



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(APRIL 4) (WEEK 14 OF 2023)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Daniel A. Bittinger II
389-4405
dbittinger@woodburycountyiowa.gov

Mark Nelson
540-1259
mnelson@woodburycountyiowa.gov

Keith W. Radig
560-6542
kradig@woodburycountyiowa.gov

Jeremy Taylor
259-7910
jtaylor@woodburycountyiowa.gov

Matthew A. Ung
490-7852
matthewung@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held April 4, 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 for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

AGENDA

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

2. Approval of the minutes of the March 28, 2023 meeting
3. Approval of claims
4. Deputy Commissioner of Elections – Steve Hofmeyer
 - a. Receive the appointment of June M. Hall as the Little Sioux Township clerk
 - b. Receive the appointment of Paul Frahm as the Little Sioux Township trustee
5. County Auditor – Patrick Gill

Approval of Liquor License Application for Scarecrow Farm, Lawton

6. Human Resources – Melissa Thomas
Approval of Memorandum of Personnel Transactions

End Consent Agenda

7. Hungry Canyons Alliance – John Thomas
Discussion of the Hungry Canyons Alliance Program Information
8. Planning/Zoning – Daniel Priestley
 - a. Receive the final staff report and the Zoning Commission’s recommendation from their 3/27/23 meeting to approve the final plat of Kerr Addition, a minor subdivision to Woodbury County, Iowa Action
 - b. Accept and approve the Kerr Addition, a minor subdivision to Woodbury County, Iowa Action
9. Secondary Roads – Mark Nahra
Approval of resolution in opposition to changes to local option sales and service tax changes – SF 550 Action
10. Board of Supervisors – Keith Radig
Approval to direct Zoning to evaluate solar power in Woodbury County Action
11. Reports on Committee Meetings Information
12. Citizen Concerns Information
13. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

MON., APRIL 3	6:00 p.m.	Board of Adjustment meeting, First Floor Boardroom
WED., APRIL 5	10:00 a.m.	Western Iowa Tourism Region Meeting, TBA
	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
THU., APRIL 6	12:00 p.m.	SIMPCO Regional Policy & Legislative Affairs Committee, Hybrid
WED., APRIL 12	7:30 a.m.	SIMPCO Executive-Finance Committee Meeting, Hybrid
	8:05 a.m.	Woodbury County Information Communication Commission, First Floor Boardroom
	10:00 a.m.	STARComm Board Meeting, The Security Institute, WIT Campus
	10:00 a.m.	Western Iowa Tourism Region Meeting, TBA
	12:00 p.m.	District Board of Health Meeting, 1014 Nebraska St.
THU., APRIL 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
WED., APRIL 19	12:00 p.m.	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
	10:00 a.m.	StarComm, Security Institute, WIT
THU., APRIL 20	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
FRI., APRIL 21	12:00 p.m.	Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
MON., APRIL 24	6:00 p.m.	Zoning Commission Meeting, First Floor Boardroom
WED., APRIL 26	1:00 p.m.	Annual Hazardous Materials Response Commission Meeting, The Security Institute
	2:30 p.m.	Rolling Hills Community Services Region Governance Board Meeting
THU., APRIL 27	11:00 a.m.	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St.
MON., MAY 1	6:00 p.m.	Board of Adjustment meeting, First Floor Boardroom
WED., MAY 3	10:00 a.m.	Loess Hills Alliance Protection Meeting, Pisgah, Iowa
	11:00 a.m.	Loess Hills Alliance Stewardship Meeting
	1:00 p.m.	Loess Hills Alliance Executive Meeting
	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.

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.

MARCH 28, 2023, THIRTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, March 28, 2023, at 4:30 p.m. Board members present were Bittinger II, Nelson, Taylor, Ung, and Radig. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Resources Director, and Michelle Skaff, Deputy 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 Ung second by Taylor to approve the agenda for March 28, 2023. Carried 5-0. Copy filed.
Motion by Ung second by Radig to approve the following items by consent:
2. To approve minutes of the March 21, 2023 meeting. Copy filed.
3. To approve the claims totaling \$484,126.88. Copy filed.
4. To receive for signatures a Resolution Thanking and Commending Sneha Virippil for her years of services with Woodbury County.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,569
A RESOLUTION THANKING AND COMMENDING
SNEHA VIRIPPIL
FOR HER SERVICE TO WOODBURY COUNTY**

WHEREAS, Sneha Virippil has capably served Woodbury County as an employee of the Siouxland District Health for 28 years from July 31, 1995 to April 11, 2023

WHEREAS, the service given by Sneha Virippil as a Woodbury County employee, has been characterized by her dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Sneha Virippil for her years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Sneha Virippil.

BE IT SO RESOLVED this 28th day of March 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

5. To approve the appointment of Ricky Carver, Civilian Jailer, County Sheriff Dept., effective 04-03-23, \$23.33/hour. Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.33/hour.; the appointment of Imelda Aguilar, Civilian Jailer, County Sheriff Dept., effective 04-03-23, \$23.33/hour. Job Vacancy Posted 2-6-23. Entry Level Salary: \$23.33/hour.; and the appointment of Gabe Madsen, Deputy Sheriff, County Sheriff Dept., effective 05-01-23, \$30.86/hour. Appointment by County Sheriff. Copy filed.
6. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Bradley Church, 2301 Villa Ave, Sioux City, parcel #894730201008.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,570
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

WHEREAS, Bradley Church, is the titleholder of property located at 2301 Villa Ave., Sioux City, IA, Woodbury County, Iowa, and legally described as follows:

Parcel #894730201008

HORNICKS 3RD LOTS 12-13-14 BLOCK 50

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

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

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

SO RESOLVED this 28th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Carried 5-0.

7a. Motion by Radig second by Ung to award the bid for project #BRS-C097(147)—60-97 to Dixon Construction. Carried 5-0. Copy filed.

7b. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution bid award and designation and authorization of County Engineer for electronic signature of contract and bond. Carried 5-0.

**BID AWARD AND DESIGNATION AND AUTHORIZATION OF
COUNTY ENGINEER FOR ELECTRONIC SIGNATURE OF CONTRACT AND
BOND
RESOLUTION #13,571**

WHEREAS, the Board of Supervisors has received bids for the project captioned herein, and,

WHEREAS, the board has considered the bids and concurs with the Iowa DOT and the County Engineer’s recommendation to award the contract to the lowest responsible bidder, and:

WHEREAS, time is of the essence in locking in material prices in a rapidly changing cost environment currently being experienced by contractors and road agencies across the state, the Board is directing the County Engineer to electronically sign the contracts and bonds for the following project upon presentation of completed documents meeting contract requirements for the following project:

**BRS-C097(147)—60-97
Bridge Replacement, County route D12/110th Street**

NOW, THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors hereby awards the bid and directs the County Engineer is directed to electronically sign the contracts and bonds for the above captioned project upon presentation of final contract documents.

Passed and approved this 28th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

7c. Bid letting was held for project #CP-2023. The bids are as follows:

Metal Culverts, Inc., Maryville, MO	\$86,441.14
TrueNorth Steel, Fargo, ND	\$130,137.24

Motion by Radig second by Nelson to receive the bids. Carried 5-0.

7d. Motion by Radig second by Nelson to award the bid for project #CP=2023 to Metal Culverts, Inc. for \$86,441.14. Carried 5-0. Copy filed.

14. Motion by Taylor second by Bittinger to approve a letter to Iowa Utilities Board regarding eminent domain. Carried 5-0. Copy filed.

8a. A public hearing was held at 4:40 p.m. for authorization of a Loan Agreement and the Issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

8b. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$600,701 General Obligation Capital Loan Notes (ECP #1). Carried 5-0.

RESOLUTION #13,572
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$600,701 GENERAL OBLIGATION CAPITAL LOAN
NOTES (ECP #1)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$600,701 General Obligation Capital Loan Notes (ECP #1), for the essential county purposes, in order 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, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$600,701 General Obligation Capital Loan Notes (ECP #1), for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 28th day of March, 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

9a. A public hearing was held at 4:42 p.m. for authorization of a Loan Agreement and the Issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

9b. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2). Carried 5-0.

**RESOLUTION #13,573
RESOLUTION PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$662,969 GENERAL OBLIGATION CAPITAL LOAN
NOTES (ECP #2)**

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2), for the essential county purposes, in order 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, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2), for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 28th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

10a. A public hearing was held at 4:44 p.m. for authorization of a Loan Agreement and the Issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

- 10b. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$60,000 General Obligation Capital Loan Notes (GCP #3). Carried 5-0.

RESOLUTION #13,574
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$60,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES (GCP #3)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$60,000 General Obligation Capital Loan Notes (GCP #3), for the general county purposes, in order 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 has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$60,000 General Obligation Capital Loan Notes (GCP #3), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 28th day of March, 2023.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 11a. A public hearing was held at 4:46 p.m. for authorization of a Loan Agreement and the Issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

- 11b. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$276,330 General Obligation Capital Loan Notes (GCP #4). Carried 5-0.

RESOLUTION #13,575
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$276,330 GENERAL OBLIGATION CAPITAL LOAN
NOTES (GCP #4)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting

and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$276,330 General Obligation Capital Loan Notes (GCP #4), for the general county purposes, in order 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 has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$276,330 General Obligation Capital Loan Notes (GCP #4), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 28th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

12a. A public hearing was held at 4:48 p.m. for authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

12b. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (GCP #5). Carried 5-0.

RESOLUTION #13,576
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES (GCP #5)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (GCP #5), for the general county purposes, in order 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 has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$300,000 General Obligation Capital Loan Notes (GCP

#5), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 28th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

13a. A public hearing was held at 4:50 p.m. to levy General Basic property tax rate which exceed statutory maximum. The Chairperson called on anyone wishing to be heard.

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

13b. Motion by Ung second by Taylor to approve and authorize the Chairperson to sign a Resolution authorizing the issuance of \$1,900,000 General Obligation Capital Loan Notes, Series 2023A, and levying a tax for the payment thereof. Carried 5-0.

RESOLUTION #13,577
REESOLUTION AUTHORIZING THE ISSUANCE OF
\$1,900,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES, SERIES 2023A, AND LEVYING A TAX FOR THE
PAYMENT THEREOF

WHEREAS, Woodbury County, State of Iowa ("Issuer"), is a political subdivision, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of (a) 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; (b) 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; (c) 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; (d) 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 (e) 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 (the "Project"), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, Series 2023A, in the amount of \$1,900,000 be issued; and

WHEREAS, the Board of Supervisors has taken such acts as are necessary to authorize issuance of the Notes.

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

Section 1. Authorization of the Issuance. General Obligation Capital Loan Notes, Series 2023A, in the amount of \$1,900,000 shall be issued pursuant to the provisions of Iowa Code Sections 331.402, 331.442, 331.443 and 331.445 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76, there is levied for each future year the following direct annual tax upon all the taxable property in Woodbury County, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$444,250.08	2023/2024
\$434,264.00	2024/2025
\$420,698.00	2025/2026
\$407,132.00	2026/2027
\$393,566.00	2027/2028

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Notes to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Woodbury, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Notes.

