



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(SEPTEMBER 20) (WEEK 38 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 September 20, 2022 at **4:30 p.m.** in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

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

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

AGENDA

4:30 p.m. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

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

Consent Agenda

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

3. Approval of the minutes of the September 13, 2022 meeting
4. Approval of claims
5. Deputy Commissioner of Elections - Steve Hofmeyer
Receive the appointment of Lisa M. Petersen as the Mayor of Anthon to fill the vacated position left when Tammy Reimer resigned

6. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorization to Initiate Hiring Process
 - c. Presentation of Award Certificate to Alyse Morris

7. Community Economic Development – Daniel Priestley
 Approval to set 10/4/22 @ 4:45 p.m., 10/11/22 @ 4:45 p.m., and 10/18/22 @ 4:45 p.m.
 for public hearings for a proposed Zoning Ordinance Map Amendment
 of Parcel #884701200009 from the Agricultural Preservation (AP) Zoning District
 to the General Commercial (GC) Zoning District

End Consent Agenda

- | | |
|---|-----------------------|
| 8. Deputy County Recorder – Diane Swoboda Peterson
Approval of agreement for Electronic Provision of Woodbury County
Recorder’s Office public record images | Action |
| 9. Community Economic Development – Daniel Priestley
Informational update about permitting process for hazardous liquids pipelines | Information |
| 10. Building Services – Kenny Schmitz <ol style="list-style-type: none"> a. Approve \$550,000 of ARPA funds for the 28th Street Improvement Project b. Trosper Hoyt Structural South Wall Project update | Action
Information |
| 11. Secondary Roads – Mark Nahra
Approve the resolution to amending the FY 2023-2027 construction program | Action |
| 12. Reports on Committee Meetings | Information |
| 13. Citizen Concerns | Information |
| 14. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- WED., SEP. 21 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., SEP. 22 10:00 a.m.** Siouxland Regional Transit System Meeting, Hybrid
- 11:15 a.m.** Western Iowa Community Improvement Regional Housing Trust Fund Meeting, Hybrid
- MON., SEP. 26 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., SEP. 27 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., SEP. 28 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., SEP. 29 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- MON., OCT. 3 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WED., OCT. 5 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., OCT. 6 10:00 a.m.** COAD Meeting, The Security Institute
- WED., OCT. 12 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., OCT. 13 10:00 a.m.** STARComm Board Meeting, The Security Institute, WIT Campus
- 12:00 p.m.** SIMPCO Board of Directors Meeting, 1122 Pierce St.
- 4:00 p.m.** Conservation Board Meeting, Snyder Bend Park
- WED., OCT. 19 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., OCT. 20 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., OCT. 21 12:00 p.m.** Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G

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.

SEPTEMBER 13, 2022 THIRTY-SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, September 13, 2022 at 4:00 p.m. Board members present were Ung, Radig, Taylor, Wright, and De Witt. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, and Patrick Gill, Auditor/Clerk to the Board.

1. Motion by De Witt second by Wright to go into closed session per Iowa Code Section 21.5(1)(c). Carried 5-0 on roll-call vote.

Motion by Taylor second by De Witt to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 5-0 on roll-call vote.

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

2. Deb Main, Sioux City, addressed the Board with concerns about pipeline initiatives.
3. Motion by Radig second by Taylor to approve the agenda for September 13, 2022. Carried 5-0. Copy filed.

Motion by Radig second by Taylor to approve the following items by consent:

4. To approve minutes of the September 6, 2022 meeting. Copy filed.
5. To approve the claims totaling \$418,447.09. Copy filed.
6. To approve the appointment of Alma Reyes Ramirez, Assistant County Attorney, County Attorney Dept., effective 09-19-22, \$67,271.54/year, \$2,491.54/bi-weekly. Job Vacancy Posted 6-22-22. Entry level Salary: \$67,271.54 and the reclassification of James Amick, District Foreman, Secondary Roads Dept., effective 09-19-22, \$84,285.06/year, \$3,121.67/bi-weekly, 2%=\$1,706.80/yr. Per Wage Plan Matrix, 6 year Salary Increase. Copy filed.
- 7a. To approve the refund of property tax for Wayne & Michelle Davis, parcel #894722109001, 1800 27th St., in the amount of \$400.00. Copy filed.
- 7b. To approve the refund of property tax for A & B Real Estate, parcel #864629309003, 421 Evans, in the amount of \$60.00. Copy filed.
- 7c. To approve the refund of property tax for Latasia Zinn, parcel #894711229004, 4522 Arthur St., in the amount of \$740.00. Copy filed.

Carried 5-0.

8. Motion by Radig second by De Witt to allocate \$1,000 (Gaming Revenue) and 2 days (16 hours total) of paid time off for the employee contribution campaign. Carried 5-0. Copy filed.
- 9a. A public hearing was held at 4:35 p.m. for the sale of parcel #894726363018, 102 S. Rustin St. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894726363018, 102 S. Rustin St., to Brooke Collazo, 4101 Gordon Dr., Sioux City, for \$5,200 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,504**

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

By Brooke M. Collazo and Adolfo Collazo in the sum of Five Thousand Two Hundred and 00/100 (\$5,200.00) dollars.

For the following described real estate, To Wit:

Parcel #894726363018

All of the 100 feet wide corridor of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company bounded by Blocks 1 and 2 in Ludwigs 3rd Filing and Rustin and Bismark (Helen) Streets (ex pt lying North of Lot 6 of the re-survey of the E ½ of Block 1, Ludwigs Addition 3rd filing) in the City of Sioux City and Woodbury County, Iowa (102 S. Rustin Street.)

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 13th Day of September, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

9b. A public hearing was held at 4:37 p.m. for the sale of parcel #894234453030, 507 Driftwood St. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894234453030, 507 Driftwood St., to City of Correctionville, 312 Driftwood St., Correctionville, for \$447.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,505**

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

By City of Correctionville, Iowa in the sum of Four Hundred Forty-Seven and 00/100 (\$447.00) dollars.

