



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(JULY 7, 2020) (WEEK 28 OF 2020)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Boardroom Phone: 712-224-6014

Due to the Governor’s proclamation issued March 20th access to this meeting will be by live streaming on YouTube with telephonic access by telephone number listed above.

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	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 July 7, 2020 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

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

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

Consent Agenda

Items 3 through 6 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

3. Approval of the minutes of the June 30, 2020 meeting
4. Approval of claims
5. Juvenile Detention – Ryan Weber
Receive Juvenile Detention June population report

- 6. Secondary Roads – Mark Nahra
 - a. Approve the underground utility permit for Frontier Communications for fiber optic cable and equipment on Lee Avenue Action
 - b. Approve the underground utility permit for CenturyLink for a telephone drop on Pocahontas Avenue Action

End Consent Agenda

- 7. Emergency Management – Rebecca Socknat
 - Approval of resolution of the 2020 Regional Hazard Mitigation Plan Action

- 4:40 p.m.** 8. Community & Economic Development – David Gleiser
(Set time)
 - a. Public hearing to discuss a proposed Zoning District Map Amendment (Weed) Action
 - b. Motion to conduct the second reading of the ordinance and waive the third/final reading Action

- 4:45 p.m.** 9. Board Administration – Dennis Butler
(Set time)
 - a. Public hearing on General Obligation County Road Improvements Loan Agreement and Bonds Action
 - b. Approval of resolution expressing intent to enter into 2020 General Obligation Urban Renewal County Road Improvements Loan Agreement and issue 2020 General Obligation Bonds in an amount not to exceed \$10,000,000 Action

- 4:50 p.m.** 10. Community & Economic Development – David Gleiser
(Set time)
 - a. Public hearing to discuss a proposed Zoning District Map Amendment (Swanger) Action
 - b. Motion to conduct the second reading of the ordinance and waive the third/final reading Action

- 4:55 p.m.** c. Public hearing to discuss a proposed Zoning District Map Amendment (Peterson) Action
(Set time)
 - d. Motion to conduct the second reading of the ordinance and waive the third/final reading Action

- 11. Community & Economic Development – David Gleiser
 - a. Motion to receive the Zoning Commission’s recommendation from their 6/23/20 meeting to approve the final plat Action
 - b. Motion to approve the Teri Addition Minor Subdivision plat and authorize Chairman to sign the resolution Action
 - c. Motion to receive the Zoning Commission’s recommendation from their 6/23/20 meeting to approve the final plat Action
 - d. Motion to approve the Walnut View Addition Minor Subdivision plat and authorize the Chairman to sign the resolution, or motion to table the Walnut View Addition Minor Subdivision until the applicant can provide a final plat as it is to be recorded Action

- 12. Secondary Roads – Mark Nahra
 - a. Approval of contract and bond with Dixon Construction for the replacement of the Hancock Avenue bridge for \$603,460.90 and that the Board approves and sign the resolution directing the county engineer to electronically sign the contract and bond Action
 - b. Approval of contract and bond with Dixon Construction for the replacement of the Hancock Avenue bridge for \$501,470.00 and that the Board approves and sing the resolution directing the county engineer to electronically sign the contract and bond Action

- 13. Board Administration – Dennis Butler
 - a. Approval of resolution fixing July 21, 2020 at 4:45 p.m. for a public hearing on the proposal to enter into a Lease Agreement with the Woodbury County Law Enforcement Center Authority Action
 - b. Approval to de-obligate \$7,856 from Senior Community Services Employment Program and \$20,000 from Woodbury County Fair allocations Action

- 14. Reports on Committee Meetings Information

- 15. Citizen Concerns Information

- 16. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- MON., JULY 6 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., JULY 7 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., JULY 8 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 10:00 a.m.** STARComm Executive Board meeting, The Security Institute
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 2:30 p.m.** Sioux City Conference Board Meeting, City Council Chambers
- 8:00 p.m.** County's Mayor Association Meeting, Public Safety Center, Climbing Hill
- WED., JULY 15 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- THU., JULY 16 4:00 p.m.** Conservation Board Meeting, Little Sioux Park
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- WED., JULY 22 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., JULY 23 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- MON., JULY 27 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., JULY 28 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- MON., AUG. 3 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., AUG. 4 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., AUG. 5 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
- THU., AUG. 6 10:00 a.m.** COAD Meeting, The Security Institute

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.

JUNE 30, 2020, TWENTY-SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, June 30, 2020 at 4:30 p.m. Board members present were Pottebaum, Radig, De Witt, and Ung, by phone. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget/Tax Analyst, Melissa Thomas, HR Director, and Patrick Gill, Auditor/Clerk to the Board.

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

- 1. There were no citizen concerns.
- 2. Motion by Radig second by De Witt to approve the agenda for June 30, 2020, Carried 4-0. Copy Filed.

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

- 3. To approve minutes of the June 23, 2020 meeting. Copy filed.
- 4. To approve the claims totaling \$309,678.66. Copy filed.
- 5a. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Michael Rodriguez, 3308 E. 22nd St., Sioux City, parcel #894723177005.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,011
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

WHEREAS, Michael Rodriguez, is the titleholder of property located at 3308 E. 22nd St., Sioux City, IA, Woodbury County, Iowa, and legally described as follows:

Parcel #894723177005

CALLS PLATEAU EX E ½ LOT 16

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

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

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

SO RESOLVED this 30th day of June, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 5b. To approve the appointment of Polly Meisner, 6458 B Ave., Pierson, IA, and Julie Hamann, 4424 230th St., Correctionville, IA, to the Woodbury County Library Board. Copy filed.
- 6. To approve the transfer of funds from General Basic Fund to the Debt Service Fund in the amount of \$20,000. Copy filed.
- 7. To approve the appointment of Seth Butler, Civilian Jailer, County Sheriff Dept., effective 07-06-20, \$20.46/hour. Job Vacancy Posted 5-20-20. Entry Level Salary: \$20.46/hour.; and the appointment of Daniel Luesebrink, Sheriff Deputy, County Sheriff Dept., effective 07-16-20, \$29.23/hour. Appointment by County Sheriff. Copy filed.

Carried 4-0.

8a. Motion by Radig second by De Witt to receive for signatures the Appropriation Resolution for FY 2021. Carried 4-0.

**WOODBURY COUNTY, IOWA
APPROPRIATION RESOLUTION
FOR FISCAL YEAR 2021
RESOLUTION #13,012**

Whereas, it is desired to make appropriations for each Service Area and Program Activity of County Government for the Fiscal Year 2021, beginning July 1, 2020, and

Now, therefore, be it resolved by the Woodbury County Board of Supervisors that the amounts detailed by Service Area on the Adopted FY 2021 Woodbury County Budget Summary Form 638-R constitute the authorization to make expenditures from the County's funds beginning July 1, 2020 and continuing until June 30, 2021, and

Futhermore, this Appropriation Resolution extends the spending authority of each County Program Activity to the amount appropriated to it as follows:

Fund/Dept <u>Division</u>	<u>Amount</u>	Fund/Dept <u>Division</u>	<u>Amount</u>	Fund/Dept <u>Division</u>	<u>Amount</u>	Fund/Dept <u>Division</u>	<u>Amount</u>
0001-0030	701,034	0001-1000	1,564,276	0001-1002	34,402	0001-1004	29,228
0001-1011	450,049	0001-1013	20,460	0001-1040	643,817	0001-1050	7,012,575
0001-1060	1,650,338	0001-1061	138,781	0001-1100	2,354,076	0001-1102	119,668
0001-1104	220,746	0001-1105	162,239	0001-1106	45,296	0001-1110	191,000
0001-1540	536,813	0001-1610	571,406	0001-3040	2,715,281	0001-3100	125,800
0001-3101	26,950	0001-3110	100,000	0001-3200	308,933	0001-3201	10,000
0001-3210	35,000	0001-6100	496,226	0001-6110	1,115,727	0001-6120	426,616
0001-6123	54,500	0001-8100	1,089,637	0001-8110	748,938	0001-9000	388,610
0001-9001	363,654	0001-9010	309,295	0001-9020	531,961	0001-9030	345,037
0001-9031	11,821	0001-9032	4,000	0001-9033	63,650	0001-9101	700,368
001-9102	649,711	0001-9103	467,484	0001-9104	2,500	0001-9105	12,117
0001-9106	5,000	0001-9108	524,598	0001-9109	21,258	0001-9110	1,305,227
0002-1200	594,880	0002-1210	133,214	0002-1231	70,379	0002-1400	26,250
0002-1430	302,818	0002-1500	36,000	0002-1520	948,351	0002-1620	351,000
0002-3300	1,991,625	0002-3310	200,000	0002-8000	412,230	0002-8002	195,412
0002-9200	800,000	0003-9000	302,369	0007-1060	113,923	0008-1050	121,380
0009-1050	254,846	0010-4022	211,988	0010-4075	81,678	0010-4222	49,008
0010-4413	3,861,799	0011-011	235,531	0011-1000	1,040,321	0011-6000	39,000
0011-6010	95,216	0011-6020	242,074	0011-6200	7,067	0011-6320	277,869
0011-8020	7,000	0020-0020	1,600,000	0020-7000	11,000	0020-7001	3,000
0020-7010	960,610	0020-7011	16,500	0020-7012	14,000	0020-7013	76,000
0020-7014	65,000	0020-7100	100,000	0020-7101	190,000	0020-7110	25,000
0020-7111	3,863,431	0020-7112	18,000	0020-7113	2,310,000	0020-7120	2,500
0020-7130	220,000	0020-7200	1,155,000	0020-7210	463,000	0020-7211	805,000

0020-7212	104,000	0020-7220	7,000	0020-7221	15,000	0020-7222	125,000
0020-7230	5,000	0020-7231	40,000	0020-7232	110,000	0021-0200	400,000
0023-6100	100,000	0024-8111	220,000	0028-8111	2,700	0029-1201	251,353
0030-1200	169,472	0031-9001	250,141	0040-0000	200,000	0040-0801	70,000
0040-0802	10,000	0059-1200	5,000	0061-6400	238,226	0067-6100	550,000
0067-6121	3,500	0067-6122	80,663	0074-1100	145,000	0078-1060	4,000
0086-1100	70,000	1500-1060	500,000	1500-1200	78,000	1500-1210	123,066
1500-6110	600,000	1500-9101	270,000	1500-9106	28,000	2000-0101	100,000
2000-0103	371,740	2000-0105	157,512	2000-0107	180,000	2220-0108	375,000
2000-0109	272,852	2000-0111	13,930	2000-0113	51,783	2000-0115	15,374
2000-0117	22,500	2000-0118	22,500	2000-0119	21,692		

Accordingly, until such time as a Service Area is identified as progressing to a spending level challenging its appropriation, a budget amendment per 331.435 will not be implemented,

However, should a Program Activity approach a spending level challenging its appropriation level, and the Service Area continues balanced, the Board of Supervisors will be requested to increase the Program's spending authority by resolving to permit such, and,

Additionally, the Board of Supervisors may be requested to decrease a Program's appropriation by 10% or \$5,000, whichever is greater, to appropriate a like amount to a Program Activity requesting same: 331.434 sub 6 will govern actions in this regard.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 8b. Motion by Pottebaum second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,013**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Supplemental to the General Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to fund the appropriations for the matching FICA, IPERS, Health Insurance, Life Insurance and LTD costs expended from the General Basic Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Supplemental Fund to the General Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 6,707,235

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Pottebaum to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,014**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Services Fund to the County Library Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move the taxes, levied on the township valuations, to the County Library Fund to pay the their share of the expenses of the County Library.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Services Fund to the County Library Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 163,216.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,015**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Services Fund to the Secondary Roads Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move the taxes, levied on the township valuations, to the Secondary Roads Fund to pay their share of the expenses of the Secondary Roads Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Services Fund to the Secondary Roads Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 1,500,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,016**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Gaming Fund to the General Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming revenues to the General Basic Fund for property tax reductions,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Fund to the General Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 137,680.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,017**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Local Option Sales Tax Fund to the Rural Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Local Option Sales Tax Fund revenues to the Rural Basic Fund for the funding of the Economic/Community Development department,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Local Option Sales Tax Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 278,404.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,018

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Local Option Sales Tax Fund to the Rural Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Local Option Sales Tax revenues to the Rural Basic Fund for the funding of Soil Conservation,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Local Option Sales Tax Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 39,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,019

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Gaming Revenues Fund to the Sheriff's Training Center Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenues to the Sheriff's Training Center Fund to pay in part the lease/purchase for the new Center,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the Sheriff's Training Center Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 74,344.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,020

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Basic Fund to the Emergency Paramedic Services Fund during the Fiscal Year 2020-21 budget, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move General Basic revenues to the Emergency Paramedic Services Fund to pay half of the paramedics salaries and benefits.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Basic Fund to the Emergency Paramedic Services Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 127,355.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County

Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,021**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Fund to the Emergency Paramedic Services Fund during the Fiscal Year 2020-21 budget, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Rural Basic revenues to the Emergency Paramedic Services Fund to pay half of the paramedics salaries and benefits.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Fund to the Emergency Paramedic Services Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 127,355.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,022**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Tax Increment Fund to the Debt Service Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Tax Increment Fund revenues to the Debt Service Fund to pay FY 2021 principal and interest for the 2017 Tax Increment G.O. .

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Tax Increment Fund to the Debt Service Fund

for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 397,500.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,023**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Gaming Revenue Fund to the General Supplemental Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenues Fund to the General Supplemental Fund to reduce tax askings in the General Supplemental Fund

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the General Supplemental Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 8,322.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,024**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Gaming Revenues Fund to the Rural Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenue Fund revenues to the Rural Basic Fund to reduce tax askings in the Rural Basic Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 111,285.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by de Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operation Transfers for FY 2021. Carried 4-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS
RESOLUTION #13,025**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Secondary Road Fund to the General Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Secondary Road Fund revenues to the General Basic Fund to reimburse the purchase of the Briese Farm.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 100,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

9a. Motion by Radig second by Pottebaum to receive the Zoning Commission's recommendation from their 5/26/20 meeting to approve the final plat for the Clemz Addition Minor Subdivision. Carried 4-0. Copy filed.

BOARD OF SUPERVISORS RESOLUTION
RESOLUTION #13,026
RESOLUTION ACCEPTING AND APPROVING CLEMZ ADDITION, A MINOR
SUBDIVISION TO WOODBURY COUNTY, IOWA

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE 30TH DAY OF JUNE, 2020, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS CLEMZ ADDITION, WOODBURY COUNTY, IOWA; AND

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

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

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

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

PASSED AND APPROVED THIS 30TH DAY JUNE, 2020.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9b. Motion by Radig second by De Witt to receive the Zoning Commission's recommendation to approve the zoning district map amendment (Gayle Dee Weed). Carried 4-0. Copy filed.
- 9c. A public hearing was held at 4:40 p.m. for the zoning district map amendment. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by Pottebaum to approve the zoning district map amendment. Carried 4-0. Copy filed.
- 9d. Motion by De Witt second by Radig conduct the first reading of the ordinance. Carried 4-0. Copy filed.
- 9e. Motion by De Witt second by Pottebaum to receive the Zoning Commission's recommendation to approve the zoning district map amendment (Chad Swanger of the Terry Swanger Irrevocable Trust). Carried 4-0. Copy filed.
- 9f. A public hearing was held at 4:45 p.m. for the zoning district map amendment. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by Pottebaum to approve the zoning district map amendment. Carried 4-0. Copy filed.
- 9g. Motion by Radig second by to Pottebaum conduct the first reading of the ordinance. Carried 4-0. Copy filed.
- 9h. Motion by Radig second by Pottebaum to receive the Zoning Commission's recommendation to approve the zoning district map amendment (Brian D. Peterson). Carried 4-0. Copy filed.
- 9i. A public hearing was held at 4:50 p.m. for the zoning district map amendment. The Chairperson called on anyone wishing to be heard.

Gary Walters, Sioux City, Brian Peterson, Lawton, James Loomis, Bronson and Dan Peterson, Lawton participated in the public hearing.

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

Motion by Radig second by De Witt to approve the zoning district map amendment. Carried 4-0. Copy filed.

9j. Motion by Radig De Witt second by to conduct the first reading of the ordinance. Carried 4-0. Copy filed.

10. Motion by Radig second by De Witt to postpone action to approve using a Quality Assurance Questionnaire on future construction contracts. Carried 4-0. Copy filed.

11. The Board heard reports on committee meetings.

12. There were no citizen concerns.

13. Board concerns were heard.

The Board adjourned the regular meeting until July 7, 2020.

Meeting sign in sheet. Copy filed.

June Census

BIA

1. 1 Day 22 hours when released

OMAHA NATION/MACY

1. 16 days 11 hours when released

CATCH AND RELEASE

1. 1 hour 5 minutes when released
2. 4 hours 10 minutes when released
3. 2 hours
4. 5 hours 10 minutes when released
5. 3 hours 20 minutes when released
6. 2 hours 45 minutes when released
7. 15 hours 20 minutes when released
8. 3 hours 50 minutes when released
9. 1 hour 50 minutes when released
10. 2 hours 17 minutes when released
11. 5 hours 20 minutes when released
12. 2 hours 15 minutes when released

WOODBURY CO. ADULT COURT

1. 151 days when released
2. 124 days 23 hours as of today
3. 2 days 20 hours when released

WOODBURY CO. JUVENILE HOLDS

1. 22 days 19 hours when released
2. 35 days 21 hours when released
3. 14 days 3 hours when released

OUT OF COUNTY HOLDS

1. 14 days when released (Dakota Co.)
2. 39 days 2 hours as of today (Monona Co.)
3. 54 days 15 hours as of today (Monona Co.)
4. 3 hours 5 minutes when released (Crawford Co.)
5. 11 days 5 hours when released (Sioux Co.)
6. 2 hours 20 minutes when released (Monona Co.)
7. 3 hours 10 minutes when released (Monona Co.)
8. 2 days 5 hours when released (Monona Co.)

INTERSTATE COMPACTS

1. 8 days 14 hours when released
2. 1 day 22 hours when released
3. 6 days 11 hours when released

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

#6a

Date: 07/01/2020 Weekly Agenda Date: 07/07/2020

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

WORDING FOR AGENDA ITEM:

Consideration of a utility permit for installation of new fiber optic cable in county right of way for Frontier Communications.

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:

Frontier Communications has applied for a permit to allow the installation of a telephone line in county right of way.

BACKGROUND:

Work in county ROW requires a permit approved by the Board of Supervisors per section 318.8 of the Code of Iowa. The county engineer has reviewed the location and recommends that the work be allowed.

FINANCIAL IMPACT:

No financial impact to the 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:

Recommend approval of the permit for Frontier Communications for fiber optic cable and equipment on Lee Avenue.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the underground utility permit for Frontier Communications for fiber optic cable and equipment on Lee Avenue and to direct the chair to sign the permit.

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

2456240 - Pierson Rmt AB
2456242 - Pierson Rmt 005

REQUEST BY APPLICANT:

Name Frontier Communications

Highway Lee Ave

Township Rutland

Address 622 1st Ave Fort Dodge, IA 50501

City of _____

Office Phone 515-573-1268 Local Phone _____

Section: $\frac{1}{4}$ of $\frac{1}{4}$ Sec 3,10,15,22,27,34

Type of Utility Installation Fiber optic telecommunications

T 89 N, R 43 W

Plans Prepared By _____

Copy Enclosed _____ Yes _____ No

Map Showing Location Enclosed Yes _____ No

Utility Location is cross right-of-way
 overhead

parallel to right-of-way
 underground

Proposed Method of Installation

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

Estimated Starting Date 7/1/2020

Estimated Restoration Date 12/30/2020

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

By 
(Signature of Authorized Utility Representative)

Title Mid-State Consultants Permit Asst.

Date 6/30/2020

PERMIT APPROVAL BY PERMITTING AUTHORITY

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

By _____
(Signature of Woodbury County Board Chairman)

Title _____

Date _____

By _____
(Signature of Woodbury County Engineer)

Title _____

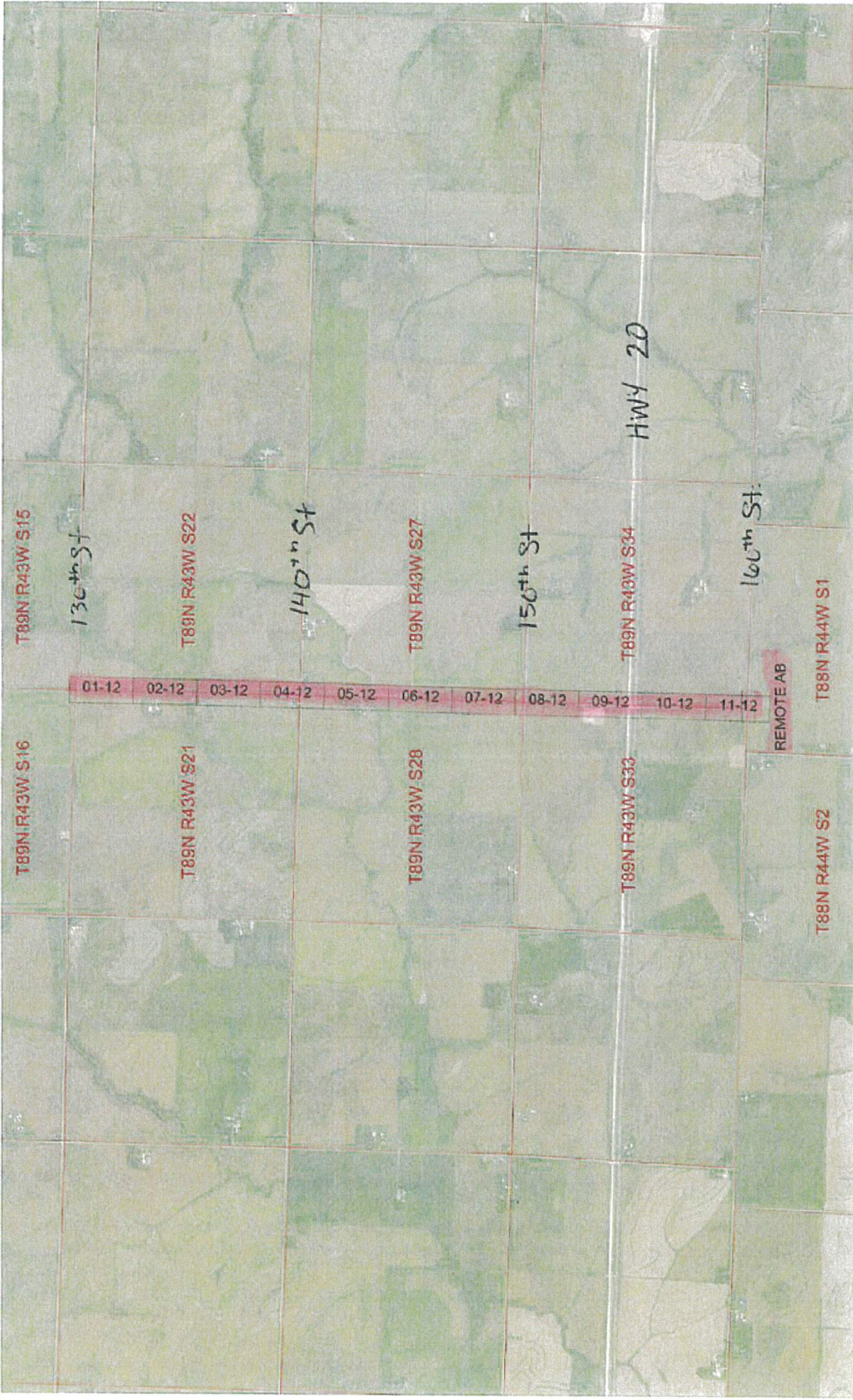
Date _____

Other Special Provisions:

Permit Provisions and Conditions of Issuance

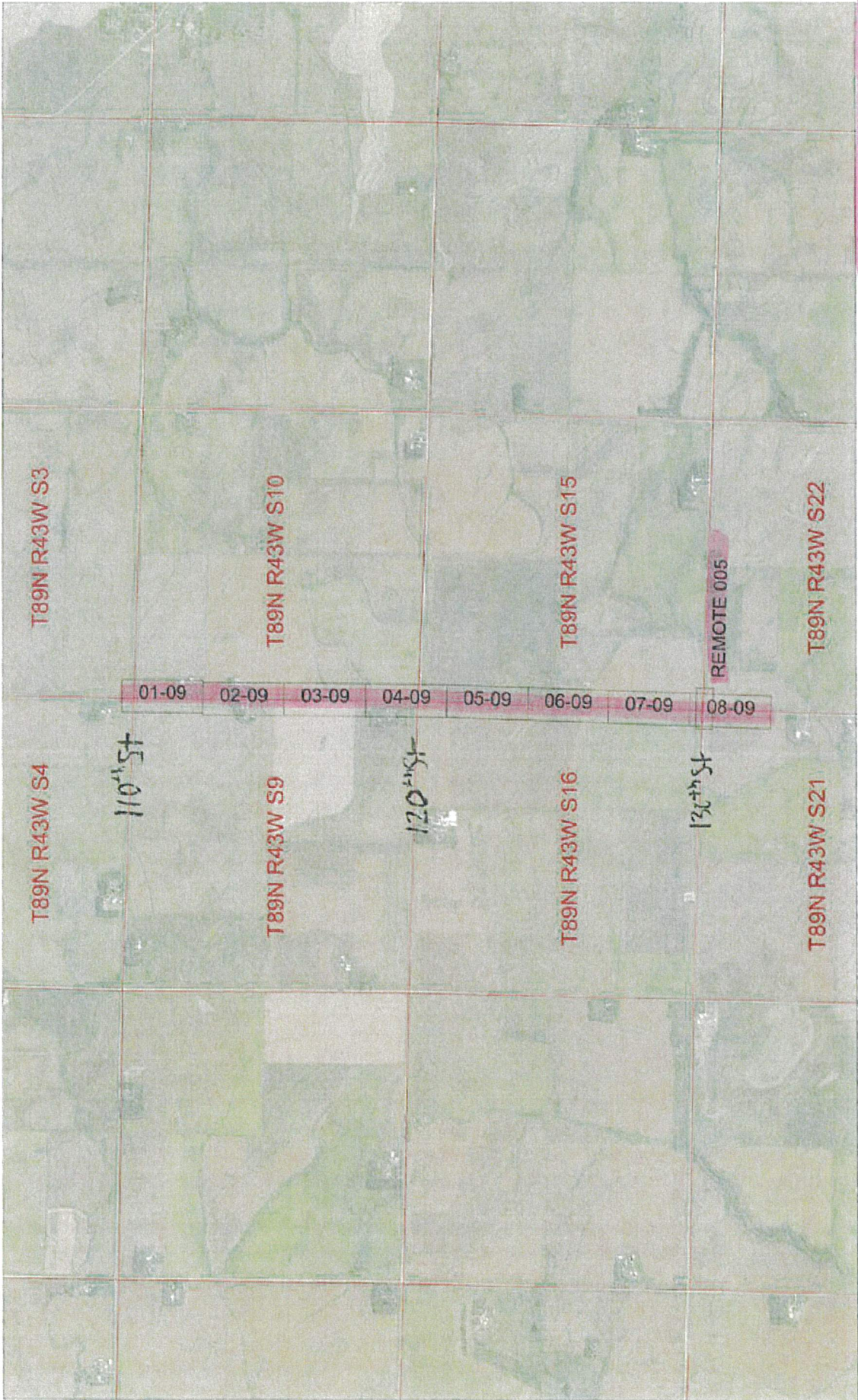
- 1. The County and/or the County Board of Supervisors will not be charged with any responsibility for damages to the Applicant's property occasioned by any construction or maintenance operations on said county roads, including new or additional right-of-way acquired in connection therewith, subsequent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

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



2456240 PIERSON

RMT AB



2456242 PIERSON

RMT 005

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

Date: 07/01/2020 Weekly Agenda Date: 07/07/2020

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

WORDING FOR AGENDA ITEM:

Consideration of a utility permit for installation of new telephone line in county right of way for the CenturyLink.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

CenturyLink has applied for a permit to allow the installation of a telephone line in county right of way.

BACKGROUND:

Work in county ROW requires a permit approved by the Board of Supervisors per section 318.8 of the Code of Iowa. The county engineer has reviewed the location and recommends that the work be allowed.

FINANCIAL IMPACT:

No financial impact to the 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:

Recommend approval of the permit for CenturyLink for a telephone drop on Pocahontas Ave.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the underground utility permit for CenturyLink for a telephone drop on Pocahontas Avenue and to direct the chair to sign the permit.

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

REQUEST BY APPLICANT:

Name TelCom Construction - Tabitha Highway
Address 2218 200th St E PO Box 189 Clearwater MN 55320 Township Liston
City of Danbury
Office Phone 402.599.9221 Local Phone 402.599.9221 Section: 19 1/4 of 1/4 Sec
Type of Utility Installation telephone T -86 N, R -42 W
Plans Prepared By CenturyLink Copy Enclosed x Yes No
Map Showing Location Enclosed x Yes No
Utility Location is x cross right-of-way parallel to right-of-way
overhead x underground
Proposed Method of Installation
tunnel suspend on poles cased
jack & bore suspend on towers trench
open cut x plow

Estimated Starting Date 07.08.2020 Estimated Restoration Date 07.15.2020

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions listed on the reverse side hereof, and special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof.

By [Signature] Title Operations Support Supervisor
Date 07.01.2020
(Signature of Authorized Utility Representative)

PERMIT APPROVAL BY PERMITTING AUTHORITY

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

By _____ Title _____
(Signature of Woodbury County Board Chairman) Date _____
By _____ Title _____
(Signature of Woodbury County Engineer) Date _____

Other Special Provisions:

Permit Provisions and Conditions of Issuance

- 1. The County and/or the County Board of Supervisors will not be charged with any responsibility for damages to the Applicant's property occasioned by any construction or maintenance operations on said county roads, including new or additional right-of-way acquired in connection therewith, subsequent to the building of the Applicant's facilities.

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

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

#7

Date: 6/29/2020

Weekly Agenda Date: 7/7/2020

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Rebecca Socknat, EMA

WORDING FOR AGENDA ITEM:

Adoption of the 2020 Regional Hazard Mitigation Plan.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Cherokee, Ida, Monona, Plymouth, and Woodbury Counties in Iowa, along with their respective participating cities and school districts, have prepared this Regional Hazard Mitigation Plan to guide planning for increased resilience way of sustained action to eliminate or reduce loss resulting from the occurrence of natural or other disasters. This Plan is intended for use in conjunction with all planning and guidance documents, procedures, and processes within a given jurisdiction (including but not limited to Comprehensive Plans, Economic Development Plans, Emergency Response Plans, and Capital Improvement Programs).

BACKGROUND:

In early 2017, Iowa HSEM issued a Notice of Funding Available (NOFA) through the Hazard Mitigation Assistance (HMA) grant program specifically referencing the then-current multi-jurisdictional county plans set to expire in 2019. Through the notice of interest and application process, HSEM rescinded eligibility of single-county plan applications and determined that only Regional Plan applications would be considered. Regions are specified as including at least two counties. Cherokee, Ida, Monona, Plymouth, and Woodbury County EMA's discussed the practicality of a regional plan covering all five counties. Siouxland Interstate Metropolitan Planning Council (SIMPCO) facilitated the discussion and agreed to prepare the estimated budget, scope of work, and application. Plymouth County agreed to be the applicant of record and as such, contracted with SIMPCO to complete the Regional Hazard Mitigation Plan encompassing Cherokee, Ida, Monona, Plymouth, and Woodbury Counties in northwest Iowa. Each county, as duly agreed upon, is responsible for its respective share of the required twenty-five percent (25%) local cash match.

FINANCIAL IMPACT:

Without the adoption of the hazard mitigation plan, the unincorporated areas of Woodbury County would be ineligible for grant funding (state and federal) for mitigation projects as well as the state's match during a declared disaster.

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

Yes No

RECOMMENDATION:

To adopt the 2020 Regional Hazard Mitigation Plan as approved by the Iowa Department of Homeland Security and FEMA, understanding that some jurisdictions may need to submit an amendment before recognized as a participant under FEMA guidelines.

ACTION REQUIRED / PROPOSED MOTION:

Motion to adopt the 2020 Regional Hazard Mitigation Plan and the chair sign the resolution.

WOODBURY COUNTY, IOWA

RESOLUTION # _____

ADOPTION OF THE 2020 REGIONAL HAZARD MITIGATION PLAN

WHEREAS, the 2020 Regional Hazard Mitigation Plan (for Plymouth, Cherokee, Ida, Monona, and Woodbury Counties in Iowa) has been prepared in accordance with FEMA requirements at 44C.F.R.201.6; and,

WHEREAS, the County of Woodbury County, participated in the preparation of a regional plan, the 2020 Regional Hazard Mitigation Plan; and,

WHEREAS, Woodbury County is a governing unit that has afforded its residents an opportunity to comment on and provide input in the Plan and the actions in the Plan; and

WHEREAS, Woodbury County has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED by the County of Woodbury County that the Woodbury County Board of Supervisors adopts the 2020 Regional Hazard Mitigation Plan and resolves to execute the actions in the Plan.

ADOPTED this _____, day of July 2020, at the meeting of the Woodbury County Board of Supervisors.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY:

Matthew Ung, Chairman

Patrick F. Gill, County Auditor

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

#8

Date: 7/01/2020

Weekly Agenda Date: 7/07/2020

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

WORDING FOR AGENDA ITEM:

Application for Zoning Ordinance Map Amendment: Public Hearing and Ordinance 2nd/Final Reading

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning District Map amendment which would change the zoning district designation for parcel #874614100007 from Agricultural Presentation to Agricultural Estates. Following the public hearing, the Board will conduct the second reading of an ordinance approving the amendment to the zoning district map. A 60 percent majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20 percent of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing. The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

Gayle Dee Weed, owner of Parcel #874614100007 (2206 240th St.) requests to rezone her parcel from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for future residential development use. If approved, the applicant intends to create an 8.98 acre minor subdivision for future residential purposes and the construction of a new home.

