



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(NOVEMBER 1) (WEEK 44 OF 2022)**

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

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

**Live telephonic access at: 712-224-6014**

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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held November 1, 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.

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**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 October 25, 2022 meeting
4. Approval of claims
5. County Treasurer – Tina Bertrand
  - a. Approve property tax refund request for parcel #894720463018 in the amount of \$270.00
  - b. Approve property tax refund request for parcel #894735411003 in the amount of \$2,146.00
6. Human Resources – Melissa Thomas  
Approval of Memorandum of Personnel Transactions

## End Consent Agenda

7. Building Services – Kenny Schmitz  
Approve to utilize/re-direct \$15,000 from the Prairie Hills demolition project funds to boardroom carpet replacement Action
- 4:40 p.m.**  
(Set time)
8. Community & Economic Development – Daniel Priestley
- a. Receive final report-Zoning Commission recommendation to approve Zoning Ordinance Text Amendment to the Zoning Ordinance for the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the route in unincorporated Woodbury County Action
  - b. Conduct 1<sup>st</sup> public hearing on the Zoning Ordinance Text Amendment Action
  - c. Approve the 1<sup>st</sup> reading of the ordinance Action
- 4:45 p.m.**  
(Set time)
9. Community & Economic Development – Daniel Priestley
- a. Conduct public hearing on a Zoning Ordinance Map Amendment to rezone from Agricultural Preservation (AP) to the General Commercial (GC) Zoning District for Curtis Epling of Midwest Auto Properties, LLC's 5- acre property, Parcel #884701200009 Action
  - b. Approve the 2<sup>nd</sup> reading of the ordinance as the final reading Action
  - c. Waive the 3<sup>rd</sup> reading of the ordinance Action
  - d. Adopt the Zoning Ordinance Map Amendment with the condition that pavement agreements be signed for 162<sup>nd</sup> Street and Charles Avenue Action
10. Explore Sioux City – Kristi Franz  
Update on Explore Sioux City Information
11. County Treasurer – Tina Bertrand  
Participation in the Iowa Homeowner Assistance Fund Information
12. County Sheriff – Chad Sheehan  
Information for the purchase of two bullet resistant vests, four safety restraint wraps and a training dummy Information
13. Board of Supervisors – Keith Radig  
Approval to send a letter to MHRD informing them of our nomination of Keith Radig as ex-officio board member from Woodbury County Action
14. Reports on Committee Meetings Information
15. Citizen Concerns Information
16. Board Concerns Information

## ADJOURNMENT

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- WED., NOV. 2** 10:00 a.m. Loess Hills Alliance Protection Meeting, Pisgah, Iowa  
11:00 a.m. Loess Hills Alliance Stewardship Meeting  
1:00 p.m. Loess Hills Alliance Executive Meeting  
4:45 p.m. Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., NOV. 3** 10:00 a.m. COAD Meeting, The Security Institute  
10:00 a.m. Sioux City Conference Board Meeting, City Hall Council Chambers  
12:00 p.m. Regional Policy and Legislative Affairs Committee Meeting, Hybrid
- MON., NOV. 7** 6:00 p.m. Board of Adjustment meeting, First Floor Boardroom
- WED., NOV. 9** 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
- WED., NOV. 16** 12:00 p.m. Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202  
1:00 p.m. Regional Workforce Development Meeting, 2508 4<sup>th</sup> Street, Sioux City
- THU., NOV. 17** 10:00 a.m. Siouxland Regional Transit System Meeting, Hybrid  
11:15 a.m. Western Iowa Community Improvement Regional Housing Trust Fund, Hybrid  
4:00 p.m. Conservation Board meeting, Dorothy Pecaut Nature Center  
4:30 p.m. Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., NOV. 18** 12:00 p.m. Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- TUE., NOV. 22** 2:00 p.m. Decat Board Meeting, Western Hills AEA, Room F
- WED., NOV. 23** 2:30 p.m. Rolling Hills Community Services Region Governance Board Meeting
- THU., NOV. 24** 11:00 a.m. Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St.
- MON., NOV. 28** 6:00 p.m. Zoning Commission Meeting, First Floor Boardroom
- THU., DEC. 1** 10:00 a.m. COAD Meeting, The Security Institute
- FRI., DEC. 2** 9:00 a.m. SIMPCO Tri-State Legislative Forum, 4647 Stone Ave – Dr. Robert Student Center
- MON., DEC. 5** 6:00 p.m. Board of Adjustment meeting, First Floor Boardroom

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.*

## OCTOBER 25, 2022 FORTY-THIRD MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, October 25, 2022 at 4:30 p.m. Board members present were De Witt, Taylor, Ung, Radig, and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Joshua Widman, Assistant County Attorney, and Patrick Gill, Auditor/Clerk to the Board.

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

Motion by Radig 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. There were no citizen concerns.

3. Motion by Radig second by Taylor to approve the agenda for October 25, 2022. Carried 5-0. Copy filed.

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

4. To approve minutes of the October 18, 2022 meeting. Copy filed.
5. To approve the claims totaling \$2,930,105.38. Copy filed.
- 6a. To approve the tile crossing permit for J. Wardin. Copy filed.
- 6b. To approve the underground utility permit for Magellan Pipeline Company. Copy filed.
7. To set dates and times for 3 public hearings for Proposed Zoning Ordinance Text Amendments to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County for Tuesday, 11/1/22 @ 4:40 p.m., Tuesday, 11/8/22 @ 4:40 p.m., and Tuesday, 11/15/22 @ 4:45 p.m.. Copy filed.
- 8a. To approve the property tax refund for Steve & Valerie Linden, parcel #894317300002, 1266 Knox Ave., in the amount of \$1,124 back to Wells Fargo Bank. Copy filed.
- 8b. To approve the property tax refund for Victor Diaz, parcel #884707181002, 3333 Chalet Ct., in the amount of \$1,876.00 back to Corelogic/Flagstar Bank. Copy filed.
- 8c. To approve the property tax refund for Travis Delperdang, parcel #894702453010, 4220 47<sup>th</sup> St., in the amount of \$1,409.00 back to Corelogic/Nationstar DBA M. Cooper. Copy filed.
- 8d. To approve the property tax refund for Lucas Roder, parcel #894718276010, 1900 Plum Creek Rd., in the amount of \$308.00 back to Corelogic/Nationstar DBA Mr. Cooper. Copy filed.
- 8e. To approve the property tax refund for Tyler Byers, parcel #894720153004, 1409 N View Terrace, in the amount of \$1,315.00 back to Corelogic/US Bank Home Mtg. Copy filed.
- 8f. To approve the property tax refund for Easton Miller, parcel #894715104004, 3636 Dupont St., in the amount of \$1,676.00 back to Corelogic/Carrington Mtg. Copy filed.
- 8g. To approve the property tax refund for Michael Funck, parcel #894726154022, 913 Cecelia St., in the amount of \$1,007.00 back to Corelogic/M & T Bank. Copy filed.
- 8h. To approve the property tax refund for Dustin Courey, parcel #894735116011, 3221 Washington Ave., in the amount of \$849.00 back to Corelogic/US Bank Home Mtg. Copy filed.

- 8i. To approve the property tax refund for Yes Communities OP in the amount of \$1,321.00 for the following mobile homes:

WK1110254IN, Zoe Dunn \$117.00  
 FMT430IN1812719A, Alexis Uhl \$114.00  
 INFL555A11169HP13, Dianna Longwell \$99.00  
 M307437, Kylie Houghtaling \$194.00  
 MDC377875IN, Fellwill Deroy Ventura \$194.00  
 INFL455A10888HP13, Jeffrey Evans \$97.00  
 INFL455A10882HP13, Thomas Henry \$94.00  
 005000HA000272A, Theresa Thompson \$180.00  
 P305513, Sean Mansfield \$158.00  
 PI01991D, Jason Rosauer \$74.00

Copy filed.

Carried 5-0.

- 9a. Motion by Radig second by De Witt to receive the final report and Zoning Commission recommendation from their 10/5/22 meeting to approve rezone from Agricultural Preservation (AP) to the General Commercial (GC) Zoning District for Curtis Epling of Midwest Auto Properties, LLC's 5-acre property located on parcel #884701200009. Carried 5-0. Copy filed.
- 10. Motion by Radig second by Taylor to receive the 2022 report of the weed commissioner. Carried 5-0. Copy filed.
- 11. Motion by Radig second by Wright to approve the agreement for professional services with DGR Engineering for the Elk Creek Road Paving Project. Carried 5-0. Copy filed.
- 9b. A public hearing was held at 4:45 p.m. for Zoning Ordinance Map Amendment to rezone parcel #884701200009 from Agricultural Preservation to General Commercial. The Chairperson called on anyone wishing to be heard.  
  
Motion by Taylor second by De Witt to close the public hearing. Carried 5-0.
- 9c. Motion by Radig second by De Witt to approve the first reading of the Zoning Ordinance Map Amendment (rezone). Carried 5-0. Copy filed.
- 12. Motion by De Witt second by Radig to approve and authorize the Chairperson to sign a Resolution declaring an official intent under Treasury regulation 1.150-2 to issue debt to reimburse the County for certain original expenditures paid in connection with specified projects. Carried 5-0.

