

# Woodbury County Soil and Water Conservation District

#5

Pioneer Mall Professional Center  
204 First St, Ste C1  
Sergeant Bluff, IA 51054

Phone: (712) 943-6727 Ext. 3

Fax: (855) 246-1549

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MAR 22 2019 PM 12:59

March 19, 2019

Karen James, Administrative Coordinator  
Woodbury County Board of Supervisors  
Woodbury County Courthouse  
620 Douglas St Room 104  
Sioux City, IA 51101

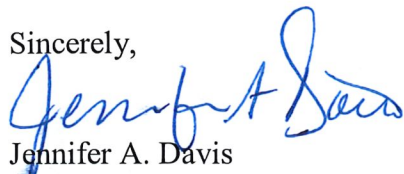
Re: 28E Agreement

Dear Ms. James:

We would appreciate it if you would have Keith Radig sign the enclosed 28E Agreements at the next Board of Supervisors meeting and then return one copy to us.

If you have any questions or concerns please contact us.

Sincerely,



Jennifer A. Davis  
Secretary

Preparer: Eric M. Dirth, Assistant Attorney General, Phone: 515-281-8153,  
IOWA DEPARTMENT of JUSTICE, State Capitol Complex, Des Moines, IA 50319 Return to: Woodbury County  
SWCD, Pioneer Mall Professional Center, 204 First St., Ste C1, Sergeant Bluff, IA 51054

**28E AGREEMENT**  
**BETWEEN WOODBURY COUNTY, IOWA, and the WOODBURY SOIL AND**  
**WATER CONSERVATION DISTRICT for FUNDING AND MANAGEMENT of a**  
**WATERSHED INSPECTION and MAINTENANCE PROGRAM in WOODBURY**  
**COUNTY, STATE OF IOWA**

This Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between: Woodbury County, Iowa (hereinafter “County”), located at 620 Douglas Street, Rm. 104, Sioux City, Iowa 51101 and the Woodbury Soil and Water Conservation District (hereinafter “SWCD”), located at 204 First Street, Ste C1, Sergeant Bluff, Iowa 51054. This Agreement is entered into pursuant to Chapter 28E of the Code of Iowa.

**1) PURPOSE**

This Agreement is entered into between the County and the SWCD for the purpose of providing the terms under which the Parties agree to fund and manage a watershed inspection and maintenance program in Woodbury County as sponsors of the Little Sioux River Flood Protection Project. This project involves approximately 460 grade stabilization control structures which have been constructed with federal funds and local contributions since 1949. The Parties do not intend to create a separate legal entity under this Agreement.

**2) TERM**

This Agreement shall begin on July 1, 2019, and terminate on June 30, 2020. The Agreement may be extended by the written agreement of all parties on terms stated therein.

3) **ADMINISTRATION**

This Agreement shall be administered by the SWCD. All administrative decisions concerning this Agreement shall be undertaken pursuant to the terms outlined below.

4) **HOLDING OF PROPERTY UNDER THIS AGREEMENT**

All real and personal property used or acquired under the terms of this Agreement shall be held in the name of the SWCD.

5) **COUNTY RESPONSIBILITIES**

The County shall provide the SWCD with funds in the amount of Thirty-nine Thousand Dollars (\$39,000.00), payable in installments of Thirteen Thousand Dollars (\$13,000.00), due July 1, 2019; Thirteen Thousand Dollars (\$13,000.00), due January 1, 2020; and Thirteen Thousand Dollars (\$13,000.00) due June 1, 2020. Payments shall be sent to the SWCD office at 204 First Street, Ste C1, Sergeant Bluff, IA 51054. The funds provided to the SWCD by the County shall be used by the SWCD to employ individuals to inspect and maintain the watershed structures described in paragraph I of this Agreement. The individuals employed by the SWCD will record the condition of, and maintenance work performed on, each structure. Other related duties will be performed by the individuals employed by the SWCD, as outlined in a position description prepared for the position by the SWCD.

6) **SWCD RESPONSIBILITIES**

The SWCD shall employ individuals to inspect and maintain the watershed structures described in paragraph I of this Agreement. The individuals employed by the SWCD will record the condition of, and maintenance work performed on, each structure. The SWCD shall supervise the individuals employed as employees of the SWCD, and shall indemnify and hold harmless the County for any negligence on the part of the individuals employed by the SWCD. The individuals employed by the SWCD will represent the SWCD in performing all types of watershed work.

7) **FINANCING**

The SWCD shall pay all costs associated with the administration of this Agreement, except as provided in paragraph 5 of this Agreement.

8) **AMENDMENT**

This Agreement may be amended from time to time by written agreement of the Parties. All amendments shall be in writing, signed by both Parties, and electronically

filed with the Secretary of State as required by Iowa Code section 28E.8 (2019).

9) **TERMINATION**

The County may terminate this Agreement at any time with 120 days written notice to the SWCD. Upon termination of this Agreement, the Parties agree to use their best efforts to wrap up all operations undertaken pursuant to this Agreement. In the event of a conflict as to the distribution of any real or personal property, such conflict shall be resolved between the parties by arbitration paid for equally between the disputing parties.

10) **NOTICES**

Whenever notices and correspondence are to be given under this Agreement, the notices shall be given by personal delivery to the other party, or sent by mail, postage prepaid, to the other party as follows:

To the County

Woodbury County  
Board of Supervisors  
620 Douglas St Rm 104  
Sioux City, IA 51101

To the SWCD

Woodbury SWCD  
204 First Street, Ste C1  
Sergeant Bluff, IA 51054

11) **APPLICABLE LAW**

This Agreement is to be governed by the laws of the State of Iowa.

12) **FILING**

It is agreed that the County will electronically file this Agreement with the Secretary of State as required by Iowa Code section 28E.8 (2019).

**IN WITNESS WHEREOF**, and in consideration of the mutual covenants set forth herein and for other good and valuable consideration, the receipt, adequacy, and legal sufficiency of which are hereby acknowledged, the parties have entered into this 28E Agreement and have caused their duly authorized representatives to execute this 28E Agreement.



**WOODBURY COUNTY**

BY: \_\_\_\_\_  
Keith Radig, Chairperson  
Woodbury County Board of Supervisors

DATE: \_\_\_\_\_

STATE OF IOWA, WOODBURY COUNTY: This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2019, by Keith Radig, as Chairperson of the Woodbury County Board of Supervisors.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF IOWA

**WOODBURY SOIL AND WATER CONSERVATION DISTRICT**

BY: Kelly Ingenthron  
Kelly Ingenthron, Chairperson  
Woodbury Soil and Water Conservation District

DATE: 3-19-19

STATE OF IOWA, WOODBURY COUNTY: This instrument was acknowledged before me on the 19th day of March, 2019, by Kelly Ingenthron, as Chairperson of the Woodbury Soil and Water Conservation District.

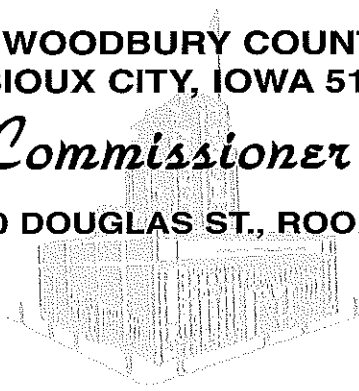
Jennifer A Davis  
\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF IOWA



WOODBURY COUNTY  
SIOUX CITY, IOWA 51101

*Office of Commissioner of Elections*

620 DOUGLAS ST., ROOM 103



**Patrick F. Gill**  
Commissioner  
Phone 712-279-6465  
Fax 712-279-6629  
pgill@woodburycountyiowa.gov

**Steve Hofmeyer**  
Deputy Commissioner  
Phone 712-279-6465  
Fax 712-279-6629  
shofmeyer@woodburycountyiowa.gov

To: Board of Supervisors

From: Patrick F. Gill, <sup>PF</sup>Auditor/Recorder & Commissioner of Elections

Date: March 25, 2019

Re: City of Danbury Council Appointment

Please receive the appointment of Arzella (Sue) Ham, 517 Liston Street, Danbury, IA, to the Danbury City Council. The appointment was made on March 12, 2019, to fill a vacant position previously held by Kevin Frank, until the next regular election.

NOTICE OF APPOINTMENT TO FILL A VACANCY

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

From: City of Danbury School/City/Township/  
Brooke Kafton Extension/Soil & Water  
3-20-19 Secretary/Clerk  
Date

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

For the office of Danbury City Council  
Name Arzella Ham - goes by Sue Ham  
Address 517 Listen St  
City/Zip Danbury 51019  
Date of appointment 3-12-19

This appointment is to fill the office previously held by:

Kevin Frank  
(Name of previous official)

RETURN TO: Patrick F. Gill

Woodbury County Commissioner of Elections  
620 Douglas St, Rm 103  
Sioux City, IA 51101

WOODBURY COUNTY  
PATRICK F. GILL  
2019 MAR 25 AM 11 57  
AUDITOR RECORDER  
COMM OF ELECTIONS





**WOODBURY COUNTY**  
**HUMAN RESOURCES DEPARTMENT**

**TO:** Board of Supervisors and the Taxpayers of Woodbury County  
**FROM:** Melissa Thomas, Human Resources Director  
**SUBJECT:** Memorandum of Personnel Transactions  
**DATE:** April 2, 2019

For the April 2, 2019 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

1. County Treasurer MV Clerk II, from Grade 3/Step 4 to Grade 3/Step 5.
2. Juvenile Detention P/T Youth Worker, Appointment.

