



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(OCTOBER 16, 2018) (WEEK 41 OF 2018)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Rocky L. De Witt 253-0421 rdewitt@woodburycountyiowa.gov	Marty J. Pottebaum 251-1799 mpottebaum@woodburycountyiowa.gov	Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov	Jeremy J. Taylor 259-7910 jtaylor@woodburycountyiowa.gov	Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held October 16, 2018 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.

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, your remarks may be limited 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 silence cell phones and other devices while in the Board Chambers.

AGENDA

3:30 p.m. 1. Closed Session {Iowa Code Section 21.5 (c)}

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

- | | |
|---------------------------|-------------|
| 2. Citizen Concerns | Information |
| 3. Approval of the agenda | Action |

Consent Agenda

Items 4 through 8 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.

4. Approval of the minutes of the October 9, 2018 meeting
5. Approval of claims
6. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Termination of the following policy: Woodbury County Texting Policy adopted by the Board of Supervisors 07/06/10
7. Approval of resolution for a tax abatement for New Life in Christ-COGIC

8. Receive County Recorder's Report of Fees Collected

End Consent Agenda

- | | |
|--|-------------|
| 9. Human Resources – Melissa Thomas
Presentation of award certificate to Kyle Gates | Information |
| 10. Community Economic Development – David Gleiser
Approval of resolution approving and consenting to the Frontage Road Urban
Renewal Plan and Frontage Road Urban Renewal Area for the City of Menville | Action |
| 11. Secondary Roads – Mark Nahra | |
| a. Consider approval of plans for project number L-B(U51)—73-97 | Action |
| b. Consideration of a correcting resolution to close and vacate a portion of
Woodbury-Plymouth County Line Road | Action |
| c. Consideration of two corrected quit claim deeds to transfer ownership of
a portion of Woodbury-Plymouth County Line Road | Action |
| d. Consider approval of letter to the City Development Board in regard to the
annexation of Frontage Road in Menville | Action |
| 12. Board of Supervisors – Rocky De Witt
Establish date of October 30, 2018, for first public reading of ATV/UTV Ordinance
on secondary roads in Woodbury County | Action |
| 13. Reports on Committee Meetings | Information |
| 14. Citizen Concerns | Information |
| 15. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- TUES., OCT. 16** **3:00 p.m.** Historic Preservation Committee Meeting, First Floor Boardroom
- WED., OCT. 17** **10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
12:00 p.m. Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THUR., OCT. 18** **4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
6:00 p.m. Woodbury County Conservation Board's Annual Appreciation Picnic, Dorothy Pecaut Nature Center
- FRI., OCT. 19** **3:00 p.m.** U.S. Highway 20 Ribbon-cutting Celebration, Boulder Inn and Suites, Holstein, IA
- TUES., OCT. 23** **1:00 p.m.** Sioux Rivers Regional Governance Board Meeting, Plymouth County Courthouse Annex Building, 215 4th Ave. S.E., Le Mars, Iowa
6:00 p.m. Zoning Commission Meeting, First Floor Boardroom
- MONDAY, NOV. 5** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUESDAY, NOV. 6** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., NOV. 7** **9:00 a.m.** Loess Hills Alliance Protection Committee Meeting, Pisgah, Iowa
10:30 a.m. Loess Hills Alliance Stewardship Meeting
12:00 p.m. District Board of Health Meeting, 1014 Nebraska St.
1:00 p.m. Loess Hills Alliance Executive Meeting
- THUR., NOV. 8** **4:30 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., NOV. 14** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
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
- THUR., NOV. 15** **4 :30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- WED., NOV. 21** **10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
12:00 p.m. Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202

The following Boards/Commission have vacancies: Commission to Assess Damages - Category A, Category B, Category C and Category D, Civil Service Commission

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 9, 2018, FORTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, October 9, 2018 at 4:30 p.m. Board members present were Ung, De Witt, Radig, and Taylor; Pottebaum was absent. Staff members present were Dennis Butler, Budget/Tax Analyst, Karen James, Board Administrative Assistant, Joshua Widman, Assistant County Attorney, and Patrick Gill, Auditor/Clerk to the Board.

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

1. There were no citizen concerns
2. Motion by De Witt second by Radig to approve the agenda for October 9, 2018. Carried 4-0. Copy filed.

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

3. To approve minutes of the October 2, 2018 meeting. Copy filed.
4. To approve the claims totaling \$480,695.30. Copy filed.
5. To receive Auditor's Quarterly report for July 1, 2018 through September 30, 2018. Copy filed.
6. To approve the re-appointment of Loyanne Jensen to the Woodbury County Library Board. Copy filed.
- 7a. To approve the lifting of tax suspension for Jeffrey Downing, 115 Cecelia, parcel #894726361010. Copy filed.
- 7b. To approve the lifting of tax suspension for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension. Copy filed.
- 8a. To approve the separation of Mikala Steenholdt, Attorney-HIDTA Grant, County Attorney Dept., effective 10-12-18. Resignation.; the appointment of Daniel Luna, Civilian Jailer, County Sheriff Dept., effective 10-15-18, \$19.28/hour. Job Vacancy Posted 8-22-18. Entry Level Salary: \$19.28/hour.; the separation of Katin Romero, Civilian Jailer, County Sheriff Dept., effective 10-21-18. Resignation.; the appointment of Michael Andersen, Motor Grader Operator, Secondary Roads Dept., effective 10-24-18, \$23.15/hour. Job Vacancy Posted 6-27-18. Entry Level Salary: \$23.15/hour.; and the reclassification of Dawn Lafave, Civilian Jailer, County Sheriff Dept., effective 10-31-18, \$23.15/hour, 10.8%=\$2.27/hour. Per CWA Civilian Officers Contract agreement, from Class 1 to Senior Class due to 6 years employment and Associate Degree. Copy filed.
- 8b. To approve the de-authorization of Court Security Supervisor (Deauthorize to authorize Civilian Lieutenant), County Sheriff Dept. Copy filed.
- 8c. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Civilian Jailer, County Sheriff Dept. CWA: \$19.28//hour and Civilian Lieutenant, County Sheriff Dept. Wage Plan: \$70,835/year. Copy filed.

Carried 4-0.

9. Motion by Taylor second by Ung to approve plans, specifications and form of contract and to seek competitive bids for the Dorothy Pecaut HVAC Systems and Roof Improvement Project. Carried 4-0. Copy filed.

Motion by Taylor second by Ung to set a public hearing at the Board of Supervisors meeting October 23, 2018 at 4:45 p.m. Carried 4-0. Copy filed.
10. Motion by Radig second by Ung to approve the preconstruction agreement for two bridge raising projects over I-29 with the Iowa DOT. Carried 4-0. Copy filed.
11. Motion by Radig second by Taylor to approve and authorize the Chairperson to sign a Resolution for quit claim deed to Woodbury Central Community School for property described as North Five Feet (N 5') OF Lot Two and Lots

Ten through Twenty-two (10-22), Block One (1), Sunrise View Addition, City of Merville, Woodbury County, Iowa. Carried 4-0. Copy filed.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, IOWA
RESOLUTION #12,788**

WHEREAS the Woodbury County Board of Supervisors has set forth its proposal to sell the herein described real property in Resolution #9708 dated October 14, 2003; and

WHEREAS a public hearing was held on said proposal on October 14, 2003, pursuant to published notice as provided by law; and

WHEREAS the Woodbury County Board of Supervisors heard all the comments for or against said proposal and determined selling the real property to Woodbury Central Community School was in the public interest. Woodbury Central Community School paid \$40,000 for the property.

WHEREAS a deed was executed on November 25, 2003 for said property listing the grantor as "Woodbury County, Iowa, obo Woodbury County Fair Association." The deed was recorded at Roll 627, Image 565. At the time of the transfer, the property was held jointly by Woodbury County and the Woodbury County Fair Association. A title examiner has now requested quit claim deeds from both parties to clear a potential title objection based on the deed. The Fair Association has given a quitclaim deed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the Chairman of this Board be and he is hereby authorized to execute a Quitclaim Deed to Woodbury Central Community School for the following described real estate:

North Five Feet (N 5') of Lot Two and Lots Ten through Twenty-two (10-22), Block One (1), Sunrise View Addition, City of Merville, Woodbury County, Iowa

SO DATED October 9, 2018.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

12. The Board heard reports on committee meetings.
13. There were no citizen concerns.
14. Board concerns.

The Board adjourned the regular meeting until October 16, 2018.

Meeting sign in sheet. Copy filed.

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: October 16, 2018

For the October 16, 2018 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

1. Building Services Environmental, Project & Energy Management Supervisor, 6 month Salary Increase.
2. County Sheriff Civilian Lieutenant, Promotion.

Thank you

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

Date: 10/12/18 Weekly Agenda Date: 10/16/18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas

WORDING FOR AGENDA ITEM:

Termination of the following policy: Woodbury County Texting Policy adopted by the Board of Supervisors 07/06/10

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Duplicate policies should be rescinded. This policy and content is now covered in the Woodbury County Employee Handbook Section VII - Miscellaneous 7.2 Privacy and Usage of County Property.

BACKGROUND:

A comparison of the employee handbook and the old policy book brought light to the fact that this policy is a duplicate. It was passed unanimously at the 10/11/18 Policy Review Committee Meeting to terminate the outdated policy.

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:

Approval of the motion to rescind the "Woodbury County Texting Policy" dated 07/06/10.

ACTION REQUIRED / PROPOSED MOTION:

Motion to rescind the Woodbury County Testing Policy adopted by the Board of Supervisors 07/06/10

NEW LIFE IN CHRIST COGIC

OCT 4 2018 PM 2:33

2929 West 4th Street Sioux City, Iowa 51103**Woodbury County****Board of Supervisors****502 Douglas Street****Sioux, City, Iowa 51101****To whom it may concern:**

This letter is being submitted to you due to a second situation that we have concerning the abatement of taxes on our properties and the follow-up of our becoming tax exempt. We are looking to become tax exempt on not just our church property but also the two additional properties that we own.

The following is a listing of the properties that we have.

