project Contract Change Order #2 in the amount of \$190,113.65 | Action |
| | 12. Human Resources – Melissa Thomas | |
| | a. Approval of request to change the accrued compensatory time pay out date for wage plan employee J.J. | Action |
| | b. Approval of request to add an additional Emergency Operation Officer (EMT) position to the Emergency Services Department | Action |
| | 13. County Sheriff – Chad Sheehan
Approve and sign the Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa | Action |

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|--|-------------|
| 14. Secondary Roads – Mark Nahra | |
| a. Approve the resolution to reclassify two Level of Service B Roads to Level A Service | Action |
| b. Approve the contract for Pavement Markings – 2022 with Vogel Traffic Services for \$138,560 | Action |
| c. Approve quit claim deed for right of way for Gabe and Terri Demarest | Action |
| d. Approve quit claim deed for right of way for Sensible Properties, LLC | Action |
| e. Approve quit claim deed for right of way for Culver | Action |
| f. Approve quit claim deed for right of way for Munhoven and Kowalke | Action |
| g. Approve quit claim deed for right of way for Charles and Christine Hope | Action |
| 15. Reports on Committee Meetings | Information |
| 16. Citizen Concerns | Information |
| 17. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- MON., AUG. 1** 6:00 p.m. Board of Adjustment meeting, First Floor Boardroom
- WED., AUG. 3** 10:00 a.m. Loess Hills Alliance Protection Meeting, Pisgah, Iowa
11:00 a.m. Loess Hills Alliance Stewardship Meeting
1:00 p.m. Loess Hills Alliance Executive Meeting
4:45 p.m. Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., AUG. 4** 10:00 a.m. COAD Meeting, The Security Institute
- WED., AUG. 10** 7:30 a.m. SIMPCO Executive-Finance Committee - Hybrid
8:05 a.m. Woodbury County Information Communication Commission, First Floor Boardroom
12:00 p.m. District Board of Health Meeting, 1014 Nebraska St.
- THU., AUG. 11** 12:00 p.m. SIMPCO Board of Directors, 1122 Pierce St.
4:00 p.m. Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., AUG. 17** 12:00 p.m. Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
1:00 p.m. Regional Workforce Development Meeting, 2508 4th Street, Sioux City
1:00 p.m. Western Iowa Workforce Development Meeting
- THU., AUG. 18** 4:30 p.m. Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., AUG. 19** 12:00 p.m. Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- MON., AUG. 22** 6:00 p.m. Zoning Commission Meeting, First Floor Boardroom
- TUE., AUG. 23** 2:00 p.m. Decat Board Meeting, Western Hills AEA, Room F
- WED., AUG. 24** 2:30 p.m. Rolling Hills Community Services Region Governance Board Meeting
- THU., AUG. 25** 11:00 a.m. Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- THU., SEP. 1** 10:00 a.m. COAD Meeting, The Security Institute
12:00 p.m. SIMPCO Regional Policy and Legislative Affairs Committee Meeting, Hybrid
- MON., SEP. 5** 6:00 p.m. Board of Adjustment meeting, First Floor Boardroom
- WED., SEP. 7** 10:00 a.m. Loess Hills Alliance Stewardship Meeting, Pisgah, Iowa
11:00 a.m. Loess Hills Alliance Executive Meeting
1:00 p.m. Loess Hills Alliance Full Board Meeting
4:45 p.m. Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.

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 26, 2022 THIRTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, July 26, 2022 at 4:30 p.m. Board members present were Ung, Radig, De Witt, Taylor (by phone), and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Patrick Jennings, County Attorney, 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. Nick Lahrs, Bronson, addressed the Board about the county's wind ordinance.
2. Motion by Radig second by De Witt to approve the agenda for July 26, 2022. Carried 5-0. Copy filed.
9. A public hearing was held at 4:35 p.m. for the sale of parcel #894735332007, 1020 S Glass St. The Chairperson called on anyone wishing to be heard.

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

Motion by De Witt second by Radig to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894735332007, 1020 S. Glass St., to Jarrod Bumsted, 1024 S Glass St, Sioux City, for \$579.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,482**

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

By Jarrod Bumsted and Lizbeth Bumsted _____ in the sum of **Five Hundred Seventy-nine 00/100 (\$579.00)**-----dollars.

For the following described real estate, To Wit:

Parcel #894735332007

**Lot Eleven (11) Block Fourteen (14) of Holman's Addition to Sioux City in the County of Woodbury and State of Iowa
(1020 S. Glass St.)**

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 26th Day of July, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to approve the following items by consent as amended:

3. To approve minutes of the July 19, 2022 meeting. Copy filed.
4. To approve the claims totaling \$306,092.40. Copy filed.
5. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #864528307007, 508 5th Ave, Hornick.

**RESOLUTION #13,481
NOTICE OF PROPERTY SALE**

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

**That part of Out Lot 5 in the Auditor's Plat of Hornick in the W ½ SW ¼ Section 28 and E ½ SE ¼ Section 29, Township 86 North, Range 45, in the County of Woodbury and State of Iowa, described as follows: Commencing at a point on the West line of Out Lot 5 in the W ½ SW ¼ said Section 28, 6 rods South of the Northwest corner thereof, thence East on a line parallel to the North line of said Out Lot 5, 128 feet, thence South on a line parallel to the West line of Out Lot 5, 67.5 feet, thence West on a line parallel to the North line of Out Lot 5, 128 feet to the West line of Out Lot 5, thence North on the West line of Out Lot 5, 67.5 feet to the point of commencement of this description
(508 – 5th Ave. Hornick, IA.)**

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **9th Day of August, 2022 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **9th Day of August, 2022**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$432.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 26th Day of July, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 6a. To receive the Auditor's Quarterly report for April 1, 2022 thru June 30,2022. Copy filed.
- 6b. To approve an application for a 14-day class B Beer License, with Outdoor Service and Sunday Sales privileges for Woodbury County Fair, effective 07/28/2022 thru 08/11/2022. Copy filed.
- 7a. To approve the separation of Kenneth Meyers, Civilian Jailer, County Sheriff Dept., effective 07-21-22. Resignation.; the reclassification of Tayea Kilbride, P/T Youth Worker, Juvenile Detention Dept., effective 07-25-22, \$21.72/hour, 3.9%=\$.83/hr. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2.; the reclassification of Jonathon Hatfield, Civilian Jailer, County Sheriff Dept., effective 07-25-22, \$28.94/hour, 11.6%=\$3.01/hr. Per CWA Civilian Officers Contract agreement, from Senior to Master Class.; the separation of Jacklyn Fox, Assist. County Attorney, County Attorney Dept., effective 08-05-22. Resignation.; the

reclassification of Haley Hayworth, Clerk II, County Treasurer Dept., effective 08-08-22, \$19.07/hour, 4.6%=\$.85/hr. Per AFSCME Courthouse Contract agreement, Grade 3/Step 1 to Grade 3/Step 2.; the separation of Carolina Ochoa, Civilian Jailer, County Sheriff Dept., effective 08-14-22. Resignation.; and the separation of Colin Ryan, Assistant County Engineer, Secondary Roads Dept., effective 08-19-22. Resignation. Copy filed.

7b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for (2) Civilian Jailers, County Sheriff Dept. CWA: \$21.60-\$23.33/hour.; P/T Courthouse Safety & Security Officer, County Sheriff Dept. Wage Plan comparability with AFSCME Courthouse: \$18.22-\$20.02/hour.; Civil Engineer Intern, Secondary Roads Dept. Wage Plan: \$69,334-\$73,000/year. or Assistant County Engineer, Secondary Roads Dept. Wage Plan: \$101,129-\$110,000/year. Copy filed.

8. To approve the permit to work in the right of way for SCS Carbon Transport. Copy filed.

Carried 5-0.

10a. A public hearing was held at 4:40 p.m. for permanent closure and vacation of the county roads in the Morningside Second addition. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by De Witt to receive for signatures a Resolution closing and vacating a road right of way. Carried 5-0.

**RESOLUTION #13,483
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY**

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11 of the Code of Iowa held a public hearing on July 26, 2022 on the proposed vacation of Woodbury County Secondary Road Right-Of-Way described as follows:

Vacate in Morningside Addition to Sioux City Iowa, Second Filing located in Section 4, T88N, R47W

1. All of Wells Avenue lying between Block 29 (lots 20 – 32) & 30 (lots 7 – 19).

Vacate in Morningside Addition to Sioux City Iowa, Third Filing located in Section 4, T88N, R47W

1. All of Wells Avenue lying between Block 29 (lots 33 – 38) & 30 (lots 1 – 6).

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 26th day of July, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

10b. Motion by Radig second by De Witt to receive a letter of support for the Resolution closing and vacating a road right of way. Carried 5-0. Copy filed.

Motion by De Witt second by Radig to receive for signatures a Resolution closing and vacating a road right of way. Carried 5-0.

**RESOLUTION #13,484
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY**

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11 of the Code of Iowa held a public hearing on July 26, 2022 on the proposed vacation of Woodbury County Secondary Road Right-Of-Way described as follows:

Vacate a parcel of land located in the SE1/4 of the SW1/4 of section 27, T89N, R42W of the 5th P.M., Woodbury County, Iowa described as follows:

Commencing at the southeast corner of the SW1/4 of said section 27; thence north 00°00'00" east 322.23 feet along the east line of said SE1/4 of the SW1/4; thence south 89°03'40" west 80.01 feet to the point of beginning; thence south 00°00'00" west 171.97 feet; thence south 34°44'26" west 122.84 feet; thence south 89°14'16" west 218.67 feet to the existing right-of-way; thence northeasterly 357.99 feet along a 921.65 foot radius curve concave northwesterly with a chord of north 39°25'36" east 355.74 feet along said right-of-way; thence north 89°03'40" east 62.73 feet to the point of beginning. containing 0.92 acres.

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 26th day of July, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

11a. A public hearing was held at 4:45 p.m. for bids for Prairie Hills demolition project. The bids are as follows:

J. Pettiecord, Inc, Bondurant, IA	\$899,000
D.W. Zinser Company, Walford, IA	\$267,900
Hebert Construction Co, Inc, Sioux City, IA	\$399,560

Motion by De Witt second by Wright to receive the bids and return them to Building Services for recommendation. Carried 4-1; Radig was opposed. Copy filed.

11b. Motion by Ung second De Witt to award the bid for Prairie Hills demolition project to D.W. Zinser Company for \$267,900. Carried 4-1; Radig was opposed. Copy filed.

11c. Motion by De Witt second by Ung to approve 5% project contingency (amount not to exceed 5% of contract bid). Carried 4-1; Radig was opposed. Copy filed.

11d. Motion by Radig second by De Witt to approve a letter of understanding dated July 11, 2022 to address 28th Street construction project change order improvements required to meet City of Sioux City's additional anticipated developments along 28th Street. Carried 5-0. Copy filed.

12. Julie Haman & Carol Nelson, Woodbury County Library, discussed the air conditioner issue. Copy filed.

13. Motion by Radig second by Ung to approve the CWA Civilian Jailer MOU. Carried 5-0. Copy filed.

14. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution establishing a rate of pay for Woodbury County precinct election officials and precinct election chairpersons. Carried 5-0.

RESOLUTION #13,485

A RESOLUTION ESTABLISHING A RATE OF PAY FOR WOODBURY COUNTY PRECINCT ELECTION OFFICIALS AND PRECINCT ELECTION CHAIRPERSONS

WHEREAS, Iowa Code Section 49.20 states that the members of election boards shall receive compensation at a rate established by the Board of Supervisors while engaged in the discharge of their duties and shall be reimbursed for actual and necessary travel, and

WHEREAS, Section 49.125 states that the members of election boards attending a training course shall be paid for attending such course, and shall be reimbursed for travel at the rate determined by the Board of Supervisors, and

WHEREAS, the rates of pay for the Precinct Election Officials and Precinct Election Chairpersons are currently \$10.00 and \$12.00 per hour, respectively, and have not increased since 2016, and

WHEREAS, the duties of Precinct Election Officials and Precinct Election Chairpersons have become greater and more complex due to changes in election laws and equipment, and

WHEREAS, some election days require Precinct Election Officials and Precinct Election Chairpersons to work up to twelve hours per shift, and

WHEREAS, the Auditor & Recorder/Commissioner of Elections requests that the rates of pay be raised to \$15.00 and \$17.00 per hour for Precinct Election Officials and Precinct Election Chairpersons respectively, and

WHEREAS, the Auditor & Recorder/Commissioner of Elections requests that an hourly rate of one and half times the regular rate be established for all hours worked after eight hours worked per shift be established

BE IT THEREFORE RESOLVED there is established a rate of one and half times the regular rate for hours worked after eight hours per shift for Precinct Election Officials and Precinct Election Chairpersons.

BE IT FUTHER RESOLVED that the Woodbury County Board of Supervisors hereby sets the hourly rate for Precinct Election Officials at \$15.00 per hour and the hourly rate for Precinct Election Chairpersons at \$17.00 per hour, effective July 26, 2022.

SO RESOLVED this 26th day of July, 2022
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 15. Motion by De Witt second by Radig to approve and authorize the Chairperson to sign a Resolution for participation in SS4A Grant Application. Carried 5-0.

**RESOLUTION FOR PARTICIPATION IN SS4A GRANT APPLICATION
RESOLUTION #13,486**

WHEREAS, as part of the new Federal Transportation Bill, Infrastructure Investment and Jobs Act (IIJA), there is over \$1B of roadway safety funding available in the form of Safe Streets and Roads for All (SS4A) grants. To be an eligible applicant for this new safety funding, a county **MUST** have an eligible Action Plan in place; and

WHEREAS, the Iowa County Engineers Association (ICEA) plans to apply for a SS4A grant to develop and supply all 99 counties in Iowa with an eligible Action Plan at no cost to the counties. ICEA encourages all 99 counties to participate in this grant application; and

WHEREAS, the Woodbury County Board of Supervisors will commit to achieve significant declines in roadway fatalities and serious injuries in Woodbury County; and

WHEREAS, the Woodbury County Board of Supervisors recognizes the Action Plan and will assist the County Engineer's department in achieving the goal of a dramatic decrease in roadway fatalities and serious injuries by the years 2030 and 2050, respectively; and

WHEREAS, the Woodbury County Board of Supervisors, after consulting with the Woodbury County Engineer, desires to participate in a joint SS4A grant to develop and receive an eligible Action Plan for Woodbury County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY that this County does hereby request to be included in the statewide SS4A grant to develop Actions Plans for all 99 counties in Iowa.

Resolution adopted this 26th day of July 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

16. Information was presented by Dan Priestly, Community & Economic Development, about Planning & Zoning fees for Conditional Use Permits and other permits/services. Copy filed.
17. Motion by Radig second by De Witt to approve to renew Community & Economic Development parking spot in the Williges Parking Ramp. Carried 5-0. Copy filed.
18. Motion by De Witt second by Taylor to move forward to amend the wind turbine ordinance, changing the setback to 2,500 feet from 1,250 feet.

Mark Nelson, Correctionville, Daniel Hair, Hornick, Eric Nelson, Merville, and Elizabeth Widman, Sgt. Bluff addressed the Board in regard to the ordinance.

Carried 3-2 on a roll call vote; Wright and Radig were opposed. Copy filed.

- 19a. Jeremy Taylor, Supervisor, updated the Board on Rolling Hills Governance Board. Copy filed.
- 19b. Motion by Radig second by Taylor to approve purchasing up to two tables for the Siouxland Chamber of Commerce Annual meeting. Carried 5-0. Copy filed.
20. Reports on committee meetings were heard.
21. There were no citizen concerns.
22. Board concerns were heard.

The Board adjourned the regular meeting until August 2, 2022.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT
MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: August 2, 2022

*** PERSONNEL ACTION CODE:**

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

TO: WOODBURY COUNTY BOARD OF SUPERVISORS

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Kirkpatrick, Adam	County Sheriff	8-08-22	Civilian Jailer	\$21.60/hour		A	Job Vacancy Posted 6-29-22. Entry Level Salary: \$23.33/hour.
Guerrero, Abigail	County Sheriff	8-08-22	Civilian Jailer	\$22.48/hour	4%=\$.88/hour	R	Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.
Torres, Zaira	County Sheriff	8-08-22	Civilian Jailer	\$22.48/hour	4%=\$.88/hour	R	Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.
Robley, Eric	Secondary Roads	8-08-22	Motor Grader Operator	\$26.18/hour	3%=\$.78/hour	E	Per CWA Secondary Roads Contract agreement, End of Probation Salary Increase.
Larson, Bradley	Secondary Roads	8-10-22	Equipment Operator	\$25.10/hour		A	Job Vacancy Posted 6-8-22. Entry Level Salary: \$25.10/hour.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas HR Director

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

Date: 07/28/2022 Weekly Agenda Date: 08/02/2022

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

WORDING FOR AGENDA ITEM:

Consideration of a utility permit for installation of waterline for City of Hornick

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The City of Hornick has applied for a permit to allow access to the right of way necessary for installation of a water lines in county right of way.

BACKGROUND:

Work in county ROW requires a permit approved by the Board of Supervisors per section 318.8 of the Code of Iowa. The county engineer has reviewed the locations and recommends that the work be allowed. Work is being done by a contractor, paid for privately by the applicant, and will be owned by the city upon completion.

FINANCIAL IMPACT:

No financial impact to the county.

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:

Recommend approval of the permit for John Hindman/City of Hornick.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the underground utility permit for John Hindman/City of Hornick and to direct the chair to sign the permit.