This property is located in a quarter-quarter section that already has two residences. Section 3.01 of the Zoning Ordinance states that not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification.

The Agricultural Estates Zoning District is designed for this type of proposal as its purpose is "to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county.

This property is not located in a floodplain, but is in the 1st rank of the Loess Hills and is adjacent to the Loess Hills Scenic Byway. This issue, along with others were discussed during the Zoning Commission's 6/22/20 public hearing on the request as provided in your backup material. Following the commission's public hearing, they voted (3-0) to recommend approval of the rezone. The commission also approved the plat as proposed. The Board of Supervisors will review the minor subdivision application subsequent to the completion of this rezone request.

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:

Open/close public hearing.

Conduct the second reading of the ordinance.

Waive the third/final reading.

It will be effective upon publication date.

ACTION REQUIRED / PROPOSED MOTION:

Open/close public hearing.

Motion to conduct the second reading of the ordinance, and waive the third/final reading.

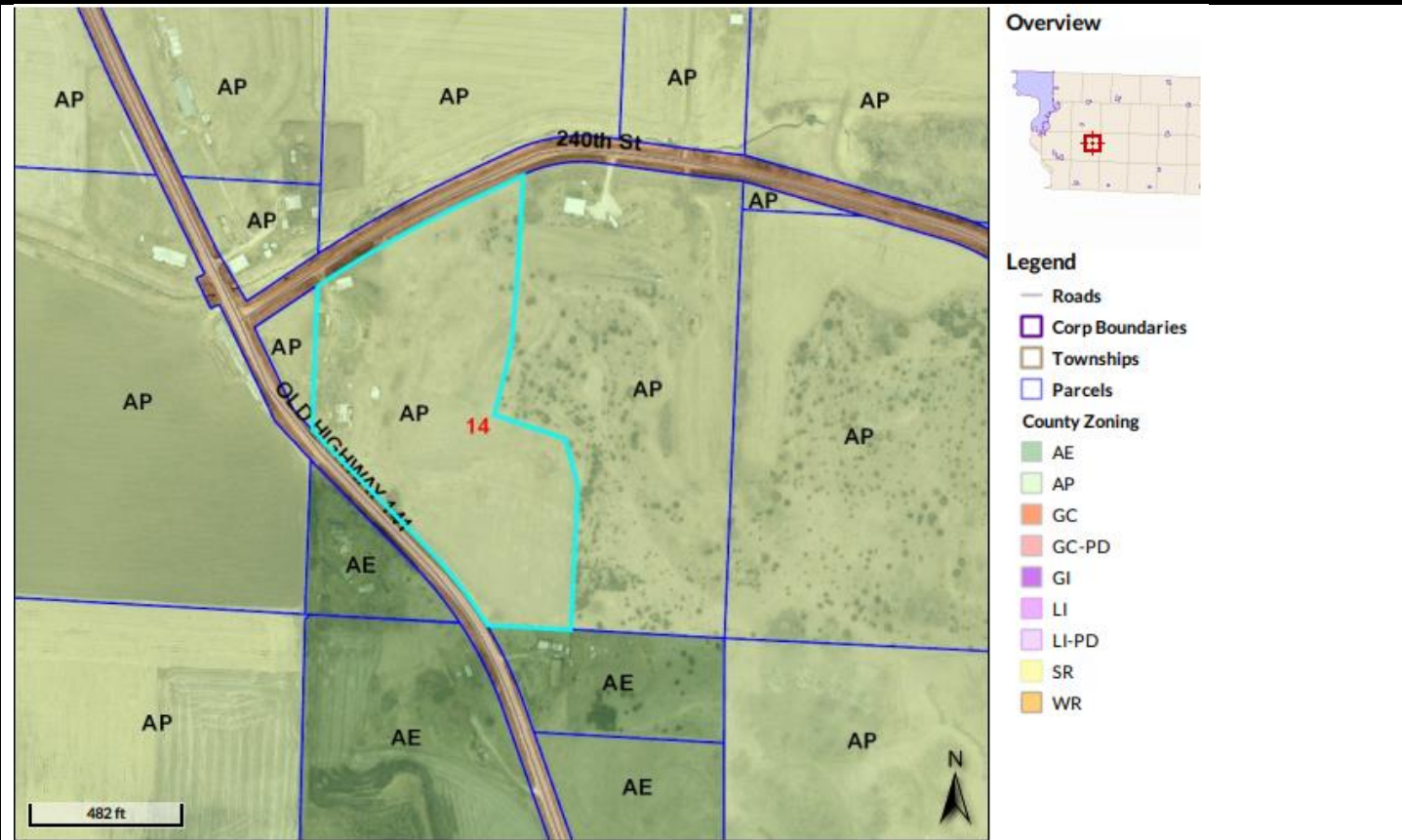


**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov
 Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov
 Telephone (712) 279-6609 Fax (712) 279-6530

**ZONING ORDINANCE MAP AMENDMENT PROPOSAL
 Agricultural Preservation (AP) to Agricultural Estates (AE)
 Parcel #874614100007**



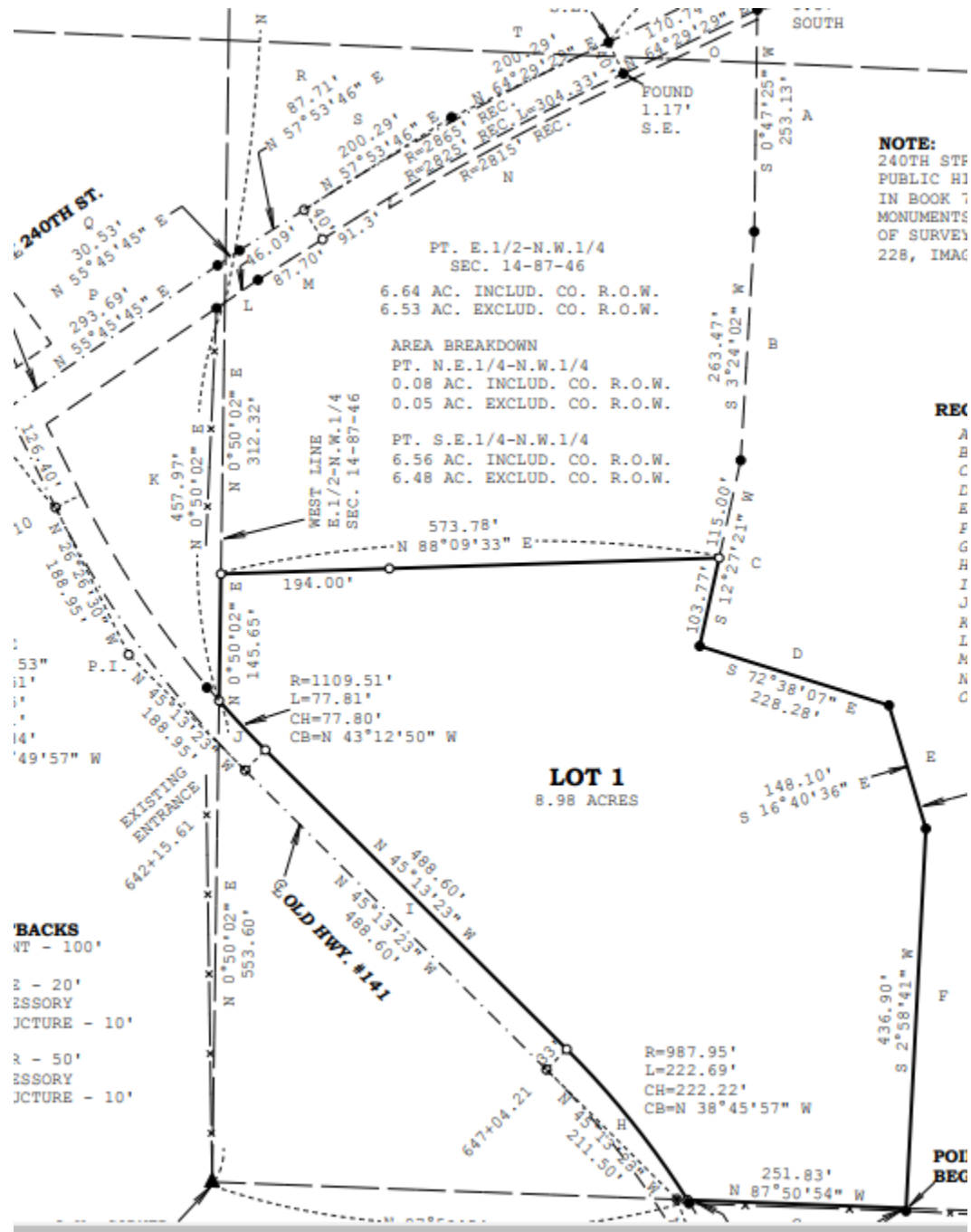
- Legend**
- Roads
 - ▭ Corp Boundaries
 - ▭ Townships
 - ▭ Parcels
 - County Zoning**
 - AE
 - AP
 - GC
 - GC-PD
 - GI
 - LI
 - LI-PD
 - SR
 - WR

Parcel ID	874614100007	Alternate ID	749970	Owner Address	MATHIESON GAYLED
Sec/Twp/Rng	14-87-46	Class	AD		2206 240TH ST
Property Address	2206 240TH ST HORNICK	Acreage	15.77		HORNICK IA 51026-8031
District	0027				
Brief Tax Description	E1/2 NW1/4 LYING S OF RD EX 2 AC S OF RD SENW & EX A TCT BEING 13 94.40 FT ON EX 471.65 FT ON S NW 1/4 14-87-46				

(Note: Not to be used on legal documents)

FACTS OF THE CASE
 Gayle Dee Weed, owner of Parcel #874614100007 located in the E ½ of the NW ¼ of Section 14, T87N R46W (Grange Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve her request to rezone her property from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. This proposal is being presented concurrently with a Minor Subdivision request as the applicant plans to build a new home on a newly created 8.98 acre lot. Section 3.01 of the Woodbury County Zoning Ordinance requires that a rezone process be executed before a third residence shall be added to any quarter-quarter section. This property is not located in a floodplain.

This proposed Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District is requested and being presented concurrently by the property owner(s) as part of a minor subdivision procedure to create one (1) residential lot for the purpose of constructing a new home.



LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on July 12, 2020.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Proposal to rezone from the Agricultural Preservation

(AP) Zoning District to the Agricultural Estates (AE) Zoning District on Parcel #874614100007 located in the E 1/2 of the NW 1/4 of Section 14, T87N R46W (Grange Township) adjacent to Old Highway 141 and 240th Street about four miles southeast of Bronson. Applicant: Gayle Weed, 2206 240th Street, Hornick, IA 51026.

PROPERTY OWNER NOTICE – 1000 FT



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a July 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office had not received written comment from any property owner owning property within 1,000'. There was one (1) phone inquiry asking about the purpose of the rezone and subdivision.

When more comments are received after the printing of this packet, they will be provided at the meeting.

STAKEHOLDER COMMENTS:

CENTURYLINK:	I reviewed the area and CenturyLink does not have facilities. It is also outside of a CenturyLink wire center that we provide service to. We do not have any objection to the rezoning for a new subdivision. Any questions please let me know. – Sean Hostetter, 6/3/20.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LOESS HILL NATIONAL SCENIC BYWAY	Thanks for sending this along to us. I've been reviewing the maps and it looks like the property is in the Luton Special Landscape Area (SLA). Since it is only for one house, it seems like the disturbance would be minimal. I will work on preparing a letter with our potential concerns, but we wouldn't be staunchly in support or opposition of this project. In my letter, I'll also include contact information for Graham McGaffin with The Nature Conservancy, who can speak more to the SLAs and the Loess Hills in that area if the Supervisors or Zoning Committee would like additional information. Thanks for including us! Becca Castle – 6/19/20.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	Magellan Pipeline has no issues with this. Magellan is not in section 14 of Grange twp. We are at least 5 miles west with our closest pipeline so we are good. – Steven Eddy, 6/4/20.
MIDAMERICAN ENERGY COMPANY:	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in that area – Tom Hudson, 6/3/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20
NUSTAR PIPELINE:	No comments.
SIouxLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments and not opposed, was just curious about where it was going to be built as I know the Loess Hills Scenic Byway promotes the viewshed and that is the hills. If houses are built on top it takes away from. I have no objections to this, I will run by my board on Thursday but don't think they will want to comment either. Thanks for checking back. – Dan Heissel, 6/17/20.

	Do you know where they plan on building this second residential unit on the property??? – Dan Heissel, 6/3/20. I don't know what county policy or my Boards is on building on the hilltops for the Loess Hills. Noticed it was along 141 and know we have a lot of easements we monitor and I know the Scenic Byway did some work. I would have to look at and research before I would comment on something. Still trying to learn everything that is done in Woodbury. – Dan Heissel, 6/3/20.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments. – Gary Brown, 6/8/20.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD has no direct comments on this proposal. We would like to note however, that this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property. – Neil Stockfleth, 6/3/20.

ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

CRITERIA 1:

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

Staff Analysis:

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. According to Section 3.01 of the Woodbury County Zoning Ordinance, “not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification” (p. 24). The AE Zoning District is designed for this type of proposal as its purpose is “to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county” (Section 3.01.2, p. 24).

CRITERIA 2:

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

Staff Analysis:

As noted by the WCSWCD, “this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property.” Becca Castle, Coordinator of the Loess Hills Scenic By-Way stated that the property is located in the Luton Special Landscape Area (SLA) and since this proposals is for a one house, the disturbance would be minimal to the Loess Hills. Graham McGaffin, Associate Director of Conservation & Loess Hills Programs of the Nature Conservancy, in a June 19 phone conversation, indicated that there are no restrictions in the SLA. However, their organization’s role is to minimize adverse impact to the Loess Hills. They work with landowners through conservation easements, deed restrictions, and development planning. McGaffin suggested that building closer to the road would lessen the impact on the Loess Hills.

CRITERIA 3:

Consideration of the Corn Suitability (CSR) of the property.

Staff Analysis:

40.26 CSR2 Rating. See attached soil report.

CRITERIA 4:

Compatibility with adjacent land uses.

Staff Analysis:

The proposal does facilitate adequate room to build one residential house on the 8.98 acre lot proposed for the subdivision including the ability to meet the Zoning District Dimensional Standards.

CRITERIA 5:

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

Staff Analysis:

As previously noted, this property is located within the Loess Hills. This proposed one lot subdivision is being established for a new home. The proposed 8.98 acres contains enough room to adequately support the Zoning District Dimensional Standards as required by the county.

CRITERIA 6:

Any other relevant factors.

Staff Analysis:

This rezone request comports with the required procedures as enumerated in the Woodbury County Zoning Ordinance.

STAFF RECOMMENDATION

The staff recommends for the Zoning Commission to recommend approval to the Board of Supervisors.

ZONING COMMISSION RECOMMENDATION

At their Monday, June 22, 2020 meeting, the Woodbury County Zoning Commission voted to recommend approval of the rezone of Parcel #874614100007 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 15.77 acres located in the E 1/2 of the NW 1/4 in Section 14, T87N, R46W (Grange Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel # 874614100007.

ALL THAT PART OF THE EAST HALF (E1/2) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA,. DESCRIBED AS COMMENCING AT THE NORTH QUARTER (N1/4) CORNER OF SECTION 14-87-46, THENCE SOUTH 00°31'20" WEST 1231.52 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE NORTH 85°02'00" WEST 135.05 FEET, THENCE NORTH 83°39'00" WEST 304.90 FEET, THENCE SOUTH 79°48'20" WEST ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, A DISTANCE OF 241.20 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, BEING THE POINT OF BEGINNING, THENCE ALONG SAID EXISTING FENCE SOUTH 00°40'25" WEST 256.90 FEET, THENCE SOUTH 02°27'10" WEST 264.20 FEET, THENCE SOUTH 11°32'10" WEST 218.80 FEET, THENCE SOUTH 73°35'00" EAST 228.85 FEET, THENCE SOUTH 17°34'30" EAST 148.55 FEET, THENCE SOUTH 02°03'20" WEST 442.00 FEET TO THE INTERSECTION WITH EXISTING EAST-WEST FENCE, THENCE NORTH 88°19'05" WEST ALONG SAID FENCE 245.55 FEET TO AN INTERSECTION WITH NORTHEASTERLY RIGHT-OF-WAY OF PUBLIC ROAD, (FORMER IOWA PRIMARY #141), THENCE NORTH 41°55'00" WEST ALONG SAID RIGHT-OF-WAY LINE 311.75 FEET, THENCE NORTH 46°02'00" WEST 407.50 FEET, THENCE NORTH 44°28'20" WEST 97.40 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, THENCE NORTH 00°31'10" EAST ALONG SAID FENCE 438.40 FEET TO AN INTERSECTION WITH SOUTHERLY RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE ALONG SAID RIGHT-OF-WAY FENCE NORTH 54°58'50" EAST 58.80 FEET, THENCE NORTH 57°06'50" EAST 84.20 FEET THENCE ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, NORTH 60°22'35" EAST 398.80 FEET, THENCE NORTH 63°38'20" EAST 173.25 FEET TO THE POINT OF BEGINNING.

Property Owner and Applicant – Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

PARCEL REPORT



Summary
 Parcel ID: 87461410007
 Assessor ID: 2206 2407H ST
 Property Address: HORNICKIA S1026
 14-87-46
 Sec/Twp/Range: 14 87 46
 Brief Tax Description: 144 WINGS OF RD EX 2 AC OF RD SENW & EXA TCT BEING 13 94 40 FT ONE X 47 165 FT ON S NW 2 14 87 46
 Deed Book/Page: 267 1240 (8/6/1992) *(Note: Not to be used on legal documents)*
 Gross Acres: 15.77
 Adjusted CSR Pk: 15.77
 Class: A - Agriculture, AD - Ag Dwelling
 District: A
 School District: LA MOTON BRONSON
 Neighborhood: N/A
 Main Area-Square Feet: N/A

Owner
 Deed Holder: M...
 M...
 2206 2407H ST
 HORNICKIA S1026-8031

Contract Holder

Mailing Address

Land
 Lot Area: 15.77 Acres; 686,941 SF

Residential Dwellings
 Residential Dwelling
 Occupancy: Single Family / Owner Occupied
 Style: 1-Story Frame
 Structural Style: 1936
 Condition: Above Normal
 Roof: Asphalt / Gable
 Flooring: Concrete
 Exterior Material: Vinyl
 Interior Material: Plm / Dowl
 Brick or Stone Veneer: 848 SF
 Walk-out or Living Area: 314 Finished; 283 SF
 A/R/I: Type: 5 Above; 0 Below
 Number of Bedrooms: 2 Above; 0 Below
 Number of Bathrooms: 2
 Basement Area: 624
 Basement Finished Area: 1 Slat, 1 Base Plumbing (Full);
 Plumbing: No
 Sewer: Central AC
 Heat: No
 Fireplaces: Yes
 Pools: No
 Decks: 15 Frame Enclosed (1163 SF);
 Additions: Wood Deck Area (1485 SF);
 Garages: 1-Story Frame (224 SF);
 Main Area-Square Feet: 624

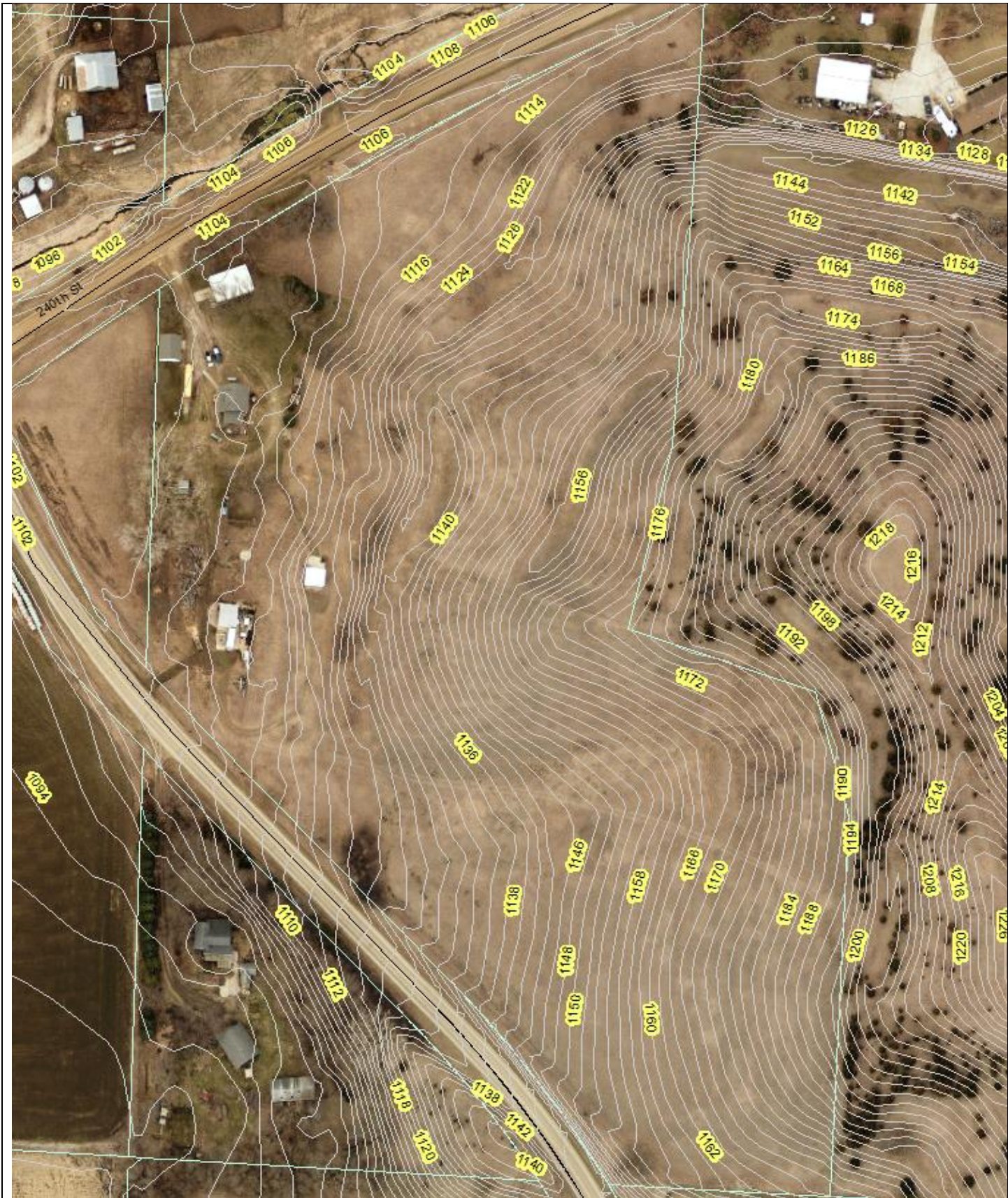
Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (DM Style)	HOG HOUSE	14	16	1920	1
0	Crp	GRANARY	8	16	1920	1
0	Machine or Utility Building	IMP SHED	24	28	1920	1
0	Swine Finish and Farrow (DM Style)	HOG SHED	20	48	1920	1
0	Steel Utility Building	MACHINE SHED	30	40	1994	1
0	Barn - Pole		16	20	2018	1
0	Steel Utility Building		20	20	2000	1

Valuation

Classification	2026	2019	2018	2017
Assessed Land Value	\$12,600	\$12,600	\$18,070	\$18,370
Assessed Building Value	\$2,990	\$2,990	\$5,470	\$5,470
Assessed Dwelling Value	\$86,580	\$86,580	\$68,510	\$68,510
Gross Assessed Value	\$102,190	\$102,190	\$92,550	\$92,550
Exempt Value	\$0	\$0	\$0	\$0
Net Assessed Value	\$102,190	\$102,190	\$92,550	\$92,550

TOPOGRAPHY



Summary

Parcel ID	874614100007
Gross Acres	15.77
ROW Acres	0.00
Gross Taxable Acres	15.77
Exempt Acres	0.00
Net Taxable Acres	15.77
Average Unadjusted CSR2	40.26
	(Gross Taxable Acres - Exempt Land)
	(634.85 CSR2 Points / 15.77 Gross Taxable Acres)

Agriculture Only 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	10.70	35.64	381.35	381.35
Non-Crop	5.07	50.00	253.50	145.96
Total	15.77		634.85	527.31

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.37	210.93	210.93
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	0.21	17.22	17.22
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	2.32	97.44	97.44
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.39	12.48	12.48
100% Value	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	5.41	43.28	43.28
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.34	119.26	61.75
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	1.32	108.24	58.42
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.28	8.96	8.75
Non-Crop	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	2.13	17.04	17.04
Total				15.77	634.85	527.31



Legend

— Roads

Soils

0.000000 - 5.000000
5.000001 - 20.000000
20.000001 - 30.000000
30.000001 - 40.000000
40.000001 - 50.000000
50.000001 - 60.000000
60.000001 - 70.000000
70.000001 - 80.000000
80.000001 - 90.000000
90.000001 - 100.000000



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information: Gaule Weed (Mathison), 2206 240th St, Hornick IA 51026, 712 820 6730. Applicant Information: (blank)

Engineer/Surveyor AL Fagen, Phone 712 539 1471

Property Information: AP-AE, 2206 240th St Hornick IA 51026, Parcel ID # 874614100007, Total Acres 15.77, Current Use AP, Proposed Use AE

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances...

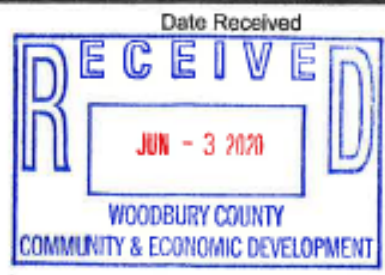
A formal pre-application meeting is recommended prior to submitting this application. Pre-app mtg. date Staff present

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct.

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

Owner Gaule Weed, Applicant (blank), Date 6-3-20, Date (blank)

Fee: \$400, Case #: 6566, Check #: 3648, Receipt #: (blank)



ORDINANCE NO. ____

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this ____ day of _____ 2020.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:

Matthew A. Ung, Chairman

Keith Radig, Vice Chairman

Rocky De Witt

Marty Pottebaum

ATTEST

Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading: June 30, 2020

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Adopted:

ITEM ONE (1)

Property Owner: Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

Petitioner Applicant: Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 15.77 acres located in the E ½ of the NW ¼ in Section 14, T87N, R46W (Grange Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #874614100007.

ALL THAT PART OF THE EAST HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA,, DESCRIBED AS COMMENCING AT THE NORTH QUARTER (N¼) CORNER OF SECTION 14-87-46, THENCE SOUTH 00°31'20" WEST 1231.52 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE NORTH 85°02'00" WEST 135.05 FEET, THENCE NORTH 83°39'00" WEST 304.90 FEET, THENCE SOUTH 79°48'20" WEST ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, A DISTANCE OF 241.20 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, BEING THE POINT OF BEGINNING, THENCE ALONG SAID EXISTING FENCE SOUTH 00°40'25" WEST 256.90 FEET, THENCE SOUTH 02°27'10" WEST 264.20 FEET, THENCE SOUTH 11°32'10" WEST 218.80 FEET, THENCE SOUTH 73°35'00" EAST 228.85 FEET, THENCE SOUTH 17°34'30" EAST 148.55 FEET, THENCE SOUTH 02°03'20" WEST 442.00 FEET TO THE INTERSECTION WITH EXISTING EAST-WEST FENCE, THENCE NORTH 88°19'05" WEST ALONG SAID FENCE 245.55 FEET TO AN INTERSECTION WITH NORTHEASTERLY RIGHT-OF-WAY OF PUBLIC ROAD, (FORMER IOWA PRIMARY #141), THENCE NORTH 41°55'00" WEST ALONG SAID RIGHT-OF-WAY LINE 311.75 FEET, THENCE NORTH 46°02'00" WEST 407.50 FEET, THENCE NORTH 44°28'20" WEST 97.40 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, THENCE NORTH 00°31'10" EAST ALONG SAID FENCE 438.40 FEET TO AN INTERSECTION WITH SOUTHERLY RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE ALONG SAID RIGHT-OF-WAY FENCE NORTH 54°58'50" EAST 58.80 FEET, THENCE NORTH 57°06'50" EAST 84.20 FEET THENCE ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, NORTH 60°22'35" EAST 398.80 FEET, THENCE NORTH 63°38'20" EAST 173.25 FEET TO THE POINT OF BEGINNING.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.

HOLD HEARING ON LOAN
AGREEMENT AND GENERAL
OBLIGATION BONDS

Sioux City, Iowa

July 7, 2020

The Board of Supervisors of Woodbury County, Iowa, met on July 7, 2020 at 4:45 p.m.at the Woodbury County Courthouse, Sioux City, Iowa.

The meeting was called to order by the Chairperson, and the roll being called, the following named Supervisors were present and absent:

Present: _____

Absent: _____.

It was reported that notice of intention to institute proceedings to enter into a General Obligation Urban Renewal County Road Improvements Loan Agreement and issue General Obligation Bonds in a principal amount not to exceed \$10,000,000, had been published as provided by law, and that this is the time and place at which the Board will receive oral or written objections from any resident or property owner of the County.

It was also reported that no petition had been filed asking that the question of entering into such loan agreement and issuing such Bonds be submitted to the registered voters of the County. The Chairperson called for any written or oral objections, and the following persons filed written statements or made comments:

(list names of speakers)

There being no further comments, the Chairperson closed the hearing.

Supervisor _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor _____. After due consideration and discussion, the Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted:

Ayes: _____

Nays: _____.

Whereupon, the Chairperson declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO. _____

Expressing intent to enter into 2020 General Obligation Urban Renewal County Road Improvements Loan Agreement and issue 2020 General Obligation Bonds in an amount not to exceed \$10,000,000

WHEREAS, Chapters 331 and 403 of the Code of Iowa authorize counties to enter into loan agreements and issue general obligation bonds for the purpose of paying the cost of planning, undertaking and carrying out certain types of urban renewal projects under the authority of Chapter 403, provided notice is published, including notice of the right to petition for an election; and

WHEREAS, the Board of Supervisors (the “Board”) of Woodbury County, Iowa (the “County”) has established the Grow Woodbury County Urban Renewal Area (the “Urban Renewal Area”), based on a finding of the need for economic development in the County and has amended the urban renewal plan for the Urban Renewal Area to designate an urban renewal project consisting of improvements to County gravel roads in order to assist economic development (the “Urban Renewal Project”); and

WHEREAS, on December 17, 2019, the Board adopted Resolution No. 12,935, entitled: “Resolution Expressing Intent to Enter into General Obligation Urban Renewal County Road Improvements Loan Agreement and Issue General Obligation Urban Renewal County Road Improvements Bonds”; and

WHEREAS, it has been determined that Resolution No. 12,935 should be repealed; and

WHEREAS, the County has proposed to enter into a loan agreement (the “2020 General Obligation Urban Renewal County Road Improvements Loan Agreement”) and issue general obligation bonds in a principal amount not to exceed \$10,000,000 (the “2020 Bonds”), pursuant to the provisions of Section 331.402, Subsection 331.441(2)(b)(14), Section 331.442, Section 331.443 and Chapter 403 of the Code of Iowa, for the purpose of paying the costs of the Urban Renewal Project; and

WHEREAS, the County has published notice of the proposed action, including the right to petition for an election, and held a hearing thereon, and no petition has been filed asking that the question of entering into the 2020 Urban Renewal County Road Improvements Loan Agreement and issuing the 2020 Bonds be submitted to the registered voters of the County; and

WHEREAS, the County intends to enter into the 2020 Urban Renewal County Road Improvements Loan Agreement and issue the 2020 Bonds in the future;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

Section 1. Resolution No. 12,935, adopted December 17, 2019, is hereby repealed, effective as of the date of this Resolution.

Section 2. The Board of Supervisors declares its intent to enter into the 2020 Urban Renewal County Road Improvements Loan Agreement and issue the 2020 Bonds in the future, and also declares that this resolution constitutes the “additional action” required by Sections 331.402 and 331.443 of the Code of Iowa, with respect to the 2020 Urban Renewal County Road Improvements Loan Agreement and the issuance of the 2020 Bonds.

Section 3. This Resolution shall become effective upon its adoption and approval.

Passed and approved July 7, 2020.

Chairperson

Attest:

County Auditor

••••

On motion and vote, the meeting adjourned.

Chairperson

Attest:

County Auditor

STATE OF IOWA SS:
WOODBURY COUNTY

I, the undersigned, County Auditor of Woodbury County, Iowa, do hereby certify that as such I have in my possession or have access to the complete records of the County and of its Board of Supervisors and officers and that I have compared the transcript hereto attached with those records and that the transcript hereto attached is a true, correct and complete copy of all the records of that portion of a meeting of the Board of Supervisors held on July 7, 2020 related to the holding of a public hearing and the adoption of a resolution expressing intent to enter into a certain Loan Agreement and issue General Obligation Bonds.

WITNESS MY HAND this _____ day of _____, 2020.

County Auditor

June 30, 2020

Dennis Butler/David Gleiser
Woodbury County Courthouse
620 Douglas
Sioux City, Iowa 51101

Re: Hearing on General Obligation County Road Improvements Loan Agreement and Bonds
Our File No. 424093-19

Dear Dennis and David:

I have prepared proceedings that may be used at the Board of Supervisors meeting on July 7 to hold a hearing on the proposed Urban Renewal County Road Improvements Loan Agreement and Bonds and to adopt a resolution expressing the Board's intent to enter into that Loan Agreement and issue General Obligation Bonds for the County urban renewal road project.