For the following described real estate, To Wit:

Parcel #894234453030

The North Forty-Five and Five-Tenths feet (N45.5') of Lot One (1) of the Erwins First Addition, City of Correctionville, County of Woodbury and State of Iowa (507 Driftwood 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 13th Day of September, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 10a. Motion by Radig second by Taylor to approve flu shots to Woodbury County employees. Carried 5-0. Copy filed.
- 10b. Motion by Radig second by De Witt to approve the 2022 Annual Health and Wellness Fair. Carried 5-0. Copy filed.
- 10c. Motion by Radig second by De Witt to provide wellness screenings and continued quarterly individual health coaching to eligible Woodbury County employees. Carried 5-0. Copy filed.
- 10d. Motion by Radig second by De Witt to approve the addition of spousal and child life insurance to Woodbury County's benefits package. Carried 5-0. Copy filed.
- 11. Motion by Taylor second by Radig to award the quote for carpet replacement to Knova Carpets, Inc. for \$9,066.92. Carried 4-1; De Witt opposed. Copy filed.
- 12. Reports on committee meetings were heard.
- 13. Bill Burrows, Sioux City asked about county employee life insurance benefits.
- 14. Board concerns were heard.

The Board adjourned the regular meeting until September 20, 2022.

Meeting sign in sheet. Copy filed.

NOTICE OF APPOINTMENT TO FILL A VACANCY

TO: Patrick F. Gill, Woodbury County Auditor/Recorder & Commissioner of Elections

From: City of Anthon School/City/Township/
Jenifer D Umbach, city clerk Extension/Soil & Water
9/12/2022 Secretary/Clerk
Date

This is to notify you and the Board of Supervisors of Woodbury County that the following person has been appointed until the next regular/general election:

For the office of Mayor
Name Lisa M. Petersen
Address 309 W. Main St.
City/Zip Anthon 51004
Date of appointment 9/12/2022

This appointment is to fill the office previously held by:

Tammy Reimer
(Name of previous official)

RETURN TO: Patrick F. Gill
Woodbury County Commissioner of Elections
620 Douglas St, Rm 103
Sioux City, IA 51101

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: September 20, 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
Torres, Zaira	County Sheriff	9-14-22	Civilian Jailer			S	Resignation.
Schumacher, Ashley	County Sheriff	10-03-22	Civilian Jailer	\$24.28/hour	4%=\$.95/hour	R	Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.
Svendsen, Austin	County Sheriff	10-03-22	Civilian Jailer	\$25.26/hour	4%=\$.98/hour	R	Per CWA Civilian Officers Contract agreement, from Class 2 to Class 1.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: *Melissa Thomas*

HUMAN RESOURCES DEPARTMENT

WOODBURY COUNTY, IOWA

DATE: September 20, 2022

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Sheriff	Civilian Jailer	CWA: \$23.33/hour		

Chairman, Board of Supervisors



Woodbury County Sheriff's Office

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

Chad Sheehan, SHERIFF

PHONE: 712.279.6010
E-MAIL: csheehan@woodburycountyiowa.gov
FAX: 712.279.6522

September 14, 2022

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

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to begin the hiring process for one (1) Correctional Officer position, effective September 21st, 2022. We request this be placed on the agenda for Tuesday September 20th, 2022, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Sheehan", with a long horizontal flourish extending to the right.

Chad Sheehan, Sheriff

cc: file

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

Date: 09/15/2022 Weekly Agenda Date: 09/20/2022

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas

WORDING FOR AGENDA ITEM:

Presentation of Award Certificate to Alyse Morris.

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 checked="" type="checkbox"/> |

EXECUTIVE SUMMARY:

Presentation of Award Certificate for 4 hours of Paid Time Off to Alyse Morris.

BACKGROUND:

On 6-16-15 the Board of Supervisors approved the participation of Woodbury County employees in the City of Sioux City Blood Drives and to provide the same incentive of four hours of paid time off to employees who reach gallon milestones. Recipients of this award have been kind enough to donate to the blood bank for the benefit of others.

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:

CERTIFICATE OF AWARD

FOUR (4) HOURS OF PAID TIME OFF
AWARDED TO
ALYSE MORRIS

FOR THE GENEROUS DONATION OF 4 GALLONS TO THE LIFESERVE BLOOD CENTER
(TIME OFF MUST BE REDEEMED WITHIN SIX MONTHS FROM THE DATE BELOW)

Keith Radig, Board of Supervisors, Chairman

Rocky DeWitt, Board of Supervisors

Jeremy Taylor, Board of Supervisors

Matthew Ung, Board of Supervisors

Justin Wright, Board of Supervisors



September 20, 2022

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

Date: 9/15/22 Weekly Agenda Date: 9/20/22

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel J. Priestley, CED Zoning Coordinator

WORDING FOR AGENDA ITEM:

Schedule Dates and Times for 3 Public Hearings for, a Proposed Zoning Ordinance Map Amendment (rezone) of 5-acres located on Government Lot 1, T88N R47W (Woodbury Township), Parcel #884701200009, from the Agricultural Preservation (AP) to the General Commercial (GC) Zoning District. Tuesday, 10/4/22, 4:45 PM; Tuesday, 10/11/22, 4:45 PM; Tuesday, 10/18/22, 4:45 PM

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

This item requests the Board to set the dates and times for 3 public hearings for a proposed zoning ordinance map amendment (rezone) of 5-acres located on Government Lot 1, T88N R47W (Woodbury Township), Parcel #884701200009, from the Agricultural Preservation (AP) to the General Commercial (GC) Zoning District.

BACKGROUND:

Curtis Epling of Midwest Auto Properties, LLC has filed an application for a zoning ordinance map amendment (rezone) on the property as referenced above from the Agricultural Preservation (AP) to the General Commercial (GC) Zoning District for the purpose of using the property for outdoor storage and eventually having a building for automotive repair.

