



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(MARCH 14) (WEEK 11 OF 2023)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held March 14, 2023 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. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of 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. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except when directed by the Chair or a majority of the board for a particular agenda item of a subsequent meeting.

AGENDA

4:15 p.m. Courthouse Foundation Meeting – Basement Meeting Room

- a. Election of Directors
- b. Election of Officers
- c. Approve the minutes of the March 1, 2022, meeting
- d. Receive the February 28, 2023 Financial Report
- e. Old Business
- f. New Business
- g. Adjourn

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

1. Approval of the agenda

Action

Consent Agenda

Items 2 through 8 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

2. Approval of the minutes of the March 7, 2023 meeting
3. Approval of claims

4. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorization to Initiate the Hiring Process

5. Board Administration – Dennis Butler

Authorize Woodbury County Finance/Budget Director as the county’s representative of the Opioid Settlement and funding for Opioid Settlement reporting resulting from the Iowa Opioid Allocation Memorandum of Understanding from the State of Iowa

6. County Treasurer – Tina Bertrand
 - a. Approve refund request for overpayment of taxes for Parcel #894721252012 in the amount of \$913.00
 - b. Approve resolution naming depositories to remove First State Bank

7. County Auditor – Patrick Gill

Approval of Liquor License Application for Anthon Golf Course, Anthon

8. Community Action Agency – Jean Logan

Approval of appointments of Kevin Grieme, Sally Hartley, and Kevin Kay for a 3 year Term on the Community Action Agency of Siouxland Board of Directors effective April 1, 2023

End Consent Agenda

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|--------------------------------|---|--|
| 4:35 p.m.
(Set time) | 9. Board Administration – Heather Van Sickle <ol style="list-style-type: none"> a. Public hearing and sale of property parcel #894728102018 (aka 1311 Grandview Blvd.) | Action |
| 4:37 p.m.
(Set time) | <ol style="list-style-type: none"> b. Public hearing and sale of property parcel #894729402013 (aka 210 ½ Main Street) | Action |
| 4:39 p.m.
(Set time) | <ol style="list-style-type: none"> c. Public hearing and sale of property parcel #894730254010 (aka 315 Collins Street) | Action |
| 4:42 p.m.
(Set time) | 10. Planning/Zoning – Daniel Priestley <ol style="list-style-type: none"> a. Conduct public hearing on a Zoning Ordinance Map Amendment to rezone from Agricultural Preservation (AP) to Agricultural Estates (AE) Zoning District for Maxys Family Farm LLC & Brian & Bonnie Ivener Trust 13.26 – acres Parcel #874704300003 b. Approve the second reading of the ordinance as the final reading c. Waive the third reading of the ordinance d. Adopt the Zoning Ordinance Map Amendment (Rezone) | Action

Action
Action
Action |
| | 11. Planning/Zoning – Daniel Priestley <ol style="list-style-type: none"> a. Receive the Zoning Commission’s recommendation from their 2/27/23 meeting to approve the final plat of Barker Addition, a minor subdivision to Woodbury County, Iowa b. Approve the Barker Addition, a minor subdivision with the condition that the property owner(s) sign a pavement agreement for any future grading and hard surfacing and pavement along Barker Avenue and 230th Street c. Approve the application and authorize the Chairman to sign the Board’s scoring and recommendation letter to the Iowa Department of Natural Resources (IDNR) for the “Sioux Jerseys, LLC” Confinement Feeding Operation | Action

Action
Action |

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|-----|---|-------------|
| d. | Approve the application and authorize the Chairman to sign the Board's scoring and recommendation letter to the Iowa Department of Natural Resources (IDNR) for the "Salix Farms, LLC" Confinement Feeding Operation | Action |
| | | |
| 12. | County Auditor – Patrick Gill | |
| a. | Accept the petition and bond presented by the City of Salix for the establishment of a new drainage district | Action |
| b. | Appoint a drainage engineer to prepare a report for the Board of Supervisors as required by Section 468.10 of the Code of Iowa, and to direct said engineer to prepare a contract for board approval as required by Section 468.10(2) of the Code of Iowa | Action |
| c. | Approve the Fiscal Year 23-24 County Parking Plan | Action |
| | | |
| 13. | Secondary Roads – Mark Nahra | |
| | Approve the project agreement for project IM-029-6(278)139—13-97 and IM-029-6(170)139-0E-97 and direct the chair to sign said agreement | Action |
| | | |
| 14. | Board Administration – Dennis Butler | |
| a. | Approval to un-obligate \$444,447 from ARPA Funds for the 28 th Street Sewer Project and then obligate \$444,447 to be paid from FY 23 CIP | Action |
| b. | Approval of funding source from ARPA funding to FY 23 CIP Funds for the five new Sheriff vehicles | Action |
| c. | Approval to amend ARPA Funds obligated for Conservation and Emergency Services radios from \$344,000 down to \$162,745 | Action |
| d. | Approval to reduce the previously approved ARPA Funds for the Trospen/Hoyt emergency repairs from \$292,750 to \$200,000 | Action |
| e. | Approval to obligate ARPA Funds in the amount of \$30,000 to replace the outdated Life Pack heart monitors for Emergency Services | Action |
| f. | Approval to amend the funding of the Sheriff's cameras and tasers by obligating \$300,000 to FY 23 CIP and \$687,840 to ARPA Funding | Action |
| | | |
| 15. | Reports on Committee Meetings | Information |
| | | |
| 16. | Citizen Concerns | Information |
| | | |
| 17. | Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

WED., MAR. 15	12:00 p.m.	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
	1:00 p.m.	Regional Workforce Development Meeting, 2508 4 th Street, Sioux City
THU., MAR. 16	4:00 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center
	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
FRI., MAR. 17	9:00 a.m.	Hungry Canyons Alliance Spring Quarterly Meeting, Atlantic, Iowa
	12:00 p.m.	Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
MON., MAR. 20	6:00 p.m.	Zoning Commission Meeting, First Floor Boardroom
TUE., MAR 21	2:00 p.m.	Decat Board Meeting, Western Hills AEA, Room F
WED., MAR 22	2:30 p.m.	Rolling Hills Community Services Region Governance Board Meeting
THU., MAR 23	10:00 a.m.	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St.
	11:15 a.m.	Western Iowa Community Improvement Regional Housing Trust Fund, Hybrid
	1:30 p.m.	SIMPCO Community and Economic Development, Hybrid
MON., APRIL 3	6:00 p.m.	Board of Adjustment meeting, First Floor Boardroom
WED., APRIL 5	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
WED., APRIL 12	8:05 a.m.	Woodbury County Information Communication Commission, First Floor Boardroom
	10:00 a.m.	STARComm Board Meeting, The Security Institute, WIT Campus
	12:00 p.m.	District Board of Health Meeting, 1014 Nebraska St.
THU., ARPIL 13	12:00 p.m.	SIMPCO Board of Directors, 1122 Pierce St.
	4:00 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park

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.

COURTHOUSE FOUNDATION MEETING

Tuesday, March 14, 2023 @ 4:15 p.m.

Board of Supervisors Meeting Room

AGENDA

Election of Directors

- Motion to elect ex officio members as Board of Directors

Election of Officers

- Motion to elect President of the Board of Directors
- Motion to elect Vice President of the Board of Directors
- Motion to combine the offices of Secretary and Treasurer and to appoint the County Auditor to the combined position

Reports

- Motion to approve the minutes of the March 1, 2022 meeting
- Motion to receive the February 28, 2023 Financial Report

Old Business

New Business

Adjourn

WOODBURY COUNTY COURTHOUSE FOUNDATION MEETING

ANNUAL MEETING MINUTES

Tuesday, March 1, 2022

Board of Supervisors Meeting Room

Present were Taylor, Ung, Radig, De Witt and Wright.

Election of Directors

Motion by Ung second by Radig to elect ex officio members as Board of Directors.
Motion carried.

Election of Officers

Motion by Ung second by De Witt to elect Radig as President of the Board of the Board of Directors. Motion carried.

Motion by Ung second by Radig to elect Ung as Vice President of the Board of Directors.
Motion Carried.

Motion by Ung second by Radig to combine the offices of Secretary and Treasurer and to appoint the County Auditor to the combined position. Motion carried.

Reports

Motion by Ung second by De Witt to approve the minutes of the March 2, 2021 meeting.
Motion carried.

Motion by Ung second by De Witt to receive the Financial Report as of February 28, 2022. Motion carried.

Old Business

There was no old business.

New Business

There was no new business.

Adjourn

The meeting was adjourned.

MARCH 07, 2023, TENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, March 07, 2023, at 4:30 p.m. Board members present were Bittinger II (phone), Nelson (phone), Taylor (phone), Ung, and Radig. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Loan Hensley, Assistant County Attorney, Melissa Thomas, Human Resources 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. Motion by Radig second by Ung to approve the agenda for March 07, 2023. Carried 5-0. Copy filed.

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

2. To approve minutes of the February 28, 2023 meeting. Copy filed.
3. To approve the claims totaling \$531,960.36. Copy filed.
- 4a. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes through the redemption process for Claudia Villagrana, 1424 Court St., parcel #894721479001.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,557
RESOLUTION APPROVING PETITION FOR SUSPENSION
OF TAXES THROUGH THE REDEMPTION PROCESS**

WHEREAS, Claudia Villagrana is a titleholder of property located at 1424 Court Street, Sioux City, Iowa, Woodbury County, Iowa, and legally described as follows:

Parcel # 894721479001
GALBRAITHS W 100 FT LOT 18

WHEREAS, Claudia Villagrana, is a titleholder of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code Section 447.9(3) 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 directs the County Auditor to redeem this property Parcel #894721479001 owned by the petitioner from the holder of a certificate of purchase of the amount necessary to redeem under section 447.9, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this parcel.

SO RESOLVED this 7th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 4b. To approve the appointment of Kim Peterson to the Woodbury County Library Board of Trustee to fulfill the rest of Alicia Sanders term that will expire June 2024. Copy filed.
- 5a. To receive the appointment of Jeff Redmond, 109 Buckley St., to City of Sloan council seat, to fill a vacancy previously held by Robert Copple, until the next regular/general election. Copy filed.
- 5b. To receive the appointment of Jennifer Benson, 3263 230th St., Anthon, to Grant Township Clerk, and Kevin Allman, 2620 Jewell Ave., Oto, to Grant Township Trustee. Copy filed.
- 6a. To approve the promotion of Lee Blanchard, Civilian Lieutenant, County Sheriff Dept., effective 03-06-23, \$87,349.05/year, \$3,235.15/bi-weekly, 17%=\$469.55/bi-weekly. Promotion from Jail Sergeant to Civilian

Lieutenant.; the promotion of Tristen Vanderschaaf, Jail Sergeant, County Sheriff Dept., effective 03-06-23, \$34.57/hour, 29%=\$10.29/hr. Promotion from Civilian Jailer to Jail Sergeant.; the appointment of Jacob Gilreath, P/T Civil/Construction Engineer Intern, Secondary Roads Dept., effective 03-13-23, \$34.13/hour. Job Vacancy Posted 7-28-22. Entry Level Salary: \$69,334-\$73,000/year.; the reclassification of Kenneth Schmitz, Director, Building Services Dept., effective 03-20-23, \$111,452.76/year, \$4,127.88/bi-weekly, 3.8%=\$4,127.88/yr. Other.; the reclassification of Todd Harlow, Civilian Captain, County Sheriff Dept., effective 03-20-23, \$106,735.12/year, \$3,953.17/bi-weekly, 3.8%=\$3,953.17/yr. Other.; the reclassification of Melissa Thomas, Director, Human Resources Dept., effective 03-20-23, \$101,769.23/year, \$3,769.23/bi-weekly, 3.8%=\$3,769.23/yr. Other.; the appointment of Kelsey Hinrickson, Clerk II, County Treasurer Dept., effective 03-27-23, \$18.22/hour. Job Vacancy Posted 1-18-23. Entry Level Salary: \$18.22/hour. Copy filed.

6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for P/T Civil/Construction Engineer Intern, Secondary Roads Dept. Wage Plan: \$34.13/hour.; Jail Sergeant, County Sheriff Dept. CWA: \$34.57/hour.; Civilian Jailer, County Sheriff Dept. CWA: \$23.33/hour.; (2) Deputy Sheriff, County Sheriff Dept. CWA: \$26.55/hour. Copy filed.

7a. To approve and authorize the Chairperson to sign a Resolution fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$600,701 General Obligation Capital Loan Notes (ECP #1) of Woodbury County, State of Iowa (for essential County purposes), and providing for publication of Notice thereof.

**RESOLUTION #13,558
RESOLUTION FIXING DATE FOR A MEETING ON THE
AUTHORIZATION OF A LOAN AGREEMENT AND THE
ISSUANCE OF NOT TO EXCEED \$600,701 GENERAL
OBLIGATION CAPITAL LOAN NOTES (ECP #1) OF
WOODBURY COUNTY, STATE OF IOWA (FOR ESSENTIAL
COUNTY PURPOSES), AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF**

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes (ECP #1), to the amount of not to exceed \$600,701, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes (ECP #1), issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Section 1. That this Board meet in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:40 P.M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$600,701 General Obligation Capital Loan Notes (ECP #1), for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing of the Courthouse including remodeling Room 210, software, hardware and other equipment; equipping the law enforcement center including software, hardware and other equipment; and erecting, equipping, remodeling or reconstructing the Siouxland District Health building.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes (ECP #1), evidencing the County's obligations to a principal amount of not to exceed \$600,701, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between March 8, 2023 and March 18, 2023, inclusive)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$600,701 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #1) OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, State of Iowa, will hold a public hearing on the 28th day of March, 2023, at 4:40 P.M. the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$600,701 General Obligation Capital Loan Notes (ECP #1), for essential county purposes, to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing of the Courthouse including remodeling Room 210, software, hardware and other equipment; equipping the law enforcement center including software, hardware and other equipment; and erecting, equipping, remodeling or reconstructing the Siouxland District Health building. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Woodbury County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 7th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7b. To approve and authorize the Chairperson to sign a Resolution fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2) of Woodbury County, State of Iowa (for essential County purposes), and providing for publication of Notice thereof.

RESOLUTION #13,559
RESOLUTION FIXING DATE FOR A MEETING ON THE
AUTHORIZATION OF A LOAN AGREEMENT AND THE
ISSUANCE OF NOT TO EXCEED \$662,969 GENERAL
OBLIGATION CAPITAL LOAN NOTES (ECP #2) OF
WOODBURY COUNTY, STATE OF IOWA (FOR ESSENTIAL

**COUNTY PURPOSES), AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF**

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes (ECP #2), to the amount of not to exceed \$662,969, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes (ECP #2), issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Section 1. That this Board meet in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:42 P.M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2), for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the planning, acquisition, leasing, construction, reconstruction, extension, remodeling, improvement, repair, equipping, maintenance, and operation of works and facilities useful for the collection, treatment, and disposal of surface waters and streams including the 28th Street sewer project; and the construction, reconstruction, improvement, or repair of Elk Creek Road which is located along the corporate limits of a city and is partly within and partly without the limits and is in whole or part a secondary road and is also a capital project that assists in economic development which creates jobs and wealth.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$662,969, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between March 8, 2023 and March 18, 2023, inclusive)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$662,969 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #2) OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, State of Iowa, will hold a public hearing on the 28th day of March, 2023, at 4:42 P.M., in the Basement Boardroom, Woodbury County

Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2), for essential county purposes, to provide funds to pay the costs of the planning, acquisition, leasing, construction, reconstruction, extension, remodeling, improvement, repair, equipping, maintenance, and operation of works and facilities useful for the collection, treatment, and disposal of surface waters and streams including the 28th Street sewer project; and the construction, reconstruction, improvement, or repair of Elk Creek Road which is located along the corporate limits of a city and is partly within and partly without the limits and is in whole or part a secondary road and is also a capital project that assists in economic development which creates jobs and wealth. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Woodbury County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 7th day of March, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7c. To approve and authorize the Chairperson to sign a Resolution fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$60,000 General Obligation Capital Loan Notes (ECP #3) of Woodbury County, State of Iowa (for essential County purposes), and providing for publication of Notice thereof.

RESOLUTION #13,560
RESOLUTION FIXING DATE FOR A MEETING ON THE
AUTHORIZATION OF A LOAN AGREEMENT AND THE
ISSUANCE OF NOT TO EXCEED \$60,000 GENERAL
OBLIGATION CAPITAL LOAN NOTES (ECP #3) OF
WOODBURY COUNTY, STATE OF IOWA (FOR ESSENTIAL
COUNTY PURPOSES), AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes (GCP#3), to the amount of not to exceed \$60,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the

Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Section 1. That this Board meet in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:44 P.M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$60,000 General Obligation Capital Loan Notes (GCP#3), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition and equipping a vehicle for emergency services which is necessary for the operation of the county or the health and welfare of its citizens and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$60,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between March 8, 2023 and March 18, 2023, inclusive)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$60,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP#3) OF THE COUNTY (FOR GENERAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, State of Iowa, will hold a public hearing on the 28th day of March, 2023, at 4:44 P.M., in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$60,000 General Obligation Capital Loan Notes (GCP#3), for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition and equipping a vehicle for emergency services which is necessary for the operation of the county or the health and welfare of its citizens. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County, in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Woodbury County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this 7th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7d. To approve and authorize the Chairperson to sign a Resolution fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$276,330 General Obligation Capital Loan Notes (ECP #4) of Woodbury County, State of Iowa (for essential County purposes), and providing for publication of Notice thereof.

RESOLUTION #13,561
RESOLUTION FIXING DATE FOR A MEETING ON THE
AUTHORIZATION OF A LOAN AGREEMENT AND THE
ISSUANCE OF NOT TO EXCEED \$276,330 GENERAL
OBLIGATION CAPITAL LOAN NOTES (ECP #4) OF
WOODBURY COUNTY, STATE OF IOWA (FOR ESSENTIAL
COUNTY PURPOSES), AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes (GCP #4), to the amount of not to exceed \$276,330, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Section 1. That this Board meet in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:46 P.M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$276,330 General Obligation Capital Loan Notes (GCP #4), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition and equipping of sheriff's vehicles which are necessary for the operation of the county or the health and welfare of its citizens and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$276,330, to select a date for the final approval thereof, to

cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between March 8, 2023 and March 18, 2023, inclusive)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$276,330 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #4) OF THE COUNTY (FOR GENERAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, State of Iowa, will hold a public hearing on the 28th day of March, 2023, at 4:46 P.M., in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$276,330 General Obligation Capital Loan Notes (GCP #4), for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition and equipping of sheriff's vehicles which are necessary for the operation of the county or the health and welfare of its citizens. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County, in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Woodbury County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this 7th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7e. To approve and authorize the Chairperson to sign a Resolution fixing date for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$300,00 General Obligation Capital Loan Notes (ECP #5) of Woodbury County, State of Iowa (for essential County purposes), and providing for publication of Notice thereof.

**AUTHORIZATION OF A LOAN AGREEMENT AND THE
ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL
OBLIGATION CAPITAL LOAN NOTES (ECP #5) OF
WOODBURY COUNTY, STATE OF IOWA (FOR ESSENTIAL
COUNTY PURPOSES), AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF**

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Section 1. That this Board meet in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:48 P.M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (GCP #5), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition and equipping of the sheriff's department including body cameras and tasers which are necessary for the operation of the county or the health and welfare of its citizens and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes (GCP #5), evidencing the County's obligations to a principal amount of not to exceed \$300,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between March 8, 2023 and March 18, 2023, inclusive)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, STATE OF

IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #5) OF THE COUNTY (FOR GENERAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, State of Iowa, will hold a public hearing on the 28th day of March, 2023, at 4:48 P.M., in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (GCP #5), for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition and equipping of the sheriff's department including body cameras and tasers which are necessary for the operation of the county or the health and welfare of its citizens. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County, in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Woodbury County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this 7th day of March, 2023.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

Carried 5-0.

- 8. Motion by Radig second by Ung to approve the Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C. Carried 5-0. Copy filed.
- 9a. Motion by Radig second by Ung to receive final report from Zoning Commission recommendation to approve rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning district for Maxys Family Farm LLC & Brian & Bonnie Ivener Trust, 13.26-acres located on Parcel #874704300003. Carried 5-0. Copy filed.
- 11. Motion by Radig second by Ung to approve Building Services to remodel Room B07 to support the new LEC Data Center Migration Project. Carried 5-0. Copy filed.
- 12. Motion by Ung second by Radig to approve the plans for project number L-B(E66)—73-97. Carried 5-0. Copy filed.
- 9b. A public hearing was held at 4:42 p.m. for Zoning Ordinance Map Amendment to rezone Parcel #874704300003 from AP to AE. The Chairperson called on anyone wishing to be heard.

 Motion by Radig second by Ung to close the public hearing. Carried 5-0.
- 9c. Motion by Radig second by Ung to approve the first reading of the Zoning Ordinance Map Amendment (Rezone). Carried 5-0. Copy filed.

10a. A public hearing was held at 4:45 p.m. on the FY24 county maximum property tax dollars.

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

10b. Motion by Ung second by Bittinger to approve and authorize the Chairperson to sign a Resolution approval of FY24 maximum property tax dollars. Carried 5-0 on a roll call vote.

**APPROVAL OF FY24 MAXIMUM PROPERTY TAX DOLLARS
RESOLUTION #13,563**

WHEREAS, the Woodbury County Board of Supervisors have considered the proposed FY24 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county web site and/or social media accounts if applicable, and

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on March 7, 2022,

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Woodbury County that the maximum property tax dollars for General County Services and Rural County Services for FY24 shall not exceed the following:

General County Services - \$34,269,177

Rural County Services - \$3,806,583

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY24 represents an increase over 102% from the Maximum Property Tax dollars requested for FY23

Dated this 7th day of March, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

10c. Motion by Ung second by Radig to set the public hearing for the FY24 proposed budget on March 28, 2023 at 4:50 p.m. Carried 5-0. Copy filed.

13. Reports on committee meetings were heard.

14. Deb Main, 1026 Charles Ave, Sioux City, discussed pipeline concerns with the Board.

15. Board concerns were heard.

The Board adjourned the regular meeting until March 14, 2023.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: March 14, 2023

*** PERSONNEL ACTION CODE:**

A - Appointment	R - Reclassification
T - Transfer	E - End of Probation
P - Promotion	S - Separation
D - Demotion	O - Other

TO: WOODBURY COUNTY BOARD OF SUPERVISORS

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Messerschmidt, Haley	County Attorney	3-15-23	Assistant County Attorney	\$88,323/year \$3271.23/ bi-weekly		A	Job Vacancy Posted 1-11-23. Entry Level Salary: \$69,962/year.
Johnson, Dustin	County Treasurer	3-15-23	Clerk II			S	Resignation.
Klein, Anthony	County Sheriff	3-15-23	P/T Courthouse Safety & Security Officer	\$18.22/hour		A	Job Vacancy Posted 2-8-23. Entry Level Salary: \$18.22/hour.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: *Melissa Thomas*



Woodbury County Sheriff's Office

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

DAVID A. DREW, SHERIFF

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

March 3, 2023

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

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to hire Anthony Klein for a Court House Security Officer position, with a starting wage of ~~\$18.77~~ ^{\$18.22} per hour. We request this be placed on the agenda for the Woodbury County Board of Supervisors meeting, with a starting date of ~~3~~ ^{me}-15-2023. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Sheehan".

Chad Sheehan, Sheriff

Cc: file

HUMAN RESOURCES DEPARTMENT

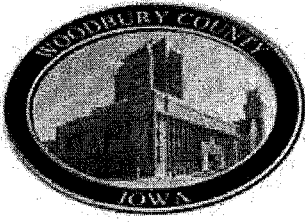
WOODBURY COUNTY, IOWA

DATE: March 14, 2023

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Treasurer	Clerk II	AFSCME Courthouse: \$18.22/hour		

Chairman, Board of Supervisors



Tina M. Bertrand
Woodbury County Treasurer
822 Douglas St Ste 102
Sioux City IA 51101
712-279-6495

March 8, 2023

Dear Board of Supervisors,

Robert Rehan has requested a refund of overpayment on the following parcel. Robert paid in error the March 2023 payment. Carrington Mortgage will be submitting the March 2023 payment instead. Would you please approve this request?

8947 21 252 012 (2227 Jennings St) \$913.00 paid by Robert Rehan

The refund will be processed upon confirmation that funds were not returned as non-sufficient.

Please contact me if you have any questions.

Thank you for your time,

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

Janet L. Trimpe
Woodbury County Tax Deputy

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

Date: 3/7/23 Weekly Agenda Date: 03/14/23

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

WORDING FOR AGENDA ITEM:

Approval of resolution naming depositories

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Approval of resolution naming depositories to remove First State Bank

BACKGROUND:

Shelby County State Bank acquired First State Bank and transition to Shelby County State Bank is finalized.

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:

Approve resolution naming depositories to remove First State Bank.

ACTION REQUIRED / PROPOSED MOTION:

Approve resolution naming depositories to remove First State Bank.

RESOLUTION NAMING DEPOSITORIES # _____

BE IT RESOLVED by the Woodbury County Board of Supervisors in Woodbury County, Iowa: That we do hereby designate the following named banks to be depositories of the Woodbury County funds in amounts not to exceed the amount named opposite each of said designated depositories and **Tina Bertrand, Woodbury County Treasurer** is hereby authorized to deposit the Woodbury County funds in amounts not to exceed in the aggregate the amounts named for said banks as follows, to wit:

NAME OF DEPOSITORY	LOCATION	MAXIMUM DEPOSIT	MAXIMUM DEPOSIT
		In the effect Prior resolution	under the resolution
U.S. Bank	Sioux City, Iowa	\$50,000,000	\$50,000,000
Security National Bank	Sioux City, Iowa	100,000,000	100,000,000
Wells Fargo Bank	Sioux City, Iowa	50,000,000	50,000,000
PeoplesBank	Sioux City, Iowa	5,000,000	5,000,000
First National Bank	Sioux City, Iowa	50,000,000	50,000,000
Primebank	Sioux City, Iowa	50,000,000	50,000,000
Great Southern Bank	Sioux City, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	1,000,000	1,000,000
Pioneer Bank	Sergeant Bluff, Iowa	10,000,000	10,000,000
Sloan State Bank	Sloan, Iowa	5,000,000	5,000,000
Valley Bank & Trust	Danbury, Iowa	1,500,000	1,500,000
BankFirst	Hornick, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Moville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Anthon, Iowa	5,000,000	5,000,000
Liberty National Bank	Sioux City, Iowa	25,000,000	25,000,000
Availa Bank	Sioux City, Iowa	10,000,000	10,000,000
Central Bank	Sioux City, Iowa	10,000,000	10,000,000
Kingsley State Bank	Sergeant Bluff, Iowa	1,000,000	1,000,000
Shelby County State Bank	Danbury, Iowa	5,000,000	\$5,000,000

SO RESOLVED this ____ day of _____ 2023

WOODBURY COUNTY BOARD OF SUPERVISORS

Matthew A. Ung, Chairman

Keith Radig, Member

Jeremy Taylor, Member

Daniel Bittinger II, Member

Mark Nelson, Member

Patrick F. Gill
County Auditor/Recorder

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

Date: 3/7/23 Weekly Agenda Date: 3/14/23

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: County Auditor - Pat Gill

WORDING FOR AGENDA ITEM:

Consideration and approval for liquor license for Anthon Golf Course, Anthon, Iowa

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

n/a

BACKGROUND:

n/a

FINANCIAL IMPACT:

Unknown at this time

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 to approve an application for a 12-Month, Class C Liquor License (LC) (Commercial), with Outdoor Service and Sunday Sales privileges for Anthon Golf Course, effective 04/01/2023 through 03/31/24.

**Office Of The
AUDITOR/RECORDER
Of Woodbury County**

PATRICK F. GILL
Auditor/Recorder



Court House – Rooms 103
620 Douglas
Sioux City, Iowa 51101

Phone (712) 279-6702
Fax (712) 279-6629

To: Board of Supervisors
From: Patrick F. Gill, Auditor & Recorder
Date: March 7, 2023
Subject: Liquor License Application for the Anthon Golf Course, Anthon, Iowa.

Please approve and receive for signature, an applicaton for a 12-month, Class C Liquor License (LC) (Commercial), with Outdoor Service and Sunday sales privileges, for the Anthon Golf Course, Anthon, Iowa. The license would be effective 04/01/23 through 03/31/24.



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Anthon Golf Club Inc.	Anthon Golf Course	(712) 373-5774		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
2236 hwy 31 South		Anthon	Woodbury	51004
MAILING ADDRESS	CITY	STATE	ZIP	
2236 hwy 31 South	Anthon	Iowa	51004	

Contact Person

NAME	PHONE	EMAIL
Anthony Collins	(712) 253-7430	anthongolfcourse@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0037482	Class C Retail Alcohol License	12 Month	Submitted to Local Authority
TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS	
Apr 1, 2023	Mar 31, 2024		
SUB-PERMITS			
Class C Retail Alcohol License			



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Outdoor Service

Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Patrick Maguire	Anthon	Iowa	51004	President	0.00	Yes

• Companies

COMPANY NAME	FEDERAL ID	CITY	STATE	ZIP	% OF OWNERSHIP
Anthon Golf Club Inc	42-1406936	Anthon	Iowa	51004	100.00

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

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

Date: February 28, 2023 Weekly Agenda Date: March 14, 2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Jean Logan, Community Action Executive Director

WORDING FOR AGENDA ITEM:

Appointing Woodbury County Supervisor Representatives to Community Action Agency Board: Kevin Grieme (Health), Sally Hartley (Early Childhood) and Kevin Kay (Financial) for a 3 year term beginning April 1, 2023.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Kevin Grieme and Sally Hartley are seeking reappointment to the Community Action Agency Board. Kevin Kay is a new representative that will take Shelly Sorenson's place as the Financial Representative.

BACKGROUND:

The Woodbury County Board of Supervisors names 1/3 of the 21 member Community Action Agency Board as their representatives. Terms are staggered so that 2-3 individuals each year are required to be appointed. Your financial expert, Shelly Sorensen is retiring. Kevin Kay, a Risk Management Officer and Internal Auditor at Liberty National Bank is recommended be appointed as her replacement.

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:

N/A

ACTION REQUIRED / PROPOSED MOTION:

A motion be made to approve the appointments of Kevin Grieme (Health), Sally Hartley (Early Childhood) and Kevin Kay (Financial) for a 3 year term on the Community Action Agency of Siouxland Board of Directors effective April 1, 2023.