Woodbury County Permit No. _____

PERMIT FOR USE OF COUNTY ROAD/HIGHWAY RIGHT-OF-WAY
FOR OVERHEAD AND/OR BURIED UTILITIES ACCOMMODATION

REQUEST BY APPLICANT:

Name John Hindman Highway _____
 Address 3243 Merville Blacktop Township _____
 Office Phone 512-761-1984 Local Phone _____ City of _____
 Type of Utility Installation Plumbing - Water line Section: ¼ of ¼ Sec
 Plans Prepared By John Hindman / Scott Mitchell T N, R W Copy Enclosed Yes No
 Map Showing Location Enclosed Yes No
 Utility Location is _____ cross right-of-way _____ parallel to right-of-way
 _____ overhead underground
 Proposed Method of Installation
 tunnel _____ suspend on poles _____ cased
 _____ jack & bore _____ suspend on towers _____ trench
 _____ open cut _____ plow

Estimated Starting Date Aug 2022 Estimated Restoration Date Aug 12, 2022

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions listed on the reverse side hereof, and special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof. Applicant is to complete in triplicate and send all copies including plans and maps to Woodbury County Engineer, 759 E. Frontage Road, Merville, IA 51039. One executed copy will be returned to the Applicant.

By Scott Mitchell Title Mayor
(Signature of Authorized Utility Representative) Date 7/5/2022

PERMIT APPROVAL BY PERMITTING AUTHORITY

The forgoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated herein and on the reverse side hereof and all attachments hereto.

By _____ Title _____
(Signature of Woodbury County Board Chairman) Date _____

By _____ Title _____
(Signature of Woodbury County Engineer) Date _____

Other Special Provisions:

Permit Provisions and Conditions of Issuance

1. The County and/or the County Board of Supervisors will not be charged with any responsibility for damages to the Applicant's property occasioned by any construction or maintenance operations on said county roads, including new or additional right-of-way acquired in connection therewith, subsequent to the building of the Applicant's facilities. The Board will endeavor to give the Applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way that is likely to expose, cover up, or disturb any facilities belonging to the Applicant, in order that the Applicant may arrange to protect the facilities. The Board will inform contractors, and others working on the job of the location of the facilities so that reasonable care may be taken to avoid damaging the facilities, however the County and the Board of Supervisors will assume no responsibility for failure to give such notice.

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

Date: 7/28/22 Weekly Agenda Date: 8/2/22

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark Nahra and Daniel Priestley

WORDING FOR AGENDA ITEM:

Schedule Dates and Times for 3 Public Hearings to approve the consideration of amending the setback requirements in Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

This item requests the Board to set the dates and times for 3 public hearings, to review, discuss, and consider to approve or disapprove of amending the setback requirements of Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County.

BACKGROUND:

The purpose of these public hearings are to consider amending the setback requirements in Section 6.1.A of Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County.

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:

Set the dates and times for 3 public hearings for a proposed amendment to the setback requirements in Ordinance #56.
Tuesday, 8/9/22, 4:40 PM
Tuesday, 8/16/22, 4:40 PM
Tuesday, 8/23/22, 4:40 PM

ACTION REQUIRED / PROPOSED MOTION:

Motion to set the dates and times for 3 public hearings for a proposed amendment to the setback requirements in Ordinance #56.
Tuesday, 8/9/22, 4:40 PM
Tuesday, 8/16/22, 4:40 PM
Tuesday, 8/23/22, 4:40 PM

RESOLUTION # 13, 480

NOTICE OF PROPERTY SALE

Parcel #894734252016

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

The South Two Hundred Forty-one feet (S 241') of the East One Hundred Sixty-six feet (E 166'), except the North One Hundred Eighty-six feet (N 186') of the South One Hundred Ninety-one feet (S 191') of the East Eighty-three feet (E 83'), of Block Thirty-one (31), C.B. Rustin & Co's Addition to Sioux City, in the County of Woodbury and State of Iowa
(515 S. College St.)

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **2nd Day of August, 2022 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **2nd Day of August, 2022**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$354.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 19th Day of July, 2022.

ATTEST:



Patrick F. Gill
Woodbury County Auditor
and Recorder

WOODBURY COUNTY BOARD OF SUPERVISORS



Keith W. Radig, Chairman

REQUEST FOR MINIMUM BID

Name: Jesse Derrick Date: 7/5/18

Address: 303 Champions Ct. Dakota Dunes Phone: 899-6813

Address or approximate address/location of property interested in:

515 S. College St.

GIS PIN # 8947 34252016

**This portion to be completed by Board Administration **

Legal Description:

The South 5 feet of the East 83 feet and the South 11 feet of the East 116 feet (except the South 191 feet of the East 83 feet thereof) Block 31, C.B. Rustin 3rd Addition, City of Sioux City, State of Iowa

Tax Sale #/Date: # 1089 4/15/2009 Parcel # 458791

Tax Deeded to Woodbury County on: 11/27/19

Current Assessed Value: Land \$23,100 Building — Total \$23,100

Approximate Delinquent Real Estate Taxes: \$2,635-

Approximate Delinquent Special Assessment Taxes: \$619-

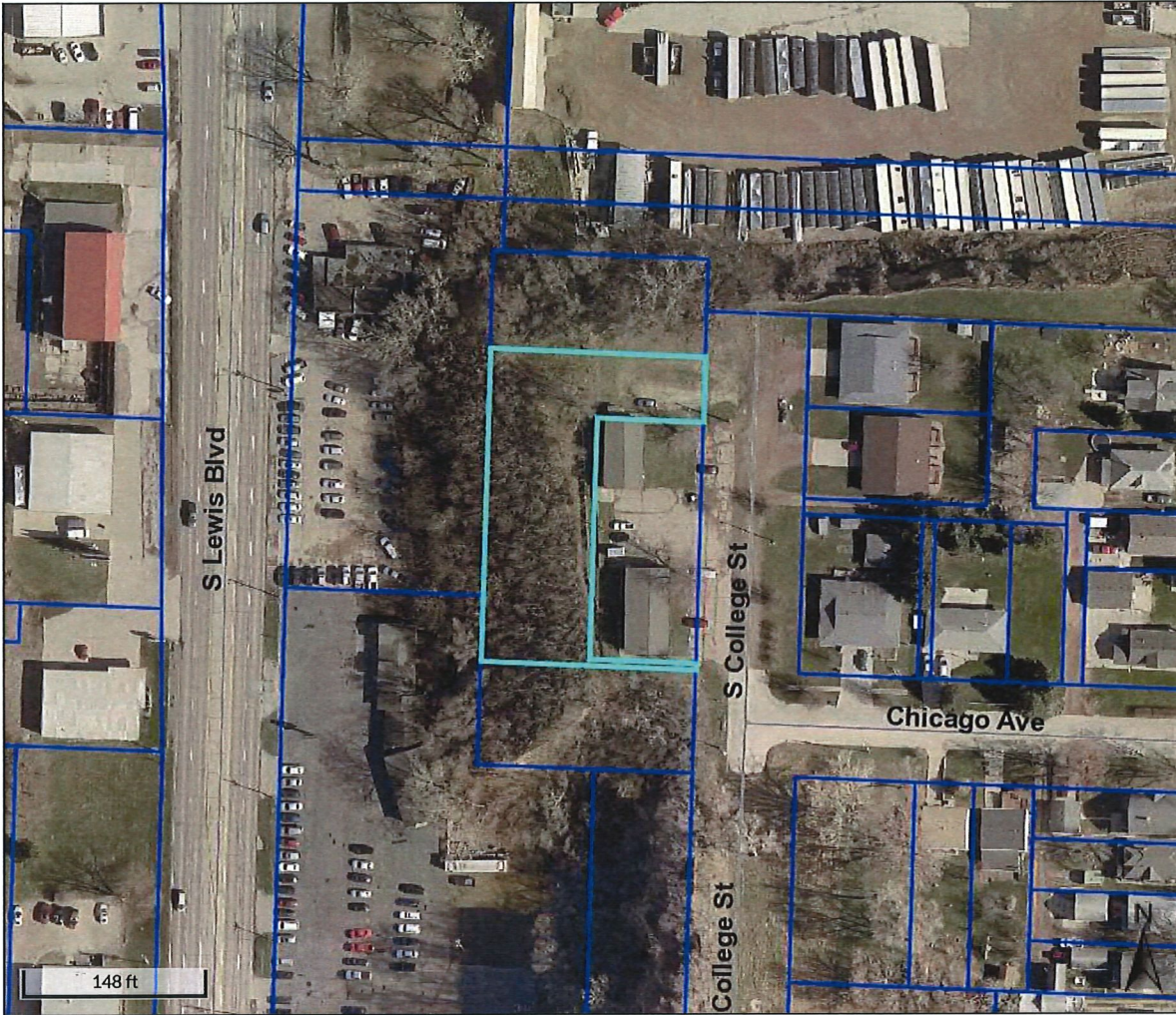
*Cost of Services: \$114

Inspection to: Matthew Ung Date: 7/11/17

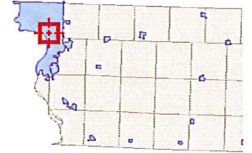
Minimum Bid Set by Supervisor: \$240 plus \$114 for cost of services
Total 354

Date and Time Set for Auction: Tuesday, August 2nd @ 4:35

* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



Overview



Legend

-  Roads
-  Corp Boundaries
-  Townships
-  Parcels

Parcel ID	894734252016	Alternate ID	458791	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	515 S COLLEGE ST	Acreage	n/a		SIOUX CITY IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	CB RUSTIN & CO S 241 FT E 166 FT EX N 186 FT S 191 FT E 83 FT BLK 31				
	(Note: Not to be used on legal documents)				

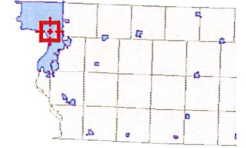
Date created: 1/14/2020
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Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	894734252016	Alternate ID	458791	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	515 S COLLEGE ST	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	CB RUSTIN & CO S 241 FT E 166 FT EX N 186 FT S 191 FT E 83 FT BLK 31				

(Note: Not to be used on legal documents)

Date created: 7/8/2022
Last Data Uploaded: 7/7/2022 7:33:26 PM

Developed by  Schneider
GEOSPATIAL

HEARING PROCEEDINGS

Sioux City, Iowa

August 2, 2022

The Board of Supervisors of Woodbury County, Iowa, (the "Board") met in regular session on the 2nd day of August, 2022 at 4:30 o'clock p.m., at the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa. The meeting was called to order and there were present the Chairperson and the following named Board Members:

Present: _____

Absent: _____

*** * * Other Business * * ***

PUBLIC HEARING

The Board investigated and found that notice of intention to issue revenue bonds or notes, in one or more series, in an amount not to exceed \$2,100,000 (the "Bonds") had, as directed by the Board, been duly given according to law.

This being the time and place specified in the notice for the public hearing on the proposal to issue such Bonds, the Chairperson called for any written or oral objections or comments.

Written comments were filed by the following:

[List names of those submitting written comments and attach copies of their comments if any are filed, or if none, leave blank.]

Oral comments were made by the following:

[List names of those making oral comments and description of comments if any are made, or if none, leave blank.]

After all comments were received, the Chairperson closed the hearing.

MOTION TO APPROVE RESOLUTION

After due consideration and discussion, Supervisor _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor _____. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following named Supervisors voted:

Ayes: _____

Nays: _____

Whereupon, the Chairperson declared the motion duly carried and the resolution adopted as follows:

• • Other Business • •

At the conclusion of the meeting, and upon motion and vote, the Board of Supervisors adjourned.

Chairperson

Attest:

County Auditor

RESOLUTION NO. _____

RESOLUTION RELATING TO THE HOLDING OF A PUBLIC HEARING AND APPROVING TAKING ADDITIONAL ACTION FOR THE ISSUANCE OF REVENUE BONDS OR NOTES (SIOUXLAND REGIONAL TRANSIT SYSTEM PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,100,000.

WHEREAS, the County of Woodbury, State of Iowa (the “Issuer”), is a County authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, 2021 as amended (the “Act”), to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the “Code”) which is exempt from federal income tax under Section 501(a) of the Code (a “Tax Exempt Organization”) or to retire any existing indebtedness on a facility for a Tax Exempt Organization or to refund any Bonds issued pursuant to the Act; and

WHEREAS, the Issuer has been requested by Siouxland Regional Transit System (the “Borrower”), a Tax Exempt Organization, to issue revenue bonds or notes, in an aggregate principal amount not to exceed \$2,100,000 (the “Bonds”), in one or more series, pursuant to the Act, and to loan said amount to the Borrower for the purpose of (1) financing a portion of the cost of constructing, equipping and furnishing a bus operation facility (the “Project”) to be located at 6401 Gordon Drive, Sioux City, Iowa, and (2) paying for certain costs of issuance of the Bonds; and

WHEREAS, it is proposed to finance the foregoing through the issuance of the Bonds and to loan the proceeds from the sale of the Bonds to the Borrower under a Loan Agreement between the Issuer and the Borrower, the obligations of which will be sufficient to pay the principal of, premium, if any, and interest on the Bonds as and when the same shall be due and payable; and

WHEREAS, the Bonds, if issued, shall be limited obligations of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of, interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from the Loan Agreement; and

WHEREAS, notice of intention to issue the Bonds has, as directed by the Board of the Issuer, been duly given in compliance with the Act and Section 147(f) of the Internal Revenue Code; and

WHEREAS, a public hearing has been held on the proposal to issue the Bonds at the time and place as specified in said notice and all objections or other comments relating to the issuance of the Bonds have been heard; and

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

Section 1. It is hereby determined that it is necessary and advisable that the Issuer proceed with the issuance of the Bonds, as authorized and permitted by the Act, and loan the proceeds of the sale of the Bonds to the Borrower, all upon terms and conditions mutually satisfactory to the Issuer and the Borrower.

Section 2. At the public hearing conducted by the Board, pursuant to published notice, all persons who appeared were given an opportunity to express their views for or against the proposal to issue the Bonds.

Section 3. The Board shall proceed with the necessary proceedings relating to the issuance of the Bonds.

Section 4. The Bonds, if issued, and the interest thereon, will be payable solely out of the revenues derived from the Loan Agreement, and shall never constitute an indebtedness of the Issuer within the meaning of any state constitutional provision or statutory limitation, and shall not constitute nor give rise to a pecuniary liability of said Issuer or a charge against its general credit or taxing powers. All costs and expenses incident to the issuance and sale of the Bonds, including, but not limited to, accounting, legal, special counsel, Bond Counsel, printing and filing fees, shall be paid from proceeds of the Bonds or directly by the Borrower.

Section 5. All resolutions and orders or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed, and this Resolution shall be in full force and effect immediately upon its adoption.

Passed and approved August 2, 2022.

Chairperson, Board of Supervisors

Attest:

County Auditor

* * *

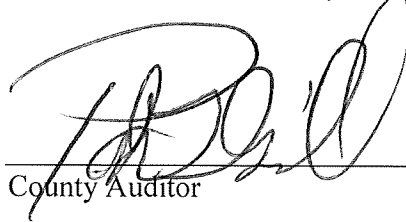
On motion and vote, the meeting adjourned.

STATE OF IOWA
COUNTY OF WOODBURY

SS:

I, the undersigned, County Auditor of the aforementioned County, do hereby certify that I caused a notice of which the printed slip annexed to the publisher's affidavit hereto attached, is a true and complete copy, to be published in the Sioux City Journal a legal newspaper, printed wholly in the English language, published in said County and of general circulation in such County as evidenced by the said affidavit.

WITNESS my hand and the seal of the aforementioned County hereto affixed this 21st day of July, 2022.



County Auditor

(Seal)

(PLEASE NOTE: This certificate must be dated as of or subsequent to the actual date of publication of the notice.)

*** Proof of Publication ***

STATE OF IOWA
COUNTY OF WOODBURY

The undersigned, of said County, being duly sworn, on oath states the undersigned is an employee of the Sioux City Journal printed and published by Journal Communications, in Sioux City in said County and issued daily and Sunday

Woodbury County Board of Supervisors/legals
Karen James or Heather Satterwhite
620 DOUGLAS, RM 104
SIOUX CITY IA 51101

ORDER NUMBER 49180

Subscribed and sworn before me in Sioux City, in said County,

this 18 day of July, 2022



Michelle Graham Notary Public

In and for Woodbury County.



Section: Legal
Category: 015 Attorneys & Legals
PUBLISHED ON: 07/16/2022

TOTAL AD COST: 26.93
FILED ON: 7/18/2022

NOTICE OF INTENTION TO ISSUE REVENUE BONDS OR NOTES
The Board of Supervisors of Woodbury County, Iowa, (the "Issuer") will meet on the 2nd day of August, 2022, at 4:40 o'clock p.m., in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa, 51101, for the purpose of conducting a public hearing on the proposal to issue revenue bonds or notes, of the Issuer in the aggregate principal amount not to exceed \$2,100,000 (the "Bonds") and to loan said amount to Siouxland Regional Transit System or an affiliate thereof (the "Borrower"), for the purpose of providing funds to the Borrower (a) to finance a portion of the costs of constructing, equipping and furnishing a bus operation facility (the "Project") to be located at 6401 Gordon Drive, Sioux City, Iowa, and (b) to pay costs of issuance of the Bonds. The Project will be owned by the Borrower.
The Bonds, when issued, will be limited obligations and will not constitute general obligations of the Issuer nor will they be payable in any manner by taxation, but the Bonds will be payable solely and only from amounts received by the Issuer pursuant to a Loan Agreement between the Issuer and the Borrower, the obligations of which will be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds as and when the same shall become due.
At the time and place, oral or written objections from any resident or property owner of the Issuer may be presented. At such meeting or any adjournment thereof, the Issuer shall adopt a resolution determining whether or not to proceed with the issuance of the Bonds. Written comments may also be submitted to the Issuer at 620 Douglas Street, Sioux City, Iowa, 51101. Written comments must be received by the above hearing date.
By order of the Board of Supervisors of Woodbury County, Iowa.