Thank you

HUMAN RESOURCES DEPARTMENT  
WOODBURY COUNTY, IOWA

DATE: April 2, 2019

**AUTHORIZATION TO INITIATE HIRING PROCESS**

<b>DEPARTMENT</b>	<b>POSITION</b>	<b>ENTRY LEVEL</b>	<b>APPROVED</b>	<b>DISAPPROVED</b>
Rolling Hills	Coordinator of Disability Services	Wage Plan: \$62,000- \$66,000/year		
Rolling Hills	Coordinator of Disability Services/Support Staff	Wage Plan: \$48,000- \$53,000/year		
Rolling Hills	Mental Health Advocate	Wage Plan: \$48,000- \$53,000/year		

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

**HUMAN RESOURCES DEPARTMENT  
WOODBURY COUNTY, IOWA**

#7c

**DATE: April 2, 2019**

**REQUEST TO DEAUTHORIZE COUNTY POSITION(S)**

<b>DEPARTMENT</b>	<b>POSITION</b>	<b>APPROVED</b>	<b>DISAPPROVED</b>
Sioux Rivers	MHDS Interim Service Coordinator  Effective 6-30-19		
Sioux Rivers	Eligibility Coordinator/ Secretary III  Effective 6-30-19		
Sioux Rivers	Secretary III  Effective 6-30-19		
Sioux Rivers	Jail Alternative Coordinator  Effective 6-30-19		
Sioux Rivers	Mental Health Advocate  Effective 6-30-19		

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

**WOODBURY COUNTY, IOWA  
BOARD ADMINISTRATION  
MEMORANDUM**

TO: Board of Supervisors  
FROM: Karen James, Administrative Assistant  
DATE: March 27, 2019  
RE: Lifting of Tax Suspensions

Please lift the tax suspension for C.S. as this person is deceased.



WOODBURY COUNTY, IOWA

RESOLUTION # 10,670

RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES

**WHEREAS** Curtis Schmidt, as titleholder of a property located 2909 E. 9<sup>th</sup> Street., Sioux City, Woodbury County, Iowa, and legally described as follows:

**Parcel # 8947 26 152 007**

**Lot Seven (7) Block Two (2) East Terrace Addition, City of Sioux City, Woodbury County, Iowa**

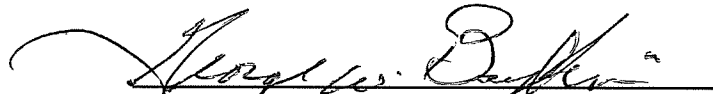
**WHEREAS**, Curtis Schmidt of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 1997 Iowa Code section 427.9, and

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

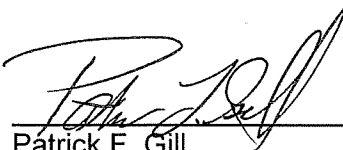
**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 1st day of June, 2010.

WOODBURY COUNTY BOARD OF SUPERVISORS

  
George W. Boykin, Chairman

ATTEST:

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

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

**#8b**

Date: 3/27/19 Weekly Agenda Date: 4/2/19

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Karen James - Admin. Assistant

**WORDING FOR AGENDA ITEM:**

Approval of resolution for a tax suspension for L.C.

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

L.C. is requesting a tax suspension.

**BACKGROUND:**

L.C. was approved for a tax suspension on March 25, 2008. Annual tax suspension re-certify letters went out to L.C. starting in December. L.C. failed to re-certify the income by the deadline of March 1. Board lifted the tax suspension on March 12, 2019.

**FINANCIAL IMPACT:**

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

Yes  No

**RECOMMENDATION:**

Consider this request for a tax suspension for L.C. If the Board approves this request, the suspension resolution requires the chairman's signature.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the resolution for a tax suspension for L.C.

**WOODBURY COUNTY, IOWA**

**RESOLUTION # \_\_\_\_**

**RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

**WHEREAS**, Linda Carlson, is the titleholder of property located at 100 Main St., Sioux City, Woodbury County, Iowa, and legally described as follows:

**Parcel # 894729405014**

**SIoux CITY ADDN S 50 FT LOT 8 BLK 18 W 44 FT S 50 FT LOT 9 BLK 18**

**WHEREAS**, Linda Carlson, is the titleholder of the aforementioned property have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code section 427.9, and

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 2nd day of April, 2019.

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Keith W. Radig, Chairman

ATTEST:

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

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

**#9**

Date: 03/28/2019 Weekly Agenda Date: 04/02/2019

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

**WORDING FOR AGENDA ITEM:**

Consideration of utility permit for work in the county right of way

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

MidAmerican Energy has requested a permit to work in the right of way to install new electrical service line for the NEW Coop facility south of Anthon.

**BACKGROUND:**

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa.

**FINANCIAL IMPACT:**

No impact.

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

Yes  No

**RECOMMENDATION:**

Recommend approval of the permit for MidAmerican Energy.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the permit to work in the right of way for MidAmerican Energy and to direct the chair to sign the permit.

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

REQUEST BY APPLICANT:

Name Luke Edmondson Highway (Lenox Ave)  
Address 2287 Lenox Ave Township Miller  
City of Anton  
Office Phone 712-490-2929 Local Phone \_\_\_\_\_ Section: 7 1/4 of NE 4 Sec  
Type of Utility Installation Electric underground T 87 N, R 43 W  
Plans Prepared By Luke Edmondson Copy Enclosed  Yes \_\_\_\_\_ No  
Map Showing Location Enclosed  Yes \_\_\_\_\_ No  
Utility Location is  cross right-of-way \_\_\_\_\_ parallel to right-of-way  
\_\_\_\_\_ overhead \_\_\_\_\_ underground

Proposed Method of Installation

tunnel \_\_\_\_\_ suspend on poles \_\_\_\_\_ cased  
 jack & bore \_\_\_\_\_ suspend on towers \_\_\_\_\_ trench  
\_\_\_\_\_ open cut \_\_\_\_\_ plow

Estimated Starting Date 5/1/19 Estimated Restoration Date 5/15/19

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

By Luke Edmondson Title Engineer  
(Signature of Authorized Utility Representative) Date 3/27/19

PERMIT APPROVAL BY PERMITTING AUTHORITY

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

By \_\_\_\_\_ Title \_\_\_\_\_  
(Signature of Woodbury County Board Chairman) Date \_\_\_\_\_

By \_\_\_\_\_ Title \_\_\_\_\_  
(Signature of Woodbury County Engineer) Date \_\_\_\_\_

Other Special Provisions:

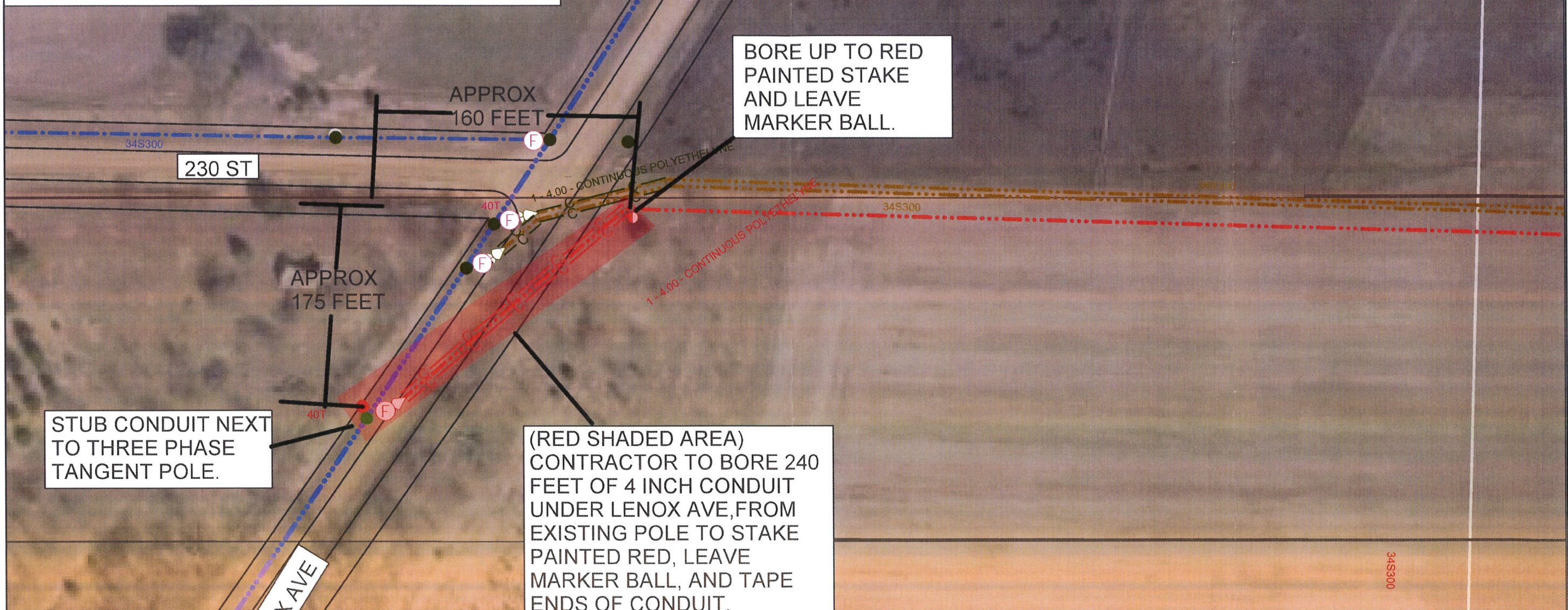
Permit Provisions and Conditions of Issuance