RESOLUTION #
NOTICE OF PROPERTY SALE

Parcel #894728102018

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**Lot Nine (9) Block Seventy-nine (79) Sioux City East Addition, City of Sioux City, Woodbury County, Iowa
(1311 Grandview Blvd.)**

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **14th Day of March, 2023 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **14th Day of March, 2023**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$546.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 28th Day of February, 2023.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Matthew A. Ung, Chairman

REQUEST FOR MINIMUM BID

Name: Jose Rios Date: 7-11-22

Address: 1401 W 3rd. St. Apt. 1 S.E IA 51103 Phone: 899-5382

Address or approximate address/location of property interested in:

1311 Grandview

GIS PIN # 894728102018

**This portion to be completed by Board Administration **

Legal Description:

Lot 9 B1K 79 Sioux City East

Tax Sale #/Date: 6-15-15/884 Parcel # _____

Tax Deeded to Woodbury County on: - 2/7/23

Current Assessed Value: Land 5,200 Building 0 Total 5,200

Approximate Delinquent Real Estate Taxes: _____

Total \$5,411.72

Approximate Delinquent Special Assessment Taxes: _____

*Cost of Services: \$146

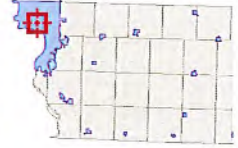
Inspection to: Keith Radig Date: 7-11-22

Minimum Bid Set by Supervisor: \$400.⁰⁰ plus \$146 Total: \$546

Date and Time Set for Auction: Tuesday, March 14th @ 4:35

* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.

Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels



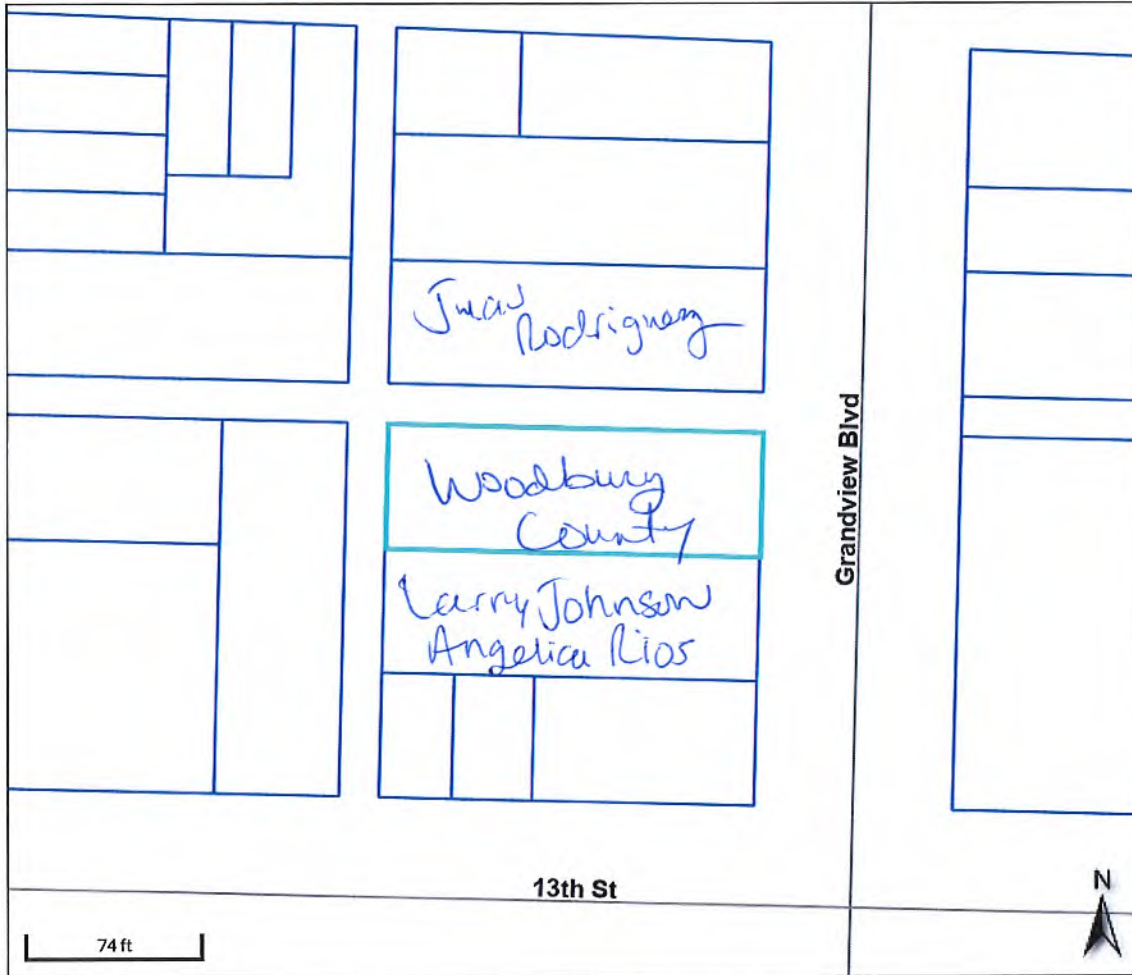
Parcel ID	894728102018	Alternate ID	29370	Owner Address	WOODBURY COUNTY IOWA
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	1311 GRANDVIEW BLVD	Acreeage	n/a		SIOUX CITY, 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	SIOUX CITY EAST LOT 9 BLK 79				
	(Note: Not to be used on legal documents)				

Date created: 2/23/2023
 Last Data Uploaded: 2/22/2023 10:04:10 PM

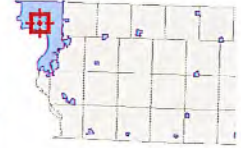
Developed by Schneider
 GEOSPATIAL



Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	894728102018	Alternate ID	29370	Owner Address	WOODBURY COUNTY IOWA
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	1311 GRANDVIEW BLVD	Acreege	n/a		SIOUX CITY, 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	SIOUX CITY EAST LOT 9 BLK 79				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 2/23/2023
 Last Data Uploaded: 2/22/2023 10:04:10 PM

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RESOLUTION #
NOTICE OF PROPERTY SALE

Parcel #894729402013

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**Irreg. Ely part NW of R/W 6.1 feet ex 68.8 feet x 51.3 feet x 85.8 feet, Lot 4 Block 17
Sioux City Addition to City of Sioux City, Woodbury County, Iowa
(210 ½ Main Street)**

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **14th Day of March, 2023 at 4:37 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **14th Day of March, 2023**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$100.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 28th Day of February, 2023.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Matthew A. Ung, Chairman

REQUEST FOR MINIMUM BID

Name: Luna Serrano Date: 4/9/14

Address: 208 1/2 main St. Phone: _____

Address or approximate address/location of property interested in:

210 1/2 main St.

GIS# 894729402013

**This portion to be completed by Board Administration **

Legal Description:

Irreg. Easterly part NW of R/W 61 feet Except 68.8 ft x 51.3 ft x 85.8 ft. Lot 4 BIK 17 Sioux City Addition

Tax Sale #/Date: 3/1984 Parcel # _____

Tax Deeded to Woodbury County on: 11-12-85

Current Assessed Value: Land \$2,300 Building — Total \$2,300

Approximate Delinquent Real Estate Taxes: —

Approximate Delinquent Special Assessment Taxes: —

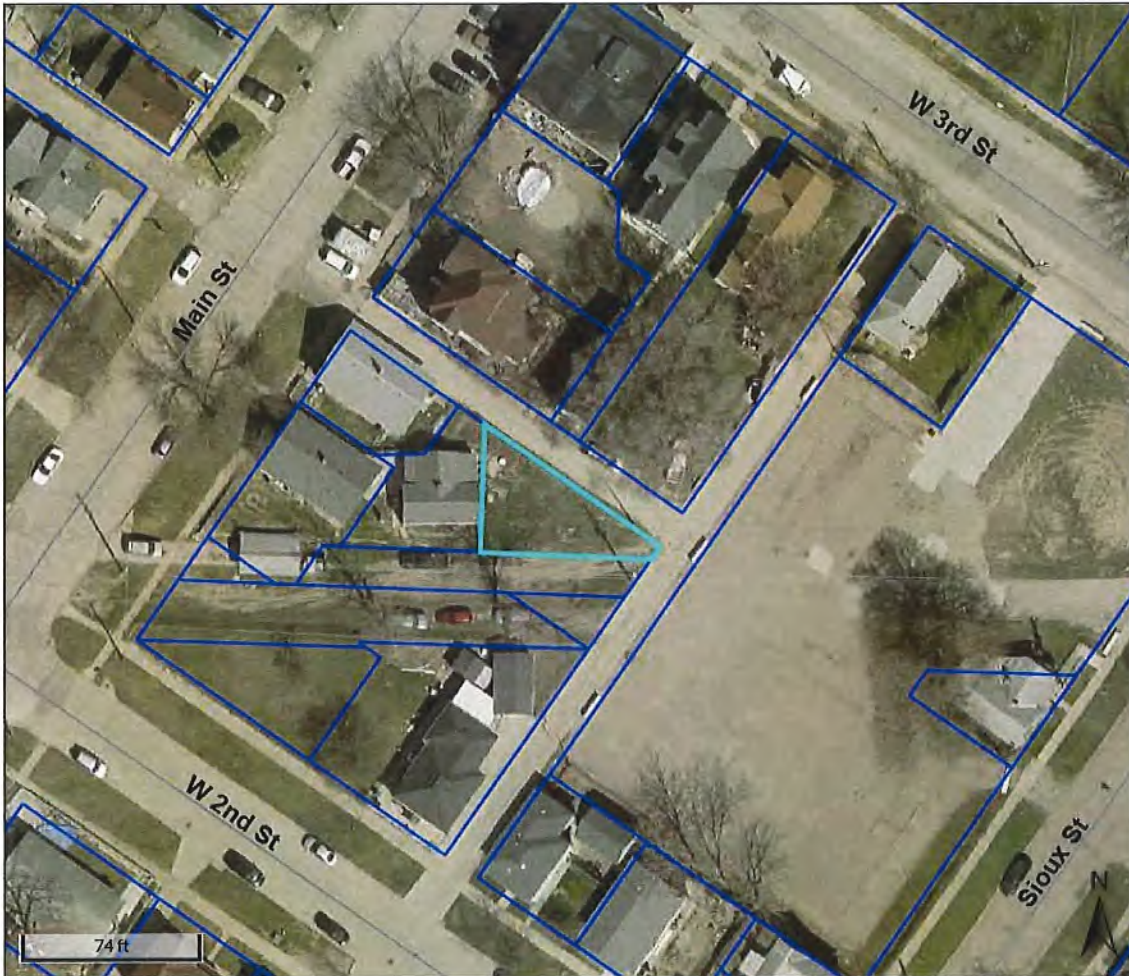
*Cost of Services: N/A

Inspection to: George Baylain Date: _____

Minimum Bid Set by Supervisor: \$100

Date and Time Set for Auction: Tuesday, March 14th @ 4:37

* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

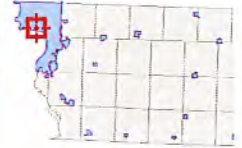
Parcel ID	894729402013	Alternate ID	4095	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	210 1/2 MAIN ST	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	SIOUX CITY ADDN IRREG ELY PART NW OF R/W 6.1 FT X 68.8 FT X 51.3 FT X 85.8 FT LOT 4 BLK 17				
	(Note: Not to be used on legal documents)				

Date created: 1/31/2023
 Last Data Uploaded: 1/30/2023 8:57:43 PM

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Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	894729402013	Alternate ID	4095	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	210 1/2 MAIN ST	Acreeage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	SIOUX CITY ADDN IRREG ELY PART NW OF R/W 6.1 FT X 68.8 FT X 51.3 FT X 85.8 FT LOT 4 BLK 17				
	(Note: Not to be used on legal documents)				

Date created: 2/23/2023
 Last Data Uploaded: 2/22/2023 10:04:10 PM

RESOLUTION #
NOTICE OF PROPERTY SALE

Parcel #894730254010

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**The South Fifty-Five feet of Lots One and Two and the South Fifty-Five feet of the East Fourteen feet of Lot Three in Block Nine, Hornicks 2nd Addition to Sioux City, Iowa, in the County of Woodbury County and State of Iowa
(315 Collins Street)**

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **14th Day of March, 2023 at 4:39 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **14th Day of March, 2023**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$349.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 28th Day of February, 2023.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Matthew A. Ung, Chairman

REQUEST FOR MINIMUM BID

Name: Justin Roemich Date: 3/3/21
Address: 311 Collins St. Phone: 891-1982

Address or approximate address/location of property interested in:

315 Collins

GIS PIN # 894730254D1D

This portion to be completed by Board Administration

Legal Description:

The South 55 feet of Lots 1 and 2 and the South 55 feet of the East 14 feet of lot 3 in Block 9, Homicks 2nd Addition to Sioux City, Iowa ~~and~~ in the county of Woodbury and State of Iowa

Tax Sale #/Date: # 838 6/20/16 Parcel #

Tax Deeded to Woodbury County on: 5/18/22

Current Assessed Value: Land \$6,300 Building \$ Total \$6,300

Approximate Delinquent Real Estate Taxes: \$3,438

Approximate Delinquent Special Assessment Taxes: \$2,432

*Cost of Services: \$107

Inspection to: Rocky De Witt Date: 3/3/21 Total:

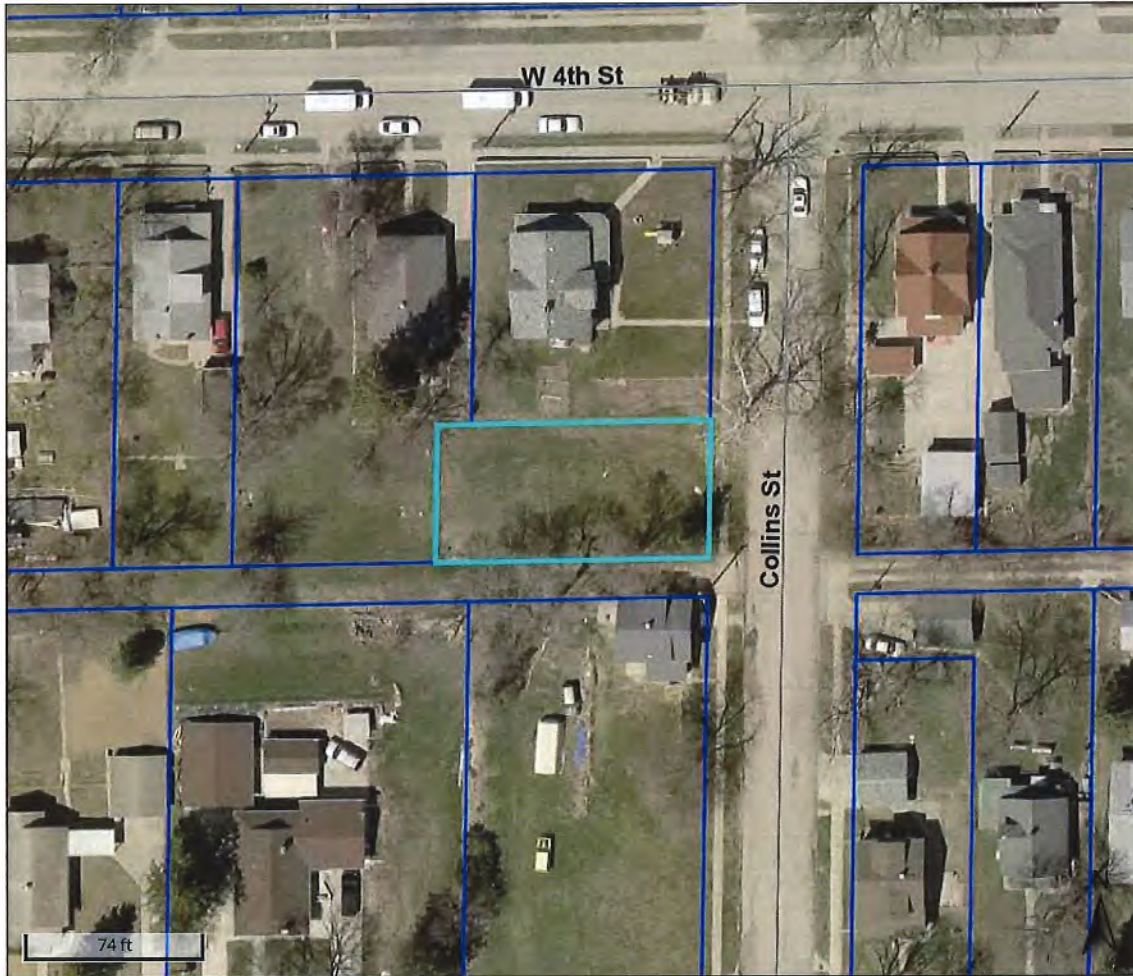
Minimum Bid Set by Supervisor: \$24200 PLUS FEES plus cost of services \$349

Date and Time Set for Auction: Tuesday, March 14th @ 4:39

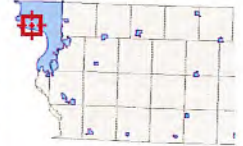
* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



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Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

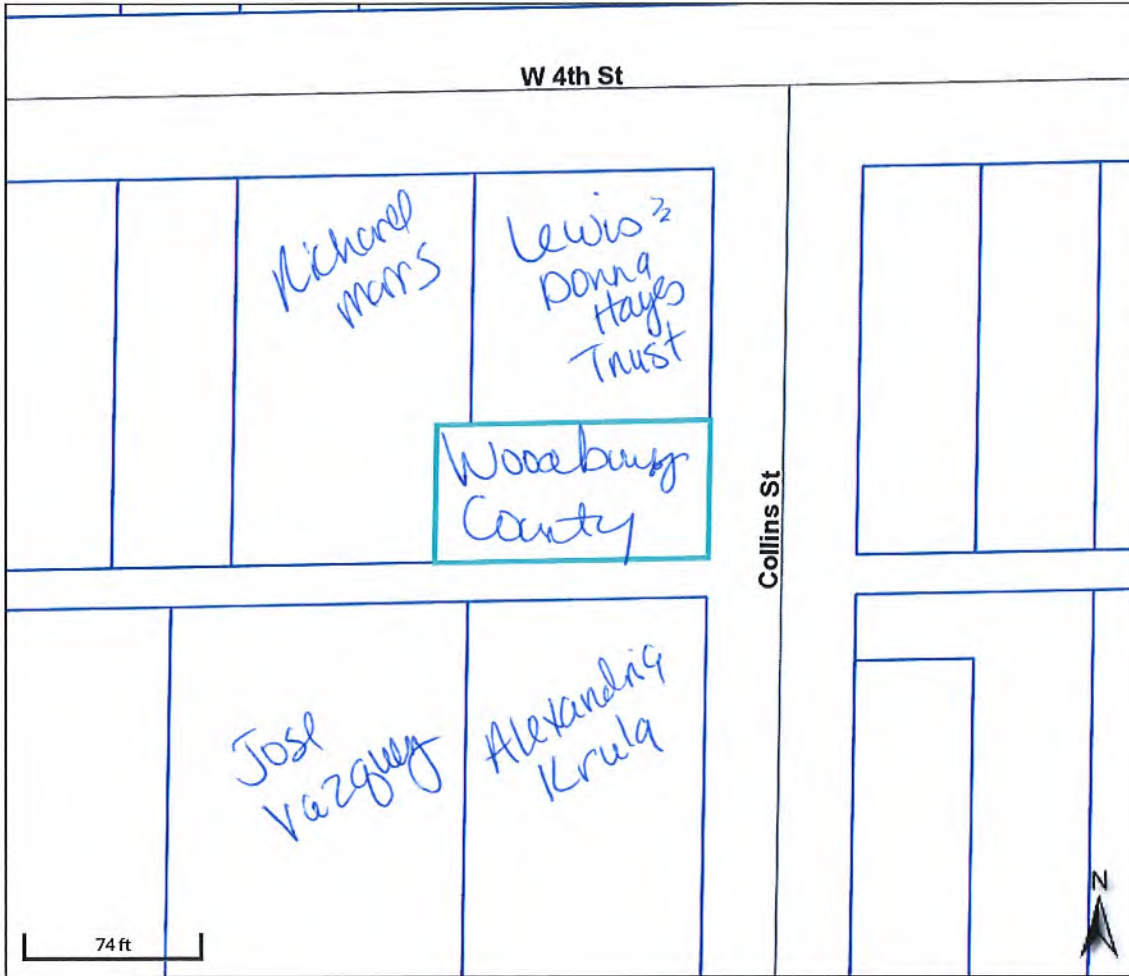
Parcel ID	894730254010	Alternate ID	262425	Owner Address	WOODBURY COUNTY IOWA
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	315 COLLINS ST	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	HORNICKS 2ND S 55 FT LOTS 1-2 BLK 9 E 14 FT S 55 FT LOT 3 BLK 9				
	(Note: Not to be used on legal documents)				

Date created: 5/24/2022
 Last Data Uploaded: 5/23/2022 7:30:37 PM

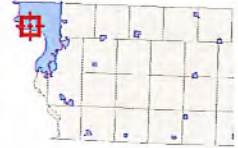
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Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	894730254010	Alternate ID	262425	Owner Address	WOODBURY COUNTY IOWA
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	315 COLLINS ST	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	HORNICKS 2ND S 55 FT LOTS 1-2 BLK 9 E 14 FT S 55 FT LOT 3 BLK 9				
	(Note: Not to be used on legal documents)				

Date created: 5/24/2022
 Last Data Uploaded: 5/23/2022 7:30:37 PM

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

Date: 3/8/23

Weekly Agenda Date: 3/14/23 4:42

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

WORDING FOR AGENDA ITEM:

a. Conduct Public Hearing on a Zoning Ordinance Map Amendment to rezone from Agricultural Preservation (AP) to Agricultural Estates (AE) Zoning District for Maxys Family Farm LLC & Brian & Bonnie Ivener Trust 13.26-acres, Parcel #874704300003. b. Approve the 2nd Reading of the Ordinance as the Final Reading. c. Waive the 3rd Reading of the Ordinance. d. Adopt the Zoning Ordinance Map Amendment.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing at 4:42 PM to discuss a proposed Zoning Ordinance Map Amendment to rezone Maxys Family Farm LLC & Brian & Bonnie Ivener Trust, LLC's 13.26-acre property located on Parcel #874704300003, SW1/4 SW1/4, T87N R47W, Section 4 (Liberty Township) from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a zoning ordinance map amendment (rezone) on the property (Parcel #874704300003) as referenced above from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of establishing six residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journal Legals Section on February 11, 2023 for the Zoning Commission's public hearing and on March 2, 2023 for the Board of Supervisors' public hearings. The neighbors within 1000 FT have been duly notified via a February 10, 2023 letter about the February 27, 2023 Zoning Commission public hearing and have been requested to comment. As of February 22, 2023, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Hara (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Following the February 27, 2023 public hearing at the Woodbury County Zoning Commission, the Zoning Commissioners voted 3-0 to recommend approval to the Board of Supervisors, the Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on the portion of Parcel #874704300003 as proposed. Staff also recommends approval.

FINANCIAL IMPACT:

0

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

Yes No

RECOMMENDATION:

Open and close the public hearing. (Set Time: 4:42 PM)

Conduct and approve the Second Reading of the Zoning Ordinance Map Amendment (Rezone).

Waive the Third Reading of the Ordinance

Adopt the Zoning Ordinance Map Amendment (Rezone)

If needed, a third public hearing/reading of the ordinance has been scheduled for Tuesday, 3/21/23 at 4:42 PM, respectively.

ACTION REQUIRED / PROPOSED MOTION:

- a. Conduct Public Hearing on a Zoning Ordinance Map Amendment to rezone from Agricultural Preservation (AP) to Agricultural Estates (AE) Zoning District for Maxys Family Farm LLC & Brian & Bonnie Ivener Trust 13.26-acres, Parcel #874704300003.
- b. Approve the 2nd Reading of the Ordinance as the Final Reading.
- c. Waive the 3rd Reading of the Ordinance.
- d. Adopt the Zoning Ordinance Map Amendment (Rezone).



WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov

Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

FINAL REPORT – FEBRUARY 28, 2023

MAXYS FAMILY FARM LLC / BRIAN AND BONNIE IVENER TRUST ZONING ORDINANCE MAP AMENDMENT (REZONE) FROM AP TO AE ZONING DISTRICT

APPLICATION DETAILS:

Owner(s): Maxys Family Farm LLC; Brian & Bonnie Ivener Trust
Application Type: Zoning Ordinance Map Amendment (Rezone)
Current Zoning District: Agricultural Preservation (AP)
Proposed Zoning District: Agricultural Estates (AE)
Total Acres: 13.26 Acres
Current Use: Agriculture **Proposed Use:** Residential
Corn Suitability Rating(s): 66.26 CSR2
Pre-application Meeting: None
Application Date: 1/31/23
Legal Notice Date: 2/11/23
Stakeholder (1000') Letter Date: 2/10/23
Zoning Commission Public Hearing Date: 2/27/23
Board of Supervisors Public Hearing Date(s): 3/7/23, 3/14/23, 3/21/23 (All at 4:42 PM - It is possible the third hearing could be waived at the second hearing.)

PROPERTY DETAILS:

Parcel(s): 874704300003
Township/Range: T87N R47W (Liberty Township)
Section: 4
Quarter: SW ¼ SW ¼
Zoning District: Agricultural Preservation (AP)
Floodplain District: Zone A – General Floodplain
Address: None

TABLE OF CONTENTS:

Summary, Aerial, Plat Excerpt & Recommendation Application
 Evaluation Criteria
 Legal Notification
 Adjacent Owners' Notification
 Stakeholder Comments
 Proposed Ordinance Language
 Supporting Documentation

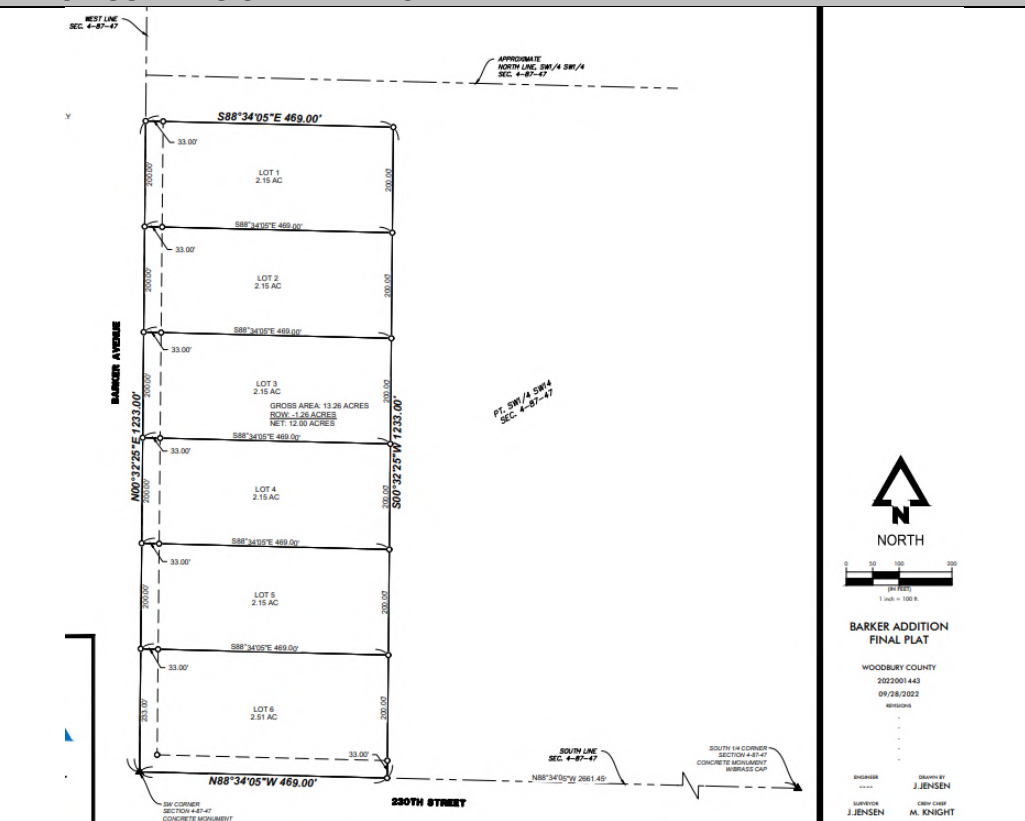
SUMMARY

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a zoning ordinance map amendment (rezone) on the property (Parcel #874704300003) as referenced above from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of establishing six residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journal Legals Section on February 11, 2023 for the Zoning Commission's public hearing and is prepared for publication on March 2, 2023 for the Board of Supervisors' public hearings. The neighbors within 1000 FT have been duly notified via a February 10, 2023 letter about the February 27, 2023 Zoning Commission public hearing and have been requested to comment. As of February 22, 2023, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Hara (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Following the February 27, 2023 public hearing at the Woodbury County Zoning Commission, the Zoning Commissioners voted 3-0 to recommend approval to the Board of Supervisors, the Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on the portion of Parcel #874704300003 as proposed. Staff also recommends approval.

AERIAL MAP



MINOR SUBDIVISION PLAT EXCERPT



ZONING COMMISSION AND STAFF RECOMMENDATION

Following the February 27, 2023 public hearing at the Woodbury County Zoning Commission, the Zoning Commissioners voted 3-0 to recommend approval to the Board of Supervisors, the Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on the portion of Parcel #874704300003 as proposed. Staff also recommends approval.

Minutes - Woodbury County Zoning Commission Meeting – February 27, 2023

The Zoning Commission (ZC) meeting convened on the 27th of February at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Tom Bride, Corey Meister, Jeff O'Tool
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Dolf Ivener, Dan Bittinger

Call to Order

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

Public Comment on Matters Not on the Agenda

None.

Approval of Previous Meeting Minutes – November 28, 2022

Motion by O'Tool to approve the minutes. Second: Meister. Motion approved 3-0.

Election of Chair of Zoning Commission for 2023

O'Tool nominated and motioned for Chris Zellmer Zant to serve as Chair. Second by Meister. Motion approved 3-0.

Election of Vice Chair of Zoning Commission for 2023

Meister nominated and motioned for Tom Bride to serve as Vice-Chair. Second by O'Tool. Motion approved 3-0.