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

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

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:

ACTION REQUIRED / PROPOSED MOTION:



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

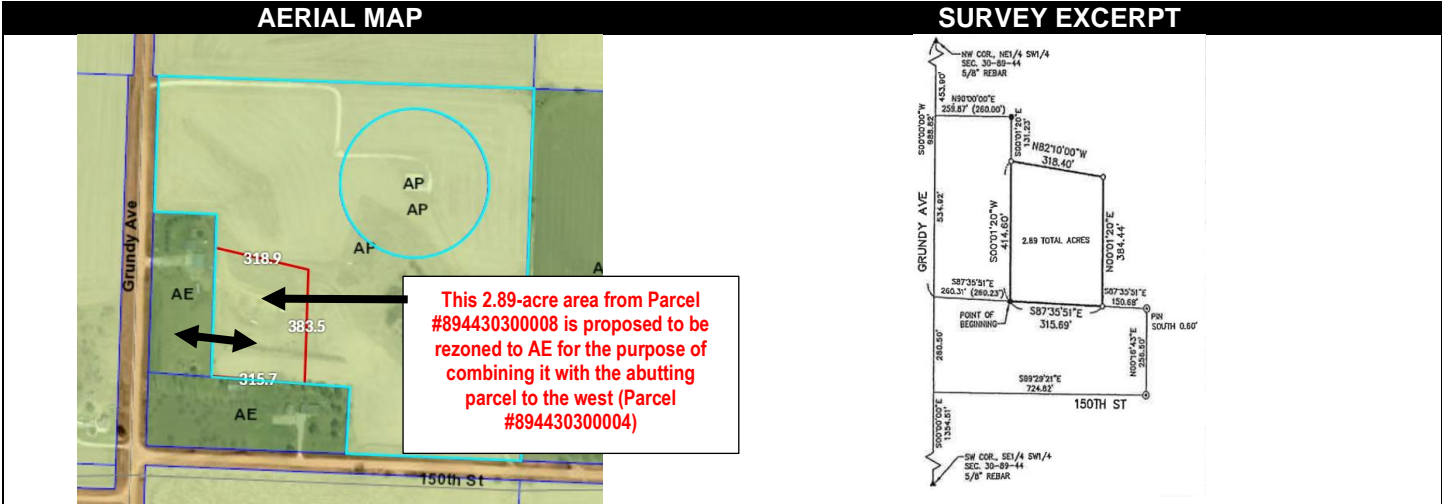
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov
Telephone (712) 279-6609 Fax (712) 279-6530

**ZONING ORDINANCE MAP AMENDMENT (REZONE) PROPOSAL
AGRICULTURAL PRESERVATION (AP) to AGRICULTURAL ESTATES (AE) ZONING DISTRICT
Mark A. Livermore and Michelle M. Livermore
FINAL REPORT – 7/28/22**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<p>Applicant(s): Mark A. Livermore and Michelle M. Livermore Application Type: Zoning Ordinance Map Amendment (Rezone) Current Zoning District: Agricultural Preservation (AP) Proposed Zoning District: Agricultural Estates (AE) Total Acres: 2.89 Acres Current Use: AP Proposed Use: AE Corn Suitability Rating(s): 811.66 CSR II Pre-application Meeting: April 27, 2022 Application Date: June 24, 2022 (Received: June 27, 2022) Legal Notice Date: July 9, 2022 Stakeholders' (1000') Letter Date: July 9, 2022 Zoning Commission Public Hearing Date: July 25, 2022 Board of Supervisors Public Hearing Dates: August 2 at 4:45 PM; August 9 at 4:45 PM; August 16 at 4:45</p>	<p>Parcel(s): Unassigned (894430300008 – Parent) Township: T89N R44W (Arlington) Section: 30 Quarter: NE ¼ of the SW ¼ Zoning District: Agricultural Preservation (AP) Floodplain District: Zone X (Not in Floodplain) Address: Not assigned.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Summary, Aerial & Plat Excerpt, Recommendation <input type="checkbox"/> Zoning Commission Draft Minutes <input type="checkbox"/> Draft Ordinance Amendment <input type="checkbox"/> Review Criteria <input type="checkbox"/> Legal Notification <input type="checkbox"/> Adjacent Owners' Notification <input type="checkbox"/> Stakeholder Comments <input type="checkbox"/> Supporting Documentation <input type="checkbox"/> Application

SUMMARY

Mark A. Livermore and Michelle M. Livermore have filed an application for a zoning ordinance map amendment (rezone) on the property as referenced above from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of completing a boundary adjustment to add 2.89 acres to their abutting property identified as Parcel #894430300004 which is already in the AE Zoning District. The two parcels must be in the same zoning district before the Woodbury County Assessor can combine two into one. This proposal has been properly noticed in the Sioux City Journal Legals Section on July 9, 2022. The neighbors within 1000 FT have been duly notified via a July 9, 2022 letter about the July 25, 2022 Zoning Commission public hearing and have been requested to comment. As of July 28, 2022, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. At the July 25, 2022 meeting of the Woodbury County Zoning Commission, following a public hearing, the Commissioners voted 5-0 to recommend acceptance and approval of the zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District to the Woodbury County Board of Supervisors. Staff recommends acceptance and approval of the zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.



ZONING COMMISSION AND STAFF RECOMMENDATION

At the July 25, 2002 meeting of the Woodbury County Zoning Commission, following a public hearing, the Commissioners voted 5-0 to recommend acceptance and approval of the zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District to the Woodbury County Board of Supervisors.

Staff recommends acceptance and approval of the zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Minutes - Woodbury County Zoning Commission Meeting – July 25, 2022

The Zoning Commission (ZC) meeting convened on the 25th of July at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Barb Parker, Corey Meister, Jeff O'Tool
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Gary Walters, Scott & Sandra Wendel, Elbert & Sandy Baker, Dick & Cindy Speed
Telephone: Mark Livermore

Call to Order

Chair Chris Zellmer Zant formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

None.

Approval of Previous Meeting Minutes – June 27, 2022

Parker motioned. Second: O'Tool 5-0.

Public Hearing: The Evergreens Addition - Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Wendel Real Estate LLC has filed an application for a two-lot minor subdivision. The purpose is to establish two lots. The first lot will include 13.12 total acres while the second lot will include 11.79 total acres. The proposal has been properly noticed in the Sioux City Journal Legals Section on July 9, 2022. The neighbors within 1000 FT have been duly notified via a July 9, 2022, letter about the July 25, 2022, Zoning Commission Public Hearing. Appropriate stakeholders including government agencies utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access and recommended that a pavement agreement be included for consistency as the subdivision across the street (Bakers Acres) to the west is subject to a pavement agreement. Extraterritorial review, as required by Iowa code 354.9, was not required as this property is further than two (2) miles from an unincorporated jurisdiction. The property is not located in the floodplain. There are no wells or septic systems on the lots. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends acceptance and approval of the minor subdivision proposal with the condition that either an 80/20 or a 60/40 pavement agreement be signed with Woodbury County. Sandra Wendel explained the reason for the subdivision, they sold the farm and kept northern 13 acres, then realized the division triggered a subdivision. The middle lot will be donated for conservation purposes. It contains rare species of prairie plants that will be preserved and used to repopulate other areas. Motion to close public hearing: Bride. Second: Parker. Motion approved 5-0. Motion to recommend acceptance and approval of The Evergreens Addition final plat to the Board of Supervisors with the condition that either an 80/20 or a 60/40 pavement agreement be signed with Woodbury County as determined by the Board of Supervisors by O'Tool. Second: Parker. Motion approved 5-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezone) from AP to AE Proposal – Mark A. Livermore and Michelle M. Livermore.

Priestley read the preliminary report and staff recommendation into the record. Mark A. Livermore and Michelle M. Livermore have filed an application for a zoning ordinance map amendment (rezone) on property currently zoned Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of completing a boundary adjustment to add 2.89 acres to their abutting property identified as Parcel #894430300004 which is already in the AE Zoning District. The two Parcels must in the same zoning district before the Woodbury County Assessor can combine two into one. This proposal has been properly noticed in the Sioux City Journal Legals Section on July 9, 2022. The neighbors within 1000 FT have been duly notified via a July 9, 2022, letter about the July 25, 2022, Zoning Commission public hearing and have been requested to comment. As of July 20, 2022, no comments or inquires have been received about the proposal. Appropriate stakeholders including government agencies, utilities and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the AE Zoning District. Motion to close the public hearing: Parker. Second: O'Tool. Motion approved 5-0. Motion to recommend acceptance and approval of the zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estate (AE) Zoning District to the Woodbury County Board of Supervisors by Parker. Second: Bride. Motion approved 5-0.

Information/Discussion: Draft FEMA Special Flood Hazard Area Maps

The Federal Emergency Management Agency (FEMA) and the Iowa Department of Natural Resources (IDNR) have been working to update the floodplain maps also known as the Flood Insurance Rate Maps (FIRMS) and the Flood Insurance Study (FIS) for the State of Iowa. Initially, a preliminary product for Woodbury County was sent out in November of 2020. However, since that time, FEMA/IDNR have determined the necessity to reissue the preliminary FIRMS and FIS due to a mislabeling issue concerning the Base Flood Elevation (BFE) lines. The preliminary products are available in digital format, which can be viewed at: www.fema.gov/preliminaryfloodhazarddata and <https://ifis.iowafloodcenter.org/ifis/newmaps/>. The IDNR will be contacting Woodbury County to schedule a community coordination meeting (referred to as a "Consultation Coordination Officer [CCO]" meeting) to discuss the revised flood hazard information, ordinance adoption, and other frequently asked questions and concerns. After the CCO meeting, FEMA will initiate a statutory 90-day appeal period for certain communities within Woodbury County. The new FIRM and FIS report for Woodbury County will become effective at a later time to be determined estimated to be around January of 2024.

Public Comment on Matters Not on the Agenda

None.

Commissioner Comment or Inquiry

Bride asked if there have been concerns about shed/houses being built in the county. Priestley stated they go through the regular building permit process for approval and the minimum lot dimensions must be 23' x 23'. Bride and Meister stated they have received calls and comments regarding a proposed 2,500 FT setback for wind turbines. Bride pointed out that there could be issues with reverse setbacks where new homes may not be located within the setback of a preexisting wind turbine.

Staff Update

Priestley addressed possible changes to the zoning fee schedules to cover processing and printing of meeting notifications and legal notices. Certain projects may be more time consuming for staff, requiring larger amounts of mailings, and legal postings. The Board of Supervisors approve fee schedule changes through the resolution process. Priestley will bring the matter to the Board of Supervisors as an information item on July 26, 2022.

Adjourn

Motion by O'Tool. Second: Bride. 5-0. The meeting adjourned at 6:48 PM.

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 Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing 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 ____ day of _____ 2022.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Keith Radig, Chairman

Jeremy Taylor, Vice Chairman

Rocky De Witt

Matthew Ung

Justin Wright

Attest:

Patrick F. Gill, Woodbury County Auditor

Adoption Timeline: Public Hearing and 1 st Reading: Public Hearing and 2 nd Reading: Public Hearing and 3 rd Reading: Adopted: Effective:
--

ITEM ONE (1)

Property Owner(s): Mark A. Livermore and Michelle M. Livermore, 1460 Grundy Avenue, PO Box 472, Merville, IA 51039

Petitioner Applicant: Mark A. Livermore and Michelle M. Livermore, 1460 Grundy Avenue, PO Box 472, Merville, IA 51039

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, July 25, 2022, to review and make a recommendation for amendments to the 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 2.89-acres located in the NE ¼ of the SW ¼ of Section 30, T89N R44W (Arlington Township) in the County of Woodbury and State of Iowa. The property is described as

A PARCEL OF LAND LOCATED IN THE NE ¼ OF THE SW ¼ OF SECTION 30, TOWNSHIP 89 NORTH, RANGE 44 WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

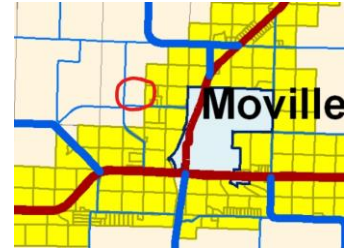
COMMENCING AT THE NORTHWEST CORNER OF THE NE ¼ OF THE SW ¼ OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 00'00" WEST 988.82 FEET ALONG THE WEST LINE OF SAID NE ¼ OF THE SW ¼; THENCE SOUTH 87 DEGREES 35'51" EAST 260.31 FEET TO THE POINT OF THE BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES 35'51" EAST 315.69 FEET; THENCE NORTH 00 DEGREES 01'20" EAST 384.44 FEET; THENCE NORTH 82 DEGREES 10'00" WEST 318.40 FEET; THENCE SOUTH 00 DEGREES 01'20" WEST 414.60 FEET TO THE POINT OF THE BEGINNING. CONTAINING 2.89 ACRES. NOTE: THE WEST LINE OF THE NE ¼ OF THE SW ¼ WAS ASSUMED TO BEAR DUE NORTH AND SOUTH.

EVALUATION CRITERIA

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:

Conformance with the goals and objectives set forth in the approved general development plan for Woodbury County including the future land use map.

The 2005 Future Land Use Map shows this area as Agriculture. The parcel is currently zoned Agricultural Preservation (AP) and the request is to change to Agricultural Estates (AE) for the purpose of a boundary adjustment with an existing AE parcel. The request conforms to the goals and objectives of the general development plan as it relates to the following land use goals:



- **Land Use Goal 1.2:** Adopt development regulations that promote efficient, stable land uses with minimum conflicts and provision of public infrastructure.
- **Land Use Goal 1.3:** Encourage development near cities by discouraging leap-frog development outside municipalities.
- **Residential Goal 5.1:** Encourage non-farm residential development to locate near cities or on existing hard surfaced roadways, particularly in areas that can be served by urban services such as public water and sewer systems.
- **Residential Goal 5.2:** Encourage residential development to locate in areas with suitable accessibility, soils, and terrain.

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

There are no conflicts with the policies and plans of other agencies.

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

The CSR2 rating for this property includes ratings of 33.85. The agricultural goal of the Woodbury County General Plan is to protect prime farmland as determined by a high corn suitability rating (e.g. over 65 CSR) from conversion to other land uses.

Summary

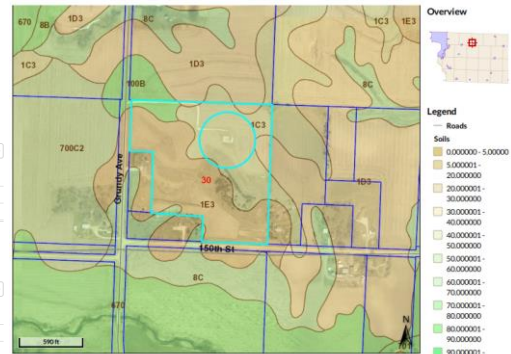
Parcel ID	894430300008
Gross Acres	26.75
ROW Acres	0.00
Gross Taxable Acres	26.75
Exempt Acres	0.00
Net Taxable Acres	26.75 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	33.85 (905.52 CSR2 Points / 26.75 Gross Taxable Acres)
Agriculture Active Config	2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	11.38	39.65	451.19	451.19
Non-Crop	15.37	29.56	454.33	360.47
Total	26.75		905.52	811.66

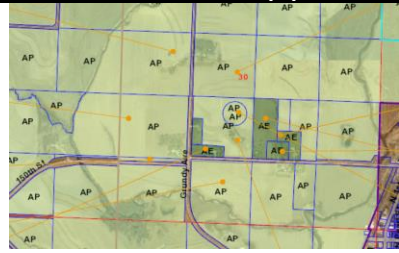
Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	100B	MONONA SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	95.00	0.87	82.65	82.65
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	4.05	234.90	234.90
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	1.24	39.68	39.68
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	5.22	93.96	93.96
Non-Crop	100B	MONONA SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	95.00	0.43	40.85	20.49
Non-Crop	8C	JUDSON SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES	84.00	0.34	29.24	15.40
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	2.98	172.84	113.30
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.16	5.12	5.00
Non-Crop	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	11.46	206.28	206.28
Total				26.75	905.52	811.66



Parcel ID: 894430300008
 Sub/Twp/Rng: 30-89-44
 Property Address: 0049
 District: N35W12 T30N S14W14 THEC E 724.95' N 256.5' W 468.27' N 545.82' W 280.5' S 534.92' & S 280.5' E 16' (EX. CIRCULAR TCT COM SW COR SE1/4 SW1/4 THEC N 2301.29' E 671.71' TO POB THEC CLOCKWISE AROUND A 250' RADIUS FOR 1370.81)
 Brief Tax Description: 0049
 Alternate ID: 865013
 Class: A
 Acreage: 26.75
 Owner Address: LIVERMORE DANIEL A
 737 LOGAN DR
 MOVILLE, IA 51039-7531
 (Note: Not to be used on legal documents)

PROPERTY OWNER(S) NOTIFICATION – 1000'



The **ten (10)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **July 9, 2022** letter of the public hearing before the Woodbury County Zoning Commission on **July 25, 2022 at 6:00 PM**.

As of **July 28, 2022**, the Community and Development office has received:

- 0 Phone Inquiries
- 0 Written Comments

The names of the property owners are listed below.