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

2. The Applicant shall take all reasonable precaution during the construction of said facilities to protect and safeguard the lives and property of the adjacent property owners and the traveling public and shall save the County and the Board of Supervisors harmless of any damages or losses that may be sustained by adjacent property owners and the traveling public on account of such construction operations.
3. Operations in the construction and maintenance of said facilities shall be carried on in such a way as to not interfere with, or interrupt traffic on said roads. However, should the performance of work called for in this permit in any way interfere with or obstruct traffic on said roads, the Applicant shall provide the necessary flagmen as required by the Statutes when one-way traffic is involved and/or otherwise mark said work so as to protect the traveling public.
4. The Applicant shall hold the County and the Board of Supervisors harmless from any damages that may result to said highway because of the construction or maintenance of said facilities and shall reimburse the County or the Board of Supervisors for any expenditures that the County or the Board of Supervisors may have to make on said roads on account of replacement of surfacing gravel and bridge and culvert repairs.
5. Applicant shall lay, construct, operate and maintain said facilities so as not to interfere with natural drainage of the road and so as not to interfere with the construction or maintenance of said roads. When buried cable or wire lines are to be placed lengthwise with the roadway, they shall be placed in the County road shoulder or ditch near the toe of the fore-slope and parallel to centerline of roadbed at a depth of three (3) to four (4) feet by using specially designed plows or by trenching, whichever is appropriate. Plow slots and trenches shall be repacked as necessary to restore the disturbed area to its original condition. For buried line crossings of roadways not paved, an open trench may be dug and the lines placed therein, and the trench back-filled over the lines. Buried line crossings on paved roadways, lines may be placed through the sub-grade by jacking, or by boring a hole just large enough to take the lines; or if the County Engineer approves, a tunnel may be dug through and the cable or wire lines placed therein. All backfill of tunnels and trenches shall be thoroughly compacted in layers of 6" or less in depth. Back-filling of trenches within the right-of-way by not under the traveled roadway shall be tamped sufficiently to avoid settlement. When crossing an existing roadway, all buried facilities shall be placed a minimum of three (3) to four (4) below the bottom of the existing adjacent ditches. Overhead lines, where practical, shall be placed adjacent to and with two (2) feet of the Road/Highway Right-of-Way Line.
6. The Applicant will at any time subsequent to placing the facilities, and at the Applicant's expense, relay, replace, alter, change, reconstruct, or relocate its overhead and/or buried facilities and appurtenances thereto as may become necessary to conform to new grades, alignment, or widening right-of-way, resulting from maintenance or construction operations by the County Board of Supervisors irrespective of whether or not additional right-of-way is acquired in connection with such road improvements. The Applicant agrees to do this within ninety (90) days written notice from the Board of Supervisors, and without cost to the County. If the Applicant is unable to comply within said ninety (90) days, the Board of Supervisors may cause the work to be done and the Applicant will pay the cost thereof upon receipt of statement.
7. All work shall be done in a workmanlike manner; the surrounding ground, slopes, and ditch bottoms shall be reshaped to conform to the area and left in a neat condition satisfactory to the County Engineer. All areas where sod has been damaged or destroyed shall be re-seeded.
8. The Applicant shall notify the County Board of Supervisors at least forty-eight (48) hours in advance of the Applicant's intention of starting work covered by this permit on the road right-of-way. Said notice shall be in writing to the County Engineer.
9. Applicant, its' successors, grantees and assigns shall and hereby agrees to assume all responsibility, risks and liabilities for all accidents and damages that may occur to persons and/or property on account of the work done under this permit, and to this end, indemnify and hold the County and all authorized representatives thereof harmless from any and all claims, damages, losses, and expense including judgements, costs and including attorney's fees, for personal injuries (including death) or property damage arising or resulting from the activities of the Applicant in connection herewith, now and at all times in the future.
10. It is understood that this permit is issued only insofar as Woodbury County has jurisdiction and does not presume to release the Applicant from fulfilling any existing statutes relating to the installation, construction and operation of said facilities.
11. It is further understood that the facilities covered by this permit shall be constructed or installed within one (1) year after the date of approval of this permit, unless otherwise extended in writing by Woodbury County.
12. Engagement in the operations as herein applied for by the Applicant shall be considered and constitute an acceptance of all the terms and conditions herein set forth.



# CONDUIT MAP 1



# CIRCUIT 34S300 SMITHLAND SUB



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

Date: 3/28/19 Weekly Agenda Date: 4/02/19

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

**WORDING FOR AGENDA ITEM:**

Presentation of Award Certificate to Mark Nahra.

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

Presentation of Award Certificate for 4 hours of Paid Time Off to Mark Nahra.

**BACKGROUND:**

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

**FINANCIAL IMPACT:**

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

Yes       No

**RECOMMENDATION:**

**ACTION REQUIRED / PROPOSED MOTION:**



# CERTIFICATE OF AWARD

FOUR (4) HOURS OF PAID TIME OFF  
AWARDED TO  
**MARK NAHRA**

FOR THE GENEROUS DONATION OF 10 GALLONS TO THE LIFESERVE BLOOD CENTER  
(TIME OFF MUST BE REDEEMED WITHIN SIX MONTHS FROM THE DATE BELOW)

*Keith Radig*, Board of Supervisors, Chairman

*Rocky DeWitt*, Board of Supervisors

*Marty Pottebaum*, Board of Supervisors

*Jeremy Taylor*, Board of Supervisors

*Matthew Ung*, Board of Supervisors



*April 2, 2019*

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

**#11**

Date: 03/28/2019 Weekly Agenda Date: 04/02/2019

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

**WORDING FOR AGENDA ITEM:**

Consider a resolution opposing SF 184

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

A pending bill under consideration at the state house proposes to allow heavily overloaded vehicles use county roads without a permit from the county. This resolution opposes that legislation.

**BACKGROUND:**

SF 184 proposes to allow logging trucks weighing up to 130,000 lb. to use county roads on their path of travel under a state DOT issued permit without notice to the county.

**FINANCIAL IMPACT:**

There is a potential for substantial damage to paved and unpaved roads and county bridges from allowing these heavy loads to operate without local regulation.

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

Yes  No

**RECOMMENDATION:**

I recommend that the Board approve and sign the resolution and send it to the Iowa House and Senate and the Governor's office.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve and sign the resolution opposing SF 184 and send it to the Iowa House and Senate and the Governor's office.

WOODBURY COUNTY BOARD OF SUPERVISORS

Resolution # \_\_\_\_\_

A RESOLUTION OPPOSING SENATE STUDY BILL 1045 AND SENATE FILE 184 PASSED BY THE SENATE COMMITTEE ON TRANSPORTATION

WHEREAS, the Transportation Committee in the Iowa Senate has passed House Study Bill 1045 (SF 184) which would amend and make changes to Iowa Code Chapter 321 related to transportation of indivisible loads and raw forestry products on primary and non-primary highways, and;

WHEREAS, Woodbury County owns and maintains nonprimary highways, and is fiscally and legally responsible for the nonprimary highways within the County, and;

WHEREAS, Woodbury County owns and maintains 300 structures classified as bridges by the National Bridge Inspection Standards, and;

WHEREAS, many of the bridges owned by Woodbury County are aging and structurally deficient or functionally obsolete, and;

WHEREAS, current funding is not adequate to replace or rehabilitate these bridges at the rate their conditions are deteriorating, and;

WHEREAS, the nonprimary roads and bridges owned by Woodbury County serve a critical need for residents, agricultural users, businesses, schools, post offices, and emergency responders, and;

WHEREAS, the proposed bill would allow the Iowa Department of Transportation to issue annual permits to forestry industry haulers for loads up to 130,000 pounds on nonprimary highways throughout Iowa, without knowledge of or notice given to the agencies which own these highways and the structures thereon, and;

WHEREAS, bridges within Woodbury County have been designed for loads that were legal on Iowa roads at the time of their construction, and bridges have only been rated or posted with weight restrictions for loads that are currently legal on roads, and;

WHEREAS, each bridge within Woodbury County is unique based on its age, design, and current condition, and;

WHEREAS, load rating to ensure safe passage of loads greater than 80,000 pounds would be unique for each load on each individual bridge, and;

WHEREAS, the traversing of Woodbury County bridges by loads up to 130,000 pounds without the County being afforded the knowledge of or the ability to restrict each occurrence, would result in gradual and possibly sudden failure of bridges within the County, and;

WHEREAS, Woodbury County would likely bear legal and financial liability for subsequent failure of its bridges, even if such failures are caused by loads they did not permit, and;

WHEREAS, Woodbury County is not financially able to repair or replace bridges which would be subject to accelerated deterioration by increased loads, and;

WHEREAS, Woodbury County and its residents, farmers, businesses, schools, post offices, and emergency responders, would be subjected to undue operational and economic hardships by further degradation of its road system and the structures thereon;

NOW THEREFORE BE IT RESOLVED, that the Woodbury County Board of Supervisors strongly urges all Iowa lawmakers to vote in opposition to this legislation.

Resolved this 2nd day of April, 2019.

WOODBURY COUNTY BOARD OF SUPERVISORS

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

\_\_\_\_\_  
Rocky DeWitt, Member

\_\_\_\_\_  
Marty Pottebaum, Member

\_\_\_\_\_  
Jeremy Taylor, Member

\_\_\_\_\_  
Matthew Ung, Member

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

Woodbury County Board of Supervisors

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

#12

Date: 3/28/19 Weekly Agenda Date: 4/2/19

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

**WORDING FOR AGENDA ITEM:**

Approval of Final Plat for the Stubbs Addition, a Minor Subdivision

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The Board will receive the Zoning Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

Denis and Jaine Stubbs propose to subdivide parcel #884504100002 (2.98 acres) into a 1 lot subdivision for sale purposes. This parcel is located in part of Government Lot 2, Section 4, T88N, R45W of the Principal Meridian. The property is zoned Ag. Estates (AE). The current and proposed use of the parent parcel and its structures are permitted under Woodbury County zoning ordinances. On 3/25/19, the Zoning Commission voted 5-0 to recommend approval of the final plat.