PASSED AND APPROVED this 28th day of March, 2023.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 13c. A public hearing was held on proposed Fiscal Year 2024 budget. The Chairperson called on anyone wishing to be heard.
 Motion by Taylor second by Radig to close the public hearing. Carried 5-0.
- 13d. Motion by Radig second by Taylor to reduce the Sheriff jail medical by \$218,335. Carried 5-0.
 Motion by Taylor second by Ung to reduce the Sheriff motor vehicle purchases by \$276,330. Carried 5-0.
 Motion by Ung second by Taylor to increase the General Basic, organized sheriff deputies, by \$10,906. Carried 5-0.
 Motion by Ung second by Taylor to increase general supplemental, organized sheriff deputies, by \$316. Carried 5-0.
 Motion by Ung second by Radig to increase rural basic, organized sheriff deputies, by \$4,275. Carried 5-0.
 Motion by Ung second by Bittinger to approve the compensation committee recommendation. Carried 3-1; Radig opposed; Taylor abstained due to conflict of interest.
 Motion by Ung second by Taylor to approve and authorize the Chairperson to sign a Resolution approval of FY 2023/2024 budget and certification of taxes. Carried 4-1; Radig opposed.

WHEREAS, the Woodbury County Board of Supervisors has considered the proposed FY 2023/2024 county budget and certification of taxes, and

WHEREAS, a public hearing concerning the proposed county budget was held on March 28, 2023,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Woodbury County that the county budget and certificate of taxes for FY 2023/2024 as set forth in the budget summary, is hereby adopted and that the Woodbury County Auditor is directed to file said budget and to establish accounting records in accordance with the attached schedules.

BE IT FURTHER RESOLVED that the Chairperson and the County Auditor be and are hereby authorized to sign the approved FY 2023/2024 county budget.

Signed and dated this 28th day of March, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 15a. Motion by Taylor second by Bittinger to approve one-time funding of \$108,894 for Certain Employees Under Collectively Bargained Contracts to receive one-time ARPA Funding and direct HR Director to engage in MOU Process. Carried 3-2; Radig, Ung opposed. Copy filed.
- 15b. Supervisors Taylor/Nelson presented information regarding RAGBRAI. Copy filed.
- 16. Motion by Taylor second by Nelson to allocate \$296,000 of remaining county ARPA funds towards the Little Sioux Park Campgrounds sewer project. Carried 5-0. Copy filed.

Vicki Hulse, Merville, Jana Martens, Merville, and Doyle Turner, Merville expressed support and information regarding funding the sewer project.
- 17. Reports on committee meetings were heard.
- 18. Jana Martens, Merville, and Vicki Hulse, Merville, expressed concerns regarding the pipelines.

Doyle Turner, Merville, expressed concerns regarding Jeremy Taylor rescinding from voting on the compensation committee.

Kenny Schmitz, Building Services, shared information regarding the Climbing Hill EMS facility.
- 19. Board concerns were heard.

The Board adjourned the regular meeting until April 4, 2023.

Meeting sign in sheet. Copy filed.

NOTICE OF APPOINTMENT TO FILL A VACANCY

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

From: June M. Hall School/City/Township/
Township Clerk Extension/Soil & Water
Secretary/Clerk
03/29/2023 Date

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

For the office of Clerk - Township
Name June M. Hall
Address 205 W. Main St.
City/Zip Smithland, Iowa 51056
Date of appointment 01-01-23

This appointment is to fill the office previously held by:

~~June M. Hall~~ Brad Steinhoff
(Name of previous official)

RETURN TO: Patrick F. Gill
Woodbury County Commissioner of Elections
620 Douglas St, Rm 103
Sioux City, IA 51101

NOTICE OF APPOINTMENT TO FILL A VACANCY

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

From: June M Hall School/City/Township/
Township Clerk Extension/Soil & Water
03/29/2023 Secretary/Clerk
Date

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

For the office of Trustee
Name Paul Frahm
Address 3317 Lee Ave,
City/Zip Smithland, Iowa 51056
Date of appointment 1-1-23

This appointment is to fill the office previously held by:

Paul Frahm Scott Blakely
(Name of previous official)

RETURN TO: Patrick F. Gill
Woodbury County Commissioner of Elections
620 Douglas St, Rm 103
Sioux City, IA 51101

**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 29, 2023

Subject: Liquor License Application for the Scarecrow Farm, Lawton, Iowa.

Please approve and receive for signature, an application for a 12-month, Special Class C Retail Liquor License, with Outdoor Service privileges, for the Scarecrow, Lawton, Iowa. The license would be effective 06/01/23 through 05/31/24.



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
TODD SHUMANSKY	SCARECROW FARM			
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
1592 CHARLES AVE		LAWTON	WOODBURY	51030
MAILING ADDRESS	CITY	STATE	ZIP	
1592 CHARLES AVE	LAWTON	Iowa	510308074	

Contact Person

NAME	PHONE	EMAIL
TODD SHUMANSKY	7122533463	toddshumansky@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Special Class C Retail Alcohol License	12 Month	Submitted to Local Authority

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
June 1, 2023	May 31, 2024	

SUB-PERMITS

Special Class C Retail Alcohol License



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Outdoor Service

Status of Business

BUSINESS TYPE

Sole Proprietor

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
TODD SHUMANSKY	SIOUX CITY	Iowa	511088007	owner	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

June 1, 2023

POLICY EXPIRATION DATE

May 31, 2024

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: April 4, 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
Voigt, Easton	County Sheriff	4-10-23	Civilian Jailer	\$23.33/hour		A	Job Vacancy Posted 2-6-23. Entry Level Salary: \$18.22/hour.
Turner, Susan	County Treasurer	4-17-23	Clerk II	\$18.22/hour		A	Job Vacancy Posted 3-1-23. Entry Level Salary: \$18.22/hour.
Newman, Preston	County Sheriff	4-17-23	Sheriff Deputy	\$30.86/hour	16%= \$4.31/hour	R	Per CWA Deputy Sheriff Contract agreement, from Class 2 to Class 1.
Sopoci, Brenda	Juvenile Detention	4-17-23	Youth Worker	\$29.56/hour	6.5%= \$1.81/hour	R	Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 5 to Grade 1/Step 6.
Butler, Dennis	Board Administration	7-01-23	Budget & Finance Director	\$118,793.06/year	5%= \$5,656.81/yr	R	Salary Increase post Cost of Living Increase.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas HR Director

Karen James

From: John Thomas <john.t.thomas@goldenhillsrca.org>
Sent: Monday, March 27, 2023 2:26 PM
To: Karen James; Pat Gill
Cc: Mark Nahra
Subject: Request to be on the Board of Supervisors Agenda
Attachments: HCA_summary&photos.pdf

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

I would like to be placed on the Board of Supervisors agenda for the meeting on Tuesday, April 4th to briefly discuss the Hungry Canyons Alliance program. I last met with the Board of Supervisors in January 2019. Funding has already been requested for this year; this is simply an educational visit.

The Hungry Canyons Alliance addresses the problem of stream channel degradation in a 19-county area of the deep loess soils region of western Iowa. To prevent damage to public and private infrastructure (bridges, culverts, utility lines, etc.), loss of farmland, and increased sediment loads, we provide cost share and technical assistance to build grade control structures in streams.

Attached is a three-page handout that I'll talk through when I meet with the Board. Will you put this in a packet for them, or should I just bring copies, and if so, how many?

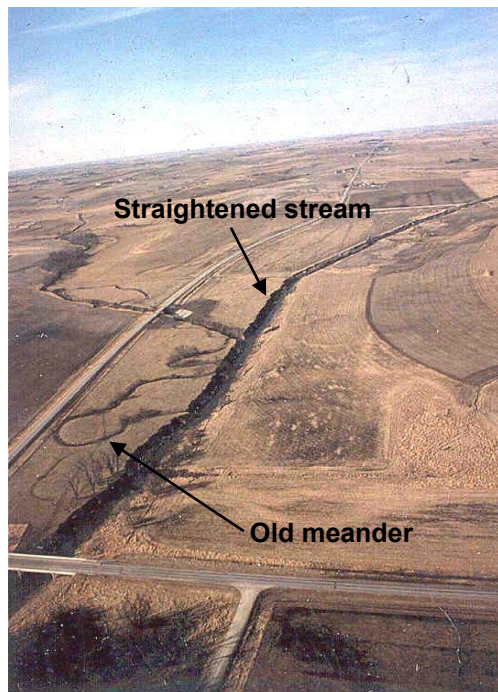
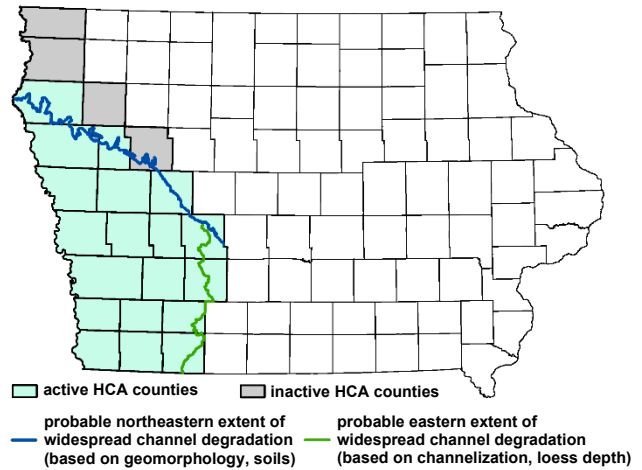
Thanks, John

=====
John Thomas, Project Director and Fluvial Geomorphologist
Hungry Canyons Alliance
Golden Hills RC&D Office
712 S. Hwy. 6 & 59 P.O. Box 189 Oakland, IA 51560-0189
Ph: 712-482-3029 Fax: 712-482-5590 Cell: 402-250-3293
Email: john@goldenhillsrca.org
<http://www.goldenhillsrca.org/hungry-canyons-alliance.html>

HUNGRY CANYONS ALLIANCE – Dec 2022 Update

The Problem

The Hungry Canyons Alliance (HCA) was formed locally to research and implement solutions to the problem of stream channel erosion and degradation in a 19 county area of the deep loess soils region of western Iowa. Channelization of streams and land use changes during the first half of the 1900's caused stream channels to erode, causing an estimated \$1.1 billion in damages to public and private infrastructure (bridges, culverts, utility lines, etc.), loss of farmland, and increased sediment loads. A 2013 survey of county infrastructure in western Iowa revealed that a total of 415 bridges, culverts, and flumes were still endangered due to stream channel degradation. Golden Hills RC&D in Oakland, Iowa helped to form and currently provides office space and administrative assistance to the HCA.



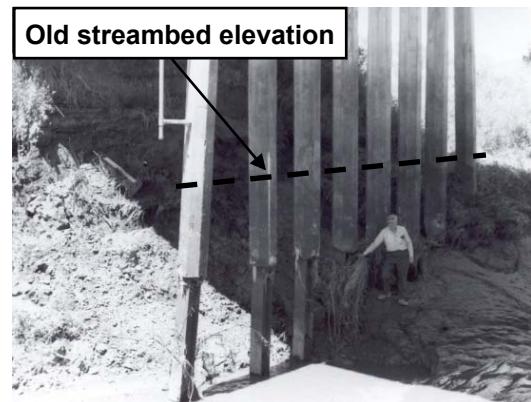
Straightened versus meandering stream. (Walnut Creek, Pottawattamie County).