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

Property Owner(s)	Mailing Address	Comments
Daniel A. Livermore	737 Logan Dr., Merville, IA 51039-7531	No comments.
SBA Steel, LLC	8051 Congress Ave., Boca Raton, FL 33487	No comments.
Mark A. Livermore and Michelle Livermore	1460 Grundy Avenue PO Box 472, Merville, IA 51039	No comments.
Caleb J. Hancock and Lakin M. Hancock	2639 150th St., Merville, IA 51039-8027	No comments.
Charles R. Miller and Kristy Miller	2651 150th St., Merville, IA 51039	No comments.
Ronald Ruhrer, Jr. and Heidi S. Ruhrer	2663 150th St., Merville, IA 51039	No comments.
Walter H. Reinholdt and Violet M. Reinholdt	2605 Glen Ellen Road, Sioux City, IA 51106-7124	No comments.
June Arlene Corbin, Trustee, June Arlene Corbin Living Trust	2131 W. 73rd St., Tulsa, OK 74132-2221	No comments.
Brian Ragan	1471 Grundy Ave., Merville, IA 51039	No comments.
David A. Healy and Gloria M Healy, Trustees of the Joint Revocable Living Trust of David A. Healy and Gloria M. Healy	2648 150th St., Merville, IA 51039-8026	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No issues with this. – Glenn Sedivy, 6/30/22.
CENTURYLINK / LUMEN:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the proposed rezoning for MEC electric and found – No conflicts. – Casey Meinen, 6/30/22.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC gas either. – Tyler Ahlquist, 7/1/22.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	Hi Daniel- We have no comments or concerns with this re-zoning request. – Randi Prichard, 6/30/22.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 7/1/22.
NUSTAR PIPELINE:	The rezoning request does not impact our pipeline. No comments or concerns. – Matt McGee, 7/6/22.
SIUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I have no questions or comments. – Rebecca Socknat, 7/11/22.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	I have no issues. Thank you. – Diane Swoboda Peterson, 6/30/22.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comment regarding this proposal. – Neil Stockfleth, 6/30/22.

PARCEL REPORT

Summary

Parcel ID 894430300008
Alternate ID 860313
Property N/A
Address
Sec/Twp/Rng 30-89-44
Brief NESW(1/4) TCT COM SW COR THEC E 726.95' N 256.5' W 466.27' N 545.82' W 260.5' S 534.92' & S 280.5' & (EX CIRCULAR TCT COM SW COR SE 1/4 SW 1/4 THEC N 2301.29' E 671.71' TO POB THEC CLOCKWISE AROUND A 250' RADIUS FOR 1570.8')
Tax Description (Note: Not to be used on legal documents)
Deed 176-80 (7/30/1986)
Book/Page
Gross Acres 26.75
Net Acres 26.75
Adjusted CSR 811.66
Pts
Zoning AP - AGRICULTURAL PRESERVATION
District 0049 ARLINGTON/WD-C
School District WOODBURY CENTRAL
Neighborhood N/A

Owner

Deed Holder
[Livermore Daniel A](#)
[737 Logan Dr](#)
 Merville IA 51039-7531
Contract Holder
Mailing Address
 Livermore Daniel A
[737 Logan Dr](#)
 Merville IA 51039-7531

Land

Lot Area 26.75 Acres ; 1,165,230 SF

Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$20,560	\$20,560	\$19,430	\$19,430	\$28,270
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$20,560	\$20,560	\$19,430	\$19,430	\$28,270
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$20,560	\$20,560	\$19,430	\$19,430	\$28,270

SOIL REPORT

Summary

Parcel ID 894430300008
Gross Acres 26.75
ROW Acres 0.00
Gross Taxable Acres 26.75
Exempt Acres 0.00
Net Taxable Acres 26.75 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2 33.85 (905.52 CSR2 Points / 26.75 Gross Taxable Acres)
Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
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Non-Crop	15.37	29.56	454.33	360.47
Total	26.75		905.52	811.66

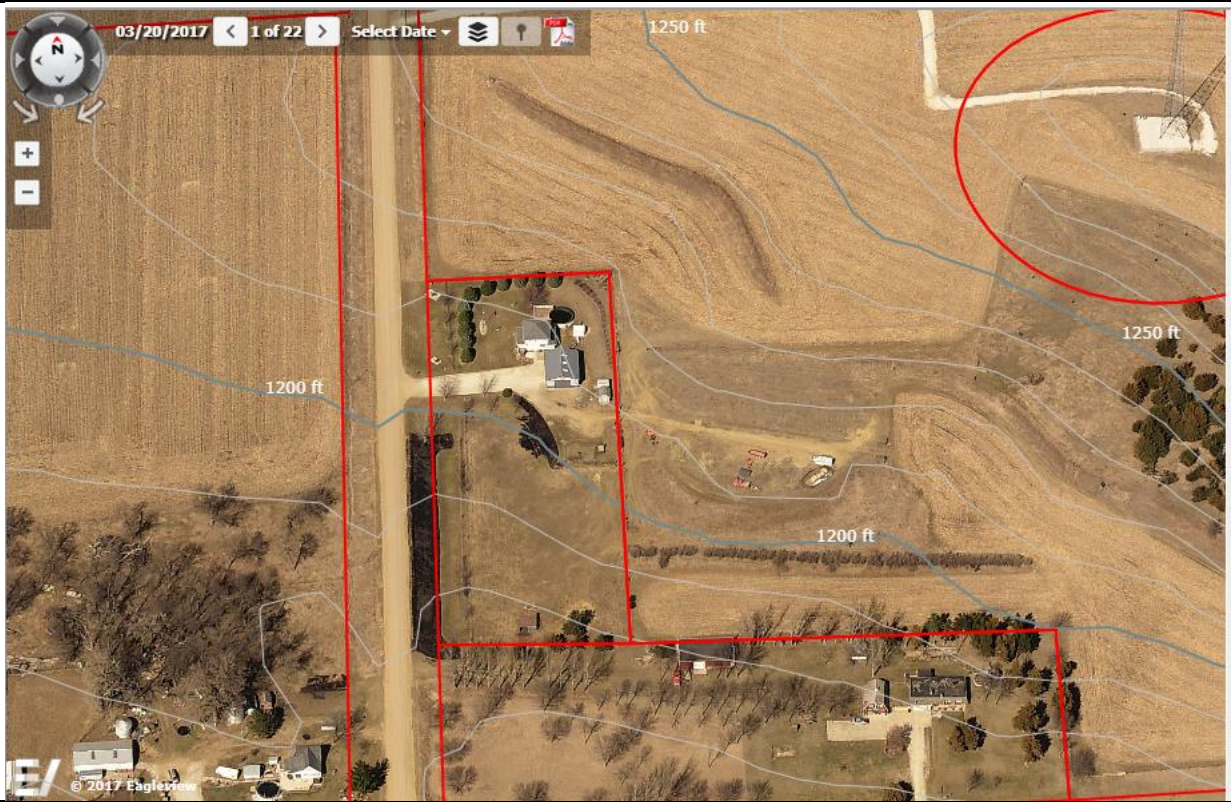
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100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	4.05	234.90	234.90
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	1.24	39.68	39.68
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	5.22	93.96	93.96
Non-Crop	100B	MONONA SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	95.00	0.43	40.85	20.49
Non-Crop	BC	JUDSON SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES	86.00	0.34	29.24	15.40
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	2.98	172.84	113.30
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.16	5.12	5.00
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Total				26.75	905.52	811.66



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Sec/Twp/Rng 30-89-44
Property Address
District 0049
Brief Tax Description NESW(1/4) TCT COM SW COR THEC E 726.95' N 256.5' W 466.27' N 545.82' W 260.5' S 534.92' & S 280.5' & (EX CIRCULAR TCT COM SW COR SE 1/4 SW 1/4 THEC N 2301.29' E 671.71' TO POB THEC CLOCKWISE AROUND A 250' RADIUS FOR 1570.8')
Alternate ID 860313
Class A
Acres 26.75
Owner Address LIVERMORE DANIEL A
 737 LOGAN DR
 MERVILLE IA 51039-7531
 (Note: Not to be used on legal documents)

ELEVATION



Document Number: 2022-07960
Recorded: 6/27/2022 at 9:47:13.0 AM
County Recording Fee: \$22.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$25.00
Revenue Tax: \$0.00
PATRICK F GILL AUDITOR & RECORDER
Woodbury County, Iowa

**WARRANTY DEED JOINT TENANCY
Recorder's Cover Sheet**

Preparer Information: W.E. (Gene) Collins, 38 First Avenue NW, Le Mars, IA 51031,
Phone: (712) 546-8844

Taxpayer Information: MARK A. LIVERMORE,
1460 Grundy Avenue, P.O. Box 472, Merville, IA 51039

Return Document To: W.E. (Gene) Collins, 38 First Avenue NW, Le Mars, IA 51031

Grantors: DANIEL A. LIVERMORE and MARY E. LIVERMORE

Grantees: MARK A. LIVERMORE and MICHELLE M. LIVERMORE

Legal Description: See Page 2

Document or instrument number of previously recorded documents:



WARRANTY DEED JOINT TENANCY

For the consideration of One Dollar(s) and other valuable consideration, DANIEL A. LIVERMORE and MARY E. LIVERMORE, husband and wife, do hereby convey to MARK A. LIVERMORE and MICHELLE M. LIVERMORE, husband and wife as joint tenants with full rights of survivorship and not as tenants in common, the following described real estate in Woodbury County, Iowa:

A parcel of land located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, Township 89 North, Range 44 West of the 5th P.M., Woodbury County, Iowa, described as follows:

Commencing at the Northwest Corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 30; thence South 00 Degrees 00'00" West 988.82 feet along the West line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence South 87 Degrees 35'51" East 260.31 feet to the point of beginning; thence continuing South 87 Degrees 35'51" East 315.69 feet; thence North 00 Degrees 01' 20" East 384.44 feet; thence North 82 Degrees 10'00" West 318.40 feet; thence South 00 Degrees 01'20" West 414.60 feet to the point of beginning. Containing 2.89 Acres.

NOTE: The West line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ was assumed to bear due North and South.

There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code Section 558.69, and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement.

This deed is exempt according to Iowa Code 428A.2(21).

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: 6-24-22, 2022.

Daniel A. Livermore
DANIEL A. LIVERMORE, Grantor

Mary E. Livermore
MARY E. LIVERMORE, Grantor

STATE OF IOWA, COUNTY OF Woodbury; SS:

This record was acknowledged before me on 6-25-2022, 2022, by DANIEL A. LIVERMORE and MARY E. LIVERMORE, husband and wife.

W E Collins
Signature of Notary Public



W.E. Collins
Commission No. 168337
My Commission Expires
February 8, 2023



OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance
Section 2.02(4)
Page 1 of 8

Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:	Applicant Information:
Owner <u>MARK A + Michelle M. Luciani</u>	Applicant _____
P.O. Box <u>472</u>	Address <u>SAME</u>
Address <u>1468 Grundy Ave</u>	_____
<u>Mos. 11E Iowa 51039</u>	_____
Phone <u>712 870-4089</u>	Phone _____

Engineer/Surveyor Schlafeldt Engineering Phone 712 546 8118

Property Information: Survey Attached

Property Address or Address Range 2.89 acres NE 1/4 SW 1/4 Sec 30-89-44

Quarter/Quarter NE 1/4 SW 1/4 Sec 30 Twnshp/Range 89-44

Parcel ID # 894430300 or GIS # _____ Total Acres 2.89

Current Use Agricultural Preservation Proposed Use Agricultural Enterprise

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) CSRI 811.66

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 April 27, 2022 Staff present Don Parley

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 (X) Mark A Luciani Applicant (X) Michelle M Luciani

Date 6/24/22 Date 6-24-22

Fee: \$400 Case #: 6780

Check #: 26049

Receipt #: _____



Supplemental Explanation

As further explanation of the rezoning application have acquired the 2.89 unimproved parcel from Mark Livermore's father. The parcel is adjoining our existing acreage and we desire to consolidate/merge our existing acreage with the newly acquired parcel.

Presently the 2.89 parcel is zoned Agriculture Preservation and we wish to rezone it to Agricultural Estates to mirror our existing zoning.

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

Date: 7/28/22 Weekly Agenda Date: 8/2/22 4:45

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dan Priestley, CED Zoning Coordinator

WORDING FOR AGENDA ITEM:

- a. Motion to receive the Zoning Commission's recommendation from their 7/25/22 meeting to approve the final plat of The Evergreens Addition, a Minor Subdivision.
- b. Motion to approve the The Evergreens Addition, minor subdivision final plat with the condition that a 60/40 pavement agreement with Woodbury County be signed and recorded.

ACTION REQUIRED:

- | | | |
|--|--|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input checked="" 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 will receive the Woodbury County Planning and Zoning (P&Z) Commission's recommendation and final staff report on said plat and shall 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:

Wendel Real Estate LLC has filed for a two-lot minor subdivision on the property as referenced above. The purpose is to establish two lots. The first lot will include 13.12 total acres while the second lot will include 11.79 total acres. The proposal has been properly noticed in the Sioux City Journal Legals Section on July 9, 2022. The neighbors within 1000 FT have been duly notified via a July 9, 2022 letter about the July 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access, and recommended that a pavement agreement be included for consistency as the subdivision across the street (Bakers Acres) to the west is subject to a pavement agreement. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. There are no wells or septic systems on the lots. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. At the July 25, 2022 meeting of the Woodbury County Zoning Commission, following a public hearing, the Commissioners voted 5-0 to recommend acceptance and approval of The Evergreens Addition minor subdivision proposal with the condition that either an 80/20 or a 60/40 pavement agreement be signed with Woodbury County. Staff recommends acceptance and approval of this minor subdivision proposal with the condition that a 60/40 pavement agreement be signed with Woodbury County.

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:

Receive the final staff report and P&Z Commission's recommendation from their 7/25/22 meeting.
Approve the plat with the condition that a 60/40 pavement agreement with Woodbury County be recorded and authorize the Chairman to sign the resolution.

ACTION REQUIRED / PROPOSED MOTION:

Motion to receive the final staff report and P&Z Commission's recommendation from their 7/25/22 meeting.
Motion to approve The Evergreens Addition, final plat with the condition that a 60/40 pavement agreement with Woodbury County be recorded and authorize the Chairman to sign the resolution.



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

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

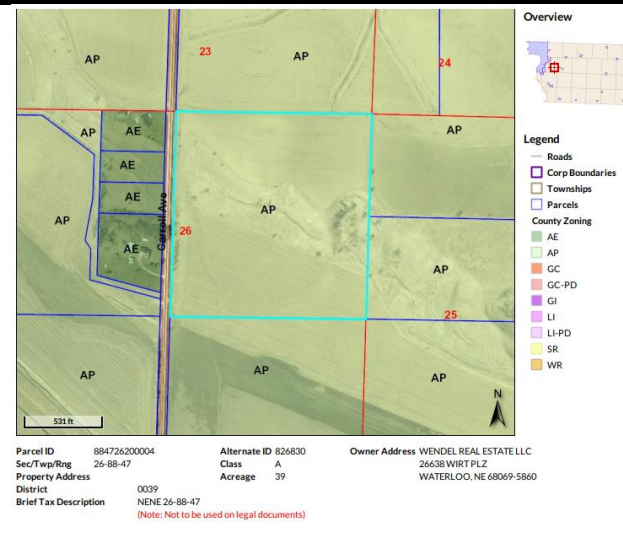
**THE EVERGREENS ADDITION - MINOR SUBDIVISION PROPOSAL
FINAL REPORT – 7/28/22**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
Owner(s): Wendel Real Estate LLC Application Type: Minor Subdivision (2 Lots) Subdivision Name: The Evergreens Addition Application Date: June 30, 2022 (Received June 30, 2022) Subdivision Area: 24.91 Total Acres (2 Lots), Lot 1 – 13.12 Total Acres; Lot 2 – 11.79 Total Acres. Legal Notice Date: July 9, 2022 Stakeholders (1000') Letter Date: July 9, 2022 Zoning Commission Public Hearing Date: July 25, 2022 Board of Supervisors Review Date: August 2, 2022	Parcel(s): 884726200004 Township: T88N R47W (Woodbury) Section: 26 Quarter: NE ¼ of the NE ¼ Zoning District: Agricultural Preservation (AP) Floodplain District: Zone X (Not in SFHA) Address: No assigned address.	<input type="checkbox"/> Summary, Aerial & Plat Excerpt, Recommendation <input type="checkbox"/> Application <input type="checkbox"/> Final Plat <input type="checkbox"/> Review Criteria <input type="checkbox"/> Extraterritorial Review <input type="checkbox"/> Legal Notification <input type="checkbox"/> Adjacent Owners' Notification <input type="checkbox"/> Stakeholder Comments <input type="checkbox"/> Supporting Documentation

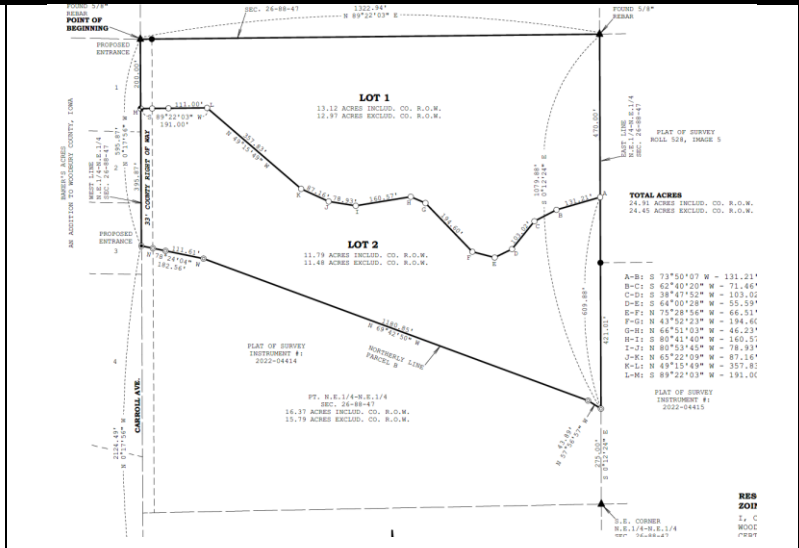
SUMMARY

Wendel Real Estate LLC has filed for a two-lot minor subdivision on the property as referenced above. The purpose is to establish two lots. The first lot will include 13.12 total acres while the second lot will include 11.79 total acres. The proposal has been properly noticed in the Sioux City Journal Legals Section on July 9, 2022. The neighbors within 1000 FT have been duly notified via a July 9, 2022 letter about the July 25, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access, and recommended that a pavement agreement be included for consistency as the subdivision across the street (Bakers Acres) to the west is subject to a pavement agreement. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. There are no wells or septic systems on the lots. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. At the July 25, 2002 meeting of the Woodbury County Zoning Commission, following a public hearing, the Commissioners voted 5-0 to recommend acceptance and approval of The Evergreens Addition minor subdivision proposal with the condition that either an 80/20 or a 60/40 pavement agreement be signed with Woodbury County. Staff recommends acceptance and approval of this minor subdivision proposal with the condition that a 60/40 pavement agreement be signed with Woodbury County.