FINANCIAL IMPACT:

0

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

Yes No

RECOMMENDATION:

Set the dates and times for 3 public hearings for a proposed Zoning Ordinance Map Amendment of Parcel #884701200009 from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District:

Tuesday, 10/4/22, 4:45 PM
Tuesday, 10/11/22, 4:45 PM
Tuesday, 10/18/22, 4:45 PM

ACTION REQUIRED / PROPOSED MOTION:

Motion to set the dates and times for 3 public hearings for a proposed Zoning Ordinance Map Amendment of Parcel #884701200009 from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District:

Tuesday, 10/4/22, 4:45 PM
Tuesday, 10/11/22, 4:45 PM
Tuesday, 10/18/22, 4:45 PM

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

Date: 09/14/2022

Weekly Agenda Date: 09/20/2022

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Diane Swoboda Peterson

WORDING FOR AGENDA ITEM:

Agreement for Electronic Provision of Woodbury County Recorder's Office Public Record Images

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

One agreement needs to be signed by Chairperson

BACKGROUND:

One national firm has requested access to those images. Assistant County Attorney Joshua Widman drafted the agreement to be signed.

FINANCIAL IMPACT:

There is no financial impact to the County. At the end of each work day, a Recorder clerk, through the recording software, does a three "click" process that extracts the images to "One Drive" where the firm accesses the images via an email address that is password protected. This process was set up by WCICC.

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

Yes No

RECOMMENDATION:

Recommend the Chairperson sign the agreement. This will put the process into place for the national firm.

ACTION REQUIRED / PROPOSED MOTION:

Need a motion to approve the Chairperson to sign and date the agreement.

Agreement for Electronic Provision of Woodbury County Recorder's Office Public Record Images

THIS AGREEMENT ("Agreement"), effective as of the date the last Party signs this Agreement (the "Effective Date"), is made and entered into by and between Zillow, Inc. ("Zillow") and Woodbury County, Iowa, a political subdivision of the State of Iowa having its principal offices at 620 Douglas St., Sioux City, IA 51101 ("County"). Zillow and County are each individually referred to herein as a "Party" and jointly as the "Parties."

1. RECITALS:

1.1 County's recorded documents are stored in a digitized image format in County's electronic document management system. Certain recorded documents are public records under Iowa's Open Records law.

1.2 Zillow desires to obtain the digitized images on an ongoing basis and also possibly obtain certain historical digitized image files.

1.3 Zillow desires to obtain and County desires to provide the Services, as described herein, to Zillow in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, the Parties hereto do hereby mutually promise, covenant and agree as follows:

2. SERVICES.

County shall provide electronic access to Zillow to County's recorded digitized images subject to the terms and conditions of this Agreement. County shall have the sole discretion to determine the frequency, method, manner and location of the performance of its Services under this Agreement. County may, at its convenience and sole discretion, suspend or terminate electronic access to the digitized images. Zillow's use of digitized images obtained under this Agreement shall comply with applicable state and federal law.

3. COMPENSATION.

Access to images on an ongoing basis in a format determined by County shall be provided at no charge to Zillow. However, Zillow shall pay the reasonable actual costs for:

- 1.) Provision of historical digitized images;
- 2.) Data in a specific format requested by Zillow.

No fees shall be incurred under this Agreement without prior authorization from Zillow. Zillow shall prepay any fees due under this Agreement prior to County performing the Services.

4. PERSONALLY IDENTIFIABLE INFORMATION.

Pursuant to Iowa Code Section 331.606A, "personally identifiable information" means one or more of the following specific unique identifiers when combined with an individual's name: (1) social security number. (2) Checking, savings, or share account number, credit, debit, or charge card number. Digitized images provided under this agreement have been redacted through a system created by the Iowa County Records Association. However, no redaction system has been shown to be completely accurate. Any personally identifiable information which may be found on a digitized image is confidential. If Zillow discovers any personally identifiable information in an image provided under this agreement, Zillow shall immediately notify the Woodbury County Recorder's Office so that the information can be restricted or redacted. Additionally, Zillow is expressly prohibited from distributing, sharing, or publicizing any personally identifiable information which may be found.

5. DISCLAIMER OF WARRANTY:

ZILLOW AGREES THAT WOODBURY COUNTY HAS MADE NO EXPRESS WARRANTIES, ORAL OR WRITTEN, TO ZILLOW REGARDING THE PRODUCTS AND DATA AND THAT THE PRODUCTS AND DATA ARE BEING PROVIDED TO ZILLOW "AS IS" WITHOUT WARRANTY OF ANY KIND. WOODBURY COUNTY DISCLAIMS ANY AND ALL OTHER WARRANTIES, WHETHER EXPRESSED, IMPLIED, OR STATUTORY, INCLUDING, BUT WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF NONINFRINGEMENT OF THIRD PARTY RIGHTS, MERCHANTABILITY, SECURITY, AND FITNESS FOR A PARTICULAR PURPOSE.

6. INDEMNITY AND LIMITATION OF LIABILITY:

6.1 INDEMNITY

Zillow agrees to indemnify, defend and hold Woodbury County, Iowa and its officials, employees, contractors, suppliers, and agents harmless from any and all claims and/or demands, including reasonable attorneys' fees, made by any third party in connection with or arising out of (a) any use or misuse by Zillow (or anyone using your account) of the Services or data; (b) any act or omission to act by Zillow related to this Agreement; or (c) harm of any kind caused to any third party in any way involving the Agreement.