**RESOLUTION #13,514**  
**RESOLUTION DECLARING AN OFFICIAL INTENT UNDER**  
**TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO**  
**REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL**  
**EXPENDITURES PAID IN CONNECTION WITH SPECIFIED**  
**PROJECTS**

WHEREAS, the County anticipates making cash expenditures for one or more capital improvement projects, generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the County reasonably expects to issue debt to reimburse the costs of a Project; and

WHEREAS, the Board believes it is consistent with the County's budgetary and financial circumstances to issue this declaration of official intent.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA:  
**Section 1.** That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

**Section 2.** That it is reasonably expected that capital expenditures will be made in respect of the following Project(s), from time to time and in such amounts as this Board determines to be necessary or desirable under the circumstances then and there existing.

**Section 3.** That the County reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the County in the future.

**Section 4.** That the total estimated costs of the Project(s), the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project(s) and the estimated dates of completion of the Project(s) are reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost*</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
Trosper-Hoyt walls	CIP Fund	\$150,000	150,000	6-30-23
Sheriff Cameras-Tasers	CIP Fund	\$987,840	\$987,840	6-30-23
Courthouse 210 Remodel	CIP Fund	\$55,000	\$55,000	6-30-23
WCICC Updates	CIP Fund	\$698,000	\$698,000	6-30-23

\*It is intended to seek grants and other contributions to reduce the amount of borrowing required for the following Project(s):

0

If such grants are not received, it is intended that the costs to be financed will be increased accordingly.

**Section 5. That the County reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service, but in no event more than three (3) years after the original expenditure is paid.**

**Section 6. That this Resolution be maintained by the County Auditor in an Official Intent File maintained in the office of the Auditor and available at all times for public inspection, subject to such revisions as may be necessary.**

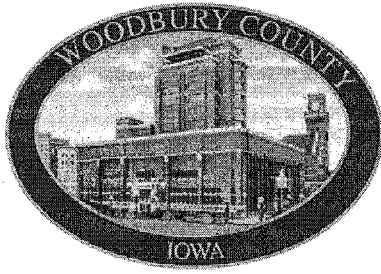
PASSED AND APPROVED this 25th day of October 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

13. Reports on Committee Meetings were heard.
14. There were no citizen concerns.
15. Board concerns were heard.

The Board adjourned the regular meeting until November 01, 2022.

Meeting sign in sheet. Copy filed.



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

October 21, 2022

RE: Refunds

Dear Board of Supervisors,

Would you please approve the refunds listed below:

NAI United Management      8947 20 463 018 (1400-70 Hamilton Blvd)    overpayment of \$270.00

Clayton & Carol Lofgren      8947 35 411 003 (1110 S Newton)  
Double payment was made by them & closing company---overpayment of \$2146.00

Both parties have requested refunds from Woodbury County.

Thank you for your time,

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

Janet L Trimpe  
Woodbury County Tax Deputy



# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

**DATE:** November 1, 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
Schultz, Jordan	County Sheriff	10-31-22	Civilian Jailer	\$28.00/hour	15%=\$3.72/hr	R	Per CWA Civilian Officers Contract agreement, from Class 2 to Senior Class due to 4 years employment and Bachelor's Degree.

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

**MELISSA THOMAS, HR DIRECTOR:**

*Melissa Thomas HR Director*

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

Date: 10/26/2022 Weekly Agenda Date: 11/01/2022

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Kenny Schmitz

**WORDING FOR AGENDA ITEM:**

Board Of Supervisors Meeting Room

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The lower level boardroom is in need of carpet replacement.

**BACKGROUND:**

The boardroom carpet was previously scheduled as a 2023 CIP project. Consideration to utilize funds that were not expended from the Prairie Hills demolition project may be a more practical use of fund resources.

**FINANCIAL IMPACT:**

\$15,000  
Funds Re-allocation from Prairie Hills Demo Project #CE-01-9105-22-PH DEMO (Budgeted \$550,645.08)

**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:**

Motion to authorize \$15,000 to be re-directed from the Prairie Hills demolition project fund to be utilized for the Board Meeting Room carpet replacement.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to utilize/ re-direct \$15,000 from the Prairie Hills demolition project funds to boardroom carpet replacement.

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

Date: 11/27/22

Weekly Agenda Date: 11/1/22 4:40

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

**WORDING FOR AGENDA ITEM:**

a. Receive final report-Zoning Commission recommendation to approve Zoning Ordinance Text Amendment to the Zoning Ordinance for the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the route in unincorporated Woodbury County. b. Conduct 1st Public Hearing on the Zoning Ordinance Text Amendment. c. Approve the 1st Reading of the Ordinance.

**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 4:40 PM to discuss a proposed Zoning Ordinance Text Amendment to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County. Following the public hearing, the Board may defer consideration of the proposal for further study; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the text of the Zoning Ordinance.

**BACKGROUND:**

On October 11, 2022, the Woodbury County Board of Supervisors approved a motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

On Monday, October 24, 2022, following a public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval of the Zoning Ordinance Text Amendment to the Woodbury County Board of Supervisors. Staff also recommends approval of the Zoning Ordinance Text Amendment.

**SUMMARY OF ZONING ORDINANCE TEXT AMENDMENT:**

Amendment to the Woodbury County Zoning Ordinance to amend portions of: the Table of Contents; Section 3.03.4 entitled: Land Use Summary Table of Allowed Uses in each Zoning District; portions of Section 6.02 entitled Definitions; and to add a new section proposed and referenced as Section 5.07 entitled Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol to the Woodbury County Zoning ordinance. The purpose of this Amendment is to assist county officials to control the public health and safety issues created by the infusion of a large number of people in the county by establishing regulations for vendors in the unincorporated areas of Woodbury County during the Des Moines Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI).

**FINANCIAL IMPACT:**

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**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 final report and Zoning Commission recommendation from their 10/24/22 meeting.  
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, 11/8/22 at 4:40 PM, and Tuesday, 11/15/22 at 4:45 PM, respectively.

**ACTION REQUIRED / PROPOSED MOTION:**

a. Receive final report-Zoning Commission recommendation to approve Zoning Ordinance Text Amendment to the Zoning Ordinance for the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the route in unincorporated Woodbury County. b. Conduct 1st Public Hearing on the Zoning Ordinance Text Amendment. c. Approve the 1st reading of the 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

## RAGBRAI ZONING ORDINANCE TEXT AMENDMENT PROPOSAL FINAL REPORT 10/24/22

### BOARD OF SUPERVISORS DIRECTION

On October 11, 2022, the Woodbury County Board of Supervisors approved a motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

### SUMMARY OF ZONING ORDINANCE TEXT AMENDMENT:

Amendment to the Woodbury County Zoning Ordinance to amend portions of: the Table of Contents; Section 3.03.4 entitled: *Land Use Summary Table of Allowed Uses in each Zoning District*; portions of Section 6.02 entitled *Definitions*; and to add a new section proposed and referenced as Section 5.07 entitled *Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol* to the Woodbury County Zoning ordinance. The purpose of this Amendment is to assist county officials to control the public health and safety issues created by the infusion of a large number of people in the county by establishing regulations for vendors in the unincorporated areas of Woodbury County during the Des Moines Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI).

### ZONING COMMISSION RECOMMENDATION AND STAFF RECOMMENDATION

On Monday, October 24, 2022, following a public hearing, the Woodbury County Zoning Commission voted 4-0 to recommend approval of the Zoning Ordinance Text Amendment to the Woodbury County Board of Supervisors. Staff also recommends approval of the Zoning Ordinance Text Amendment.

**Zoning Commission Public Notice Date:** October 15, 2022

**Zoning Commission Public Hearing Date:** October 24, 2022

**Board of Supervisors Public Notice Date:** October 27, 2022

**Board of Supervisors Public Hearing Dates and Set Times:** November 1 at 4:40 PM; November 8 at 4:40 PM; November 15 at 4:45 PM. Pursuant to Iowa Code Section 331.302, the second and third public hearings may be waived by the Board of Supervisors.

## Minutes - Woodbury County Zoning Commission Special Meeting – October 24, 2022

The Zoning Commission (ZC) meeting convened on the 24<sup>th</sup> of October 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: Tom Bride, Barb Parker, Jeff O'Tool, Corey Meister  
County Staff Present: Dan Priestley, Dawn Norton, Michael Montino, Mark Nahra  
Public Present: Deb Main, Gayle Palmquist, Kristi Franz

### Call to Order

Vice-Chair Tom Bride formally called the meeting to order at 6:00 PM.

### Public Comment on Matters Not on the Agenda

None.

### Approval of Previous Meeting Minutes – October 5, (Special Meeting) 2022

O'Tool motioned. Second: Parker 4-0.

### Public Hearing: Zoning Ordinance Text Amendment for RAGBRAI Special Events

On October 11, 2022, the Woodbury County Board of Supervisors approved a motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County. The Amendment to the Woodbury County Zoning Ordinance is to amend portions of the Table of Contents; Section 3.03.4 entitled: *Land Use Summary Table of Allowed Uses in each Zoning District*; portions of Section 6.02 entitled *Definitions*; and to add a new section proposed and referenced as Section 5.07 entitled *Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol* to the Woodbury County Zoning ordinance. The purpose of the Amendment is to assist county officials to control the public health and safety issues created by the infusion of a large number of people in the county by establishing regulation for vendors in the unincorporated areas of Woodbury County during the Des Moines Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI). This amendment would apply to the day before, during and day after scheduled RAGBRAI event. No sales of goods, services, or food would be permitted within the right-of-way. If an organization chooses to include alcohol sales, a Conditional Use Permit application would need to be submitted along with a site plan and presented to the Zoning Commission for review and the Board of Adjustment for approval. Kristi Franz from Explore Sioux City spoke of the organization's support of this amendment. Motion to close public hearing: Meister. Second: Parker. Approved 4-0. Motion to recommend approval to the Board of Supervisors: O'Tool. Second: Meister. Motion approved 4-0.