**FINANCIAL IMPACT:**

None

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

Yes  No

**RECOMMENDATION:**

Receive the Zoning Commission's recommendation from their 3/25/19 meeting to approve the final plat. Subject to public testimony received (if any), approve the plat and authorize the Chairman to sign the resolution.

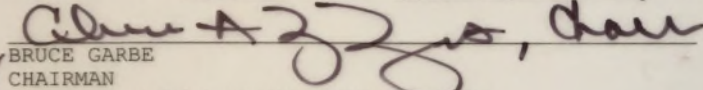
**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the Zoning Commission's recommendation from their 3/25/19 meeting to approve the final plat.  
Motion to approve the Stubbs Addition Minor Subdivision plat and authorize the Chairman to sign the resolution.

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY  
ZONING COMMISSION OF WOODBURY COUNTY, IOWA**

I, BRUCE GARBE, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF STUBBS ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 25<sup>th</sup> DAY OF March, 2019 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS 25<sup>th</sup> DAY OF March, 2019.

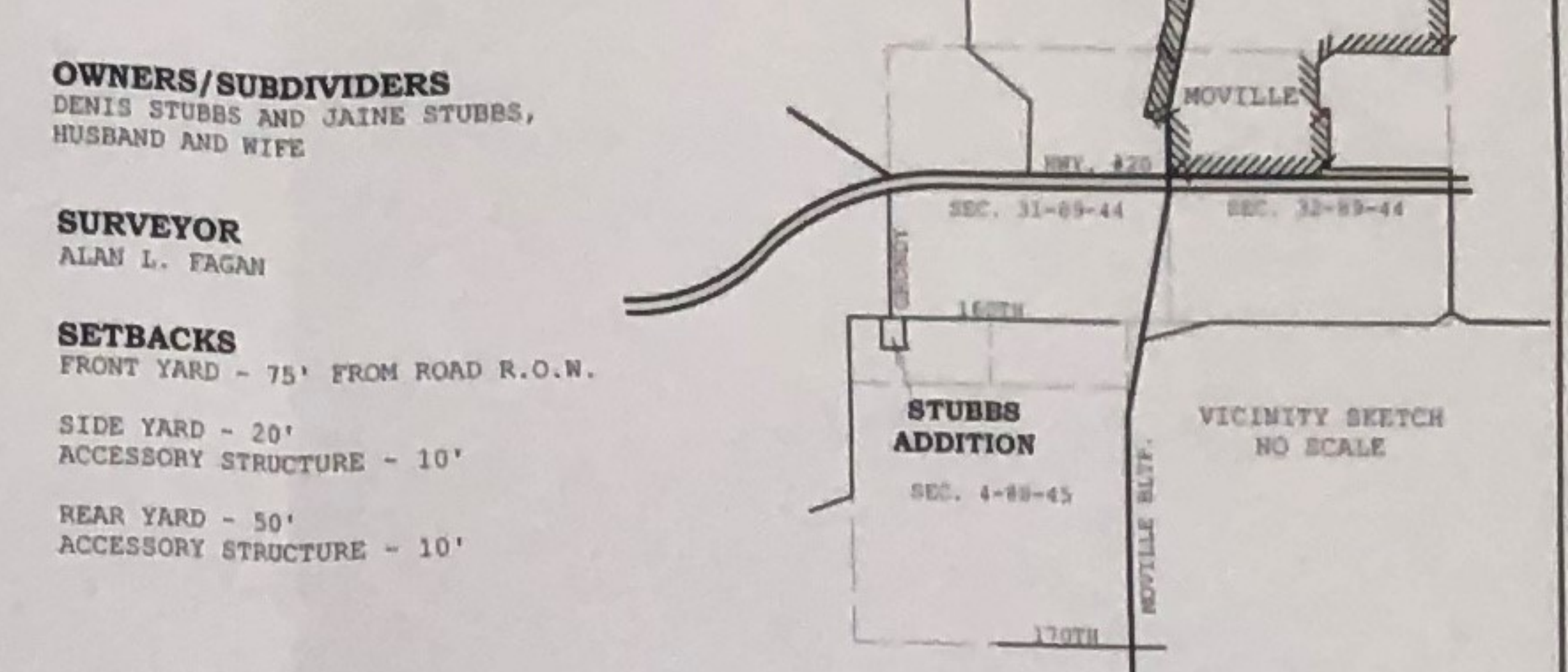
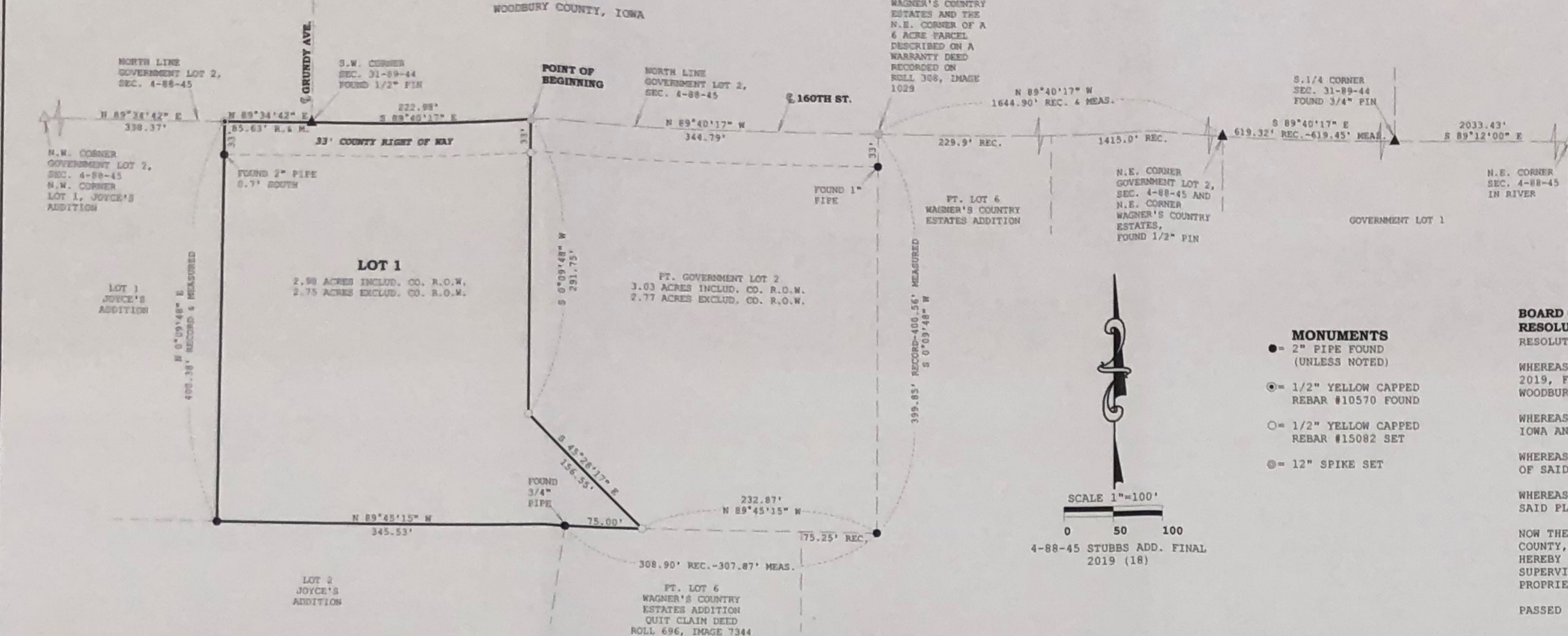


BRUCE GARBE  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

*Christine Zellmer Zant, Chair*



**FINAL PLAT  
STUBBS ADDITION  
TO  
WOODBURY COUNTY, IOWA**



**OWNERS/SUBDIVIDERS**  
DENIS STUBBS AND JAINIE STUBBS,  
HUSBAND AND WIFE

**SURVEYOR**  
ALAN L. FAGAN

**SETBACKS**  
FRONT YARD - 75' FROM ROAD R.O.W.  
SIDE YARD - 20'  
ACCESSORY STRUCTURE - 10'  
REAR YARD - 50'  
ACCESSORY STRUCTURE - 10'

**BOARD OF SUPERVISOR'S RESOLUTION**  
**RESOLUTION NO. \_\_\_\_\_**  
RESOLUTION ACCEPTING AND APPROVING STUBBS ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS STUBBS ADDITION, WOODBURY COUNTY, IOWA; AND

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

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

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

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

PASSED AND APPROVED THIS \_\_\_\_\_ DAY \_\_\_\_\_, 2019.