The documents include the following items:

1. Minutes covering the hearing on the Loan Agreement and Bonds, followed by a Resolution expressing the Board's intent to enter into the Loan Agreement and issue General Obligation Bonds in the future. In both the minutes and the preamble of the Resolution I have included a statement that no petition has been filed requesting an election on the Loan Agreement and Bonds. If a petition is filed, we will need different language. In order to be valid, a petition would need to be filed with the County Auditor's office no later than the close of County business on Monday, July 6. The Resolution also includes a provision that repeals Resolution No. 12,935 that was adopted on December 17, 2019. This new Resolution is basically a substitute for that earlier Resolution.

2. Certificate attesting the transcript.

If you have any questions, please contact me.

Very truly yours,

Robert E. Josten

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

#10
a,b

Date: 7/01/2020

Weekly Agenda Date: 07/07/2020

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

WORDING FOR AGENDA ITEM:

Application for Zoning Ordinance Map Amendment: Public Hearing and Ordinance 2nd/Final Reading

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning District Map amendment which would change the zoning district designation for Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, from Agricultural Presentation to General Commercial. Following the public hearing, the Board will conduct the second reading of an ordinance approving the amendment to the zoning district map. A 60 percent majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20 percent of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing. The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

Chad Swanger of the Terry V. Swanger Irrevocable Trust, owners of Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 (located along the Highway 20 corridor about one mile east of Sioux City) requests to rezone their five parcels from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District for future commercial development use. If approved, the applicant intends to obtain professional services to prepare the land for commercial development.

A western portion of Parcel # 884702200002 is located in the floodplain. This issue, along with others were discussed during the Zoning Commission's 6/22/20 public hearing on the request as provided in your backup material. Following the commission's public hearing, they voted (3-0) to recommend approval of the rezone with the following conditions:

- The applicant enter into a recorded paving agreement in compliance with the terms of the current county paving policy.
- Comply with any and all easements and encroachment agreements including area utilities not limited to Northern Natural Gas on Parcel # 884702200002.
- Implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

The applicant is not applying for a minor subdivision concurrently with this rezone request. However, the Board of Supervisors will review the minor subdivision application subsequent to the completion of this rezone request.

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:

Open/close public hearing.

Conduct the second reading of the ordinance.

Waive the third/final reading.

It will be effective upon publication date.

ACTION REQUIRED / PROPOSED MOTION:

Open/close public hearing.

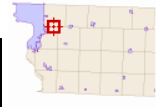
Motion to conduct the second reading of the ordinance, and waive the third/final reading.



WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov
Telephone (712) 279-6609 Fax (712) 279-6530



ZONING ORDINANCE MAP AMENDMENT PROPOSAL

Agricultural Preservation (AP) to General Commercial (GC)

Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007



FACTS OF THE CASE

Chad Swanger of the Terry V. Swanger Irrevocable Trust, owners of Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 (located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve their request to rezone their five parcels from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District for future commercial use. A western portion of Parcel # 884702200002 is located in the floodplain.

IRY COUNTY, IOWA



DEDICATION
KNOW ALL MEN BY THESE PRESENTS

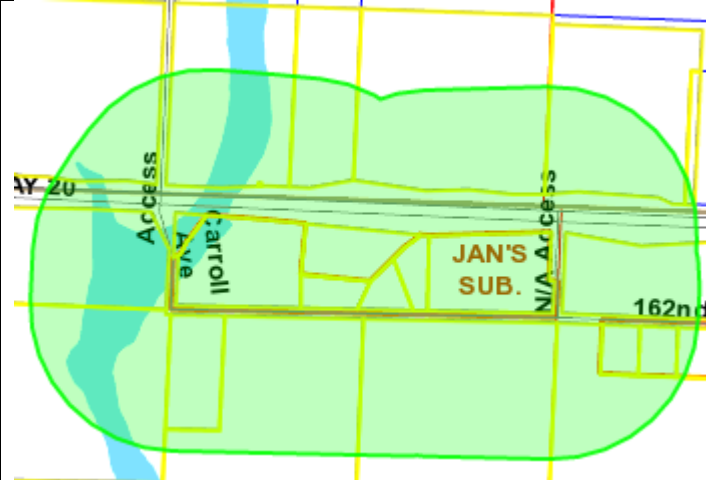
RECORDER'S CERTIFICATE OF RECORDING
STATE OF IOWA 10/22/2018 7018

LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on June 12, 2020.

Item (1)
PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Proposal to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District on Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton. Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162nd St., Lawton, IA 51030.

PROPERTY'S OWNER NOTICE – 1000 FT



The 17 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a June 11, 2020 letter of the public hearing. As of June 19, 2020, the Community & Economic Development office had not received two (2) phone inquiries from property owner owning property within 1,000'.

When more comments are received after the printing of this packet, they will be provided at the meeting.

LEGAL NOTIFICATION

CENTURYLINK:	After review CenturyLink has facilities in the area but are in public ROW. We currently have a copper cable that feeds LI but not AE. – Sean Hostetter, 6/3/20.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT)	The change from AE to GC would not be a concern, unless a development occurs that would generate significant traffic volumes. With our access spacing requirement of 1000' minimum on US20, additional access locations would not be allowed to US20 from the Swanger parcels. Access to the parcels would only be from secondary roads. – Kelly Mulvihill, 6/15/20.
LOGLINES:	No comments.
MAGELLAN PIPELINE:	Magellan Pipeline has no issues with this. Magellan is along the west edge of section 3 at this point and is not in section 2 at all. – Steven Eddy, 6/3/20.
MIDAMERICAN ENERGY COMPANY:	I have reviewed the attached proposed rezoning for MEC "electric" MEC does have facilities on a near these properties any requested relocations would be at the expense of the property owner. – Casey Meinen, 6/3/20.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	SEE STATEMENT BELOW:
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20.

NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	Wiatel has no concerns. – Phil Robinson, 6/3/20.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments. – Gary Brown 6/8/20.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	SEE STATEMENT BELOW:
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	We have no concerns over the proposed changes. – Kent Amendson, 6/3/20.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 6/3/20.

NORTHERN NATURAL GAS – TOM HUDSON, 6/3/20

From: Hudson, Tom <Tom.Hudson@nngco.com>
Sent: Wednesday, June 3, 2020 2:20 PM
To: Daniel Priestley
Subject: RE: Comments Requested Proposed Rezone Adjacent to HWY 20

Dan,

Northern Natural Gas Company does own and operate a 16-inch-diameter high pressure natural gas transmission line in this area. The yellow line is where the pipeline is. Changing the land to commercial with the hopes of developing it will likely be hampered by the pipeline. Any party wishing to develop the land within the red boundary lines will want to consult with Northern prior to doing so.

Thanks,
Tom





Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER
Mark J. Nagra, P.E.
mnagra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@sioux-city.org

SECRETARY
Tish Brice
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nagra, County Engineer

Date: June 9, 2020

Subject: Swanger Rezoning application

The Secondary Road Department has reviewed the information provided for the above referenced rezoning request forwarded with your memo dated June 3, 2020.

I am offering the following comments for your consideration.

- I have reviewed the parcel for access and I have concerns with the rezoning request and potential for commercial development. The lots are bordered by county gravel roads and US Highway 20. I am not sure access can be gained to most of the lots from highway 20 due to sight distance issues and a lack of median crossovers adjacent to the lots. If they are unable to be accessed from Highway 20, they will have to use the county gravel road. Not knowing the nature of the plan for marketing the lots, it is possible that significant traffic generating businesses might be developed in one or more of the lots. Should the lots develop, and the gravel road become the primary access for the lots, I believe the lots should be subjected to a paving agreement in compliance with the terms of the current county paving policy so that the owner is contributing to the cost of any improvements to the road necessitated by the development.
- Driveway access can be gained to each parcel, although the parcel ending in 00007 will have difficulty finding a location for a driveway that is level to the road that is not within the willow grove that occupies the southern part of the lot. The other lots either are served by a driveway already or have locations with adequate sight distance that are relatively level to the roadway.
- The subdivision borders on an area with existing residential development. I am not sure that the introduction of additional commercial properties is fully compatible with the residential use already existing, particularly if the traffic serving new commercial enterprises uses the gravel road. I have heard more than one complaint about commercial business adjacent to rural residential development in the Grandy Hills Subdivision and question the compatibility of the two types of development in close proximity to one another. I question whether the Grandy Hills pattern of development should be replicated in this location. I see no enhancement to surrounding land use by making this change, while the current zoning for Ag Estate is at complimentary to the development and land use already in place in the area.
- I have no other comments at this time.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

CRITERIA 1:

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

Staff Analysis:

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. The applicant’s proposal to rezone from AE to GC fits this criteria as the GC Zoning District comports with the “Future Land Use Map” that was established in 2005 as part of the Woodbury County General Development Planning for 2025.



CRITERIA 2:

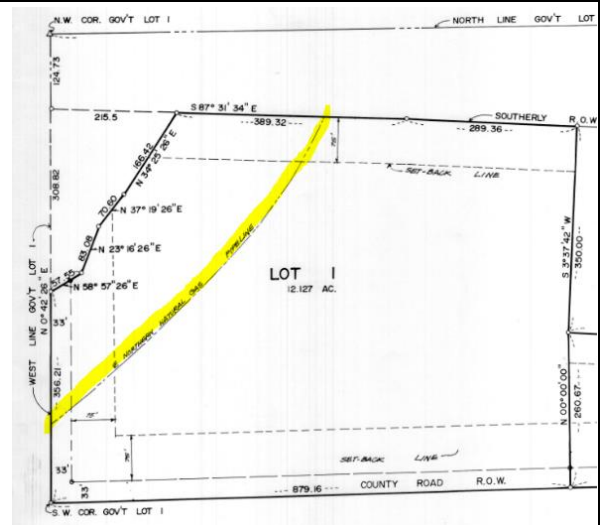
Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

Staff Analysis:

Northern Natural Gas has a 16" diameter high pressure natural gas transmission line crossing through Parcel #884702200002. As noted in their attached statement, “changing the land to commercial with the hopes of developing it will likely be hampered by the pipeline.” Northern Natural Gas must be contacted if any development were to take in the area crossing Parcel #884702200002.

CenturyLink has facilities in the public ROW and copper cable that feeds the adjacent Parcel # 884702200003 owned by Triple H International. CenturyLink must be involved with any development proposals.

According to the county engineer, should commercial lots develop and the gravel road become the primary access to the lots, they should be subject to a paving agreement in compliance with the terms of the county paving policy so the owner is contributing to the cost of any improvements to the road necessitated by the development. Four of the lots have adequate access to the road system. However, Parcel #884702200007 will have “difficulty finding a location for a driveway that is level to the road that is not within the willow drive that occupies the southern part of the lot.”



CRITERIA 3:

Consideration of the Corn Suitability (CSR) of the property.

Staff Analysis:

The following data has been provided by the Woodbury County Assessor' office:

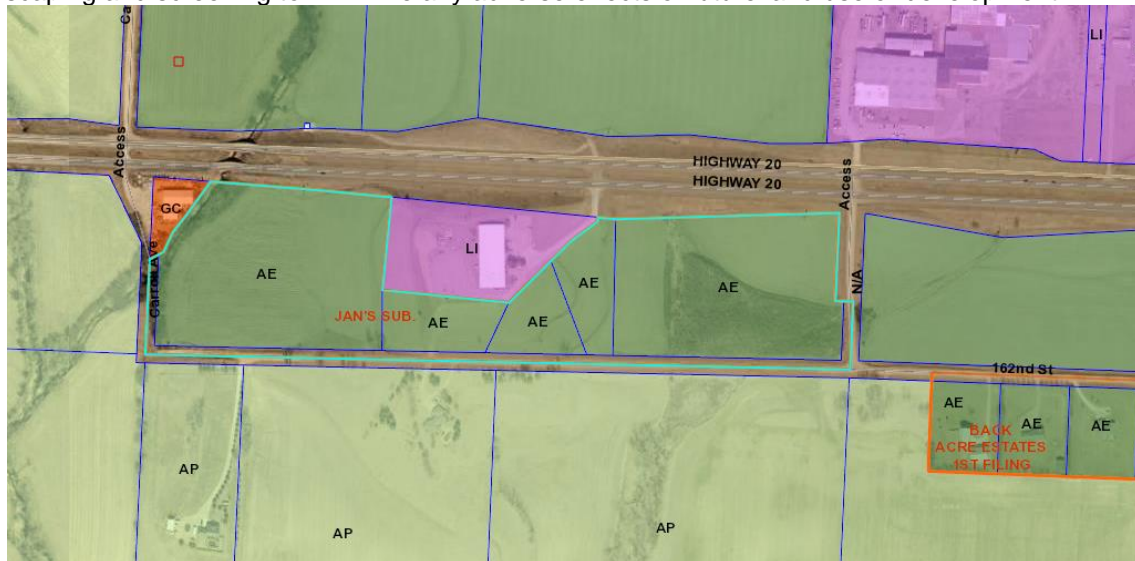
Parcel ID	CSR Rating
884702200002	avg 44.03
884702200004	avg 51.79
884702200005	avg 26.49
884702200006	avg 36.21
884702200007	avg 81.01
884702200002	avg 44.03

CRITERIA 4:

Compatibility with adjacent land uses.

Staff Analysis:

This property is located along the Highway 20 corridor which has been included in the future land use map for commercial uses. The land is also adjacent to agricultural ground including residential homes across 162nd Street. This rezone would directly place commercial land adjacent to Agricultural Preservation (AP) and Agricultural Estates (AE) land. It would be imperative for current and future property owners to implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

**CRITERIA 5:**

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

Staff Analysis:

The intended use of the property appears to be compatible with the adjacent properties.

CRITERIA 6:

Any other relevant factors.

Staff Analysis:

This rezone request aligns with the Woodbury County General Development Plan for 2025.

STAFF RECOMMENDATION

The staff considers this an opportunity to implement the vision of the Woodbury County General Plan (2005). However, staff acknowledges the concerns by the stakeholders including the county engineer who pointed out potential compatibility issues between commercial and agricultural residential property. In this situation, it is imperative for developers to minimize any adverse impact on the neighbors during any development and operation of the commercial property.

The staff recommends approval of the rezone from Agricultural Estates (AE) to General Commercial (GC) as this property is mapped for future commercial development under the Woodbury County General Plan's Future Land Use Map for 2025 under the condition that the current and/or future property owners comply with the following:

- Enter into a recorded paving agreement in compliance with the terms of the current county paving policy (see attached).
- Comply with any and all easements and encroachment agreements including area utilities not limited to Northern Natural Gas on Parcel # 884702200002.
- Implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

ZONING COMMISSION RECOMMENDATION

At the June 22, 2020 public meeting, the Zoning Commission voted to recommend the Zoning Ordinance Map Amendment (Rezone) with the condition that the property owner(s) meet the following conditions:

- Enter into a recorded paving agreement in compliance with the terms of the current county paving policy (see attached).
- Comply with any and all easements and encroachment agreements including area utilities not limited to Northern Natural Gas on Parcel # 884702200002.
- Implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District on Lots One (1), Two (2), Three (3), Four (4), and Five (5) of Jan's Subdivision, Part of Government Lot One (1) of Section Two (2), Township Eighty-Eight (88) North, Range Forty-Seven (47), West of the Fifth Principal Meridian in the County of Woodbury and State of Iowa. Lot 1 also known as Parcel #884702200002 is 12.13 acres. Lot 2 also known as Parcel #884702200004 is 2.3 acres. Lot 3 also known as Parcel #884702200005 is 2.03 acres. Lot 4 also known as Parcel #884702200006 is 2.02. Lot 5 also known as Parcel #884702200007 is 11.34.

PART OF GOVERNMENT LOT 1, IN SECTION 2, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE N.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 0°42' 26" W ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 124.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 20; THENCE S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 215.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 389.32 FEET; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 289.36 FEET; THENCE S 3°37' 42" W FOR 350.00 FEET; THENCE S 86° 22' 18" E FOR 474.81 FEET; THENCE N 43°45' 00" E FOR 330.80 FEET; THENCE N 52°22' 03" E FOR 124.48 FEET; THENCE N 0°35' 33" E FOR 14.97 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 68.12 FEET; THENCE N 86°21' 58" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 845.36 FEET; THENCE S 0°36' 23" W FOR 331.51 FEET; THENCE S 89°23' 37" E FOR 66.69 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE S 0°35' 33" W ALONG SAID EAST LINE FOR 256.30 FEET TO THE S.E. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 89°18' 36" W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR 2652.82 FEET TO THE S.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE N 0°42' 26" E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 356.21 FEET; THENCE N 58°57' 26" E FOR 57.55 FEET; THENCE N 23°16' 26" E FOR 83.08 FEET; THENCE N 37°19' 26" E FOR 70.60 FEET; THENCE N 34°25' 26" E FOR 166.42 FEET TO THE POINT OF BEGINNING. CONTAINING 29.900 ACRES. PARCEL IS SUBJECT TO EXISTING ROADWAYS AND EASEMENTS OF RECORD. NOTE: THE NORTH LINE OF SAID GOVERNMENT LOT 1 IS ASSUMED TO BEAR DUE EAST.

Property Owner and Applicant – Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162nd St., Lawton, IA 51030.

WOODBURY COUNTY PAVING POLICY



Woodbury County Secondary Roads Department

759 E. Frontage Road • Moline, Iowa 51039
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER
Mark J. Nabra, P.E.
mnabra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@sioux-city.org

SECRETARY
Tish Brice
tbrice@sioux-city.org

PPM #5, 2015

WOODBURY COUNTY SECONDARY ROAD DEPARTMENT POLICY AND PROCEDURE MEMORANDUM

SUBJECT: PAVING POLICY

1.0 Purpose

Subdivision development in the rural area creates additional traffic on gravel surfaced roads which were designed primarily for rural farm access. Fugitive dust and rough roads draw frequent complaints from residents who move to the rural area and construct new homes. The county receives requests for paving the roads to meet the new traffic demand.

Property taxes generated by rural residential development rarely pay back the cost of grading and paving a road to meet the new demand. As such, the county is developing this policy to gain participation in road improvement costs from the subdivider or those who purchase rural residential property. This policy states the level of county participation in road improvements and sets a framework for developing paving agreements in the rural area.

The County has not realized total reimbursement of roadway improvement costs from subdivision developers or land owners. Financial, human and other resources are limited and therefore the County desires to establish financial resource guidelines for future pavement extensions to, adjacent and through rural subdivisions.

For new subdivisions the terms of roadway improvement cost sharing within this Paving Policy shall be implemented by the use of Agreements to Impose Covenants; more commonly known as Paving Agreements. Specifically, as a condition of a subdivision's final plat approval, that the Board of Supervisors will require the timely recording of any Paving Agreement.

Samples of Paving Agreement language meeting this Paving Policy is attached and marked Exhibit A and Exhibit B.

Financial Resources

1.1 Special Assessment District

Chapter 331, Section 485, Code of Iowa, establishes the procedures for "County Special Assessment Districts". This process would be the most logical form of cost reimbursement to the County. Section 331.486 indicates that "a county may construct and assess the cost of public improvements within a district in the same manner as a city may proceed under Chapter 384..." Sections 384.37 - 384.79 describes the procedures cities are required to follow for special assessment districts. District boundaries are established by the Board of Supervisors as per Section 331.485.

1.2 Tax Increment Financing

Chapter 403, Code of Iowa, is the "Urban Renewal Law". Section 403.22 describes public improvements related to housing and residential development and low income assistance requirements. The County has use of the funds, but must designate the Low to Moderate Income (LMI) portion to go towards LMI benefit.

1.3 Real Estate Improvements District

Chapter 358C, Code of Iowa, establishes the procedures for creation of a Real Estate Improvement District. The general assembly created this program to assist developers and communities in increasing the availability of housing in Iowa communities. Section 358C.4 authorizes the district to acquire, construct, reconstruct, install, maintain, and repair any of the public improvements listed in this section. Section 358C.4.2.m identifies "Public roads, streets, and alleys" as eligible public improvements.

1.4 General Obligation Bonds

Section 331.441-331.460 describes the procedures for issuance of General Obligation Bonds for "Essential County Purpose". Section 331.441.2.b.2 identifies "Bridges on highway or parts of highways which are located along the corporate limits of cities and are partly within and partly without the limits and are in whole or in part secondary roads".

2.0 Participation Guidelines

- 2.1 Woodbury County will begin to consider paving extensions and County participation when the Average Daily Traffic (ADT) falls within the range of 250 to 500 vehicles per day.
- 2.2 The County will participate up to 20% of the construction costs for paving extension to, adjacent or through a new subdivision or through an existing development. Project development costs will be borne solely by the developer, subdivider or land owners requesting the road upgrade. Grading costs to prepare the roadway for paving will be included in the cost of the project to be shared by the parties requesting the paving improvement.
- 2.3 Woodbury County will use six (6) vehicles per day as a planning number to estimate the number of trips generated by a single family residence.
- 2.4 Bridges, box culverts and other drainage structures will be negotiated individually as proposed projects are presented to the County.

- 2.5 Payment of the cost of the project will be made from funds of the County that may be legally used for such purpose at the sole discretion of the Board of Supervisors.
- 2.6 The Woodbury County Engineer may assist the developer with the development of opinions of cost related to the proposed pavement extension. This shall be considered as a planning tool only. Actual final construction costs will determine the necessary financial commitment of the developer, subdivider or land owner.
- 2.7 Design guidelines and standards will be established by the Woodbury County Engineer.
- 2.8 Schedules will be determined by the Woodbury County Engineer.
- 2.9 These guidelines are not intended to be all inclusive. The Board of Supervisors reserves the right to modify these guidelines as necessary to accommodate the social and economic needs of the project.

3.0 Summary

Woodbury County desires that these guidelines shall be made in accordance with a comprehensive plan and designed to facilitate the adequate provision of transportation, to encourage efficient urban development patterns and to lessen congestion in the street or highway.

Such regulations shall be made with reasonable consideration, among other things, as to the character of the area of the district and the peculiar suitability of such area for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Woodbury County.

This Paving Policy approved this 5th day of May, 2015 for Woodbury County, State of Iowa,

SO APPROVED this 5th day of May, 2015.

WOODBURY COUNTY BOARD OF SUPERVISORS

Mark A. Monson
Mark A. Monson, Chairman

Larry D. Clausen
Larry D. Clausen, Member

Jaclyn Smith
Jaclyn Smith, Member

Matthew A. Ung
Matthew A. Ung, Member

Jeremy Taylor
Jeremy Taylor, Member

ATTEST:

Patrick F. Gill
Patrick F. Gill, County Auditor
Recorder

PARCEL # 884702200002

Summary

Parcel ID 884702200002
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 2-88-47
 Brief Tax Description LOT 1 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY
 [Note: Not to be used on legal documents]
 Deed Book/Page 230-2257 (3/27/1990)
 Gross Acres 12.13
 Net Acres 12.13
 Adjusted CSR Pts 0
 Class R - Residential
 [Note: This is for tax purposes only. Not to be used for zoning.]
 District N/A
 School District LAWTON BRONSON
 Neighborhood N/A
 Main Area Square Feet N/A

Owner

Deed Holder
 Swanger Terry V
 1656 162nd St
 Lawton IA 51030-9729

Land

Lot Area 12.13 Acres ; 528,383 SF

Valuation

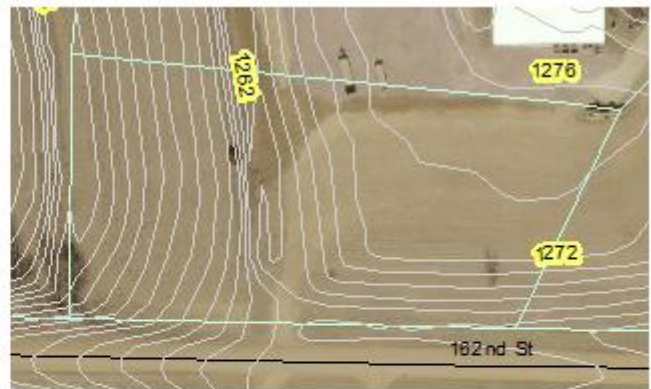
	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$16,130	\$16,130	\$11,310	\$11,310
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$16,130	\$16,130	\$11,310	\$11,310
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$16,130	\$16,130	\$11,310	\$11,310



PARCEL # 884702200004

Summary

Parcel ID 884702200004
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 2-88-47
 Brief Tax Description LOT2 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBU RY
(Note: Not to be used on legal documents)
 Deed Book/Page 230-2257 (6/27/1990)
 Gross Acres 2.30
 Net Acres 2.30
 Adjusted CSR Pts 0
 Class R - Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
 District N/A
 School District LAWTON BRONSON
 Neighborhood N/A
 Main Area Square Feet N/A



Owner

Deed Holder **Contract Holder**
 Swanger Terry V
 1656 162nd St
 Lawton IA 51030-9729

Land

Lot Area 2.30 Acres ; 100,188 SF

Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,860	\$10,860	\$7,490	\$7,490
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,860	\$10,860	\$7,490	\$7,490
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,860	\$10,860	\$7,490	\$7,490

PARCEL # 884702200005

Summary

Parcel ID 884702200005
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 2-88-47
 Brief Tax Description LOT3 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBU RY
(Note: Not to be used on legal documents)
 Deed Book/Page 230-2257 (3/27/1990)
 Gross Acres 2.03
 Net Acres 2.03
 Adjusted CSR Pts 0
 Class R - Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
 District N/A
 School District LAWTON BRONSON
 Neighborhood N/A
 Main Area Square Feet N/A



Owner

Deed Holder **Contract Holder** **Mailing Address**
 Swanger Terry V
 1656 162nd St
 Lawton IA 51030-9729

Land

Lot Area 2.03 Acres ; 88,427 SF

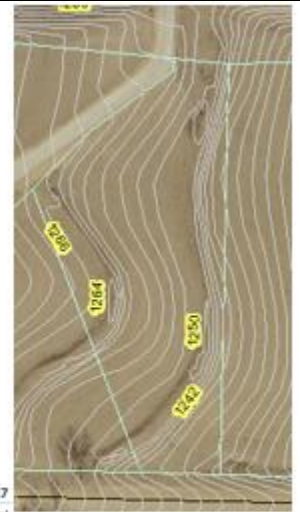
Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,700	\$10,700	\$7,220	\$7,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220

PARCEL # 884702200006

Summary

Parcel ID 884702200006
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 2-88-47
 Brief Tax Description LOT4 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY
(Note: Not to be used on legal documents)
 Deed Book/Page 230-2257 (3/27/1990)
 Gross Acres 2.02
 Net Acres 2.02
 Adjusted CSR Pts 0
 Class R - Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
 District N/A
 School District LAWTON BRONSON
 Neighborhood N/A
 Main Area Square Feet N/A



Owner

Deed Holder	Contract Holder	Mailing Address
Swanger Terry V 1656 162nd St Lawton IA 51030-9729		

Land

Lot Area 2.02 Acres : 87,991 SF

Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,700	\$10,700	\$7,220	\$7,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220

PARCEL # 884702200007

Summary

Parcel ID 884702200007
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 2-88-47
 Brief Tax Description LOTS 5 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY
(Note: Not to be used on legal documents)
 Deed Book/Page 230-2257 (3/27/1990)
 Gross Acres 11.34
 Net Acres 11.34
 Adjusted CSR Pts 0
 Class R - Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
 District N/A
 School District LAWTON BRONSON
 Neighborhood N/A
 Main Area Square Feet N/A



Owner

Deed Holder	Contract Holder
Swanger Terry V 1656 162nd St Lawton IA 51030	

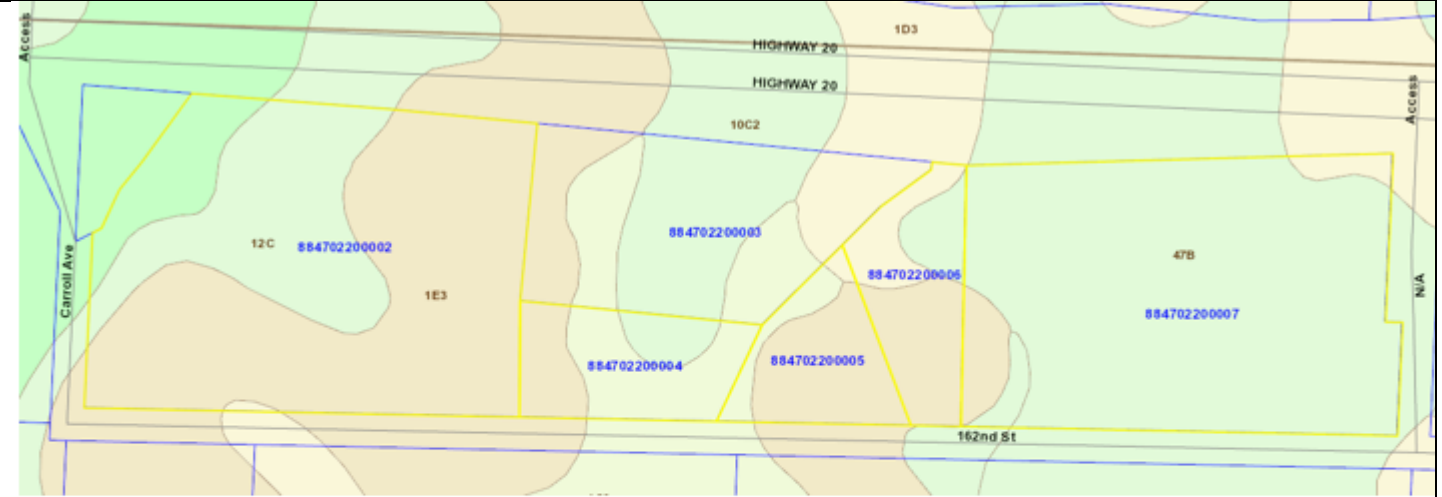
Land

Lot Area 11.34 Acres : 493,970 SF

Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$15,520	\$15,520	\$12,220	\$12,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$15,520	\$15,520	\$12,220	\$12,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$15,520	\$15,520	\$12,220	\$12,220

SOIL



Parcel #	*Average Crop Suitability Rating
884702200002	44.03
884702200004	51.79
884702200005	26.49
884702200006	36.21
884702200007	81.01



*Data provided from the Woodbury County Assessor's Office (5/28/20).

REZONE APPLICATION



OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance
Section 2.02(4)
Page 1 of 8

**Rezoning Application &
Zoning Ordinance Map Amendment** AE → GC

Owner Information: <u>JAREVOCABLE</u>		Applicant Information:	
Owner	<u>TERRY V SWANGER TRUST</u>	Applicant	<u>CHAD SWANGER</u>
Address	<u>1656 162ND ST. LAWTON, IA 51030</u>	Address	<u>4274 DELAWARE CT. SAN JOSE, CA 95135</u>
Phone	<u>408-876-8347</u>	Phone	<u>408-876-8347</u>

Engineer/Surveyor _____ Phone _____

Property Information:

Property Address or Address Range 1656 162ND ST., LAWTON, IA 51030

Quarter/Quarter _____ Sec _____ Twship/Range LAWTON, IA 51030

Parcel ID # See enclosed or GIS # See enclosed Total Acres 30

Current Use Agriculture Proposed Use Agriculture

Current Zoning Agriculture Proposed Zoning Commercial General

Average Crop Suitability Rating (submit NRCS Statement) _____

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date _____ Staff present _____

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

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

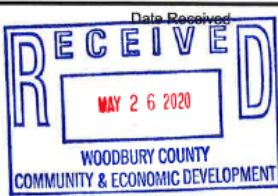
Owner [Signature] Applicant CHAD SWANGER

Date 5-22-2020 Date 5-22-2020

Fee: \$400 Case #: 6561

Check #: 4028

Receipt #: _____



AE 88 4700 22 00 002
AE 88 470 22 00 004
AE 88 47 022 00 005
AG 88 47 022 00 006
AK 88 47 022 00 007

ORDINANCE NO. ____

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this ____ day of _____ 2020.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:

Matthew A. Ung, Chairman

Keith Radig, Vice Chairman

Rocky De Witt

Marty Pottebaum

ATTEST

Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading: June 30, 2020

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Adopted:

ITEM ONE (1)

Property Owner: Terry V. Swanger, 1656 162nd St., Lawton, IA 51030.

Petitioner Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162nd St., Lawton, IA 51030.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District on Lots One (1), Two (2), Three (3), Four (4), and Five (5) of Jan's Subdivision, Part of Government Lot One (1) of Section Two (2), Township Eighty-Eight (88) North, Range Forty-Seven (47), West of the Fifth Principal Meridian in the County of Woodbury and State of Iowa. Lot 1 also known as Parcel #884702200002 is 12.13 acres. Lot 2 also known as Parcel #884702200004 is 2.3 acres. Lot 3 also known as Parcel #884702200005 is 2.03 acres. Lot 4 also known as Parcel #884702200006 is 2.02. Lot 5 also known as Parcel #884702200007 is 11.34 acres.

PART OF GOVERNMENT LOT 1, IN SECTION 2, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE N.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 0°42' 26" W ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 124.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 20; THENCE S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 215.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 389.32 FEET; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 289.36 FEET; THENCE S 3°37' 42" W FOR 350.00 FEET; THENCE S 86° 22' 18" E FOR 474.81 FEET; THENCE N 43°45' 00" E FOR 330.80 FEET; THENCE N 52°22' 03" E FOR 124.48 FEET; THENCE N 0°35' 33" E FOR 14.97 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 68.12 FEET; THENCE N 86°21' 58" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 845.36 FEET; THENCE S 0°36' 23" W FOR 331.51 FEET; THENCE S 89°23' 37" E FOR 66.69 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE S 0°35' 33" W ALONG SAID EAST LINE FOR 256.30 FEET TO THE S.E. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 89°18' 36" W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR 2652.82 FEET TO THE S.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE N 0°42' 26" E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 356.21 FEET; THENCE N 58°57' 26" E FOR 57.55 FEET; THENCE N 23°16' 26" E FOR 83.08 FEET; THENCE N 37°19' 26" E FOR 70.60 FEET; THENCE N 34°25' 26" E FOR 166.42 FEET TO THE POINT OF BEGINNING. CONTAINING 29.900 ACRES. PARCEL IS SUBJECT TO EXISTING ROADWAYS AND EASEMENTS OF RECORD. NOTE: THE NORTH LINE OF SAID GOVERNMENT LOT 1 IS ASSUMED TO BEAR DUE EAST.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.

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

#10
c,d

Date: 7/1/20

Weekly Agenda Date: 7/7/20

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

WORDING FOR AGENDA ITEM:

Application for Zoning Ordinance Map Amendment: Public Hearing and Ordinance 2nd/Final Reading

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning District Map amendment which would change the zoning district designation for parcels #884630300012, 884630300004, and 884630300006 (Floyd Township) from Agricultural Presentation to Agricultural Estates. Following the public hearing, the Board will conduct the second reading of an ordinance approving the amendment to the zoning district map. A 60 percent majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20 percent of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing. The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

Brian D. Peterson, owner of parcels #884630300012, 884630300004, and 884630300006 requests to rezone his parcels from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for future residential development use. If approved, the applicant intends to create a 13-lot and 1 out-lot minor subdivision.

This property is located in a quarter-quarter section that already has two residences. Section 3.01 of the Zoning Ordinance states that not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification.

The Agricultural Estates Zoning District is designed for this type of proposal as its purpose is "to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county.

Parcel #884630300006 includes about 1 acre in the Floodplain Zone A. The most recent draft flood map from FEMA shows the entire project area being in the Special Flood Hazard Area. This issue, along with others were discussed during the Zoning Commission's 6/22/20 public hearing on the request as provided in your backup material. Following the commission's public hearing, they voted (3-0) to recommend approval of the rezone. The commission also approved the plat with the condition the lots be serviced by an internal road or cul-de-sac, and deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with the county's floodplain regulations. The Board of Supervisors will review the minor subdivision application subsequent to the completion of this rezone request.

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:

Open/close public hearing.

Conduct the second reading of the ordinance.

Waive the third/final reading.

It will be effective upon publication date.

ACTION REQUIRED / PROPOSED MOTION:

Open/close public hearing.

Motion to conduct the second reading of the ordinance, and waive the third/final reading.



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov
Telephone (712) 279-6609 Fax (712) 279-6530

**ZONING ORDINANCE MAP AMENDMENT PROPOSAL
Agricultural Preservation (AP) to Agricultural Estates (AE)
Parcels #884630300012, #884630300004, #884630300006**



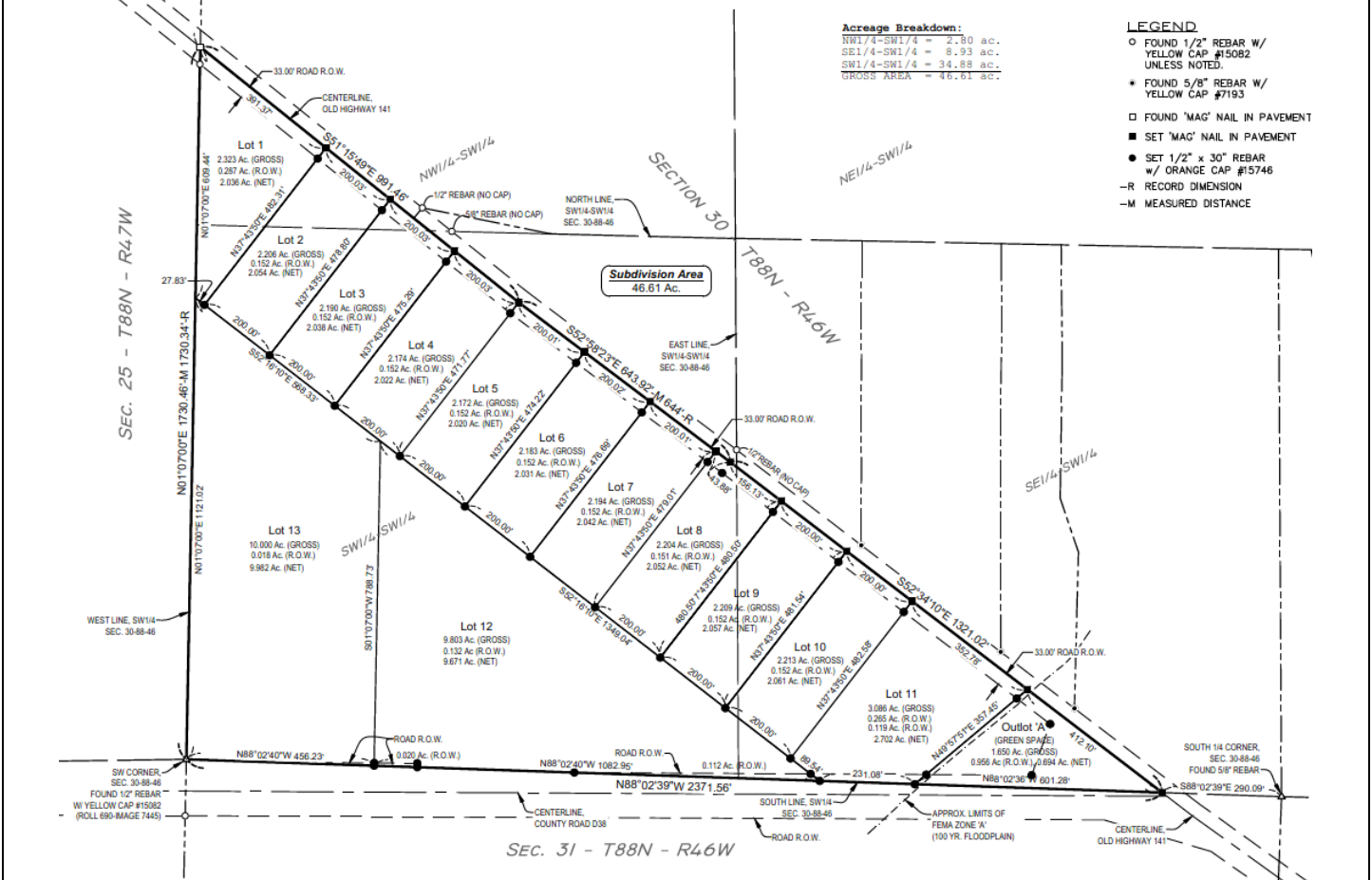
Brian D. Peterson, owner of Parcel #884630300012 located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T88N R46W (Floyd Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve his request to rezone his three parcels from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District to facilitate a concurrent minor subdivision proposal for the creation of thirteen buildable lots for residential homes and an outlot on Parcel #884630300006 which includes about one (1) acre in the Floodplain Zone A.

FACTS OF THE CASE

This proposed Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District is requested and being presented concurrently by the property owner(s) as part of a minor subdivision procedure to create thirteen (13) residential lots and one outlot within a 46.61 acres area.

According to Section 3.01 of the Woodbury County Zoning Ordinance, "not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification" (p. 24). The AE Zoning District is designed for this type of proposal as its purpose is "to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county" (Section 3.01.2, p. 24).

This rezone request is being presented concurrently with a minor subdivision proposal as the property owner(s) wishes to establish thirteen (13) residential lots and one outlot within a 46.61 acre area.

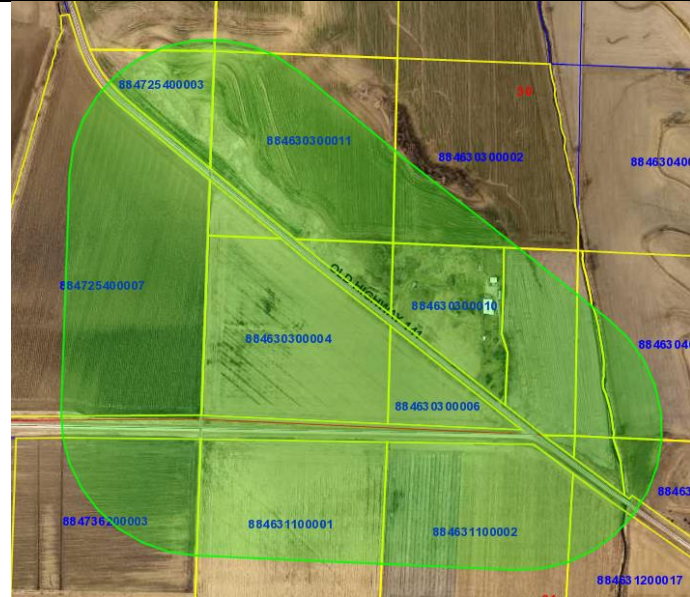


LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on June 12, 2020.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Proposal to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District on Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton. Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1856 162nd St., Lawton, IA 51030.

PROPERTY'S OWNER NOTICE – 1000 FT



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a June 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office has received two (3) general phone inquiries and five (5) written comments from property owners owning property within 1,000'

When more comments are received after the printing of this packet, they will be provided at the meeting.

GARY L. WALTERS – ADJACENT NEIGHBOR

From: gary walters <garywalters@cableone.net>
Sent: Tuesday, June 16, 2020 4:53 PM
To: Daniel Priestley
Subject: Walnut View subdivision
Attachments: 20190314_160327.mp4

Follow Up Flag: Follow up
Flag Status: Flagged

Video taken from the extreme NW corner of the proposed subdivision on the property line with my farm, with the Peterson land on the left and mine on the right. Video taken on 3/14/19 at 4 pm. I object to the proposed subdivision due to faulty flood plain maps that don't come close to identifying the serious flood threat to this area. To suggest that the flood plain is confined to the extreme SE corner (Outlot A) of this parcel is not only misleading but also blatantly incorrect. If I were a prospective buyer of any of these lots and was relying on FEMA or other information provided by County government to inform myself of the risk of flooding, this video and pictures that follow (in separate emails due to file size) would provide damning evidence that government failed miserably to appropriately inform and warn the public of potential danger.

Submitted by:

Gary L. Walters



GARY L. WALTERS – ADJACENT NEIGHBOR

From: gary walters <garywalters@cableone.net>
Sent: Tuesday, June 16, 2020 4:58 PM
To: Daniel Priestley
Subject: Walnut View
Attachments: 20190314_160551.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Here's the walnut trees along the proposed subdivision adjacent to old hwy 141 on March 14, 2019, in approximately the area of lots 7, 8, and 9. Notice in the background that 210th St disappears under water also.

Submitted by Gary L Walters



GARY L. WALTERS – ADJACENT NEIGHBOR

From: gary walters <garywalters@cableone.net>
Sent: Tuesday, June 16, 2020 5:49 PM
To: Daniel Priestley
Subject: Walnut View
Attachments: 20190314_160439.jpg

Here's another perspective of the water from the NW corner of the subdivision looking SE down old hwy 141. My opinion is that the only lots that might be suitable for any type of structural improvement (without raising elevations) would be 1-6, judging by the plat.

Additionally, I have safety concerns about all the accesses to the highway. I'm sure the county engineer will assess line of sight and other considerations relative to the approaches onto the highway but with the lots being significantly lower than the road grade, plus a slight incline in the road itself as it goes west, I don't see a pathway to safely adding up to 11 driveways in this short distance of less than 1/2 mile.

Another concern would be septic tank drain fields. The majority of the proposed lots would not seem to be sufficient for adequate drainage. I'm uncertain about who addresses the suitability of the plat as it relates to this issue. I just know that soils that are saturated a majority of the time do not lend themselves to a good functioning drain field.

Submitted by Gary L Walters



GARY L. WATERS – ADJACENT NEIGHBOR

From: garylwalters <garylwalters@cableone.net>
Sent: Friday, June 19, 2020 9:06 AM
To: Daniel Priestley
Subject: Flood potential map
Attachments: Screenshot_20200619-081244_Chrome.jpg

Dan, attached is a map from the Iowa Flood Center. I suppose the county has seen this information as it reevaluates the flooding potential of the Walnut View subdivision but I wanted to be sure you have it as part of my argument that this tract of land is unfit for residential development.

Gary

Sent from my Verizon, Samsung Galaxy smartphone

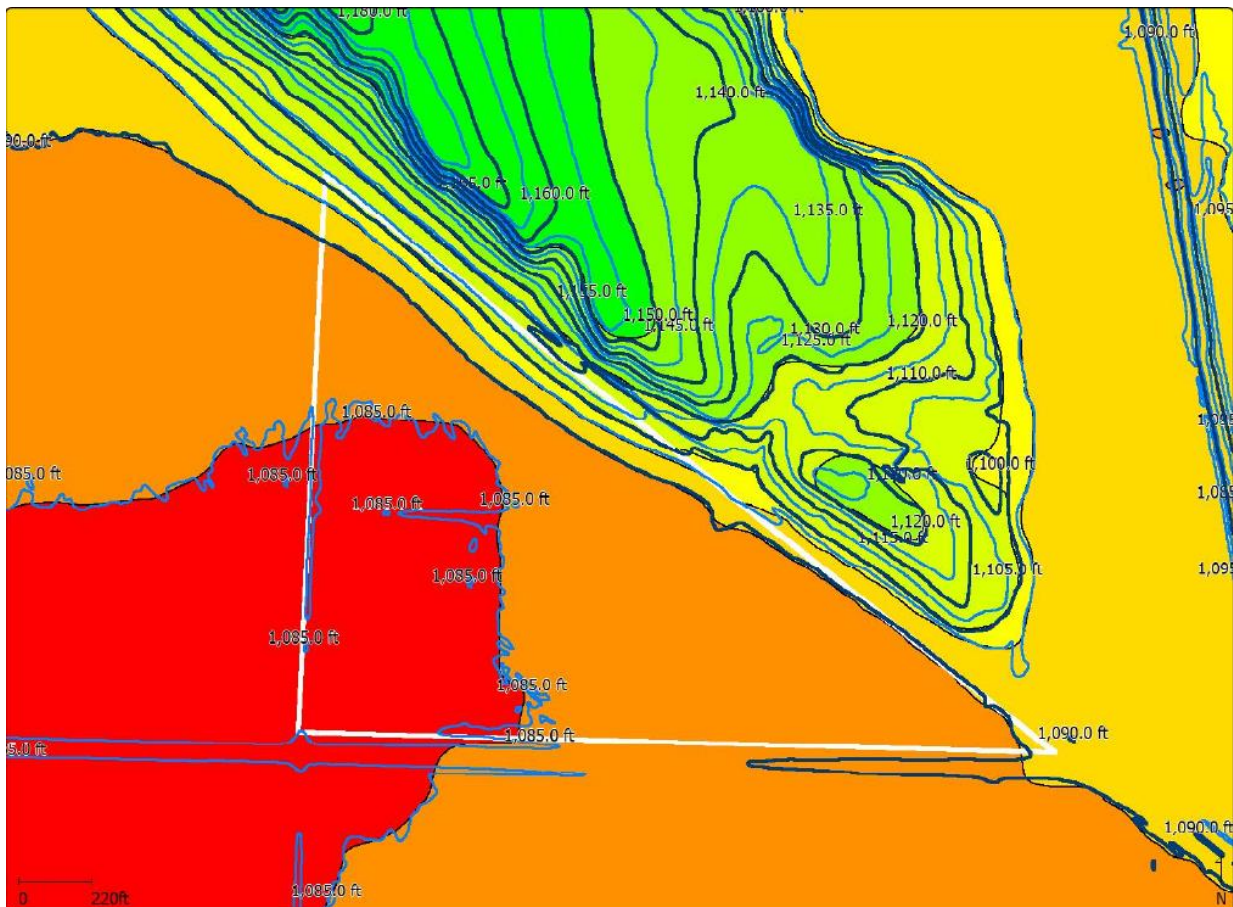
From: garylwalters <garylwalters@cableone.net>
Sent: Friday, June 19, 2020 9:12 AM
To: Daniel Priestley
Subject: Lidar elevation map

Here's a map of elevations. Noteworthy is the fact that much of the ground is lower than the elevation in the extreme SE corner of the tract and that corner is the only area designated in the floodplain of the FEMA map.

Please include these two emails today with my previously submitted exhibits/comments.

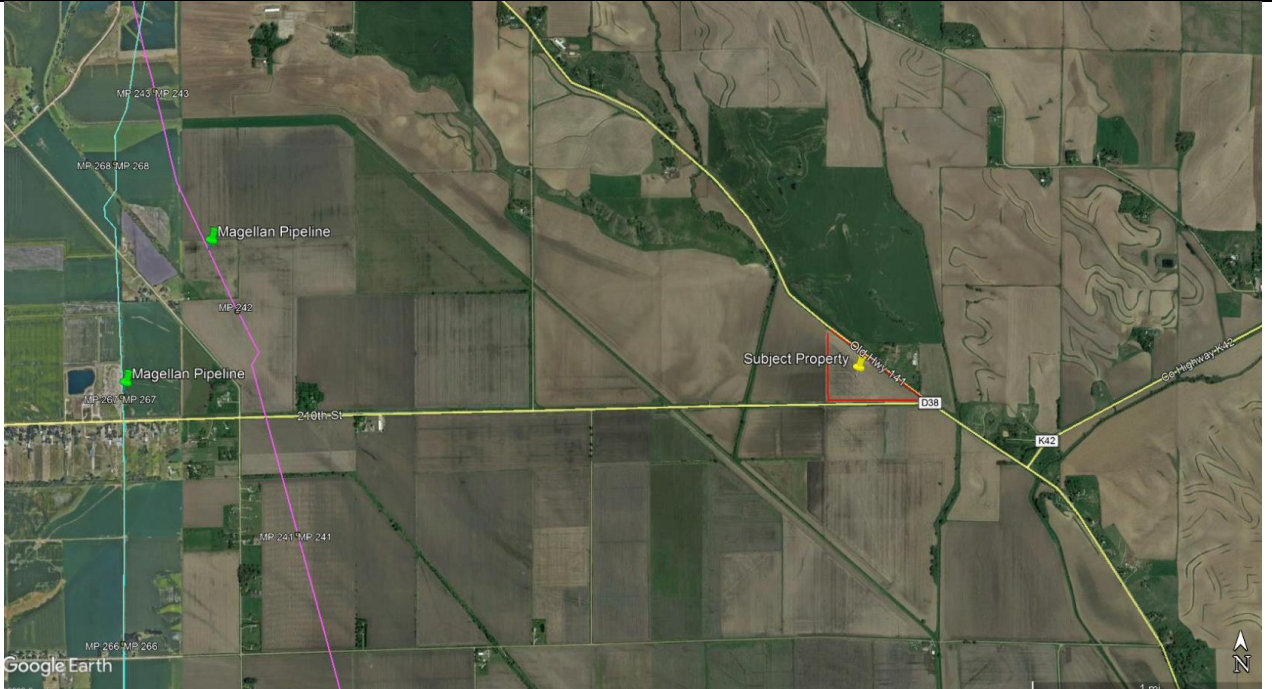
Gary

Sent from my Verizon, Samsung Galaxy smartphone



STAKEHOLDER COMMENTS:

CENTURYLINK:	I have verified through records that CenturyLink does not have any facilities in this area and this is outside of the CenturyLink serviceable area so CenturyLink does not have any concerns regarding this proposal. – Justin Melohn, 6/1/20.
FIBERCOMM:	FiberComm has not concerns. – Jeff Zyzda, 6/1/20.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	Well, I'm sure you're planning to inform the Zoning Commission that this property will eventually be shown as being in the SFHA. And, I assume the rezoning process allows the Commission to include conditions in their decision. So, I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible? – Bill Cappuccio, 6/2/20.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	This S/D is over two miles from any Magellan facility (Please see the attached Google map). I have no issues or comments and approve as submitted. – Tim Kassen, 6/3/20.



MIDAMERICAN ENERGY COMPANY:	No conflicts for MEC “gas” department. – Tyler Ahlquist, 6/2/20. This is REC territory. – Casey Meinen, 6/2/20.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in this area. – Tom Hudson, 6/1/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	No comments.
NUSTAR PIPELINE:	As far as Nustar, we do not have an pipeline near this location. – Domingo Torres, 6/4/20.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	SEE STATEMENT BELOW:
WIATEL:	Wiatel has no concerns. – Phil Robinson, 6/4/20.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	Hi Dan this is a follow up to our phone conversation, the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we have had to close 210 TH and Old 141 due to water over these roads. The area proposed has receives backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements. – Gary Brown, 6/2-20
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I'm not sure which portions of this parcel will be in the future floodplain, however according to the documents the area of land currently in the floodplain has been identified as an outlot/greenspace. If I'm not mistaken, this area was not accessible due road closures caused by flooding in 2019. If more portions of the parcel would

	be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards. – Rebecca Socknat, 6/10/20.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No Comments from Woodbury County REC. – Kent Amundson, 6/1/20.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	SEE STATEMENT BELOW:

WOODBURY COUNTY SOIL & WATER CONSERVATION DISTRICT - NEIL STOCKFLETH

From: Stockfleth, Neil <NStockfleth@cfindustries.com>
Sent: Monday, June 1, 2020 2:40 PM
To: Daniel Priestley
Subject: RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan:

The WCSWCD has concerns about the suitability of development in this area due to wetness of the soil and flooding issues in the immediate area. In particular the southeastern end of this proposed area is low. Over the years it has appeared that farming has been delayed or hindered by wetness, based on personal observations. It appears that the western ends of the individual lots may extend into wet areas in some years.

Based on these observations, The WCSWCD has reservations about the suitability of housing development in this area. Significant steps would need to be taken to make septic systems functional in heavy, wet soils, for one example.

Neil Stockfleth

Neil Stockfleth | CF Industries
 Environmental Specialist | Port Neal Nitrogen Complex
 Office: 712-233-6276 | Mobile: 712-251-5155
nstockfleth@cfindustries.com

IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20

THE FOLLOWING EMAIL ADDRESSES WELLS IN THE FLOODPLAIN.

From: Ivy Bremer
Sent: Wednesday, June 17, 2020 12:05 PM
To: Daniel Priestley
Subject: RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan,

Yes, if the property falls within a flood plain, the following protective factors will need to be completed by the contractor:

- The casing top height needs to be 3 feet higher than the surrounding area
- It should be graded or mounded around the well for a transition
- Bump protection to be installed: any structure that has been secured at a sufficient depth
 - Bollard posts
- Well cap shall be watertight with a watertight interior
- Well cap vent needs to be raised another 12 inches above the cap

Ivy Bremer
 Environmental Specialist
 Siouxland District Health Department
 1014 Nebraska St Sioux City IA 51105
 Ph: 712-279-6119 | Fax: 712-255-2604
ibremmer@siouxlanddistricthealth.org
 Visit us at: www.siouxlanddistricthealth.org

IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20

From: Ivy Bremer
Sent: Wednesday, June 17, 2020 11:02 AM
To: Daniel Priestley
Subject: RE: Comments Requested Walnut View Minor Subdivision & Rezone
Attachments: Old 141 Sergeant Bluff Soils.pdf

Hi Dan,

I have reviewed the following parcels. Please be aware that prior to any installation of an on-site septic system an application to install and a site evaluation are required to determine the type of soils present, restrictive layers, e.g. water table, as well as any other required setbacks.

Based on information from you and the USDA Web Soil Survey there are some concerns as to the type of on-site septic system that would be allowed in this area. Due to the clay soils and potential issues due to a water table at approximately 0-12 inches, the property owners may not be able to install a soil-based system. Soil based systems require oxygen for the bacteria to properly treat the effluent. If the soils are continually saturated by the water table, this limits treatment. In these situations, they may be required to install an alternative system. These types of systems use media to filter and treat the effluent before discharging to the surface or ditch; however, these systems can cost anywhere from \$18,000-\$20,000. I cannot guarantee price, I just know they can be very expensive and an unexpected cost to homeowners.

Lastly, I am unable to determine which type would be required without completing an on-site evaluation but please be aware that it is likely given the area and known issues with standing water in the Sergeant Bluff area.

Thanks and please call with any other questions.

Ivy Bremer
Environmental Specialist
Siouxland District Health Department
1014 Nebraska St Sioux City IA 51105
Ph: 712-279-6119 | Fax: 712-255-2604
ibremer@siouxlanddistricthealth.org
Visit us at: www.siouxlanddistricthealth.org

Woodbury County, Iowa**734—Holly Springs silty clay loam, 0 to 2 percent slopes,
rarely flooded****Map Unit Setting**

National map unit symbol: fh8h
Elevation: 700 to 1,200 feet
Mean annual precipitation: 26 to 36 inches
Mean annual air temperature: 46 to 48 degrees F
Frost-free period: 155 to 200 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Holly springs, rarely flooded, and similar soils: 85 percent
Minor components: 15 percent
*Estimates are based on observations, descriptions, and transects of
the mapunit.*

Description of Holly Springs, Rarely Flooded**Setting**

Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Clayey alluvium

Typical profile

Ap - 0 to 6 inches: silty clay loam
A1 - 6 to 12 inches: silty clay loam
A2,A4 - 12 to 44 inches: silty clay
Bg1,Bg2 - 44 to 70 inches: silty clay
Cg - 70 to 80 inches: silty clay

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very
low to moderately low (0.00 to 0.01 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum in profile: 30 percent
Available water storage in profile: Moderate (about 8.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w

Hydrologic Soil Group: D
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: Yes

Minor Components

Holly springs, overwash, rarely flooded

Percent of map unit: 10 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: Yes

Tieville, rarely flooded

Percent of map unit: 3 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: Yes

Larpenteur, rarely flooded

Percent of map unit: 1 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: No

Grantcenter, rarely flooded

Percent of map unit: 1 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: No

Data Source Information

Soil Survey Area: Woodbury County, Iowa
Survey Area Data: Version 29, Sep 12, 2019



Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039

Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER
Mark J. Nahra, P.E.
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@sioux-city.org

SECRETARY
Tish Brice
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: June 17, 2020

Subject: Walnut View Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced minor subdivision application forwarded with your email dated June 3, 2020.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the subdivision for access. Normally for a subdivision with this many lots, I would prefer to see the lots serviced by an internal street or cul-de-sac to reduce the possible points of collision conflict on a major roadway. This option has not been offered by the developer. Stripping lots along a roadway, as is proposed with the Walnut View subdivision, increases the risk of collision for vehicles using Old Highway 141 and D38. Old Highway 141 is a heavily used road with an average daily traffic count of 1370 vehicles per day (vpd) for this road segment. D38/210th Street has a traffic count of 980 vpd. Options for a cul-de-sac or a frontage road serving the subdivision could have been offered, and would offer safer alternatives for access to the lots. I realize that this is costlier for the developer, but it does result in fewer potential collision conflicts for road users and safer conditions for adjacent residents.

A series of driveways on strip subdivisions frequently leads to a request for a speed limit on the adjacent road. A more restrictive speed limit on Old Highway 141 is not in concert with the road classification and use, which is major collector route/farm to market route/commuter route. Spot speed limits in locations like this are difficult to enforce and result in poor compliance and complaints to our department. Compare this spot to the Holly Springs speed zone which is frequently violated and subject of complaints of noncompliance with the 35-mph speed limit. If given my choice on the development of subdivisions with more than 3 or 4 lots, I would prefer to see the lots served by an internal roadway such as was done with the Dunn Estates, Niles Second

Addition, and Bollmeyer subdivisions adjacent to county route D12. Other examples include Sunview Estates and Berea Heights Addition off 155th Street.

I am resistant to the request for individual driveways for each lot and would prefer to see the adjacent lots utilize shared driveways to reduce the number of new points of conflict along the road. Knowing the developer's intentions, I checked each lot frontage for establishment of a single driveway. Some lots will require shared driveways due to sight distance limitations. I will lay out two options for serving the subdivision with driveways.

Option 1: Individual driveways

Lots 1 and 2 – driveway anywhere along lot frontage.

Lot 3 – driveway must be located within 50 feet of the north corner of the lot.

Lot 4 – driveway anywhere along the frontage

Lot 5 – driveway anywhere along the frontage

Lot 6 – driveway must be located at the north corner of the lot

Lot 7 through 11 – driveway can be located anywhere along frontage

Lot 12 and 13 – driveway can be located anywhere along frontage

Option 2 – preferred:

Lot 1 – solo driveway

Lot 2 and 3 – shared driveway at corner due to limited sight distance

Lot 4 - solo driveway

Lot 5 and 6 – shared driveway at corner due to limited sight distance

Lot 7 and 8 – shared driveway

Lot 9 and 10 – shared driveway

Lot 11 and Outlot A – shared driveway

Lot 12 and 14 – shared driveway

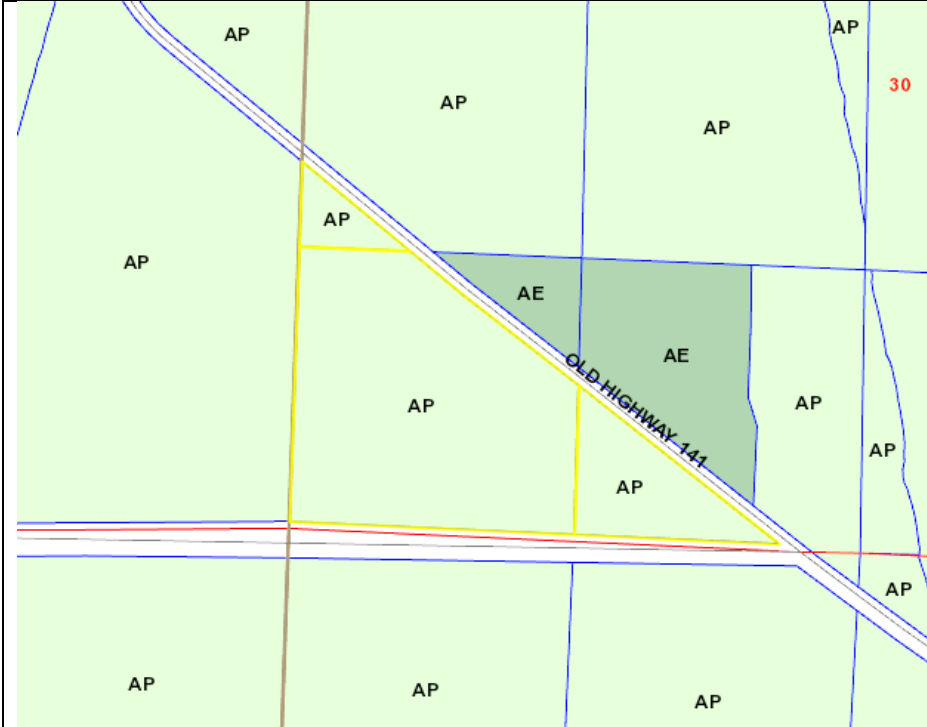
- This area platted for this subdivision was subject to severe flooding during the March 2019 event. D38 between the Old 141 intersection and the eastern county bridge on D38 was underwater for over a week. The field from which the subdivision is being split was flooded during much of this period. Due to the winter conditions and snow filled ditches, the normal water courses were not carrying water or passing it to the improved drainage ditches west of the proposed subdivision and the water was forced to find its outlet by running through the field and overtopping the road. The Old 141/D38 intersection has been underwater due to flash flooding on Whiskey Creek four times since 2009. This has inundated the area shown as Outlot A and part of Lot 11 during those flood events. To protect the potential homes in the area, a base flood elevation for the lots within the subdivision should be established to assure that any eventual construction is set at an elevation above any likely flooding.

- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

CURRENT ZONING DISTRICT:



UTURE LAND USE MAP – WOODBURY COUNTY GENERAL DEVELOPMENT PLAN (2005)



ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

CRITERIA 1:

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

Staff Analysis:

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including the rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. The applicant’s proposal to rezone from AP to AE can be associated with the future land use map (see above) that marks this area for “rural residential.” It appears that the intention in 2005 was to allow for more housing within this region. The AE Zoning District at this location allows for residential development on 2 acre lots with the idea of retaining much of the agricultural characteristics of the area vs. the more dense Suburban Residential (SR) Zoning District.

CRITERIA 2:

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

Staff Analysis:

This property is in an area that will likely be placed within the floodplain Special Flood Hazard Area (SFHA) during the next mapping IDNR/FEMA mapping process. According to Woodbury County Emergency Management, Emergency Services Secondary Roads, and the Soil & Water Conservation District, there has been past flooding on the property. Any development should comply with the county floodplain management ordinance including the elevation above the base flood elevation (BFE).

CRITERIA 3:

Consideration of the Corn Suitability (CSR) of the property.

Staff Analysis:

Parcel ID:	CSR Rating:
884630300012	81.39
884630300004	75.64
884630300006	82.96

These data have been provided by the Woodbury County Assessor' office:

ITERIA 4:

Compatibility with adjacent land uses.

Staff Analysis:

See Criterial #5 analysis. The intended use appears to be compatible. However, Criteria 5 includes information concerning the flooding issues and the future floodplain.

CRITERIA 5:

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

Staff Analysis:

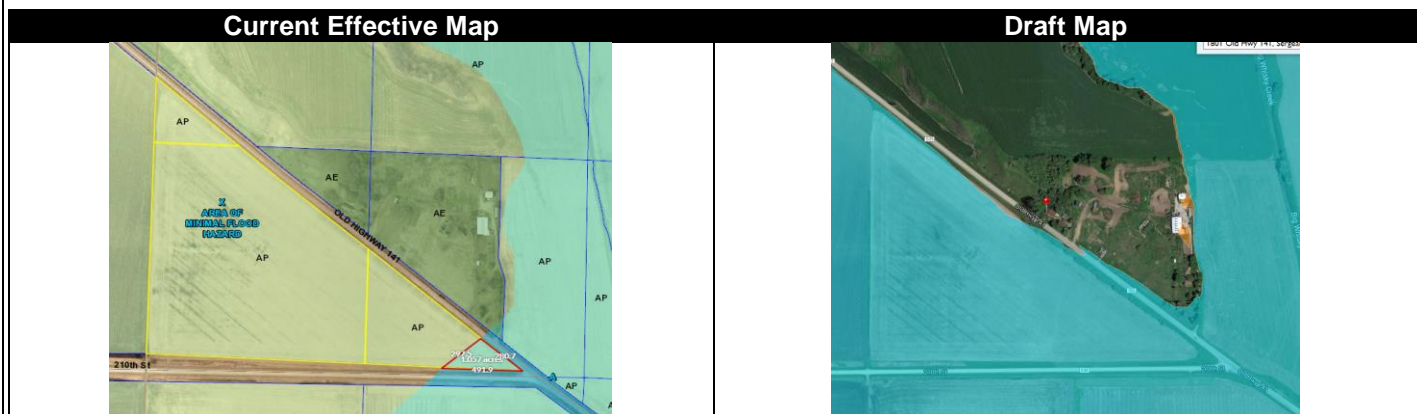
During the past year, the Iowa Department of Natural Resources (IDNR) and the Federal Emergency Management Agency (FEMA) have been developing a new floodplain map based on 2 ft. LiDAR intervals. The new maps are presently in the draft phase and have not been formally presented to the county for adoption. The current effective map is the map that is enforced by the county floodplain ordinance and the use of the draft map proposal can only be considered for informational purposes.

The current floodplain map includes a majority of this property as not being located with the special floodplain hazard area (SFHA). Presently, there is about 1.057 acres of floodplain located on the proposed outlot of the minor subdivision which is not meant for development (see attached plat). However, the draft map proposal almost entirely places the area proposed for the subdivision into the future floodplain.

Based on this information, Bill Cappuccio, PE, National Flood Insurance Program Coordinator, with the IDNR was contacted along with Gary Brown, Director of Emergency Services and Rebecca Socknat, Director of Emergency Management for comment. Brown stated that "the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we had to close 210th and Old 141 due to water over these roads. The area proposed has received backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements" (6/2/20). Socknat stated "if I'm not mistaken, this area was not accessible due to road closures caused by flooding in 2019. If more portions of the parcel would be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards" (6/10/20).

Cappuccio stated "... I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible" (6/5/20)? In a subsequent communication, Cappuccio stated that "our (DNR's) rules don't require us to use the effective FIRM if there is better information available. So, our BFE will be based on the best available information. Chances are that might be the information associated with the draft flood data" 6/5/20.

On June 5, CED staff attended a flood risk review meeting with representatives from the IDNR and FEMA and this situation was brought to their attention. The staff inquired about the discrepancy between the two maps (see below). Vikram Shrivastava, a FEMA contractor, stated that “we are investigating the area near Old Hwy 141 and the widening floodplain. I will get back to you in the next 2 weeks on our findings.” This investigation could result in a modification to the draft map.



Based on the comments of Socknat, Brown, Nahra and Cappuccio along with evidence provided by Gary Walters, an adjacent property owner, the position of the staff is that even though the current effective map does not include much of the property within the SFHA, portions of the property may be susceptible to water. Additionally, there is a possibility by 2022 that the draft map could be adopted thus placing this newly subdivided property into the floodplain. With this in mind, Cappuccio’s recommendation could be adopted as a condition for approval to “require the developer to determine the BFE for the property and ensure any structures constructed there are compliant with the County’s requirements for development in the SFHA...”

CRITERIA 6:
Any other relevant factors.
Staff Analysis:
This rezone request aligns with the Woodbury County General Development Plan for 2025.

STAFF RECOMMENDATION

The staff recommends that the Zoning Commission recommend and the Board of Supervisors approve this rezone from the Agricultural Preservation (AP) to the Agricultural Estates (AE) for the property composed of Parcels #884630300012, #884630300004, #884630300006.

ZONING COMMISSION REZONE

At their June 22, 2020 meeting, the Zoning Commission voted to recommend approval of the Rezone from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the property composed of Parcels #884630300012, #884630300004, #884630300006.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone the area inclusive of Parcel #884630300012 located in the NW ¼ of the SE ¼ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District which includes that portion of the southwest quarter (SW1/4) of Section 30, Township 88 North, Range 46 West of the 5th P.M., Woodbury County, Iowa, described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THEN NORTH 01°07'00" EAST ALONG THE WEST LINE OF THE SW1/4 OF SAID SECTION 30 FOR A DISTANCE OF 1,730.46 FEET TO THE CENTER LINE OF OLD HIGHWAY NO. 141; THEN SOUTH 51°15'49" EAST ALONG SAID CENTER LINE FOR A DISTANCE OF 991.46 FEET; THENCE SOUTH 52°34'10" EAST ALONG SAID CENTERLINE FOR A DISTANCE OF 1,321.02 FEET TO THE SOUTH LINE OF SAID SW1/4; THENCE NORTH 88°02'39" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 2,371.56 FEET TO THE POINT OF BEGINNING, CONTAINING 46.61 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS, IF ANY, OR RECORD OR APPARENT.

Property Owner and Applicant – Brian Peterson, 1739 Charles Avenue, Lawton, IA 51030.

PARCEL REPORTS - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .

Summary

Parcel ID 884630300004
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 30-88-46
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SW SW 30-88-46
 (Note: Not to be used on legal documents)
 Deed Book/Page 2020-02704 (3/9/2020)
 Gross Acres 33.66
 Net Acres 33.66
 Adjusted CSR Pts 2545.86
 Class A - Agriculture
 (Note: This is for tax purposes only. Not to be used for zoning.)
 District N/A
 School District LAWTON BRONSON
 Neighborhood N/A
 Main Area Square Feet N/A

Owner

Deed Holder Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030	Contract Holder	Mailing Address
-----------------------------------------------------------------------------------------	------------------------	------------------------

Land

Lot Area 33.66 Acres ; 1,466,230 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, SHELVI G DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

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

Valuation

	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$60,930	\$60,930	\$88,670	\$88,670
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670

Summary

Parcel ID 884630300006
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 30-88-46
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SE SW 30-88-46
 (Note: Not to be used on legal documents)
 Deed Book/Page 2020-02704 (3/9/2020)
 Gross Acres 8.27
 Net Acres 8.27
 Adjusted CSR Pts 686.18
 Class A - Agriculture
 (Note: This is for tax purposes only. Not to be used for zoning.)
 District N/A
 School District LAWTON BRONSON
 Neighborhood N/A
 Main Area Square Feet N/A

Owner

Deed Holder Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030	Contract Holder	Mailing Address
-----------------------------------------------------------------------------------------	------------------------	------------------------

Land

Lot Area 8.27 Acres ; 360,241 SF

Sales

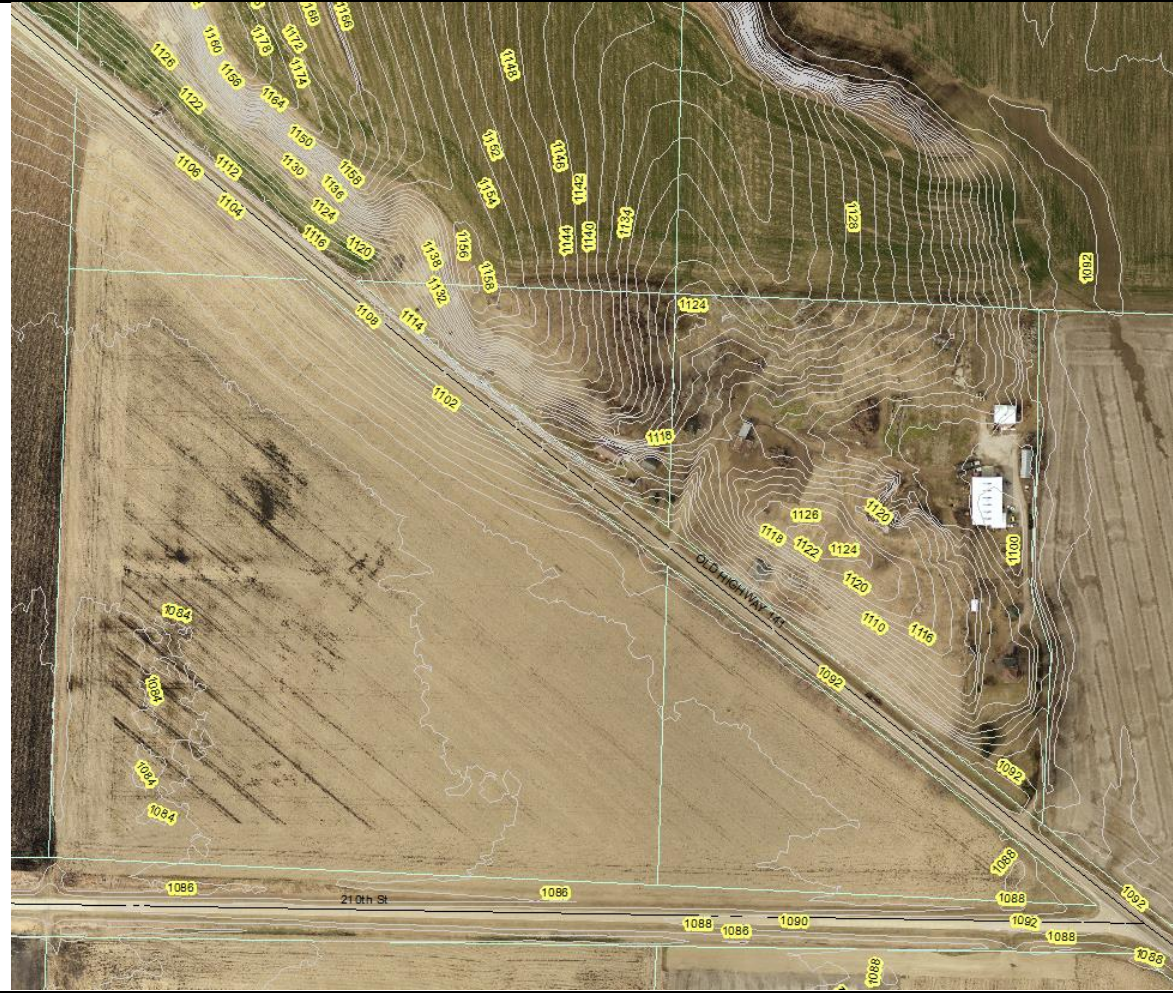
Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, SHELVI G DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

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

Valuation

	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$16,420	\$16,420	\$23,900	\$23,900
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900

TOPOGRAPHY



SOIL - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .



Legend

- Roads
- Soils**
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000

Summary

Parcel ID 884630300004
 Gross Acres 33.66
 ROW Acres 0.00
 Gross Taxable Acres 33.66
 Exempt Acres 0.00
 Net Taxable Acres 33.66 (Gross Taxable Acres - Exempt Land)
 Average Unadjusted CSR2 75.63 (2545.86 CSR2 Points / 33.66 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	33.66	75.64	2,545.86	2,545.86
Non-Crop	0.00	0.00	0.00	0.00
Total	33.66		2,545.86	2,545.86

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	3.01	267.89	267.89
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODED	82.00	14.85	1,217.70	1,217.70
100% Value	734	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	68.00	15.17	1,001.56	1,001.56
100% Value	734+	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	67.00	0.09	6.03	6.03
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	0.54	22.68	22.68
Total				33.66	2,545.86	2,545.86

Summary

Parcel ID 884630300006
 Gross Acres 8.27
 ROW Acres 0.00
 Gross Taxable Acres 8.27
 Exempt Acres 0.00
 Net Taxable Acres 8.27 (Gross Taxable Acres - Exempt Land)
 Average Unadjusted CSR2 82.97 (686.18 CSR2 Points / 8.27 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8.27	82.97	686.18	686.18
Non-Crop	0.00	0.00	0.00	0.00
Total	8.27		686.18	686.18

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.47	41.83	41.83
100% Value	266+	SMITHLAND SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLO	87.00	0.95	82.65	82.65
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODED	82.00	6.85	561.70	561.70
Total				8.27	686.18	686.18



**Rezoning Application &
Zoning Ordinance Map Amendment**

<p>Owner Information:</p> <p>Owner <u>Brian Peterson</u></p> <p>Address <u>1739 Charles Ave</u> <u>Lauton, IA 51030</u></p> <p>Phone <u>712-943-5304</u></p>	<p>Applicant Information:</p> <p>Applicant <u>Brian Peterson</u></p> <p>Address <u>1739 Charles Ave</u> <u>Lauton IA 51030</u></p> <p>Phone <u>712-943-5304</u></p>
<p>Engineer/Surveyor <u>DGR, Dave Lamberton</u> Phone <u>712-266-1554</u></p>	
<p>Property Information:</p> <p>Property Address or Address Range <u>NA, Currently Farm land.</u></p> <p>Quarter/Quarter <u>SW</u> Sec <u>30</u> Twnshp/Range <u>88 North 46 West</u></p> <p>Parcel ID # _____ or GIS # <u>884630300006, 00004, 00001</u> Total Acres <u>46.61A.</u></p> <p>Current Use <u>AP - Ag Use</u> Proposed Use <u>AE - Ag Estate Lots</u></p> <p>Current Zoning <u>AP</u> Proposed Zoning <u>AE</u></p> <p>Average Crop Suitability Rating (submit NRCS Statement) <u>65</u></p>	
<p>The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).</p> <p>A formal pre-application meeting is recommended prior to submitting this application.</p> <p>Pre-app mtg. date <u>9-25-18, Phone Calls</u> Staff present <u>Dan Priestly, Mark Nabra, David Gleason</u> <u>SINCE.</u></p>	
<p>The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.</p> <p>This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.</p> <p>Owner <u>Brian Peterson</u> Applicant <u>Brian Peterson</u></p> <p>Date <u>5-27-20</u> Date <u>5-27-20</u></p>	

Fee: \$400 Case #: 6562

Check #: 11213

Receipt #: _____



ORDINANCE NO. ____

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this ____ day of _____ 2020.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:

Matthew A. Ung, Chairman

Keith Radig, Vice Chairman

Rocky DeWitt

Marty Pottebaum

ATTEST

Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading: June 30, 2020

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Adopted:

ITEM ONE (1)

Property Owner: Brian D. Peterson & Anita S. Peterson, 1739 Charles Avenue, Lawton, IA 51030.

Petitioner Applicant: Brian Peterson, 1739 Charles Avenue, Lawton, IA 51030.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone the area inclusive of Parcel #884630300012 located in the NW ¼ of the SE ¼ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District which includes that portion of the southwest quarter (SW1/4) of Section 30, Township 88 North, Range 46 West of the 5th P.M., Woodbury County, Iowa, described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THEN NORTH 01°07'00" EAST ALONG THE WEST LINE OF THE SW1/4 OF SAID SECTION 30 FOR A DISTANCE OF 1,730.46 FEET TO THE CENTER LINE OF OLD HIGHWAY NO. 141; THEN SOUTH 51°15'49" EAST ALONG SAID CENTER LINE FOR A DISTANCE OF 991.46 FEET; THENCE SOUTH 52°34'10" EAST ALONG SAID CENTERLINE FOR A DISTANCE OF 1,321.02 FEET TO THE SOUTH LINE OF SAID SW1/4; THENCE NORTH 88°02'39" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 2,371.56 FEET TO THE POINT OF BEGINNING, CONTAINING 46.61 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS, IF ANY, OR RECORD OR APPARENT.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.

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

#11 a,b

Date: 7/1/20 Weekly Agenda Date: 7/7/20

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

WORDING FOR AGENDA ITEM:

Approval of Final Plat for the Teri Addition Minor Subdivision

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

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

BACKGROUND:

Gayle Dee Weed, owner of Parcel #874614100007 (2206 240th St.) proposes an 8.98 acre subdivision for future residential purposes and the construction of a new house. This proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) request to allow for more than two residential structures in a quarter-quarter section as is required by Section 3.01 of the Zoning Ordinance. This property is not located in a floodplain but is within the 1st rank of the Loess Hills. This property is greater than two miles from any incorporated area and does not require extraterritorial review. On 6/23/20 the Zoning Commission voted to recommend approval of this Minor Subdivision.

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:

Receive the Zoning Commission's recommendation from their 6/23/20 meeting to approve the final plat.
Subject to public testimony received (if any), approve the plat and authorize the Chairman to sign the resolution.

ACTION REQUIRED / PROPOSED MOTION:

Motion to receive the Zoning Commission's recommendation from their 6/23/20 meeting to approve the final plat.
Motion to approve the Teri Addition Minor Subdivision plat and authorize the Chairman to sign the resolution.



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov
 Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov
 Telephone (712) 279-6609 Fax (712) 279-6530

**TERI ADDITION
MINOR SUBDIVISION PROPOSAL
Parcel #874614100007**



Parcel ID	874614100007	Alternate ID	749970	Owner Address	MATHIESON GAYLE D
Sec/Twp/Rng	14-87-46	Class	AD		2206 240TH ST
Property Address	2206 240TH ST HORNICK	Acreeage	15.77		HORNICK IA 51026-8031
District	0027				
Brief Tax Description	E1/2 NW1/4 LYING S OF RD EX 2 AC S OF RD SENW & EX A TCT BEING 13 94.40 FT ON EX 471.65 FT ON S NW 1/4 14-87-46				
	(Note: Not to be used on legal documents)				

FACTS OF THE CASE

Gayle Dee Weed, owner of Parcel #874614100007 located in the E ½ of the NW ¼ of Section 14, T87N R46W (Grange Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve the proposed Teri Addition Minor Subdivision. This proposal encompasses the creation of one (1) lot with 8.98 acres for the purpose of constructing a residential home. This proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) request to allow for more than two residential structures in a quarter-quarter section as is required by Section 3.01 of the Woodbury County Zoning Ordinance. The property is not located in the floodplain.

EXTRATERRITORIAL REVIEW

This property is greater than two (2) miles from an incorporated area and does not require extraterritorial review under Iowa Code, Section 359.9.



LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on July 12, 2020

PROPOSED MINOR SUBDIVISION: To be known as Teri Addition – a one lot minor subdivision in an 8.98 acre portion of the E ½ of the NW ¼ of Section 14, T87N R46W (Grange Township), on Parcel #874614100007, Woodbury County, Iowa, adjacent to Old Highway 141 and 240th Street about four miles southeast of Bronson. Applicant: Gayle Weed, 2206 240th Street, Homick, IA 51026.

PROPERTY OWNER NOTICE – 1000 FT



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a July 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office had not received written comment from any property owner owning property within 1,000'. There was one (1) phone inquiry asking about the purpose of the rezone and subdivision.

When more comments are received after the printing of this packet, they will be provided at the meeting.

LEGAL NOTIFICATION

CENTURYLINK:	I reviewed the area and CenturyLink does not have facilities. It is also outside of a CenturyLink wire center that we provide service to. We do not have any objection to the rezoning for a new subdivision. Any questions please let me know. – Sean Hostetter, 6/3/20.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LOESS HILL NATIONAL SCENIC BYWAY	Thanks for sending this along to us. I've been reviewing the maps and it looks like the property is in the Luton Special Landscape Area (SLA). Since it is only for one house, it seems like the disturbance would be minimal. I will work on preparing a letter with our potential concerns, but we wouldn't be staunchly in support or opposition of this project. In my letter, I'll also include contact information for Graham McGaffin with The Nature Conservancy, who can speak more to the SLAs and the Loess Hills in that area if the Supervisors or Zoning Committee would like additional information. Thanks for including us! Becca Castle – 6/19/20
LONGLINES:	No comments.
MAGELLAN PIPELINE:	Magellan Pipeline has no issues with this. Magellan is not in section 14 of Grange twp. We are at least 5 miles west with our closest pipeline so we are good. – Steven Eddy, 6/4/20.
MIDAMERICAN ENERGY COMPANY:	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in that area – Tom Hudson, 6/3/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.

WOODBURY COUNTY CONSERVATION:	No comments and not opposed, was just curious about where it was going to be built as I know the Loess Hills Scenic Byway promotes the viewshed and that is the hills. If houses are built on top it takes away from. I have no objections to this, I will run by my board on Thursday but don't think they will want to comment either. Thanks for checking back. – Dan Heissel, 6/17/20. Do you know where they plan on building this second residential unit on the property??? – Dan Heissel, 6/3/20. I don't know what county policy or my Boards is on building on the hilltops for the Loess Hills. Noticed it was along 141 and know we have a lot of easements we monitor and I know the Scenic Byway did some work. I would have to look at and research before I would comment on something. Still trying to learn everything that is done in Woodbury. – Dan Heissel, 6/3/20..
WOODBURY COUNTY EMERGENCY SERVICES:	No comments. – Gary Brown, 6/8/20.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	SEE STATEMENT BELOW
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD has no direct comments on this proposal. We would like to note however, that this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property. – Neil Stockfleth, 6/3/20.

MARK NAHRA, PE – WOODBURY COUNTY ENGINEER, 6/10/20



Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER
Mark J. Nahra, P.E.
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@sioux-city.org

SECRETARY
Tish Brice
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: June 10, 2020

Subject: Teri Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced minor subdivision application forwarded with your email dated June 3, 2020.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the parcel for access. An existing driveway on Old Highway 141 will suffice for access to Lot 1. An alternative site for a driveway for Lot 1 also exists near the south line of the property, although it would take some significant grading work on private property to utilize this location. will provide adequate sight distance for access to the new Lot 1. The existing driveway is adequate serving the homesite on the north lot can continue to be used to access the current house and building site.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

STAFF RECOMMENDATION

The staff recommends for the Zoning Commission to recommend approval to the Board of Supervisors for this one-lot minor subdivision proposal.

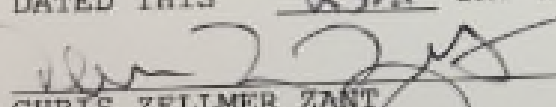
STAFF RECOMMENDATION

The Zoning Commission recommends approval to the Board of Supervisors for this one-lot minor subdivision proposal.

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

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF TERI ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 22nd DAY OF June, 2020 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS 23rd DAY OF June, 2020.


CHRIS ZELLMER ZANT
CHAIRMAN
WOODBURY COUNTY ZONING COMMISSION OF
WOODBURY COUNTY, IOWA

PARCEL REPORT

Summary

Parcel ID 874614100007
Alternate ID N/A
Property Address 2206 240TH ST
 HORNICK IA 51026
Sec/Twp/Rng 14-87-46
Brief Tax Description E1/2 NW1/4 LYING S OF RD EX 2 AC S OF RD SENW & EX A TCT BEING 13.94 40 FT ON E X 47.165 FT ON S NW 1/4 14-87-46
(Note: Not to be used on legal documents)
Deed Book/Page 267-1240 (8/6/1992)
Gross Acres 15.77
Net Acres 15.77
Adjusted CSR Pts 527.31
Class A - Agriculture; AD - Ag Dwelling
(Note: This is for tax purposes only. Not to be used for zoning.)
District N/A
School District LAWTON BRONSON
Neighborhood N/A
Main Area Square Feet N/A



Owner

Deed Holder
 Mathison Gayle D
 2206 240th St
 Hornick IA 51026-8031

Contract Holder

Mailing Address

Land

Lot Area 15.77 Acres; 686,941 SF

Residential Dwellings

Residential Dwelling
Occupancy Single-Family / Owner Occupied
Style 1 Story Frame
Architectural Style N/A
Year Built 1938
Condition Above Normal
Roof Asph / Gable
Flooring
Foundation Conc
Exterior Material Vinyl
Interior Material Plan / Drawl
Brick or Stone Veneer
Total Gross Living Area 848 SF
Attic Type 3/4 Finished; 281 SF
Number of Rooms 5 above; 0 below
Number of Bedrooms 3 above; 0 below
Basement Area Type Full
Basement Area 624
Basement Finished Area
Plumbing 1 Sink; 1 Base Plumbing (Full);
Appliances
Central Air No
Heat Yes
Fireplaces
Porches 15 Frame Enclosed (182 SF);
Decks Wood Deck-Med (168 SF);
Additions 1 Story Frame (224 SF);
Garages
Main Area Square Feet 624

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (Old Style)	HOG HOUSE	14	16	1950	1
0	Crib	GRANARY	8	16	1950	1
0	Machine or Utility Building	IMP SHED	24	28	1950	1
0	Swine Finish and Farrow (Old Style)	HOG SHED	20	48	1950	1
0	Steel Utility Building	MACHINESHED	30	40	1994	1
	Barn - Pole		16	20	2018	1
	Steel Utility Building		20	20	2000	1

Valuation

Classification	2020	2019	2018	2017
	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$12,620	\$12,620	\$18,370	\$18,370
+ Assessed Building Value	\$2,990	\$2,990	\$5,470	\$5,470
+ Assessed Dwelling Value	\$86,580	\$86,580	\$68,510	\$68,510
= Gross Assessed Value	\$102,190	\$102,190	\$92,350	\$92,350
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$102,190	\$102,190	\$92,350	\$92,350

TOPOGRAPHY



Summary

Parcel ID	874614100007		
Gross Acres	15.77		
ROW Acres	0.00		
Gross Taxable Acres	15.77		
Exempt Acres	0.00		
Net Taxable Acres	15.77	(Gross Taxable Acres - Exempt Land)	
Average Unadjusted CSR2	40.26	(634.85 CSR2 Points / 15.77 Gross Taxable Acres)	

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	10.70	35.64	381.35	381.35
Non-Crop	5.07	50.00	253.50	145.96
Total	15.77		634.85	527.31

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.37	210.93	210.93
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	0.21	17.22	17.22
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	2.32	97.44	97.44
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.39	12.48	12.48
100% Value	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	5.41	43.28	43.28
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.34	119.26	61.75
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	1.32	108.24	58.42
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.28	8.96	8.75
Non-Crop	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	2.13	17.04	17.04
Total				15.77	634.85	527.31



Legend

— Roads

Soils

- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000

WOODBURY COUNTY, IOWA
MINOR SUBDIVISION APPLICATION

Applicant: GAYLE DEE WEED
Name of Owner

Mailing Address: 2206 240th ST. HORNICK, IA 51026
Street City or Town State and Zip + 4

Property Address: 2206 240th ST. HORNICK, IA 51026
Street City or Town State and Zip + 4

Ph/Cell #: 712 870-0730 E-mail Address: _____

To subdivide land located in the E 1/2 NW 1/4 Quarter of Section 14-87-46

Civil Township GRANGE GIS Parcel # 874614100007

Name of Subdivision: TERI ADDITION

Subdivision Area in Acres 8.98 AC. Number of Lots 1

Attachments:

1. Ten (10) copies of grading plans; if required. N/A
- ✓ 2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
- ✓ 3. An attorney's opinion of the abstract.
- ✓ 4. A Certified abstractor's certificate to include:
 - a. Legal description of proposed subdivision.
 - b. Plat showing clearly the boundaries of the subdivision.
 - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: ALAN L. FAGAN Ph/Cell: 712-539-1471

Attorney: RYAN C. ROSS Ph/Cell: 712 252-3226

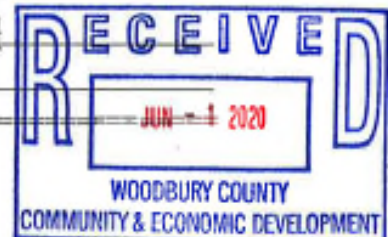
I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: [Signature]
ALAN L. FAGAN - FOR OWNER
Zoning Director: _____

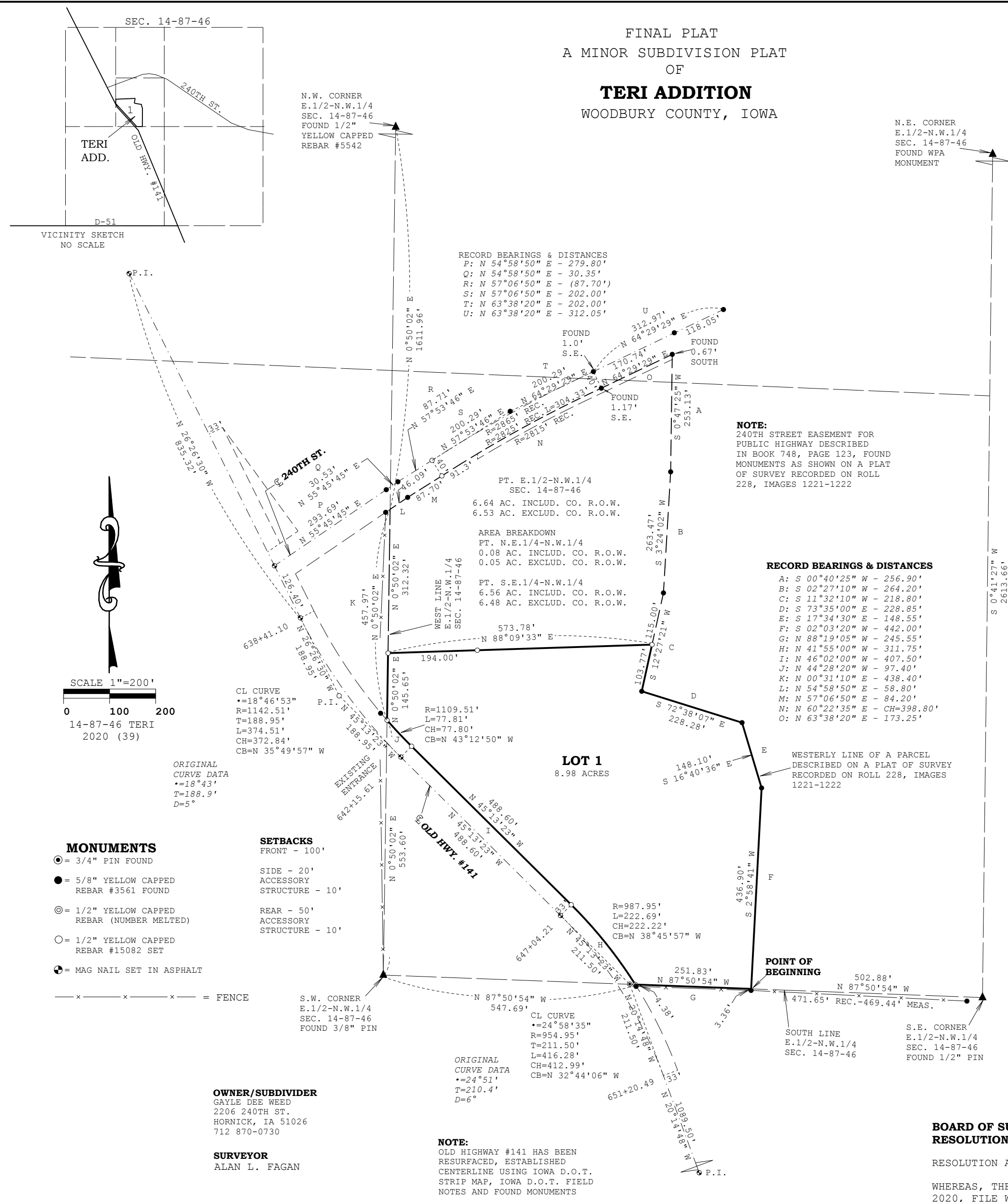
For Office Use Only:

Zoning District AP Flood District X Date _____ No. 6565

Application Fee 4 Lots or less (\$200) \$ 200.00 12344
5 Lots or more (\$250 plus \$5 per lot) _____



FINAL PLAT
A MINOR SUBDIVISION PLAT
OF
TERI ADDITION
WOODBURY COUNTY, IOWA



SURVEYOR'S DESCRIPTION:

PART OF THE E. 1/2 OF THE N.W. 1/4 OF SECTION 14, TOWNSHIP 87 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE S.E. CORNER OF SAID E. 1/2 OF THE N.W. 1/4; THENCE N. 87°50'54"W. ALONG THE SOUTH LINE OF SAID E. 1/2 OF THE N.W. 1/4 FOR 502.88 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N. 87°50'54"W. ALONG SAID SOUTH LINE FOR 251.83 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF OLD HIGHWAY #141; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND A 987.95 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY FOR 222.69 FEET, SAID CURVE HAVING A CHORD BEARING OF N. 38°45'57"W. AND A CHORD LENGTH OF 222.22 FEET; THENCE N. 45°13'23"W. ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE FOR 488.60 FEET; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND A 1109.51 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY FOR 77.81 FEET TO THE WEST LINE OF SAID E. 1/2 OF THE N.W. 1/4, SAID CURVE HAVING A CHORD BEARING OF N. 43°12'50"W. AND A CHORD LENGTH OF 77.80 FEET; THENCE N. 0°50'02"E. ALONG SAID WEST LINE FOR 145.65 FEET; THENCE N. 88°09'33"E. FOR 573.78 FEET TO THE WESTERLY LINE OF A PARCEL DESCRIBED ON A PLAT OF SURVEY RECORDED ON ROLL 228, IMAGES 1221-1222 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE S. 12°27'21"W. ALONG SAID WESTERLY LINE FOR 103.77 FEET; THENCE S. 72°38'07"E. ALONG SAID WESTERLY LINE FOR 228.28 FEET; THENCE S. 16°40'36"E. ALONG SAID WESTERLY LINE FOR 148.10 FEET; THENCE S. 2°58'41"W. ALONG SAID WESTERLY LINE FOR 436.90 FEET TO THE POINT OF BEGINNING. CONTAINING 8.98 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE SOUTH LINE OF SAID E. 1/2 OF THE N.W. 1/4 IS ASSUMED TO BEAR N. 87°50'54"W.

SURVEYOR'S CERTIFICATE

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

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

DATED AT SIOUX CITY, IOWA _____, 2020.

ALAN L. FAGAN
 IOWA NO. 15082
 LICENSE RENEWAL DATE: DECEMBER 31, 2021

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT GAYLE D. WEED F/K/A GAYLE D. MATHIESON, A SINGLE PERSON, THE OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAS IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF ALAN L. FAGAN, A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS TERI ADDITION, WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND ACCORDANCE WITH THE DESIRES AS OWNER AND PROPRIETOR THEREOF.

EXECUTED AT _____, IOWA, THE ____ DAY OF _____, 2020.

GAYLE D. WEED

INDIVIDUAL ACKNOWLEDGMENT

STATE OF IOWA :
 WOODBURY COUNTY: :SS

ON THIS _____ DAY OF _____, 2020, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED GAYLE D. WEED F/K/A GAYLE D. MATHIESON, A SINGLE PERSON, TO ME KNOWN TO BE THE PERSON NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME AS HER VOLUNTARY ACT AND DEED.

NOTARY PUBLIC

AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OF TERI ADDITION, WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED _____, 2020.

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

CERTIFICATE OF COUNTY ASSESSOR

I, JULIE CONOLLY, HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 2020, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.

DATED _____, 2020.

JULIE CONOLLY
 WOODBURY COUNTY ASSESSOR

BOARD OF SUPERVISOR'S RESOLUTION RESOLUTION NO.

RESOLUTION ACCEPTING AND APPROVING TERI ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNER AND PROPRIETOR DID ON THE _____ DAY OF _____, 2020, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS TERI ADDITION, WOODBURY COUNTY, IOWA; AND

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

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

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

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

PASSED AND APPROVED THIS _____ DAY _____, 2020.

MATTHEW UNG
 CHAIRMAN
 BOARD OF SUPERVISORS
 WOODBURY COUNTY, IOWA

ATTEST: _____
 PATRICK F. GILL
 SECRETARY

COUNTY ENGINEER'S CERTIFICATE

I, MARK NAHRA, P.E. COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE, THAT ALL DIMENSIONS BOTH LINEAL AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, ALLEYS AND EASEMENTS ARE SHOWN.

MARK NAHRA, P.E.
 COUNTY ENGINEER
 WOODBURY COUNTY, IOWA

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

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF TERI ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE _____ DAY OF _____, 2020 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS _____ DAY OF _____, 2020.

CHRIS ZELLMER ZANT
 CHAIRMAN
 WOODBURY COUNTY ZONING COMMISSION OF
 WOODBURY COUNTY, IOWA

TITLE OPINION

_____, 2020

County Auditor and Recorder
 Woodbury County, Iowa

Dear Sir:

We have this date examined a complete abstract of title, pursuant to Iowa Code Section 354.11(1)(c) to property which includes in its entirety, property described in the surveyor's certificate on the Minor Subdivision Plat of Teri Addition, Woodbury County, Iowa last certified by Engleson Abstract Co., Inc., dated _____, 2020 at 8:59 a.m. and from said abstract find good and merchantable title to said premises vested in Gayle Dee Weed a/k/a Gayle D. Weed f/k/a Gayle D. Mathieson, a single person, subject to the following, liens, limitations and exceptions:

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

Dated: _____, 2020.

Ryan C. Ross
 ATTORNEY AT LAW

TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS

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

DATED _____

MIKE CLAYTON
 TREASURER,
 WOODBURY COUNTY, IOWA

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING

STATE OF IOWA :
 WOODBURY COUNTY: : SS

DOCKET NO: _____

FILED FOR RECORD, THIS _____ DAY OF _____, 20____ AT _____

O'CLOCK _____M. RECORDED IN PLAT ENVELOPE _____, INDEXED AND

DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.

DATED _____

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

INDEX LEGEND	
SURVEYOR:	ALAN L. FAGAN 712 539-1471
MAIL TO:	AL FAGAN LAND SURVEYING, P.C. P.O. BOX 858 - MERRILL, IA 51038
COUNTY:	WOODBURY
SECTION(S):	14 T. 87 N., R. 46 W.
ALLOTMENT PART:	PART OF THE E. 1/2 OF THE N.W. 1/4
CITY:	
SUBDIVISION:	
BLOCK(S):	
LOT(S):	
PROPRIETOR(S):	GAYLE D. WEED F/K/A GAYLE D. MATHIESON, A SINGLE PERSON
REQUESTED BY:	GAYLE D. WEED



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

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

Date: 7/1/20

Weekly Agenda Date: 7/7/20

#11 c,d

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

WORDING FOR AGENDA ITEM:

Approval of Final Plat for the Walnut View Minor Subdivision

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

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

BACKGROUND:

Brian D. Peterson, owner of parcels #884630300012, 884630300004, and 884630300006 (Floyd Township) proposes a 13-lot and 1 out-lot minor subdivision for future residential purposes. This proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) request to allow for more than two residential structures in a quarter-quarter section as is required by Section 3.01 of the Zoning Ordinance. A portion of this property is located in the floodplain, and the entire project area will likely be brought into the floodplain once FEMA's new flood maps are published. This property is greater than two miles from any incorporated area and does not require extraterritorial review. On 6/23/20 the Zoning Commission voted to recommend approval of this plat with the condition the lots be serviced by an internal road or cul-de-sac, and deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with the county's floodplain regulations.

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:

Receive the Zoning Commission's recommendation from their 6/23/20 meeting to approve the final plat.

Subject to public testimony received (if any), reach consensus with the applicant on lot access, and if necessary, table the item until the applicant can provide a final plat as it is to be recorded, then approve the plat and authorize the Chairman to sign the resolution.

ACTION REQUIRED / PROPOSED MOTION:

Motion to receive the Zoning Commission's recommendation from their 6/23/20 meeting to approve the final plat.

Motion to approve the Walnut View Addition Minor Subdivision plat and authorize the Chairman to sign the resolution, or motion to table the Walnut View Addition Minor Subdivision until the applicant can provide a final plat as it is to be recorded.



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov
Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov
Telephone (712) 279-6609 Fax (712) 279-6530

WALNUT VIEW

MINOR SUBDIVISION PROPOSAL

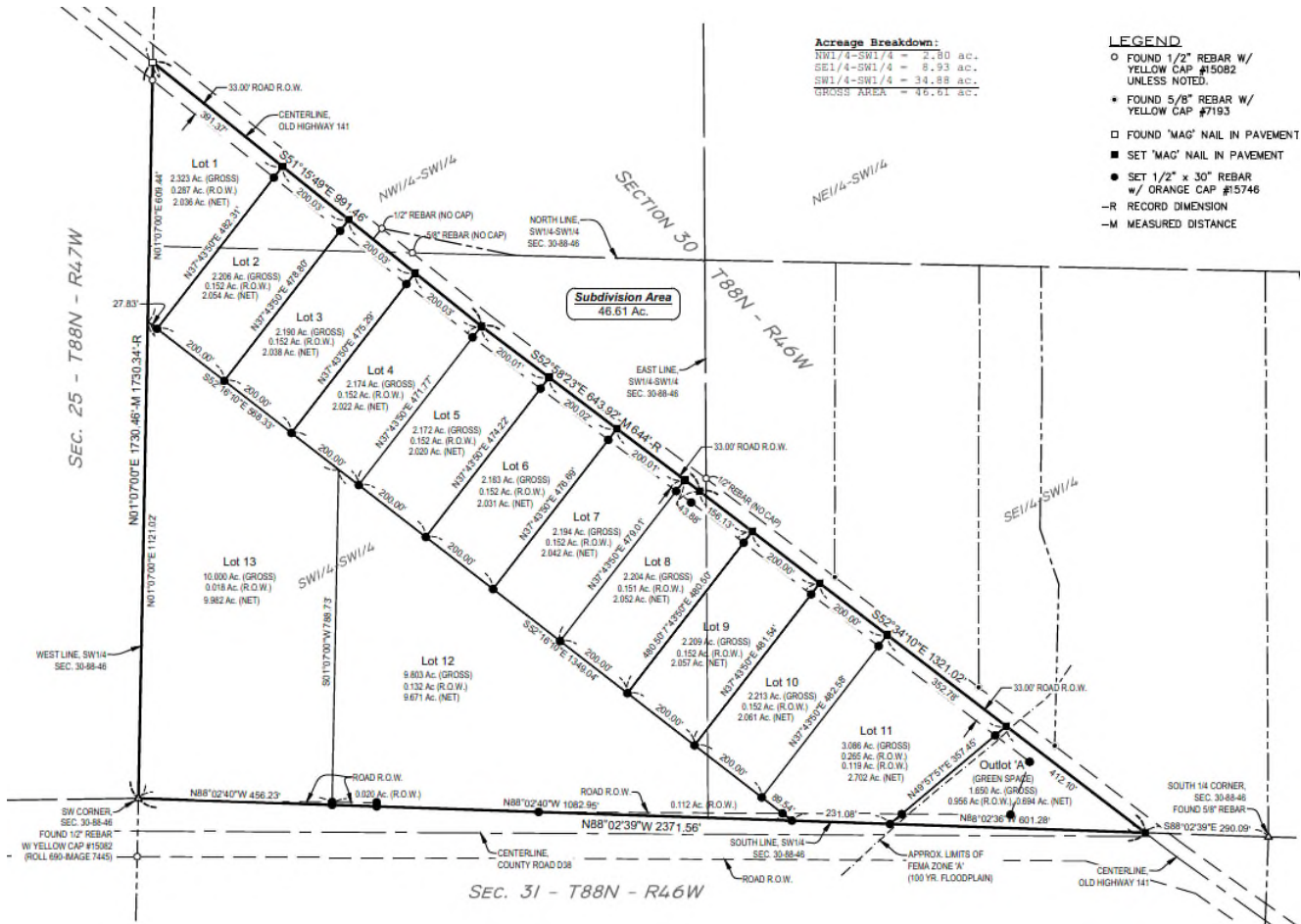
Parcels #884630300012, #884630300004, #884630300006



Brian D. Peterson, owner of Parcel #884630300012 located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T88N R46W (Floyd Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve the proposed Walnut View Minor Subdivision. This proposal encompasses the creation of thirteen buildable lots for residential homes and an outlot on Parcel #884630300006 which includes about one (1) acre in the Floodplain Zone A. This proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) request to allow for more than two residential structures in a quarter-quarter section as is required by Section 3.01 of the Woodbury County Zoning Ordinance.

FACTS OF THE CASE

This proposed minor subdivision is to establish thirteen lots for residential homes and an outlet.



EXTRATERRITORIAL REVIEW

This property is less than 2 miles from the incorporated area of Bronson and requires extraterritorial review under Iowa Code, Section 359.9. Glenn Metcalf, Attorney for the City of Bronson has stated that the community by City Code only reviews within one mile of the Bronson city limits.

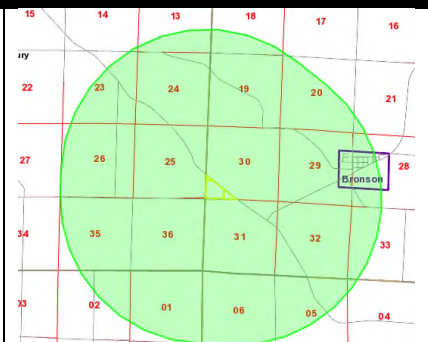
From: Glenn Metcalf <glenn.metcalf@movillelawoffice.com>
Sent: Friday, May 29, 2020 9:19 AM
To: Daniel Priestley
Cc: Bronson City Hall; Jason Garnand; Dave West; Jamie Amick; Doug Williams; jessenb@lp-eagles.org; Chad Merchant; merch3013@hotmail.com
Subject: RE: County Subdivision Extraterritorial Review

Dan I have looked at your request. While it is within two miles of the City of Bronson it outside the area the City exercises extraterritorial review. The City code provides:

SECTION 4 PLATS IN UNINCORPORATED AREAS WITHIN ONE MILE OF THE BRONSON CORPORATE LIMITS. APPLICATION. Every owner who divides any original parcel of land, forty (40) acres or part thereof, entered of record in the office of the County Recorder as a single lot, parcel or tract on or after the effective date of these regulations into three or more lots, parcels, or tracts for the purpose, whether immediate or future, of laying out an addition, subdivision, building lot or lots, acreage or suburban lots, transfer of ownership or building development within the city of Bronson, Iowa or within one and one half (1.5) miles of said city and also within the following described parcels: The All of Section 28, the West Half of Section 27, the Northwest Quarter of Section 34, The North Half of Section 33, The North Half of Section 32, The Northeast quarter of Section 31, The Southeast Quarter of Section 30, The All of Section 29, The South Half of Section 20, The South Half of Section 21, and the South half of the Southwest Quarter of Section 22, Township 88 North, Range 46 west of the 5th PM, shall cause plats of such area to be made in the form, and containing the information, as hereinafter set forth before selling any lots therein contained or placing the plat on record.

The City reviews in the South East Quarter Section 30 but not the South West Quarter where the proposed Subdivision is located. Therefore I do not think City approval is required. Thank you for calling the proposed Subdivision to the City's attention.

Glenn Metcalf City Attorney
 City of Bronson

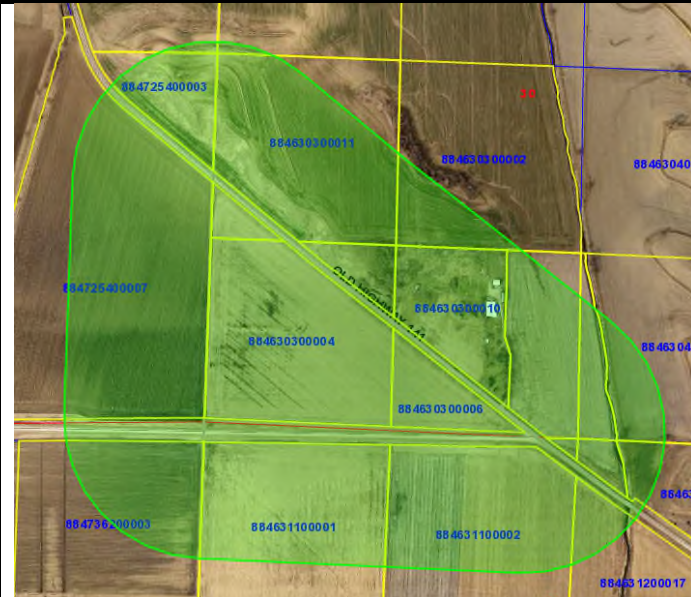


LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on June 12, 2020.

PROPOSED MINOR SUBDIVISION: To be known as Walnut View Addition – a fourteen lot minor subdivision in an 46.61 acre portion of the following parcels: #884630300012 located in the NW ¼ of the SE ¼ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township); and Parcel #884630300006 located in the SE ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township). The parcels are located about four miles east of Sergeant Bluff and about 1.5 miles west of Bronson. Applicant: Brian Peterson, 1739 Charles Ave., Lawton, IA 51030.
Published in the Sioux City Journal June 12, 2020. LGL#32881

PROPERTY'S OWNER NOTICE – 1000 FT



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a June 12, 2020 letter of the public hearing.

As of June 16, 2020 the Community & Economic Development office has received two (3) general phone inquiries and four (4) written comments from property owners owning property within 1,000'

When more comments are received after the printing of this packet, they will be provided at the meeting.

GARY L. WALTERS – ADJACENT NEIGHBOR

From: gary walters <garywalters@cableone.net>
Sent: Tuesday, June 16, 2020 4:53 PM
To: Daniel Priestley
Subject: Walnut View subdivision
Attachments: 20190314_160327.mp4

Follow Up Flag: Follow up
Flag Status: Flagged

Video taken from the extreme NW corner of the proposed subdivision on the property line with my farm, with the Peterson land on the left and mine on the right. Video taken on 3/14/19 at 4 pm. I object to the proposed subdivision due to faulty flood plain maps that don't come close to identifying the serious flood threat to this area. To suggest that the flood plain is confined to the extreme SE corner (Outlot A) of this parcel is not only misleading but also blatantly incorrect. If I were a prospective buyer of any of these lots and was relying on FEMA or other information provided by County government to inform myself of the risk of flooding, this video and pictures that follow (in separate emails due to file size) would provide damning evidence that government failed miserably to appropriately inform and warn the public of potential danger.

Submitted by:

Gary L. Walters



GARY L. WALTERS – ADJACENT NEIGHBOR

From: gary walters <garywalters@cableone.net>
Sent: Tuesday, June 16, 2020 4:58 PM
To: Daniel Priestley
Subject: Walnut View
Attachments: 20190314_160551.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Here's the walnut trees along the proposed subdivision adjacent to old hwy 141 on March 14, 2019, in approximately the area of lots 7, 8, and 9. Notice in the background that 210th St disappears under water also.

Submitted by Gary L Walters



GARY L. WALTERS – ADJACENT NEIGHBOR



From: gary walters <garywalters@cableone.net>
Sent: Tuesday, June 16, 2020 5:49 PM
To: Daniel Priestley
Subject: Walnut View
Attachments: 20190314_160439.jpg

Here's another perspective of the water from the NW corner of the subdivision looking SE down old hwy 141. My opinion is that the only lots that might be suitable for any type of structural improvement (without raising elevations) would be 1-6, judging by the plat.

Additionally, I have safety concerns about all the accesses to the highway. I'm sure the county engineer will assess line of sight and other considerations relative to the approaches onto the highway but with the lots being significantly lower than the road grade, plus a slight incline in the road itself as it goes west, I don't see a pathway to safely adding up to 11 driveways in this short distance of less than 1/2 mile.

Another concern would be septic tank drain fields. The majority of the proposed lots would not seem to be sufficient for adequate drainage. I'm uncertain about who addresses the suitability of the plat as it relates to this issue, I just know that soils that are saturated a majority of the time do not lend themselves to a good functioning drain field.

Submitted by Gary L Walters

GARY L. WATERS – ADJACENT NEIGHBOR

From: garylwalters <garylwalters@cableone.net>
Sent: Friday, June 19, 2020 9:06 AM
To: Daniel Priestley
Subject: Flood potential map
Attachments: Screenshot_20200619-081244_Chrome.jpg

Dan, attached is a map from the Iowa Flood Center. I suppose the county has seen this information as it reevaluates the flooding potential of the Walnut View subdivision but I wanted to be sure you have it as part of my argument that this tract of land is unfit for residential development.

Gary

Sent from my Verizon, Samsung Galaxy smartphone



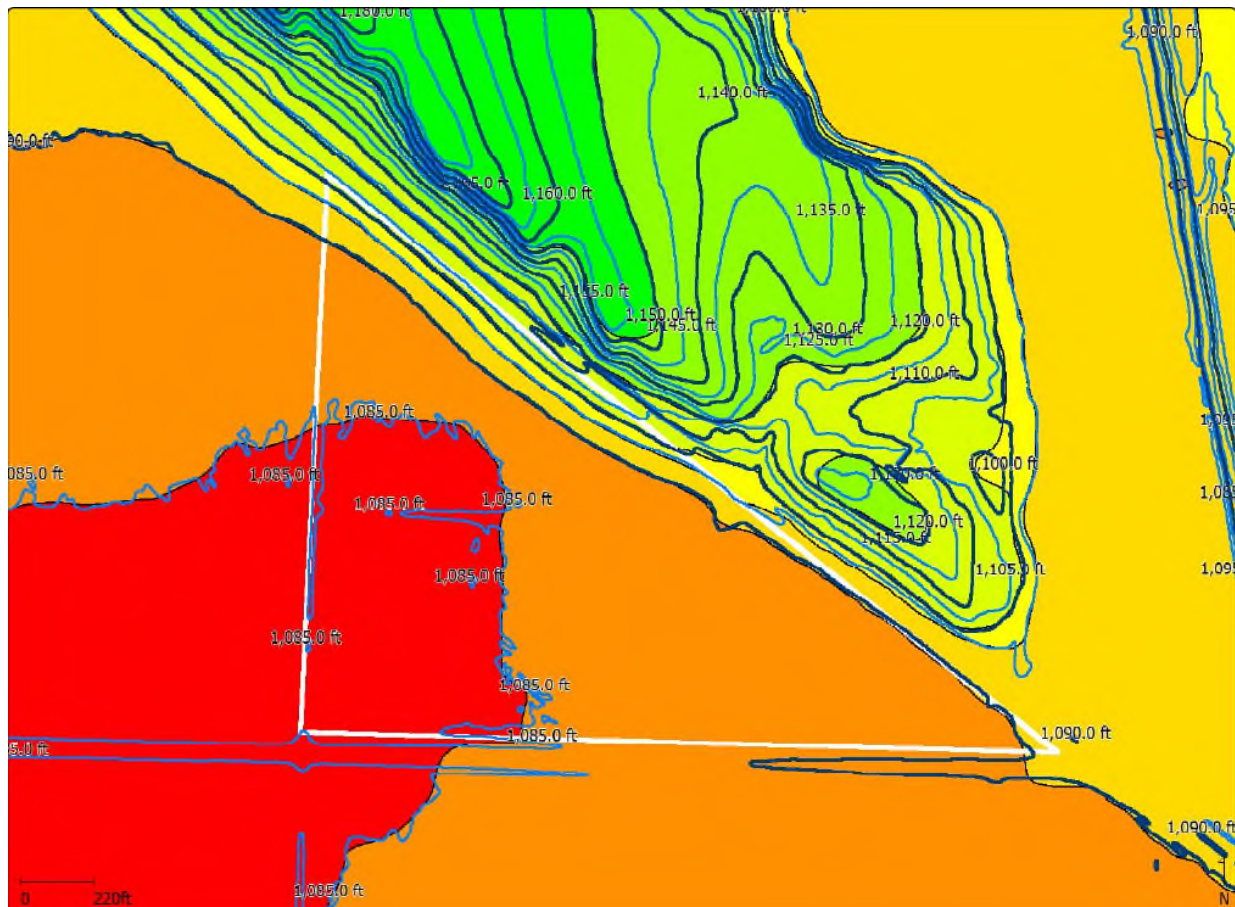
From: garylwalters <garylwalters@cableone.net>
Sent: Friday, June 19, 2020 9:12 AM
To: Daniel Priestley
Subject: Lidar elevation map

Here's a map of elevations. Noteworthy is the fact that much of the ground is lower than the elevation in the extreme SE corner of the tract and that corner is the only area designated in the floodplain of the FEMA map.

Please include these two emails today with my previously submitted exhibits/comments.

Gary

Sent from my Verizon, Samsung Galaxy smartphone



STAKEHOLDER COMMENTS:

CENTURYLINK:	I have verified through records that CenturyLink does not have any facilities in this area and this is outside of the CenturyLink serviceable area so CenturyLink does not have any concerns regarding this proposal. – Justin Melohn, 6/1/20.
FIBERCOMM:	FiberComm has not concerns. – Jeff Zyzda, 6/1/20.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	Well, I'm sure you're planning to inform the Zoning Commission that this property will eventually be shown as being in the SFHA. And, I assume the rezoning process allows the Commission to include conditions in their decision. So, I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible? – Bill Cappuccio, 6/2/20.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	I have no issues or comments and approve as submitted. – Tim Kassen, 6/3/20. There are no ammonia lines in this area. – Chris Niehaus, 6/3/20.



MIDAMERICAN ENERGY COMPANY:	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in this area. – Tom Hudson, 6/1/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20.
NUSTAR PIPELINE:	As far as Nustar, we do not have an pipeline near this location. – Domingo Torres, 6/4/20.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	SEE STATEMENTS BELOW:
WIATEL:	Wiatel has no concerns. – Phil Robinson, 6/4/20.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	Hi Dan this is a follow up to our phone conversation, the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we have had to close 210 TH and Old 141 due to water over these roads. The area proposed has receives backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements. – Gary Brown, 6/2-20
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I'm not sure which portions of this parcel will be in the future floodplain, however according to the documents the area of land currently in the

	floodplain has been identified as an outlot/greenspace. If I'm not mistaken, this area was not accessible due road closures caused by flooding in 2019. If more portions of the parcel would be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards. – Rebecca Socknat, 6/10/20.
WOODBURY COUNTY ENGINEER:	SEE STATEMENT BELOW:
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No Comments from Woodbury County REC. – Kent Amundson, 6/1/20.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	SEE STATEMENT BELOW:

WOODBURY COUNTY SOIL & WATER CONSERVATION DISTRICT - NEIL STOCKFLETH

From: Stockfleth, Neil <NStockfleth@cfindustries.com>
Sent: Monday, June 1, 2020 2:40 PM
To: Daniel Priestley
Subject: RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan:

The WCSWCD has concerns about the suitability of development in this area due to wetness of the soil and flooding issues in the immediate area. In particular the southeastern end of this proposed area is low. Over the years it has appeared that farming has been delayed or hindered by wetness, based on personal observations. It appears that the western ends of the individual lots may extend into wet areas in some years.

Based on these observations, The WCSWCD has reservations about the suitability of housing development in this area. Significant steps would need to be taken to make septic systems functional in heavy, wet soils, for one example.

Neil Stockfleth

Neil Stockfleth | CF Industries
Environmental Specialist | Port Neal Nitrogen Complex
Office: 712-233-6278 | Mobile: 712-251-5155
nstockfleth@cfindustries.com

IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20

THE FOLLOWING EMAIL ADDRESSES WELLS IN THE FLOODPLAIN.

From: Ivy Bremer
Sent: Wednesday, June 17, 2020 12:05 PM
To: Daniel Priestley
Subject: RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan,

Yes, if the property falls within a flood plain, the following protective factors will need to be completed by the contractor:

- The casing top height needs to be 3 feet higher than the surrounding area
- It should be graded or mounded around the well for a transition
- Bump protection to be installed: any structure that has been secured at a sufficient depth
 - Bollard posts
- Well cap shall be watertight with a watertight interior
- Well cap vent needs to be raised another 12 inches above the cap

Ivy Bremer
Environmental Specialist
Siouxland District Health Department
1014 Nebraska St Sioux City IA 51105
Ph: 712-279-6119 | Fax: 712-255-2604
ibremer@siouxlanddistricthealth.org
Visit us at: www.siouxlanddistricthealth.org

IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20

From: Ivy Bremer
Sent: Wednesday, June 17, 2020 11:02 AM
To: Daniel Priestley
Subject: RE: Comments Requested Walnut View Minor Subdivision & Rezone
Attachments: Old 141 Sergeant Bluff Soils.pdf

Hi Dan,

I have reviewed the following parcels. Please be aware that prior to any installation of an on-site septic system an application to install and a site evaluation are required to determine the type of soils present, restrictive layers, e.g. water table, as well as any other required setbacks.

Based on information from you and the USDA Web Soil Survey there are some concerns as to the type of on-site septic system that would be allowed in this area. Due to the clay soils and potential issues due to a water table at approximately 0-12 inches, the property owners may not be able to install a soil-based system. Soil based systems require oxygen for the bacteria to properly treat the effluent. If the soils are continually saturated by the water table, this limits treatment. In these situations, they may be required to install an alternative system. These types of systems use media to filter and treat the effluent before discharging to the surface or ditch; however, these systems can cost anywhere from \$18,000-\$20,000. I cannot guarantee price, I just know they can be very expensive and an unexpected cost to homeowners.

Lastly, I am unable to determine which type would be required without completing an on-site evaluation but please be aware that it is likely given the area and known issues with standing water in the Sergeant Bluff area.

Thanks and please call with any other questions.

Ivy Bremer
Environmental Specialist
Siouxland District Health Department
1014 Nebraska St Sioux City IA 51105
Ph: 712-279-6119 | Fax: 712-255-2604
ibremer@siouxlanddistricthealth.org
Visit us at: www.siouxlanddistricthealth.org

Woodbury County, Iowa**734—Holly Springs silty clay loam, 0 to 2 percent slopes,
rarely flooded****Map Unit Setting**

National map unit symbol: fh8h
Elevation: 700 to 1,200 feet
Mean annual precipitation: 26 to 36 inches
Mean annual air temperature: 46 to 48 degrees F
Frost-free period: 155 to 200 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Holly springs, rarely flooded, and similar soils: 85 percent
Minor components: 15 percent
*Estimates are based on observations, descriptions, and transects of
the mapunit.*

Description of Holly Springs, Rarely Flooded**Setting**

Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Clayey alluvium

Typical profile

Ap - 0 to 6 inches: silty clay loam
A1 - 6 to 12 inches: silty clay loam
A2,A4 - 12 to 44 inches: silty clay
Bg1,Bg2 - 44 to 70 inches: silty clay
Cg - 70 to 80 inches: silty clay

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very
low to moderately low (0.00 to 0.01 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum in profile: 30 percent
Available water storage in profile: Moderate (about 8.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w

Hydrologic Soil Group: D
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: Yes

Minor Components

Holly springs, overwash, rarely flooded

Percent of map unit: 10 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: Yes

Tieville, rarely flooded

Percent of map unit: 3 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: Yes

Larpenteur, rarely flooded

Percent of map unit: 1 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: No

Grantcenter, rarely flooded

Percent of map unit: 1 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Wet Floodplain Prairie (R107BY019MO)
Hydric soil rating: No

Data Source Information

Soil Survey Area: Woodbury County, Iowa
Survey Area Data: Version 29, Sep 12, 2019



Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039

Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER
Mark J. Nahra, P.E.
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@sioux-city.org

SECRETARY
Tish Brice
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: June 17, 2020

Subject: Walnut View Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced minor subdivision application forwarded with your email dated June 3, 2020.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the subdivision for access. Normally for a subdivision with this many lots, I would prefer to see the lots serviced by an internal street or cul-de-sac to reduce the possible points of collision conflict on a major roadway. This option has not been offered by the developer. Stripping lots along a roadway, as is proposed with the Walnut View subdivision, increases the risk of collision for vehicles using Old Highway 141 and D38. Old Highway 141 is a heavily used road with an average daily traffic count of 1370 vehicles per day (vpd) for this road segment. D38/210th Street has a traffic count of 980 vpd. Options for a cul-de-sac or a frontage road serving the subdivision could have been offered, and would offer safer alternatives for access to the lots. I realize that this is costlier for the developer, but it does result in fewer potential collision conflicts for road users and safer conditions for adjacent residents.

A series of driveways on strip subdivisions frequently leads to a request for a speed limit on the adjacent road. A more restrictive speed limit on Old Highway 141 is not in concert with the road classification and use, which is major collector route/farm to market route/commuter route. Spot speed limits in locations like this are difficult to enforce and result in poor compliance and complaints to our department. Compare this spot to the Holly Springs speed zone which is frequently violated and subject of complaints of noncompliance with the 35-mph speed limit. If given my choice on the development of subdivisions with more than 3 or 4 lots, I would prefer to see the lots served by an internal roadway such as was done with the Dunn Estates, Niles Second

Addition, and Bollmeyer subdivisions adjacent to county route D12. Other examples include Sunview Estates and Berea Heights Addition off 155th Street.

I am resistant to the request for individual driveways for each lot and would prefer to see the adjacent lots utilize shared driveways to reduce the number of new points of conflict along the road. Knowing the developer's intentions, I checked each lot frontage for establishment of a single driveway. Some lots will require shared driveways due to sight distance limitations. I will lay out two options for serving the subdivision with driveways.

Option 1: Individual driveways

Lots 1 and 2 – driveway anywhere along lot frontage.

Lot 3 – driveway must be located within 50 feet of the north corner of the lot.

Lot 4 – driveway anywhere along the frontage

Lot 5 – driveway anywhere along the frontage

Lot 6 – driveway must be located at the north corner of the lot

Lot 7 through 11 – driveway can be located anywhere along frontage

Lot 12 and 13 – driveway can be located anywhere along frontage

Option 2 – preferred:

Lot 1 – solo driveway

Lot 2 and 3 – shared driveway at corner due to limited sight distance

Lot 4 - solo driveway

Lot 5 and 6 – shared driveway at corner due to limited sight distance

Lot 7 and 8 – shared driveway

Lot 9 and 10 – shared driveway

Lot 11 and Outlot A – shared driveway

Lot 12 and 14 – shared driveway

- This area platted for this subdivision was subject to severe flooding during the March 2019 event. D38 between the Old 141 intersection and the eastern county bridge on D38 was underwater for over a week. The field from which the subdivision is being split was flooded during much of this period. Due to the winter conditions and snow filled ditches, the normal water courses were not carrying water or passing it to the improved drainage ditches west of the proposed subdivision and the water was forced to find its outlet by running through the field and overtopping the road. The Old 141/D38 intersection has been underwater due to flash flooding on Whiskey Creek four times since 2009. This has inundated the area shown as Outlot A and part of Lot 11 during those flood events. To protect the potential homes in the area, a base flood elevation for the lots within the subdivision should be established to assure that any eventual construction is set at an elevation above any likely flooding.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

FLOODPLAIN ANALYSIS & RECOMMENDATION

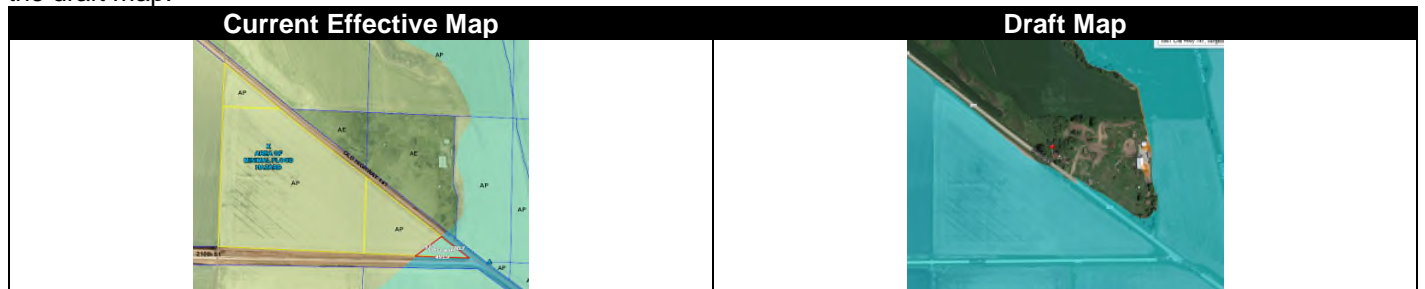
During the past year, the Iowa Department of Natural Resources (IDNR) and the Federal Emergency Management Agency (FEMA) have been developing a new floodplain map based on 2 ft. LiDAR intervals. The new maps are presently in the draft phase and have not been formally presented to the county for adoption. The current effective map is the map that is enforced by the county floodplain ordinance and the use of the draft map proposal can only be considered for informational purposes.

The current floodplain map includes a majority of this property as not being located with the special floodplain hazard area (SFHA). Presently, there is about 1.057 acres of floodplain located on the proposed outlot of the minor subdivision which is not meant for development. However, the draft map proposal almost entirely places the area proposed for the subdivision into the future floodplain.

Based on this information, Bill Cappuccio, PE, National Flood Insurance Program Coordinator, with the IDNR was contacted along with Gary Brown, Director of Emergency Services and Rebecca Socknat, Director of Emergency Management for comment. Gary Brown stated that “the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we had to close 210th and Old 141 due to water over these roads. The area proposed has received backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements” (6/2/20). Socknat stated “if I’m not mistaken, this area was not accessible due to road closures caused by flooding in 2019. If more portions of the parcel would be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards (6/10/20).

Cappuccio stated “... I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible” (6/5/20)? In a subsequent communication, Cappuccio stated that “our (DNR's) rules don't require us to use the effective FIRM if there is better information available. So, our BFE will be based on the best available information. Chances are that might be the information associated with the draft flood data” 6/5/20.

On June 5, CED staff attended a flood risk review meeting with representatives from the IDNR and FEMA and this situation was brought to their attention. The staff inquired about the discrepancy between the two maps (see below). Vikram Shrivastava, a FEMA contractor, stated that “we are investigating the area near Old Hwy 141 and the widening floodplain. I will get back to you in the next 2 weeks on our findings.” This investigation could result in a modification to the draft map.



Based on the comments of Socknat, Brown, Nahra and Cappuccio along with evidence provided by Gary Walters, an adjacent property owner, the position of the staff is that even though the current effective map does not include much of the property within the SFHA, portions of the property may be susceptible to water. Additionally, there is a possibility by 2022 that the draft map could be adopted thus placing this newly subdivided property into the floodplain. With this in mind, Cappuccio's recommendation could be adopted as a condition for approval to “require the developer to determine the BFE for the property and ensure any structures constructed there are compliant with the County's requirements for development in the SFHA...”

The staff recommends that the Zoning Commission recommend and the Board of Supervisors approve this minor subdivision proposal based on the condition that the developer be required as per Bill Cappuccio's comments to determine the base flood elevation (BFE) through the IDNR's office and be subject to the Woodbury County floodplain development ordinance including new structures built one (1) foot above the BFE .

ZONING COMMISSION RECOMMENDATION

At their June 22, 2020 meeting, the Woodbury County Zoning Commission voted 3-0 to recommend the acceptance and approval of the Walnut View Minor Subdivision plat based on the following conditions that the lots be serviced by an internal road or cul-de-sac, and deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with Woodbury County's floodplain regulations.

PARCEL REPORTS - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .

Summary

Parcel ID 884630300004
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 30-88-46
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SW SW 30-88-46
 (Note: Not to be used on legal documents)
 Deed Book/Page 2020-02704 (3/9/2020)
 Gross Acres 33.66
 Net Acres 33.66
 Adjusted CSR Pts 2545.86
 Class A - Agriculture
 (Note: This is for tax purposes only. Not to be used for zoning.)
 District N/A
 School District LAWTON BRONGSON
 Neighborhood N/A
 Main Area Square Feet N/A

Owner

Deed Holder	Contract Holder	Mailing Address
Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030		

Land

Lot Area 33.66 Acres ; 1,466,230 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, WHELIVIG DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00

[Show](#) There are other parcels involved in one or more of the above sales:

Valuation

Classification	2020	2019	2018	2017
	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$60,930	\$60,930	\$88,670	\$88,670
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670

Summary

Parcel ID 884630300006
 Alternate ID N/A
 Property Address N/A
 Sec/Twp/Rng 30-88-46
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SE SW 30-88-46
 (Note: Not to be used on legal documents)
 Deed Book/Page 2020-02704 (3/9/2020)
 Gross Acres 8.27
 Net Acres 8.27
 Adjusted CSR Pts 686.18
 Class A - Agriculture
 (Note: This is for tax purposes only. Not to be used for zoning.)
 District N/A
 School District LAWTON BRONSON
 Neighborhood N/A
 Main Area Square Feet N/A

Owner

Deed Holder	Contract Holder	Mailing Address
Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030		

Land

Lot Area 8.27 Acres ; 360,241 SF

Sales

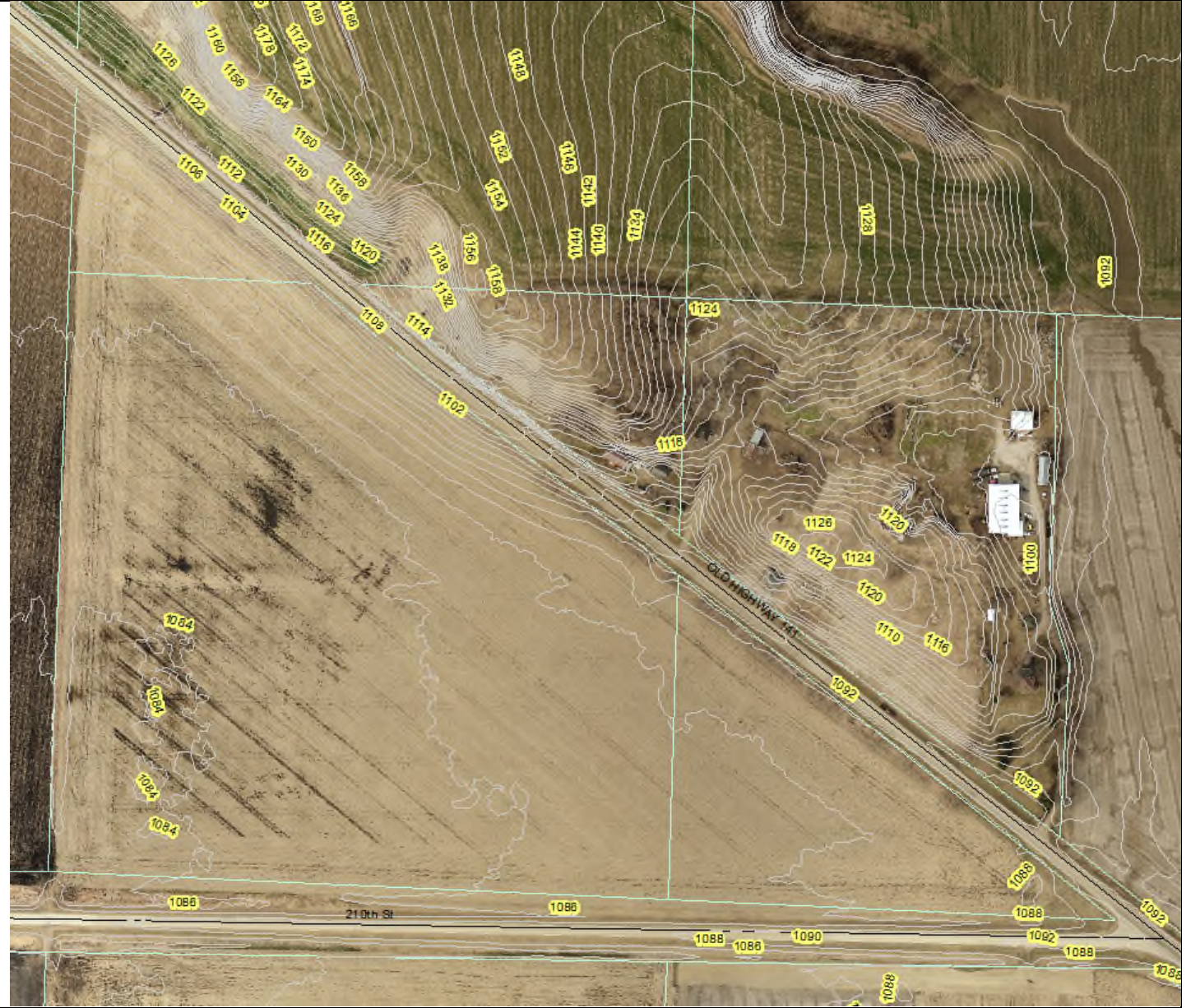
Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, SHELVIG DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more separately assessed parcels)	Deed	Y	\$0.00

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

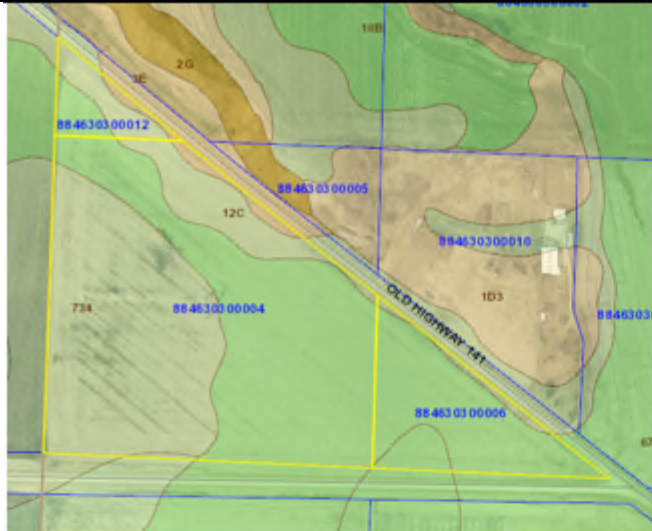
Valuation

Classification	2020	2019	2018	2017
	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$16,420	\$16,420	\$23,900	\$23,900
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900

TOPOGRAPHY



SOIL - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .



Legend

— Roads

Soils

- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000

Summary

Parcel ID	884630300004
Gross Acres	33.66
ROW Acres	0.00
Gross Taxable Acres	33.66
Exempt Acres	0.00
Net Taxable Acres	33.66 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	75.63 (2545.86 CSR2 Points / 33.66 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	33.66	75.64	2,545.86	2,545.86
Non-Crop	0.00	0.00	0.00	0.00
Total	33.66		2,545.86	2,545.86

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	3.01	267.89	267.89
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODEE	82.00	14.85	1,217.70	1,217.70
100% Value	734	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	68.00	15.17	1,031.56	1,031.56
100% Value	734+	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	67.00	0.09	6.03	6.03
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	0.54	22.68	22.68
Total				33.66	2,545.86	2,545.86

Summary

Parcel ID	884630300006
Gross Acres	8.27
ROW Acres	0.00
Gross Taxable Acres	8.27
Exempt Acres	0.00
Net Taxable Acres	8.27 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	82.97 (686.18 CSR2 Points / 8.27 Gross Taxable Acres)

Agland Active Config 2017 CSR2

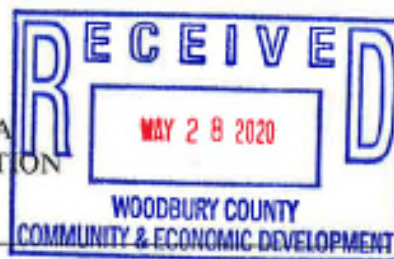
Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8.27	82.97	686.18	686.18
Non-Crop	0.00	0.00	0.00	0.00
Total	8.27		686.18	686.18

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.47	41.83	41.83
100% Value	266+	SMITHLAND SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLO	87.00	0.95	82.65	82.65
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODEE	82.00	6.85	561.70	561.70
Total				8.27	686.18	686.18

WOODBURY COUNTY, IOWA
MINOR SUBDIVISION APPLICATION



Applicant: Brian D. and Anita S. Peterson
Name of Owner

Mailing Address: 1739 Charles Ave, Lawton Iowa 51030-8076
Street City or Town State and Zip + 4

Property Address: Old Hwy 141 and 210th Street, Sergeant Bluff, IA 51054
Street City or Town State and Zip + 4

Ph/Cell #: 712-943-5304 E-mail Address: brian@whiskeycreekinc.com; daniel@whiskeycreekinc.com

To subdivide land located in the SW Quarter of Section 30 012
Civil Township 88 North 46 West GIS Parcel # 884630300006,00004,00001

Name of Subdivision: Walnut View

Subdivision Area in Acres 46.61 Acres Number of Lots 13 building lots

Attachments:

1. Ten (10) copies of grading plans; if required.
2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
 - a. Legal description of proposed subdivision.
 - b. Plat showing clearly the boundaries of the subdivision.
 - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: DGR Engineering-Dave Lamberton Ph/Cell: 712-266-1554

Attorney: Jeff Johnson, Crary Huff Law Firm Ph/Cell: 712-277-4561

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: Brian Peterson 5-27-20

Zoning Director: _____

For Office Use Only:

Zoning District AP Flood District X Date 5-28-20 No. 6563

Application Fee 4 Lots or less (\$200) _____
5 Lots or more (\$250 plus \$5 per lot) 5x12 = 60 + 250 = 310

FINAL PLAT OF
Walnut View,
A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA

INDEX LEGEND:
PART OF: SW1/4, SECTION 30-88-46
CURRENT PROPRIETOR: Brian D. & Anita S. Peterson
SURVEY REQUESTED BY: Whiskey Creek, Inc.
PREPARED BY AND RETURN TO:
David A. Lamberton, DGR Engineering, 6115 Whispering Creek Dr.,
Sioux City, IA 51106 (712) 266-1554 dave.lamberton@dgr.com

OWNER / SUBDIVIDER
Brian D. and Anita S. Peterson
1739 Charles Avenue
Lawton, IA 50130
(712) 943-5304

EXISTING ZONING:
AP - Agricultural Preservation

PROPOSED ZONING:
AE - Agricultural Estates

SURVEYOR:
DGR Engineering
6115 Whispering Creek Drive
Sioux City, IA 51106
(712) 266-1554
David A. Lamberton, PLS

Minimum Lot Area: 2 Ac.
Lot Width: 200'
Front Yard: 75'
Side Yard: 20'
Side Yard Accessory Structure: 10'
Corner Side Yard: 50'
Minimum Rear Yard: 50'
Minimum Accessory Rear Yard: 10'
Maximum Height: 45'
Other regulations apply.
See Subdivision Ordinances for details.

SUBDIVISION:
13 Building Lots
1 Outlot (Green Space)
Total Parcel = 46.61 Acres.

No streets, roads, parks, school sites or public facilities are proposed.

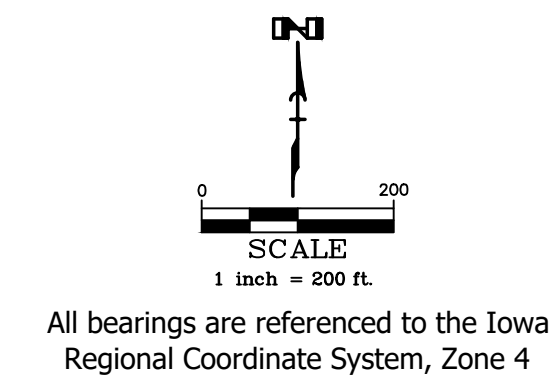
FEMA:
Lots 1 - 13, Zone X.
Outlot A, Zones A & X

DESCRIPTION OF SUBDIVISION:

That portion of the southwest quarter (SW1/4) of Section 30, Township 88 North, Range 46 West of the 5th P.M., Woodbury County, Iowa, described as follows:

Beginning at the southwest corner of said Section 30; thence North 01°07'00" East along the west line of the SW1/4 of said Section 30 for a distance of 1,730.46 feet to the center line of Old Highway No. 141; thence South 51°15'49" East along said center line for a distance of 991.46 feet; thence South 52°58'23" East along said center line for a distance of 643.92 feet; thence South 52°34'10" East along said centerline for a distance of 1,321.02 feet to the south line of said SW1/4; thence North 88°02'39" West along said south line for a distance of 2,371.56 feet to the Point of Beginning, containing 46.61 acres, more or less, subject to easements, if any, of record or apparent.

Acresage Breakdown:
NW1/4-SW1/4 = 2.80 ac.
SE1/4-SW1/4 = 8.93 ac.
SW1/4-SW1/4 = 34.88 ac.
GROSS AREA = 46.61 ac.



LEGEND

- FOUND 1/2" REBAR W/ YELLOW CAP #15082 UNLESS NOTED.
- ★ FOUND 5/8" REBAR W/ YELLOW CAP #7193
- FOUND "MAG" NAIL IN PAVEMENT
- SET "MAG" NAIL IN PAVEMENT
- SET 1/2" x 30" REBAR w/ ORANGE CAP #15746
- R RECORD DIMENSION
- M MEASURED DISTANCE

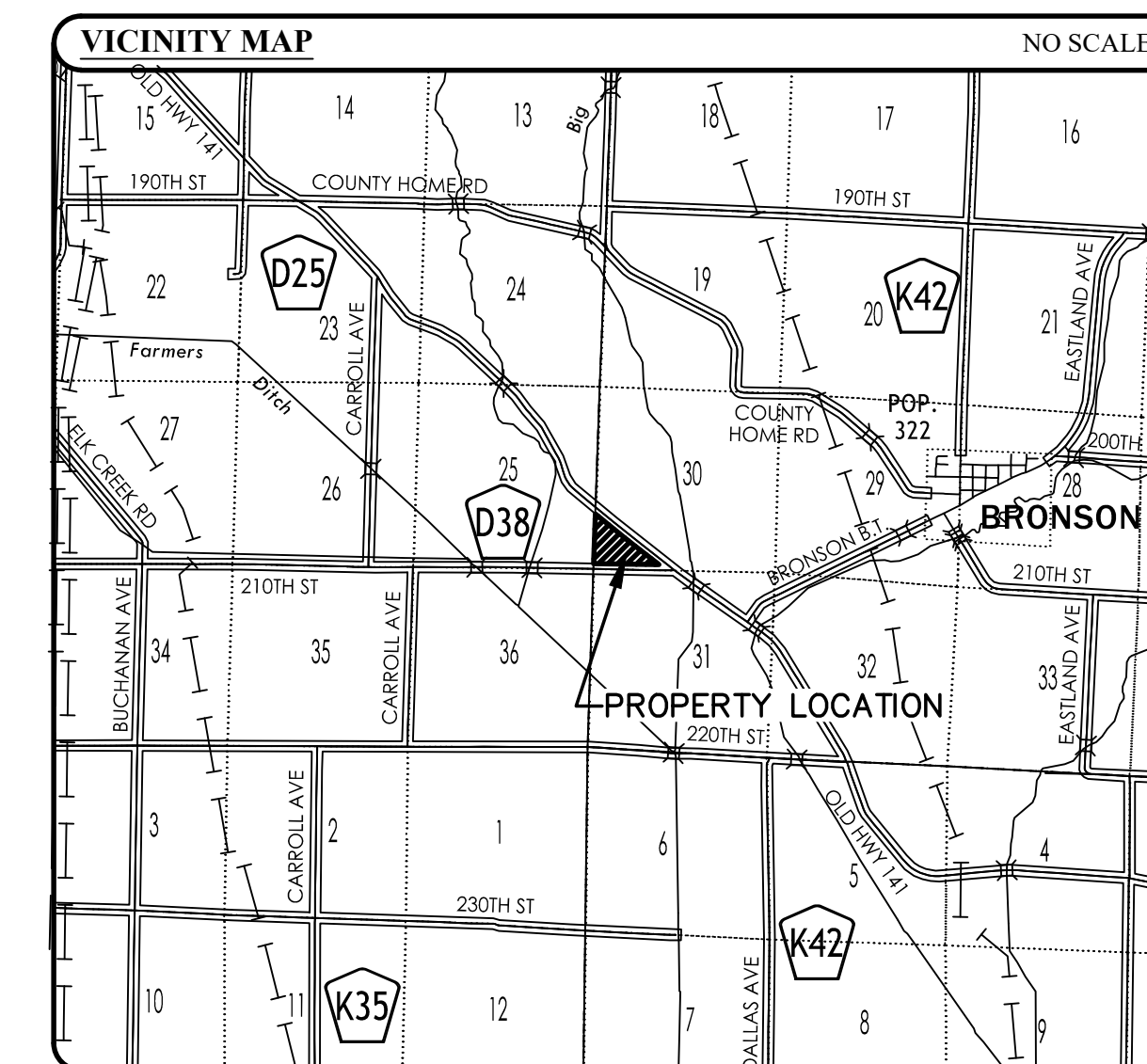
SURVEYORS CERTIFICATION:

I, David A. Lamberton, a duly licensed Land Surveyor under the provisions of the laws of the State of Iowa, holding Certificate No. 15746, do hereby certify that the Plat of Walnut View, a Minor Subdivision to Woodbury County, Iowa, is a true representation of a survey made by me or under my direct supervision, and that the same is located upon and comprises the whole of the attached described property.

I do hereby certify that there are contained in said description the lots described in the Addition platted; that the same are of the dimensions, numbers, names and locations as shown on said plat and that iron stakes will be placed as required by Iowa Code.

Dated at Sioux City, Iowa _____, 2020

David A. Lamberton, Iowa No. 15746
License Renewal Date: December 31, 2020



DGR Engineering
6115 Whispering Creek Drive
Sioux City, IA 51106
(712) 266-1554
www.dgr.com

Date: April 28, 2020
Drawn By: DAL
Project No. 268057
Sheet: 1 OF 2

FINAL PLAT OF
Walnut View,
A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA

DEDICATION

Brian D. and Anita S. Peterson, husband and wife, the owners of the real estate described in the attached Surveyor's Certificate, have in the pursuance of the law, caused said described real estate to be surveyed, staked and platted into lots, as is particularly shown and set forth in the attached Plat and said Certificate of David A. Lamberton, a Licensed Surveyor who surveyed and platted the real estate to be known as Walnut View, a Minor Subdivision to Woodbury County, Iowa, and that the same is prepared with the free consent and in accordance with their desires as owner and proprietor thereof.

Executed at Sioux City, Iowa, the _____ day of _____, 2020

By: _____
Brian D. Peterson

By: _____
Anita S. Peterson

STATE OF IOWA :
: ss
COUNTY OF WOODBURY :

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Brian D. and Anita S. Peterson.

Notary Public

BOARD OF SUPERVISORS RESOLUTION NO. _____

Resolution accepting and approving the Plat of Walnut View, a Minor Subdivision to Woodbury County, Iowa.

Whereas, the owners and proprietors did on

the _____ of _____, 2020, file with the Woodbury County Zoning Commission a certain plat designated as Walnut View, a Minor Subdivision to Woodbury County, Iowa; and

Whereas, it appears that said plat conforms with all of the provisions of the Code of the State of Iowa and Ordinances of Woodbury County, Iowa, with reference to the filing of same; and

Whereas the Zoning Commission of Woodbury County, Iowa has recommended the acceptance and approval of said plat; and

Whereas the County Engineer of Woodbury County, Iowa has recommended the acceptance and approval of said plat.

Now therefore, be, and it is hereby resolved by the Woodbury County Board of Supervisors, Woodbury County, State of Iowa, that the Plat of Walnut View, a Minor Subdivision to Woodbury County, Iowa be and the same is hereby accepted and approved, and the Chairman and Secretary of the Woodbury County Board of Supervisors, Woodbury County, State of Iowa, are hereby directed to furnish to the owner and proprietor a certified copy of this resolution as required by law.

Passed and Approved this _____ day of _____, 2020

Matthew Ung
Chairman of Board of Supervisors
Woodbury County, Iowa

ATTEST

Heather Satterwhite
Secretary

CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION

We do hereby certify that we are the Chair and the Administrator of the Zoning Commission, Woodbury County, Iowa, and we further certify that the said Zoning Commission did take under advisement the attached plat and that said Zoning Commission did on the _____ day of _____, 2020 recommend to the Woodbury County Board of Supervisors the acceptance and approval of said subdivision.

Dated _____, 2020

Christine Zellmer Zant
Chair
Woodbury County Zoning Commission

David Gleiser
Planning and Zoning Director
Woodbury County Zoning Commission

TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS

I, Michael R. Clayton, Treasurer of Woodbury County, Iowa, do hereby certify that the land described in the attached and foregoing Surveyor's Certificate is free from certified taxes and certified special assessments.

Dated _____, 2020

Michael R. Clayton
Treasurer Woodbury County, Iowa

CERTIFICATE OF COUNTY ASSESSOR

I, Julie Conolly, hereby certify that on the _____ day of _____, 2018, a copy of this Plat was filed in the County Assessor's Office.

Dated _____, 2020

Julie Conolly
County Assessor

COUNTY ENGINEER'S CERTIFICATE

I, Mark Nahra, P.E., the County Engineer of Woodbury County, Iowa, do hereby certify that the boundary lines of the attached plat and lots therein were mathematically checked and conform with the closure requirements as provided for in the Woodbury County Subdivision Ordinance for the unincorporated area of Woodbury County, Iowa.

Dated _____, 2018

Mark Nahra, P.E.
Woodbury County Engineer

**COUNTY AUDITOR AND RECORDER
WOODBURY COUNTY, IOWA**

Dear Sir:

We have this date examined a complete abstract of title, pursuant to Iowa Code section 354.11(3), to the property described in the Surveyor's Certificate on the Plat of Walnut View, a Minor Subdivision to Woodbury County, Iowa, which abstract was last certified by _____ dated _____, 2020 at 8:59 o'clock, a.m. and from said abstract find good and merchantable title to said premises vested in Brian D. and Anita S. Peterson, the proprietors, free and clear of all mortgages, liens and other encumbrances, except the following:

Dated: _____, 2020,

Jeffrey A. Johnson
Attorney at Law

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING

STATE OF IOWA :
: ss
COUNTY OF WOODBURY :

Docket No: _____

Filed for record, this _____ day of _____, 2020, at _____ o'clock _____ M., recorded in Plat Envelope _____, indexed and delivered to the County Auditor of Woodbury County, Iowa.

Dated _____, 2020

Patrick F. Gill, Auditor and Recorder,
Woodbury County, Iowa
By: Diane Swoboda Peterson, Deputy

AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE

The County Auditor hereby accepts and approves the name or title of the attached Subdivision Plat as required by Iowa Code section 354.6(2).

Dated _____, 2020

Patrick F. Gill, Auditor and Recorder,
Woodbury County, Iowa
By: Diane Swoboda Peterson, Deputy




DGR Engineering
6115 Whispering Creek Drive
Sioux City, IA 51106
(712) 266-1554
www.dgr.com

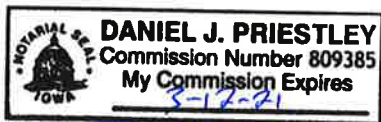
Date: April 28, 2020
Drawn By: DAL
Project No. 268057
Sheet: 2 OF 2


CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION

I, Chris Zellmer Zant, do hereby certify that I am the Chairman of the Woodbury County Zoning Commission of Woodbury County, Iowa and do further certify that said Commission has heretofore taken under advisement the plat of Walnut View Addition, Woodbury County, Iowa, and that said Woodbury County Zoning Commission of Woodbury County, Iowa did on the 22nd of June, 2020 approve the same and does further hereby recommend to the Woodbury County Board of Supervisors, Woodbury County, Iowa, the acceptance and approval of said plat based on the following conditions that the lots be serviced by an internal road or cul-de-sac, and deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with Woodbury County's floodplain regulations.

Dated this 1 Day of July, 2020


Chris Zellmer Zant,
Chairman
Woodbury County Zoning Commission of
Woodbury County, Iowa




Notary Public in and for Woodbury County, Iowa

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

#12a

Date: 7/1/2020 Weekly Agenda Date: 7/7/2020

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

WORDING FOR AGENDA ITEM:

Resolution to approve contract and bond for project number FM-C097(135)--55-97 - Bridge Replacement Project on K67/Hancock Avenue and allow County Engineer to electronically sign contracts and bonds.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Bids were received for the bridge replacement project on county road K67. The Board awarded the contract on June 23, 2020 and the contractor has been returned for approval.

BACKGROUND:

The project will replace a closed bridge on Hancock Avenue/Route K67. The existing bridge has been closed since October 2019. It will be replaced with a 110'x30' single span precast beam bridge. For this project, the Iowa DOT has changed its policy and is allowing, at Board approval, the county engineer to electronically sign the contract at the Board's direction.

FINANCIAL IMPACT:

The project is paid for with Woodbury County farm to market funding.

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 contract and bond with Dixon Construction for \$603,460.90 and that the Board approve and sign the resolution directing the county engineer to electronically sign the contract and bond.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the contract and bond with Dixon Construction for the replacement of the Hancock Avenue bridge for \$603,460.90 and that the Board approves and sign the resolution directing the county engineer to electronically sign the contract and bond.

DESIGNATION AND AUTHORIZATION FOR ELECTRONIC SIGNATURE
RESOLUTION

RESOLUTION NO. _____

WHEREAS: The Board of Supervisors has approved the contracts and bonds and is directing the County Engineer to electronically sign the contracts and bonds for the following project:

**FM-CO97(135)—55-97
Bridge Replacement Project – Bridge H-266 on Hancock Avenue**

NOW, THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors have approved contracts and bonds and that the County Engineer is directed to electronically sign the contracts and bonds for the above captioned project.

Passed and approved this 7th day of July, 2020.

Matthew Ung Chairperson
Woodbury County Board of Supervisors

Attest:

Patrick Gill
Woodbury County Auditor

CONTRACT

Letting Date: Jun 16, 2020 10:00 A.M.

Contract ID: 97-C097-135

Call Order No.: 010

County: WOODBURY

Project Engineer: WOODBURY COUNTY ENGINEER

Cost Center: 801000

Object Code: 890

DBE Commitment: \$0.00

Contract Work Type: BRIDGE REPLACEMENT - PPCB

This agreement made and entered by and between the Contracting Authority,
BOARD OF SUPERVISORS OF WOODBURY COUNTY
and Contractor,
DIXON CONSTRUCTION CO.

Vendor ID: DI360 City: CORRECTIONVI State: IA
LLE

It is agreed that the notice and instructions to bidders, the proposal filed by the Contractor, the specifications, the plan, if any, for project(s) listed herein, together with Contractor's performance bond, are made a part hereof and together with this instrument constitute the contract. This contract contains all of the terms and conditions agreed upon by the parties hereto.

Contractor, for and in considerations of \$ 603,460.90 payable as set forth in the specifications constituting a part of this contract, agrees to construct various items of work and/or provide various materials or supplies in accordance with the plans and specifications therefore, and in the locations designated in the Notice to Bidders.

Contractor certifies by signature on this contract, under pain of penalties for false certification, that the Contractor has complied with Iowa Code Section 452A.17(8) as amended, if applicable, and Iowa Code Section 91C.5 (Public Registration Number), if applicable.

In consideration of the foregoing, Contracting authority hereby agrees to pay the Contractor promptly and according to the requirements of the specifications the amounts set fourth, subject to the conditions as set forth in the specifications.

It is further understood and agreed that the above work shall also be commenced or completed in accordance with Contract Time of this Contract and assigned Notes.

To accomplish the purpose herein expressed, the Contracting authority and Contractor have signed this and one other identical instrument.

For Federal-Aid Contracts the Contractor certifies that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the contract.



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Page 1 of 4

Contract Project(s)

Contract ID: 97-C097-135

Call Order No.: 010

Letting Date: Jun 16, 2020 10:00 A.M.

Project Number: BROS-SWAP-C097(135)--FE-97

County: WOODBURY

Project Work Type: BRIDGE REPLACEMENT - PPCB

Accounting ID: 36948

Location: On K67 Over WOLF CREEK from 210th Street south 0.2 Miles to 220th Street on
WLINE S36 T88 R45

Route: K67

Non-Federal Aid - Predetermined Wages are not in Effect



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Page 2 of 4

Contract Time

Contract ID: 97-C097-135

Call Order No.: 010

Letting Date: Jun 16, 2020 10:00 A.M.

Site ID	Site Details		Liquidated Damages
00	Late Start Date	08/03/2020 70 WORK DAYS	\$1,000.00

(*) - Indicates Cost Plus Time Site. See Schedule of Items for Cost Per Unit



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Page 3 of 4

Notes

Contracts ID: 97-C097-135

Call Order No.: 010

Letting Date: Jun 16, 2020 10:00 A.M.

Notes :

There are no notes for this contract.



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Page 4 of 4

Contract Addenda

Contract ID: 97-C097-135

Call Order No.: 010

Letting Date: Jun 16, 2020 10:00 A.M.

No Addenda for this Contract.

Contract Specifications List

Contract ID: 97-C097-135

Call Order No.: 010

Letting Date: June 16, 2020 10:00 A.M.

Note	Description
001.2015	*** STANDARD SPECIFICATIONS -- SERIES 2015 *** The Iowa Department of Transportation STANDARD SPECIFICATIONS FOR HIGHWAY AND BRIDGE CONSTRUCTION, SERIES 2015, plus applicable General Supplemental Specifications, Developmental Specifications, Supplemental Specifications AND Special Provisions shall apply to construction work on this contract.
500.01	*** WINTER WORK *** The free time allowed between November 15 and April 1 will not be permitted on this project. The Contractor shall work during the winter on all working days as defined in Article 1101.03 'Working Day'.
GS-15010	GENERAL SUPPLEMENTAL SPECIFICATIONS FOR HIGHWAY AND BRIDGE CONSTRUCTION



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Contract Schedule

Contract ID: 97-C097-135

Awarded Vendor: DI360

DIXON CONSTRUCTION CO.

SECTION 0001

**ITEMS FOR A 110' X 30' PRETENSIONED PRESTRESSED
CONCRETE BEAM BRIDGE**

\$603,460.90

Alt Set ID:

Alt Mbr ID:

Contract Line Number	Item Number Item Description	Item Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0010	2101-0850001 CLEARING AND GRUBBING	0.200 ACRE	15,000.00		3,000.00	
0020	2102-2625001 EMBANKMENT-IN-PLACE, CONTRACTOR FURNISHED	1,483.000 CY	10.00		14,830.00	
0030	2102-2710070 EXCAVATION, CLASS 10, ROADWAY AND BORROW	360.000 CY	4.00		1,440.00	
0040	2104-2710020 EXCAVATION, CLASS 10, CHANNEL	1,123.000 CY	5.00		5,615.00	
0050	2312-8260310 GRANULAR SURFACING ON ROAD, CRUSHED CONCRETE	174.000 TON	32.00		5,568.00	
0060	2401-6745625 REMOVAL OF EXISTING BRIDGE	LUMP SUM			25,000.00	
0070	2402-2720000 EXCAVATION, CLASS 20	539.000 CY	20.00		10,780.00	
0080	2403-0100010 STRUCTURAL CONCRETE (BRIDGE)	197.200 CY	450.00		88,740.00	
0090	2404-7775005 REINFORCING STEEL, EPOXY COATED	47,625.000 LB	1.25		59,531.25	
0100	2407-0551510 BEAMS, PRETENSIONED PRESTRESSED CONCRETE, D110	5.000 EACH	20,000.00		100,000.00	
0110	2408-7800000 STRUCTURAL STEEL	1,265.000 LB	4.00		5,060.00	
0120	2414-6424124 CONCRETE OPEN RAILING, TL-4	274.200 LF	77.00		21,113.40	



Contract Schedule

Contract ID: 97-C097-135

Awarded Vendor: DI360

DIXON CONSTRUCTION CO.

SECTION 0001

**ITEMS FOR A 110' X 30' PRETENSIONED PRESTRESSED
CONCRETE BEAM BRIDGE**

\$603,460.90

Alt Set ID:

Alt Mbr ID:

Contract Line Number	Item Number Item Description	Item Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0130	2417-1040024 CULVERT, CORRUGATED METAL ENTRANCE PIPE, 24 IN. DIA.	144.000 LF	65.35		9,410.40	
0140	2501-0201057 PILES, STEEL, HP 10 X 57	1,870.000 LF	43.00		80,410.00	
0150	2505-4008420 STEEL BEAM GUARDRAIL BARRIER TRANSITION SECTION, BA-221	2.000 EACH	1,905.00		3,810.00	
0160	2505-4021010 STEEL BEAM GUARDRAIL END ANCHOR, BOLTED	2.000 EACH	300.00		600.00	
0170	2505-4021722 STEEL BEAM GUARDRAIL TANGENT END TERMINAL, BA-225	2.000 EACH	2,250.00		4,500.00	
0180	2507-3250005 ENGINEERING FABRIC	640.000 SY	3.00		1,920.00	
0190	2507-6800061 REVTMENT, CLASS E	909.000 TON	47.50		43,177.50	
0200	2518-6910000 SAFETY CLOSURE	2.000 EACH	150.00		300.00	
0210	2519-3300400 FIELD FENCE BRACE PANELS	14.000 EACH	140.00		1,960.00	
0220	2519-4200040 REMOVAL AND REINSTALLATION OF FENCE, FIELD	471.000 LF	4.85		2,284.35	
0230	2528-8445110 TRAFFIC CONTROL	LUMP SUM			5,200.00	
0240	2533-4980005 MOBILIZATION	LUMP SUM			59,000.00	



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Contract Schedule

Page 3 of 3

Contract ID: 97-C097-135

Awarded Vendor: DI360

DIXON CONSTRUCTION CO.

SECTION 0001 **ITEMS FOR A 110' X 30' PRETENSIONED PRESTRESSED CONCRETE BEAM BRIDGE** **\$603,460.90**

Alt Set ID: **Alt Mbr ID:**

Contract Line Number	Item Number Item Description	Item Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0250	2551-0000230 PERMANENT CRASH CUSHION, SEVERE USE (SU)	2.000 EACH	250.00		500.00	
0260	2551-0000300 PERMANENT CRASH CUSHION SPARE PARTS KIT	2.000 EACH	23,000.00		46,000.00	
0270	2601-2634100 MULCHING	0.500 ACRE	2,850.00		1,425.00	
0280	2601-2636043 SEEDING AND FERTILIZING (RURAL)	0.500 ACRE	2,850.00		1,425.00	
0290	2602-0000020 SILT FENCE	287.000 LF	3.00		861.00	
Total Bid:						\$603,460.90

Doc Express Document Signing History

Contract: 97-C097-135 Document: BO 010 97-C097-135 200616 CONTRACT

This document is in the process of being signed by all required signatories using the Doc Express service. Following are the signatures that have occurred so far.

Date	Signed By
06/26/2020	Dave Dixon Dixon Construction Digital Signature (Signed by Contractor)
	(Local Public Agency View and Sign Performance Bond)
	(Local Public Agency Signed Contract (by Authorized Signatory))
	(Check by Contracts and Specifications Bureau (DOT))
	(Signed by Contracts and Specifications Bureau (DOT))
	(Marked Completed by Contracts and Specifications Bureau (DOT))

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

#12b

Date: 7/1/2020 Weekly Agenda Date: 7/7/2020

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

WORDING FOR AGENDA ITEM:

Resolution to approve contract and bond for project number BRS-SWAP-6012(601)--FF-97 - Bridge Replacement Project on D12/110th Street and allow County Engineer to electronically sign contracts and bonds.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Bids were received for the bridge replacement project on county road D12. The Board awarded the contract on June 23, 2020 and the contractor has been returned for approval.

BACKGROUND:

The project will replace an aging and load restricted bridge on 110th St./Route D12 on the corporate line with Pierson. It will be replaced with a 80'x30' three span continuous concrete slab bridge. The project is in cooperation with Pierson The Iowa DOT has changed its policy and is allowing, at Board approval, the county engineer to electronically sign the contract at the Board's direction.

FINANCIAL IMPACT:

The project is paid for with city federal aid bridge funding through the Iowa DOT.

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 contract and bond with Dixon Construction for \$501,470.00 and that the Board approve and sign the resolution directing the county engineer to electronically sign the contract and bond.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the contract and bond with Dixon Construction for the replacement of the Hancock Avenue bridge for \$501,470.00 and that the Board approves and sign the resolution directing the county engineer to electronically sign the contract and bond.

DESIGNATION AND AUTHORIZATION FOR ELECTRONIC SIGNATURE
RESOLUTION

RESOLUTION NO. _____

WHEREAS: The Board of Supervisors has approved the contracts and bonds and is directing the County Engineer to electronically sign the contracts and bonds for the following project:

BRS-SWAP-6012(601)—FF-97
Bridge Replacement Project – Bridge B-255 on County Route D12

NOW, THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors have approved contracts and bonds and that the County Engineer is directed to electronically sign the contracts and bonds for the above captioned project.

Passed and approved this 7th day of July, 2020.

Matthew Ung Chairperson
Woodbury County Board of Supervisors

Attest:

Patrick Gill
Woodbury County Auditor

CONTRACT

Letting Date: Jun 16, 2020 10:00 A.M.

Contract ID: 97-6012-601

Call Order No.: 011

County: WOODBURY

Project Engineer: WOODBURY COUNTY ENGINEER

Cost Center: 801000

Object Code: 890

DBE Commitment: \$0.00

Contract Work Type: BRIDGE REPLACEMENT - CCS

This agreement made and entered by and between the Contracting Authority,
BOARD OF SUPERVISORS OF WOODBURY COUNTY
and Contractor,
DIXON CONSTRUCTION CO.

Vendor ID: DI360 City: CORRECTIONVI State: IA
LLE

It is agreed that the notice and instructions to bidders, the proposal filed by the Contractor, the specifications, the plan, if any, for project(s) listed herein, together with Contractor's performance bond, are made a part hereof and together with this instrument constitute the contract. This contract contains all of the terms and conditions agreed upon by the parties hereto.

Contractor, for and in considerations of \$ 501,470.00 payable as set forth in the specifications constituting a part of this contract, agrees to construct various items of work and/or provide various materials or supplies in accordance with the plans and specifications therefore, and in the locations designated in the Notice to Bidders.

Contractor certifies by signature on this contract, under pain of penalties for false certification, that the Contractor has complied with Iowa Code Section 452A.17(8) as amended, if applicable, and Iowa Code Section 91C.5 (Public Registration Number), if applicable.

In consideration of the foregoing, Contracting authority hereby agrees to pay the Contractor promptly and according to the requirements of the specifications the amounts set fourth, subject to the conditions as set forth in the specifications.

It is further understood and agreed that the above work shall also be commenced or completed in accordance with Contract Time of this Contract and assigned Notes.

To accomplish the purpose herein expressed, the Contracting authority and Contractor have signed this and one other identical instrument.

For Federal-Aid Contracts the Contractor certifies that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the contract.



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Page 1 of 4

Contract Project(s)

Contract ID: 97-6012-601

Call Order No.: 011

Letting Date: Jun 16, 2020 10:00 A.M.

Project Number: BRS-SWAP-6012(601)--FF-97

County: WOODBURY

Project Work Type: BRIDGE REPLACEMENT - CCS

Accounting ID: 36949

Location: On D 12 Over CREEK from Haines Avenue East 0.15 Miles to Minnesota Avenue on
NLINE S12 TT89N RR43W

Route: D12

Non-Federal Aid - Predetermined Wages are not in Effect



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Page 2 of 4

Contract Time

Contract ID: 97-6012-601

Call Order No.: 011

Letting Date: Jun 16, 2020 10:00 A.M.

Site ID	Site Details	Liquidated Damages
00	Late Start Date 06/21/2021 75 WORK DAYS	\$1,000.00

(*) - Indicates Cost Plus Time Site. See Schedule of Items for Cost Per Unit



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Page 3 of 4

Notes

Contracts ID: 97-6012-601

Call Order No.: 011

Letting Date: Jun 16, 2020 10:00 A.M.

Notes :

There are no notes for this contract.



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Page 4 of 4

Contract Addenda

Contract ID: 97-6012-601

Call Order No.: 011

Letting Date: Jun 16, 2020 10:00 A.M.

The following is a list of Contract Addenda:

16JUN011.A01

Contract Specifications List

Contract ID: 97-6012-601

Call Order No.: 011

Letting Date: June 16, 2020 10:00 A.M.

Note	Description
001.2015	*** STANDARD SPECIFICATIONS -- SERIES 2015 *** The Iowa Department of Transportation STANDARD SPECIFICATIONS FOR HIGHWAY AND BRIDGE CONSTRUCTION, SERIES 2015, plus applicable General Supplemental Specifications, Developmental Specifications, Supplemental Specifications AND Special Provisions shall apply to construction work on this contract.
500.01	*** WINTER WORK *** The free time allowed between November 15 and April 1 will not be permitted on this project. The Contractor shall work during the winter on all working days as defined in Article 1101.03 'Working Day'.
GS-15010	GENERAL SUPPLEMENTAL SPECIFICATIONS FOR HIGHWAY AND BRIDGE CONSTRUCTION



Contract Schedule

Contract ID: 97-6012-601

Awarded Vendor: DI360

DIXON CONSTRUCTION CO.

SECTION 0001 **ITEMS FOR A 80' X 30'-6 CONTINUOUS CONCRETE SLAB BRIDGE** **\$501,470.00**

Alt Set ID: **Alt Mbr ID:**

Contract Line Number	Item Number Item Description	Item Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0010	2101-0850001 CLEARING AND GRUBBING	0.500 ACRE	6,000.00		3,000.00	
0020	2102-2625000 EMBANKMENT-IN-PLACE	1,140.000 CY	14.00		15,960.00	
0030	2104-2710020 EXCAVATION, CLASS 10, CHANNEL	1,645.000 CY	7.00		11,515.00	
0040	2121-7425020 GRANULAR SHOULDERS, TYPE B	75.000 TON	52.00		3,900.00	
0050	2301-0690210 BRIDGE APPROACH, TWO LANE	337.600 SY	150.00		50,640.00	
0060	2401-6745625 REMOVAL OF EXISTING BRIDGE	LUMP SUM			25,000.00	
0070	2402-2720000 EXCAVATION, CLASS 20	260.000 CY	20.00		5,200.00	
0080	2403-0100010 STRUCTURAL CONCRETE (BRIDGE)	172.600 CY	550.00		94,930.00	
0090	2404-7775000 REINFORCING STEEL	102.000 LB	4.00		408.00	
0100	2404-7775005 REINFORCING STEEL, EPOXY COATED	46,502.000 LB	1.25		58,127.50	
0110	2414-6424124 CONCRETE OPEN RAILING, TL-4	182.000 LF	87.00		15,834.00	
0120	2417-0330024 APRONS, SAFETY SLOPE, 24 IN. DIA.	2.000 EACH	575.00		1,150.00	
0130	2417-1060024 CULVERT, CORRUGATED METAL ROADWAY PIPE, 24 IN. DIA.	180.000 LF	57.00		10,260.00	



Contract Schedule

Contract ID: 97-6012-601

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DIXON CONSTRUCTION CO.

SECTION 0001

ITEMS FOR A 80' X 30'-6 CONTINUOUS CONCRETE SLAB BRIDGE

\$501,470.00

Alt Set ID:

Alt Mbr ID:

Contract Line Number	Item Number Item Description	Item Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0140	2501-0201042 PILES, STEEL, HP 10 X 42	1,720.000 LF	35.00		60,200.00	
0150	2501-5478042 CONCRETE ENCASEMENT OF STEEL H PILES, HP 10 X 42 (P10L TYPE 3)	182.000 LF	150.00		27,300.00	
0160	2503-3775024 GATE, OUTLET CONTROL, FLAP, 24 IN.	2.000 EACH	1,000.00		2,000.00	
0170	2505-4008420 STEEL BEAM GUARDRAIL BARRIER TRANSITION SECTION, BA-221	4.000 EACH	1,000.00		4,000.00	
0180	2505-4021010 STEEL BEAM GUARDRAIL END ANCHOR, BOLTED	4.000 EACH	300.00		1,200.00	
0190	2505-4021722 STEEL BEAM GUARDRAIL TANGENT END TERMINAL, BA-225	4.000 EACH	2,500.00		10,000.00	
0200	2507-3250005 ENGINEERING FABRIC	450.000 SY	3.00		1,350.00	
0210	2507-6800061 REVTMENT, CLASS E	485.000 TON	55.00		26,675.00	
0220	2510-6745850 REMOVAL OF PAVEMENT	395.700 SY	10.00		3,957.00	
0230	2518-6910000 SAFETY CLOSURE	2.000 EACH	300.00		600.00	
0240	2519-3280000 FENCE, FIELD	350.000 LF	10.00		3,500.00	
0250	2519-3300400 FIELD FENCE BRACE PANELS	4.000 EACH	200.00		800.00	



06/18/2020 14:17:58

AASHTOWare Project™ Version 4.3 Revision 023

Contract Schedule

Contract ID: 97-6012-601

Awarded Vendor: DI360

DIXON CONSTRUCTION CO.

SECTION 0001 **ITEMS FOR A 80' X 30'-6 CONTINUOUS CONCRETE SLAB BRIDGE** **\$501,470.00**

Alt Set ID: **Alt Mbr ID:**

Contract Line Number	Item Number Item Description	Item Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0260	2527-9263109 PAINTED PAVEMENT MARKING, WATERBORNE OR SOLVENT-BASED	4.500 STA	275.00		1,237.50	
0270	2528-8445110 TRAFFIC CONTROL	LUMP SUM			5,700.00	
0280	2533-4980005 MOBILIZATION	LUMP SUM			52,000.00	
0290	2601-2634100 MULCHING	0.500 ACRE	2,850.00		1,425.00	
0300	2601-2636043 SEEDING AND FERTILIZING (RURAL)	0.500 ACRE	2,850.00		1,425.00	
0310	2602-0000020 SILT FENCE	700.000 LF	2.80		1,960.00	
0320	2602-0000030 SILT FENCE FOR DITCH CHECKS	48.000 LF	4.50		216.00	
Total Bid:						\$501,470.00

Doc Express Document Signing History

Contract: 97-6012-601 Document: BO 011 97-6012-601 200616 CONTRACT

This document is in the process of being signed by all required signatories using the Doc Express service. Following are the signatures that have occurred so far.

Date	Signed By
06/26/2020	Dave Dixon Dixon Construction Digital Signature (Signed by Contractor)
	(Local Public Agency View and Sign Performance Bond)
	(Local Public Agency Signed Contract (by Authorized Signatory))
	(Check by Contracts and Specifications Bureau (DOT))
	(Signed by Contracts and Specifications Bureau (DOT))
	(Marked Completed by Contracts and Specifications Bureau (DOT))



#13a

Ahlers & Cooney, P.C.
Attorneys at Law

100 Court Avenue, Suite 600
Des Moines, Iowa 50309-2231

Phone: 515-243-7611

Fax: 515-243-2149

www.ahlerslaw.com

Jason L. Comisky
515.246.0337
jcomisky@ahlerslaw.com

July 1, 2020

Via E-mail Only

Woodbury County, Iowa
c/o Mr. Michael Clayton
Woodbury County Treasurer
Trospen Hoyt
822 Douglas St. Room 102
Sioux City, Iowa 51101

Re: Woodbury County, Iowa
Resolution Fixing Date of Hearing on Lease

Dear Michael:

We have now prepared and are enclosing suggested proceedings to be acted upon by the Board of Supervisors in fixing the date of a meeting on the proposition to enter into a Lease Agreement with the Woodbury County Law Enforcement Center Authority and ordering publication of a notice of hearing.

Publication Requirement - Notice of Hearing.

Notice of this meeting must be published at least once in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The date of publication is to be not less than four clear days nor more than twenty days before the date of the public meeting on the proposition to enter into the Lease Agreement. In computing time, the date of publication should be excluded. If the last day falls on Sunday, the whole of the following Monday should be excluded. [See Section ICS 4.1(34).]

At the time of hearing the Board of Supervisors shall receive oral or written objections from any resident or property owner to the proposed action to enter into a Lease Agreement with the Woodbury County Law Enforcement Center Authority. After all objections have been received and considered, the Board of Supervisors is required, at that meeting or at any adjournment thereof, to take additional action for the authorization of the Lease Agreement or to abandon the proposal.

Please return a completed copy of the proceeding, via email followed up by a hard copy, filled in as the original and certified back to us. **We are also enclosing an extra copy of the notice of hearing to be delivered to the newspaper for publication purposes.** A certificate to attest the proceeding is attached as well.

We will prepare and forward to you in the near future, suggested procedure to be acted upon on the date of hearing. If you have any questions pertaining to the proceedings enclosed or the above instructions, please do not hesitate to either write or call.

Ahlers & Cooney, P.C.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason L. Comisky".

Jason L. Comisky
FOR THE FIRM

JLC:ks

Enclosures

cc: Dennis Butler (via email)
Karen James (via email)

ITEMS TO INCLUDE ON AGENDA FOR JULY 7, 2020
WOODBURY COUNTY, IOWA

Woodbury County, Iowa.

- Resolution fixing date for a public hearing on the proposal to enter into a Lease Agreement with the Woodbury County Law Enforcement Center Authority.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE COUNTY.

July 7, 2020

The Board of Supervisors of Woodbury County, State of Iowa, met in _____ session, in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the above date. There were present Chairperson _____, in the chair, and the following named Board Members:

Absent: _____

* * * * *

Board Member _____ introduced the following resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A LEASE AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY", and moved that the resolution be adopted. Board Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Resolution was duly adopted as follows:

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON
THE PROPOSAL TO ENTER INTO A LEASE AGREEMENT
WITH THE WOODBURY COUNTY LAW ENFORCEMENT
CENTER AUTHORITY

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, (the "County") should provide for the authorization of a Lease Agreement with the Woodbury County Law Enforcement Center Authority (the "Authority") for the purpose of construction and operation of a new law enforcement center facility as hereinafter described; and

WHEREAS, Iowa Code Section 346.27 provides that the Authority shall have and exercise certain public and essential governmental powers and functions including the right to lease all or any part of a building to an incorporating unit upon rental terms agreed upon between the Authority and the incorporating unit; and

WHEREAS, the Authority and County have negotiated the form of a proposed Lease Agreement (the "Lease") by and between the Authority and the County, which would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease and would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease; and

WHEREAS, neither Chapter 331 nor any other Code provision sets forth any procedural action required to be taken before said Lease can be approved, and pursuant to Section 331.301(5), Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the Woodbury County Auditor causes to be published notice of the proposal and of the time and place of the meeting at which the Board of Supervisors proposes to take action thereon and to receive oral and/or written objections to such action; and

WHEREAS, the following action is now considered to be in the best interests of the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA:

Section 1. That this Board of Supervisors meet in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:45 P.M. on July 21, 2020, for the purpose of taking action on the matter of the proposal to enter into the Lease with the Woodbury County Law Enforcement Center Authority.

Section 2. That the Woodbury County Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in Woodbury County, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA, ON THE MATTER OF THE PROPOSAL TO ENTER INTO A LEASE AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, Iowa, will hold a public hearing on July 21, 2020, at 4:45 P.M. in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board of Supervisors proposes to take action on the proposal to enter into a Lease Agreement (the "Lease") with the Woodbury County Law Enforcement Center Authority (the "Authority").

The Lease would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center Facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease.

The Lease would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease.

A copy of the Lease is on file for public inspection during regular business hours in the office of the Auditor of Woodbury County, Iowa.

At the above meeting the Board of Supervisors shall receive oral or written objections to the proposal to enter into the Lease. After all objections have been received and considered, the Board of Supervisors will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Lease.

This notice is given by order of the Board of Supervisors of Woodbury County, Iowa.

Dated this _____ day of _____, 2020.

Auditor, Woodbury County, Iowa

(End of Notice)

PASSED AND APPROVED this 7th day of July, 2020.

Chairperson

ATTEST:

County Auditor

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned County Auditor of Woodbury County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this _____ day of _____, 2020.

County Auditor, Woodbury County, Iowa

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Auditor of Woodbury County, in the County of Woodbury, State of Iowa, and that as such Auditor and by full authority from the Board of the County, I have caused a

NOTICE OF PUBLIC HEARING
(Woodbury County, Iowa – Lease Agreement)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the " _____ ", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the County, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2020.

WITNESS my official signature this _____ day of _____, 2020.

County Auditor, Woodbury County, State of
Iowa

(SEAL)

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

#13b

Date: 7/1/2020

Weekly Agenda Date: 7/7/2020

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dennis Butler - Finance/Budget

WORDING FOR AGENDA ITEM:

De-obligate partial funding of Senior Community Service Employment Program and Woodbury County Fair for FY21

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Senior Community Service Employment Program was allocated to \$10,474 in FY21. We have been informed that the program will only need \$2,618. This program is going to be eliminated.

The County Fair Board has cancelled the 2020 Woodbury County Fair. The Board of Supervisors had obligated \$32,000 from L.O.S.T. for FY21. The Executive Board met and would like to receive \$12,000 for remodeling the carnival restrooms. The board can reduce \$20,000 from the allocation for FY21 only.

BACKGROUND:

Empty box for background information.

FINANCIAL IMPACT:

This action will reduce the Board of Supervisors obligations involving L.O.S.T. funding by a total of \$27,856.

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.

ACTION REQUIRED / PROPOSED MOTION:

Motion by _____, second by _____, to de-obligate \$7,856 from Senior Community Service Employment Program and \$20,000 from Woodbury County Fair allocations.

Dennis Butler

From: Woodbury Co Fair <woodburycofair@wiatel.net>
Sent: Tuesday, June 30, 2020 9:57 AM
To: Dennis Butler; Matthew A. Ung
Cc: tmark@wiatel.net
Subject: 2020 Woodbury County Fair Funding

Dennis & Matthew,

The Woodbury County Fair Executive Board met last night to discuss options for our 2020 appropriation from the Board of Supervisors. The Executive Board would like to ask the Board of Supervisors to be able to keep \$12,000 of the \$32,000 allocated. This \$12,000 will be used toward the remodel of our carnival bathrooms, which we had previously approved prior to the pandemic and planned to have completed before fair this year. The Executive Board would like to take advantage of this down time to do these much needed repairs, and see this as an opportunity to help out local small business contractors who are also struggling.

There was also concern over what this could mean for future county funding - do you have any insight as to how this will affect funding next year?

As always, thank you for your time and support!

Sincerely,

--
Andrea Fleck
Manager
Woodbury County Fair



Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER

Mark J. Nahra, P.E.

mnahra@woodburycountyiowa.gov

ASSISTANT TO THE COUNTY ENGINEER

Benjamin T. Kusler, E.I.T.

bkusler@woodburycountyiowa.gov

SECRETARY

Tish Brice

tbrice@woodburycountyiowa.gov

To: Board Members

From: Mark Nahra, County Engineer

Date: July 1, 2020

RE: Weekly Work Report

Construction Project Report

To be let:

BROS-SWAP-CO97(140)—SE-97, 200th Street bridge replacement project between the Merville Blacktop and Grundy Avenue. Letting date: August 18, 2020. Late start date: April 26, 2021.

The bridge was closed in 2019 due to failure of substructure components. A new bridge will be constructed in 2020 to replace the old structure. The project is funded with county bridge funds allocated by Iowa DOT to Woodbury County.

BRS-CHBP-CO97(139)—GB-97, Merville Blacktop Bridge replacement project between US Highway 20 and 160th Street. Letting date: November 17, 2020. Late start date: Spring 2021

The bridge is funded with Competitive Highway Bridge Program funds administered by the Iowa DOT and allocated to Woodbury County. This bridge is fully funded with CHBP and SWAP funds. The project is bundled for letting with a project in Lyon County. The letting for this project has been rescheduled in cooperation with a request from Lyon County.

BROSCHBP-CO97(141)—GA-97, O'Brien Avenue Bridge replacement project between Highway 20 and 160th Street. Letting date: November 17, 2020. Late start date: Spring 2021.

The bridge is funded with Competitive Highway Bridge Program funds administered by the Iowa DOT and allocated to Woodbury County. This bridge is fully funded with CHBP and SWAP funds. The project is bundled for letting with a project in Lyon County. The letting for this project has been rescheduled in cooperation with a request from Lyon County.

Under Contract:

BROS-SWAP-CO97(135)—FE-97, Hancock Avenue Bridge replacement project between 210th Street and 220th Street. Letting date: June 16, 2020. Late start date: August 3, 2020. Contractor: Dixon Construction of Correctionville, IA. Bid price: \$603,460.90.

The bridge was closed in 2019 due to failure of substructure components. A new single span concrete beam bridge will be constructed in 2020 to replace the old structure. The project is funded with county bridge funds allocated by Iowa DOT to Woodbury County. The contract will be presented to the board for approval on July 7th.

BRS-SWAP-6012(601)—FF-97, D12/110th Street bridge replacement project on corporate line with the City of Pierson. Letting date: June 16, 2020. Late start date: June 20, 2021. Contractor: Dixon Construction of Correctionville, IA. Bid price: \$501,470.00.

The project involves replacement of a load restricted and aging bridge on the east side of Pierson. The project is being done in cooperation with the city using city bridge replacement funds for which Pierson was eligible. A new 80'x30' continuous concrete slab bridge will be constructed on site. The contract will be presented to the board on July 7th for approval.

L-B (M66)—73-97, Bridge M66 on 240th Street will be replaced with a reinforced concrete box culvert. The project is between Taylor Avenue and Union Avenue. Letting date: June 2, 2020. Late start date: August 2020. Contractor: Godberson Smith Company of Ida Grove, IA. Bid Price: \$261,771.85.

The project involves replacement of an aging bridge on 240th Street. The bridge will be replaced with a cast in place, reinforced concrete box culvert. The project is funded with local secondary road funds. The board awarded the bid for the project on June 2, 2020. The contractor is starting work on Monday, June 29. We expect the project will be completed in late August.

L-B(C278)—73-97, Bridge C278 on Jewell Avenue between 110th Street and 120th Street will be replaced with a precast concrete box culvert. Letting date: April 14, 2020. Late start date: August 3, 2020. Contractor: Dixon Construction of Correctionville, IA. Bid price: \$175,979.00.

The project involves replacement of an aging bridge with a precast concrete box culvert. The project is funded with local secondary road funds. The contract has been signed at their May 19th meeting of the Board of Supervisors. The contractor plans to start work in August 2020.

FM-CO97(136)—55-97, D38 HMA resurfacing project between Bronson and the Merville Blacktop. Letting date: December 17, 2019. Late start date: June 2020. Contractor: Knife River Corporation of Sioux City, IA. Contract price: \$1,991,352.65.

The project involves cold in place recycling of the existing pavement followed by an overlay of the pavement with new hot mix asphalt surfacing. The contractor completed milling the road surface on May 14. Work on the new intersection fillets started on Friday, May 15th and was completed the week of May 18th. The construction of the concrete bridge approach section at the West Fork, Little Sioux River bridge started on May 18th, has been completed, and the road reopened on Friday, May 29. Traffic during the remainder of the project will be controlled with pilot car and flaggers. Cold in place recycling is now complete and was finished on June 6th. The asphalt surfacing work is scheduled to start after the 4th of July. The project is expected to be completed near the end of July 2020.

L-FM(D50)—7X-97, D50 Grading for Paving Project on 250th Street from Hwy 31 to County Route L27. Letting date: September 10, 2019. Late start date: April 13, 2020. Contractor: Mather Construction Co. Total bid price: \$2,031,975.53. The project involves grading 250th Street east of Iowa Highway 31 for approximately 2.25 miles in preparation for paving the road. The project is funded by the \$1.3 million per year, 5-year special projects levy.

The project was let to contract on September 10th and awarded to Mather Construction on September 17, 2019. The contract was approved by the board on September 24, 2019. Grading and culvert installation started last fall. The project was suspended through the winter. The contractor resumed grading on the east end of the project, just west of Mason Avenue in late March. The intersection of County routes L27 and D50 closed on April 24th to allow grading of the new intersection at the east end. The intersection reopened to traffic on June 25th. The intersection is now a four-way stop.

Road grading continues and will progress through the summer. We anticipate this project will be completed this fall. The road will be gravel surfaced until the road is paved in FY 2022 or

FY 2023 when the project is programmed for PCC paving. This time gap between completion and paving will give the new grade time to settle.

FM-CO97(137)—55-97, K49 HMA resurfacing project between Plymouth County line and county route D12. Letting date: February 19, 2019. Contractor: Knife River. Woodbury County share of contract price: \$286,297.37.

This project is being done in coordination with a Plymouth County project on county route K49 in both counties. The project involves cold in place recycling of the existing pavement followed by an overlay of high performance asphalt surfacing. The high-performance surface provides a thinner overlay on top of the recycled pavement than standard hot mix asphalt. This is Woodbury County's first project using this material.

Cold in place recycling was completed last fall. Surface HMA placement was completed on Friday, October 25. Shouldering and pavement markings were completed last fall. Some patching work was necessary this spring due to problems with the high-performance asphalt overlay. These areas have been patched and the surface will be planed with a grinder to improve the ride on the repaired areas later this month.

Work Under Design:

Design work is underway on the following projects for letting in 2020.

1) The Mason Avenue bridge was severely damaged by flooding on the Little Sioux River in July 2018. The bridge has been closed to traffic due to damage caused when the bridge being struck by a large tree during the flood. The county engineer's office was notified that FEMA has determined that the damage is eligible for repair/replacement assistance. The county road department has filed required documentation requesting assistance from FEMA with eligible costs and has started work on design of a new bridge at this location. Final design work is nearly complete for a 209' x 24' continuous concrete slab bridge that meets the hydraulic requirements of this crossing. There will still be road grade flood overflow on both sides of the bridge for extreme flooding, and it will operate similar to the way the current truss bridge and road alignment have worked. The county has been required to do some historic remediation of the existing bridge and has submitted that information to FEMA. As soon as the project obtains approval from FEMA and Iowa Homeland Security/Emergency Management Division, the project can be let to contract. We expect the bridge replacement project will be undertaken yet in 2020.

2) Design work is starting on a project to replace the K64 pavement from Highway 141 north to Old Highway 141. This work includes new pavement through the town of Hornick. The project is proposed for letting in spring 2021.

Other Projects:

1) Work on the Iowa DOT bridge project on Highway 141 continues. County roads including K67, Old Highway 141 and K64 will be used as detours during construction on the project. The detour started on Monday, May 4th. A temporary stop sign has been placed for both directions of travel at the intersection of Hancock Avenue and Old 141 during construction to improve safety at this intersection. It will be a four way stop for the duration of the project. A fall 2020 completion date is anticipated.

2) Iowa Highway 31 will be closed for repaving in September 2020 between Washta and Correctionville. During this time, County Route L36 will be used as part of the detour. Right now, we are anticipating the detour starting the week of September 8, 2020.

COVID-19 Impacts to the secondary road department:

Woodbury County Secondary Road Department revenues are being adversely affected by the reduced level of travel and reduced commerce related to COVID-19 response. Our largest revenue sources are Road Use Taxes and Local Option Sales Taxes. Total fuel tax receipts are reduced due to lower state-wide travel levels. Road use tax receipts are also affected by registration fees and vehicle sales, which are also down. The latest projections for fuel tax revenues are that we will be 20-25% lower for the last quarter of FY 2020. This translates into a \$325,000 to \$400,000 loss to our road funds potentially for April-June. At the same time, our local revenues are heavily affected by reduced sales taxes. The road department receives just \$1,450,000 in property taxes for FY 2020, but anticipated \$2,050,000 in Local Option Sales Tax revenues.

Funding shortfalls affect our local expenditures and projects. Depending on the duration of budget shortfalls, next fiscal year may involve delays in locally funded and let construction projects. The department's emphasis with reduced funding will be to maintain the county's current level of maintenance, including gravel purchases and snow removal as we progress through FY 2021.