



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(AUGUST 9) (WEEK 32 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 9, 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 6 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 August 2, 2022 meeting
4. Approval of claims
5. Human Resources – Melissa Thomas
Approval of Memorandum of Personnel Transactions

6. Board Administration – Karen James
 - a. Approval of resolution thanking and commending Michael Weber for years of service with Woodbury County
 - b. Approval of resolution thanking and commending Mark Petit for years of service with Woodbury County
 - c. Approval of resolution thanking and commending John Forch for years of service with Woodbury County
 - d. Approval of lifting tax suspension for A.B.
 - e. Approval of lifting tax suspension for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension

End Consent Agenda

- | | | |
|--------------------------------|---|--------------------------------------|
| 4:35 p.m.
(Set time) | 7. Board Administration – Karen James
Public hearing and sale of property parcel #864528307007 (aka 508 – 5 th Ave. Hornick, Iowa) | Action |
| 4:40 p.m.
(Set time) | 8. Secondary Roads – Mark Nahra & Community Economic Development – Daniel Priestley <ol style="list-style-type: none"> a. Motion to receive the county staff report b. Public hearing for an ordinance to amend portions of Woodbury County Ordinance #56: An amendment to modify Section 6.1.A: Wind Turbines Set Back Requirements in the ordinance regulating Commercial Wind Energy Conversion Systems in unincorporated Woodbury County c. Approve the First Reading of the Ordinance Amendment | Action
Action
Action |
| 4:45 p.m.
(Set time) | 9. Community & Economic Development – Daniel Priestley <ol style="list-style-type: none"> a. Public hearing on proposed Zoning Ordinance Map Amendment b. Approve the second reading of the ordinance as the final reading c. Approve to waive the third reading d. Adopt the Zoning District Map Amendment (Rezone) to the Zoning Ordinance | Action
Action
Action
Action |
| | 10. Iowa Drainage District Association – John Torbert
Iowa Drainage District Association annual report | Information |
| | 11. Presentation from Mid-American regarding Wind Turbine Project | Information |
| | 12. WCICC-IT – John Malloy
Approve to purchase equipment for Phase 1 of 2 for the new LEC which includes Network Switch Gear, Access Points, Firewalls, Technical Room Surveillance, Network Cables, Cable Management and UPS | Action |
| | 13. Board of Supervisors – Matthew Ung & Human Resources – Melissa Thomas
Approve Heidman Law Firm as Woodbury County’s designated legal counsel for collective bargaining and union relations | Action |
| | 14. Board of Supervisors – Matthew Ung & Secondary Roads – Mark Nahra
Approve the purchase of six new seats for county dump trucks with Gaming Funds for \$5,344.89 | Action |

15. Reports on Committee Meetings

Information

16. Citizen Concerns

Information

17. Board Concerns

Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- 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.
- 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.
- THU., SEP. 8** 12:00 p.m. SIMPCO Board of Directors, 1122 Pierce St.
4:00 p.m. Conservation Board Meeting, Dorothy Pecaute Nature Center, Stone Park
- WED., SEP. 14** 7:30 a.m. SIMPCO Executive-Finance Committee Meeting - 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.
6:30 p.m. 911 Service Board Meeting, Public Safety Center, Climbing Hill
8:00 p.m. County's Mayor Association Meeting, Public Safety Center, Climbing Hill

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.

AUGUST 2, 2022 THIRTY-FIRST MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, August 2, 2022 at 4:30 p.m. Board members present were Ung, Radig, Taylor (by phone), and Wright; De Witt was absent. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Resources Director, and Patrick Gill, Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

1. There were no citizen concerns.
2. Motion by Radig second by Ung to approve the agenda for August 2, 2022. Carried 4-0. Copy filed.

Motion by Radig second by Ung to approve the following items by consent:
 3. To approve minutes of the July 26, 2022 meeting. Copy filed.
 4. To approve the claims totaling \$396,117.27. Copy filed.
 5. To approve the appointment of Adam Kirkpatrick, Civilian Jailer, County Sheriff Dept., effective 08-08-22, \$21.60/hour. Job Vacancy Posted 6-29-22. Entry Level Salary: \$23.33/hour.; the reclassification of Abigail Guerrero, Civilian Jailer, County Sheriff Dept., effective 08-08-22, \$22.48/hour, 4%=\$.88/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.; the reclassification of Zaira Torres, Civilian Jailer, County Sheriff Dept., effective 08-08-22, \$22.48/hour, 4%=\$.88/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.; the end of probation of Eric Robley, Motor Grader Operator, Secondary Roads Dept., effective 08-08-22, \$26.18/hour, 3%=\$.78/hour. Per CWA Secondary Roads Contract agreement, End of Probation Salary Increase.; and the appointment of Bradley Larson, Equipment Operator, Secondary Roads Dept., effective 08-10-22, \$25.10/hour. Job Vacancy Posted 6-8-22. Entry Level Salary: \$25.10/hour. Copy filed.
 6. To approve the underground permit for John Hindman/City of Hornick. Copy filed.
 7. To set 3 public hearing dates and times for a proposed amendment to the set back requirements in Ordinance #56 for Tuesday, August 9th @ 4:40 p.m., Tuesday, August 16th @ 4:40 p.m., and Tuesday, August 23rd @ 4:40 p.m. Copy filed.

Carried 4-0.

- 10a. Motion by Radig second by Ung to receive the final report and Zoning Commission recommendation from their 7/25/22 meeting. Carried 4-0. Copy filed.
8. A public hearing was held at 4:35 p.m. for the sale of parcel #894734252016, 515 S. College St. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894734252016, 515 S. College St., to Beau Brockway, 4724 Grayhawk Ridge Dr., Sioux City, for \$354.00 plus recording fees. Carried 4-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,487**

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

By Brockway & Culley, LLC in the sum of Three Hundred Fifty-four and 00/100 (\$354.00) dollars.

For the following described real estate, To Wit:

Parcel #894734252016

**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 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 2nd Day of August, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 10d. Motion by Radig second by Wright to receive the final staff report and Planning & Zoning Commission's recommendation from their 7/25/22 meeting. Carried 4-0. Copy filed.
- 10e. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution accepting and approving the final plat of The Evergreens Addition, with the condition that a 60/40 pavement agreement with Woodbury County be recorded. Carried 4-0.

**RESOLUTION #13,488
ACCEPTING AND APPROVING THE EVERGREENS ADDITION
WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE 25TH DAY OF JULY, 2022, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS THE EVERGREENS ADDITION, WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF THE EVERGREENS ADDITION, WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 2ND DAY OF AUGUST, 2022.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 10f. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution setting the fees for various zoning, subdivision, and floodplain permit applications submitted to the Community and Economic Development Department. Carried 4-0.

RESOLUTION #13,489
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 2nd day of August, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9a. A public hearing was held at 4:40 p.m. for issuance of conduit revenue bonds or notes (Siouxland Regional Transit System Project). The Chairperson called on anyone wishing to be heard.

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

- 9b. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a 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. Carried 4-0.

RESOLUTION #13,490
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.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

10b. A public hearing was held at 4:45 p.m. for PROPOSED Zoning Ordinance Map Amendment. The Chairperson called on anyone wishing to be heard.

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

10c. Motion by Radig second by Ung to conduct the first reading of the ordinance. Carried 4-0. Copy filed.

11. Motion by Radig second by Wright to approve the Sioux City Engineering Company 28th Street Paving Project Contract Change Order #2 in the amount of \$190,113.65. Carried 4-0. Copy filed.

12a. Motion by Radig second by Wright to approve the change accrued compensatory time payout date for J. J. to the last pay period in December. Carried 4-0. Copy filed.

12b. Motion by Radig second by Ung to approve the addition of an EMT position for recording purposes. Carried 4-0. Copy filed.

13. Motion by Radig second by Ung to approve the Inter-Local Agreement between the City of Sioux City, Iowa, and Woodbury County, Iowa. Carried 4-0. Copy filed.