### Information/Discussion: Permitting Process for Hazardous Liquid Pipelines

Priestley reported that the Woodbury County Board of Supervisors directed staff and the Woodbury County Zoning Commission on October 11, 2022 to initiate a review process and recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the permitting of Hazardous Liquid Pipelines. Priestley discussed research about the safety of pipelines including the initial response setback for a carbon leak/rupture as being 330 feet as cited in the Emergency Response Guide which is a guide available to first responders. Priestley also discussed consultation and planning zones as possible options for an ordinance. Woodbury County Engineer Mark Nahra also addressed the Commission offering information about possible setbacks. Woodbury County Emergency Manager Michael Montino addressed the Commission by offering information about the numerous variables involved in factoring the siting pipelines. He indicated that the acquisition of more data would be required. Montino recommended the hiring of an independent expert to review and consult on the positive and negative aspects of the pipeline including positioning, safety, and other areas of concern. Deb Main addressed the Commission offering concerns about protecting the public from the effects of CO2 pipelines. Gayle Palmquist also addressed the Commission and discussed communication of information to the Commission members as well safety concerns that she has found in various studies. O'Tool suggested possibly looking at the pipeline issue regionally and examining other county actions. Meister inquired about the location of shut off valves being 20 miles vs. a shorter distance. Bride stated that the Commission will continue to review and research the pipeline further.

### Public Comment on Matters Not on the Agenda

None

### Commissioner Comment of Inquiry

None

### Staff Update

Priestley stated RAGBRAI Ordinance will go before the Board of Supervisors in approximately a week, three Public Hearings will be read.

### Adjourn

Motion by Meister. Second: O'Tool. 4-0. The meeting adjourned at 7:00 PM.

**\*\*\* Proof of Publication \*\*\***

STATE OF IOWA  
COUNTY OF WOODBURY

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

Woodbury County Planning & Zoning  
Accounts Payable  
620 DOUGLAS STREET 6TH FLOOR  
SIOUX CITY IA 51101

ORDER NUMBER 52699

Subscribed and sworn before me in Sioux City, in said County,  
this 17 day of October, 2022

*Timothy J. Simpson*

*Michelle Graham* Notary Public

In and for Woodbury County.



Section: Legal  
Category: 015 Attorneys & Legals  
PUBLISHED ON: 10/15/2022

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NOTICE OF PUBLIC HEARING  
WOODBURY COUNTY ZONING ORDINANCE  
TEXT AMENDMENT  
WOODBURY COUNTY PLANNING AND  
ZONING COMMISSION

The Woodbury County Planning and Zoning Commission will hold a public hearing on the following item of business, hereafter described in detail, on Monday, October 24, 2022 at 6:00 PM or as soon as possible thereafter as the matter may be considered. Said hearing shall be held at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors Meeting Room, Number 104. Public access to the conversation will also be made available during the meeting by telephone. Persons wanting to participate in the public hearing may attend in person or call: 712-454-1133 and enter the Conference ID: 516 721 135# during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. Copies of said item may now be examined in the Auditor's office in said Courthouse between the hours of 8:00 AM to 4:30 PM Monday through Friday by any interested persons. All persons who wish to be heard in respect to this matter should appear at or participate in the aforesaid hearing.

Item One (1)  
SUMMARY OF ZONING ORDINANCE TEXT AMENDMENT: Amendment to the Woodbury County Zoning Ordinance to amend portions of: the Table of Contents; Section 3.03-4 entitled: Land Use Summary Table of Allowed Uses in each Zoning District; portions of Section 6.02 entitled Definitions; and to add a new section proposed and referenced as Section 5.07 entitled Special Event - RAGBRAI and Special Event - RAGBRAI with Alcohol to the Woodbury County Zoning ordinance. The purpose of this Amendment is to assist county officials to control the public health and safety issues created by the infusion of a large number of people in the county by establishing regulations for vendors in the unincorporated areas of Woodbury County during the Des Moines Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI).

**Board of Supervisors Public Hearings Notice - Published in the Sioux City Journal on Thursday, October 27, 2022.**

STATE OF IOWA, CITY OF SIoux CITY

NOTICE REGARDING PUBLIC HEARINGS  
WOODBURY COUNTY ZONING  
ORDINANCE TEXT AMENDMENT  
WOODBURY COUNTY  
BOARD OF SUPERVISORS

The Woodbury County Board of Supervisors will hold public hearings on the following item of business, hereafter described in detail, on Tuesday, November 1, 2022 at 4:40 PM, Tuesday, November 9, 2022 at 4:40 PM and Tuesday, November 15, 2022 at 4:45 PM or as soon as possible thereafter as the matter may be considered. Pursuant to Iowa Code Section 331.302, the second and third public hearings may be waived by the Board of Supervisors.

Said hearings shall be held at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment.

Copies of said item may now be examined in the Auditor's office in said Courthouse between the hours of 8:00 AM to 4:30 PM Monday through Friday by any interested persons.

All persons who wish to be heard in respect to this matter should appear at or participate in the aforesaid hearing.

Item One (1)  
SUMMARY OF ZONING ORDINANCE TEXT AMENDMENT: Amendment to the Woodbury County Zoning Ordinance to amend portions of: the Table of Contents; Section 3.03.4 entitled: Land Use Summary Table of Allowed Uses in each Zoning District; portions of Section 6.02 entitled Definitions; and to add a new section proposed and referenced as Section 5.07 entitled Special Event - RAGBRAI and Special Event - RAGBRAI with Alcohol to the Woodbury County Zoning ordinance. The purpose of this Amendment is to assist county officials to control the public health and safety issues created by the infusion of a large number of people in the county by establishing regulations for vendors in the unincorporated areas of Woodbury County during the Des Moines Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI).

IN THE JUDICIAL COURT FOR



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

WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO AMEND PORTIONS OF: THE *TABLE OF CONTENTS*; SECTION 3.03.4 ENTITLED: *LAND USE SUMMARY TABLE OF ALLOWED USES IN EACH ZONING DISTRICT*; PORTIONS OF SECTION 6.02 ENTITLED *DEFINITIONS*; AND TO ADD A NEW SECTION REFERENCED AS SECTION 5.07 ENTITLED *SPECIAL EVENT – RAGBRAI AND SPECIAL EVENT – RAGBRAI WITH ALCOHOL* TO THE WOODBURY COUNTY ZONING ORDINANCE; AND

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE BELOW ZONING ORDINANCE LANGUAGE AMENDMENTS BE MADE:

Amendment #1 –

On page iii: To add the following to the *Table of Contents, Article 5 Supplemental Requirements*:

Add Section 5.07: Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol....81

Amendment #2 –

On pages 32, 33, 34, 35, 36, 37, 38, and 39: To add the following use category within the zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

Add the term “TU Temporary use” to the top portion of the “Land Use Summary Table of Allowed Uses in each Zoning District” between the “ok Principal allowed use” and “Conditional use” categories.

Amendment #3 –

On page 36: To add the following line-item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

“Special Event – RAGBRAI”. With placement of the letters “TU” within the AP (Agricultural Preservation), AE (Agricultural Estates), GC (General Commercial), HC (Highway Commercial), LI (Limited Industrial), and GI (General Industrial) zoning districts columns of the table related to this line-item use.

Amendment #4 –

On page 36: To add the following line-item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

“Special Event – RAGBRAI, with alcohol”. With placement of the letter “C” within the AP (Agricultural Preservation), AE (Agricultural Estates), GC (General Commercial), HC (Highway Commercial), LI (Limited Industrial), and GI (General Industrial) zoning districts columns of the table related to this line item use.

#### Amendment #5 –

On page 93: To repeal and replace the definition of “Use, Allowed” in Section 6.02.172 from “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.” to:

“Use, Allowed. A principal, conditional, accessory or temporary use that may be established in conformance with the regulations of the zoning district in which it is located.”

#### Amendment #6 –

On page 81: To add the following section within the zoning ordinance entitled Section 5.07: *Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol*.

