



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
( OCTOBER 11) (WEEK 41 OF 2022)**

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

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

**Live telephonic access at: 712-224-6014**

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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held October 11, 2022 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.

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**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 October 4, 2022 meeting
4. Approval of claims
5. Human Resources – Melissa Thomas  
Approval of Memorandum of Personnel Transactions

6. County Auditor – Patrick Gill
  - a. Receive County Auditor’s Quarterly Report
  - b. Receive County Recorder’s Report of Fees Collected
  
7. County Treasurer – Tina Bertrand
 

Approve property tax refund request for parcel #884706205020 in the amount of \$1,419.00

**End Consent Agenda**

8. Juvenile Detention – Ryan Weber
 

Approval to increase daily rate for Omaha Nation youth Action
  
9. Summit Carbon Solutions – Kaylee Langrell & Riley Gibson
 

Summit Carbon Solutions Project update Information
  
10. Building Services – Kenny Schmitz
 

Approval of Sioux City Engineering Company Change Order #4 for the 28<sup>th</sup> Street Project Action
  
11. Secondary Roads – Mark Nahra
 

Consider approval of resolution to set load limits on county bridges Action
  
12. CED Zoning Coordinator – Daniel Priestly
 

Approve motion to direct Woodbury County Zoning Commission to initiate a review process and provide recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County Action
  
13. Board of Supervisors – Keith Radig
 

Approve motion to direct staff and the Woodbury County Zoning Commission to initiate a review process and provide recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the permitting of Hazardous Liquid Pipelines Action
  
14. Reports on Committee Meetings Information
  
15. Citizen Concerns Information
  
16. Board Concerns Information

**ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- WED., OCT. 12** 7:30 a.m. SIMPCO Executive-Finance Committee Meeting - Hybrid
- 8:05 a.m. Woodbury County Information Communication Commission, First Floor Boardroom
- 12:00 p.m. District Board of Health Meeting, 1014 Nebraska St.
- THU., OCT. 13** 10:00 a.m. STARComm Board Meeting, The Security Institute, WIT Campus
- 12:00 p.m. SIMPCO Board of Directors Meeting, 1122 Pierce St.
- 4:00 p.m. Conservation Board Meeting, Snyder Bend Park
- WED., OCT. 19** 12:00 p.m. Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., OCT. 20** 1:30 p.m. SIMPCO – Community and Economic Development – Hybrid
- 4:30 p.m. Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., OCT. 21** 12:00 p.m. Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- MON., OCT. 24** 6:00 p.m. Zoning Commission Meeting, First Floor Boardroom
- TUE., OCT. 25** 2:00 p.m. Decat Board Meeting, Western Hills AEA, Room F
- WED., OCT. 26** 2:30 p.m. Rolling Hills Community Services Region Governance Board Meeting
- THU., OCT. 27** 11:00 a.m. Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- WED., NOV. 2** 4:45 p.m. Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., NOV. 3** 10:00 a.m. COAD Meeting, The Security Institute
- MON., NOV. 7** 6:00 p.m. Board of Adjustment meeting, First Floor Boardroom
- WED., NOV. 9** 8:05 a.m. Woodbury County Information Communication Commission, First Floor Boardroom
- 12:00 p.m. District Board of Health Meeting, 1014 Nebraska St.
- 6:30 p.m. 911 Service Board Meeting, Public Safety Center, Climbing Hill
- 8:00 p.m. County's Mayor Association Meeting, Public Safety Center, Climbing Hill

**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.*

**OCTOBER 04, 2022 FORTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, October 04, 2022 at 4:30 p.m. Board members present were De Witt, Taylor, Ung, Wright, and Radig. Staff members present were Heather Satterwhite Van Sickle, Executive Secretary/Public Bidder, Dennis Butler, Budget and Finance Director, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, and Patrick Gill, Auditor/Clerk to the Board.

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

1. There were no citizen concerns.
2. Motion by Radig second by De Witt to approve the agenda for October 04, 2022. Carried 5-0. Copy filed.

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

3. To approve minutes of the September 27, 2022 meeting. Copy filed.
4. To approve the claims totaling \$434,780.62. Copy filed.
5. To approve the refund of property for Brent Stephens, parcel #894734257012, 607 S Linn St., in the amount of \$1,085.00. Copy filed.
6. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes through the redemption process for Albert Schoen, parcel #894730151001, 436 Blair St., Sioux City.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,510  
RESOLUTION APPROVING PETITION FOR SUSPENSION  
OF TAXES THROUGH THE REDEMPTION PROCESS**

**WHEREAS**, Albert Schoen is a titleholder of property located at 436 Blair Street, Sioux City, Iowa, Woodbury County, Iowa, and legally described as follows:

**Parcel # 894730151001**

**BRADSTREET N ½ LOT 12 & LOT 13 BLOCK 8**

**WHEREAS**, Albert Schoen, is a titleholder of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code Section 447.9(3) and,

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby directs the County Auditor to redeem this property Parcel #894730151001 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 4th day of October, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

7. To approve the appointment of Michelle Kyle, Paramedic, Emergency Services Dept., effective 10-05-22, \$25.00/hour. Appointment.; and the other of Timothy Jordan, P/T Youth Worker, Juvenile Detention Dept., effective 10-09-22. Reinstatement. Copy filed.
- 8a. To approve the permit to work in the right of way for Rich DeRocher. Copy filed.

8b. To approve underground utility permit for SDN Communications. Copy filed.

Carried 5-0.

9. Motion by Taylor second by De Witt to receive for signatures a Resolution for Proclamation for Domestic Violence Awareness Month. Carried 5-0.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,511  
PROCLAMATION FOR DOMESTIC VIOLENCE AWARENESS MONTH**

WHEREAS, domestic violence is a serious crime affecting individuals and families in all Siouxland communities; all races, ages, income levels, lifestyles and genders; 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 and one in nine men will be a victim of violence in their 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; SafePlace works every day to help end these acts of violence and to help rebuild the lives of the survivors; and

WHEREAS, in Siouxland, SafePlace is available 24 hours a day every day of the year and last year responded to nearly 2000 victims fleeing domestic abuse and despite high census and a global pandemic, 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 lifesaving services; and

NOW, THEREFORE, Woodbury County Board of Supervisors, do hereby proclaim the month of October, 2022 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 4<sup>th</sup> day of October, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

10. There was no update on Summit Carbon Solutions project.

11. Motion by Radig second by Taylor to approve to reserve the LEC Conference Room for Juvenile Court during construction at Trooper Hoyt. Carried 5-0. Copy filed.