Public Hearing: Barker Addition, Minor Subdivision Proposal on Parcel #874704300003

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed for a six (6) lot minor subdivision. The proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) from the Agricultural Perseveration (AP) Zoning District to the Agricultural Estates (AE) Zoning District. Both proposals have been properly noticed in the Sioux City Journal Legals Section on February 11, 2023. The neighbors within 1000 FT have been duly notified via a February 10, 2023, letter about the February 27, 2023, Zoning Commission Public Hearing. Appropriate stakeholders have been notified and requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review was waived by the City of Sergeant Bluff with the adoption of Resolution 23-01 on January 10, 2023. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval with the condition that the property owner sign pavement agreements for any future paving along Barker Avenue and 230th Street. The surveyor addressed the County Engineer's concerns regarding a typographical error on the plat. The change has been made and highlighted. Dolf Ivener stated one lot is in the path of a proposed future pipeline. Siouxland District Health will be involved with the placement of wells and septic systems and will require special systems if they are to be located in any floodplain area. The draft future floodplain map which will come out in approximately June 2024 shows the area will likely be removed from the floodplain. The Woodbury County Treasurer shows taxes due for the parcel; the final plat can't be recorder until taxes are paid. Ivener will bring them up to date. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 3-0. Motion to approve by O'Tool to recommend approval of the Barker Addition to Board of Supervisor's with condition a pavement agreement be signed for future grading and hard surfacing of Barker Avenue and 230th Street. Second: Meister. Motion approved 3-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezone) from AP to AE Proposal – Portion of Parcel #874704300003

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed an application for a zoning ordinance map amendment (rezone) on property currently zoned Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the propose of establishing six residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journals Legals Section on February 11, 2023. The neighbors within 1000 FT have been notified via a February 10, 2023, letter about the February 27, 2023, Zoning Commission public hearing and have been requested to comment. As of February 22, 2023, no comments or inquiries have been received. Appropriate stakeholders including government agencies, utilities and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the AE Zoning District. O'Tool inquired about the Corn Suitability Rating as part of the rezone consideration process. Priestley indicated that this is one of the several criteria for consideration of the rezone based on the general plan. The future land use map of the development plan is the key criteria for classifying rezones. Motion to close the public hearing Meister. Second: O'Tool. Motion approved 3-0. Motion to recommend acceptance and approval of the

zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estate (AE) Zoning District to the Woodbury County Board of Supervisors by Meister. Second O'Tool. Motion approved 3-0.

Information/Discussion: Woodbury County Comprehensive Plan 2040 Update

SIMPSCO is in the process of putting together the 2040 Plan, Zoning Commission Chair Chris Zeller Zan is part of the SIMPSCO steering committee for this process. The comprehensive plan is an ongoing process to identify goals for future land use and expansion for business, residential and commercial areas within the county. Cities within the county also have their own comprehensive plans, the goal is to work in harmony to present a plan that works together with the cities and rural areas. When completed, the plan will be presented to Zoning Commission and the Board of Supervisors along with be public meetings for input.

Information/Discussion: The New woodburycountyiowa.gov Website

Priestley offered information about the new Woodbury County website. Content on the website was discussed including the ability to sign up for notifications about public meetings.

Public Comment on Matters Not on the Agenda

Bride inquired about the city's ability to exercise zoning within 2 miles of their corporate boundaries. Priestley discussed extraterritorial review under subdivisions and noted that Iowa Code has subdividing and county zoning in separate chapters with separate parameters. City's have the authority under Iowa Code to place regulations on properties through subdivisions. In Woodbury County, the county regulates zoning outside of the corporate limits.

Staff Update

Priestley stated that the Board of Supervisors formally received the Zoning Commission's recommendation and final report on the draft pipeline ordinance (December 6, 2022).

Adjourn

Motion by O'Tool. Second: Meister. 3-0. The meeting adjourned at 7:08 PM.



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information: <i>Bonnie + Brian Evers Trust</i>		Applicant Information:	
Owner	<u>Maxys Family Farm LLC</u>	Applicant	<u>Dolf Ivener</u>
Address	<u>3701 Cheyenne Blvd</u> <u>Sioux City, IA 51104</u>	Address	<u>3400 Talbot Rd</u> <u>Sioux City, IA 51103</u>
Phone	<u>712-251-9967</u>	Phone	<u>712-251-9967</u>

Engineer/Surveyor Justin Jensen Phone 515-450-9199

Property Information:

Property Address or Address Range Sergeant Bluff, IA 51054 proposed legal desc. attached

Quarter/Quarter SW 1/4 SW 1/4 Sec. 4 Twnshp/Range 87-47

Parcel ID # 874704300003 or GIS # _____ Total Acres 13.26

Current Use AGRICULTURE Proposed Use RESIDENTIAL

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 66.26 CSR2

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 _____

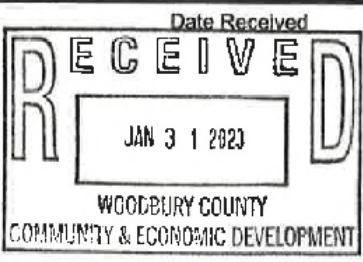
The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission 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 *Dolf Ivener* Applicant *Dolf Ivener*
Date _____ Date _____

Fee: **\$400** Case #: 6833
Check #: 84084
Receipt #: _____

*Maxys Family Farm LLC
Brian and Bonnie Evers Trust*



MAXYS FAMILY FARM MEMBER RESOLUTION

**MEMBER RESOLUTION
MAXYS FAMILY FARM, L.L.C.**

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the undersigned, being all the members of Maxys Family Farm, L.L.C., an Iowa limited liability company (the "Company") authorize member Dolf A. Ivener ("Dolf") to execute and deliver the plat of Barker Addition, Woodbury County, Iowa, ("Barker Subdivision") to the Woodbury County Recorder's Office. Said Barker Subdivision is a subdivision of the following legally described real estate:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION FOUR (4), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

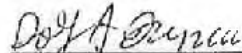
THE SOUTH ONE THOUSAND TWO HUNDRED THIRTY-THREE FEET (1,233.00') OF THE WEST FOUR HUNDRED SIXTY-NINE FEET (469.00') OF SECTION FOUR, TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST.

DESCRIBED PARCEL CONTAINS 13.27 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT-OF-WAY.

FURTHER RESOLVED, that Dolf is hereby fully authorized for and on behalf of the Company to take any and all such action as he shall deem appropriate with regard to the establishment of Barker Subdivision, including but not limited to executing and delivering other documents and instruments from time to time.

The foregoing Resolution was approved on December 12, 2022, at a duly convened meeting of the Members of the Company. This Resolution may be executed in multiple counterparts, each of which shall be considered an original copy of the Resolution.

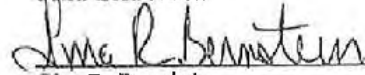
MEMBERS



Dolf A. Ivener



Sorra-Lesa Ivener



Gina R. Bernstein

ORDINANCE NO. ____

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

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

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

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

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

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

Dated this ____ day of _____, 2023.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Matthew Ung, Chairman

Jeremy Taylor, Vice Chairman

Daniel Bittinger

Mark Nelson

Keith Radig

Attest:

Patrick Gill, Woodbury County Auditor

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

ITEM ONE (1)

Property Owner(s): Maxys Family Farm, L.L.C., 3400 Talbot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

Petitioner Applicant(s): Dolf Ivener on behalf of the Maxys Family Farm, L.L.C., 3400 Talbot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

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, February 27, 2023, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 13.26-acres located on Parcel #874704300003 in the SW ¼ of the SW ¼ of Section 4, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is described as

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

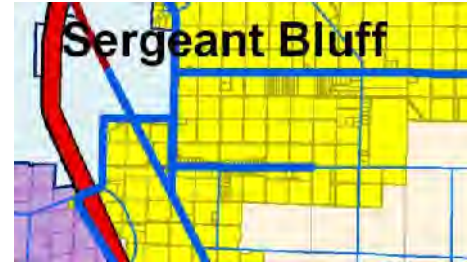
THE SOUTH 1233.00 FEET OF THE WEST 469.00 FEET OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST. DESCRIBED PARCEL CONTAINS 13.26 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT OF WAY.

EVALUATION CRITERIA

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

Conformance with the goals and objectives set forth in the approved general development plan for Woodbury County including the future land use map.

The 2005 Future Land Use Map shows this area as Rural Residential. The parcel is currently zoned Agricultural Preservation (AP) and the request is to change to Agricultural Estates (AE). The request conforms to the goals and objectives of the general development plan as it relates to the following land use goals:



- **Residential Goal 5.1:** Encourage non-farm residential development to locate near cities or on existing hard surfaced roadways, particularly in areas that can be served by urban services such as public water and sewer systems.
- **Residential Goal 5.2:** Encourage residential development to locate in areas with suitable accessibility, soils, and terrain.
- **Land Use Goal 1.2:** Adopt development regulations that promote efficient, stable land uses with minimum conflicts and provision of public infrastructure.
- **Land Use Goal 1.3:** Encourage development near cities by discouraging leap-frog development outside municipalities.

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

There are no conflicts with the policies and plans of other agencies.

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

The CSR2 rating for this property includes ratings of 66.26. The agricultural goal of the Woodbury County General Plan is to protect prime farmland as determined by a high corn suitability rating (e.g. over 65 CSR) from conversion to other land uses.

Summary

Parcel ID	371091330003
Gross Acres	37.08
ROW Acres	0.00
Gross Taxable Acres	37.08
Exempt Acres	0.00
Net Taxable Acres	37.08
Average Unadjusted CSR2	66.26

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	37.08	66.26	2,456.78	2,456.78
Non-Cropland	0.00	0.00	0.00	0.00
Total	37.08		2,456.78	2,456.78

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	3443	MORA P SOIL 5 TO 10 PERCENT SLOPES RARELY FLOODED	76.00	14.54	1,087.84	1,087.84
100% Value	137	HAYNE SILT LOAM 0 TO 3 PERCENT SLOPES RARELY FLOODED	72.00	3.13	216.96	216.96
100% Value	134	ALFAIRIN MLEY (FA) 0 TO 2 PERCENT SLOPES RARELY FLOODED	66.00	11.51	759.98	759.98
Total				37.08	2,456.78	2,456.78

Compatibility with adjacent land uses.

The rezone to AE is compatible with the area residential uses. As the image below illustrates, Barker Avenue includes AE districts to the north of the property.



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

This proposal is compatible with other physical and economic factors in the project area as there are no major infrastructure improvements required.

Any other relevant factors.

The purpose of the rezone to AE allows for more than two houses to be located within the same quarter-quarter section.

LEGAL NOTIFICATION – ZONING COMMISSION PUBLIC HEARING

The Public Hearing Legal Notification was published in the Sioux City Journal Legals Section on Saturday, February 11, 2023.

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

STATE OF IOWA
COUNTY OF WOODBURY

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

Woodbury County Community & Economic Development

620 DOUGLAS ST, 6TH FLOOR - DAN PRIESTLEY
SIOUX CITY IA 51101

ORDER NUMBER 56254

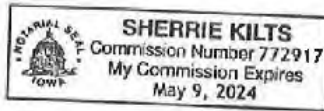
Subscribed and sworn before me in Sioux City, in said County,

this 13 day of February, 2023.

Micahene Graham

Sherrie Kilts Notary Public

In and for Woodbury County.



Section: Legal

Category: 015 Attorneys & Legals

PUBLISHED ON: 02/11/2023

TOTAL AD COST: 47.43

FILED ON: 2/13/2023

NOTICE REGARDING PUBLIC HEARINGS FOR A ZONING ORDINANCE MAP AMENDMENT (REZONE) AND FOR A MINOR SUBDIVISION
WOODBURY COUNTY ZONING COMMISSION
The Woodbury County Zoning Commission will hold public hearings on the following items hereafter described in detail on February 27, 2023 at 8:00 PM or as soon thereafter as the matters may be considered. Said hearings will be held in the Board of Supervisors Meeting Room, Number 104, County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th floor of said courthouse by any interested persons. All persons who wish to be heard in respect to these matters should appear at the aforesaid hearings in person or call 712-454-1133 and enter the Conference ID: 516 721 1354 during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

Item One (1)
Pursuant to Section 315 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Doll Ivener on behalf of the Maxys Family Farm, L.L.C. and the Brian and Bonnie Ivener Trust.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 13.26-acre located on Parcel #874704-300003 in the SW 1/4 of the SW 1/4 of Section 4, T8N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is described as:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 47 WEST OF THE 5TH P.M. CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 1234.00 FEET OF THE WEST 469.00 FEET OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 47 WEST, DESCRIBED PARCEL CONTAINS 13.26 ACRES INCLUDING 1.28 ACRE OF HOAD (RIGHT OF WAY).
Owner(s)/Applicant(s): Doll Ivener on behalf of the Maxys Family Farm, L.L.C. 3400 Talbot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

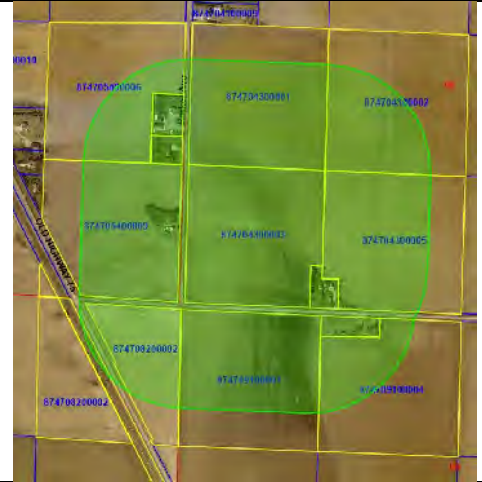
Item Two (2)
PROPOSED MINOR SUBDIVISION: To be known as the Barker Addition, a six-ot minor subdivision in a 13.26-acre portion of Section 4, T8N R47W (Liberty Township) in the SW 1/4 of the SW 1/4 on Parcel #874704-300003. The parcel parcel is located about 0.5 miles east of Sergeant Bluff. The property is located in the Agricultural Preservation (AP) Zoning District. A portion of the property is located in the Special Flood Hazard Area (Zone A - Floodplain). Owner(s)/Applicant(s): Doll Ivener on behalf of the Maxys Family Farm, L.L.C., 3400 Talbot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

PROPERTY OWNER(S) NOTIFICATION – 1000 FEET

The **nine (9)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **February 20, 2023** letter of the public hearing before the Woodbury County Zoning Commission on **February 27, 2023**.

As of **March 2, 2023**, the Community and Development office has received the following comments. The names of the property owners are listed below.

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

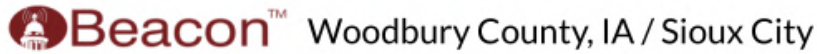


PROPERTY OWNER(S)	ADDRESS	CITY	STATE	ZIP	COMMENTS
Maxys Family Farm LLC & Brian and Bonnie Ivener Trust	3701 Cheyenne Blvd	Sioux City	IA	51104	No comments.
Todd M. Hostettler and Christina M. Hostettler	1419 230th St.	Sergeant Bluff	IA	51054	No comments.
Phillip Freiberg and Stephanie Freiberg	2266 Buchanan Ave.	Sergeant Bluff	IA	51054	No comments.
Glenn J. Kasik and Teresa R. Kasik	2251 Barker Ave.	Sergeant Bluff	IA	51054	No comments.
Loren L. Schroeder and Pamel K. Schroeder	2277 Barker Ave.	Sergeant Bluff	IA	51054	No comments.
Carolyn Blighton	22 Sunnyview Drive	Suffield	CT	6078	No comments.
Union Pacific Railroad	1400 Douglas STOP 1640	Omaha	NE	68179-1640	No comments.
Brian Krogh and Aimee Krogh	2381 Port Neal Road	Sergeant Bluff	IA	51054	No comments.
Mark S. Godfredson	2359 Barker Ave.	Sergeant Bluff	IA	511054	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
CITY OF SERGEANT BLUFF:	Extraterritorial Review of Subdivision Waived.
FARMERS DRAINAGE DISTRICT:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have review the following proposed rezoning for MEC electric. We have no conflicts, but the developer should be aware that the proposed subdivision is not in MEC service territory. Let me know if you have any questions and have a great weekend! – Casey Meinen, 2/2/23.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC "gas" either. – Tyler Ahlquist, 2/2/23.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 2/8/23.
NUSTAR PIPELINE:	NuStar does not have any issues with the request. – Matt McGee, 2/14/23.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	First off, I wanted to inform you that Paige is no longer with SDHD. At this time, all calls/emails/questions can be directed to myself. Second, after review of this rezoning, our Department would like acknowledge that due to the parcel located in a Flood Plain and previous on-site septic installations they will need to be aware that it is likely that either an oversized soil based system or an alternative system will be required for each property. This may affect the lot sizes with the installation of a private well. Thanks and please call with any questions. – Ivy Bremer, 2/6/23.
UNION PACIFIC RAILROAD:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments on the rezone.
WOODBURY COUNTY RECORDER:	I see no issues. – Diane Swoboda Peterson, 2/3/23.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments on this proposal. – Neil Stockfleth, 2/3/23.
WOODBURY COUNTY TREASURER:	The taxes are not current. There is \$592.00 owed for the March 2023 payment. – Kimberlee Koepke, 2/2/23.

PARCEL REPORT



Summary

Parcel ID 874704300003
Alternate ID 767055
Property Address N/A
Sec/Twp/Rng 4-87-47
Brief Tax Description EX 1 A IN SE COR SW SW 4-87-47
(Note: Not to be used on legal documents)
Deed Book/Page [2021-06042 \(5/6/2021\)](#)
Gross Acres 37.08
Net Acres 37.08
Adjusted CSR Pts 2456.78
Zoning AP - AGRICULTURAL PRESERVATION
District 0038 LIBERTY/SB/L
School District SGT BLUFF LUTON
Neighborhood N/A

Owner

Deed Holder
[Maxys Family Farm LLC](#)
[3701 Cheyenne Blvd](#)
Sioux City IA 51104

[Ivener Brian & Bonnie Trust](#)
[3701 Cheyenne Blvd](#)
Sioux City IA 51104

Contract Holder
Mailing Address
Michael Or Gina Bernstein
8 Crestwood Dr
Saint Louis MO 63105

Land

Lot Area 37.08 Acres : 1,615,205 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
2/5/2021	IVENER MAX & FRANCYS FAMILY TRUST	MAXYS FAMILY FARM LLC	2021-06042	No consideration	Deed		\$0.00
2/5/2021	IVNER MAX & FRANCYS FAMILY TRUST	MAXY FAMILY FARM LLC	2021-03169	Normal	Deed	Y	\$2,568,000.00

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

Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570

Sioux City Special Assessments and Fees

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

Woodbury County Tax Credit Applications

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

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

Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

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

Parcel ID	874704300003	Alternate ID	767055	Owner Address	MAXYS FAMILY FARM LLC
Sec/Twp/Rng	4-87-47	Class	A		3701 CHEYENNE BLVD
Property Address		Acreage	37.08		SIOUX CITY, IA 51104
District	0038				
Brief Tax Description	EX 1 A IN SE COR SW SW 4-87-47				
	(Note: Not to be used on legal documents)				

Date created: 1/31/2023
 Last Data Uploaded: 1/31/2023 7:59:47 PM

Developed by Schneider GEOSPATIAL

Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

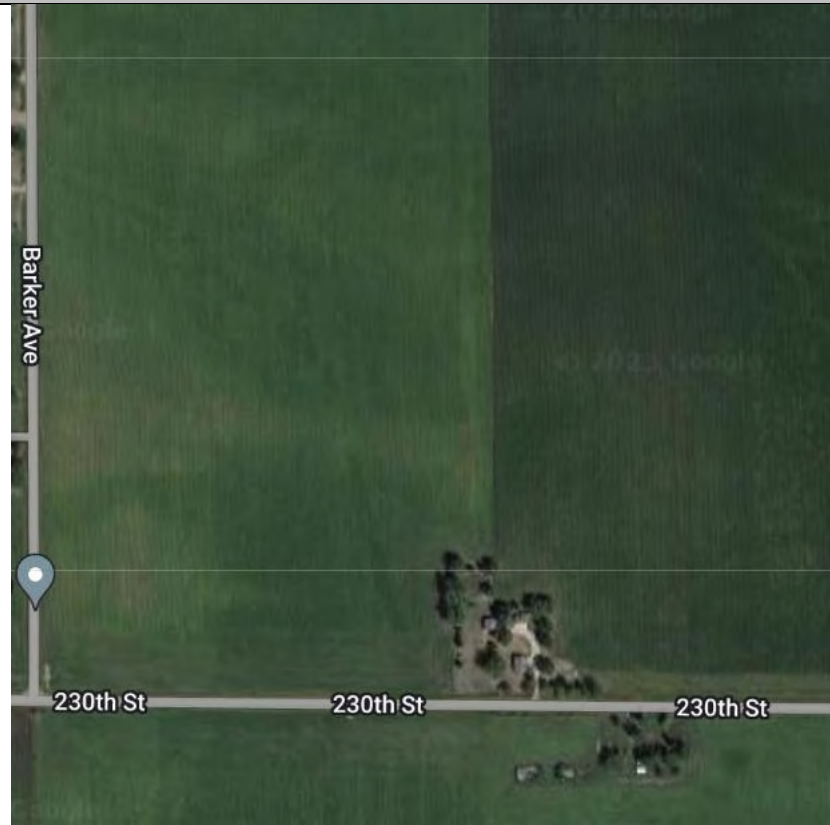
- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels
- FEMA Flood Map**
- A,
- AE,
- AE, FLOODWAY
- AH,
- AO,
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

Parcel ID	874704300003	Alternate ID	767055	Owner Address	MAXYS FAMILY FARM LLC
Sec/Twp/Rng	4-87-47	Class	A		3701 CHEYENNE BLVD
Property Address		Acreage	37.08		SIOUX CITY, IA 51104
District	0038				
Brief Tax Description	EX 1 A IN SE COR SW SW 4-87-47				
	(Note: Not to be used on legal documents)				

Date created: 1/31/2023
 Last Data Uploaded: 1/31/2023 7:59:47 PM

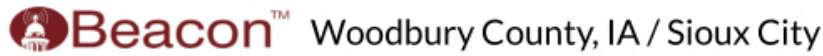
Developed by Schneider
 GEOSPATIAL

FLOODPLAIN REPORT – DRAFT MAP



<https://ifis.iowafloodcenter.org/ifis/newmaps/hazard/>

SOIL REPORT



Summary

Parcel ID	874704300003
Gross Acres	37.08
ROW Acres	0.00
Gross Taxable Acres	37.08
Exempt Acres	0.00
Net Taxable Acres	37.08 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	66.26 (2456.78 CSR2 Points / 37.08 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	37.08	66.26	2,456.78	2,456.78
Non-Crop	0.00	0.00	0.00	0.00
Total	37.08		2,456.78	2,456.78

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	14.34	1,089.84	1,089.84
100% Value	137	HAYNIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	3.43	246.96	246.96
100% Value	156	ALBATON SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	58.00	19.31	1,119.98	1,119.98
Total				37.08	2,456.78	2,456.78

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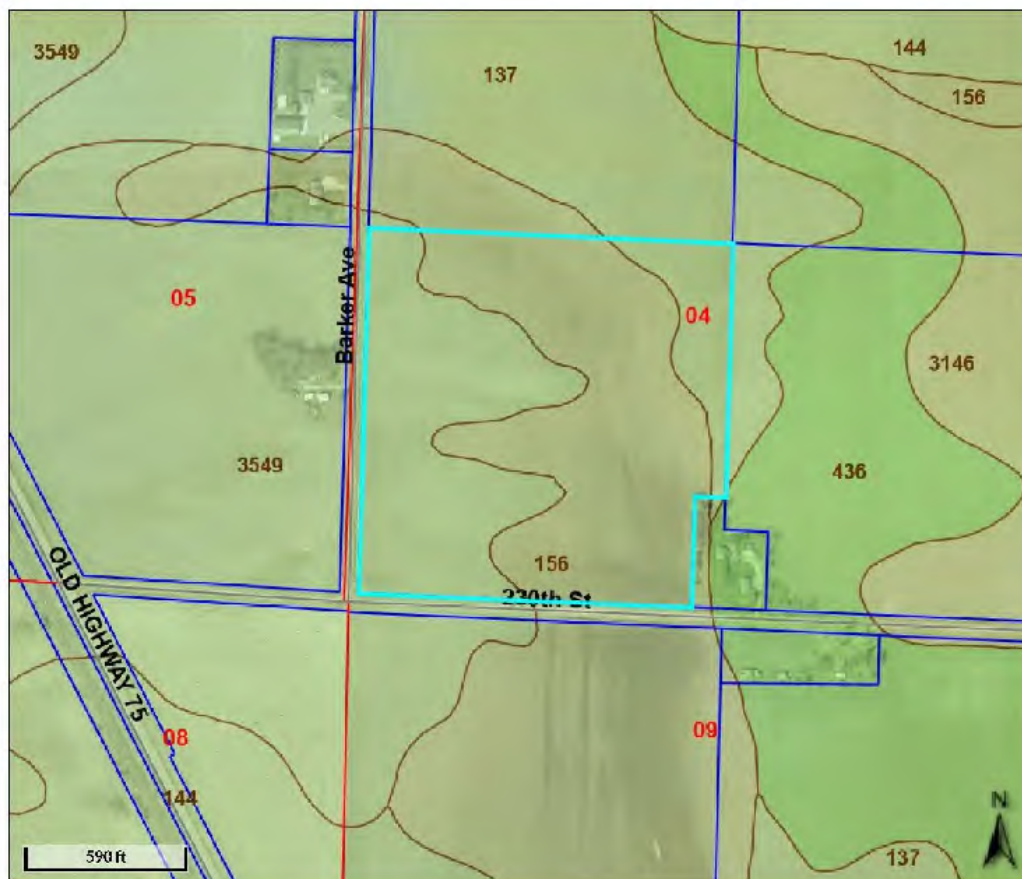
Last Data Upload: 1/31/2023, 6:59:47 PM

Version 2.3.244

Developed by
 Schneider
GEOSPATIAL

SOIL MAP

Beacon™ Woodbury County, IA / Sioux City



Overview



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
- Corp Boundaries
- Townships
- Parcels

Parcel ID 874704300003
 Sec/Twp/Rng 4-87-47
 Property Address
 District 0038
 Brief Tax Description EX 1A IN SE COR SW SW 4-87-47

Alternate ID 767055
 Class A
 Acreage 37.08

Owner Address MAXYS FAMILY FARM LLC
 3701 CHEYENNE BLVD
 SIOUX CITY, IA 51104

(Note: Not to be used on legal documents)

Date created: 2/1/2023
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ELEVATION



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

Date: 3/8/23

Weekly Agenda Date: 3/14/23

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

WORDING FOR AGENDA ITEM:

a.Motion to receive the Zoning Commission's recommendation from their 2/27/23 meeting to approve the final plat of Barker Addition, minor subdivision to Woodbury County, Iowa.
b.Motion to accept and approve the Barker Addition, a minor subdivision with the condition that the property owner(s) sign a pavement agreement for any future grading & hard surfacing & pavement along Barker Ave & 230th St.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Supervisors will receive the Woodbury County Planning and Zoning (P&Z) Commission's recommendation and final staff report 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:

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed for a six (6) lot minor subdivision on the property identified as Parcel #874704300003 and referenced above. This subdivision proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District. Both proposals have been properly noticed in the Sioux City Journal Legals Section on February 11, 2023. The neighbors within 1000 FT have been duly notified via a February 10, 2023 letter about the February 27, 2023 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have be requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review, as required by Iowa Code 354.9, was waived by the City of Sergeant Bluff with the adoption of Resolution 23-01 on January 10, 2023. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal with the condition that the property owner sign pavement agreements for any future paving along Barker Avenue and 230th Street. At the February 27, 2023 meeting of the Woodbury County Zoning Commission, the Commissioners voted 3-0, following a public hearing, to recommend the approval of the Barker Addition to the Board of Supervisors with the condition that the property owner(s) sign pavement agreement(s) for any future grading and hard surfacing and pavement along Barker Avenue and 230th Street.

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 final staff report and P&Z Commission's recommendation from their 2/27/23 meeting.
Approve the final plat and authorize the Chairman to sign the resolution.

ACTION REQUIRED / PROPOSED MOTION:

- a. Motion to receive the Zoning Commission's recommendation from their 2/27/23 meeting to approve the final plat of Barker Addition, a minor subdivision to Woodbury County, Iowa.
- b. Motion to accept and approve the Barker Addition, a minor subdivision with the condition that the property owner(s) sign a pavement agreement for any future grading and hard surfacing and pavement along Barker Avenue and 230th Street.



WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov
 Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov
 Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

FINAL REPORT – MARCH 8, 2023

MAXYS FAMILY FARM LLC / BRIAN AND BONNIE IVENER TRUST BARKER ADDITION - MINOR SUBDIVISION PROPOSAL

APPLICATION DETAILS:	PROPERTY DETAILS:	TABLE OF CONTENTS:
<p>Owner(s): Maxys Family Farm LLC; Ivener Brian & Bonnie Trust Application Type: Minor Subdivision (6 Lots) Subdivision Name: Barker Addition Application Date: 1/31/23 Subdivision Area: 13.26 Total Acres Legal Notice Date: February 11, 2023 Stakeholder (1000') Letter Date: February 10, 2023 Zoning Commission Public Hearing Date: February 27, 2023 Board of Supervisors Agenda Date: March 14, 2023</p>	<p>Parcel(s): 874704300003 Township/Range: T87N R47W (Liberty Township) Section: 4 Quarter: SW ¼ SW 1/4 Zoning District: Agricultural Preservation (AP) Floodplain District: Zone A – General Floodplain Address: None</p>	<p>Summary, Aerial, Plat Excerpt & Recommendation Application Final Plat Review Criteria Extra Territorial Review Legal Notification Adjacent Owners' Notification Stakeholder Comments Supporting Documentation</p>

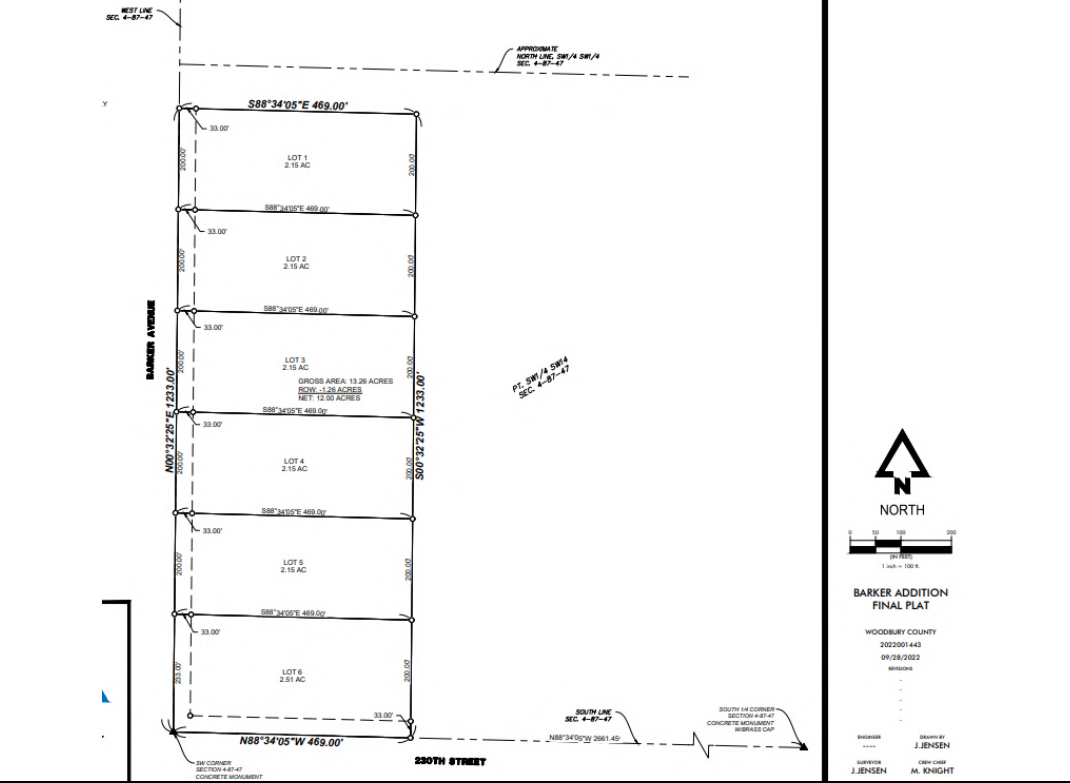
SUMMARY

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed for a six (6) lot minor subdivision on the property identified as Parcel #874704300003 and referenced above. This subdivision proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District. Both proposals have been properly noticed in the Sioux City Journal Legals Section on February 11, 2023. The neighbors within 1000 FT have been duly notified via a February 10, 2023 letter about the February 27, 2023 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review, as required by Iowa Code 354.9, was waived by the City of Sergeant Bluff with the adoption of Resolution 23-01 on January 10, 2023. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal with the condition that the property owner sign pavement agreements for any future paving along Barker Avenue and 230th Street. At the February 27, 2023 meeting of the Woodbury County Zoning Commission, the Commissioners voted 3-0, following a public hearing, to recommend the approval of the *Barker Addition* to the Board of Supervisors with the condition that the property owner(s) sign pavement agreement(s) for any future grading and hard surfacing and pavement along Barker Avenue and 230th Street.