The Solution

A proven, affordable solution to this problem is to build grade control structures in streams. Grade control structures (GCS) at regular intervals help streams stabilize by changing their longitudinal profile from an erosive steep incline to a stable stair-step pattern. Streambed stabilization is the key to preventing further erosion and protecting infrastructure. GCS design is largely dependent on drainage area. Small drainage areas can often be controlled with reinforced concrete box (RCB) or corrugated metal pipe (CMP) culverts with drop inlets and/or flume outlets. Large drainage areas are often controlled with weirs constructed with steel sheet pile driven into the streambed, with a riprap and concrete grout slope immediately downstream, a loose riprap stilling basin downstream of the weir slope, and loose riprap covered banks. Both RCB/CMP and weir designs allow the stream elevation to drop in a controlled setting, restore lost stream grade, prevent further degradation, and reduce streambed slope upstream. This creates a calm backwater condition where silt can settle out, decreasing sediment loads and turbidity and increasing water quality. Sediment re-deposited upstream then helps support formerly exposed bridge pilings and stabilize eroded streambanks.

The Savings

The HCA provides state and federal money available to the 19 counties through a cost share program for grade control structures (GCS). County governments provide a minimum of 20% match for each GCS. Since 1992, the program has provided \$27 million in state and federal appropriations and the technical assistance needed to complete 421 GCS in 19 counties in western Iowa. Another 11 GCS are in progress. These GCS will protect an estimated \$100.8 million in property value. It is estimated that 827.5 acres of land, equivalent to 24.6 million tons of sediment, will be protected from erosion by construction of the 432 GCS. HCA grade control structures, with an average cost of \$66,182,



Bridge endangered by exhumation of pilings.

protect approximately \$233,346 in property per GCS. **For every \$1 invested in HCA grade control structures, on average more than \$4.26 of property value and 0.91 tons of sediment are protected from streambed degradation.** During FY 2022, the HCA completed construction on eight GCS, and obligated cost share to six new projects.

A second HCA program provides funding to landowners where grade control is necessary to stabilize active gully erosion. This program is funded with the interest earned from state appropriations. This program has built 131 structures, and approved another one, with cost share totaling \$901,426.

The HCA has quarterly meetings at which issues concerning stream erosion and streambed stabilization are discussed. Tours show firsthand which aspects of past GCS designs have worked and which haven't while also highlighting new techniques which can be used to enhance future GCS performance. Regular attendees include county engineers and supervisors, NRCS & DNR employees, SWCD commissioners, consultants, contractors, and landowners.

Over 1,500 GCS of all types have been constructed in 19 western Iowa counties by county governments, the HCA, NRCS, NRCS-EWP, SWCD, Iowa DOT, cities, utility (water, gas, telephone, electric, etc.) companies, railroad companies, Army Corps of Engineers, Iowa DNR, and landowners. This is the greatest concentration of GCS anywhere in the world due to the loess soils, highly altered unstable stream system, high drainage density, and high road density. With so many GCS located in one area, western Iowa has been referred to as a "laboratory" for GCS design. And because western Iowa is still experiencing streambed degradation, the HCA is one of the unheralded leaders in innovative GCS research, design, and construction.



Top: 4 foot high sheet pile weir with a 1:20 grouted riprap slope in Crawford County. Bottom: RCB flume with 25 feet of fall in Fremont County.

Matching Federal Funding for Flood Recovery

Heavy precipitation in May 2007 and June 2008, and again in March and June of 2019, resulted in widespread stream channel damage and destroyed county road infrastructure. However, in the investigations that followed, FEMA, NRCS, and county road departments all reported that GCS directly reduced infrastructure and channel damage costs and the number of FEMA program claims, and infrastructure protected by GCS suffered no damage. Although some GCS suffered minor damage, these damages were minimal compared to the potential total loss of infrastructure that could have resulted without the GCS.

Federal NRCS-EWP funding became available after the disaster declarations; so in order to complete as many projects as possible and reduce the counties' burden to 15% match, the HCA provided 10% match (using state cost share) for all EWP projects which provided grade control or were directly associated with existing GCS projects. Between September 2008 and January 2011, **72 GCS projects were completed at a cost of \$12.84 million. The HCA provided \$1.28 million in cost share**, the EWP program \$9.50 million, and the sponsor counties \$2.05 million. In 2020-2021, **69 GCS projects were completed at a cost of \$10.66 million. The HCA provided \$1.07 million in cost share**, the EWP program \$8.05 million, and the sponsor counties \$1.55 million.

HCA Research

Completed HCA research projects include design of GCS to provide fish passage, use of scrap tires in GCS, aerial stream video and classification of western Iowa streams, factors controlling knickpoint migration, and the use of directional drilling in small watershed GCS projects. Ongoing research projects include experimenting with new bank stabilization techniques and measuring nutrient loads from eroding streambanks to quantify the impact of channel stabilization projects. Partners in these projects include: NRCS, Iowa DOT Highway Research Board, IIHR-Hydroscience and Engineering at the University of Iowa, Natural Resource Ecology and Management Department at Iowa State University, Civil Engineering Department at Iowa State University, Iowa DNR, US Geological Survey, and US Fish and Wildlife Service.



Old weir before



New weir after



Greenwood before



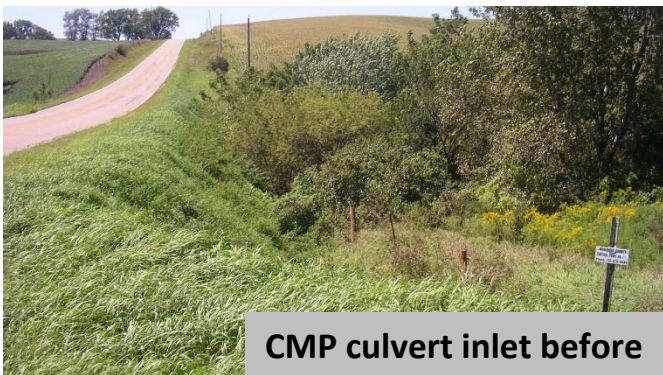
RCB flume after



Bridge before



Drop inlet after



CMP culvert inlet before



Drop inlet after

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

Date: 3/29/23

Weekly Agenda Date: 4/4/23

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

WORDING FOR AGENDA ITEM:

a.Motion to receive the final staff report and the Zoning Commission's recommendation from their 3/27/23 meeting to approve the final plat of Kerr Addition, a minor subdivision to Woodbury County, Iowa.

b.Motion to accept and approve the Kerr Addition, a minor subdivision to Woodbury County, Iowa.

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:

K&L Legacy Farms, LLC (Peter Kerr & Jean Kerr) have filed for a two (2) lot minor subdivision on the property identified as Parcel #884735100002. This proposal has been property noticed in the Sioux City Journal Legals Section on March 11, 2023. The neighbors within 1000 FT have been duly notified via a March 10, 2023 letter about the March 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 23-06 on February 28, 2023. The property 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 and is recommended by staff. On March 27, 2023, the Woodbury County Zoning Commission voted 3-0 to recommend the acceptance and approval of the Kerr Addition to the Board of Supervisors.

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 3/27/23 meeting.
Approve the final plat and authorize the Chairman to sign the resolution.

ACTION REQUIRED / PROPOSED MOTION:

- a. Motion to receive the final staff report and the Zoning Commission's recommendation from their 3/27/23 meeting to approve the final plat of Kerr Addition, a minor subdivision to Woodbury County, Iowa.
- b. Motion to accept and approve the Kerr Addition, a minor subdivision to Woodbury County, Iowa.



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 29, 2023

K & L LEGACY FARMS LLC (Peter Kerr & Jean Kerr) KERR ADDITION - MINOR SUBDIVISION PROPOSAL

APPLICATION DETAILS:

Owner(s): K&L Legacy Farms, LLC (Peter Kerr & Jean Kerr)
 Application Type: Minor Subdivision (2 Lots)
 Subdivision Name: Kerr Addition
 Application Date: March 1, 2023
 Subdivision Area: 34.34 acres
 Legal Notice Date: March 11, 2023
 Stakeholder (1000') Letter Date: March 10, 2023
 Zoning Commission Public Hearing Date: March 27, 2023
 Board of Supervisors Agenda Date: April 4, 2023

PROPERTY DETAILS:

Parcel(s): 884735100002
 Township/Range: T88N R47W (Woodbury Township)
 Section: 35
 Quarter: NW 1/4 NW 1/4
 Zoning District: Agricultural Preservation (AP)
 Floodplain District: Zone A - SFHA
 Address: No address

TABLE OF CONTENTS:

Summary, Aerial, Plat Excerpt & Recommendation
 Application
 Final Plat
 Review Criteria
 Extraterritorial Review
 Legal Notification
 Adjacent Owners' Notification
 Stakeholder Comments
 Supporting Documentation

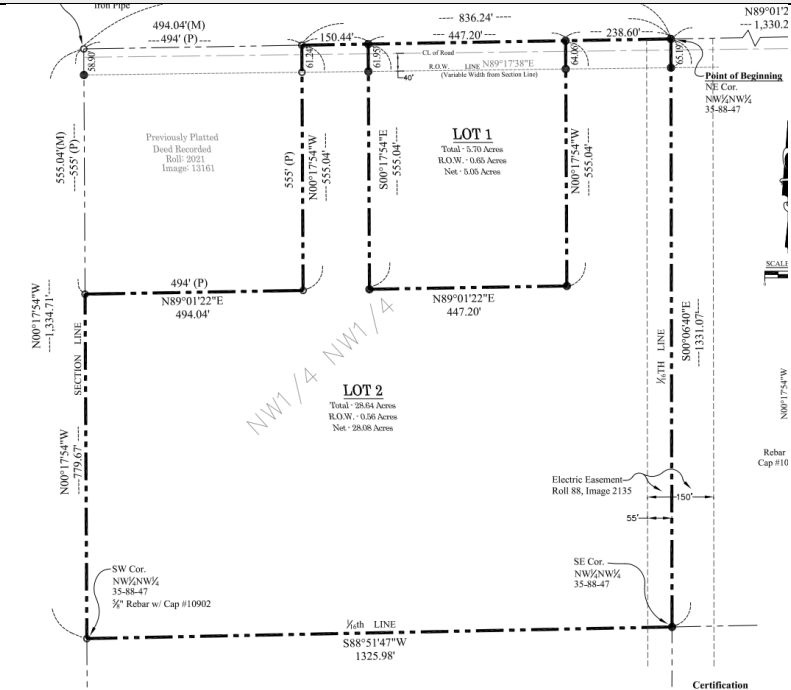
SUMMARY

K&L Legacy Farms, LLC (Peter Kerr & Jean Kerr) have filed for a two (2) lot minor subdivision on the property identified as Parcel #884735100002 and referenced above. This proposal has been properly noticed in the Sioux City Journal Legals Section on March 11, 2023. The neighbors within 1000 FT have been duly notified via a March 10, 2023 letter about the March 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 23-06 on February 28, 2023. The property 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 and is recommended by staff. **On March 27, 2023, the Woodbury County Zoning Commission voted 3-0 to recommend the acceptance and approval of the Kerr Addition to the Board of Supervisors.**

AERIAL MAP



PLAT EXCERPT



ZONING COMMISSION RESOLUTION

RESOLUTION & CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY

Barbara Parker a Commissioner
 I, *Christine Zellmer-Zent* do hereby certify that I am the *Chairman* of the Woodbury County Zoning Commission of Woodbury County, Iowa and do further certify that said commission has heretofore taken under advisement the Final Plat of Kerr Addition, to Woodbury County, Iowa and that said Woodbury County Zoning Commission of Woodbury County, Iowa, did on the 27 Day of March, 2023 approve the same and does further recommend to the Woodbury County Board of Supervisors, Woodbury County, Iowa, the acceptance and approval of said plat.