6.2 LIMITATION OF LIABILITY

Zillow assumes the entire risk of using the services provided. IN NO EVENT SHALL WOODBURY COUNTY BE LIABLE TO ZILLOW FOR ANY DAMAGES, INCLUDING ANY LOST PROFITS, LOST SAVINGS, OR OTHER INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES OF ANY KIND ARISING OUT OF THE USE OF THE SERVICE OR DATA, EVEN IF WOODBURY COUNTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT WILL WOODBURY COUNTY'S LIABILITY FOR ANY CLAIM, WHETHER IN CONTRACT, TORT, OR ANY OTHER THEORY OF LIABILITY, EXCEED THE FEE PAID BY ZILLOW, PROVIDED, HOWEVER, IF THE RELEVANT PRODUCT WAS PROVIDED TO ZILLOW AT NO CHARGE ZILLOW AGREES WOODBURY COUNTY SHALL NOT BE LIABLE TO ZILLOW FOR ANY DAMAGES.

7. TERM AND TERMINATION:

This Agreement shall continue in full force and effect until terminated as provided in this section. Either party may terminate this agreement as follows:

7.1 Upon failure or neglect of Zillow to pay any undisputed amounts payable pursuant to this Agreement when due, if default continues for thirty (30) days after written notice to Zillow;

7.2 Upon the failure of either Party to perform any of its obligations under this Agreement if continuing for ten (10) days after written notice to such breaching Party;

7.3 For the convenience of either Party upon thirty (30) days written notice.

If either Party shall breach the terms of this Agreement, the other Party shall reasonably and in good faith attempt to reduce and mitigate damages and injuries. County shall be paid for all work completed prior to termination of this Agreement. The payment, indemnity, and disclaimer of warranty provisions of this Agreement shall survive termination of the Agreement.

8. MISCELLANEOUS:

8.1 SOFTWARE TERMS OF USE AND ELECTRONIC ACCESS

Zillow agrees to be bound by the applicable Terms of Use of any software used to provide electronic access to the digitized images. The computer system is for authorized use only. Users have no explicit or implicit expectation of privacy. Any or all uses of this system and all data on this system may be monitored, recorded, or audited and disclosed to authorized personnel and authorized officials of other agencies.

By using this system, the user consents to such disclosure at the discretion of authorized personnel. Unauthorized or improper use of this system may result in termination of the contract, and civil and criminal penalties.

8.2 SEVERABILITY

In the event of invalidity of any provision of this Agreement, the Parties agree that such invalidity shall not affect the validity of the remaining portions of this Agreement.

8.3 GOVERNING LAW

This Agreement will be governed by Iowa law, without regard to choice of law principles. Venue for litigation shall be in Woodbury County, Iowa.

8.4 ENTIRE AGREEMENT

This is the entire agreement between Zillow and Woodbury County, which supersedes any prior agreement, whether written or oral, and all other communications between Woodbury County and Zillow relating to the subject matter of this Agreement.

Nothing expressed or implied in this Agreement is intended, or shall be construed, to confer upon or give any person or entity other than Zillow and Woodbury County any rights or remedies under or by reason of this Agreement. Zillow may not assign this Agreement without the prior written consent of Woodbury County. This Agreement shall be binding on Zillow and your affiliates, employees, agents and permitted assigns.

8.5 RESERVATION OF RIGHTS

All rights not expressly granted in this Agreement are reserved by Woodbury County.

8.6 AUTHORITY AND APPROVAL

Each Party has full power and authority to enter into and perform this Agreement and the person signing this Agreement on behalf of each had been properly authorized and empowered to enter into this Agreement. Each Party further acknowledges that it has read this Agreement and agrees to be bound by it.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date set forth below.

WOODBURY COUNTY, IOWA

By: _____

Print Name: _____

Title: _____

Date: _____

WOODBURY COUNTY AUDITOR/RECORDER

By:  _____

Print Name: Patrick F. Gill

Title: Auditor and Recorder

Date: 9-14-2022

ZILLOW, INC.

By:  _____

Print Name: Carol Trice

Title: Director, Public Data Operations

Date: 09-06-2022

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

Date: 9/15/22 Weekly Agenda Date: 9/20/22

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel J. Priestley, CED Zoning Coordinator

WORDING FOR AGENDA ITEM:

Permitting Process for Hazardous Liquids Pipelines

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Informational update about Woodbury County's permitting options for hazardous liquids pipelines under the Woodbury County Zoning Ordinance.

BACKGROUND:

Under the Zoning Ordinance, pipelines, pipeline terminals, pumping stations, etc. must receive a conditional use permit after review by the Zoning Commission and approval by the Board of Adjustment. Conditional uses are those having special or unique characteristics that require a careful review of their location, design, configuration, and impacts to determine the desirability of permitting their establishment on any given size. Conditional uses may or may not be appropriate in a particular location. The Board of Adjustment has the authority to approve, approve with conditions or limitations, or deny the requested conditional use. Options will be discussed as it relates to the current zoning ordinance, amendments to the exiting ordinance, or a stand alone ordinance.

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

Information Item Permitting Process for Hazardous Liquids Pipelines

ACTION REQUIRED / PROPOSED MOTION:

Information Item Permitting Process for Hazardous Liquids Pipelines

Woodbury County Zoning Ordinance – Pipeline Permitting through Conditional Use

Excerpt - Section 3.03.4 – Land Use Summary Table of Allowed Uses in each Zoning District

	AP	AE	NR	SR	GC	HC	LI	GI
ok Principal allowed use								
C Conditional use								
A Accessory use								
-- Prohibited use								
Hospice facility	C	C	C	C	--	--	--	--
Hospice services	--	--	--	--	ok	--	--	--
Substance abuse counseling	C	C	--	--	ok	--	--	--
Soup kitchens	--	--	--	--	ok	--	--	--
Transportation, communication and public services								
Air transportation								
Airport and heliport	C	C	--	--	--	--	--	--
Bus garage	C	--	--	--	ok	--	ok	--
Pipelines								
Pipelines	C	C	C	C	C	C	C	C
Pipeline terminals, pumping stations, etc.	C	--	--	--	--	--	C	C

Excerpt – Section 6.02

- 170. Use.** The type of activity or purpose for which a parcel of land and/or structure is arranged, designed, or intended, or for which it may be occupied.
- 171. Use, Accessory.** A use that serves or is subordinate in purpose to another allowed use on the same lot.
- 172. Use, Allowed.** A principal, conditional or accessory use that may be established in conformance with the regulations of the zoning district in which it is located.
- 173. Use, Conditional.** A use that is allowed in conformance with the regulations of the zoning district in which it is located, if and only if, approved by the Board of Adjustment as provided in subsection 2.02-9.
- 174. Use, Principal.** A use that is allowed as a matter of right in conformance with the regulations of the zoning district in which it is located.