#### **Section 5.07: Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol**

1. **Purpose.** The purpose of this Ordinance is to assist county officials to control the public health and safety issues created by the infusion of a large number of people in the county by establishing regulations for vendors in the unincorporated areas of Woodbury County during the Des Moines Register’s Annual Great Bicycle Ride Across Iowa (RAGBRAI).
2. **Definitions.**
  - A. RAGBRAI. The term RAGBRAI is an acronym for the Des Moines Register’s Annual Great Bicycle Ride Across Iowa event.
  - B. Use, Temporary. A use permitted within a designated zoning district and established for a fixed period of time with the intent of terminating such use upon the expiration of the time period. In the case of RAGBRAI, when held in Woodbury County, Iowa, the temporary use shall be limited to a period of time starting no more than one day prior to the start of the official event date in Woodbury County and terminating no more than one day after the completion date of RAGBRAI in Woodbury County.
3. **Special Event – RAGBRAI.** The sale of food, beverages (excluding alcohol products), goods, and services during the designated timeframe of RAGBRAI when hosted in Woodbury County, Iowa is a temporary use and shall be limited to a period of time starting no more than one day prior to the start of the official event date in Woodbury County and terminating no more than one day after the end of said event. The temporary use shall only be conducted from private property and shall not be conducted from the right-of-way. Temporary uses for RAGBRAI may not be appropriate in every zoning district. Refer to the Section 3.03.4: Land Use Summary Table of Allowed Uses in each Zoning District for the appropriate zoning district. The sale of alcohol products is prohibited unless a Conditional Use Permit is obtained from the Woodbury County Board of Adjustment.
4. **Special Event – RAGBRAI with alcohol. Conditional Use Permit required.** If a property owner desires to offer alcohol as part of the Special Event – RAGBRAI, a conditional use permit application shall be submitted to the Community and Economic Development office as per the subsections 2.02.9 and 5.07 of the Zoning Ordinance. The application must come accompanied with a temporary site plan that shall show the location of all existing buildings, existing parking, proposed temporary tents, canopies, structures, and fences, proposed temporary parking, and other features as required by the Zoning Director.
5. **Documentation.** The property owner shall be responsible for obtaining and complying with all necessary federal, state and local permits including, but not limited to liquor licensing and submit all appropriate documentation to the Zoning Director for review and the Planning and Zoning Commission and Board of Adjustment if a conditional use permit is required.

Adopted by the Woodbury County Board of Supervisors on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**THE WOODBURY COUNTY BOARD OF SUPERVISORS**

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

\_\_\_\_\_  
Jeremy Taylor, Vice-Chairman

\_\_\_\_\_  
Rocky De Witt

Attest:

\_\_\_\_\_  
Matthew Ung

\_\_\_\_\_  
Patrick Gill, Woodbury County Auditor

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

Adoption Timeline:

Date of Public Hearing and First Reading \_\_\_\_\_

Date of Public Hearing and Second Reading \_\_\_\_\_

Date of Public Hearing and Third Reading \_\_\_\_\_

Date of Adoption \_\_\_\_\_

Published/Effective Date \_\_\_\_\_

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

Date: 11/27/22

Weekly Agenda Date: 11/1/22 4:45

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

**WORDING FOR AGENDA ITEM:**

a. Conduct Public Hearing on a Zoning Ordinance Map Amendment to rezone from Agricultural Preservation (AP) to the General Commercial (GC) Zoning District for Curtis Epling of Midwest Auto Properties, LLC's 5-acre property, Parcel #884701200009. 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 Curtis Epling of Midwest Auto Properties, LLC's 5-acre property located on Parcel #884701200009, Government Lot 1, T88N R47W (Woodbury Township) from the Agricultural Preservation (AP) to the General Commercial (GC) 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:**

Curtis Epling of Midwest Auto Properties, LLC has filed an application for a zoning ordinance map amendment (rezone) on the property as referenced as Parcel #884701200009, Government Lot 1, T88N R47W (Woodbury Township) 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. This proposal has been properly noticed in the Sioux City Journal Legals Section on September 29, 2022 for the Zoning Commission public hearing and on October 20, 2022 for the Board of Supervisors' public hearings. The neighbors within 1000 FT have been duly notified via a September 26, 2022 letter about the October 5, 2022 Zoning Commission public hearing and have been requested to comment. As of September 21, 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. The Woodbury County Engineer has recommended for a pavement agreement to be signed as the rezone has the potential to generate traffic and the parcel should participate in the cost of any future pavement to meet the needs of traffic at a new commercial enterprise. Neil Stockfleth of the Woodbury County Soil and Water Conservation District "recommends against this rezoning proposal because a significant portion of this parcel lies in a flood zone, making it more prone to flood damages if it is developed as a business property." Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the criteria for approval. With the ability to enforce the floodplain development regulations as per Section 5.03 of the Woodbury County Zoning Ordinance, it is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the GC Zoning District with the condition that pavement agreements be signed for improvements to both 162nd Street and Charles Avenue. The Woodbury County Zoning Commission voted 5-0 to recommend approval of the rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District with the condition that pavement agreements be signed with Woodbury County as determined by the Board of Supervisors and that the applicant follow the floodplain regulations.

**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)

Conduct and approve the 2nd Reading of the Ordinance.

Waive the 3rd Reading of the Ordinance.

Adopt the Zoning Ordinance Map Amendment

If needed, a third public hearing/reading of the ordinance has been scheduled for Tuesday, 11/8/22 at 4:45 PM, respectively.

**ACTION REQUIRED / PROPOSED MOTION:**

- a. Conduct public hearing on a Zoning Ordinance Map Amendment to rezone from Agricultural Preservation (AP) to the General Commercial (GC) Zoning District for Curtis Epling of Midwest Auto Properties, LLC's 5-acre property, Parcel #884701200009.
- 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 with the condition that pavement agreements be signed for 162nd Street and Charles Avenue.



**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 GENERAL COMMERCIAL (GC) ZONING DISTRICT  
Midwest Auto Properties, LLC (Curtis Epling)  
FINAL REPORT – 10/20/22**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<b>Applicant(s):</b> Midwest Auto Properties, LLC (Curtis Epling) <b>Application Type:</b> Zoning Ordinance Map Amendment (Rezone) <b>Current Zoning District:</b> Agricultural Preservation (AP) <b>Proposed Zoning District:</b> General Commercial (GC) <b>Total Acres:</b> 5.00 Acres <b>Current Use:</b> AG <b>Proposed Use:</b> Outdoor Storage <b>Corn Suitability Rating(s):</b> 71.38 (Beacon) <b>Pre-application Meeting:</b> August 29, 2022 <b>Application Date:</b> August 29, 2022 <b>Legal Notice Date:</b> September 29, 2022 <b>Stakeholders' (1000') Letter Date:</b> September 26, 2022 <b>Zoning Commission Public Hearing Date:</b> October 5, 2022 <b>Board of Supervisors Public Hearing Dates:</b> October 25, 2022, November 1, 2022, and November 8, 2022 (optional).	<b>Parcel(s):</b> 884701200009 <b>Township:</b> T88N R47W (Woodbury) <b>Section:</b> 1 <b>Quarter:</b> Government Lot 1 <b>Zoning District:</b> Agricultural Preservation (AP) <b>Floodplain District:</b> Zone A (Floodplain) <b>Address:</b> 1605 Charles Ave., Lawton, IA 51030	<input type="checkbox"/> Summary, Recommendation, Aerial & Plat Excerpt <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**

Curtis Epling of Midwest Auto Properties, LLC has filed an application for a zoning ordinance map amendment (rezone) on the property as referenced as Parcel #884701200009, Government Lot 1, T88N R47W (Woodbury Township) 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. This proposal has been properly noticed in the Sioux City Journal Legals Section on September 29, 2022 for the Zoning Commission public hearing and on October 20, 2022 for the Board of Supervisors' public hearings. The neighbors within 1000 FT have been duly notified via a September 26, 2022 letter about the October 5, 2022 Zoning Commission public hearing and have been requested to comment. As of September 21, 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. The Woodbury County Engineer has recommended for a pavement agreement to be signed as the rezone has the potential to generate traffic and the parcel should participate in the cost of any future pavement to meet the needs of traffic at a new commercial enterprise. Neil Stockfleth of the Woodbury County Soil and Water Conservation District "recommends against this rezoning proposal because a significant portion of this parcel lies in a flood zone, making it more prone to flood damages if it is developed as a business property." Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the criteria for approval. With the ability to enforce the floodplain development regulations as per Section 5.03 of the Woodbury County Zoning Ordinance, it is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the GC Zoning District with the condition that pavement agreements be signed for improvements to both 162nd Street and Charles Avenue. The Woodbury County Zoning Commission voted 5-0 to recommend approval of the rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District with the condition that pavement agreements be signed with Woodbury County as determined by the Board of Supervisors and that the applicant follow the floodplain regulations.

**AERIAL MAP**

**FLOODPLAIN**

<p><b>Legend</b>          Roads          Corp Boundaries          Townships          Parcels          County Zoning          AE          AP          GC          GC-PD          LI          LI-PD          SR          WR</p>	<p><b>Legend</b>          Roads          Corp Boundaries          Townships          Parcels          FEMA Flood Map          A          AE          AE FLOODWAY          A/L          A/O          X 0.2 PCT ANNUAL CHANCE FLOOD HAZARD          X AREA WITH REDUCED FLOOD RISK DUE TO LEVEE</p>
<p>Parcel ID 884701200009    Alternate ID E20892    Owner Address MIDWEST AUTO PROPERTIES,LLC          Sec/Twp/Rng 1-88-47    Class A    1901 HWY 20          Property Address 1605 CHARLES AVE    Acreage 5    LAWTON, IA 51030</p> <p>District 0000          Brief Tax Description PT GOVTL LOT 1 BEING A TCT COM SE COR OF GOV LOT 1 THEC N 425 97' THEC WLY 33.02 TO POB THEC S 392.54' THEC W 406.92 THEC N 554.23' THEC E 306.38' THEC SELY 190.38' TO POB 1-88-47 S ACRES  <small>(Note: Not to be used on legal documents)</small></p>	<p>Parcel ID 884701200009    Alternate ID E20892    Owner Address MIDWEST AUTO PROPERTIES,LLC          Sec/Twp/Rng 1-88-47    Class A    1901 HWY 20          Property Address 1605 CHARLES AVE    Acreage 5    LAWTON, IA 51030</p> <p>District 0000          Brief Tax Description PT GOVTL LOT 1 BEING A TCT COM SE COR OF GOV LOT 1 THEC N 425 97' THEC WLY 33.02 TO POB THEC S 392.54' THEC W 406.92 THEC N 554.23' THEC E 306.38' THEC SELY 190.38' TO POB 1-88-47 S ACRES  <small>(Note: Not to be used on legal documents)</small></p>

**ZONING COMMISSION AND STAFF RECOMMENDATIONS**

**Zoning Commission Recommendation**

The Woodbury County Zoning Commission voted 5-0 to recommend approval of the rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District with the condition that pavement agreements be signed with Woodbury County as determined by the Board of Supervisors and that the applicant follow the floodplain regulations.