AERIAL MAP

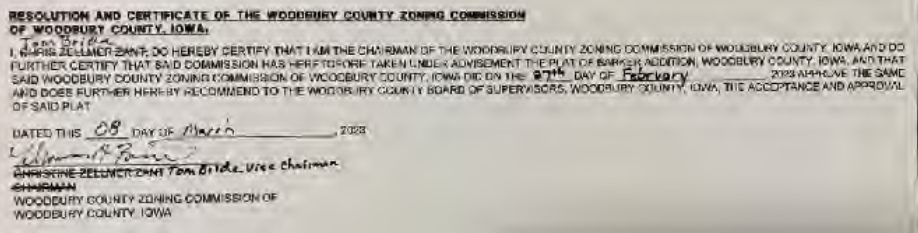


PLAT EXCERPT



ZONING COMMISSION RECOMMENDATION

At the February 27, 2023 meeting of the Woodbury County Zoning Commission, the Commissioners voted 3-0 to recommend the approval of the *Barker Addition* to the Board of Supervisors with the condition that the property owner(s) sign pavement agreement(s) for any future grading and hard surfacing and pavement along Barker Avenue and 230th Street.



DRAFT MINUTES – ZONING COMMISSION – 2/27/23

Minutes - Woodbury County Zoning Commission Meeting – February 27, 2023

The Zoning Commission (ZC) meeting convened on the 27th of February at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Tom Bride, Corey Meister, Jeff O'Tool
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Dolf Ivener, Dan Bittinger

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

Public Comment on Matters Not on the Agenda
None.

Approval of Previous Meeting Minutes – November 28, 2022
Motion by O'Tool to approve the minutes. Second: Meister. Motion approved 3-0.

Election of Chair of Zoning Commission for 2023
O'Tool nominated and motioned for Chris Zellmer Zant to serve as Chair. Second by Meister. Motion approved 3-0.

Election of Vice Chair of Zoning Commission for 2023
Meister nominated and motioned for Tom Bride to serve as Vice-Chair. Second by O'Tool. Motion approved 3-0.

Public Hearing: Barker Addition, Minor Subdivision Proposal on Parcel #874704300003
Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed for a six (6) lot minor subdivision. The proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) from the Agricultural Perseveration (AP) Zoning District to the Agricultural Estates (AE) Zoning District. Both proposals have been properly noticed in the Sioux City Journal Legals Section on February 11, 2023. The neighbors within 1000 FT have been duly notified via a February 10, 2023, letter about the February 27, 2023, Zoning Commission Public Hearing. Appropriate stakeholders have been notified and requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review was waived by the City of Sergeant Bluff with the adoption of Resolution 23-01 on January 10, 2023. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval with the condition that the property owner sign pavement agreements for any future paving along Barker Avenue and 230th Street. The surveyor addressed the County Engineer's concerns regarding a typographical error on the plat. The change has been made and highlighted. Dolf Ivener stated one lot is in the path of a proposed future pipeline. Siouxland District Health will be involved with the placement of wells and septic systems and will require special systems if they are to be located in any floodplain area. The draft future floodplain map which will come out in approximately June 2024 shows the area will likely be removed from the floodplain. The Woodbury County Treasurer shows taxes due for the parcel; the final plat can't be recorder until taxes are paid. Ivener will bring them up to date. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 3-0. Motion to approve by O'Tool to recommend approval of the Barker Addition to Board of Supervisor's with condition a pavement agreement be signed for future grading and hard surfacing of Barker Avenue and 230th Street. Second: Meister. Motion approved 3-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezone) from AP to AE Proposal – Portion of Parcel #874704300003
Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed an application for a zoning ordinance map amendment (rezone) on property currently zoned Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the propose of establishing six residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journals Legals Section on February 11, 2023. The neighbors within 1000 FT have been notified via a February 10, 2023, letter about the February 27, 2023, Zoning Commission public hearing and have been requested to comment. As of February 22, 2023, no comments or inquiries have been received. Appropriate stakeholders including government agencies, utilities and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the AE Zoning District. O'Tool inquired about the Com Suitability Rating as part of the rezone consideration process. Priestley indicated that this is one of the several criteria for consideration of the rezone based on the general plan. The future land use map of the development plan is the key criteria for classifying rezones. Motion to close the public hearing Meister. Second: O'Tool. Motion approved 3-0. Motion to recommend acceptance and approval of the

zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estate (AE) Zoning District to the Woodbury County Board of Supervisors by Meister. Second O'Tool. Motion approved 3-0.

Information/Discussion: Woodbury County Comprehensive Plan 2040 Update

SIMPCO is in the process of putting together the 2040 Plan, Zoning Commission Chair Chris Zeller Zan is part of the SIMPCO steering committee for this process. The comprehensive plan is an ongoing process to identify goals for future land use and expansion for business, residential and commercial areas within the county. Cities within the county also have their own comprehensive plans, the goal is to work in harmony to present a plan that works together with the cities and rural areas. When completed, the plan will be presented to Zoning Commission and the Board of Supervisors along with be public meetings for input.

Information/Discussion: The New woodburycountyiowa.gov Website

Priestley offered information about the new Woodbury County website. Content on the website was discussed including the ability to sign up for notifications about public meetings.

Public Comment on Matters Not on the Agenda

Bride inquired about the city's ability to exercise zoning within 2 miles of their corporate boundaries. Priestley discussed exterritorial review under subdivisions and noted that Iowa Code has subdividing and county zoning in separate chapters with separate parameters. City's have the authority under Iowa Code to place regulations on properties through subdivisions. In Woodbury County, the county regulates zoning outside of the corporate limits.

Staff Update

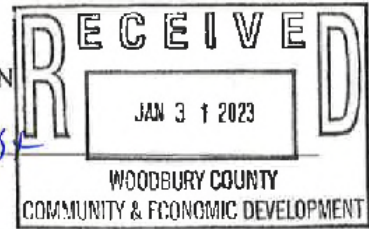
Priestley stated that the Board of Supervisors formally received the Zoning Commission's recommendation and final report on the draft pipeline ordinance (December 6, 2022).

Adjourn

Motion by O'Tool. Second: Meister. 3-0. The meeting adjourned at 7:08 PM.

APPLICATION

WOODBURY COUNTY, IOWA
MINOR SUBDIVISION APPLICATION



Applicant: Dolf Ivener Brian & Bonnie Ivener Trust
Name of Owner

Mailing Address: 3400 Talbot Rd Sioux City, IA 51103
Street City or Town State and Zip + 4

Property Address: Sergeant Bluff, IA 51054
Street City or Town State and Zip + 4

Ph/Cell #: 712-251-9967 E-mail Address: dolfivener@gmail.com

To subdivide land located in the SW Quarter of Section 4

Civil Township 87-47 GIS Parcel # 874704300003

Name of Subdivision: BARKER ADDITION

Subdivision Area in Acres 13.26 Number of Lots 5

Attachments:

1. Ten (10) copies of grading plans; if required.
2. Ten (10) 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: Justin Jensen Ph/Cell: 515-450-9199

Attorney: Ryan Ross Ph/Cell: 712-259-3563

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

Owner's Signature: *Dolf Ivener*
Brian Ivener

Zoning Director: *[Signature]*
Coordinator

For Office Use Only:

Zoning District AP Flood District X/A Date 1-31-23 No 6832

Application Fee
4 Lots or less (\$200) _____
5 Lots or more (\$250 plus \$5 per lot) 6 LOTS \$300.00 CL#

Maxys Family Farm LLC (Dolf Ivener) 84083
Brian and Bonnie Ivener Trust

MEMBER RESOLUTION
MAXYS FAMILY FARM, L.L.C.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the undersigned, being all the members of Maxys Family Farm, L.L.C., an Iowa limited liability company (the "Company") authorize member Dolf A. Ivener ("Dolf") to execute and deliver the plat of Barker Addition, Woodbury County, Iowa, ("Barker Subdivision") to the Woodbury County Recorder's Office. Said Barker Subdivision is a subdivision of the following legally described real estate:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION FOUR (4), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

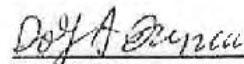
THE SOUTH ONE THOUSAND TWO HUNDRED THIRTY-THREE FEET (1,233.00') OF THE WEST FOUR HUNDRED SIXTY-NINE FEET (469.00') OF SECTION FOUR, TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST.

DESCRIBED PARCEL CONTAINS 13.27 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT-OF-WAY.

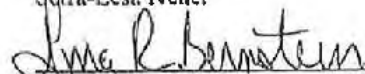
FURTHER RESOLVED, that Dolf is hereby fully authorized for and on behalf of the Company to take any and all such action as he shall deem appropriate with regard to the establishment of Barker Subdivision, including but not limited to executing and delivering other documents and instruments from time to time.

The foregoing Resolution was approved on December 12, 2022, at a duly convened meeting of the Members of the Company. This Resolution may be executed in multiple counterparts, each of which shall be considered an original copy of the Resolution.

MEMBERS


Dolf A. Ivener


Soira-Lesa Ivener


Gina R. Bernstein



McCLURE™

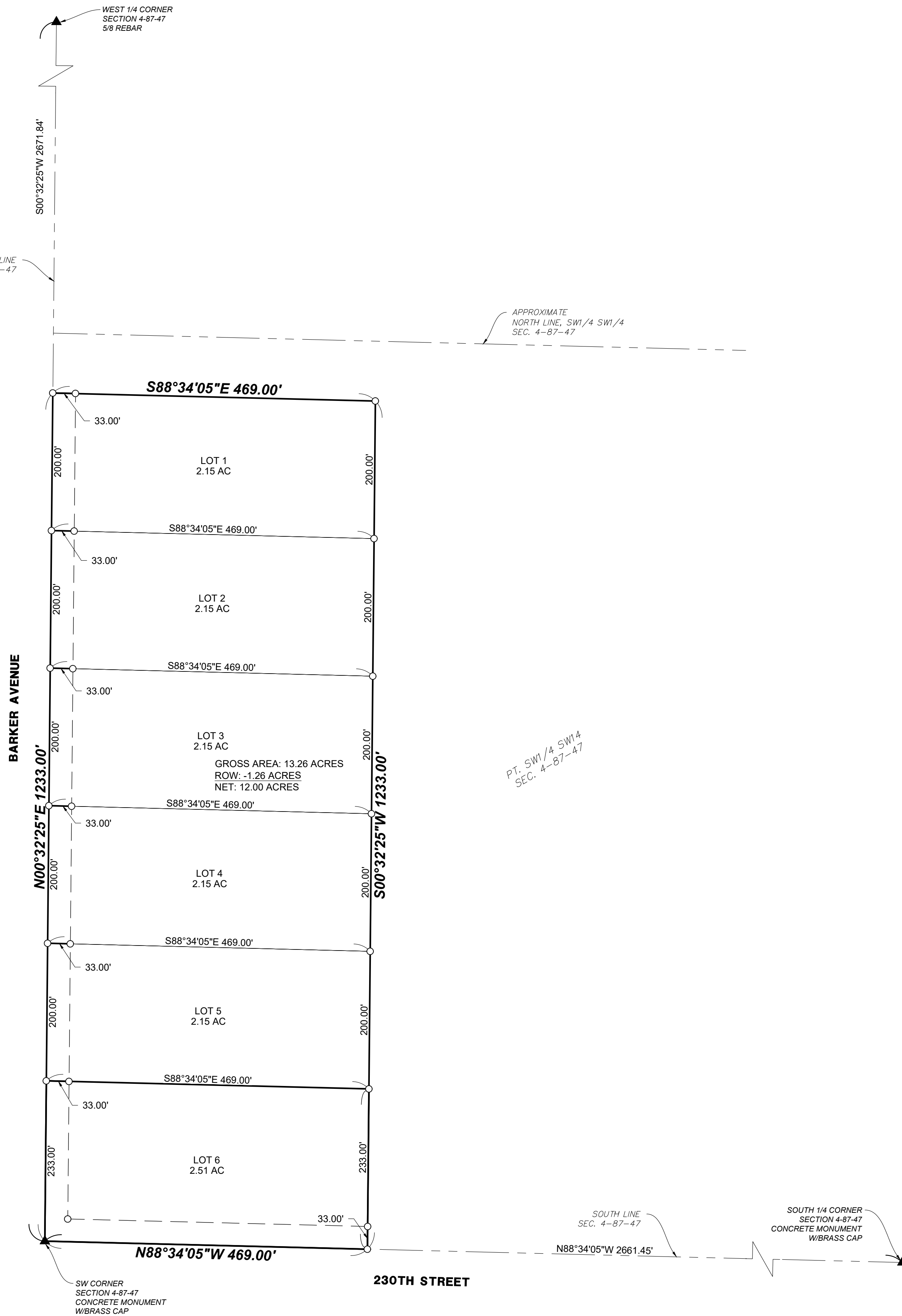
making lives better.

617 Pierce Street, Ste 201
Sioux City, Iowa 51101
712-224-4613
fax 515-576-4235

SURVEYOR'S DESCRIPTION.

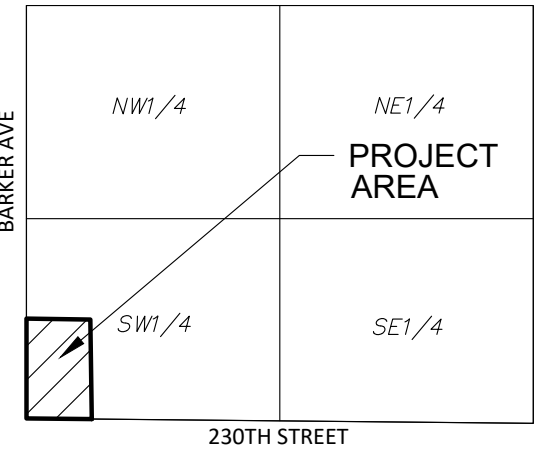
A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 1233.00 FEET OF THE WEST 469.00 FEET OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST. DESCRIBED PARCEL CONTAINS 13.26 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT OF WAY.



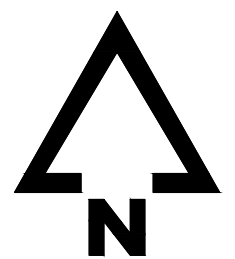
GENERAL LEGEND

- SURVEY BOUNDARY
 - PROPOSED LOT
 - EXIST PROPERTY LINE
 - SECTION LINE
 - R.O.W. LINE
 - PROPOSED EASEMENT
 - EXIST EASEMENT
 - AREA BELOW BASE FLOOD ELEVATION
- MONUMENTS FOUND:
- ▲ SECTION CORNER (TYPE AS NOTED)
- MONUMENTS SET:
- △ SECTION CORNER 1/2" REBAR W/GPC #22874
 - MAG NAIL
 - ⊗ 1/2" REBAR W/GPC #22874
- FND FOUND
PC PLASTIC CAP
BK PG BOOK AND PAGE
(M) (R) MEASURED, RECORDED
R.O.W. RIGHT-OF-WAY
P.U.E. PUBLIC UTILITY EASEMENT
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

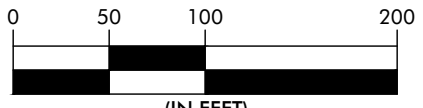


SCALE:
1"=2000'

VICINITY MAP
SEC. 4-87-47



NORTH



1 inch = 100 ft.

**BARKER ADDITION
FINAL PLAT**

WOODBURY COUNTY
2022001443
09/28/2022
REVISIONS

ENGINEER

DRAWN BY
J.JENSEN

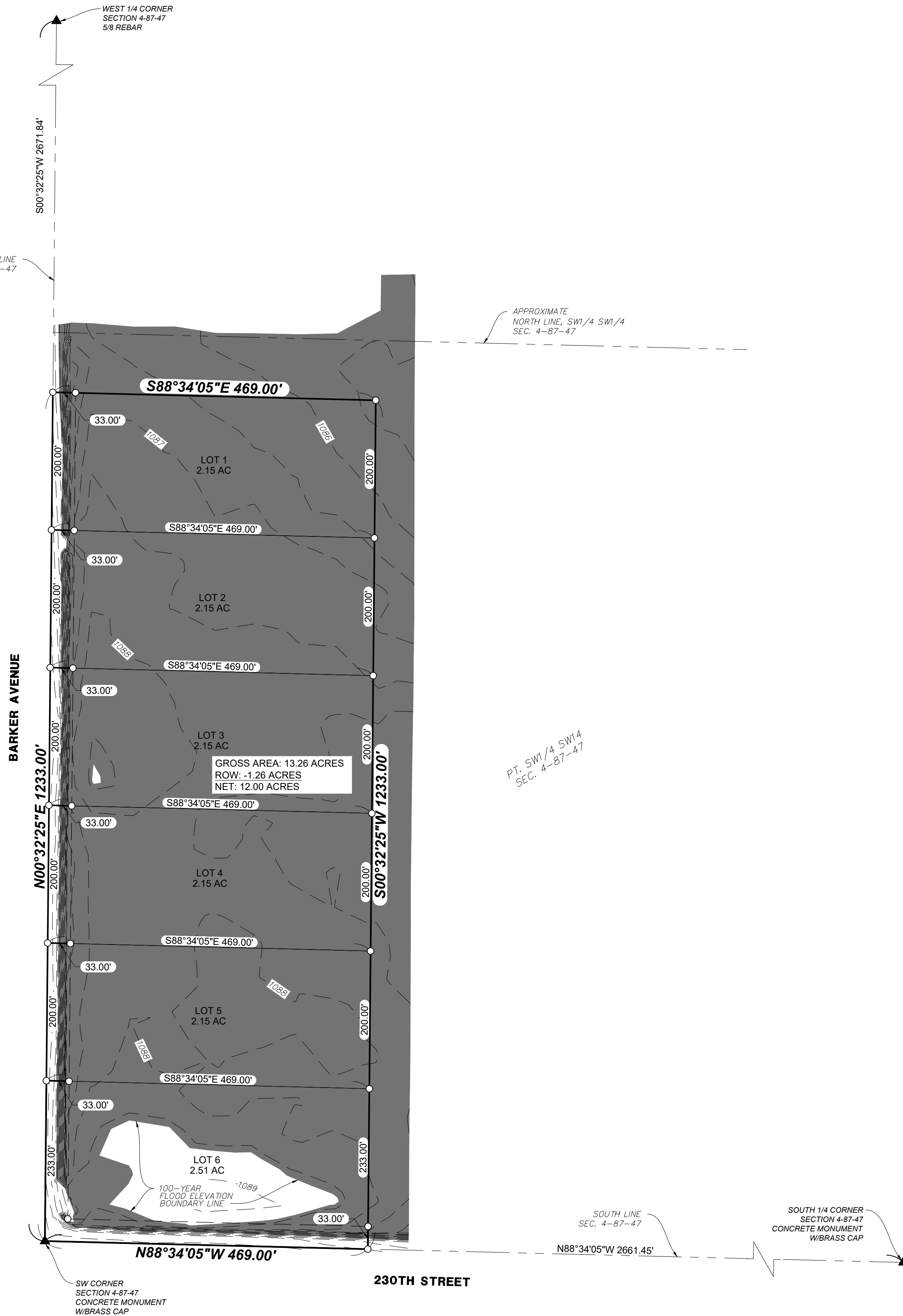
SURVEYOR
J.JENSEN
CREW CHIEF
M. KNIGHT

DRAWING NO.
FP-01
SHEET NO.
02/03

DRAWING PATH: P:\2022001443-000\06-Drawings\Survey\Barker Subdivision.dwg PLOT DATE: 02/14/2023 9:15 AM PLOTTED BY: STEVE KAISER

FLOOD PLAIN
ON DECEMBER 9TH, 2022, THE 100-YEAR FLOOD ELEVATION OF 1088.60' FOR THE PROPERTY WAS DETERMINED BY:

MEESHA LEGG
IOWA DNR, FLOOD PLAIN MANAGEMENT AND DAM SAFETY SECTION
WALLACE STATE OFFICE BUILDING
502 EAST 9TH STREET
DES MOINES, IA 50319



GENERAL LEGEND

	SURVEY BOUNDARY
	PROPOSED LOT
	EXIST PROPERTY LINE
	SECTION LINE
	R.O.W. LINE
	PROPOSED EASEMENT
	EXIST EASEMENT
	AREA BELOW BASE FLOOD ELEVATION

MONUMENTS FOUND:

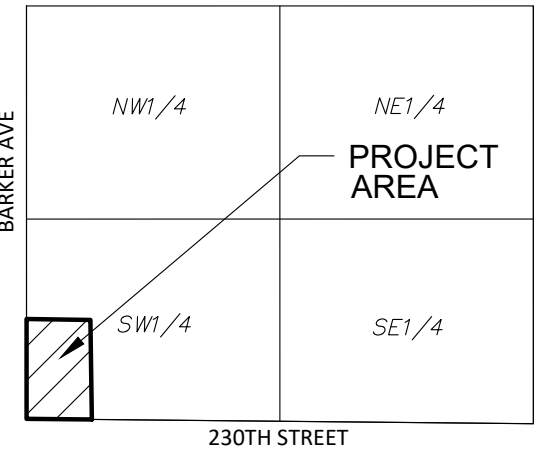
- ▲ SECTION CORNER (TYPE AS NOTED)

MONUMENTS SET:

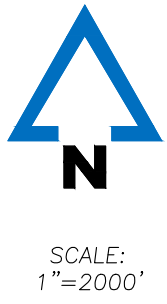
- △ SECTION CORNER 1/2" REBAR W/GPC #22874
- MAG NAIL
- ⊗ 1/2" REBAR W/GPC #22874

FOUND:

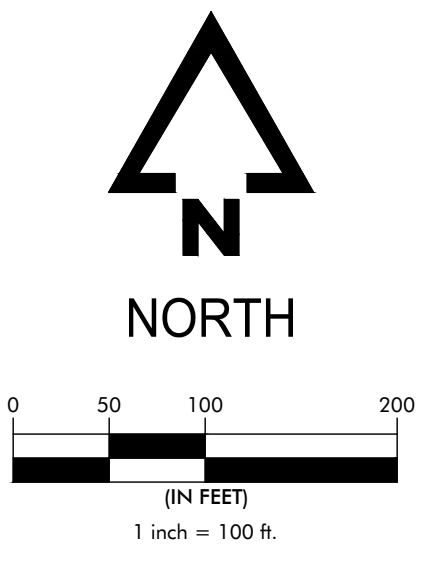
- FND FOUND
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- (M) (R) MEASURED, RECORDED
- R.O.W. RIGHT-OF-WAY
- P.U.E. PUBLIC UTILITY EASEMENT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT



VICINITY MAP
SEC. 4-87-47



SCALE:
1"=2000'



**BARKER ADDITION
FINAL PLAT**
FLOOD INFORMATION
WOODBURY COUNTY
2022001443
09/28/2022
REVISIONS

ENGINEER ----	DRAWN BY J.JENSEN
SURVEYOR J.JENSEN	CREW CHIEF M. KNIGHT
DRAWING NO. FP-01	SHEET NO. 03/03

DRAWING PATH: P:\2022001443-000\06-Drawings\Survey\Barker Subdivision.dwg PLOT DATE: 02/14/2023 9:15 AM PLOTTED BY: STEVE KAISER

CED STAFF - REVIEW CRITERIA (SUBDIVISION ORDINANCE)

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, CED staff:

	shall review a subdivision application for completeness and for approval of a final plat by ensuring it is submitted in accordance with the standards for a subdivision plat per Iowa Code.
	Staff reviewed the subdivision application, deemed it complete, and verified the final plat's conformance to the County's Zoning Ordinance, Subdivision Ordinance, and the Code of Iowa, all as required by law.
	shall accept payment of applicable fees, and distribute copies of the final plat to the Planning & Zoning Commission, the appropriate county departments and public utilities; and
	Staff received the application fee and the account is paid-in-full. Staff also distributed copies of the application, final plat, and other materials to all relevant stakeholders as required.
	shall coordinate with the County Engineer who shall review the final plat to determine conformance with the engineering design standards of these regulations and to verify accuracy of the legal descriptions and survey data; and
	Staff have received written confirmation that the County Engineer has reviewed and determined that the final plat conforms to the engineering and design standards of these regulations, and he has verified the accuracy of the legal descriptions and survey data.
	shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff recommends approval of the final plat.

ZONING COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE)

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, the Planning and Zoning Commission:

	shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing. The Commission also held a public hearing to review, analyze, and discuss the final plat and other relevant information.
	may recommend specific conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties; and
	It is the recommendation of staff to approve this proposal with the condition that the property owner(s) sign pavement agreement(s) for any future grading and hard surfacing and pavement along Barker Avenue and 230 th Street. Staff does not recommend any additional conditions for this final plat. However, specific conditions (if any) may be recommended by the Commission.
	shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors 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. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.

EXTRATERRITORIAL REVIEW

This minor subdivision process requires extraterritorial review under Iowa Code, Section 354.9. The City of Sergeant Bluff waived their right to extraterritorial review with the passage of Resolution No. 23-01 that was passed and approved on the 10th day of January, 2023.

RESOLUTION NO. 23-01

A RESOLUTION WAIVING THE SERGEANT BLUFF CITY COUNCIL'S RIGHT TO REVIEW AND APPROVE A SUBDIVISION TO BE KNOWN AS BARKER ADDITION LOCATED OUTSIDE CITY LIMITS IN WOODBURY COUNTY, IOWA

WHEREAS, the owner of property legally described as set forth on Exhibit "A" in the County of Woodbury and the State of Iowa has advised the City of Sergeant Bluff of plans for a Subdivision of the property to be named BARKER ADDITION; and

WHEREAS, the property is located in Liberty Township, Woodbury County, Iowa within the two mile radius of the City of Sergeant Bluff, Iowa's incorporated limits; and

WHEREAS, Sergeant Bluff has established by ordinance pursuant to Iowa Code section 354.9 jurisdiction to govern the division of land within a two mile radius of the City's corporate limits; and

WHEREAS, the property owner will be completing a subdivision review including submitting the Final Plat of BARKER SUBDIVISION to the Woodbury County Planning and Zoning Commission for compliance with Woodbury County, Iowa's subdivision ordinance for rural subdivisions; and

WHEREAS, the City Council of the City of Sergeant Bluff, Iowa acknowledges that the storm sewer, water, and sanitary sewer utilities requirements for the subdivision are not connected to services of the City nor are required for the development of the subdivision; and

WHEREAS, the City Council further acknowledges the proposed subdivision's close proximity to existing Woodbury County residential development and is satisfied that the proposed subdivision is compatible with the similar division and use of property within the nearby residential lots along Barker Ave and 230th Street; and

WHEREAS, Iowa Code section 354.9 authorizes the City to waive by resolution its right to review and approve a subdivision within a two mile radius of the City's boundaries if the property is in unincorporated area of Woodbury County which has adopted an ordinance governing the division of land; and

WHEREAS, the Planning & Zoning Commission recommended to the City Council to waive the subdivision rules for the BARKER SUBDIVISION at their August 2, 2022 meeting; and

WHEREAS, the City Council of the City of Sergeant Bluff, Iowa has considered the proposed subdivision for the legally described area above and is satisfied that a subdivision review and approval by the City of Sergeant Bluff is not needed for the proposed development.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City Council of the City of Sergeant Bluff, Iowa, pursuant to authority granted in Iowa Code section 354.9, hereby waives the City's review and approval the Final Plat of the BARKER SUBDIVISION as would otherwise be required by the City's Code of Ordinances.

2. The Mayor is authorized to sign a Certified Resolution on behalf of the City of Sergeant Bluff, Iowa in connection with the BARKER SUBDIVISION for recording with the Woodbury County Recorder.

Council Member Ron Hanson introduced the resolution and moved that said resolution be adopted; seconded by Council Member Carol Clark and after due consideration thereof by the Council, the Mayor put the question on the motion and, the roll being called, the following named Council Members voted:


	Aye	Nay	Absent	Abstain
Hanson	X			
Gaukel	X			
Johnson	X			
Clark	X			
Linafelter	X			

PASSED AND APPROVED this 10th day of January, 2023.




Mayor

Attest:



City Clerk

I, Danny Christoffers, City Clerk, do hereby certify that the foregoing Resolution 23-01 was duly and properly adopted by the City Council of the City of Sergeant Bluff, Iowa at its regular meeting the 10th day of January 2023.



CITY CLERK

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION FOUR (4), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH ONE THOUSAND TWO HUNDRED THIRTY-THREE FEET (1,233.00') OF THE WEST FOUR HUNDRED SIXTY-NINE FEET (469.00') OF SECTION FOUR, TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST.

DESCRIBED PARCEL CONTAINS 13.27 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT-OF-WAY.

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

LOT FRONTAGE means that portion of a lot abutting a street. For purposes of determining yard requirements of corner lots and through lots, all sides of a lot abutting a street shall be considered frontage.