14a. Motion by Radig second by Ung to receive for signatures a Resolution to reclassify area Service B Roads. Carried 4-0.

**RESOLUTION TO RECLASSIFY AREA SERVICE B ROADS
RESOLUTION #13,491**

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
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 14b. Motion by Radig second by Ung to approve a contract for Pavement Markings – 2022 with Vogel Traffic Services for \$138,560. Carried 4-0. Copy filed.
- 14c. Motion by Radig second by Ung to approve a quit claim deed for street and alley right of way for Gabe and Terri Demarest. Carried 4-0. Copy filed.
- 14d. Motion by Radig second by Ung to approve a quit claim deed for street and alley right of way for Sensible Properties, LLC. Carried 4-0. Copy filed.
- 14e. Motion by Radig second by Wright to approve a quit claim deed for street and alley right of way for Culver. Carried 4-0. Copy filed.
- 14f. Motion by Radig second by Wright to approve a quit claim deed for street and alley right of way for Munhoven and Kowalke. Carried 4-0. Copy filed.
- 14g. Motion by Radig second by Wright to approve a quit claim deed for street and alley right of way for Charles and Christine Hope. Carried 4-0. Copy filed.
- 15. Reports on committee meetings were heard.
- 16. There were no citizen concerns.
- 17. Board concerns were heard.

The Board adjourned the regular meeting until August 9, 2022.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: August 9, 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
Hacker, Gene	County Sheriff	7-29-22	P/T Courthouse Safety & Security Officer			S	Resignation.
Rader, Jacob	Secondary Roads	8-03-22	Temporary Summer Laborer			S	End of Temporary Work.
Dawson, David	County Attorney	8-22-22	Assistant County Attorney	\$105,971.83/year \$3,924.88/bi-weekly	3.4%= \$3,565.81/yr	R	Per AFSCME Assist. County Attorney Contract agreement, from Step 10 to Step 11.
Venable-Ridley, Cornelia	County Attorney	8-22-22	Assistant County Attorney	\$102,406.02/year \$3,792.82/bi-weekly	3.6%= \$3,567.95/yr	R	Per AFSCME Assist. County Attorney Contract agreement, from Step 9 to Step 10.
Fairbanks, Chad	County Sheriff	8-22-22	Civilian Jailer	\$21.60/hour		A	Job Vacancy Posted 7-27-22. Entry Level Salary: \$21.60/hour.
McCain, Andrew	County Sheriff	8-22-22	Civilian Jailer	\$21.60/hour		A	Job Vacancy Posted 7-27-22. Entry Level Salary: \$21.60/hour.
Nelson, Charles	County Sheriff	8-22-22	Civilian Jailer	\$21.60/hour		A	Job Vacancy Posted 6-29-22. Entry Level Salary: \$21.60/hour.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas HR Director

WOODBURY COUNTY, IOWA

RESOLUTION NO. _____

A RESOLUTION THANKING AND COMMENDING

Michael Weber

FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, Michael Weber has capably served Woodbury County as an employee of the Woodbury County Emergency Services' Department for 23 years from July 7, 1999 to August 1, 2022.

WHEREAS, the service given by Michael Weber as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Michael Weber for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Michael Weber

BE IT SO RESOLVED this 9th day of August 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Keith W. Radig, Chairman

Jeremy Taylor, Member

Rocky L. De Witt, Member

Matthew A. Ung, Member

Justin Wright, Member

Attest:

Patrick F. Gill, Woodbury County Auditor

WOODBURY COUNTY, IOWA

RESOLUTION NO. _____

A RESOLUTION THANKING AND COMMENDING

Mark Petit

FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, Mark Petit has capably served Woodbury County as an employee of the Woodbury County Secondary Roads' Department for 24 years from April 1, 1998 to May 31, 2022.

WHEREAS, the service given by Mark Petit as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Mark Petit for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Mark Petit

BE IT SO RESOLVED this 9th day of August 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Keith W. Radig, Chairman

Jeremy Taylor, Member

Rocky L. De Witt, Member

Matthew A. Ung, Member

Justin Wright, Member

Attest:

Patrick F. Gill, Woodbury County Auditor

WOODBURY COUNTY, IOWA

RESOLUTION NO. _____

A RESOLUTION THANKING AND COMMENDING

John Forch

FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, John Forch has capably served Woodbury County as an employee of the Woodbury County Secondary Roads' Department for 40 years from June 22, 1982 to June 30, 2022.

WHEREAS, the service given by John Forch as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends John Forch for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, John Forch

BE IT SO RESOLVED this 9th day of August 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Keith W. Radig, Chairman

Jeremy Taylor, Member

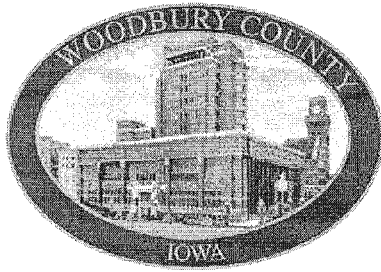
Rocky L. De Witt, Member

Matthew A. Ung, Member

Justin Wright, Member

Attest:

Patrick F. Gill, Woodbury County Auditor



Tina M Bertrand
Treasurer of Woodbury County
Property Tax
822 Douglas Street Suite 102
Sioux City, IA 51101
712-279-6495

July 15, 2022

Dear Board of Supervisors,

RE: Parcel 8947 16 358 009

Please remove the suspension of taxes on Audrey Bitner on the above parcel located at 2933 Douglas Street, Sioux City. The property has been transferred to a different owner.

Thank you for your time,

A handwritten signature in black ink, which appears to read "Janet L. Trimpe". The signature is written in a cursive, flowing style.

Janet L Trimpe
Woodbury County Tax Deputy

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

Date: 8/3/22 Weekly Agenda Date: 8/9/22

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Karen James, Administrative Assistant

WORDING FOR AGENDA ITEM:

Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Annually, the Board of Supervisors requires those receiving tax suspensions to re-certify their income. Those petitioners who fail to re-certify their income by the deadline or if their income does not qualify for continued tax suspension, will be turned over to the Board of Supervisors for action on lifting the tax suspension.

BACKGROUND:

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:

To lift the tax suspension of the petitioners that are listed on the attachment.

ACTION REQUIRED / PROPOSED MOTION:

Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension.

RESOLUTION # 13,481

NOTICE OF PROPERTY SALE

Parcel #864528307007

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.)

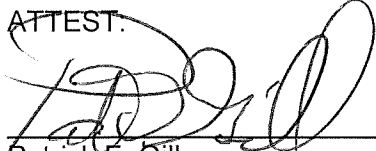
NOW THEREFORE,

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.

ATTEST.



Patrick F. Gill
Woodbury County Auditor
and Recorder

WOODBURY COUNTY BOARD OF SUPERVISORS



Keith W. Radig, Chairman

REQUEST FOR MINIMUM BID

Name: Shay Gillaspie Date: 12-21-21

Address: 515 main st., Hornick IA 51526 Phone: 712-820-9041

Address or approximate address/location of property interested in:

508-5th Ave. Hornick, IA

GIS PIN # 864528307007

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

Legal Description:

Aud Sub Div. W 1/2 SW 28-86-45 S 67.5 ft N 146.5 ft
W 128 ft Lot 5

Tax Sale #/Date: 824/2014 Parcel # _____

Tax Deeded to Woodbury County on: _____

Current Assessed Value: Land 4,110 Building 10,960 Total 15,010

Approximate Delinquent Real Estate Taxes: _____

Total \$29,360.00

Approximate Delinquent Special Assessment Taxes: _____

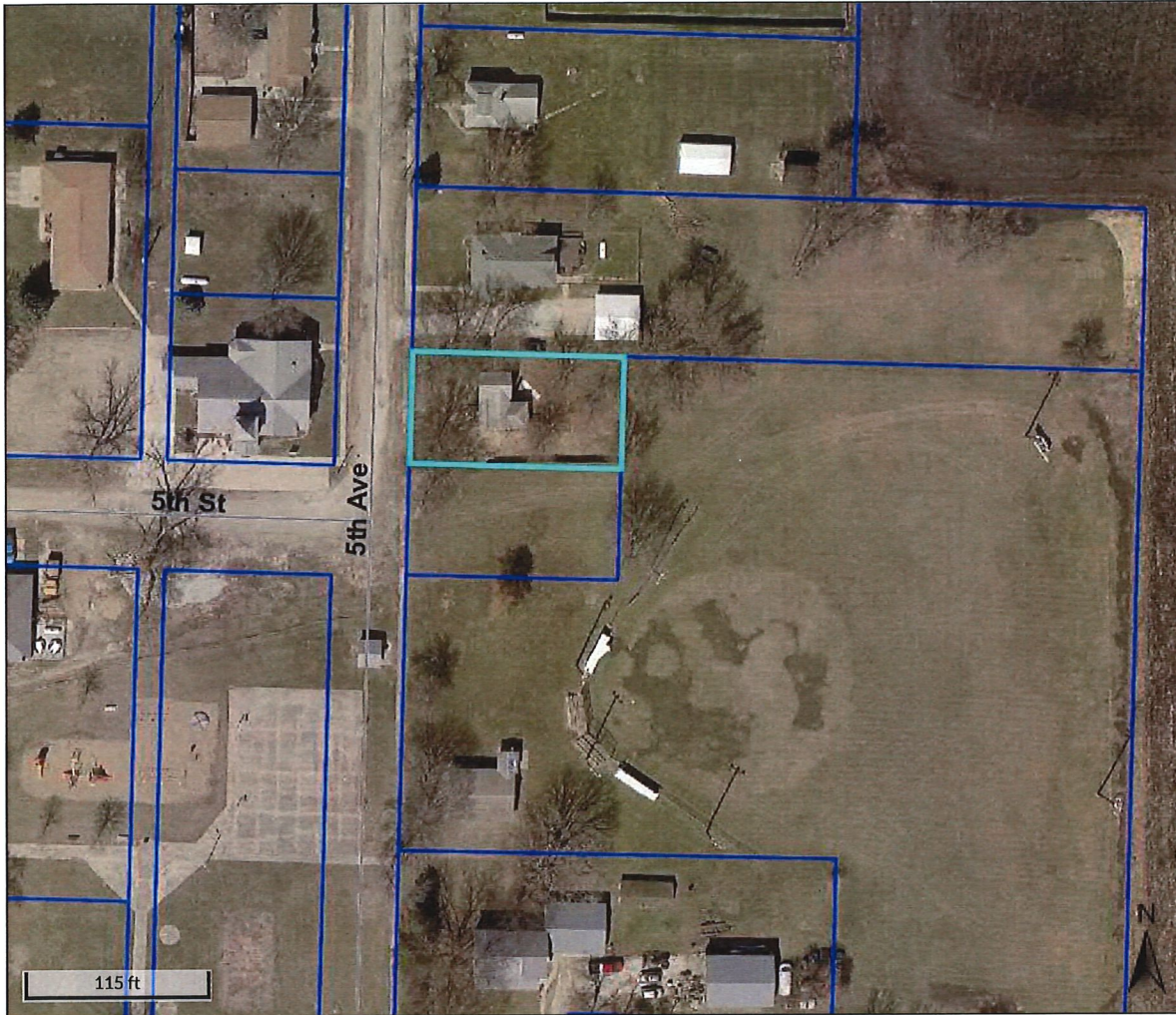
*Cost of Services: _____

Inspection to: Rocky DeWitt Date: 12-21-21

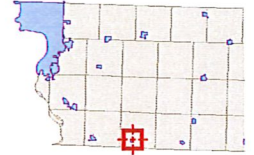
Minimum Bid Set by Supervisor: \$325 PLUS COSTS, IF ANY
Plus \$107.00 For Service of Notice

Date and Time Set for Auction: Total 432.00

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



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	864528307007	Alternate ID	609420	Owner Address	SIMS EARL D
Sec/Twp/Rng	28-86-45	Class	R		510 4TH ST
Property Address	508 5TH AVE	Acreage	n/a		ONAWA, IA 51040
	HORNICK				
District	0064				
Brief Tax Description	AUD SUB DIV W 1/2 SW 28-86-45 S 67.5 FT N 166.5 FT W 128 FT LOT 5				
	(Note: Not to be used on legal documents)				

Date created: 12/21/2021
 Last Data Uploaded: 12/20/2021 7:44:19 PM

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

Date: 8/4/22 Weekly Agenda Date: 8/9/22 4:40 PM

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

WORDING FOR AGENDA ITEM:

A) Receive staff report B) Public Hearing for an ordinance to amend portions of Woodbury County Ordinance #56: An amendment to modify Section 6.1.A: Wind Turbines Set Back Requirements in the ordinance regulating Commercial Wind Energy Conversion Systems in unincorporated Woodbury County. C) Approve the 1st Reading of the Ordinance Amendment

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The Board will hold a public hearing and the first reading of the proposed ordinance to amend portions of Woodbury County Ordinance #56: An amendment to modify Section 6.1.A: Wind Turbines Set Back Requirements in the ordinance regulating Commercial Wind Energy Conversion Systems in unincorporated Woodbury County. On page 10, Section 6.1.A, to repeal and replace the Wind Turbine Set Back Requirement for the Occupied Residence Protected Area from 1,250 feet to 2,500 feet.

BACKGROUND:

Staff has been directed to review setback requirements and schedule hearings for amending Ordinance #56. The Board and staff have received multiple comments regarding the inadequacy of the current 1250' setback. Research studies have shown that additional setback distance from residences may be justified to protect occupied buildings from damage from ice or blade failure. The board will review comments and research and consider changing the generating tower setback from occupied buildings.

FINANCIAL IMPACT:

No financial impact. Potential exists to limit the areas available to develop wind energy facilities which has a potential to reduce future property tax valuation which could be generated by the presence of wind energy

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 county staff report.
Open and close the public hearing. (Set Time: 4:40 PM)
Conduct and approve the first reading of the ordinance.
The 2nd and 3rd public hearings and readings of the ordinance have been scheduled for Tuesday, August 16 at 4:40 PM and Tuesday, August 23 at 4:40 PM.

ACTION REQUIRED / PROPOSED MOTION:

Motion to receive the county staff report.
Open and close the public hearing. (Set Time: 4:40 PM)
Motion to conduct and approve the first reading of the ordinance.

ORDINANCE NO. _____
WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING PORTIONS OF WOODBURY COUNTY ORDINANCE #56: AN AMENDMENT TO MODIFY SECTION 6.1.A: WIND TURBINES SET BACK REQUIREMENTS IN THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVIORS OF WOODBURY COUNTY, IOWA THAT THE BELOW AMENDMENT BE MADE:

AMENDMENT:

On page 10, Section 6.1.A, to repeal and replace the Wind Turbine Set Back Requirement for the Occupied Residence Protected Area from 1,250 feet to 2,500 feet.

Adopted this ____ day of _____, 2022

ATTEST:

Patrick Gill, Woodbury County Auditor

Keith Radig, Chairman

Jeremy Taylor, Vice Chairman

Rocky De Witt

Matthew Ung

Justin Wright

Adoption Timeline

_____: Public Hearing and 1st Reading
_____: Public Hearing and 2nd Reading
_____: Public Hearing and 3rd Reading
_____: Adopted
_____: Published/Effective Date

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

Date: 8/4/22

Weekly Agenda Date: 8/9/22 4:45

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel Priestley, CED Zoning Co

WORDING FOR AGENDA ITEM:

a. Public Hearing on a Zoning Ordinance Map Amendment to rezone from AP to AE for Mark A. Livermore and Michelle M. Livermore's property located in the NE ¼ of the SW ¼, Sec. 30, T89N R44W (Arlington) b. Approve the 2nd Reading of the Ordinance as the final reading. c. Waive the 3rd Reading of the Ordinance. d. Adopt the Zoning Ordinance Map Amendment.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing at 4:45 PM to discuss a proposed Zoning Ordinance Map Amendment to rezone Mark A. Livermore and Michelle M. Livermore's property located in the NE ¼ of the SW ¼, Sec. 30, T89N R44W (Arlington) which is an unassigned area formally part of the parent parcel 894430300008 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

Mark A. Livermore and Michelle M. Livermore have filed an application for a zoning ordinance map amendment (rezone) on property located in the NE ¼ of the SW ¼, Sec. 30, T89N R44W (Arlington) which is an unassigned area formally part of the parent parcel 894430300008 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.