12. Motion by Radig second by Taylor to set the dates and times for 3 public hearings for a proposed Zoning Ordinance Map Amendment of Parcel #884701200009 from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District for Tuesday, 10/25/22 @ 4:45 p.m., Tuesday, 11/1/22 @ 4:45 p.m., and Tuesday, 11/8/22 @ 4:45 p.m. Carried 5-0. Copy filed.

13a. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution authorizing the execution of a Memorandum of Agreement with Siouxland Mental Health Services, Inc. and fixing a date for a hearing on the proposed issuance of revenue bonds or notes pursuant to Chapter 419 of the Iowa Code. Carried 5-0.

**RESOLUTION #13,512**  
**A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH**  
**SIouxLAND MENTAL HEALTH SERVICES, INC. AND FIXING A DATE FOR A HEARING ON THE**  
**PROPOSED ISSUANCE OF REVENUE BONDS OR NOTES PURSUANT TO CHAPTER 419 OF THE IOWA**  
**CODE**

WHEREAS, the County of Woodbury, State of Iowa (the "Issuer"), is a county and political subdivision of the State of Iowa authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, as amended (the "Act"), to issue revenue bonds or notes for a project located within, or within eight miles of, the Issuer for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") and to refund any bonds issued pursuant to the Act and any existing indebtedness relating to such facilities and paying costs of issuance associated therewith; and

WHEREAS, the Issuer has been requested by Siouxland Mental Health Services, Inc., d/b/a Siouxland Mental Health Center or an affiliate thereof (the "Borrower"), a Tax Exempt Organization, to issue its revenue bonds or notes in an aggregate principal amount not to exceed \$4,000,000 (the "Bonds") for the purpose of providing funds to the Borrower (a) to finance all or a portion of the costs of acquiring, constructing, improving, equipping and furnishing a mental health clinic facility (the "Project") to be located at 4265 Sergeant Road, Sioux City, Iowa 51106 and (b) to pay costs of issuance of the Bonds; and

WHEREAS, it is proposed to finance the foregoing through the issuance of the Bonds and to loan the proceeds from the sale of the Bonds to the Borrower pursuant to a Loan Agreement between the Issuer and the Borrower, the obligations of which will be sufficient to provide for a portion of the financing the Project and paying for costs of issuance; and

WHEREAS, the Bonds, if issued, shall be limited obligations of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of, interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from the Loan Agreement; and

WHEREAS, a Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto, has been presented to the Issuer under the terms of which the Issuer agrees, subject to the provisions of such Agreement, to pursue proceedings necessary under the Act to issue the Bonds for such purpose and the Memorandum of Agreement does not legally commit the Issuer to issue the Bonds;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of the Issuer, as follows:

Section 1. The Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto is hereby approved, and the Chair is hereby authorized to execute said Memorandum of Agreement and the County Auditor is hereby authorized to attest the same and to affix the seal of the Issuer thereto; said Memorandum of Agreement, which constitutes and is hereby made a part of this Resolution, to be in substantially the form, text and containing the provisions set forth in Exhibit A attached hereto.

Section 2. Officials of the Issuer are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of the Memorandum of Agreement. The final decision whether to issue the Bonds and the final amount of the Bonds shall be subject to further action by this Board of Supervisors.

Section 3. This Board shall meet on the 25th day of October, 2022, in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:40 o'clock p.m., at which time and place any resident or property owner of the Issuer may present oral or written objections on the proposal to issue the Bonds referred to in the preamble hereof.

Section 4. The County Auditor is hereby directed to give notice of intention to issue the Bonds, setting forth the amount and purpose thereof, the time when and place where the hearing will be held, by publication at least once not less than fifteen (15) days prior to the date fixed for the hearing, in a newspaper published and having a general circulation within the Issuer. The notice shall be in substantially the following form:

NOTICE OF INTENTION TO ISSUE REVENUE BONDS OR NOTES

The Board of Supervisors of Woodbury County, Iowa, (the "Issuer") will meet on the 25th day of October, 2022, at 4:40 o'clock p.m., in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa, 51101, for the purpose of conducting a public hearing on the proposal to issue revenue bonds or notes, of the Issuer in the aggregate principal amount not to exceed \$4,000,000 (the "Bonds") and to loan said amount to Siouxland Mental Health Services, Inc., d/b/a Siouxland Mental Health Center or an affiliate thereof (the "Borrower"), for the purpose of providing funds to the Borrower (a) to finance all or a portion of the costs of acquiring, constructing, improving, equipping and furnishing a mental health clinic facility (the "Project") to be located at 4265 Sergeant Road, Sioux City, Iowa 51106, and (b) to pay costs of issuance of the Bonds. The Project will be owned by the Borrower.

The Bonds, when issued, will be limited obligations and will not constitute general obligations of the Issuer nor will they be payable in any manner by taxation, but the Bonds will be payable solely and only from amounts received by the Issuer pursuant to a Loan Agreement between the Issuer and the Borrower, the obligations of which will be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds as and when the same shall become due.

At the time and place, oral or written objections from any resident or property owner of the Issuer may be presented. At such meeting or any adjournment thereof, the Issuer shall adopt a resolution determining whether or not to proceed with the issuance of the Bonds. Written comments may also be submitted to the Issuer at 620 Douglas Street, Sioux City, Iowa, 51101. Written comments must be received by the above hearing date.

By order of the Board of Supervisors of Woodbury County, Iowa.

County Auditor

Section 5. On the basis of representations of the Borrower, the Issuer declares (a) that the Borrower intends to undertake the Project; (b) that other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution (or other qualifying reimbursement resolution), or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the Borrower and no expenditures will be made by the Borrower until after the date of this Resolution (or other qualifying reimbursement resolution); and (c) that the Borrower reasonably expects to reimburse the expenditures made for costs of the Project out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 6. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved October 4, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 13b. Motion by Radig second by De Witt to approve the termination notice to D.A. Davidson & Co. as dissemination agent. Carried 5-0. Copy filed.
- 13c. Motion by De Witt second by Radig to approve the Dissemination Agent Agreement with UMB Bank, n.a. Carried 5-0. Copy filed.

14. Report on Committee Meetings.
15. Doyle Turner, Merville, discussed an issue with the Board regarding MidAmerican coal plants.
16. Board concerns were heard.

The Board adjourned the regular meeting until October 11, 2022.

Meeting sign in sheet. Copy filed.



# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

**DATE:** October 11, 2022

**\* PERSONNEL ACTION CODE:**

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

**TO: WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Lieber, Jesse	Juvenile Detention	10-17-22	Assistant Director	\$70,524.11/year \$2,612/bi-weekly	3%= \$2,054.10/yr	R	Per Wage Plan Matrix, 6 month Salary Increase.

**APPROVED BY BOARD DATE:** \_\_\_\_\_

**MELISSA THOMAS, HR DIRECTOR:** *Melissa Thomas*

**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

**AUDITOR'S QUARTERLY REPORT**

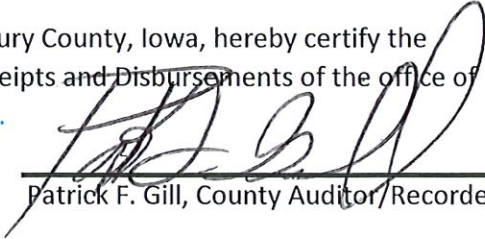
July 1, 2022/ September 30, 2022

Patrick F. Gill, Woodbury County Auditor/Recorder

Payroll Taxes

Beginning Cash Balance	July 1, 2022		
Payroll Taxes		308,350.17	
Other		(5,309.06)	
Total Beginning Balance			303,041.11
Receipts:			
Payroll Taxes		3,081,605.37	
Interest		151.97	
Other			
Total Receipts			<u>3,081,757.34</u>
Total Resources			<b>3,384,798.45</b>
Disbursements:			
Payroll Taxes		3,068,097.34	
Interest Paid to Treasurer		267.02	
Other			
Total Disbursements			<b>3,068,364.36</b>
Ending Cash Balance	September 30, 2022		
Payroll Taxes		321,858.20	
Interest		(5,424.11)	
Total Ending Balance			<b>316,434.09</b>

I, Patrick F. Gill, County Auditor/Recorder of Woodbury County, Iowa, hereby certify the above to be a true and correct statement of the Receipts and Disbursements of the office of County Auditor for the 1st Quarter ending 09/30/22.

  
\_\_\_\_\_  
Patrick F. Gill, County Auditor/Recorder

**COUNTY RECORDER'S REPORT OF FEES COLLECTED**  
 (See Chapter 342, Code)

State of IOWA ) SS:  
 County of WOODBURY )

To the Board of Supervisors of WOODBURY County:


I, DIANE SWOBODA PETERSON, Real Estate/Recorder Deputy of the above-named County and State, do hereby certify that the following is a true and correct statement of the fees collected by me in my office for the period of 7/01/2022 through 9/30/2022 and the same has been paid to the County Treasurer.

	Fees Collected
R.E. Transfer Tax State-Monthly	57,541.70
County Share R.E. Transfer Tax—Quarterly	51,249.34
Recording of Instruments—Quarterly	91,630.00
Auditor's Transfer Fee—Quarterly	6,510.00
Records Management Fees—Quarterly	4,041.00
Elec Tran Fee State Untransferred (Quarterly)	4,041.00
Copy Money-Quarterly	823.00
Vitals Stats State-Monthly	10,886.00
Vitals Stats County-Quarterly	10,616.00
Accts. Receivable Payment-Quarterly	2,799.00
Transfer to Checking Account	0
Previous Qtr. Acct. Receivable Balance	(4,519.00)
Bad Check Adjustment—Quarterly	0
Recorder Over/Short—Quarterly	71.00
Vitals Over/Short—Quarterly	0
Refunds--Quarterly	33.00
Adjustment—Quarterly	21.00
<b>Total</b>	<b>235,743.04</b>

All of which is respectfully submitted.

  
 \_\_\_\_\_  
 DIANE SWOBODA PETERSON Real Estate/Recorder Deputy

Subscribed and sworn to before me by DIANE SWOBODA PETERSON, Woodbury County Real Estate/Recorder Deputy this 5th day of October, 2022.

  
 \_\_\_\_\_  
 PATRICK F. GILL County Auditor

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

Date: 10/6/22 Weekly Agenda Date: 10/11/22

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

**WORDING FOR AGENDA ITEM:**

Refund request for parcel 884706205020

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Refund duplicate payment made on parcel #884706205020 in the amount of \$1,419.00

**BACKGROUND:**

The customer made two payments on parcel #884706205020, both on September 30, 2022. One at 12:30 pm and one at 2:30 pm. The first payment did not show as pending, therefore, the customer paid again to ensure payment was not delinquent.

**FINANCIAL IMPACT:**

None

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

Yes  No

**RECOMMENDATION:**

Refund payment in the amount of \$1,419.00 pending verification that payment is not returned as NSF.

**ACTION REQUIRED / PROPOSED MOTION:**

Recommend refund pending payment not returned as NSF.

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

Date: 2022-10-04

Weekly Agenda Date: 2022-10-11

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Ryan M Weber

**WORDING FOR AGENDA ITEM:**

Approval to increase daily rate for Omaha Nation youth.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Requesting approval to increase daily rate from \$100 to \$150 for care of Omaha Nation youth.

**BACKGROUND:**

Omaha Nation is the only group still paying the old rate and we are just unable to provide care for their youth at that rate anymore.

**FINANCIAL IMPACT:**

Increase of \$50 per day per youth.

**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:**

It is my recommendation that the rate be increased. I have had an informal agreement from Omaha Nation to sign a new contract at this rate.

**ACTION REQUIRED / PROPOSED MOTION:**

Approval of rate increase by board.

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

Date: 9/21/22 Weekly Agenda Date: 10/11/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Kaylee Langrell, Riley Gibson

**WORDING FOR AGENDA ITEM:**

Summit Carbon Solutions Project Update

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Representatives of Summit Carbon Solutions to present a project update (approximately 15 minutes)

**BACKGROUND:**

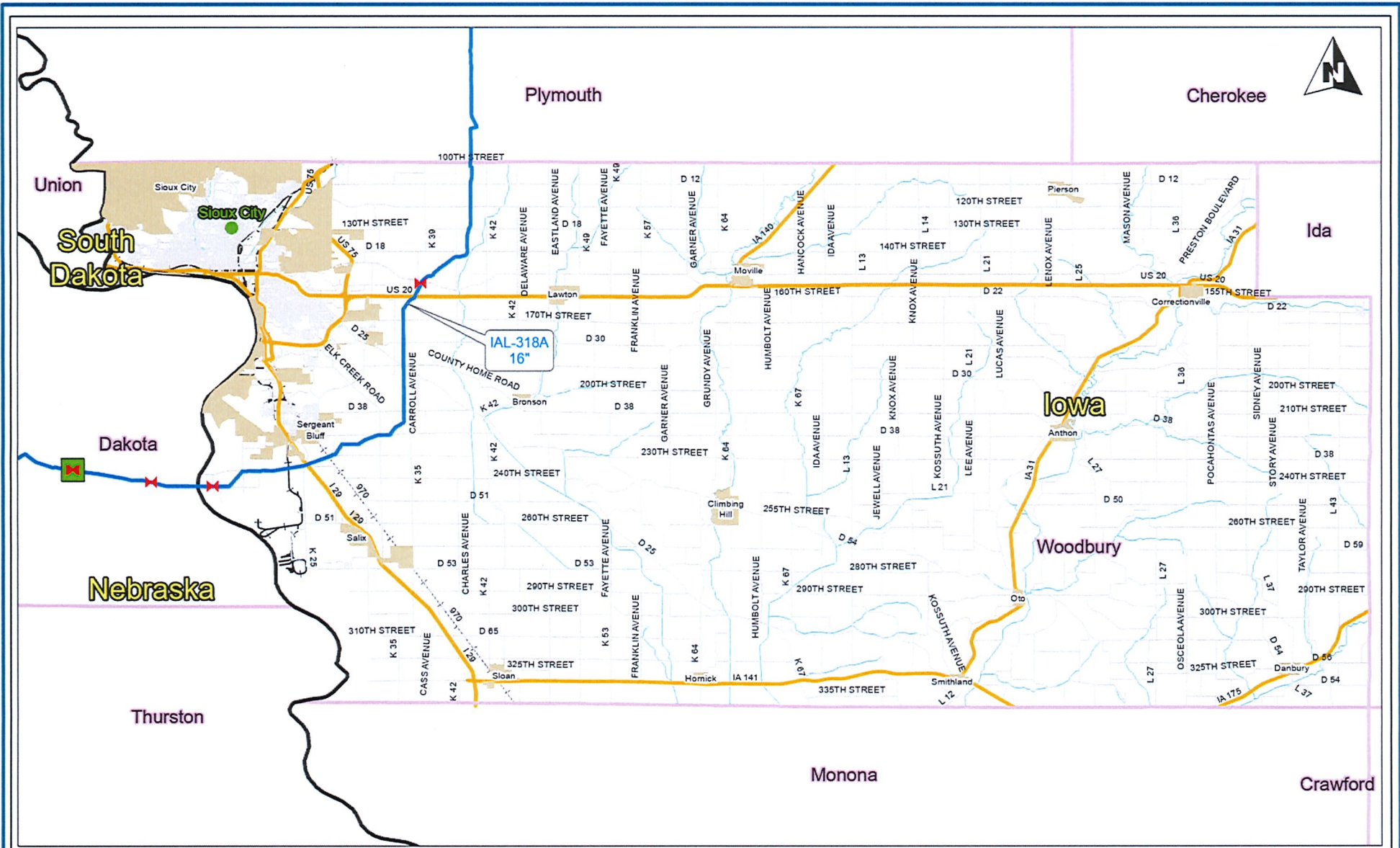
**FINANCIAL IMPACT:**

**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:**



- Participating Ethanol Plant
- County Seat
- Mainline Valve
- Pump Station
- Highly Populated Areas
- State Boundary
- County Boundary
- Route
- Primary Road
- Secondary Road
- Local Road
- Railroad
- River

**20.52 MILES OF ANTICIPATED PIPELINE  
WOODBURY COUNTY IOWA**

Pipeline centerline is based on the 09/27/2022 route.

*Woodbury County Iowa  
Pipeline Mileage Overview*

COUNTY: WOODBURY		DRAWN BY: CC	
STATE: IOWA		CHECKED BY:	
REV. NO.:	REVISION:	DATE:	
0		ISSUED FOR REVIEW	2022-09-29
<b>PRELIMINARY ROUTE SUBJECT TO CHANGE</b>			
DATE: 9/29/2022		PROJECTION: NAD 83	

**SUMMIT  
CARBON  
SOLUTIONS**

DWG: SHEET: 1





**SUMMIT  
CARBON  
SOLUTIONS**

**IOWA**  
October 5, 2022

## IOWA

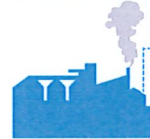
### Voluntary Easement Miles Acquired

- Over 362 miles now signed
- Over 887 landowners have signed, equating more than 1,545 agreements executed

OVER  
**362**  
miles

### Iowa Utilities Board

- Permit Application Submitted to Iowa Utilities Board January 2022 – Docket Number HLP-2021-0001
- Decision requested June 2023
- Iowa Utilities Board accepting comments at [iub.iowa.gov](http://iub.iowa.gov)



### Investors

- Ethanol Plant Partners
- John Deere
- Continental Resources
- Tiger Infrastructure
- TPG Rise Climate
- Summit Agricultural Group

### Partners

- 32 ethanol plants across 5 states (Nebraska, Iowa, Minnesota, North Dakota, South Dakota)
- Minnesota Power Cooperative (CO<sub>2</sub> storage) giving Summit Carbon Solution access to the largest of only three permitted CO<sub>2</sub> storage sites in the United States.



**Construction Anticipated Start Date: August 2023**



- A gas in atmospheric conditions.
- A dense phase deep underground or in a pipeline. A dense phase has the viscosity of a gas but a density closer to that of a liquid.
- Nonexplosive and noncombustible.
- Dispersed as a gas when introduced to conditions outside the pipeline.
- CO<sub>2</sub> pipelines have an excellent safety record exceeding pipelines that carry other materials.
- Transported at ambient temperature that does not affect the surrounding soil.

### Pipeline Transport Is Critical to Carbon Capture & Storage

Transporting carbon dioxide by pipeline is the safest method for the large volumes of CO<sub>2</sub> that will be captured and permanently stored. With more than 5,000 miles of infrastructure currently operating in the United States, carbon dioxide pipelines have an excellent safety record.

Carbon capture and storage utilizes longstanding technology that is safe for landowners and communities.

- CO<sub>2</sub> capture is already deployed at more than 40 ethanol plants.
- There are 5,000 miles of existing CO<sub>2</sub> pipelines in the United States regulated by the Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA).
- Captured CO<sub>2</sub> is permanently and safely stored deep underground based on EPA standards.

### Pipelines Are Highly Regulated

Stringent requirements for the safe design, construction, and operation of CO<sub>2</sub> pipelines have been established by the DOT PHMSA. Additionally, constructing the Summit Carbon Solutions system requires permits from the following entities:

- |  |   |
|--|---|
| State:                                       | Federal:                                |
| • Iowa Utilities Board                       | • United States Army Corps of Engineers |
| • Iowa Department of Natural Resources (DNR) | • United States Fish and Wildlife       |

Summit Carbon Solutions is working with landowners, community leaders, stakeholders, and more with respect, honesty, and transparency to obtain the necessary rights from the landowners for any proposed temporary and permanent easements.

### Summit Carbon Solution's Pipeline is Overbuilt for Safety

Summit Carbon Solutions' pipeline will be built beyond federal specifications in these ways:

- PHMSA - 195.248 Pipeline Location - requires 3ft depth below ground level. Summit Carbon Solutions will be at 4ft minimum depth.
- PHMSA - 195.210 Pipeline Location - requires 50ft setback from all dwellings. Summit Carbon Solutions is designing the pipeline that far exceeds the minimum setback.
- PHMSA - 195.250 Clearance Between Pipe and Underground Structures – Any new pipe must be at least 12" away from any other underground pipe or structure. Summit Carbon Solutions' best practice is 24".
- PHMSA 49 CFR Part 195 defines minimum requirements like the spacing between block valves, which is no more than 20 miles apart and in some cases less for Summit Carbon Solutions' pipeline.

Summit Carbon Solutions will employ a computer based, computational leak detection system that continuously monitors the operation of the pipeline from a manned control center. Similar leak detection systems are currently being utilized in the operation of numerous pipelines across the United States. Data will be continuously collected from pressure sensors, flowmeters, and temperature sensors installed along the pipeline and used to identify abnormal operating conditions. In the unlikely event of a leak, the system will provide information necessary to locate the leak, isolate the pipeline segment, and mitigate risk.

### Community Investment

Summit Carbon Solutions is looking to invest and volunteer in local communities. If there is somewhere we can invest in your community, please contact Kaylee Langrell 501-581-3348 or [Kaylee.Langrell@tki360.com](mailto:Kaylee.Langrell@tki360.com)

### Contact Information

For Emergency Management Questions:  
**ROD DILLON**  
Director of Regulatory Compliance  
[rdillon@summitcarbon.com](mailto:rdillon@summitcarbon.com)  
515-531-2624

For More Project Information or Interviews:  
**JESSE HARRIS**  
Director of Public Affairs  
[jharris@summitcarbon.com](mailto:jharris@summitcarbon.com)  
515-240-2104



SUMMIT  
CARBON  
SOLUTIONS

## Support For Summit Carbon Solutions Project

### News Article Excerpts: Support for the Project

#### KX SPOKE WITH A NON-OPPOSED NORTH DAKOTA LANDOWNER AFFECTED BY THE SUMMIT CARBON SOLUTIONS PROJECT (KXNET.COM)

"I'm not worried about the pipe, but there's pipelines all across North Dakota. In the United States, there's over several thousand miles of CO<sub>2</sub> pipelines and other pipelines. In Mercer County, there's a pipeline that's been in operation with CO<sub>2</sub> going to Canada for 20-plus years underneath Lake Sakakawea, and that's been safe. No issues there. So, I don't personally have a concern with it."

- Kessler



#### IOWA LANDOWNER SAYS HE WASN'T PRESSURED IN CARBON PIPELINE DEAL (KTIV.COM)

Jeff Dorr lives in Marcus, Iowa, and he's already signed up to have one of the pipelines underneath his farm. He says Summit Carbon Solutions, one of the pipeline companies, addressed all of his concerns about safety. "No, actually, I didn't feel any pressure. And like I said, earlier, I actively had to engage them. So, you know, they were a little more hands-off, in my opinion."

- Jeff Dorr

#### GUEST COLUMN: CARBON SEQUESTRATION TECHNOLOGY PROVIDES OPPORTUNITY FOR IOWA | LOCAL NEWS | NONPAREILONLINE.COM

"Over the past two decades, I've seen firsthand the struggles facing rural communities as they fight decline in both population and tax base. Carbon sequestration technology is offering the state and the rural communities one way to address these struggles, while helping Iowa corn growers to maintain current corn markets and generate many new markets as well."

- Ray Gaesser Iowa Conservative Energy Forum Chair



#### DORR: WHY I SIGNED EASEMENT ALLOWING CARBON - CAPTURE PIPELINE | OPINION | NWESTIOWA.COM

"I have spoken extensively to Summit Carbon Solutions' land agents and engineering team about how they will approach construction of this project. I am confident they respect my property and will follow through on their promises to restore my land to its original condition."

"Throughout this process [negotiating a voluntary easement], Summit Carbon Solutions has provided detailed information to address my questions and has always interacted with me in a cordial and respectful manner. Virtually every element of this process is negotiable, just as the company promised it would be."



- Thomas Dorr

#### HELP US PUT ETHANOL, AGRICULTURE AND OUR COMMUNITIES IN A POSITION FOR ECONOMIC PROSPERITY | NEWS, SPORTS, JOBS - MESSENGER NEWS

"I understand that some skeptics question if this is the best strategy to pursue. I would ask you to think about the future of agriculture and ethanol in Iowa. Both private sector companies and governments around the world will continue to prioritize decarbonization. Other states and communities will embrace this opportunity and reap the benefits of these changing markets. If we are left behind, I fear that it will become harder and harder to remain competitive."

- Chris Boshart, General Manager of Corn LP



## FREQUENTLY ASKED QUESTIONS:



### How does the Summit Carbon Solutions Project work?

By capturing CO<sub>2</sub> from the ethanol plants and transporting it via pipeline to North Dakota where it will be safely and permanently sequestered.

### What is the benefit of this project to the ethanol plants?

The Summit Carbon Solutions project will allow ethanol producers to sell their product in the growing number of markets that pay more for low carbon fuels.

### Why does lowering carbon intensity scores at ethanol plants matter?

The ability to sell into low carbon fuel markets is critical to maintain the viability of the ethanol long-term, protecting tens of thousands of jobs and strengthening an industry that purchases half of all the corn grown in the U.S.

### What happens if the easement is sold to another entity?

Easement rights are acquired with the land and are not impacted by future changes in ownership. Please see language directly from easement Assignment Clause: "The Pipeline Easement and Access Easement shall be permanent, and the Easements and provisions of this Agreement, including all benefits and burdens, shall run with the land."

### Who is liable if there is damage to the pipeline?

Summit Carbon Solutions holds landowner harmless in almost all circumstances. Please see language directly from easement indemnification clause: "Company agrees to indemnify and hold Landowner harmless from and against any claim or liability or loss from personal injury or property damage resulting from or arising out of the use of the Easements by Company, its servants, agents or invitees, excepting, however, such claims, liabilities or damages as may be due to or caused by the acts of Landowner, or its servants, agents or invitees."

## SAFETY INFORMATION



100% of the pipeline welds are inspected throughout using industry accepted testing methods, such as X-ray or ultrasound to ensure integrity, after which the welds are coated.



The pipeline is then hydrostatically tested, which involves filling the pipe with fresh water and pressuring it up to 125% or more of the maximum operating pressure, thereby ensuring the integrity of the pipe.



Block Valves are placed throughout the project line with a maximum distance of no more than 20 miles apart. These block valves will automatically shut if there is any degree of pressure or temperature change in the pipeline. These block valves are placed more frequently around high population areas and large waterways.



The pipeline will be monitored 24/7 by employees of Summit Carbon Solutions at the home office in Ames, Iowa



Summit Carbon Solutions will employ a large number of specialists to live and work locally to maintain the project line.



Summit Carbon Solutions has staff dedicated to working with and training emergency responders in each county. These staff have extensive background in emergency management and will provide multiple trainings and workshops to prepare county emergency response for any unlikely breach in the pipeline.

## SUMMIT CARBON SOLUTIONS WILL BE A GOOD STEWARD OF THE LAND:

- SCS will be good stewards of the land across our entire project area. Summit Carbon Solutions will protect and restore lands, topsoil, drain tiles, drainage systems, and more to their preconstruction levels.
- The average weight of construction equipment necessary for installing 6-inch diameter pipe is typically 40% to 80% less than the weight of equipment necessary for installing 36-inch diameter pipe.
- 240% crop damages paid up front
- Soil disturbance will also decrease with decreasing pipe diameter.
- SCS will warranty drain tile in perpetuity. Landowner has the option to use their preferred contractor or to use SCS's contractor.
- Each county will hire an ag inspector who will have authority to stop work in the interest of keeping the land in best condition possible.



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

Date: 10/06/2022 Weekly Agenda Date: 10/11/2022

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Kenny Schmitz

**WORDING FOR AGENDA ITEM:**

28th Street Development Project

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The 28th Street approach driveway to the LEC will need an asphalt cap over subbase rock, & a curb necessary to prevent wash-out through the winter months. This will also aid in the street snow removal.

**BACKGROUND:**

Due to construction of the LEC, the 28th street driveway entrance will not have an opportunity to be completed until next spring. A change order will be necessary to address the project entrance this fall and again in the spring.

**FINANCIAL IMPACT:**

Change Order #4 = \$8,181.00

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

Yes       No

**RECOMMENDATION:**

Approve Change Order #4

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve 28th Street Project (Sioux City Engineering Company) Change Order #4.

**CHANGE ORDER**

Sheet No. 1 of 1

Change Order No. #4

County Woodbury

Sioux City Engineering Company Contractor

Project Woodbury County LEC

You are hereby directed to make the following changes from the contract

Offsite Improvements  
Job No. 00-278

- \*\*\*\*\*
- Description and reason for change (attach supplemental sheets if required):  
Installation of 1.5-inch of Temporary Asphalt Pavement and Asphalt Curb at the LEC Entrance.

2. Estimate of cost of work affected by this change order:

A	B	C	D	E	F	G	H	I
Est. Line No.	Contract Item No.	Item Description	Units	Units Previously Provided For	Units to be Constructed	Units Increased or Decreased	Contract or Agreed Unit Price	Amount of Increase or Decrease
1	73	1.5 in. Temporary Asphalt Surfacing	TN	0	20	20	\$ 298.10	\$ 5,962.00
2	74	Sawcut 28th Street Pavement for Temporary Curb Installation	LS	0	1	1	\$ 550.00	\$ 550.00
3	75	Temporary Asphalt Curb	LF	0	69	69	\$ 24.20	\$ 1,669.80
4								
5								
6								
7								
							<b>Total</b>	<b>\$ 8,181.80</b>

3. Settlement for cost of the above change to be made at Contract Unit Prices except as noted:

1. CONTRACT AMOUNT	\$ 2,689,603.50
2. INCREASE THIS ORDER	\$ 8,181.80
3. INCREASE PREVIOUS	\$ 294,138.45
4. TOTAL INCREASE TO DATE	\$ 302,320.25
5. TOTAL	\$ 2,991,923.75

This Change Order, when executed, constitutes a modification to the Contract and all provisions of the Contract, except as modified above and be any previous Change Orders, shall apply thereto:

**Engineer Approval:**

Toth and Associates, Inc.

By (Printed) Matt Miller, PE

Signature 

Date 10/3/2022

**Contractor Approval:**

Sioux City Engineering Company

By (Printed) JASON SULZBACH

Signature \_\_\_\_\_

Date OCTOBER 4, 2022

**County Approvals:**

Woodbury County Board of Supervisors

By (Printed) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

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

Date: 10/06/2022 Weekly Agenda Date: 10/11/2022

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

**WORDING FOR AGENDA ITEM:**

Consider approval of resolution to set load limits on county bridges.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

County bridges are inspected every two years at a minimum, more frequently if needed. Structural calculations have determined that the listed bridges can no carry legal truck loads.

**BACKGROUND:**

Annual bridge inspections have been completed for 2022. Several bridges were found to have deteriorated during the current inspection interval. Structural calculations performed on these bridges determined that these bridges can no longer carry legal semi and truck loads. They must be posted for reduced load ratings. One bridge must be closed due to damaged structural members.

**FINANCIAL IMPACT:**

Financial impact is limited to the cost of installing four signs to notify trucks of the weight limits. This costs the county approximately \$800 for all signs. Most of these bridges were already posted and will only require a signing update.

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

Yes  No

**RECOMMENDATION:**

I recommend that the Board approve the resolution to establish bridge weight limits on the listed county bridges.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the resolution establishing weight limits on the listed county bridges.

**WOODBURY COUNTY  
BRIDGE EMBARGO RESOLUTION**

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

**WHEREAS:** The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

**WHEREAS:** the Woodbury County Engineer has caused to be completed the Structure Inventory and Appraisal of certain bridges according to accepted Bridge Inspection Standards and has determined that the bridges below, require revision to their current load ratings,

**NOW, THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors that the following vehicle and load limit be established and that signs be placed advising of the permissible maximum weights thereof on the bridge listed herein.

<u>Bridge No.</u>	<u>FHWA No.</u>	<u>Section Township Range</u>	<u>Posted Limit</u>
B-139	357870	28-89-43	6 Tons
C-029	354972	13-89-44	One Lane bridge
E-066	355250	13-89-46	Close until replacement
E-308	<20 feet	07-89-46	21,34,36 Tons
F-115	354440	26-88-47	10 Tons
G-043	353950	07-88-46	5 Tons
G-135-2	354130	23-88-46	20, 32, 34 Tons
K-103	353391	36-88-43	8 Tons, One Lane

**Passed and approved this 11th day of October 2022.**

**Recommended:**

\_\_\_\_\_  
Keith Radig, Chairperson  
Woodbury County Board of Supervisors

\_\_\_\_\_  
Mark J. Nahra, P.E.  
Woodbury County Engineer

**Attest:**

\_\_\_\_\_  
Patrick Gill  
Woodbury County Auditor

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

Date: 10/6/22 Weekly Agenda Date: 10/11/22

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

**WORDING FOR AGENDA ITEM:**

Approve motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

**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:**

The consideration of a motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

**BACKGROUND:**

The consideration of a motion to direct the Woodbury County Zoning Commission to begin the process of considering a Zoning Ordinance Text Amendment to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County. As noted in Section 2.02.3 of the Woodbury County Zoning Ordinance, "it is anticipated that changes in the text of this title may be found to be in the public interest. The procedure for amendment of the text of this title shall be as follows: Amendments to the text of this title may be initiated by the Board of Supervisors or the planning and zoning commission. The planning zoning commission shall conduct a public hearing on the proposed amendment of the text of this title in the manner prescribed in subsection 2.02-1.B and shall review the amendment and any supporting information prior to considering a recommendation to either approve or disapprove the proposed amendment." The Zoning Commission's recommendation would be presented to the Board of Supervisors who would conduct up to three public hearings and readings of the proposed amendment.

**FINANCIAL IMPACT:**

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

Yes  No

**RECOMMENDATION:**

Approve motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.

**ACTION REQUIRED / PROPOSED MOTION:**

Approve motion to direct the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the temporary sales of food, beverages, goods, and services during future RAGBRAI events along the RAGBRAI route in unincorporated Woodbury County.



ORDINANCE NO. \_\_\_\_\_

WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING THE TEXT OF THE WOODBURY COUNTY ZONING ORDINANCE TO AMEND PORTIONS OF: THE *TABLE OF CONTENTS*; SECTION 3.03.4 ENTITLED: *LAND USE SUMMARY TABLE OF ALLOWED USES IN EACH ZONING DISTRICT*; PORTIONS OF SECTION 6.01 ENTITLED *DEFINITIONS*; AND TO ADD A NEW SECTION REFERENCED AS SECTION 5.07 ENTITLED *SPECIAL EVENT – RAGBRAI AND SPECIAL EVENT – RAGBRAI WITH ALCOHOL* TO THE WOODBURY COUNTY ZONING ORDINANCE; AND

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE BELOW ZONING ORDINANCE LANGUAGE AMENDMENTS BE MADE:

Amendment #1 –

On page iii: To add the following to the *Table of Contents, Article 5 Supplemental Requirements*:

Add Section 5.07: Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol....81

Amendment #2 –

On pages 32, 33, 34, 35, 36, 37, 38, and 39: To add the following use category within the zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

Add the term “TU Temporary use” to the top portion of the “Land Use Summary Table of Allowed Uses in each Zoning District” between the “ok Principal allowed use” and “Conditional use” categories.

Amendment #3 –

On page 35: To add the following line item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

“Special Event – RAGBRAI”. With placement of the letters “TU” within the AP (Agricultural Preservation), AE (Agricultural Estates), GC (General Commercial), HC (Highway Commercial), LI (Limited Industrial), and GI (General Industrial) zoning districts columns of the table related to this line item use.

Amendment #4 –

On page 35: To add the following line item use language within zoning ordinance Section 3.03.4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

“Special Event – RAGBRAI, with alcohol”. With placement of the letters “C” within the AP (Agricultural Preservation), AE (Agricultural Estates), GC (General Commercial), HC (Highway Commercial), LI (Limited Industrial), and GI (General Industrial) zoning districts columns of the table related to this line item use.

#### Amendment #5 –

On page 93: To replace the definition of “Use, Allowed” in Section 6.02.172 from “Use, Allowed. A principal, conditional or accessory use that may be established in conformance with the regulations of the zoning district in which it is located.” to:

“Use, Allowed. A principal, conditional, accessory or temporary use that may be established in conformance with the regulations of the zoning district in which it is located.”

#### Amendment #6 –

On page 81: To add the following section within the zoning ordinance entitled Section 5.07: Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol.

#### **Section 5.07: Special Event – RAGBRAI and Special Event – RAGBRAI with Alcohol**

1. **Purpose.** The purpose of this Ordinance is to assist county officials to control the public health and safety issues created by the infusion of a large number of people in the county by establishing regulations for vendors in the unincorporated areas of Woodbury County during the Des Moines Register’s Annual Great Bicycle Ride Across Iowa (RAGBRAI).
2. **Definitions.**
  - A. RAGBRAI. The term RAGBRAI is an acronym for the Des Moines Register’s Annual Great Bicycle Ride Across Iowa event.
  - B. Use, Temporary. A use permitted within a designated zoning district and established for a fixed period of time with the intent of terminating such use upon the expiration of the time period. In the case of RAGBRAI, when held in Woodbury County, Iowa, the temporary use shall be limited to a period of time starting no more than one day prior to the start of the official event date in Woodbury County and terminating no more than one day after the completion date of RAGBRAI in Woodbury County.
3. **Special Event – RAGBRAI.** The sale of food, beverages (excluding alcohol products), goods, and services during the designated timeframe of RAGBRAI when hosted in Woodbury County, Iowa is a temporary use and shall be limited to a period of time starting no more than one day prior to the start of the official event date in Woodbury County and terminating no more than one day after the end of said event. The temporary use shall only be conducted from private property and shall not be conducted from the right-of-way. Temporary uses for RAGBRAI may not be appropriate in every zoning district. Refer to the Section 3.03.4: Land Use Summary Table of Allowed Uses in each Zoning District for the appropriate zoning district. The sale of alcohol products is prohibited unless a Conditional Use Permit is obtained from the Woodbury County Board of Adjustment.
4. **Special Event – RAGBRAI with alcohol. Conditional Use Permit required.** If a property owner desires to offer alcohol as part of the Special Event – RAGBRAI, a conditional use permit application shall be submitted to the Community and Economic Development office as per the subsections 2.02.9 and 5.07 of the Zoning Ordinance. The application must come accompanied with a temporary site plan that shall show the location of all existing buildings, existing parking, proposed temporary tents, canopies, structures, and fences, proposed temporary parking, and other features as required by the Zoning Director.
5. **Documentation.** The property owner shall be responsible for obtaining and complying with all necessary federal, state and local permits including, but not limited to liquor licensing and submit all appropriate documentation to the Zoning Director for review and the Planning and Zoning Commission and Board of Adjustment if a conditional use permit is required.

Adopted by the Woodbury County Board of Supervisors on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**THE WOODBURY COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Keith Radig, Chairman

\_\_\_\_\_  
Jeremy Taylor, Vice-Chairman

\_\_\_\_\_  
Rocky De Witt

Attest:

\_\_\_\_\_  
Matthew Ung

\_\_\_\_\_  
Patrick Gill, Woodbury County Auditor

\_\_\_\_\_  
Justin Wright

Adoption Timeline:

Date of Public Hearing and First Reading \_\_\_\_\_

Date of Public Hearing and Second Reading \_\_\_\_\_

Date of Public Hearing and Third Reading \_\_\_\_\_

Date of Adoption \_\_\_\_\_

Published/Effective Date \_\_\_\_\_

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

Date: 10/6/22 Weekly Agenda Date: 10/11/22

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

**WORDING FOR AGENDA ITEM:**

Approve motion to direct staff and the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the permitting of Hazardous Liquid Pipelines.

**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:**

The consideration of a motion to direct staff and the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the permitting of Hazardous Liquid Pipelines.

**BACKGROUND:**

The consideration of a motion to direct staff and the Woodbury County Zoning Commission to begin the process of considering a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the permitting of Hazardous Liquid Pipelines. As noted in Section 2.02.3 of the Woodbury County Zoning Ordinance, "it is anticipated that changes in the text of this title may be found to be in the public interest. The procedure for amendment of the text of this title shall be as follows: Amendments to the text of this title may be initiated by the Board of Supervisors or the planning and zoning commission. The planning zoning commission shall conduct a public hearing on the proposed amendment of the text of this title in the manner prescribed in subsection 2.02-1.B and shall review the amendment and any supporting information prior to considering a recommendation to either approve or disapprove the proposed amendment." The Zoning Commission's recommendation would be presented to the Board of Supervisors who would conduct up to three public hearings and readings of the proposed amendment.

**FINANCIAL IMPACT:**

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

Yes  No

**RECOMMENDATION:**

Approve motion to direct staff and the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the permitting of Hazardous Liquid Pipelines.

**ACTION REQUIRED / PROPOSED MOTION:**

Approve motion to direct staff and the Woodbury County Zoning Commission to initiate a review process and provide a recommendation of a Zoning Ordinance Text Amendment to the Woodbury County Zoning Ordinance to address the permitting of Hazardous Liquid Pipelines.