KEITH RADIG  
CHAIRMAN  
BOARD OF SUPERVISORS  
WOODBURY COUNTY, IOWA

ATTEST:  
PATRICK F. GILL  
SECRETARY

**SURVEYOR'S DESCRIPTION:**  
PART OF GOVERNMENT LOT 2, SECTION 4, TOWNSHIP 88 NORTH, RANGE 45 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE N.E. CORNER OF SAID GOVERNMENT LOT 2 AND THE N.E. CORNER OF WAGNER'S COUNTRY ESTATES ADDITION TO WOODBURY COUNTY, IOWA; THENCE N.89°40'17"W ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 2 AND THE NORTH LINE OF SAID ADDITION FOR 1644.90 FEET TO THE N.W. CORNER OF SAID ADDITION AND THE N.E. CORNER OF A 6 ACRE PARCEL DESCRIBED ON A WARRANTY DEED RECORDED ON ROLL 308, IMAGE 1029 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE CONTINUING N.89°40'17"W ALONG SAID NORTH LINE OF A PARCEL DESCRIBED ON A QUIT CLAIM DEED RECORDED ON ROLL 696, IMAGE 7344 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE N.89°45'15"W ALONG SAID SOUTH LINE AND SAID NORTH LINE FOR 75.00 FEET TO THE N.W. CORNER OF SAID PARCEL DESCRIBED ON SAID QUIT CLAIM DEED AND THE N.E. CORNER OF LOT 1, JOYCE'S ADDITION TO WOODBURY COUNTY, IOWA; THENCE CONTINUING N.89°45'15"W ALONG THE SOUTH LINE OF SAID 6 ACRE PARCEL AND THE NORTH LINE OF SAID LOT 2 FOR 345.53 FEET TO THE S.W. CORNER OF SAID PARCEL AND THE S.E. CORNER OF LOT 1 IN SAID JOYCE'S ADDITION; THENCE N.0°09'48"E ALONG THE WEST LINE OF SAID PARCEL AND THE EAST LINE OF SAID LOT 1 FOR 400.38 FEET TO THE N.W. CORNER OF SAID PARCEL, THE N.E. CORNER OF SAID LOT 1 AND THE NORTH LINE OF SAID GOVERNMENT LOT 2; THENCE N.89°34'42"E ALONG SAID NORTH LINE FOR 85.63 FEET TO THE S.W. CORNER OF SECTION 31, TOWNSHIP 89 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA; THENCE S.89°40'17"E ALONG SAID NORTH LINE FOR 222.98 FEET TO THE POINT OF BEGINNING. CONTAINING 2.98 ACRES INCLUDING COUNTY RIGHT OF WAY AND 2.75 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

**AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE**  
THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OF STUBBS ADDITION, WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED \_\_\_\_\_, 2019.

PATRICK F. GILL  
WOODBURY COUNTY AUDITOR  
BY: DIANE SWOBODA PETERSON, DEPUTY

**AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING**  
STATE OF IOWA : SS  
COUNTY OF WOODBURY:  
DOCKET NO: \_\_\_\_\_  
FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. RECORDED IN PLAT ENVELOPE \_\_\_\_\_, INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.  
DATED \_\_\_\_\_  
PATRICK F. GILL  
AUDITOR AND RECORDER  
WOODBURY COUNTY, IOWA  
BY: DIANE SWOBODA PETERSON, DEPUTY

NOTE: THE EAST LINE OF LOT 1, JOYCE'S ADDITION TO WOODBURY COUNTY, IOWA IS ASSUMED TO BEAR N.0°09'48"E.

**TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS**  
I, MIKE CLAYTON, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

DATED \_\_\_\_\_

MIKE CLAYTON  
TREASURER,  
WOODBURY COUNTY, IOWA

**TITLE OPINION**  
TO: COUNTY AUDITOR AND RECORDER  
WOODBURY COUNTY, IOWA  
Dear Sir:

We have this date examined a complete abstract of title, pursuant to Iowa Code Section 354.11(3), to the property described in the Surveyor's Certificate on the Plat of Stubbs Addition described more particularly as:

Part of Government Lot Two (2), Section Four (4), Township Eighty-eight (88) North, Range Forty-five (45) West of the 5th Principal Meridian, Woodbury County, Iowa, described as follows: Commencing at the Northeast corner of said Government Lot Two (2) and the Northeast corner of Wagner's Country Estates Addition to Woodbury County, Iowa; thence North Eighty-nine Degrees Forty Minutes Seventeen Seconds (N 89°40'17") West, along the North line of said Government Lot Two (2) and the North line of said Addition for One Thousand Six Hundred Forty-four and Ninety Hundredths Feet (1,644.90') to the Northwest corner of said Addition and the Northeast corner of a 6 acre parcel described on a Warranty Deed Recorded on Roll 308, Image 1029 in the Woodbury County Recorder's Office; thence continuing North Eighty-nine Degrees Forty Minutes Seventeen Seconds (N 89°40'17") West, along said North line of Government Lot Two (2) and the North line of said parcel for Three Hundred Forty-four and Seventy-nine Hundredths Feet (344.79') to the point of beginning; thence South Zero Degrees Nine Minutes Forty-eight Seconds (S 0°09'48") West, for Two Hundred Ninety-one and Seventy-five Hundredths Feet (291.75'); thence South Forty-five Degrees Twenty-eight Minutes Seventeen Seconds (S 45°28'17") East, for One Hundred Fifty-six and Fifty-five Hundredths Feet (156.55') to the South line of said parcel and the North line of a parcel described on a Quit Claim Deed Recorded on Roll 696, Image 7344 in the Woodbury County Recorder's Office; thence North Eighty-nine Degrees Forty-five Minutes Fifteen Seconds (N 89°45'15") West, along said South line and said North line for Seventy-five feet (75.00') to the Northwest corner of said parcel described on said Quit Claim Deed and the Northeast corner of Lot Two (2), Joyce's Addition to Woodbury County, Iowa; thence continuing North Eighty-nine Degrees Forty-five Minutes Fifteen Seconds (N 89°45'15") West, along the South line of said 6 acre parcel and the North line of said Lot Two (2) for Three Hundred Forty-five and Fifty-three Hundredths Feet (345.53') to the Southwest corner of said parcel and the Southeast corner of Lot One (1) in said Joyce's Addition; thence North Zero Degrees Nine Minutes Forty-eight Seconds (N 0°09'48") East, along the West line of said parcel and the East line of said Lot One (1) for Four Hundred and Thirty-eight Hundredths Feet (400.38') to the Northwest corner of said parcel, the Northeast corner of said Lot One (1) and the North line of said Government Lot Two (2); thence North Eighty-nine Degrees Thirty-four Minutes Forty-two Seconds (N 89°34'42") East, along said North line for Eighty-five and Sixty-three Hundredths Feet (85.63') to the Southwest corner of Section Thirty-one (31), Township Eighty-nine (89) North, Range Forty-four (44), West of the 5th Principal Meridian, Woodbury County, Iowa; thence South Eighty-nine Degrees Forty Minutes Seventeen Seconds (S 89°40'17") East, along said North line for Two Hundred Twenty-two and Ninety-eight Hundredths Feet (222.98') to the point of beginning. Containing 2.98 acres including County Right of Way and 2.75 acres excluding said Right of Way.

Note: The East line of Lot One (1), Joyce's Addition to Woodbury County, Iowa is assumed to bear N.0°09'48"E.

The abstract was last certified by Engleson Abstract Co., Inc. dated \_\_\_\_\_, 2019 at \_\_\_\_\_ o'clock a.m. and from said abstract find good and merchantable title to said premises vested in Denis Stubbs and Jaine Stubbs, husband and wife as joint tenants with full rights of survivorship, and not as tenants in common, the proprietors, free and clear of all mortgages, liens and other encumbrances, except the following:

- Easement filed May 5, 1953 in Book 717, Page 474 conveyed to Woodbury County for road purposes.
- Zoning Regulations filed March 5, 1971 in Book 1263 at Pages 9 to 78;
- Resolution Nos. 6332 and 6333 filed May 12, 1977 on Roll 62 at Images 2118 and 2120;
- Notice of filing of Soil and Water Resource Conservation Plan filed July 29, 1992 on Roll 266, Image 2343.
- Resolution No. 9460 filed December 12, 2000 on Roll 475, Image 935.
- Resolution No. 10,455 filed August 29, 2008 on Roll 699, Image 7213.
- Resolution No. 10,456 filed August 29, 2008 on Roll 699, Image 7313.
- Easements and Road Right-of-Way as shown on the final plat of Stubbs Addition.

All certified real estate taxes and special assessments due and payable have been paid. Real estate taxes and special assessments not certified are a lien in an undetermined amount.

Dated: \_\_\_\_\_, 2019.

ROBERT J. REHAN  
Attorney at Law

AL FAGAN  
LAND SURVEYING, P.C.  
P.O. BOX 858  
MERRILL, IA 51038  
712 539-1471

**SURVEYOR'S CERTIFICATE**  
I, ALAN L. FAGAN, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 15082, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF STUBBS ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE ATTACHED DESCRIBED PROPERTY.

I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AND STREETS DESCRIBED IN THE ADDITION PLATTED; THAT THE SAME ARE OF THE DIMENSIONS, NUMBERS, NAMES AND LOCATIONS AS SHOWN ON SAID PLAT AND THAT IRON STAKES WERE DRIVEN AT EACH CORNER OF EVERY LOT AND TRACT EXCEPT AS NOTED ON SAID PLAT.

DATED AT SIoux CITY, IOWA FEBRUARY 20, 2019.

ALAN L. FAGAN  
IOWA NO. 15082  
LICENSE RENEWAL DATE: DECEMBER 31, 2019



**DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS:  
THAT DENIS STUBBS AND JAINIE STUBBS, HUSBAND AND WIFE, THE OWNERS OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAVE IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF ALAN L. FAGAN, A PROFESSIONAL SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS STUBBS ADDITION, WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNERS AND PROPRIETORS THEREOF.