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:

Open and close the public hearing. (Set Time: 4:45 PM)
Approve the second reading of the ordinance as the final reading.
Waive the third reading.
Adopt the ordinance.
If needed, a third public hearing/reading of the ordinance has been scheduled for Tuesday, 8/16/22 at 4:45 PM.

ACTION REQUIRED / PROPOSED MOTION:

Open and close the public hearing. (Set Time: 4:45 PM)
Motion to approve the second reading of the ordinance as the final reading
Motion to waive the third reading.
Motion to adopt the Zoning District Map Amendment (Rezone) to the Zoning Ordinance.



**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**

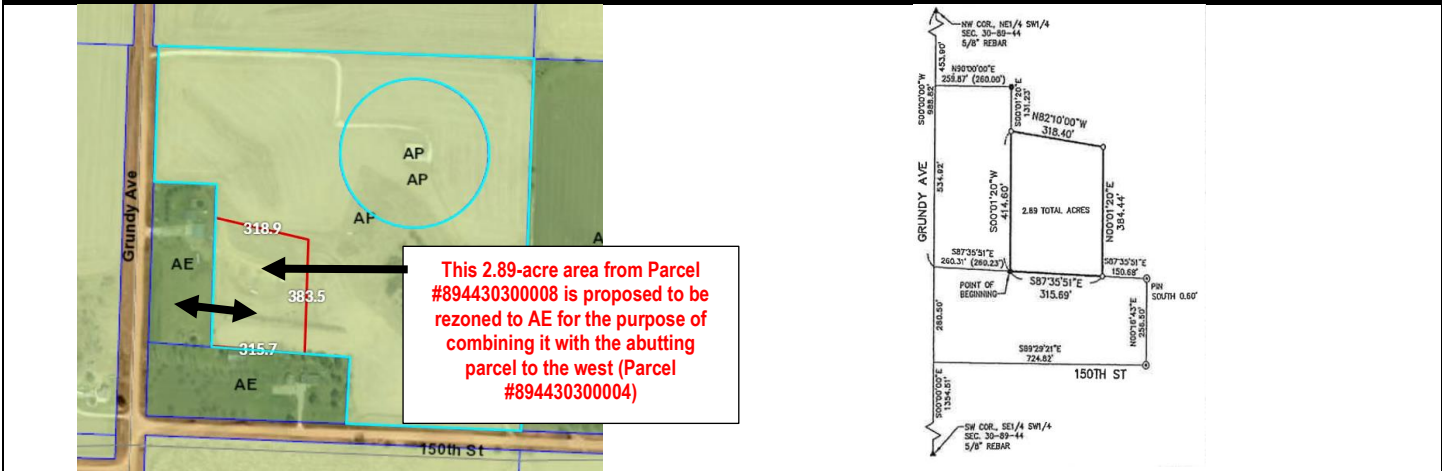
APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<p>Applicant(s): Mark A. Livermore and Michelle M. Livermore Application Type: Zoning Ordinance Map Amendment (Rezone) Current Zoning District: Agricultural Preservation (AP) Proposed Zoning District: Agricultural Estates (AE) Total Acres: 2.89 Acres 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.

AERIAL MAP

SURVEY EXCERPT



ZONING COMMISSION AND STAFF RECOMMENDATION

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.

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:

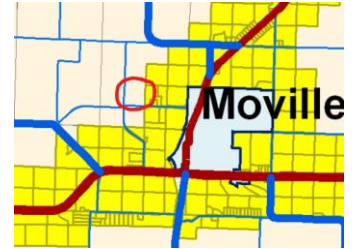
COMMENCING AT THE NORTHWEST CORNER OF THE NE ¼ OF THE SW ¼ OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 00'00" WEST 988.82 FEET ALONG THE WEST LINE OF SAID NE ¼ OF THE SW ¼; THENCE SOUTH 87 DEGREES 35'51" EAST 260.31 FEET TO THE POINT OF THE BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES 35'51" EAST 315.69 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

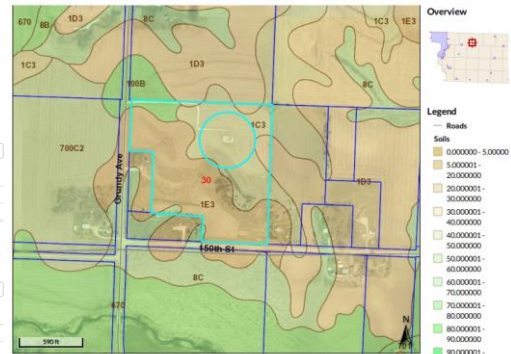
Parcel ID	894430300008
Gross Acres	26.75
ROW Acres	0.00
Gross Taxable Acres	26.75
Exempt Acres	0.00
Net Taxable Acres	26.75 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	33.85 (905.52 CSR2 Points / 26.75 Gross Taxable Acres)
Agriculture Active Config	2017 CSR2

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

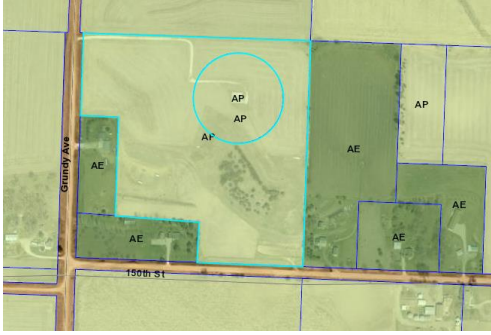
Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	100B	MONONA SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	95.00	0.87	82.65	82.65
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	4.05	234.90	234.90
100% Value	1D3	IDA SILT LOAM, 9 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 TCT COM SW COR 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: (Note: Not to be used on legal documents)
 Alternate ID: 865013
 Class: A
 Acreage: 26.75
 Owner Address: LIVERMORE DANIEL A
 737 LOGAN DR
 MOVILLE, IA 51039-7531

Compatibility with adjacent land uses.

The rezone to AE is compatible with the area residential and agricultural uses. As the image below illustrates, the quarter-quarter contains both AE and AP parcels.



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

This proposal is compatible with other physical and economic factors in the project area as there are no major infrastructure improvements required.

Any other relevant factors.

The purpose of this rezone request is to facilitate a boundary adjustment. Boundary adjustment may only be completed by the Assessor's office when abutting properties are in the same zoning district.

LEGAL NOTIFICATION

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

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED COMBINED CENTRAL SOUX CITY-CSD URBAN RENOVATION PLAN FOR THE COMBINED CENTRAL SOUX CITY CSD URBAN RENOVATION PROJECT AREA OF THE CITY OF SOUX CITY, IOWA.

The City Council of the City of Sioux City, Iowa, will hold a public hearing to consider the proposed amendment at 4:00 P.M. July 18, 2022 in the Council Chambers, 5th Floor, City Hall, 405 South Street, Sioux City, Iowa to consider adoption of the proposed Amendment No. 1 to the Amended and Restated Combined Central Sox City-CSD Urban Renewal Plan (the "Renewed Plan") for the eastern Central Sox City-CSD Urban Renewal Project Area of the City of Sioux City, Iowa. A copy of the proposed Amendment No. 1 to the Renewed Plan is on file for public inspection in the office of the City Clerk, City Hall, 405 South Street, Sioux City, Iowa.

The purpose of this proposed Amendment No. 1 to the Renewed Plan is to further update certain provisions of the Renewed Plan to better align with current circumstances and program activities for the Project Area.