Dated this 28 Day of March, 2023

Barbara Parker

Christine Zellmer-Zent, Chairman *Barbara Parker*, Commissioner
 Woodbury County Zoning Commission of Woodbury County, Iowa

ZONING COMMISSION RECOMMENDATION



**WOODBURY COUNTY
ZONING COMMISSION**

WOODBURY COUNTY COURTHOUSE
620 DOUGLAS STREET
SIOUX CITY, IA 51101

Woodbury County Board of Supervisors
620 Douglas Street
Sioux City, Iowa 51101

RE: Zoning Commission Recommendation to the Board of Supervisors

Kerr Addition, Minor Subdivision Proposal

Parcel #884735100002

T88N R47W (Woodbury Township), Section 35, NW ¼ NW ¼

Agricultural Preservation (AP) Zoning District

Floodplain District: Zone A – Special Flood Hazard Area

Dear Members of the Woodbury County Board of Supervisors:

This letter is to inform you that the Woodbury County Zoning Commission reviewed the *Kerr Addition*, final plat minor subdivision proposal following the scheduled public hearing that occurred at the regularly scheduled public meeting of the Woodbury County Zoning Commission on the KERR Addition

Following the public hearing, the Zoning Commission voted 3-0 to recommend acceptance and approval of the *Kerr Addition*, minor subdivision final plat to the Board of Supervisors.

Dated this 27 day of March, 2023

Barbara Parker

Barbara Parker, Member
Woodbury County Zoning Commission

ATTEST:

Daniel Priestley, Zoning Coordinator
Woodbury County Community & Economic Development

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

The Zoning Commission (ZC) meeting convened on the 27th of March 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: Barb Parker, Corey Meister, Jeff O'Tool
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Dan Bittinger, Gayle Palmquist, Vicki Hulse, Jana Martens

Call to Order

Temporary Chair Barb Parker formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

Motion to accept a map submitted by Gayle Palmquist by O'Tool: Second by Meister (See Figure 1 - attached). Approved 3-0. Palmquist presented a map showing where possible pipelines would be located. Palmquist offered information on possible risks, safety concerns, and procedures for allowing CO2 pipelines in Woodbury County. Hulse and Martens offered their concerns about the pipeline and inquired about how the county will approach the issue and the conditional use process. Hulse encouraged participation in the April 7 public officials round table. Priestley explained the conditional use review process including the Zoning Commission review and the Board of Adjustment decision-making process as well as the public hearing process. Both boards must review the standards and conditions (criteria) of a conditional use permit in order to make a determination. Property owners within 500 FT are notified about the conditional use permit request with the dates and times of the meetings and public hearing. Each parcel where a CO2 pipeline may possibly pass through can be included in one application, but criteria items would be reviewed for each individual parcel. Priestley stated the current conditional use permit application process was put into place with the adoption of the Zoning Ordinance in 2008 which resulted from the 2005 development plan. Supervisor Bittinger addressed concerns of lawsuits in federal court challenging local governments' authority to regulate the pipelines. A public round table meeting will be hosted by the Woodbury County Supervisors on April 7. Neighboring county officials are invited to attend to discuss each county's strategies for permitting CO2 pipelines. The Woodbury County Board of Supervisors have drafted a letter to the Iowa Utilities Board and an agenda item is set for the March 28, 2023 to consider approval of the letter.

Approval of Previous Meeting Minutes – February 27, 2023

O'Tool motioned. Second: Meister. Motion carried: 3-0.

Public Hearing: Kerr Addition, Minor Subdivision Proposal on Parcel #884735100002

Priestley read the preliminary report and staff recommendation into the record for the proposed Kerr Addition. K&L Legacy Farms, LLC (Peter Kerr & Jean Kerr) have filed for a two (2) lot minor subdivision on the property identified as Parcel #884735100002. The proposal has been properly noticed in the Sioux City Journal Legals Section on March 11, 2023. The neighbors within 1000 FT have been duly notified via a March 10, 2023 letter about the March 27, 2023. 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 23-06 on February 28, 2023. The property 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 and is recommended by staff. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 3-0. Motion by O'Tool to recommend approval of the Kerr Addition and forward to Board of Supervisors. Second: Meister. Motion carried 3-0.

Information/Discussion: Woodbury County Comprehensive Plan 2040 Update

Priestley discussed the progress on the comprehensive plan. SIMPCO will hold an open house on April 26, 2023 from 5:00 PM to 6:30 PM to review the comp plan and to receive comments from the public.

Public Comment on Matters Not on the Agenda

Palmquist stated an attorney does not feel a conditional use permit is the way to regulate CO2 pipelines. Supervisor Bittinger stated the Board of Supervisors are looking into ways to regulate pipelines while also avoiding costly lawsuits that other counties are dealing with. Hulse suggested preparing an ordinance and not signing it until decisions have been made on how to proceed.

Commissioner Comment or Inquiry
None

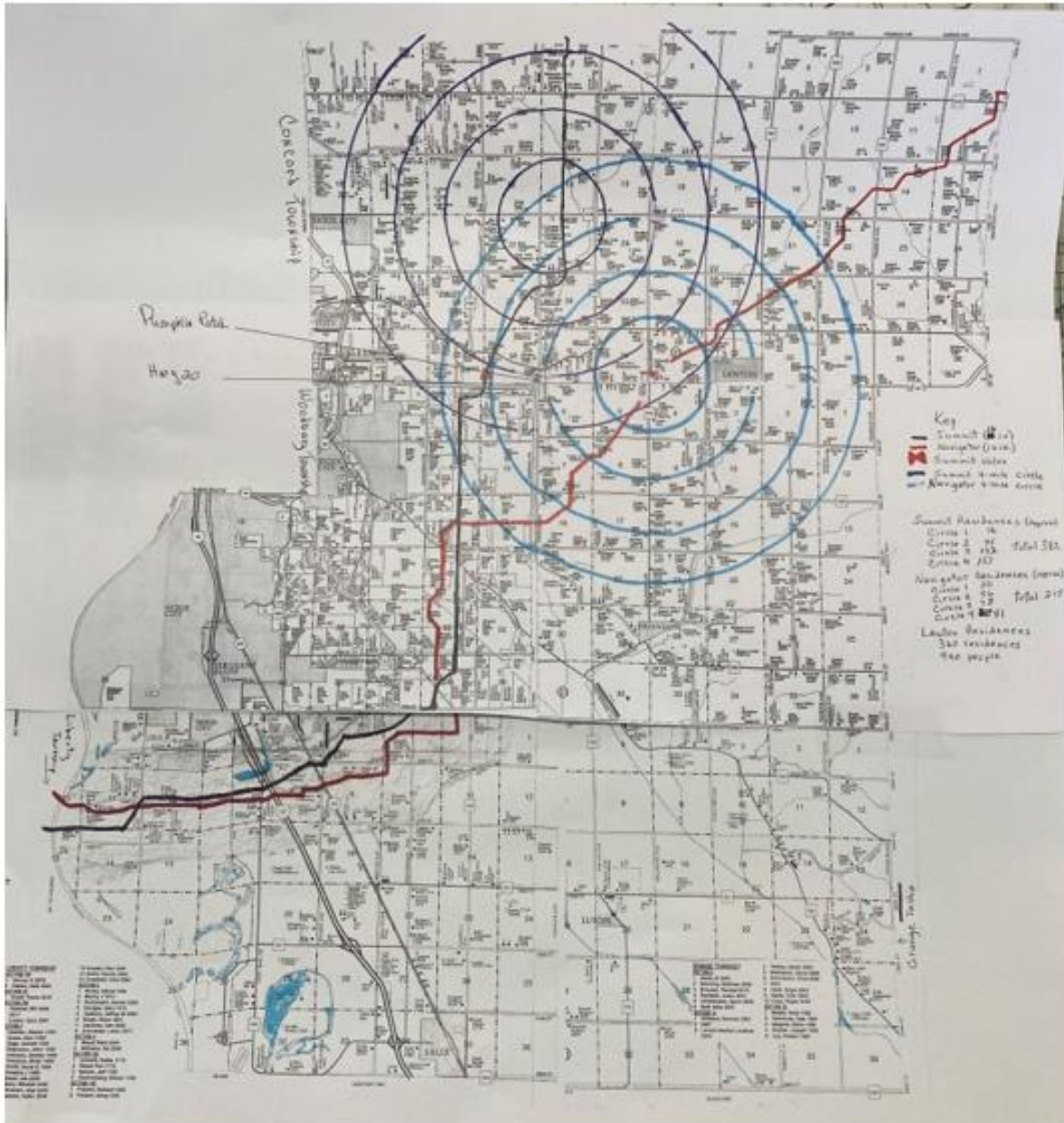
Staff Update

Iowa State University Extension and Outreach will provide a Zoning Training session on zoning April 27, 2023 at the Hilton Garden Inn. Board of Supervisors, Zoning Commission, and Board of Adjustment members are invited to attend.

Adjourn

Motion by Meister. Second: O-Tool. Carried 3-0. The meeting adjourned at 6:53 PM.

ATTACHMENT – FIGURE 1



APPLICATION

WOODBURY COUNTY, IOWA
MINOR SUBDIVISION APPLICATION



Applicant: Alex Lindblom K & L Legacy: Pete Kerr & Jean Kerr
2036 S Palmcote St. Name of Owner
Stowx City, IA 51006-3014
Mailing Address: 1620 210th St. Sergeant Bluff Iowa 51054-8020
Street City or Town State and Zip - 4

Property Address: To be determined
Street City or Town State and Zip + 4

↑
owner

Ph/Cell #: 712-389-0903 E-mail Address: alindb2011@aol.com

To subdivide land located in the NW 1/4 NW 1/4 Quarter of Section 35

Civil Township Woodbury (T88N R47W) GIS Parcel # 884735100002

Name of Subdivision: Kerr Addition

Subdivision Area in Acres 34.34 Number of Lots 2

Attachments:

- Eight (8) copies of grading plans; if required.
- Eight (8) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
- An attorney's opinion of the abstract.
- A Certified abstractor's certificate to include:
 - Legal description of proposed subdivision.
 - Plat showing clearly the boundaries of the subdivision.
 - A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: Gregg Stroschein, PLS (712) 259-0483
Scott Gemhart, PE Ph/Cell: (712) 870-9789

Attorney: Ryan Ross Ph/Cell: (712) 224-7585

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

Owner's Signature: Peter Kerr, [Signature]

Zoning Director: [Signature]

For Office Use Only:

Zoning District AP Flood District 25D Date _____ No. 6838

Application Fee 4 Lots or less (\$300*+ Additional Fees) \$300 ch# 1050
5 Lots or more (\$300* plus \$5 per lot + Additional Fees) _____

*Owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00.