AERIAL MAP



PLAT EXCERPT



ZONING COMMISSION AND STAFF RECOMMENDATION

At the July 25, 2002 meeting of the Woodbury County Zoning Commission, following a public hearing, the Commissioners voted 5-0 to recommend acceptance and approval of *The Evergreens Addition* minor subdivision proposal with the condition that either an 80/20 or a 60/40 pavement agreement be signed with Woodbury County.

Staff recommends acceptance and approval of this minor subdivision proposal with the condition that a 60/40 pavement agreement be signed with Woodbury County.

Minutes - Woodbury County Zoning Commission Meeting – July 25, 2022

The Zoning Commission (ZC) meeting convened on the 25th of July at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Barb Parker, Corey Meister, Jeff O'Tool
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Gary Walters, Scott & Sandra Wendel, Elbert & Sandy Baker, Dick & Cindy Speed
Telephone: Mark Livermore

Call to Order

Chair Chris Zellmer Zant formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

None.

Approval of Previous Meeting Minutes – June 27, 2022

Parker motioned. Second: O'Tool 5-0.

Public Hearing: The Evergreens Addition - Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Wendel Real Estate LLC has filed an application for a two-lot minor subdivision. The purpose is to establish two lots. The first lot will include 13.12 total acres while the second lot will include 11.79 total acres. The proposal has been properly noticed in the Sioux City Journal Legals Section on July 9, 2022. The neighbors within 1000 FT have been duly notified via a July 9, 2022, letter about the July 25, 2022, Zoning Commission Public Hearing. Appropriate stakeholders including government agencies utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access and recommended that a pavement agreement be included for consistency as the subdivision across the street (Bakers Acres) to the west is subject to a pavement agreement. Extraterritorial review, as required by Iowa code 354.9, was not required as this property is further than two (2) miles from an unincorporated jurisdiction. The property is not located in the floodplain. There are no wells or septic systems on the lots. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends acceptance and approval of the minor subdivision proposal with the condition that either an 80/20 or a 60/40 pavement agreement be signed with Woodbury County. Sandra Wendel explained the reason for the subdivision, they sold the farm and kept northern 13 acres, then realized the division triggered a subdivision. The middle lot will be donated for conservation purposes. It contains rare species of prairie plants that will be preserved and used to repopulate other areas. Motion to close public hearing: Bride. Second: Parker. Motion approved 5-0. Motion to recommend acceptance and approval of The Evergreens Addition final plat to the Board of Supervisors with the condition that either an 80/20 or a 60/40 pavement agreement be signed with Woodbury County as determined by the Board of Supervisors by O'Tool. Second: Parker. Motion approved 5-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezone) from AP to AE Proposal – Mark A. Livermore and Michelle M. Livermore.

Priestley read the preliminary report and staff recommendation into the record. Mark A. Livermore and Michelle M. Livermore have filed an application for a zoning ordinance map amendment (rezone) on property currently zoned Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of completing a boundary adjustment to add 2.89 acres to their abutting property identified as Parcel #894430300004 which is already in the AE Zoning District. The two Parcels must in the same zoning district before the Woodbury County Assessor can combine two into one. This proposal has been properly noticed in the Sioux City Journal Legals Section on July 9, 2022. The neighbors within 1000 FT have been duly notified via a July 9, 2022, letter about the July 25, 2022, Zoning Commission public hearing and have been requested to comment. As of July 20, 2022, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the AE Zoning District. Motion to close the public hearing: Parker. Second: O'Tool. Motion approved 5-0. Motion to recommend acceptance and approval of the zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estate (AE) Zoning District to the Woodbury County Board of Supervisors by Parker. Second: Bride. Motion approved 5-0.

Information/Discussion: Draft FEMA Special Flood Hazard Area Maps

The Federal Emergency Management Agency (FEMA) and the Iowa Department of Natural Resources (IDNR) have been working to update the floodplain maps also known as the Flood Insurance Rate Maps (FIRMS) and the Flood Insurance Study (FIS) for the State of Iowa. Initially, a preliminary product for Woodbury County was sent out in November of 2020. However, since that time, FEMA/IDNR have determined the necessity to reissue the preliminary FIRMS and FIS due to a mislabeling issue concerning the Base Flood Elevation (BFE) lines. The preliminary products are available in digital format, which can be viewed at: www.fema.gov/preliminaryfloodhazarddata and <https://ifis.iowafloodcenter.org/ifis/newmaps/>. The IDNR will be contacting Woodbury County to schedule a community coordination meeting (referred to as a "Consultation Coordination Officer [CCO]" meeting) to discuss the revised flood hazard information, ordinance adoption, and other frequently asked questions and concerns. After the CCO meeting, FEMA will initiate a statutory 90-day appeal period for certain communities within Woodbury County. The new FIRM and FIS report for Woodbury County will become effective at a later time to be determined estimated to be around January of 2024.

Public Comment on Matters Not on the Agenda

None.

Commissioner Comment or Inquiry

Bride asked if there have been concerns about shed/houses being built in the county. Priestley stated they go through the regular building permit process for approval and the minimum lot dimensions must be 23' x 23'. Bride and Meister stated they have received calls and comments regarding a proposed 2,500 FT setback for wind turbines. Bride pointed out that there could be issues with reverse setbacks where new homes may not be located within the setback of a preexisting wind turbine.

Staff Update

Priestley addressed possible changes to the zoning fee schedules to cover processing and printing of meeting notifications and legal notices. Certain projects may be more time consuming for staff, requiring larger amounts of mailings, and legal postings. The Board of Supervisors approve fee schedule changes through the resolution process. Priestley will bring the matter to the Board of Supervisors as an information item on July 26, 2022.

Adjourn

Motion by O'Tool. Second: Bride. 5-0. The meeting adjourned at 6:48 PM.

ZONING COMMISSION RESOLUTION

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 THE EVERGREENS ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 25th DAY OF July, 2022 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 28 DAY OF July, 2022

Thomas A. Bride Vice Chair

CHRIS ZELLMER ZANT

CHAIRMAN

WOODBURY COUNTY ZONING COMMISSION OF
WOODBURY COUNTY, IOWA

By *Thomas Bride, Vice Chair*

WOODBURY COUNTY, IOWA
MINOR SUBDIVISION APPLICATION

Applicant: WENDEL REAL ESTATE, L.L.C. (SANDRA WENDEL)
Name of Owner

Mailing Address: 26638 WIRT PLAZA WATERLOO NE 68069
Street City or Town State and Zip + 4

Property Address: NO ADDRESS - PARCEL 8847260004
Street City or Town State and Zip + 4

Ph/Cell #: 402 850-9995 E-mail Address: SANDRA@SANDRAWENDEL.COM

To subdivide land located in the NE-NE Quarter of Section 26

Civil Township WOODBURY GIS Parcel # 8847260004

Name of Subdivision: THE EVERGREENS ADDITION

Subdivision Area in Acres 24.91 AC Number of Lots 2

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 FAGAN Ph/Cell: 712 539-1471

Attorney: RYAN ROSS Ph/Cell: 712 224-7585

OWNERS

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Alan Fagan
Sandra Wendel

Owner's Signature: [Signature]
ALAN FAGAN FOR OWNER

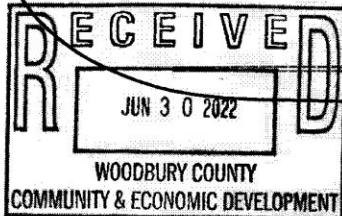
Zoning Director: [Signature]

For Office Use Only:

Zoning District AP Flood District X Date _____ No. 6782

Application Fee 4 Lots or less (\$200) \$200 - CL# 12901 6-30-22

5 Lots or more (\$250 plus \$5 per lot) _____



ALVERN SCOTT WENDEL III
SANDRA WENDEL

	Staff have received written confirmation that the County Engineer has reviewed and determined that the final plat conforms to the engineering and design standards of these regulations, and he has verified the accuracy of the legal descriptions and survey data.
	shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff recommends acceptance and approval of this minor subdivision proposal with the condition that either a 80/20 or a 60/40 pavement agreement be signed with Woodbury County.

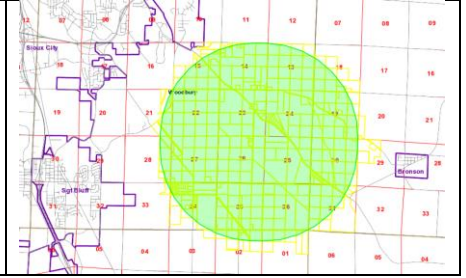
ZONING COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE)

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, the Planning and Zoning Commission:

	shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing. The Commission also held a public hearing to review, analyze, and discuss the final plat and other relevant information.
	may recommend specific conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties; and
	Staff recommends acceptance and approval of this minor subdivision proposal with the condition that either a 80/20 or a 60/40 pavement agreement be signed with Woodbury County.
	shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors 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. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.

EXTRATERRITORIAL REVIEW

This property is greater than two (2) miles from any incorporated jurisdictions and does not require extraterritorial review under Iowa Code, Section 354.9.



LEGAL NOTIFICATION

Published in the Sioux City Journal's Legals Section on **July 9, 2022**.

NOTICE REGARDING PUBLIC HEARINGS FOR A ZONING ORDINANCE MAP AMENDMENT (ZONING MAP FOR A WOODBURY COUNTY ZONING COMMISSION

The Woodbury County Zoning Commission will hold public hearings on the following items hereafter described in detail on July 25, 2022 at 6:00 PM, or as soon thereafter as the matter may be considered. Said hearings will be held in the board of supervisors meeting room, Number 104, County Courthouse, 600 Douglas Street, Sioux City, Iowa. Copies of said items may be examined at the office of the Woodbury County Engineer, Office of Economic Development, on the 6th floor of said courthouse by any interested persons. All persons who wish to be heard in respect to this matter should appear at the aforesaid hearing at Cedar or East I.D. 515 721 4594 during the meeting to listen or comment.

Item One (1)

Pursuant to Section 335 of the Code of Iowa the Woodbury County Zoning Commission will hold public hearings to consider map amendments (zoning) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Areas of Woodbury County, Iowa by Mark A. Livermore and Michelle M. Livermore to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 2.89-acres located in the NE ¼ of the SW ¼ of Section 30, T89N, R14W, Range 14 West of the 1st Meridian, State of Iowa. The property is described as A PARCEL OF LAND LOCATED IN THE NE ¼ OF THE SW ¼ OF SECTION 30, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 1ST MERIDIAN, STATE OF IOWA, COMMENCING AT THE NORTHWEST CORNER OF THE NE ¼ OF THE SW ¼ OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 00'00" WEST 988.2 FEET ALONG THE THENCE SOUTH 87 DEGREES 57'00" WEST 280.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES 35'51" EAST 315.69 FEET; THENCE NORTH 00 DEGREES 00'00" WEST 100 FEET TO THE WEST 318.40 FEET; THENCE SOUTH 10 DEGREES 01'29" WEST 414.89 FEET TO THE POINT OF BEGINNING; NOTE THE WEST 1/4 OF SECTION 30 IS 100 FEET WIDE AND ASSUMED TO BEAR DUE NORTH AND SOUTH.

Owner/Applicant: Mark A. Livermore and Michelle M. Livermore, 450 Gundy Avenue, PO Box 472, Moline, IA 51098

PROPOSED MINOR SUBDIVISION. To be known as The Evergreens Addition, - a two-lot minor subdivision in a 24.91-acre portion of Section 26, NE ¼ of the NE ¼ of Woodbury Township in the NE ¼ of the NE ¼ of Section 26, T89N, R14W, Range 14 West of the 1st Meridian, State of Iowa, about 2.7 miles northeast of Sioux City, about 2.7 miles west of Sergeant Bluff, and 2.7 miles west of Boone. The property is located in the Agricultural Preservation (AP) Zoning District. The property is owned by Cedar East LLC, 26558 Wirt Plz., Waterloo NE 68069-5860

NOTICE OF PUBLIC HEARINGS TO CONSIDER AMENDMENT NO. 1 TO THE PROPOSED RESTATED COMBINED CENTRAL SIOUX CITY -CBD URBAN RENOVATION PLAN FOR THE COMBINED CENTRAL SIOUX CITY -CBD URBAN RENOVATION PROJECT AREA OF THE CITY OF SIOUX CITY, IOWA.

The City of Sioux City, Iowa, will hold a public hearing before held at its meeting which commences at 4:00 P.M., July 18, 2022 in the Council Chambers, 5th Floor, City Hall, 425 Sixth Street, Sioux City, Iowa to consider adoption of the proposed Restated Combined Central Sioux City -CBD Urban Renewal Plan (the "Amended Plan") for the existing Combined Central Area ("Project Area"). A copy of the proposed plan for public inspection is in the office of the City Clerk, City Hall, 425 Sixth Street, Sioux City, Iowa.

The purpose of the proposed Amendment No. 1 to the Amended Plan is to further update the Restated Combined Central Area Urban Renewal Plan to reflect current City objectives, planning initiatives and program activities for the Project Area.

The general scope of the urban renewal activities under consideration in Amendment No. 1 to the Amended Plan is to provide for and enter into development agreements for new development and the redevelopment of existing commercial buildings and land for commercial, residential and mixed-use purposes in order to encourage investment in the Project Area and to provide for other activities that may involve grants, rebates, loans or other incentives funded by tax increment financing.

Specifically, Amendment No. 1 to the Amended Plan addresses the following proposed urban renewal activities:

- Financial assistance for the development of the property located at 600 Floyd Boulevard, Sioux City, Woodbury County, Iowa;
- Financial assistance for the redevelopment of the property located at 801 5th Street, Sioux City, Woodbury County, Iowa;
- Other activities that may be deemed to be in the public interest.

Any person or organization desiring to be heard at such hearing

This Notice is given by order of the City Council of Sioux City, Iowa, as provided by Section 361.1 of the Iowa Code, effective July 1, 2022. Dated this 13th day of June, 2022.

Lea L. McCasade, City Clerk, Sioux City, Iowa

NOTICE OF SHERIFFS LEVY AND SALE

CASE NO. 2022-00000

WILMINGTON SAVINGS FUND SOCIETY, FSB, DEBRA CHRISTINA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR CARLSBAD FUNDING MORTGAGE TRUST, PLAINTIFF

ANGELA A. MEOCHIOFF STOKES, SPOUSE OF ANGELA A. MEOCHIOFF STOKES, IOWA DEPARTMENT OF HUMAN SERVICES, AND AMERICAN GENERAL FINANCIAL SERVICES, INC., DEFENDANTS

As a result of the judgment rendered in the

PROPERTY OWNER(S) NOTIFICATION – 1000'



The **seven (7)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **July 9, 2022** letter of the public hearing before the Woodbury County Zoning Commission on **July 25, 2022**.

As of **July 21, 2022**, the Community and Development office has received:

- 0 Phone Inquiries
- 0 Written Comments

The names of the property owners are listed below.