The undersigned, *Brian Ivener, Trustee, and Bonnie Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006 and the Maxys Family Farm LLC*, the owner(s) of the real estate known as *Barker Addition*, an Addition to Woodbury County, Iowa, and legally described as follows:

Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6) of *Barker Addition* of Part of Section Four (4), Township Eighty-Seven (87) North, Range Forty-Seven (47) West of the Fifth Principal Meridian, in the County of Woodbury and the State of Iowa, a/k/a see legal described in Exhibit "A" attached hereto and by this reference made a part hereof.

In consideration of the approval of the Final Plat of *Barker Addition* we agree as follows:

1. To impose a recorded covenant on *Barker Avenue* and/or *230th Street* agreeing to an assessment on said Lots in event *Barker Avenue* and/or *230th Street* is graded for hard surfacing and paved (the Improvement).
2. At the time of the Improvement, the then owners, their successors, and assigns shall be assessed collectively a maximum of eighty percent (80%) of the total actual cost of the Improvement to the centerline of *Barker Avenue* and/or *230th Street*. The centerline to be fifty percent (50%) of the total Improvement of said roadways, therefore, the effective collective assessment against the Lots in *Barker Addition* subdivision will be a maximum of forty percent (40%) of the total actual cost of the improvements abutting said lots.
3. The collective assessment shall be individually prorated to each of the Lots on the basis of the number of lineal feet on which each Lot abuts said roadway(s) and the respective Lot owners shall have the responsibility for the assessment only on the lot(s) within the Subdivision he/she or it may own.
4. In the event that statutes or ordinances existing at the time of the Improvements results in an overall lower assessment against the Lots in *Barker Addition*, then the lower amount shall be assessed against said lots.
5. This Agreement to Impose Covenant shall be binding upon the respective successors, heirs, administrators, executors and assigns of the parties.

Dated this _____ day of _____, 2023.

Maxys Family Farm, LLC,

Dolf Ivener, Member

Dated this _____ day of _____, 2023.

Brian and Bonnie Ivener Trust UTD July 6, 2006

Brian Ivener, Trustee

Dated this _____ day of _____, 2023.

Brian and Bonnie Ivener Trust UTD July 6, 2006

Bonnie Ivener, Trustee

On this ___ day of _____ A.D. 2023, before me, the undersigned Notary Public, personally appeared to me known **Dolf Ivener, Member Maxys Family Farm LLC** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Dolf Ivener as Member of Maxys Family Farm LLC** executed the same as a voluntary act and deed.

Public in and for said County

Notary

Seal or stamp above

On this ___ day of _____ A.D. 2023, before me, the undersigned Notary Public, personally appeared to me known **Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Brian Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** executed the same as a voluntary act and deed.

Public in and for said County

Notary

Seal or stamp above

On this ___ day of _____ A.D. 2023, before me, the undersigned Notary Public, personally appeared to me known **Bonnie Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that **Bonnie Ivener, Trustee of the Brian & Bonnie Ivener Trust UTD July 6, 2006** executed the same as a voluntary act and deed.

Public in and for said County

Notary

Seal or stamp above

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 1233.00 FEET OF THE WEST 469.00 FEET OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST. DESCRIBED PARCEL CONTAINS 13.26 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT OF WAY.

LEGAL NOTIFICATION – ZONING COMMISSION PUBLIC HEARING

The Public Hearing Legal Notification was published in the Sioux City Journal Legals Section on Saturday, February 11, 2023.

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

STATE OF IOWA
COUNTY OF WOODBURY

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

Woodbury County Community & Economic Development

620 DOUGLAS ST, 6TH FLOOR - DAN PRIESTLEY
SIOUX CITY IA 51101

ORDER NUMBER 56254

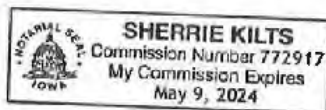
Subscribed and sworn before me in Sioux City, in said County,

this 13 day of February, 2023

Micahene Graham

Sherrie Kilts Notary Public

In and for Woodbury County.



Section: Legal

Category: 015 Attorneys & Legals

PUBLISHED ON: 02/11/2023

TOTAL AD COST: 47.43

FILED ON: 2/13/2023

NOTICE REGARDING PUBLIC HEARINGS FOR A ZONING ORDINANCE MAP AMENDMENT (REZONE) AND FOR A MINOR SUBDIVISION
WOODBURY COUNTY ZONING COMMISSION
The Woodbury County Zoning Commission will hold public hearings on the following items hereafter described in detail on February 27, 2023 at 6:00 PM or as soon thereafter as the matters may be considered. Said hearings will be held in the Board of Supervisors Meeting Room, Number 104, County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said items may now be obtained at the office of the Woodbury County Community and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to these matters should appear at the aforesaid hearings in person or call: 712-464-1133 and enter the Conference ID: 616 721 4354 during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

Item One (1)
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Doll Ivener on behalf of the Mayes Family Farm, L.L.C. and the Brian and Bonnie Ivener Trust.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 13.26-acres located on Parcel #674704-360025 in the SW 1/4 of the SW 1/4 of Section 4, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is described as:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST, DESCRIBED PARCEL CONTAINS 13.26 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT OF WAY.

THE SOUTH 1233.00 FEET OF THE WEST 489.00 FEET OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST, DESCRIBED PARCEL CONTAINS 13.26 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT OF WAY.
Owners/Applicants: Doll Ivener on behalf of the Mayes Family Farm, L.L.C., 3400 Tabot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

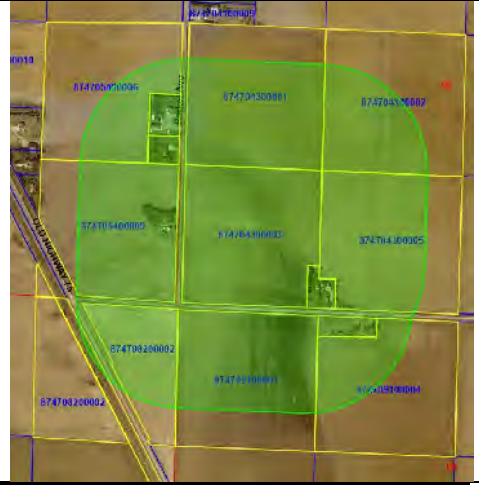
Item Two (2)
PROPOSED MINOR SUBDIVISION: To be known as the Barker Addition, a six-ol minor subdivision in a 13.26-acre portion of Section 4, T87N R47W (Liberty Township) in the SW 1/4 of the SW 1/4 of Parcel #674704-360025. The parent parcel is located about 0.3 miles east of Sergeant Bluff. The property is located in the Agricultural Preservation (AP) Zoning District. A portion of the property is located in the Special Flood Hazard Area (Zone A - Floodplain). Owners/Applicants: Doll Ivener on behalf of the Mayes Family Farm, L.L.C., 3400 Tabot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

PROPERTY OWNER(S) NOTIFICATION – 1000 FEET

The **nine (9)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **February 10, 2023** letter of the public hearing before the Woodbury County Zoning Commission on **February 27, 2023**.

As of **February 22, 2023**, the Community and Development office has received the following comments. The names of the property owners are listed below.

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



PROPERTY OWNER(S)	ADDRESS	CITY	STATE	ZIP	COMMENTS
Maxys Family Farm LLC & Brian and Bonnie Ivener Trust	3701 Cheyenne Blvd	Sioux City	IA	51104	No comments.
Todd M. Hostetler and Christina M. Hostetler	1419 230th St.	Sergeant Bluff	IA	51054	No comments.
Phillip Freiberg and Stephanie Freiberg	2266 Buchanan Ave.	Sergeant Bluff	IA	51054	No comments.
Glenn J. Kasik and Teresa R. Kasik	2251 Barker Ave.	Sergeant Bluff	IA	51054	No comments.
Loren L. Schroeder and Pamel K. Schroeder	2277 Barker Ave.	Sergeant Bluff	IA	51054	No comments.
Carolyn Blighton	22 Sunnyview Drive	Suffield	CT	6078	No comments.
Union Pacific Railroad	1400 Douglas STOP 1640	Omaha	NE	68179-1640	No comments.
Brian Krogh and Aimee Krogh	2381 Port Neal Road	Sergeant Bluff	IA	51054	No comments.
Mark S. Godfredson	2359 Barker Ave.	Sergeant Bluff	IA	511054	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
CITY OF SERGEANT BLUFF:	Extraterritorial Review Waived.
FARMERS DRAINAGE DISTRICT:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LOGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have review the following proposed rezoning for MEC electric. We have no conflicts, but the developer should be aware that the proposed subdivision is not in MEC service territory. Let me know if you have any questions and have a great weekend! – Casey Meinen, 2/2/23.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC “gas” either. – Tyler Ahlquist, 2/2/23.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 2/8/23.
NUSTAR PIPELINE:	NuStar does not have any issues with the request. – Matt McGee, 2/14/23.
SIUXLAND DISTRICT HEALTH DEPARTMENT:	First off, I wanted to inform you that Paige is no longer with SDHD. At this time, all calls/emails/questions can be directed to myself. Second, after review of this rezoning, our Department would like acknowledge that due to the parcel located in a Flood Plain and previous on-site septic installations they will need to be aware that it is likely that either an oversized soil based system or an alternative system will be required for each property. This may affect the lot sizes with the installation of a private well. Thanks and please call with any questions. – Ivy Bremer, 2/6/23.
UNION PACIFIC RAILROAD:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	SEE REVIEW MEMO BELOW.
WOODBURY COUNTY RECORDER:	I see no issues. – Diane Swoboda Peterson, 2/3/23.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments on this proposal. – Neil Stockfleth, 2/3/23.
WOODBURY COUNTY TREASURER:	The taxes are not current. There is \$592.00 owed for the March 2023 payment. – Kimberlee Koepke, 2/2/23.



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

From: Mark J. Nahra, County Engineer

Date: February 9, 2023

Subject: Barker Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated June 30, 2022.

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 did note a typographic error on the east line of Lot 6 in the plat where the line was labeled 200.00 feet. It should be corrected to read 233.00 feet.
- I reviewed the individual lots for access. Driveways can be located anywhere along the frontage of the subdivision. Either the developer or the purchasers of the lot will need to contact the county engineer's office for a driveway permit prior to constructing a driveway into each lot. Only one driveway is allowed per lot according to county driveway policy.
- This subdivision approval should include a paving agreement as part of the paperwork. Other Barker Avenue residents to the north of the new subdivision have expressed an interest in paving their road, similar to the paving planned for 220th Street at the north end of this road segment. The lots should be asked to participate in the cost of future paving as we have done with other subdivisions in the area.
- 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

REVISION TO ADDRESS COUNTY ENGINEER'S MEMO

Daniel Priestley

From: Mark Nabra
Sent: Tuesday, February 14, 2023 11:31 AM
To: Daniel Priestley
Subject: Final Plat Correction

Looks good. Everything else on the plat I did checked out, so hopefully this is the only change the engineer.

Mark Nabra, P.E.
Woodbury County Engineer
753 E. Fair Lane Road
Milo, IA 50558
Phone: (712) 779-4975 ext. 216-2244-858
Fax: (712) 779-1235
Email: mnabra@woodburycountyowa.gov

From: Daniel Priestley <dnpriestley@woodburycountyowa.gov>
Sent: Tuesday, February 14, 2023 11:31 AM
To: Mark Nabra <mnabra@woodburycountyowa.gov>
Subject: Final Plat Correction

Mark,

The revised plat is attached with the corrected distance to Lot G.

Thanks,

Dan Priestley, Zoning Coordinator
Community & Economic Development
Woodbury County, Iowa
100 Du Sable Street, 3rd Floor
Sioux City, IA 51101
Office: (712) 279-4976
Fax: (712) 279-4939
Email: dnpriestley@woodburycountyowa.gov
Web: www.woodburycountyowa.gov

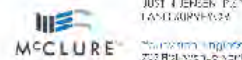
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This e-mail was prepared to be distributed to the individual(s) named in the subject line and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any disclosure, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify me immediately at (712) 279-4939 and delete this e-mail from your copy of your e-mail and any printed prints.

From: Daniel Priestley <dnpriestley@woodburycountyowa.gov>
Sent: Tuesday, February 14, 2023 11:37:11 AM
To: Daniel Priestley <dnpriestley@woodburycountyowa.gov>
Subject: Final Plat Correction

CAUTION: This e-mail is granted from OUTSIDE of the organization. Please verify the sender and use caution if the message contains any attachments. In case of requests for information at this case or may. Not be who they claim. If you are asked for your username and password, please call WCCO and DO NOT ENTER anything.

Quoted text hidden: corrected updated subdivision.
Thanks,



JUST AHEAD OF THE
LAND DEVELOPER

McClure's Engineers & Surveyors
201 Parkview Parkway, Suite 200, Ames, IA 50010
Tel: (515) 274-7727 Fax: (515) 274-7155 Cell: (515) 266-9191 Website: www.mclure.com

94.96.133

From: Daniel Priestley <dnpriestley@woodburycountyowa.gov>
Sent: Monday, February 13, 2023 4:33 PM
To: Just A Head Of The Land Developer <info@mclure.com>
Subject: Final Plat Correction

Just A

We received the final plat from the County Engineer regarding the final plat. Please note, there will need to be a correction. See attached comments:

I am offering the following comments for your consideration:

- We checked the distance on the plat and found it in compliance with the requirements for the left subdivision of 1 to 10,000 and 1 to 5,000 for each lot as required by Section 325.8 of the Code of Iowa. **NOTE: note the distance across the east line of the E in the east when measured was between 200.00 feet. It should be corrected to read 223.00 feet.**
- I reviewed the subdivision application. **Discretionary Review** is not required when filing for a plat. **Either the developer or the purchaser of the lot will need to contact the county engineer's office for a driveway permit prior to starting a driveway on a lot.** **Only one driveway is allowed per lot** according to the county subdivision rules.
- This subdivision application should include a plat agreement as part of the plat work. **Plat Agreement** is a document to be filed with the County of the new subdivision. **Plat Agreement** is to be filed in each plat road, similar to the plat agreement for 223rd Street in the east area of this road project. **The plat should be asked to participate in the east of future plat projects as have some work other subdivisions to be done.**
- I have no other questions or issues with this subdivision application.

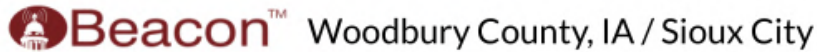
Please email me if you need any additional information of the plat.

Thanks,

Daniel J. Priestley, RPA, CDR, M.C. & S. Director
Woodbury County Community & Economic Development
100 Du Sable Street, 3rd Floor
Sioux City, IA 51101
Office: (712) 279-4976
Fax: (712) 279-4939
Email: dnpriestley@woodburycountyowa.gov
Web: www.woodburycountyowa.gov

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PARCEL REPORT



Summary

Parcel ID 874704300003
Alternate ID 767055
Property Address N/A
Sec/Twp/Rng 4-87-47
Brief Tax Description EX 1 A IN SE COR SW SW 4-87-47
(Note: Not to be used on legal documents)
Deed Book/Page [2021-06042 \(5/6/2021\)](#)
Gross Acres 37.08
Net Acres 37.08
Adjusted CSR Pts 2456.78
Zoning AP - AGRICULTURAL PRESERVATION
District 0038 LIBERTY/SB/L
School District SGT BLUFF LUTON
Neighborhood N/A

Owner

Deed Holder
[Maxys Family Farm LLC](#)
[3701 Cheyenne Blvd](#)
Sioux City IA 51104

[Ivener Brian & Bonnie Trust](#)
[3701 Cheyenne Blvd](#)
Sioux City IA 51104

Contract Holder
Mailing Address
Michael Or Gina Bernstein
8 Crestwood Dr
Saint Louis MO 63105

Land

Lot Area 37.08 Acres ; 1,615,205 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
2/5/2021	IVENER MAX & FRANCY'S FAMILY TRUST	MAXYS FAMILY FARM LLC	2021-06042	No consideration	Deed		\$0.00
2/5/2021	IVNER MAX & FRANCY'S FAMILY TRUST	MAXY FAMILY FARM LLC	2021-03169	Normal	Deed	Y	\$2,568,000.00

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

Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570

Sioux City Special Assessments and Fees

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

Woodbury County Tax Credit Applications

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

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

BeaconTM Woodbury County, IA / Sioux City



Overview



Legend

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

Parcel ID	874704300003	Alternate ID	767055	Owner Address	MAXYS FAMILY FARM LLC
Sec/Twp/Rng	4-87-47	Class	A		3701 CHEYENNE BLVD
Property Address		Acreage	37.08		SIOUX CITY, IA 51104
District	0038				
Brief Tax Description	EX 1A IN SEC COR SW SW 4-87-47 (Note: Not to be used on legal documents)				

Date created: 1/31/2023
 Last Data Uploaded: 1/31/2023 7:59:47 PM

Developed by Schneider
 GEOSPATIAL

Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

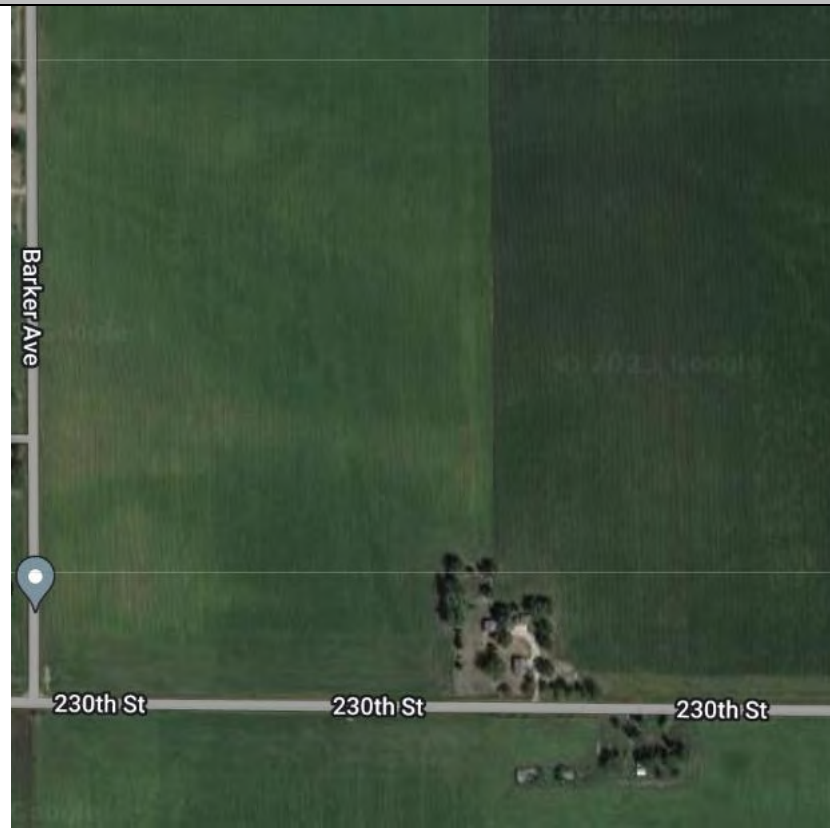
- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels
- FEMA Flood Map**
- A,
- AE,
- AE, FLOODWAY
- AH,
- AO,
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

Parcel ID	874704300003	Alternate ID	767055	Owner Address	MAXYS FAMILY FARM LLC
Sec/Twp/Rng	4-87-47	Class	A		3701 CHEYENNE BLVD
Property Address		Acreage	37.08		SIOUX CITY, IA 51104
District	0038				
Brief Tax Description	EX 1 A IN SEC COR SW SW 4-87-47				
	(Note: Not to be used on legal documents)				

Date created: 1/31/2023
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FLOODPLAIN REPORT – DRAFT MAP



<https://ifis.iowafloodcenter.org/ifis/newmaps/hazard/>

SOIL REPORT

BeaconTM Woodbury County, IA / Sioux City

Summary

Parcel ID	874704300003	
Gross Acres	37.08	
ROW Acres	0.00	
Gross Taxable Acres	37.08	
Exempt Acres	0.00	
Net Taxable Acres	37.08	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	66.26	(2456.78 CSR2 Points / 37.08 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	37.08	66.26	2,456.78	2,456.78
Non-Crop	0.00	0.00	0.00	0.00
Total	37.08		2,456.78	2,456.78

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	14.34	1,089.84	1,089.84
100% Value	137	HAYNIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	3.43	246.96	246.96
100% Value	156	ALBATON SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	58.00	19.31	1,119.98	1,119.98
Total				37.08	2,456.78	2,456.78


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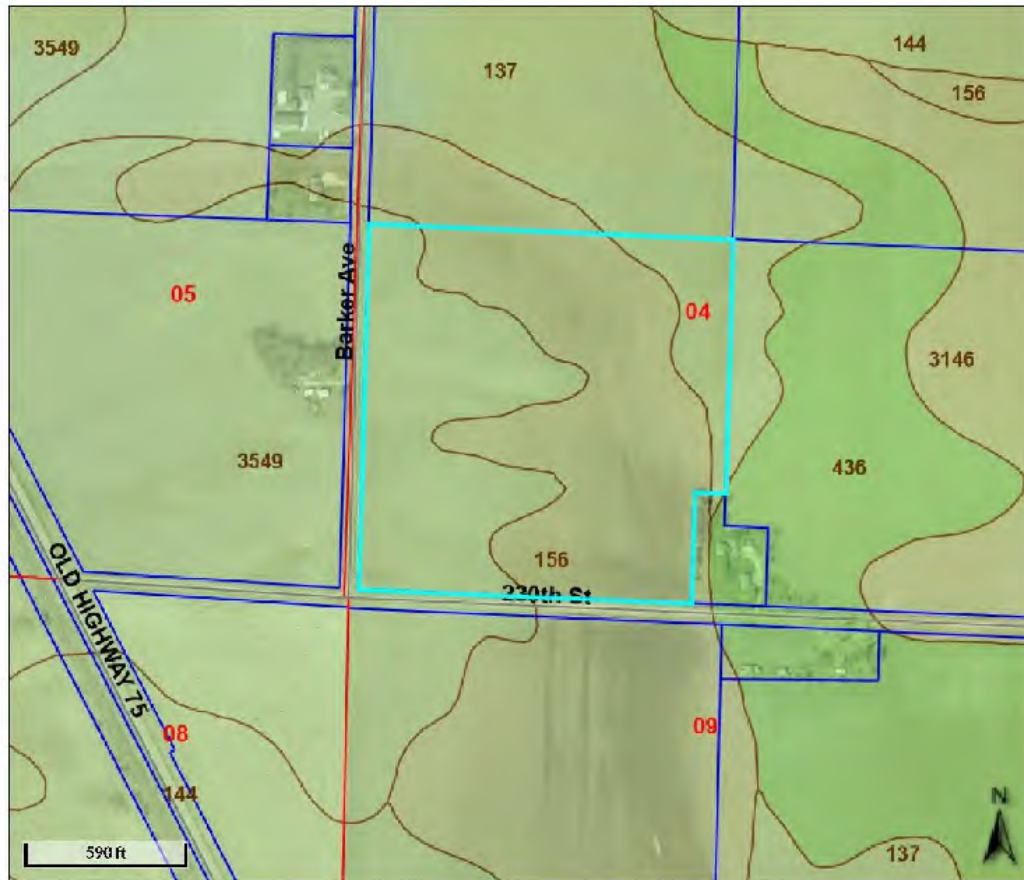
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 **Beacon™** Woodbury County, IA / Sioux City



Overview



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
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	874704300003	Alternate ID	767055	Owner Address	MAXYS FAMILY FARM LLC
Sec/Twp/Rng	4-87-47	Class	A		3701 CHEYENNE BLVD
Property Address		Acreage	37.08		SIOUX CITY, IA 51104
District	0038				
Brief Tax Description	EX 1 A IN SE COR SW SW 4-87-47				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 2/1/2023
 Last Data Uploaded: 1/31/2023 7:59:47 PM

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ELEVATION



WELL & SEPTIC LOCATIONS

Empty lots. No wells or septic systems.

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

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:



IOWA DEPARTMENT OF NATURAL RESOURCES

GOVERNOR KIM REYNOLDS

LT. GOVERNOR ADAM GREGG

DIRECTOR KAYLA LYON

February 17, 2023

Woodbury County Board of Supervisors
 c/o County Auditor
 Via facsimile and email

**REF: Public Notice, Matrix Evaluation and County's Recommendation Required
 DNR's Facility ID No. 62420**

Dear Board of Supervisors:

The DNR has received a construction permit application for a confinement feeding operation:
 Facility name: **Sioux Jerseys, LLC Site**
 Date received by the DNR: 02/17/2023

Under Iowa law, for this application the County is required to complete the following actions:

1. Publish a public notice (see example on page following this letter) in a newspaper having a general circulation in the county no later than 03/03/2023 (within 14 days of DNR's receipt of the application) and furnish proof of publication to the DNR:

Note: A public hearing is not required, but it is optional. However, if the board chooses to have a public hearing, it is recommended to include in the notice the date, time and place for the hearing.

2. Score the applicant's Master Matrix and submit the board's scoring and recommendation regarding this application. A sample cover letter is attached. The county must submit to the DNR all of the following:
 - A) A recommendation to approve or to disapprove the application.
 - B) The Boards scoring of the Matrix, including all supporting calculations.
 - C) Proof of publication of Public Notice.

Your recommendation and Matrix score must be received by the DNR no later than 03/20/2023 (30 days after DNR received the application).

NOTE: If the County does not submit the Matrix score and recommendation by the deadline, the DNR will not consider any subsequent County's scoring of the Matrix or recommendation until the next time the County is eligible to adopt a construction evaluation resolution.

3. The board may submit comments or may forward comments from the public, which must be **received** by DNR no later than 03/20/2023. Comments received after that date due will not be considered. Comments may include but are not limited to the following:

- a. The existence of an object or location not included in the application that benefits from a separation distance requirement as provided in section 459.202 or 459.204 or 459.310 of the Code of Iowa.
 - b. The suitability of soils and the hydrology of the site where construction of a confinement feeding operation structure is proposed.
 - c. The availability of land for the application of manure originating from the confinement feeding operation.
 - d. Whether the construction of a proposed confinement feeding operation structure will impede drainage through established tile lines, laterals, or other improvements which are constructed to facilitate the drainage of land not owned by the person applying for the construction permit.
4. The proof of publication, County's recommendation, a copy of the Matrix as scored by the board and any public comments must be **received** by IDNR no later than 03/20/2023. To ensure timely submittal, we recommend that you also **fax or scan and email** proof of publication, County's recommendation and a copy of the Matrix as scored by the board to:

Send to:



Iowa DNR
Field Office #3
1900 N Grand Ave
Gateway North, Suite E17
Spencer, IA 51301
Attn: Paul Petitti



Iowa DNR
Field Office #2
2300 15th St SW
Mason City, IA 50401
Attn: Cindy Garza

Paul.Petitti@dnr.iowa.gov
712/262-4177

Cindy.Garza@dnr.iowa.gov
641/424-4073

If you have any questions about this process, please contact Paul or Cindy.

Sincerely,

Field Services and Compliance Bureau



Paul Petitti



Woodbury County Board of Supervisors

Courthouse • Room 104
620 Douglas Street • Sioux City, Iowa 51101
Telephone (712) 279-6525 • Fax (712) 279-6577

MEMBERS

DANIEL A. BITTINGER II
SIOUX CITY

KEITH W. RADIG
SIOUX CITY

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SIOUX CITY

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SIOUX CITY

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CORRECTIONVILLE

FINANCE / BUDGET DIRECTOR
DENNIS BUTLER

ADMINISTRATIVE ASSISTANT
KAREN JAMES

EXECUTIVE SECRETARY / PUBLIC BIDDER
HEATHER SATTERWHITE

Woodbury County Master Matrix Scoring and Recommendation

The Woodbury County Board of Supervisors have reviewed the Master Matrix and Construction Permit Application for Sioux Jerseys, LLC.

Public Notice was published on 2/22/23 and proof of publication is attached.

Matrix as scored by Woodbury County = 480 points. **Passing** / Failing (Circle One)

If the County scored matrix is different than submitted then the County scored matrix is attached with justifications

Supplemental letters or documentation is being sent to DNR

Upon review and inspection of construction site and documents provided, we the Woodbury County Board of Supervisors recommend the permit application be **Approved** / Disapproved (Circle One)

Comments or Reasons for Disapproval:

Signed:

Date:



WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov

Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

SIOUX JERSEYS, LLC IDNR FACILITY #62420 PROPOSED ANAEROBIC DIGESTER WOODBURY COUNTY, IOWA

MASTER MATRIX ANALYSIS

March 8, 2023

EXECUTIVE SUMMARY:

On Friday, February 17, 2023, the Woodbury County Board of Supervisors c/o the Woodbury County Auditor received a Construction Permit Application public notice from the Iowa Department of Natural Resources (IDNR) that was submitted by Sioux Jerseys, LLC, via Nicholas J. Rowe, P.E. of ProAg Engineering, Inc. The applicants desire to construct and install a new Anaerobic Digester system consisting of two steel 1.7MG digester tanks, sand separator building and gas processing building at the existing dairy cattle confinement facility. Animal Unit Capacity of the Confinement Operation after Construction: unchanged at 6300 animal units. (4500 head of mature dairy cattle)



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	874629400005	Alternate ID	756061	Owner Address	SIOUX JERSEYS, LLP
Sec/Twp/Rng	29-87-46	Class	A		PO BOX 1239
Property Address	2678 DALLAS AVE	Acreage	74.41		TULARE, CA 93275-1239
	SALIX				

The proposed location is at 2678 Dallas Avenue., Salix, IA 51052 on Parcels #874629400005, 874629400002, and 874629400004 in the SE ¼ of Section 29, T87N R46W (Grange Township). On Wednesday, February 22, 2023, a public notice was published in the legals section of the Sioux City Journal to comply with state regulations of publishing the request within a 14-day time-frame as well as to solicit written comments. As of the printing of this document, no written comments have been received from the public. Within the IDNR's 30-day application window, the Woodbury County Community and Economic Development (CED) staff conducted a joint site visit with the IDNR to evaluate the items from the "Master Matrix" on March 3, 2023.

The following report analyzes the applicant's response to the matrix which is an instrument provided by the IDNR and adopted by Woodbury County to assess the feasibility of building a confinement structure containing over 1000 animal units (AU). Based on the items analyzed, the Woodbury County Community and Economic staff concurs with the applicant that this location is suitable for the placement of the proposed structures. Thus, it is the recommendation of staff to approve the proposal.