- 1. 000894730151007- Bradstreet Lots 3-6 BLK 8- 2929 W. 4th St, Sioux City***
- 2. 000894730151017-Bradstreet S ½ Lot 1&2 BLK-2901 w. 4th St, Sioux City***
- 3. 000894730151019-Bradstreet Lots 7 & 8 BLK 8-420 Blair St, Sioux City***

I have attached the letter we received from the Sioux City Assessor's Office dated February 13, 2018 wherein we were approved tax exemption status for Property address: 2929 West 4th St, Parcel Number: 8947-30-151007

We have since that time received another notice stating that we owe another \$8000.00 in taxes. We have contacted the Sioux City Assessor's Office for the second time, filled out the application which will be submitted in February 2019 and we will be approved for tax exemption for our additional two properties. In the interim time we are requesting that these taxes be abated for the 2018-2019 year.

We certainly thank you in advance and are awaiting your response to us to be included in the next earliest Woodbury County Board of Supervisors meeting.

Sincerely,

Missionary Emma Patterson
Missionary Emma Patterson

James D. Mosley Jr.
James D. Mosley Jr., Pastor

WOODBURY COUNTY, IOWA

RESOLUTION # _____

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, New Life in Christ COGIC is the titleholder of real estate Parcels #894730151007, #894730151017 and #894730151019 located in the City of Sioux City, Iowa and legally described as follows:

Parcel #894730151007

BRADSTREET LOTS 3-6 BLK 8

Parcel #894730151017

BRADSTREET S 1/2 LOT 1 & 2 BLK 8

Parcel #894730151019

BRADSTREET LOTS 7 & 8 BLK 8

WHEREAS, the above-stated property has taxes owing for the 2018/2019, tax year and the parcel is owned by New Life in Christ COGIC and

WHEREAS, the organization, namely New Life in Christ COGIC is failing to immediately pay the taxes due; and

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes; and

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above parcel according to Code of Iowa, 427.3 for the taxes owed for the 2018/2019 tax year and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 16th day of October 2018.

ATTEST:

WOODBURYCOUNTYBOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor/Recorder

Rocky De Witt, Chairman

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102
SIOUX CITY IA 51101 PHONE (712) 279-6495 000894730151007
taxdept@woodburycountyiowa.gov

Receipt#
26907

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102
SIOUX CITY IA 51101 PHONE (712) 279-6495 000894730151007
taxdept@woodburycountyiowa.gov

Receipt#
26907

TOTAL TAX DUE: or **SEPT 1, 2018**

\$8,710.00

\$4,355.00

DED 123482419

Delinquent OCT 2, 2018

GRP 002108683

TAX DUE: **MARCH 1, 2019**

\$4,355.00

DED 123482419

Delinquent APRIL 2, 2019

GRP 002108683

NEW LIFE IN CHRIST INC
2929 W 4TH ST
SIOUX CITY IA 51103

NEW LIFE IN CHRIST INC
2929 W 4TH ST
SIOUX CITY IA 51103

087 087 SC LL SIOUX CITY COMM

087 087 SC LL SIOUX CITY COMM

WOODBURY COUNTY REAL ESTATE TAXES, SEND THE CORRECT STUBS WITH YOUR CHECK FOR PAYMENT.

SEE REVERSE SIDE FOR MORE INFORMATION.

Based on JANUARY 1, 2017 Valuations. Taxes FOR JULY 1, 2017 - JUNE 30, 2018, payable SEPTEMBER 2018 and MARCH 2019

Parcel 000894730151007 Location: 2929 W 4TH ST SIOUX CITY

087 087 SC LL SIOUX CITY COMM

Sect 000Twn 000 Rng 000Exempt Acres

Gross Acres .00

Net Acres .00

VIN 32,400.00 SQFT TITLE3
LEGAL Description BRADSTREET LOTS 3-6 BLK 8

VALUATIONS AND TAXES THIS YEAR LAST YEAR TAXES DUE Delinquent Tax, Specials, Drainage, Tax Sale

Com	Assessed	Taxable	Assessed	Taxable
Land:	23,700	21,330		
Buildings:	217,700	195,930		
Dwelling:				
TOTAL VALUE:	\$241,400	\$217,260	\$0	\$0

Less Military Exemption:

NET TAXABLE VALUE: \$217,260 \$0

Value Times Levy per 1000 of: 40.0866700 .0000000 123482419 000000000 002108683

EQUALS GROSS TAX OF: 8,709.23 .00 NEW LIFE IN CHRIST INC

Less Credits of:

Homestead Credit

Ag Land Credit

Family Farm Credit

Business Prop Tax Credit Fund

Low Income/Elderly Credit

Prepaid Tax

NET ANNUAL TAXES: \$8,710.00 \$-00

House Tax: County EMS \$ 106,790.00

Taxing Authority:	Distribution of your current & prior year taxes			Total property taxes levied by taxing authority		
	%Total	Current	Prior	Current	Prior	Percent +/-
SIOUX CITY INC	40.090	3,491.83		43,661,958.00	40,164,950.00	8.706
SIOUX CITY COMM	38.292	3,335.26		38,507,903.00	36,137,761.00	6.558
COUNTY	18.115	1,577.82		31,848,250.00	27,682,986.00	15.046
WEST IA TECH	2.401	209.14		8,101,141.00	6,428,656.00	26.016
CITY ASSESSOR	.775	67.46		820,296.00	857,327.00	4.319
CO EXTENSION	.320	27.86		560,000.00	495,675.00	12.977
STATE	.007	.63		12,665.00	12,561.00	.827

Payment Available at: www.iowatransaction.com

TOTALS: \$8,710.00 \$-00

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102
SIOUX CITY IA 51101 PHONE (712) 279-6495
taxdept@woodburycountyiowa.gov

Receipt#

18/19 10-26907

DUE SEPT 1, 2018

Date Paid: _____

CHECK# _____

\$4,355.00

DUE MARCH 1, 2019

Date Paid: _____

CHECK# _____

\$4,355.00

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102
 SIOUX CITY IA 51101 PHONE (712) 279-6495 000894730151017
 taxdept@woodburycountyia.gov

Receipt#
26912

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102
 SIOUX CITY IA 51101 PHONE (712) 279-6495 000894730151017
 taxdept@woodburycountyia.gov

Receipt#
26912

TOTAL TAX DUE: or **SEPT 1, 2018**

\$228.00

\$114.00

DED 123482419 Delinquent OCT 2, 2018

GRP 002108683

TAX DUE: **MARCH 1, 2019**

\$114.00

DED 123482419 Delinquent APRIL 2, 2019

GRP 002108683

NEW LIFE IN CHRIST INC
 2929 W 4TH ST
 SIOUX CITY IA 51103

NEW LIFE IN CHRIST INC
 2929 W 4TH ST
 SIOUX CITY IA 51103

087 087 SC LL SIOUX CITY COMM

087 087 SC LL SIOUX CITY COMM

WOODBURY COUNTY REAL ESTATE TAXES, SEND THE CORRECT STUBS WITH YOUR CHECK FOR PAYMENT.
 SEE REVERSE SIDE FOR MORE INFORMATION.

Based on JANUARY 1, 2017 Valuations. Taxes FOR JULY 1, 2017 - JUNE 30, 2018, payable SEPTEMBER 2018 and MARCH 2019

Parcel 000894730151017 Location: 2901 W 4TH ST SIOUX CITY

087 087 SC LL SIOUX CITY COMM

Sect 000Twn 000 Rng 000Exempt Acres

Gross Acres .00

VIN 7,500.00 SQFT TITLE1

Net Acres .00

LEGAL Description BRADSTREET S 1/2 LOT 1 & 2 BLK 8

VALUATIONS AND TAXES THIS YEAR LAST YEAR TAXES DUE Delinquent Tax, Specials, Drainage, Tax Sale

Res RES	Assessed	Taxable	Assessed	Taxable
Land:	10,200	5,673		
Buildings:				
Dwelling:				
TOTAL VALUE:	\$10,200	\$5,673	\$0	\$0

Sect	Twn	Rng	Exempt Acres
000	000	000	000

Less Military Exemption:

NET TAXABLE VALUE: \$5,673 \$0

Value Times Levy per 1000 of: 40.0866700 .0000000 123482419 000000000 002108683

EQUALS GROSS TAX OF: 227.41 .00 NEW LIFE IN CHRIST INC

Less Credits of:

- Homestead Credit
- Ag Land Credit
- Family Farm Credit
- Business Prop Tax Credit Fund
- Low Income/Elderly Credit
- Prepaid Tax

2929 W 4TH ST
 SIOUX CITY IA 51103

NET ANNUAL TAXES: \$228.00 \$.00

House Tax: County EMS \$ 106,790.00

Taxing Authority:	Distribution of your current & prior year taxes			Total property taxes levied by taxing authority		
	%Total	Current	Prior	Current	Prior	Percent +/-
SIOUX CITY INC	40.088	91.40		43,661,958.00	40,164,950.00	8.706
SIOUX CITY COMM	38.294	87.31		38,507,903.00	36,137,761.00	6.558
COUNTY	18.114	41.30		31,848,250.00	27,682,986.00	15.046
WEST IA TECH	2.399	5.47		8,101,141.00	6,428,656.00	26.016
CITY ASSESSOR	.776	1.77		820,296.00	857,327.00	4.319
CO EXTENSION	.320	.73		560,000.00	495,675.00	12.977
STATE	.009	.02		12,665.00	12,561.00	.827

Payment Available at: www.iowatax.com

TOTALS: \$228.00 \$.00

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102
 SIOUX CITY IA 51101 PHONE (712) 279-6495
 taxdept@woodburycountyia.gov

Receipt#
18/19 10-26912

DUE SEPT 1, 2018

\$114.00

DUE MARCH 1, 2019

\$114.00

Date Paid: _____

Date Paid: _____

CHECK# _____

CHECK# _____

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102

SIOUX CITY IA 51101 PHONE (712) 279-6495

taxdept@woodburycountyiowa.gov

Receipt#
26914

000894730151019

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102

SIOUX CITY IA 51101 PHONE (712) 279-6495

taxdept@woodburycountyiowa.gov

Receipt#
26914

000894730151019

TOTAL TAX DUE: or **SEPT 1, 2018**

\$336.00

\$168.00

DED 123482419

Delinquent OCT 2, 2018

GRP 002108683

TAX DUE: **MARCH 1, 2019**

\$168.00

DED 123482419

Delinquent APRIL 2, 2019

GRP 002108683

NEW LIFE IN CHRIST INC
2929 W 4TH ST
SIOUX CITY IA 51103

NEW LIFE IN CHRIST INC
2929 W 4TH ST
SIOUX CITY IA 51103

087 087 SC LL SIOUX CITY COMM

087 087 SC LL SIOUX CITY COMM

WOODBURY COUNTY REAL ESTATE TAXES, SEND THE CORRECT STUBS WITH YOUR CHECK FOR PAYMENT.