The general scope of the urban renewal activities under consideration in Amendment No. 1 to the Renewed Plan is to convey, land and enter into development agreements for new development and the improvement of existing commercial buildings and land for the Project Area. The project area includes the area surrounding the area economy. This activity 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 projects:

- * Financial assistance for the development of the project located at 901 5th Street, Sioux City, Woodbury County, Iowa.
- * Financial assistance for the development of the project located at 901 5th Street, Sioux City, Woodbury County, Iowa.

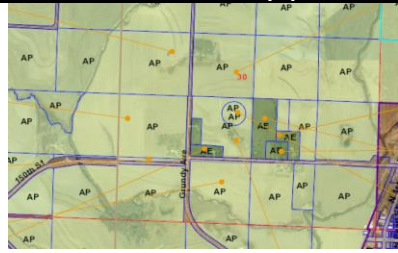
Any person or organization desiring to be heard at such hearing should appear in person at the hearing of the City Council at City Hall, 405 South Street, Sioux City, Iowa, on July 18, 2022 at 4:00 P.M.

Dated this 13th day of June, 2022.
Lea L. Macderide, City Clerk, Sioux City, Iowa

NOTICE OF SHERIFF'S LEVY AND SALE
CASE NO. ECV1820 FUND SOCIETY F89
W/DEN CHRISTIAN TRUST NOT INDIVIDUAL
ALTY BUT AS TRUSTEE FOR CARLSBAD
FINANCING MGTGAGE TRUST
PLAINTIFF
vs.
ANGELA A. MECHIKOFF STOKES SPOUSE
OF ANGELA A. MECHIKOFF STOKES
LOEA DEPARTMENT OF GENERAL FINANCE
CREDIT SERVICES INC.
DEFENDANT
As a result of the judgment rendered in the

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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

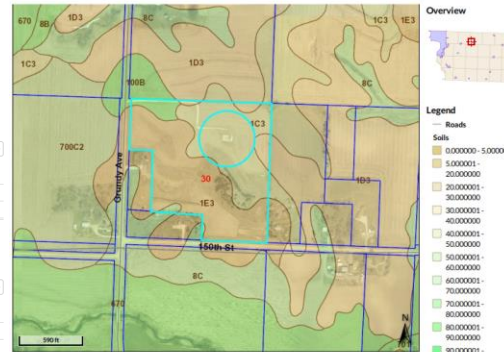
Parcel ID 894430300008
Gross Acres 26.75
ROW Acres 0.00
Gross Taxable Acres 26.75
Exempt Acres 0.00
Net Taxable Acres 26.75 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2 33.85 (905.52 CSR2 Points / 26.75 Gross Taxable Acres)
Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
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

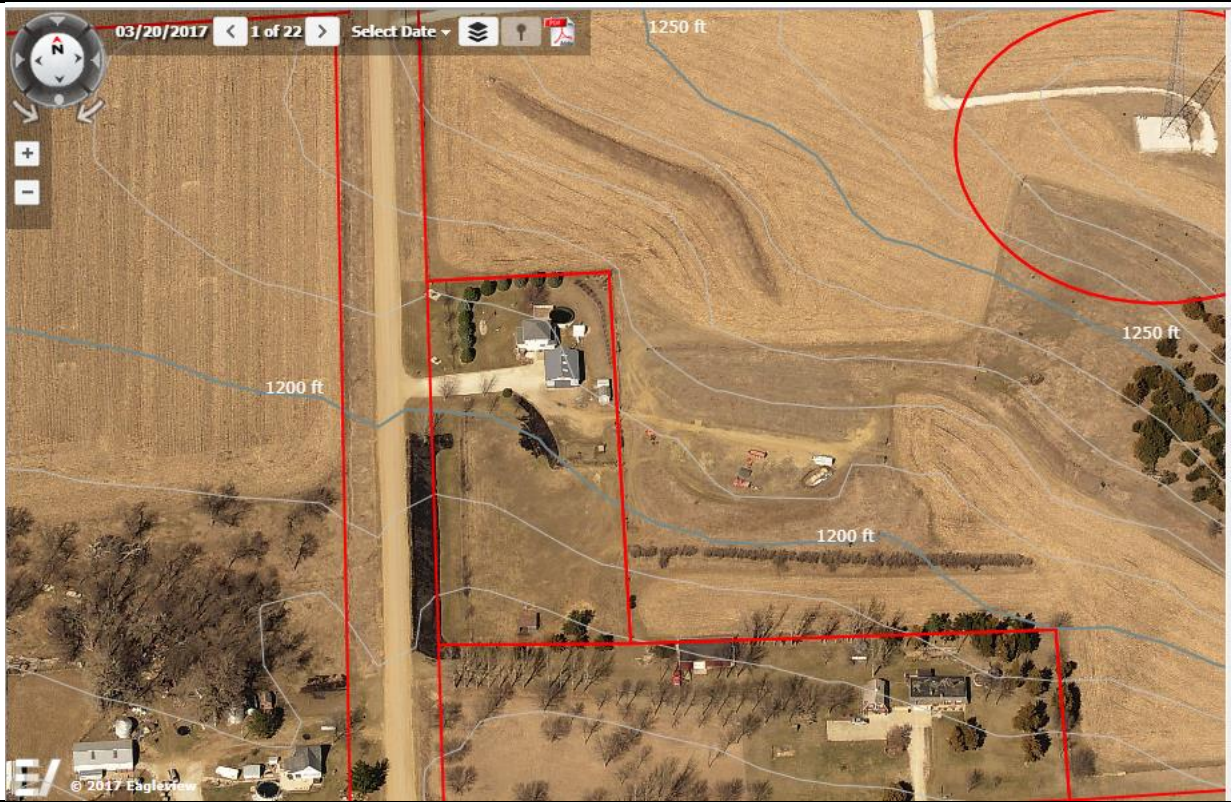
Soil Summary

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	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
Non-Crop	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	11.46	204.28	204.28
Total				26.75	905.52	811.66



Parcel ID 894430300008
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>5Am E</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 Mark A Luciani Applicant 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: 7/18/22 Weekly Agenda Date: 8/9/22

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: <u>Citizen</u>		
WORDING FOR AGENDA ITEM: Iowa Drainage District Association Annual Report to the Board by John Torbert, Executive Director		
ACTION REQUIRED:		
Approve Ordinance <input type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input type="checkbox"/>
Public Hearing <input type="checkbox"/>	Other: Informational <input checked="" type="checkbox"/>	Attachments <input type="checkbox"/>

EXECUTIVE SUMMARY:

Each year, I provide an annual summary of drainage activity to each member Board of Supervisors

BACKGROUND:

none

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:

ACTION REQUIRED / PROPOSED MOTION:

No action required - informational only

Approved by Board of Supervisors April 5, 2016.

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

Date: 08/04/22

Weekly Agenda Date: 08/09/22

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: John Malloy, WCICC-IT

WORDING FOR AGENDA ITEM:

Purchase of LEC Network Equipment

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

WCICC-IT requests Phase 1 of 2 funding for the New LEC. Phase 1 includes Network Switch Gear, Access Points, Firewall, Technical Room Surveillance, Network Cable, Cable Management and UPS.

BACKGROUND:

Our compliments to the LEC Authority, the Baker Group and County Leadership for including IT into the New LEC planning process from inception. Since those initial planning and estimating sessions, IT like most other entities, has not been immune to domestic and international events. Among the most significant observations is that we witnessed, on average, 50-130% list-price increases on many of IT Electronics. The manufacturer of the electronics is warning us of a 30-52 lead time for delivery of product. And, our County Telco system went unexpectedly EOL. Phase 1 includes all the major IT items sans a new phone system and a handful items including IT cabinets and labor to mount Access Points.