**Staff Recommendation**

With the ability to enforce the floodplain development regulations as per Section 5.03 of the Woodbury County Zoning Ordinance, it is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the GC Zoning District with the condition that pavement agreements be signed for improvements to both 162nd Street and Charles Avenue.

**Minutes - Woodbury County Zoning Commission Special Meeting – October 5, 2022**

The Zoning Commission (ZC) meeting convened on the 5<sup>th</sup> of October 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, Jeff O'Tool, Corey Meister  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Deb Main, Gayle Palmquist

**Call to Order**

Chair Chris 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 – August 22, 2022**

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

**Public Hearing: Zoning Ordinance Map Amendment (Rezone) From AP To GC Proposal – Midwest Auto Properties, LLC (Curtis Epling) – Parcel #884701200009**

Priestley read the preliminary report and staff recommendation into the record. Curtis Epling of Midwest Auto Properties, LLC has filed an application for a zoning ordinance map amendment (rezone), for the parcel from 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. This proposal has been properly noticed in the Sioux City Journal Legals Section on September 29, 2022. The neighbors within 1000 FT have been duly notified via a September 26, 2022 letter about the October 5, 2022 Zoning Commission public hearing and have been requested to comment. As of September 21, 2022 no comments or inquires have been receive about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer has recommended a pavement agreement be signed as the rezone has the potential to generate traffic and the parcel owner should participate in the cost of any future pavement to meet the needs of traffic at the new commercial enterprise. Neil Stockfleth of the Woodbury County Soil and Water Conservation District "recommends against this rezoning proposal because a significant portion of this parcel lies in a flood zone, making it more prone to flood damages if it is developed as a business property." Based on the information receive and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the criteria for approval. With the ability to enforce the floodplain development regulations as per Section 5.03 of the Woodbury County Zoning Ordinance, it is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the GC Zoning District with the condition that pavement agreements be signed for improvements to both 162<sup>nd</sup> Street and Charles Avenue. Deb Main asked how close this parcel was from the proposed pipeline. Bride stated this action pertains to a rezone of the property. Current owners are not selling the property. Motion to close public hearing: Bride. Second: O'Tool. Motion approved 5-0. Priestley offered an explanation as to how staff can enforce the floodplain regulations to address the concerns by Neil Stockfleth of the Woodbury County Soil and Water Conservation District. Although the applicant is not present at this public hearing, Priestley has had conversations with the applicant and his surveyor, and they are aware of the need to determine Base Flood Elevation (BFE) as part of meeting the floodplain development regulations. O'Tool recommended approval of zoning rezone request by Midwest Auto Properties, LLC from AP to GC with the conditions that pavement agreements be signed with Woodbury County as determined by the Board of Supervisors and requirement for an approved floodplain development permit. Second: Bride. Motion approved 5-0.

**Information/Discussion: Zoning Requirements Concerning the Permitting of Hazardous Liquid Pipelines including the Conditional Use Permit Requirements in the Zoning Ordinance and Possible Ordinances or Ordinance Amendments**

Priestley offered information about recent proposals to consider amendments for the permitting of hazardous liquid pipelines. Three possible options include continuing with the existing zoning ordinance language for a conditional use permit, adopting an amendment to the zoning ordinance to include additional criteria for consideration, and adopting a standalone ordinance where the Board of Supervisors become the permitting body. Staff has recently met with the county attorney's office and county engineer to review the proposal. Community and Economic Development staff had recommended using the existing ordinance criteria and recommending that the Board of Supervisors consider passing a resolution asking for the Zoning Commission and Board of Adjustment to ask for further information to assist with the clarification of the conditional use permit criteria. Priestley informed the commissioners that Supervisor Radig has requested for the consideration of a proposal to institute 500 FT setbacks from the pipeline. Deb Main and Gayle Palmquist addressed the board by offering concerns about the effects of

hazardous liquid pipelines. They encouraged the county to use their regulatory authority to pass an ordinance to regulate pipelines.

**Information/Discussion: Permitting of RAGBRAI Special Events for the Sales of Food, Beverages (With and Without Alcohol), Goods and Services, When RAGBRAI Selects Woodbury County as a Location for the Annual Event.**

Priestley presented a proposed Zoning Ordinance Text Amendment to allow for the sales of food, beverages, goods, and services when RAGBRAI selects Woodbury County as a location for their annual event. The proposal includes a temporary use provision and a Conditional Use Permit option if there is a desire to sell alcohol products. The temporary use provision allows for the sales of food, beverages (with no alcohol), goods, and services. A conditional use permit would be required if there is a desire to sell alcohol products.

**Information/Discussion: Permitting of Special Events**

Priestley offered information about the possible permitting of events other than RAGBRAI. He noted the concerns that the Zoning Commission had referenced at the August 22, 2022 meeting. After discussions with the County Attorney's office, there were concerns about a general special events category and the possible impacts to other uses. Thus, the RAGBRAI proposal was developed to specifically address the challenges of selling goods and services in the unincorporated area of Woodbury County during the 2022 RAGBRAI event.

**Public Comment on Matters Not on the Agenda**

None

**Commissioner Comment or Inquiry**

None

**Staff Update**

Priestley indicated that the public meeting attendance for Comp Plan 2040 has been low and public input is important for the future development of Woodbury County. Priestley stated that the Board of Supervisor meetings are also an important tool for public input and awareness of issues involving the County. Meeting schedules and agendas are posted on the Woodbury County website.

**Adjourn**

Motion by O'Tool. Second: O'Tool. 5-0. The meeting adjourned at 7:50 PM.

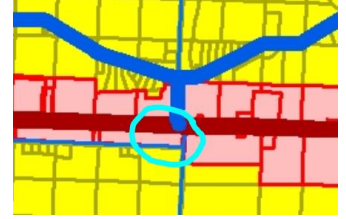


## EVALUATION CRITERIA

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 General Commercial (GC). The parcel is currently zoned Agricultural Preservation (AP) and the request is to change to GC for the purpose of using the property for outdoor storage and eventually having a building for automotive repair.. 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 1.1:** Adopt a land use plan that designates areas for anticipated future population and business growth needs of the County.
- **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.
- **Economic Development Goal 2.2:** Support existing, growing businesses in Woodbury County.

### 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 71.38. 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	884701200009
Gross Acres	5.00
ROW Acres	0.00
Gross Taxable Acres	5.00
Exempt Acres	0.00
Net Taxable Acres	5.00 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	71.38 (356.91 CSR2 Points / 5 Gross Taxable Acres)

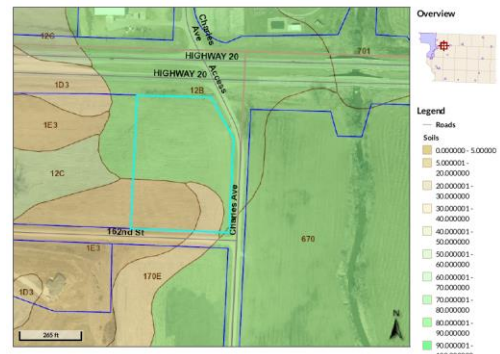
Aglard Active Config 2017 CSR2

#### Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	5.00	71.38	356.91	356.91
Non-Crop	0.00	0.00	0.00	0.00
<b>Total</b>	<b>5.00</b>		<b>356.91</b>	<b>356.91</b>

#### Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	3.33	309.69	309.69
100% Value	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.44	25.08	25.08
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	1.23	22.14	22.14
<b>Total</b>				<b>5.00</b>	<b>356.91</b>	<b>356.91</b>



### Compatibility with adjacent land uses.

The rezone proposal to GC comports with the Woodbury County Future Land Use Map (2005) as this parcel is designated as a future GC parcel. The area adjacent to this property includes mixed uses including a residential dwelling approximately 330 FT to the southwest on an AP parcel. The area also includes commercially zoned property to the east, northeast and north as well as agricultural to the south, southwest and northwest. This property abuts Highway 20, Charles Avenue, and 162<sup>nd</sup> Street.



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

This property abuts Highway 20, Charles Avenue, and 162<sup>nd</sup> Street. If any commercial development were to proceed in this area, the eventual paving of Charles Avenue and 162<sup>nd</sup> Street may be required. Thus, the property owner should be required to sign pavement agreements to address Charles Avenue and 162<sup>nd</sup> Streets.

**Any other relevant factors.**

This property is located in the Special Flood Hazard Area (SFHA – floodplain). The property owner(s) must elevate any structures as required by the Woodbury County Zoning Ordinance or seek a Letter of Map Amendment for Areas that could possibly be outside of the floodplain if found by a surveyor and FEMA.