Section 2.02.9 – Conditional Uses

9. Conditional Uses

- A. Authority. The Board of Adjustment shall hear and decide upon requests for a conditional use pursuant to subsection 2.01-5.D subject to the procedures, standards and conditions set out in this subsection.
- B. Purpose. Conditional uses are those uses having special or unique characteristics that require a careful review of their location, design, configuration, and impacts to determine the desirability of permitting their establishment on any given site. Conditional uses may or may not be appropriate in a particular location.

ADMINISTRATION

- C. Filing.
- (1) Right to apply for conditional uses. An application for a conditional use may be filed by the owner of, or any other person with a contractual interest in, the subject property.
 - (2) Form of application. An application for a conditional use shall be submitted to the zoning director and shall include at least the following information:
 - (a) The name and address of the property owner and the applicant;
 - (b) The address, if any, and the legal description of the property;
 - (c) The current zoning district classification;
 - (d) A specific description of the proposed conditional use including the section of this title for which a conditional use is authorized;
 - (e) A map, drawn to scale, showing the subject property, all structures and other improvements, with the proposed conditional use identified;
 - (f) Statements in response to the criteria and standards for approval of conditional uses in subsection 2.02-9. F below.
 - (3) Fee. A nonrefundable filing fee, as established by resolution of the Board of Supervisors to defray administrative costs, shall accompany the application for a conditional use.
 - (4) A certified abstractor's listing of the names and mailing addresses of all owners of real property lying within 500 feet from the subject property, except that in the case of a conditional use to allow construction of an airport, a sanitary landfill, or a telecommunication tower as provided in subsection 5.05-3, the abstractor's list shall be for all owners of real property located within one mile of the subject property.
- D. Stay of proceedings. A request for a conditional use shall have the effect of a temporary suspension of enforcement of the provisions of these regulations that are the subject of the conditional use until the conclusion of the conditional use process, unless the zoning director certifies that the suspension may cause imminent peril to life or property.
- E. Review and decision-making process.
- (1) Review by the planning and zoning commission. The planning and zoning commission shall review the application for a conditional use and report its findings and recommendations to the Board of Adjustment before their public hearing on the application. In their review, the planning commission shall consider each of the standards and other considerations for review of conditional uses as specified in subsection 2.02-9. F below.
 - (2) Action by the Board of Adjustment.
 - (a) Hearing required. After receiving the report of the planning and zoning commission, the Board of Adjustment shall conduct a public hearing on the variance request in accordance with subsection 2.02-1. B.
 - (b) Notification. Public notification of the Board of Adjustment hearing on the conditional use request shall be as required by subsection 2.02-1. B(1).

ADMINISTRATION

Such notices shall provide information on the time, date and location of the hearing and a brief description of the requested conditional use.

- (c) Decision. Within 35 days after the public hearing, the Board of Adjustment shall approve, approve with conditions or limitations, or deny the requested conditional use. The Board of Adjustment shall set forth findings of fact addressing the points enumerated in subsection 2.02-9. F below as a basis for its action.

F. Requirements for conditional uses.

- (1) Standards. In order to grant a conditional use, the Board of Adjustment must determine that:
 - (a) The conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied.
 - (b) The proposed use and development will be in harmony with the general purpose and intent of this ordinance and the goals, objectives and standards of the general plan.
 - (c) The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other factors affecting the public health, safety and general welfare.
 - (d) The proposed use and development will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.
 - (e) Essential public facilities and services will adequately serve the proposed use or development.
 - (f) The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties.
- (2) Other considerations. In its review of conditional use requests, the Board of Adjustment shall consider whether, and to what extent:
 - (a) The proposed use or development, at the particular location is necessary or desirable to provide a service or facility that is in the public interest or will contribute to the general welfare of the neighborhood or community.
 - (b) All possible efforts, including building and site design, landscaping and screening have been undertaken to minimize any adverse effects of the proposed use or development.

G. Limitations.

- (1) The Board of Adjustment may set a time limit for establishment of the use authorized by a conditional use permit as a condition for approval. If the use has not been established within that time, the Board of Adjustment may consider revocation of the conditional use permit.

ADMINISTRATION

- (2) If the use or development for which the conditional use permit was granted ceases to exist for a period of ninety days, the certificate of occupancy shall be terminated. The use or development shall not be reinstated unless the Board of Adjustment issues another conditional use permit.
- H. Appeal of the actions of the Board of Adjustment. Any interested party may appeal a decision of the Board of Adjustment as provided by the Code of Iowa. Such an appeal suspends the effect of the action of the Board of Adjustment until the appeal has been resolved.

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

Date: 9/13/2022 Weekly Agenda Date: 9/20/2022

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Kenny Schmitz/ Dennis Butler

WORDING FOR AGENDA ITEM:

28th Street Improvement Project- Approve ARPA Funds

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Request to approve ARPA funds relating to water, sewer, fiber optic costs associated with the 28th Street Project.

BACKGROUND:

Approve ARPA funds to pay costs of identified qualifying items utilized in the 28th Street Project:
ARPA Final Rule 5.18 Water / Sewer
ARPA Final Rule 5.21 Fiber Optics

FINANCIAL IMPACT:

\$550,000.00

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

Yes No

RECOMMENDATION:

Approve ARPA funds to pay costs of final rule identified qualifying items utilized in the 28th Street Project

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve \$550,000.00 of ARPA funds for the 28th Street Improvement Project

28th Street Project
 Sioux City Engineering
 Qualifying ARPA Items

Bid Item No	CO / LOU	Change	Total Value of Item	Value of work installed to Date	Materials Presently Stored	Total Completed and Stored to Date (D+E)	% (F/B)	Balance to Finish (B-F)	Qualifying ARPA
2	CO2	13,545.60	721,153.60	721,153.60		721,153.60	100.0%	-	
3	CO2	(103,983.00)	-	-		-		-	
4	LOU		73,761.00	73,761.00		73,761.00	100.0%	-	
5			12,090.00	12,090.00		12,090.00	100.0%	-	
6			7,310.00	975.00		975.00	13.3%	6,335.00	
8	CO2	(9,855.00)	-	-		-		-	
9	CO2	(22,844.75)	5,651.25	5,651.25		5,651.25	100.0%	-	
10			3,600.00	3,600.00		3,600.00	100.0%	-	
13	LOU		16,675.00	16,675.00		16,675.00	100.0%	-	16,675.00
14			324,300.00	324,300.00		324,300.00	100.0%	-	324,300.00
15	LOU		3,500.00	3,500.00		3,500.00	100.0%	-	3,500.00
16			18,000.00	18,000.00		18,000.00	100.0%	-	18,000.00
17			15,750.00	15,750.00		15,750.00	100.0%	-	15,750.00
18			59,000.00	59,000.00		59,000.00	100.0%	-	59,000.00
19	CO2	(2,300.00)	-	-		-		-	
20	CO2	(621.00)	65,619.00	65,619.00		65,619.00	100.0%	-	
21	LOU		6,325.00	6,325.00		6,325.00	100.0%	-	
22	CO2	(5,970.00)	15,390.00	15,390.00		15,390.00	100.0%	-	

23	LOU		25,650.00	25,650.00		25,650.00	100.0%	-	
24	CO2	1,600.00	113,280.00	113,280.00		113,280.00	100.0%	-	
25	LOU		285.00	285.00		285.00	100.0%	-	
26	CO2	(448.50)	47,391.50	47,391.50		47,391.50	100.0%	-	47,391.50
27	CO1	(16,940.00)	42,680.00	42,680.00		42,680.00	100.0%	-	42,680.00
28			1,300.00	1,300.00		1,300.00	100.0%	-	1,300.00
29	CO1	(22,540.00)	-	-		-		-	
30	CO1	(1,775.00)	-	-		-		-	
31			2,100.00	2,100.00		2,100.00	100.0%	-	2,100.00
32	CO1	(10,200.00)	22,950.00	22,950.00		22,950.00	100.0%	-	22,950.00
33			4,750.00	4,750.00		4,750.00	100.0%	-	4,750.00
34			130,000.00	130,000.00		130,000.00	100.0%	-	130,000.00
35			26,200.00	26,200.00		26,200.00	100.0%	-	26,200.00
36			7,560.00	7,560.00		7,560.00	100.0%	-	7,560.00
37			159,790.00	159,790.00		159,790.00	100.0%	-	159,790.00
38	LOU		19,950.00	19,950.00		19,950.00	100.0%	-	19,950.00
39	CO2	5,350.00	117,700.00	117,700.00		117,700.00	100.0%	-	
40	LOU		10,700.00	10,700.00		10,700.00	100.0%	-	
41			118,492.50	-	10,619.40	10,619.40	9.0%	107,873.10	118,492.50
42	LOU		57,625.00	-	10,619.39	10,619.39	18.4%	47,005.61	57,625.00
43			14,000.00	-	2,240.00	2,240.00	16.0%	11,760.00	14,000.00
44	LOU		11,200.00	-	1,037.51	1,037.51	9.3%	10,162.49	12,000.00
47			12,000.00	9,000.00		9,000.00	75.0%	3,000.00	
48			22,400.00	16,800.00		16,800.00	75.0%	5,600.00	

51	CO1	37,130.00	37,130.00	37,130.00		37,130.00	100.0%	-	37,130.00
52	CO1	48,450.00	48,450.00	48,450.00		48,450.00	100.0%	-	48,450.00
53	CO1	8,400.00	8,400.00	8,400.00		8,400.00	100.0%	-	8,400.00
54	CO1	7,630.00	7,630.00	7,630.00		7,630.00	100.0%	-	7,630.00
55	CO1	26,800.00	26,800.00	26,800.00		26,800.00	100.0%	-	26,800.00
56	CO2	48,372.00	48,372.00	48,372.00		48,372.00	100.0%	-	
57	CO2	228,507.30	228,507.30	228,507.30		228,507.30	100.0%	-	
58	CO2	16,000.00	16,000.00	16,000.00		16,000.00	100.0%	-	
59	CO2	1,650.00	1,650.00	1,650.00		1,650.00	100.0%	-	
60	CO2	3,670.00	3,670.00	3,670.00		3,670.00	100.0%	-	
61	CO2	6,315.00	6,315.00	6,315.00		6,315.00	100.0%	-	
62	CO2	756.00	756.00	756.00		756.00	100.0%	-	
63	CO2	3,230.00	3,230.00	3,230.00		3,230.00	100.0%	-	
64	CO2	7,140.00	7,140.00	7,140.00		7,140.00	100.0%	-	

Water / Sewer that qualifies for ARPA Total:	796,141.50
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Fiber Optic that qualifies for ARPA Total:	132,492.50
--	-------------------

Qualifies for ARPA but is City's Responsibility Total:	303,790.00
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Progress Estimate - Unit Price Work