The bid-out costs and winning vendors are as follows:

Extreme Switches & Aps
Integration Partners - \$205,305.93

Sophos Firewalls & Netbotz
Insight Public Sector - \$20,027.07

Eaton (UPS)
Southern Computer - \$12,113.84

Panduit Cables & Cable Management
Insight Public Sector - \$11,996.08

FINANCIAL IMPACT:

The total cost of Phase 1 is \$249,442.08.

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:

WCICC-IT recommends the approval to purchase equipment for Phase 1 of 2 for the new LEC which includes Network Switch Gear, Access Points, Firewalls, Technical Room Surveillance, Network Cables, Cable Management and UPS.

ACTION REQUIRED / PROPOSED MOTION:

Approve Motion to purchase equipment for Phase 1 of 2 for the new LEC which includes Network Switch Gear, Access Points, Firewalls, Technical Room Surveillance, Network Cables, Cable Management and UPS.

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

Date: 08/03/2022 Weekly Agenda Date: 08/09/2022

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Ung & HR Director Thomas

WORDING FOR AGENDA ITEM:

Approval of Heidman Law Firm as Woodbury County's designated legal counsel for collective bargaining and union relations

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The work group has reviewed the RFPs and has come to a consensus that Heidman Law Firm is the best choice to represent Woodbury County for collective bargaining and union relations.

BACKGROUND:

It has been many years, perhaps decades, since Woodbury County has been through the RFP process for these services. Three proposals were received and vetted by the work group approved by the board for this purpose, with the consensus and recommendation being Heidman Law Firm.

FINANCIAL IMPACT:

The financial impact will be contingent upon the number of hours performed on our behalf. Hourly rates are \$210 for partners, \$170 for associates, and \$90 for paralegals.

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:

The work group identified a major consideration in favor of Heidman Law Firm, which is the added cohesiveness and existing knowledge due to the fact that Heidman Law Firm already serves Woodbury County's Human Resources Department in the context of general employment questions, and has done so far years.

ACTION REQUIRED / PROPOSED MOTION:

Motion by Ung, second by _____, to approve Heidman Law Firm as Woodbury County's designated legal counsel for collective bargaining and union relations



HEIDMAN
LAW

Daniel D. Dykstra†
John C. Gray*†
Thomas J. Whorley
Patrick L. Sealey*†
Jeff W. Wright*†
Rosalynd J. Koob*
Joel D. Vost†

Sarah K. Kleber*†
Jacob B. Natwick*
Allyson C. Dirksen*†
Jessica A. Board*†

Bryan E. Shusterman*†
Daniel B. Segura*†
Zackary A. Martin
Leland G. Slawson

Of Counsel
Lance D. Ehmcke*
Alan E. Fredregill*
Cynthia C. Moser†
James W. Redmond*†

Retired
Marvin F. Heidman
Thomas M. Plaza (1954 – 2022)
John F. De Hoogh

* Licensed in Nebraska
† Licensed in South Dakota

Phone: 712-222-4115
E-mail: Allyson.Dirksen@heidmanlaw.com

June 27, 2022

VIA HAND DELIVERY:

Melissa Thomas
Woodbury County Human Resources Director
620 Douglas Street, Room 701
Sioux City, IA 51101

*RE: Legal Services for Woodbury County, Iowa – Response to Request
for Proposal*

Dear Melissa:

Please consider this letter the response of Heidman Law Firm, PLLC (“HLF”) to the Request for Proposal for Legal Services (“RFP”) by Woodbury County, Iowa (the “County”). Thank you for the opportunity to present this response. This letter shall serve as the cover letter expressing HLF’s interest in providing the requested legal services as well as HLF’s proposal.

1. Ability to Handle the Scope of Services. HLF is well-equipped to provide legal services set forth in the RFP’s Scope of Services. HLF is a general practice, full-service law firm with offices in Sioux City, Iowa and Sheldon, Iowa. HLF’s three partners specializing in employment and public employee labor relations law, municipal law, and school law collectively have over 70 years of experience in these areas. This does not include the decades of experience of several of the firm’s litigation partners who have litigated various matters for the firm’s employment, school, and municipal clients throughout the firm’s history.

a. Public employee labor relations. Partner Tom Whorley has worked for public employers for over 40 years. During this time, Tom has negotiated public employee collective bargaining agreements and participated in all other aspects of public employee relations for school districts and public entities. In my practice, I represent school districts, counties, and cities on all aspects of employment law. In so doing, I have worked on various labor relations issues including defending prohibited practice complaints, advising and interpreting union contracts, and negotiating/mediating with union representatives. Both Tom and I have interpreted and advised clients on the 2017 changes to Iowa Code Chapter 20.

HEIDMAN LAW FIRM, PLLC

Melissa Thomas
June 27, 2022
Page 2

b. Workers compensation and employment matters. In the area of workers compensation and employment matters HLF provides the full range of employer-employee relationship services. HLF serves a risk-reduction function in assisting with organizing and documenting the company's administrative employment structure, drafting proposed employee handbooks, consulting on company policies and other procedures to promote employer goals or comply with government regulations. HFL also serves a remedial function through employer enforcement of company policies, responding to government inquiries and handling employee problems and claims of all varieties. Sarah Kleber and I lead the HLF team in these areas of employment administration planning and practice. We also regularly handle civil rights and discrimination matters, wrongful termination, unemployment appeals, wage & hour issues, Fair Labor Standards Act matters, OSHA compliance, drug testing, compensation/severance agreements, and disciplinary actions.

From the time the workers compensation laws were first enacted HLF has had an extensive practice in defending workers compensation claims. HLF represents numerous clients who are insured but also has extensive experience representing clients who are self-insured. Representative self-insured clients include Sara Lee-Hillshire, Gomaco, AGP in western Iowa, Mid-American Energy and Unity Point St. Luke's Regional Medical Center in Sioux City. Sarah Kleber leads our workers compensation team.

c. Litigation. Although we have an extensive business practice, many Sioux City attorneys would describe HLF as a litigation firm. Historically for the past 125 years HLF has had a strong litigation team. We handle all types of claims and actions whether in courts or administrative agencies. Our litigation attorneys are well-recognized for their courtroom expertise including membership in the Iowa Academy of Trial Lawyers and the American College of Trial Lawyers. Jeff Wright is particularly experienced in commercial litigation and medical malpractice defense. Patrick Sealey specializes in insurance disputes and personal injury defense. John Gray specializes in medical malpractice and insurance defense. All three litigators have represented employers in employment related disputes. In 2015, John and I successfully obtained a defense jury verdict in an excessive force case brought against several of the County's jailers. Within our litigation team, we have attorneys licensed in Iowa, Nebraska, and South Dakota state and federal courts and are experienced with all aspects of alternative dispute resolution including mandatory arbitration under CBAs.

2. Legal Experience. HLF has served as external counsel for the County since 2015. Although our duties have not included negotiation of the County's union contracts, we have regularly reviewed, analyzed, and applied the County's union contracts as we have advised the County's human resources staff on various employment issues. We have defended several prohibited practice complaints and negotiated settlements/severance agreements with union employees. In my representation of the County, and because of Tom's representation of other clients, we are both familiar with Preston DeBoer, the AFSCME union representative for

HEIDMAN LAW FIRM, PLLC

Melissa Thomas
June 27, 2022
Page 3

Northwest Iowa. As requested by the RFP, and in addition to the experience representing the County, the following are other representative clients of HLF:

- a. Sheldon Community School District (1700 E. Fourth Street, Sheldon, Iowa 51201). Tom has represented the Sheldon Community School District since 1975. Both Tom and Allyson currently provide public employment/labor and school law services to this client. In this capacity, Tom has negotiated the union contracts for the District. A representative for the District you may contact is Robin Spears, 712-324-8240.
- b. Northwest Iowa Community College (603 West Park Street, Sheldon, Iowa 51201). Tom has represented Northwest Iowa Community College since 1975. Both Tom and Allyson provide public employee/labor and school law services to this client. A representative for the College you may contact is President, Dr. John Hartog, 712-324-5061.
- c. O'Brien County, Iowa Conservation Board (4931 Yellow Ave, Peterson, Iowa 51047). Tom and I have provided legal services on an outside counsel basis at various times. Most recently, HLF was hired by the O'Brien County Conservation Board to provide counsel regarding employment matters. The contact person for the O'Brien County Conservation Board is Board President Tom Konz, 712-230-1136.
- d. City Attorney Services. Tom has provided counsel regarding public employee collective bargaining issues to the City of Sheldon, Iowa for over 20 years. Sarah Kleber and I currently serve as the City Attorney for various Iowa cities. In the past, Tom has also provided city attorney services. Contacts for individual cities can be provided upon request.