**CURRENT – EFFECTIVE FLOODPLAIN MAP**



**DRAFT FLOODPLAIN MAP (Possibly Effective Jan./Feb. 2024)**



**LEGAL NOTIFICATION FOR ZONING COMMISSION PUBLIC HEARING**

Published in the Sioux City Journal's Legals Section on **September 29, 2022.**

**\*\*\* Proof of Publication \*\*\***

STATE OF IOWA  
COUNTY OF WOODBURY

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

Woodbury County Planning & Zoning  
Accounts Payable  
620 DOUGLAS STREET 6TH FLOOR  
SIOUX CITY IA 51101

ORDER NUMBER 52147

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

this 29 day of September, 2022

Chris Cirrus

Michelle Graham Notary Public

In and for Woodbury County.



Section: Legal

Category: 015 Attorneys & Legals

PUBLISHED ON: 09/29/2022

TOTAL AD COST: 33.37

FILED ON: 9/29/2022

NOTICE REGARDING PUBLIC HEARING FOR  
A ZONING ORDINANCE MAP AMENDMENT  
(REZONE)

WOODBURY COUNTY  
ZONING COMMISSION

The Woodbury County Zoning Commission will hold a public hearing on the following item hereafter described in detail during a special meeting on October 5, 2022 at 6:00 PM or as soon thereafter as the matter may be considered. The said hearing will be held in the Board of Supervisors' Meeting Room, Number 104, County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said item may now be examined at the office of Woodbury County Community and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to this matter should appear at the aforesaid hearing in person. There is an option available to call 712-464-1133 and enter the Conference ID: 403 184 608# during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

Item One (1)  
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Midwest Auto Properties, L.L.C.

The proposed amendment is to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District for 5.00-acres located on Government Lot 1, Section 1, T88N, R47W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #884701230009 and is described as The East 5 acres of a parcel of land described as follows: Government Lot 1, excluding therefrom all roads and easements, in Section 1, Township 88 North, Range 47 West of the 5th P.M., Woodbury County, Iowa, subject to and together with any and all easements.

Owner(s)/Applicant(s): Midwest Auto Properties, L.L.C., 1901 Highway 20, Lawton, IA 51030, Curtis Eping, 1901 Highway 20, Lawton, IA 51030. Property Address, 1605 Charles Avenue, Lawton, IA 51030.

### Customer Ad Proof

180-60017915 Woodbury County Planning & Zoning

Order Nbr 52563

**Publication** Sioux City Journal

Contact Woodbury County Planning & Zoning  
 Address 1 620 DOUGLAS STREET 6TH FLOOR  
 Address 2  
 City St Zip SIOUX CITY IA 51101  
 Phone 7122796557  
 Fax 7122796530

PO Number  
 Rate Open  
 Order Price 37.47  
 Amount Paid 0.00  
 Amount Due 37.47

Section Legal  
 SubSection  
 Category 015 Attorneys & Legals

Start/End Dates 10/20/2022 - 10/20/2022  
 Insertions 1  
 Size 64

Ad Key 52563-1  
 Keywords BOS PHN EPLING

Salesperson(s) Legal Legal  
 Taken By Sue Weydert

Notes

**Ad Proof**

**NOTICE REGARDING PUBLIC HEARINGS FOR A ZONING ORDINANCE MAP AMENDMENT (REZONE) WOODBURY COUNTY BOARD OF SUPERVISORS**

The Woodbury County Board of Supervisors will hold public hearings on the following item of business, hereafter described in detail, on Tuesday, October 25, 2022 at 4:45 PM, Tuesday, November 1, 2022 at 4:45 PM and Tuesday, November 8, 2022 at 4:45 PM or as soon as possible thereafter as the matter may be considered. Pursuant to Iowa Code Section 331.302, the second and third public hearings may be waived by the Board of Supervisors.

Said hearings shall be held at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment.

Copies of said item may now be examined in the Woodbury County Auditor's office in the said Courthouse during the normal business hours of Monday through Friday between 8:00 AM and 4:30 PM by any interested persons.

All persons who wish to be heard in respect to this matter should appear to participate in the aforesaid hearings.

Item One (1)  
 Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Supervisors will hold public hearings on the referenced dates and times above to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Midwest Auto Properties, L.L.C.

**PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE):** The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District for 5.00-acre located in Government Lot 1, Section 1, T88N, R147W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GE Parcel #884701200006 and is described as

The East 5 acres of a parcel of land described as follows: Government Lot 1, excluding therefrom all roads and easements, in Section 1, Township 88 North, Range 47 West of the 5th P.M., Woodbury County, Iowa, subject to and together with any and all easements.

Owner(s)/Applicant(s): Midwest Auto Properties, L.L.C., 1901 Highway 20, Lareton, IA 51030, Curtis Ebling, 1901 Highway 20, Lareton, IA 51030. Property Address: 1606 Charles Avenue, Lareton, IA 51030.

**NOTICE REGARDING PUBLIC HEARINGS  
FOR A ZONING ORDINANCE  
MAP AMENDMENT (REZONE)  
WOODBURY COUNTY  
BOARD OF SUPERVISORS**

The Woodbury County Board of Supervisors will hold public hearings on the following item of business, hereafter described in detail, on Tuesday, October 25, 2022 at 4:45 PM, Tuesday, November 1, 2022 at 4:45 PM and Tuesday, November 8, 2022 at 4:45 PM or as soon as possible thereafter as the matter may be considered. Pursuant to Iowa Code Section 331.302, the second and third public hearings may be waived by the Board of Supervisors. Said hearings shall be held at the Woodbury County Courthouse, 620 Douglas Street,

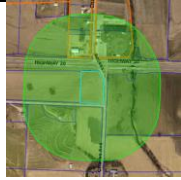
Sioux City, Iowa, in the Board of Supervisors' meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment. Copies of said item may now be examined in the Woodbury County Auditor's office in the said Courthouse during the normal business hours of Monday through Friday between 8:00 AM and 4:30 PM by any interested persons. All persons who wish to be heard in respect to this matter should appear to participate in the aforesaid hearings.

Item One (1)  
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Supervisors will hold public hearings on the referenced dates and times above to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Midwest Auto Properties, L.L.C.

**PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE):** The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District for 5.00-acres located on Government Lot 1, Section 1, T88N, R47W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #884701200009 and is described as The East 5 acres of a parcel of land described as follows: Government Lot 1, excluding therefrom all roads and easements, in Section 1, Township 88 North, Range 47 West of the 5th P.M., Woodbury County, Iowa, subject to and together with any and all easements.

Owner(s)/Applicant(s): Midwest Auto Properties, L.L.C., 1901 Highway 20, Lawton, IA 51030, Curtis Epling, 1901 Highway 20, Lawton, IA 51030. Property Address, 1605 Charles Avenue, Lawton, IA 51030.

**PROPERTY OWNER(S) NOTIFICATION – 1000'**



The **fifteen (15)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **September 8, 2022** letter of the public hearing before the Woodbury County Zoning Commission on **September 26, 2022**.

As of **September 22, 2022**, the Community and Development office has received the following inquires. 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
Theresa M. Kuhlmann Rev. Trust & Michael D. Kuhlmann Rev. Trust	8240 N 123rd St., Omaha, NE 68142	No comments.
Charles C Le Neal	1637 Charles Ave., Lawton, IA 51030	No comments.
Gehrig Johndreau and Carol Jean Sikora	1751 170th St., Lawton, IA 51030	No comments.
Jeremy J. & Kristi Boatman	1762 162nd St., Lawton, IA 51030	No comments.
Brian D. Peterson	1739 Charles Ave., Lawton, IA 51030	No comments.
Midwest Auto Properties, LLC	1901 Hwy 20, Lawton, IA 51030	No comments.
Everett Dean & Lois Neal	1637 Charles Ave., Lawton, IA 51030	No comments.
Dana D. & Kimberly A. Neal	1774 162nd St., Lawton, IA 51030	No comments.
Andrew S. & Ashley J Ellensohn	7586 Correctionville Rd., Lawton, IA 51030	No comments.
Casey L. & Ashley M. Watts	1583 Charles Ave., Lawton, IA 51030	No comments.
Thomas A. & Angela Kayl	1585 Charles Ave., Lawton, IA 51030	No comments.
Michael & Terri Pagan	1589 Charles Ave., Lawton, IA 51030	No comments.
H & H Real Estate, LLC	1597 Charles Ave., Lawton, IA 51030	No comments.
H & H Real Estate, LLC	1624 180th St., Sioux City, IA 51106	No comments.
Todd W. & Tara M. Shumansky	1275 Buchanan Ave., Sioux City, IA 51108	No comments.