SEE REVERSE SIDE FOR MORE INFORMATION.

Based on JANUARY 1, 2017 Valuations. Taxes FOR JULY 1, 2017 - JUNE 30, 2018, payable SEPTEMBER 2018 and MARCH 2019

Parcel 000894730151019 Location: 420 BLAIR ST SIOUX CITY

087 087 SC LL SIOUX CITY COMM

Sect 000Twn 000 Rng 000Exempt Acres

Gross Acres .00

.00

Net Acres .00

VIN 15,300.00 SQFT TITLE7

LEGAL Description BRADSTREET LOTS 7 & 8 BLK 8

VALUATIONS AND TAXES THIS YEAR

LAST YEAR

TAXES DUE

Delinquent Tax, Specials, Drainage, Tax Sale

Res RES	Assessed	Taxable	Assessed	Taxable
Land:	15,100	8,399		
Buildings:				
Dwelling:				
TOTAL VALUE:	\$15,100	\$8,399	\$0	\$0

Less Military Exemption:

NET TAXABLE VALUE: \$8,399 \$0

Value Times Levy per 1000 of: 40.0866700 .0000000 123482419 000000000 002108683

EQUALS GROSS TAX OF: 336.69 .00

Less Credits of:

Homestead Credit

Ag Land Credit

Family Farm Credit

Business Prop Tax Credit Fund

Low Income/Elderly Credit

Prepaid Tax

NET ANNUAL TAXES: \$336.00 \$0.00

House Tax: County EMS \$ 106,790.00

Taxing Authority:	Distribution of your current & prior year taxes			Total property taxes levied by taxing authority		
	%Total	Current	Prior	Current	Prior	Percent +/-
SIOUX CITY INC	40.089	134.70		43,661,958.00	40,164,950.00	8.706
SIOUX CITY COMM	38.292	128.66		38,507,903.00	36,137,761.00	6.558
COUNTY	18.119	60.88		31,848,250.00	27,682,986.00	15.046
WEST IA TECH	2.402	8.07		8,101,141.00	6,428,656.00	26.016
CITY ASSESSOR	.774	2.60		820,296.00	857,327.00	4.319
CO EXTENSION	.318	1.07		560,000.00	495,675.00	12.977
STATE	.006	.02		12,665.00	12,561.00	.827

Online Payment Available at: www.iowatreasurer.org

TOTALS: \$336.00 \$0.00

WOODBURY COUNTY TREASURER

MICHAEL R CLAYTON

822 DOUGLAS ST - ROOM 102

SIOUX CITY IA 51101 PHONE (712) 279-6495

taxdept@woodburycountyiowa.gov

Receipt#

18/19 10-26914

DUE SEPT 1, 2018

Date Paid: _____

CHECK# _____

\$168.00

DUE MARCH 1, 2019

Date Paid: _____

CHECK# _____

\$168.00

COUNTY RECORDER'S REPORT OF FEES COLLECTED
(See Chapter 342, Code)

#8

State of IOWA) SS:
County of WOODBURY)

To the Board of Supervisors of WOODBURY County:

I, DIANE SWOBODA PETERSON, Real Estate/Recorder Deputy of the above named County and State, do hereby certify that the following is a true and correct statement of the fees collected by me in my office for the period of 7/01/2018 through 9/30/2018 and the same has been paid to the County Treasurer.

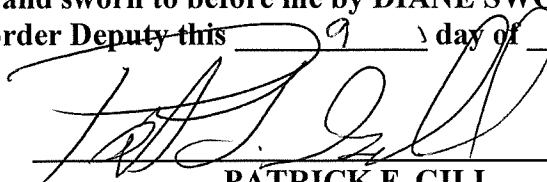
	Number of Documents	Fees Collected
R.E. Transfer Tax State-Monthly		37,068.69
County Share R.E. Transfer Tax		27,739.66
Auditor Transfer Fee	1,065	5,865.00
Records Management Fees	3,765	3,830.00
Lien	130	655.00
Deed	1,044	12,642.00
Mortgage	1,008	56,915.00
Contract	28	1,010.00
Release/Assignment	1,061	6,371.00
Miscellaneous	389	5,970.00
Claimants	63	485.00
Agreement	31	1,390.00
Elec Tran Fee to State Un-transferred (Aug & Sept)		2,524.00
UCC 1 & Addendum	18	240.00
Copy Money-Quarterly		566.00
Vitals Stats State-Monthly		12,291.00
Vitals Stats County-Quarterly		9,492.00
Accts. Receivable Payment-Quarterly		4,787.00
Transfer to Checking Account		0
Previous Qtr. Acct. Receivable Balance		(4,664.00)
Bad Check Adjustment—Quarterly		(20.00)
Odd Size Documents	19	190.00
Overpayment Fee	43	185.40
Total	8,664	185,532.75

All of which is respectfully submitted.



 DIANE SWOBODA PETERSON Real Estate/Recorder Deputy

Subscribed and sworn to before me by DIANE SWOBODA PETERSON, Woodbury County Real Estate/Recorder Deputy this 9 day of October, 2018.



 PATRICK F. GILL County Auditor

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

Date: 10-11-18 Weekly Agenda Date: 10-16-18

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas

WORDING FOR AGENDA ITEM:

Presentation of Award Certificate to Kyle Gates

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 Kyle Gates.

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
KYLE GATES

FOR THE GENEROUS DONATION OF 3 GALLONS TO THE LIFESERVE BLOOD CENTER
(TIME OFF MUST BE REDEEMED WITHIN SIX MONTHS FROM THE DATE BELOW)

Rocky DeWitt, Board of Supervisors, Chairman

Marty Pottebaum, Board of Supervisors

Keith Radig, Board of Supervisors

Jeremy Taylor, Board of Supervisors

Matthew Ung, Board of Supervisors



October 16, 2018

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

#10

Date: 10/11/18 Weekly Agenda Date: 10/16/18

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

WORDING FOR AGENDA ITEM:

Resolution Approving and Consenting to the Frontage Road Urban Renewal Plan and Frontage Road Urban Renewal Area for the City of Merville

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board will discuss and take action on a resolution that would provide the county's consent for the establishment of an urban renewal plan/area within 2 miles of the corporate limits of the City of Merville

BACKGROUND:

The Frontage Road Urban Renewal Plan for the Frontage Road Urban Renewal Area has been developed to help local officials promote economic development in the City of Merville. The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new commercial and industrial development. In order to achieve this objective, the City of Merville intends to undertake Urban Renewal activities pursuant to the powers granted to it by Iowa Code. Section 403.17(4) of the Code authorizes the formation of a city urban renewal area if it is within 2 miles of the corporate limits of the city, and requires the consent of the county. Because a portion of the Frontage Road Urban Renewal Area is within 2 miles of Merville's corporate limits, the city is requesting the county's consent via the proposed resolution.

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:

Approve the the resolution.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the resolution.

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

**A RESOLUTION APPROVING AND CONSENTING TO THE FRONTAGE ROAD URBAN
RENEWAL PLAN AND FRONTAGE ROAD URBAN RENEWAL AREA FOR
THE CITY OF MOVILLE.**

WHEREAS, the City of Merville, is an incorporated city in Woodbury County, Iowa; and

WHEREAS, the City of Merville has filed with the Woodbury County Board of Supervisors an urban renewal plan (the "Frontage Road Urban Renewal Plan") which provides for the creation of an urban renewal area (the "Frontage Road Urban Renewal Area"), hereto included as Attachment A; and

WHEREAS, a portion of the aforesaid Frontage Road Urban Renewal Area is adjacent to and within two (2) miles of the corporate limits of the City of Merville; and

WHEREAS, Section 403.17(4) of the Code of Iowa authorizes the formation of a city urban renewal area if it is within two (2) miles of the corporate limits of the city, with the consent of the county; and

NOW, THEREFORE, BE IT RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS: Pursuant to the provisions of Section 403.17(4) of the Code of Iowa, Woodbury County hereby authorizes and consents to the formation of the proposed Frontage Road Urban Renewal Plan and Frontage Road Urban Renewal Area.

Dated this 16th day of October 2016.

WOODBURY COUNTY BOARD OF SUPERVISORS

Rocky DeWitt, Chairman

Keith Radig, Vice-Chairman

Marty Pottebaum

Jeremy Taylor

Matthew Ung

Attest:

Patrick Gill, County Auditor

**FRONTAGE ROAD
URBAN RENEWAL PLAN**

for the

**FRONTAGE ROAD
URBAN RENEWAL AREA
CITY OF MOVILLE, IOWA**

November 2018

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**Frontage Road Urban Renewal Plan
City of Merville, Iowa**

A. INTRODUCTION

This Frontage Road Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Frontage Road Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote economic development in the City of Merville. The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new commercial and industrial development.

In order to achieve this objective, the City of Merville (the “City”) intends to undertake Urban Renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the Code of Iowa, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Frontage Road Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B.

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City of Merville will designate this Urban Renewal Area as an area that is appropriate for the promotion of economic development (commercial and industrial).

D. BASE VALUE

If the Frontage Road Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted and debt is certified prior to December 1, 2018, the taxable valuation within the area included in the TIF Ordinance as of January 1, 2017 will be considered the frozen “base valuation.” If debt is not certified until a later date or if a TIF ordinance is not adopted until later, the “base value” will be the assessed value of the taxable property within the TIF Ordinance area as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area.

It is anticipated that separate TIF Ordinances may be adopted for separate parcels as development in the Area warrants. In this case, each separate TIF Ordinance area may have a different base value.

E. DEVELOPMENT PLAN/ZONING

The City of Merville has a general plan for the physical development of the City as a whole outlined in the City’s Comprehensive Plan 2013, adopted in July 2013. The goals and objectives of this Urban Renewal Plan, including the urban renewal projects, are in conformity with the Comprehensive Plan 2013.