EXECUTED AT \_\_\_\_\_, IOWA, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

BY: DENIS STUBBS  
BY: JAINIE STUBBS

STATE OF IOWA : SS  
WOODBURY COUNTY:

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED DENIS STUBBS AND JAINIE STUBBS, HUSBAND AND WIFE, TO ME KNOWN TO BE THE PERSONS NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR VOLUNTARY ACT AND DEED.

NOTARY PUBLIC IN AND FOR SAID STATE

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA**  
I, BRUCE GARBE, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVICEMENT THE PLAT OF STUBBS ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

BRUCE GARBE  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

INDEX LEGEND	
SURVEYOR: ALAN L. FAGAN	712 539-1471
MAIL TO: AL FAGAN LAND SURVEYING, P.C.	P.O. BOX 858 - MERRILL, IA 51038
COUNTY: WOODBURY	
SECTION(S): 4	T. 88 N., R. 45 W.
ALIQUOT PART:	PART OF GOVERNMENT LOT 2
CITY:	
SUBDIVISION:	
BLOCK(S):	
LOT(S):	
PROPRIETOR(S):	DENIS STUBBS AND JAINIE STUBBS, HUSBAND AND WIFE, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP, AND NOT AS TENANTS IN COMMON
REQUESTED BY:	DENIS STUBBS





**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov

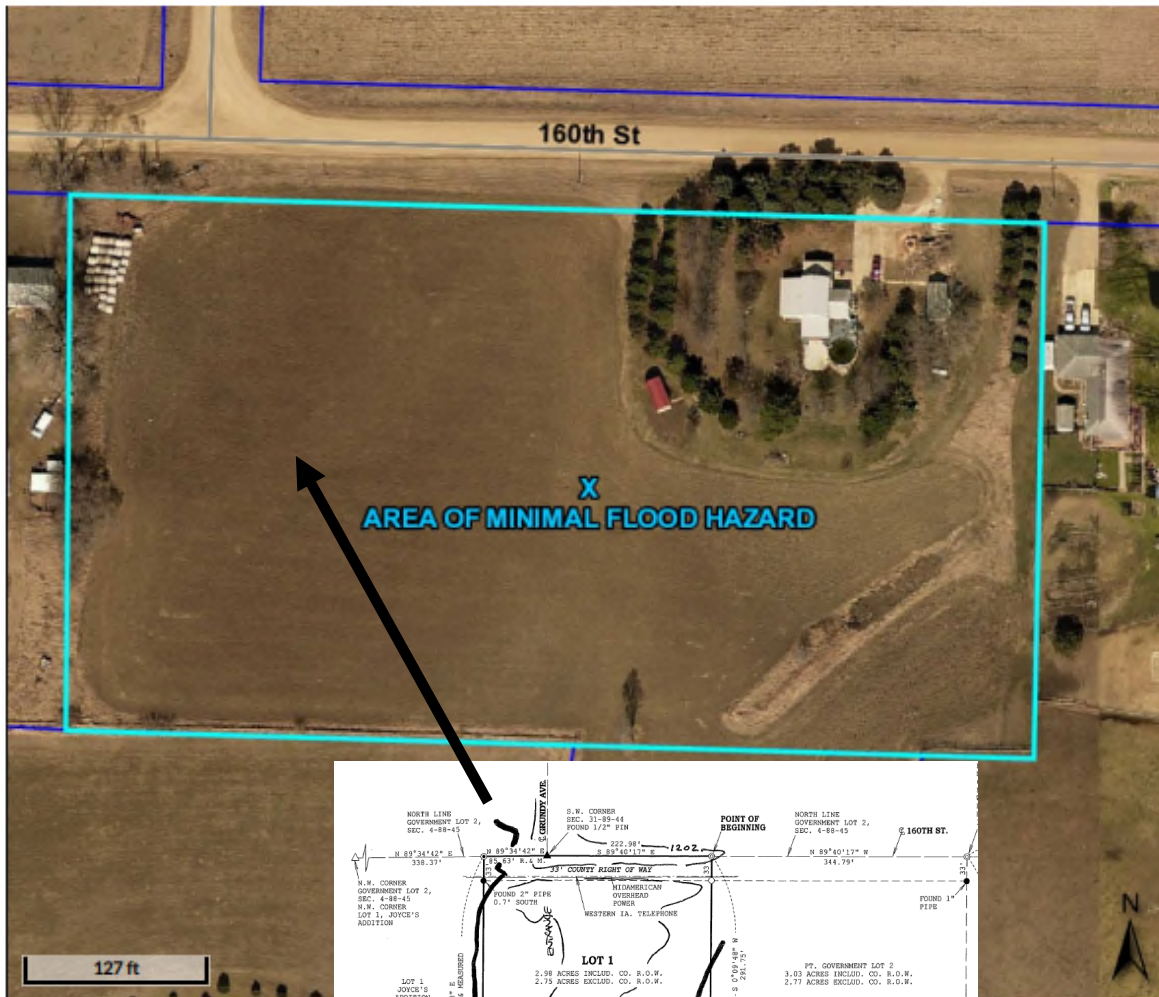
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov

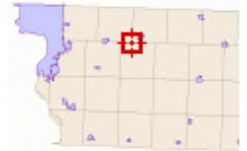
Telephone (712) 279-6609 Fax (712) 279-6530

**Stubbs Addition**  
Minor Subdivision Proposal

Denis Stubbs and Jaine Stubbs propose to subdivide 2.98 acres into one lot for sale purposes. This property is located in part of Government Lot 2, Section 4, Township 88N, Range 45W of the 5th Principal Meridian, Woodbury County, Iowa. GIS Parcel #884504100002. The current and proposed use of the parent parcel and its structures are permitted under the Woodbury County Zoning Ordinance (2008).



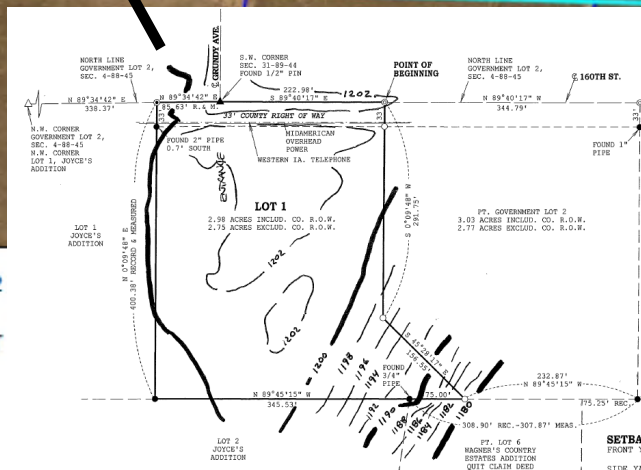
**Overview**



**Legend**

- Roads
- Corp Boundaries
- Townships
- Parcels
- FEMA Flood Map**
- A,
- AE,
- AE, FLOODWAY
- AH,
- AO,
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

Parcel ID 884504100002  
Sec/Twp/Rng 4-88-45  
Property Address 2628 160TH ST  
MOVILLE



STUBBS DENIS & JAINE  
2628 160TH ST  
PO BOX 88  
MOVILLE IA 51039





**LEGAL NOTIFICATION**

Published in the Sioux City Journal Legals section on March 12, 2019.

**PROPERTY OWNER NOTICE**

The fifteen (15) property owners within 1000'; and listed within the certified abstractor's affidavit; were notified by letter of the public hearing. As of March 18, 2019, the Community & Economic Development office had not received comment from any property owner owning property within 1,000'. When more comments are received after the printing of this packet, they will be provided at the meeting.

#295229 - 1

#295229 - 2

Denis & Jaine Stubbs  
c/o Robert J. Rehan  
700 4<sup>th</sup> Street, Suite 300  
Sioux City, IA 51101

RE: Subdivision

Gov't Lot 6

SECTION 5 TOWNSHIP 88 RANGE 45

William J. Kuebler, a single person 300 Hawthorne Dr.  
Norwalk, IA 50211

SOUTHVIEW ADDITION

Shane M. Mitchell & Kimberly J. Mitchell, husband & wife as joint tenants with rights of survivorship 1631 Grundy Ave.  
Menville, IA 51039

SECTION 36 TOWNSHIP 89 RANGE 45

Tracy A. Countryman II & Helli Jo Countryman, husband & wife as joint tenants with rights of survivorship 2616 160<sup>th</sup> St.  
Menville, IA 51039

Robert T. Peters & Patricia Ann Peters, husband & wife as joint tenants with rights of survivorship 1581 Grundy Ave.  
Menville, IA 51039

SECTION 31 TOWNSHIP 89 RANGE 44

Ellis Bruce Johnson & Sharon Irene Johnson, husband and wife & joint tenants with rights of survivorship 2801 Williams Ave.  
Sioux City, IA 51106

Robert A. Davis Trust as amended and restated on 9-1-2017 1520 Grundy Ave.  
Menville, IA 51039

WE HEREBY CERTIFY that the grantees in the last deed of record and the contract purchasers, if any, of the following described real estate located within 1,000 feet of: (See attached legal description) are as follows:

Lots 3, 4, 5 & 6

SECTION 4 TOWNSHIP 88 RANGE 45

Pt E 1/4 SE 1/4

Description

Titleholders

Address

Pt Gov't Lot 2

Denis Stubbs & Jaine Stubbs, husband & wife as joint tenants with rights of survivorship

2628 160<sup>th</sup> St.  
Menville, IA 51039

Pt SE 1/4 SE 1/4

Robert T. Peters & Patricia Ann Peters, husband & wife as joint tenants with rights of survivorship

Gov't Lot 3 & 4

1/3 interest to Kathleen Foster Jones, 1/3 interest to Karen Foster Merkle, 1/3 interest to Herbert Homer Foster, as tenants in common

7021 W. Hadley St.  
Milwaukee, WI 53210

SW 1/4 SW 1/4

Ellis Bruce Johnson & Sharon Irene Johnson, husband and wife & joint tenants with rights of survivorship

Lot 1

John A. Waderich & Candace A. Waderich, husband & wife as joint tenants with right of survivorship

2620 160<sup>th</sup> St.  
Menville, IA 51039

SE 1/4 SW 1/4

Robert A. Davis Trust as amended and restated on 9-1-2017

DATED this 31<sup>st</sup> day of January, 2019.