3. Organization, Size, Structure, and Areas of Practice. As stated above, HLF is a general practice, full-service law firm with offices in Sioux City, Iowa and Sheldon, Iowa. In addition to employment services, HLF has attorneys who specialize in real estate, business, estate planning and probate, family law, health law, tax law, and a variety of other specialties. Please see HLF's website for more information (www.heidmanlaw.com). HLF currently has 19 attorneys (partners, associates, and of-counsel).

4. Attorney Qualifications. Subject to your approval, I would be the main attorney contact at HLF with Tom Whorley and/or I performing the services requested in this RFP. Tom and my CVs are attached for your reference. On occasion, it may be necessary to have other partners, associates, and/or paralegals assist on matters depending on the subject matter of the representation. For example, one of our experienced litigators would generally participate in litigation matters.

HEIDMAN LAW FIRM, PLLC

Melissa Thomas

June 27, 2022

Page 4

5. Hourly Fee Arrangements for Legal Services. Generally, in the Sioux City market customary hourly rates for corporate and employment legal services are in the \$250 - \$275 range or more for law firm partners; and in the \$175 - \$200 range for law firm associate attorneys. Attorneys practicing in certain specialty areas are higher. Paralegal services are in the \$100-145 range. Historically, HLF has offered rates to serve as outside counsel for public entities at a lower rate than our customary corporate and employment work. Recently, however, increasing costs of operation including staff wages along with other inflationary pressures has required HLF to raise all client hourly rates. Accordingly, HLF proposes to perform the work requested in this RFP at the hourly rates of \$210 for partners, \$170 for associates, and \$90 for paralegals. Rates are subject to increase from time to time.

HLF will not charge for “soft costs” such as photocopying on HLF copiers, use of telephone or telefax or similar expenses. An exception would be huge-volume photocopying for a matter. When photocopying of such volume is to occur in-house, reimbursement will be discussed and approved by the County.

HFL will charge as expenses over and above attorney fees for all actual, out-of-pocket expenses. Examples are: fees for experts, doctors’ written reports and opinions, fees for obtaining medical records, appraisals, surveys and similar professional services from other providers, recording and filing fees, fees to obtain copies of government documents, photo duplication, commercial transportation, lodging and other out-of-pocket travel expenses and mileage at the current IRS reimbursement rate for vehicle travel outside the fifteen mile radius of the HLF Sioux City, Iowa offices. Such reimbursable expenses may be billed separately.

Invoices for HLF legal services and expenses will be submitted at least quarterly, or more frequently based on the work in progress or at the request of the County.

6. Conflicts of Interest. HLF currently serves as outside counsel for the County, primarily for employment matters. We are not aware of any relationships or compensation arrangements that would create or appear to create a conflict of interest if the HLF is selected for this work. Pursuant to the Iowa Rules of Professional Responsibility, HLF performs conflict checks and would not take any engagement which would result in a conflict of interest with its representation of the County without first receiving informed consent by the Woodbury County Board of Supervisors.

In closing, Heidman Law Firm, LLP, respectfully asks Woodbury County Board of Supervisors to retain our law firm for the legal services requested. Please let me know if you need any additional information as you evaluate this proposal.

HEIDMAN LAW FIRM, PLLC

Melissa Thomas
June 27, 2022
Page 5

Very truly yours,

A handwritten signature in black ink, appearing to read "Allyson C. Dirksken". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

ALLYSON C. DIRKSKEN
For the Firm

ACD/jjh
Enclosures

Thomas J. Whorley

OFFICE:

Whorley Heidman Law Firm, PLLC
P.O. Box 309
Sheldon, IA 51201
(712) 324-4385
Email: Tom.Whorley@heidmanlaw.com

RESIDENCE:

2100 E. 6th Street
Sheldon, IA 51201
(712) 324-2313

PROFESSIONAL EMPLOYMENT HISTORY:

1973-Present Attorney at Law at Whorley Heidman Law Firm, PLLC, Sheldon, IA

1972-1973 Assistant Attorney General – State of Iowa Department of Justice

EDUCATIONAL BACKGROUND:

1972 University of South Dakota, Vermillion, South Dakota
J.D. (Juris Doctor)

1969 University of South Dakota, Vermillion, South Dakota
Bachelor of Arts Degree

BAR ADMISSIONS:

- U.S. Supreme Court
- 8th Circuit Court of Appeals
- U.S. District Court Northern District of Iowa
- State of Iowa
- State of Minnesota

PROFESSIONAL AFFILIATIONS AND ACTIVITIES:

- Iowa State Bar Association Member, 1972-Present
- American Bar Association Member
- 2002 Recipient of the Iowa State Bar Association, Community Service Award
- O'Brien County Bar Association Member, 1973-Present, President 1974-1984

- Iowa Council of School Board Attorneys, 1976-Present
President-1993
Executive Board Member, 9 years, 1987-1995
- Governor's Volunteer Award 1996
- Elected member of the Iowa Judicial Nominating Commission (Iowa Judicial District 3A) 2009-2014
- Adjunct Professor- Iowa State University Department of Education teaching School Law to PhD Candidates – Northwest Iowa Community College, Sheldon, Iowa.
- Iowa Legal Aid Volunteer Lawyer award pro-bono assistance, 2007
- Member of the University of South Dakota Foundation Board of Trustees 2006-2015
- National Organization of Legal Problems in Education Member (NOLPE), 1975-Present
- Member NSBA Council of School Attorneys 1976 - Present
- Frequent Presenter at the Iowa Association of School Boards Annual Meetings and Conferences, Iowa Council of School Board Attorneys Seminars, Past 20 years
- Taught Education Law Issues Classes for Area Education Agency 4, Sioux Center, Iowa, Northwest Iowa Community College, Sheldon, Iowa.
- Acted as legal counsel for School Administrators of Iowa (SAI) representing numerous school administrators in Iowa.
- Served as Iowa Department of Education, Administrative Law Judge, 12 years, Having heard 4 Cases – Administrative Terminations
- Legal Counsel to numerous Iowa School Districts, Past 40 years handling numerous and a wide range of legal issues in public and private education.
- Legal Counsel to Northwest Iowa Community College, Past 39 years
- Acted as Chief Negotiator for Teachers and Support Staff for numerous Iowa School Districts and the City of Sheldon over the past 45 years.
- Represented school districts and educators before the Iowa Department of Education
- Prosecuted School Law Cases in District Court and Iowa Supreme Court and the United States Federal District Court in the following cases:

Tom Brands v. Sheldon Community School District, 671 Fed 627(N.D. Iowa 1987)

Rabbi Thomas Friedman v. Sheldon Community School District, 995 Fed 2nd 802 (8th Circuit 1993)

Sheldon Community School District Board of Directors v. Ronald R. Lundblad 528 NW 2d 593 Iowa (1995)

- Prepared Amicus Brief on behalf of Iowa Association of School Boards in the following case:
Board of Directors of Ames County School District v. Cullinan, 745 NW 2d 487 (Iowa 2008)
- Member of the Sheldon Community School District Board of Education, 6 years (2 years serving as President)
- Member of the Sheldon Community School District Educational Foundation, 9 years (3 years as President)

PUBLICATIONS:

- (AV) Preeminent @ Peer Review Rating 5.0 out of 5 (Martindale-Hubbell Law Directory), 36 years
- Author of *The History of the Sheldon Community School*, published 2015
- Co-Author of *Images of Sheldon, Iowa*, Arcadia Publishing publish date August 2022