The Urban Renewal Area is zoned Commercial - General. This Urban Renewal Plan does not in any way replace or modify the City's current land use planning or zoning regulation process.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan, as amended. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

F. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites promote economic development (commercial and industrial).

More specific objectives for the development, redevelopment and rehabilitation within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer and other public improvements, which contribute to the revitalization of the Area and to the sound development of the entire City.
4. To encourage commercial and industrial growth and expansion through governmental policies which make it economically feasible to do business.
5. To promote new highway commercial development in the vicinity of Highway 20.
6. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
7. To stimulate, through public action and commitment, private investment in new and existing commercial and/or industrial development.
8. To improve the conditions and opportunities for economic development (commercial and industrial).
9. To help develop a sound economic base that will serve as the foundation for future growth and development.

10. To enhance the Merville community by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.

G. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage orderly development of the area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, Code of Iowa. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
9. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Merville.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

H. ELIGIBLE URBAN RENEWAL PROJECTS

1. Public Improvements to Frontage Road

The City expects to make numerous infrastructure improvements to Frontage Road between 2nd Street and Fair Street from 2018 to 2025. These improvements are expected to include replacing street paving, replacing sanitary sewer system, installing and looping water service, installing curb and gutter, and connecting paving to existing street. These infrastructure improvements are necessary to support additional commercial traffic in the Area and make the Area an attractive location for businesses to locate and operate. The utility improvements will support increased need for services generated by businesses locating or expanding operations in the Area. The costs of the improvements to be reimbursed with tax increment financing will not exceed \$2,000,000.

2. Tax Rebate or other Development Agreements

The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City’s sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed \$2,000,000.

3. Land Acquisition and Preparation for Redevelopment

The City anticipates that it may purchase properties located within the Urban Renewal Area to clear those sites in preparation for future redevelopment. All property acquisition and disposition by the City will be carried out in compliance with the Iowa Code, including but not limited to the provisions of Iowa Code Section 403.8. The costs of land acquisition and preparation for redevelopment will not exceed \$500,000.

4. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$100,000

I. FINANCIAL DATA

1.	July 1, 2018 constitutional debt limit:	\$4,316,734
2.	Current outstanding general obligation debt:	\$1,655,660
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal	\$4,600,000

<p>Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City’s constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City’s best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:</p>	<p>This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.</p>
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J. COUNTY CONSENT

In accordance with Section 403.17(4) of the *Code of Iowa*, a City may exercise urban renewal powers with respect to property which is located outside, but within two miles of the boundary of a City, only if the City obtains the consent of the County within which such property is located. A resolution providing such consent has been approved by the Board of Supervisors of Woodbury County, which gives the City permission to include land that is outside city limits in the Frontage Road Urban Renewal Area. A copy of such consenting resolution is attached hereto as Exhibit “C.”

K. URBAN RENEWAL FINANCING

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City.

B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Merville. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects for commercial or industrial development or other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Areas. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

L. PROPERTY ACQUISITION/DISPOSITION

Any property acquisition and/or disposition by the City within the Urban Renewal Area will be carried out, without limitation, in accordance with the Iowa Code.

M. RELOCATION

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

N. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to state and local laws will be complied with by the City and the developer in implementing this Urban Renewal Plan and its supporting documents.

O. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, change in the area, to add or change land use controls and regulations, to modify goals or types of renewal activities, to add or change urban renewal projects, or to amend

property acquisition and disposition provisions. The City Council may amend this Plan in accordance with applicable state law.

P. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a Plan until it is repealed by the City Council.

With respect to the property included within the Frontage Road Urban Renewal Area, which is also included in a TIF Ordinance which designates that property as a TIF District, the use of incremental property tax revenues or the “division of revenue,” as those words are used in Chapter 403 of the Code of Iowa, is limited to twenty (20) years beginning with the first calendar year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within a TIF Ordinance of the Frontage Road Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area, for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code of Iowa) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

Q. SEVERABILITY CLAUSE

If any part of the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Plan as a whole, or any part of the Plan not determined to be invalid or unconstitutional.

EXHIBIT A

LEGAL DESCRIPTION OF AREA

The Frontage Road Urban Renewal Area is described as follows:

Lot 7, except the North 20 feet thereof in Corey's Addition to Merville, Iowa, in the County of Woodbury and State of Iowa.

Lots Ten (10), Eleven (11), Twelve (12), and Thirteen (13), Block One (1), Lucas Second Subdivision, City of Merville, Woodbury County, Iowa.

Lots Fourteen (14) and Fifteen (15), Block One (1), Lucas Second Sub-Division to Town of Merville, Woodbury County, Iowa.

Lots Nine (9) and Ten (10) in Block Two (2), Lucas Second Sub-Division to Town of Merville, in the County of Woodbury and State of Iowa.

Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17) in Block Two (2), Lucas Second Subdivision to the City of Merville, in the County of Woodbury and State of Iowa.

Lots Twenty-one (21) and Twenty-two (22) in Block Two (2) of "Lucas Second Subdivision to Town of Merville, Iowa" in the County of Woodbury and State of Iowa.

Lots Eighteen (18), Nineteen (19) and Twenty (20) in Block Two (2), Lucas Second Subdivision to Town of Merville, in the County of Woodbury and State of Iowa.

All that part of Lot Twenty (20) of Auditor's Sub-Division of part of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44), West of the Fifth Principal Meridian, described as follows: Commencing at the Southwest corner of said Lot Twenty (20), thence North along the East line of Fourth Street twenty-one (21.0) feet to the point of beginning of this description, (which point is sixty-six and five-tenths (66.5) feet North of the Southwest corner of Lot Nineteen (19) of said sub-division), thence North along the East line of Fourth Street twenty-nine (29.0) feet, thence East parallel to the South line of said Lot Twenty (20) for one hundred twenty-four and eight-tenths (124.8) feet, thence South parallel to the East line of Fourth Street thirty-three and two-tenths (33.2) feet to a point sixty-six and five-tenths (66.5) feet North of the South line of said Lot Nineteen (19), thence West parallel to the South line of said Lot Nineteen (19) one hundred twenty-five (125.0) feet to the place of beginning, together with a right of easement of ingress and egress by foot or vehicle on or over that portion of Lots Nineteen (19) and Twenty (20) of the above sub-division described as follows: Beginning at the Southwest corner of said Lot Nineteen (19), thence North along the West line of said Lots Nineteen (19) and Twenty (20), (being also the East line of Fourth Street), sixty-six and five-tenths (66.5) feet, thence East parallel with U.S. Highway No. 20 as located on July 31, 1956, for one

hundred twenty-five (125.0) feet, thence South parallel with the East line of Fourth Street sixty-six and five-tenths (66.5) feet to the South line of said Lot Nineteen (19), thence West along the South line for twenty (20.0) feet, thence North parallel to the East line of Fourth Street fifty-four and five-tenths (54.5) feet, thence West parallel with the South line of said Lot Nineteen (19), eighty-five (85) feet to a point twenty (20.0) feet East of the East line of Fourth Street, thence South parallel to the East line of Fourth Street fifty-four and five-tenths (54.5) feet to the South line of said Lot Nineteen (19), thence West along said South line twenty (20.0) feet to the place of beginning, in the County of Woodbury and State of Iowa, according to the Plat recorded in Plat Book 18, on page 3 thereof.

That part of Lots Nineteen (19) and Twenty (20) of Auditor's Subdivision of part of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the Fifth Principal Meridian, in the County of Woodbury and State of Iowa, according to the plat recorded in Plat Book 18 on Page 3 thereof, described as follows:

Commencing at the Southwest (SW) Corner of Lot Nineteen (19) of the Auditor's Subdivision part of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West; thence North along the East line of Fourth Street Sixty-six and Five Tenths Feet (66.5'); thence East parallel to present U.S. Highway No. 20, One Hundred Twenty-five Feet (125'); thence South parallel to the East line of Fourth Street Sixty-six and Five Tenths Feet (66.5'); thence West along the North right-of-way line of present U.S. Highway No. 20, One Hundred Twenty-five Feet (125') to point of beginning, subject to right of easement of ingress and egress by foot or vehicle on or over the West Twenty Feet (W 20'), the North Twelve Feet (N 12'), and the East Twenty Feet (E 20') of the property herein specifically described.

Lot Thirty-three (33), Hebel Sub-division of the Town of Merville, in the County of Woodbury and State of Iowa.

The South One Hundred Feet (S 100') of Lots Seventeen (17) and Eighteen (18), and Lot Nineteen (19) except the West One Hundred Twenty-five Feet (W 125') thereof, and the South Fifty Feet (S 50') of the East Twenty-five Feet (E 25') of Lot Twenty (20), of Auditor's Subdivision of part of the South One-half (S1/2) of the Northwest Quarter (NW1/4) of Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the Fifth Principal Meridian, in the County of Woodbury and State of Iowa, excepting therefrom the East Fifteen Feet (E 15') of the said South One Hundred Feet (S 100') of Lot Seventeen (17) and excepting an additional portion of the said South One Hundred Feet (S 100') of Lot Seventeen (17) described as follows: From that point on the South line of Lot Seventeen (17) Fifteen Feet (15') West of the Southeast (SE) Corner of Lot Seventeen (17); thence North Twenty-four Feet (N 24') on a line parallel with the East line of Lot Seventeen (17) to the point of beginning; thence West Three and One-half Feet (W 3½') on a line parallel with the South line of the said Lot Seventeen (17); thence North for a distance of Seventeen and One-half Feet (17 ½') on a line parallel with

the East line of said Lot Seventeen (17); thence Easterly Three and One-half Feet (E'y 3 ½') on a line parallel with the South line of said Lot Seventeen (17); thence South to the point of beginning.