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

Property Owner(s)	Mailing Address	Comments
Wendel Real Estate, LLC	26638 Wirt Plz Waterloo NE 68069-5860	No comments.
Bradley R. Jochum, Angela M. Jochum, Timothy Ryan McWilliams, Stacey L. McWilliams	2498 Carroll Ave. Salix IA 51052	No comments.
Jimmie Lee Colyer and Renee T. Colyer	1650 Old Hwy 141 Sgt. Bluff IA 51054	No comments.
Elbert J. Baker and Sandra K. Baker	1997 Carroll Ave. Sgt. Bluff IA 51054	No comments.
Richard G. Speed and Cindy S. Speed	2009 Carroll Ave. Sgt. Bluff IA 51054	No comments.
Bryan L. Waddell	1732 Old Hwy 141 Sgt. Bluff IA 51054	No comments.
Frances E. Waddell Trust c/o James Waddell	3183 S. Tyler Court Sioux Falls SD 57103-6562	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LOESS HILLS PROGRAM:	No comments.
LOESS HILLS NATIONAL SCENIC BYWAY:	After reviewing the application and its location, I don't believe that we need to submit an opinion letter either way for this application. Thank you for providing us with the opportunity though! – Rebecca Castle Laughlin, 7/15/22.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the proposed minor subdivision for MEC electric and found no conflicts. – Casey Meinen, 7/1/22.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC "Gas" for this request either. – 7/1/22.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	We have no comments or concerns on the attached proposal. – Randi Prichard, 7/5/22.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. Thanks. – Jeff Zettel, 7/5/22.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I have no questions or comments. – Rebecca Socknat, 7/11/22.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	SEE REVIEW MEMO BELOW.
WOODBURY COUNTY RECORDER:	I see no issues. Thank you. – Diane Swoboda Peterson, 7/1/22.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD wishes to ensure that if any construction occurs on these lots, Woodbury County is aware that this area is the front range of the Loess Hills landform and a unique area of Iowa's natural resource heritage. Lot 2 in particular is quite steep and is best suited to remain vegetated. – Neil Stockfleth, 7/5/22.
WOODBURY COUNTY TREASURER:	The taxes have been paid in full. – Kim Koepke, 7/1/22.

REVIEW MEMO - WOODBURY COUNTY ENGINEER – MARK NAHRA, PE



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

From: Mark J. Nahra, County Engineer

Date: July 7, 2022

Subject: The Evergreens Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated June 30, 2022.

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. Driveways have been approved and permitted to provide access to lots 1 and 2 at the locations noted on the plat. Construction of the driveways is expected this summer.
- I note that the subdivision across the road from the Evergreens Addition has a paving agreement in place. While I cannot foresee the growth in traffic on this road that would justify paving based on current traffic levels, for consistency the same paving agreement should be applied to properties on both sides of the road, should the need for paving ever be experienced due to additional development along the road. Capturing paving agreements on record at the time of platting assures that those who create the need for paving through subdivision and development participate in the cost of road improvements.
- 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

**AGREEMENT TO IMPOSE COVENANT
BASED UPON LINEAL LOT FRONTAGE**

The undersigned, *Wendel Real Estate LLC*, the owner(s) of the real estate known as *The Evergreens Addition*, an Addition to Woodbury County, Iowa, and legally described as follows:

Lots One (1) and Two (2) of *The Evergreens Addition*, subdivision of Part of Section Twenty-Six (26), Township Eighty-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 Plat of *The Evergreens Addition*, Subdivision, I/we agree as follows:

1. To impose a recorded covenant on *Carroll Avenue* agreeing to an assessment on said Lots in event *Carroll Avenue* 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 *Carroll Avenue*. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Lots in *The Evergreens 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 on the basis of the number of lineal feet on which each Lot abuts said roadway(s) and the respective Lot owners shall have the responsibility for the assessment only on the lot(s) within the Subdivision he/she or it may own.
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 *The Evergreens Addition* Subdivision, then the lower amount shall be assessed against said lots.
5. This Agreement to Impose Covenant shall be binding upon the respective successors, heirs, administrators, executors and assigns of the parties.

Dated this _____ day of _____, 20 ____.

Wendel Real Estate, L.L.C., by:

By: Alvern Scott Wendel, III

Its: Manager

On this ___ day of _____ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Wendel Real Estate, L.L.C., an Iowa limited liability company, by Alvern Scott Wendell, III, its Manager** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Wendel Real Estate, L.L.C. , an Iowa limited liability company, by Alvern Scott Wendell, III, its Manager** executed the same as a voluntary act and deed.

Public in and for said County

Notary

Seal or stamp above

EXHIBIT A

PART OF THE N.E.1/4 OF THE N.E.1/4 OF SECTION 26, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF SAID N.E.1/4 OF THE N.E.1/4; THENCE N.89°22'03"E. ALONG THE NORTH LINE OF SAID N.E.1/4 OF THE N.E.1/4 FOR 1322.94 FEET TO THE N.E. CORNER OF SAID N.E.1/4 OF THE N.E.1/4; THENCE S.0°12'24"E. ALONG THE EAST LINE OF SAID N.E.1/4 OF THE N.E.1/4 FOR 1079.88 FEET TO THE NORTHERLY LINE OF PARCEL B DESCRIBED ON A PLAT OF SURVEY RECORDED ON INSTRUMENT #: 2022-04414 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE N.57°56'57"W. ALONG SAID NORTHERLY LINE FOR 43.89 FEET; THENCE N.69°42'50"W. ALONG SAID NORTHERLY LINE FOR 1180.85 FEET; THENCE N.78°24'04"W. ALONG SAID NORTHERLY LINE FOR 182.56 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL B AND THE WEST LINE OF SAID N.E.1/4 OF THE N.E.1/4; THENCE N.0°17'56"W. ALONG SAID WEST LINE FOR 595.87 FEET TO THE POINT OF BEGINNING. CONTAINING 24.91 ACRES INCLUDING COUNTY RIGHT OF WAY AND 24.45 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS. NOTE: THE WEST LINE OF SAID N.E.1/4 OF THE N.E.1/4 IS ASSUMED TO BEAR N.0°17'56"W.

**AGREEMENT TO IMPOSE COVENANT
BASED UPON LINEAL LOT FRONTAGE**

The undersigned, *Wendel Real Estate LLC*, the owner(s) of the real estate known as *The Evergreens Addition*, an Addition to Woodbury County, Iowa, and legally described as follows:

Lots One (1) and Two (2) of *The Evergreens Addition*, subdivision of Part of Section Twenty-Six (26), Township Eighty-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 Plat of *The Evergreens Addition*, Subdivision, I/we agree as follows:

1. To impose a recorded covenant on *Carroll Avenue* agreeing to an assessment on said Lots in event *Carroll Avenue* 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 sixty percent (60%) of the total actual cost of the Improvement to the centerline of *Carroll Avenue*. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Lots in *The Evergreens Addition* Subdivision will be a maximum of thirty percent (30%) of the total actual cost of the improvements abutting said lots.
3. The collective assessment shall be individually prorated to each of the Lots on the basis of the number of lineal feet on which each Lot abuts said roadway(s) and the respective Lot owners shall have the responsibility for the assessment only on the lot(s) within the Subdivision he/she or it may own.
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 *The Evergreens Addition* Subdivision, then the lower amount shall be assessed against said lots.
5. This Agreement to Impose Covenant shall be binding upon the respective successors, heirs, administrators, executors and assigns of the parties.

Dated this _____ day of _____, 20 ____.

Wendel Real Estate, L.L.C., by:
By: Alvern Scott Wendel, III
Its: Manager

On this ___ day of _____ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Wendel Real Estate, L.L.C., an Iowa limited liability company, by Alvern Scott Wendell, III, its Manager** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Wendel Real Estate, L.L.C. , an Iowa limited liability company, by Alvern Scott Wendell, III, its Manager** executed the same as a voluntary act and deed.

Public in and for said County

Notary

Seal or stamp above

EXHIBIT A

PART OF THE N.E.1/4 OF THE N.E.1/4 OF SECTION 26, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF SAID N.E.1/4 OF THE N.E.1/4; THENCE N.89°22'03"E. ALONG THE NORTH LINE OF SAID N.E.1/4 OF THE N.E.1/4 FOR 1322.94 FEET TO THE N.E. CORNER OF SAID N.E.1/4 OF THE N.E.1/4; THENCE S.0°12'24"E. ALONG THE EAST LINE OF SAID N.E.1/4 OF THE N.E.1/4 FOR 1079.88 FEET TO THE NORTHERLY LINE OF PARCEL B DESCRIBED ON A PLAT OF SURVEY RECORDED ON INSTRUMENT #: 2022-04414 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE N.57°56'57"W. ALONG SAID NORTHERLY LINE FOR 43.89 FEET; THENCE N.69°42'50"W. ALONG SAID NORTHERLY LINE FOR 1180.85 FEET; THENCE N.78°24'04"W. ALONG SAID NORTHERLY LINE FOR 182.56 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL B AND THE WEST LINE OF SAID N.E.1/4 OF THE N.E.1/4; THENCE N.0°17'56"W. ALONG SAID WEST LINE FOR 595.87 FEET TO THE POINT OF BEGINNING. CONTAINING 24.91 ACRES INCLUDING COUNTY RIGHT OF WAY AND 24.45 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS. NOTE: THE WEST LINE OF SAID N.E.1/4 OF THE N.E.1/4 IS ASSUMED TO BEAR N.0°17'56"W.

PARCEL REPORT

Summary

Parcel ID 884726200004
Alternate ID 826830
Property Address N/A
Sec/Twp/Rng 26-88-47
Brief Tax Description NENE 26-88-47
(Note: Not to be used on legal documents)
Deed Book/Page [576-1583 \(2/13/2003\)](#)
Gross Acres 39.00
Net Acres 39.00
Adjusted CSR Pts 1922.44
Zoning AP - AGRICULTURAL PRESERVATION
District 0039 WOODBURY/SB/L
School District SGT BLUFF LUTON
Neighborhood N/A

Owner

Deed Holder
[Wendel Real Estate LLC](#)
[26638 Wirt Plz](#)
 Waterloo NE 68069-5860
Contract Holder
Mailing Address
 Wendel Real Estate LLC
 26638 Wirt Plz
 Waterloo NE 68069-5860

Land

Lot Area 39.00 Acres; 1,698,840 SF

Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$48,680	\$48,680	\$46,000	\$46,000	\$66,960
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$48,680	\$48,680	\$46,000	\$46,000	\$66,960
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$48,680	\$48,680	\$46,000	\$46,000	\$66,960

SOIL REPORT

Summary

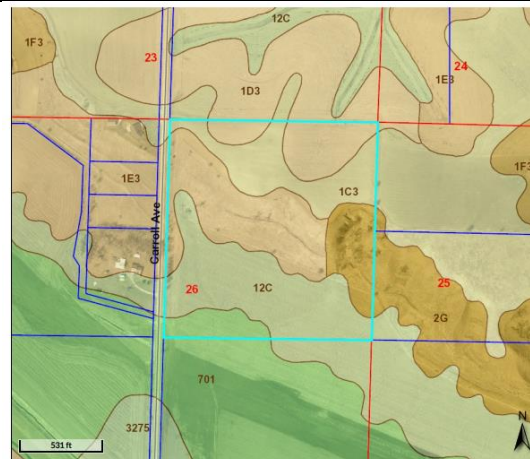
Parcel ID 884726200004
Gross Acres 39.00
ROW Acres 0.00
Gross Taxable Acres 39.00
Exempt Acres 0.00
Net Taxable Acres 39.00 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2 50.01 (1950.28 CSR2 Points / 39 Gross Taxable Acres)
Applied Active Coring 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	27.32	63.39	1,731.81	1,731.81
Non-Crop	11.68	18.70	218.47	190.63
Total	39.00		1,950.28	1,922.44

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	FAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	11.20	996.80	996.80
100% Value	701	WILSEY SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODED	79.00	2.17	171.43	171.43
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	6.39	370.62	370.62
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	4.62	147.84	147.84
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	2.34	42.12	42.12
100% Value	2G	HAMBURG SILT LOAM, 40 TO 75 PERCENT SLOPES	5.00	0.60	3.00	3.00
Non-Crop	12C	FAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.56	49.84	25.80
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.19	11.02	7.22
Non-Crop	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	7.92	142.56	142.56
Non-Crop	2G	HAMBURG SILT LOAM, 40 TO 75 PERCENT SLOPES	5.00	3.01	15.05	15.05
Total			39.00		1,950.28	1,922.44



Overview



- 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
 - Corp Boundaries
 - Townships
 - Parcels

Parcel ID 884726200004 **Alternate ID** 826830 **Owner Address** WENDEL REAL ESTATE LLC
Sec/Twp/Rng 26-88-47 **Class** A **Property Address** 26638 WIRT PLZ
Property Address N/A **Acres** 39 **Waterloo, NE 68069-5860**
District 0039
Brief Tax Description NENE 26-88-47
(Note: Not to be used on legal documents)

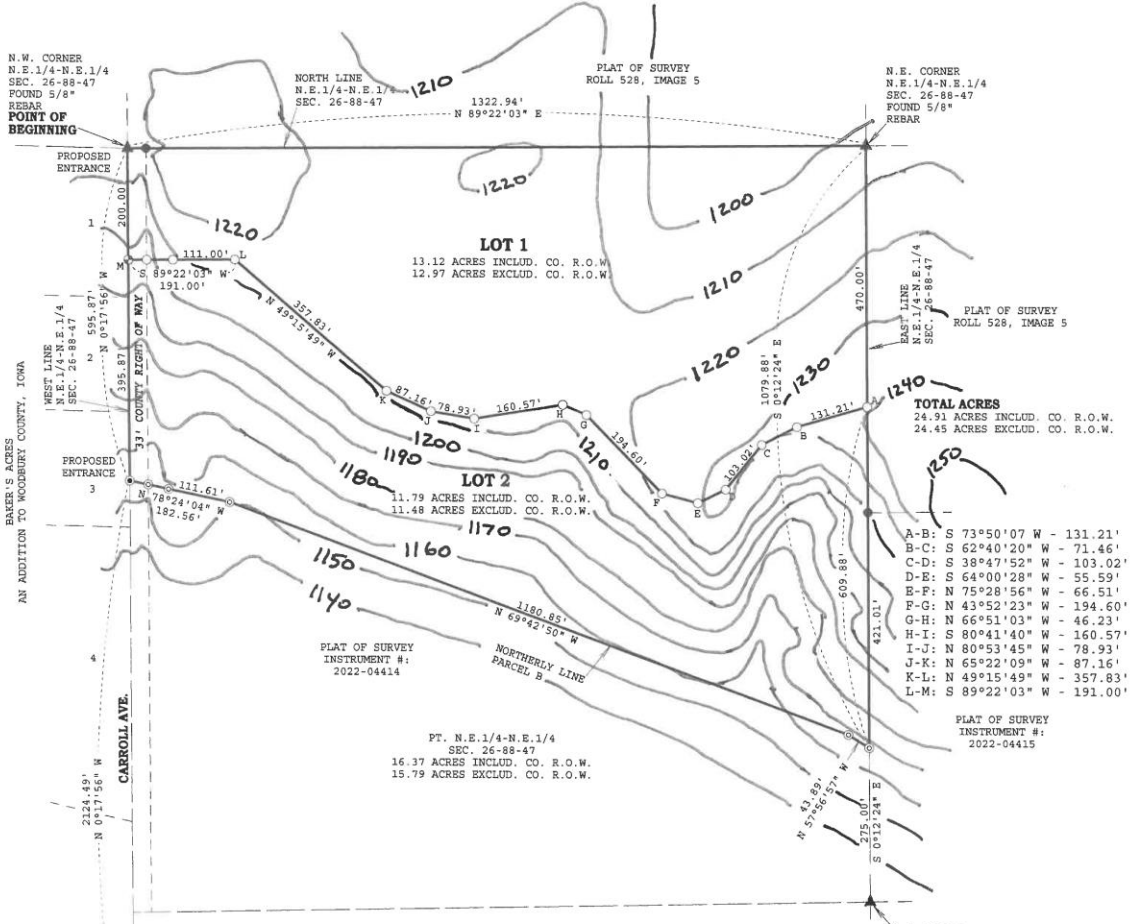
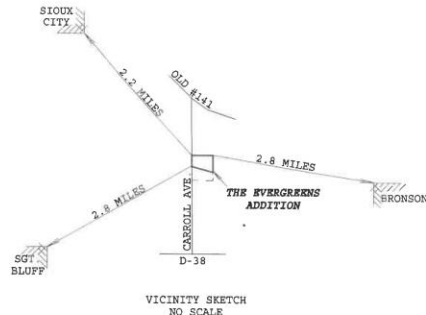
ELEVATION / PRELIMINARY DRAWING

PRELIMINARY DRAWING
A MINOR SUBDIVISION PLAT
OF
THE EVERGREENS ADDITION
WOODBURY COUNTY, IOWA

SURVEYOR'S DESCRIPTION:

PART OF THE N.E.1/4 OF THE N.E.1/4 OF SECTION 26, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:
BEGINNING AT THE N.W. CORNER OF SAID N.E.1/4 OF THE N.E.1/4; THENCE N.89°22'03"E. ALONG THE NORTH LINE OF SAID N.E.1/4 OF THE N.E.1/4 TO THE N.E. CORNER OF SAID N.E.1/4 OF THE N.E.1/4; THENCE S.0°12'24"E. ALONG THE EAST LINE OF SAID N.E.1/4 OF THE N.E.1/4 FOR 1079.88 FEET TO THE NORTHERLY LINE OF PARCEL B DESCRIBED ON A PLAT OF SURVEY RECORDED ON INSTRUMENT #: 2022-04414 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE N.57°56'57"W. ALONG SAID NORTHERLY LINE FOR 43.89 FEET; THENCE N.69°42'50"W. ALONG SAID NORTHERLY LINE FOR 1180.85 FEET; THENCE N.78°24'04"W. ALONG SAID NORTHERLY LINE FOR 182.56 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL B AND THE WEST LINE OF SAID N.E.1/4 OF THE N.E.1/4; THENCE N.0°17'56"W. ALONG SAID WEST LINE FOR 595.87 FEET TO THE POINT OF BEGINNING. CONTAINING 24.91 ACRES INCLUDING COUNTY RIGHT OF WAY AND 24.45 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE WEST LINE OF SAID N.E.1/4 OF THE N.E.1/4 IS ASSUMED TO BEAR N.0°17'56"W.