Surveyor: Gregg A. Stroschein, 712-259-0483
 Mail To: 325 Howard Rd., - Merville, IA 51039
 County: Woodbury
 Section(s): 35 T: 88N R: 47W
 Aliquot Part: Parts of NW $\frac{1}{4}$ NW $\frac{1}{4}$
 Proprietor(s): K&L Legacy Farms
 Requested by: Alex Lindblom

FINAL PLAT OF Kerr Addition

A MINOR SUBDIVISION
 IN THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 35, T88N, R47W OF THE 5TH P.M.,
 AND ADDITION TO WOODBURY COUNTY, IOWA

LEGEND
 ○ PIN FOUND 5/8" PIN,
 UNLESS OTHERWISE INDICATED
 ● SET 5/8" REBAR W/ CAP #10902

NOTES:
 • All Bearings and Distances are Measured Unless
 Otherwise Indicated
 • Portions of the Property are within the 100-yr floodplain.
 The 100-yr flood elevation is determined to be 1,048.4
 (NAVD83). This elevation was determined by the Iowa
 DNR Flood Plain Management and Dam Safety Section,
 IDNR Project ID #2022-1663.

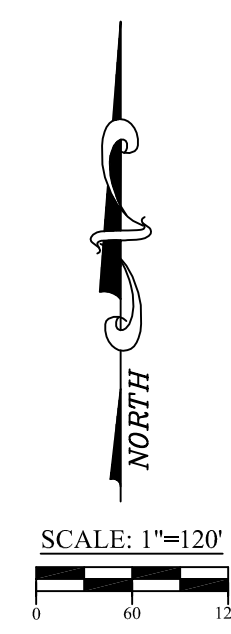
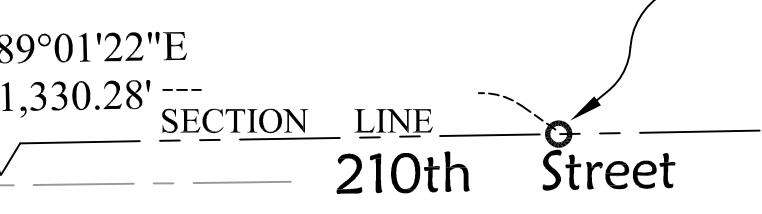
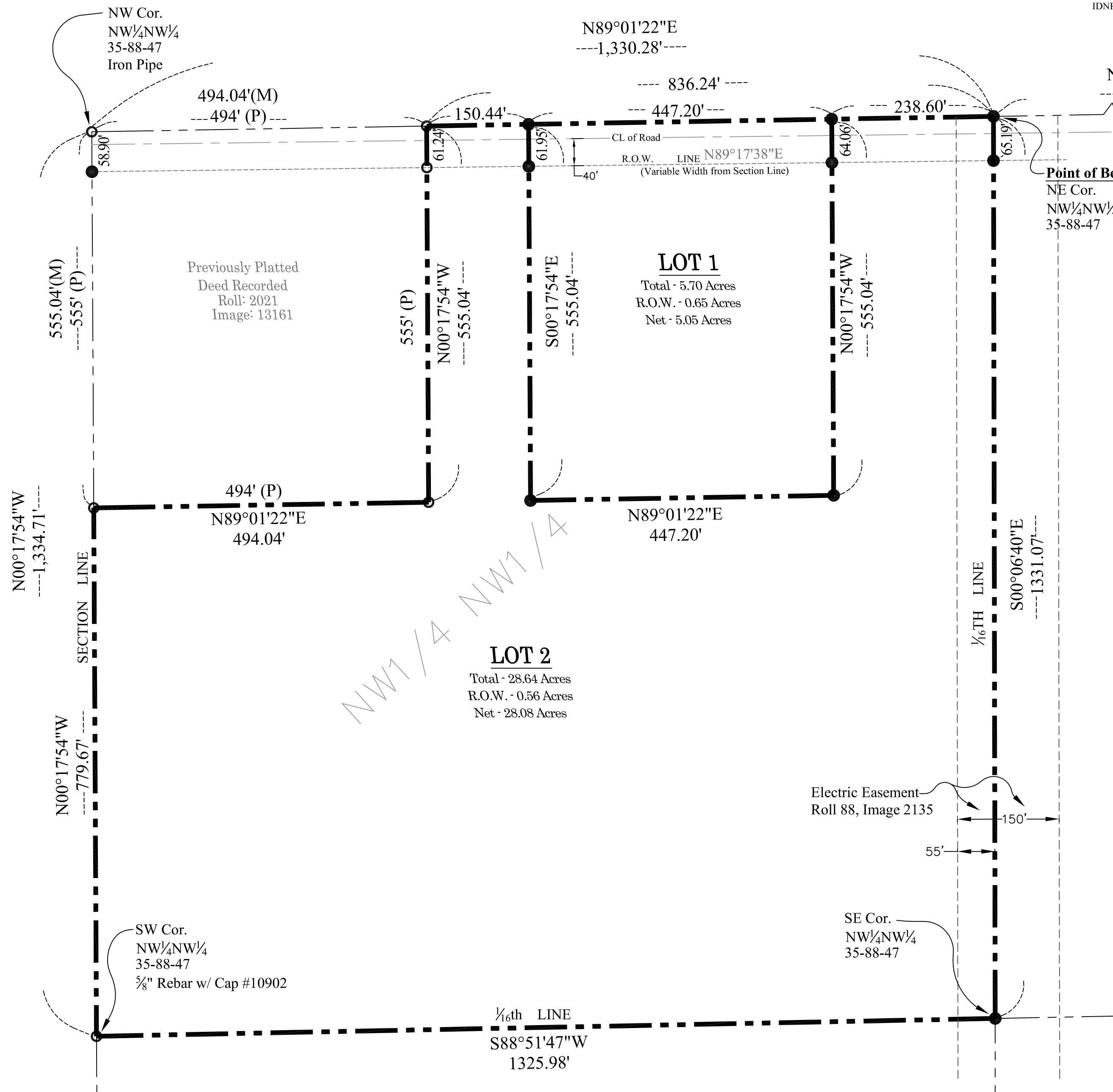
Zoning: AP, Ag Preservation

Building Setback Lines:

Front: 100'
 Rear: 50'
 Side: 20'

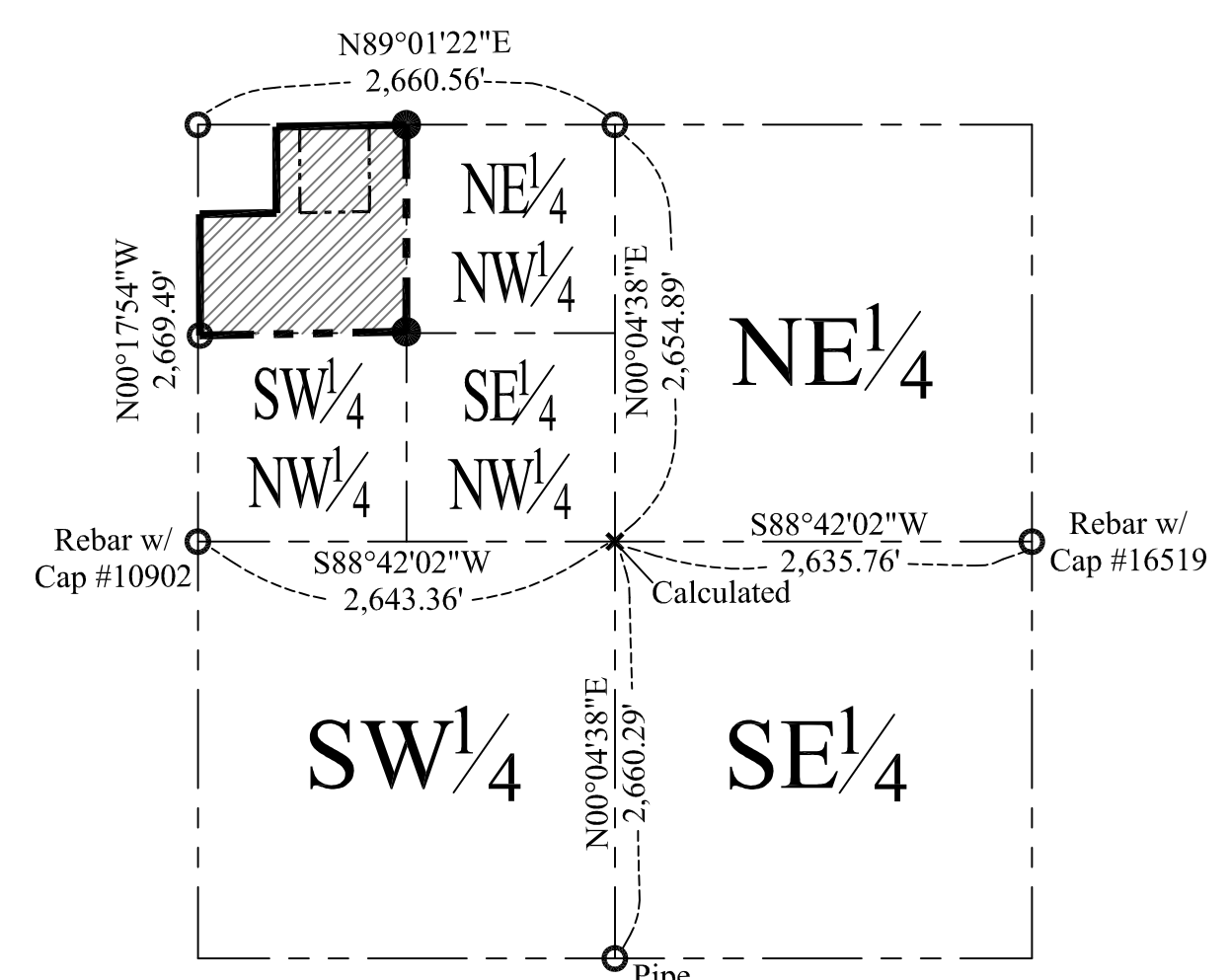
Statistical Data:

Area of Subdivision = 34.34 Acres
 Street Right-of-way = 1.21 Acres
 Lots: 2



Owners/Subdividers:
 K&L Legacy Farms
 1620 210th Street
 Sergeant Bluff, IA 51054

Engineer/Surveyor:
 Scott L. Gernhart, P.E.
 Gregg A. Stroschein, P.L.S.
 True Engineering & Land Surveying, LLC
 325 Howard Road
 Merville, Iowa 51039



Vicinity Map
35-88-47

Boundary Description

Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T88N, R47W of the 5th P.M., Woodbury County, Iowa. Said parcel being more particularly described as follows:

Beginning at the NE corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence southerly along the east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ on an assumed bearing of S00°06'40"E (with all subsequent bearings referenced therefrom) for a distance of 1,331.07 feet to the SE corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence S88°51'47"W along said quarter-quarter line for a distance of 1,325.98 feet to the SW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence N00°17'54"W along said quarter-quarter line for a distance of 779.67 feet; thence N89°01'22"E for a distance of 494.04 feet; thence N00°17'54"W for a distance of 555.04 feet to a point on the northerly line of Section 35; thence N89°01'22"E along said section line for a distance of 836.24 feet to the NE corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the Point of Beginning.