All of Lot Thirty-Four (34) and the South One Hundred Forty-five and Seventy-seven Hundredths (145.77) Feet of Lot Thirty-six (36), Hebelier Sub-division of the Town of Merville, in the County of Woodbury and State of Iowa; and

The East Fifteen (15) feet of the South One Hundred (100) Feet of Lot Seventeen (17) of Auditor's Subdivision of part of the South One-half (S1/2) of the Northwest Quarter (NW1/4) of Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the 5th P.M., in Woodbury County, State of Iowa, and that portion of said Lot Seventeen (17), described as follows:

Beginning at a point on the South line of said Lot 17, 15 feet West of the Southeast corner of said Lot 17, thence North 24 feet on a line parallel with the East line of said Lot 17 to the point of beginning, thence West 3 ½ feet on a line parallel with the South line of the said Lot 17, thence North for a distance of 17 ½ feet on a line parallel with the East line of said Lot 17, thence Easterly 3 ½ feet on a line parallel with the South line of said Lot 17, thence South to the point of beginning.

Parcel I: Lot Thirty Seven (37) of Hebelier Subdivision of the Town of Merville, Woodbury County, Iowa, except that part described as follows: Commencing at the southeast (SE) Corner of the Northwest Quarter (NW1/4) of Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the 5th Principal Meridian, Woodbury County, Iowa; thence on an assumed bearing of North Zero degrees Zero minutes Zero Seconds (00 Degrees 00'00") East, along the East line of said Hebelier Subdivision to the Town of Merville, Two hundred seven and sixty-nine hundredths (207.69) feet to the Easterly extension of the North line of Lots Thirty-seven (37), Thirty-eight (38) and Thirty-nine (39) of said Hebelier Subdivision; thence North Eighty-nine degrees Forty-eight minutes Fifty-seven Seconds (89 Degrees 58'57") West, along said North line and its Easterly extension, Two Hundred ninety-seven and ninety-one hundredths (297.91) feet to the Point of Beginning. Thence South Two degrees twenty-one minutes Forty-six seconds (02 Degrees 21'46") West, Sixty-six and Five Hundredths (66.05) feet to the South line of said Lot Thirty-seven (37); thence continuing along the exterior of said Lot Thirty-seven (37) the following described courses: North Eighty-nine degrees Forty-eight minutes Fifty-seven Seconds (89 Degrees 48'57") West, Thirty Seven (37) feet; thence North Thirteen degrees Fifty-three Minutes Four Seconds (13 Degrees 53'04") West, Forty-eight (48) feet; thence along the arc of a Twenty (20) foot radius curve concave Southeasterly, Thirty-nine and forty-three hundredths (39.43) feet, said curve having a chord bearing and distance of North Thirty-Seven degrees Fifty-two Minutes Forty-eight Seconds (37 Degrees 52'48") East, Thirty-three and Thirty-five hundredths (33.35) feet; thence North Eighty-three degrees Fifty-five Minutes Forty-two Seconds (83 Degrees 55'42") East, Twenty-eight (28) feet; thence South Zero degrees Twenty-four Minutes Four Seconds (00 Degrees 24'04") West Ten (10) feet; thence

South Eighty-nine degrees Forty-eight Minutes fifty-seven Seconds (89 Degrees 48'57") East, Three (3) feet to the Point of Beginning.

Tract contains Eight hundredths (0.08) acres and is subject to all easements of record.

PARCEL II: Lot Thirty-eight (38), Hebelier Sub-Division of the Town of Merville, Woodbury County, Iowa except that part described as follows: Beginning at the Southeast corner of said Lot Thirty-eight (38), thence West along the South line of Lot Thirty-eight (38) to a point which is Fifty (50) feet West at right angles from the East line of Lot Thirty-eight (38); thence North parallel to the East line of said Lot Thirty-eight (38) a distance of One hundred sixty-four and eight tenths (164.8) feet to the North line of said Lot; thence East along said North line Fifty-two feet to the Northeast corner of said Lot Thirty-eight (38); thence South along the East line of Lot Thirty-eight (38) a distance of One hundred sixty-six and three tenths (166.3) feet to the place of beginning.

All of Lot Thirty-nine (39) and all that part of Lot Thirty-eight (38), described as follows: Beginning at the Southeast (SE) Corner of Lot Thirty-eight (38); thence West along the South line of said Lot Thirty-eight (38), Fifty-two and Two Tenths Feet (52.2') to a point which is Fifty Feet (50') West at right angles from the East line of said Lot; thence North parallel to the East line of said Lot One Hundred Sixty-four and Eight Tenths Feet (164.8') to the North line thereof; thence East along said North line Fifty-two Feet (52') to the Northeast (NE) Corner of said Lot; thence South along the East line of said Lot Thirty-eight (38), One Hundred Sixty-six and Three Tenths Feet (166.3') to the place of beginning, together with the right of ingress and egress over the present paved portion of the remainder of said Lot Thirty-eight (38), of Hebelier Subdivision of the Town of Merville, in the County of Woodbury and State of Iowa.

All that part of the North Seventy-five Feet (N 75') of the South Two Hundred Seventy-three Feet (S 273') of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) lying East of the West One Hundred Ninety-eight Feet (W 198') and West of the East Nine Hundred Ninety Feet (E 990') thereof, in Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the 5th Principal Meridian, in the County of Woodbury and State of Iowa.

All that part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4), Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the 5th P.M., Woodbury County, Iowa, described as follows: Commencing at the Southwest (SW) Corner of the Northeast Quarter (NE1/4) of said Section Thirty-two (32); thence South Eighty-eight Degrees Fifty-nine Minutes Forty-five Seconds (S 88°59'45") East a distance of One Hundred Ninety-eight Feet (198.00'), on an assumed bearing on the South line of said Northeast Quarter (NE1/4) to the point of beginning; thence North Zero Degrees Fifty-one Minutes Fifteen Seconds (N 00°51'15") East a distance of One Hundred Ninety-eight Feet (198.00'), on the East line of the West One Hundred Ninety-eight (W 198.00') of said Northeast Quarter (NE1/4); thence South Eighty-eight Degrees Fifty-nine Minutes Forty-five Seconds (S 88°59'45") East a distance of One Hundred Thirty-two Feet (132.00'), to the East line of the West Three Hundred Thirty Feet (W

330.00') of said Northeast Quarter (NE1/4); thence North Zero Degrees Fifty-one Minutes Fifteen Seconds (N 00°51'15") East a distance of Seventy-five Feet (75.00'), on the East line of said West Three Hundred Thirty Feet (W 330.00'); thence South Eighty-eight Degrees Fifty-nine Minutes Forty-five Seconds (S 88°59'45") East a distance of One Hundred Ninety-eight Feet (198.00'); thence South Zero Degrees Fifty-one Minutes Fifteen Seconds (S 00°51'15") West a distance of Two Hundred Seventy-three Feet (273.00'), to the South line of said Northeast Quarter (NE1/4); thence North Eighty-eight Degrees Fifty-nine Minutes Forty-five Seconds (N 88°59'45") West a distance of Three Hundred Thirty Feet (330.00'), to the point of beginning; subject to Easement for public road on the South side thereof.

AND

The full right-of-way of Frontage Road from 2nd Street to Fair Street, including any intersections with the same

AND

The full right-of-way of Fair Street north of Highway 20 for 165 feet

AND

All other City right-of-way or alleys adjacent to the above properties.

EXHIBIT B

FRONTAGE ROAD URBAN RENEWAL AREA MAP

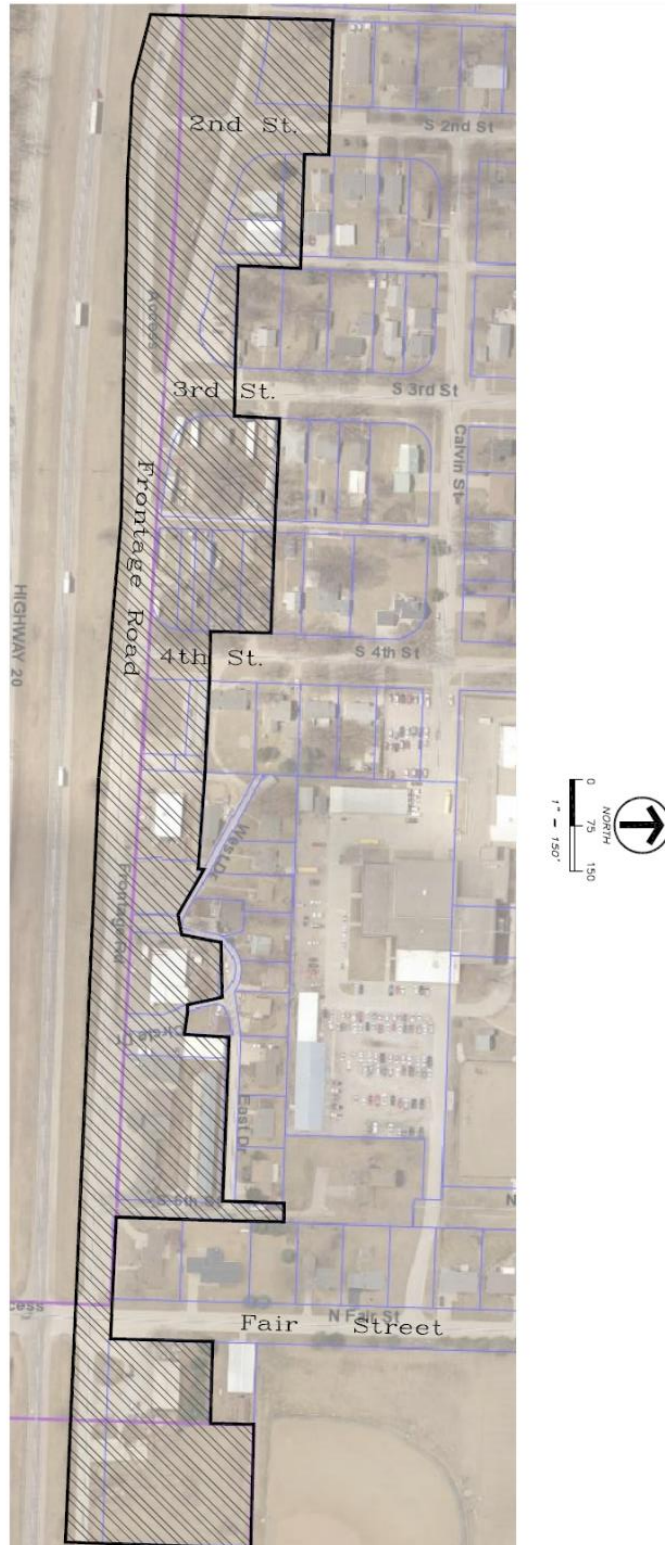


EXHIBIT C

COUNTY CONSENTING RESOLUTION

[See following attached resolution]

01520749-1\15925-024

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

#11a

Date: 10/10/2018 Weekly Agenda Date: 10/16/2018

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

WORDING FOR AGENDA ITEM:

Consider approval of plans for project number L-B(U51)--73-97

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:

Plans have been completed for the replacement of a bridge on 320th Street, east of Hornick. We request approval of the plans for letting.

BACKGROUND:

The county has programmed the 320th Street bridge for replacement. The existing bridge was closed due to failed substructure components. Several properties west of the bridge are landlocked with the closure of this structure. Plans have been completed for the bridge and permitting has been received. The plans are being prepared for a October 30, 2018 local letting in the Boardroom.

FINANCIAL IMPACT:

The projects are paid for with local county secondary road funds.

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

Yes No

RECOMMENDATION:

I recommend that the Board approve the plans for project number L-B(U51)--73-97.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the plans for project number L-B(U51)--73-97.

INDEX OF SHEETS	
No.	Description
1	TITLE SHEET
2	LOCATION PLAN
3	ESTIMATE OF QUANTITIES
4	ESTIMATE REFERENCE INFORMATION
5	GENERAL NOTES
6	SOIL BORING LOGS
7	PLAN VIEW
8	PROFILE
9	SITUATION PLAN
10	TOP OF SLAB ELEVATIONS
11	SOIL BORING LOGS

Project Development Division

PLANS OF PROPOSED IMPROVEMENT ON THE

SECONDARY ROAD SYSTEM WOODBURY COUNTY

BRIDGE REPLACEMENT - C.C.S. PROJECT NO: L-B(U51)--73-97

Willow Township On 320th St. Sec. Northeast Corner Sec. 27, T86N, R45W

UTILITY CONTACTS

WESTERN IOWA TELEPHONE - 712-870-1298
WOODBURY COUNTY REC - 712-870-1031

TRAFFIC CONTROL PLAN

THIS ROAD WILL BE CLOSED TO THROUGH TRAFFIC DURING CONSTRUCTION. LOCAL TRAFFIC TO ADJACENT PROPERTIES WILL BE MAINTAINED AS PROVIDED FOR IN ARTICLE 1107.08 OF THE CURRENT STANDARD SPECIFICATIONS. TRAFFIC CONTROL DEVICES, PROCEDURES, LAYOUTS, AND SIGNING INSTALLED WITHIN THE LIMITS OF THIS PROJECT SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS" AS ADOPTED BY THE DEPARTMENT PER 761 OF THE IOWA ADMINISTRATIVE CODE (IAC) CHAPTER 130.

ALL SAFETY CLOSURES SHALL BE FURNISHED, ERECTED, MAINTAINED AND REMOVED BY THE CONTRACTOR.

MAINTENANCE OF SIGNS, BARRICADES AND SAFETY CLOSURES AS STATED IN ARTICLE 1107.09 SHALL APPLY ON THIS PROJECT.

ROAD CLOSURES ON THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE IN ACCORDANCE WITH ROAD STANDARD TC-252. GUARDRAIL INSTALLATION MUST BE COMPLETE BEFORE THE ROAD IS OPENED TO TRAFFIC.

The Iowa Department of Transportation Standard Specifications for Highway and Bridge Construction, series of 2015, plus current Supplemental Specifications and Special Provisions shall apply to construction work on this project.

Plus Current Special Provisions and Supplemental Specifications

THIS PROJECT IS COVERED BY THE IOWA DEPARTMENT OF NATURAL RESOURCES NPDES PERMIT FP 2018-214. THE CONTRACTOR SHALL CARRY OUT THE TERMS AND CONDITIONS OF PERMIT FP 2018-214. REFER TO SECTION 2602 OF THE STANDARD SPECIFICATIONS FOR ADDITIONAL INFORMATION.

THIS PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT 14. PERMIT CEMVR-0D-P-2018-0619. A COPY OF THIS PERMIT IS AVAILABLE FROM THE WOODBURY COUNTY ENGINEERS OFFICE UPON REQUEST. THE U.S. ARMY CORPS OF ENGINEERS RESERVES THE RIGHT TO VISIT THE SITE WITHOUT PRIOR NOTICE. IOWA D.O.T. NOT REQUIRED

ROAD STANDARD PLANS					
The following Bridge Standards shall be considered applicable to construction work on this project.					
Identification	Date	Identification	Date	Identification	Date
EC 201	10-16-18				
EW-101	10-17-17				
TC-252	04-19-16				

BRIDGE STANDARDS					
The following Standard Plans shall be considered applicable to construction work on this project.					
Identification	Date	Identification	Date	Identification	Date
J24-01-06	06-13	J24-24-06	12-08	J24-43-06	09-14
J24-12-06	06-12	J24-34-06	06-13	J24-44-06	09-16
J24-13-06	07-09	J24-39-06	07-09		
J24-20-06	06-12	J24-40-06	12-08		
J24-21-06	12-08	J24-41-06	07-09		
J24-23-06	05-14	J24-42-06	12-08		

MILEAGE SUMMARY			
Div.	Location	Lin. Ft.	Miles
	STA. 8+10.49 TO STA. 11+48.88	338.39	0.064
	DEDUCT BRIDGE AT STA. 9+63.50	-120.00	-0.023
	TOTAL LENGTH PROJECT	218.39	0.041



Approved
Board of Supervisors

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Date

Iowa Registration Number 11452
Expiration Date 12/31/2018

Pages or sheets covered by this seal:
Pages 1, thru 11

2015 AADT 5 V.P.D.

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

#11b

Date: 10/10/2018 Weekly Agenda Date: 10/16/2018

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

WORDING FOR AGENDA ITEM:

Consideration of a correcting resolution to close and vacate a county road

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Woodbury County approved the vacation of a county line road in Section 2 Arlington Township. This resolution corrects the recorded legal description of the closed roadway.

BACKGROUND:

The Board of Supervisors has the authority to establish, alter, or vacate roads per section 306.10 of the Code of Iowa. Woodbury County passed a resolution to vacate a portion of the county line road east of Highway 140. A new resolution is presented to the board to correct the land description found in error to assure the record is correct.

FINANCIAL IMPACT:

There is no financial impact to the passage of this resolution. Recording this document assures that the record of the land transfer is correctly recorded.

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 correcting resolution to close and vacate the road.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the corrected resolution closing and vacating a portion of Woodbury-Plymouth County Line Road.

RESOLUTION NO. _____

WOODBURY COUNTY, IOWA

A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY

(CORRECTION TO RESOLUTION NO. 12742)

Whereas, this being the date and time set for Hearing on the proposed vacation and closure of the portion of Woodbury County secondary road right of way described as follows:

A parcel of land described as the South 33.00 feet of the South Half of the Southeast Quarter of Section 35, Township 90 North, Range 44 West of the 5th P.M., Plymouth County, Iowa.

EXCEPT: the East 33 feet thereof, (both measured at the Right Angle).

Contains 1.97 acres and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the South line of the SE1/4 of said section 35 is assumed to bear N 89°40'03"W;

AND

A parcel of land described as the East 33.00 feet of the South 33.00 feet, (both measured at a Right Angle) of the Southeast Quarter of the Southwest Quarter of Section 35, Township 90 North, Range 44 West of the 5th P.M., Plymouth County, Iowa. Contains 0.03 acres and is subservient to any and all Easement, be they of record or not.

For the purpose of this Survey the East line of the SW1/4 of said Section 35 is assumed to bear S 00°01'09"E;

AND

A parcel of land described as the North Half of the Northeast Quarter of Section 2, Township 89 North, Range 44 West of the 5th P.M., Woodbury County, Iowa, further described as follows:

Commencing at the Southwest corner of the NW1/4 of the NE1/4 of said Section 2; thence N 01°45'31"E on the West line of the NW1/4 of the NE1/4 of said Section 2, a distance of 262.22 feet to the POINT OF BEGINNING; thence continuing N 01°45'31" E on said West line, a distance of 764.90 feet to the Northwest corner of the NE1/4 of said Section 2; then **S 89°40'03" E** on the North line of said NE1/4; a distance of 2606.77 feet, thence S 00°27'02"W, a distance of 33.00 feet to a point on the South Right of Way Line of 100th Street (the following two courses are common to said Right of Way Line); thence N 89°40'03"W, a distance of 2574.51 feet; thence S 01°45'31"W, a distance of 735.52 feet; thence N 83°22'33"W, a distance of 33.12 feet to the POINT OF BEGINNING; contains 2.53 acres and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the West line of the NW1/4 of the NE1/4 of said Section 2 is assumed to bear N 01°45'31"E;

AND

A parcel of land described as the Northwest Quarter of the Northeast Quarter of Section 2, Township 89 North, Range 44 West of the 5th P.M.; Woodbury County, Iowa, further described as follows:

Commencing at the Southwest corner of the NW1/4 of the NE1/4 of said Section 2; thence N 01°45'31"E on the West line of the NW1/4 of the NE1/4 of said Section 2, a distance of 126.84 feet to the POINT OF BEGINNING; thence continuing N 01°45'31"E, a distance of 135.38 feet; thence S 83°22'33"E, a distance of 33.12 feet to a point on the East Right of way Line of 100th Street; then S 01°45'31"W on said Right of Way Line, a distance of 131.75 feet; thence N 89°40'03"W, a distance of 33.01 feet to the POINT OF BEGINNING; contains 0.10 acres and is subservient to any and all Easement, be they of record or not.

For the purpose of this Survey the West line of the NW1/4 of the NE1/4 of said Section 2 is assumed to bear N 01°45'31"E;

AND

A parcel of land described as the East 33.00 feet of the North 900.00 feet, (both measured at a Right Angle) of the Northeast Quarter of the Northwest Quarter of Section 2, Township 89 North, Range 44 West of the 5th P.M. Woodbury County, Iowa. Containing 0.68 acres and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the East line of the NE1/4 of the NW1/4 of said Section 2 is assumed to bear S 01°45'31"W.

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

AND WHEREAS, this resolution is passed to correct the legal description for the third and fourth parcels of land where legal description errors were noted following recording of resolution number 12742. The resolution was recorded in the office of the Woodbury County Recorder on Roll 759, Image 4919-4921, Document 14,353.

NOW, THEREFORE IT IS RESOLVED, by the Woodbury County Board of Supervisors that the above-described portions of secondary road rights of way are hereby closed and vacated and that all interest in the subject section of road right of way, subject to utility easements of record for ingress and egress, and it is ordered that all interest in the above described parcels be transferred to the closest adjacent landowner.

Signed and dated this ___ day of _____, 2018.

Rocky DeWitt, Chairman

Woodbury County Board of Supervisors

Attested:

Patrick Gill, Woodbury County Auditor

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

#11c

Date: 10/10/2018 Weekly Agenda Date: 10/16/2018

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

WORDING FOR AGENDA ITEM:

Consideration of two corrected quit claim deeds to transfer ownership of a vacated county road

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Woodbury and Plymouth County have completed the joint vacation of a county line road in Section 2 Arlington Township. The corrected quit claim deeds finalize the transfer to the adjacent owners.

BACKGROUND:

A joint hearing was held on June 5, 2018 to vacate the road. Action was taken by both counties to close and vacate the road. Errors in the legal description of two of the former road easements were discovered after recording the deeds. To assure the land records are accurate, we ask that new deeds with corrected legal descriptions be approved by the Board.

FINANCIAL IMPACT:

There is no financial impact with approval of the quit claim deeds.

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 corrected quit claim deeds.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the corrected quit claim deeds that will transfer ownership of a portion of Woodbury-Plymouth County Line Road.

Return Document To: Mark J. Nahra, Woodbury County Engineer
Preparer Information: Darin J. Raymond, Plymouth County Attorney, 215 4th Ave
SE Le Mars, Iowa 51031
Tax Payer Information: Richard F. & Cheryle A. Krosch, and Scott J. & Sonya Krosch,
3080 110th St, Kingsley, IA 51028-0073

QUIT CLAIM DEED

(Correction to Quit Claim Deed recorded on Roll 759, Image 5007-5009, Document 14377)

For the consideration of Zero Dollars and other valuable consideration, Woodbury County, Iowa, does hereby Quit Claim to Richard F. & Cheryle A. and Krosch, Scott J. & Sonya Krosch, all of our rights, titles, interests, estate, claims, and demands in the following described as real estate in Woodbury County, Iowa:

A parcel of land described as the Northwest Quarter of the Northeast Quarter of Section 2, Township 89 North, Range 44 West of the 5th P.M.; Woodbury County, Iowa, further described as follows:

Commencing at the Southwest corner of the NW1/4 of the NE1/4 of said Section 2; thence N 01°45'31"E on the West line of the NW1/4 of the NE1/4 of said Section 2, a distance of 126.84 feet to the POINT OF BEGINNING; thence continuing N 01°45'31"E, a distance of 135.38 feet; thence S 83°22'33"E, a distance of 33.12 feet to a point on the East Right of way Line of 100th Street; then S 01°45'31"W on said Right of Way Line, a distance of 131.75 feet; thence N 89°40'03"W, a distance of 33.01 feet to the POINT OF BEGINNING; contains 0.10 acres and is subservient to any and all Easement, be they of record or not.

For the purpose of this Survey the West line of the NW1/4 of the NE1/4 of said Section 2 is assumed to bear N 01°45'31"E;

This Quit Claim Deed is exempt from transfer tax per Code of Iowa Section 428A.2(21).

This deed corrects an incorrect line call in the quit claim deed to Richard F. & Cheryle A. Krosch, and Scott J. & Sonya Krosch recorded on Roll 759, Image 5007-5009, Document 14377.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

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

Dated this _____ day of _____, 2018.

WOODBURY COUNTY BOARD OF SUPERVISORS

**BY: _____
Rocky DeWitt, Chairman of the Board**

Attested:

Patrick Gill, Auditor

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared, Rocky DeWitt, and Patrick Gill, to me personally known, who, being by me dully sworn, did say that they are the Chairman for the Woodbury County Board of Supervisors, and the Woodbury County Auditor, respectively, of Woodbury County, Iowa; a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation; and that the instrument was signed and sealed on behalf of the corporation, by authority of its Board, as contained in Resolution Number 12,742 passed by Woodbury County Board of Supervisors under roll call of the Board of Supervisors on the 5th day of June, 2018, and Rocky DeWitt and Patrick Gill acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa

Return Document To: Mark J. Nahra, Woodbury County Engineer
Preparer Information: Darin J. Raymond, Plymouth County Attorney, 215 4th Ave
SE Le Mars, Iowa 51031
Tax Payer Information: Gary Janssen, PO Box 73, Kingsley, IA 51028-0073

QUIT CLAIM DEED

(Correction to Quit Claim Deed recorded on Roll 759, Image 5010-5012, Document 14378)

For the consideration of Zero Dollars and other valuable consideration, Woodbury County, Iowa, does hereby Quit Claim to Gary Janssen, all of our rights, titles, interests, estate, claims, and demands in the following described as real estate in Woodbury County, Iowa:

A parcel of land described as the North Half of the Northeast Quarter of Section 2, Township 89 North, Range 44 West of the 5th P.M., Woodbury County, Iowa, further described as follows:

Commencing at the Southwest corner of the NW1/4 of the NE1/4 of said Section 2; thence N 01°45'31"E on the West line of the NW1/4 of the NE1/4 of said Section 2, a distance of 262.22 feet to the POINT OF BEGINNING; thence continuing N 01°45'31" E on said West line, a distance of 764.90 feet to the Northwest corner of the NE1/4 of said Section 2; then S 89°40'03" E on the North line of said NE1/4; a distance of 2606.77 feet, thence S 00°27'02"W, a distance of 33.00 feet to a point on the South Right of Way Line of 100th Street (the following two courses are common to said Right of Way Line); thence N 89°40'03"W, a distance of 2574.51 feet; thence S 01°45'31"W, a distance of 735.52 feet; thence N 83°22'33"W, a distance of 33.12 feet to the POINT OF BEGINNING; contains 2.53 acres and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the West line of the NW1/4 of the NE1/4 of said Section 2 is assumed to bear N 01°45'31"E;

This Quit Claim Deed is exempt from transfer tax per Code of Iowa Section 428A.2(21).

This deed corrects an incorrect line call in the quit claim deed to Gary Janssen recorded on Roll 759, Image 5010-5012, Document 14378.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

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

Dated this _____ day of _____, 2018.

WOODBURY COUNTY BOARD OF SUPERVISORS

BY: _____
Rocky DeWitt, Chairman of the Board

Attested:

Patrick Gill, Auditor

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared, Rocky DeWitt, and Patrick Gill, to me personally known, who, being by me dully sworn, did say that they are the Chairman for the Woodbury County Board of Supervisors, and the Woodbury County Auditor, respectively, of Woodbury County, Iowa; a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation; and that the instrument was signed and sealed on behalf of the corporation, by authority of its Board, as contained in Resolution Number 12,742 passed by Woodbury County Board of Supervisors under roll call of the Board of Supervisors on the 5th day of June, 2018, and Rocky DeWitt and Patrick Gill acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa

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

#11d

Date: 10/10/2018 Weekly Agenda Date: 10/16/2018

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

WORDING FOR AGENDA ITEM:

Consider approval of letter to the City Development Board in regard to the annexation of Frontage Road in Merville

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

A letter is being presented for board approval to request that the City Development Board annex Frontage Road west of Fair Avenue into the city of Merville.

BACKGROUND:

Frontage Road west of Fair Avenue was not annexed into the city of Merville when it was transferred to local jurisdiction by the Iowa Highway Comm. Section 368.7A.1 of the Code of Iowa allows the county to request the annexation of such roads into a city up to the road centerline, when a common boundary is shared and the right of way is excluded from annexation.

FINANCIAL IMPACT:

There have been discussions about making improvements to Frontage Road in Merville. Should such project work become reality, the annexation of Merville's portion of the road as discussed in 368.7A will assure that costs for these improvements are shared by the city and county.

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

Yes No

RECOMMENDATION:

I recommend that the Board approve the letter and direct the chair to sign it and send it to the City Development Board.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the letter and direct the chair to sign it and send it to the City Development Board.

October 3, 2018

Mr. Matt Rasmussen
200 East Grand Avenue
Des Moines, Iowa 50309

RE: Annexation of Frontage Road, Merville, Iowa

Dear Mr. Rasmussen:

The Woodbury County Board of Supervisors requests that the city development board review the status of Frontage Road, Merville Iowa, as shown on the attached map. It is the belief of the Board of Supervisors and our County Engineer that the city's annexation needs to be corrected and that the northern half of Frontage Road right of way up to the centerline be transferred to the city of Merville. The County requests this correction under the terms of section 368.7A, Secondary road annexation, of the Code of Iowa.

Attached to this letter you will find a map and legal description of the road segment for which this request applies. The letter shall notify the city development board of the existence of that portion of any secondary road which extends to the center line but has not become part of the city by annexation and has a common boundary with the city of Merville. This roadway is not subject to a chapter 28E agreements on jurisdictional transfer of roads and is only a corporate line road. We ask that the city development board certify that the notification is correct and declare the portion of the road extending to the center line, be annexed to the city as of the date of certification.

The legal description of the right of way is as follows:

A parcel of land described as the Northwest Quarter of Section 32, Township 89 North, Range 44 West of the 5th P.M., Woodbury County Iowa, further described as follows:

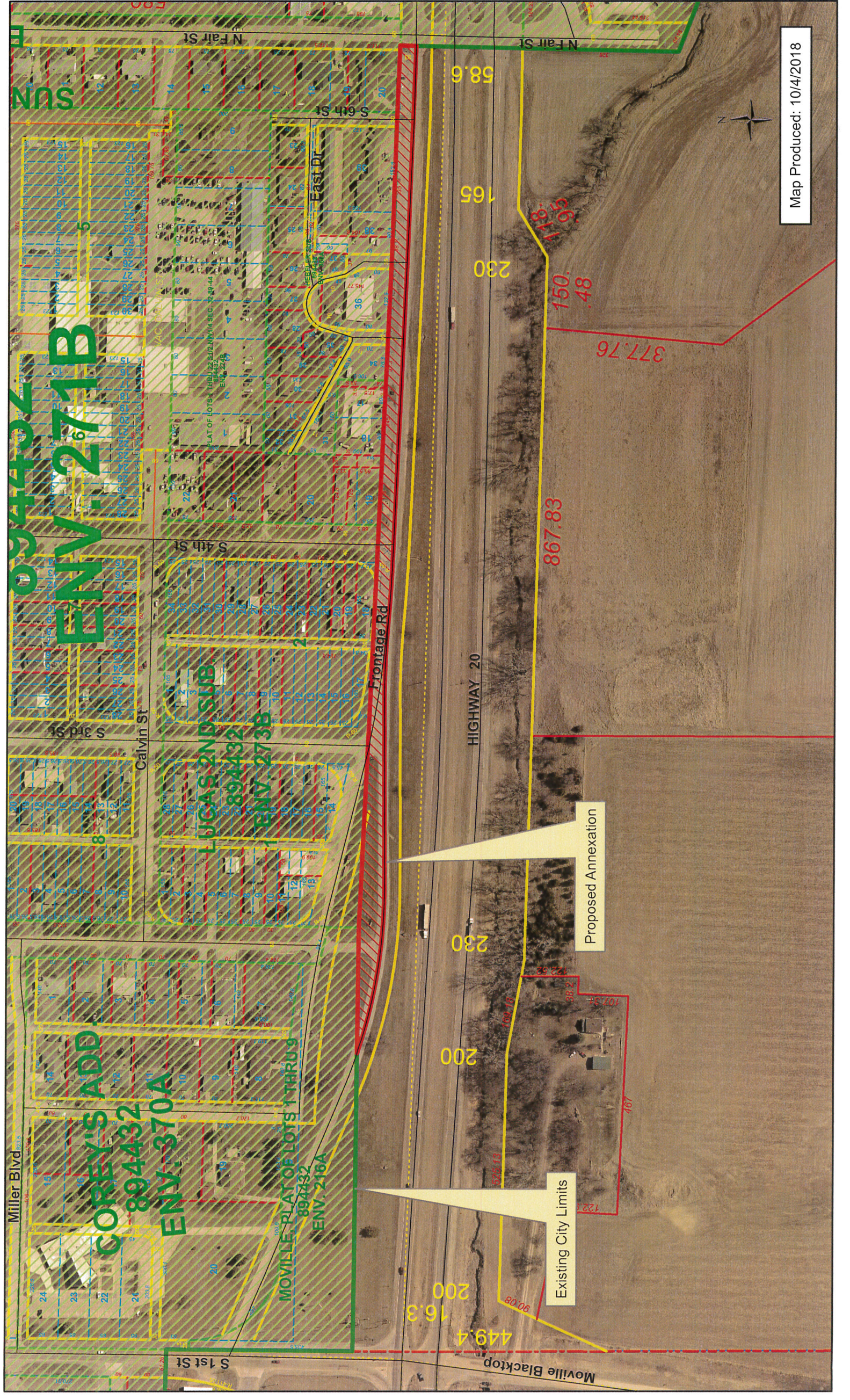
All land lying north of the following described centerline of Frontage Road and south of the existing southern city limits of Merville, Iowa. Said centerline beginning at the intersection of the centerline of Frontage Rd and the west right of way line of Fair St in the City of Merville, Iowa. Thence west along the centerline of Frontage Rd approximately 2150' to the existing south city limit line.

Please contact the Woodbury County Engineer, Mark Nahra, if you have questions about the road and the requested annexation. He can be reached at 712-873-3215 or by email at mnahra@woodburycountyiowa.gov. Thank you for your attention.

Sincerely,

Rocky DeWitt, Chairman
Woodbury County Board of Supervisors

CC: Woodbury County Engineer
City of Merville



ENV-271B

COREY'S ADD
894432
ENV-370A

LUCAS 2ND SUB
894432
ENV-273B

MOVILLE, PLAT OF LOTS 1 THRU 9
894432
ENV-216A

Proposed Annexation

Existing City Limits

Map Produced: 10/4/2018



SUN

Miller Blvd

S 1st St

Calvin St

S 3rd St

S 4th St

S 6th St

N Fair St

HIGHWAY 20

Frontage Rd

Moville Blacktop

449.4
200
16.3

200

230

867.83

377.76

150.
.48

116.5

165

230

58.6

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

#12

Date: Oct. 10, 2018 Weekly Agenda Date: Oct. 16, 2018

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Rocky De Witt

WORDING FOR AGENDA ITEM:

Establish date for first public reading of ATV/UTV Ordinance on secondary roads in Woodbury County

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:

Open board meeting to public hearing to adopt an ordinance for ATV/UTV usage on Woodbury County secondary roads.

BACKGROUND:

Forty-two counties in Iowa have an ordinance or resolution in place allowing ATV/UTV and other off-road vehicles on secondary roads. At this time, there are 4 additional counties in the discussion phase of same topic. Various requirements would need to be met including age restrictions, registration of vehicle, liability insurance, drivers licensed, etc.

FINANCIAL IMPACT:

Potentially a small revenue stream would be returned to the county for registration fees.

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

Yes No

RECOMMENDATION:

Approve motion to proceed with public input readings, direct Chairman to set a date for said public hearing for October 30th regular board meeting.

ACTION REQUIRED / PROPOSED MOTION:

Motion and second and vote to begin public hearings on October 30, 2018, the first reading of a potential three readings.

Woodbury County, Iowa

TITLE IV STREETS, ROADS, & PUBLIC HIGHWAYS

CHAPTER 9 OPERATION OF ALL-TERRAIN AND OFF-ROAD UTILITY VEHICLES

4-9-1 PURPOSE: The purpose of this Resolution is to designate that portion of county highways upon which All-Terrain Vehicles and Utility Vehicles may be operated during a specified period, to specify said period, and to establish regulations regarding such operation.

4-9-2 DEFINITIONS: (1) "All-terrain vehicle," as defined by Iowa Code Section 321I.1(1)(a), means a motorized vehicle with not less than three and not more than six nonhighway tires that is limited in engine displacement to less than one thousand cubic centimeters and in total dry weight to less than one thousand two hundred pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.

(2) "Off-Road Utility Vehicle", as defined in Iowa Code Section 321I.1(17), means a motorized flotation-tire vehicle with not less than four and not more than eight low-pressure tires that is limited in engine displacement to less than 1,500 cubic centimeters and in total dry weight to not more than 1,800 pounds and that has a seat of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control.

(3) "Roadway", as defined in Iowa Code Section 321I.1, means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

4-9-3 OPERATION ON ROADWAYS: If an All-Terrain or Off-Road Utility Vehicle is properly registered pursuant to Iowa Code Section 321I.3, the same may be operated on any Woodbury County, Iowa, roadway, such operation limited to roadways lying outside the city limits of any incorporated city which does not have an ordinance or other regulation in effect allowing such operation, and such operation further limited to the hours from official sunrise to official sunset of the same day, as established by the National Weather Service.

4-9-4 UNLAWFUL OPERATIONS: (1) A person shall not drive or operate an All-Terrain or Off-Road Utility Vehicle:

- a. At a rate of speed in excess of the posted speed limit, nor greater than reasonable or proper under all existing circumstances.
- b. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.
- c. While under the influence of intoxicating liquor or narcotics or habit-forming drugs.
- d. Without a lighted headlight and taillight.
- e. In any tree nursery or planting in a manner which damages or destroys growing stock.
- f. On any public land, ice, or snow, in violation of official signs of the commission prohibiting such operation in the interest of safety for persons, property, or the environment. Any officer appointed by the commission may post an official sign in an emergency for the protection of persons, property, or the environment.

g. In any park, wildlife area, preserve, refuge, game management area, or any portion of a meandered stream, or any portion of the bed of a non-meandered stream, which has been identified as a navigable stream or river by rule adopted by the department and which is covered by water, except on designated riding areas and designated riding trails. This paragraph does not prohibit the use of ford crossing of public roads or any other ford crossing when used for agricultural purposes; the operation of construction vehicles engaged in lawful construction, repair, or maintenance in a streambed; or the operation of all-terrain vehicles on ice.

h. Upon an operating railroad right-of-way. An All-Terrain or Off-Road Utility Vehicle may be driven directly across a railroad right-of-way only at an established crossing and, notwithstanding any other provisions of law, may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic. This paragraph does not apply to a law enforcement officers or employee's duties or to an employee of a utility with authority to enter upon the railroad right of-way in the lawful performance of the employee's duties.

(2) A person shall not operate or ride in an All-Terrain or an Off-Road Utility Vehicle with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case. However, a non-ambulatory person may carry an uncased and unloaded forearm while operating or riding in an All-Terrain or Off-Road Utility Vehicle.

(3) A person shall not operate an All-Terrain or Off-Road Utility Vehicle:

a. With more persons on the vehicle than it was designated to carry.

b. Paragraph "a" does not apply to a person who operates an All-Terrain or Off-Road Utility Vehicle as part of a farm operation as defined in Iowa Code Section 352.2.

(4) A person shall not operate an All-Terrain or Off-Road Utility Vehicle on a designated riding area or designated trail unless the riding area or trail is signed as open to Off Road Utility Vehicle operation.

(5) A person shall not operate a vehicle other than an All- Terrain or Utility Vehicle on a designated riding area or designated trail unless the riding area or trail is signed as open to such other use.

(6) A person shall not operate an All-Terrain or Off-Road Utility Vehicle unless the operator is 18 years of age or older and has a valid Iowa Driver's License; unless the vehicle is duly registered; and unless the operator has proof of insurance complying with that required of the operator of a motor vehicle pursuant to applicable Iowa Statutes, Rules, and Regulations, including but not limited to Iowa Code Sections 321.20B and 321A.21.

4-9-5 EXEMPT VEHICLES: Registration shall not be required for all-terrain vehicles used exclusively to conduct agricultural operations pursuant to Iowa Code section 321I.9(3).

4-9-6 PENALTIES: Violation of this Ordinance shall constitute a SIMPLE MISDEMEANOR punishable by a minimum fine of \$65.00, a maximum fine of \$625.00, plus applicable surcharges and court costs, and/or up to thirty (30) days in jail.

4-9-7 EFFECTIVE DATE: This ordinance shall become effective on November 13, 2018.