OWNER/SUBDIVIDER
WENDEL REAL ESTATE, L.L.C., AN IOWA LIMITED LIABILITY COMPANY

SURVEYOR
ALAN L. FAGAN

SETBACK REQUIREMENTS
FRONT YARD - 100'
SIDE YARD - 20'
ACCESSORY STRUCTURE - 10'
REAR YARD - 50'
ACCESSORY STRUCTURE - 10'

OWNER/SUBDIVIDER
WENDEL REAL ESTATE, L.L.C., AN IOWA LIMITED LIABILITY COMPANY

SURVEYOR
ALAN L. FAGAN

SETBACK REQUIREMENTS
FRONT YARD - 100'
SIDE YARD - 20'
ACCESSORY STRUCTURE - 10'
REAR YARD - 50'
ACCESSORY STRUCTURE - 10'

ZONING
AP AG PRESERVATION

TELEPHONE
INDEPENDENT

POWER
WOODBURY COUNTY R.E.C.

WATER
PRIVATE WELL

SEWER
PRIVATE SEPTIC SYSTEM

NOTES

1. PROPOSED ENTRANCES APPROVED BY WOODBURY COUNTY ENGINEER.
2. NO PORTION OF THIS PROPERTY IS LOCATED IN THE SPECIAL FLOOD HAZARD AREA (SFHA).
3. NO STRUCTURES LOCATED ON THIS PROPERTY.
4. NO WELLS OR SEPTIC SYSTEMS LOCATED ON THIS PROPERTY.
5. BENCH MARK - WOODBURY COUNTY GPS NO. 8103; IA RCS N.8566037.120 E.14101349.044



- MONUMENTS**
- = 1/2" YELLOW CAPPED REBAR #10570 FOUND
 - ⊙ = 1/2" YELLOW CAPPED REBAR #15082 FOUND
 - ⊙ = MAG SPIKE FOUND
 - = 1/2" YELLOW CAPPED REBAR #15082 SET
 - ⊙ = MAG SPIKE SET

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

Date: 7/28/22 Weekly Agenda Date: 8/2/22

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dan Priestley, CED Zoning Coordinator

WORDING FOR AGENDA ITEM:

Motion to approve a resolution setting the fees for various zoning, subdivision, and floodplain permit applications submitted to the Community and Economic Development Department

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Motion to approve a resolution setting the fees for various zoning, subdivision, and floodplain permit applications submitted to the Community and Economic Development Department

BACKGROUND:

This resolution repeals and replaces the fee schedule that was adopted on August 1, 2003. The resolution includes language stating that "owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00." Also, the proposal increases the minor subdivision fees from \$200 to \$300 and the major subdivision fees from \$250 to \$350. Both processes include a \$5 additional fee if 4 or more lots are to be subdivided - this remains unchanged. The Conditional Use Permit fee is being proposed to be increased from \$250 to \$300. Also, to clarify the permitting of fences and signs, a fence fee of \$50 and a sign fee of \$50 is proposed to be included on the fee schedule.

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:

Approve the resolution setting the fees for various zoning, subdivision, and floodplain permit applications submitted to the Community and Economic Development Department

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve resolution setting the fees for various zoning, subdivision, and floodplain permit applications submitted to the Community and Economic Development Department

Proposed Changes for Setting the Fees in the Fee Schedule

The purpose of this proposal is to establish a fee structure that factors in the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30 and the additional costs associated with the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00.

This proposal also presents increases to the conditional use permit (CUP) fee and the minor and major subdivision fee structure. It is proposed to increase the conditional use permit fee to \$300 from \$250. It is also proposed to increase the final plat fee for a minor subdivision to \$300 from \$200. If there are more than four lots in the minor subdivision proposal, the additional fee would remain unchanged at \$5 per additional lot. It is also proposed to increase the preliminary plat fee for a major subdivision to \$350 from \$250. If there are more than four lots, the additional fee would also remain unchanged at \$5 per additional lot. The final plat fee would include the same figures as the preliminary plat which includes \$350 plus \$5 per lot when there are more than four proposed lots. The following table illustrates the proposed changes to the conditional use permit, minor and major subdivision fees, and clarification concerning the building permit fee for signs and fences at a flat rate of \$50.

Application Type:	Current Fee	Proposed Fee
Conditional Use Permit	\$250	\$300
Fence	Not on current fee schedule.	\$50
Sign	Not on current fee schedule.	\$50
Final Plat for Minor Subdivision 4 Lots or Less	\$200	\$300
Final Plat for Minor Subdivision more than 4 Lots	\$200 + \$5 for each additional lot	\$300 + \$5 for each additional lot
Preliminary Plat for Major Subdivision 4 Lots or Less	\$250	\$350
Preliminary Plat for Major Subdivision more than 4 Lots	\$250 + \$5 for each additional lot	\$350 + \$5 for each additional lot
Final Plat for Major Subdivision 4 Lots or Less	\$250	\$350
Final Plat for Major Subdivision more than 4 Lots	\$250 + \$5 for each additional lot	\$350 + \$5 for each additional lot

After examining the fee structure of thirteen Iowa counties, the average fee for a conditional use or special use permit among those counties is \$228.46 with a median of \$250. Polk County has the highest fee at \$435 while Clinton and Monona counties had the lowest at \$100. Neighboring Cherokee County's fee is \$175 while Plymouth's County's fee is \$350.

The subdivision fees for both preliminary and final plats varied among the thirteen counties. It appears that most of the counties had additional fees for prescribed number of additional lots within a subdivision. The following table offers a breakdown of the thirteen counties including their fees for conditional or special use permits; final plat minor subdivisions; preliminary plat major subdivisions; and final plat major subdivisions. It is imperative to point out that each

process may differ significantly by county. This information is provided for informational purposes and citations to the data are available at the end of this document.

County	CUP/SUP	Final Plat (Minor)	Prelim Plat (Major)	Final Plat (Major)
Black Hawk	\$125.00	\$150 + \$10/lot	\$150 + \$10/lot	\$150 + \$10/lot
Cherokee	\$175.00	NR	NR	NR
Clinton	\$100.00	\$100	\$100 + \$5/lot	\$100 + \$5/lot
Dubuque	\$150.00	\$160	\$200.00 + \$10/lot	Lots 1-4 \$160 Lots 5-20 \$200 Lots 21+ \$225
Johnson	\$250.00	\$500.00	\$500 + \$40/buildable lot + \$20/outlot	\$500 + \$40/buildable lot + \$20/outlot
Monona	\$100.00	\$50.00	\$50.00	\$50.00
Plymouth	\$350.00	\$300.00, \$400 over 4 lots	NR	\$300.00, \$400 over 4 lots
Polk	\$435.00	\$282.00 + \$15/lot	\$425.00 + \$15/lot	\$477.00 + \$15/lot
Pottawattamie	\$260.00	\$165.00	\$275? + \$5/lot	\$275.00 + \$5/lot
Poweshiek	\$350.00	NR	NR	NR
Sioux	\$150.00	\$250.00	NR	NR
Story	\$275.00	\$275.00	\$275.00	\$175.00
Woodbury	\$250.00	\$200.00 + \$5/lot over 4 lots	\$250.00 + \$5/lot over 4 lots	\$250.00 + \$5/lot over 4 lots
Average	\$228.46	NR	NR	NR
Median	\$250	\$200	\$262.5	NR

References

Applicaton for Special Use Permit. (n.d.). Retrieved from Poweshiek County, Iowa:

https://poweshiekcounty.org/files/sanitarian_zoning/special_use_application_33569.pdf

Chapter 1.50 Schedule of Fees. (2015, December 8). Retrieved from Pottawattamine County,

Iowa: https://www.pottcounty-ia.gov/files/county_code/schedule_of_fees_39852.pdf

Clinton County Planning & Zoning Fee Schedule. (2021, December 20). Retrieved from Clinton

County, Iowa: <https://www.clintoncounty-ia.gov/SiteContent/documents/File/Zoning/Fee%20Schedule%20effective%202012.20.21.pdf>

Fee Schedule. (n.d.). Retrieved from Dubuque County, Iowa:

<https://www.dubuquecountyiowa.gov/239/Fee-Schedule>

Fee schedule effective June 1, 2019. (2019, June 1). Retrieved from Plymouth County, Iowa:

<https://www.co.plymouth.ia.us/Services/PDF/Forms/Zoning%20Fee%20Schedule.pdf>

Monona County Zoning & Environmental Health. (2019, April 23). Retrieved from Monona

County, Iowa: <https://mononacounty.iowa.gov/Zoning/PermitFees.pdf>

Online Forms. (n.d.). Retrieved from Black Hawk County, Iowa:
<https://www.blackhawkcounty.iowa.gov/220/Online-Forms>

PDS Development Application Fee Schedule. (n.d.). Retrieved from Johnson County, Iowa:
<https://www.johnsoncountyiowa.gov/pds/fee-schedule>

Polk County Public Works Fee Schedule Effective 1/1/2022. (2022, January 1). Retrieved from Polk County, Iowa: <https://www.polkcountyiowa.gov/media/ylypokah/2022-fee-schedule.pdf>

Printable Forms. (2003, August 1). Retrieved from Woodbury County Community & Economic Development: http://woodburycountyced.com/wp-content/uploads/2018/12/Fee_Schedule_1.pdf

Story County Planning and Development Fee Schedule. (n.d.). Retrieved from Story County, Iowa: <https://www.storycountyiowa.gov/DocumentCenter/View/9078/Fee-Schedule>

Zoning Forms. (n.d.). Retrieved from Cherokee County, Iowa:
https://www.cherokeecounty.iowa.gov/departments/offices_f_-_z/zoning/forms.php

Zoning Permit Fee Schedule. (2019, November). Retrieved from Sioux County, Iowa:
<https://siouxcountya.gov/wp-content/uploads/2019/10/FeeSchedule2019.pdf>

**WOODBURY COUNTY, IOWA
RESOLUTION NO. _____**

A RESOLUTION SETTING THE FEES FOR VARIOUS ZONING, SUBDIVISION, AND FLOODPLAIN PERMIT APPLICATIONS SUBMITTED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

WHEREAS, on July 22, 2003, the Woodbury County Board of Supervisors passed and adopted the current fees charged for various zoning, subdivision, and floodplain permit applications provided for in the Woodbury County Zoning Ordinance, Subdivision Ordinance, and Floodplain Development Ordinance, which became effective on August 1, 2003; and

WHEREAS, Article 2: Section 2.01.3.D of the Woodbury County Zoning Ordinance states that the Board of Supervisors shall appropriate funds, establish fees and ley taxes to provide for the cost of administering the provisions of the ordinance; and

WHEREAS, the Board of Supervisors have reviewed a proposed fee schedule developed by the Community and Economic Development department staff; and

WHEREAS, the Board of Supervisors have given reasonable consideration, among other things, to the cost factors required to effectively administer the provisions of said ordinance; and

NOW, THEREFORE, BE IT RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS: Pursuant to the provisions of Chapter 335 of the Code of Iowa and the Woodbury County Zoning Ordinance, Subdivision Ordinance, and Floodplain Development Ordinance, Woodbury County hereby approves the following fee schedule, which shall take effective immediately and hereby repeals and replaces the fee schedule established on August 1, 2003, for such applications:

**COMMUNITY AND ECONOMIC DEVELOPMENT
FEE SCHEDULE**

BUILDING PERMITS	FEE
New Dwelling	\$250
New Dwelling with Attached/Detached Garage under 300 sq. ft.	\$300
New Dwelling with Attached/Detached Garage over 300 sq. ft.	\$500
Accessory Structure under 300 sq. ft.	\$50
Accessory Structure over 300 sq. ft.	\$250
Commercial/Industrial Building (0-10,000 sq. ft.)	\$500
Commercial/Industrial Building over 10,000 sq. ft. – (\$50 for each additional 1,000 sq. ft. over 10,000).....	\$500+

SUBDIVISIONS	FEE
Final Plat for Minor Subdivision 4 Lots or Less	\$300*
Final Plat for Minor Subdivision more than 4 Lots (\$5 for each additional lot)	\$300+*
Preliminary Plat for Major Subdivision 4 Lots or Less	\$350*

Preliminary Plat for Major Subdivision more than 4 Lots (\$5 for each additional lot)	\$350+*
Final Plat for Major Subdivision 4 Lots or Less	\$350*
Final Plat for Major Subdivision More than 4 Lots (\$5 for each additional lot)	\$350+*

OTHER LAND USE PERMITS	FEE
Conditional Use Permit	\$300*
Floodplain Development Permit	\$110
Grading Permit	\$0
Sign Permit	\$50
Fence	\$50

TELECOMMUNICATION TOWERS	FEE
Tower Development Permit	\$500*

ADMINISTRATIVE REQUESTS/ACTIONS	FEE
Zoning Ordinance Amendment (text or map)	\$400*
Planned Development	\$400*
Variance	\$300*
Appeal of Administrator’s Decision	\$300*
Research and Staff Investigation Time (\$40.00 per hour – minimum charge 2 hours)	
Photocopies (\$0.50 per page)	

***ADDITIONAL FEES**
 *Owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00.

Application review including the public hearing(s) shall not commence until all necessary documents and payments have been received.

The Zoning Director may reserve the right to waive permit fees for other political subdivisions or governmental bodies.

Fees will be doubled if construction commences prior to obtaining a permit.

Passed and approved this ____ day of _____, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTEST:

 Keith W. Radig, Chairman

 Patrick F. Gill
 Woodbury County Auditor and Recorder

CURRENT FEE STRUCTURE - Effective: August 1, 2003

WOODBURY COUNTY IOWA	
Planning and Zoning	
Fee Schedule	
Effective August 1, 2003	
Zoning Permit for any New Dwelling; any addition 300 Sq.ft. or more	\$250.00
Zoning Permit for any accessory structure; any deck; any addition 300 sq ft or less	\$50.00
Zoning Permit for all other structures	
0 - 10,000 sq ft	\$500.00
for each additional 1,000 square feet over the first 10,000	\$50.00
Mobile Home Parks, Recreational	
Vehicle Parks	\$250.00
Zoning Amendment; text or map	\$400.00
Planned Unit Development Review	\$150.00
Conditional Use Permit	\$250.00
Zoning Variance	\$300.00
Appeal of Administrator's Decision	\$300.00
Sketch Plat Review	no charge
Preliminary Plat - Subdivision 4 lots or less	\$200.00
Preliminary Plat - Subdivision more than 4 lots	\$250.00 plus \$5.00 per lot
Final Plat - Subdivision 4 lots or less	\$200.00
Final Plat - Subdivision more than 4 lots	\$250.00 plus \$5.00 per lot
Subdivision Variance	\$300.00
Tower Development Permit	\$500.00
Floodplain Development Permit	\$110.00
Floodplain Development Variance	\$300.00
Rural Address	\$40.00
Comprehensive Plan, Zoning and Subdivision Ordinances	\$100.00
Zoning and Subdivision Ordinance	\$60.00
Zoning Ordinance Only	\$45.00
Subdivision Ordinance Only	\$15.00
Photocopy (per page)	\$0.50
Research	\$40.00 per hour (minimum charge 2 hours)
The Zoning Administrator may reserve the right to waive permit fees for other political subdivisions or governmental bodies.	
Fees will be doubled if construction commences prior to obtaining a permit.	

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

Date: 7/27/2022 Weekly Agenda Date: August 2nd, 2022

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Kenny Schmitz/ Toth Engineering / Baker Group

WORDING FOR AGENDA ITEM:

28th Street Paving Project

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Sioux City Engineering Company 28th Street Project Contract Change Order #2- necessary to address various adjustments relating to 28th Street, Outerbelt Drive connection, and turn lane installation.

BACKGROUND:

Change Order #2 (attached) includes detailed line items. It is important to understand that the bid contracted amount for a street project is based on an engineering firm's best estimated cost. The contracts stipulate line item/ quantity costs for additional work and/ or materials- specifically identified in that manner to address anticipated unknown's that can't be assumed at the time of bid.

FINANCIAL IMPACT:

Sioux City Engineering Company Original Contract Sum = \$2,689,603.50 (City Contribution \$2.8M)
C/O #2 (28th Street Changes) = \$190,113.65
C/O #1 (Approved 7/26/2022- City Requested Future Development Improvements) = (\$76,955.00)
Sioux City Engineering Company Total Contract To Date = \$2,956,672.15

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:

Motion to approve Sioux City Engineering Company 28th Street Paving Project Contract Change Order #2.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve Sioux City Engineering Company 28th Street Paving Project Contract Change Order #2 in the amount of \$190,113.65

CHANGE ORDER

Sheet No. 1 of 1

Change Order No. #2

Sioux City Engineering Company Contractor

County Woodbury

You are hereby directed to make the following changes from the contract

Project Woodbury County LEC
Offsite Improvements

Job No. 00-278

1. Description and reason for change (attach supplemental sheets if required):
Pavement removals, 9-inch pavement for Outer Drive, Outer Drive shoulder widening, apron footings, and quantity adjustments.

