

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

Date: 03/16/2023

Weekly Agenda Date: 03/21/2023

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

WORDING FOR AGENDA ITEM:

Consider approval of the appointment of a drainage attorney for the city of Salix drainage district establishment.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The city of Salix has filed a petition for the establishment of a drainage district. The board has approved the petition and bond and has appointed a drainage engineer. To assist with the preparation of the establishment paperwork, the Board seeks the assistance of an attorney specializing in drainage district law. The county attorney's office has recommended engaging the services of Brian Yung.

BACKGROUND:

The Board's responsibilities for drainage district establishment are outlined in Chapter 468 of the Iowa Code.

The Board appointed Patrick Mouw of V and K Engineering as the engineer for the drainage district. The services of the drainage attorney will be needed later in the establishment process and in providing assistance to the engineer in regard to the classification of benefits derived from the establishment of the district.

FINANCIAL IMPACT:

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

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

Yes No

RECOMMENDATION:

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

ACTION REQUIRED / PROPOSED MOTION:

Motion to appoint a drainage attorney to assist with the establishment of the Salix Drainage District.