**STAKEHOLDER COMMENTS**

<b>911 COMMUNICATIONS CENTER:</b>	I have no issues with this. – Glenn Sedivy, 9/7/22.
<b>CENTURYLINK / LUMEN:</b>	No comments.
<b>FIBERCOMM:</b>	No comments.
<b>IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):</b>	No comments.
<b>IOWA DEPARTMENT OF TRANSPORTATION (IDOT):</b>	No comments.
<b>LONGLINES:</b>	No comments.
<b>MAGELLAN PIPELINE:</b>	No comments.
<b>MIDAMERICAN ENERGY COMPANY (Electrical Division):</b>	I have reviewed the proposed rezoning for MEC electric. We have no conflicts. – Casey Meinen, 9/7/22.
<b>MIDAMERICAN ENERGY COMPANY (Gas Division):</b>	MEC Gas has no conflicts with the proposed rezoning below either. – Tyler Ahlquist, 9/7/22.
<b>NATURAL RESOURCES CONSERVATION SERVICES (NRCS)</b>	No comments or concerns from the SWCD. – Randi Prichard, 9/8/22.
<b>NORTHERN NATURAL GAS:</b>	No comments.
<b>NORTHWEST IOWA POWER COOPERATIVE (NIPCO):</b>	NIPCO has no issues with this request. – Jeff Zettel, 9/13/22.
<b>NUSTAR PIPELINE:</b>	The rezoning request does not impact our pipeline. No comments or concerns. Please note that our pipeline does cross in close proximity to the west on future requests. – Matt McGee, 9/9/22.
<b>SIouxLAND DISTRICT HEALTH DEPARTMENT:</b>	No comments.
<b>WIATEL:</b>	No comments.
<b>WOODBURY COUNTY ASSESSOR:</b>	No comments.
<b>WOODBURY COUNTY CONSERVATION:</b>	No comments.
<b>WOODBURY COUNTY EMERGENCY MANAGEMENT:</b>	No comments.
<b>WOODBURY COUNTY EMERGENCY SERVICES:</b>	No comments.
<b>WOODBURY COUNTY ENGINEER:</b>	I do not have objections to the proposed rezoning of this parcel. I agree that a paving agreement should be put in place. The agreement should follow the current 80/20 cost share. I doubt the other side of the road will develop due to the flood plain status, but 40% of the frontage cost from this adjacent landowner will be appropriate should traffic grow to a level that justifies the eventual paving of the roadway up to 162nd Street. This rezone has the potential to generate traffic and the parcel should participate in the cost of any future pavement to meet the needs of traffic at a new commercial enterprise on Charles Avenue. Thank you for the opportunity to comment. – Mark Nagra, PE, 9/19/22.
<b>WOODBURY COUNTY RECORDER:</b>	No comments thank you. – Diane Swoboda Peterson, 9/7/22.
<b>WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):</b>	Woodbury REC has no questions or concerns. – Kent Amundson, 9/7/22.
<b>WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:</b>	The WCSWCD recommends against this rezoning proposal because a significant portion of this parcel lies in a flood zone, making it more prone to flood damages if it is developed as a business property. – Neil Stockfleth, 9/7/22.
<b>WOODBURY COUNTY TREASURER</b>	The taxes have been paid in full (August 23, 2022 for \$208.00). – Kim Koepke, 9/7/22.

**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 Gill, Woodbury County Auditor

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

## **ITEM ONE (1)**

Property Owner(s): Midwest Auto Properties, L.L.C., 1901 Highway 20, Lawton, IA 51030.  
Property Address, 1605 Charles Avenue, Lawton, IA 51030.

Petitioner Applicant(s): Curtis Epling, 1901 Highway 20, Lawton, IA 51030

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, September 26, 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 General Commercial (GC) Zoning District for 5.00-acres located on Government Lot 1, Section 1, T88N, R47W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #884701200009 and is described as

The East 5 acres of a parcel of land described as follows: Government Lot 1, excluding therefrom all roads and easements, in Section 1, Township 88 North, Range 47 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, subject to and together with any and all easements.



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

The undersigned, *Curtis Epling of Midwest Auto Properties, LLC*, the owner(s) of the real estate legally described as follows:

The East 5 acres of a parcel of land described as follows: Government Lot 1, excluding therefrom all roads and easements, in Section 1, Township 88 North, Range 47 West of the 5th P.M., Woodbury County, Iowa, subject to and together with any and all easements.

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

1. To impose a recorded covenant on *162<sup>nd</sup> Street* agreeing to an assessment on said Parcel of Land in event *162<sup>nd</sup> Street* is hard surfaced and graded for that purpose (the Improvement).
2. At the time of the Improvement, the then owners, their successors, and assigns shall be assessed collectively a maximum of eighty percent (80%) of the total actual cost of the Improvement to the centerline of *162<sup>nd</sup> Street*. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Parcel of Land will be a maximum of forty percent (40%) of the total actual cost of the improvements abutting said parcel.
3. The collective assessment shall be individually prorated to the Parcel of Land on the basis of the number of lineal feet on which the Parcel of Land abuts the said roadway(s) and the respective Parcel owner(s) shall have the responsibility for the assessment only on the lot within the Parcel of Land he/she or it may own.
4. In the event that statutes or ordinances existing at the time of the Improvements results in an overall lower assessment against the Parcel of Land, then the lower amount shall be assessed against said Parcel of Land.
5. This Agreement to Impose Covenant shall be binding upon the respective successors, heirs, administrators, executors and assigns of the parties.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
*Curtis Epling,*  
*Midwest Auto Properties, LLC*

On this \_\_\_ day of \_\_\_\_\_ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Curtis Epling of the Midwest Auto Properties, LLC** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Curtis Epling of the Midwest Auto Properties, LLC** executed the same as a voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for said County

**Seal or stamp above**

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

The undersigned, *Curtis Epling of Midwest Auto Properties, LLC*, the owner(s) of the real estate legally described as follows:

The East 5 acres of a parcel of land described as follows: Government Lot 1, excluding therefrom all roads and easements, in Section 1, Township 88 North, Range 47 West of the 5th P.M., Woodbury County, Iowa, subject to and together with any and all easements.

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

1. To impose a recorded covenant on *Charles Avenue* agreeing to an assessment on said Parcel of Land in event *Charles Avenue* is hard surfaced and graded for that purpose (the Improvement).
2. At the time of the Improvement, the then owners, their successors, and assigns shall be assessed collectively a maximum of eighty percent (80%) of the total actual cost of the Improvement to the centerline of *Charles Avenue*. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Parcel of Land will be a maximum of forty percent (40%) of the total actual cost of the improvements abutting said parcel.
3. The collective assessment shall be individually prorated to the Parcel of Land on the basis of the number of lineal feet on which the Parcel of Land abuts the said roadway(s) and the respective Parcel owner(s) shall have the responsibility for the assessment only on the lot within the Parcel of Land he/she or it may own.
4. In the event that statutes or ordinances existing at the time of the Improvements results in an overall lower assessment against the Parcel of Land, then the lower amount shall be assessed against said parcel of land.
5. This Agreement to Impose Covenant shall be binding upon the respective successors, heirs, administrators, executors and assigns of the parties.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
*Curtis Epling,*  
*Midwest Auto Properties, LLC*

On this \_\_\_\_ day of \_\_\_\_\_ A.D. 2022, before me, the undersigned Notary Public, personally appeared to me known **Curtis Epling of the Midwest Auto Properties, LLC** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Curtis Epling of the Midwest Auto Properties, LLC** executed the same as a voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for said County

**Seal or stamp above**

# PARCEL REPORT

## Summary

Parcel ID 88470120009  
 Alternate ID 820892  
 Property 1605 CHARLES AVE  
 Address LAWTON IA 51030  
 Sec/7wp/Rng 1-88-47  
 Brief PT GOV'T LOT 1 BEING A TCT COM SE COR OF GOV LOT 1 THEC N 425.97' THEC WLY 33.02' TO POB THEC S 392.56' THEC W 406.92' THEC N 554.22'  
 Tax Description THEC E 306.38' THEC SELY 190.38' TO POB 1-88-47 5 ACRES  
 (Note: Not to be used on legal documents)  
 759-3236 (6/19/2018)  
 Deed  
 Book/Page  
 Gross Acres 5.00  
 Net Acres 5.00  
 Adjusted CSR 356.91  
 Pts  
 Zoning AP - AGRICULTURAL PRESERVATION  
 District 0030 WOODBURY/LAWTON-BRONSON  
 School District LAWTON BRONSON  
 Neighborhood N/A

## Owner

**Deed Holder**  
 Midwest Auto Properties, LLC  
 1901 Hwy 20  
 Lawton IA 51030  
**Contract Holder**  
 Midwest Auto Properties, LLC  
 1901 Hwy 20  
 Lawton IA 51030

## Land

Lot Area 5.00 Acres; 217,800 SF

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
6/4/2018	PETERSON BRIAN D	MIDWEST AUTO PROPERTIES, LLC	759-3236	Normal	Deed		\$76,500.00
1/30/2018	MCALLISTER TERENCE W & DEBRA	PETERSON BRIAN D	757-2988	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00
3/28/2008	ANDERSON EMMA	MCALLISTER TERENCE & DEBRA	697/3900	SALE OF PORTION OF PROPERTY (SPLIT)	Deed		\$4,500.00

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

## Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$9,010	\$9,010	\$8,520	\$8,520	\$12,430
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$9,010	\$9,010	\$8,520	\$8,520	\$12,430
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$9,010	\$9,010	\$8,520	\$8,520	\$12,430

## Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

## Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits.](#)

No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Photos, Sketches.