COMMUNITY ACTIVITIES:

- Sheldon Prairie Museum Board Member (2013 – Present)
- Chairman of United Way Board, 3 years, 1 year as President
- Sheldon Community Library Board Member – 6 years (President 2 years)
- Member of the Foundation Board of the Northwest Iowa Community College 1996-2005
- President of Sheldon Chamber of Commerce, 1984-1985
- Member of Northwest Iowa Health Center Hospital Board, 9 years (President 4 years)
- Sheldon High School Mock Trial Coach, 1992-1997 (Teams were ranked in the top 10 in the state competition for 5 consecutive years)

Thomas J. Whorley
Curriculum Vitae
June 27, 2022
Page 4

- Treasurer and Board Member of Village Northwest Unlimited, Sheldon, Iowa, Residential Care Facility for Disabled Adults 12 years of service (Founding Member)
- Chairman of Numerous Community Fund Drives for Children's World, Northwest Iowa Health Center, Playground Paradise, Northwest Iowa Community College Foundation, Sheldon Crossroads Pavillion, raising in excess of 5 million dollars
- Member of Committee on Appeals Evangelical Lutheran Church in America (ELCA) 1991-1997, 8765 West Higgins Rd., Chicago, IL 60631
- Lifetime member of USD Alumni Association

PERSONAL:

- Wife, Janna Whorley; Son, J Paul Whorley; and Daughter, Paige Whorley

INTERESTS:

- Reading, Traveling, Political Memorabilia Collecting and Stamp Collecting

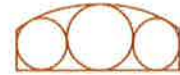
ALLYSON C. DIRKSEN

PARTNER

T 712.222.4115 • 712.255.8838

F 712.222.4122 • 712.258.6714

E allyson.dirksen@heidmanlaw.com



HEIDMAN
LAW

Iowa • Nebraska • South Dakota

Allyson Dirksen's diverse practice primarily concentrates on employment law, healthcare law, municipal law, school law, and agricultural law matters.

In the employment law arena, Allyson regularly advises employers on compliance issues arising under local, state, and federal laws; drafts employment policies and handbooks; and represents employers in administrative and court proceedings. Allyson has experience representing clients in matters involving discrimination claims, wrongful termination, collective bargaining, FMLA, unemployment appeals, civil rights, wage and hour, OSHA, drug testing, compensation/severance agreements, professional licensure, disciplinary actions, and the Affordable Care Act.

Allyson's healthcare law practice includes representing physician practices, federally qualified health centers, individual providers and other healthcare professionals in areas involving compliance, contracting, corporate and transactional law and medical staff issues. Allyson advises clients on HIPAA and other patient confidentiality laws, AKS, Stark, False Claims Act, and professional conduct rules and licensure standards.

During law school, Allyson was the Editor-in-Chief of the *Creighton Law Review*. Allyson and her family are involved with a family farm operation near Danbury, Iowa.

ADMISSIONS

Iowa
Nebraska
South Dakota
U.S. District Court, Northern and Southern Districts of Iowa, Nebraska
Eighth Circuit Court of Appeals

EDUCATION

Creighton University, Juris Doctor 2011
Iowa State University, Bachelor of Science 2008

PROFESSIONAL ORGANIZATIONS

American Bar Association
Iowa State Bar Association
Nebraska State Bar Association
South Dakota State Bar Association
Woodbury County Bar Association
American Health Law Association
Iowa Municipal Attorneys Association

COMMUNITY INVOLVEMENT

St. Mary's Catholic Church, Danbury, Iowa
Woodbury County Farm Bureau – Past Board Member
Big Brothers Big Sisters of Siouxland – Past Board Member
Siouxland Agriculture in the Classroom – Past Board Member

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

Date: 08/03/2022 Weekly Agenda Date: 8/09/2022

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Matthew Ung, Supervisor and Mark Nahra, County Engineer

WORDING FOR AGENDA ITEM:

Consider purchase of new seats for county dump trucks with gaming revenues

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

New seats are needed in six secondary road dump trucks.

BACKGROUND:

Quotes have been received for six new driver's seats for four county dump trucks. The total cost of the seats is \$5,344.89. Secondary road department staff will install the seats in the trucks.

FINANCIAL IMPACT:

The proposed purchase will be made with Gaming 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 purchase of the seats with Gaming Funds

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the purchase of six new seats for county dump trucks with Gaming Funds for \$5,344.89



4801 HARBOR DRIVE
 SIOUX CITY, IA 51111-1103
 Phone: (712) 252-2714 Fax: (712) 233-2690 Toll-Free: (800) 831-0967
 www.istatetruck.com

Account Number: 89196
 Invoice Number: Q262019681
 Invoice Date:
 Invoice Terms: NET30
 Salesperson: STAN K

PARTS PICK TICKET

Create Date

Estimate

07/21/2022

Q262019681

Bill-To

Ship-To

CusId# 89196

COUNTY - WOODBURY HIGHWAY
DEPARTMENT
 759 E FRONTAGE RD
 MOVILLE, IA 51039

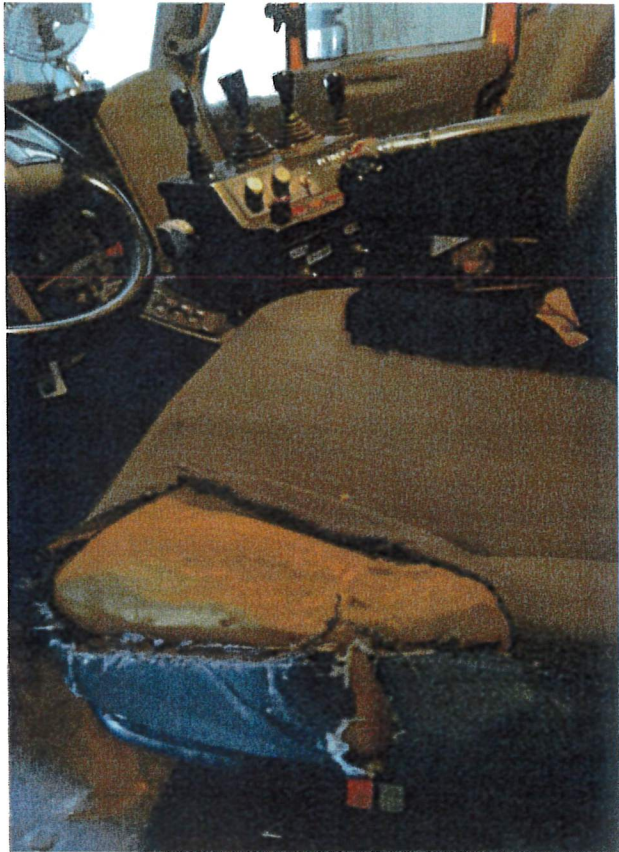
COUNTY - WOODBURY HIGHWAY
DEPARTMENT
 759 E FRONTAGE RD
 MOVILLE, IA 51039

Ship Method: PICKUP

Ship	B/O	Item	Description	O/H	Bin1	Bin2	Unit Price	Extended
-3	0		PARTS- CUSTOMER PARTS DISCOUNT				50.22	-150.66
1	0	262F/SET 178655PS	FREIGHTLINER M2 ADAPTER	0	NOLOC	NOLOC	80.46	80.46
1	0	262F/SET 188904KW21	SEAT-LEGACY LO SUSP HB AIR LUM	0	NOLOC	NOLOC	894.68	894.68
1	0	262F/SET 188900FW635	SEAT-LEGACY SILVER HB GRAY	2	S11AS4	S11AS4	873.95	873.95
2	0	262F/SET 188900FW631	SEAT-LEGACY SILVER HB 2W BLK	3	S11BS4	S11BS4	873.95	1,747.90

Picked By: _____ Date: _____ Time: _____

Printed @: 7/21/2022 1:51:52PM



Truck number 201



Truck number 200, fabric good, padding is gone and seat is down to steel backing.