MATRIX SUMMARY

Matrix Item #	Applicant Score	Staff Score	Matrix Item # cont.	Applicant Score cont.	Staff Score cont.
1	100	100	12	30	30
2	30	30	17	30	30
3	30	30	19	20	20
5	30	30	20	30	30
6	10	10	25	25	25
7	30	30	29	10	10
8	35	35	35	10	10
9	25	25	40	5	5
10	30	30			
			Score	480	480

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

STATE OF IOWA
COUNTY OF WOODBURY

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

Woodbury County Community & Economic Development

620 DOUGLAS ST, 6TH FLOOR - DAN PRIESTLEY
SIOUX CITY IA 51101

ORDER NUMBER 56707

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

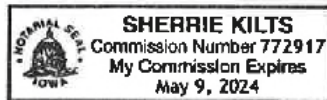
this 24th day of February, 2023.



Sherrie Kilts

Notary Public

In and for Woodbury County,



Section: Legal
Category: 015 Attorneys & Legals
PUBLISHED ON: 02/22/2023

TOTAL AD COST: 16.98
FILED ON: 2/24/2023

PUBLIC NOTICE
The Woodbury County Board of Supervisors, has received a construction permit application for a confinement feeding operation, more specifically described as follows:
Name of Applicant: Sioux Jerseys, LLC
Location of the proposed construction: Section 29 of Grange Township.
Type of confinement feeding operation structure proposed: A new Anaerobic Digester system consisting of two steel 1.7MG digester tanks, sand separator building and gas processing building at an existing dairy cattle confinement facility.
Animal Unit Capacity of the Confinement Operation after Construction: unchanged at 6300 animal units. (4500 head of mature dairy cattle).
Examination: The application is on file at the Woodbury County Auditor's Office in the Woodbury County Courthouse, located at 620 Douglas Street, Sioux City, IA 51101, Room 105, and is available for public inspection during the following days: Monday through Friday and hours 8:00 am to 4:30 pm.
Comments: Written comments may be filed at the Woodbury County Auditor's Office, until the following deadline: March 13, 2023.

MATRIX ITEM #1

ADDITIONAL SEPARATION DISTANCE, ABOVE MINIMUM REQUIREMENTS, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST: RESIDENCE NOT OWNED BY THE OWNER OF THE CONFINEMENT FEEDING OPERATION; HOSPITAL; NURSING HOME, OR; LICENSED OR REGISTERED CHILD CARE FACILITY.

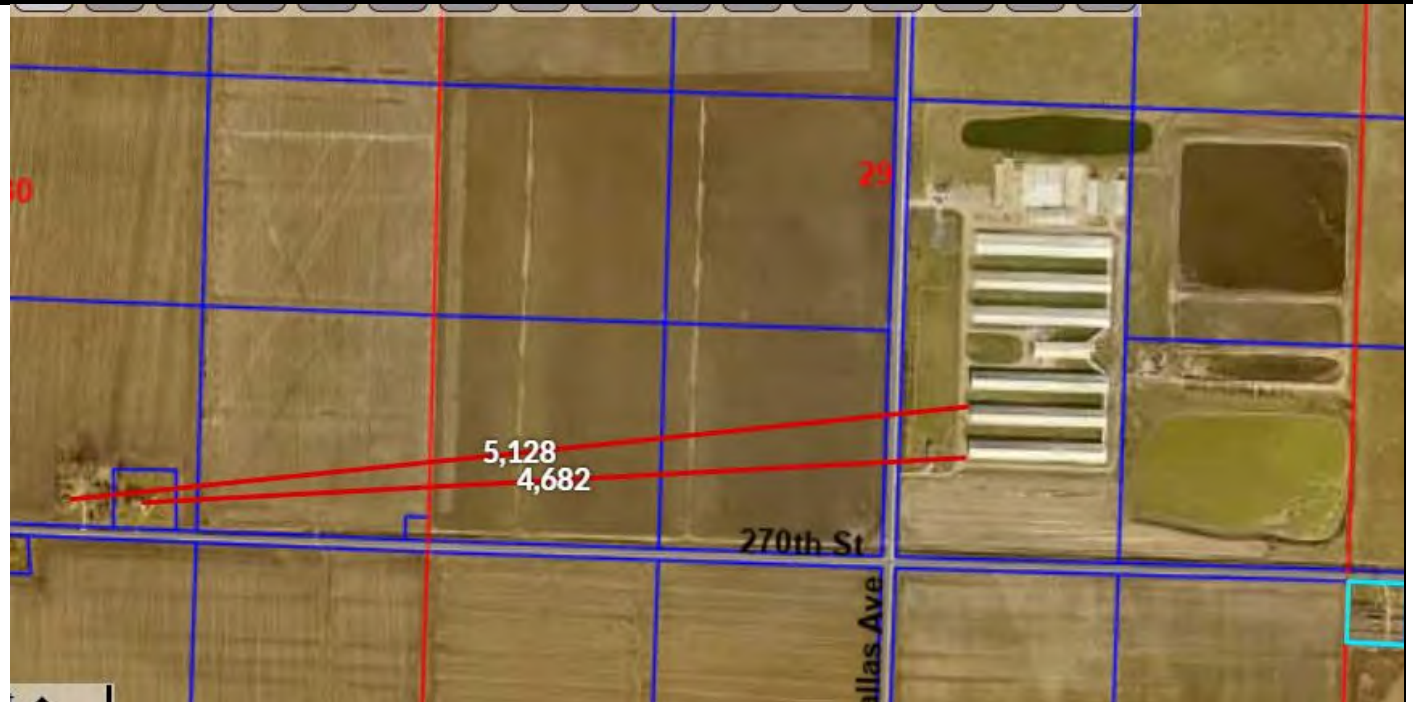
REQUIRED DISTANCE

2,375 feet (567 IAC 65.11(455B), Table 6)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
1,251 feet or more	100	65		35

STAFF INTERPRETATION



Data Source: Beacon -

<https://beacon.schneidercorp.com/Application.aspx?AppID=10&LayerID=108&PageTypeID=1&PageID=969>

The proposed site is located about 4,682 ft. from the nearest house not owned by the applicant. The minimum separation distance is 1,875 ft. The Community and Economic Development (CED) staff concurs with the applicant's score of 100 as there is about 2,716 ft. of additional separation distance.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
1,251 feet or more	100	65		35

MATRIX ITEM #2

ADDITIONAL SEPARATION DISTANCE, ABOVE MINIMUM REQUIREMENTS, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST PUBLIC USE AREA.

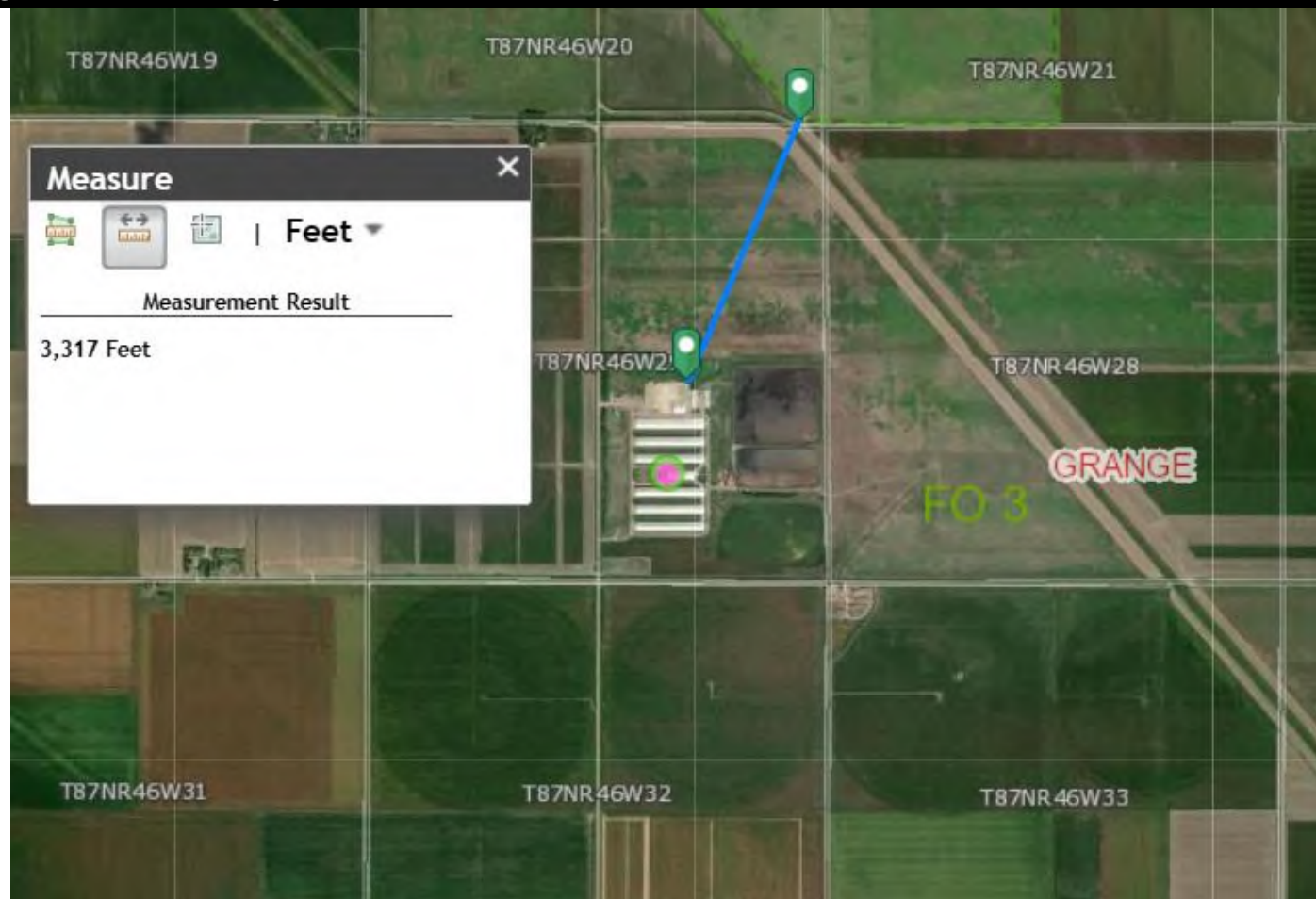
REQUIRED DISTANCE

2,375 feet (567 IAC 65.11(455B), Table 6)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
1,501 feet or more	30	12		18

STAFF INTERPRETATION



Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

The proposed site is located about 3,317 ft. from Public Lands. The minimum separation distance is 2,500 ft. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
1,501 feet or more	30	12		18

MATRIX ITEM #3

ADDITIONAL SEPARATION DISTANCE, ABOVE MINIMUM REQUIREMENTS, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST:

- EDUCATIONAL INSTITUTION
- RELIGIOUS INSTITUTION, OR
- COMMERCIAL ENTERPRISE

REQUIRED DISTANCE

2,375 feet (567 IAC 65.11(455B), Table 6)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
1,501 feet or more	30	12		18

STAFF INTERPRETATION

The staff has identified 30 properties within a 2,375 ft radius, none of which appear to be educational institutions, religious institutions, or commercial enterprises. It appears that the properties within this radius are zoned Agricultural Preservation (AP) and may include various farming operations.

There does not appear to be any educational institutions, religious institutions, or commercial enterprises within 1,875 ft of the proposed site. The minimum separation distance is 1,875 ft. Staff concurs with the applicant's score of 30.



Data Source: Woodbury County Beacon GIS

<https://beacon.schneidercorp.com/Application.aspx?AppID=10&LayerID=108&PageTypeID=1&PageID=969>

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
1,501 feet or more	30	12		18

MATRIX ITEM #5**SEPARATION DISTANCE OF 300 FEET OR MORE FROM THE PROPOSED CONFINEMENT STRUCTURE TO THE NEAREST THROUGHFARE.****REQUIRED DISTANCE**

100 feet (567 IAC 65.11(455B), Table 6, Other Distances)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
300 feet or more	30	9		21

STAFF INTERPRETATION

Data Source: Woodbury County Beacon
 GIS, <https://beacon.schneidercorp.com/Application.aspx?AppID=10&LayerID=108&PageTypeID=1&PageID=969>

The location of the proposed site exceeds the 100 required feet from Dallas Ave. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
300 feet or more	30	9		21

MATRIX ITEM #6

ADDITIONAL SEPARATION DISTANCE, ABOVE MINIMUM REQUIREMENTS, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST CRITICAL PUBLIC AREA

REQUIRED DISTANCE

3,000 feet (567 IAC 65.11(455B), Table 6)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
500 feet or more	10	4		6

STAFF INTERPRETATION

Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps/afo>

The site is greater than one (1) mile in distance from a public use area. The proposed site is located greater than 4,000 ft. from public lands. The minimum separation distance is 3,000 ft. Staff concurs with the applicant's score of 10.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
500 feet or more	10	4		6

MATRIX ITEM #7

PROPOSED CONFINEMENT STRUCTURE IS AT LEAST TWO TIMES THE MINIMUM REQUIRED SEPARATION DISTANCE FROM ALL PRIVATE AND PUBLIC WATER WELLS.

REQUIRED DISTANCE

Private - 100 feet, Deep, 200 feet, Shallow / Public - 100 feet, Deep, 200 feet, Shallow (567 IAC 65.11(455B), Table 6, Distances to Wells)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
Two times the minimum separation distance	30		24	6

STAFF INTERPRETATION



Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps/afo>

Based on Iowa DNR Mapping, it appears that any area wells exceed two times the required separation distance from the proposed structure. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
Two times the minimum separation distance	30		24	6

MATRIX ITEM #8

ADDITIONAL SEPARATION DISTANCE, ABOVE THE MINIMUM REQUIREMENT OF 1,000 FEET, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST:

- AGRICULTURAL DRAINAGE WELL
- KNOWN SINKHOLE
- MAJOR WATER SOURCE

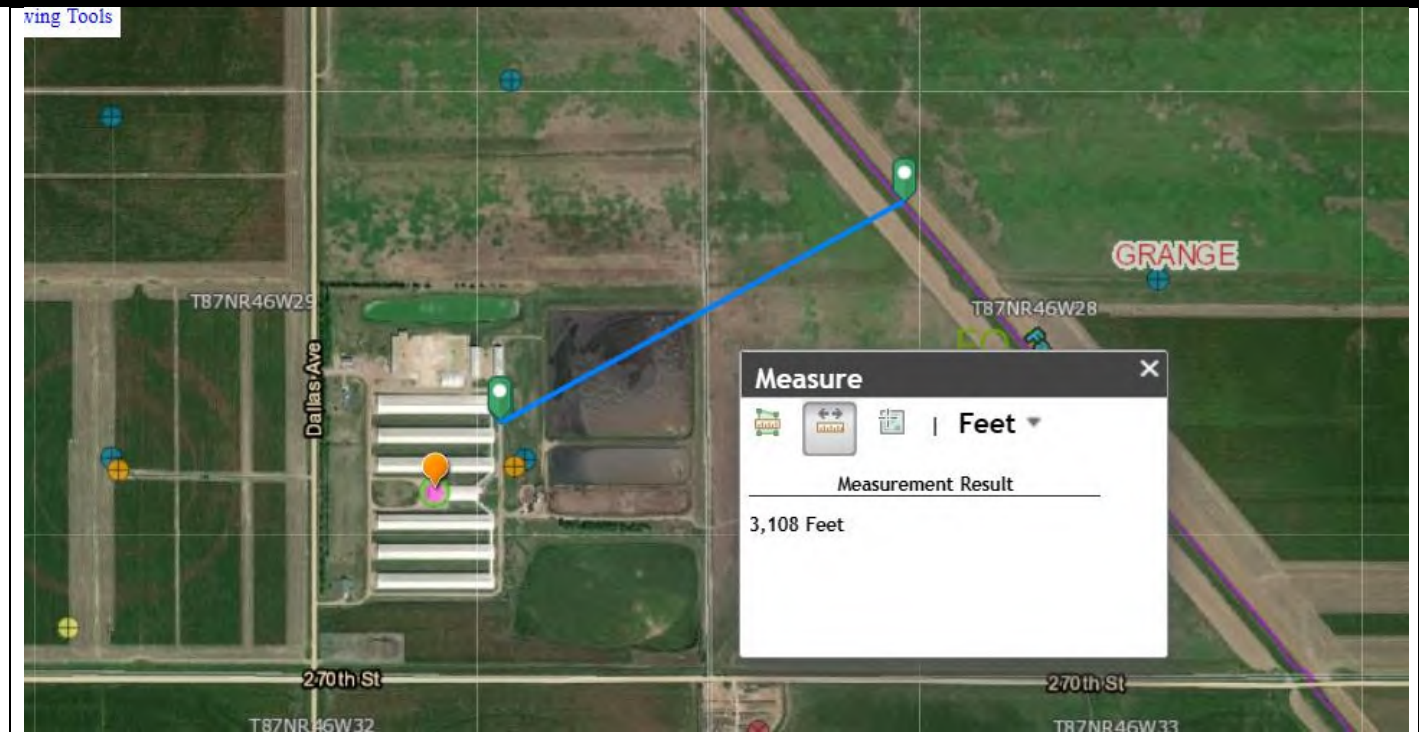
REQUIRED DISTANCE

1,000 feet, (567 IAC 65.11(455B), Table 6, Other Distances)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
1,751 feet to 2,000 feet	35	3.5	17.5	14

STAFF INTERPRETATION



Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

Staff concurs with the applicant's score of 35.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
1,751 feet to 2,000 feet	35	3.5	17.5	14

MATRIX ITEM #9

DISTANCE BETWEEN THE PROPOSED CONFINEMENT STRUCTURE AND THE NEAREST CONFINEMENT FACILITY THAT HAS A SUBMITTED DEPARTMENT MANURE MANAGEMENT PLAN.

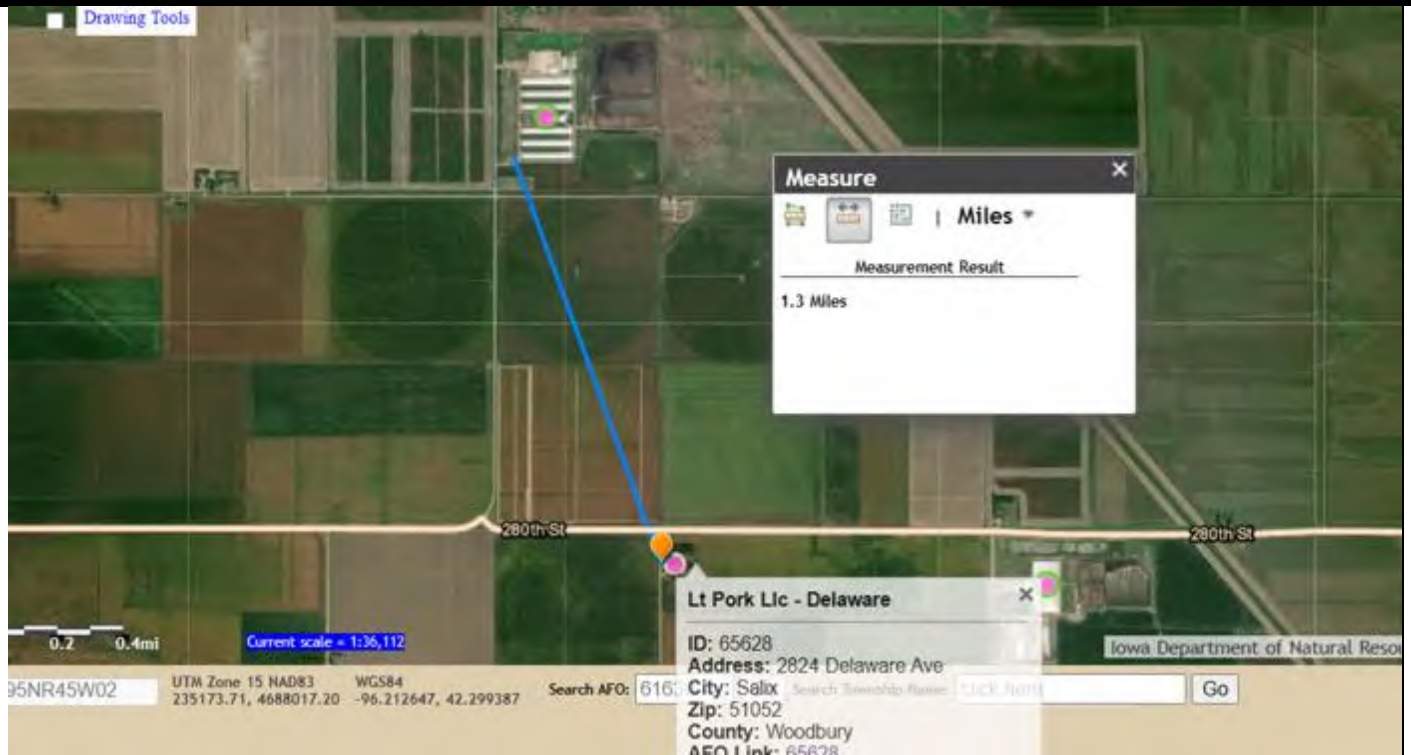
REQUIRED DISTANCE

3,960 feet

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
Three-quarter of a mile or more (3,960 feet)	25	7.5	7.5	10

STAFF INTERPRETATION



Data Source(s): Iowa DNR AFO Site Search, <https://programs.iowadnr.gov/animalfeedingoperations/FacilitySearch.aspx> & Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

The Lt. Pork LLC #65628 site is located approximately 1.3 miles from the proposed site. This location has a MMP on file. Staff concurs with the applicant's score of 25.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
Three-quarter of a mile or more (3,960 feet)	25	7.5	7.5	10

MATRIX ITEM #10

SEPARATION DISTANCE FROM PROPOSED CONFINE STRUCTURE CLOSEST TO: HIGH QUALITY (HQ) WATERS; HIGH QUALITY RESOURCE (HQR) WATERS, OR; PROTECTED WATER AREAS

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
Two times the minimum separation distance	30		22.5	7.5

STAFF INTERPRETATION



Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

The proposed site is estimated to be greater than one (1) mile from a HG/HQR water source. Additionally, the distance to a major source river and/or lake is greater than one (1) mile. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
Two times the minimum separation distance	30		22.5	7.5

MATRIX ITEM #12**LIQUID MANURE STORAGE STRUCTURE IS COVERED****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
COVERED LIQUID MANURE STORAGE	30	27		3

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's Score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
COVERED LIQUID MANURE STORAGE	30	27		3

MATRIX ITEM #17**PROPOSED MANURE STORAGE STRUCTURE IS FORMED****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
FORMED MANURE STORAGE STRUCTURE	30		27	3

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
FORMED MANURE STORAGE STRUCTURE	30		27	3

MATRIX ITEM #19

PROPOSED CONFINEMENT SITE HAS A SUITABLE TRUCK TURNAROUND AREA SO THAT SEMITRAILERS DO NOT HAVE TO BACK INTO THE FACILITY FROM THE ROAD

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
TRUCK TURNAROUND	20			20

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 20.



Data Source: Application

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
TRUCK TURNAROUND	20			20

MATRIX ITEM #20

FACILITY SIZE

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
No history of Administrative Orders in last five years	30			30

STAFF INTERPRETATION

After review of the Iowa DNR's online database at: <https://programs.iowadnr.gov/animalfeedingoperations/FacilitySummary.aspx?FacilityId=62420>, there are no listed administrative orders in the last five years. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
No history of Administrative Orders in last five years	30			30

MATRIX ITEM #25**CONSTRUCTION PERMIT APPLICATION INCLUDES LIVESTOCK FEEDING AND WATERING SYSTEMS THAT SIGNIFICANTLY REDUCE MANURE VOLUME****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
Wet/dry feeders or other feeding and watering systems that significantly reduce manure volume	25		12.5	12.5

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 25.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
Wet/dry feeders or other feeding and watering systems that significantly reduce manure volume	25		12.5	12.5

MATRIX ITEM #29**LAND APPLICATION OF MANURE DOES NOT OCCUR ON HIGHLY ERODIBLE LAND (HEL), AS CLASSIFIED BY THE USDA NRCS.****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
No manure application on HEL farmland	10		10	

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 10.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
No manure application on HEL farmland	10		10	

MATRIX ITEM #35

ADDITIONAL SEPARATION DISTANCE ABOVE MINIMUM REQUIREMENTS FOR LAND APPLICATION OF MANURE, TO THE CLOSEST:

- HIGH QUALITY (HQ) WATER;
- HIGH QUALITY RESOURCE (HQR) WATER, OR;
- PROTECTED WATER AREA (PWA)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
ADDITIONAL SEPARATION DISTANCE OF 400 FEET	10		7.5	2.5

STAFF INTERPRETATION

Siting Information

Estimated	Distances
Ag Drainage	> one mile
Well*	534 ft
Surface Water*	4,849 ft
Major Water Source (River)*	3,600 ft
Major Water Source (Lake)*	> one mile
HQR/HQR Water*	> one mile
Designated Wetland	> 2,500 ft
Public Land	4,258 ft

Watersheds

110012	West Lateral-Farmers Ditch
110013	Monona-Harrison Ditch

*Estimated distances are less accurate for some features, please use measuring tools and/or field measurements to verify.

Proper AFO Siting

Data Source: Application & Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

Based on the IDNR mapping, staff concurs with the applicant's score of 10.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
ADDITIONAL SEPARATION DISTANCE OF 400 FEET	10		7.5	2.5

MATRIX ITEM #40

CONSTRUCTION PERMIT APPLICATION CONTAINS AN EMERGENCY ACTION PLAN

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
EMERGENCY ACTION PLAN	5		2.5	2.5

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 5.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
EMERGENCY ACTION PLAN	5		2.5	2.5

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

Date: 3/8/23

Weekly Agenda Date: 3/14/23

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

WORDING FOR AGENDA ITEM:

Approval of Construction Permit Application and Master Matrix Evaluation for the "Salix Farms, LLC" Confinement Feeding Operation

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board will review and consider approving a construction permit application for a confinement feeding operation which requires an evaluation using the Master Matrix.

BACKGROUND:

On Friday, February 17, 2023, the Woodbury County Board of Supervisors c/o the Woodbury County Auditor received a Construction Permit Application public notice from the Iowa Department of Natural Resources (IDNR) that was submitted by Salix Farms, LLC, via Nicholas J. Rowe, P.E. of ProAg Engineering, Inc. The applicants desire to construct and install an anaerobic digester system consisting of one steel 2.1 MG digester tank, sand separator building and gas processing building at the existing dairy cattle confinement facility in Woodbury County. The animal unit capacity of the confinement operation after construction will be unchanged at 3500 animal units (2500 head of mature dairy cattle).

The proposed location is at 2836 Eastland Ave., Sloan, IA 51055 on Parcel #864603100005 in the NW ¼ of Section 3, T86N R46W (Sloan Township). On Wednesday, February 22, 2023, a public notice was published in the legals section of the Sioux City Journal to comply with state regulations of publishing the request within a 14-day time-frame as well as to solicit written comments. As of the printing of this document, no written comments have been received from the public. Within the IDNR's 30-day application window, the Woodbury County Community and Economic Development (CED) staff conducted a joint site visit with the IDNR to evaluate the items from the "Master Matrix" on March 3, 2023.

The enclosed report analyzes the applicant's response to the matrix which is an instrument provided by the IDNR and adopted by Woodbury County to assess the feasibility of building a confinement structure containing over 1000 animal units (AU). Based on the items analyzed, the Woodbury County Community and Economic staff concurs with the applicant that this location is suitable for the placement of the proposed structures. Thus, it is the recommendation of staff to approve the proposal.

FINANCIAL IMPACT:

0

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

Yes No

RECOMMENDATION:

Approve the application and authorize the Chairman to sign the Board's scoring and recommendation letter to the Iowa Department of Natural Resources (IDNR) for the "Salix Farms, LLC" Confinement Feeding Operation.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the application and authorize the Chairman to sign the Board's scoring and recommendation letter to the Iowa Department of Natural Resources (IDNR) for the "Salix Farms, LLC" Confinement Feeding Operation.



February 17, 2023

Woodbury County Board of Supervisors
c/o County Auditor
Via facsimile and email

**REF: Public Notice, Matrix Evaluation and County's Recommendation Required
DNR's Facility ID No. 64623**

Dear Board of Supervisors:

The DNR has received a construction permit application for a confinement feeding operation:
Facility name: **Salix Farms, LLC Site**
Date received by the DNR: 02/17/2023

Under Iowa law, for this application the County is required to complete the following actions:

1. Publish a public notice (see example on page following this letter) in a newspaper having a general circulation in the county no later than 03/03/2023 (within 14 days of DNR's receipt of the application) and furnish proof of publication to the DNR:

Note: A public hearing is not required, but it is optional. However, if the board chooses to have a public hearing, it is recommended to include in the notice the date, time and place for the hearing.

2. Score the applicant's Master Matrix and submit the board's scoring and recommendation regarding this application. A sample cover letter is attached. The county must submit to the DNR all of the following:
 - A) A recommendation to approve or to disapprove the application.
 - B) The Boards scoring of the Matrix, including all supporting calculations.
 - C) Proof of publication of Public Notice.

Your recommendation and Matrix score must be received by the DNR no later than 03/20/2023 (30 days after DNR received the application).

NOTE: If the County does not submit the Matrix score and recommendation by the deadline, the DNR will not consider any subsequent County's scoring of the Matrix or recommendation until the next time the County is eligible to adopt a construction evaluation resolution.

3. The board may submit comments or may forward comments from the public, which must be **received** by DNR no later than 03/20/2023. Comments received after that date due will not be considered. Comments may include but are not limited to the following:

- a. The existence of an object or location not included in the application that benefits from a separation distance requirement as provided in section 459.202 or 459.204 or 459.310 of the Code of Iowa.
 - b. The suitability of soils and the hydrology of the site where construction of a confinement feeding operation structure is proposed.
 - c. The availability of land for the application of manure originating from the confinement feeding operation.
 - d. Whether the construction of a proposed confinement feeding operation structure will impede drainage through established tile lines, laterals, or other improvements which are constructed to facilitate the drainage of land not owned by the person applying for the construction permit.
4. The proof of publication, County's recommendation, a copy of the Matrix as scored by the board and any public comments must be **received** by IDNR no later than 03/20/2023. To ensure timely submittal, we recommend that you also **fax or scan and email** proof of publication, County's recommendation and a copy of the Matrix as scored by the board to:

Send to:

Iowa DNR
Field Office #3
1900 N Grand Ave
Gateway North, Suite E17
Spencer, IA 51301
Attn: Paul Petitti

Iowa DNR
Field Office #2
2300 15th St SW
Mason City, IA 50401
Attn: Cindy Garza

Paul.Petitti@dnr.iowa.gov
712/262-4177

Cindy.Garza@dnr.iowa.gov
641/424-4073

If you have any questions about this process, please contact Paul or Cindy.