Lots 2 & 3

Randall Jorgensen & Cynthia J. Jorgensen, husband & wife as joint tenants with rights of survivorship

1634 Grundy Ave  
Menville, IA 51039

ENGLESON ABSTRACT CO., INC.

By *Andrew W. Schmitt*  
Vice-President

WAGNERS COUNTRY ESTATE

DWP/kkl

Lot 3

Kevin L. Bartholomew & Susan K. Bartholomew, as joint tenants with rights of survivorship

2652 160<sup>th</sup> St.  
Menville, IA 51039

Lot 4

Steven D. Gray & Barbara J. Gray, husband & wife as joint tenants with full rights of survivorship

2650 160<sup>th</sup> St.  
Menville, IA 51039

Lot 5

Stacy L. Modrell-Norton, married

2664 160<sup>th</sup> St.  
Menville, IA 51039

Pt Lot 6

Dennis E. Todd & Priscilla L. Todd, husband & wife as joint tenants with rights of survivorship

2636 160<sup>th</sup> St.  
Menville, IA 51039

Pt Lot 6

Denis Stubbs & Jaine Stubbs

2628 160<sup>th</sup> St.  
Menville, IA 51039

### Neighbor Notifications within 1000 ft.



## AGENCY / STAKEHOLDER COMMENT

The following departments/agencies/utilities were provided copies of the platting and asked to make comment. Responses noted are as of March 18, 2019. When more comments are received after the printing of this packet, they will be provided at the meeting.

STAKEHOLDER ORGANIZATION	COMMENTS:
<b>CENTURYLINK:</b>	I have no concern at this time (2/27/19)
<b>FIBERCOMM</b>	No comments.
<b>LOGLINES</b>	No comments.
<b>MIDAMERICAN ENERGY COMPANY:</b>	No comments.
<b>NATURAL RESOURCES CONSERVATION SERVICES (NRCS)</b>	No comments.
<b>NORTHERN NATURAL GAS</b>	No comments.
<b>NORTHWEST IOWA POWER COOPERATIVE (NIPCO)</b>	Our Operations staff has reviewed this location, NIPCO does not have any transmission line or substation equipment in or adjacent to this location. NIPCO does not have any concerns (2/27/19).
<b>IOWA DEPARTMENT OF NATURAL RESOURCES:</b>	No comments.
<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>	I have no objections. Dan (2/28/19)
<b>WOODBURY COUNTY EMERGENCY SERVICES:</b>	No comments. Thank you (2/27/19)
<b>WOODBURY COUNTY ENGINEER:</b>	No comments.
<b>WOODBURY COUNTY RECORDER-REAL ESTATE DEPARTMENT:</b>	I checked with Recorder's Office & the subdivision name has been approved. I have no other comments. Thank you (2/27/19) – Diane Swoboda Peterson, Deputy Recorder
<b>WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC)</b>	No comments.
<b>WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:</b>	No comments.
<b>WOODBURY COUNTY TREASURER:</b>	Ok.

## STAFF ANALYSIS RECOMMENDATION

The parcel is zoned Agricultural Estates (AE) which “generally allows (a) single-family residential uses, (b) agricultural uses, and (c) related public uses.” The property owner is subdividing to sell this lot for future residential use. Access to this parcel from 160<sup>th</sup> Street will official be determined by Mark Nahra, P.E., County Engineer. On November 29, 2019, Nahra provided the following comments about access:

**From:** Mark Nahra  
**Sent:** Thursday, November 29, 2018 1:11 PM  
**To:** Steffen Engineering  
**Cc:** Daniel Priestley; 'Dennis Stubbs'  
**Subject:** RE: 2628 160th St, Merville, Stubbs

I reviewed the lot. It looks like I can site a driveway for development between the No Outlet sign and the power pole that meets county requirements for sight distance. Other than that, I have no concerns with the proposed development of an additional split of the larger lot.

Mark J. Nahra, P.E.  
Woodbury County Engineer  
759 E. Frontage Road  
Merville, IA 51039  
Phone: 712-873-3215 or 712-279-6484  
Fax: 712-873-3235  
Email: mnahra@woodburycountyiowa.gov

Subject to public hearing testimony, the CED staff supports the approval of the final plat.

### ATTACHMENTS

**Attached find the following for your review:**

- Parcel Information
- Beacon Aerial with Lot and Soil Type Overlay, Soil Types
- Beacon Aerial with Lot, Zoning, and Floodplain Overlay
- Topographical Contour Aerial Mapping
- Stubbs Addition Drawing

## Parcel Information

### Summary

**Parcel ID** 884504100002  
**Alternate ID** N/A  
**Property Address** 2628 160TH ST  
 MOVILLE IA 51039  
**Sec/Twp/Rng** 4-88-45  
**Brief Tax Description** N400' OF W653.4' OF E2315' LOT2  
 (Note: Not to be used on legal documents)  
**Deed Book/Page** 308-1029 (6/5/1987)  
**Contract Book/Page**  
**Gross Acres** 5.50  
**Net Acres** 5.50  
**Adjusted CSR Pts** 0  
**Class** R - Residential  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
**District** N/A  
**School District** WOODBURY CENTRAL  
**Neighborhood** N/A  
**Main Area Square Feet** N/A



### Owner

**Deed Holder**  
 Stubbs Denis & Jaine  
 2628 160th St  
 PO Box 88  
 Moville IA 51039

**Contract Holder**

**Mailing Address**

### Land

**Lot Area** 5.50 Acres ; 239,580 SF

### Residential Dwellings

**Residential Dwelling**  
**Occupancy** Single-Family / Owner Occupied  
**Style** 1 1/2 Story Frame  
**Architectural Style** N/A  
**Year Built** 1920  
**Condition** Above Normal  
**Grade** what's this? 4-10  
**Roof** Asph / Gable  
**Flooring** L/C  
**Foundation** TILE  
**Exterior Material** Vinyl  
**Interior Material** Plas / Drwl  
**Brick or Stone Veneer**  
**Total Gross Living Area** 1,433 SF  
**Attic Type** None;  
**Number of Rooms** 6 above; 0 below  
**Number of Bedrooms** 3 above; 0 below  
**Basement Area Type** 3/4  
**Basement Area** 540  
**Basement Finished Area** 150 - Standard Finish  
**Plumbing** 1 Base Plumbing (Full ; 1 Three Quarter Bath);  
**Appliances** 1 Dishwasher;  
**Central Air** Yes  
**Heat** Yes  
**Fireplaces** 1 Prefab;  
**Porches**  
**Decks**  
**Additions** 1 Story Frame (192 SF);  
 1 Story Frame (336 SF);  
 1 Story Frame (252 SF) (252 Bsmt SF);  
**Garages**  
**Main Area Square Feet** 384

### Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Machine or Utility Building		12	24	1970	1

### Yard Extras

#1 - (1) Shed W10.00 x L16.00 160 SF, Frame, Average Pricing, Built 2017



## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
6/5/1987			187/2118	NORMAL ARMS-LENGTH TRANSACTION	Contract		\$40,000.00

## Valuation

	2018	2017	2016	2015	2014
Classification	Residential	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$31,030	\$31,030	\$31,030	\$31,030	\$29,000
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$69,720	\$67,520	\$67,520	\$67,520	\$63,100
+ Exempt Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$100,750	\$98,550	\$98,550	\$98,550	\$92,100
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$100,750	\$98,550	\$98,550	\$98,550	\$92,100

## Photos



No data available for the following modules: Commercial Buildings, Permits, Valuation (Sioux City), Valuation History (Sioux City).

The maps and data available for access at this website are provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. There are no warranties, expressed or implied, as to the appropriate use of the maps and data or the fitness for a particular purpose. The maps and associated data at this website do not represent a survey. No liability is assumed for the accuracy of the data delineated on any map, either expressed or implied.