Contractor's Application

For (Contract): Woodbury County Law Enforcement Center Offsite Improvements								Application Number: 9			
Application Period: 7.1.2022-7.31.2022								Application Date:			
A					B	C	D	E	F		
Bid Item No.	Item Description	Contract Information				Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
		Item Quantity	Units	Unit Price	Total Value of Item (\$)						
	Base Bid					-					
002	7.0 in. Concrete Pavement (28th Street)	106,052	SF	\$6.80	\$721,153.60	106,052.00	\$721,153.60		\$721,153.60	100.0%	
003	7.0 in. Concrete Pavement (Outer Drive)		SF	\$6.90		-					
004	7.0 in. Concrete Pavement (East Bound Turn Lane & Mid-American Driveways)	10,690	SF	\$6.90	\$73,761.00	10,690.00	\$73,761.00		\$73,761.00	100.0%	
005	Rumple Strip	2,015	LF	\$6.00	\$12,090.00	2,015.00	\$12,090.00		\$12,090.00	100.0%	
006	Pavement Markings	7,310	LF	\$1.00	\$7,310.00	975.00	\$975.00		\$975.00	13.3%	\$6,335.00
008	7.0 in. Concrete Pavement Replacement		SF	\$27.00		-					
009	6.0 in. Asphalt Pavement Replacement	825	SF	\$6.85	\$5,651.25	825.00	\$5,651.25		\$5,651.25	100.0%	
010	Fence & Gate Replacement	90	SF	\$40.00	\$3,600.00	90.00	\$3,600.00		\$3,600.00	100.0%	
013	8-inch DR-14, C900 PVC Potable Water Main (Mid-American)	145	LF	\$115.00	\$16,675.00	145.00	\$16,675.00		\$16,675.00	100.0%	
014	16-inch DR-14, C900 PVC Potable Water Main	3,450	LF	\$94.00	\$324,300.00	3,450.00	\$324,300.00		\$324,300.00	100.0%	
015	8-inch Gate Valve (Mid-American)	2	EA	\$1,750.00	\$3,500.00	2.00	\$3,500.00		\$3,500.00	100.0%	
016	16-inch Butterfly Valve	4	EA	\$4,500.00	\$18,000.00	4.00	\$18,000.00		\$18,000.00	100.0%	
017	Air Release Valve	1	EA	\$15,750.00	\$15,750.00	1.00	\$15,750.00		\$15,750.00	100.0%	
018	Fire Hydrant	10	EA	\$5,900.00	\$59,000.00	10.00	\$59,000.00		\$59,000.00	100.0%	
019	Sanitary Sewer Manhole Rim Adjustment		EA	\$2,300.00		-					
020	2-FT Concrete Curb and Gutter	7,291	LF	\$9.00	\$65,619.00	7,291.00	\$65,619.00		\$65,619.00	100.0%	
021	2-FT Concrete Curb and Gutter - (East Bound Turn Lane & Mid-American Driveways)	275	LF	\$23.00	\$6,325.00	275.00	\$6,325.00		\$6,325.00	100.0%	
022	Earthwork (Cut)	2,565	CY	\$6.00	\$15,390.00	2,565.00	\$15,390.00		\$15,390.00	100.0%	
023	Earthwork (Cut) - (East Bound Turn Lane & Mid-American Driveways)	4,275	CY	\$6.00	\$25,650.00	4,275.00	\$25,650.00		\$25,650.00	100.0%	
024	Earthwork (Fill)	14,160	CY	\$8.00	\$113,280.00	14,160.00	\$113,280.00		\$113,280.00	100.0%	
025	Earthwork (Fill) - (East Bound Turn Lane & Mid-American Driveways)	15	CY	\$19.00	\$285.00	15.00	\$285.00		\$285.00	100.0%	
026	6-inch Perforated Subdrain	7,291	LF	\$6.50	\$47,391.50	7,291.00	\$47,391.50		\$47,391.50	100.0%	
027	15-inch RCP Storm Pipe	970	LF	\$44.00	\$42,680.00	970.00	\$42,680.00		\$42,680.00	100.0%	
028	15-inch RCP Flared End Section with Rip Rap Outlet Protection	1	EA	\$1,300.00	\$1,300.00	1.00	\$1,300.00		\$1,300.00	100.0%	
029	18-inch RCP Storm Pipe		LF	\$49.00		-					
030	18-inch RCP Flared End Section with Rip Rap Outlet Protection		EA	\$1,775.00		-					
031	24-inch RCP Storm Pipe	30	LF	\$70.00	\$2,100.00	30.00	\$2,100.00		\$2,100.00	100.0%	
032	Single Grate Intake (SW-501)	9	EA	\$2,550.00	\$22,950.00	9.00	\$22,950.00		\$22,950.00	100.0%	
033	Single Grate Intake (SW-503)	1	EA	\$4,750.00	\$4,750.00	1.00	\$4,750.00		\$4,750.00	100.0%	
034	72-inch RCP Storm Pipe	325	LF	\$400.00	\$130,000.00	325.00	\$130,000.00		\$130,000.00	100.0%	
035	72-inch RCP Flared End Section with Rip Rap Outlet Protection	4	EA	\$6,550.00	\$26,200.00	4.00	\$26,200.00		\$26,200.00	100.0%	
036	8-inch SDR 26 PVC Gravity Sewer	210	LF	\$36.00	\$7,560.00	210.00	\$7,560.00		\$7,560.00	100.0%	
037	10-inch SDR 26 PVC Gravity Sewer	4,205	LF	\$38.00	\$159,790.00	4,205.00	\$159,790.00		\$159,790.00	100.0%	
038	10-inch SDR 26 PVC Gravity Sewer (Mid-American)	525	LF	\$38.00	\$19,950.00	525.00	\$19,950.00		\$19,950.00	100.0%	
039	4-FT Diameter Precast Standard Concrete Manhole	22	EA	\$5,350.00	\$117,700.00	22.00	\$117,700.00		\$117,700.00	100.0%	
040	4-FT Diameter Precast Standard Concrete Manhole (Mid-American)	2	EA	\$5,350.00	\$10,700.00	2.00	\$10,700.00		\$10,700.00	100.0%	
041	Fiber-Optic	4,270	LF	\$27.75	\$118,492.50	-		\$10,691.40	\$10,691.40	9.0%	\$107,801.10
042	Fiber-Optic (City of Sioux City)	2,305	LF	\$25.00	\$57,625.00	-		\$10,619.39	\$10,619.39	18.4%	\$47,005.61
043	Fiber-Optic Handhole	5	EA	\$2,800.00	\$14,000.00	-		\$2,240.00	\$2,240.00	16.0%	\$11,760.00
044	Fiber-Optic Handhole (City of Sioux City)	4	EA	\$2,800.00	\$11,200.00	-		\$1,037.51	\$1,037.51	9.3%	\$10,162.49
047	Cleanup and Restoration	8	AC	\$1,500.00	\$12,000.00	6.00	\$9,000.00		\$9,000.00	75.0%	\$3,000.00