# SOIL REPORT

## Summary

Parcel ID 88470120009  
 Gross Acres 5.00  
 ROW Acres 0.00  
 Gross Taxable Acres 5.00  
 Exempt Acres 0.00  
 Net Taxable Acres 5.00 (Gross Taxable Acres - Exempt Land)  
 Average Unadjusted CSR2 71.38 (356.91 CSR2 Points / 5 Gross Taxable Acres)

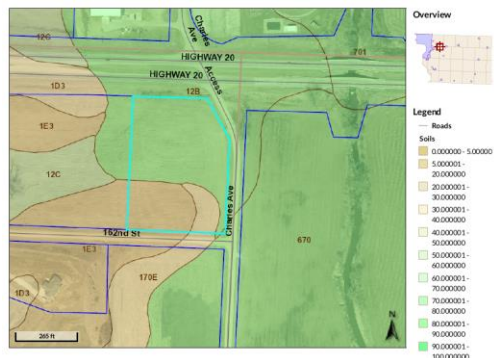
Agland Active Config 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	5.00	71.38	356.91	356.91
Non-Crop	0.00	0.00	0.00	0.00
<b>Total</b>	<b>5.00</b>		<b>356.91</b>	<b>356.91</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12B	NAPIER SILT LOAM, 2 TO 5 PERCENT SLOPES	93.00	3.33	309.69	309.69
100% Value	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.44	25.08	25.08
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	1.23	22.14	22.14
<b>Total</b>				<b>5.00</b>	<b>356.91</b>	<b>356.91</b>



ELEVATION





OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance  
Section 2.02(4)  
Page 1 of 8

Rezoning Application &  
Zoning Ordinance Map Amendment

<b>Owner Information:</b>	<b>Applicant Information:</b>
Owner <u>Midwest Auto Properties, LLC</u>	Applicant <u>Curtis Epling</u>
Address <u>1901 Hwy 20</u> <u>Lawton IA 51030</u>	Address <u>1901 Hwy 20</u> <u>Lawton, IA 51030</u>
Phone <u>712-870-0840</u>	Phone <u>712-870-0840</u>

Engineer/Surveyor Scott Gerhart, PE Phone (712) 870-9789

**Property Information:**

Property Address or Address Range 1605 Charles Ave - Parcel 'A' NENE Woodbury

Quarter/Quarter Govt Lot 1 Sec 1 Twtnshp/Range 88 - 47

Parcel ID # 884701200009 or GIS # \_\_\_\_\_ Total Acres 5.00

Current Use Ag Proposed Use Outdoor Storage

Current Zoning AP Proposed Zoning GC

Average Crop Suitability Rating (submit NRCS Statement) 71.38 (Beacon)

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 8/29/22 - Phone Conversation w/ Scott Gerhart, PE, Engineer  
Staff present Den Priestley

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

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

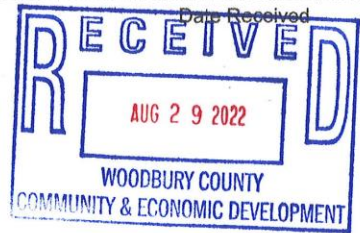
Owner [Signature] Applicant [Signature]

Date 8/30/22 Date 8/30/22

Fee: \$400 Case #: 6799

Check #: 1003

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



From: Kristi Franz <kristi@exploresiouxcity.org>  
Sent: Thursday, October 20, 2022 2:17 PM  
To: Karen James  
Subject: Fw: County board

CAUTION: This email originated from OUTSIDE of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.

Hello Karen,

Thank you for getting Explore Sioux City on the calendar to speak with the Board of Supervisors.

We are making great progress for Woodbury County and are looking forward to sharing with the Supervisors.

I will review the following with the Supervisors:

\*Arrivalist Data (number of visitors from outside 50-mile radius. Is the County on a calendar year or a fiscal year? I will provide the appropriate data.

- o I will provide information on the visitors such as travel origin, length of stay, and average distance traveled
- \* Economic Impact to Woodbury County
- \* Information on hotel night stays (to include occupancy, average daily rate and available rooms)
- \* Events we provided support for in the last year (financial and operational)
- \* Tradeshows and Marketplaces attended to showcase Woodbury County
- \* Activity with regional/state/national boards and organizations

Please let me know if you need any additional information or have questions for me.

Best Regards,

Kristi Franz  
Executive Director  
kristi@exploresiouxcity.org  
712-224-1000



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

Date: 10/27/22

Weekly Agenda Date: 11/1/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Tina Bertrand, County Treasurer

**WORDING FOR AGENDA ITEM:**

Participation in the Iowa Homeowner Assistance Fund

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Iowa Homeowner Assistance Fund

**BACKGROUND:**

Iowa finance authority has approximately \$50 Million of ARPA funding that has been allocated to assist homeowners that have been negatively impacted by COVID. The program provides assists homeowner who are at risk of losing their homes.

This is one-time assistance that can be used to pay various payments associated with home ownership including delinquent property taxes. The goal of the program is to bring applicants current with delinquent status.

This is a non-recourse grant.

Applicants must be delinquent a minimum of 30 days.

Eligible household income cannot exceed 150% of area median income.

Home must be a primary residence located in IA.

Applicant must demonstrate and attest to a hardship.

Hardship must have occurred after January 1, 2022.

Payments would be sent directly to the Treasurer.

Tax sale redemptions and suspended taxes would qualify providing that the tax sale and suspensions occurred after 1/1/2020 and that all other program requirements are met.

Provider participate agreement must be signed by the Treasurer in order for homeowners to receive funds for delinquent property taxes. This agreement is under review and questions or concerns will be discussed with the County Attorney's office.

**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:**

# IOWA HOMEOWNER ASSISTANCE FUND



## MORTGAGE HELP IS HERE FOR IOWA HOMEOWNERS

The Iowa Homeowner Assistance Fund program assists eligible Iowa homeowners in avoiding foreclosure by providing financial assistance with mortgage payments and related property expenses.

### AM I ELIGIBLE?

#### ELIGIBLE HOMEOWNERS MUST:

- Be [income qualified](#)
- Have had someone in the household experience a financial hardship after January 21, 2020 because of the COVID-19 pandemic.
  - This could be the result of a reduction in income or increase in living expenses due to job loss, fewer work hours, paying more for childcare, illness, or being unable to work because you had to take care of a family member
- Be at least one payment behind on one of the following:
  - Mortgage
  - Contract sale, (purchasing a home under a legally recorded contract)
  - Manufactured home
  - Property taxes.
- Own the property located in Iowa (applicants purchasing a home under a legally recorded contract are eligible)
- Occupy the home as their primary residence

### WHAT TYPE OF ASSISTANCE IS AVAILABLE?

Up to \$25,000 per eligible household to assist with past due payments, including:

Eligible Past Due Expenses:



• Mortgage Payments



• Land contract sale payments



• Manufactured Home/Lot Rent Payments

• Property Taxes



• Homeowner's Insurance (Homeowner's hazard, flood, and/or mortgage insurance)

• Homeowner Association Fees

### WHAT DO I NEED TO DO TO APPLY?

- STEP 1** Take the eligibility precheck at [iowafinance.com/IHAF](http://iowafinance.com/IHAF) to determine preliminary eligibility.
- STEP 2** Prepare required application [documentation](#).
- STEP 3** Submit online application at [iowafinance.com/IHAF](http://iowafinance.com/IHAF).
- STEP 4** The mortgage servicer and/or other service providers of past due amounts will be required to verify the information submitted by the applicant.
- STEP 5** The case review team will review the application to ensure all documentation is complete and to verify eligibility.

In some cases, applicants will be referred to free, confidential mortgage counseling through Iowa Mortgage Help to ensure housing stability prior to being eligible for financial assistance through the program.

### WILL I RECEIVE PAYMENT DIRECTLY, IF APPROVED?

No. Payments will be made directly to mortgage servicers and other payees, as applicable to be applied to the homeowner's account(s).

**CONTACT THE IOWA HOMEOWNER ASSISTANCE FUND TEAM:  
888-668-0927**



IOWA FINANCE  
AUTHORITY

[iowafinance.com/IHAF](http://iowafinance.com/IHAF)

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

Date: October 27, 2022 Weekly Agenda Date: November 1, 2022

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Sheriff Chad Sheehan

**WORDING FOR AGENDA ITEM:**

Information for the purchase of two bullet resistant vests, four safety restraint wraps and a training dummy.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

**BACKGROUND:**

The two Electronic Monitoring Officers currently do not have ballistic vests to wear on duty. They are going to begin home visits and assist in transports and mental committals. These vests are vital to their safety. Four safety restraints will be purchased and placed in transport vehicles to safely secure unruly transports. Training dummy will be utilized for training staff.

**FINANCIAL IMPACT:**

two vests - \$3,162, four Wrap safety restraints - \$6,200, training dummy - \$450.00 Total = \$9,812  
Our current budget has a revenue of \$65,000 for our civil division. We have collected \$106,120.91 so far this year. This increase is due to significant increases in garnishments.

**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:**

Inform the board of the possible need for a budget amendment in May to cover these unexpected and costs and that the increase in revenue from civil will more than cover the expense.

**ACTION REQUIRED / PROPOSED MOTION:**

NONE

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

Date: 10/27/22 Weekly Agenda Date: 11/1/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Keith Radig

**WORDING FOR AGENDA ITEM:**

Letter informing MHRD of Ex-officio appointment

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Letter to nominate Keith Radig as the Ex-officio board member to MHRD from Woodbury County

**BACKGROUND:**

The first term as an ex-officio has expired, and MHRD has sent a letter to us requesting a new appointment.

**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:**

Nominate Keith Radig for this.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to send a letter to MHRD informing them of our nomination of Keith Radig as ex-officio board member from Woodbury County.

November 1, 2022

Missouri River Historical Development

To Whom It May Concern:

The Woodbury County Board of Supervisors appointed Keith Radig as ex-officio board member to the Missouri River Historical Development Board.

Sincerely,

Keith Radig  
Chairman  
Board of Supervisors