Developed by  
 Schneider  
 GEOSPATIAL

## Sketches

Last Data Upload: 2/20/2019, 6:04:32 PM

Version 2.2.2

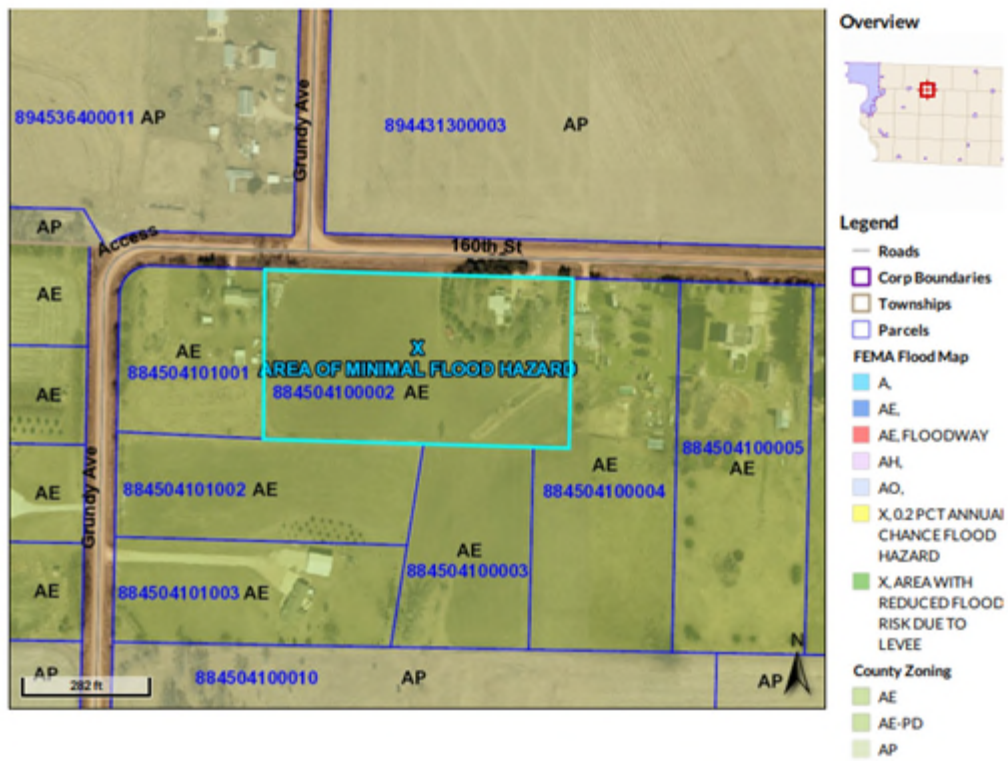


Sketch by www.camavision.com

### Beacon Aerial with Lot and Soil Type Overlay



### Beacon Aerial with Lot, Zoning, and Floodplain Overlay





# Topographical Aerial Contour Mapping



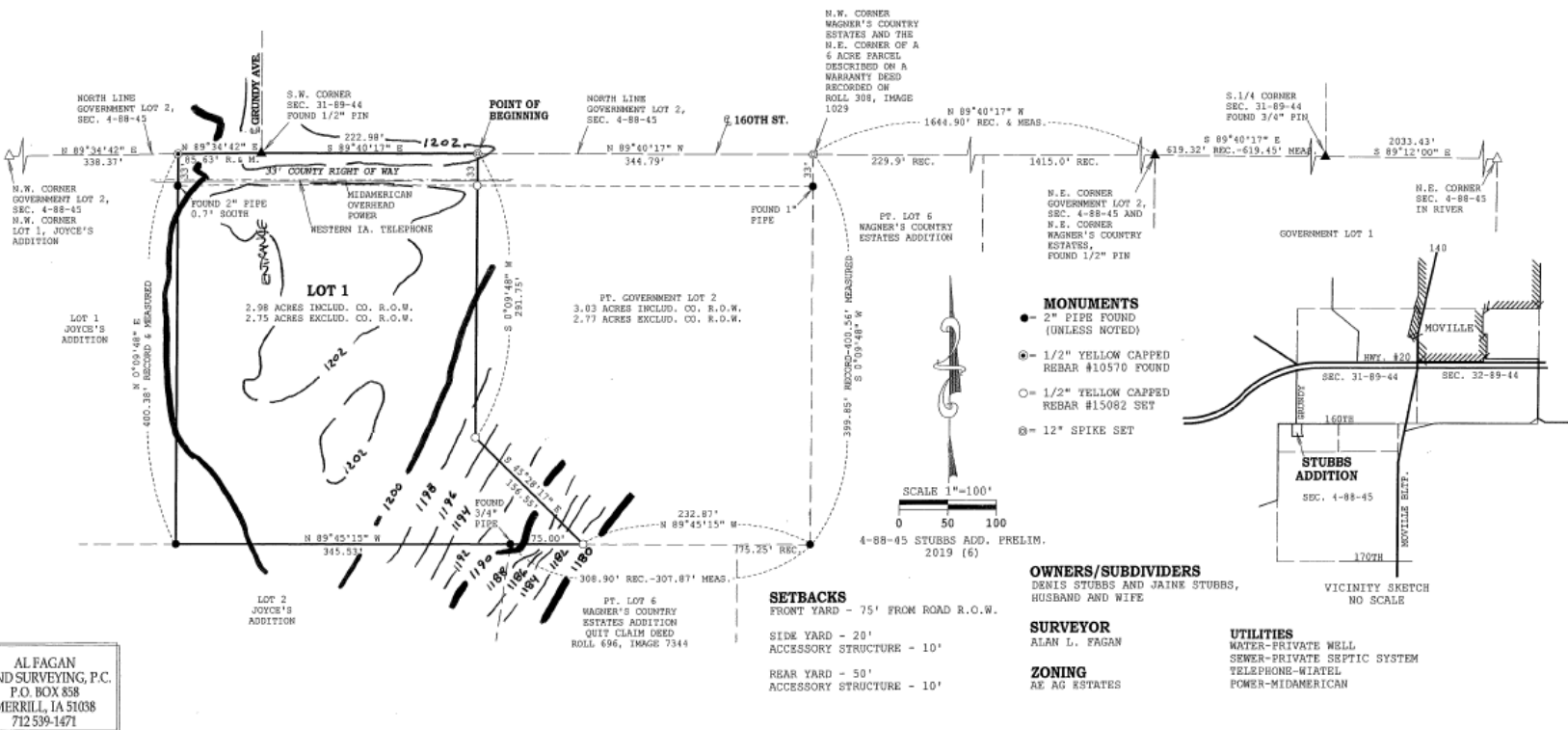
STUBBS ADDITION DRAWING

PRELIMINARY DRAWING  
STUBBS ADDITION  
TO  
WOODBURY COUNTY, IOWA

**SURVEYOR'S DESCRIPTION:**

PART OF GOVERNMENT LOT 2, SECTION 4, TOWNSHIP 88 NORTH, RANGE 45 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE N.E. CORNER OF SAID GOVERNMENT LOT 2 AND THE N.E. CORNER OF WAGNER'S COUNTRY ESTATES ADDITION TO WOODBURY COUNTY, IOWA; ; THENCE N.89°40'17"W. ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 2 AND THE NORTH LINE OF SAID ADDITION FOR 1644.90 FEET TO THE N.W. CORNER OF SAID ADDITION AND THE N.E. CORNER OF A 6 ACRE PARCEL DESCRIBED ON A WARRANTY DEED RECORDED ON ROLL 308, IMAGE 1029 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE CONTINUING N.89°40'17"W. ALONG SAID NORTH LINE OF GOVERNMENT LOT 2 AND THE NORTH LINE OF SAID PARCEL FOR 344.79 FEET TO THE POINT OF BEGINNING; THENCE S.0°09'48"W. FOR 291.75 FEET; THENCE S.45°28'17"E. FOR 156.55 FEET TO THE SOUTH LINE OF SAID PARCEL AND THE NORTH LINE OF A PARCEL DESCRIBED ON A QUIT CLAIM DEED RECORDED ON ROLL 696, IMAGE 7344 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE N.89°45'15"W. ALONG SAID SOUTH LINE AND SAID NORTH LINE FOR 75.00 FEET TO THE N.W. CORNER OF SAID PARCEL DESCRIBED ON SAID QUIT CLAIM DEED AND THE N.E. CORNER OF LOT 2, JOYCE'S ADDITION TO WOODBURY COUNTY, IOWA; THENCE CONTINUING N.89°45'15"W. ALONG THE SOUTH LINE OF SAID 6 ACRE PARCEL AND THE NORTH LINE OF SAID LOT 2 FOR 345.53 FEET TO THE S.W. CORNER OF SAID PARCEL AND THE S.E. CORNER OF LOT 1 IN SAID JOYCE'S ADDITION; THENCE N.0°09'48"W. ALONG THE WEST LINE OF SAID PARCEL AND THE EAST LINE OF SAID LOT 1 FOR 400.38 FEET TO THE N.W. CORNER OF SAID PARCEL, THE N.E. CORNER OF SAID LOT 1 AND THE NORTH LINE OF SAID GOVERNMENT LOT 2; THENCE N.89°34'42"E. ALONG SAID NORTH LINE FOR 85.63 FEET TO THE S.W. CORNER OF SECTION 31, TOWNSHIP 89 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA; THENCE S.89°40'17"E. ALONG SAID NORTH LINE FOR 222.98 FEET TO THE POINT OF BEGINNING. CONTAINING 2.98 ACRES INCLUDING COUNTY RIGHT OF WAY AND 2.75 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE EAST LINE OF LOT 1, JOYCE'S ADDITION TO WOODBURY COUNTY, IOWA IS ASSUMED TO BEAR N.0°09'48"E.



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

**#13**

Date: 03/29/19 Weekly Agenda Date: 04/02/19

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Deputy Auditor Michelle Skaff

**WORDING FOR AGENDA ITEM:**

Tyler Project Update

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

Information will be presented on progress, time-lines, and budget of the Tyler project.

**BACKGROUND:**

On 06/26/18, the Woodbury County Board of Supervisors approved the Tyler Software Implementation Project. The principal reason for this change is due to the use of three different software products within the Auditor/Recorder, Treasurer, and Assessor's Offices resulting in inefficiencies and potential for errors during transfers between the softwares.

**FINANCIAL IMPACT:**

Review:  
Approved Implementation Cost: \$462,327.00  
Approved Annual Cost: \$139,653.00  
Approved Annual Cost Inventory & Work Orders: \$12,025.00

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

Yes  No

**RECOMMENDATION:**

n/a

**ACTION REQUIRED / PROPOSED MOTION:**

n/a