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract): Woodbury County Law Enforcement Center Offsite Improvements							Application Number: 9				
Application Period: 7.1.2022-7.31.2022							Application Date:				
A						B	C	D	E	F	
Item		Contract Information				Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)						
048	Final Seed, Fertilizer, and Mulch	8	AC	\$2,800.00	\$22,400.00	6.00	\$16,800.00		\$16,800.00	75.0%	\$5,600.00
051	30-inch RCP Storm Pipe	395	LF	\$94.00	\$37,130.00	395.00	\$37,130.00		\$37,130.00	100.0%	
052	36-inch RCP Storm Pipe	475	LF	\$102.00	\$48,450.00	475.00	\$48,450.00		\$48,450.00	100.0%	
053	36-inch RCP 30' Bend	2	EA	\$4,200.00	\$8,400.00	2.00	\$8,400.00		\$8,400.00	100.0%	
054	36-inch x 72-inch RCP Tee	1	EA	\$7,630.00	\$7,630.00	1.00	\$7,630.00		\$7,630.00	100.0%	
055	60-inch I.D. Circular Single Grate Intake (SW-502)	4	EA	\$6,700.00	\$26,800.00	4.00	\$26,800.00		\$26,800.00	100.0%	
056	Pavement Removals	40,310	SF	\$1.20	\$48,372.00	40,310.00	\$48,372.00		\$48,372.00	100.0%	
057	9.0 in. Concrete Pavement (Outer Drive)	22,078	SF	\$10.35	\$228,507.30	22,078.00	\$228,507.30		\$228,507.30	100.0%	
058	Apron Footings	4	EA	\$4,000.00	\$16,000.00	4.00	\$16,000.00		\$16,000.00	100.0%	
059	Outer Drive Intake Modification	1	EA	\$1,650.00	\$1,650.00	1.00	\$1,650.00		\$1,650.00	100.0%	
060	Fire Hydrant Relocation	1	EA	\$3,670.00	\$3,670.00	1.00	\$3,670.00		\$3,670.00	100.0%	
061	Pavement Striping Removal	1	LS	\$6,315.00	\$6,315.00	1.00	\$6,315.00		\$6,315.00	100.0%	
062	Unsuitable Soil Earthwork	63	SF	\$12.00	\$756.00	63.00	\$756.00		\$756.00	100.0%	
063	Geogrid Soil Stabilization	1,700	SF	\$1.90	\$3,230.00	1,700.00	\$3,230.00		\$3,230.00	100.0%	
064	18-inch of Modified Subbase	1,700	SF	\$4.20	\$7,140.00	1,700.00	\$7,140.00		\$7,140.00	100.0%	
Totals											
					\$2,760,179.15		\$2,543,926.65	\$24,588.30	\$2,568,514.95	93.1%	\$191,664.20

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

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:

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

Date: 9/14/2022 Weekly Agenda Date: 9/20/2022

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

WORDING FOR AGENDA ITEM:

Consider resolution to revise the Woodbury County FY 2023 Five Year Road Construction Program.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The county needs to change the funding for bridge replacement projects for county bridge A-24. The project is in the FY 2023 accomplishment year in the FY 2023-2027 Construction Program.

BACKGROUND:

The project to replace bridge A-24 was been delayed due to changes in project eligibility in 2021. The county is advancing the project in 2023 under new funding and needs to adjust the construction program to reflect the change. Construction of both projects is proposed for the 2023 construction season.

FINANCIAL IMPACT:

The A-24 project is paid for with Federal aid and SWAP 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:

That the Board approve the resolution amending the FY 2023-2027 construction program.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the resolution to amending the FY 2023-2027 construction program.

2023 County Five Year Program Resolution 0.1

Woodbury County Secondary Roads

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year Program and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan.

The Board of Supervisors of Woodbury County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2023), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following projects shall be MODIFIED as follows:

Project Number Name Project ID	Project Location Description of Work	AADT Length Bridge ID	Type of Work Fund	Modifications	Total
BRS-C097(147)--60-97 110th Street Bridge A24 18344	On D12, Over Pierson Creek, from Mason Ave E 0.8 miles to Michigan Ave S9 T89 R42	160 0.000 miles 354580	320 Bridges FA	Project Number updated Fund basis updated removed 800,000 SWAP dollars from 2023 added 800,000 FA dollars to 2023	\$1,000,000

Fund	Accomplishment Year		
	Previous Amount	New Amount	Net Change
Local	\$1,625,000	\$1,625,000	\$0
Farm-to-Market	\$1,800,000	\$1,800,000	\$0
Special	\$375,000	\$375,000	\$0
SWAP	\$1,000,000	\$200,000	\$ -800,000
Federal Aid	\$0	\$800,000	\$800,000
Totals	\$4,800,000	\$4,800,000	\$0

Recommended

County Engineer

Date

Approved

Chair Board of Supervisors

Date

Attested

I, _____, Auditor in and for Woodbury County, Iowa, do hereby certify the above and foregoing to be a true and exact copy of a resolution passed and approved by the Board of Supervisors of Woodbury County, Iowa, at its meeting held on the _____ day of _____, _____

County Auditor