Sincerely,

Field Services and Compliance Bureau



Paul Petitti



Woodbury County Board of Supervisors

Courthouse • Room 104
620 Douglas Street • Sioux City, Iowa 51101
Telephone (712) 279-6525 • Fax (712) 279-6577

MEMBERS

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SIOUX CITY

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JEREMY J. TAYLOR
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DENNIS BUTLER

ADMINISTRATIVE ASSISTANT
KAREN JAMES

EXECUTIVE SECRETARY / PUBLIC BIDDER
HEATHER SATTERWHITE

Woodbury County Master Matrix Scoring and Recommendation

The Woodbury County Board of Supervisors have reviewed the Master Matrix and Construction Permit Application for Salix Farms, LLC.

Public Notice was published on 2/22/23 and proof of publication is attached.

Matrix as scored by Woodbury County = 460 points. **Passing** / Failing (Circle One)

If the County scored matrix is different than submitted then the County scored matrix is attached with justifications

Supplemental letters or documentation is being sent to DNR

Upon review and inspection of construction site and documents provided, we the Woodbury County Board of Supervisors recommend the permit application be **Approved** / Disapproved (Circle One)

Comments or Reasons for Disapproval:

Signed:

Date:



WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov
 Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov
 Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

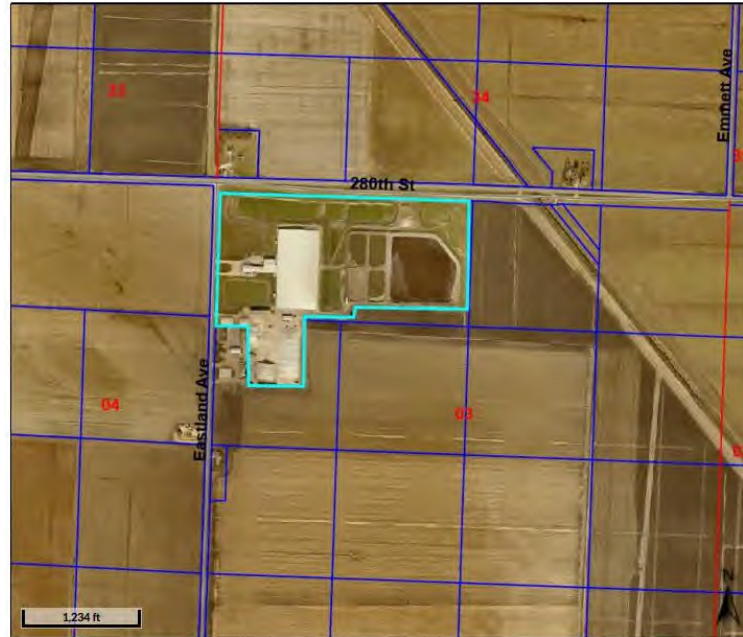
SALIX FARMS, LLC IDNR FACILITY #64623 PROPOSED ANAEROBIC DIGESTER WOODBURY COUNTY, IOWA

MASTER MATRIX ANALYSIS

MARCH 8, 2023

EXECUTIVE SUMMARY:

On Friday, February 17, 2023, the Woodbury County Board of Supervisors c/o the Woodbury County Auditor received a Construction Permit Application public notice from the Iowa Department of Natural Resources (IDNR) that was submitted by Salix Farms, LLC, via Nicholaus J. Rowe, P.E. of ProAg Engineering, Inc. The applicants desire to construct and install an anaerobic digester system consisting of one steel 2.1 MG digester tank, sand separator building and gas processing building at the existing dairy cattle confinement facility in Woodbury County. The animal unit capacity of the confinement operation after construction will be unchanged at 3500 animal units (2500 head of mature dairy cattle).



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Parcels

Parcel ID 864603100005 Alternate ID 694279 Owner Address SALIX FARMS LLP
 Sec/Twp/Rng 3-86-46 Class A PO BOX 1239
 Property Address 2836 EASTLAND AVE Acreage 80.7 TULARE, CA 93275-1239
 SLOAN

The proposed location is at 2836 Eastland Ave., Sloan, IA 51055 on Parcel #864603100005 in the NW ¼ of Section 3, T86N R46W (Sloan Township). On Wednesday, February 22, 2023, a public notice was published in the legals section of the Sioux City Journal to comply with state regulations of publishing the request within a 14-day time-frame as well as to solicit written comments. As of the printing of this document, no written comments have been received from the public. Within the IDNR’s 30-day application window, the Woodbury County Community and Economic Development (CED) staff conducted a joint site visit with the IDNR to evaluate the items from the “Master Matrix” on March 3, 2023.

The following report analyzes the applicant’s response to the matrix which is an instrument provided by the IDNR and adopted by Woodbury County to assess the feasibility of building a confinement structure containing over 1000 animal units (AU). Based on the items analyzed, the Woodbury County Community and Economic staff concurs with the applicant that this location is suitable for the placement of the proposed structures. Thus, it is the recommendation of staff to approve the proposal.

MATRIX SUMMARY

Matrix Item #	Applicant Score	Staff Score	Matrix Item # cont.	Applicant Score cont.	Staff Score cont.
1	100	100	12	30	30
2	30	30	17	30	30
3	30	30	19	20	20
5	30	30	20	30	30
6	10	10	25	25	25
7	30	30	29	10	10
8	15	15	35	10	10
9	25	25	40	5	5
10	30	30			
			Score	460	460

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

STATE OF IOWA
COUNTY OF WOODBURY

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


Woodbury County Community & Economic Development

620 DOUGLAS ST, 6TH FLOOR - DAN PRIESTLEY
SIOUX CITY IA 51101

ORDER NUMBER 56706

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

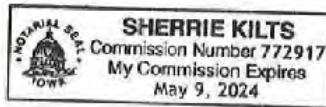
this 24th day of February, 2023.



Sherrie Kilts

Notary Public

In and for Woodbury County.

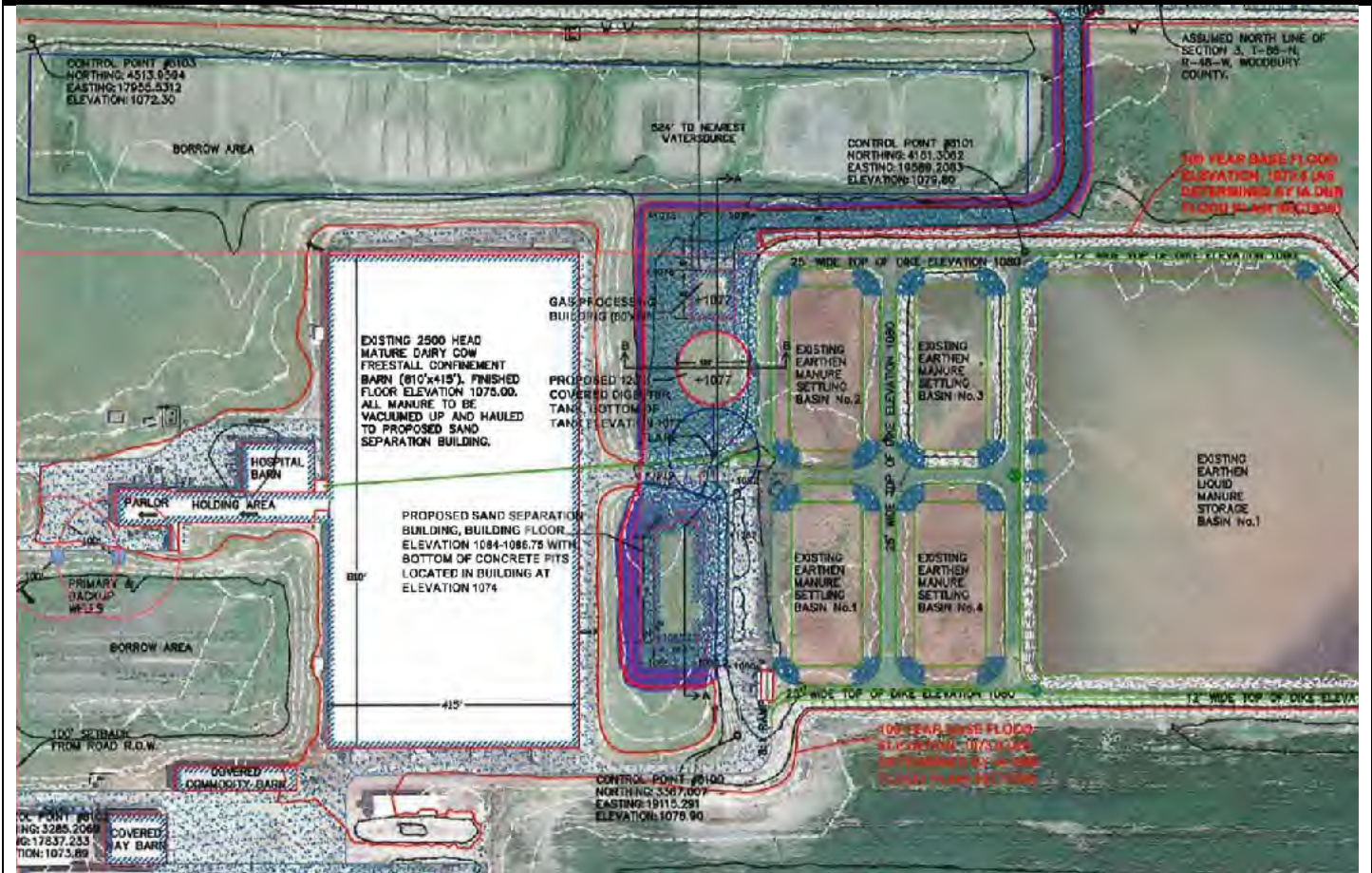


Section: Legal
Category: 015 Attorneys & Legals
PUBLISHED ON: 02/22/2023

TOTAL AD COST: 16.98
FILED ON: 2/24/2023

PUBLIC NOTICE
The Woodbury County Board of Supervisors, has received a construction permit application for a confinement feeding operation, more specifically described as follows:
Name of Applicant: Salix Farms, LLC
Location of the proposed construction: Section 3 of Sloan Township.
Type of confinement feeding operation structure proposed: A new Anaerobic Digester system consisting of one steel 2' IAG digester tank, some separator building and gas processing building at an existing dairy cattle confinement facility.
Animal Unit Capacity of the Confinement Operation after Construction: unchanged at 3500 animal units. (2500 head of mature dairy cattle)
Examination: The application is on file at the Woodbury County Auditor's Office in the Woodbury County Courthouse, located at 520 Douglas Street, Sioux City, IA 51101, Room 103, and is available for public inspection during the following days: Monday through Friday and hours: 8:00 am to 4:30 pm.
Comments: Written comments may be filed at the Woodbury County Auditor's Office, until the following deadline: March 13, 2023.

SITE PLAN EXCERPT



MATRIX ITEM #1

ADDITIONAL SEPARATION DISTANCE, ABOVE MINIMUM REQUIREMENTS, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST: RESIDENCE NOT OWNED BY THE OWNER OF THE CONFINEMENT FEEDING OPERATION; HOSPITAL; NURSING HOME, OR; LICENSED OR REGISTERED CHILD CARE FACILITY.

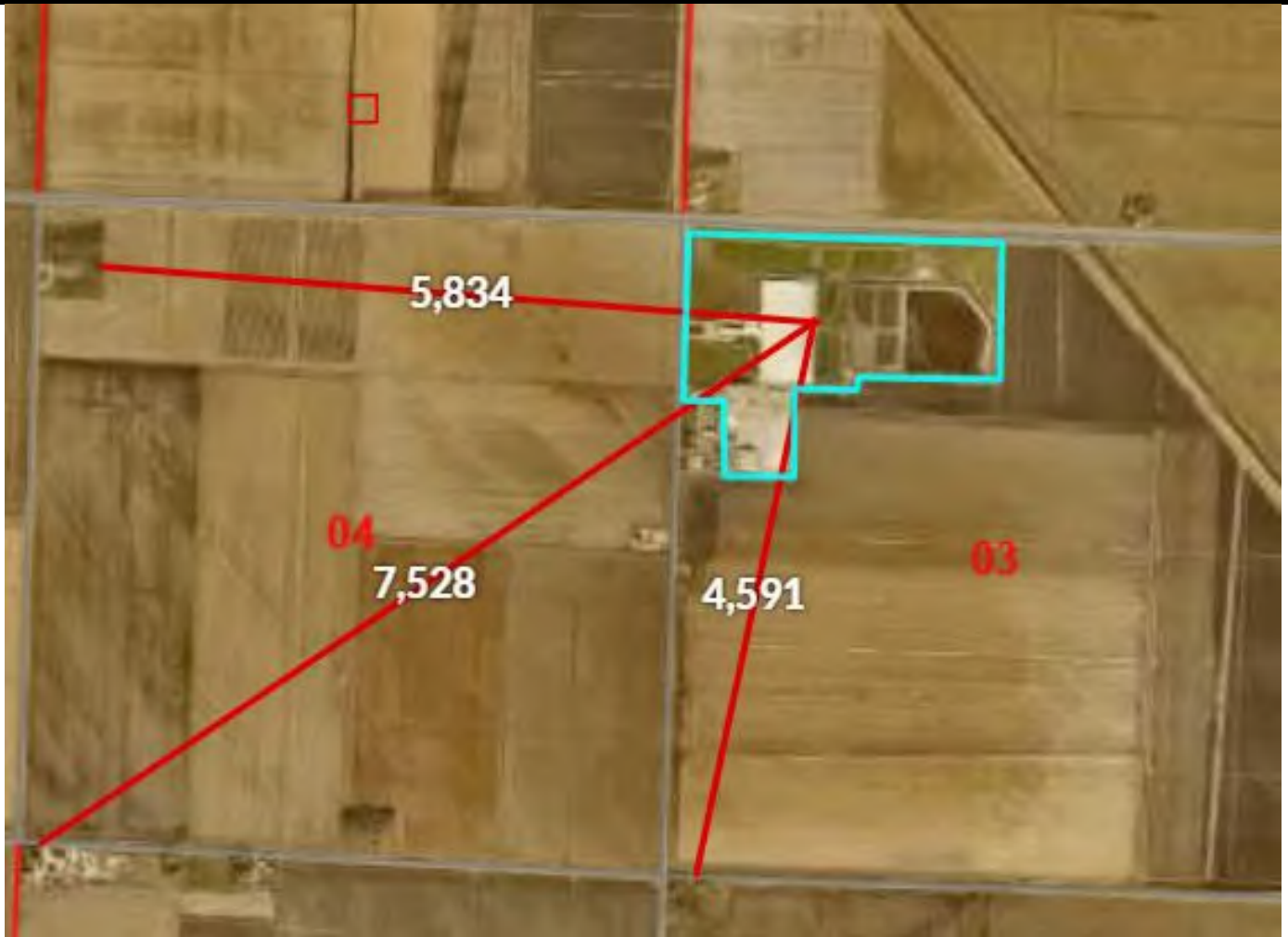
REQUIRED DISTANCE

2,375 feet (567 IAC 65.11(455B), Table 6)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
1,251 feet or more	100	65		35

STAFF INTERPRETATION



Data Source: Beacon - <https://beacon.schneidercorp.com/Application.aspx?AppID=10&LayerID=108&PageTypeID=1&PageID=969>

The proposed site is located about around 4,591 ft. from the nearest house not owned by the applicant. The minimum separation distance is 1,875 ft. The Community and Economic Development (CED) staff concurs with the applicant's score of 100 as there is about 2,716 ft. of additional separation.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
1,251 feet or more	100	65		35

MATRIX ITEM #2

ADDITIONAL SEPARATION DISTANCE, ABOVE MINIMUM REQUIREMENTS, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST PUBLIC USE AREA.

REQUIRED DISTANCE

2,375 feet (567 IAC 65.11(455B), Table 6)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
1,501 feet or more	30	12		18

STAFF INTERPRETATION



Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

The proposed site is located about 8,068 feet from Public Lands. The minimum separation distance is 2,500 ft. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
1,501 feet or more	30	12		18

MATRIX ITEM #3**ADDITIONAL SEPARATION DISTANCE, ABOVE MINIMUM REQUIREMENTS, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST:**

- EDUCATIONAL INSTITUTION
- RELIGIOUS INSTITUTION, OR
- COMMERCIAL ENTERPRISE

REQUIRED DISTANCE

2,375 feet (567 IAC 65.11(455B), Table 6)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
1,501 feet or more	30	12		18

STAFF INTERPRETATION

Staff has identified 32 properties within an 1,875 ft radius, none of which appear to be educational institutions, religious institutions, or commercial enterprises. It appears that the properties within this radius are zoned Agricultural Preservation (AP) and may include various farming operations.

There does not appear to be any educational institutions, religious institutions, or commercial enterprises within 1,875 ft of the proposed site. The minimum separation distance is 1,875 ft. Staff concurs with the applicant's score of 30.



Data Source: Woodbury County Beacon GIS

<https://beacon.schneidercorp.com/Application.aspx?AppID=10&LayerID=108&PageTypeID=1&PageID=969>
STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
1,501 feet or more	30	12		18

MATRIX ITEM #5

SEPARATION DISTANCE OF 300 FEET OR MORE FROM THE PROPOSED CONFINEMENT STRUCTURE TO THE NEAREST THROUGHFARE.

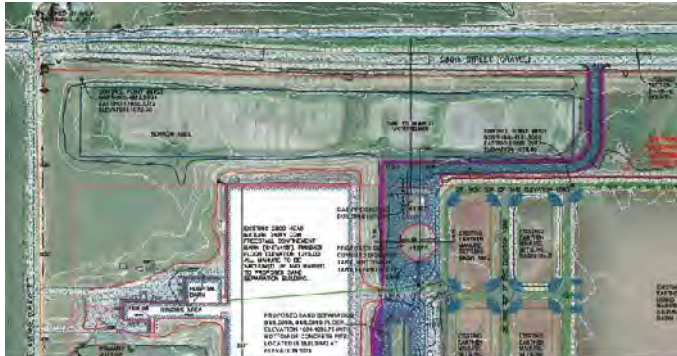
REQUIRED DISTANCE

100 feet (567 IAC 65.11(455B), Table 6, Other Distances)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
300 feet or more	30	9		21

STAFF INTERPRETATION



Applicant Submission Excerpt (see full site plan)



Beacon GIS

Data Source: Woodbury County Beacon

GIS, <https://beacon.schneidercorp.com/Application.aspx?AppID=10&LayerID=108&PageTypeID=1&PageID=969>

The location of the proposed site exceeds the 100 required feet from 280th Street and Eastland Avenue. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
300 feet or more	30	9		21

MATRIX ITEM #6

ADDITIONAL SEPARATION DISTANCE, ABOVE MINIMUM REQUIREMENTS, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST CRITICAL PUBLIC AREA

REQUIRED DISTANCE

3,000 feet (567 IAC 65.11(455B), Table 6)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
500 feet or more	10	4		6

STAFF INTERPRETATION

Location	
Location	-96.190064 42.298500
Alluvial Soils Present	Alluvial Aquifer
Karst Features	Not in potential karst area
Percent Slope	0 %
Estimated Distances	
Ag Drainage Well	> one mile
Well*	1,320 ft
Surface Water*	1,200 ft
Major Water Source(River)*	2,371 ft
Major Water Source(Lake)*	> one mile
HQ/HQR Water*	> one mile
Designated Wetland	> 2,500 ft
Public Land	8,498 ft
Watersheds	
HUC12	West Laterals-Farmers Ditch

Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

The site is greater than one mile in distance from a public use area. The proposed site is located greater than 8,000 feet from the Owego Wetland. The minimum separation distance is 3,000 ft. Staff concurs with the applicant's score of 10.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
500 feet or more	10	4		6

MATRIX ITEM #7

PROPOSED CONFINEMENT STRUCTURE IS AT LEAST TWO TIMES THE MINIMUM REQUIRED SEPARATION DISTANCE FROM ALL PRIVATE AND PUBLIC WATER WELLS.

REQUIRED DISTANCE

Private - 100 feet, Deep, 200 feet, Shallow / Public - 100 feet, Deep, 200 feet, Shallow (567 IAC 65.11(455B), Table 6, Distances to Wells)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
Two times the minimum separation distance	30		24	6

STAFF INTERPRETATION



Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

Based on Iowa DNR Mapping, it appears that any area wells exceed two times the required separation distance from the proposed structure. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
Two times the minimum separation distance	30		24	6

MATRIX ITEM #8

ADDITIONAL SEPARATION DISTANCE, ABOVE THE MINIMUM REQUIREMENT OF 1,000 FEET, FROM PROPOSED CONFINEMENT STRUCTURE TO THE CLOSEST:

- AGRICULTURAL DRAINAGE WELL
- KNOWN SINKHOLE
- MAJOR WATER SOURCE

REQUIRED DISTANCE

1,000 feet, (567 IAC 65.11(455B), Table 6, Other Distances)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
751 feet to 1,000 feet	15	1.5	7.5	6

STAFF INTERPRETATION

Siting Information

- Location: -96.190056, 42.298419
- Alluvial Soils Present: Alluvial Aquifer
- Karst Features: Not in potential karst area
- Percent Slope: 0 %
- Estimated Distances:
 - Ag Drainage Well: > one mile
 - Well*: 1,291 ft
 - Surface Water*: 1,275 ft
 - Major Water Source(River)*: 2,371 ft
 - Major Water Source(Lake)*: > one mile
 - HQ/HQR Water*: > one mile
 - Designated Wetland: > 2,500 ft
 - Public Land: 8,455 ft
- Watersheds: HUC12 West Laterals-Farmers Ditch

Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

Staff concurs with the applicant's score of 15.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
751 feet to 1,000 feet	15	1.5	7.5	6

MATRIX ITEM #9

DISTANCE BETWEEN THE PROPOSED CONFINEMENT STRUCTURE AND THE NEAREST CONFINEMENT FACILITY THAT HAS A SUBMITTED DEPARTMENT MANURE MANAGEMENT PLAN.

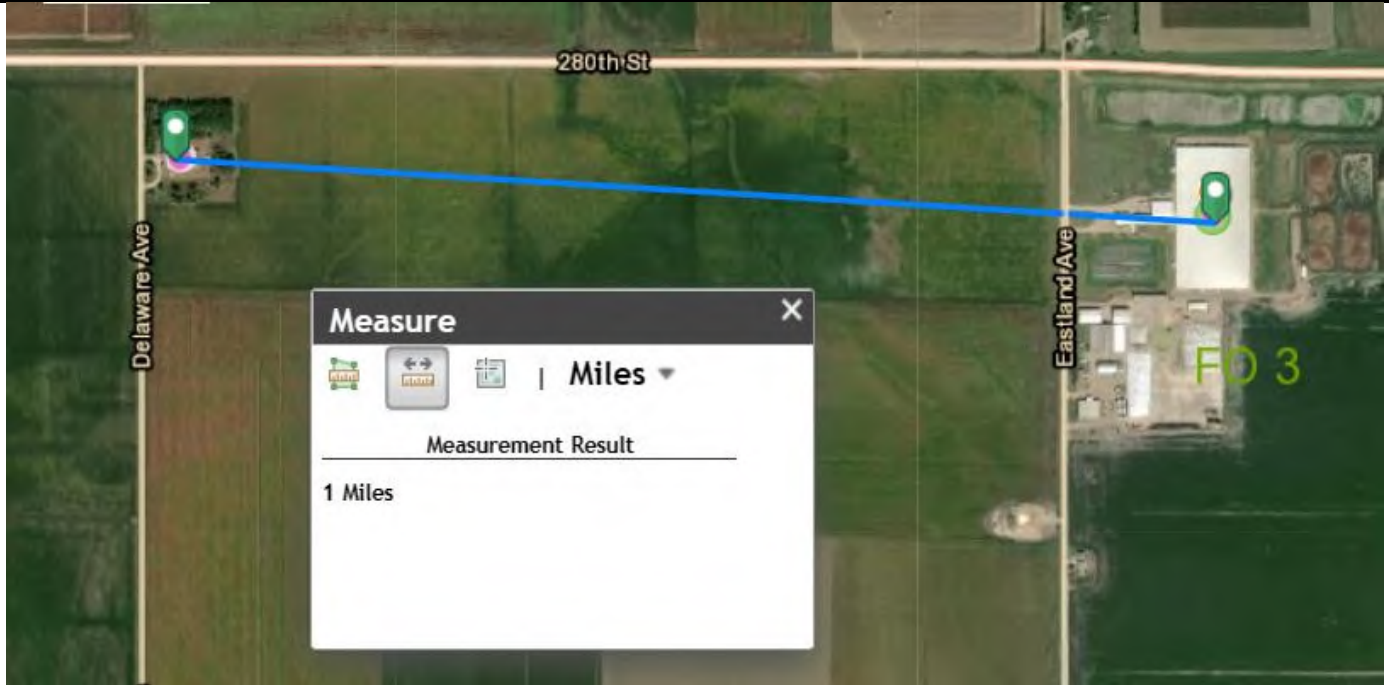
REQUIRED DISTANCE

3,960 feet

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
Three-quarter of a mile or more (3,960 feet)	25	7.5	7.5	10

STAFF INTERPRETATION



Data Source(s): Iowa DNR AFO Site Search, <https://programs.iowadnr.gov/animalfeedingoperations/FacilitySearch.aspx> & Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

The Lt. Pork LLC #65628 site is located approximately one (1) mile from the proposed site. This location has a MMP on file. Staff concurs with the applicant's score of 25.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
Three-quarter of a mile or more (3,960 feet)	25	7.5	7.5	10

MATRIX ITEM #10

SEPARATION DISTANCE FROM PROPOSED CONFINE STRUCTURE CLOSEST TO: HIGH QUALITY (HQ) WATERS; HIGH QUALITY RESOURCE (HQR) WATERS, OR; PROTECTED WATER AREAS

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
Two times the minimum separation distance	30		22.5	7.5

STAFF INTERPRETATION

Siting Information

- Location**: -96.190064, 42.298500
- Alluvial Soils Present**: Alluvial Aquifer
- Karst Features**: Not in potential karst area
- Percent Slope**: 0 %
- Estimated Distances**:
 - Ag Drainage Well: > one mile
 - Well*: 1,320 ft
 - Surface Water*: 1,200 ft
 - Major Water Source(River)*: 2,371 ft
 - Major Water Source(Lake)*: > one mile
 - HQ/HQR Water*: > one mile
 - Designated Wetland: > 2,500 ft
 - Public Land: 8,498 ft
- Watersheds**:
 - HUC12: West Laterals-Farmers Ditch

Current scale = 1:9,028

Iowa Department of Natural Resources | Mayor | Mayor | E

Data Source: Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

The proposed site is estimated to be greater than one (1) mile from a HG/HQR water source. Additionally, the distance to a major source river and/or lake is greater than one (1) mile. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
Two times the minimum separation distance	30		22.5	7.5

MATRIX ITEM #12**LIQUID MANURE STORAGE STRUCTURE IS COVERED****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
COVERED LIQUID MANURE STORAGE	30	27		3

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
COVERED LIQUID MANURE STORAGE	30	27		3

MATRIX ITEM #17**PROPOSED MANURE STORAGE STRUCTURE IS FORMED****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
FORMED MANURE STORAGE STRUCTURE	30		27	3

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
FORMED MANURE STORAGE STRUCTURE	30		27	3

MATRIX ITEM #19**PROPOSED CONFINEMENT SITE HAS A SUITABLE TRUCK TURNAROUND AREA SO THAT SEMITRAILERS DO NOT HAVE TO BACK INTO THE FACILITY FROM THE ROAD****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
TRUCK TURNAROUND	20			20

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 20.



Data Source: Application

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
TRUCK TURNAROUND	20			20

MATRIX ITEM #20**FACILITY SIZE****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
No history of Administrative Orders in last five years	30			30

STAFF INTERPRETATION

After review of the Iowa DNR's online database at: <https://programs.iowadnr.gov/animalfeedingoperations/FacilitySummary.aspx?FacilityId=64623>, there are no listed administrative orders in the last five years. Staff concurs with the applicant's score of 30.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
No history of Administrative Orders in last five years	30			30

MATRIX ITEM #25**CONSTRUCTION PERMIT APPLICATION INCLUDES LIVESTOCK FEEDING AND WATERING SYSTEMS THAT SIGNIFICANTLY REDUCE MANURE VOLUME****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
Wet/dry feeders or other feeding and watering systems that significantly reduce manure volume	25		12.5	12.5

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 25.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
Wet/dry feeders or other feeding and watering systems that significantly reduce manure volume	25		12.5	12.5

MATRIX ITEM #29**LAND APPLICATION OF MANURE DOES NOT OCCUR ON HIGHLY ERODIBLE LAND (HEL), AS CLASSIFIED BY THE USDA NRCS.****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
No manure application on HEL farmland	10		10	

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 10.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
No manure application on HEL farmland	10		10	

MATRIX ITEM #35

ADDITIONAL SEPARATION DISTANCE ABOVE MINIMUM REQUIREMENTS FOR LAND APPLICATION OF MANURE, TO THE CLOSEST:

- HIGH QUALITY (HQ) WATER;
- HIGH QUALITY RESOURCE (HQR) WATER, OR;
- PROTECTED WATER AREA (PWA)

APPLICANT RESPONSE

	SCORE	AIR	WATER	COMMUNITY
ADDITIONAL SEPARATION DISTANCE OF 400 FEET	10		7.5	2.5

STAFF INTERPRETATION

Siting Information

Location	-96.190064 42.298500
Alluvial Soils Present	Alluvial Aquifer
Karst Features	Not in potential karst area
Percent Slope	0 %
Estimated Distances	
Ag Drainage Well	> one mile
Well*	1,320 ft
Surface Water*	1,200 ft
Major Water Source(River)*	2,371 ft
Major Water Source(Lake)*	> one mile
HQ/HQR Water*	> one mile
Designated Wetland	> 2,500 ft
Public Land	8,498 ft
Watersheds	
HUC12	West Laterals-Farmers Ditch

Current scale = 1:9,028

Iowa Department of Natural Resources | Mavor | Mavor | E

Data Source: Application & Iowa DNR Mapping Online, <https://programs.iowadnr.gov/maps//afo>

Based on the IDNR mapping, staff concurs with the applicant's score of 10.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
ADDITIONAL SEPARATION DISTANCE OF 400 FEET	10		7.5	2.5

MATRIX ITEM #40**CONSTRUCTION PERMIT APPLICATION CONTAINS AN EMERGENCY ACTION PLAN****APPLICANT RESPONSE**

	SCORE	AIR	WATER	COMMUNITY
EMERGENCY ACTION PLAN	5		2.5	2.5

STAFF INTERPRETATION

Based on the application materials, staff concurs with the applicant's score of 5.