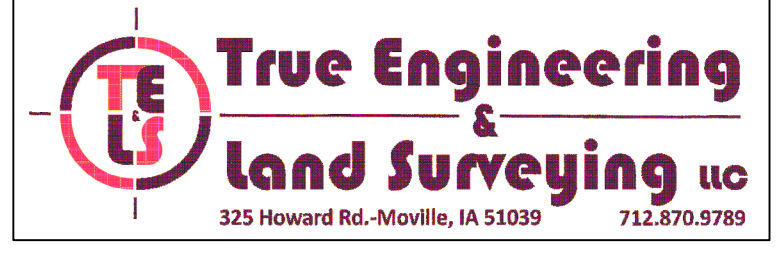
Said described parcel of land contains 34.34 acres and is subject to all easements and right-of-ways of record.

Certification

I, Gregg A. Stroschein, a duly Licensed Land Surveyor under the laws of the State of Iowa, do hereby certify that there are contained in said description, the lots described in the subdivision as platted; that the lots, blocks, streets and easements are of the dimensions, numbers, names and locations as shown on said plat; and that iron stakes are set at each corner of every lot of said subdivision as indicated hereon.

Gregg A. Stroschein PLS #10902
 License renewal date: 12-31-23

Date _____
 Pages covered by seal _____



**FINAL PLAT
OF
Kerr Addition**

A MINOR SUBDIVISION
IN THE NW¹/₄ NW¹/₄ OF SECTION 35, T88N, R47W OF THE 5TH P.M.,
AND ADDITION TO WOODBURY COUNTY, IOWA

CONSENT OF OWNERS

K&L Legacy Farms, L.L.C. is the Owners of the real estate described in the attached Surveyor's Certificate, has in the pursuance of the law, caused said described real estate to be surveyed, staked and platted into lots, outlots and streets, as is particularly shown and set forth in the attached Plat and said Certificate of Gregg Stroschein, a Licensed Surveyor who surveyed and platted the real estate to be known as Kerr Addition, an addition to Woodbury County, Iowa, and that the same is prepared with the free consent and in accordance with the desires as owners and proprietors thereof.

Peter Kerr, Manager Date

Jean Kerr, Manager Date

STATE OF IOWA _____, COUNTY OF WOODBURY _____:

On this ____ day of _____, 2023, before me, the undersigned, a notary public in and for said state, personally appeared Peter Kerr and Jean Kerr, to me personally known, who being by me duly (sworn or affirmed) did say that these persons are the managers of K & L Legacy Farms, L.L.C. by authority of its managers and members and that said managers, acknowledged the execution of said instrument to be the voluntary act and deed of K & L Legacy Farms, L.L.C. an Iowa limited liability company, by it voluntarily executed.

Notary Public

RESOLUTION & CERTIFICATE OF WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY

I, Christine Zellmer-Zant do hereby certify that I am the Chairman of the Woodbury County Zoning Commission of Woodbury County, Iowa and do further certify that said commission has heretofore taken under advisement the Final Plat of Kerr Addition, to Woodbury County, Iowa and that said Woodbury County Zoning Commission of Woodbury County, Iowa, did on the _____ Day of _____, 20____ approve the same and does further recommend to the Woodbury County Board of Supervisors, Woodbury County, Iowa, the acceptance and approval of said plat.

Dated this _____ Day of _____, 20____.

Christine Zellmer-Zant, Chairman
Woodbury County Zoning Commission of Woodbury County, Iowa

BOARD RESOLUTION NO. _____.

Resolution accepting and approving the Plat of Kerr Addition an addition to Woodbury County, Iowa.

Whereas, the Planning and Zoning Commission and the Woodbury County Board of Supervisors have reviewed and approved the Final Plat of Kerr Addition to Woodbury County, Iowa, and whereas approval of the Final Plat of Kerr Addition to Woodbury County, Iowa has been recommended to the Woodbury County Board of Supervisors by the Planning and Zoning Commission. Now, therefore be, and it is, resolved by the Woodbury County Board of Supervisors, that said Final Plat of Kerr Addition to Woodbury County, Iowa, as hereto attached and forming part of this Resolution be, and the same hereby is, accepted and approved.

Dated _____, 2023

ATTEST: _____
WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill, Woodbury County
Auditor and Recorder

Matthew Ung, Chairperson

STATE OF IOWA :
: ss
COUNTY OF WOODBURY :

I, Patrick F. Gill, Woodbury County Auditor and Recorder, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution accepting and approving the Final Plat of Kerr Addition to Woodbury County, Iowa, which said Resolution was adopted by the Woodbury County Board of Supervisors on the _____ day of _____, 2023 and approved on said date all as full, true and complete as the same appears of record in the Office of said Auditor and Recorder.

Dated _____, 2023

Patrick F. Gill, Woodbury County
Auditor and Recorder

COUNTY ENGINEER'S CERTIFICATE

I, Mark J. Nahra, P.E., County Engineer for Woodbury County, Iowa, do hereby certify that the boundary lines of the plat and lots therein were mathematically checked and conform with the requirements as provided for in the Subdivision Ordinance and that all dimensions both linear and angular necessary for the location of lots, tracts, streets, and easements, are shown.

Dated _____, 2023

Mark Nahra, P.E., County Engineer for Woodbury County, Iowa

TITLE OPINION

_____, 2023

County Auditor and Recorder
Woodbury County, Iowa

Dear Sir/Madam:

We have this date examined a complete abstract to Title, pursuant to Iowa Code Section 354.11(1)(c) to property which includes in its entirety, property described in the surveyor's certificate on the plat of: Kerr Addition, a Minor Subdivision in the NW¹/₄ NW¹/₄ of Section 35, T88N, R47W of the 5th P.M., an Addition to Woodbury County, Iowa last certified by Engleson Abstract Co., Inc., dated _____, 2023 at 8:59 a.m. and from said abstract find good and merchantable title to said premises vested in K & L Legacy Farms, LLC, an Iowa limited liability company, subject to the following, liens, limitations and exceptions:

1. The County Road Right of Way and Electric Easements as shown on the Final Plat of Kerr Addition.
2. An Easement between K & L Legacy Farms, L.L.C. (Grantor) and Summit Carbon Solutions, LLC (Grantee), dated November 19, 2021, and filed January 3, 2022, in Document No. 2022-00073.
3. All certified real estate taxes and special assessments due and payable have been paid. Real estate taxes and special assessments not certified are a lien in an undetermined amount.

Dated: _____, 2023.

Ryan C. Ross
ATTORNEY AT LAW

NOTICE

The City Council of Sergeant Bluff, Iowa, Pursuant to Authority Granted in Iowa Code Section 354.9 Waived the City's Review and Approval of the Final Plat of the Kerr Addition, as would otherwise be required by the City's Code of Ordinances, with the Adoption of Resolution No. 23-06 on the 28th day of February, 2023.

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING

STATE OF IOWA :
: ss
COUNTY OF WOODBURY :

Docket No: _____

Filed for record, this _____ day of _____, 2023, at _____ o'clock _____ M. recorded in Plat Envelope _____, indexed and delivered to the County Auditor of Woodbury County, Iowa.

Dated _____, 2023

Patrick F. Gill, Auditor and Recorder, Woodbury County, Iowa
By: Diane Swoboda Peterson, Deputy

AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE

The County Auditor hereby accepts and approves the name or title of the attached Subdivision Plat as required by Iowa Code section 354.6(2).

Dated _____, 2023

Patrick F. Gill, Auditor and Recorder, Woodbury County, Iowa
By: Diane Swoboda Peterson, Deputy

TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS

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

Dated _____, 2023

Tina M. Bertrand, Treasurer Woodbury County, Iowa

CERTIFICATE OF COUNTY ASSESSOR

I, Julie Conolly, hereby certify that on the _____ day of _____, 20____, a copy of this plat was filed in the County Assessor's Office.

Dated: _____

Julie Conolly,
County Assessor

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. If there are any mortgages or leans on the property, consent to plat certifications must be either on the final plat or recorded as a separate attachment. If there are any city council resolutions for extraterritorial review waiving or approving the final plat, they must be either on the final plat or recorded as a separate attachment.
	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. If there are any mortgages or leans on the property, consent to plat certifications must be either on the final plat or recorded in the Recorder's office as a separate document/attachment. If there are any city council resolutions for extraterritorial review waiving or approving the final plat, they must be either on the final plat or recorded in the Recorder's office as a separate document/attachment.
	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
	Staff does not recommend any specific 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 – CITY RESOLUTION TO BE RECORDED WITH FINAL PLAT
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. 23-06 that was passed and approved on the 28th of February, 2023.

RESOLUTION NO. 23-06

A RESOLUTION WAIVING THE SERGEANT BLUFF CITY COUNCIL'S RIGHT TO REVIEW AND APPROVE A SUBDIVISION TO BE KNOWN AS KERR 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 KERR ADDITION; and

WHEREAS, the property is located in Woodbury 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 KERR 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 210th 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 KERR SUBDIVISION at their February 7, 2023 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 KERR 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 KERR SUBDIVISION for recording with the Woodbury County Recorder.

Council Member Carol Clark introduced the resolution and moved that said resolution be adopted; seconded by Council Member Jim Linafelter 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 28th day of February, 2023.



Mayor

Attest:



City Clerk

I, Danny Christoffers, City Clerk, do hereby certify that the foregoing Resolution 23-06 was duly and properly adopted by the City Council of the City of Sergeant Bluff, Iowa at its regular meeting the 28th day of February 2023.



CITY CLERK

EXHIBIT A

Part of the NW1/4NW1/4 of Section 35, T88N, R47W of the 5th P.M., Woodbury County, Iowa.
Said parcel being more particularly described as follows:

Beginning at the NE corner of said NW1/4NW1/4; thence southerly along the east line of the NW1/4NW1/4 on an assumed bearing of S00°06'40"E (with all subsequent bearings referenced therefrom) for a distance of 1,331.07 feet to the SE corner of said NW1/4NW1/4; thence S88°51'47"W along said quarter-quarter line for a distance of 1,325.98 feet to the SW corner of the NW1/4NW1/4; thence N00°17'54"W along said quarter-quarter line for a distance of 779.67 feet; thence N89°01'22"E for a distance of 494.04 feet; thence N00°17'54"W for a distance of 555.04 feet to a point on the northerly line of Section 35; thence N89°01'22"E along said section line for a distance of 836.24 feet to the NE corner of said NW1/4NW1/4 and the Point of Beginning.

Said described parcel of land contains 34.34 acres and is subject to all easements and right-of-ways of record.

***** 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 57185

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

this 13 day of March, 2023.

Catherine Rockwell

Danine Glascock Notary Public

In and for Woodbury County.

Section: Legal
Category: 015 Attorneys & Legals
PUBLISHED ON: 03/11/2023

TOTAL AD COST: 24.01
FILED ON: 3/13/2023

NOTICE OF A PUBLIC HEARING REGARDING
A MINOR SUBDIVISION PROPOSAL
BEFORE THE WOODBURY COUNTY ZONING
COMMISSION

The Woodbury County Zoning Commission will hold a public hearing on the following item hereafter described in detail on March 27, 2023 at 6:00 PM or as soon thereafter as the matter may be considered. Said hearing will be held in the Board of Supervisors' Meeting Room, Number 104, County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said item may now be examined at the office of 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 this matter should appear at the aforesaid hearing 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)
PROPOSED MINOR SUBDIVISION: To be known as the Kerr Addition, a two-lot minor subdivision in a 34.34-acre portion of Section 35, T88N R47W (Woodbury Township) in the NW 1/4 of the NW 1/4 on Parcel #684735100002. The parent parcel is located about 1.7 miles east of Sergeant Bluff. The property is located in the Agricultural Preservation (AP) Zoning District. The property is located in the Special Flood Hazard Area (Zone A - Floodplain). Owner(s)/Applicant(s): K&L Legacy Farms, LLC (Peter Kerr & Jean Kerr), 1629 210th Street, Sergeant Bluff, IA 51054, and Alex Lindblom, 2036 S. Palmetto Street, Sioux City, IA 51106-3014.



PROPERTY OWNER(S) NOTIFICATION – 1000 FEET

The 11 property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **March 10, 2023** letter of the public hearing before the Woodbury County Zoning Commission on **March 27, 2023**.

As of **March 22, 2023**, the Community and Economic 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.



Name	Address	City	State	Zip	COMMENTS:
K&L Legacy Farms LLC	1620 210th Street	Sgt. Bluff	IA	51054	No comments.
Trustees of the Joint Revocable Trust of Peter A. Kerr and Jean A. Kerr	1620 210th Street	Sgt. Bluff	IA	51054	No comments.
F. Svuba Farms, Inc	43653 150th Ave.	Laurens	IA	50554	No comments.
Gina Green and Linda Hoffmeier	2630 250th St. 4236 Hickory Lane, Apt	Denison	IA	51442	No comments.
Sara Ann Peterson and Roger Douglas Edwards	301	Sioux City	IA	51106	No comments.
Trustee of the Agnes L. Hoffmann Revocable Trust	301 Dakota Dunes Blvd. 1400 Douglas Street	Dakota Dunes	SD	57049 68179-	No comments.
Union Pacific Railroad	STOP 1640	Omaha	NE	1640	No comments.
D & JL, LLC	35855 C-38	Le Mars	IA	51031	No comments.
Terry Lester	1575 210th St.	Sgt. Bluff	IA	51054	No comments.
Kermit Farms, LLC	23725 100th St.	Hornick	IA	51026	No comments.
Donald R. Hamann, Trustee of the Donald R. Hamann Revocable Trust and Lorna G. Hamann, Trustee of the Lorna G. Hamann Revocable Trust	304 Division Street, PO Box M	Anton	IA	51004-0603	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
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):	No conflicts for MEC gas either. – Tyler Ahlquist, 3/3/23
MIDAMERICAN ENERGY COMPANY (Gas Division):	I have reviewed for attached proposed minor subdivision for MEC electric, we have no conflicts. – Casey Meinen, 3/3/23
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, 3/8/23.
NUSTAR PIPELINE:	No comments.
SIouxLAND DISTRICT HEALTH DEPARTMENT:	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 MEMO BELOW:
WOODBURY COUNTY RECORDER:	Looks good to me. – Diane Swoboda Peterson, 3/6/23.
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, 3/3/23.
WOODBURY COUNTY TREASURER:	The taxes are current. The September 2022 payment was made on 9/15/22 and the March 2023 payment was made on 2/1/2023. – Kim Koepke, 3/3/23



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: March 24, 2023

Subject: Kerr Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated March 3, 2023.

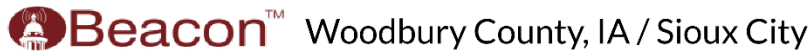
I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the 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 under 10 acres in size according to county driveway policy.
- 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

PARCEL REPORT



Summary

Parcel ID 884735100002
Alternate ID 829680
Property Address N/A
Sec/Twp/Rng 35-88-47
Brief Tax Description EX N 555 FT W 494 FT NW NW 35-88-47
(Note: Not to be used on legal documents)
Deed Book/Page [2021-07604 \(6/4/2021\)](#)
Gross Acres 32.51
Net Acres 32.51
Adjusted CSR Pts 2084.62
Zoning AP - AGRICULTURAL PRESERVATION
District 0039 WOODBURY/SB/L
School District SGT BLUFF LUTON
Neighborhood N/A

Owner

Deed Holder
[K & L Legacy Farms LLC](#)
[1620 210th St](#)
Sergeant Bluff IA 51054
Contract Holder
Mailing Address
K & L Legacy Farms LLC
1620 210th St
Sergeant Bluff IA 51054

Land

Lot Area 32.51 Acres ; 1,416,136 SF

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Steel Utility Building		56	210	1977	1

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
5/27/2021	KERR NANCY A INTER VIVOS TRUST	K & L LEGACY FARMS LLC	2021-07604	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

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

Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$52,770	\$52,770	\$49,890	\$49,890	\$72,610
+ Assessed Building Value	\$4,980	\$4,980	\$4,550	\$4,550	\$6,280
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$57,750	\$57,750	\$54,440	\$54,440	\$78,890
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$57,750	\$57,750	\$54,440	\$54,440	\$78,890

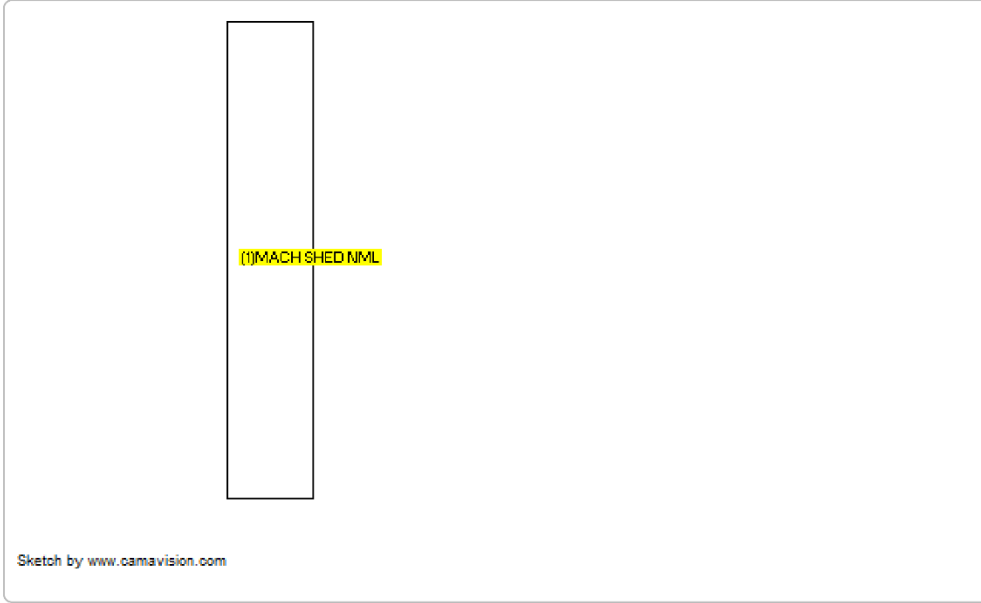
Sioux City Special Assessments and Fees

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

Woodbury County Tax Credit Applications

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

Sketches



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

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

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

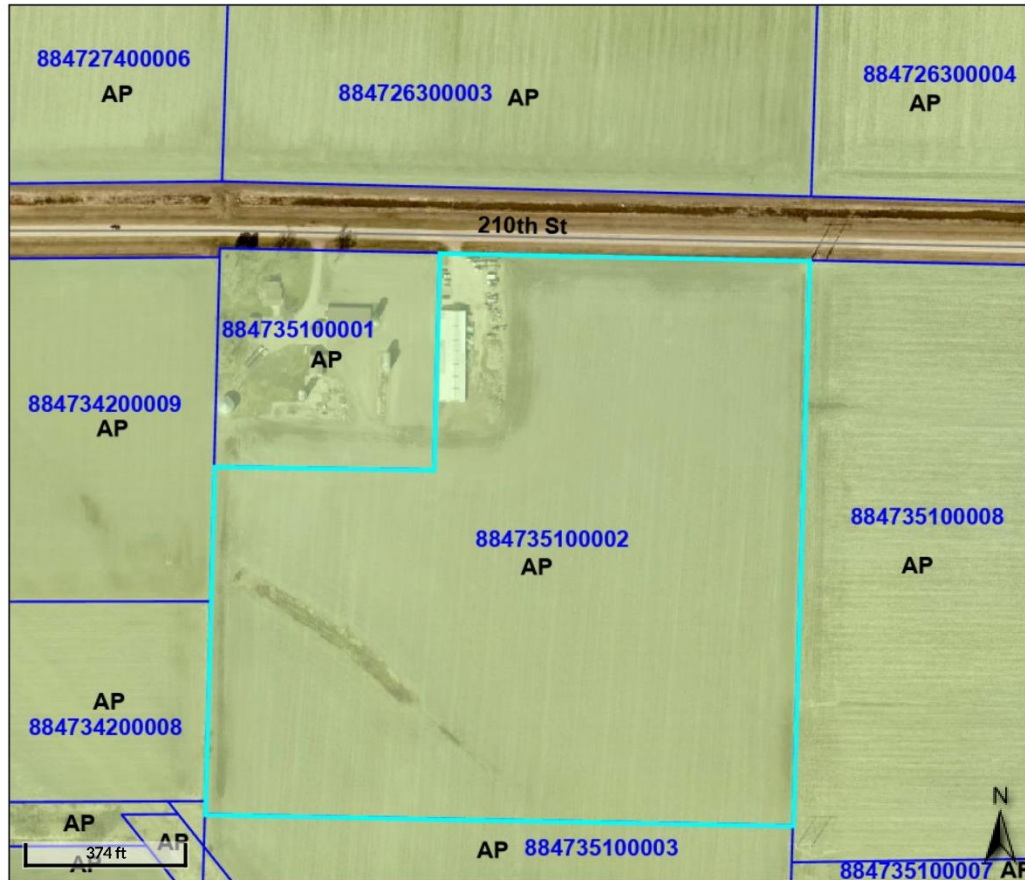
[Last Data Upload: 3/2/2023, 6:43:46 PM](#)

Version 2.3.250

Developed by
 Schneider
GEO SPATIAL

ZONING MAP

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	884735100002	Alternate ID	829680	Owner Address	K & L LEGACY FARMS LLC
Sec/Twp/Rng	35-88-47	Class	A		1620 210TH ST
Property Address		Acreage	32.51		SERGEANT BLUFF, IA 51054
District	0039				
Brief Tax Description	EX N 555 FT W 494 FT NW NW 35-88-47				
	(Note: Not to be used on legal documents)				

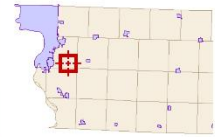
Date created: 3/2/2023
Last Data Uploaded: 3/2/2023 7:43:46 PM

Developed by  Schneider
GEOSPATIAL

FLOODPLAIN REPORT – EFFECTIVE MAP



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
- County Zoning**
- AE
- AP
- GC
- GC-PD
- GI
- LI
- LI-PD
- SR
- WR

Parcel ID	884735100002	Alternate ID	829680	Owner Address	K & L LEGACY FARMS LLC
Sec/Twp/Rng	35-88-47	Class	A		1620 210TH ST
Property Address		Acreage	32.51		SERGEANT BLUFF, IA 51054
District	0039				
Brief Tax Description	EX N 555 FT W 494 FT NW NW 35-88-47				
	(Note: Not to be used on legal documents)				

Date created: 3/2/2023
 Last Data Uploaded: 3/2/2023 7:43:46 PM





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

BASE FLOOD ELEVATION DETERMINATION



IOWA DEPARTMENT OF NATURAL RESOURCES

GOVERNOR KIM REYNOLDS
LT. GOVERNOR ADAM GREGG

DIRECTOR KAYLA LYON

8/18/2022

ALEX LINDBLOM
C/O ALEX LINDBLOM
2036 S PALMETTO ST
SIOUX CITY, IA 51106

Project Description: BFE Determination – For an eventual residential structure. (Farmers Ditch)

Project Latitude / Longitude Location(s): Buildings and Associated Fill 42.4006/-96.2886; Woodbury County

Iowa DNR Project ID Number: 2022-1663

Dear Alex Lindblom:

This is in reference to your request for determination of the "100-year" flood elevation (a.k.a. the base flood elevation, or BFE) for the property identified on your application. The Flood Insurance Rate Map (FIRM) for Woodbury County shows a portion of this property as being in the Special Flood Hazard Area (SFHA).

Based on the information available, we estimate the current existing condition 100-year flood elevation to be 1,084.8', NAVD88 at the location referenced above. You may download additional copies, or verify the Iowa DNR Flood Plain and Dam Safety Section (Department) official response document(s) for this project at the Iowa DNR Flood Plain PERMT website using the tracking number above. (PERMT Website Address: <https://programs.iowadnr.gov/permt/>)

Please be aware when planning future construction that elevating beyond the required 1 foot above the BFE will not only reduce flood risk, but might also result in lower flood insurance rates.

Please contact me by phone at 515-725-8368 or by email at graham.young@dnr.iowa.gov with any questions.

Sincerely,

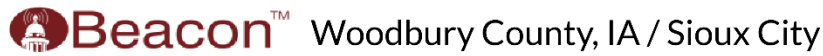
A handwritten signature in blue ink, appearing to read "Graham Young".

Digitally signed by
Graham Young
Date: 2022.08.18
11:01:07 -05'00'

Graham Young
Flood Plain Management and Dam Safety Section

CC: Alex Lindblom; 2036 S Palmetto St, Sioux City, IA, 51106, alindb2011@aol.com
Dan Priestley; 620 Douglas St Fl 6, Sioux City, IA, 51101-1247, dpriestley@woodburycountyiowa.gov

SOIL REPORT



Summary

Parcel ID	884735100002	
Gross Acres	32.51	
ROW Acres	0.00	
Gross Taxable Acres	32.51	
Exempt Acres	0.00	
Net Taxable Acres	32.51	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	65.77	(2138.05 CSR2 Points / 32.51 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	30.99	65.14	2,018.74	2,018.74
Non-Crop	1.52	78.49	119.31	65.88
Total	32.51		2,138.05	2,084.62

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	255	COOPER SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODE	86.00	5.99	515.14	515.14
100% Value	465	TIEVILLE SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	63.00	7.15	450.45	450.45
100% Value	66	LUTON SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	59.00	17.85	1,053.15	1,053.15
Non-Crop	255	COOPER SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODE	86.00	1.05	90.30	47.56
Non-Crop	465	TIEVILLE SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	63.00	0.32	20.16	12.58
Non-Crop	66	LUTON SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	59.00	0.15	8.85	5.74
Total				32.51	2,138.05	2,084.62

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

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

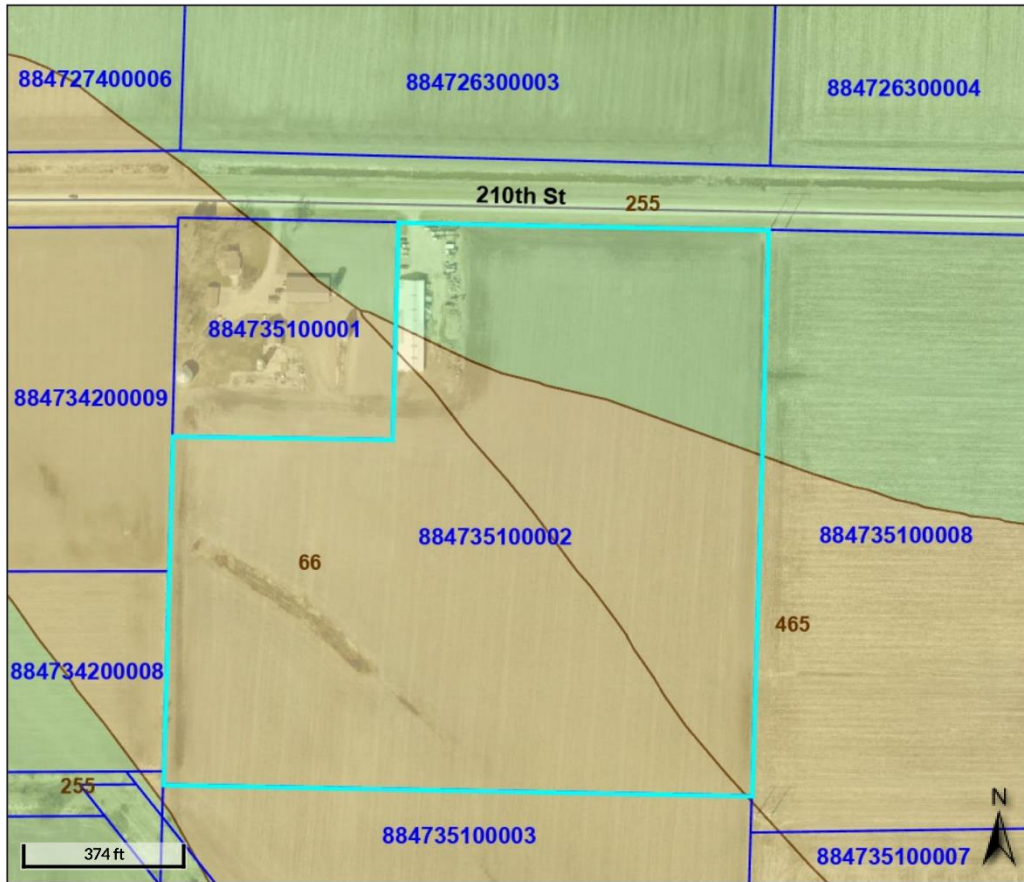
Last Data Upload: 3/2/2023, 6:43:46 PM

Version 2.3.250

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	884735100002	Alternate ID	829680	Owner Address	K & L LEGACY FARMS LLC
Sec/Twp/Rng	35-88-47	Class	A		1620 210TH ST
Property Address		Acreage	32.51		SERGEANT BLUFF, IA 51054
District	0039				
Brief Tax Description	EX N 555 FT W 494 FT NW NW 35-88-47				
	(Note: Not to be used on legal documents)				

Date created: 3/2/2023
 Last Data Uploaded: 3/2/2023 7:43:46 PM

Developed by Schneider
 GEOSPATIAL

WELL & SEPTIC LOCATIONS

From: Alex Lindblom <alindb2011@aol.com>
Sent: Wednesday, March 8, 2023 4:31 PM
To: Daniel Priestley

Follow Up Flag: Follow up
Flag Status: Flagged

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

Dan,
Sorry been working nights and sleeping during the day, but talked with Scott and I'm following up on the well and septic. There is currently no well or septic on the new 2 lots5 that are being divided. Only well and septic is on the current 5 acre residents that my parents live on. The well is right on the southwest corner of the 3 stall detached garage and the septic is directly west of their house. Let me know if you have other questions!

Thanks
Alex

[Sent from the all new AOL app for iOS](#)

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

Date: 03/30/2023 Weekly Agenda Date: 04/04/2023

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

WORDING FOR AGENDA ITEM:

Consider a resolution for opposition to changes to Local Option Sales Tax proposed at the state legislature

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

A resolution opposing SF 550 which proposes to eliminate the Local Option Sales Tax and replace it with an additional one cent sales tax.

BACKGROUND:

The county utilizes the current LOST for property tax relief. Since 1988, the county has used 80% of LOST receipts to lower the secondary road levy. In FY 2023, the LOST is expected to raise \$2,400,000 of the \$4,000,000 local effort required to receive the county's full road use tax fund allocation from the state. Any shortfall in the LOST replacement in SF 550, will require a tax increase.

FINANCIAL IMPACT:

Potentially a \$2,400,000 increase in property taxes should the state legislature decide, at some point in the future, to stop backfilling county LOST receipts.

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

Yes No

RECOMMENDATION:

I recommend that the Board sign the resolution opposing SF 550.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the resolution opposing SF 550.

RESOLUTION IN OPPOSITION TO CHANGES TO LOCAL OPTION
SALES AND SERVICE TAX CHANGES- SF 550

RESOLUTION NO. _____

- WHEREAS, the voters of Woodbury County and cities within the county have voted to enact a 1 cent Local Option Sales Tax in accordance with Iowa Code 423B, and
- WHEREAS, 80% of the revenue derived from the tax is used for property tax relief and directed to replace property tax levies for road and bridge maintenance and improvements, and
- WHEREAS, 20% of the revenue derived from the tax is used to support local economic development efforts, and
- WHEREAS, the residents of Woodbury County have grown to rely on these revenues as a means to reduce property taxes, and
- WHEREAS, the 2023 legislative session has seen the introduction of SF 550, which proposes to convert the Local Option Sales Tax efforts into a statewide sales tax and impose the new sales tax in every jurisdiction, thereby triggering the constitutional amendment to require an allocation of 3/8th of a cent to the Iowa Water and Land Legacy (IWLL) trust fund, and
- WHEREAS, SF 550 proposed to backfill revenues lost due to the proposal, but Woodbury County has concerns of the Legislature's ability to continue backfilling revenues, and
- WHEREAS, many voters in counties across Iowa have voted to implement a local option sales tax, and
- WHEREAS, counties where Local Option Sales Tax (LOST) have been approved also approve revenue purpose statements (RPS) directing their local government on the expenditure of LOST funds, and
- WHEREAS, SF 550 also sunsets these provisions on January 1, 2025, after which no jurisdiction will have the authority to take either a LOST proposal or revenue purpose statement to a vote, essentially deleting the local government's ability to have local option sales taxes.

THEREFORE, the Woodbury County Board of Supervisors would like to express their support of the current Local Option Sales Tax. The current law best represents the interest of voters and furthers the reduction of property taxes, which is a common goal of the County and the Iowa Legislature. The Board of Supervisors unanimously supports the Iowa Water and Land Legacy (IWLL) trust fund; however, SF 550 as currently written, would not only strip the county of control over Local Option Sales Tax (LOST) revenues, but would effectively disregard the will of the Voters.

Passed and approved on this _____th day of _____, 2023.

Matthew Ung, Chair

Daniel A. Bittinger II, Member

Mark Nelson, Member

Keith Radig, Member

Jeremy Taylor, Member

Attest:

Patrick Gill, Auditor

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: