



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(OCTOBER 2, 2018) (WEEK 39 OF 2018)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Rocky L. De Witt 253-0421 rdewitt@woodburycountyiowa.gov	Marty J. Pottebaum 251-1799 mpottebaum@woodburycountyiowa.gov	Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov	Jeremy J. Taylor 259-7910 jtaylor@woodburycountyiowa.gov	Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held October 2, 2018 at **4:30 p.m.** in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

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

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

AGENDA

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

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

Consent Agenda

Items 3 through 7 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

3. Approval of the minutes of the September 25, 2018 meeting
4. Approval of claims
5. Board Administration – Karen James
Approval of resolution for a tax abatement for Anthon Community Fire Department
6. Secondary Roads – Mark Nahra
Consideration of permit for work in the county right of way for Northern Natural Gas

7. County Auditor – Patrick Gill
Receive Karl Braun as Concord Township Trustee

End Consent Agenda

8. Council on Sexual Assault and Domestic Violence – Deb Hogan
Approval and presentation of proclamation for Council on Sexual Assault and Domestic Violence Action
9. Crossroads of Western Iowa - Velvet Jeratowski
Approval and presentation of proclamation for National Disability Employment Awareness Month. Action
10. Sioux City Parks and Recreation – Matt Salvatore
Request for financial support of the Riverfront Redevelopment Project Information
11. Emergency Services – Gary Brown
Approval of quote for repairs on the 3rd Floor roof of the Climbing Hill, Emergency Services building Action
12. Secondary Roads – Mark Nahra
Approve contract for 2018 Gravel Production and Stockpiles Action
13. Reports on Committee Meetings Information
14. Citizen Concerns Information
15. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- MONDAY, OCT. 1** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUESDAY, OCT. 2** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., OCT. 3** **2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., OCT. 10** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 10:00 a.m.** StarComm Board Meeting, Security Institute
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- THUR., OCT. 11** **12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., OCT. 17** **10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THUR., OCT. 18** **4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- TUES., OCT. 23** **1:00 p.m.** Sioux Rivers Regional Governance Board Meeting, Plymouth County Courthouse Annex Building, 215 4th Ave. S.E., Le Mars, Iowa
- 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- MONDAY, NOV. 5** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUESDAY, NOV. 6** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., NOV. 7** **9:00 a.m.** Loess Hills Alliance Protection Committee Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Stewardship Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive Meeting

The following Boards/Commission have vacancies: Commission to Assess Damages - Category A, Category B, Category C and Category D, Civil Service Commission; [Library Board of Trustees](#)

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.

SEPTEMBER 25, 2018, THIRTY-EIGHTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, September 25, 2018 at 4:30 p.m. Board members present were Ung, De Witt, Pottebaum, Radig, and Taylor. Staff members present were Dennis Butler, Budget/Tax Analyst, Joshua Widman, Assistant County Attorney, Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

- 1. Motion by De Witt second by Taylor to go into closed session per Iowa Code Section 21.5(1)(i). Carried 5-0 on roll-call vote.

Motion by Taylor second by De Witt to go out of closed session per Iowa Code Section 21.5(1)(i). Carried 5-0 on roll-call vote.

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

- 2. There were no citizen concerns.

- 3. Motion De Witt by second by Taylor to approve the agenda for September 25, 2018. Carried 5-0. Copy filed.

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

- 4. To approve minutes of the September 18, 2018 meeting. Copy filed.
- 5. To approve the claims totaling \$664,120.25. Copy filed.
- 6a. To approve and authorize the Chairperson to sign a Resolution authorizing tax abatement for United State of America, parcel #874721100001.

**WOODBURY COUNTY, IOWA
RESOLUTION 12,782
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, the United States of America is the titleholder of real estate Parcel #874721.100001 located in Woodbury County, Iowa and legally described as follows:

Parcel # 874721100001

LIBERTY TOWNSHIP IRREG STRIP ON NW NE NW 21-87-47 AND IRREG STRIP ON NORTH NW NW 21-87- 47

WHEREAS, the above-stated property has an unpaid balance of taxes owing, and the parcel is owned by a political subdivision of the state; and

WHEREAS, the political subdivision, namely the United States of America, is failing to immediately pay the taxes due; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above parcels according to Code of Iowa, 445.63, and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 25th day of September, 2018.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6b. To approve and authorize the Chairperson to sign a Resolution authorizing tax abatement for Woodbury County, Iowa, parcels #884714300001, #884723100001, #884723100002, and #884723100004.

**WOODBURY COUNTY, IOWA
RESOLUTION #12,783
RESOLUTION APPROVING ABATEMENT OF TAXES**

WHEREAS, the Woodbury County, Iowa are the titleholders of real estate Parcels #884714300001, #884723100001, #884723100002 and #884723100004 located in Woodbury County, Iowa and legally described as follows:

Parcel #884714300001

Woodbury Township NW SW & SW SW 14-88-47

Parcel #884723100001

Woodbury Township NW NW 23-88-47

Parcel #884723100002

Woodbury Township SW NW 23-88-47

Parcel #884723100004

Woodbury Township SW of RD E ½ NW 23-88-47

WHEREAS, the above-stated property has an unpaid balance of taxes owing, and the parcel is owned by a political subdivision of the state; and

WHEREAS, the political subdivision, namely the Woodbury County, Iowa, is failing to immediately pay the taxes due; and

WHEREAS, the Board of Supervisors sees that good cause exists for the abatement of these taxes and any future taxes that may be levied against this parcel; and

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby abates the taxes owing on the above parcels according to Code of Iowa, 445.63, and hereby directs the Woodbury County Treasurer to abate these aforementioned taxes from the tax records.

SO RESOLVED this 25th day of September, 2018.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7. To approve the separation of Joel Bertrand, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 08-13-18. Resignation.; the appointment of Jacob Hamann, Sheriff Reserve Officer, County Sheriff Dept., effective 09-14-18, \$1.00/year. Per Iowa Code 80D.11.; and the appointment of Michael Ingram, P/T Youth Worker, Juvenile Detention Dept., effective 09-27-18, \$18.88/hour. Job Vacancy Posted 7-25-18. Entry Level Salary: \$18.88/hour. Copy filed.

Carried 5-0.

- 8. Motion by Pottebaum second by Taylor to approve Pierson Source Water Protection planning support and promotion. Carried 4-1, Radig opposed. Copy filed.

Motion by De Witt second by Pottebaum to designate as representative, from the board to be present during, at least, 2 Source Water Protection meetings throughout the planning process and serve as contact person between the Board and the City of Pierson. Carried 5-0. Copy filed.

9. Motion by Taylor second by Pottebaum to receive the Zoning Commission's recommendation from their 9/10/18 Commission meeting to approve the final plat of Sorta Heaven Minor Subdivision. Carried 4-1, De Witt opposed. Copy filed.

Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution for the Final Platting of Sorta Heaven, A Minor Subdivision, GIS #884506200009. Carried 5-0.

RESOLUTION #12,784
RESOLUTION ACCEPTING AND APPROVING SORTA HEAVEN, A MINOR
SUBDIVISION TO WOODBURY COUNTY, IOWA

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

Dated 25th September, 2018,
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

10. Motion by Taylor second by Ung to approve a deduction of Four Seasons Health Club membership fees. Carried 5-0. Copy filed.
11. Motion by Ung second by Radig to approve the contract for PCC Patching-2018 project. Carried 5-0. Copy filed.
12. Motion by Taylor second by Pottebaum to approve the funding from gaming in the amount of \$31,404.00 and purchase of tables, chairs, desks, and AV equipment for training center. Carried 4-1, Radig opposed. Copy filed.
13. Information on operation of All-terrain and Off-road Utility Vehicles on county roadways. Copy filed.
14. Motion by Ung second by Radig to request the Auditor's office work with guidance from the State Historical Society of Iowa to update the Historical Preservation Resolution if needed, and to direct the Chairperson to reestablish the Historic Preservation Commission with the same guidance. Carried 5-0. Copy filed.
15. The Board heard reports on committee meetings.
16. There were no citizen concerns.
17. Board concerns.

The Board adjourned the regular meeting until October 2, 2018.

Meeting sign in sheet. Copy filed.

September 26, 2018

Anthon Community Fire Department
Attn: Joe Collins
P.O. Box C
107 E. Bridge Street
Anthon, IA 51004

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

RE: Request for Abatement of Property Taxes (Tax parcel #874305201001)

To the Board of Supervisors:

Anthon Community Fire Department (the "Department") is the owner of the real estate located at 403 Hwy 31 S, Anthon, IA 51004 (Tax parcel #874305201001) (the "Property"). The Department is a non-profit volunteer fire department which uses the Property to provide fire and ambulance service to the community.

In the spring of 2017, the Department determined that it needed additional space to better serve the needs of the community. The Department identified the Property as a fit for the community's needs and on June 30, 2017, the Department purchased the Property from Titan Machinery, Inc. which had previously used the property as a commercial property.

Shortly after the purchase of the Property, on September 28, 2017, the Department filed an Application for Property Tax Exemption with the county assessor. The Application was granted and the tax exemption began with assessment year 2018 under Iowa Code § 427.1(8).

Because the Property was transferred to the Department after the deadline for filing for property tax exemption (February 1, 2017) for the year in which the Property was acquired (2017), the exemption did not cover assessment year 2017. This resulted in a tax bill to the Department due and payable in September 2018 and March 2019 in the total amount of \$9,322.00. Had the Department been able to file an exemption application for February 1, 2017, the Property would have been exempt (as shown by the grant of exemption for assessment year 2018). Therefore, the Board of Supervisors has the power to abate the taxes on the Property under Iowa Code § 427.3.

Like most non-profit volunteer fire departments, the Department provides services to the public on a very limited budget. Large unexpected bills can be difficult for such organizations to absorb. The current tax bill represents close to a third of the annual budget for an organization that is tax exempt and therefore not accustomed to budgeting for such expenses. This tax bill will be a hardship for the Department.

Due to the circumstances described above and the hardship that taxation will work upon the Department, the Department believes that the public interest will be best served by abatement of the taxes and respectfully requests that the Woodbury County Board of Supervisors authorize a resolution abating the property taxes payable on the Property for the tax payments due in September 2018 and March 2019.

Sincerely,

A handwritten signature in cursive script that reads "Joe Collins". The signature is written in black ink and is positioned above the printed name.

Joe Collins

President, Anthon Community Fire Department



Application for Property Tax Exemption for Certain Nonprofit and Charitable Organizations

Iowa Code Section 427.1 (14)

This application must be filed or mailed to your city or county assessor by February 1 of each year. It must be postmarked no later than February 1. Contact information for all assessors can be found at the Iowa State Association of Assessors website: www.Iowa-Assessors.org.

Applicant Contact Information - Please Print

Name: Anthon Community Fire Department
Phone (712): 490-2093 eMail: bbaldwin16@hotmail.com

District: Map: Parcel #: 874305201001 No.

To the Woodbury County or City Assessor of the State of Iowa.

Such exemption is claimed under Section 427.1, Subsection 8, of the Code of Iowa.

1. Institution or Society Anthon Community Fire Department
Mailing Address P.O. Box C, 403 Hwy 31 S, Anthon, IA 51004

2. The title to said property is in the name of Anthon Community Fire Department
Address of Property 403 Hwy 31 S, Anthon, IA

Legal Description: See Exhibit "A" Attached Number of acres: 3.00

Property was acquired by Deed [X] or Contract [] on this date: 6/30/2017 as shown in Book/Page or Instrument No. 753/6811, in the Office of the County Recorder of Woodbury County, Iowa.

3. Is the building, if any, on the property above in use or under construction? In use [X] Under construction []

4. Property is used for the following purposes: (Explain in detail. If more space is needed, attach a separate sheet.)
Operation of Anthon Community Fire Department and Anthon Rescue Squad

5. Is any portion of this property rented/leased or otherwise used with a view to pecuniary profit or for a commercial purpose? Yes [] No [X] If "Yes," provide a detailed statement of income received and percentage of space and time property is not used solely for the appropriate objects, and attach as part of this petition.

6. Is this agricultural property rented/leased and owned by a cemetery association with revenues resulting from the lease used exclusively for the maintenance and care of cemeteries owned by the association and devoted to interment of human bodies and human remains? Yes [] No [X]

7. Are federally-licensed devices (slot machines, etc.) not lawfully permitted to be operated under the laws of Iowa, located or operated in said property? Yes [] No [X]

STATE OF IOWA, COUNTY OF Woodbury, I, Brett Baldwin, declare that I am the President (or responsible officer) of the Anthon Community Fire Department.

I have read the above statements and know the same to be true and correct. No persistent violations of the laws of the State of Iowa have been or will be permitted on the property. The property is not the location of any federally-licensed device not lawfully permitted to be operated in Iowa.

President or Responsible Officer Signature: [Signature]

Title: President Date: 9/21/17

Assessor Signature: Date:

TAX PAYER COPY

Search for Properties

General Information

GIS Number 874305201001

Deedholder ANTHON COMMUNITY FIRE
DEPARTMENT
PO BOX C
403 HWY 31 S
ANTHON, IA 51004

Last Payment Receipt

Receipt No.	17937
Year Payable	2018 - 2019
1st Half Paid	\$0
1st Half Penalty	\$0
Date Paid	
2nd Half Paid	\$0
2nd Half Penalty	\$0
Date Paid	

Property Information

Property Address 403 HWY 31 S ANTHON

Taxing District 59 059 ANTHON LL ANTHON OTO COMM

Addition Number

Legal Description ANTHON CITY OF AUD SUB DIV 32/33-
88 -43 AN IRREG TCT NE CORNER LOT
41 BEING 591;32 FT ON N X 39 5.59 FT
ON S X 387.6

Gross Acres 0

School Number 1 ANTHON OTO COMM

**For Tax Sale Redemption amounts, please call the
Woodbury County Treasurer's Office at 712-279-6495**



Tax Information

Levy 31.94206

100% Value \$324,260

Military Credit \$0

The information in this web site represents current data from Woodbury County's Tax Administration System. Information is updated to this website on a nightly basis. Information posted here is believed reliable, but its accuracy cannot be guaranteed. If you feel any information provided here is incorrect, please contact us.

Last Updated: Wednesday September 26, 2018 at 5:18:35 AM

General Information

Taxable Value	\$291,834
Net Value	\$291,834
Gross Tax	\$9,321.78
AG Land Credit	\$0
Family Farm Credit	\$0.00
Elderly Credit	\$0.00
Homestead Credit	\$0.00
Business Property Credit	\$0.00
Net Tax	\$9,322
Advance Payments	\$0
Total Tax Due	\$9,322.00

Moneys Due

1st Half Due	\$4,661
2nd Half Due	\$4,661

Payment History

Year Payable	Receipt No.	1st Half	Paid On	2nd Half	Paid On
2018 - 2019	17937	\$0	n/a	\$0	n/a
2017 - 2018	17951	\$3,226	2017-12-29	\$3,226	2018-05-10
2016 - 2017	18117	\$3,093	2016-09-02	\$3,093	2017-02-23
2015 - 2016	17997	\$2,929	2015-09-02	\$2,929	2016-02-25
2014 - 2015	17950	\$3,809	2014-08-26	\$3,809	2015-02-26
2013 - 2014	18106	\$5,026	2013-08-29	\$5,026	2014-02-14

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Last Updated: Wednesday September 26, 2018 at 5:18:35 AM

WOODBURY COUNTY, IOWA

RESOLUTION # _____

RESOLUTION APPROVING ABATEMENT OF TAXES

WHEREAS, Anthon Community Fire Department is the titleholder of real estate Parcel #874305201001 located in the City of Anthon, Iowa and legally described as follows:

Parcel #874305201001

ANTHON CITY OF AUD SUB DIV 32/33-88 -43 AN IRREG TCT NE

WHEREAS, the above-stated property has taxes owing for the 2018/2019, tax year and the parcel is owned by Anthon Community Fire Department and

WHEREAS, the organization, namely Anthon Community Fire Department is failing to immediately pay the taxes due; and

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

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

SO RESOLVED this 2nd day of October 2018.

ATTEST:

WOODBURYCOUNTYBOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor/Recorder

Rocky De Witt, Chairman

Cmds: 1-Exit, 2-Print Recpts, 12-Full Legal, 13-Aud Val, 15-Addr Search
16-Recpt Dtls, 14/23-Name Searchs, 19-Payments, 20-NOTES, 24-Chg Compute Date
Parcl 8743 05 201 001 Deedhldr ANTHON COMMUNITY FIRE DEPARTMENT
Mail / Deedh. 123498856 Contract Buyer 000000000 SOLR003
ANTHON COMMUNITY FIRE DEPARTMENT

PO BOX C
403 HWY 31 S
ANTHON IA 51004
Property Address: 403 HWY 31 S Receipt #: 017937
Legal Description: Addition Name:
ANTHON CITY OF AUD SUB DIV 32/33-88 -43 AN IRREG TCT NE
Escrow/Ach: Taxable Acres:
Tax Val: 291834.00 Net Value: 291834.00 Taxing District: 059
Vet Exempt: BPT Cr: Gross Tax: 9321.78
Homestead Cr: Ag Cr: Family Farm Cr:
Elderly: Net Tax: 9322.00 Adv Payments:
1st Half 4,661.00 Penalty Pd COST
2nd Half 4,661.00 Penalty Pd
of Spec Assmnts: Total Amt Due:
of Drainage: Total Amt Due:
Years Delinquent: Total Amt Due: -----Pending-----
Tax Sale Cert#: Tax Suspended Y/N: N Bankruptcy Y/N: N
TOTAL AMOUNT DUE: 9322.00 Map# 000000000589816 09 2018

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

#6

Date: 9/27/2018 Weekly Agenda Date: 10/2/2018

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

WORDING FOR AGENDA ITEM:

Consideration of permit for work in the county right of way

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The Northern Natural Gas has requested a permit to work in the right of way to allow the company to perform maintenance work on an existing natural gas facility in the right of way.

BACKGROUND:

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa.

FINANCIAL IMPACT:

No 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?

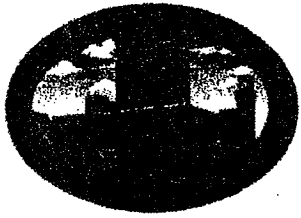
Yes No

RECOMMENDATION:

Recommend approval of the permits for Northern Natural Gas.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the permit to work in the right of way for Northern Natural Gas and to direct the chair to sign the permits.



Woodbury County Secondary Roads Department

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

COUNTY ENGINEER
Mark J. Nahra, P.E.
mnahra@woodburycountyiowa.gov

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@woodburycountyiowa.gov

SECRETARY
Tish Brice
tbrice@woodburycountyiowa.gov

WOODBURY COUNTY SECONDARY ROAD DEPARTMENT

PERMIT & AGREEMENT TO PERFORM WORK WITHIN WOODBURY COUNTY RIGHT OF WAY

Name of Permittee: Caley Hanigan Phone No.: 402-817-9944

Mailing Address: 1111 S. 103rd St. Omaha NE 68124

Township: 07 N Section: 30

Woodbury County, State of Iowa, and Northern Natural Gas (hereinafter referred to as property owner, organization or authorized representative) do hereby enter into the following permit and agreement:

1. Woodbury County hereby consents to and grants permission to the property owner, organization or authorized representative, to conduct the following described construction or activities within the right-of-way:

Northern Natural Gas would like to install an A/C test stand in their Town Border Station.
Some of their construction efforts would take place in the Road right-of-way.

2. In consideration of Woodbury County granting said permission and consent, the property owner, organization or authorized representative hereby promises and agrees to the following:

A. The applicant shall carry on the construction, repair and maintenance with serious regard to the safety of the traveling public and adjacent property owners.

B. The property owner, organization or authorized representative, at his/her own expense, shall provide all safety measures and warning devices necessary to protect the traveling public such as but not limited to, signs, lights, and barricades during the day and at night if the roadway will be obstructed. Traffic protection shall be in accordance with Part VI of the current Manual on Uniform Traffic Control Devices for Streets and Highways. The Department will loan the required signs to the applicant who shall be responsible for placing the signs and covering or removing when not in use, removal after the work has been completed, and return of the Department owned signs to the Department maintenance facility from which obtained. The applicant shall be responsible for correctly using signs as needed while work is in progress. Flagging operations are the responsibility of the applicant.

C. In placing any drainage structure, no natural drainage course will be altered or blocked.

D. The finished project shall be left in a satisfactory condition subject to the approval of the County Engineer. The traveled portion of the roadway shall not be damaged or disturbed. The property owner, organization or authorized representative assumes all liability and agrees to reimburse Woodbury County for any damage to the roadway or ditch caused by placement of this structure. Permittee is to call County Engineer for upon completion for final inspection.

E. The property owner, organization or authorized representative shall notify all appropriate telephone and utility companies in advance of any excavation and shall check for underground electric or telephone lines.

F. Woodbury County will not assume any of the cost of the construction of the said improvement or structure nor will Woodbury County assume any future costs for maintenance or replacement of said improvement or structure. If in the best interest of Woodbury County, the said improvement or structure may be removed by the County, or may be caused to be removed, without any obligation by Woodbury County to pay damages or cost of replacement.

G. Property owner, organization or authorized representative will reseed and mulch the disturbed areas. Property owner, organization or authorized representative will be responsible for seed, mulch, and labor unless otherwise provided in section L.

H. The property owner, organization, or authorized representative hereby agrees to hold Woodbury County and the Woodbury County Secondary Road Department, its employees and agents harmless against any and all claims for damages and personal injury arising out of work performed or actions taken by the applicant related to the construction or maintenance of the facility. The applicant further agrees to reimburse the County or the Department for any expenditures that the County or Department may have to make on said highway rights of way on account of said applicant's construction or maintenance activity or other activities or lack thereof. The applicant shall also save Woodbury County and the Woodbury County Secondary Road Department harmless of any damage or losses that may be sustained by the traveling public on account of such construction, repair or maintenance operations, or other activities.

I. **FAILURE TO CONFORM TO OR TO ACQUIRE A PERMIT IS A VIOLATION OF SECTION 318.8, 2009 CODE OF IOWA.** This permit is subject to any laws now in effect or any laws that may be hereafter enacted and all applicable rules and regulations of local, state and federal agencies. This permit is subject to all the rules and regulations of Woodbury County and the Woodbury County Secondary Road Department.

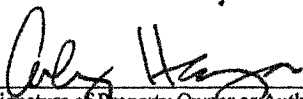
J. This permit is subject to revocation by the Department at any time and at no cost to the Department, when in the judgment of the Department it is necessary in the improvement or maintenance of the highway or for other reasonable cause.

K. All proposed work covered by this permit shall be at the applicant's expense. The applicant shall reimburse the Woodbury County Secondary Road Department for any materials removed from the highway right of way described as follows:

L. Woodbury County agrees to provide the following contribution toward completion of this project:

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the 30th day of November, 2018.

Entered into this 13th day of September, 2018.



Signature of Property Owner or Authorized Representative



Woodbury County Engineer

Chair, Woodbury County Board of Supervisors



Today's Date: 6/19/2018

Revision Number: 0
(Zero being the original)
Revision Date: 6/19/2018

Environmental and Right of Way Matrix Request Form

Project Name: Salix Ia Branch Line IAB42401, A/C test stand install

Installation Work Order Number (REQUIRED): 01121099 Capital [X] O & M []

Other associated Work Order Number(s): Click here to enter text.
Click here to enter text.
Click here to enter text.

Planned Construction Start Date: 8/15/2018 Construction Duration (days): 2
Project Manager: Tom Hudson Construction Coordinator: Aaron Reis
FERC Docket Number (REQUIRED): 2.55(a) District Office: South Sioux City
(Regulatory Authorization - Consult Work Order or Regulatory Affairs)

Project Execution Plan (PEP) and Work Order Authorization (WOA) Status:
PEP - Preliminary [] Revised [] Final [] WOA - Preliminary [] Revised [] Final []

Maps - Preliminary [] Date Click here to enter a date. Bid [] Date Click here to enter a date.
Construction [] Date Click here to enter a date.

Legal Description: Choose an item. 1/4, Section(s) 30, Township(s) 87N, Range(s) 47W
County Woodbury County State Iowa

FOR ENVIRONMENTAL ONLY: United States Geological Survey, USGS, 7.5-minute topographic and aerial photography maps are required for all projects unless the DES is contacted and indicates that this project does not require a topographic map. The map needs to be prepared with all work locations clearly marked. Indicate project layout, workspace requirements, parcel ownership, and access routes (existing roads and planned roads). Fill out questions 1 through *21*.

FOR RIGHT OF WAY ONLY: Detailed maps showing section monumentation/references, distances, and property lines, if available, are required for all projects unless the ROW Agent is contacted and indicates that this project does not require a map. The map needs to be prepared with all work locations clearly marked. Indicate project layout, workspace requirements, parcel ownership, and access routes (existing roads and planned roads). Fill out questions 1 and *16 through 25*.

Please check the proper boxes or answer questions as they apply to the project:

- 1. Detailed Scope of Work: Install an A/C test stand.
- Enter any special comments you'd like to add. Click here to enter text.
2. If the ground will be disturbed, what is the estimated total acreage to be disturbed? (Include right of way, access roads, and workspaces) .5 acres
- If this is a Blanket or Section 7 project has right of way request for surveys been obtained?
Yes [] No [] What date is environmental survey allowed? Click here to enter a date.
3. Surrounding land use: Forest [] Pasture [] Row Crops [] Commercial [] Residential [] Other [X]
Describe: Road ROW
4. Will the project involve renovation? Yes [] No [X]

* Indicates revised paragraph or section

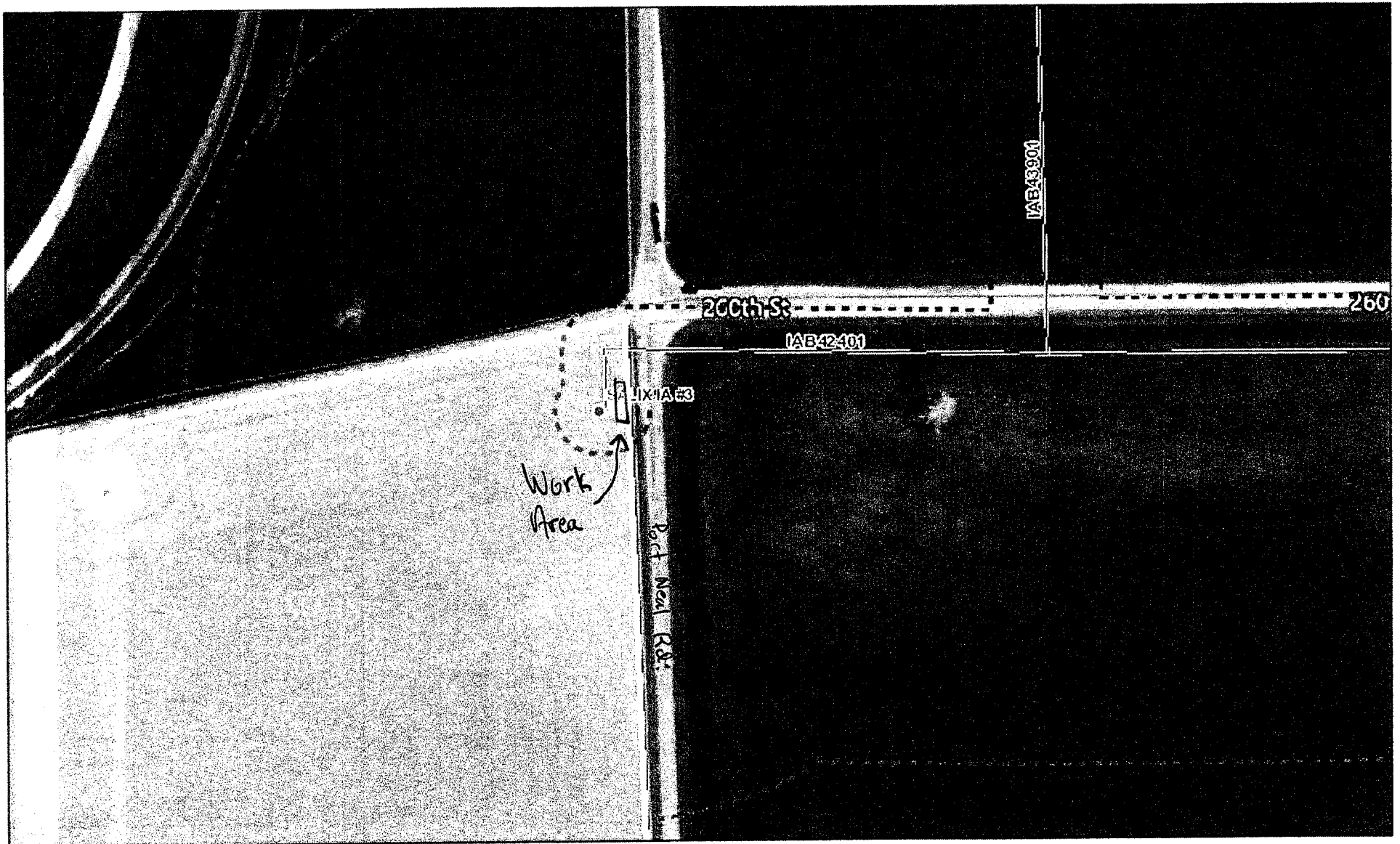
Request Form

-
5. Will the project involve demolition? Yes No
6. Will asbestos containing material be impacted by this project? Yes No Unknown
If yes, refer to Environmental Procedure 420.101 for proper notification and disposal.
7. Will sand blasting be performed on painted (primed) surfaces? Yes No
If yes, refer to Environmental Procedure 340.102 for proper containment and disposal of waste.
8. Will any sites utilize directional drilling or slick bore? Yes No
If yes, is extra work space(s) designated on map: Yes No
9. Is there potential to impact water bodies or wetlands? Yes No Unknown
If yes, please check appropriate box: River Lake Creek Wetland and make sure the affected source is denoted on the USGS 7.5-minute topographic map.
10. Will this project require tree removal? Yes No
If yes, describe area and/or number of trees to be affected: [Click here to enter text.](#)
11. Will this project require pesticide/herbicide application? Yes No
If yes, provide the names of pesticides/herbicides to be applied: [Click here to enter text.](#)
12. Will hydrostatic test discharge water be generated? Yes No
State and/or federal approval for water appropriation or discharge could take up to 180 days once the request has been received by the agency.
If yes, provide the following:
New Pipe or equipment Used Pipe or equipment
Source of water: Municipal/City Private Well Pond/Lake River/Creek Other
Describe: [Click here to enter text.](#)
Volume of water to be discharged [Click here to enter text.](#) gallons
Show discharge points on USGS 7.5-minute topographic map
Proposed date(s) of discharge [Click here to enter a date.](#)
13. Will dewatering be required during construction? Yes No
Dewatering permits can require from 7 to 60 days for approval.
If yes, provide a description of the anticipated dewatering system:
Trench dewatering Well Point System Maximum discharge rate (gpm): [Click here to enter text.](#)
[Show dewatering and discharge points on USGS 7.5-minute topographic map](#)
Total volume of water to be discharged [Click here to enter text.](#) Gallons
14. Will air emission emitting equipment be added or modified as part of this project? Yes No
If yes, list the type of equipment, the horsepower, the type of fuel and any other manufacturer's information. If this is a modification, provide an explanation of the modification including any change in the quantity and type of emissions associated with the modification. [Click here to enter text.](#)
15. Will portable emission sources, greater than 50 HP be used on this pipeline project? Yes No
If yes, list the type of equipment, the horsepower, the type of fuel, and any other manufacturer's information, including if the emission source is certified by the manufacturing company. [Click here to enter text.](#)
16. Will non-cultivated areas be disturbed and require re-vegetation? Yes No
If yes, seek landowner seeding preference from ROW.

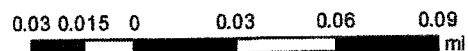
Request Form

17. Will this project involve any state or federal lands? Yes No Describe: Road ROW
Permitting on state and federal lands may take in excess of 90 days.
18. Will this project require additional or new land rights? Yes No Describe: Click here to enter text.
Acquisition of new land rights and permits could take up to 90 days.
19. Will this project require temporary work space? Yes No Describe: Click here to enter text.
20. Will this project require temporary use/new of access roads? Yes No Describe: Click here to enter text.
21. What facilities are to be installed? Describe: A/C Test stand
22. Are Landowner Notification letters required? Yes No
Answer yes if there will be any mechanical excavation outside of NNG facilities.
23. Would any Farm Taps be impacted by the project? Yes No How many? Choose an item.
If yes, should ROW Agent attempt buyout? Yes No
If yes, Capital WO should have adequate funding for buy-out.
24. Are stopples required? Yes No
Is location of proposed or existing stopples and work space needed on map? Yes No
25. Has ROW previously issued a cost estimate? Yes No
Responsible Agent: Click here to enter text.

Northern Natural Gas



Date: 9/12/2018



This map is and shall remain the property of Northern Natural Gas Company and is provided to you for general informational purposes only. It may not be used, distributed or reproduced for any other purpose without prior written consent of Northern. This map depicts the approximate location of certain Northern Natural Gas facilities, but should not be used for line locating purposes. Please call the state one-call toll free number to arrange for the marking of underground facilities at no charge. In case of a natural gas emergency involving Northern's facilities, dial 911 and Northern's Operations Communication Center at 888-367-6671.



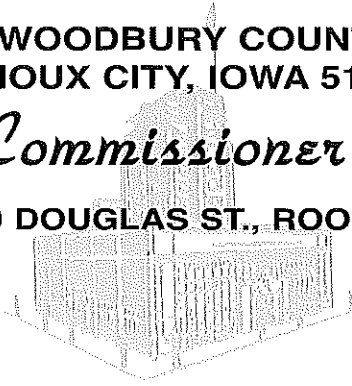
bos 10/2 or 10/9

WOODBURY COUNTY
SIOUX CITY, IOWA 51101

#7

Office of Commissioner of Elections

620 DOUGLAS ST., ROOM 103



Patrick F. Gill
Commissioner
Phone 712-279-6465
Fax 712-279-6629
pgill@woodburycountyiowa.gov

Steve Hofmeyer
Deputy Commissioner
Phone 712-279-6465
Fax 712-279-6629
shofmeyer@woodburycountyiowa.gov

To: Board of Supervisors

From: Patrick F. Gill, Auditor/Recorder & Commissioner of Elections

Date: September 27, 2018

Re: Concord Township Trustee Appointment

Please receive the appointment of Karl Braun, 1190 Dallas Avenue, Lawton, as Trustee for Concord Township. The appointment was made on September 21, 2018, to fill the position previously held by Roger Milligan, until the next regular election.

Pat Gill, County Auditor

Woodbury County

September 21, 2018

The Concord Township Trustees have appointed Karl Braun to fill the vacancy secondary to the death of Roger Milligan.

Respectfully submitted,



Ida Milligan

Concord Township Clerk

PAT GILL
WOODBURY COUNTY
AUDITOR & RECORDER &
COMM. OF ELECTIONS
2018 SEP 27 AM 8 33

WOODBURY COUNTY, IOWA

RESOLUTION NO. ____

PROCLAMATION

WHEREAS, domestic violence is a serious crime affecting individuals and families in all Siouxland communities; all races, ages, income levels, lifestyles and sexes; and in fact is probably affecting someone you know; and every 9 seconds someone experiences the crime of domestic violence; and

WHEREAS, one in three women will be a victim of violence in her lifetime; domestic violence violates an individual's human rights by destroying dignity, security, and self-worth due to the systematic use of physical, emotional, sexual, psychological, and economic control or abuse; CSADV works every day to help end these acts of violence and to help rebuild the lives of the survivors; and

WHEREAS, in Siouxland, the Council on Sexual Assault & Domestic Violence is available 24 hours a day and last year responded to nearly 2000 victims, provided 11,026 nights of shelter to 413 adults and 305 children fleeing domestic abuse and despite high census, no one in an unsafe situation was turned away; and

WHEREAS, the impact of domestic violence affects all of the members of the community, and only a coordinated community response will put a stop to these atrocious crimes and assure funding is continuously available to provide these life-saving services; and

NOW, THEREFORE, I, Rocky De Witt, Chairman, on behalf of the Woodbury County Board of Supervisors, do hereby proclaim the month of October, 2018 as

"DOMESTIC VIOLENCE AWARENESS MONTH"

in Woodbury County, Iowa and urge all citizens to actively participate in the scheduled events and programs and to think about the fact that it is someone you know.

BE IT SO RESOLVED this 2nd day of October, 2018.

WOODBURY COUNTY BOARD OF SUPERVISORS

Rocky L. De Witt, Chairman

Jeremy J. Taylor, Member

Marty Pottebaum, Member

Keith W. Radig, Member

Matthew A. Ung, Member

Attest:

Patrick F. Gill, Woodbury County Auditor

WOODBURY COUNTY IOWA

RESOLUTION NO.

PROCLAMATION

WHEREAS, persons with disabilities have the right and responsibility to maximize their abilities; and

WHEREAS, persons with disabilities have an equal capacity for productivity, independence and integration throughout society; and

WHEREAS, persons with disabilities are the minority group with the highest unemployment rate; and

WHEREAS, any person may become a member of this minority group at any time; and

WHEREAS, disability is not a deficiency but a vital part of the diversity of the human community; and

WHEREAS, through awareness, training and support, persons with disabilities can access opportunities to employment, enabling them to become integrated and contributing citizens of Iowa; and

WHEREAS, this year’s theme is “America’s workforce: empowering all”; and

WHEREAS, the Iowa commission of persons with disabilities of the Iowa department of human rights, promotes employment and maximized independence and integration of persons with disabilities throughout Iowa; and

NOW, THEREFORE, I, Rocky De Witt do hereby proclaim October 2018 as

“NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH”

“As a time to educate about disability employment issues and celebrate the many and varied contributions of America’s workers with disabilities in Woodbury County, Iowa.”

BE IT SO RESOLVED this 2nd day of October 2018.

WOODBURY COUNTY BOARD OF SUPERVISORS

Rocky L. De Witt, Chairman

Jeremy J. Taylor, Member

Marty Pottebaum, Member

Keith W. Radig, Member

Matthew A. Ung, Member

Attest:

Patrick F. Gill, Woodbury County Auditor

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

#10

Date: September 14, 2018 Weekly Agenda Date: October 2, 2018

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Matt Salvatore, Sioux City Parks and Recreation

WORDING FOR AGENDA ITEM:

Request for Financial Support of the Riverfront Redevelopment Project

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Sioux City Parks and Recreation/Riverfront Steering Committee is looking to raise funds necessary to develop the Riverfront where the former Argosy Casino was located.

BACKGROUND:

The Riverfront Redevelopment Project is estimated at \$14.5 million. We are seeking leverage funds to support grant applications. We will apply for an Enhance Iowa or Community Attraction and Tourism grant through the State of Iowa. The grant requires City, County, and Private funding. Woodbury County's \$50,000 contribution to the Cone Park Project helped us secure a \$300,000 CAT grant in 2015.

FINANCIAL IMPACT:

Requesting \$150,000. The request could be funded over several fiscal years (FY 20 and 21). The goal is to break ground in spring of 2020 once the Interstate 29 project is completed.

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

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:

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

#11

Date: 09/26/2018

Weekly Agenda Date: 10/2/2018

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Gary Brown, Director

WORDING FOR AGENDA ITEM:

Approval of quote for repairs on the 3rd floor roof of the Climbing Hill, Emergency Services building.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

EXECUTIVE SUMMARY:

There is serious concern about the condition of the 3rd floor roof of the Emergency Services facility located at 121 Deer Run Trail in Climbing Hill, IA. There is serious deterioration to the roof and fixing it will require removal of gutters, replace damaged boards and installing 6" weather proof flashing along with materials and labor.

BACKGROUND:

The third floor roof on the Emergency Services facility is in desperate need of repair. Over time the fascia boards and mortar have deteriorated severely. With the roof in the current condition it is now, valuable heat will escape, water damage already done will worsen and local bats will continue to colonize if nothing is done.

This specific issue has been included within the Emergency Services Continuous Improvement Plan (CIP) Tuck-pointing Project during the annual budget request process for the 2018 and 2019 fiscal years, both years the project was denied due to limited funds available.

Gary Brown, Director has spoken with Kenny Schmitz, the Director of Woodbury County Building Services and Jeremy Taylor, Woodbury County Board of Supervisor, about the condition of the roof and lack of funding available in Emergency Service's budget and the impacts if nothing is done such as the concerning of energy efficiency or lack there of, the likely possibility of health concerns with mold and a serious bat infestation.

Bat sightings have increased drastically this season from one every couple months, to three or more times a week on the main level where the main office, training rooms and living quarters reside.

Emergency Services has gotten three quotes by the following (see attached for the specific details):

- JC Roofing & Insulation \$12,112.40
- Mitchell Contracting \$ 3,200.00
- Guaranteed Roofing \$ 2,831.41

FINANCIAL IMPACT:

The financial impact for the repairs to be made is \$2,831.41 to eliminate the further deterioration of the structure as well as helping to hinder the bat infestation. Financial impacts could seriously increase as the weather conditions worsen, the elements will continue to damage the remaining structure, more heat will escape and a full bat infestation is likely.

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:

Woodbury County Emergency Services recommends the Woodbury County Board of Supervisors make a motion to approve the work quoted by Guaranteed Roofing in the amount of \$2,831.41. The funding source to be determined by the Board.

ACTION REQUIRED / PROPOSED MOTION:

The Woodbury County Board of Supervisors make a motion to approve the work quoted by Guaranteed Roofing in the amount of \$2,831.41. The funding source to be determined by the Board.



**ROOFING &
INSULATING**

Commercial • Residential

(402) 494-6492

E-mail : Brian@JCRoofing.com

Fax : (402) 494-1747

Website : JCRoofing.com

717 W 16TH STREET
SOUTH SIOUX CITY, NE 68776-2151

Estimate

Date	Estimate #
5/14/2018	2267

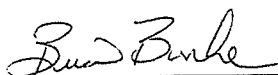
Name / Address
WOODBURY COUNTY EMERGENCY SERVICES 121 DEER RUN TRL CLIMBING HILL, IA 51015

Project
P.O. No.

Description	Total
1.REMOVE GUTTER. 2.REMOVE EXISTING 1" X 10" BOARD AND INSTALL A NEW 1" X 10" BOARD. 3.RE-INSTALL GUTTER AND STRIP IN TO ACHIEVE A WATER-TIGHT SEAL. 4.CLEAN UP AND HAUL AWAY DEBRIS.	11,320.00T
IA Sales Tax/ Woodbury Co.	792.40
We Propose herby to furnish material and labor-complete in accordance with above specifications, for the sum of:	Total \$12,112.40

All materials are guranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted per standard practices.Any alterations or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully Covered by Worker's Compensation Insurance. Price includes all taxes.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.


Authorized Agent

Signature _____

CONTRACT/BID

MITCHELL CONTRACTING

613 Alderson St
Sloan, IA 51055
712-898-1141

7/16/2018

Woodbury County
ATTN: Gary Brown

Job Description :Fix the face board on the back of the building and re-grout around the board

BID TOTAL: \$3,200.00

- *This bid is being bid as if the wood behind the board is ok.
- *This is being bid to fix without taking the gutters off.
- *If any other is needed to be done after board is taken off that work will be a change order.
- *This bid/contract is only valid for 30 days. After 30 days prices may change.
- *Contract must be returned to Mitchell Contracting within 30 days of contract date.
- *If a pump truck is needed there will be an extra charge at the time of the final bill.
- *Home owner/Business owner/City must pull any and all permits. The owner should cover any and all costs that come with any permits. Cover all road closers. And maintain closers until job is complete.
- *No work or materials will be ordered until the contract is signed and returned to Mitchell Contracting.
- *No work or materials will be ordered until down payments are received.
- *Mitchell Contracting will handle any locates through Iowa One Call.
- *All bids are bid up to state and city code.
- *Any additional charges due to change orders are due with final payment

Owner

Date

Contractor

Date

Thank you for considering Mitchell Contracting
Justin Mitchell- Owner/Operator



See Attached print out of text from:

Travis Baker, Guarenteed Roofing

Dawn Zahnley

From: Gary Brown
Sent: Monday, September 24, 2018 2:05 PM
To: Dawn Zahnley
Subject: FW: Repairs

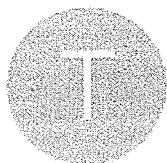
From: Gary Brown
Sent: Friday, September 21, 2018 2:39 PM
To: Kenny Schmitz <kschmitz@woodburycountyiowa.gov>
Subject: Fwd: Repairs

Sent from my iPad

Begin forwarded message:

From: Travis Baker <tbaker2132@gmail.com>
Date: September 21, 2018 at 2:28:17 PM CDT
To: gbrown@woodburycountyiowa.gov
Subject: Repairs

Third attempt



Travis Baker

to gbrown

Hide details

From: Travis Baker tbaker2132@gmail.com

To: gbrown@woodburycounty.gov

Date: Sep 21, 2018, 2:20 PM

[View security details](#)

We will provide the materials and labor to remove the gutter at the back of the building and replace all rotte wood with brown weather treated lumber. Then reinstall existing gutter well sealed. Next we will strip in gutter to the roof with 6in cover flashing.

We will bill on a labor and materials basis not to exceed \$2,831.40

If you have any questions or concerns you can reach me on my cell 17125771515 anytime after 6am Monday.

Thank You very much,

Rev. Travis Ray Baker

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

#12

Date: 9/27/2018 Weekly Agenda Date: 10/02/2018

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

WORDING FOR AGENDA ITEM:

Approve contract for 2018 Gravel Production and Stockpiles

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Annually the Secondary Road Department solicits quotes for gravel production and gravel stockpiling. Contracts have been returned for board approval.

BACKGROUND:

The County Secondary Road Department has requested quotations for production of gravel in the Railroad Pit north of Correctionville and at the Briese Pit, south of Correctionville. Material will be produced for next year's direct haul to county roads, to assorted gravel stockpiles, and for stockpiles at both gravel pits.

FINANCIAL IMPACT:

The project is paid for with Woodbury County Secondary Road funds from the maintenance area of our budget.

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

Yes No

RECOMMENDATION:

Recommend that the board approve the contracts for gravel production in the Railroad Pit, gravel production in the Briese Pit, and for hauling gravel to county stockpiles.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board approve the contracts for gravel production in the Railroad Pit, gravel production in the Briese Pit, and for hauling gravel to county stockpiles.



WOODBURY COUNTY, IOWA

CONTRACT

Kind of Work Road Haul Gravel
Project No. G-2019- Stock Pile Briese Pit County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Rocky De Witt, Keith Radig, Marty Pottebaum, Jeremy Taylor, and Matthew Ung, Contracting Authority, and Hallett Materials Wall Lake, IA, Contractor.

WITNESSETH: That the Contractor, for and in consideration of Five Hundred Forty-Seven Thousand Three Hundred Seventy-Five and 00/100 (\$547,375.00)

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:

Table with 5 columns: Item No., Item, Quantity, Unit Price, Amount. Includes text: The Standard Specifications of the Iowa Department of Transportation, Highway Division for Highway and Bridge Construction, Series 2015 and all applicable current Supplemental Specifications to date and Special Provisions shall apply to all work.

Attachments 1 through 3 inclusive form a part of this contract as if fully contained herein.

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 August 27, 2018

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. G-2019 Stock Pile Briese 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:

Table with 4 columns: Approximate Starting Date, Specified Starting Date, Late Start Date, Number of Working Days. Value: October 01, 2018

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 2018

Approved: By [Signature] Contractor: Hallett Materials Date 9/19/18

By Contracting Authority: Woodbury County Board Chair Date

Briese Pit Production
8/20/2018

MAINTENANCE GRAVEL-BRIESE PIT PRODUCTION 2019

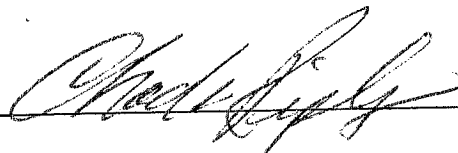
ITEM NO.	DESCRIPTION	QUANTITIES	UNIT PRICE	
TOTALS				
1.	Gravel – Mined, Produced, and Stockpiled at Briese Pit	75,500 Tons	<u>\$ 7.25 /Ton</u>	\$ 547,375.00

TOTAL Gravel Produced at Pit 75,500 Tons

CONTRACT TOTAL \$ 547,375.00

Quotations are due to county engineer by September 7, 2018.

Late start date for the project is October 1, 2018. This pit has first priority for gravel production if same vendor is awarded both proposals for production.

Signed:  Date: 09/06/18

Printed Name: Chad A. Ripley

Representing: Hallett Materials

Note # 1 – No stripping costs are included in the above unit price. It is understood that Woodbury County will perform the stripping associated with this proposal. Chad Ripley 09/06/2018

CR

SPECIAL PROVISIONS
MAINTENANCE GRAVEL

1. Gravel produced by the Contractor shall be crushed pit run material. The gravel shall be a uniformly graded product complying with the following gradation specification.

<u>Sieve</u>	<u>Percent Passing</u>
1 1/4"	100%
3/4"	80-95%
#4	50-65%
#8	35-50%
#30	10-30%

The contractor will present the county with certified gradations at 1500 ton production intervals from the stockpiles utilized. The county will also be taking random quality assurance samples during gravel production. When the county inspector arrives on site, the contractor will cooperate with the county staff member in obtaining a sample. The county will split the sample and retain both halves. County maintenance staff assisting in stockpiling gravel will also be observing the quality of the material being delivered to stockpiles. If there is a question of the material meeting requirements, county maintenance staff will have the authority to contact the County Engineer and stop delivery of material until a quality assurance gradation is run.

If the quality assurance sample does not meet gradation requirements, the county will immediately notify the contractor to take steps to return the material to county specifications. The county will obtain a second quality assurance sample after at least 300 tons has been processed and run a second sample. If the material still does not meet the specified gradation, the County Engineer, at his option, may order deliveries to cease until production returns to specified gradations as shown by supplier's quality control samples and the county's quality assurance samples.

A price adjustment will be assessed for non-complying material. After the failure of the first quality assurance sample to meet gradation requirements, the supplier will have 300 tons to make corrections. If when a second sample is taken, it still fails to meet specifications, a 5% price deduction will be assessed for the next 300 tons or until the gradation comes back within limits. This price adjustment will be on all material produced and delivered to county stockpiles after the first sample is taken and will be assessed on a minimum of 300 tons of gravel until the next sample is taken by the county. If the follow-up sample meets gradation requirements, payment will resume at bid price for the material. After one sample has failed to meet gradation, and any subsequent samples taken during the total run of production fail to meet county gradation requirements a 10% price deduction from the bid price per ton will be assessed as defined above.

Overburden has been removed from the area from which gravel is to be produced and the production plant set. The contractor shall pump water from the gravel pit using a 16" pump or equivalent to reduce and maintain water levels to reach productive gravel in the area indicated on the map (see attachment 4).

2. The contractor shall hold harmless and indemnify Woodbury County, Iowa and its officers and employees from any and all claims, demands, actions, fines, and judgments for damages arising out of or in connection with any activity of the contractor or any of the contractor's agents or employees under this contract or upon the premises to which this contract applies. **A certificate of insurance listing Woodbury County as an additional insured shall be provided by the successful bidder. A performance bond may be required if determined necessary by the county engineer.**

3. The contractor shall abide by and enforce the rules and regulations of the Federal Occupational Safety and Health Act (OSHA), as amended; and the Federal Mine Safety and Health Act (MSHA) of 1977, as amended; and shall comply with all other Federal, State, and County laws and regulations and shall hold the county and the public harmless of any penalties and fines that may be assessed against Woodbury County and/or the public resulting from the contractors operations and/or any other of his activities relative thereto. The haul road within the pit and the access road to the pit shall be considered an integral part of the pit and shall be built and maintained by the contractor to meet the above referenced laws and regulations. Any penalties and/or fines assessed to Woodbury County relative to the contractors operations shall be reimbursed in full to the County by the Contractor prior to final settlement of the contract. An access road is defined as an ingress or egress roadway between the pit and an official county road normally used by the traveling public.

4. The contractor shall bear the full costs of any litigation or other proceedings brought against Woodbury County, Iowa or any of its officers or employees which involves an alleged injury to any employee(s) or agent of the Contractor or to any other person who has been authorized by the contractor to be upon the premises covered by this contract prior to completion of the project, except employees of Woodbury County.

5. The contractor is allowed 40 working days to complete the gravel stockpile. A \$400 per day penalty will be assessed for each working day beyond the allotted working days.

6. Producers will notify the County if the production crew encounters pit run material on county owned property that requires that bleeding material greater than 20% by weight in fine sand from the pit run to make the county gradation requirements. If the bleed sand in the pile as measured at the end of the project exceeds 20,000 tons, the county will pay the difference between the tonnage in the pile less 20,000 tons at \$1.00 per ton.

7. Producer will make two stockpiles of gravel material, one each of the following sizes: 1 pile at 68,000 tons of material to be hauled by others and a second pile of 7,500 tons for the Correctionville Maintenance District. Each pile will be placed at a separate location and the quantities and locations differentiated by and reported to the district 3 foreman.



WOODBURY COUNTY, IOWA

CONTRACT

Kind of Work Road Haul Gravel
Project No. G-2019- Stock Pile RR Pit County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Rocky De Witt, Keith Radig, Marty Pottebaum, Jeremy Taylor, and Matthew Ung, Contracting Authority, and Hallett Materials Wall Lake, IA, Contractor.

WITNESSETH: That the Contractor, for and in consideration of Three Hundred Forty-Three Thousand One Hundred Forty and 00/100 (\$343,140.00)

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:

Table with 5 columns: Item No., Item, Quantity, Unit Price, Amount. Content: The Standard Specifications of the Iowa Department of Transportation, Highway Division for Highway and Bridge Construction, Series 2015 and all applicable current Supplemental Specifications to date and Special Provisions shall apply to all work.

Attachments 1 through 3 inclusive form a part of this contract as if fully contained herein.

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 August 27, 2018

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. G-2019 Stock Pile Briese 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.

Table with 4 columns: Approximate Starting Date, Specified Starting Date, Late Start Date, Number of Working Days. Content: 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: November 19, 2018

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 2018

Approved: [Signature]
By Contractor: Hallett Materials
Date 9/19/18

By Contracting Authority: Woodbury County Board Chair
Date

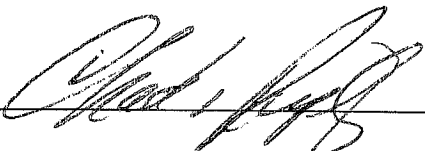
RR Pit Production
8/20/2018

MAINTENANCE GRAVEL-RR PIT PRODUCTION 2019

ITEM NO.	DESCRIPTION	QUANTITIES	UNIT PRICE	
TOTALS				
1.	Gravel – Mined, Produced, and Stockpiled at RR Pit	51,600 Tons	<u>\$ 6.65 /Ton</u>	\$ 343,140.00
TOTAL	Gravel Produced at Pit	51,600 <u>Tons</u>		
			CONTRACT TOTAL	<u>\$ 343,140.00</u>

Quotations are due to county engineer by September 7, 2018.

Late start date for the project is October 1, 2018. If one bidder receives both proposals for gravel production, Briese Pit production will be produced first, RR Pit will be produced second. Late start date for RR Pit production will be moved to November 19, 2018.

Signed:  Date: 09/06/18

Printed Name: Chad A. Ripley

Representing: Hallett Materials

Note # 1 – No stripping costs are included in the above unit price. It is understood that Woodbury County will perform the stripping associated with this proposal. Chad Ripley 09/06/2018

OK

SPECIAL PROVISIONS

MAINTENANCE GRAVEL

1. Gravel produced by the Contractor shall be crushed pit run material. The gravel shall be a uniformly graded product complying with the following gradation specification.

<u>Sieve</u>	<u>Percent Passing</u>
1 1/4"	100%
3/4"	80-95%
#4	50-65%
#8	35-50%
#30	10-30%

The contractor will present the county with certified gradations at 1500 ton production intervals from the stockpiles utilized. The county will also be taking random quality assurance samples during gravel production. When the county inspector arrives on site, the contractor will cooperate with the county staff member in obtaining a sample. The county will split the sample and retain both halves. County maintenance staff assisting in stockpiling gravel will also be observing the quality of the material being delivered to stockpiles. If there is a question of the material meeting requirements, county maintenance staff will have the authority to contact the County Engineer and stop delivery of material until a quality assurance gradation is run.

If the quality assurance sample does not meet gradation requirements, the county will immediately notify the contractor to take steps to return the material to county specifications. The county will obtain a second quality assurance sample after at least 300 tons has been processed and run a second sample. If the material still does not meet the specified gradation, the County Engineer, at his option, may order deliveries to cease until production returns to specified gradations as shown by supplier's quality control samples and the county's quality assurance samples.

A price adjustment will be assessed for non-complying material. After the failure of the first quality assurance sample to meet gradation requirements, the supplier will have 300 tons to make corrections. If when a second sample is taken, it still fails to meet specifications, a 5% price deduction will be assessed for the next 300 tons or until the gradation comes back within limits. This price adjustment will be on all material produced and delivered to county stockpiles after the first sample is taken and will be assessed on a minimum of 300 tons of gravel until the next sample is taken by the county. If the follow-up sample meets gradation requirements, payment will resume at bid price for the material. After one sample has failed to meet gradation, and any subsequent samples taken during the total run of production fail to meet county gradation requirements a 10% price deduction from the bid price per ton will be assessed as defined above.

OK

2. The contractor shall hold harmless and indemnify Woodbury County, Iowa and its officers and employees from any and all claims, demands, actions, fines, and judgments for damages arising out of or in connection with any activity of the contractor or any of the contractor's agents or employees under this contract or upon the premises to which this contract applies. **A certificate of insurance listing Woodbury County as an additional insured shall be provided by the successful bidder. A performance bond may be required if determined necessary by the county engineer.**

3. The contractor shall abide by and enforce the rules and regulations of the Federal Occupational Safety and Health Act (OSHA), as amended; and the Federal Mine Safety and Health Act (MSHA) of 1977, as amended; and shall comply with all other Federal, State, and County laws and regulations and shall hold the county and the public harmless of any penalties and fines that may be assessed against Woodbury County and/or the public resulting from the contractors operations and/or any other of his activities relative thereto. The haul road within the pit and the access road to the pit shall be considered an integral part of the pit and shall be built and maintained by the contractor to meet the above referenced laws and regulations. Any penalties and/or fines assessed to Woodbury County relative to the contractors operations shall be reimbursed in full to the County by the Contractor prior to final settlement of the contract. An access road is defined as an ingress or egress roadway between the pit and an official county road normally used by the traveling public.

4. The contractor shall bear the full costs of any litigation or other proceedings brought against Woodbury County, Iowa or any of its officers or employees which involves an alleged injury to any employee(s) or agent of the Contractor or to any other person who has been authorized by the contractor to be upon the premises covered by this contract prior to completion of the project, except employees of Woodbury County.

5. The contractor is allowed 30 working days to complete the gravel stockpile. A \$400 per day penalty will be assessed for each working day beyond the allotted working days.

6. Producers will notify the County if the production crew encounters pit run material on county owned property that requires that bleeding material greater than 20% by weight in fine sand from the pit run to make the county gradation requirements. If the bleed sand in the pile as measured at the end of the project exceeds 20,000 tons, the county will pay the difference between the tonnage in the pile less 20,000 tons at \$1.00 per ton.

7. Producer will make three stockpiles of gravel material, one each of the following sizes: 1 pile at 25,000 tons of material, a second pile of 5,000 tons and a third stockpile of 21,600 tons. Each pile will be placed at a separate location and the quantities and locations differentiated by and reported to the district 3 foreman.



WOODBURY COUNTY, IOWA

CONTRACT

Kind of Work Road Haul Gravel
Project No. G-2019- Stock Pile Haul County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Rocky De Witt, Keith Radig, Marty Pottebaum, Jeremy Taylor, and Matthew Ung, Contracting Authority, and Hallett Materials Wall Lake, IA, Contractor.

WITNESSETH: That the Contractor, for and in consideration of Three Hundred Fifty-Two Thousand Nine Hundred Fifty-Two and 00/100 (\$352,950.00)

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:

Table with 5 columns: Item No., Item, Quantity, Unit Price, Amount

The Standard Specifications of the Iowa Department of Transportation, Highway Division for Highway and Bridge Construction, Series 2015 and all applicable current Supplemental Specifications to date and Special Provisions shall apply to all work.

Attachments 1 through 3 inclusive form a part of this contract as if fully contained herein.

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 August 27, 2018

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. G-2019 Stock Pile Briese 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.

Table with 4 columns: Approximate Starting Date, Specified Starting Date, Late Start Date, Number of Working Days. Specified Starting Date: Not Before September 15, 2018

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 2018

Approved: [Signature]
By Contractor: Hallett Materials
Date 9/19/18

By Contracting Authority: Woodbury County Board Chair
Date

MAINTENANCE GRAVEL-STOCKPILE QUOTATION
Project G-2019 stockpile quotation

ITEM NO.	DESCRIPTION	QUANTITIES	UNIT PRICE	TOTALS
1.	Gravel, (Load and haul to stockpile at SE Cor. SE¼ NE¼ Sec. 32-89-44) Arlington Twp. County Maintenance yard Merville, Iowa	15,000 Tons	<u>\$ 4.00 /Ton</u>	<u>\$ 60,000.00</u>
2.	Gravel, (Load and haul to stockpile at SW Cor. Section 22-89-45) Concord Twp. Lawton	5,000 Tons	<u>\$ 6.75 /Ton</u>	<u>\$ 33,750.00</u>
3.	Gravel, (Load and haul to stockpile in the NW¼SW¼ Sec. 15-87-44) Grant Twp.	3,000 Tons	<u>\$ 4.00 /Ton</u>	<u>\$ 12,000.00</u>
4.	Gravel, (Load and haul to stockpile in the NE¼NE¼ Sec. 26-87-43) Miller Twp.	0 Tons	<u>\$ 0.00 /Ton</u>	<u>\$ 0.00</u>
5.	Gravel, (Load and haul to stockpile in the SW Cor. NW¼ NW¼ Sec. 27-86-42) Liston Twp at Danbury Maintenance Building	9,000 Tons	<u>\$ 4.65 /Ton</u>	<u>\$ 41,850.00</u>
6.	Gravel, (load and haul to stockpile at Luton in NW¼ Sec. 20-87-46) Grange Twp.	17,000 Tons	<u>\$ 7.00 /Ton</u>	<u>\$ 119,000.00</u>
7.	Gravel, (Furnish, crush, screen, load, haul and stockpile Near N¼ Cor. Sec. 16-86-45 Willow Twp., (Holly Springs) { One-half mile units]	5,000 Tons	<u>\$ 6.07 /Ton</u>	<u>\$ 30,350.00</u>
8.	Gravel, (Furnish, crush, screen, load, haul and stockpile at N.E. Cor. Section 6-87-44) Grant Twp. Landfill [One-half mile units]	2,000 Tons	<u>\$ 4.00 /Ton</u>	<u>\$ 8,000.00</u>
9.	Gravel, (Furnish, crush, screen, load, haul and stockpile at N.E. Cor. Section 6-86-43) Oto Twp. [One-half mile units]	0 Tons	<u>\$ 0.00 /Ton</u>	<u>\$ 0.00</u>
10.	Gravel (Furnish, crush, screen, load, haul and stockpile At intersection of Hwy 31 and 250 th Street, Miller Bridge Stockpile [One-half mile units]	12,000 tons	<u>\$ 4.00 /Ton</u>	<u>\$ 48,000.00</u>
TOTAL	Gravel	68,000 Tons		
		CONTRACT TOTAL		<u>\$ 352,950.00</u>

SPECIAL PROVISIONS

MAINTENANCE GRAVEL

1. Gravel for this quotation shall be produced at the Briese Gravel Pit in section 1 of Kedron Township. The quantities of work as shown in the contract documents are approximate only and are subject to increase or decrease. All quantities of work, whether increased or decreased, are to be performed at the unit prices stipulated in the contract. No adjustment in price will be made on any item of work due to a variance from the contract quantities.

The contractor shall furnish all necessary machinery, equipment, tools, materials and supplies, labor and shall be capable of providing the means of construction necessary to complete the work. The county shall furnish all granular material where specified in the contract. A scale house, when or where needed, shall be provided along with the scale prior to commencing of weighing. The scale shall be of sufficient size and length to accommodate all tandem axle and smaller trucks. Any other method of weighing shall have prior approval of the County Engineer. Weighing equipment shall meet the requirements of Section 2001.07.

The contractor will do all "Extra Work" which may be required to complete the contract contemplated at the contract unit prices, or lump sums to be agreed upon in writing before starting such work, or if such prices or sums can not be agreed upon, to perform such work on a force account basis, as provided in the IDOT Standard Specifications.

The contractor shall perform the work within 100 working days with an EARLIEST STARTING DATE will be of **September 15, 2018**. Once work is started, it shall continue without interruption until completion, unless otherwise agreed to by the county engineer.

The contractor will pay liquidated damages of \$400.00 per working day elapsing after the expiration of the contract period accruing until the completion of the work.

The contractor shall provide a minimum of 10 trucks hauling to the county at all times. If the number of trucks hauling to a county stockpile drops below 10, the county, at its option, may stop stockpiling operations for the day and charge a full working day.

2. The county shall furnish all equipment for stockpiling, and perform the stockpile work at the sites designated. In addition, the contractor shall furnish all granular material for stockpile items 1 through 10 inclusive. The County Engineer will approve the spot for stockpiling at the proposed sites. Stockpiling at locations away from production sites shall be done with a crawler type tractor.
3. The condition of the roads in the spring will be the controlling factor for starting work on any item. The County Engineer will be the final authority in determining if the haul roads are stable enough for hauling.

Special Provisions Continued

4. The contractor shall hold harmless and indemnify Woodbury County, Iowa and its officers and employees from any and all claims, demands, actions, fines, and judgments for damages arising out of or in connection with any activity of the contractor or any of the contractor's agents or employees under this contract or upon the premises to which this contract applies.

5. The contractor shall abide by and enforce the rules and regulations of the Federal Occupational Safety and Health Act (OSHA), as amended; and the Federal Mine Safety and Health Act (MSHA) of 1977, as amended; and shall comply with all other Federal, State, and County laws and regulations and shall hold the county and the public harmless of any penalties and fines that may be assessed against Woodbury County and/or the public resulting from the contractors operations and/or any other of his activities relative thereto. The haul road within the pit and the access road to the pit shall be considered an integral part of the pit and shall be built and maintained by the contractor to meet the above referenced laws and regulations. Any penalties and/or fines assessed to Woodbury County relative to the contractor's operations shall be reimbursed in full to the County by the Contractor prior to final settlement of the contract. An access road is defined as an ingress or egress roadway between the pit and an official county road normally used by the traveling public.

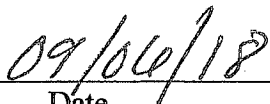
6. The contractor shall bear the full costs of any litigation or other proceedings brought against Woodbury County, Iowa or any of its officers or employees which involves an alleged injury to any employee(s) or agent of the Contractor or to any other person who has been authorized by the contractor to be upon the premises covered by this contract prior to completion of the project, except employees of Woodbury County.

Note - The unit prices on this quotation are for material loading and hauls to stockpiles only. No material production or pushing up stockpiles will be performed.

I have read and understand the gravel contract special provisions:



Name



Date



Representing

OK