STAFF SCORE

	SCORE	AIR	WATER	COMMUNITY
EMERGENCY ACTION PLAN	5		2.5	2.5

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

Date: 03/08/2023

Weekly Agenda Date: 03/14/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Patrick Gill, County Auditor

WORDING FOR AGENDA ITEM:

Receive petition and bond from the city of Salix for establishment of a new drainage district and appoint an engineer.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The city of Salix has filed a petition for the establishment of a drainage district. The board should receive the petition and bond for the district and appoint a drainage engineer.

BACKGROUND:

The Board's responsibilities for drainage district establishment are outlined in Chapter 468 of the Iowa Code. If the board finds the petition and bond in order, the Board should appoint a disinterested engineer to prepare a survey and report for the Board.

The Board may appoint Patrick Mouw of V and K Engineering as the engineer for the drainage district. As presented at the February 7 meeting of the Board of Supervisors, he has been working on the design of improvements proposed for the district on behalf of the City of Salix.

FINANCIAL IMPACT:

The Board of Supervisors will have to pay up front costs for the engineering work to establish the new drainage district. The fees paid by the Board can be assessed to the drainage district upon formation. The drainage district is filing a bond for establishment expenses as one of the next steps in the process. A fund source for the fees will have to be identified until reimbursement can be arranged.

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:

The Board may accept the petition and bond and appoint a drainage engineer.

ACTION REQUIRED / PROPOSED MOTION:

Motion to accept the petition and bond presented by the City of Salix for the establishment of a new drainage district.

Motion to appoint a drainage engineer to prepare a report for the Board of Supervisors as required by section 468.10 of the Code of Iowa. Said engineer shall be directed to prepare a contract for the work as provided in 468.10(2) for board approval.

CITY OF SALIX
PO BOX 240
Salix, IA 51052



JAN 9 2023

JAN 9 2023 PM 1:15
JAN 9 2023 PM 1:10

November 14, 2022

Woodbury County Board of Supervisors
Attention: Pat Gill
620 Douglas Street
Sioux City, Iowa 51101

RE: Petition for the Establishment of a Drainage District

Dear Mr. Gill,

The City of Salix has been notified by the Famers Drainage District that the pumping agreement that has been in place since May 11th, 1984 will terminate in December 2023 and will not be renewed. This leaves the City of Salix and the surrounding area with no natural outlet for their stormwater runoff. Without an outlet for the stormwater, the City and surrounding areas will have flooding issues that could result in damage to homes, streets, utilities, and farmground.

The City of Salix has been working with Veenstra & Kimm, Inc. and has had discussions with County Engineer, Mark Nahra, to determine a potential route for a new drainage ditch. The drainage ditch would start at the intersection of 280th Street and S. Tama Street then going west along 280th Street to the existing drainage channel near Port Neal Road that drains into Snyder Bend (See Attached Map).

After the drainage district has been created the City of Salix would request that the Woodbury County Board of Supervisors transfer control of the drainage district to the City of Salix per Iowa Code Chapter 468.322.


We, the undersigned petitioners, respectfully request that the Woodbury County Board of Supervisors work with the City of Salix and Veenstra & Kimm, Inc. to establish a new Salix Drainage District per Iowa Code Chapter 468.

Per Iowa Code 468.8 this petition includes:

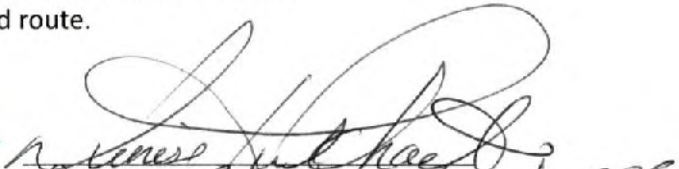
1. See attached map for the lands that may have potential improvements created by the new drainage ditch.
2. Due to no natural outlet for stormwater runoff, the City of Salix and surrounding areas will be subject to flooding.

Kevin Nelson, Mayor Denise Burkhart, Mayor Pro Tem
Council Members: Karen Allen, Emily Clayton, Donnie Nelson, Cindy VanAuken


3. Creating the new drainage ditch will alleviate flooding and provide drainage which will promote public benefit, utility, health, convenience, or welfare.
4. See the attached map for the proposed route.



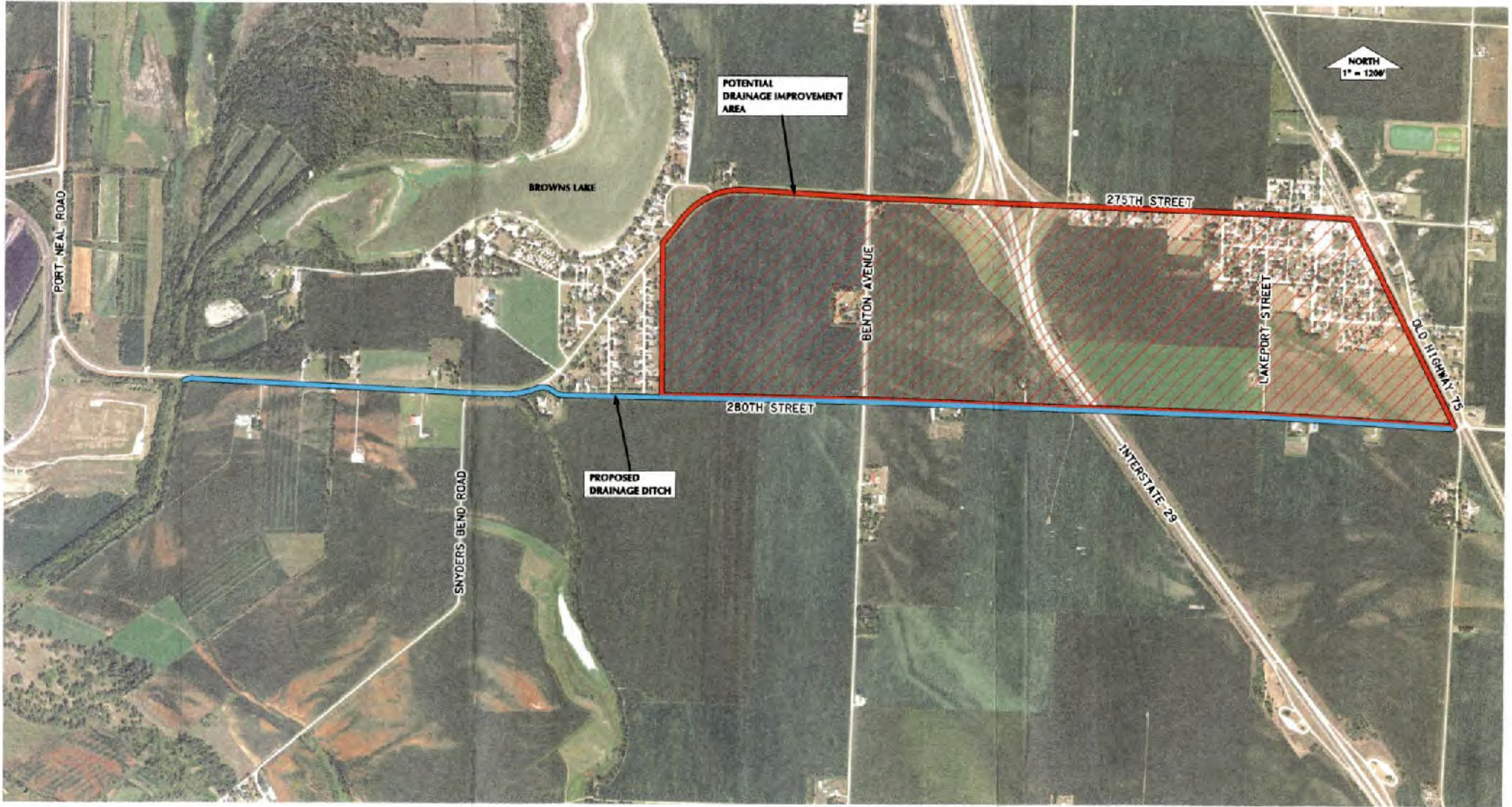
KEVIN NELSON, MAYOR



Denise Burkhardt - Landowner



GREG JOEHUM, LANDOWNER



DATE PLOTTED: 05/05/2014 10:00 AM
 DRAWN BY: J. KIMM
 PROJECT: SALIX, IOWA

VK
VEENSTRA
& KIMM INC.

SALIX, IOWA
 PROPOSED DRAINAGE IMPROVEMENTS
 FIGURE 1

FINANCIAL GUARANTEE BOND

KNOW ALL MEN BY THESE PRESENTS, That

City of Salix, Iowa as Principal
and NGM Insurance Company, as Surety, a company organized under the laws of the State of Florida,
and licensed to do business in the State of Iowa, as Surety, are held and firmly bound unto

Woodbury County Board of Supervisors as Obligee, in the total penal sum of
Fifty Thousand and no/100 (\$ 50,000)

lawful money of the United States of America, for which sum well and truly to be paid, said Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

WHEREAS, the said Principal has entered into a written agreement to:

pay Veenstra & Kimm, Inc. engineer costs for the Salix Drainage Improvements located at the intersection of 280th Street and S Tama Street then going east along 280th street to the existing drainage channel near Port Neal Road that drains into Snyder Bend

NOW, THEREFORE, the condition of this obligation is such that, the Obligee having performed its obligations under an agreement between Principal and Obligee dated Feb. 7, 2023, if the above named Principal shall pay to the Obligee the sums required in said agreement, then this bond shall be null and void; otherwise to remain in full force and effect.

Further, regardless of the number of years this bond shall remain in force the aggregate liability of Surety hereunder shall never exceed the penal sum of this bond.

This bond shall be effective as of Feb. 23, 2023 and shall continue in full force and effect until cancelled by the Surety after giving written notice to the Obligee at least thirty (30) before the effective date of the cancellation.

IN WITNESS WHEREOF, the parties hereto have hereunto affixed their hands and seal this 23rd day of February, 2023.

Principal: City of Salix, Iowa

BY: *Kevin Nelson*
Kevin Nelson, Mayor

Surety: NGM Insurance Company

BY: *Zach Matter*
Zach Matter, Attorney-in-Fact





KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them. "

does hereby make, constitute and appoint **Ryan Swalve, Zach Matter, Zach Mefferd, Havilah Watson** -----

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

- 1. **No one bond to exceed Five Million Dollars (\$5,000,000)**

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By:

Kimberly K. Law

Kimberly K. Law
Vice President, General
Counsel and Secretary



State of Florida,
County of Duval.

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 7th day of January, 2020.

Lois K. Penton



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 23 day of February, 2023.

Nancy Giordano-Ramos

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.
TO CONFIRM VALIDITY of the attached bond please call 1-800-223-5646
TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.



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

Date: 3/8/2023

Weekly Agenda Date: 3/14/2024

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: County Auditor Pat Gill

WORDING FOR AGENDA ITEM:

County Parking Plan Approval for FY23.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Previously, the Board has designated the county auditor to present a parking plan for County Officials each fiscal year for their approval. Attached is the plan for the FY24.

BACKGROUND:

FINANCIAL IMPACT:

The change to the plan has no 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:

Approve the parking plan.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the Fiscal Year 23-24 County Parking Plan.

FISCAL YEAR 24-25 WOODBURY COUNTY PARKING PLAN

There are thirty parking spots located on county property attached to the courthouse, the Law Enforcement Center and the building services building (Old Eagles Club).

There are two parking spots located within the courthouse footprint. One is designated for the use of the Budget/Tax Analyst position. The balance of this area is a designated loading zone that is used for transferring prisoners for the court system and courthouse deliveries.

The Law Enforcement Center has a parking lot on the north side of the building. There are twenty-one parking spots in this lot.

On the north side of this lot are twelve spots, these all are signed Official County Parking. Starting from the west, the first seen are designated as Judicial Branch Parking. The five remaining spots to the east of those are designated for the Sheriff’s Office. Located on the south side of the lot, starting from west, are nine spots, the first three are parallel to the building and are designated for the use of associate district court judges. The next six are designated for use by the Sheriff’s Office.

The building services building (Old Eagles Club), has parking for seven vehicles immediately to the east of the building. Starting from the south, the first three are designated and signed for three county owned building services vehicles. Immediately to the north of those is a spot designated for use by a Sheriff Office transport vehicle. The next spot to the north is designated for the use of the County Treasurer. To the north of that is a spot designated for use by the juvenile detention center director and the last is designated as a loading zone controlled by building services.

The Sheriff’s Office will obtain placards from the City of Sioux City for the Supervisors use at meters located near the courthouse.

The county will lease additional spots in the Williges Parking facility for district court judges, elected officials and county owned vehicles and equipment. These spots are approved by the Board of Supervisors during the annual county budget process.

All complaints about unauthorized use of these designated parking places will be directed to the Building Services Department for resolution and if vehicles are to be towed, the Sheriff’s Office will be contacted for assistance.

Adopted _____

Chairperson _____ Attestation _____

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

Date: 03/08/2023 Weekly Agenda Date: 03/14/2023

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

WORDING FOR AGENDA ITEM:

Consider approval of a project agreement with Iowa DOT for project numbered IM-029-6(278)139--13-97 and IM-029-6(170)139--0E-97

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Iowa DOT has prepared an agreement for performing design work on a new I-29 interchange near mile point 138. To allow the project to be accelerated, I bring it before the board again.

BACKGROUND:

The Iowa DOT is proposing to perform design, right of way acquisition, and construction engineering on a new interchange with I-29 near 235th Street south of Sioux City. The estimated total project cost will be financed by the county. To allow the project to be accelerated to FY 2026 construction, design work needs to begin as soon as possible. Approving the agreement allows work to start.

FINANCIAL IMPACT:

The estimated project cost for the right of way acquisition is \$2,600,000. The estimated cost of the construction of the interchange is \$25,200,000 to be funded with TIF and any grants that can be obtained by the county. SIMPCO MPO awarded \$2,030,000 for the project last week.

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:

The City-County agreement is being reviewed by the cities. The MPO has programmed STBG money for the project with city support. To allow the project to be programmed in the Iowa DOT and Woodbury County Five Year programs, the preconstruction agreement needs to be approved in time for programming prior to April 15th. Recommend that the board approve the project agreement

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the project agreement for project IM-029-6(278)139--13-97 and IM-029-6(170)139--0E-97 and direct the chair to sign said agreement.

- b. If it becomes necessary to temporarily close LPA side roads during construction, the DOT will furnish and install the required barricades and signing for the closure at project cost and shall remove same upon completion of the project also at no expense or obligation to the LPA. The DOT will work in close cooperation with the LPA and the contractor to accommodate emergency services and local access across the project during construction. Any detours which may be necessary for project related LPA road closures will be the responsibility of the LPA all at no expense or obligation to the DOT.
- c. If this project causes the temporary closure of a road during construction, the DOT shall meet with the LPA to determine whether said closure(s) will cause increased traffic on other LPA roads. The DOT and the LPA shall determine a plan, and the costs thereof, for the LPA to perform dust control on said LPA roads with increased traffic, should dust control become necessary. In that event, the LPA shall inform the DOT prior to performing said dust control. The DOT shall reimburse the LPA for the cost of said dust control measures following the receipt of a bill for the agreed upon costs (see Iowa Code section 313.4 subsection 1.b.).

4. Right of Way and Permits

- a. The DOT will be responsible for the coordination of utility facility adjustments for the primary road project.
- b. In connection with this project any real estate and rights to real estate necessary for right of way at the connection of any public road and a primary highway project, any access road or frontage road, or any permanent utility easements which are or which will be under the jurisdiction of the LPA may be acquired by the DOT, for and in the name of the LPA. Where acquired by contract the LPA will receive title from the contract seller and the LPA will accept title thereto. Where acquired by condemnation, a single joint condemnation proceeding will be instituted by the DOT to acquire real estate or rights in real estate needed by the LPA for the LPA and to acquire real estate or rights in real estate needed by the DOT for the DOT.

5. Construction & Maintenance

- a. Upon completion of the project, no changes in the physical features thereof will be undertaken or permitted without the prior written approval of the DOT.
- b. Future maintenance of the primary highway within the project area will be carried out in accordance with the terms and conditions contained in Instructional Memorandum 7.110.

6. General Provisions

- a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.
- b. The LPA will comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as required by Iowa Code Chapter 216. No person will, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any

July 2014

program or activity for which State funds are used.

- c. It is the intent of both (all) parties that no third party beneficiaries be created by this Agreement.
- d. This Agreement is contingent upon the project being approved by the Iowa Transportation Commission for inclusion in the Iowa Transportation Improvement Program. The schedule for ROW and construction will be based on the fiscal year the project is placed in the Iowa Transportation Improvement Program. If the project is not approved for inclusion in the Iowa Transportation Improvement Program by the June 2025 Transportation Commission meeting, this Agreement will be considered void.
- e. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.
- f. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
- g. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

July 2014

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2023-P-052 as of the date shown opposite its signature below.

BOARD OF SUPERVISORS OF WOODBURY COUNTY:

By: _____ Date _____, 20___.
Chairperson

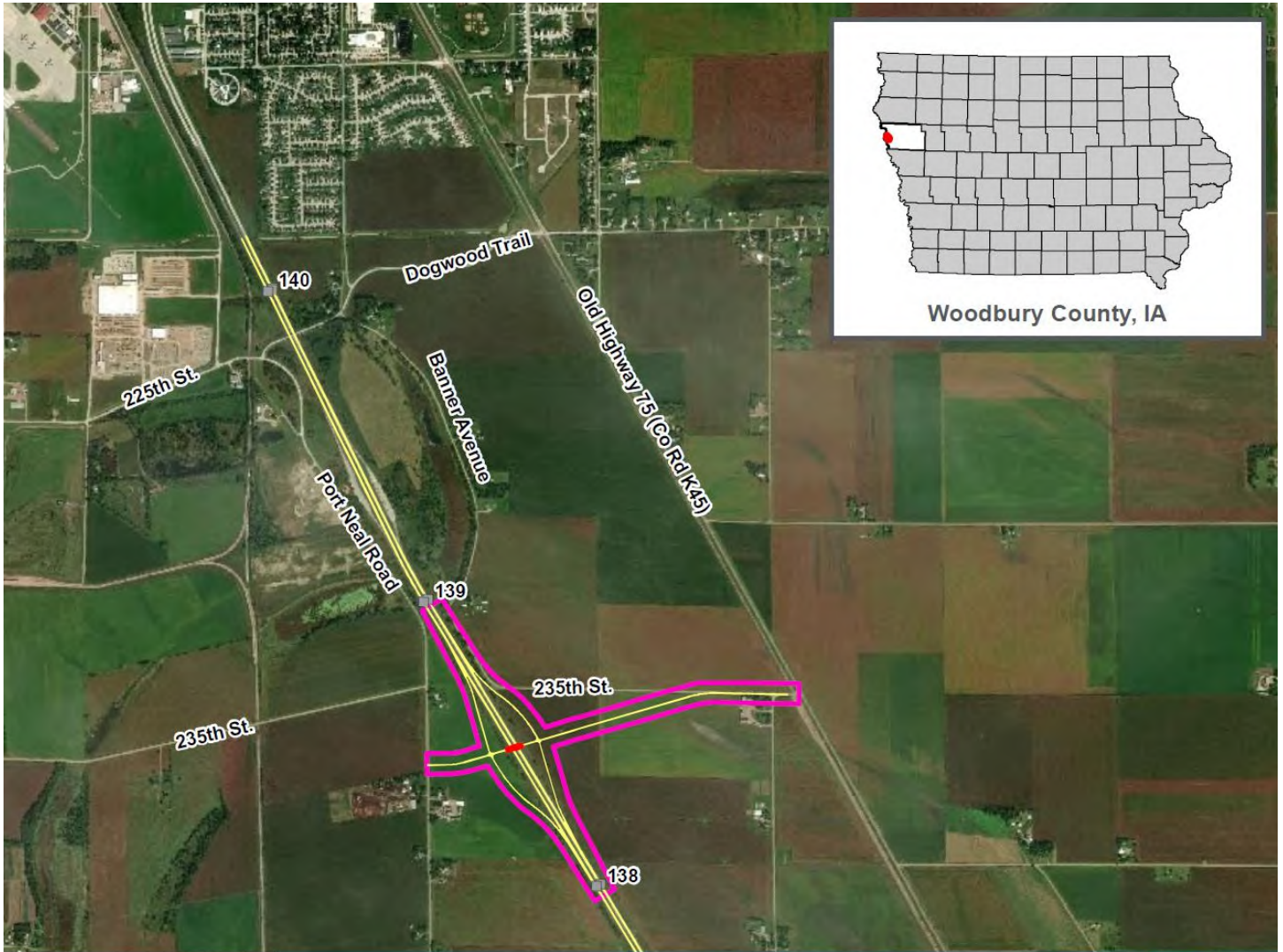
ATTEST:

By: _____
County Auditor

IOWA DEPARTMENT OF TRANSPORTATION:

By: _____ Date _____, 20___.
Jessica Felix, P.E.
District Engineer
District 3

Exhibit A - Project Location and Preliminary Layout



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

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:

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

Date: 3/7/2023 Weekly Agenda Date: 3/14/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dennis Butler - Finance/Budget Director

WORDING FOR AGENDA ITEM:

Approval of the purchase for 5 Sheriff vehicles in FY23 that will be budgeted in FY24

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Sheriff's Office has 5 new vehicles that are budgeted in FY24, they have become available for purchase now.

BACKGROUND:

The Board of Supervisors approving using ARPA Funds for this purchase but are now being requested to change the funding to FY23 using CIP Funds.

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:

Approve the funding re-allocations.

ACTION REQUIRED / PROPOSED MOTION:

Motion by____, second by____ to approve the funding source from ARPA funding to FY23 CIP Funds for the new 5 Sheriff vehicles.

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

Date: 3/7/2023 Weekly Agenda Date: 3/14/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dennis Butler - Finance/Budget Director

WORDING FOR AGENDA ITEM:

Approval to amend the amount of ARPA Funds approved for the Conservation & Emergency Services radios

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The action requested is to reduce the approved obligation of \$344,000 down to \$162,745. This is a reflection after bids received.

BACKGROUND:

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

Approval the amended reduction in the use of ARPA Funds

ACTION REQUIRED / PROPOSED MOTION:

Motion by____, second by____ to amend ARPA Funds obligated for Conservation & Emergency Services radios from \$344,000 down to \$162,745.

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

Date: 3/7/2023 Weekly Agenda Date: 3/14/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dennis Butler - Finance/Budget Director

WORDING FOR AGENDA ITEM:

Approval of amending a previously obligated ARPA Funds for Trospen-Hoyt emergency repairs to \$200,000

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

On 2/7/23 the board obligated \$292,750 for emergency repairs at the Trospen/Hoyt Building. The total cost is going to be \$200,000 now which includes engineering fees for the project.

BACKGROUND:

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

Approve the amended ARPA Funds obligation.

ACTION REQUIRED / PROPOSED MOTION:

Motion by____, second by____ to reduce the previously approved ARPA Funds for the Trospen/Hoyt emergency repairs from \$292,750 to \$200,000.

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

Date: 3/7/2023 Weekly Agenda Date: 3/14/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dennis Butler - Finance/Budget Director

WORDING FOR AGENDA ITEM:

Approval of obligating \$30,000 from ARPA Funds for Life Pack heart monitors

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

There is a need to update Life Pack heart monitors for Emergency Services. This is replacing Life Pack heart monitors that are outdated.

BACKGROUND:

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

Approval of Life Pack heart monitors from ARPA Funds.

ACTION REQUIRED / PROPOSED MOTION:

Motion by____, second by____ to obligate ARPA Funds in the amount of \$30,000 to replace the outdated Life Pack heart monitors for Emergency Services.

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

Date: 3/7/2023 Weekly Agenda Date: 3/14/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dennis Butler - Finance/Budget Director

WORDING FOR AGENDA ITEM:

Approval to re-allocate funds for the purchase of cameras & tasers for the Sheriff's Office

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The board obligated \$987,840 for updated Sheriff's cameras/tasers to be funded by FY23 CIP.

BACKGROUND:

After consult with Ahlers Law Firm, it has been determined that \$300,000 can be funded by FY23 CIP and the balance of \$687,840 be funded by ARPA Funds.

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:

Approve the reallocation.

ACTION REQUIRED / PROPOSED MOTION:

Motion by____, second by____ to amend the funding of the Sheriff's cameras and tasers by obligating \$300,000 to FY23 CIP and \$687,840 to ARPA Funding.

ARPA Report
 March 7, 2023
 4th Quarter Expenditures

Revenues:

From Federal Government:

May 19, 2021 1st half Allocation	10,013,663
June 9, 2022 1st half Allocation	10,013,663
	<u>20,027,326</u>

Total Revenues

20,027,326

Disbursements:

Expended:

ARPA 1	County Union Contract Employees Retention \$1,000 each (2-15-22)	258,295	Cat 4.1
ARPA 2	1st Allocation - Standard Allowance (Revenue 2-15-22)	-	Cat 6.0
ARPA 3	FY 23 Non-Profits (02-15-22):		
	Gaming - Meals on Wheels	6,380	Cat 2.34
	L.O.S.T. - SIMPCO Housing	10,235	Cat 2.34
	Western Iowa Tourism	500	Cat 2.34
	Siouxland Reg. Convention, Tourism	20,000	Cat 2.34
		<u>37,115</u>	
ARPA 4	District Health Public Health & Economic Impact (2-15-22)	1,291,264	Cat 1.2
ARPA 5	Conservation Water & Sewer Project (5-17-22)	-	Cat 5.18
ARPA 6	Sheriff's Correctional Officers FY 23 (6-26-22)	222,699	Cat 3.1
ARPA 7	S.R. Road Maintenance CWA Union Workers FY 23 (8-23-22)	57,771	Cat 3.1
ARPA 8	EMS Employees FY 23 (8-23-22)	22,701	Cat.3.1
ARPA 9	Auditor & Treasurer Appointed Deputies FY 23 (8-23-22)	17,414	Cat. 4.1
ARPA 10	Administrative Fees - Baker Group (8-30-22)	5,200	Cat. 7.1
ARPA 10	Administrative Fees - UHY Consulting (6-14-22)	4,450	Cat 7.1
ARPA 11	Moville Medical Clinic (8-30-22)	-	Cat 2.34

Obligated:

ARPA 2	1st Allocation - Standard Allowance (Revenue 2-15-22)	10,000,000	Cat 6.0
ARPA 3	FY 23 Non-Profits (02-15-22):		
	Gaming - Meals on Wheels	6,380	Cat 2.34
	L.O.S.T. - SIMPCO Housing	-	Cat 2.34
	Western Iowa Tourism	-	Cat 2.34
	Siouxland Reg. Convention, Tourism	-	Cat 2.34
		<u>6,380</u>	
ARPA 5	Conservation Water & Sewer Project (5-17-22)	800,000	Cat 5.18
ARPA 6	Sheriff's Correctional Officers FY 23 (6-26-22), (Amended 2-7-23)	122,301	Cat 3.1
ARPA 7	S.R. Road Maintenance CWA Union Workers FY 23 (8-23-22)	57,229	Cat 3.1
ARPA 8	EMS Employees FY 23 (8-23-22)	30,208	Cat 3.1
ARPA 10	Administrative Fees - Baker Group (8-30-22)	4,800	Cat. 7.1
ARPA10	Administrative Fees - UHY Consulting (6-14-22)	67,550	Cat 7.1
ARPA 11	Moville Medical Clinic (8-30-22)	250,000	Cat 2.34
ARPA 12	2nd Allocation - Justice Center Projects (1-18-22)	4,200,000	?
ARPA 13	FFE & - Justice Center Center (12-7-22)	941,000	Cat. 3.4
ARPA 14	28th Street Sewer Project (3-14-23) Moved to FY 23 CIP	0	0

ARPA 15	County Attorney 4% FY 23 and FY 24 (1-24-23)	109,164	Cat. 3.1
ARPA 16	County Attorney Retention Pay (1-24-23)	25,836	Cat. 4.1
ARPA 17	County Attorney Internship (1-24-23)	10,000	Cat. 3.4
ARPA 18	Conservation & Emergency Services Radio's (2-7-23)	162,745	Cat. 3.4
ARPA 19	Trospher/Hoyt Emergency Repairs (2-7-23) (Amended 3-14-23)	200,000	Cat. 3.4
ARPA 20	(New) Emergency Services Extraction Equipment (3-14-23)	30,000	Cat. 3.4
ARPA 21	(New) Sheriff's Tasers & Radio's (3-14-23)	687,840	Cat. 3.4
Total Approved Obligated		19,621,962	

Unobligated ARPA Funds

405,364

ARPA Projects and Descriptions in **Bold** Represents ARPS Project Completed.

FY 2023 CIP

3/8/2023

	ECP #	INITIAL CIP	APPROVED	EXPENSES	REMAINING APPROVED	REMAINING BORROWED	REMAINING
CH 210 Remodel	1	55,000.00	55,000.00	47,284.93	7,715.07	(55,000.00)	(47,284.93)
LEC Network	1	170,000.00	-	-	-	-	-
WCICC Annual	1	150,000.00	150,000.00	-	150,000.00	(150,000.00)	-
WCICC AP's	1	48,000.00	48,000.00	-	48,000.00	(48,000.00)	-
WCICC Storage	1	30,000.00	30,000.00	-	30,000.00	(30,000.00)	-
WCICC iSeries	1	50,000.00	50,000.00	-	50,000.00	(50,000.00)	-
SDH Skylight	1	67,701.00	-	-	-	-	-
GENERAL OBLIGATION LOAN NOTES	1	10,000.00	10,000.00	-	-	-	-
Elk Creek Road	2	251,060.00	251,060.00	-	251,060.00	(251,060.00)	-
28st St Sewer	2	444,447.00	-	-	-	-	-
ES Truck 205	3	60,000.00	-	-	-	-	-
Sheriff Vehicles	4	276,330.00	-	-	-	-	-
Cameras/Tasers	5	300,000.00	300,000.00	244,677.72	55,322.28	(300,000.00)	(244,677.72)
		1,912,538.00	894,060.00	291,962.65	592,097.35	(884,060.00)	(291,962.65)

1	580,701.00
2	695,507.00
3	60,000.00
4	276,330.00
5	300,000.00
TOTAL	1,912,538.00

Cancelled or moved to ARPA

WCICC IT Generator	CANCEL	450,000.00	-	-	-	-	-
TH Carpet	CANCEL	50,000.00	-	-	-	-	-
SDH Caulking	CANCEL	15,000.00	-	-	-	-	-
SDH Fire Sprinkler	CANCEL	7,000.00	-	-	-	-	-
ES Tuckpointing	CANCEL	120,000.00	-	-	-	-	-
ES Sidewalk	CANCEL	25,000.00	-	-	-	-	-
TH Structural Repair	ARPA 19	200,000.00	-	-	-	-	-
ES Extrication Equipment	ARPA 20	30,000.00	-	-	-	-	-
Cameras/Tasers	ARPA 21	687,840.00	-	-	-	-	-