2. Estimate of cost of work affected by this change order:

A	B	C	D	E	F	G	H	I
Est. Line No.	Contract Item No.	Item Description	Units	Units Previously Provided For	Units to be Constructed	Units Increased or Decreased	Contract or Agreed Unit Price	Amount of Increase or Decrease
1	56	Pavement Removals	SF	0	40,310	40,310	\$ 1.20	\$ 48,372.00
2	2	7.0 in. Concrete Pavement (28th Street)	SF	104,060	106,052	1,992	\$ 6.80	\$ 13,545.60
3	57	9.0 in. Concrete Pavement (Outer Drive)	SF	0	22,078	22,078	\$ 10.35	\$ 228,507.30
4	3	7.0 in Concrete Pavement (Outer Drive)	SF	15,070	0	(15,070)	\$ 6.90	\$ (103,983.00)
5	8	7.0 in. Concrete Pavement Replacement	SF	365	0	(365)	\$ 27.00	\$ (9,855.00)
6	9	6.0 in. Asphalt Pavement Replacement	SF	4,160	825	(3,335)	\$ 6.85	\$ (22,844.75)
7	19	Sanitary Sewer Manhole Rim Adjustment	EA	1	0	(1)	\$ 2,300.00	\$ (2,300.00)
8	20	2-FT Concrete Curb and Gutter	LF	7,360	7,291	(69)	\$ 9.00	\$ (621.00)
9	22	Earthwork (Cut)	CY	3,560	2,565	(995)	\$ 6.00	\$ (5,970.00)
10	24	Earthwork (Fill)	CY	13,960	14,160	200	\$ 8.00	\$ 1,600.00
11	26	6-inch Perforated Subdrain	LF	7,360	7,291	(69)	\$ 6.50	\$ (448.50)
12	39	4-FT Diameter Precast Standard Concrete Manhole	EA	21	22	1	\$ 5,350.00	\$ 5,350.00
13	58	Apron Footings	EA	0	4	4	\$ 4,000.00	\$ 16,000.00
14	59	Outer Drive Intake Modification	EA	0	1	1	\$ 1,650.00	\$ 1,650.00
15	60	Fire Hydrant Relocation	EA	0	1	1	\$ 3,670.00	\$ 3,670.00
16	61	Pavement Striping Removal	LS	0	1	1	\$ 6,315.00	\$ 6,315.00
17	62	Unsuitable Soil Earthwork	SF	0	63	63	\$ 12.00	\$ 756.00
18	63	Geogrid Soil Stabilization	SF	0	1,700	1,700	\$ 1.90	\$ 3,230.00
19	64	18-inch of Modified Subbase	SF	0	1,700	1,700	\$ 4.20	\$ 7,140.00
Total								\$ 190,113.65

3. Settlement for cost of the above change to be made at Contract Unit Prices except as noted:

1. CONTRACT AMOUNT	\$ 2,689,603.50
2. INCREASE THIS ORDER	\$ 190,113.65
3. INCREASE PREVIOUS	\$ 76,955.00
4. TOTAL INCREASE TO DATE	\$ 267,068.65
5. TOTAL	\$ 2,956,672.15

This Change Order, when executed, constitutes a modification to the Contract and all provisions of the Contract, except as modified above and be any previous Change Orders, shall apply thereto:

Engineer Approval:

Toth and Associates, Inc.

By (Printed) Matt Miller, PE

Signature *Matt Miller*

Date 7/25/2022

Contractor Approval:

Sioux City Engineering Company

By (Printed) Janet Vavra

Signature *Janet Vavra*

Date 7/25/22

County Approvals:

Woodbury County Board of Supervisors

By (Printed) _____

Signature _____

Date _____

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

Date: 07/28/2022 Weekly Agenda Date: 08/02/2022

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas Human Resources Director

WORDING FOR AGENDA ITEM:

Request to change the accrued compensatory time pay out date for wage plan employee J.J.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

J.J. is requesting his compensatory time be paid out in accordance with the union contract of the department in which he is employed.

BACKGROUND:

According to the Woodbury County Employee handbook, compensatory time not used by June 10th is paid in cash prior to July 1st. J.J. would like to change that date so accrued comp not used by December 15th will be paid out the last pay period in December.

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:

Pass the motion

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the change accrued compensatory time payout date for J.J. to the last pay period in December.

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

Date: 07/28/2022 Weekly Agenda Date: 08/02/2022

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas Human Resources Director

WORDING FOR AGENDA ITEM:

Request to add an additional Emergency Operation Officer (EMT) position to the Emergency Services department.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

This position is being created for a current EMS employee to have the ability to punch in under the correct position title when working in that capacity.

BACKGROUND:

The current Clerk II working in the EMS department is also a licensed EMT and has been working in that position when needed. AFSCME and IPERS were consulted, and it was decided adding an additional position would ensure proper IPERS reporting. Director Mitchell recommended 32 hours to be budgeted as a clerk II and 8 hours budgeted as an EMT.

FINANCIAL IMPACT:

0, the employee will be paid at the clerk II rate which has already been budgeted.

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 the motion

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the addition of an EMT position for recording purposes.

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

Date: 07.19.2021 Weekly Agenda Date: 08.02.22

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Sheriff Chad Sheehan

WORDING FOR AGENDA ITEM:

2022 Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa for the Local Edward Byrne Memorial Justice Assistance Grant Program award.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

2022 Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa for the Local Edward Byrne Memorial Justice Assistance Grant Program award.

BACKGROUND:

The City of Sioux City is submitting the 2020 Local Edward Byrne Memorial Justice Assistance Grant Program application in August of 2022.

FINANCIAL IMPACT:

City of Sioux City, Iowa award \$27,150.50. Woodbury County, Iowa award \$27,150.50.

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 and sign the Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa in order to complete the application process.

ACTION REQUIRED / PROPOSED MOTION:

Approve and sign the Inter-local Agreement between the City of Sioux City, Iowa and Woodbury County, Iowa.

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

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

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:

ACTION REQUIRED / PROPOSED MOTION:

RESOLUTION TO RECLASSIFY AREA SERVICE B ROADS

RESOLUTION NO. _____

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 309.57, (Code of Iowa) as amended and Woodbury County Ordinance #17, held a public hearing on October 12, 2021 to consider assigning roads to level B classification, and

WHEREAS, Woodbury County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service “B” roads pursuant to Iowa Code Section 309.57, and

WHEREAS, road use is under constant scrutiny to assure that the Secondary Road System meets the needs of county residents and landowners, and

WHEREAS, two roads reviewed at landowner request are essential to efficient operations and are determined to require Level of Service A to meet the needs of road users,

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors that has determined that the following Area Service B Roads are hereby reclassified as Area Service System A Roads:

Street	Location
210th Street	between Ida Avenue & Jasper Avenue
Ida Avenue	between 200th Street & 210th Street

Said level A status shall be effective when appropriate signs giving notice of reduced maintenance are removed.

Passed and approved this 2nd day of August 2022 by the Woodbury County Board of Supervisors.

Keith Radig, Chairperson

Rocky DeWitt, Member

Jeremy Taylor, Member

Matthew Ung, Member

Justin Wright, Member

Recommended:

ATTEST:

Mark Nahra, Woodbury County Engineer

Patrick Gill, Woodbury County Auditor

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

Date: 07/28/2022 Weekly Agenda Date: 8/02/2022

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

WORDING FOR AGENDA ITEM:

Approve contract for county pavement markings for 2022

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The county engineer has reviewed bids for the application of pavement markings on various paved roads. The project was awarded and the contract for the work has been returned for approval.

BACKGROUND:

Annually the county reapplies paint to 33-50% of its paved road system. The proposed project will be completed during the 2022 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?

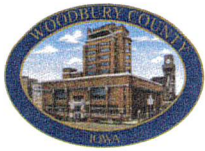
Yes No

RECOMMENDATION:

I recommend that the Board approve the contract for Pavement Markings - 2022 with Vogel Traffic Services for \$138,560.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the contract for Pavement Markings - 2022 with Vogel Traffic Services for \$138,560.



WOODBURY COUNTY, IOWA
CONTRACT

Kind of Work Pavement Marking

Project No. Pavement Marking 2022 County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Keith Radig, Rocky De Witt, Matthew Ung, Justin Wright and Jeremy Taylor Contracting Authority, and Vogel Traffic Services of Orange City, Iowa, Contractor.

WITNESSETH: That the Contractor, for and in consideration of One Hundred Thirty Eight Thousand Five Hundred Sixty and 00/100 (\$138,560.00) payable as set forth in the specifications constituting a part of this contract, hereby agrees to construct in accordance with the plans and specifications therefore, and in the locations designated in the notice to bidders, the various items of work as follows:

Table with 5 columns: Item No., Item, Quantity, Unit Price, Amount. Includes project name 'Pavement Marking 2021', Group 1 items (Centerline Yellow, Edge line Solid White, Stop Bars, Special Marking 255th Street), and a TOTAL BID of 138,560.00.

Said specifications and plans are hereby made part of and the basis of this agreement and a true copy of said plans and specifications are now on file in the office of the County Engineer under the date of June 01, 2022

That in consideration of the foregoing, the Contracting Authority hereby agrees to pay the Contractor, promptly and according to the requirements of the specifications the amounts set forth, subject to the conditions as set forth in the specifications.

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. Pavement Marking 2022 in Woodbury County, Iowa, the within contract, the contractor's bond, and the general and detailed plans are and constitute the basis of contract between the parties hereto.

Table with 4 columns: Approximate Starting Date, Specified Starting Date, Late Finish Date, Number of Working Days. Values: August 15, 2022, 30.

That time is the essence of this contract and that said contract contains all of the terms and conditions agreed upon by the parties hereto. It is further understood that the Contractor consents to the jurisdiction of the courts of Iowa to hear, determine, and render judgment as to any controversy arising hereunder.

IN WITNESS WHEREOF the parties hereto have set their hands for the purposes herein expressed to this and three other instruments of like tenor, as the

day of , 20

Approved: [Signature]
By Contractor: Vogel Traffic Services

By Contracting Authority: Woodbury County Board Chairperson

Date 7/20/22

Date

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

Date: 07/28/2022 Weekly Agenda Date: 08/02/2022

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

WORDING FOR AGENDA ITEM:

Consideration of quit claim deeds for vacated county rights of way in Morningside Second Addition and an excess ROW vacation

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The county engineers office has prepared quit claim deeds for transfer of ownership of vacated streets and alleys requested during the road vacation public hearing.

BACKGROUND:

The Board of Supervisors held a public hearing on July 26, 2022 to consider vacating undeveloped street and alley rights of way and for disposal of excess ROW. The board vacated the rights of way on at the same meeting. The county engineer's office has prepared quit claim the rights of way for portions of the rights of way as requested by landowners who spoke at the hearing.

FINANCIAL IMPACT:

The county will place this land back on the property tax rolls.

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:

Recommend the Board approve the quit claim deeds.

ACTION REQUIRED / PROPOSED MOTION:

Individual motions are required to quit claim street and alley rights of way as follows:
Approve quit claim deed for: 1) Right of way for Gabe and Terri Demarest, 2) right of way for Sensible Properties, LLC, 3) right of way for Culver, 4) right of way for Munhoven and Kowalke, and 5) right of way for Charles and Christine Hope.

QUIT CLAIM DEED

For the consideration of one dollar (\$1.00) and other valuable consideration, Woodbury County represented by its Board of Supervisors, _____, Chairperson does hereby quit claim to Gabe & Terri Demarest, all right, title, interest, estate, claim, and demand on the following described real estate in Woodbury County, Iowa:

A PARCEL OF LAND LOCATED IN THE SE1/4 OF THE SW1/4 OF SECTION 27, TOWNSHIP 89 NORTH, RANGE 42 WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE SW1/4 OF SAID SECTION 27;
THENCE NORTH 00°00'00" EAST 322.23 FEET ALONG THE EAST LINE OF SAID SE1/4 OF THE SW1/4; THENCE SOUTH 89°03'40" WEST 80.01 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 00°00'00" WEST 171.97 FEET; THENCE SOUTH 34°44'26" WEST 122.84 FEET; THENCE SOUTH 89°14'16" WEST 218.67 FEET TO THE EXISTING RIGHT-OF-WAY;
THENCE NORTHEASTERLY 357.99 FEET ALONG A 921.65 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD OF NORTH 39°25'36" EAST 355.74 FEET ALONG SAID RIGHT-OF-WAY; THENCE NORTH 89°03'40" EAST 62.73 FEET TO THE POINT OF BEGINNING. CONTAINING 0.92 ACRES.

Said real estate being part of the original town of Sioux City and subject to other easements of record.

Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number and as masculine or feminine gender, according to the context.

Dated: August 2, 2022

Chair, County Board of Supervisors

County Seal:

County Auditor

On this _____ day of _____, 2022, before me _____ a notary public in and for the State of Iowa appeared _____ and _____, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the County Board of Supervisors and County Auditor, respectively, of the County of Woodbury, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county, and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in the Supervisors Minute Book, as passed by the Board of Supervisors on the _____ day of _____, 2022 and, _____ and _____ acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

Seal:

Notary Public
My Commission Expires: _____

QUIT CLAIM DEED

For the consideration of one dollar (\$1.00) and other valuable consideration, Woodbury County represented by its Board of Supervisors, _____, Chairperson does hereby quit claim to Julia A. Culver, all right, title, interest, estate, claim, and demand on the following described real estate in Woodbury County, Iowa:

in Morningside Addition to Sioux City Iowa, Second Filing located in Section 4, T88N, R47W, Woodbury Township of the 5th P.M. Woodbury County, Iowa:

- 1) The west one-half of vacated Wells Avenue adjacent to block 29 (lots 20 – 32) lying north of platted Vine Street containing 15,600 square feet, more or less.
- 2) The east one-half of vacated Wells Avenue adjacent to block 30 (lots 7 – 17) lying north of platted Vine Street containing 13,200 square feet, more or less.

Said real estate being part of the original town of Sioux City and subject to other easements of record.

Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number and as masculine or feminine gender, according to the context.

Dated: August 2, 2022

Chair, County Board of Supervisors

County Seal:

County Auditor

On this _____ day of _____, 2022, before me _____ a notary public in and for the State of Iowa appeared _____ and _____, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the County Board of Supervisors and County Auditor, respectively, of the County of Woodbury, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county, and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in the Supervisors Minute Book, as passed by the Board of Supervisors on the _____ day of _____, 2022 and, _____ and _____ acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

Seal:

Notary Public
My Commission Expires: _____

QUIT CLAIM DEED

For the consideration of one dollar (\$1.00) and other valuable consideration, Woodbury County represented by its Board of Supervisors, _____, Chairperson does hereby quit claim to Rosaline M. Munhoven & Lynda J. Kowalke, all right, title, interest, estate, claim, and demand on the following described real estate in Woodbury County, Iowa:

The east one-half of vacated Wells Avenue adjacent to block 30 (lots 18 – 19) lying north of platted Vine Street containing 2,400 square feet, more or less, in Morningside Addition to Sioux City Iowa, Second Filing located in Section 4, T88N, R47W, Woodbury Township of the 5th P.M. Woodbury County, Iowa.

Said real estate being part of the original town of Sioux City and subject to other easements of record.

Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number and as masculine or feminine gender, according to the context.

Dated: August 2, 2022

Chair, County Board of Supervisors

County Seal:

County Auditor

On this _____ day of _____, 2022, before me _____ a notary public in and for the State of Iowa appeared _____ and _____, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the County Board of Supervisors and County Auditor, respectively, of the County of Woodbury, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county, and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in the Supervisors Minute Book, as passed by the Board of Supervisors on the _____ day of _____, 2022 and, _____ and _____ acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

Notary Public
My Commission Expires: _____

Seal:

QUIT CLAIM DEED

For the consideration of one dollar (\$1.00) and other valuable consideration, Woodbury County represented by its Board of Supervisors, _____, Chairperson does hereby quit claim to Charles & Christine Hope, all right, title, interest, estate, claim, and demand on the following described real estate in Woodbury County, Iowa:

The east one-half of vacated Wells Avenue adjacent to block 30 (lots 1 – 6) lying south of platted Ivy Street NKA Garretson Avenue containing 7,200 square feet, more or less, in Morningside Addition to Sioux City Iowa, Third Filing located in Section 4, T88N, R47W, Woodbury Township of the 5th P.M. Woodbury County, Iowa.

Said real estate being part of the original town of Sioux City and subject to other easements of record.

Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number and as masculine or feminine gender, according to the context.

Dated: August 2, 2022

Chair, County Board of Supervisors

County Seal:

County Auditor

On this _____ day of _____, 2022, before me _____ a notary public in and for the State of Iowa appeared _____ and _____, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the County Board of Supervisors and County Auditor, respectively, of the County of Woodbury, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county, and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in the Supervisors Minute Book, as passed by the Board of Supervisors on the _____ day of _____, 2022 and, _____ and _____ acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

Notary Public
My Commission Expires: _____

Seal:

QUIT CLAIM DEED

For the consideration of one dollar (\$1.00) and other valuable consideration, Woodbury County represented by its Board of Supervisors, _____, Chairperson does hereby quit claim to Sensible Properties LLC, all right, title, interest, estate, claim, and demand on the following described real estate in Woodbury County, Iowa:

The west one-half of vacated Wells Avenue adjacent to block 29 (lots 33 – 38) lying south of platted Ivy Street NKA Garretson Avenue containing 7,200 square feet, more or less, in Morningside Addition to Sioux City Iowa, Third Filing located in Section 4, T88N, R47W, Woodbury Township of the 5th P.M. Woodbury County, Iowa.

Said real estate being part of the original town of Sioux City and subject to other easements of record.

Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number and as masculine or feminine gender, according to the context.

Dated: August 2, 2022

Chair, County Board of Supervisors

County Seal:

County Auditor

On this _____ day of _____, 2022, before me _____ a notary public in and for the State of Iowa appeared _____ and _____, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the County Board of Supervisors and County Auditor, respectively, of the County of Woodbury, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county, and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in the Supervisors Minute Book, as passed by the Board of Supervisors on the _____ day of _____, 2022 and, _____ and _____ acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

Notary Public
My Commission Expires: _____

Seal: