



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS (APRIL 5, 2016) (WEEK 14 OF 2016)

Agenda and Minutes also available at www.woodburycountyiowa.gov

Larry D. Clausen 389-5329 lclausen@woodburycountyiowa.gov
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held April 5, 2016 at 4:30 p.m. in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board for speakers.

- 1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, please limit your remarks to three minutes on any one item.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please turn off all cell phones and other devices while in the Board Chambers.

AGENDA

- 4:00 p.m. 1. General Relief appeal hearing for K. U. Closed Session {Iowa Code Section 21.5(1) (a)} First floor Board of Supervisors meeting room
4:30 p.m. 2. Call Meeting to Order - Pledge of Allegiance to the Flag - Moment of Silence
3. Citizen Concerns Information
4. Approval of the agenda April 5, 2016 Action
5. Approval of the minutes of the March 29, 2016 meeting Action
6. Discussion and approval of claims Action
7. Human Resources - Ed Gilliland
a. Approval of Memorandum of Personnel Transactions Action
b. Nepotism Policy, Discussion and Action Action
4:35 p.m. (Set time) 8. Board Administration/Public Bidder - Heather Satterwhite
a. Public hearing and sale of property Parcel #280651 (aka 3303 Alberta Ave.) Action
b. Approval of resolution for Notice of Property Sale Parcel #001995 Action
c. Approval of resolution for Notice of Property Sale Parcel #034320 Action

4:45 p.m.  
(Set time)

9. County Auditor – Patrick Gill  
Consideration and approval for Liquor License Application for the White Horse Patrol Club Action
10. RML Architects – Mike Neswick  
Public Hearing on the replacement of the Exterior Entrance Plaza at the Woodbury County Law Enforcement Center. Following the closure of the public hearing, conduct the opening of bids from interested contractors for the project. Action
11. Board of Supervisors – Jeremy Taylor
  - a. Discussion and action for an updated submission form for agenda items Action
  - b. Approval of Proclamation of National County Government Month Action
  - c. Mission statement for Woodbury County approval Action
12. Building Services – Kenny Schmitz  
Hydronic System Steam Trap Study Action
13. Board Administration – Dennis Butler  
Discussion on Amendment #2 for Liberty Park and renaming the Urban Renewal area Information
14. Secondary Roads – Mark Nahra
  - a. Receiving and consider award of bids for project number L-B(X14) --73-97 Action
  - b. Consider of award of quotation for Project HC11-9 and HC 11-10 Action
  - c. Consideration of approval of the contracts for Project number FEMA 9 & 14—73-97 Action
  - d. Consideration of approval of the Secondary Road budget for Iowa Department of Transportation Action
  - e. Consideration of the Secondary Road FY 2017 to FY 2021 Construction Program for Iowa Department of Transportation Action
15. County Sheriff – Dave Drew  
Sheriff's budget on overtime and jail expenses Information
16. Rural Economic Development – David Gleiser
  - a. SIMPCO Proposal for Joint City/County Membership Dues Project Action
  - b. Usage of outside legal counsel Action
  - c. Update on Comprehensive Planning Project Information
  - d. Presentation of Issue Papers Developed for Washington D.C. Conference Action
  - e. Consideration of Adopting an Ordinance for Iowa Code 427B Information
17. Board of Supervisors – Mark Monson  
Discussion and approval of Short Term Lease Agreement with DHS for office space at Trospen Hoyt Action

**Recess Board of Supervisors meeting  
Convene Wolf Creek Drainage District Meeting**

18. Approval of minutes from March 29, 2016, meeting Action

**Adjourn Wolf Creek Drainage District Meeting  
Continue Board of Supervisors meeting**



- |  |             |
|--|-------------|
| 19. Chairman's Report                                    | Information |
| a. Courthouse Security                                   |             |
| b. Important dates                                       |             |
| c. Ag Expo Center response                               |             |
| d. Land use study for staff recommendation Prairie Hills |             |
| 20. Reports on Committee Meetings                        | Information |
| 21. Citizen's Concerns                                   | Information |
| 22. Board Concerns and Comments                          | Information |

## ADJOURNMENT

*Subject to Additions/Deletions*

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### CALENDAR OF EVENTS

- |                            |  |   |
|----------------------------|--|---|
| <b>MONDAY, APRIL 4</b>     | <b>6:00 p.m.</b>                       | Board of Adjustment meeting, Board of Supervisors' Chambers   |
| <b>TUESDAY, APRIL 5</b>    | <b>4:45 p.m.</b>                       | Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.                                       |
| <b>WEDNESDAY, APRIL 6</b>  | <b>12:00 noon</b>                      | District Board of Health Meeting, 1014 Nebraska St.   |
| <b>THURSDAY, APRIL 7</b>   | <b>5:00 p.m.</b>                       | Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park                                      |
| <b>TUESDAY, APRIL 12</b>   | <b>NO BOARD OF SUPERVISORS MEETING</b> |   |
| <b>WEDNESDAY, APRIL 13</b> | <b>8:05 a.m.</b>                       | Woodbury County Information Communication Commission Board of Supervisors' Chambers                       |
| <b>THURSDAY, APRIL 14</b>  | <b>7:00 p.m.</b>                       | Siouxland Mental Health Center, Board Meeting, 625 Court Street   |
|                            | <b>12:00 p.m.</b>                      | SIMPCO Board of Directors, 1122 Pierce St, Sioux City, Iowa   |
| <b>MONDAY, APRIL 18</b>    | <b>4:30 p.m.</b>                       | Community Action Agency of Siouxland Board Meeting, 2700 Leech  |
|                            | <b>7:00 p.m.</b>                       | Board of Supervisors meeting with Correctionville City Council  |
| <b>WEDNESDAY, APRIL 20</b> | <b>10:00 a.m.</b>                      | Senior Center Board of Directors Meeting, 313 Cook Street   |
|                            | <b>12:00 noon</b>                      | Siouxland Economic Development Corporation Meeting, 617 Pierce St. Ste. 202, Sioux City, Iowa             |
| <b>THURSDAY, APRIL 21</b>  | <b>11:00 a.m.</b>                      | Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St., Sioux City, Iowa |
| <b>MONDAY, MAY 2</b>       | <b>6:00 p.m.</b>                       | Board of Adjustment meeting, Board of Supervisors' Chambers   |
| <b>TUESDAY, MAY 3</b>      | <b>4:45 p.m.</b>                       | Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.                                       |
| <b>WEDNESDAY, MAY 4</b>    | <b>12:00 noon</b>                      | District Board of Health Meeting, 1014 Nebraska St.   |
| <b>THURSDAY, MAY 5</b>     | <b>5:00 p.m.</b>                       | Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park                                      |

**The following Boards/Commission have vacancies:** Commission To Assess Damages - Category A, Category B, Category C and Category D

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 29, 2016 —THIRTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**



The Board of Supervisors met on Tuesday, March 29, 2016 at 4:30 p.m. Board members present were Monson, Ung, Smith, Taylor, and Clausen. Staff members present were Dennis Butler, Budget Tax Analyst, Karen James, Board Administrative Coordinator, Ed Gilliland, Human Resources Director and Patrick Gill, Auditor/Clerk to the Board.

1. The meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.
2. Tom Haman, 5116 Garretson, Sioux City voiced a concern with a cash requirement for conceal/carry permit. He was referred to the Sheriff's Office.
3. Motion by Monson second by Ung to approve the Agenda as submitted for March 29, 2016. Carried 5-0. Copy filed.
4. Motion by Monson second by Clausen to approve the minutes of the March 22, 2016 Board meeting. Carried 5-0. Copy filed.
5. Motion by Monson second by Ung to approve the claims totaling \$337,131.35. Carried 5-0. Copy filed.
- 6a. Motion by Smith second by Ung to approve the appointment of Austin Pickering, Sheriff Reserve Officer, County Sheriff Dept., effective 11-20-15, \$15.00/hour. Per Sheriff Drew, for designated events only.; the appointment of Skylar Pickering, Sheriff Reserve Officer, County Sheriff Dept., effective 11-23-15, \$15.00/hour. Per Sheriff Drew, for designated events only.; the separation of Michael Brown, Sheriff Reserve Officer, County Sheriff Dept., effective 03-24-16. Resignation.; the separation of Caleb Edwards, Sheriff Reserve Officer, County Sheriff Dept., effective 03-24-16. Resignation.; the separation of Travis Martin, Sheriff Reserve Officer, County Sheriff Dept., effective 03-24-16. Resignation.; the promotion of Tonia Abell, Senior Clerk, Human Resources Dept., effective 03-28-16, \$17.50/hour.; Promotion from Clerk II to Senior Clerk.; the promotion of Melissa Thomas, Admin. Assistant, Human Resources Dept., effective 03-28-16, \$45,760/year. Promotion from Safety Risk Coord. To Admin. Assistant.; and the separation of Eileen Whitehouse, Clerk II, County Treasurer Dept., effective 5-06-16. Retirement. Carried 5-0. Copy filed.
- 6b. Motion by second by to approve and authorize the Chairperson to sign the authorization to extend hours for existing position for Youth Worker P/T to F/T hours Temporary – 90 days, Juvenile Detention Dept., Current Wage. Carried 5-0. Copy filed.
- 6c. Motion by Monson second by Taylor to postpone action to approve new funding or proper allocation to the individual department for AED Defibrillator pads, CPR cards and supplies, and First Aid supplies. Carried 5-0. Copy filed.
7. Motion by Smith second by Monson to approve and authorize the Chairperson to sign a Resolution for suspension of taxes through the redemption process for Margaret Hemmelrick, parcel #894730411009, 323 S. Dorman St, Sioux City. Carried 5-0.

**WOODBURY COUNTY, IOWA**  
**RESOLUTION #12,347**  
**RESOLUTION APPROVING PETITION FOR SUSPENSION**  
**OF TAXES THROUGH THE REDEMPTION PROCESS**

**WHEREAS**, Margaret Hemmelrick as joint titleholders of a property located at 323 S. Dorman St., Sioux City, Woodbury County, Iowa, and legally described as follows:

**Parcel # 8947 30 411 009**

**HIGHLAND 1 & 2 LEVITTS SUB DIV OF L OTS 84-85 LOTS 4-5-6**

**WHEREAS**, Margaret Hemmelrick, as joint titleholders of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 1999 Iowa Code Section 447.9(3) and,

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby directs the County Auditor to redeem this property Parcel #894730411009 owned by the petitioner from the holder of a certificate of purchase of the amount necessary to redeem under section 447.9, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this parcel.

**SO RESOLVED** this 29th day of March, 2016.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 8. A public hearing was held for a third reading for a text amendment to Woodbury County's Zoning Ordinance as authorized under 2.02:3.

Monty McCoy, 4621 Deer Run Trail, Bruce Garbe, 1498 Buchanan, Roger and Kreisler, 1444, 210<sup>th</sup> St. addressed the Board with concerns about the proposed ordinance. + Stokes, spoke in favor of the proposed ordinance.

Motion by Monson second by Clausen to close public hearing. Carried 5-0.

Motion by Monson second by Smith to accept the third reading of the Zoning ordinance amendment language on attached Exhibit "A" for Ordinance 39. Carried 4-1 on a roll call vote; Clausen opposed.

Motion by Monson second by Taylor to approve the Zoning ordinance amendment language on Exhibit "A" for Ordinance 39. Carried 4-1 on a roll call vote; Clausen opposed. Copy filed.

- 9a. Bids were received for project #HC 11-9 and HC 11-10. The bids are as follows:

Flewelling Earthmoving, Merville, IA	\$121,559.80
Niewohner Construction, Onawa, IA	\$ 59,732.00
Nelson & Rock Contracting, Onawa, IA	\$ 62,800.00
L.A. Carlson Contracting, Merrill, IA	\$ 97,994.00

Motion by Monson second by Smith to receive the bids and to direct the County Engineer to evaluate the bids and return with a recommendation for award. Carried 5-0. Copy filed.

- 9b. Motion by Ung second by Clausen to approve permit to work in the Highway Right of Way for Michael Miltenberger. Carried 5-0. Copy filed.
- 9c. Motion by Monson second by Ung to approve permit to work in the Highway Right of Way for Leo Jochum. Carried 5-0. Copy filed.
- 9d. Motion by Ung second by Clausen to award the quotation for 2016 corrugated metal pipe culverts to Metal Culverts for \$99,572.33. Carried 5-0. Copy filed.
- 9e. Motion by Clausen second by Ung to approve permit to work in the Highway Right of Way for Kelvin Patrick. Carried 5-0. Copy filed.
- 10. Motion by Monson second by Smith to transfer the title of three Woodbury County Mental Health vehicles to the Sioux Rivers Regional entity. Carried 5-0. Copy filed.

The Board recessed for a meeting of the Wolf Creek Drainage District.

The Supervisors meeting was called back to order.

13. The Chairperson reported on day to day activities.
14. The Board members reported on their committee meetings.
15. There were no citizen concerns.
16. Board concerns and comments.

The Board adjourned the regular meeting until April 5, 2016.

Meeting sign in sheet. Copy filed.



#7a

HUMAN RESOURCES DEPARTMENT  
MEMORANDUM OF PERSONNEL TRANSACTION

DATE: April 5, 2016

\* PERSONNEL ACTION CODE:

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

TO: WOODBURY COUNTY BOARD OF SUPERVISORS

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Bieler, Alesha	County Attorney	4-24-16	Secretary	\$20.89/hour	5%=\$1.02/hr	R	Per AFSCME Courthouse Contract agreement, from Grade 5/Step 3 to Grade 5/Step 4.
Stahlecker, Blake	County Sheriff	4-29-16	Civilian Jailer	\$18.19/hour	4%=\$.71/hr	R	Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.
Murphy, Diane	County Attorney	4-30-16	Asst. County Attorney	\$79,485/year	3.7%=\$2,867/yr	R	Per AFSCME Asst. County Attorney Contract agreement, from Step 8 to Step 9.
Sopoci, Brenda	Juvenile Detention	4-30-16	Youth Worker	\$23.29/hour	5.6%=\$1.24/hr	R	Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 4 to Grade 1/Step 5.

APPROVED BY BOARD DATE:

ED GILLILAND, HR DIRECTOR:



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

**TO:** Board of Supervisors and the Taxpayers of Woodbury County  
**FROM:** Ed Gilliland, Human Resources Director  
**SUBJECT:** Memorandum of Personnel Transactions  
**DATE:** April 5, 2016

For the April 5, 2016 meeting of the Board of Supervisors and the Taxpayers of Woodbury County the Memorandum of Personnel Transactions will include:

- 1) County Attorney Secretary, from Grade 5/Step 3 to Grade 5/Step 4.
- 2) County Sheriff Civilian Jailer, from Class 3 to Class 2.
- 3) County Attorney Asst. County Attorney, from Step 8 to Step 9.
- 4) Juvenile Detention Youth Worker, from Grade 1/Step 4 to Grade 1/Step 5.

*EdG*

Thank you

#76

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REC**

Date: 03-31-16

Weekly Agenda Date: 04-05-16

DEPARTMENT HEAD / CITIZEN: Ed Gilliland

SUBJECT: Nepotism Policy

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Nepotism Policy, Discussion and Action.

**EXECUTIVE SUMMARY:** The Nepotism policy has been updated for clarity.

**BACKGROUND:** We were confronted with a situation where a person was chosen as a finalist for a position here in the County. Hiring them would have violated the Nepotism Policy so they were not hired. It was stated that the policy was unclear, perhaps should allow for exceptions, and was not particularly workable. We tweaked the policy slightly and added language for clarity. Through the kind assistance of the County Attorney and some review of what others, including the City of Sioux City use as a Nepotism Policy, we are bringing forward the policy you see.

**FINANCIAL IMPACT:** NONE

**RECOMMENDATION:** Please move to approve the Nepotism Policy. We will add this to our Handbook and post it in policy.

**ACTION REQUIRED/PROPOSED MOTION:** Please move to approve the Nepotism Policy.

*Approved by Board of Supervisors March 3, 2015.*



**NEPOTISM POLICY FOR WOODBURY COUNTY  
THE FOLLOWING EMPLOYMENT RULES AND REGULATIONS SHALL APPLY**

The County Board of Supervisors (Board) finds that a nepotism policy assures that employees are hired and/or promoted on the basis of their qualifications and fitness for the department and for the good of the public service.

Elected officials are required to follow State law, not restricted to the County nepotism policy.

No hiring authority may appoint or vote for the appointment as a regular, paid-on-call, temporary, or seasonal employee when any of the following conditions exist:

- When one member of the immediate family is already employed in the department to which another member of the immediate family is seeking employment; or
- When an employee seeking a promotion or transfer through in-house posting of job openings would result in a supervisory relationship between immediate family members; or
- When an applicant's immediate family member is employed by the County in a position that is classified as confidential.

Any such appointment may be voided by the Board if not done voluntarily by the hiring department.

If a family relationship is created by the marriage or cohabitation of County employees or in the event of an immediate family member becoming an elected official working in the same department, the two employees will be given the option of deciding who will transfer or be reassigned if possible. If it is not possible for one to transfer or to be reassigned the two employees may decide which one shall resign within 90 days of the occurrence or face immediate termination. If a family relationship is created by marriage between an employee and a non-employee, the employee who became married must transfer or take reassignment, if possible, or terminate employment within 90 days.

For the purpose of this policy the term "immediate family member" means any of the following: spouse (husband or wife), domestic partners, cohabitating couples, child and/or step-child (son or daughter), parent (mother or father), step-parent, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, grandparent, aunt, uncle, niece, nephew, cousin, and any permanent member of the immediate family.

- The policy is not applicable when an employee is to be paid wages or salary of less than six hundred dollars per year.
- This policy is not applicable to County Civil Service Employees.
- Any further exceptions to this would require prior Board approval.

Employees employed prior to the date of adoption of this policy amendment who are affected by this policy may continue their employment and shall have the right to seek transfers, promotions and, where applicable, change the status of their existing employment to full-time. This policy shall not restrict an employee's right to transfer or seek promotion within the County to the extent such action does not further violate this policy.

#8a

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

Date: March 31, 2016

Weekly Agenda Date: April 5, 2016

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Heather Satterwhitie, Public Bidder

SUBJECT: Public hearing and sale of property parcel #280651 (aka 3303 Alberta Ave)

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Public hearing and sale of property parcel #280651 (aka 3303 Alberta Ave)

**EXECUTIVE SUMMARY:**

**BACKGROUND:** The board approved the notice of property sale resolution on March 22<sup>nd</sup>, 2016.

**FINANCIAL IMPACT:** None

**RECOMMENDATION:** Approve the sale of property to the highest bidder, starting with a minimum bid of \$250.00

**ACTION REQUIRED / PROPOSED MOTION:** Approve the sale of property to the highest bidder.

*Approved by Board of Supervisors March 3, 2015. Revised May 5, 2015.*

# RESOLUTION #

## NOTICE OF PROPERTY SALE

### Parcel #280651

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

**Lot Two Block Eighteen, Kelly Park Addition, City of Sioux City, Woodbury County, Iowa  
(3303 Alberta Ave)**

**NOW THEREFORE,**

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

1. That a public hearing on the aforesaid proposal shall be held on the **5<sup>th</sup> Day of April, 2016 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **5<sup>th</sup> Day of April, 2016**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$250.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 22<sup>nd</sup> Day of March, 2016.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

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Patrick F. Gill  
Woodbury County Auditor  
and Recorder

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Jeremy J. Taylor, Chairman



688-3336

REQUEST FOR MINIMUM BID

Name: Todd Taylor Date: 4/8/15  
Address: 3317 Athlone Ave Phone: 635-1339

Address or approximate address/location of property interested in:  
3303 Alberta Ave

GIS# 894723377006

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

Legal Description:  
Lot 2 Block 18 Kelly Park Addition  
Sioux City, IA and Woodbury County

Tax Sale #/Date: # 1088 6/17/2013 Parcel # 280651

Tax Deeded to Woodbury County on: 1/22/2014

Current Assessed Value: Land \$6,000 Building 0 Total \$6,000

Approximate Delinquent Real Estate Taxes: \$761-

Approximate Delinquent Special Assessment Taxes: 0

\*Cost of Services: \$200

Inspection to: Mark Monson Date: 4/8/15

Minimum Bid Set by Supervisor: \$50<sup>00</sup> plus \$200 (cost of services) Total: \$250-

Date and Time Set for Auction: April 5<sup>th</sup> @ 4:35pm

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

Date Created: 4/8/2015

Overview



Legend

- Roads
- ▣ Corp Boundaries
- ▣ Townships
- ▣ Sections
- Residential Sales**
- 2013
- 2014
- 2015
- ▣ Parcels



<b>Parcel ID</b>	894723377006	<b>Alternate ID</b>	280651	<b>Owner Address</b>	FRYE KRISTINE CORCORAN
<b>Sec/Twp/Rng</b>	0-0-0	<b>Class</b>	R		PO BOX 65712
<b>Property Address</b>	3303 ALBERTA AVE	<b>Acreage</b>	n/a		W DES MOINES, IA 50265-0712
	SIOUX CITY				

**District** 087 SC LL SIOUX CITY COMM  
**Brief Tax Description** KELLY PARK  
 LOT 2 BLK 18

(Note: Not to be used on legal documents)

Last Data Upload: 4/8/2015 7:07:16 AM



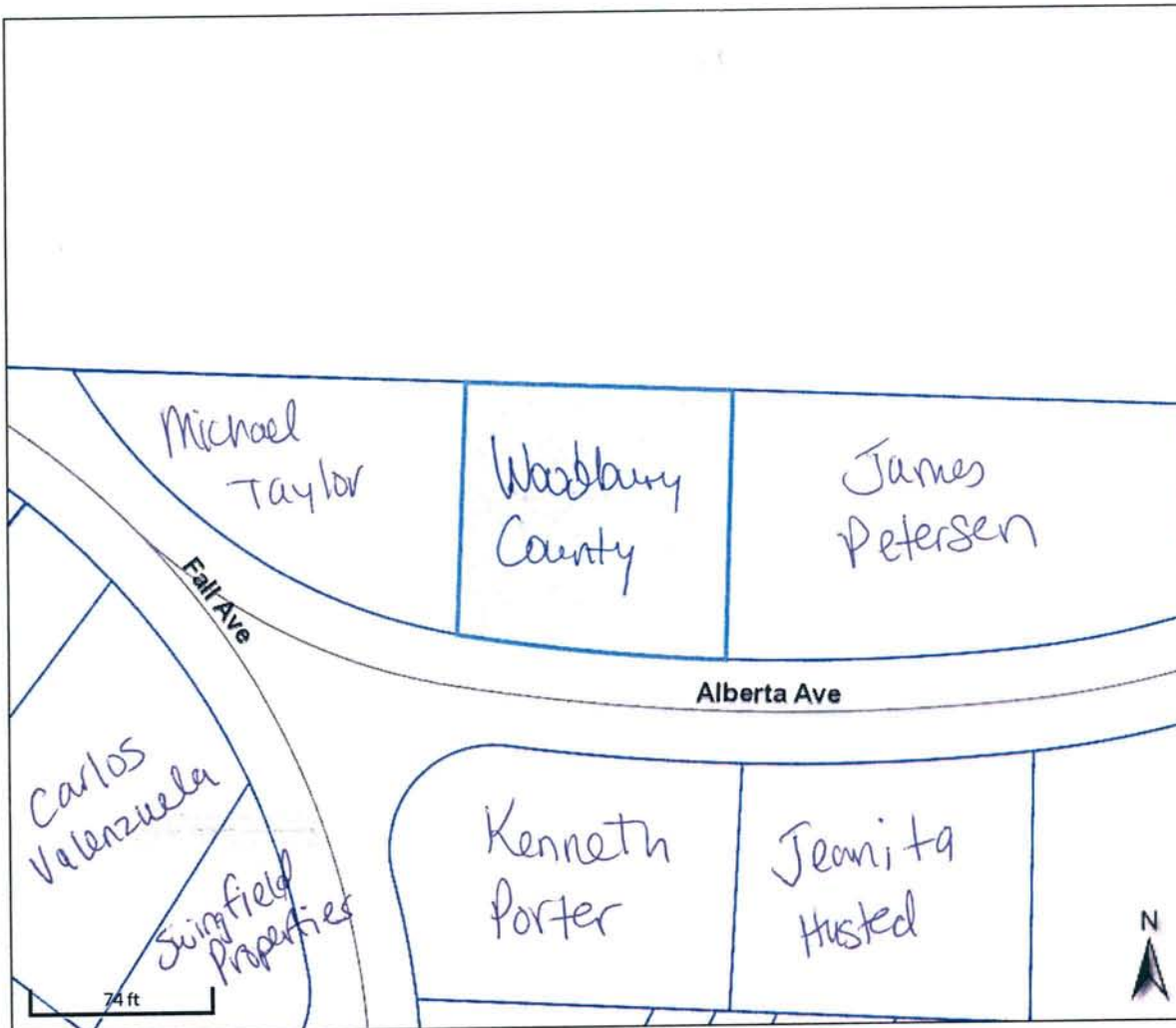


Overview




Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Residential Sales
- 2013
- 2014
- 2015
- Parcels



Parcel ID	894723377006	Alternate ID	280651	Owner Address	FRYE KRISTINE CORCORAN
Sec/Twp/Rng	0-0-0	Class	R		PO BOX 65712
Property Address	3303 ALBERTA AVE	Acreage	n/a		WEST DES MOINES, IA 50265-0712
	SIOUX CITY				
District	087 SC LL SIOUX CITY COMM				
Brief Tax Description	KELLY PARK				
	LOT 2 BLK 18				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 3/15/2016  
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 Developed by  
 The Schneider Corporation



#8b

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQU**

Date: March 31<sup>st</sup>, 2016

Weekly Agenda Date: April 5<sup>th</sup>, 2016

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Heather Satterwhite

SUBJECT: Approval of Notice of Property Sale Resolution for Parcel #001995

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Approval of resolution for Notice of Property Sale Parcel #001995

**EXECUTIVE SUMMARY:**

**BACKGROUND:** Minimum bid of \$213.00 has been set, due to interest in the property from adjoining property holder.

**FINANCIAL IMPACT:** none

**RECOMMENDATION:** Approve the resolution of Notice of Property Sale for parcel #001995 (613 W. 2<sup>nd</sup> Street) with the public hearing and auction to be set for April 19<sup>th</sup>, 2016 at 4:35 p.m.

**ACTION REQUIRED / PROPOSED MOTION:** Approve the Notice of Property Sale Resolution

*Approved by Board of Supervisors March 3, 2015. Revised May 5, 2015.*

# RESOLUTION #

## NOTICE OF PROPERTY SALE

### Parcel #001995

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

**The Easterly 55 feet of Lot 6 in Block 8, Sioux City Addition to Sioux City, in the County of Woodbury and State of Iowa  
(613 W 2<sup>nd</sup> Street)**

**NOW THEREFORE,**

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

1. That a public hearing on the aforesaid proposal shall be held on the **19<sup>th</sup> Day of April, 2016 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **19<sup>th</sup> Day of April, 2016**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$213.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 5<sup>th</sup> Day of April, 2016.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

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Patrick F. Gill  
Woodbury County Auditor  
and Recorder

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Jeremy J. Taylor, Chairman

REQUEST FOR MINIMUM BID

Name: Carlos Ayala Date: 7/31/15  
Address: 205 Sparks St. Phone: 301-0008

Address or approximate address/location of property interested in:  
1013 W. 2<sup>nd</sup> St.

GIS# 894729401002

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

Legal Description:  
East 55 ft of Lot 6, Block 8  
Sioux City Addition, Sioux City, Woodbury  
County, Iowa.

Tax Sale #/Date: #1172 6/19/2006 Parcel # 001995

Tax Deeded to Woodbury County on: 2/13/2014

Current Assessed Value: Land \$100<sup>-</sup> Building Ø Total \$100<sup>-</sup>

Approximate Delinquent Real Estate Taxes: \$1,075<sup>-</sup>

Approximate Delinquent Special Assessment Taxes: \$7,863<sup>-</sup>

\*Cost of Services: \$113

Inspection to: Maurice Monahan Date: 7/31/15

Minimum Bid Set by Supervisor: \$100<sup>00</sup> plus cost of services of \$113 Total: \$213

Date and Time Set for Auction: April 19<sup>th</sup> @ 4:35

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





Overview




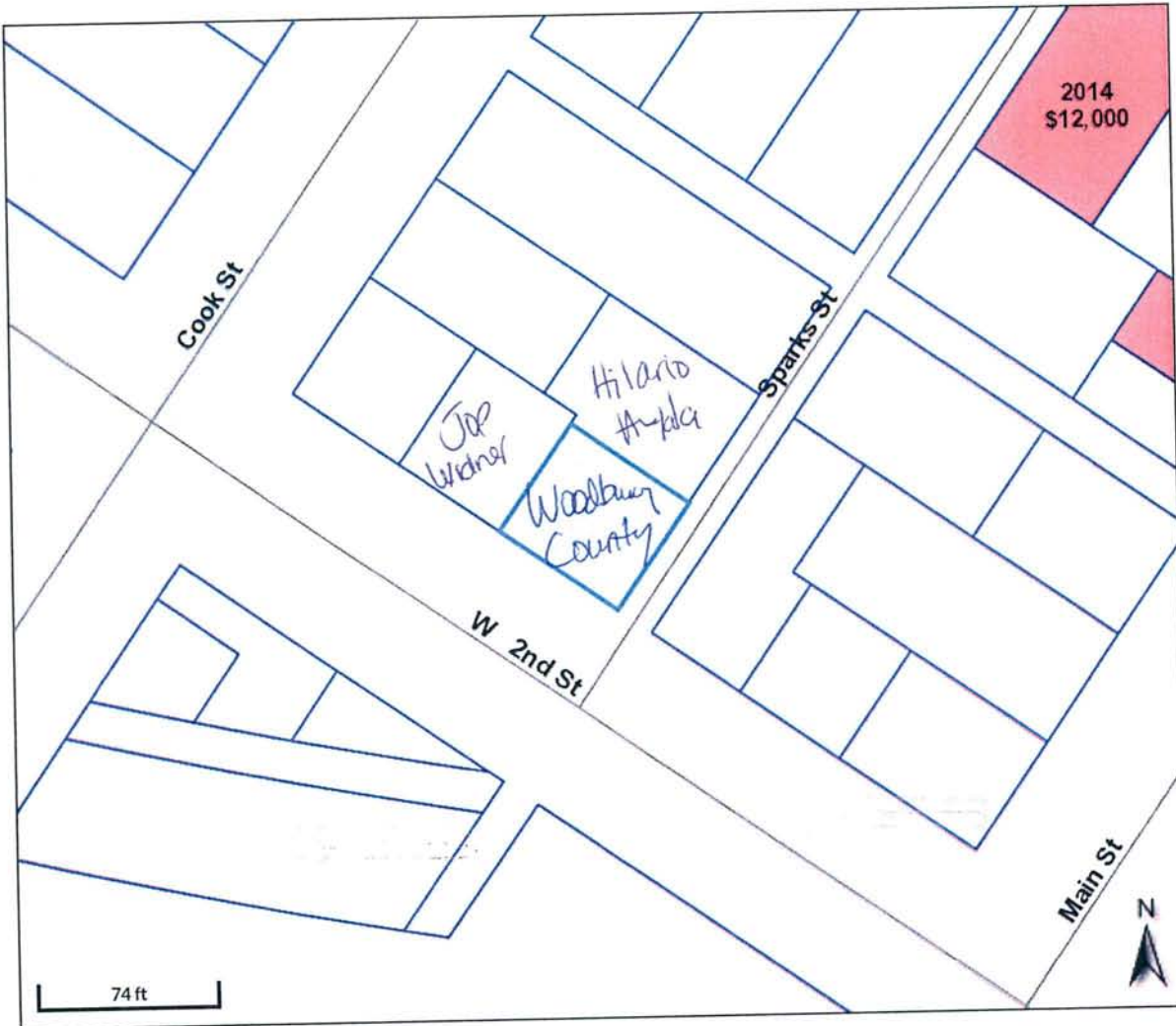
Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Residential Sales
  - 2013
  - 2014
  - 2015
- Parcels

Parcel ID	894729401002	Alternate ID	001995	Owner Address	MCGEE DEBRA
Sec/Twp/Rng	0-0-0	Class	R		613 W 2ND ST
Property Address	613 W 2ND ST	Acreage	n/a		SIOUX CITY, IA 51103-0000
	SIOUX CITY				
District	S C CITY/S C SC H/PARKWAY ORIG LL				
Brief Tax Description	SIOUX CITY ADDN				
	E 55 FT LOT 6 BLK 8				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 7/31/2015  
 Last Data Upload: 7/31/2015 3:49:26 AM

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Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Residential Sales
  - 2013
  - 2014
  - 2015
- Parcels

2014  
\$12,000

74 ft

Parcel ID	894729401002	Alternate ID	001995	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	0-0-0	Class	R		WOODBURY COUNTY COURTHOUSE
Property Address	613 W 2ND ST	Acreage	n/a		613 W 2ND ST
	SIOUX CITY				SIOUX CITY, IA 51103-0000
District	S C CITY/S C SC H/PARKWAY ORIG LL				
Brief Tax Description	SIOUX CITY ADDN				
	E 55 FT LOT 6 BLK 8				
	(Note: Not to be used on legal documents)				

Date created: 3/31/2016



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#8c

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQU**

Date: March 31<sup>st</sup>, 2016

Weekly Agenda Date: April 5<sup>th</sup>, 2016

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Heather Satterwhite

SUBJECT: Approval of Notice of Property Sale Resolution for Parcel #034320

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Approval of resolution for Notice of Property Sale Parcel #034320

**EXECUTIVE SUMMARY:**

**BACKGROUND:** Minimum bid of \$246.00 has been set, due to interest in the property from adjoining property holder.

**FINANCIAL IMPACT:** none

**RECOMMENDATION:** Approve the resolution of Notice of Property Sale for parcel #034320 (1010 12<sup>th</sup> Street) with the public hearing and auction to be set for April 19<sup>th</sup>, 2016 at ~~4:35~~ 4:37 p.m.

**ACTION REQUIRED / PROPOSED MOTION:** Approve the Notice of Property Sale Resolution

*Approved by Board of Supervisors March 3, 2015. Revised May 5, 2015.*



## RESOLUTION #

### NOTICE OF PROPERTY SALE

#### Parcel #034320

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

**East 38.5 ft West 110 ft of Lot 1 in Block 109 East 40 ft of Lot 1 in Block 109, Sioux City East Addition, City of Sioux City, Woodbury County, Iowa  
(1010 12<sup>th</sup> Street)**

**NOW THEREFORE,**

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

1. That a public hearing on the aforesaid proposal shall be held on the **19<sup>th</sup> Day of April, 2016 at 4:37 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **19<sup>th</sup> Day of April, 2016**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$246.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 5<sup>th</sup> Day of April, 2016.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

---

Patrick F. Gill  
Woodbury County Auditor  
and Recorder

---

Jeremy J. Taylor, Chairman

**REQUEST FOR MINIMUM BID**

Name: Robert Higgins Date: 9/30/15  
Address: 4542 Manor Cir Phone: 899-4521

Address or approximate address/location of property interested in:  
1010 12<sup>th</sup> St.

GIS PIN # 894728209004

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

Legal Description:  
E. 38.5 ft W 110 ft Lot 1 Block 109  
E. 40 ft Lot 1 Block 109 Sioux City  
East Addition, City of Sioux City,  
Woodbury County, Iowa

Tax Sale #/Date: #912 6/18/2012 Parcel # 034320

Tax Deeded to Woodbury County on: 3/24/2016

Current Assessed Value: Land \$ 200 Building 0 Total \$ 200

Approximate Delinquent Real Estate Taxes: \$ 3,928

Approximate Delinquent Special Assessment Taxes: \$ 48,912

\*Cost of Services: \$ 146

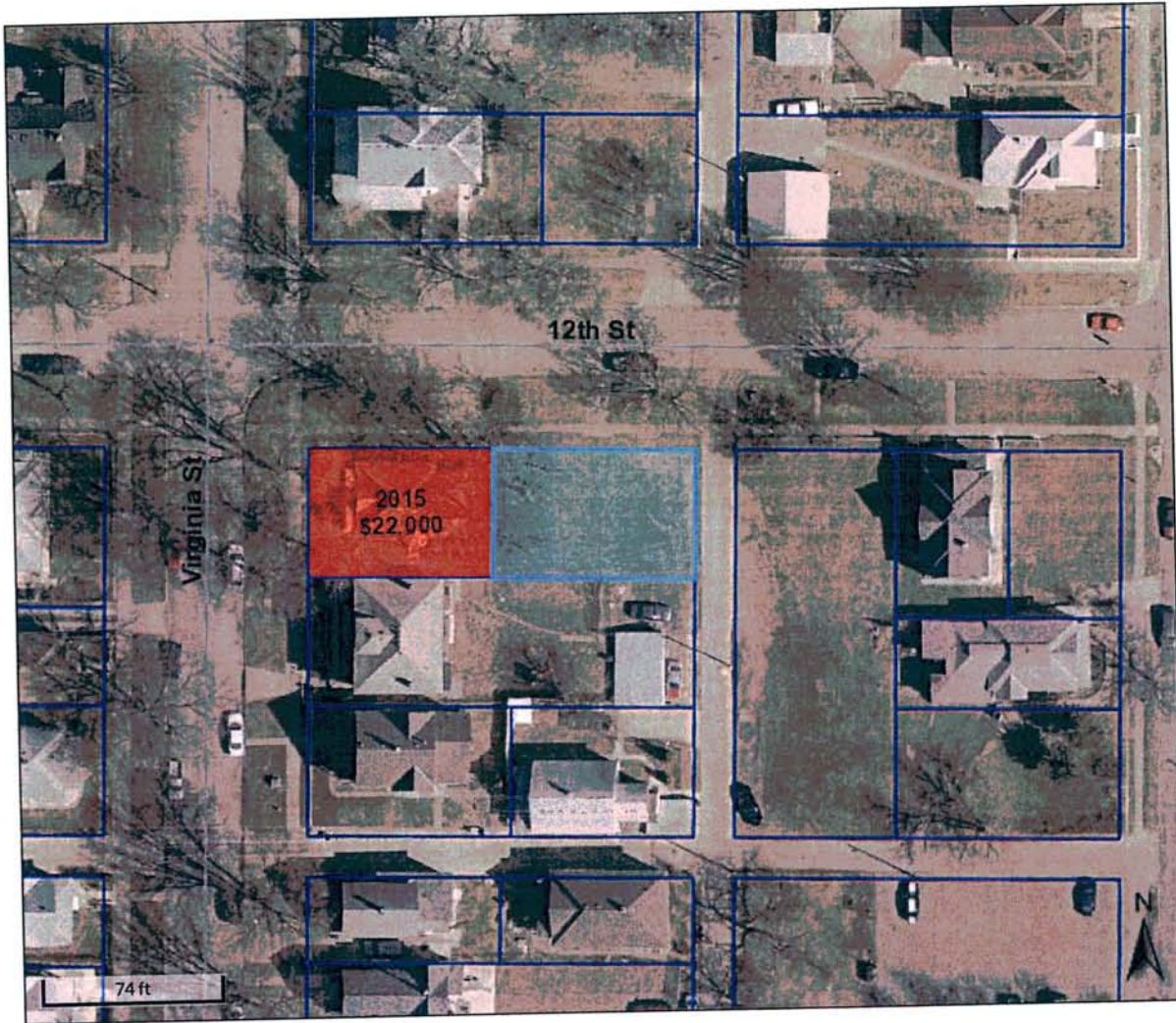
Inspection to: Mark Monson Date: 9/30/15

Minimum Bid Set by Supervisor: \$ 100 plus \$ 146 for cost of services Total: \$ 246

Date and Time Set for Auction: April 17<sup>th</sup> @ 4:37

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





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Parcel ID	894728209004	Alternate ID	034320	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	0-0-0	Class	R		WOODBURY COUNTY COURTHOUSE
Property Address	1010 12TH ST	Acreage	n/a		7401 E 26TH AVE UNIT 221
	SIOUX CITY				DENVER, CO 80238-2630
District	087 SC LL SIOUX CITY COMM				
Brief Tax Description	SIOUX CITY EAST				
	E 38.5 FT W 110 FT L				
	OT 1 BLK 109 E 40 FT				
	LOT 1 BLK 109				
	<i>(Note: Not to be used on legal documents)</i>				

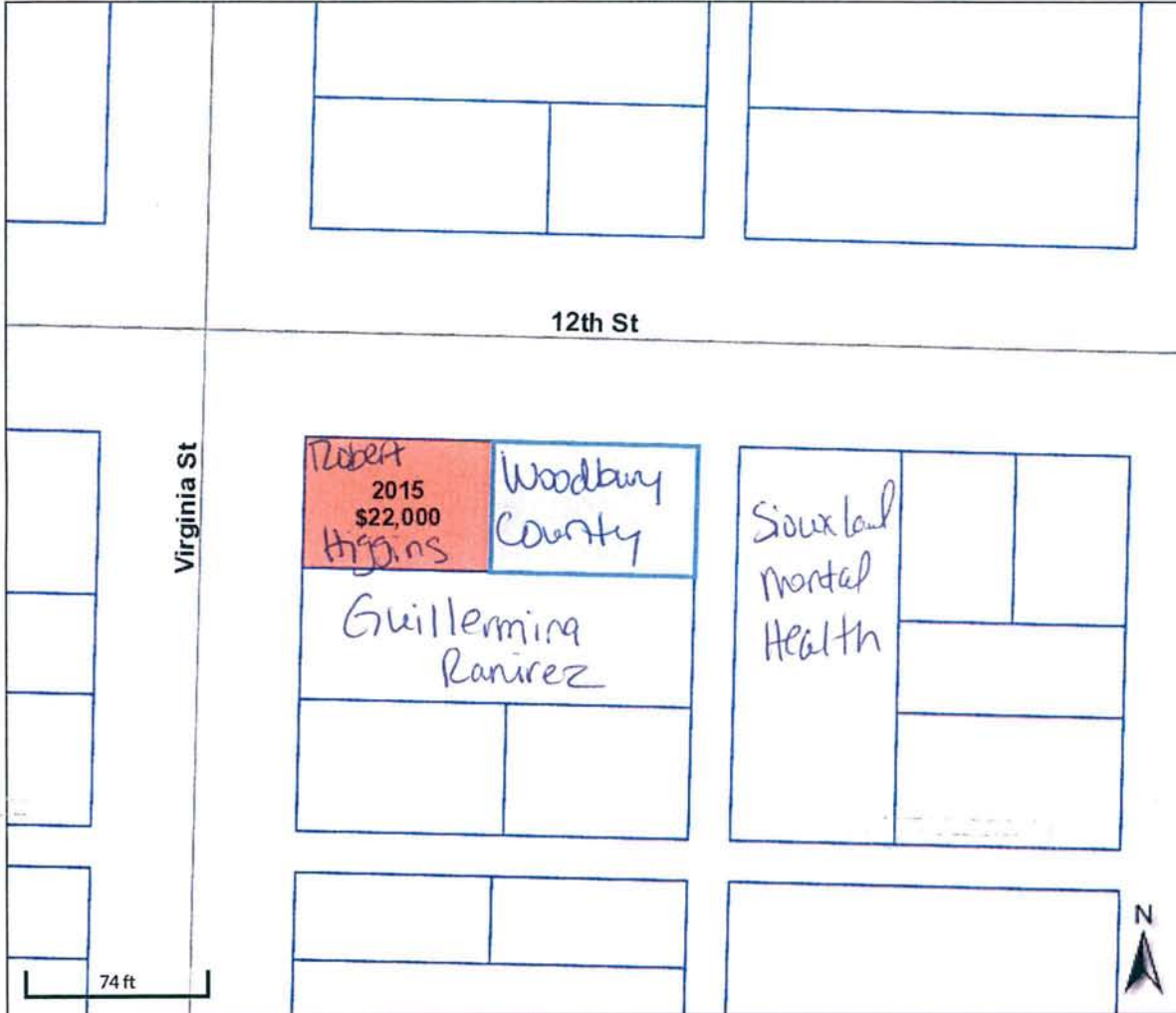
Date created: 3/31/2016

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# Beacon™ Woodbury County, IA / Sioux City



### Overview



### Legend

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Parcel ID	894728209004	Alternate ID	034320	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	0-0-0	Class	R		WOODBURY COUNTY COURTHOUSE
Property Address	1010 12TH ST	Acreage	n/a		7401 E 26TH AVE UNIT 221
	SIOUX CITY				DENVER, CO 80238-2630
District	087 SC LL SIOUX CITY COMM				
Brief Tax Description	SIOUX CITY EAST				
	E 38.5 FT W 110 FT L				
	OT 1 BLK 109 E 40 FT				
	LOT 1 BLK 109				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 3/31/2016

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#9

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

Date: 3/25/16

Weekly Agenda Date: 4/5/16

DEPARTMENT HEAD / CITIZEN: County Auditor – Pat Gill

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Consideration and approval for Liquor License Application for the White Horse Patrol Club.

**EXECUTIVE SUMMARY:** N/A

**BACKGROUND:** N/A

**FINANCIAL IMPACT:** Local Authority Share \$260.00

**RECOMMENDATION:** Approval

**ACTION REQUIRED:** Motion by second by to approve an application for a 12-month, Class A Liquor License (LA)(Private Club), with Sunday sales privileges for the White Horse Patrol Club, Sergeant Bluff, IA, effective 04/05/16 through 04/04/17.

*Approved by Board of Supervisors March 3, 2015.*

**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 25, 2016

Subject: Liquor License Application for White Horse Patrol Club

Please approve and receive for signature, an application for a 12-month, Class A Liquor License (LA) (Private Club), with Sunday sales privileges, for the White Horse Patrol Club, 1689 Old Hwy 141, Sergeant Bluff, Iowa. The license will be effective 04/05/16 through 04/04/17.





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## Applicant License LA0001073, White Horse Patrol Club, Sergeant Bluff

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

### LENGTH OF LICENSE REQUESTED:

(Choose one of the following):

- 12 month
- 8 month
- 6 month
- 14 day
- 5 day

License Status: Submitted to Local Authority

Original issue date of license:  MM/DD/YYYY

Issue date of current license:  MM/DD/YYYY

License effective date:  MM/DD/YYYY

License expiration date:  MM/DD/YYYY

Number of days notice:

70 day notice:

Cancel date:  MM/DD/YYYY

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## Privileges LA0001073, White Horse Patrol Club, Sergeant Bluff

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.

The navigation links on the top may also be used to move around the application.

Select one or more of the privileges you wish to have for your Class A Liquor License (LA) (Private Club). If no privileges are applicable please leave all boxes unchecked and hit the next button.

<b>PRIVILEGES:</b>	
<input type="checkbox"/>	Living Quarters
<input type="checkbox"/>	Outdoor Service
<input checked="" type="checkbox"/>	Sunday Sales

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### Applicant LA0001073, White Horse Patrol Club, Sergeant Bluff

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor:  (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A):

Address of Premise:

Address Line 2:

City:

County:

Zip:

Business Phone:  Cell / Home Phone:

Same Address

Mailing Address:

Mailing Address Line 2:

City:  State:

Zip:

Contact Name:

Phone:  Email Address:

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## Status of Business LA0001073, White Horse Patrol Club, Sergeant Bluff

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

Indicate how the business will be operated (Choose one of the following):

<input type="radio"/> Sole Proprietorship	<input type="radio"/> Publicly Traded Corporation
<input type="radio"/> General Partnership	<input type="radio"/> Limited Liability Company
<input type="radio"/> Limited Partnership	<input type="radio"/> Municipality
<input checked="" type="radio"/> Privately-Held Corporation	<input type="radio"/> Non-Profit Association

Corporate ID Number:  Federal Employer ID#:

Federal Employer ID Applied For:

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## Ownership LA0001073, White Horse Patrol Club, Sergeant Bluff

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

Corporate applicant's, list all shareholders having 10% or more interest in the corporation and all officers and directors of the corporation regardless of ownership interest. Sole Proprietors shall also include their spouse even if the spouse owns 0% interest. Non-profit corporations or associations need to list officers. Partnerships and Committees not registered with the Secretary of State office will need a trade name filing from their county recorder's office.

If you want to change ownership information at renewal time please finish the renewal with the current ownership listed. When you are finished please go to the Action List and submit an Ownership Update Application along with the license renewal.

Owners:

Name	Address	Percentage	
Scott Van Eldik	109 Burdick St., Salix, IA, 51052	0.00 %	<a href="#">View</a>
Wayne Peterson	3416 Weldon Ave, Sioux City, IA, 51106	0.00 %	<a href="#">View</a>

1

First Name:  Last Name:

Address:

Address Line 2:

City:  State:

Zip:

Position:  SS#:  U.S. Citizen:

Date of Birth:  % of Ownership:

Please make sure you press "Add" after each owner's information is listed above before pushing the next button.

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## Criminal History LA0001073, White Horse Patrol Club, Sergeant Bluff

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.

The navigation links on the top may also be used to move around the application.

<input type="text" value="No"/>	Since this license was last issued, has anyone listed in the ownership screen been convicted of a felony offense in Iowa or any other state of the United States? If yes, list on the next (Violations) screen.
<input type="text" value="No"/>	Since the license was last issued, have any of the owners listed in the ownership screen been charged, arrested, indicted, convicted or received a deferred judgment for any violation of any state, county, city, federal or foreign law? All information shall be reported regardless of the disposition, even if dismissed or expunged. Include pending charges. DO NOT include traffic violations, except those that are alcohol related. If yes, list violations on the next (Violations) screen.
<input type="text" value="None"/>	If no arrests, indictments, summons or convictions are applicable since the license was last issued, select 'NONE'.

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## Premises Information LA0001073, White Horse Patrol Club, Sergeant Bluff

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.

The navigation links on the top may also be used to move around the application.

Has the premises configuration changed since last year?

Control of premises:

Own

Lease

Other  explain:

Premises type:

Local Authority:

License City:

City Population: 4227

License County:

County Population: 102172

Dram Shop:

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## General Premises Information LA0001073, White Horse Patrol Club, Sergeant Bluff

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.

The navigation links on the top may also be used to move around the application.

# of Bathrooms:

# of Floors:

Equipped with tables and seats to accommodate a minimum of 25?

Are other liquor, wine or beer businesses accessible from the interior of your premises?

Veterans Organizations: Is your lodge or fraternal organization chartered by the Congress of the United States and open only 1 day a week? If no, please answer remaining questions.

Class A Liquor License "Club" Applicants Only: Is your club a non-profit corporation or association of individuals who own, lease or occupy a permanent building whose members pay regular dues and is not operated for a profit other than such profits as would accrue to the entire membership?

If yes, how many dues paying members do you have?

Does your premises conform to all local and state health, fire and building laws and regulation?

Is the capacity of your establishment over 200?

Do you charge a cover charge?

If yes, how often?

Infusing [click here for more information](#)

- I will be mixing and storing mixed drinks, cocktails, or infusions prior to a customer placing an order for the beverage. I will mix, store, and dispense mixed drinks, cocktails or infusions which are not for immediate consumption in compliance with the requirements and restrictions provided in Iowa Code § 123.49(2)"d"(2) and 185 Iowa Administrative Code § 4.5. I understand that a failure to comply with applicable laws and rules will result in a fine, license suspension, and/or license revocation.
- Agree  Disagree
- I will NOT be mixing and storing mixed drinks, cocktails, or infusions prior to a customer placing an order for the beverage.

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### Applicant Signature LA0001073, White Horse Patrol Club, Sergeant Bluff

Complete the information below and click Finish to complete the application  
Note that the license fees will only be withdrawn from accounts after the ABD approves the license.

This application must be completed by a person listed in the Ownership Section.

I hereby declare that all information contained in the Application is true and correct. I understand that misrepresentation of material facts in the Application is a crime and grounds for denial of the license or permit under Iowa law. I further understand that, as a condition of receiving a license, the licensed premises is subject to inspection during business hours by appropriate local, state and federal officials.

NOTE: The Applicant's Name must match one of the owner's names from the Ownership screen.

Owner's Signature:  Date:   
MM/DD/YYYY

Tentative effective date:  MM/DD/YYYY

Amount to be transferred from your account: \$ 624.00

Funds will be pulled from your account 2 days after ABD approves the license. You are ready to submit the application for your license to sell alcoholic beverages in the State of Iowa. By providing the bank information requested and clicking on "finish" you are indicating that you are an owner or authorized user of the bank account listed and that you hereby authorize ABD to debit the account in the amount indicated above.

NAME ADDRESS CITY, STATE ZIP	DATE	0123 01-23456789
PAY TO THE ORDER OF		\$ <input type="text"/>
BANK NAME ADDRESS CITY, STATE ZIP		DOLLARS
FOR		
⑆012345678⑆	01234567890123⑆	0123

Bank Routing Number:

Bank Account Number:

Check Number:

Applicant's Bank Name:

Applicant's Bank Routing Number:

Repeat Bank Routing Number:

The routing number will ALWAYS be 9 digits long. If you are unsure of your routing or account number, call your bank.

Applicant's Account Number:

Repeat Account Number:

Credit cards are not accepted. Your bank information is transferred over a secure connection and is completely confidential.

BY CLICKING ON THE "FINISH" BUTTON, I AGREE TO THE TERMS AND CONDITIONS OF USING MY BANK ACCOUNT AS A PAYMENT METHOD, WHICH ARE LISTED BELOW, AND AUTHORIZE THE STATE OF IOWA TO DEBIT MY BANK ACCOUNT FOR THE LICENSING FEE LISTED ABOVE.

1 Bank Account Payments By choosing to use a bank account as your payment

Please print a copy of this page for your records before clicking the "FINISH" button.

**Finish**

If you are not taken to a confirmation screen after clicking on "Finish", please see the notes at the top of the applicant signature screen to find out why the application was not submitted.

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Iowa Alcoholic Beverages Division  
 1918 SE Hulsizer Road, Ankeny, IA 50021  
 Toll Free 866.IowaABD (866.469.2223)  
 Local 515.281.7400

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- > General Premises
- > Applicant Signature
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- > History

### Dram Shop Liability Certificate of Insurance LA0001073, White Horse Patrol Club, Sergeant Bluff

Complete the information below and click SUBMIT to endorse this Renewal application.

POLICY INFORMATION	
Reason for re-submittal:	
This is to certify: <i>Scottsdale Insurance Company</i>	
Policy Number:	CPS2358165
Assured:	White Horse Patrol Club
DBA:	White Horse Patrol Club
Address:	1689 Old Highway 141
Address Line 2:	
City:	Sergeant Bluff
State:	Iowa
Zip:	51007
Policy Effective Date:	04/05/2016 MM/DD/YYYY
To: <input checked="" type="radio"/>	Expiration Date: 04/05/2017 MM/DD/YYYY
Thru: <input type="radio"/>	

CHECK LIST	
<input checked="" type="checkbox"/>	Outdoor Service Endorsement
<input checked="" type="checkbox"/>	Policy Information Verified (if incorrect please contact the licensee)
Does this policy contain an annual aggregate limit provision?	No
If Yes, Annual aggregate limit is:	Please Select

The above-mentioned policy of insurance (hereinafter policy) contains coverage to comply with the provisions of Iowa Code section 123.92 and all regulations of the Iowa Department of Commerce, Alcoholic Beverages Division.

The policy may be canceled by the Company of the Assured giving 30 days notice in writing to the Alcoholic Beverages Division at its office, Ankeny, Iowa. The 30 days notice will commence from the date notice is actually received by the division.

Whenever requested by the division, the company agrees to furnish to the division a duplicate original of the policy and all pertinent endorsements.

Signature:  Date: 03/23/2016 MM/DD/YYYY

**Submit**

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### Local Authority Endorsement LA0001073, White Horse Patrol Club, Sergeant Bluff

Complete the information below and click SUBMIT to endorse the Renewal.

**LICENSE INFORMATION**

Local Authority: County of Woodbury  
 Daytime Phone for Local Authority: (712) 279-8465

License Approved  
 License Denied Reason For Denial:   
 License Timely Filed Reason For Timely Filing:

Effective Date: 04/05/2016 Expiration Date: 04/04/2017

**CHECK LIST**

Fire inspection completed: Yes  No   
 Health inspection completed: Yes  No   
 Was a DCI background check run: Yes  No

Fee Amount: \$624.00  
Local Authority Share: \$260.00

**E-MAIL**

Please provide the local authority email address below. Once the application has been reviewed and approved, a copy of the license will be emailed to this address.

Local Authority E-mail Address:

**COMMENTS**

Signature:  Date:  MM/DD/YYYY

**Submit**

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## License History LA0001073, White Horse Patrol Club, Sergeant Bluff

[View All History](#)

License Number	DBA	Comment	Comment Date	Last Updated By
LA0001073	White Horse Patrol Club	Status changed to Submitted to Local Authority. Dram Shop approved Renewal	3/23/2016	Matt.Lynch
LA0001073	White Horse Patrol Club	Renewal Application signed.	3/22/2016	vaneldik

1

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**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUIREMENTS**

Date: 3/30/16

Weekly Agenda Date: 4/5/16

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mike Neswick – RML Architects

SUBJECT: **Set Time: 4:45 pm – Public Hearing followed by the opening of bids for the Exterior Entrance Plaza – Woodbury County Law Enforcement Center**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Public Hearing on the replacement of the Exterior Entrance Plaza at the Woodbury County Law Enforcement Center. Following the closure of the public hearing, conduct the opening of bids from interested contractors for the project.

**EXECUTIVE SUMMARY:** The Woodbury County Board of Supervisors authorized RML Architects, LLC to prepare plans and Specifications to receive bids for the demolition of the existing Entrance Plaza at the LEC Building and replace it with a new Entrance Plaza. In accordance with the published public advertisement for bids on the project, a set time has been established at 4:45 pm on Tuesday, April 5 at the regular meeting of the Woodbury County Board of Supervisors for the Public Hearing and the opening of bids on the project.

**BACKGROUND:** The existing Entrance Plaza has some problems which has caused the County to repair it over the years. The plaza continues to deteriorate. Soils engineers conducted borings and the test results indicated the existing sub-surface soils were inadequate contributing to the deterioration. This project will demolish the existing Plaza and remediate the soils prior to installing the new Entrance Plaza.

**FINANCIAL IMPACT:** Unknown until bids are opened.

**RECOMMENDATION:** Authorize RML Architects and Kenny Schmitz, Director of Building Services, to analyze the bids and bring a recommendation back to the Board of Supervisors.

**ACTION REQUIRED / PROPOSED MOTION:**

*Approved by Board of Supervisors March 3, 2015. Revised May 5, 2015.*

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

#11a

Date: April 1, 2016

Weekly Agenda Date: April 5, 2016

DEPARTMENT HEAD / CITIZEN: Supervisor Jeremy Taylor

SUBJECT: **Discussion and action for an updated submission form for agenda items**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Discussion and action for an updated submission form for agenda items.

**EXECUTIVE SUMMARY:** See attached submission form for approval.

**BACKGROUND:** This eliminates the redundancy of "Subject" and "Wording for Agenda Item" and also will help ensure timely County Attorney Office review of contracts.

**FINANCIAL IMPACT:** None

**RECOMMENDATION:** Approve the updated submission form attached.

**ACTION REQUIRED:** Approve the updated submission form attached.

**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

Give Direction

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

FINANCIAL IMPACT:

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

YES

NO

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:



WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

#116

Date: April 1, 2016

Weekly Agenda Date: April 5, 2016

DEPARTMENT HEAD / CITIZEN: Supervisor Jeremy Taylor

SUBJECT: **Approval of Proclamation of National County Government Month**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Approval of Proclamation of National County Government Month

**EXECUTIVE SUMMARY:** See attached proclamation in order to highlights essential county services.

**BACKGROUND:** National County Government Month is April 2016 with the theme of "Safe and Secure Counties." In Woodbury County, we are proud of the mission that we have to provide these services that reach so many facets of people's lives.

**FINANCIAL IMPACT:** None

**RECOMMENDATION:** Approve the resolution attached.

**ACTION REQUIRED:** Approve the resolution attached.

WOODBURY COUNTY, IOWA

RESOLUTION NO. \_\_\_\_\_

**PROCLAMATION**

**National County Government Month – April 2016  
“Safe and Secure Counties”**

**WHEREAS**, the nation’s 3069 counties serving more than 300 million Americans provide essential services to create health, safe, vibrant and economically resilient communities; and

**WHEREAS**, Woodbury County and all counties take pride in our responsibility to protect and enhance the health, well-being and safety of our residents in efficient and cost-effective ways; and

**WHEREAS**, through National Association of Counties (NACO) President Sallie Clark’s “Safe and Secure Counties” initiative, NACO is encouraging counties to focus on strengthening the safety and security of their communities; and

**WHEREAS**, in order to remain healthy, vibrant, safe and economically competitive, America’s counties provide public health, justice, emergency management and economic services that play a key role in everything from residents’ daily health to disaster response; and

**WHEREAS**, year since 1991, the National Association of Counties has encouraged counties across the country to actively promote programs and services to the public we serve; and

**NOW, THEREFORE, BE IT RESOLVED THAT** the Woodbury County Board of Supervisors do hereby proclaim April 2016 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

\_\_\_\_\_  
Jeremy Taylor, Chairman

\_\_\_\_\_  
Larry D. Clausen, Member

\_\_\_\_\_  
Mark A. Monson, Member

\_\_\_\_\_  
Jackie D. Smith, Member

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

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ**

#11c

Date: April 1, 2016

Weekly Agenda Date: April 5, 2016

DEPARTMENT HEAD / CITIZEN: <u>Supervisor Jeremy Taylor</u>		
SUBJECT: <b>Vision Statement for Woodbury County Approval</b>		
<b>ACTION REQUIRED:</b>		
Approve Ordinance <input type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input checked="" type="checkbox"/>
Give Direction <input type="checkbox"/>	Other: Informational <input type="checkbox"/>	Attachments <input type="checkbox"/>

**WORDING FOR AGENDA ITEM:** Vision Statement for Woodbury County Approval

**EXECUTIVE SUMMARY:** Woodbury County is looking to improve its vision statement. By each office and department, mission statements are being gathered as they are revised into like formats so that the public can know what each of our various departments does and how they can best serve.

**BACKGROUND:** The group decided upon a **Vision Statement**, that is an overarching “big picture of what you want to achieve” according to Iowa State’s Don Hofstrand. The **Mission Statement** is the “general statement of how you will achieve the vision,” and this obviously varies for each department. There are **Core Values** defined as “how you will behave during the process” that are normally internal and have to do with customer service, evaluation, personal responsibility, cooperation/communication that ultimately had to do with where I think the group was headed with the superlatives and adjectives related in the much longer statement that could be something that we keep internally. The copy of the mission statements attached are what we started with. Some have been revised and others will be in order to be in like format at which time the Board will receive them. The suspense that I have given for this is the end of April. All elected officials and department heads unanimously agreed by voice vote during an open meeting that this was what best represented their vision for Woodbury County on March 23, 2016.

**FINANCIAL IMPACT:** None

**RECOMMENDATION:** Approve the following mission statement:

Woodbury County dedicates itself to providing high quality services to meet the ever-changing demands and needs of its citizens.

**ACTION REQUIRED:** Approve the motion.



# DEPARTMENT MISSION STATEMENTS

(As of April 1, 2016)

## **County Assessor**

The mission of the Woodbury County Assessor's Office is to be a leader in providing customer – friendly service and treat all taxpayers fair and equitable.

## **County Attorney**

To diligently and effectively hold those who choose to commit crimes accountable for their actions while also supporting the needs of the victims of those crimes.

To partner with law enforcement and the citizens of Woodbury County to promote a safe and secure community for all to reside.

To exercise the power given to us with fairness and humility, with only justice as our objective.

## **Building Services**

Our mission is to provide best in class facilities operations and support services to the Board of Supervisors, Woodbury County, all peers and associates.

We will champion cost-effective initiatives, superior responsiveness and professional quality services while ensuring safety and cleanliness.

We will encourage open communication that will foster collaborative partnerships based on friendly dialog, integrity and trust.

## **Conservation**

The mission of the Woodbury County Conservation Board is to provide high quality outdoor recreation and educational opportunities and to help people understand the value of natural resources in their lives.

## **Emergency Management**

The mission of the Woodbury County Emergency Management Agency is:

- 1) To establish, coordinate, provide services, and maintain local emergency management activities and intergovernmental, private, and volunteer partnerships in order to mitigate

against, prepare for, respond to, and recover from all disasters that may impact Woodbury County, its communities and citizens.

- 2) To provide training, planning, response, technical and administrative support to local departments and emergency response units of the designated entities specific to emergencies and disaster.

### **Emergency Services**

Mission Statement: The mission of Woodbury County Emergency Services is to provide the most efficient services for our county. We will act and perform in a safe, courteous and professional manner. We as emergency responders have chosen to protect the lives and property. Our members take pride in representing Woodbury County Emergency Services. We will strive to maintain a strong bond with the emergency responder community and citizens by involving them in education, prevention and protection.

### **Human Resources**

Our mission is one of service to the Board of Supervisors and to other departments within the County.

Our purpose is to help optimize productivity and harmony in the workplace while growing and developing a strong diverse workforce. We are to ensure a safe open environment that encourages communication while fostering learning, growth, well-being and mutual respect through continuous evaluation, open dialogue and training. We are to communicate with all employees.

### **Juvenile Receiving and Detention Center**

It is the mission of the Woodbury County Juvenile Detention Center to treat each client with dignity and respect and provide for a safe, secure and humane setting that is healthy for the body, mind and spirit of each child in our care.

The Woodbury County Teen Court is committed to preventing juvenile delinquency through reverse peer pressure utilizing intervention strategies that are community-based, family-oriented and least restrictive while emphasizing responsibility and accountability of both parent and child.

The Woodbury County Juvenile Mental Health Specialist provides leadership, coordination, and resources to access mental health services including hospitals, juvenile court and community-based programs in their efforts to provide services to families whose child is experiencing a mental health emergency.

## **Planning/Zoning**

Our overall mission is to train and support staff in such a way to achieve the efficient implementation of services within the three areas. Working toward consistently providing friendly and knowledgeable support to our citizens by guiding them toward compliance with ordinances and regulations. To work with citizens in meeting their needs by providing suggestions and alternatives where challenges exist within the framework of the ordinances.

## **Rural Economic Development**

Our mission is to increase the local tax base and foster job growth by attracting, retaining and expanding targeted industries, including a special focus on small business growth and entrepreneurship, and thereby, enhance the quality of life for all residents of Woodbury County.

## **Secondary Roads**

The Secondary Roads Department has a duty to meet the needs of county residents for a good secondary road system. The County Engineer is responsible for the over-all planning, direction, coordination, and control of the department.

The Department will strive to complete effective, safe and efficient engineering, construction, and maintenance work on the county road system. The County Engineer will work to maximize the impact of locally generated road funding by actively seeking outside funds to supplement the county's budget for road maintenance and improvements. By doing so, the Secondary Road Department will provide for the efficient transportation of people, goods and services throughout the county.

## **Sheriff**

Partnering with the people we serve to secure and promote safety in our communities. Through transparency, we gain the support and trust of those we serve. Empowering all employees to participate in a leadership role in our communities through honor, integrity and service.

## **Siouxland District Health**

Vision: A Healthy Community for All

Mission: Leading a collaborative effort to build a healthier community through improved access to health services, education and disease prevention.



## **Social Services: Targeted Case Management**

Woodbury County Targeted Case Management strives to assure individuals with disabilities achieve optimum health, safety and welfare through a person centered approach and coordination of services and supports to help meet their identified goal and desires.

Sioux Rivers Regional: Sioux Rivers Regional Mental Health and Disabilities Services provides persons of Plymouth, Sioux and Woodbury Counties whose lives are affected by Intellectual Disabilities, Serious and Persistent Mental Illness and Developmental Disabilities by assuring:

- Delivery of services in a respectful, responsive and efficient manner and with sensitivity to cultural diversity;
- Maximizing independent living and improving quality of life through community-based treatment;
- Maximizing the resources available and attending to concerns for the safety of individuals and the community; and
- Managing our fiscal resources effectively and responsibly while insuring productivity and efficiency to be important organizational values which result in maximum benefits for all concerned.

## **Treasurer**

I serve the most important person that can ever enter this building, my customer, whether in person, by phone or mail. Customers are not an interruption of work, they are the purpose of it. I am not doing my customer a favor for serving them; they are doing me a favor by permitting me to serve them.

## **Veteran Affairs**

Woodbury County Commission of Veteran Affairs will assist Woodbury County's Veterans and their legal dependents in obtaining and maintaining any and all Veteran's benefits to which they may be entitled.

## **WCICC – IT**

Showcase an effective and cost-efficient model of intergovernmental sharing of Information Technology and Systems between the City of Sioux City, Woodbury County and affiliated agencies.

## **Woodbury County Communications Center**

Vision: To serve the public safety communications needs of our customers in the most efficient and responsive manner possible.

Mission: To provide all residents and visitors of Sioux City, Woodbury County, Iowa and North Sioux City, South Dakota, a single answering point for processing their calls for emergency and non-emergency assistance from police, fire, medical and general service responders.

To provide primary communications services for all public safety agencies responding within our jurisdictional boundaries through use of 2-way radios, telephones and/or teletype equipment.

To maintain up-to-date and continuous training for all center employees to insure prompt, professional and efficient service.

Value Statement: The values of the Woodbury County Communications Center are integrity, compassion and respect.

#12

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REC**

Date: March 30th, 2016

Weekly Agenda Date: April 5th, 2016

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Kenny Schmitz; Building Services Director

SUBJECT: Courthouse Hydronic System/ Steam Traps

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Hydronic System Steam Trap Study

**EXECUTIVE SUMMARY:** An identification study is necessary to determine steam trap locations. This study will produce Engineer documents that will outline locations, types, & sizes of steam traps in the system which is the first step. Additional services beyond this original location study, such as which steam traps, are working, & which ones have failed would be determined later by further board approval to be conducted by a hydronics professional using the documents created in the study.

**BACKGROUND:** The Woodbury County Courthouse has been experiencing an excessive amount of steam heating loss for several years due to extensive steam trap failures. The failures are so great that in past years a plan was devised to route escaping live steam directly out of the building. An unheard of procedure resulting in massive energy loss, large water & chemical consumption, & inability to control office space temperatures.

**FINANCIAL IMPACT:** Initial Study \$20,000 – Funding Identified in the 2016 CIP

**RECOMMENDATION:** Move forward with study to identify all steam trap locations, Types, Models, & sizes.

**ACTION REQUIRED / PROPOSED MOTION:** Motion to approve Study by Resource Consulting Engineers.



March 30, 2016

**Kenny Schmitz**  
Woodbury County  
620 Douglas Street  
Sioux City, IA 51101



RESOURCE  
CONSULTING  
ENGINEERS LLC

Re: Woodbury County Courthouse – Steam System Documentation

Dear Kenny,

I am pleased to present you with a proposal to provide Engineering Analysis and Documentation Services for Steam System Documentation at the Woodbury County Courthouse. I appreciate the opportunity to provide this proposal, and look forward to helping Woodbury County with this process.

Based on preliminary discussions with representatives of The Baker Group, we understand that the scope of the project is generally to survey and document components of the existing steam system serving the Woodbury county courthouse. The documentation produced can be utilized for future work necessary to address existing issues with the existing mechanical systems, and primarily the steam heating system components, including the development of budget pricing for any required work.

**Scope of services:**

Services to be provided:

- Mechanical and Electrical Survey and Documentation Services, including:
  - Review of existing space mechanical systems, including layout, capacities, etc.
  - Development of floor plan drawings showing current building layout with walls, doors and windows located (documents to be suitable for use as backgrounds for mechanical and electrical drawings – no detailed architectural drawings such as sections, elevations, door and window schedules, etc. will be provided)
  - Development of mechanical and electrical record floor plan drawings for the following systems:
    - HVAC Systems including steam heating system, ventilation systems, and cooling systems, as well as existing system control components

- Electrical power distribution system components serving mechanical system (location of main service, electrical panels and motor loads related to mechanical system)
- Development of additional mechanical and electrical drawings, to include:
  - Mechanical system flow diagrams
  - Mechanical system schedules (where information can be obtained – schedules will identify gaps where information cannot be obtained)
  - Electrical system one line riser diagram(s)
  - Electrical system panel schedules (based on available information for existing panels including panel schedules or existing drawings)
- Review of documents with Woodbury County personnel and Baker Group personnel as appropriate
- Production of record drawings to include:
  - Drawings as described above

Not included (available upon request):

- Design of modifications to existing building systems (it is understood that this may follow the work of producing record documents, but it is not included as part of this proposal)
- Record documents for systems not identified above, including:
  - Plumbing systems
  - Fire protection systems
  - Lighting
  - Fire alarm
  - Telecommunications or other low-voltage electrical systems
- Detailed electrical survey of power distribution systems requiring testing of circuits to create panel schedules
- Energy modeling or analysis of existing building systems/components
- Analysis of potential hazardous materials (e.g. asbestos containing materials)
- Code analysis of existing building components or systems
- Analysis or documentation of building structural components

Deliverables:

- Record Documents to include:
  - Mechanical and electrical record documents in electronic format with current architectural backgrounds

**Schedule**

It is understood that the work of this project must be completed in a timely fashion. We will work with Woodbury County and Baker Group to develop a detailed schedule for completion of documents once we have received a notice to proceed. Based on our understanding of the project at this time, we expect to be able to complete the work described in this proposal within four to six weeks of receiving an agreement.

**Consultants**

It is our intent to provide Woodbury County a design team with capabilities to meet the needs of the project. With that in mind, an architectural firm may be retained as a sub-consultant to assist with the development of backgrounds for the record mechanical and electrical drawings. If a firm is to be brought on, a short list of proposed firms will be presented to the county for review prior to a firm being selected to join the team. Any sub-consultant work provided for this project will be included in the Basic Services identified below.

**Basic Services**

We propose to provide the survey and documentation services outlined above for a fixed fee of \$20,000. Additional services outside the scope defined in this proposal will be provided on an hourly basis. No additional services will be provided without prior authorization from Woodbury County. The hourly rates for staff expected to work on this project are as follows:

- Mechanical Engineer/Project Manager - \$130/hour
- Electrical Engineer - \$130/hour
- Engineering Intern or Designer - \$80/hour
- Clerical - \$40/hour



## Summary

I appreciate the opportunity to provide this proposal to provide survey and documentation services for mechanical and electrical systems at the Woodbury County Courthouse. If you have questions or comments regarding this proposal, please do not hesitate to share them with me. I would be happy to review scope and fees in detail if it is helpful. I look forward to working together on this project. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read 'C. Metzger', with a long horizontal line extending to the right.

Corey B. Metzger, PE  
Principal  
Resource Consulting Engineers, LLC

#13

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

Date: March 31, 2016

Weekly Agenda Date: April 5, 2016

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dennis Butler, Finance/Operations Controller  
SUBJECT: Liberty Park Urban Renewal Area (LPURA) Amendment #2 and Renaming the LPURA to Grow Woodbury County Urban Renewal Area

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Discussion on Amendment #2 for Liberty Park Urban Renewal Area and Renaming the Urban Renewal Area.

**EXECUTIVE SUMMARY:** The original Liberty Park Urban Renewal Area (LPURA) was established February 12, 2013. Amendment #1 was finalized on December 23, 2013. Now we are proposing to do Amendment #2, which will encompass the Dogwood Trail in Sergeant Bluff and also the three properties named AG Processing Inc., Koch Nitrogen Company, and The Andersons. This amendment adds these areas to the original urban renewal area and Amendment #1. The purpose is to provide a funding mechanism for the financing of the Dogwood Trail Project inside the City of Sergeant Bluff. It could also provide a funding mechanism for future projects that might occur within the urban renewal area.

In addition, the name of the urban renewal area is being proposed to change from Liberty Park Urban Renewal Area to the **Grow Woodbury County Urban Renewal Area**.

**BACKGROUND:** This amendment is necessary to provide the funding for the Dogwood Trail Project that the County agreed to in a Development Agreement with the City of Sergeant Bluff and also any other improvements that might arise within this urban renewal area.

**FINANCIAL IMPACT:** None

**RECOMMENDATION:** Proceed with Amendment #2 for the Liberty Park Urban Renewal Area and the renaming of the area to **Grow Woodbury County Urban Renewal Area**.

**ACTION REQUIRED / PROPOSED MOTION:** None.

*Approved by Board of Supervisors March 3, 2015. Revised May 5, 2015.*





STUDY AREA

1,000 ACRE PREFERRED SITE

SALIX

Dennis's Copy





87473110003

87473110003  
NULEX INC

87473110005

87473110005  
KOCH NITROGEN COMPANY

87473130001

87473130001  
AG PROCESSING INC





Missouri River

UP RR 504-507  
508-509  
Port Neal Cir

PORT NEAL CIR

G.L. 2

G.L. 1

G.L. 2

G.L. 3

G.L. 4

G.L. 5

438-1938

423-1935

2549.48

-001

200

-001

UNK.

-001

31

269.6

60.00

-003

-001

-004

-002

-004

-002

-005

-006

-003

-005

300

-002

-006

-003

-001

-002

-004

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-005

-002

-003

200

400

400

300

300

300

100

100

100

100

300

200

-002

-002

-002

-007

-007

-003

100

100

-004

-002

-1

344.27

200

-001

Nutra-Flu

~~Atlatx Inc.~~

35.45 acres  
total

All that part of Government Lot 1 and part of the accretions thereto, all in Section 31, Township 87 North, Range 47 West of the Fifth Principal Meridian in Woodbury County, Iowa, described as follows:

Commencing at the Southeast corner of the Northeast 1/4 of the Northwest 1/4 of said Section 31; thence South 77°48'34" West along the South line of said Northeast 1/4 of the Northwest 1/4 and the South line of said Government Lot 1 for 2,219.41 feet to the point of beginning; thence continuing South 77°48'34" West along said South line and said South line projected Southwesterly for 537.32 feet to the ordinary high water mark of the Missouri River; thence North 15°47'15" West along said ordinary high water mark for 223.14 feet; thence North 13°45'14" West along said ordinary high water mark for 119.02 feet; thence North 19°36'50" West along said ordinary high water mark for 100.05 feet; thence North 14°08'07" West along said ordinary high water mark for 59.85 feet; thence North 77°49'18" East for 569.63 feet; thence South 12°10'42" East for 500.58 feet to the point of beginning.

Said described parcel contains 6.35 acres, more or less, and is subject to easements of record.

and

All that part of the Northeast Quarter of the Northwest Quarter, (NE 1/4 NW 1/4), part of Government Lot One (1) and part of the accretions thereto, all in Section Thirty-one (31), Township Eighty-seven (87) North, Range Forty-seven (47) West of the 5<sup>th</sup> P. M. in Woodbury Co, Iowa described as follows:

Beginning at the Southeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4) NW 1/4 of said Section Thirty-one (31); thence South 77° 48' 34" West along the South line of said Northeast Quarter of the Northwest Quarter ( NE 1/4 NW 1/4) and the South line of government Lot One (1) for 2,219.41 feet; thence North 12° 10' 42" West for 500.58 feet; thence North 77° 49' 18" East for 2,310.83 feet to the East line of said Northeast Quarter of the Northwest Quarter ( NE 1/4 NW 1/4) ; thence South 1° 49' 00" East along said line for 508.29 feet to the point of beginning.

Said parcel contains a total of 26.02 acres and subject to easements of record.

and

All that part of the Southeast 1/4 of the Southwest 1/4 of Section 30 and that part of the Northwest 1/4 of Section 31, all in Township 87 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Beginning at the Northeast corner of said Northwest 1/4 of Section 31, also being the Southeast corner of said Southeast 1/4 of the Southwest 1/4 of said Section 30; thence North 2°17'34" West along the East line of said Southeast 1/4 of the Southwest 1/4 for 86.68 feet; thence South 76°40'32" West for 50.27 feet; thence South 41°43'24" West for 139.64 feet to the South line of said Southeast 1/4 of the Southwest 1/4, also being the North line of said Northwest 1/4 of Section 31, thence South 18°10'45" West for 113.99 feet; thence Southerly for 392.67 feet on a 1124.93 foot radius curve, concave Easterly, having a long chord of 390.68 feet, bearing South 8°10'45" West; thence South 1°49'15" East for 292.33 feet; thence South 77°48'40" West for 1800.16 feet; thence South 12°11'20" East for 50.00 feet; thence North 77°48'40" East for 1913.00 feet to the Westerly line of an existing railroad easement; thence North 1°49'15" West along said Westerly line for 321.21 feet; thence Northerly along said Westerly line for 350.79 feet on a 1004.93 foot radius curve, concave Easterly, having a long chord of 349.01 feet, bearing North 8°10'45" East; thence North 18°10'45" East along said Westerly line for 144.06 feet to the South line of the North 2 rods of said Northwest 1/4; thence North 78°38'25" East along a line 2 rods South of and parallel to the North line of said Northwest 1/4 for 23.45 feet to the East line of said Northwest 1/4; thence North 1°49'15" West along said East line for 33.46 feet to the point of beginning.

Said described parcel contains 4.612 acres, more or less, with 0.192 acres in said Southeast 1/4 of the Southwest 1/4, including 0.133 acres in roadway easement and 4.42 acres in said Northwest 1/4, including 0.028 acres in roadway easement.



Koch Nitrogen Company

62.8 acres  
total

Parcel 1:

That part of Section 31, Township 87 North, Range 47 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, described as follows:

Bounded on the East by the North-South center line of said Section 31;

Bounded on the North by a line described as follows:

From the center of said Section 31 thence North on the said North-South center line the bearing being N 01° 49' W for 1,320.2 feet to the point of beginning; thence South 77° 47' W to the Missouri River;

Bounded on the South and Southeasterly by a line described as follows:

From a point on the North-South Center line of said Section 31/ 1,037.56 feet North of the center of said Section 31; thence South 77° 47' W for 1,757.98 feet; thence South 12° 13' E for 149 feet; thence South 41° 36' E for 588.1 feet; thence South 66° 15' W for 294.5 feet; thence South 77° 47' W to the Missouri River;

Bounded on the West by the Missouri River, excepting there from such portion of the foregoing tract as may lie within that tract of land conveyed by Borden, Inc. to Woodbury County, Iowa for highway purposes by Deed dated January 20, 1969, which tract is more specifically described as follows:

A tract of land in Section 31, Township 87 North, Range 47, West of the 5<sup>th</sup> P.M., Woodbury County, Iowa described as follows:

Commencing at a point on the North-South center line of said Section 31, 80 feet South of the center of said section; thence North on said North-South center line, the bearing being North 01° 49' West, a distance of 1,400.2 feet; thence South 77° 47' West to a point 60 feet from and measured on a perpendicular to such North-South center line; thence South along a line parallel to and 60 feet from said North-South centerline to a point due West of the point of beginning; thence East 60 feet more or less to the point of beginning.

and

Parcel 2:

That part of Section Thirty-one (31), Township Eighty-seven (87) North, Range Forty-seven (47) West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Bounded on the East by the North-South center line of said Section Thirty-one (31);

Bounded on the North and Northeasterly by a line described as follows:

From a point on the North-South center line of said Section Thirty-one (31), One Thousand Thirty-seven and Fifty-six hundredths feet (1,037.56') North of the center of said Section Thirty-one (31); thence South Seventy-seven degrees Forty-seven minutes (77° 47') West for One Thousand Seven Hundred Fifty-seven and Ninety-eight hundredths feet (1,757.98'); thence South Twelve degrees Thirteen minutes (12° 13') East for One Hundred Forty-nine feet (149'); thence South Forty-one degrees Thirty-six minutes (41° 36') East for Five Hundred Eighty-eight and One-tenth feet (588.1'); thence South Sixty-six degrees Fifteen minutes (66° 15') West for Two Hundred Ninety-four and Five-tenths feet (294.5'); thence South Seventy-seven degrees Forty-seven minutes (77° 47') West to the Missouri River;

Bounded on the South by a line described as follows:

Commencing at the center of Section 31; thence S 01° 49' E along the North-South center line of said Section for a distance of 80.00 feet to a point on the South line of the County Highway right-of-way; thence North 90° 00' West 60.03 feet; thence North 01° 49' W 269.60 feet to the point of beginning, said point also being on the Westerly right-of-way line of County Highway; thence continuing S 78° 24' W for a distance of Two Thousand Five Hundred Four and Thirty-one hundredths feet (2,504.31') to a point on the high bank of the Missouri River;

Bounded on the West by the Missouri River.

Note: Parcel designations are for convenience of reference only, and do not constitute an integral part of the legal description.

85.34  
acres  
total

# Ag Processing Inc.

That part of Section 31, T87N, R47W of the 5th Principal Meridian, Woodbury County, Iowa; being more particularly described as follows:

Commencing at the center of Section 31; thence S 01° 49' E. along the North-South centerline of said Section for a distance of 80.00 feet to a point on the south line of the County Hwy. right-of-way and the Point of Beginning; thence continuing S 01° 49' E along said centerline for a distance of 743.05 feet; thence S 78° 24' W for a distance of 2,469.16 feet to a point on the high bank of the Missouri River; thence northerly along said high bank for a distance of 1,013 feet; thence N 78° 24' E for a distance of 2,504.31 feet to a point on the west line of the County Hwy. right-of-way; thence S 01° 49' E along said right-of-way line for a distance of 269.60 feet; thence S 90° 00' E. along the south line of the County Hwy. right-of-way for a distance of 60.03 feet to the Point of Beginning.

and

That part of Section 31, Township 87 North, Range 47 West of the 5th P.M., in Woodbury County, Iowa, being more particularly described as follows: Commencing at the center of Section 31; thence South 01 degrees 49 minutes East along the North-South centerline of said Section and along the East line of Parcel 2 for a distance of 823.05 feet to the Southeast corner of said Parcel 2 and the point of beginning of Parcel 3 description, thence continuing South 01 degrees 49 minutes East along said Section centerline for a distance of 425.09 feet; thence along South line of Government Lot 3 having a bearing of South 78 degrees 24 minutes West for a distance of 2,491.90 feet to a point on the high bank of the Missouri River; thence northerly along said high bank for a distance of 429.54 feet to the Southwest corner of Parcel 2; thence North 78 degrees 24 minutes East along the South line of said Parcel 2 for a distance of 2,469.16 feet to the Point of beginning.

river

Missouri River

G.L. 1

-006

-00

2310.83

423-1935

UP RR 504-001

508.29

569.63

-003

438-1938

100

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-00

537.32

-005

G.L. 2

-003

-0

1242.36

163.2

Port Neal Cir

269.6

100

PORT

-001

G.L. 3

-001

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G.L. 4

-003

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G.L.

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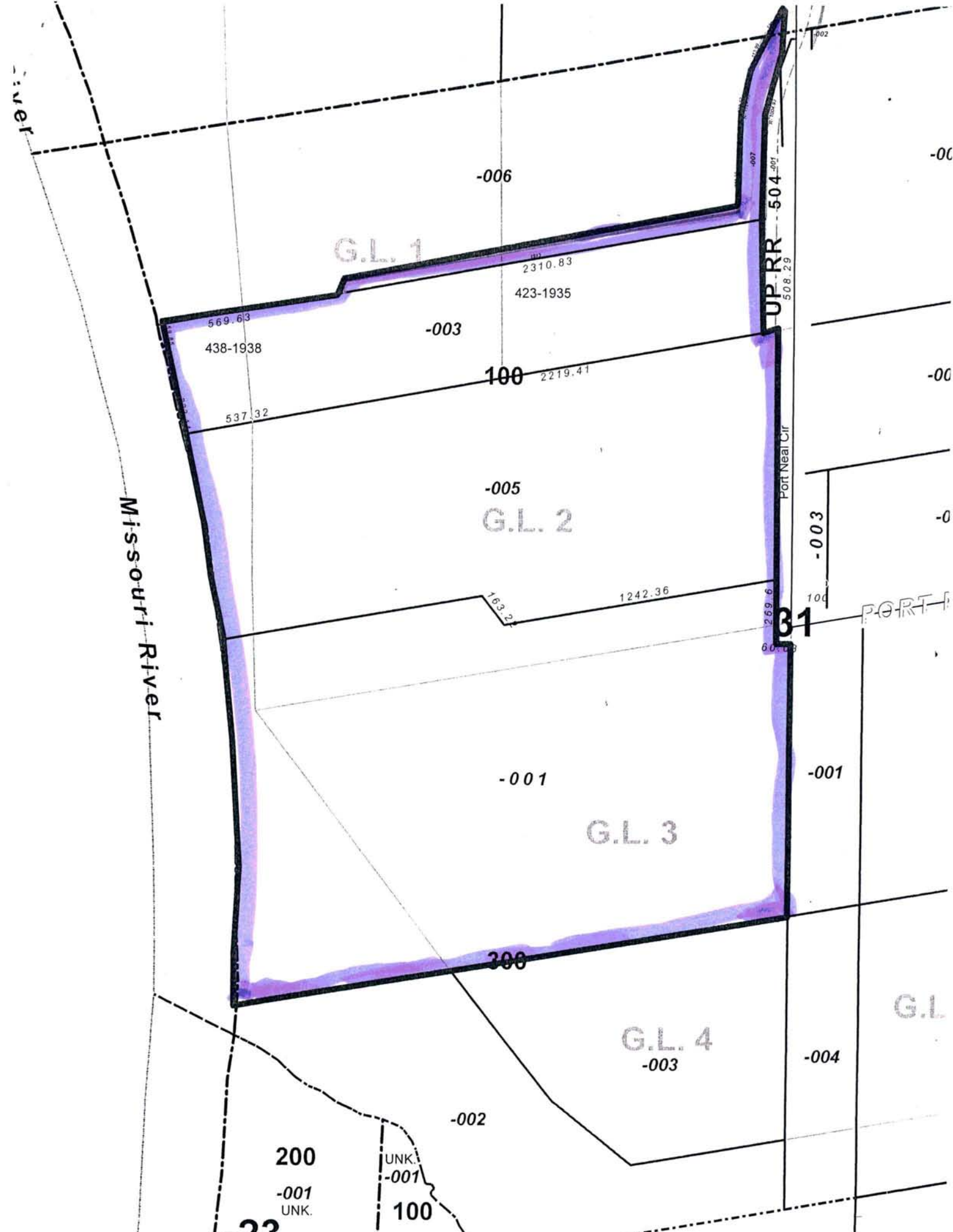
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22





#14a

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

Date: March 31, 2016

Weekly Agenda Date: April 5, 2016

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra P.E. Secondary Roads Dept Head

SUBJECT: **Receive and Consideration of award of bids for project number L-B(X14)—73-97**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**Consideration**

**WORDING FOR AGENDA ITEM:** Receive and Consider award of bids for project number L-B(X14)—73-97.

**EXECUTIVE SUMMARY:** The county road department prepared plans for the replacement of Bridge number X14 on 280<sup>th</sup> Street north of Danbury. This bridge was scheduled for replacement in FY 2016, but had to be closed in early 2015 due to failure of one of the wing walls on the existing bridge. The existing bridge, prior to the structural failure, had a 10 ton load posting, which restricted farm travel in the area. Area agricultural operators have been confined by restrictions on this structure and a load restricted greenwood structure on Pocahontas Avenue.

**BACKGROUND:** This bridge has been in the five year construction program for replacement in FY 2016. The county engineering department has completed design work and received required permits to allow construction. Temporary construction easements have been secured from the neighboring landowner.

**FINANCIAL IMPACT:** This project is paid for by local secondary road funds.

**RECOMMENDATION:** Recommend that we receive bids and allow engineer to review them and make an award recommendation.

**ACTION REQUIRED/MOTION PROPOSED:** Motion to receive the bids and direct the county engineer to evaluate the bids and return with a recommendation for award.

*Approved by Board of Supervisors March 3, 2015.*

#14b

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

Date: March 31, 2016

Weekly Agenda Date: April 5, 2016

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra P.E. Secondary Roads Dept Head

SUBJECT: **Consider of award of quotation for Project HC 11-9 and HC 11-10**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**Consideration X**

**WORDING FOR AGENDA ITEM:** Consider of award a quotation for Project HC11-9 and HC11-10.

**EXECUTIVE SUMMARY:** The County received bids on March 22<sup>nd</sup> for two Hungry Canyons Alliance funded projects.

**BACKGROUND:** Woodbury County received two grants that partially fund construction of two stream protection structures.

**FINANCIAL IMPACT:** The projects are funded by a combination of Hungry Canyons grant and local secondary road funds.

**RECOMMENDATION:** Award the contract to the low bidder, Niewohner Construction.

**ACTION REQUIRED:** Motion to award the contract to Niewohner Construction for \$59,732.00.

*Approved by Board of Supervisors March 3, 2015.*

TABULATION OF BIDS

PROJECT NO. HC 11-9 & HC 11-10  
 LETTING: TUESDAY, March 29, 2016  
 Stream Stabilization Repair

NOTE: IN CASE OF MATHEMATICAL ERROR, UNIT PRICE SHALL GOVERN

ITEM NO.	ITEM	QUANTITIES	UNITS	Engineer's Estimate		Flewelling Earthmoving 2667 140th St. Moviile, Iowa 51039		Niewohnor Construction Inc. 309 east Iowa Ave. Onawa, Iowa 51040		Nelson & Rock Contracting 23565 Hwy K45 Onawa, Iowa 51040		L.A. Carlson Contracting 20984 C-43 Merrill, Iowa 51038-8674	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Excavation Class 12, Boulders or Rock Fragments	85	CY	\$ 55.00	\$ 4,675.00	\$ 30.00	\$ 2,550.00	\$ 40.00	\$ 3,400.00	\$ 20.00	\$ 1,700.00	\$ 20.00	\$ 1,700.00
2	Excavation Class 10 Channel	280	C.Y.	\$ 40.00	\$ 10,400.00	\$ 20.00	\$ 5,200.00	\$ 12.00	\$ 3,120.00	\$ 15.00	\$ 3,900.00	\$ 20.00	\$ 5,200.00
3	Engineering Fabric	250	SY	\$ 7.00	\$ 1,750.00	\$ 3.00	\$ 750.00	\$ 5.00	\$ 1,250.00	\$ 4.00	\$ 1,000.00	\$ 5.00	\$ 1,250.00
4	Concrete Grout	34	C.Y.	\$ 500.00	\$ 17,000.00	\$ 500.00	\$ 17,000.00	\$ 300.00	\$ 10,200.00	\$ 350.00	\$ 11,900.00	\$ 400.00	\$ 13,600.00
5	Revetment Class B	400	Ton	\$ 52.00	\$ 20,800.00	\$ 70.00	\$ 28,000.00	\$ 65.00	\$ 26,000.00	\$ 50.00	\$ 20,000.00	\$ 54.00	\$ 21,600.00
6	Revetment Class E	86	Ton	\$ 46.50	\$ 3,999.00	\$ 68.00	\$ 5,848.00	\$ 67.00	\$ 5,762.00	\$ 50.00	\$ 4,300.00	\$ 54.00	\$ 4,644.00
7	Mobilization	1	LS.	\$ 18,000.00	\$ 18,000.00	\$ 41,520.00	\$ 41,520.00	\$ 6,000.00	\$ 6,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00
8	Dewater	1	LS.	\$ 4,000.00	\$ 4,000.00	\$ 20,691.80	\$ 20,691.80	\$ 4,000.00	\$ 4,000.00	\$ 10,000.00	\$ 10,000.00	\$ 30,000.00	\$ 30,000.00
				\$ 80,624.00		\$ 121,559.80		\$ 59,732.00		\$ 62,800.00		\$ 97,994.00	

1 Niewohnor	\$ 59,732.00
2 Nelson & Rock	\$ 62,800.00
3 L.A. carlson	\$ 97,994.00
4 Flewelling	\$ 121,559.80
Engineer's Est	\$ 80,624.00



#14C

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

Date: March 31, 2016

Weekly Agenda Date: April 5, 2016

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra P.E. Secondary Roads Dept Head

SUBJECT: **Consideration of approval of contract for Project number FEMA 9 & 14 -73-97**

**ACTION REQUIRED:**

Approve Ordinance                       Approve Resolution                       Approve Motion

Give Direction                       Other: Informational                       Attachments

**Consideration X**

**WORDING FOR AGENDA ITEM:** Consideration of approval of the contracts for Project number FEMA 9 & 14—73-97

**EXECUTIVE SUMMARY:** At the March 15, 2016 meeting, the Board awarded the contract for the project which includes repair of guardrail and a road embankment on D54 and the replacement of a damaged culvert H-166 on Grundy Avenue. The contractor has submitted the signed contract and bond for the project.

**BACKGROUND:** This project repairs the road embankment on the north side of D54 that was damaged on June 15, 2014 in a severe storm event. The damage was awarded repair funds by FEMA. The replacement of culvert H-166 also was necessitated by flood damage. This project is also partially FEMA funded.

**FINANCIAL IMPACT:** This project is funded 75% FEMA funding, 10% state emergency disaster funding, and 15% special project levy funding.

**RECOMMENDATION:** Recommend that the Board approve the contract and bond for project FEMA 9 & 14—73-97 with Dixon Construction.

**ACTION REQUIRED/MOTION PROPOSED:** Motion to approve the contract and bond for project FEMA 9 & 14—73-97 with Holly Brown Construction for \$55,741.64.

*Approved by Board of Supervisors March 3, 2015.*



## WOODBURY COUNTY, IOWA CONTRACT

Kind of Work Bridge Replacement  
 Project No FEMA 9, 14-73-97 County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following Members: Jeremy Taylor, Mark Monson, Larry D. Clausen, Jaclyn Smith and Matthew Ung, Contracting Authority, Holly Brown Construction of Ponca Neb, Contractor.

WITNESSETH: That the Contractor, for and in consideration of \_\_\_\_\_  
Fifty-five Thousand Seven Hundred Forty-one and 64/100 (\$55,741.64)

payable as set forth in the specifications constituting a part of this contract, hereby agrees to construct in accordance with the plans and specifications therefore, and in the locations designated in the notice to bidders, the various items of work as follows:

Item No.	Item	Quantity	Unit Price	Amount
Project: FEMA 9, 14-73-97 Group I				
1.	Clear and Grubb	0.22 Acres	\$2,000.00	\$ 440.00
2.	Embankment in Place	480.00 C.Y.	10.00	4,800.00
3.	Excavation Class 10, Roadway and Borrow	140 C.Y.	7.00	980.00
4.	Excavation Class 12, Boulders or Rock Fragment	20 C.Y.	15.00	300.00
5.	Excavation Class 10, Channel	100 C.Y.	8.00	800.00
6.	Removal of Existing Structure	1 L.S.	500.00	500.00
7.	Excavation Class 20	300 C.Y.	10.00	3,000.00
8.	Structural Concrete (Curtain Wall)	6.33 C.Y.	800.00	5,064.00
9.	Reinforcing Steel Epoxy Coated	300 Lbs	2.00	600.00
10.	CMP Culvert Roadway 72" Dia	98 L.F.	145.92	14,300.16
11.	Piles Steel Sheet	192 S.F.	40.00	7,680.00
12.	Revetment Class E	40 Ton	38.05	1,522.00
13.	Safety Closure	2 Each	100.00	200.00
14.	Traffic Control	1 L.S.	2,400.00	2,400.00
15.	Flaggers	4 Each	435.00	1,740.00
16.	Mobilization	1 L.S.	6,500.00	6,500.00
17.	6' X 6' X 8' Wooden Guardrail post	7 Each	150.00	1,050.00
18.	Modified Class C Gravel	70 Ton	26.65	1,865.50
19.	Mulching	0.30 Acre	3,333.33	999.99
20.	Seeding and Fertilizing (Rural)	0.30 Acre	3,333.33	999.99
<b>TOTAL BID</b>				<b>\$55,741.64</b>

Said specifications and plans are hereby made part of and the basis of this agreement and a true copy of said plans and specifications are now on file in the office of the County Engineer under the date of February 10, 2016

That in consideration of the foregoing, the Contracting Authority hereby agrees to pay the Contractor, promptly and according to the requirements of the specifications the amounts set forth, subject to the conditions as set forth in the specifications.

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. FEMA 9, 14-73-97 in Woodbury County, Iowa, the within contract, the contractor's bond, and the general and detailed plans are and constitute the basis of contract between the parties hereto.

That it is further understood and agreed by the parties of this contract that the above work shall be commenced and completed on or before:

Approximate Starting Date	Specified Starting Date	Late Start Date	Number of Working Days
		May 02, 2016	35

That time is the essence of this contract and that said contract contains all of the terms and conditions agreed upon by the parties hereto.

It is further understood that the Contractor consents to the jurisdiction of the courts of Iowa to hear, determine, and render judgment as to any controversy arising hereunder.

IN WITNESS WHEREOF the parties hereto have set their hands for the purposes herein expressed to this and three other instruments of like tenor, as the

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Approved:

By \_\_\_\_\_  
 Contractor: Holly Brown Construction

By \_\_\_\_\_  
 Contracting Authority: Woodbury County Board Jeremy Taylor

Date \_\_\_\_\_

Date \_\_\_\_\_

#14d

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ**

Date: March 31, 2016

Weekly Agenda Date: April 5, 2016

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, P.E., Woodbury County Engineer, Secondary Road Dept.

SUBJECT: **Consideration of Approval of the FY 2017 Secondary Road Budget for Iowa DOT**

All that part of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 30 and that part of the West  $\frac{1}{2}$  of Section 31, all in township 87 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Beginning at the Northeast corner of the Northwest  $\frac{1}{4}$  of Section 31; thence North  $2^{\circ}17'34''$  West along the East line of said Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  for 86.68 feet; thence South  $76^{\circ}40'32''$  West for 50.27 feet; thence South  $41^{\circ}43'24''$  West for 139.64 feet to the South line of Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; thence South  $18^{\circ}10'45''$  West for 113.99 feet; thence Southerly for 392.67 feet on a 1124.93 foot radius curve, concave Easterly, having a long chord of 390.68 feet, bearing South  $8^{\circ}10'45''$  West; thnc South  $1^{\circ}49'15''$  East for 292.33 feet; thence South  $77^{\circ}48'40''$  West for 1800.16 feet; thence South  $12^{\circ}11'20''$  East for 50.00 feet; thence South  $77^{\circ}48'40''$  West for 832.24 feet to the ordinary high water mark of the Missouri River; thence Southerly and Southeasterly along said ordinary high water mark to a point 2,491.90 feet Southwesterly of the Northeast corner of Government Lot 4 in Section 31; thence North  $01^{\circ}49'00''$  East for 1,168.14 feet; thence South  $77^{\circ}48'34''$  West for 60.00 feet; thence North  $01^{\circ}49'00''$  for 1,400.20 feet; thence South  $77^{\circ}48'40''$  West for 135.20 feet; thence North  $1^{\circ}49'15''$  West 321.21 feet; thence Northly for 350.79 feet on a 1004.93 foot radius curve, concave Easterly, having a long chord of 349.01 feet, bearing North  $8^{\circ}10'45''$  East; thence North  $18^{\circ}10'45''$  East along said Westerly line for 144.06 feet to the South line of the North 2 rods of said Northwest  $\frac{1}{4}$ ; thence North  $78^{\circ}38'25''$  East along a line 2 rods South of and parallel to the North line of the Northwest  $\frac{1}{4}$  for 23.45 fee to the East line of the Northwest  $\frac{1}{4}$ ; thence North  $1^{\circ}49'15''$  West along the East line for 33.46 fee to the point of beginning (except roadway easement).



#14e

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) RE**

Date: March 31, 2016

Weekly Agenda Date: April 5, 2016

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, P.E., Woodbury County Engineer, Secondary Road Dept.

SUBJECT: **Consideration of Approval of the Secondary Road FY 2017 to FY 2021 Construction Program for Iowa DOT**

**ACTION REQUIRED:**

Approve Ordinance                       Approve Resolution                       Approve Motion

Give Direction                       Other: Informational                       Attachments

**Consideration**

**WORDING FOR AGENDA ITEM:** Consideration of the Secondary Road FY 2017 to FY 2021 Construction Program for Iowa Department of Transportation. (Forms to be presented on Tuesday).

**EXECUTIVE SUMMARY:** On or before the fifteenth day of April of each year the board of supervisors, with the assistance of the county engineer, shall, subject to the approval of the department, adopt a secondary road construction program which shall include a project accomplishment list for the next fiscal year, and a project priority list for the succeeding four fiscal years based upon the construction funds, local secondary and farm-to-market, estimated to be available for the period. Subject to departmental approval, any project on the approved priority list may be advanced to and constructed in the accomplishment year and the project accomplishment list may be revised due to unforeseen conditions.

**BACKGROUND:** The program has some new projects advanced because of need or programmed for the fifth year of the program. Most projects have been working their way through the program toward letting and construction. The project selection reflects the county engineer's recommendation of work necessary to maintain the county secondary road system as required by sections 309.27 and 309.28 of the Code of Iowa.

**FINANCIAL IMPACT:** Annual five year program approval. The FY 2017 projects are within the accomplishment year and are budgeted for construction in FY 2017, barring unforeseen circumstances that may lead to project delay. Subsequent years provide guidance for programming and budgeting future projects and are based on anticipated revenue levels in out years.

**RECOMMENDATION:** Recommend approval of the FY 2017 Five Year Construction Program.

**ACTION REQUIRED/PROPOSED MOTION:** Motion to approve the Five Year Construction Program.

*Approved by Board of Supervisors March 3, 2015.*

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

Date: April 1, 2016

Weekly Agenda Date: April 5, 2016

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Sheriff Dave Drew

SUBJECT: Jail Budget Update

### ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Sheriff's budget on overtime and jail expenses

### EXECUTIVE SUMMARY:

### BACKGROUND:

#### 2915 Inmate Health Services

15/16 Budget	\$673,262.00
15/16 Spent	\$757,161.98
15/16 Currently Over	\$83,899.98
15/16 Projected Spending	\$1,036,116.39

We are currently in our 38th week of the 15/16 budget year. We have averaged \$19,925.00 per week during this fiscal year. If we remain on that pace, we will exceed our budget by \$362,854.39.

1019 Overtime

15/16 Budget                    \$235,225.00

15/16 Spent                     \$188,571.66

15/16 Remaining                \$46,653.34

With 75% of our budget year lapsed, we have only spent 80% of our overtime budget and we only have one holiday (Memorial Day) left. A majority of our overtime comes from paying holiday pay. With that in mind, it appears to me we should be good on our overtime unless we have something catastrophic happen which would cause a tremendous increase in overtime.

Two other areas with the Jail budget that will need attention during the May budget amendment are 1126 LTD Ins and 2330 Commissary Expense.

1126 LTD Ins is not budgeted by us.

2330 Commissary Expense was not budgeted and we have spent \$3,851.21 from that line item.

Our overall Jail budget is within 1% spending of the 15/16 budget. Pretty good considering that includes the large overage in 2915 Inmate Health Services.

**FINANCIAL IMPACT:**

**RECOMMENDATION:**

**ACTION REQUIRED / PROPOSED MOTION:**

*Approved by Board of Supervisors March 3, 2015. Revised May 5, 2015.*



#/6a

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

Date: 3/31/16

Weekly Agenda Date: 4/5/16

DEPARTMENT HEAD / CITIZEN: David Gleiser – Director of Rural Economic Development

SUBJECT: SIMPCO Proposal for Joint City/County Membership Dues Project

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Consideration of SMIPCO Proposal for Joint City/County Membership Dues Project

**EXECUTIVE SUMMARY:** The Board of Supervisors are being asked to consider approving a proposal to provide rural cities with a 50/50 match to pay for SIMPCO membership dues (see attached). The County's portion of the match would be paid out of Local Option Sales Tax (LOST) funds. Rural cities wishing to participate in the project would be required to pay for 50% of the dues. The length of the project would be for 1 fiscal year and would begin on 7/1/16. SIMPCO will provide the County with Quarterly and Annual reports, and the project would be subject to re-evaluation at the end of the fiscal year. Dues for all rural cities =  $\$14,585 \div 2 = \$7,292.50$ .

**BACKGROUND:** SIMPCO is Woodbury County's regional Council of Governments (COG). SIMPCO serves over 75 local governments, special districts, school districts and non-profit organizations in the Tri-State area and provide assistance with long-range planning, community development activities, and professional regional program management, which foster intelligent growth, economic development, and safe, accessible transportation.

**FINANCIAL IMPACT:** Potential maximum amount: \$7,292.50 (depending on the number of cities that participate). To be paid out of LOST funds.

**RECOMMENDATION:** Approve the project for 1 fiscal year (FY16-17) and re-evaluate the project at the end of the fiscal year.

**ACTION REQUIRED:** Approve motion to allocate \$7,293 of LOST funds to cover the expense of the Joint City/County SIMPCO membership dues project for FY16-17.

**SIOUXLAND INTERSTATE METROPOLITAN PLANNING COUNCIL**  
*is Action*

1122 PIERCE STREET  
PO BOX 1077  
SIOUX CITY IOWA 51102-1077  
TELEPHONE (712) 279-6286  
FAX (712) 279-6920  
E-MAIL [simpco@simpco.org](mailto:simpco@simpco.org)

March 29, 2016

David Gleiser  
Director of Rural Economic Development  
620 Douglas Street  
Sioux City, IA 51101

Dear Mr. Gleiser:

Thank you for your interest in Siouxland Interstate Metropolitan Planning Council (SIMPCO) services for communities in Woodbury County. For over 50 years, SIMPCO has provided planning and community development services to member communities and counties.

SIMPCO, the third oldest multi-state council of governments in the nation, is guided by a Board of Directors comprised of city and county officials. SIMPCO collaborates with local governments in long-range strategic and comprehensive planning, community and economic development, housing assistance, transportation planning, and regional program management. SIMPCO is one of 18 members of the Iowa Association of Regional Councils of Government and is an Economic Development District. It also houses the Western Iowa Community Improvement Regional Housing Trust Fund.

SIMPCO has highly qualified staff available and is excited to offer planning services to communities within Woodbury County. As your Council of Governments, our goal is to provide the best service possible. Attached is an outline of available services, the cost of membership for each Woodbury County community, and an example quarterly report that would be presented to the Board of Supervisors. If you have any questions or require further information, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,



Michelle Bostinelos  
Executive Director



## SERVICES

### PROGRAMS ADMINISTERED THROUGH REVOLVING FUNDS

- Comprehensive Economic Development Strategy (CEDS)
- Keep Northeast Nebraska Beautiful
- Grant Technical Assistance
- EDA Applications
- Data Technical Assistance
- Legislative Advocacy
- Hazard Mitigation Planning
- Metropolitan Planning Organization (MPO): 4-year Transportation Improvement / Work Program / Long Range Transportation Plan / Public Participation / Passenger Transportation Plan / Bike & Pedestrian Planning / Transit Planning
- Regional Planning Affiliation (RPA): 4-year Transportation Improvement Work Program / Long Range Transportation Plan / Public Participation / Passenger Transportation Plan/Bike & Pedestrian Planning / Transit Planning
- TIF-LMI Housing
- Owner-Occupied Housing Rehabilitation, Iowa & Nebraska
- Down Payment Assistance, Iowa & Nebraska
- Rental Rehabilitation
- Northeast Nebraska Joint Housing Agency (NNJHA): Housing Choice Voucher Program, Section 8 Rental & Homeownership Assistance

### ADDITIONAL SERVICES (COST DEPENDENT UPON MEMBERSHIP DUES)

- Codification
- Zoning / Subdivision Ordinances
- Comprehensive / Community Builder Plans
- Housing Needs Assessment
- Environmental Reviews
- Tax Increment Financing & Urban Renewal Plans
- Income Surveys
- Minor / Major Grant Applications
- Grant Administration
- Project development
- Grant / Data Technical Assistance (data collection, research, mapping)
- Land Use Planning
- Transportation Grant Application Preparation (RISE, Fed / State Trail, REAP, CMAQ / ICAAP, Rail, Marine Highway)
- Active Living / Bicycle and Pedestrian Plan / Study
- Complete Streets Policies
- Trail Counters / Bike Counters
- Traffic Counters
- Corridor / Traffic Data / Safety Studies / Analyses
- Safe Routes to School / Walking School Bus
- Pavement / Pavement Management Study
- County, City, and Subdivision Maps
- Data Management / Record Keeping (Dependent on dataset size)
- Demographic Analyses for Counties and / or Cities
- Digital Mapping / Geographic Information Systems (GIS) Capabilities
- Economic Analyses (Business, Disposable Income, Electronics / IT, Health / Beauty, Medical, Recreation, Restaurant Market Potential, Retail)
- Elevation / Slope Analyses
- Geostatistical Analyses (Statistical analysis using GIS software)
- Graphic Design / Logo Creation
- Land Use / Land Cover Analyses
- Map Making -Hard Copy
- Map Making -Webmaps
- Traffic / Driving Route Analyses
- Travel Demand Model Forecasting (Metro Area)
- Annual Budgets
- Clerk Services
- Strategic Planning
- Strategic Visioning



## Siouxland Interstate Metropolitan Planning Council

### Woodbury County Annual Membership Dues

Community	Annual Dues
Anthon	\$815
Bronson	\$636
Correctionville	\$1,030
Cushing	\$514
Danbury	\$668
Hornick	\$520
Lawton	\$1,113
Moville	\$1,787
Oto	\$380
Pierson	\$689
Salix	\$686
Sloan	\$1,174
Smithland	\$519
<b>Total</b>	<b>\$10,531</b>

Sergeant Bluff	\$4,054
Sioux City	\$72,852
Woodbury County	\$5,495
<b>Total</b>	<b>\$82,401</b>

SIMPCO will work with Woodbury County communities to ensure member satisfaction. Staff will meet face-to-face with each community to explain planning services and to discuss the needs of the community. This process provides an opportunity for member communities to ask questions and for SIMPCO staff to determine programs that best fit the needs of the community. Each member community will be assigned an individual SIMPCO staff who will serve as a liaison to the community. Members are encouraged to contact their liaison with ongoing community needs. In addition, SIMPCO staff will reach out to member communities several times throughout the year. If a member community is interested in a SIMPCO service which

requires an additional fee, SIMPCO will draft a project proposal which will be approved by the City Council and SIMPCO Board of Directors prior to the start of the project. Please note, member communities receive a discount on planning services which will be reflected on the individual project proposal.

SIMPCO will provide the Woodbury County Board of Supervisors a quarterly report describing the assistance provided to each member community. The report will include the name of member community, project type, total staff time, and the estimated value and cost of the service.

SIMPCO looks forward to working with Woodbury County communities.

# Siouxland Interstate Metropolitan Planning Council

## Quarterly Progress Report

### Woodbury County Board of Supervisors

Example:

Community	SIMPCO Staff	Date of Services	Project	Total Time (hours)	Estimated Value	Member Fee
Anthon	Kevin	10/2/16	Answered several questions on grant opportunities, & census data	10	\$680	\$0
Hornick	Kirk	12/5/16 to 1/20/16	Codification Update	78	\$5,300	\$3,200
Moville	Kathie	9/3/16 to 11/3/16	Safe Routes to School Project (stakeholders meeting / route mapping / public input)	160	\$15,520	\$5,440
Salix	Kirk & Michelle	7/1/16 to 1/1/17	Comprehensive Plan	184	\$12,500	\$7,500
Correctionville	Jake	9/1/16 10/1/16	Assistance with writing and submitting trail grant to Iowa DOT	22	\$1,500	\$0
Sloan	Kevin	8/5/16	Data technical assistance /Map	20	\$1,360	\$0
<b>Totals</b>				<b>474</b>	<b>\$36,860</b>	<b>\$16,140</b>



#166

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

Date: 3/31/16

Weekly Agenda Date: 4/5/16

DEPARTMENT HEAD / CITIZEN: <u>David Gleiser – Director of Rural Economic Development</u>		
SUBJECT: <u>Usage of Outside Legal Counsel</u>		
<b>ACTION REQUIRED:</b>		
Approve Ordinance <input type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input type="checkbox"/>
Give Direction <input checked="" type="checkbox"/>	Other: Informational <input type="checkbox"/>	Attachments <input checked="" type="checkbox"/>

**WORDING FOR AGENDA ITEM:** Usage of Outside Legal Counsel

**EXECUTIVE SUMMARY:** The Rural Economic Development (RED) dept. seeks guidance from the Board of Supervisors on the usage of outside legal counsel for assistance with helping rural cities form Community Development Corporations (CDCs).

**BACKGROUND:** Previously, with authorization from the Chairman of the Board, the RED dept. has utilized outside legal counsel for assistance with helping 2 rural cities form CDCs. The expense (\$500 per city) was paid from the department's budget line item for Legal/Professional Services.

**FINANCIAL IMPACT:** \$500 per city (from RED dept. budget line item for Legal/Professional Services).

**RECOMMENDATION:** It would be the Director's recommendation to allow continued outside legal assistance per previous practice and current Board policy for the issue of helping rural cities form CDCs.

**ACTION REQUIRED:** Provide guidance to the RED Director on the usage of outside legal counsel for assistance with helping rural cities form Community Development Corporations (CDCs).



## Buchheit Law, PLC

## INVOICE

Date: 06/23/2014  
Due On: 07/23/2014

Cushing Community Development Corporation C/O David Gleiser

### Cushing Community Development Corporation

Type	Date	Description	Quantity	Rate	Total
Service	06/23/2014	Flat fee work for setting up Cushing Community Development Corporation with Articles of Incorporation, Bylaws, and related documents.	3.00	\$170.00	\$510.00
<b>Subtotal</b>					<b>\$510.00</b>
<b>Discount</b>					<b>\$10.00</b>
					<i>flat fee agreement</i>
<b>Total</b>					<b>\$500.00</b>

### Detailed Statement of Account

#### Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
516	07/23/2014	\$500.00	\$0.00	\$500.00
<b>Outstanding Balance</b>				<b>\$500.00</b>
<b>Amount in Trust</b>				<b>\$0.00</b>
<b>Total Amount Outstanding</b>				<b>\$500.00</b>

Please make all amounts payable to: Buchheit Law, PLC, 204 1st Street, Suite B3, Sergeant Bluff, IA 51054



## Buchheit Law, PLC

## INVOICE

Date: 06/23/2014  
Due On: 07/23/2014

Cushing Community Development Corporation C/O David Gleiser

### Cushing Community Development Corporation

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			<b>Amount in Trust</b>	<b>\$0.00</b>
			<b>Total Amount Outstanding</b>	<b>\$500.00</b>

Please make all amounts payable to: Buchheit Law, PLC, 204 1st Street, Suite B3, Sergeant Bluff, IA 51054





## Buchheit Law, PLC

P.O. Box 533  
Sergeant Bluff, IA 51054

Woodbury County Rural Economic Dev.  
620 Douglas Street, 6th Floor  
Sioux City, IA 51101

## INVOICE

Date: 03/10/2015  
Due On: 04/09/2015

Type	Date	Description	Quantity	Rate	Total
Service	02/05/2015	Drive to and from Anthon and meet with clients.	1.50	\$180.00	\$270.00
Service	02/06/2015	Finalize Articles of Incorporation; correspond with client and advise	0.20	\$180.00	\$36.00
Service	02/13/2015	Draft Bylaws and Organizational Minutes; correspond with client re: same and advise re: EIN status, bank account establishment, 1023EZ, and meetings agendas and Minutes	1.00	\$180.00	\$180.00
Service	02/24/2015	Review filed Articles on Secretary of State website; obtain EIN	0.10	\$180.00	\$18.00
				<b>Total</b>	<b>\$504.00</b>

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

#16c

Date: 3/31/16

Weekly Agenda Date: 4/5/16

DEPARTMENT HEAD / CITIZEN: David Gleiser – Rural Economic Development Director

SUBJECT: Update on Comprehensive Planning Project

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Update on Comprehensive Planning Project

**EXECUTIVE SUMMARY:** Since receiving approval from the Board of Supervisors on 2/16/16 to initiate contact with rural cities to discuss the Comprehensive Planning Project and to have interested cities pass a resolution to accept the planning services offered by the project, 10 out of the 11 targeted cities have passed resolutions to join. The 11<sup>th</sup> city will decide whether or not they will participate during their regularly scheduled city council meeting tonight (4/5/16). The next step will be to send the RFP out for bid on 4/6/16 with a submission deadline of 5/6/16 at 4:30pm. The RFP review committee will then make a recommendation to the Board in May so an award can be made. The project would then be set to begin in June 2016.

**BACKGROUND:** Woodbury County intends to hire a qualified consulting firm to develop comprehensive plans for rural cities in Woodbury County. Cities interested in accepting these services must pass a resolution which states their desire to accept said services, as well as their commitment to the planning process. Woodbury County has allocated \$110,000 of Local Option Sales Tax funds for this project and is applying for a USDA Rural Development grant to help cover expenses for the project.

**FINANCIAL IMPACT:** 0

**RECOMMENDATION:** Acknowledge the update.

**ACTION REQUIRED:** None.

*Approved by Board of Supervisors March 3, 2015.*

#16d

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

Date: 3/31/16

Weekly Agenda Date: 4/5/16

DEPARTMENT HEAD / CITIZEN: David Gleiser – Rural Economic Development Director

SUBJECT: Discussion of Proposed Issue Papers for the Annual Siouxland Chamber of Commerce Washington D.C. Conference

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Discussion on Proposed Issue Papers for the Annual Siouxland Chamber of Commerce Washington D.C. Conference.

**EXECUTIVE SUMMARY:** Woodbury County Department Directors were asked to develop position papers on issues they would like the County's delegation to discuss with Federal officials while in D.C. The following issues were identified:

- USDA RBDG Grant Application
- USDA REDLG Grant Applications
- USDA REDLG Program
- FEMA Flood Plain Map Revisions
- Medicaid for Incarcerated Youth
- Renewable Fuel Standard

**BACKGROUND:** Woodbury County intends to meet with Federal officials while in Washington D.C. during the Annual Siouxland Chamber of Commerce Conference. In previous years the County has sent representatives to lobby on issues pertinent to Woodbury County.

**FINANCIAL IMPACT:** 0

**RECOMMENDATION:** Acknowledge the update and discuss the issues.

**ACTION REQUIRED:** Give direction by consensus on which issues the County delegation will be bringing to D.C.



## 2016 USDA Rural Business Development Grant (RBDG) Application

### ISSUE

Woodbury County is applying for the 2016 USDA Rural Business Development Grant. The application deadline for funding offered through USDA Rural Development's 2016 Rural Business Development Grant program to support targeted technical assistance and training to develop or expand small and emerging private businesses in rural communities or areas is Wednesday, June 1st. Last year six projects supporting rural Iowa received funding through this nationally competitive program. Entities and organizations including communities, state agencies, nonprofit corporations, rural cooperatives, higher learning institutions, rural cooperatives and federally recognized tribes are eligible to apply for program funding.

### REQUEST

We respectfully request the support of our application for the Rural Business Development Grant.

### BACKGROUND

Grant funds may be used for such activities as project planning, business counseling/training, technical assistance, market research, feasibility studies, professional and technical reports or product/service improvements. They may also be used to help acquire or develop land, construct or renovate buildings, establish revolving loans funds, community economic development planning, establish rural business incubators and leadership and entrepreneur training.

Applications will be evaluated on such criteria as evidence showing job creation to occur with local businesses, economic need in the area to be served, and consistency with local economic development priorities.

The project we're requesting funding for seeks to provide rural cities in Woodbury County with long-range comprehensive plans. Currently, 11 of our 14 rural cities do not have a comprehensive plan. These plans will create a framework for the development of future public policy, particularly in the area of future land use, infrastructure, and economic development. Cumulatively, these plans will serve as an asset map for Woodbury County which will be used for strategic planning as it relates to economic development opportunities.

### AUTHOR

David Gleiser, Director  
Office of Rural Economic Development  
Woodbury County, Iowa  
[dgleiser@woodburycountyiowa.gov](mailto:dgleiser@woodburycountyiowa.gov)  
(712) 279-6609

## 2016 USDA Rural Economic Development Loan and Grant (REDLG) Applications

### ISSUE

Woodbury County Rural Electric Cooperative (REC) is submitting 2 applications for the 2016 USDA Rural Economic Development Loan and Grant (REDLG) funding opportunity. Both applications are for the expansion of the Char-Mac Assisted Living Facility in Lawton, Iowa, to provide services for our ever growing elderly population. This project proposes to build 31 memory care units and create 14.75 full-time equivalent jobs for the local community. The projected cost of this expansion project is approximately \$4.3 Million.

Woodbury County REC will submit 2 requests for funding from the REDLG program:

- \$300,000 request to enhance their local Community/Economic Development Revolving Loan Fund (RLF); and
- \$1 Million request for a "Pass-Through" loan.

### REQUEST

We respectfully request the support of Woodbury County REC's REDLG applications (\$300,000 RLF, and \$1 Million Pass-Through Loan).

### BACKGROUND

The REDLG program is very important for rural Woodbury County, Iowa. In 2015, Woodbury County REC applied for and won its first REDLG grant (\$158,000) to establish a local Community/Economic Development RLF. This RLF is a vital local funding source with a goal of providing low interest loans to assist with local economic and community development projects. Their priorities include job creation and retention, diversification of the economy, improving the education and skills of the rural workforce, and upgrading the public infrastructure to improve the health, safety, and/or medical care of rural residents.

With their first REDLG grant of \$158,000 Woodbury County REC provided a local match of \$32,000 and loaned all of the funds to the City of Bronson to build a new City Hall and Community Center. Bronson is a small rural town in Woodbury County with 300 residents. Bronson's old City Hall was a former grain storage building the size of a single car garage and could only sit 6-8 people comfortably. The new facility can now hold meetings for up to 50 people and hold offices for the City, Township Boards, as well as Fire & Rescue organizations, and is fully equipped with new audio and video equipment.

With their current request of \$300,000 Woodbury REC will provide a local match of \$60,000 and loan all of the funds to Char-Mac through its local Community/Economic Development RLF, just as they did with Bronson. Their separate request for \$1 Million will be "passed through" Woodbury REC and loaned to Char-Mac for its \$4.3 Million expansion project.

### AUTHOR

David Gleiser, Director  
Office of Rural Economic Development  
Woodbury County, Iowa  
[dgleiser@woodburycountyiowa.gov](mailto:dgleiser@woodburycountyiowa.gov)  
(712) 279-6609



## USDA Rural Economic Development Loan and Grant (REDLG) Program

### ISSUE

For years, electric and telephone cooperatives have been partnering with rural communities and local economic developers to invest in community projects through the USDA Rural Economic Development Loan and Grant program, more commonly referred to as REDLG.

Through the REDLG program, electric and telephone cooperatives can secure zero-interest loans or receive grants to create revolving loan funds which allow cooperatives to make loans to businesses for projects that will create and retain employment in rural areas. In the past several years, the number of projects submitted to the program have exceeded the amount of funds made available through the normal appropriations process. In addition, the REDLG program is supported by a source of funding available through our cooperative lenders, called the Guaranteed Underwriter Program or GUPs funding. The GUP provides a reliable source of low-cost capital to help cooperative lenders maintain a balanced portfolio and strengthen the ability to raise additional funds in private capital markets. Most recently, there has been an increase in the demand on the GUP program, so an increase is warranted.

### REQUEST

We respectfully request support of efforts to increase the amount of funding authorized by Congress for the REDLG program and associated GUPs funding.

### BACKGROUND

The REDLG program is very important for rural Woodbury County, Iowa. In 2015, Woodbury County Rural Electric Cooperative (REC) applied for and won a REDLG grant (\$158,000) to establish a Community/Economic Development Revolving Loan Fund (RLF). The funds main purpose is to improve the quality of life in rural areas by contributing to long-term improvements in the local economy. With their initial award, Woodbury REC provide a local match of \$32,000 and loaned all of the funds to the City of Bronson to build a new City Hall and Community Center.

This RLF is a local funding source with a goal of providing low interest loans to assist with local economic and community development projects. Their priorities include job creation and retention, diversification of the economy, improving the education and skills of the rural workforce, and upgrading the public infrastructure to improve the health, safety, and/or medical care of rural residents. Currently, Woodbury County REC has 2 REDLG applications for funding requests of \$1.3 Million to help support a \$4.3 Million expansion of the Char-Mac Assisted Living Facility in Lawton, Iowa.

On March 22<sup>nd</sup>, 2016, the Woodbury County Rural Economic Development Department submitted letters of support to Iowa Congressman Steve King, and Iowa Senators Chuck Grassley and Joni Ernst on behalf of this issue (see attached).

### AUTHOR

David Gleiser, Director  
Office of Rural Economic Development  
Woodbury County, Iowa  
[dgleiser@woodburycountyiowa.gov](mailto:dgleiser@woodburycountyiowa.gov)  
(712) 279-6609





OFFICE OF  
**WOODBURY COUNTY RURAL ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov

Telephone (712) 279-6609

Fax (712) 279-6530

March 22<sup>nd</sup>, 2016

The Honorable Congressman Steve King  
2210 Rayburn Office Building  
Washington, DC 20515

Dear Congressman King:

I am writing to voice my support for increased funding levels for two very important programs at the USDA Rural Utilities Services—the Rural Economic Development Loan and Grant Program (REDLG) and the Guaranteed Underwriter Program (GUP).

Through the REDLG program, electric and telephone cooperatives can secure zero-interest loans or receive grants to create revolving loan funds which allow the cooperatives to make loans to businesses for projects that will create and retain employment in rural areas. This program fosters area economic growth, leverages substantial private investment and also augments the infrastructure of electric and telephone cooperatives.

The REDLG program is very important for rural Woodbury County, Iowa. Woodbury County Rural Electric Cooperative recently applied for and won a REDLG grant to establish a Community/Economic Development Revolving Loan Fund (RLF). The funds main purpose is to improve the quality of life in rural areas by contributing to long-term improvements in the local economy.

This RLF is a local funding source with a goal of providing low interest loans to assist with local economic and community development projects. Their priorities include job creation and retention, diversification of the economy, improving the education and skills of the rural workforce, and upgrading the public infrastructure to improve the health, safety, and/or medical care of rural residents.

Over the last several years, additional entities were authorized to utilize the REDLG program and demand for funds has significantly outpaced availability. Since recent funding levels for REDLG have been inadequate to meet the demand, I would like to request your support for REDLG program funding at the full amount of \$85 million recommended in this year's administration budget.

One very important source of funding for the REDLG program is the fees paid by cooperative lenders, through the GUP. The GUP provides a reliable source of low-cost capital to help cooperative lenders maintain a balanced portfolio to provide loans to rural cooperatives and strengthens the ability to raise additional funds in the private capital markets.

I am very appreciative of Congress setting a program level of \$750 million for GUP in the current year. Taking into account additional demands for the program, I respectfully request an increase in GUP to \$1 billion; this would require no additional funds be appropriated since this program is scored as a negative subsidy. An increased program level will ensure not only that cooperatives are able to continue investing in system improvements while keeping rates affordable in rural America, but also help sustain REDLG in the future.

I appreciate your consideration of these requests.

Sincerely,

Handwritten signature of David Gleiser in cursive script.



OFFICE OF  
**WOODBURY COUNTY RURAL ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov

Telephone (712) 279-6609

Fax (712) 279-6530

March 22<sup>nd</sup>, 2016

The Honorable Senator Chuck Grassley  
135 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Grassley:

I am writing to voice my support for increased funding levels for two very important programs at the USDA Rural Utilities Services—the Rural Economic Development Loan and Grant Program (REDLG) and the Guaranteed Underwriter Program (GUP).

Through the REDLG program, electric and telephone cooperatives can secure zero-interest loans or receive grants to create revolving loan funds which allow the cooperatives to make loans to businesses for projects that will create and retain employment in rural areas. This program fosters area economic growth, leverages substantial private investment and also augments the infrastructure of electric and telephone cooperatives.

The REDLG program is very important for rural Woodbury County, Iowa. Woodbury County Rural Electric Cooperative recently applied for and won a REDLG grant to establish a Community/Economic Development Revolving Loan Fund (RLF). The funds main purpose is to improve the quality of life in rural areas by contributing to long-term improvements in the local economy.

This RLF is a local funding source with a goal of providing low interest loans to assist with local economic and community development projects. Their priorities include job creation and retention, diversification of the economy, improving the education and skills of the rural workforce, and upgrading the public infrastructure to improve the health, safety, and/or medical care of rural residents.

Over the last several years, additional entities were authorized to utilize the REDLG program and demand for funds has significantly outpaced availability. Since recent funding levels for REDLG have been inadequate to meet the demand, I would like to request your support for REDLG program funding at the full amount of \$85 million recommended in this year's administration budget.

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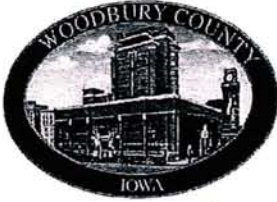
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I appreciate your consideration of these requests.

Sincerely,

*David Gleiser*





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620 DOUGLAS STREET – SIOUX CITY, IA 51101

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Telephone (712) 279-6609

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March 22<sup>nd</sup>, 2016

The Honorable Senator Joni Ernst  
111 Russell Senate Office Building  
Washington, DC 20510

Dear Senator Ernst:

I am writing to voice my support for increased funding levels for two very important programs at the USDA Rural Utilities Services—the Rural Economic Development Loan and Grant Program (REDLG) and the Guaranteed Underwriter Program (GUP).

Through the REDLG program, electric and telephone cooperatives can secure zero-interest loans or receive grants to create revolving loan funds which allow the cooperatives to make loans to businesses for projects that will create and retain employment in rural areas. This program fosters area economic growth, leverages substantial private investment and also augments the infrastructure of electric and telephone cooperatives.

The REDLG program is very important for rural Woodbury County, Iowa. Woodbury County Rural Electric Cooperative recently applied for and won a REDLG grant to establish a Community/Economic Development Revolving Loan Fund (RLF). The funds main purpose is to improve the quality of life in rural areas by contributing to long-term improvements in the local economy.

This RLF is a local funding source with a goal of providing low interest loans to assist with local economic and community development projects. Their priorities include job creation and retention, diversification of the economy, improving the education and skills of the rural workforce, and upgrading the public infrastructure to improve the health, safety, and/or medical care of rural residents.

Over the last several years, additional entities were authorized to utilize the REDLG program and demand for funds has significantly outpaced availability. Since recent funding levels for REDLG have been inadequate to meet the demand, I would like to request your support for REDLG program funding at the full amount of \$85 million recommended in this year's administration budget.

One very important source of funding for the REDLG program is the fees paid by cooperative lenders, through the GUP. The GUP provides a reliable source of low-cost capital to help cooperative lenders maintain a balanced portfolio to provide loans to rural cooperatives and strengthens the ability to raise additional funds in the private capital markets.

I am very appreciative of Congress setting a program level of \$750 million for GUP in the current year. Taking into account additional demands for the program, I respectfully request an increase in GUP to \$1 billion; this would require no additional funds be appropriated since this program is scored as a negative subsidy. An increased program level will ensure not only that cooperatives are able to continue investing in system improvements while keeping rates affordable in rural America, but also help sustain REDLG in the future.

I appreciate your consideration of these requests.

Sincerely,

A handwritten signature in cursive script that reads "David Gleiser".



## FEMA Flood Plain Map Revisions

### ISSUE

Woodbury County's current flood mapping resulted from a FEMA sponsored study over 2008-2011 timeframe resulting in mapping enacted in Sept. 2011. During the study period and thereafter more current and detailed mapping elevation data has been gathered by the Iowa Dept. of Natural Resources (IDNR).

In late 2010 Woodbury County hired Snyder and Associates resulting in separate Approximate Flood Plain Studies for the Browns Lake and Farmers/Garretson Ditch areas of the county. Those studies used the better IDNR data. Unfortunately even though the Snyder studies were provided before mapping enactment, FEMA would not accept the studies citing the facts FEMA's contracts for the hydrology study of our county had already been let. FEMA held their ground even after reconsideration efforts were made by our federal elected officials.

### REQUEST

That FEMA reevaluate Woodbury County's floodplain mapping and/or accept our existing studies to allow a Letter of Map Amendment (LOMR) request. Those areas in question include portions or all of 8 floodplain map panels. The re-study would be valuable toward potentially offering certain county property owners relief from the 100 year flood plain designation resulting in the aforementioned benefits.

### BACKGROUND

In 2014 Woodbury County engaged FEMA, IDNR, and federal elected officials on the subject of reevaluating portions of the county's flood plain mapping, specifically for the Browns Lake and Farmers/Garretson Ditch areas of the county. The offices of Congressman Steve King, and Senators Tom Harkin and Chuck Grassley were presented with information specific to this issue during the Annual Siouxland Chamber of Commerce's Washington D.C. Conference. Upon returning home from this event, Bob Franke of DHS / FEMA Region VII / Risk Analysis Branch contacted Woodbury County and stated that based on the information presented in the report, the information does appear to be sufficient to support a Letter of Map Revision (LOMR) request (see attached email). This information was then forwarded to Bill Cappuccio of IDNR, who then provided Woodbury County with additional information about potential next steps and anticipated costs (see attached email). The most current developments of this issue include a recent conference call with Woodbury County Officials and IDNR to discuss the potential of FEMA reevaluating our flood plain mapping. During this call IDNR stated that FEMA has announced plans to reevaluate portions of Iowa's flood plain mapping, and that Woodbury County was identified as one of the jurisdictions they intend to work on.

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>>> "Franke, Bob" <[Bob.Franke@fema.dhs.gov](mailto:Bob.Franke@fema.dhs.gov)> 6/18/2014 4:13 PM >>>

Hi David,

I apologize for the tardiness of this response. I did want to let you know that I reviewed the reports for Farmer's/Garretson Ditch and Brown's Lake prepared by Snyder & Associates.

Based on the information presented in the report, the information does appear to be sufficient to support a Letter of Map Revision (LOMR) request. The data will need to be submitted to FEMA for technical review and determination. If the data meets the technical criteria for a map revision then the Flood Insurance Rate Map (FIRM) could be revised. The revision would be in one of two formats; a LOMR determination document with annotated map panels, or as a Physical Map Revision (PMR).

Because the study data applies to portions of 13 FIRM panels, I believe the request would need to be processed as a PMR. For a PMR FEMA would prepare revised FIRM panels, distribute for comment and appeal periods, and then adopted by the communities. The decision to process the revision request would be made once FEMA completes a technical review of the data.

To request a LOMR, the MT-2 application package should be completed. A local entity will need to bear the expense to have the forms completed and the data prepared for submittal. FEMA's reviewers may develop questions during the technical review, and these would need to be resolved before FEMA will issue a determination.

The MT-2 application forms and instructions for a LOMR may be obtained from FEMA's web page - <http://www.fema.gov/media-library/assets/documents/1343?id=1493>. There may be a fee involved with FEMA's review of the data, but this request may be exempt from fees. Information concerning fees is available from this web page - <http://www.fema.gov/forms-documents-and-software/flood-map-related-fees>.

I noted there may be 30-40 Letters of Map Amendment (LOMA) in the area. The data prepared by Snyder & Associates may be used to support additional LOMA request for individual structures. If this process is of interest let me know and I'll describe how the data may be used.

Please contact me if you have questions.

**Bob Franke**

DHS / FEMA Region VII / Risk Analysis Branch  
Voice: 816.283.7073 Cell: 816.806.8403 e-mail: [bob.franke@fema.dhs.gov](mailto:bob.franke@fema.dhs.gov)



>>> "Cappuccio, Bill [DNR]" <[Bill.Cappuccio@dnr.iowa.gov](mailto:Bill.Cappuccio@dnr.iowa.gov)> 6/19/2014 6:25 PM >>>

David,

Well this is definitely great news and a big surprise! Believe it or not, we approached FEMA about doing a LOMR for this area when the Snyder study was originally completed and were told at that time that they couldn't do it because it involved too many panels and would require a physical map revision (PMR). So, I guess this is one more example that reinforces the adage "the only thing that is constant is change".

When we last spoke, we were trying to get FEMA to consider using the Snyder data as the "match" for a project to remap the area funded by FEMA's "cash match" program. But, we ran into a few problems. First, there are a number of levees within the area. And, at that time, FEMA hadn't published the final version of its procedures for dealing with de-accredited levees. So, the Region was concerned that any project it started for that area would be stalled waiting for that guidance to be published (it was finally published last July). But, even if that issue had been resolved, it turns out the Region didn't receive any funding for cash-match projects that year (nor any since).

The DNR does have money that it uses for floodplain mapping projects. However, that money was received as a supplemental CDBG grant from money that was available after the 2008 flood and can only be used in those 85 counties that were part of the 2008 declaration. Unfortunately, Woodbury County is one of the 14 Iowa counties that were not part of that declaration. Because of this, we cannot use that funding for floodplain mapping projects there.

Looking at Bob Franke's email, he referenced several items associated with a LOMR submittal that might result in expense to the community:

- Completion of the MT-2 forms needed to request the LOMR,
- Preparing the study data for submittal, and
- A FEMA review fee

I would assume that the cost for completing the first 2 items on that list would be small compared to the cost of doing the original study. As for the FEMA review fee, I believe that is typically ~\$5000. However, as Bob indicated, this particular project might be exempt.

If you think it would be helpful, we could schedule a conference call with Bob Franke to discuss some of the details of the process.

Let me know if you have additional questions,

## BILL CAPPUCCIO



Iowa Department of Natural Resources  
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*Leading Iowans in Caring for Our Natural Resources.*



>>> "Cappuccio, Bill [DNR]" <[Bill.Cappuccio@dnr.iowa.gov](mailto:Bill.Cappuccio@dnr.iowa.gov)> 3/15/2016 9:38 AM >>>

John,

I sent an email to Scott Ralston of our FP Mapping Program asking if he could give us a ballpark estimate of the cost for a Physical Map Revision (PMR) for the 11 FIRM panels affected by the Snyder data. Scott's going to be out most of the week. So, I may not have an answer for you until next week.

I'll let you know when I have more information.

BILL CAPPUCCIO

Iowa Department of Natural Resources

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## Medicaid for Incarcerated Youth

### ISSUE

Medicaid can help meet the unique needs of juvenile justice-involved youth. Youth involved with juvenile justice systems often have significant and sometimes costly health needs, in part because they may not have received regular or continuous medical care. It is important to note the difference between juvenile justice-involved youth and youth who are incarcerated. The setting or placement a young person is remanded to, if he or she is adjudicated delinquent, will affect which state agency pays for health care. Federal Medicaid dollars cannot be used to reimburse "care for services of any individual who is an inmate of a public institution." Federal regulations do not require states to terminate Medicaid enrollment of those who become inmates of a public institution; rather, states have the option to suspend eligibility. In Iowa, we suspend Medicaid eligibility for incarcerated youth. In Woodbury County, Iowa, the majority of youth held in juvenile detention are Medicaid-eligible. Currently when the juvenile is detained they lose access to Medicare and all medical costs must be absorbed by the county including the costs for prescriptions unless the parent has private insurance, which is rare. Medicaid is a tremendous resource for juvenile justice-involved youth. Incarcerated youth should still benefit from Medicaid eligible services while being held in secure confinement.

### REQUEST

We respectfully request equality in access and funding for health care and, therefore, recommend that all youth in public and private confinement and detention facilities remain eligible for Medicaid and private health care coverage consistent with state and local eligibility requirements. We support pre-release insurance application/enrollment and pre-release coordination to ensure post-release continuity of care.

### BACKGROUND

Until 1984, federal regulations allowed correctional institutions to bill for health services provided to incarcerated youth who were eligible for Medicaid for the month of their arrest and the month of their discharge. After 1984, the regulations disallowed any federal reimbursement for health services to incarcerated individuals. This action shifted the responsibility for financing needed health care entirely to local governments (e.g., states, counties, cities) and, due to a reduction in federal funding, often results in inequities in the quality of care available to youth. Children in public, as compared to private, facilities are mostly poor, minority, and from socially disadvantaged families. They are disproportionately affected by ineligibility for insurance. In contrast, children residing in private facilities are eligible for Medicaid.

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# Renewable Fuel Standard

## ISSUE

Renewable fuel gives Americans choices: the choice to use a lower-cost, domestic and clean fuel, and the choice to escape the control that the oil industry has over our wallets. Renewable fuel is making a critical difference for our economy, for our environment, and for all Americans. In uncertain times, renewable fuel is a strong and reliable catalyst for growth, creating jobs while promoting a cleaner environment. However, in 2015 the EPA's final decision for RFS volume obligation levels failed to follow the renewable volume levels set by Congress. This process has negatively impacted Iowa families through reduced commodity prices, farm incomes, and farmland values. The EPA's decision only marginally improves volume levels in a step that will hurt Iowa families, businesses, and farmers.

## REQUEST

We respectfully request the support of policy that includes:

- Increasing the use of renewable fuels;
- Achieving the highest renewable fuel standard possible; and
- Removing obstacles that prevent the increased usage of higher renewable fuels blends in the marketplace.

Furthermore, we support policy requiring all gasoline sold in Iowa to be blended with ethanol at the maximum rate allowed in the standard automotive fleet. We believe the incentives for renewable fuels should apply only to domestically produced fuels.

## BACKGROUND

In 2015, the EPA's final decision failed to follow the renewable volume levels set by Congress. The decision shows the lack of interest in providing consumers choice at the pump, creating jobs and increasing incomes in Rural America, and reducing our dependence on foreign oil. This rule falls far too short of a robust RFS and short of the standards set by Congress. The State of Iowa has supported both the production and use of biofuels, including renewable fuel infrastructure development through the Fueling Our Future Program and the Renewable Fuels Infrastructure Program, to ensure that consumers have true choices at the pump.

## AUTHOR

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#16e

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

Date: 3/31/16

Weekly Agenda Date: 4/5/16

DEPARTMENT HEAD / CITIZEN: David Gleiser – Rural Economic Development Director

SUBJECT: Discussion on Iowa Code 427B

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**WORDING FOR AGENDA ITEM:** Discussion on Iowa Code 427B.1-7

**EXECUTIVE SUMMARY:** The Rural Economic Development (RED) Director presents Iowa Code 427B.1-7 as an informational item. The Director will discuss the benefits of adopting an ordinance to provide a partial tax exemption for new construction of industrial real estate, research-service facilities, warehouses, distribution centers and the acquisition of or improvement to machinery and equipment assessed as real estate, as well as a partial exemption from property taxation of the actual value added to owner-operated cattle facilities, including small or medium sized feedlots but not including slaughter facilities, either by new construction or by the retrofitting of existing facilities.

**BACKGROUND:** Most cities and counties in Iowa have adopted ordinances for Iowa Code 427B. The RED Director has consulted with the County Assessor, Finance Controller, Bonding Counsel, and The Siouxland Initiative on this matter, all of whom spoke in favor of an ordinance adoption.

**FINANCIAL IMPACT:** 0

**RECOMMENDATION:** Consider adopting an ordinance for partial tax exemptions per Iowa Code 427B.

**ACTION REQUIRED:** None.

*Approved by Board of Supervisors March 3, 2015.*

## 427B.1 ACTUAL VALUE ADDED EXEMPTION FROM TAX --

### PUBLIC HEARING.

A city council, or a county board of supervisors as authorized by section 427B.2, may provide by ordinance for a partial exemption from property taxation of the actual value added to industrial real estate by the new construction of industrial real estate, research-service facilities, warehouses, distribution centers and the acquisition of or improvement to machinery and equipment assessed as real estate pursuant to section 427A.1, subsection 1, paragraph "e". "New construction" means new buildings and structures and includes new buildings and structures which are constructed as additions to existing buildings and structures. "New construction" does not include reconstruction of an existing building or structure which does not constitute complete replacement of an existing building or structure or refitting of an existing building or structure, unless the reconstruction of an existing building or structure is required due to economic obsolescence and the reconstruction is necessary to implement recognized industry standards for the manufacturing and processing of specific products and the reconstruction is required for the owner of the building or structure to continue to competitively manufacture or process those products which determination shall receive prior approval from the city council of the city or the board of supervisors of the county upon the recommendation of the Iowa department of economic development. The exemption shall also apply to new machinery and equipment assessed as real estate pursuant to section 427A.1, subsection 1, paragraph "e", unless the machinery or equipment is part of the normal replacement or operating process to maintain or expand the existing operational status. "Research-service facilities" means a building or group of buildings devoted primarily to research and development activities, including, but not limited to, the design and production or manufacture of prototype products for experimental use, and corporate-research services which do not have a primary purpose of providing on-site services to the public. "Warehouse" means a building or structure used as a public warehouse for the storage of goods pursuant to chapter 554, article 7, except that it does not mean a building or structure used primarily to store raw agricultural products or from which goods are sold at retail. "Distribution center" means a building or structure used primarily for the storage of goods which are intended for subsequent shipment to retail outlets. "Distribution center" does not mean a building or structure used primarily to store raw agricultural products, used primarily by a manufacturer to store goods to be used in the manufacturing process, used primarily for the storage of petroleum products, or used for the retail sale of goods.

The ordinance may be enacted not less than thirty days after a public hearing is held in accordance with section 335.6 in the case of a county, or section 362.3 in the case of a city. The ordinance shall designate the length of time the partial exemption shall be available and may provide for an exemption schedule in lieu of that provided in section 427B.3. However, an alternative exemption schedule adopted shall not provide for a larger tax exemption in a particular year than is provided for that year in the schedule contained in section 427B.3.

### Section History: Early Form



[C81, § 427B.1; 82 Acts, ch 1104, § 20]

### **Section History: Recent Form**

84 Acts, ch 1232, § 2; 85 Acts, ch 232, §1  
Referred to in § 364.19, 427.1(27c, 27d), 427B.2, 427B.3, 427B.4,  
427B.5, 427B.7, 427B.17  
Contracts with city or county for services; see § 364.19

### **427B.2 ZONING UNDER CHAPTER 335.**

1. The board of supervisors of a county which has appointed a county zoning commission and provided for county zoning under chapter 335 may provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under section 427B.1.

2. The board of supervisors of a county which has not appointed a zoning commission may provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under section 427B.1 in the following areas:

a. Outside the incorporated limits of a city to which a city has extended its zoning ordinance pursuant to section 414.23 which complies with the city's zoning ordinance.

b. Outside the incorporated limits of a city which has adopted a zoning ordinance but which has not extended the ordinance to the area permitted under section 414.23 if the property would be within the area to which a city may extend a zoning ordinance pursuant to section 414.23.

c. Outside the incorporated limits of a city which has not adopted a zoning ordinance but which would be within the area to which a city may extend a zoning ordinance pursuant to section 414.23.

3. The board of supervisors of a county which has not appointed a zoning commission may provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under section 427B.1 in an area where the partial exemption could not otherwise be granted under this chapter where the actual value added is to industrial real estate existing on July 1, 1979.

4. To grant an exemption under the provisions of this section, the county board of supervisors shall comply with all of the requirements imposed by this chapter upon the city council of a city.

### **Section History: Early Form**

[C81, § 427B.2; 82 Acts, ch 1104, § 21--23]

### **Section History: Recent Form**

2009 Acts, ch 41, §255  
Referred to in § 427B.1, 427B.7, 427B.17

### **427B.3 PERIOD OF PARTIAL EXEMPTION.**

The actual value added to industrial real estate for the reasons specified in section 427B.1 is eligible to receive a partial



exemption from taxation for a period of five years. However, if property ceases to be classified as industrial real estate or ceases to be used as a warehouse or distribution center, the partial exemption for the value added shall not be allowed for subsequent assessment years. "Actual value added" as used in this chapter means the actual value added as of the first year for which the exemption is received, except that actual value added by improvements to machinery and equipment means the actual value as determined by the assessor as of January 1 of each year for which the exemption is received. The amount of actual value added which is eligible to be exempt from taxation shall be as follows:

1. For the first year, seventy-five percent.
2. For the second year, sixty percent.
3. For the third year, forty-five percent.
4. For the fourth year, thirty percent.
5. For the fifth year, fifteen percent.

This schedule shall be followed unless an alternative schedule is adopted by the city council of a city or the board of supervisors of a county in accordance with section 427B.1.

However, the granting of the exemption under this section for new construction constituting complete replacement of an existing building or structure shall not result in the assessed value of the industrial real estate being reduced below the assessed value of the industrial real estate before the start of the new construction added.

#### **Section History: Early Form**

[C81, § 427B.3]

#### **Section History: Recent Form**

84 Acts, ch 1232, § 3  
Referred to in § 427B.1, 427B.7, 427B.17

#### **427B.4 APPLICATION FOR EXEMPTION BY PROPERTY OWNER.**

An application shall be filed for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filed by the owner of the property with the local assessor by February 1 of the assessment year in which the value added is first assessed for taxation. Applications for exemption shall be made on forms prescribed by the director of revenue and shall contain information pertaining to the nature of the improvement, its cost, and other information deemed necessary by the director of revenue.

A person may submit a proposal to the city council of the city or the board of supervisors of a county to receive prior approval for eligibility for a tax exemption on new construction. The city council or the board of supervisors, by ordinance, may give its prior approval of a tax exemption for new construction if the new construction is in conformance with the zoning plans for the city or county. The prior approval shall also be subject to the hearing requirements of section 427B.1. Prior approval does not entitle the owner to exemption from taxation until the new construction has been

completed and found to be qualified real estate. However, if the tax exemption for new construction is not approved, the person may submit an amended proposal to the city council or board of supervisors to approve or reject.

**Section History: Early Form**

[C81, § 427B.4; 82 Acts, ch 1104, § 24]

**Section History: Recent Form**

2000 Acts, ch 1058, §40; 2003 Acts, ch 145, §286  
Referred to in § 427.1(27d), 427B.7, 427B.17

**427B.5 EXEMPTION MAY BE REPEALED.**

When in the opinion of the city council or the county board of supervisors continuation of the exemption granted by this chapter ceases to be of benefit to the city or county, the city council or the county board of supervisors may repeal the ordinance authorized by section 427B.1, but all existing exemptions shall continue until their expiration.

**Section History: Early Form**

[C81, § 427B.5]  
Referred to in § 427B.17

**427B.6 DUAL EXEMPTIONS PROHIBITED.**

A property tax exemption under this chapter shall not be granted if the property for which the exemption is claimed has received any other property tax exemption authorized by law.

**Section History: Early Form**

[C81, § 427B.6]  
Referred to in § 427B.17

**427B.7 ACTUAL VALUE ADDED EXEMPTION FROM TAX --  
CATTLE FACILITIES.**

A city council, or a county board of supervisors as authorized by section 427B.2, may, by ordinance as provided in section 427B.1, establish a partial exemption from property taxation of the actual value added to owner-operated cattle facilities, including small or medium sized feedlots but not including slaughter facilities, either by new construction or by the retrofitting of existing facilities. The application for the exemption shall be filed pursuant to section 427B.4. The actual value added to owner-operated cattle facilities, as specified in section 427B.1, is eligible to receive a partial exemption from taxation for a period of five years. The amount of actual value added which is eligible to be exempt from taxation is the same as provided in the exemption schedule in section 427B.3.

**Section History: Recent Form**

87 Acts, ch 169, §10

#17

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ**

Date: March 30, 2016

Weekly Agenda Date: April 5, 2015

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: \_\_\_\_\_

SUBJECT: Approval of short term lease agreement with DHS for office space at Troper-Hoyt

**ACTION REQUIRED:**

Approve Ordinance <input type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input checked="" type="checkbox"/>
Give Direction <input type="checkbox"/>	Other: Informational <input type="checkbox"/>	Attachments <input type="checkbox"/>

**WORDING FOR AGENDA ITEM:** Discussion and Approval of Short Term Lease Agreement with DHS for Office Space at Troper Hoyt

**EXECUTIVE SUMMARY:** Mark Monson has discussed at previous Board meetings negotiating an agreement with DHS to provide office space at Troper Hoyt for their provision of targeted case management services. This lease memorializes that agreement. The term of the lease is through October 31, 2016.

**BACKGROUND:**

**FINANCIAL IMPACT:** DHS will pay \$720.83 per month for use of the space. This income will be offset by the cost of the County of providing maintenance, cleaning, utilities and phone service.

**RECOMMENDATION:**

**ACTION REQUIRED / PROPOSED MOTION:** Motion to authorize the chairman to sign the lease agreement with DHS.

*Approved by Board of Supervisors March 3, 2015. Revised May 5, 2015.*



## **STATE OF IOWA LEASE AGREEMENT**

**SECTION 1. PARTIES:** THIS LEASE IS EXECUTED BY and between **Woodbury County** (Landlord), whose address for the purpose of this Lease is 620 Douglas Street, Sioux City, Iowa 51101, and the **Iowa Department of Administrative Services** on behalf of and for the benefit of the **Iowa Department of Human Services, Targeted Case Management** (Tenant), whose address for the purpose of this Lease is 109 SE 13<sup>th</sup> Street, Des Moines, Iowa 50319.

### **SECTION 2. LEASED PREMISES:**

**2.1** Landlord leases to Tenant the following described property : Approximately **865** Square Feet (Rentable Area or Leasable Space) of office space located at the Trospen-Hoyt Building, 822 Douglas Street, 3<sup>rd</sup> floor, Sioux City, Iowa 51101 (Leased Premises).

**SECTION 3. TERM OF LEASE:** It is understood and agreed that the Lease shall commence on March 1, 2016 and shall end October 31 2016, both days inclusive.

**SECTION 4. USE OF LEASED PREMISES:** It is understood and agreed that Tenant contemplates using the Leased Premises for the purposes of general office use.

**SECTION 5. ASSIGNMENT AND SUBLETTING:** Tenant shall have the right, with written approval of Landlord, to assign or sublet the Leased Premises or any part thereof during the term of this Lease or renewal or extension thereof, such approval not to be unreasonably withheld.

**SECTION 6. RENTAL:** Tenant agrees to pay to Landlord the following for the Leased Premises:

**6.1 Rental Rate.** For the term of March 1 through June 30, 2017, Tenant shall pay for the use and occupancy of the Premises at a rental sum (Rental Rate) of \$8,650.00 per year or \$10.00 per sq. ft., payable, in equal monthly installments in the amount of \$720.83, in arrears. The first rent payment is due on the first (1st) of April, 2016 and the same amount on or before the first (1st) day of each month thereafter during the term of this Lease. The last month's rent is due and payable on the first (1st) day of the month immediately following the last month of the Lease.

**6.2** In the event this Lease does not commence on the first day of the month in which Tenant takes possession, the total rent payable shall be prorated from the date of possession to the end of the month in which Tenant takes possession.

**6.3 DELINQUENT RENT.** If Tenant fails to pay any amounts due under this Lease within sixty (60) days after the later of the date of receipt of the statement for such payment or the date of the satisfactory delivery, furnishing or performance of the services, supplies, materials or contract for which such payment is requested, then the unpaid amount shall bear interest as provided in Iowa Code section 8A.514, until paid; except if the warrant for such payment is not paid, in part or in full, due to lack of funds at the time of presentment, then interest shall be paid at the maximum rate established pursuant to Iowa Code section 74A.6, on the unpaid amounts until paid in full.

**SECTION 7. COVENANT OF QUIET ENJOYMENT:** So long as Tenant pays the rents reserved by this Lease and performs and observes all the covenants and provisions hereof, Tenant shall quietly enjoy the Leased Premises and have unobstructed access to said premises at all times, Saturdays, Sundays and holidays included.

**SECTION 8. LANDLORD'S DUTY OF CARE AND MAINTENANCE:**

**8.1.** Landlord shall be responsible for providing the following:

**8.1.1.** Maintenance of the roof, structural parts of the floor, walls, windows, all interior and exterior components of the building, including but not limited to ceiling tiles and carpeting, and improvements both structural or otherwise and keeping other structural parts of the building in good repair;

**8.1.2** Maintenance of the structural and surface area of the sidewalks, any and all access drives and parking lot in good repair;

**8.1.3** Necessary repairs to the sewer lines and fixtures, the plumbing equipment, lines and fixtures, gas lines and fixtures, including but not limited to fire sprinkler and fire control systems, the water pipes, the ballasts for fluorescent lighting and electrical wiring;

**8.1.4** Air conditioning, heating equipment and ventilating lines and fixtures; and the maintenance thereof;

**8.1.5** Elevator equipment and the maintenance thereof;

**8.1.6** Thermostatic control for the Leased Premises will be provided for the heating, ventilation and air conditioning systems used to heat and cool the Leased Premises.

**8.1.7** Repair or removal of major landscape elements.

**8.2.** All repairs or replacements shall be made in a manner to minimize the inconvenience to Tenant and in a manner which maintains any and all security of the Leased Premises.

**SECTION 9. TENANT'S DUTY OF CARE AND MAINTENANCE:**



**9.1** Tenant will not permit or allow Leased Premises to be damaged or depreciated in value, except for ordinary wear and tear, by any act or negligence of Tenant, its agents or employees. Tenant shall make no structural alterations or improvements without first obtaining the written approval of Landlord of the plans and specifications therefore, which approval shall be at the sole discretion of Landlord.

**9.2** Tenant will make no unlawful use of said premises and agrees to comply with all valid laws and regulations of the Board of Health, applicable City Ordinances, and of the State of Iowa and the Federal Government. This provision shall not be construed as creating any duty by Tenant to members of the general public.

**SECTION 10. LANDLORD OBLIGATIONS:** Landlord shall furnish the following items at its sole cost and expense:

**10.1** Electric

**10.2** Gas

**10.3** Water/Sewer

**10.4** Janitorial services

**10.5** Trash removal

**10.6** Pest Control

**10.7** Light bulbs

**10.8** Landscaping and lawn mowing

**10.9** Snow removal

**10.10** Cost of installation and monthly telephone service for seven (7) phones

**10.11** Timely payment of all real estate taxes or special assessments levied or assessed by lawful authority against the Leased Premises.

**SECTION 11. TENANT OBLIGATIONS:**

**11.1** There are no tenant obligations.

**SECTION 12. COMPLIANCE WITH APPLICABLE LAWS:** Landlord is responsible for complying with all applicable provisions of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101- 12213) and the Iowa Civil Rights Act, (Chapter 216), as well as the regulations adopted thereunder, with respect to the Leased Premises. In the event that Tenant is fined for violations of said laws and regulations or a judgment is entered against Tenant for failing to make a reasonable accommodation for areas within the responsibility of Landlord, Landlord agrees to indemnify and hold harmless Tenant, including reasonable attorney fees and costs and expenses. In addition, Landlord shall comply with all valid laws and



regulations of the Board of Health, applicable City Ordinances and of the State of Iowa and the Federal Government.

It is agreed and understood that the structural parts of the Leased Premises and the Leased Premises are the sole responsibility of Landlord and Landlord shall comply with all OSHA and IOSHA standards.

### **SECTION 13. INSURANCE:**

**13.1** Landlord shall insure its interest in the Leased Premises and any personal property of Landlord in the Leased Premises against fire and other hazards. Landlord shall also maintain general public liability insurance covering personal injury and property damage caused by acts or omission in the common areas of the Leased Premises including the parking lots.

**13.2** Each party shall be liable to the other for all damage to the property of the other negligently, recklessly, or intentionally caused by that party (or their agents, employees, or invitees), except to the extent the loss is insured and subrogation is waived under any applicable insurance policy.

**13.3** Except for any losses, costs, damages, expenses, claims, demands and causes of action arising out of Tenant's duties of care and maintenance of the Leased Premises or any negligence of Tenant, its employees, servants, agents, or licensees, Landlord shall, to the extent permitted by law, indemnify, and hold Tenant harmless against and from any and all claims by or on behalf of any person or persons, firm or firms, corporation or corporations, arising from the conduct or management, or from any work or things whatsoever done in or about all portions of the Leased Premises and will further, to the extent permitted by law, indemnify and hold Tenant harmless against and from any and all claims arising during the Lease term from any condition of the Leased Premises, including, but not limited to any parking lots, street, curb or sidewalk which is a part of or adjoining the Leased Premises and/or any Common Area and under the control of Landlord, or arising from any breach or default on the part of Landlord in the performance of any covenant or agreement on the part of Landlord to be performed, pursuant to the terms of this Lease or arising from any act of negligence of Landlord, its agents, servants, employees or licensees.

**13.4** Both parties recognize that the State of Iowa is self-insured and subject to the provisions of Iowa Code Chapter 669 and, Article VII, Section 1, of the Constitution of The State of Iowa.

**13.5** Both parties recognize that Woodbury County, Iowa is self-insured and subject to the provisions of Iowa Code Chapter 670 and, Article VII, Section 1 of the Constitution of the State of Iowa.

**SECTION 14. LANDLORD'S RIGHT OF ACCESS:** Landlord, accompanied by an authorized representative of Tenant, may enter the Leased Premises at any reasonable time for the purpose of inspecting the Leased Premises or for the servicing of any utilities. Landlord shall be responsible for

and shall indemnify Tenant against any loss of or injury or damage to any of Tenant's improvements, or other personal property located on the Leased Premises arising out of any act, omission or negligence of Landlord, its employees, agents, invitees, or contractors in making any inspections of or repairs, additions or alterations to the Leased Premises.

**14.1. Confidentiality:** Landlord acknowledges and understands that Tenant maintains confidential information at the Leased Premises. Landlord further acknowledges and understands that state and federal laws may impose civil and criminal penalties for the disclosure and dissemination of confidential information. Landlord's employees and contractors may come across this confidential information when performing their responsibilities under this Agreement. Landlord must take reasonable steps to make sure that its employees and any contractors do not copy, remove, disclose, or disseminate confidential information maintained by Tenant. Landlord also agrees that any violation of this confidentiality provision may result in Tenant terminating this Agreement for cause. Lastly, Landlord agrees to indemnify the Tenant for any violations of this provision as required by this Agreement.

**SECTION 15. SIGNS:** Tenant shall have the right and privilege of attaching, affixing, painting, or exhibiting signs on the Leased Premises, provided only:

**15.1** That any and all signs shall comply with the ordinances of the city or municipality in which the property is located and the laws of the State of Iowa;

**15.2** Such signs shall not change the structure of the Leased Premises;

**15.3** Such signs, if and when taken down, shall not damage the Leased Premises; and

**15.4** Such signs shall be subject to the written approval of Landlord, which approval shall be at the sole discretion of Landlord.

**SECTION 16. POSSESSION:** Tenant shall be entitled to possession on the first day of the term of this Lease, and shall yield possession to Landlord on the date on which this Lease terminates, except as herein otherwise expressly provided.

**16.1** The term of this Lease shall commence on the first day that Tenant is entitled to possession of the Leased Premises, or on the (1<sup>st</sup>) day of March, 2016, whichever date is later. It is understood that the agreed time for the commencement of this Lease is an important prerequisite to the execution of this Lease. If commencement of the Lease term does not begin within the time specified in the Lease, the delay will disrupt the delivery of services by Tenant to the public.

**16.2 Surrender of Leased Premises at end of the Term.** Tenant agrees that upon the termination of the Lease, it will surrender, yield up and deliver the Leased Premises in good and clean condition, except for the ordinary wear and tear and depreciation arising from lapse of time, or damage without



fault or liability of Tenant. Landlord and Tenant may conduct a walk-through of the Leased Premises prior to the lease expiration to review the condition of the Leased Premises. Tenant may at the expiration of the term of the Lease, or renewal or renewals thereof, remove any Tenant fixtures or equipment. Tenant shall be responsible for repairing any damages caused by said removal.

**SECTION 17. TENANT IMPROVEMENTS:** Landlord shall improve the Leased Premises as follows:

**17.1** There are no tenant improvements.

**SECTION 18. PARKING:** There is no parking provided as a part of this lease.

**SECTION 19. DAMAGE TO LEASED PREMISES:**

In the event of partial or total destruction of or damage to the Leased Premises, which damage can be reasonably repaired, as determined by Landlord, within sixty (60) days of its occurrence, this Lease shall not terminate, but rent shall be apportioned in amounts equal to the percentage of the Leased Premises that is unusable during construction. The determination regarding the usable portion of the Leased Premises shall be within the sole discretion of Tenant. If the Leased Premises cannot be repaired within sixty (60) days, Tenant may terminate this Lease by providing Landlord with written notice of termination within fifteen (15) days after Landlord determines that the damage to the Leased Premises cannot be repaired.

**SECTION 20. EMINENT DOMAIN:**

**20.1** In the event all or any portion of the Leased Premises is taken under eminent domain proceedings or purchased in lieu of condemnation, the Tenant may terminate this Lease as of the date of possession by the condemning authority. The Tenant shall provide the Landlord with written notice of termination.

**20.2** Landlord and Tenant shall each be entitled to a share of the compensation awarded or the purchase price received in lieu of condemnation which reflects their proportionate interests in the property. Tenant's share shall include, without limitation, compensation for loss of and diminution in the value of its leasehold and depreciation to and cost of removal of improvements and fixtures paid for by the Tenant. Tenant's share shall also include all costs incurred in relocating to a new location.

**SECTION 21. TERMINATION OF LEASE:** This lease shall terminate upon expiration of the original term unless extended through a written mutual agreement of the parties.

**21.1 For Cause by Tenant.** In the event Landlord fails to observe and perform any covenant, condition or obligation created by this Lease, Tenant shall provide written notice to Landlord requesting that the



breach or noncompliance be immediately remedied. In the event that the breach or noncompliance continues to be evidenced thirty (30) days beyond the date of the written notice, Tenant may either:

**21.1.1** Immediately terminate the Lease without additional written notice; or,

**21.1.2** Enforce the terms and conditions of the Lease and seek any legal or equitable remedies.

**21.2 For Cause by Landlord.** In the event Tenant fails to observe and perform any covenant, condition or obligation created by this Lease, Landlord shall provide written notice to Tenant requesting that the breach or noncompliance be immediately remedied. In the event that the breach or noncompliance continues to be evidenced thirty (30) days beyond the date of the written notice, Landlord may either:

**21.2.1** Immediately cancel or forfeit this Lease without additional written notice; or,

**21.2.2** Enforce the terms and conditions of the Lease and seek any legal or equitable remedies.

**21.3 Termination Due to Lack of Funds or Change in Law.** Notwithstanding any other provision of this Agreement to the contrary and subject to the limitations, conditions and procedures set forth below, Tenant may terminate this Agreement without penalty by giving sixty (60) days written notice to Landlord in the event of any of the following contingencies:

**21.3.1.** If there is a reduction, at any time, of 10% or more of the funds anticipated for the continued fulfillment of this Lease either through the failure of the General Assembly, the Governor, the United States Congress or the President to appropriate funds; or,

**21.3.2.** If there is a discontinuance or material alteration of the program for which funds were provided.

**21.3A Termination Due to Services Contract Cancellation, Termination, or Expiration**

The Landlord Acknowledges the Tenant performs services pursuant to a contract with the county in which the Leased Premises is located. The Tenant may terminate this Lease without penalty upon 60-days' notice to the Landlord if the Tenant's contract with the county for the provision of services is cancelled, terminated or expires.

In the event that an appropriation to cover the cost of this Agreement becomes available within sixty (60) days subsequent to termination under this clause, the Tenant agrees to re-enter an Agreement with the terminated Landlord under the same provisions, terms and conditions as the original lease.

**21.4 Remedy for Non-Appropriation Termination.** In the event of termination of the Agreement due to non-appropriation, the exclusive, sole and complete remedy of the Landlord shall be to recover and possess the property subject to this Agreement. In the event of termination of this lease due to non-appropriation, Tenant shall have no further liability.

**21.5 Reduction in Space Requirements due to Funding Changes.** Notwithstanding any other provision of this Agreement to the contrary and subject to the limitations, conditions and procedures set forth below, Tenant may amend this Lease without penalty by giving sixty (60) days written notice to

Landlord in the event Tenant's funding is reduced and Tenant reasonably finds that it must reduce the amount of space leased by Tenant from Landlord. Tenant and Landlord will thereafter promptly meet to agree upon the location and configuration of the space to be withdrawn from the Rentable Area. Tenant acknowledges that the withdrawn space must be readily accessible for occupancy by a new tenant and that a new tenant must have reasonable access to the restroom facilities. Both Tenant and Landlord agree that a good faith effort will be made to effect modifications to this Lease that will permit the continued occupancy by Tenant under terms acceptable to both parties.

**21.6 Increase in Space Requirements due to Staffing Changes.** If Tenant's space needs increase due to staffing changes and Tenant determines that it must increase the size of its leased space in order to carry out its business, Tenant may notify Landlord, in writing, of its desire to lease additional space. If Landlord is able to provide sufficient, acceptable space contiguous with the Leased Premises, this Lease may be amended to provide for leasing this additional space at the same per square foot cost and on the same terms and conditions as this Lease. If Landlord is unable to accommodate this request within sixty (60) days of receiving the written notice, Tenant may terminate this lease, without penalty, on a date to be specified by Tenant. Both Tenant and Landlord agree that a good faith effort will be made to effect modifications to this Lease that will permit the continued occupancy by Tenant under terms acceptable to both parties.

## **SECTION 22. HAZARDOUS WASTE:**

**22.1 Definitions.** For the purposes of interpreting this Lease, the following definitions are applicable unless context requires a different meaning:

**22.1.1 Environmental Law** shall mean any federal, state or local law, ordinance or other statute of a governmental or quasi-governmental authority relating to pollution or protection of the environment.

**22.1.2 Hazardous Substances** shall mean pollutants, contaminants, toxic or hazardous wastes, or any other substances, the use and/or the removal of which is required or the use of which is restricted, prohibited or penalized by any Environmental Law.

**22.2 Tenant's Duties.** Tenant hereby agrees that:

**22.2.1 Limitation of Activity.** No activity will be conducted on the Leased Premises that will produce or make use of any Hazardous Substance, except for such activities that are part of the ordinary course of Tenant's business activities (Permitted Activities) provided said Permitted Activities are conducted in accordance with all Environmental Laws. Tenant shall be responsible for obtaining any required permits and paying any fees and providing any testing required by any governmental agency.



**22.2.2 Limitation of Storage.** The Leased Premises will not be used in any manner for the storage of any Hazardous Substances except for the temporary storage of such materials that are used in the ordinary course of Tenant's business (Permitted Materials) provided such Permitted Materials are properly stored in a manner and location meeting all Environmental Laws. Tenant shall be responsible for obtaining any required permits and paying any fees and providing any testing required by any governmental agency.

**22.2.3** No portion of the Leased Premises will be used as a landfill or a dump.

**22.2.4** Tenant will not permit any Hazardous Substances to be brought onto the Leased Premises, except for the Permitted Materials, and if so brought or found located thereon, the same shall be immediately removed, with proper disposal, and all required cleanup procedures shall be diligently undertaken pursuant to all Environmental Laws.

**22.3 Inspections by Landlord.** Landlord or Landlord's representative, accompanied by the Tenant or its representative, shall have the right but not the obligation to enter the Leased Premises for the purpose of inspecting the storage, use and disposal of Permitted Materials to ensure compliance with all Environmental Laws. Should it be determined, in Landlord's sole opinion, that said Permitted Materials are being improperly stored, used, or disposed of, then Tenant shall immediately take such corrective action as requested by Landlord. Should Tenant fail to take such corrective action within 24 hours, Landlord shall have the right to perform such work and Tenant shall promptly reimburse Landlord for any and all costs associated with said work.

**22.4 Clean-up Costs.** If at any time during or after the term of the Lease Term, the Leased Premises are found to be so contaminated or subject to said conditions, due to contamination caused by Tenant, Tenant shall diligently institute proper and thorough cleanup procedures at Tenant's sole cost.

**22.5 Notification Regarding Environmental Law Issues.** During the Lease Term, each party hereto shall promptly provide the other party with copies of all summons, citations, directives, information inquiries or requests, notices of potential responsibility, notices of violation or deficiency, orders or decrees, claims, complaints, investigations, judgments, letters, notice of environmental liens, and other communications, written or oral, actual or threatened, from the United States Environmental Protection Agency, Occupational Safety and Health Administration, The State of Iowa Environmental Protection Agency or other federal, state or local agency or authority, or any other entity or individual, concerning:

**22.5.1** Any Hazardous Substance and the Leased Premises;

**22.5.2** The imposition of any lien on the Leased Premises; or

**22.5.3** Any alleged violation of or responsibility under any Environmental Law.

**22.6 Limitation of Liability.** Nothing herein contained shall obligate Tenant to pay for any charges, taxes, assessments, penalties, fines, clean up, or any charge or cost incident to Hazardous Substances or clean



up thereof, unless caused or created by Tenant; and should Hazardous Substances or products be found, on or under the Leased Premises, Landlord shall pay all charges, taxes, assessments, penalties, fines, or any charge or cost incident to the Hazardous Substances, holding Tenant harmless from and against the same and Landlord does hereby agree, to the extent permitted by law, to indemnify Tenant from and against any and all liability of any kind or type, arising therefrom. Provided however, nothing contained herein shall be construed to create any duty on the part of the Landlord to the general public, any governmental or other regulatory authority, or other parties without privity of contract with respect to this Lease.

### **SECTION 23. MISCELLANEOUS:**

**23.1 Amendments.** This Lease may be amended in writing from time to time by mutual consent of the parties. All amendments to this Lease must be fully executed by both parties.

**23.2 Third Party Beneficiaries.** There are no third party beneficiaries to this Lease. This Lease is intended only to benefit Tenant and Landlord.

**23.3 Choice of Law and Forum.** The terms and provisions of this Lease shall be construed in accordance with the laws of the State of Iowa. Any and all litigation or actions commenced in connection with this Lease shall be brought in Sioux City, Iowa, in Woodbury County District Court for the State of Iowa. If however, jurisdiction is not proper in the Woodbury County District Court, the action shall only be brought in the United States District Court for the Northern District of Iowa, Western Division, provided that jurisdiction is proper in that forum.

**23.4 Assignment and Delegation.** This Lease may not be assigned, transferred or conveyed in whole or in part without the prior written consent of the other party.

**23.5 Integration.** This Lease represents the entire Lease between the parties and neither party is relying on any representation which may have been made which is not included in this Lease.

**23.6 Headings or Captions.** The paragraph headings or captions are for identification purposes only and do not limit or construe the contents of the paragraphs.

**23.7 Not a Joint Venture.** Nothing in this Lease shall be construed as creating or constituting the relationship of a partnership, joint venture, (or other association of any kind or agent/principal relationship) between the parties hereto.

**23.8 Obligations Beyond Agreement Term.** This Lease shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to this Lease. All obligations of Tenant and Landlord incurred or existing under this Lease as of the date of expiration, termination or cancellation will survive the termination or conclusion of this Lease.

**23.9 Use of Third Parties.** Tenant acknowledges that Landlord may contract with third parties for the performance of any of Landlord's obligations under this Lease provided that Landlord remains responsible for such performance. Upon request by Tenant, Landlord shall periodically provide a list of all third party providers it uses for the substantial performance of any of Landlord's obligations under this Lease.

**23.10 Waiver.** Except as specifically provided for in a waiver signed by duly authorized representatives of Tenant and Landlord, failure by either party at any time to require performance by the other party or to claim a breach of any provision of this Lease shall not be construed as affecting any subsequent breach or the right to require performance with respect thereto or to claim a breach with respect thereto.

**23.11 Approvals.** Whenever under this Lease, provision is made for either party to obtain the written consent or approval of the other party, such response shall not be unreasonably withheld or delayed.

**23.12 Severability.** If any provision of this Lease is held to be invalid or unenforceable the remainder shall be valid and enforceable.

**23.13 Notices.** Notices under this Lease shall be in writing and delivered to the representative of the party to receive notice (identified below) at the address of the party to receive notice as it appears below or as otherwise provided for by proper notice hereunder. The effective date for any notice under this Lease shall be the date of delivery of such notice with postage prepaid thereon or by recognized overnight delivery service, such as Federal Express or UPS:

If to Landlord: Woodbury County  
County Courthouse  
620 Douglas Street  
Sioux City, IA 51101

If to Tenant: Department of Administrative Services  
Space Management and Leasing Division  
109 SE 13<sup>th</sup> Street  
Des Moines, Iowa 50319

If to Tenant: DHS: Targeted Case Management  
400 SW 8<sup>th</sup> Street, Suite Q  
Des Moines, IA 50309



Any notice or communication sent by U.S. Mail under this Agreement shall be deemed given upon receipt as evidenced by the U.S. Postal Service return receipt card, or if sent by overnight delivery service, upon receipt as evidenced by the signature attained by the carrier.

**23.14 Cumulative Rights.** The various rights, powers, options, elections and remedies of either party, provided in this Lease shall be construed as cumulative and no one of them is exclusive of the other or exclusive of any rights, remedies or priorities allowed either party by law, and shall no way affect or impair the right to either party to pursue any other equitable or legal remedy to which either party may be entitled as long as any default remains in any way unremedied or unsatisfied.

**23.15 Time is of the Essence.** Time is of the essence with respect to the performance of all terms, conditions and covenants of this Lease.

**SECTION 24. EXHIBITS:**

**24.1** There are no exhibits.

*(Remainder of this page intentionally left blank)*

**SECTION 25. DOCUMENT EXECUTION:**

This Lease may be executed in multiple originals, which, when taken together form a complete Lease and each party to the Lease shall possess one of the fully executed Leases.

**SECTION 26. SIGNATURES:**

**LANDLORD:**  
**Woodbury County**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Printed name: \_\_\_\_\_

Title: \_\_\_\_\_

**TENANT:**  
**State of Iowa – Department of Administrative Services on behalf of and for the benefit of Iowa  
Department of Human Services – Targeted Case Management**

By: \_\_\_\_\_

Date: \_\_\_\_\_



Printed name: \_\_\_\_\_

Title: \_\_\_\_\_

**Approved as to content and form:  
Iowa Department of Human Services**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Printed name: \_\_\_\_\_

Title \_\_\_\_\_

#18

**MARCH 29, 2016 — MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS AS TO  
WOLF CREEK DRAINAGE DISTRICT IN WOODBURY COUNTY**

The Board of Supervisors met on Tuesday, March 29, 2016 as Trustees for Wolf Creek Drainage District in Woodbury County. Board members present were Clausen, Taylor, Monson, Smith, and Ung. Staff members present were Karen James, Board Administrative Coordinator, Joshua Widman, Assistant County Attorney, Mark Nahra, County Engineer's Office, Dennis Butler, Finance/Operations Controller and Jean Jessen, Deputy Auditor/Clerk to the Board.

The Board called to order a Wolf Creek Drainage District Trustee meeting.

Motion by Monson second by Clausen to approve the minutes of the February 23, 2016 meeting of the Wolf Creek Drainage District. Carried 5-0. Copy filed.

Motion by Monson second by Clausen to approve work order authorizing immediate repairs to drainage structures in the Wolf Creek Drainage District. Carried 5-0. Copy filed.

The Wolf Creek Drainage District meeting was adjourned.

#19

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REC

Date: March 25, 2016

Weekly Agenda Date: March 30, 2016

DEPARTMENT HEAD / CITIZEN: <u>Supervisor Jeremy Taylor</u>		
SUBJECT: <b>Chairman's Report</b>		
<b>ACTION REQUIRED:</b>		
Approve Ordinance <input type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input type="checkbox"/>
Give Direction <input type="checkbox"/>	Other: Informational <input checked="" type="checkbox"/>	Attachments <input type="checkbox"/>

**WORDING FOR AGENDA ITEM:** Chairman's Report

**EXECUTIVE SUMMARY:** In order to keep the Board as fully informed as possible on the weekly happenings, this will act as a summation of day-to-day operational decisions in a public forum.

**BACKGROUND:** The Board will be kept apprised of the following:

*a. Courthouse Security.* We had a meeting on Friday to discuss various issues and will keep you informed on this front on any issue that can be discussed publicly in such a way as to not compromise sensitive information related to security. Included was discussion concerning the very successful SAVE Yourself training. A subsequent one will take place at Climbing Hill and perhaps in the future for refresher training. Building services has a host of issues Todd Wieck will work with them on including alarm systems. A review of threats and potential security projects was discussed.

*b. Important Dates.* **April 11-15 the majority of supervisors are in Washington, D.C., so there will be NO regular meeting on April 12.** However, a majority of supervisors will need to electronically or telephonically call in after having reviewed the claims. The next meeting will actually be in **Correctionville April 18 from 7:00-8:30 p.m.** We will present an overview of some things that are "happening" in the County, e.g. CF and AGP expansion; Highway 20; Budget and Taxes; and a couple of potential issues of study—Rural Econ Development and LEC Expansion—in addition to road plans. This will also be an opportunity to explain some core functions along with an overview of services and provide a listening post for rural residents.



Supervisor Smith is away the last week in April, and I want to inform the Board that my annual requirement for military service will take me away from county duties May 2-16 at which time Vice Chairman Ung will lead both meetings and day-to-day operational decisions.

Therefore, I would like to suggest May 24, 2016 be our "Open House." We will have conducted a Resolution by that time (today), sent a press release, and from NACO's list of suggestions, I would like to see if we can involve media; write a news release; and have tours and refreshments from 11 am – 3 pm that day. This also gives some time to plan as well as we put together what each county does as well.

*c. Land Use Surrounding Prairie Hills.* I have asked John Pylelo (Planning and Zoning), David Gleiser (Economic Development), Joshua Widman (Asst. County Attorney), and Mark Nahra (County Engineer) to meet together and come up with several options concerning continued leasing, rent, or land. This would be in the form of a staff recommendation and weigh potential options the Board may consider.

*d. Ag Expo Center Request.* I answered questions in relationship to both a media article and opinion piece. The following represents my personal opinion as one supervisor and I believe is a fair response on behalf of the Board in relationship to recent news that the Iowa Economic Development Board is requesting that more local involvement happen, specifically from the Board.

**The Woodbury County Board of Supervisors were initially approached regarding the possibility of the County making a financial contribution to the Ag Expo Center several months ago via a presentation at a public meeting. The prospect of continued economic growth and development represented by this project and additional quality of life amenities remains both intriguing and exciting.**

**As we approach any investment, especially a project of this magnitude, I believe it is important to continue to perform due diligence. In this particular case, we have an obligation to examine both the project, as well as the Reinvestment District as a whole. More specifically, among other things, we must thoughtfully consider: the long-term operational funding plans; which governmental bodies will carry debt and how each will do so; the management of day-to-day operations including risk liabilities; potential for the greater good of the county in cooperative agreements yet to be discussed in specific terms; and comprehensive conversations regarding the overall scope of the Reinvestment District which has continued to evolve over time.**

**Elected officials have a responsibility to ensure taxpayer dollars are used in a fiscally responsible manner and citizens have come to expect serious questions to be asked and answered. We look forward to learning more about this unique opportunity from our colleagues at the City of Sioux City, as well as the Iowa Economic Development Authority. The Woodbury County Board of Supervisors welcomes a comprehensive examination and evaluation of this project, as well as the opportunity to work alongside our public sector colleagues at the City and State for the good of our citizens.**

**FINANCIAL IMPACT:** None

**ACTION REQUIRED:** None.

# Orpheum

## MAIN ATTRACTIONS

WEDNESDAY, APRIL 13 4:30-7:00 PM  
**A NIGHT OF MUSIC, SONG, AND CELEBRATION**  
TO SUPPORT THE WORK OF THE SANFORD COMMUNITY CENTER

DRINKS, APPETIZERS, & MUSIC / FREE & OPEN TO THE PUBLIC

*Featuring performances by*  
Mount Zion Baptist Choir  
& "Play It Forward"

## SANFORD CENTER

Dave Bernstein   Trinity Electric   John Gleeson   Kind World   Avery Brothers  
Orpheum Theatre   KTIV   Waitt Institute for Violence Prevention





**Woodbury County Conservation Board**  
4500 Sioux River Road Sioux City, IA 51109-1657

Phone: 712/258-0838  
Fax: 712/258-1261

Board Members:  
Cindy Bennett  
Suzan Boden  
Don Dixon  
Neil Stockfleth  
Christine Zellmer-Zant

Rick D. Schneider, Director  
Mark Peterson, Deputy Director  
Dawn Snyder, Education Director

**Thursday, April 7, 2016**

**MONTHLY MEETING AGENDA – 5:00 P.M.**

Dorothy Pecaut Nature Center  
4500 Sioux River Road, Sioux City, IA 51109

- **Call to order / roll call** – quorum / open meeting compliance
- **Public comment / input** – this is an opportunity for the public to address any subject pertaining to Conservation Board business.

**CONSENT AGENDA**

- C1. Approve minutes of the March 1, 2016 monthly meeting.
- C2. Approve March 2016 claims and expenditures.
- C3. Receive and place on file the March 2016 financial / budget report and the 3<sup>rd</sup> Quarter FY 16 Reserve Fund Report.
- C4. Acceptance and approval of Cooperative Grant Agreements
  - 1. Prairie Partners
  - 2. US Fish and Wildlife Service
- C5. Acceptance of Gifts/Donations:
  - 1. Connie Hoag – Monetary donation (\$50).
  - 2. Scott Kayl – Monetary donation (\$20) for animals.
  - 3. Ed Walding – Monetary donation (\$1,000) for intern fund.
  - 4. Dally Varner – Box turtle shell.
  - 5. Avery Outdoors – Siouxland Daily Board advertising.
  - 6. Mark Taylor – Rakes, shovels and hand tools.

**REGULAR AGENDA**

- R1. Approve consent agenda. (Conservation Board)
- R2. Consideration and approval of contracts for hay removal in certain areas. (Peterson)

*"Conservation is everybody's business"*



- R3. Consideration and approval for digitizing microfilm documents. (Schneider)
- R4. Report on equipment purchases for FY 16. (Peterson)
- R5. Consideration and approval of budget for marketing and advertising. (Schneider/Snyder)
- R6. Consideration and approval of revised Beach Rules. (Schneider)
- R7. Capital Improvement Projects Update (Schneider)
  - 1. Southwood Cabins, Little Sioux Park Cabin improvements
  - 2. LED conversion projects
  - 3. Brown's Lake drainage project
  - 4. FY 17 – Fowler Forest shelter replacement/design
- R8. Board member / staff reports – Board members and staff may report on meetings or activities that they have been involved with. (Board and staff)
  - 1. Nature Center activities (Snyder)
  - 2. Park activities (Peterson)
  - 3. Administrative items (Schneider)
    - a. Park Facilities opening date
    - b. Camping Kick-off Weekend
    - c. Staffing updates
    - g. Set date/time for May meeting/summer meeting schedule and locations
- R9. Adjournment

#### **CALENDAR OF EVENTS:**

- 1. Conservation Board meeting (tentative) – May 5, 2016
- 2. Park Facilities Opening Date – April 29, 2016
- 3. Camping Kick-off Weekend – May 6-8, 2016

**WOODBURY COUNTY JAIL WEEKLY POPULATION REPORT AT 0600 HRS.**

<u>DATE</u>	<u>Day</u>	<u>DAILY TOTAL</u>	<u>LEC</u>	<u>ELECTRONIC MONITORING</u>	<u>PRAIRIE HILLS</u>	<u>FEDERAL PRISONERS</u>
3/26/16	Saturday	236	221	15	0	18
3/27/16	Sunday	238	223	15	0	18
3/28/16	Monday	236	221	15	0	18
3/29/16	Tuesday	246	231	15	0	19
3/30/16	Wednesday	231	216	15	0	20
3/31/16	Thursday	223	209	14	0	20
4/1/16	Friday	223	209	14	0	20
		<b>1633</b>	<b>1530</b>	<b>103</b>	<b>0</b>	<b>133</b>
<b>24 HOUR DAILY COUNT</b>						
<u>DATE</u>	<u>TOTAL</u>	<u>MALE</u>	<u>FEMALE</u>			
3/26/16	260	214	46			
3/27/16	254	214	40			
3/28/16	254	211	43			
3/29/16	287	240	47			
3/30/16	257	213	44			
3/31/16	247	204	43			
4/1/16	246	205	41			
	<b>1805</b>	<b>1501</b>	<b>304</b>			
*Highest population count each day						

**WOODBURY COUNTY JUVENILE DETENTION CENTER**

Trosper-Hoyt Bldg.  
822 Douglas St. - 4th Floor  
Sioux City, Iowa 51101

Phone 712-279-6622  
Email: molsen@sioux-city.org  
Fax 712-234-2900

**6:00 a.m.**

**6:00 p.m.**

**March, 2016**

<b>March 21, 2016</b>		<b>16</b>
<b>March 22, 2016</b>	<b>13</b>	<b>13</b>
<b>March 23, 2016</b>	<b>12</b>	<b>12</b>
<b>March 24, 2016</b>	<b>12</b>	<b>12</b>
<b>March 25, 2016</b>	<b>12</b>	<b>12</b>
<b>March 26, 2016</b>	<b>16</b>	<b>16</b>
<b>March 27, 2016</b>	<b>16</b>	<b>16</b>
<b>March 28, 2016</b>	<b>16</b>	

The Center averaged 13.9 residents per day during the 6:00 a.m. head count and 13.7 during the 6:00 p.m. check for a weekly average of 13.8 residents per day during the above week.

Of the sixteen residents detained on March 21, 2016, nine or fifty six percent were identified as gang members. Of the nine, four or forty four percent were identified as hard-core member.

We are currently detaining six juveniles from the BIA and three from Dakota County.

Mark Olsen

Director  
WCJDC

March 28, 2016



**WOODBURY COUNTY JUVENILE DETENTION CENTER**

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Fax 712-234-2900

**6:00 a.m.**

**6:00 p.m.**

**March, 2016**


<b>March 14, 2016</b>		<b>11</b>
<b>March 15, 2016</b>	<b>11</b>	<b>11</b>
<b>March 16, 2016</b>	<b>10</b>	<b>12</b>
<b>March 17, 2016</b>	<b>12</b>	<b>12</b>
<b>March 18, 2016</b>	<b>12</b>	<b>13</b>
<b>March 19, 2016</b>	<b>12</b>	<b>13</b>
<b>March 20, 2016</b>	<b>16</b>	<b>16</b>
<b>March 21, 2016</b>	<b>16</b>	

The Center averaged 12.7 residents per day during the 6:00 a.m. head count and 12.6 during the 6:00 p.m. check for a weekly average of 12.7 residents per day during the above week.

Of the sixteen residents detained on March 21, 2016, nine or fifty six percent were identified as gang members. Of the nine, four or forty four percent were identified as hard-core member.

We are currently detaining seven juveniles from the BIA and three from Dakota County.

Mark Olsen



Director

WCJDC

March 21, 2016

**WOODBURY COUNTY JUVENILE DETENTION CENTER**

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822 Douglas St. - 4th Floor  
Sioux City, Iowa 51101

Phone 712-279-6622  
Email: molsen@sioux-city.org  
Fax 712-234-2900

**6:00 a.m.**

**6:00 p.m.**

**March, 2016**

March 7, 2016		13
March 8, 2016	13	14
March 9, 2016	14	11
March 10, 2016	11	12
March 11, 2016	12	13
March 12, 2016	13	13
March 13, 2016	13	11
March 14, 2016	11	

The Center averaged 12.4 residents per day during the 6:00 a.m. head count and 12.4 during the 6:00 p.m. check for a weekly average of 12.4 residents per day during the above week.

Of the eleven residents detained on March 14, 2016, five or forty five percent were identified as gang members. Of the five, three were considered hard-core members or sixty percent.

We are currently detaining three juveniles from the BIA and two from Dakota County.

Mark Olsen

Director  
WCJDC

March 14, 2016