



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(JULY 5) (WEEK 27 OF 2022)

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Live telephonic access at: 712-224-6014

Rocky L. DeWitt 253-0421 rdewitt@woodburycountyiowa.gov
Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov
Jeremy Taylor 259-7910 jtaylor@woodburycountyiowa.gov
Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov
Justin Wright 899-9044 jwright@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held July 5, 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.

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 8 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 June 28, 2022 meeting
4. Approval of claims
5. County Treasurer – Tina Bertrand
Approval of refunds due to overpayment of advance payments
6. Human Resources – Melissa Thomas
Approval of Memorandum of Personnel Transactions

7. Board of Supervisors – Keith Radig  
Approval of letter of commitment for Siouxland Mental Health Center
8. County Auditor – Patrick Gill  
Approval of liquor license for Scarecrow Farm, Lawton, Iowa

### End Consent Agenda

9. Community & Economic Development – Daniel Priestly
  - a. Receive the Zoning Commission’s recommendation from their 6/27/22 meeting to approve the final plat of William’s Third Strike, First Addition, a minor subdivision Action
  - b. Approval of the William’s Third Strike, First Addition, minor subdivision final plat with the Zoning Commission’s recommendation and authorize the Chairman to sign the resolution Action
  
- 4:35 p.m.** 10. Board Administration – Heather Van Sickle  
(Set time)
  - a. Public hearing and sale of property parcel #894721282008 (aka 1118 22<sup>nd</sup> Street) Action
  - 4:37 p.m.** b. Public hearing and sale of property parcel #894823253012 (aka 1904 Riverside Action  
(Set time) Blvd.)
  
- 4:40 p.m.** 11. Building Services – Kenny Schmitz  
(Set time)
  - a. Public hearing on Prairie Hills Old County Home Demolition Project
  - b. Approval to receive and open Prairie Hills County Home Demolition Project bid submissions on July 26, 2022 at 3:00 p.m. at the Woodbury County Board of Supervisors Administration Office Action
  - c. Authorize the County Auditor’s Office to open bid submissions for the Prairie Hills County Home Demolition Project Action
  - d. Approval to officially receive bids on July 26, 2022 at 4:45 p.m. Woodbury County Courthouse Board of Supervisors Meeting and award bid to the Lowest, responsive, responsible bidder at that time Action
  
12. Secondary Roads – Mark Nahra
  - a. Approval of setting hearing date for the permanent closure and vacation of the county roads and excess right of way Action
  - b. Approval of a detour agreement with the Iowa Department of Transportation for the Iowa Highway 141 Railroad Crossing Improvement Project Action
  
13. Board of Supervisors – Jeremy Taylor
  - a. Approval of 28E Agreement for Rolling Hills Community Services Region Action
  - b. Authorize Chairman to sign MOU between Rolling Hills and Woodbury County Action
  
14. Reports on Committee Meetings Information
  
15. Citizen Concerns Information
  
16. Board Concerns Information

## ADJOURNMENT

*Subject to Additions/Deletions*

### CALENDAR OF EVENTS

<b>WED., JULY 6</b>	<b>4:45 p.m.</b>	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
<b>THU., JULY 7</b>	<b>10:00 a.m.</b>	COAD Meeting, The Security Institute
<b>TUE., JULY 12</b>	<b>4:00 p.m.</b>	Conservation Board Meeting, Southwood Conservation Area
<b>WED., JULY 13</b>	<b>7:30 a.m.</b>	SIMPCO Executive-Finance Committee Meeting, 1122 Pierce St.
	<b>8:05 a.m.</b>	Woodbury County Information Communication Commission, First Floor Boardroom
	<b>10:00 a.m.</b>	STARComm Board Meeting, The Security Institute, WIT Campus
	<b>12:00 p.m.</b>	District Board of Health Meeting, 1014 Nebraska St.
	<b>6:30 p.m.</b>	911 Service Board Meeting, Public Safety Center, Climbing Hill
<b>THU., JULY 14</b>	<b>12:00 p.m.</b>	SIMPCO Board of Directors, 1122 Pierce St.
<b>FRI., JULY 15</b>	<b>12:00 p.m.</b>	Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
<b>WED., JULY 20</b>	<b>12:00 p.m.</b>	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
<b>THU., JULY 21</b>	<b>4:30 p.m.</b>	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
<b>MON., JULY 25</b>	<b>6:00 p.m.</b>	Zoning Commission Meeting, First Floor Boardroom
<b>TUE., JULY 26</b>	<b>2:00 p.m.</b>	Decat Board Meeting, Western Hills AEA, Room F
<b>WED., JULY 27</b>	<b>2:30 p.m.</b>	Rolling Hills Community Services Region Governance Board Meeting
<b>THU., JULY 28</b>	<b>11:00 a.m.</b>	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
<b>MON., AUG. 1</b>	<b>6:00 p.m.</b>	Board of Adjustment meeting, First Floor Boardroom
<b>WED., AUG. 3</b>	<b>10:00 a.m.</b>	Loess Hills Alliance Protection Meeting, Pisgah, Iowa
	<b>11:00 a.m.</b>	Loess Hills Alliance Stewardship Meeting
	<b>1:00 p.m.</b>	Loess Hills Alliance Executive Meeting
	<b>4:45 p.m.</b>	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
<b>THU., AUG. 4</b>	<b>10:00 a.m.</b>	COAD Meeting, The Security Institute

**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.*

## **JUNE 28, 2022 TWENTY-SIXTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, June 28, 2022 at 3:30 p.m. Board members present were Ung, Radig, De Witt, Taylor, and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Resources Director, and Patrick Gill, Auditor/Clerk to the Board.

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

Motion by Radig 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.

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

Motion by Radig 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.

3. P.J. Jennings, County Attorney, addressed the Board concerning an opinion issued shortly before the meeting.

Motion by Radig second by Taylor to receive information provided by Mark Nahra, County Engineer, regarding pumping water in the area of the Little Sioux Park. Carried 5-0. Copy filed.

4. Motion by Radig second by Taylor to approve the agenda for June 28, 2022. Carried 5-0. Copy filed.

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

5. To approve minutes of the June 21, 2022 meeting. Copy filed.
6. To approve the claims totaling \$850,655.00. Copy filed.
7. To approve the appointment of Douglas Glackin, 803 Logan Dr., Merville, to the Woodbury County Library Board. Copy filed.
8. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894734152021, 715 ½ Cunningham Dr.

### **RESOLUTION #13,454 NOTICE OF PROPERTY SALE**

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

**An irregular parcel being part of Block 40, part of vacated Dodge Avenue, and part of vacated Morgan Street described as beginning at the southwest corner of Lot 9 of The Yards Town Center Addition to the City of Sioux City; thence North 39°09'06" West a distance of 402.13 feet; thence South 29°25'41" East for a distance of 264.22 feet; thence South 00°16'56" East for a distance of 46.40 feet; thence North 89°43'04" East for a distance of 27.60 feet; thence South 26°08'54" East for a distance of 38.42 feet; thence South 68°33'08" East for a distance of 108.22 feet, thence North 39°09'06" West a distance of 43.52 feet to the Point of Beginning, containing 12,664 square feet, City of Sioux City, Woodbury County, Iowa  
(715 ½ Cunningham Dr.)**

**NOW THEREFORE,**

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



1. That a public hearing on the aforesaid proposal shall be held on the **12<sup>th</sup> Day of July, 2022 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **12th Day of July, 2022**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$892.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 28<sup>th</sup> Day of June, 2022.  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

- 9a. To approve the separation of Lynn Fleming, Civilian Jailer, County Sheriff Dept., effective 06-23-22. Separation.; the reclassification of Katelyn Speed, Civilian Jailer, County Sheriff Dept., effective 06-27-22, \$21.88/hour, 4%=\$.86/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.; the transfer of Allen Welte, P/T Operations Officer-Paramedic, Emergency Services Dept., effective 07-01-22, \$22.25/hour, -45%/\$-10.15/hour. Position Transfer from Interim Director to P/T Operations Officer-Paramedic.; the reclassification of Allen Welte, P/T Operations Officer-Paramedic, Emergency Services Dept., effective 07-01-22, \$22.25/hour, 11.5%=\$2.30/hour. Salary Increase.; the reclassification of Dylan Hinds, Operations Officer-Paramedic, Emergency Services Dept., effective 07-01-22, 11.5%=\$2.30/hour. Salary Increase.; the reclassification of Gerald Kelley, Operations Officer-Paramedic, Emergency Services Dept., effective 07-01-22, \$22.25/hour, 11.5%=\$2.30/hour. Salary Increase.; the appointment of Shawn Starr, P/T Operations Officer-Paramedic, Emergency Services Dept., effective 07-01-22, \$22.25/hour. Job Vacancy Posted 1-26-22.; and the separation of Brodie Monroe, Civilian Jailer, County Sheriff Dept., effective 07-08-22. Resignation. Copy filed.
- 9b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for (2) Civilian Jailers, County Sheriff Dept. CWA: \$21.60/hour (7-1-22 Wage); and Clerk II, County Treasurer Dept. AFSCME Courthouse: \$18.22/hour (7-1-22 Wage). Copy filed.
10. To approve the underground utility permit for Northwest Iowa Power Cooperative. Copy filed.

Carried 5-0.

- 11a. Information was presented for the Iowa Public Agency Investment Trust (IPAIT) by Tina Bertrand, County Treasurer. Copy filed.
- 11b. Motion by Taylor second by Radig to approve a Resolution authorizing the approval of and participation in a joint powers agreement and declaration of trust for the Iowa Public Agency Investment Trust, authorizing investments through the fixed term automated investment program of IPAIT and authorizing IPAIT to designate and name depositories. Carried 5-0.

**A RESOLUTION AUTHORIZING THE APPROVAL OF A PARTICIPATION IN A JOINT POWERS AGREEMENT AND DECLARATION OF TRUST FOR THE IOWA PUBLIC AGENCY INVESTMENT TRUST, AUTHROIZING INVESTMENTS THROUGH THE FIXED TERM AUTOMATED INVESTMENT PROGRAM OF IPAIT AND AUTHORIZING IPAIT TO DESIGNATE AND NAME DEPOSITORIES**  
**RESOLUTION #13,455**

WHEREAS, Iowa Code section 28E.1 permits political subdivisions to make efficient use of their powers by enabling them to provide joint services with other Public Agencies and to cooperate in other ways of mutual advantage, and to exercise and enjoy jointly any powers, privileges or authority exercised or capable of being exercised by one Public Agency of this state or private agencies for the joint or cooperative action; and

WHEREAS, Iowa Code sections 331.555 and 384.21 empowers Cities, City Utilities, and Counties to invest their monies pursuant to a joint investment agreement; and

WHEREAS, the City of Fairfield, the Maquoketa Municipal Utility, and Buchanan County are political subdivisions organized and existing under and by virtue of the laws and Constitution of the State of Iowa and have approved the Joint Powers Agreement and Declaration of Trust and thereby they have established the Iowa Public Agency Investment Trust as of October 1, 1987, and amended as of the first day of August, 188, and as of the 1" day of May, 1993, and further amended the first day of September, 2005; and further amended as of the 1" day of September 2017; and

WHEREAS, this Governing Body desires to adopt and enter into the Joint Powers Agreement and Declaration of Trust, and it is in the best interest of this Governing Body to participate in the Iowa Public Agency Investment Trust for the purpose of joint investment of monies with other cities, city utilities and counties to enhance investment earnings to each; and

WHEREAS, this Governing Body deems it to be advisable for this Public Agency to make use, from time to time, of the Fixed Term Automated Investment Program available to Participants of IPAIT;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Joint Powers Agreement and Declaration of Trust is approved and adopted. This Public Agency joins with the other public agencies in accordance with the Joint Powers Agreement and Declaration of Trust, as amended, (the "Declaration of Trust") which is incorporated herein by reference with the same effect as if it had been set out in this resolution by becoming a Participant of IPAIT. The Joint Powers Agreement and Declaration of Trust is filed in the minutes of the meeting at which this Resolution is adopted. The authorized officials of this Public Agency are directed and authorized to take such actions and execute documents as may be deemed necessary and appropriate to effect the entry of this Public Agency into the Declaration of Trust and adoption thereof by this Public Agency and to carry out the intent and purpose of this Resolution.

Section 2. This Public Agency is authorized to invest its available monies from time to time and to withdraw such monies from time to time in accordance with the provisions of the Declaration of Trust and the Fixed Term Automated Investment Program of IPAIT.

Payment for any investments made within the Fixed Term Automated Investment Program is authorized from the Public Agency's specified IPAIT Account. Interest and principal payments must be credited to the Public Agency's designated Trust Account. The Custodian will hold investments in the name of IPAIT for the account of the Public Agency.

The following officers and officials of this Public Agency and their respective successors in office each are designated as "Authorized Officials" with full power and authority to effectuate the investment and withdrawal of monies with this Public Agency from time to time in accordance with the Joint Powers Agreement and Declaration of Trust.

Tina Bertrand  
Printed Name  
Charli Weaver  
Printed Name  
Printed Name

Woodbury County Treasurer  
Title  
Deputy Bookkeeper  
Title  
Title

IPAIT must be advised of any changes in Authorized Officials in accordance with procedures established by IPAIT.

Section 3. The Trustees of IPAIT are designated as having official custody of this Public Agency's monies which are invested in accordance with the Joint Powers Agreement and Declaration of Trust and any monies invested in accordance with the Trust's Fixed Term Automated Investment Program.

Section 4. IPAIT is authorized to designate and name depositories, to execute documents, and to take actions as may be necessary to purchase and make payment, sell, secure, or take payment of principal and interest. Certificates of deposit must be purchased only from financial institutions designated by IPAIT which are approved depositories as prescribed by Iowa Code chapters 12B and 12C.

Section 5. Authorization is given for members and officials of this Public Agency to serve as Trustees of IPAIT from time to time if selected as such pursuant to the provisions of the Declaration of Trust.

Section 6. Unless otherwise expressly defined, words that are capitalized in the Resolution have meanings defined in the Joint Powers Agreement and Declaration of Trust.

Passed and approved this 28<sup>th</sup> day of June, 2022  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 12. Motion by Taylor second by Radig to award the bid for project #STBG-SWAP-C097(148)—FG-97 to Steve Harris Construction and authorize the Chairperson to sign a Resolution to award the bid and authorize the County Engineer to electronically sign for the contract and bond. Carried 5-0.

**BID AWARD AND DESIGNATION AND AUTHORIZATION OF  
COUNTY ENGINEER FOR ELECTRONIC SIGNATURE OF CONTRACT AND  
BOND  
RESOLUTION #13,456**

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

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

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

**STBG-SWAP-C097(144)—FG-97  
PCC Pavement Replacement project, Port Neal Road**

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

Passed and approved this 28<sup>th</sup> day of June 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 13a. Motion by Radig second by Taylor to receive for signature a Resolution appropriation for FY 2023. Carried 5-0.

**WOODBURY COUNTY, IOWA  
APPROPRIATION RESOLUTION  
FOR FISCAL YEAR 2023**

**RESOLUTION #13,457**

**Whereas**, it is desired to make appropriations for each Service Area and Program Activity of County Government for the Fiscal Year 2023, beginning July 1, 2022, and

**Now**, therefore, be it resolved by the Woodbury County Board of Supervisors that the amounts detailed by Service Area on the Adopted FY 2023 Woodbury County Budget Summary Form 638-R constitute the authorization to make expenditures from the County's funds beginning July 1, 2022 and continuing until June 30, 2023, and

**Futhermore**, this Appropriation Resolution extends the spending authority of each County Program Activity to the amount appropriated to it as follows:

<u>Fund/Dept Division</u>	<u>Amount</u>	<u>Fund/Dept Division</u>	<u>Amount</u>	<u>Fund/Dept Division</u>	<u>Amount</u>	<u>Fund/Dept Division</u>	<u>Amount</u>
0001-0030	720,000	0001-1000	1,661,162	0001-1002	33,947	0001-1010	576,167
0001-1013	22,551	0001-1040	624,249	0001-1050	7,947,354	0001-1060	1,817,379
0001-1061	114,951	0001-1100	2,450,802	0001-1102	137,242	0001-1104	232,062
0001-1105	90,630	0001-1110	190,000	0001-1540	688,092	0001-1610	604,360
0001-3040	1,303,778	0001-3100	110,000	0001-3101	26,950	0001-3110	85,000
0001-3200	266,373	0001-3201	10,000	0001-3210	35,000	0001-6100	659,500
0001-6110	1,184,689	0001-6120	372,793	0001-6123	58,890	0001-8100	1,201,515
0001-8110	782,102	0001-9000	406,506	0001-9001	390,403	0001-9010	394,046
0001-9020	601,925	0001-9030	408,600	0001-9031	13,723	0001-9032	3,000
0001-9033	71,000	0001-9101	696,362	0001-9102	659,231	0001-9103	500,800
0001-9104	2,500	0001-9105	16,678	0001-9106	10,000	0001-9108	565,265
0001-9109	12,538	0001-9110	1,523,207	0002-1200	634,343	0002-1210	144,601
0002-1231	91,293	0002-1400	27,550	0002-1430	197,304	0002-1500	65,000
0002-1520	825,353	0002-1620	301,417	0002-3300	2,024,446	0002-3301	83,900
0002-3310	100,000	0002-8000	393,348	0002-8002	190,438	0002-8010	0
0002-8013	0	0002-9200	900,000	0003-9000	490,470	0006-9040	363,790
0008-1050	10,000	0009-1050	400,000	0011-0030	240,000	0011-1000	1,260,248
0011-6000	39,000	0011-6010	101,606	0011-6020	215,409	0011-6200	9,127
0011-6320	299,330	0011-8020	5,000	0020-0200	1,650,000	0020-7000	12,500
0020-7001	3,000	0020-7010	1,111,126	0020-7011	16,500	0020-7012	14,000
0020-7013	76,000	0020-7014	65,000	0020-7100	100,000	0020-7101	190,000
0020-7110	30,000	0020-7111	4,037,484	0020-7112	22,000	0020-7113	1,325,000
0020-7120	2,500	0020-7130	270,000	0020-7200	1,229,000	0020-7210	463,000
0020-7211	1,045,000	0020-7212	102,000	0020-7220	7,000	0020-7221	15,000
0020-7222	140,000	0020-7230	5,500	0020-7231	285,000	0020-7232	20,000
0021-0200	360,000	0023-6100	125,000	0024-8111	227,699	0025-0200	8,500,000
0029-1201	276,150	0031-9001	412,825	0040-0801	70,000	0040-0802	50,000
0057-6100	5,000	0057-6121	3,500	0057-6122	83,555	0059-1200	5,000
0061-6400	250,364	0067-6100	450,000	0074-1100	125,000	0078-1060	9,000
0080-1060	1,000	0081-1060	8,500	0082-1060	23,000	0083-1100	125,000
0092-1050	9,000	1500-1060	841,430	1500-1200	235,000	1500-6110	600,000
1500-9101	30,000	1500-9103	200,000	1500-9106	22,000	1500-9110	748,000
2000-0100	2,820,304	2000-0110	701,635	2000-0120	4,018,076		

**Accordingly**, until such time as a Service Area is identified as progressing to a spending level challenging its appropriation, a budget amendment per 331.435 will not be implemented,

However, should a Program Activity approach a spending level challenging its appropriation level, and the Service Area continues balanced, the Board of Supervisors will be requested to increase the Program's spending authority by resolving to permit such, and,

Passed and approved this 28th day of June 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 13b. Motion by Taylor second by Radig to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS**

**RESOLUTION #13,458**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Supplemental to the General Basic Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to fund the appropriations for the matching FICA, IPERS, Health Insurance, Life Insurance and LTD costs expended from the General Basic Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Supplemental Fund to the General Basic Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 6,867,285

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- Motion by De Witt second by Taylor to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS**

**RESOLUTION #13,459**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Services Fund to the County Library Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move the taxes, levied on the township valuations, to the County Library Fund to pay the their share of the expenses of the County Library.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Services Fund to the County Library Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 170,358.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by Taylor second by De Witt to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS**

**RESOLUTION #13,460**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Services Fund to the Secondary Roads Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move the taxes, levied on the township valuations, to the Secondary Roads Fund to pay their share of the expenses of the Secondary Roads Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Services Fund to the Secondary Roads Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 1,611,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by De Witt second by Taylor to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS**

**RESOLUTION #13,461**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Gaming Revenues Fund to the Debt Service Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenue Fund revenues to the Debt Service Fund to reduce tax askings in the Debt Service Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the Debt Service Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 50,000

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Taylor second by De Witt to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,462**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Local Option Sales Tax Fund to the Rural Basic Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Local Option Sales Tax Fund revenues to the Rural Basic Fund for the funding of the Economic/Community Development department,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Local Option Sales Tax Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 292,655.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by De Witt second by Taylor to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,463**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Local Option Sales Tax Fund to the Rural Basic Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Local Option Sales Tax revenues to the Rural Basic Fund for the funding of Soil Conservation,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Local Option Sales Tax Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 39,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,464**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the EMS Loan Fund Fund to the Debt Service Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move EMS Loan Revenues to the Debt Service to reduce tax asking in the Debt Service Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the EMS Loan Fund to the Debt Service Fund Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 80,777.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,465**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Basic Fund to the Emergency Paramedic Services Fund during the Fiscal Year 2022-23 budget, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move General Basic revenues to the Emergency Paramedic Services Fund to pay half of the paramedics salaries and benefits.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Basic Fund to the Emergency Paramedic Services Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 138,075.



The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by De Witt second by Radig to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS**

**RESOLUTION #13,466**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Fund to the Emergency Paramedic Services Fund during the Fiscal Year 2022-23 budget, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Rural Basic revenues to the Emergency Paramedic Services Fund to pay half of the paramedics salaries and benefits.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Fund to the Emergency Paramedic Services Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 138,075.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by De Witt second by Taylor to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS**

**RESOLUTION #13,467**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Tax Increment Fund to the Debt Service Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Tax Increment Fund revenues to the Debt Service Fund to pay FY 2023 principal and interest for the 2017 Tax Increment G.O.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Tax Increment Fund to the Debt Service Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 383,250.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by De Witt to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,468**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Tax Increment Fund to the Debt Service Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Tax Increment Fund revenues to the Debt Service Fund to pay FY 2023 principal and interest for the 2022 Secondary Road Gravel Project .

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Tax Increment Fund to the Debt Service Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 789,850.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by De Witt second by Taylor to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,469**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Conservation Reserve Fund to the General Basic Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Conservation Reserve Fund revenues to the General Basic Fund to reimburse the Browns Lake Project.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Conservation Reserve Fund to the General Basic Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 138,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by De Witt to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,470**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Gaming Revenue Fund to the Rural Basic Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenues to the Rural Basic Fund for tax reduction,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenue Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 175,341.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by De Witt to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,471**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Local Option Sales Tax Fund to the Rural Basic Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Local Option Sales Tax revenues to the Rural Basic Fund for Tax Reduction,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Local Option Sales Tax Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 100,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Motion by Radig second by De Witt to receive for signatures the Resolution for Inter-Fund Operations Transfers for FY 2023. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATION TRANSFERS  
RESOLUTION #13,472**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Secondary Road Fund to the Debt Service Fund during the Fiscal Year 2022-23 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Secondary Road revenues to the Debt Service Fund to pay FY 2023 principal and interest for the FY 2022 Secondary Gravel Project,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Secondary Road Tax Fund to the Debt Service Fund for the fiscal year beginning July 1, 2022, shall not exceed the sum of \$ 300,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 28th, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 14. Motion by Radig second by Taylor to deny the Sheriff's request for supplemental pay. Carried 4-1; De Witt was opposed. Copy filed.
- 15. Motion by Taylor second by Radig to authorize expense up to \$285,000 of ARPA Retention Pay to increase competitiveness of jailer pay, increase jail head administrator pay by \$11,218.54 from Sheriff's FY23 budget, and direct the Human Resources Director and Supervisors Ung and Taylor to craft a Memorandum of Understanding with the affected bargaining unit. Carried 5-0. Copy filed.
- 16. Reports on committee meetings were heard.
- 17. Steve Corey, Salix, addressed the Board with concerns about legal expenses to be incurred by the county.
- 18. Board concerns were heard.

The Board adjourned the regular meeting until July 5, 2022.

Meeting sign in sheet. Copy filed.

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

Date: 6/30/22

Weekly Agenda Date: 7/5/22

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

**WORDING FOR AGENDA ITEM:**

Refund overpayment of advance payments

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Ratify refund of duplicate advanced payments for four (4) customers

**BACKGROUND:**

As we approach the date of the annual tax sale we suspend all payments approximately two (2) business days prior to the tax sale through the end of the week following the tax sale. This includes advance tax payments. This year the time frame for suspension of payments was from 6/16 through 6/24. This allows the tax department the ability to process all tax sale certificates and any other required paperwork. The tax department finished processing all certificates, notices, etc two (2) days early and the suspension of the schedule payments was lifted on 6/22. However, the system automatically rescheduled all advanced payments made between 6/16 and 6/24 to be paid on 6/24. When the suspension was removed all payments that were originally scheduled for payment on 6/22 & 6/23 got paid as originally schedule and the rescheduled date of 6/24 which created a double payment. This impacted about 10 customers. Staff contacted each impacted customer of the issue and four (4) customers requested a refund of the duplicate payment. The remaining six (6) customers opted to have the duplicate payment be applied as an additional advance payment. The total amount to be refunded is \$651.24.

Board members were made aware of the situation on Wednesday, June 29, 2022.

**FINANCIAL IMPACT:**

None. Amounts were collect twice.

**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 Board to ratify refund payments to: Angela Windle in the amount of \$164.73, Jerry L Deborah K Trobaugh in the total amount of \$121.51, Michelle Davis in the amount of \$65.00, and Timothy Wigton in the amount of \$300.00.

**ACTION REQUIRED / PROPOSED MOTION:**

Approve request to ratify refund payments as listed.

# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

**DATE:** July 5, 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
Harlow, Todd	County Sheriff	6-13-22	Civilian Captain	\$3,806.76/bi-weekly \$102,782.52/year	12.25%= \$11,218.54/yr	R	Salary Increase.
Thomas, Melissa	Human Resources	7-01-22	Director	\$3,629.63/bi-weekly \$98,000/year	7.5%= \$6,887.83/yr	R	Salary Increase.
Schmitz, Kenneth	Building Services	7-01-22	Director	\$3,975/bi-weekly \$107,325/year	3.7%= \$3,813.53/yr	R	Salary Increase.
Brass, Trevor	County Attorney	7-11-22	Assistant County Attorney	\$2,881.35/bi-weekly \$77,796.55/year	4.8%= \$3,567.94/yr	R	Per AFSCME Assistant County Attorney Contract agreement, from Step 3 to Step 4.
Gill, Cade	County Sheriff	7-11-22	Civilian Jailer	\$21.60/hour		A	Job Vacancy Posted 5-25-22. Entry Level Salary: \$21.60/hour
Griffith, Scott	County Treasurer	7-11-22	Clerk II	\$18.22/hour		A	Job Vacancy Posted 4-21-22. Entry Level Salary: \$18.22/hour.

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

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

## Heather Satterwhite

---

**From:** Nicolle Eaton <neaton@siouxlandmentalhealth.com>  
**Sent:** Tuesday, June 28, 2022 3:34 PM  
**To:** Heather Satterwhite  
**Cc:** Jeremy Taylor  
**Subject:** Siouxland Mental Health Center Letter of Support for Iowa Non-Profit Innovation Grant  
**Attachments:** SMHC Letter of Commitment Template Innovation (2).docx

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

Hi Ms. Satterwhite,

I hope this finds you well. I am knocking on your door for support of another project that we are working on to expand mental health services in Sioux City and beyond. Siouxland Mental Health Center is applying for non-profit organization innovation funds that the State of Iowa announced this week. Our goal is to purchase a location specifically designed to serve children and adolescent outpatient services for our local and surrounding communities. The letter provides further description of what this will entail.

We are hopeful that we can have the Woodbury County Board of Supervisors review and approve this letter of commitment and support in this expansion. If so, can we have you fill in the highlighted portions of the attached template and return to us as soon as possible and in good faith.

Thank you in advance as we appreciate your continued support!

Nicky

Nicolle Eaton  
Crisis Services Director, Siouxland Mental Health Crisis Center  
4038 Division St.  
Sioux City, IA 51104  
Phone: 712-560-7996 Ext. 401  
Fax: 712-560-9202  
[neaton@siouxlandmentalhealth.com](mailto:neaton@siouxlandmentalhealth.com)



**“Making a difference in our community by making a difference in people’s lives”**

CONFIDENTIALITY NOTICE: This communication, including any attachments, may contain confidential information and is intended only for the individual or entity to which it is addressed. Any review, dissemination, or copying of this communication by anyone other than the intended recipient is strictly





# Woodbury County Board of Supervisors

Courthouse • Room 104

620 Douglas Street • Sioux City, Iowa 51101

Telephone (712) 279-6525 • Fax (712) 279-6577

## MEMBERS

ROCKY L. DE WITT  
SIOUX CITY

KEITH W. RADIG  
SIOUX CITY

JEREMY J. TAYLOR  
SIOUX CITY

MATTHEW A. UNG  
SIOUX CITY

JUSTIN D. WRIGHT  
SIOUX CITY

July 5, 2022

FINANCE / BUDGET DIRECTOR  
DENNIS BUTLER

ADMINISTRATIVE ASSISTANT  
KAREN JAMES

EXECUTIVE SECRETARY / PUBLIC BIDDER  
HEATHER SATTERWHITE

Sheila Martin, Chief Executive Officer  
Siouxland Mental Health Services, INC  
625 Court St.  
Sioux City, IA 51101-1919  
smartin@siouxlandmentalhealthcenter.com

## RE: Letter of Commitment-FY 2022 Iowa Non-Profit Innovation Fund

Dear Siouxland Mental Health Services, INC,

On behalf of Woodbury County Board of Supervisors, I am pleased to provide a letter of commitment to serve as a community/local organization partner to ensure the success of Siouxland Mental Health Services, Inc. It is my understanding Siouxland Mental Health Center (SMHC) is applying to receive one-time funding from the State of Iowa fund for the innovation of non-profit organizations. SMHC is hopeful that it will receive this funding for expanding infrastructure to enhance and create new pivoting mental health services for children and adolescents. The goal is to eliminate access barriers and create a child friendly space that will promote mental health recovery in a safe and secure environment.

SMHC has been providing services within the Siouxland community for over fifty years. As the designated Community Mental Health Center for Woodbury County in Iowa, SMHC is committed to provide a comprehensive range of outreach, treatment, and recovery supports geared towards individuals with serious mental illness (SMI), individuals with substance use disorders (SUD), youth with serious emotional disturbance (SED), and individuals with co-occurring mental health and substance disorders (COD). SMHC is committed to behavioral health equity and that all individuals, including children and adolescents, have the right to access high quality and affordable services ensuring that everyone has a fair and just opportunity to be healthy.

The purpose of this Letter of Commitment is to document the commitment and understanding of Siouxland Mental Health Center in collaboration with Woodbury County Board of Supervisors establish a new clinic that will support the mental health of all children and adolescents.

As a dedicated community/ local organization partner, Woodbury County Board of Supervisors is committed to working collaboratively with SMHC to support current services and the further development of unique and cutting-edge services in a location that is specifically designed for children and adolescents. SMHC plans to offer several progressive programs at this new site including but not limited to:

1. Psychiatry services
2. Pharmacy
3. Multi systemic functional therapy
4. Art Therapy Room
5. Play therapy room
6. PCIT Room
7. Playground/sensory room outside that is COVID-19 friendly
8. Music therapy/music room
9. Animal Assisted Therapy room
10. Sensory Room/Padded room
11. Virtual Reality/Gaming Room
12. Sports Room

We are committed to a partnership of success that results in excellent outcomes for SMHC consumers.

Respectfully,

Keith Radig  
Chairman  
Woodbury County Board of Supervisors

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

Date: 6/30/22 Weekly Agenda Date: 7/5/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** County Auditor - Pat Gill

**WORDING FOR AGENDA ITEM:**

Consideration and approval for liquor license for Scarecrow Farm, Lawton, Iowa

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

n/a

**BACKGROUND:**

n/a

**FINANCIAL IMPACT:**

Unknown at this time

**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

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve an application for a 6-Month, Class C Liquor License, with Outdoor Service and Sunday Sales privileges for Scarecrow Farm, effective 07/01/2022 through 01/01/2023.

**Office Of The  
AUDITOR/RECORDER  
Of Woodbury County**

PATRICK F. GILL  
Auditor/Recorder



Court House – Rooms 103  
620 Douglas  
Sioux City, Iowa 51101

Phone (712) 279-6702  
Fax (712) 279-6629

To: Board of Supervisors

From: Patrick F. Gill, Auditor & Recorder

*MFG*

Date: June 30, 2022

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

Please approve and receive for signature, an application for a 6-month, Class C Liquor License, with Outdoor Service and Sunday sales privileges, for the Scarecrow, Lawton, Iowa. The license would be effective 07/01/22 through 01/01/23.



# State of Iowa

Alcoholic Beverages Division

## Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Todd Shumansky	Scarecrow Farm	(712) 253-3463		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
1592 Charles Avenue		Lawton	Woodbury	51030
MAILING ADDRESS	CITY	STATE	ZIP	
1592 Charles Avenue	Lawton	Iowa	51030	

## Contact Person

NAME	PHONE	EMAIL
Todd Shumansky	(712) 253-3463	toddshumansky@gmail.com

## License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Special Class C Liquor License	6 Month	Submitted to Local Authority

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
July 1, 2022	Jan 1, 2023	

### SUB-PERMITS

Special Class C Liquor License



# State of Iowa

Alcoholic Beverages Division

## PRIVILEGES

Outdoor Service, Sunday Service

## Status of Business

### BUSINESS TYPE

General Partnership

## Ownership

### • Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
TODD SHUMANSKY	Sioux City	Iowa	51108	owner	50.00	Yes
Tara Shumansky	Sioux City	Iowa	51108	owner	50.00	Yes

## Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

July 1, 2022

POLICY EXPIRATION DATE

Jan 1, 2023

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

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

Date: 6/29/22 Weekly Agenda Date: 7/5/22

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Dan Priestley, CED Zoning Coordinator

**WORDING FOR AGENDA ITEM:**

- a. Motion to receive the Zoning Commission's recommendation from their 6/27/22 meeting to approve the final plat of William's Third Strike, First Addition, a Minor Subdivision.
- b. Motion to approve the William's Third Strike, First Addition, minor subdivision final plat with the Zoning Commission's recommendation and authorize the Chairman to sign the resolution.

**ACTION REQUIRED:**

- |  |  |  |
|--|--|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input checked="" 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 Supervisors will receive the Woodbury County Planning and Zoning (P&Z) Commission's recommendation and final staff report on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

Lee Marc Williams has filed for a one-lot minor subdivision on the property identified as Parcel #894602300004 and located in the SW ¼ of the SW ¼ in T89N R46W (Concord), Sec. 2, in the Agricultural Preservation Zoning District. The purpose is to split the house from the parcel and retain the remaining portion of the property for agricultural uses. The proposal has been properly noticed in the Sioux City Journal Legals Section on 6/10/22. The neighbors within 1000 FT have been notified via a 6/10/22 letter about the 6/27/22 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified for comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access with a shared driveway. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. The proposed lot contains the septic system and the well is located on the abutting lot to the west where an easement agreement for access and maintenance will be required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the minimum requirements for approval. It is the recommendation of staff to approve this proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. On 6/27/22, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. Staff can report that the easement has been prepared and is ready to be recorded along with the final plat.

**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:**

Receive the final staff report and P&Z Commission's recommendation from their 6/27/22 meeting.  
Approve the plat with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the final staff report and P&Z Commission's recommendation from their 6/27/22 meeting.  
Motion to approve the William's Third Strike, First Addition, final plat with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 and authorize the Chairman to sign the resolution.



WOODBURY COUNTY  
**COMMUNITY & ECONOMIC DEVELOPMENT**  
 620 DOUGLAS STREET – SIOUX CITY, IA 51101

Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
 Telephone (712) 279-6609 Fax (712) 279-6530

**WILLIAM'S THIRD STRIKE, FIRST ADDITION - MINOR SUBDIVISION PROPOSAL**  
**FINAL REPORT – 6/29/22**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<b>Owner(s):</b> Lee Marc Williams <b>Application Type:</b> Minor Subdivision (1 Lot) <b>Subdivision Name:</b> William's Third Strike, First Addition <b>Application Date:</b> May 27, 2022 <b>Subdivision Area:</b> 2.0 (Taxable); 0.59 (ROW); 2.59 Total <b>Legal Notice Date:</b> June 10, 2022 <b>Stakeholders (1000') Letter Date:</b> June 10, 2022 <b>Zoning Commission Public Hearing Date:</b> June 27, 2022 <b>Board of Supervisors Review Date (Agenda Item):</b> July 5, 2022	<b>Parcel(s):</b> 894602300004 <b>Township:</b> T89N R46W (Concord) <b>Section:</b> 2 <b>Quarter:</b> SW ¼ of the SW ¼ <b>Zoning District:</b> Agricultural Preservation (AP) <b>Floodplain District:</b> Zone X (Not in SFHA) <b>Address:</b> 1827 110 <sup>th</sup> St., Sioux City, IA 51106	<input type="checkbox"/> Summary, Aerial & Plat Excerpt, Recommendation <input type="checkbox"/> Application <input type="checkbox"/> Final Plat <input type="checkbox"/> Review Criteria <input type="checkbox"/> Extraterritorial Review <input type="checkbox"/> Legal Notification <input type="checkbox"/> Adjacent Owners' Notification <input type="checkbox"/> Stakeholder Comments <input type="checkbox"/> Supporting Documentation

**SUMMARY**

Lee Marc Williams has filed for a one-lot minor subdivision on the property as referenced above. The purpose is to split the house from the parcel and retain the remaining portion of the property for agricultural uses. The proposal has been properly noticed in the Sioux City Journal Legals Section on June 10, 2022. The neighbors within 1000 FT have been duly notified via a June 10, 2022 letter about the June 27, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access with a shared driveway. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. The proposed lot contains the septic system and the well is located on the abutting lot to the west where an easement agreement for access and maintenance will be required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the minimum requirements for approval. It is the recommendation of staff to approve this proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. On June 27, 2022, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. Staff can report that the easement has been prepared and is ready to be recorded along with the final plat.

AERIAL MAP	PLAT EXCERPT
<p><b>Legend</b></p> <ul style="list-style-type: none"> <li>Roads</li> <li>Corp Boundaries</li> <li>Townships</li> <li>Subdivisions</li> <li>Parcels</li> <li>County Zoning</li> <li>AE</li> <li>AP</li> <li>GC</li> <li>GC-PD</li> <li>GI</li> <li>L1</li> <li>LI-PD</li> <li>SR</li> <li>WR</li> </ul> <p>Parcel ID: 894602300004        Sec/Twp/Rng: 2-89-46        Property Address: 1827 110TH ST SIOUX CITY</p> <p>Alternate ID: 872895        Class: A        Acreage: 36.82        Owner Address: WILLIAMS LEE MARC, 7500 CORRECT TOWNVILLE RD, LAWTON, IA 51300</p> <p>District: 0025        Brief Tax Description: EX 5242; W180' SWSW 2-89-46        (Note: Not to be used on legal documents)</p>	<p><b>LOT 1</b>        Part of the Section 20/14        2.00 Acres Taxable        0.59 Acres Utility Eas.        2.59 Acres Total</p> <p>Survey Note:        SURVEYED BY DAVID L UNDER TI UNDER THE FIRST AD PREPARED DIRECT S AND COM PROPERTY LOC HERE DESCRIP ADDITION NUMBERS AND THAT EVERY LC DATED AT MY LICEN Number of</p>

**STAFF RECOMMENDATION**

Staff recommends approval of this minor subdivision proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. As of June 27, 2022, staff can report that the easement has been prepared, included in this report, and is ready to be recorded along with the final plat.

**ZONING COMMISSION STAFF RECOMMENDATION**

On June 27, 2022, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property.



## ZONING COMMISSION DRAFT MINUTES – JUNE 27, 2022

### Minutes - Woodbury County Zoning Commission Meeting – June 27, 2022

The Zoning Commission (ZC) meeting convened on the 27th of June at 6:00 PM for in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zant, Corey Meister, Jeff O'Tool, Barb Parker  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Mark Williams, Dan Kriener

**Call to Order**  
Chair Chris Zellmer Zant formally called the meeting to order at 6:00 PM.

**Public Comment on Matters Not on the Agenda**  
None.

**Approval of Previous Meeting Minutes – May 23, 2022 and June 1, 2022**  
O'Tool motioned. Second: Parker 4-0.

**Public Hearing: Williams Third Strike, First Addition Minor Subdivision Proposal**  
Priestley read the preliminary report and staff recommendation into the record. Lee Marc Williams has filed for a one-lot minor subdivision on the property identified as Parcel #894602300004 and located in the SW ¼ of the SW ¼ in T89N R46W (Concord Township), Section 2, in the Agricultural Preservation (AP) Zoning District. The purpose is to split the house from the parcel and retain the remaining portion of the property for agricultural uses. The proposal has been properly noticed in the Sioux City Journal Legals Section on June 10, 2022. The neighbors within 1000 FT have been duly notified via a June 10, 2022 letter about the June 27, 2022 Zoning Commission Public Hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access with a shared driveway. Extraterritorial review, as required by Iowa Code 354.9, was not required as this property is further than two (2) miles from an incorporated jurisdiction. The property is not located in the floodplain. The proposed lot contains the septic system and the well is located on the abutting lot to the west where an easement agreement for access and maintenance will be required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the minimum requirements for approval. It is the recommendation of staff to approve this proposal with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property. Motion to close public hearing: Parker. Second: Meister. Motion approved 4-0. Motion to recommend approval of the Williams Third Strike, First Addition, Minor Subdivision to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use and maintenance of the well servicing Lot 1 from abutting property by Meister. Second: Parker. Motion approved 4-0.

**Information/Discussion: "Conditional Use Permit Process" – Woodbury County Zoning Ordinance**  
Priestley offered an overview of the conditional use process including the importance or research and detail as it pertains to the staff recommendation and Zoning Commission recommendation to the Board of Adjustment to insure all criteria is met before being presented to Board of Adjustment. Each conditional use application is different. Although there may be some past precedence, each case needs to be analyzed separately and be associated with the conditional use criteria as referenced in the ordinance. The conditional use criteria is what would be reviewed if a conditional use is ever challenged in district court.

**Public Comment on Matters Not on the Agenda**  
None.

**Commissioner Comment or Inquiry**  
Parker asked about shed/houses being built in the county. Priestley stated they go through the regular building permit process for approval as would a house. The minimum structure dimension for a single-family dwelling must be 23' x 23'. Woodbury County does not have building codes. However, Iowa Code must be followed for electrical. Shed/houses must have plumbing and be set up for human habitation. As with any single-family dwelling, except for Ag Exempt property, the house must be in front of any accessory structure. Thus, accessory structures must be even with or behind the dwelling's front wall relative to the front property line, unless a distance of double the set back can be achieved.

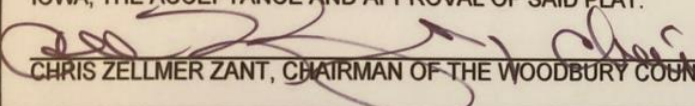
**Staff Update**  
Priestley addressed zoning issues with vendors setting up temporary sales along the RAGBAI route. There are no provisions in the ordinance to allow temporary sales of alcohol or other items. Private property owners may offer items for free will donations. Alcohol sales would require review by the Zoning Commission and approval by the Board of Adjustment in the General Commercial (GC) Zoning District.

**Adjourn**  
Motion by Parker. Second: Meister. 4-0. The meeting adjourned at 6:30 PM.

## RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION – JUNE 27, 2022

### RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVICE THE PLAT OF "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 27 DAY OF June, 2022 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

  
CHRIS ZELLMER ZANT, CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION, WOODBURY COUNTY, IOWA

WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION



Applicant: Lee Marc Williams  
Name of Owner

Mailing Address: 7503 Correctionville Road, Lawton, IA 51030  
Street City or Town State and Zip + 4

Property Address: 1827 - 110th Street, Sioux City, IA 51108  
Street City or Town State and Zip + 4

Ph/Cell #: 712-898-6373 E-mail Address: leebird86@icloud.com  
*Lee Dan Kriner* 712-253-2546 *dan.kriner@aol.com*  
To subdivide land located in the SW 1/4 SW 1/4 Quarter of Section 2-89-46

Civil Township Concord GIS Parcel # 894602300004

Name of Subdivision: Williams Third Strike, First Addition

Subdivision Area in Acres 2.00 Tax, 2.59 Gross Number of Lots One

**Attachments:**

1. Ten (10) copies of grading plans; if required.
2. Ten (10) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
  - a. Legal description of proposed subdivision.
  - b. Plat showing clearly the boundaries of the subdivision.
  - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: David Wilberding Ph/Cell: 712-548-6325

Attorney: Robert Rehan Ph/Cell: 712-255-1085

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

Owner's Signature: *Lee Williams*

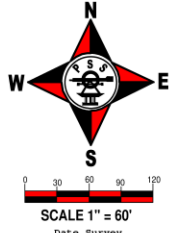
Zoning Director: *Robert Rehan*  
*Coordinator*

**For Office Use Only:**

Zoning District AP Flood District X Date \_\_\_\_\_ No. 6773

Application Fee 4 Lots or less (\$200) \$200 OK #2154  
5 Lots or more (\$250 plus \$5 per lot) \_\_\_\_\_

Index Legend
Location: Section 2, Township 89N, Range 46W, SW1/4 SW1/4
Requestor: Mark Williams
Proprietor: Lee Marc Williams
Surveyor: David L. Wilberding
Company: PSS Inc.
Return To: David L. Wilberding, #8 Brady Drive, Cherokee, IA 51012
pss@surveyiowa.com | 712548-8325



FINAL PLAT
"William's Third Strike, First Addition"
a Minor Subdivision, to Woodbury County, Iowa

SURVEYOR'S CERTIFICATE
I, DAVID L. WILBERDING, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 10315, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF WILLIAMS THIRD STRIKE, FIRST ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE ATTACHED DESCRIBED PROPERTY.

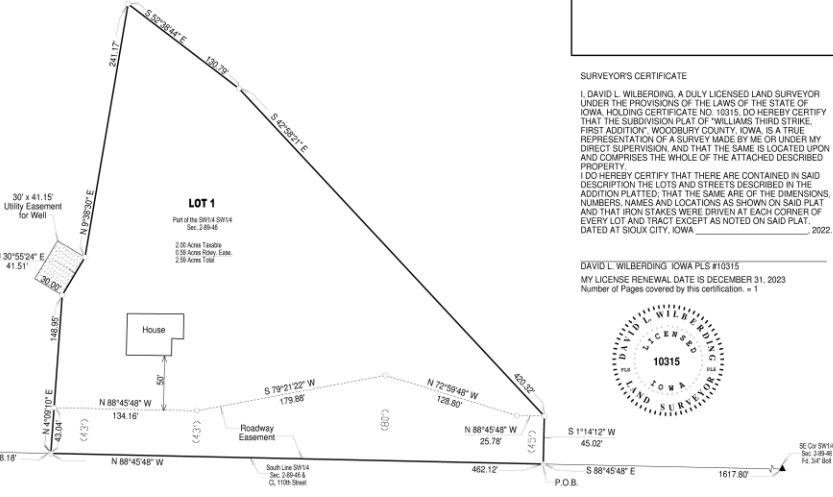
DAVID L. WILBERDING IOWA PLS #10315
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023
Number of Pages covered by this certification: = 1



Location Map - No Scale
Owner / Subdivisor: Lee Marc Williams, 7803 Correctionville Rd, Lawton IA 51030
Surveyor: David L. Wilberding, #8 Brady Drive, Cherokee, Iowa 51012

Legal Description for Parcel "William's 3rd Strike, First Addition"
A parcel of land described as being a part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 89 North, Range 46 West of the 5th P.M., Woodbury County, Iowa, further described as follows:
Commencing at the Southeast corner of SW1/4 of said Section 2; thence N 88°45'48" W on the South line of the SW1/4 of said Section 2, a distance of 1617.80 feet to the POINT OF BEGINNING; thence continuing N 89°45'48" W on said South line, a distance of 462.12 feet; thence N 4°09'10" E, a distance of 148.95 feet; thence N 30°52'04" E, a distance of 41.51 feet; thence N 89°45'48" W on said South line, a distance of 462.32 feet; thence S 1°14'12" W, a distance of 45.02 feet to the POINT OF BEGINNING; contains a total of 2.59 Acres, inclusive of a Public Roadway Easement of 0.59 Acres. Said parcel is also subject to any and all other Easements, be they of Record or not.

For this Survey, the South line said Section 2 is assumed to bear N 88°45'48" W.



BOARD OF SUPERVISORS' RESOLUTION
RESOLUTION NO. \_\_\_\_\_
RESOLUTION ACCEPTING AND APPROVING "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, AND WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; NOW THEREFORE BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED; AND THE CHAIRMAN AND SECRETARY OF THE BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.
KEITH RADIG, CHAIRMAN, BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA.
ATTEST: PATRICK F. GILL, SECRETARY

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING
STATE OF IOWA: \_\_\_\_\_
COUNTY OF WOODBURY: \_\_\_\_\_
DOCKET NO.: \_\_\_\_\_
FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.
RECORDED IN PLAT ENVELOPE INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.
DATED: \_\_\_\_\_

PATRICK F. GILL, AUDITOR AND RECORDER, WOODBURY COUNTY, IOWA. BY: DIANE SWOBODA PETERSON, DEPUTY

AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE
THE COUNTY AUDITOR HEREBY RECEIVES AND APPROVES THE NAME OF "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).
DATED: \_\_\_\_\_, 2022.

PATRICK F. GILL, WOODBURY COUNTY AUDITOR. BY: DIANE SWOBODA PETERSON, DEPUTY

TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS
I, TINA BERTRAND, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.
DATED: \_\_\_\_\_

TINA BERTRAND, TREASURER, WOODBURY COUNTY, IOWA

DEDICATION
KNOW ALL MEN BY THESE PRESENTS: LEE MARC WILLIAMS, SINGLE, THE OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAS IN THE FOREGOING CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF DAVID L. WILBERDING, A PROFESSIONAL LAND SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNED AND PROPRIETOR THEREOF.

EXECUTED AT \_\_\_\_\_, IOWA, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.
LEE MARC WILLIAMS

INDIVIDUAL ACKNOWLEDGMENT
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED LEE MARC WILLIAMS, SINGLE, TO ME KNOWN TO BE THE PERSON NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS VOLUNTARY ACT AND DEED.

NOTARY PUBLIC IN AND FOR SAID STATE

COUNTY ENGINEER'S CERTIFICATE
I, MARK NAHRA, P.E. COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE, THAT ALL DIMENSIONS BOTH LINEAL AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, ALLEYS AND EASEMENTS ARE SHOWN.

MARK NAHRA, P.E. COUNTY ENGINEER, WOODBURY COUNTY, IOWA

CERTIFICATE OF COUNTY ASSESSOR
I, JULIE CONOLLY, HEREBY CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.
DATED: \_\_\_\_\_
JULIE CONOLLY, WOODBURY COUNTY ASSESSOR

RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA
I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVICEMENT THE PLAT OF "WILLIAMS THIRD STRIKE, FIRST ADDITION", WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.
CHRIS ZELLMER ZANT, CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION, WOODBURY COUNTY, IOWA

- TITLE OPINION
TO: COUNTY AUDITOR AND RECORDER, WOODBURY COUNTY, IOWA
DEAR SIR/MADAM:
We have this date examined a complete abstract of title, pursuant to Iowa Code Section 354.11(3), to the property described in the Surveyor's Certificate on the Plat of Williams Third Strike First Addition to Woodbury County, Iowa, described more particularly as:
A parcel of land described as being a part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 2, Township Eighty-nine (89) North, Range Forty-six (46) West of the Fifth (5th) Principal Meridian, Woodbury County, Iowa, further described as follows:
Commencing at the Southeast corner of Southwest Quarter (SW 1/4) of said Section 2; thence North Eighty-eight Degrees Forty-five Minutes Forty-eight Seconds (N 88°45'48" West) on the South line of the SW 1/4 of said Section 2 (2), a distance of One Thousand Six Hundred Seventeen and Eight Hundredths feet (1,617.80) to the Point of Beginning; thence continuing North Eighty-eight Degrees Forty-five Minutes Forty-eight Seconds (N 88°45'48" West) on said South line, a distance of Four Hundred Sixty-two and Twelve Hundredths feet (462.12); thence North Four Degrees Nine Minutes Ten Seconds (N 04°09'10" East), a distance of One Hundred Forty-eight and Ninety-five Hundredths feet (148.95); thence North Thirty Degrees Five Minutes Twenty-four Seconds (N 30°52'04" East), a distance of Forty-one and Five Hundredths feet (41.51); thence North Nine Degrees Thirty-eight Minutes Thirty Seconds (N 09°38'45" East), a distance of One Hundred Thirty and Seven Hundredths feet (130.79); thence South Fifty-two Degrees Thirty-eight Minutes Forty-two Seconds (S 52°38'42" East), a distance of One Hundred Thirty and Seven Hundredths feet (130.79); thence South Forty-two Degrees Fifty-eight Minutes Twenty-one Seconds (S 42°58'21" East), a distance of Four Hundred and Two Hundredths feet (402.32); thence South One Degree Fourteen Minutes Twelve Seconds (S 01°14'12" West), a distance of Forty-five and Two Hundredths feet (45.02) to the Point of Beginning; contains a total of 2.59 acres, inclusive of a Public Roadway Easement of 0.59 acres and was last certified by Engstrom Abstract Co., Inc. dated \_\_\_\_\_, 2022 at 8:59 o'clock a.m. and from said abstract first good and merchantable title to said premises vested in Lee Marc Williams, the proprietor, free and clear of all mortgages, liens and other encumbrances, except the following:
a) Mortgage from Lee M. Williams, a single person to The Security National Bank of Sioux City, Iowa dated September 14, 2021, filed September 16, 2021 and recorded as Inst. #2021-12856 in the office of the Woodbury County Recorder.
b) Assignment of Rents from Lee M. Williams, a single person to The Security National Bank of Sioux City, Iowa dated September 14, 2021, filed September 16, 2021 and recorded as Inst. #2021-12857 in the office of the Woodbury County Recorder.
c) Agreement filed January 9, 2013 on Roll 727, Image 3153 entered into by and between a former titleholder, Lowell E. Gard Family Trust and the Woodbury County Soil and Water Conservation District.
d) Easement filed March 8, 1968 in Book 1191, Page 93 conveyed to Woodbury County in connection with a public highway.
e) Zoning Regulations from the Woodbury County Board of Supervisors to The Public, dated January 11, 1971, filed March 5, 1971, and recorded in Book 1263, Pages 76 to 78, in the office of the Woodbury County Recorder.
f) Resolution Nos. 6332 and 6333 dated May 12, 1977, and filed in the Office of the County Recorder, Woodbury County, Iowa, on Roll 62 at images 2119 and 2120.
g) Notice of filing of soil and water resource conservation plan filed for record July 29, 1992, and recorded in Roll 266, Image 2345.
h) Resolution No. 9460 filed December 12, 2000 on Roll 475, Image 935.
i) Resolution No. 10,455 filed August 28, 2008 on Roll 698, Image 7213.
j) Resolution No. 10,458 filed August 29, 2008 on Roll 699, Image 7313.
k) Ordinance No. 61 filed February 28, 2022 as Inst. #2022-02525.
l) Matters shown on the final plat of Williams Third Strike First Addition to Woodbury County, Iowa.
m) All certified real estate taxes and special assessments due and payable have been paid. Real estate taxes and special assessments not certified are a lien in an undetermined amount.

DATED: \_\_\_\_\_, 2022.

ROBERT J. REHAN, ATTORNEY AT LAW

CONSENT TO PLATTING

THE SECURITY NATIONAL BANK OF SIOUX CITY, IOWA, MORTGAGEE UNDER THAT CERTAIN REAL ESTATE MORTGAGE BEING RECORDED ON THE 16<sup>TH</sup> DAY OF SEPTEMBER, 2021 AS INST. #2021-12856 AND AS ASSIGNEE UNDER THAT CERTAIN ASSIGNMENT OF LEASES AND RENTS RECORDED ON THE 16<sup>TH</sup> DAY OF SEPTEMBER, 2021 AS INST. #2021-12857, EACH INSTRUMENT HAVING BEEN FILED IN THE RECORDS OF THE COUNTY RECORDER OF WOODBURY COUNTY, IOWA, DOES HEREBY CONSENT TO THE PLATTING OF THE PROPERTY TO BE PLATTED AS **WILLIAMS THIRD STRIKE, FIRST ADDITION**, BY LEE MARC WILLIAMS, AN UNMARRIED PERSON AND RELEASES FROM SAID MORTGAGE AND ASSIGNMENT OF LEASES AND RENTS, ALL STREETS, EASEMENTS AND OTHER AREAS TO BE CONVEYED OR DEDICATED TO THE LOCAL GOVERNMENTAL UNIT WITHIN WHICH SUCH LAND IS LOCATED.

DATED \_\_\_\_\_, 2022.

THE SECURITY NATIONAL BANK OF SIOUX CITY, IOWA:

\_\_\_\_\_  
BY: DARREN TOOLEY,  
VICE PRESIDENT-AG LOAN SERVICES

**SUBSCRIBED AND SWORN** TO BEFORE ME BY THE SAID DARREN TOOLEY AS VICE PRESIDENT-AG LOAN SERVICES OF THE SECURITY NATIONAL BANK OF SIOUX CITY, IOWA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
NOTARY PUBLIC



**CED STAFF - REVIEW CRITERIA (SUBDIVISION ORDINANCE)**

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, CED staff:

	<b>shall review a subdivision application for completeness and for approval of a final plat by ensuring it is submitted in accordance with the standards for a subdivision plat per Iowa Code.</b>
	Staff reviewed the subdivision application, deemed it complete, and verified the final plat's conformance to the County's Zoning Ordinance, Subdivision Ordinance, and the Code of Iowa, all as required by law.
	<b>shall accept payment of applicable fees, and distribute copies of the final plat to the Planning &amp; Zoning Commission, the appropriate county departments and public utilities; and</b>
	Staff received the application fee and the account is paid-in-full. Staff also distributed copies of the application, final plat, and other materials to all relevant stakeholders as required.
	<b>shall coordinate with the County Engineer who shall review the final plat to determine conformance with the engineering design standards of these regulations and to verify accuracy of the legal descriptions and survey data; and</b>
	Staff have received written confirmation that the County Engineer has reviewed and determined that the final plat conforms to the engineering and design standards of these regulations, and he has verified the accuracy of the legal descriptions and survey data.
	<b>shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and</b>
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	<b>shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.</b>
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff recommends approval of the final plat.

**ZONING COMMISSION - REVIEW CRITERIA (SUBDIVISION ORDINANCE)**

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, the Planning and Zoning Commission:

	<b>shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and</b>
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	<b>shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and</b>
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing.
	<b>may recommend specific conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties; and</b>
	Staff recommends that an easement be recorded for the continued access, use, and maintenance of the well servicing the lot. Staff does not recommend any other specific conditions for this final plat. On June 27, 2022, the Woodbury County Zoning Commission voted 4-0 to recommend approval to the Board of Supervisors with the condition that an easement agreement be recorded for the continued access, use, and maintenance of the well servicing Lot 1 from the abutting property.
	<b>shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.</b>
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.

**WELL EASEMENT AND MAINTENANCE AGREEMENT  
Recorder's Cover Sheet**

**Preparer Information:**

Robert J. Rehan  
Attorney at Law  
P.O. Box 5326  
Sioux City, IA 51102

**Taxpayer Information:**

Lee Marc Williams  
7503 Correctionville Road  
Lawton, IA 51030

**Return Address:**

Robert J. Rehan  
Attorney at Law  
P.O. Box 5326  
Sioux City, IA 51102

**Grantors:**

See page 2

**Grantees:**

See page 2

**Legal Description:** see page 2

**Document or instrument number if applicable:** N/A

## WELL EASEMENT AND MAINTENANCE AGREEMENT

**AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2022, between Lee Marc Williams, a single person (hereafter referred to as "First Party") and Lee Marc Williams, a single person (hereafter referred to as "Second Party").

1. First Party is record titleholder to the following described real estate, to wit:

See copy of attached legal description marked Exhibit "A"

2. First Party is in the process of platting a portion of the above-described which is currently described as follows, to wit:

A parcel of land described as being a part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Two, Township Eighty-nine (89) North, Range Forty-six (46) West of the Fifth (5<sup>th</sup>) Principal Meridian, Woodbury County, Iowa, further described as follows:

Commencing at the Southeast corner of Southwest Quarter (SW ¼) of said Section Two (2); thence North Eighty-eight Degrees Forty-five Minutes Forty-eight Seconds (N 88°45'48") West on the South line of the Southwest Quarter (SW ¼) of said Section Two (2), a distance of One Thousand Six Hundred Seventeen and Eighty Hundredths feet (1,617.80') to the Point of Beginning; thence continuing North Eighty-eight Degrees Forty-five Minutes Forty-eight Seconds (N 88°45'48") West on said South line, a distance of Four Hundred Sixty-two and Twelve Hundredths feet (462.12'); thence North Four Degrees Nine Minutes Ten Seconds (N 04°09'10") East, a distance of One Hundred Forty-eight and Ninety-five Hundredths feet (148.95'); thence North Thirty Degrees Fifty-five Minutes Twenty-four Seconds (N 30°55'24") East, a distance of Forty-one and Fifty-one Hundredths feet (41.51'); thence North Nine Degrees Thirty-eight Minutes Thirty Seconds (N 09°38'30") East, a distance of Two Hundred Forty-one and Seventeen Hundredths feet (241.17'); thence South Fifty-two Degrees Thirty-eight Minutes Forty-four Seconds (S 52°38'44") East, a distance of One Hundred Thirty and Seventy-nine Hundredths feet (130.79'); thence South Forty-two Degrees Fifty-eight Minutes Twenty-one Seconds (S 42°58'21") East, a distance of Four Hundred Twenty and Thirty-two Hundredths feet (420.32'); thence South One Degree Fourteen Minutes Twelve Seconds (S 01°14'12") West, a distance of Forty-five and Two Hundredths feet (45.02') to the Point of Beginning; contains a total of 2.59 acres, inclusive of a Public Roadway Easement of 0.59 acres.

The South line of said Section 2 is assumed to bear N 88°45'48" W.

\*\*\*The above-described real estate shall in the future be identified as Lot 1 of Williams Third Strike, First Addition to Woodbury County, Iowa.

3. A well is situated on the property being retained by First Party. The well is located West of and within 10 feet of the boundary line of the property to be known as Lot 1 of Williams Third Strike, First Addition to Woodbury County, Iowa. The existing well will become a shared well and the purpose of this instrument is for First Party to grant an easement to Second Party allowing for the use of the water, the water well, pipes and other appurtenances thereto for the purpose of allowing Second Party to take water from said well.

4. For good and valuable consideration, the receipt and adequacy of which of is hereby acknowledged, First Party grants and conveys to Second Party an easement for the use of the water, the water well, pipes and other appurtenances thereto for the purpose of allowing Second Party to take water from said well; said easement being identified as a 30' x 41.15' "Utility Easement for Well" on the final plat of Williams Third Strike, First Addition. Said easement shall allow for ingress and egress to repair and maintain said water well and pipes.

5. Each parcel owner shall bear one-half of the cost of any maintenance necessary for the efficient operation of the well and well casing. Any maintenance necessary for repair of a water line running from the well shall be borne solely by the parcel owner relying upon that water line for the transportation of water.

6. Each parcel owner will split the cost of electricity to operate the well 50/50.

7. It is further agreed between the parties hereto that in the event that Second Party gains access to usable water from another source (i.e. new well drilled on Second Party property or connects to rural water), that this easement shall then terminate and shall be of no further force or effect. Furthermore, should the well become obsolete or should Second Party abandon it and fail to share in the costs of electricity and maintenance, then this easement shall terminate and shall be of no further force or effect.

8. This instrument may not be modified except by written instrument executed by all of the parties hereto or by their legal successors and/or assigns. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties successors and/or assigns.



DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

First Party:

Second Party:

\_\_\_\_\_  
Lee Marc Williams

\_\_\_\_\_  
Lee Marc Williams

STATE OF IOWA                    )  
  )ss.  
COUNTY OF WOODBURY        )

ON this \_\_\_\_ day of \_\_\_\_\_, 2022, before me the undersigned, a Notary Public in and for said State, personally appeared Lee Marc Williams to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

\_\_\_\_\_  
NOTARY PUBLIC

**EXHIBIT "A"**

**The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46) West of the 5<sup>th</sup> P.M., in the County of Woodbury and State of Iowa.**

**The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5<sup>th</sup> P.M., in the County of Woodbury and State of Iowa EXCEPT all that part of the Southwest Quarter (SW ¼) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5<sup>th</sup> P.M. in Woodbury County, Iowa, described as follows: Beginning at the Southwest corner of the Southwest Quarter (SW ¼) of Section Two (2); thence North along the West line of said Section Two (2) for Two Hundred Forty-two Feet (242.00'); thence North Eighty-eight Degrees Fifty-six Minutes Twenty-four Seconds (N 88°56'24") East for One Hundred Eighty Feet (180.00'); thence South for Two Hundred Forty-two Feet (242.00'); thence South Eighty-eight Degrees Fifty-six Minutes Twenty-four Seconds (S 88°56'24") West along the South line of said Section Two (2) for One Hundred Eighty Feet (180.00') to the point of beginning. The West line of said Section Two (2) is assumed to bear due North for this description. Said described parcel contains 1.00 acre more or less, including County road easement.**

## EXTRATERRITORIAL REVIEW

This property is greater than two (2) miles from any incorporated jurisdictions and does not require extraterritorial review under Iowa Code, Section 354.9.



## LEGAL NOTIFICATION

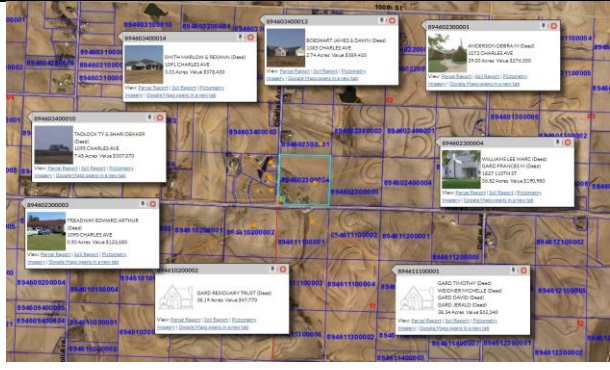
Published in the Sioux City Journal's Legals Section on **June 10, 2022**.

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

The Woodbury County Zoning Commission will hold a public hearing on the following item on **June 27, 2022** at 6:00 PM or as soon thereafter as the date may be considered. Said hearing will be held in the Board of Supervisors Meeting Room, Number 101, County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of Woodbury County Community and Economic Development on the 6th floor of said courthouse by any interested persons. All persons who wish to be heard in respect to this matter should appear at the aforesaid hearing in person or call 712-454-1133 and enter the Conference ID: 516 721 135# during the meeting to listen or comment.

**PROPOSED MINOR SUBDIVISION:** To be known as Williams' Third Strike First Addition, - a one-vot, minor subdivision, in 2.69-acre portion of Section 2, T8N, R46W (Concord Township) in the SW 1/4 of the SW 1/4 on Parcel #SP4602300004. The parent parcel is located about 4 miles east of Sioux City. The property is located in the Agricultural Preservation (AP) Zoning District. Agricultural Property Owner: Lee Marc Williams. Property Address: 1827 110th St., Sioux City, IA 51106.

## PROPERTY OWNER(S) NOTIFICATION – 1000'



The **eight (8)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **June 10, 2022** letter of the public hearing before the Woodbury County Zoning Commission on **June 27, 2022**.

As of **June 29, 2022**, the Community and Development office has received:

- 0 Phone Inquiries
- 0 Written Comments

The names of the property owners are listed below.

When more comments are received after the printing of this packet, they will be provided at the meeting.

Property Owner(s)	Mailing Address	Comments
Lee Marc Williams	7503 Correctionville Road, Lawton, IA 51030	No comments.
Edward Arthur Treadway and Maxine M. Treadway	1090 Charles Avenue, Sioux City, IA 51108	No comments.
Debra M. Anderson	4110 Floyd Boulevard, Sioux City, IA 51108	No comments.
Ty Tadlock and Shari Dekker	1095 Charles Avenue, Sioux City, IA 51108	No comments.
Marlow Smith and Rexann Smith	1091 Charles Avenue, Sioux City, IA 51108	No comments.
James Boeshart and Dawn Boeshart	1085 Charles Avenue, Sioux City, IA 51108	No comments.
Julie K. Gard	1215 Carroll Avenue, Sioux City, IA 51108	No comments.
Timothy Gard, Jerald Gard, David Gard, and Michelle Weidner	2613 South Steele Street, Sioux City, IA 51106	No comments.

## STAKEHOLDER COMMENTS

<b>911 COMMUNICATIONS CENTER:</b>	No issues here. – Glenn Sedivy, 6/1/22.
<b>FIBERCOMM:</b>	No comments.
<b>IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):</b>	No comments.
<b>LONGLINES:</b>	No comments.
<b>LUMEN:</b>	No comments.
<b>MAGELLAN PIPELINE:</b>	No comments.
<b>MIDAMERICAN ENERGY COMPANY (Electrical Division):</b>	I have reviewed the proposed minor subdivision for MED electric and we have no conflicts. – Casey Meinen, 6/2/22.
<b>MIDAMERICAN ENERGY COMPANY (Gas Division):</b>	No conflicts from MEC "Gas" department. – Tyler Ahlquist, 6/2/22.
<b>NATURAL RESOURCES CONSERVATION SERVICES (NRCS):</b>	Good Morning Dan- The NRCS does not have any comments or concerns about the attached proposal. – Randi Prichard, 6/6/22.
<b>NORTHERN NATURAL GAS:</b>	No comments.
<b>NORTHWEST IOWA POWER COOPERATIVE (NIPCO):</b>	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 6/8/22.
<b>NUSTAR PIPELINE:</b>	No comments.
<b>SIouxLAND DISTRICT HEALTH DEPARTMENT:</b>	No comments.
<b>WIATEL:</b>	No comments.
<b>WOODBURY COUNTY ASSESSOR:</b>	No comments.
<b>WOODBURY COUNTY CONSERVATION:</b>	No comments.
<b>WOODBURY COUNTY EMERGENCY MANAGEMENT:</b>	No comments.

WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	<b>SEE REVIEW MEMO BELOW</b>
WOODBURY COUNTY RECORDER:	Appears that the Surveyors Certificate needs to have a signature line for the surveyor to sign and date please. – Diane Swoboda Peterson, 6/1/22. [Corrected]
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	Woodbury REC has no comments or concerns. – Kent Amundson, 6/2/22.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – 6/1/22.
WOODBURY COUNTY TREASURER:	The taxes are current. The full year was paid on August 12, 2021. – Kim Koepke, 6/1/22.

## REVIEW MEMO - WOODBURY COUNTY ENGINEER – MARK NAHRA, PE



### Woodbury County Secondary Roads Department

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

COUNTY ENGINEER  
 Mark J. Nahra, P.E.  
 mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
 Benjamin T. Kusler, E.I.T.  
 bkusler@sioux-city.org

SECRETARY  
 Tish Brice  
 tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator

From: Mark J. Nahra, County Engineer

Date: June 8, 2022

Subject: William's Third Strike, First Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision application forwarded with your memo dated June 1, 2022.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the parcel for access. The proposed shared use of the existing driveway will work in this location. Sight distance is optimal at this driveway and there is a clear differentiation at the right of way line for the division of the driveway.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

# PARCEL REPORT

## Summary

Parcel ID 894602300004  
 Alternate ID 872895  
 Property Address 1827 110TH ST  
 SIOUX CITY IA 51106  
 Sec/Twp/Rng 2-89-46  
 Brief Tax Description EX 5242' W180 SWSW 2-89-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2021-13056/1921/2021  
 Gross Acres 36.82  
 Net Acres 36.82  
 Adjusted CSR Pts 1366.6  
 Zoning AP - AGRICULTURAL PRESERVATION  
 District 0025 CONCORD/LAWTON-BRONSON  
 School District LAWTON BRONSON  
 Neighborhood N/A



## Owner

**Deed Holder**  
[Williams Lee Marc](#)  
 7503 Correctionville Rd  
 Lawton IA 51030

**Contract Holder**  
 Gard Frances M

**Mailing Address**  
 Williams Lee Marc  
 7503 Correctionville Rd  
 Lawton IA 51030

## Land

Lot Area 36.82 Acres; 1,603,879 SF

## Residential Dwellings

**Residential Dwelling**  
 Occupancy Single-Family / Owner Occupied  
 Style 2 Story Frame  
 Architectural Style N/A  
 Year Built 1900  
 Condition Above Normal  
 Roof Asph / Gable  
 Flooring  
 Foundation TILE  
 Exterior Material Vinyl  
 Interior Material Drwl / Panel  
 Brick or Stone Veneer  
 Total Gross Living Area 2,332 SF  
 Main Area Square Feet 922  
 Attic Type None  
 Number of Rooms 0 above; 0 below  
 Number of Bedrooms 0 above; 0 below  
 Basement Area Type Full  
 Basement Area 922  
 Basement Finished Area  
 Plumbing 1 Half Bath; 1 Base Plumbing (Full);  
 Appliances  
 Central Air No  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Open (96 SF); 15 Frame Open (104 SF); None (65 SF);  
 Decks  
 Additions 1 Story Frame (384 SF);  
 1 Story Frame (104 SF);  
 Garages 924 SF - Det Frame (Built: 1900);

## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (Old Style)	HOG HOUSE	24	48	1950	1
0	Shed - Loafing	CATTLE SHED	24	40	1950	1
0	Barn - Flat	GP BARN	48	50	1950	1
0	Milk House	MILK HOUSE	14	16	1950	1
0	Machine or Utility Building	MACHINE SHED	24	44	1950	1
0	Crib	DIM CRIB	30	36	1965	1
0	Bin - Grain Storage (Bushel)		0	0	1960	1
0	Shed	COBHOUSE	8	16	1950	1

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
9/7/2021	GARD LOWELLE FAMILY TRUST	WILLIAMS LEE MARC	2021-13056	Normal	Deed	Y	\$750,000.00

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

## Valuation

Classification	2022	2021	2020	2019	2018
	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$34,580	\$34,580	\$32,700	\$32,700	\$47,600
+ Assessed Building Value	\$4,150	\$4,620	\$4,230	\$4,230	\$5,880
+ Assessed Dwelling Value	\$152,250	\$152,250	\$133,410	\$133,410	\$117,400
= Gross Assessed Value	\$190,980	\$191,450	\$170,340	\$170,340	\$170,880
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$190,980	\$191,450	\$170,340	\$170,340	\$170,880

## Sioux City Special Assessments and Fees

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

## Woodbury County Tax Credit Applications

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

## Photos



## Sketches



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



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

Last Data Update: 5/31/2022, 6:30:15 PM

# SOIL REPORT

## Summary

Parcel ID	894602300004	
Gross Acres	36.82	
ROW Acres	0.00	
Gross Taxable Acres	36.82	
Exempt Acres	0.00	
Net Taxable Acres	36.82	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	42.02	(1547.29 CSR2 Points / 36.82 Gross Taxable Acres)

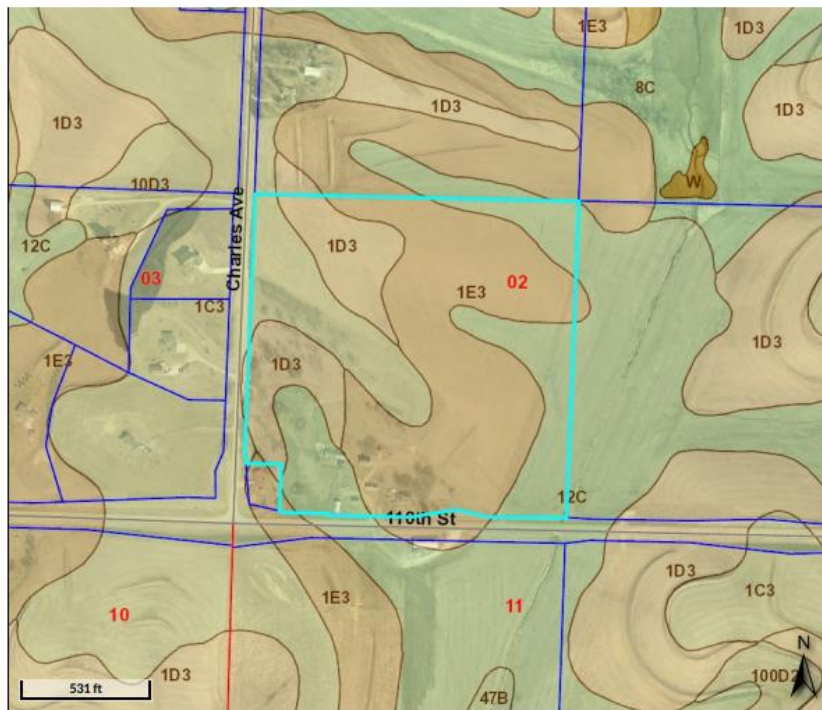
Agland Active Config      2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	24.11	39.78	959.15	959.15
Non-Crop	12.71	46.27	588.14	407.45
<b>Total</b>	<b>36.82</b>		<b>1,547.29</b>	<b>1,366.60</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	5.41	481.49	481.49
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	2.41	139.78	139.78
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.19	102.08	102.08
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	13.10	235.80	235.80
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.76	245.64	127.18
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	3.00	174.00	114.06
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	3.10	99.20	96.91
Non-Crop	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	3.85	69.30	69.30
<b>Total</b>				<b>36.82</b>	<b>1,547.29</b>	<b>1,366.60</b>



### Overview



### Legend

- Roads
- Soils**
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000
- Corp Boundaries
- Townships
- Parcels

Parcel ID	894602300004	Alternate ID	872895	Owner Address	WILLIAMS LEE MARC
Sec/Twp/Rng	2-89-46	Class	A		7503 CORRECTIONVILLERD
Property Address	1827 110TH ST	Acreage	36.82		LAWTON, IA 51030
	SIOUX CITY				
District	0025				
Brief Tax Description	EX S242' W180' SWSW 2-89-46				
	(Note: Not to be used on legal documents)				



## ELEVATION



## SEPTIC SYSTEM TIME OF TRANSFER

### Daniel Priestley

**From:** Dan Kriener <dankriener@aol.com>  
**Sent:** Wednesday, June 22, 2022 3:05 PM  
**To:** Daniel Priestley  
**Subject:** Re: Well Easement and Septic Location  
**Attachments:** Lee Williams TOT Well and Septic 9-21-2021.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dan

I have attached the Time of Transfer Information on the Lee Williams property. Lee purchased the 79 acre farm including the dwelling on 9-21-2021. The well is located Northwest of the dwelling and the septic is located Southeast of the Dwelling. The distance between the well and septic is in excess of 100 feet. The Septic tank is in good working order.

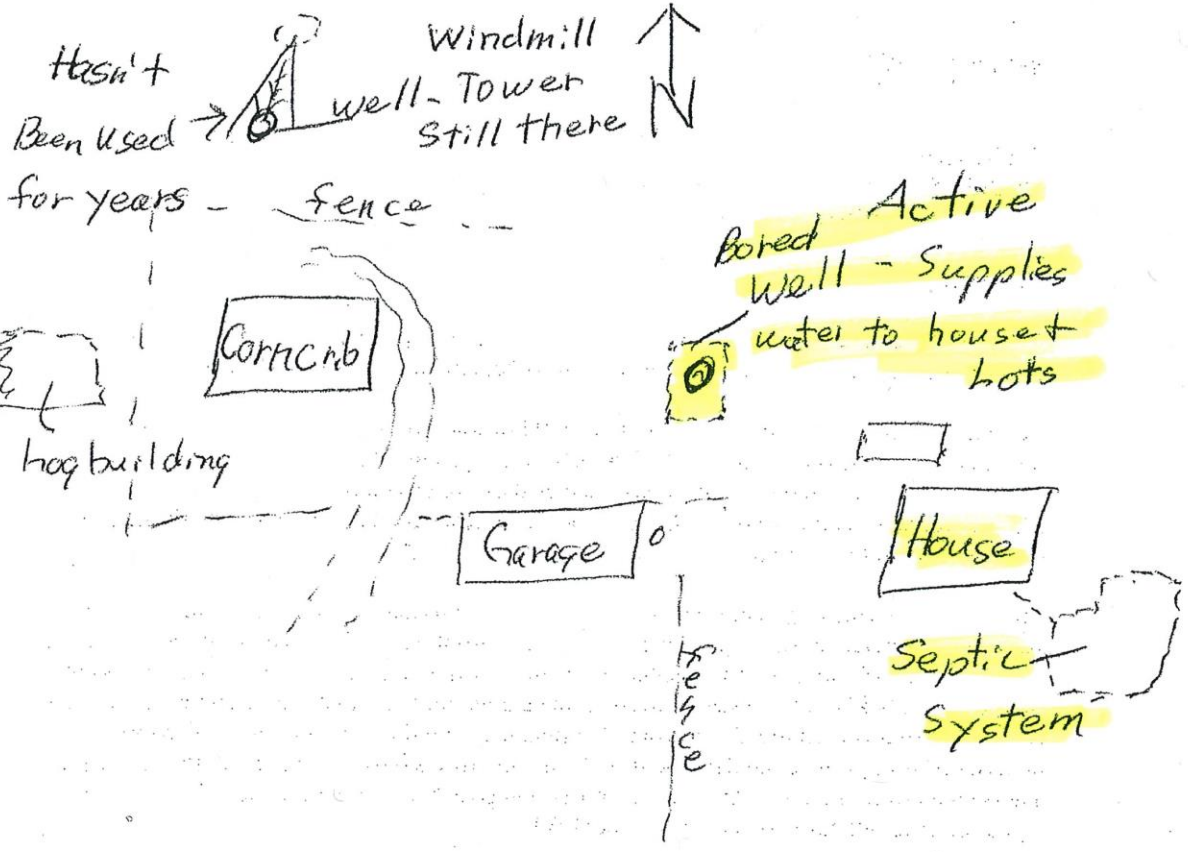
**Dan Kriener, AFM**  
**President**  
**Kriener Farm Management, Inc.**  
**4110 Floyd Blvd.**  
**Sioux City, IA 51108**

ph (712) 239-0311

Licensed Real Estate Broker in Iowa, Nebraska, and South Dakota

<http://www.krienerfammanagement.com/>

# Lowell E. Gard Family Trust Wells



Blacktop

9-2-2021



Instrument #: GW2021-01807  
09/21/2021 11:45:34 AM Total Pages: 6  
GWH GROUNDWATER HAZARD STATEMENT

Patrick F. Gill, Auditor/Recorder, Woodbury County Iowa



GWH Related ID: 2021-13056

TRWD TRUSTEE'S WARRANTY DEED  
09/21/2021 11:45:34 AM  
Patrick F. Gill, Auditor/Recorder, Woodbury County Iowa

**REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT**  
TO BE COMPLETED BY TRANSFEROR

**TRANSFEROR:**

Name LOWELL E. GARD FAMILY TRUST  
Address 3305 QUINCY AVENUE DANVILLE, IA 52623  
Number and Street or RR City, Town or P.O. State Zip

**TRANSFeree:**

Name LEE MARC WILLIAMS  
Address 7503 CORRECTIONVILLE RD. LAWTON, IA 51030  
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:  
1827 110TH ST. SIOUX CITY, IA 51106 PLUS PROPERTY OUTLINED IN ADDENDUM  
Number and Street or RR City, Town or P.O. State Zip

Legal Description of Property: (Attach if necessary) See 1 in Addendum

**1. Wells (check one)**

- There are no known wells situated on this property.  
 There is a well or wells situated on this property. The type(s), location(s) and legal status are stated below or set forth on an attached separate sheet, as necessary.

**2. Solid Waste Disposal (check one)**

- There is no known solid waste disposal site on this property.  
 There is a solid waste disposal site on this property and information related thereto is provided in Attachment #1, attached to this document.

**3. Hazardous Wastes (check one)**

- There is no known hazardous waste on this property.  
 There is hazardous waste on this property and information related thereto is provided in Attachment #1, attached to this document.

**4. Underground Storage Tanks (check one)**

- There are no known underground storage tanks on this property. (Note exclusions such as small farm and residential motor fuel tanks, most heating oil tanks, cisterns and septic tanks, in instructions.)  
 There is an underground storage tank on this property. The type(s), size(s) and any known substance(s) contained are listed below or on an attached separate sheet, as necessary.

**5. Private Burial Site (check one)**

- There are no known private burial sites on this property.
- There is a private burial site on this property. The location(s) of the site(s) and known identifying information of the decedent(s) is stated below or on an attached separate sheet, as necessary.

**6. Private Sewage Disposal System (check one)**

- All buildings on this property are served by a public or semi-public sewage disposal system.
- This transaction does not involve the transfer of any building which has or is required by law to have a sewage disposal system.
- There is a building served by private sewage disposal system on this property or a building without any lawful sewage disposal system. A certified inspector's report is attached which documents the condition of the private sewage disposal system and whether any modifications are required to conform to standards adopted by the Department of Natural Resources. A certified inspection report must be accompanied by this form when recording.
- There is a building served by private sewage disposal system on this property. Weather or other temporary physical conditions prevent the certified inspection of the private sewage disposal system from being conducted. The buyer has executed a binding acknowledgment with the county board of health to conduct a certified inspection of the private sewage disposal system at the earliest practicable time and to be responsible for any required modifications to the private sewage disposal system as identified by the certified inspection. A copy of the binding acknowledgment is attached to this form.
- There is a building served by private sewage disposal system on this property. The buyer has executed a binding acknowledgment with the county board of health to install a new private sewage disposal system on this property within an agreed upon time period. A copy of the binding acknowledgment is provided with this form.
- There is a building served by private sewage disposal system on this property. The building to which the sewage disposal system is connected will be demolished without being occupied. The buyer has executed a binding acknowledgment with the county board of health to demolish the building within an agreed upon time period. A copy of the binding acknowledgment is provided with this form. [Exemption #9]
- This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption [Note: for exemption #9 use prior check box]: \_\_\_\_\_
- The private sewage disposal system has been installed within the past two years pursuant to permit number \_\_\_\_\_.

**Information required by statements checked above should be provided here or on separate sheets attached hereto:**

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**I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.**

Signature: Lowell E. Sard Family Trust by Roger L. Sard Telephone No.: (319) 750-2144  
(Transferor or Agent) *Trustee*

**GROUNDWATER HAZARD STATEMENT**

**ATTACHMENT #1**

**NOTICE OF WASTE DISPOSAL SITE**

**a. Solid Waste Disposal (check one)**

- There is a solid waste disposal site on this property, but no notice has been received from the Department of Natural Resources that the site is deemed to be potentially hazardous.
- There is a solid waste disposal site on this property which has been deemed to be potentially hazardous by the Department of Natural Resources. The location(s) of the site(s) is stated below or on an attached separate sheet, as necessary.

**b.. Hazardous Wastes (check one)**

- There is hazardous waste on this property and it is being managed in accordance with Department of Natural Resources rules.
- There is hazardous waste on this property and the appropriate response or remediation actions, or the need therefore, have not yet been determined.

Further descriptive information:

N/A

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**I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.**

Signature: Lowell E. Gard Family Trust by Roger L. Gard Telephone No.: (319) 750-2144  
(Transferor or Agent) Trustee

**FILE WITH RECORDER**

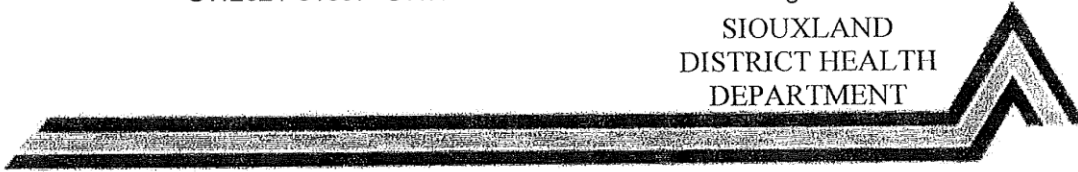
**DNR form 542-0960 – Attachment #1 (July 18, 2012)**

## Addendum

1. The Southeast Quarter (SE  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46) West of the 5th P.M., in the County of Woodbury and State of Iowa.

The Southwest Quarter (SW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5th P.M., in the County of Woodbury and State of Iowa EXCEPT all that part of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2), Township Eighty-nine (89) North, Range Forty-six (46), West of the 5th P.M. in Woodbury County, Iowa, described as follows: Beginning at the Southwest corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2); thence North along the West line of said Section Two (2) for Two Hundred Forty-two Feet (242.00'); thence North Eighty-eight Degrees Fifty-six Minutes Twenty-four Seconds (N 88°56'24") East for One Hundred Eighty Feet (180.00'); thence South for Two Hundred Forty-two Feet (242.00'); thence South Eighty-eight Degrees Fifty-six Minutes Twenty-four Seconds (S 88°56'24") West along the South line of said Section Two (2) for One Hundred Eighty Feet (180.00') to the point of beginning. The West line of said Section Two (2) is assumed to bear due North for this description. Said described parcel contains 1.00 acre more or less, including County road easement.

SIOUXLAND  
DISTRICT HEALTH  
DEPARTMENT

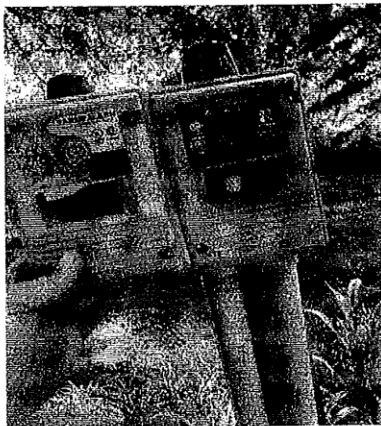


August 3, 2021

Gard Lowell Family Trust  
1827 110<sup>th</sup> Street  
Sioux City, Iowa 51106

Gard Family Trust,

On August 2, 2021, DJ Walsh with Siouxland Well replaced the broken alarm serving the pump pit for the septic system at 1827 110<sup>th</sup> Street in Sioux City, IA. Please see picture included below of the replaced alarm. The septic system is now documented as functioning as designed. Please accept this letter as approval of the septic inspection. There is no further action required on your behalf at this time.



Should you have any questions, please feel to contact me at 712-279-6119.

Sincerely,  
Paige Nelson

Environmental Specialist  
[pnelson@siouxlanddistricthealth.org](mailto:pnelson@siouxlanddistricthealth.org)

1014 Nebraska Street • Sioux City, Iowa 51105 • (712) 279-6119 • Fax (712) 255-2604

**RESOLUTION #**  
**NOTICE OF PROPERTY SALE**

**Parcel #894721282008**

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

**The Middle One-Third (1/3) of the South One Hundred Ten feet (110 ft.), and the North One-half (1/2) of Lot Two (2), Cary's Sub-Division, City of Sioux City, Woodbury County, Iowa  
(1118 22<sup>nd</sup> Street)**

**NOW THEREFORE,**

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

1. That a public hearing on the aforesaid proposal shall be held on  
The **5<sup>th</sup> Day of July, 2022 at 4:35 o'clock p.m.** in the basement of the  
Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a  
public auction to be held on the **5<sup>th</sup> Day of July, 2022**, immediately  
following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest  
bidder at or above a **total minimum bid of \$334.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale"  
and except for this subparagraph 4 be published as notice of the  
aforesaid proposal, hearing and sale.

Dated this 21<sup>st</sup> Day of June, 2022.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Patrick F. Gill  
Woodbury County Auditor  
and Recorder

\_\_\_\_\_  
Keith W. Radig, Chairman

662-2111  
646-2017

REQUEST FOR MINIMUM BID

Name: Celeste Charchalac Date: 10/7/19  
Address: 1120 22<sup>nd</sup> St. Phone: 454-8937

Address or approximate address/location of property interested in:  
1118 22<sup>nd</sup> St.

GIS PIN # 894721282008

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

Legal Description:  
The middle one-third (1/3) of the South Hundred Ten feet (110<sup>ft</sup>) and the North one-half (N 1/2) of Lot two (2), Cary's Sub-Division, City of Sioux City, Woodbury County, Iowa

Tax Sale #/Date: #903 6/15/2015 Parcel # ---

Tax Deeded to Woodbury County on: 5/12/22

Current Assessed Value: Land \$300- Building 0 Total \$300-

Approximate Delinquent Real Estate Taxes: \$1300-

Approximate Delinquent Special Assessment Taxes: \$31,200-

\*Cost of Services: \$134-

Inspection to: Keith Radig Date: 10/8/19

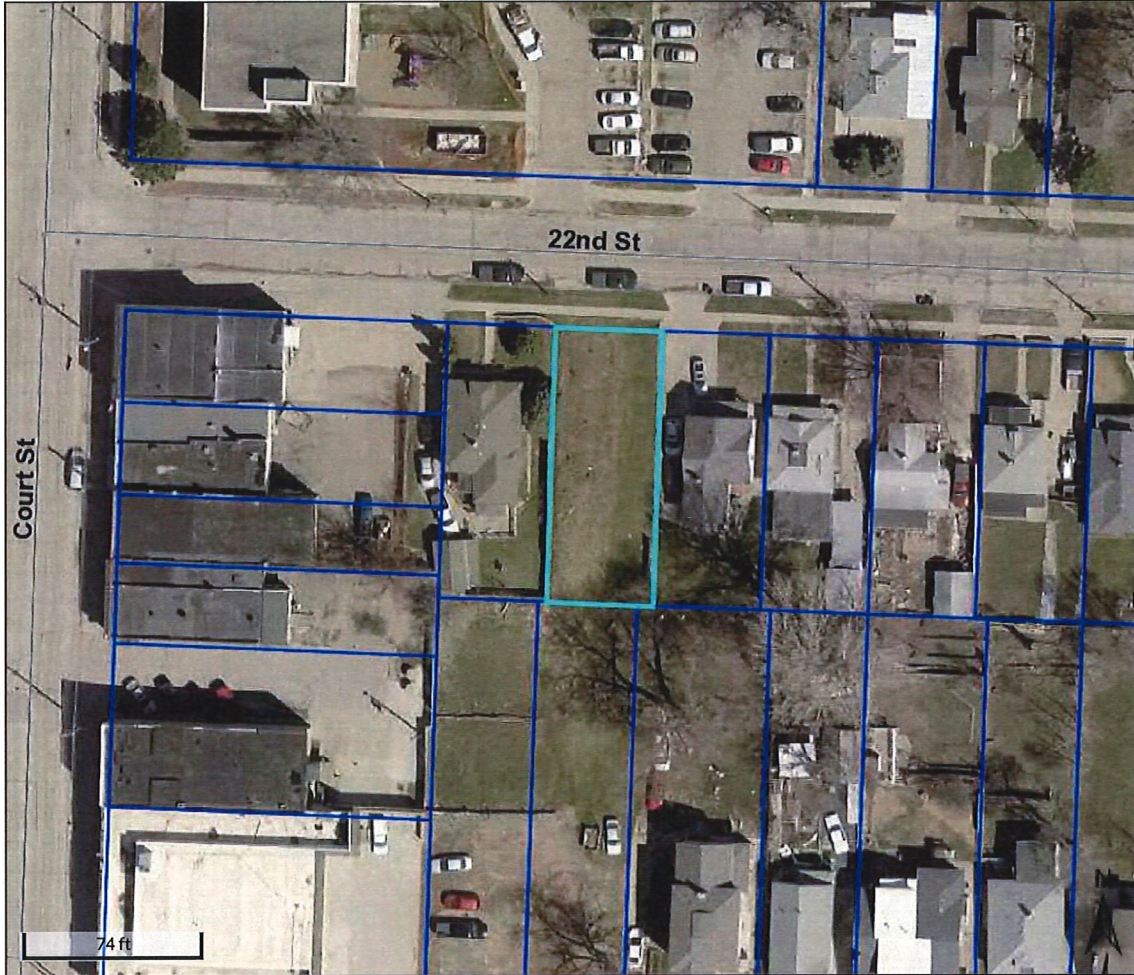
Minimum Bid Set by Supervisor: \$300.00 plus cost of services: Total: 334-

Date and Time Set for Auction: \_\_\_\_\_

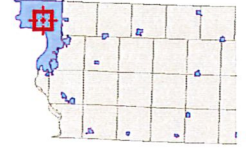
\* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



# Beacon™ Woodbury County, IA / Sioux City



## Overview



## Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	894721282008	Alternate ID	90120	Owner Address	WOODBURY COUNTY IOWA
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	1118 22ND ST	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	CARYS SUB DIVM 1/3 S 110 FT N 1/2 LOT 2				
	<b>(Note: Not to be used on legal documents)</b>				

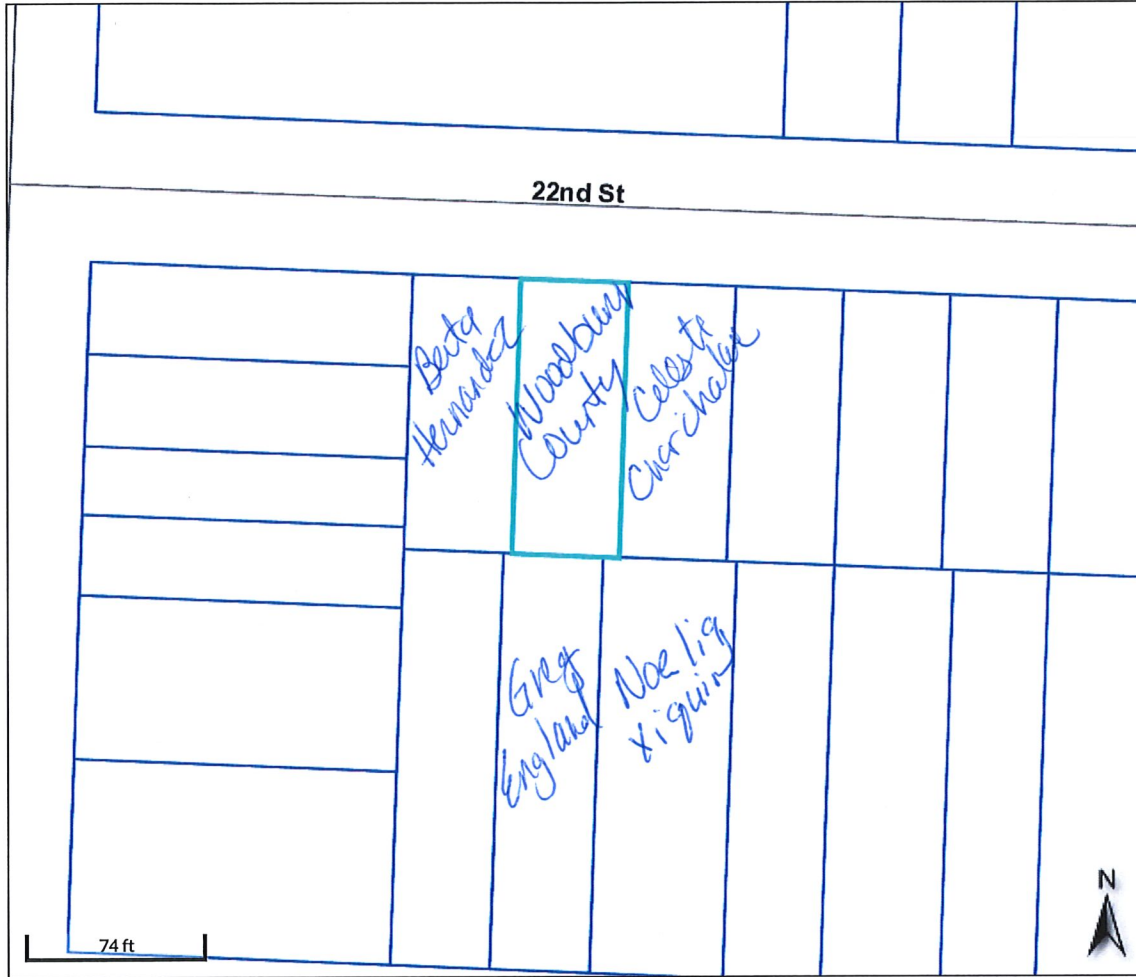
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Developed by  Schneider  
 GEOSPATIAL

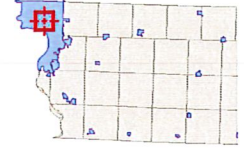




# Beacon™ Woodbury County, IA / Sioux City



### Overview



### Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	894721282008	Alternate ID	90120	Owner Address	WOODBURY COUNTY IOWA
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	1118 22ND ST	Acreeage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	CARYS SUB DIVM 1/3 S 110 FT N 1/2 LOT 2				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 5/24/2022  
 Last Data Uploaded: 5/23/2022 7:30:37 PM

Developed by  Schneider  
 GEOSPATIAL

**RESOLUTION #**  
**NOTICE OF PROPERTY SALE**

**Parcel #894823253012**

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

**Lot 2 in Block 2 of North Riverside Addition to Sioux City, in the County of Woodbury and State of Iowa  
(1904 Riverside Blvd.)**

**NOW THEREFORE,**

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

1. That a public hearing on the aforesaid proposal shall be held on  
The **5<sup>th</sup> Day of July, 2022 at 4:37 o'clock p.m.** in the basement of the  
Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a  
public auction to be held on the **5<sup>th</sup> Day of July, 2022**, immediately  
following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest  
bidder at or above a **total minimum bid of \$647.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale"  
and except for this subparagraph 4 be published as notice of the  
aforesaid proposal, hearing and sale.

Dated this 21<sup>st</sup> Day of June, 2022.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

---

Patrick F. Gill  
Woodbury County Auditor  
and Recorder

---

Keith W. Radig, Chairman

REQUEST FOR MINIMUM BID

Name: Andrew Murtaugh Date: 8/24/17  
Address: 698 Prairie Blvd. - Dakota Dunes Phone: 635-1651

Address or approximate address/location of property interested in:

1904 Riverside Blvd.

GIS PIN # 894823253012

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

Legal Description:

Lot two in Block two of  
North Riverside Addition to Sioux City  
Woodbury County, Iowa

Tax Sale #/Date: 1923 1/2012 Parcel # 365265

Tax Deeded to Woodbury County on: 6/8/22

Current Assessed Value: Land \$9,300 Building 0 Total \$9,300

Approximate Delinquent Real Estate Taxes: \$2,149

Approximate Delinquent Special Assessment Taxes: \$10,078

\*Cost of Services: \$147

Inspection to: Matthew Ong Date: 8/24/17

Minimum Bid Set by Supervisor: ~~\$1,000~~ OR \$500

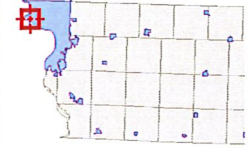
Date and Time Set for Auction:

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





Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

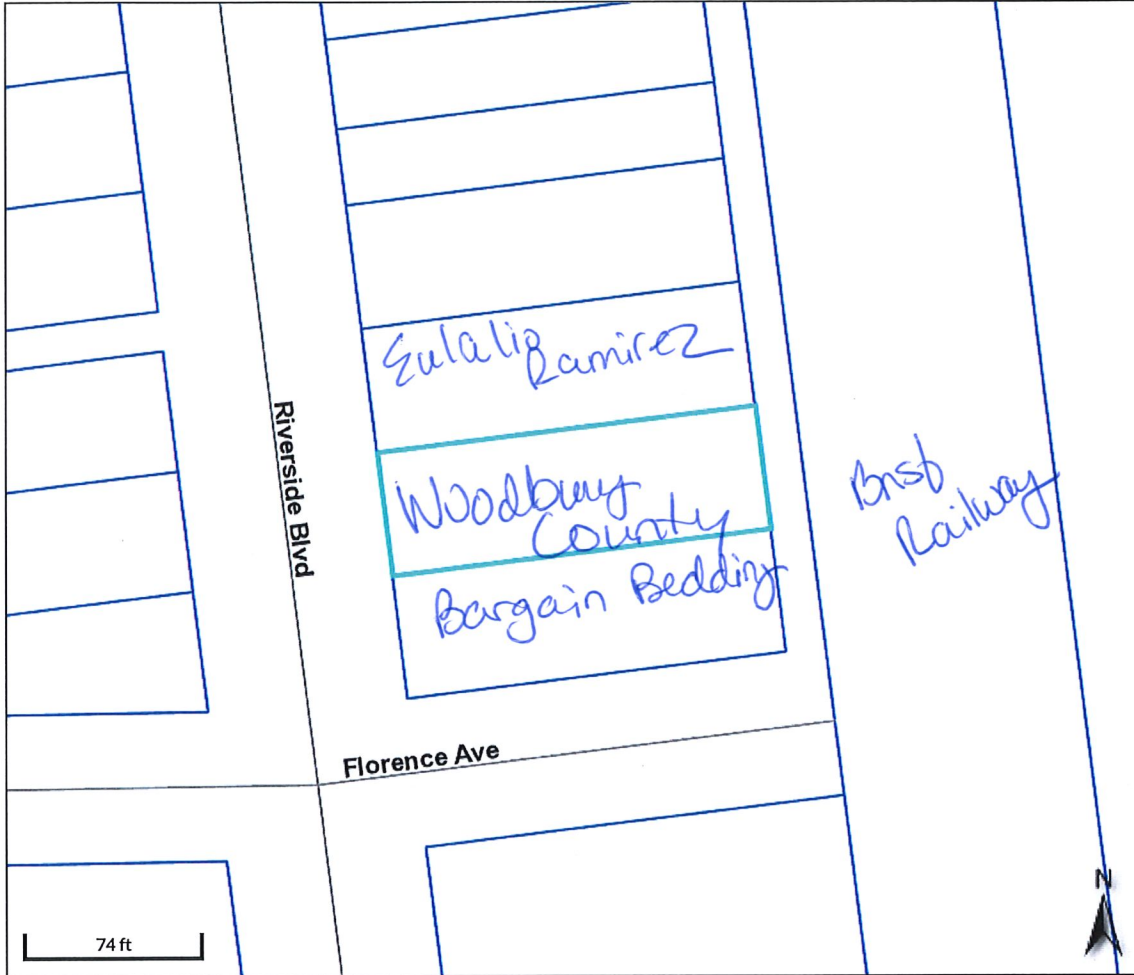
Parcel ID	894823253012	Alternate ID	365265	Owner Address	WOODBURY COUNTY IOWA
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	1904 RIVERSIDE BLVD	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	NORTH RIVERSIDE LOT 2 BLK 2				
	<b>(Note: Not to be used on legal documents)</b>				

Date created: 6/14/2022  
 Last Data Uploaded: 6/13/2022 7:26:29 PM

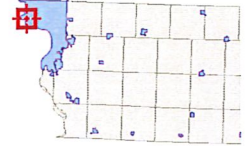
Developed by Schneider  
 GEOSPATIAL



# Beacon™ Woodbury County, IA / Sioux City



### Overview



### Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	894823253012	Alternate ID	365265	Owner Address	WOODBURY COUNTY IOWA
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	1904 RIVERSIDE BLVD	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	NORTH RIVERSIDE LOT 2 BLK 2				
	<b>(Note: Not to be used on legal documents)</b>				

Date created: 6/14/2022  
 Last Data Uploaded: 6/13/2022 7:26:29 PM

Developed by  Schneider  
 GEOSPATIAL

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

Date: 6/29/2022 Weekly Agenda Date: 7/05/2022

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

**WORDING FOR AGENDA ITEM:**

Woodbury County Prairie Hills Old County Home Demolition - Public Hearing

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

Conduct Hearing for the Woodbury County Prairie Hills Old County Home Demolition Project at 4:40 pm and request input/ comments from interested parties on cost or improvements.

**BACKGROUND:**

The Board of Supervisors set a public hearing for July 5th, 2022 at 4:40 PM during the Board of Supervisors meeting, lower level Woodbury County Courthouse.

**FINANCIAL IMPACT:**

To be determined by the competitive bid process.

**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:**

Conduct Public Hearing required by Iowa Code for the Woodbury County Prairie Hills Old County Home Building Demolition Project at 4:40 PM.

**ACTION REQUIRED / PROPOSED MOTION:**

Conduct Public Hearing

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

Date: 6/29/2022

Weekly Agenda Date: 7/05/2022

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

**WORDING FOR AGENDA ITEM:**

Prairie Hills Demolition Project-  
Set Dates, Times, Places to "Open", "Receive", and "Award" Competitive Bid Submissions

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Pursuant to Iowa Chapter 26 Bid Law Set Dates, Times, & Places to "Open", "Receive" & "Award" Competitive Bids.  
Authorize County Auditor's Office (Chapter 26.11 delegation of authority) to open bids.

**BACKGROUND:**

- 6/21/2022- Board of Supervisors Approves Plans, Specifications, Form of Contract and sets "Hearing" Date, Time, Place.
- 3/15/2022- Board Approves Impact7G Inc. Professional Services Agreement/ Engineering Services Contract
- 10/26/2021- Board of Supervisors approves Environmental Services Agreement with Impact7G.
- 8/17/2021- Board of Supervisors Approves motion to seek competitive bids for the demolition of shuttered Prairie Hills Building
- 04/2018 - Water Supply Wells Permanently plugged & capped after receiving "DNR Certification".
- 10/2017- Hot Water Boilers are permanently disconnected after receiving "Decommission Status" from State Insurer.
- 9/2017- Passenger Elevators fail to meet code compliance. Commission Schumacher Elevator Company to "Decommission" elevators per State Inspection requirement instructions.
- 8/2016- Board of Supervisors Approves the closure of the deteriorating Prairie Hills Building.

**FINANCIAL IMPACT:**

2022 CIP- CIP PH DEMO

To be determined by the competitive bid process.

**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:**

Set July 26th, 3:00 pm (CST), Board of Supervisors Office to "Open" Prairie Hills County Home Demolition Project bid submissions & Authorize County Auditor's Office to open & record bids.

Set July 26th, 4:40 pm (CST), Board of Supervisors Meeting, Woodbury County Courthouse to officially "Receive" bid submissions & "Award" Contract to Lowest, Responsible, Responsive Bidder.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion "A"- Set July 26th, 3:00 PM (CST) at Woodbury County Board of Supervisors "Administration Office" to open bid submissions & Authorize County Auditor's Office to open bid submissions.

Motion "B"- Set July 26th, 4:40 PM (CST) Woodbury County Board Meeting (Courthouse Lower Level) to officially "Receive" bids submissions and "Award" bid to lowest, responsive, responsible bidder.



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

Date: 06/30/2022 Weekly Agenda Date: 07/05/2022

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

**WORDING FOR AGENDA ITEM:**

Set hearing date for request to vacate undeveloped streets and excess right of way

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The county road department is recommending the closing and vacating of two road segments in Morningside Addition. A second vacation of excess right of way is also presented for consideration..

**BACKGROUND:**

The county has vacated most of the undeveloped streets within the Morningside Addition subdivisions on the east side of Sioux City in prior actions by the board. The two final road rights of way are being presented for consideration of permanent closure and vacation. The engineer's office is also requesting vacation of excess county right of way at the intersection of L36 and 150th Street.

**FINANCIAL IMPACT:**

The county is responsible for the cost of publication of the hearing notice. No damages are recommended for the vacations. Adjacent landowners may present claims for damage for board consideration at or before the scheduled hearing.

**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 July 26, 2022 at 4:40 PM be set as the hearing date for consideration of the permanent closure and vacation of the county roads and excess right of way.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion that July 26, 2022 at 4:40 PM be set as the hearing date for consideration of the permanent closure and vacation of the county roads and excess right of way.

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

**WOODBURY COUNTY, IOWA**

**A RESOLUTION SETTING DATE FOR PUBLIC HEARING FOR VACATING ROAD RIGHT-OF -WAY**

**WHEREAS**, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), as amended, seeks to set a date for public hearing to vacate platted roads and alleys, and

**WHEREAS**, described roads and alleys were platted and dedicated to the public but never used or developed by the county or city as roads and alleys,

**AND WHEREAS**, excess right of way is held by the county at a location where the county road was relocated and said right of way is no longer needed for access or road purposes,

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors that on Tuesday, July 26, 2022 at 4:40 P.M CDT, at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, the County Board will hold a Public Hearing to vacate the right-of-way described as follows:

- 1) Vacate in Morningside Addition to Sioux City Iowa, Second Filing located in Section 4, T88N, R47W  
All of Wells Avenue lying between Block 29 (lots 20 – 32) & 30 (lots 7 – 19).
- 2) Vacate in Morningside Addition to Sioux City Iowa, Third Filing located in Section 4, T88N, R47W  
All of Wells Avenue lying between Block 29 (lots 33 – 38) & 30 (lots 1 – 6).
- 3) Vacate a parcel of land located in the SE1/4 of the SW1/4 of section 27, T89N, R42W of the 5<sup>th</sup> P.M., Woodbury County, Iowa described as follows:  
Commencing at the southeast corner of the SW1/4 of said section 27; thence north 00°00'00" east 322.23 feet along the east line of said SE1/4 of the SW1/4; thence south 89°03'40" west 80.01 feet to the point of beginning; thence south 00°00'00" west 171.97 feet; thence south 34°44'26" west 122.84 feet; thence south 89°14'16" west 218.67 feet to the existing right-of-way; thence northeasterly 357.99 feet along a 921.65 foot radius curve concave northwesterly with a chord of north 39°25'36" east 355.74 feet along said right-of-way; thence north 89°03'40" east 62.73 feet to the point of beginning. containing 0.92 acres.

**SO RESOLVED** this 5<sup>th</sup> day of July 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Keith Radig, Board Chair

ATTEST:

\_\_\_\_\_  
Rocky De Witt, Member

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

\_\_\_\_\_  
Jeremy Taylor, Member

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

\_\_\_\_\_  
Justin Wright, Member

**INDEX LEGEND**

LOCATION: SE1/4 SW1/4 SEC. 27-89-42,  
WOODBURY COUNTY, IOWA

PROPRIETOR: DEMAREST, GABE

FOR: WOODBURY COUNTY ENGINEER

SURVEYOR: JAMES C. SAILER, PLS #12090

PREPARED BY/  
RETURN TO: SCHLOTFELDT ENGINEERING, INC.  
P.O. BOX 806, 650 12TH STREET S.W.  
LEMARS, IOWA 51031 (712)546-8118

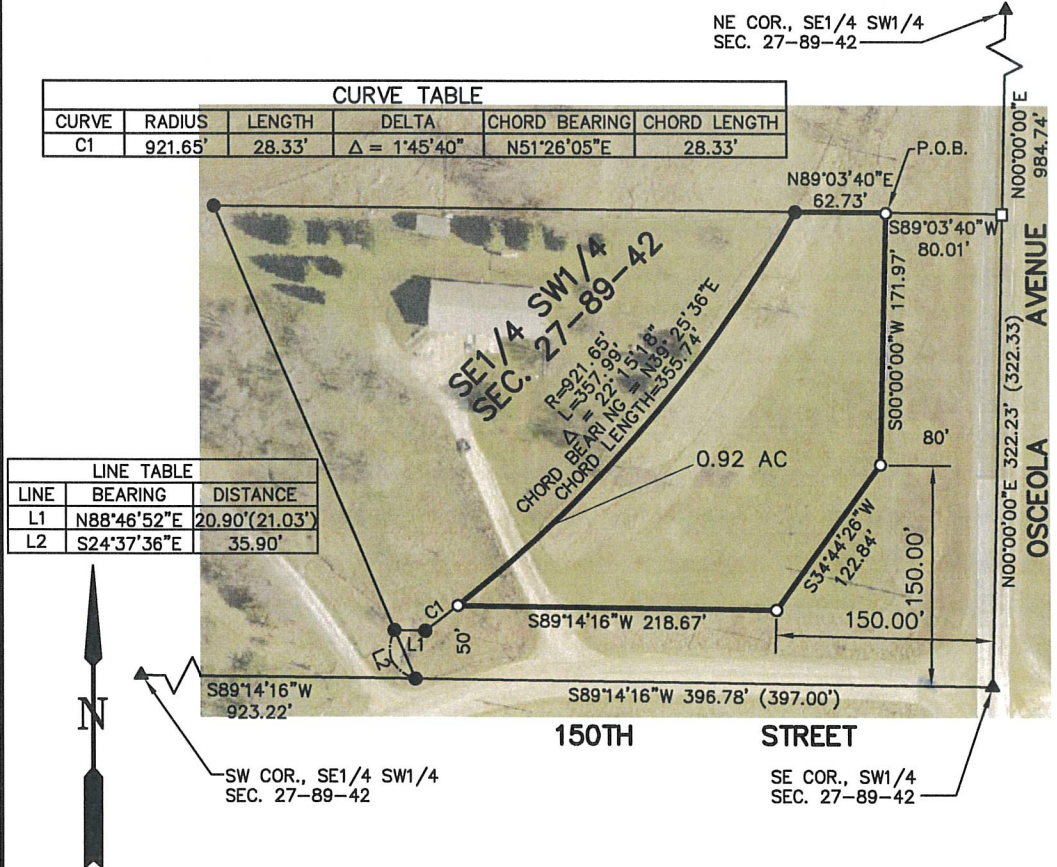


# ROAD VACATING PLAT

OF

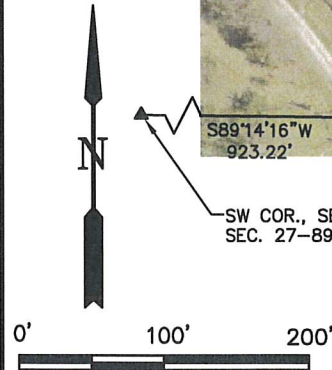
A PARCEL OF LAND LOCATED IN THE SE1/4 OF THE SW1/4 OF SECTION 27, TOWNSHIP 89 NORTH, RANGE 42 WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SW1/4 OF SAID SECTION 27; THENCE NORTH 00°00'00" EAST 322.23 FEET ALONG THE EAST LINE OF SAID SE1/4 OF THE SW1/4; THENCE SOUTH 89°03'40" WEST 80.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°00'00" WEST 171.97 FEET; THENCE SOUTH 34°44'26" WEST 122.84 FEET; THENCE SOUTH 89°14'16" WEST 218.67 FEET TO THE EXISTING RIGHT-OF-WAY; THENCE NORTHEASTERLY 357.99 FEET ALONG A 921.65 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD OF NORTH 39°25'36" EAST 355.74 FEET ALONG SAID RIGHT-OF-WAY; THENCE NORTH 89°03'40" EAST 62.73 FEET TO THE POINT OF BEGINNING. CONTAINING 0.92 ACRES.



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	921.65'	28.33'	$\Delta = 1'45'40"$	N51°26'05"E	28.33'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N88°46'52"E	20.90'(21.03')
L2	S24°37'36"E	35.90'



( ) = RECORD  
ROLL 291 IMAGE 712  
SURVEY DATE: 3/1/2022  
SCALE: 1"=100'  
CORNERS FOUND:  
▲ GOV'T CORNER  
● YCR #12090  
CORNERS SET:  
○ 5/8"x24" REBAR,  
YELLOW CAP #12090  
□ MAG. NAIL

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor for under the laws of the State of Iowa.

**DRAFT**

\_\_\_\_\_  
Date

License number 12090  
My license renewal date is December 31, 2022  
Pages or sheets covered by this seal: 1

FILE: W0022 27-89-42 DEMAREST.dwg







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

Date: 06/30/2022 Weekly Agenda Date: 07/05/2022

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

**WORDING FOR AGENDA ITEM:**

Consider approval of a detour agreement with the Iowa Department of Transportation for the Iowa Highway 141 Railroad Crossing Improvement Project

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The Iowa DOT has requested to use county routes K45 and K25 as a detour for a railroad crossing improvement project on Iowa Highway 141.

**BACKGROUND:**

The DOT has let a project for the improvement of the Iowa 141 railroad crossing near Sloan. The highway will be closed to through traffic during construction. County routes and I-29 are proposed for the detour during the project. The project is expected to take one week.

**FINANCIAL IMPACT:**

There is no cost to the county. The detour will be signed by the state in compliance with the MUTCD per Iowa DOT detour policy.

**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 detour agreement with the Iowa DOT for the Highway 141 railroad crossing project and direct the chair to sign the agreement.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion that the board approve the project agreement with Iowa DOT for the Highway 141 railroad crossing project and direct the chair to sign the agreement.



### AGREEMENT FOR DOT-INITIATED DETOUR OF PRIMARY HIGHWAYS ONTO LOCAL ROADS

This Agreement is entered into by and between the Iowa Department of Transportation, hereinafter known as the Department; and the

Woodbury County, hereinafter known as the Local Public Agency (LPA).

WHEREAS, the Department has determined the necessity to temporarily close primary highway IA141  
from West of K-45 (closure at RR-x-ing) to SW Corp Line Street (Closed at RR-x-ing)  
for the purpose of construction, reconstruction, maintenance, natural disasters, or other emergencies; and

WHEREAS, it is necessary to provide a detour for the primary highway closure period; and

WHEREAS, the LPA agrees to permit the use of its roads as a detour, more particularly described as follows:

Beginning at the intersection of IA141 and K-45/Sloan, IA; thence north 6.5 miles on K-45 to the intersection of K-45 and 275<sup>th</sup> St./Salix, IA; thence  
west 1.0 miles on 275<sup>th</sup> St. to the intersection of 275<sup>th</sup> St. and I-29 interchange; thence south 6.5 miles on I-29 to the intersection of I-29 and IA141.

UP RR-x-ing, FRA #191279K UP Tracking #4187 Sloan, IA in Woodbury County; and

WHEREAS, Authorized representatives of both the Department and the LPA shall jointly execute and sign a written report concerning the condition of the proposed detour, after jointly inspecting said road, the subject of the proposed detour; said report to be in sufficient detail as to reasonably reflect the condition of the roadway base, surface, shoulders and bridges; and

WHEREAS, the Department will review, and inspect when necessary, the bridges on the detour route and determine the maximum vehicle weight (up to 156,000 pounds) that can be safely carried on these bridges and submit this information to the LPA for its review. The LPA may choose to restrict detour traffic to only vehicles of legal weight or size. If the LPA allows oversize or overweight loads, it shall notify the Department in writing. The Department shall approve the routing of overweight vehicles on the detour route, up to the limits specified by the LPA; and

WHEREAS, the Department agrees to perform the following pre-detour maintenance, if any: Provide the necessary detour signing, per MUTCD; and

WHEREAS, the Department agrees to maintain the detour and provide all traffic control devices required by the Manual of Uniform Traffic Control Devices (MUTCD), as adopted by the Department pursuant to 761 IAC 130, including the marking of no-passing zones during the period the local agency road(s) and structure(s) are being utilized as a primary road detour; and

WHEREAS, Prior to revocation of the detour, the Department shall restore the local agency road to as nearly as possible as good condition as it was prior to its designation as a temporary primary road, or adequately compensate the local agency for excessive traffic upon the local agency road during the period it was used as a temporary primary road, in accordance with Section 313.28 or Section 313.29 of the Iowa Code and Iowa DOT Policy 600.05; and

WHEREAS, The detour period is estimated to begin July 25, 2022 and end July 31, 2022; and  
(date) (date)

WHEREAS, the parties agree to the following additional provisions, if any: \_\_\_\_\_

NOW, THEREFORE, BE IT AGREED that the described road be used as a detour under stipulations outlined above.

IN WITNESS WHEREOF, The parties hereto have caused this agreement to be executed by proper officers thereunto duly authorized as of the dates below indicated.

\_\_\_\_\_  
District Engineer (or designee) Date  
Iowa Department of Transportation

\_\_\_\_\_  
City representative Date

\_\_\_\_\_  
Printed name and title of city representative

\_\_\_\_\_  
County representative Date

\_\_\_\_\_  
Printed name and title of county representative



# IA141 Closed @ RR-x-ing in Sloan, IA

Detour: K45 north, 275th west, I-29 south

Sloan

IA141 Closed at RR-x-ing

Salix  
Salix

WinnaVegas Casino Resort

Google Earth

2 mi





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

Date: 6/30/2022 Weekly Agenda Date: 7/5/2022

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Board Member - Jeremy Taylor

**WORDING FOR AGENDA ITEM:**

Approval of 28E Agreement for Rolling Hills Community Services Region  
Authorize Chairman to sign MOU between Rolling Hills and Woodbury County

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

**BACKGROUND:**

**FINANCIAL IMPACT:**

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

Yes  No

**RECOMMENDATION:**

Approval of 28E Agreement for Rolling Hills Community Services Region  
Authorize Chairman to sign MOU between Rolling Hills and Woodbury County

**ACTION REQUIRED / PROPOSED MOTION:**

Approval of 28E Agreement for Rolling Hills Community Services Region  
Authorize Chairman to sign MOU between Rolling Hills and Woodbury County



# **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

## **28E AGREEMENT**

### **FOR**

### **ROLLING HILLS COMMUNITY SERVICES REGION**

This Agreement is made and entered into by, between and among the undersigned counties, each having adopted this Agreement by resolution of its board of supervisors, and hereby join together to voluntarily form a public body corporate and politic and separate legal entity under Iowa Code Chapter 28E, and amendments thereto, known as the Rolling Hills Community Services Region (the "Region").

#### **SECTION 1: IDENTITY OF THE PARTIES**

The undersigned counties are political subdivisions and constitute "public agencies" as defined in Iowa Code section 28E.2. The initial member counties are: Buena Vista, Calhoun, Carroll, Crawford, Ida and Sac. County membership may, however, change from time to time as provided in this Agreement and the current member counties at any time shall be referred to as the "member counties" in this Agreement. Cherokee County is considered to be a member county under this 28E Agreement effective January 1, 2015. Woodbury County is considered to be a member county under this 28E Agreement effective July 1, 2019. Humboldt County and Pocahontas County are considered to be member counties under this 28E Agreement effective July 1, 2022.

#### **SECTION 2: PURPOSE GOAL AND OBJECTIVE**

The member counties entered into this 28E Agreement to create a mental health and disability service regional administrative entity as described in the Iowa Code to provide local access to mental health and disability services for adults and to engage in any other related activity in which an Iowa 28E organization may lawfully be engaged.

#### **SECTION 3: TERM AND TERMINATION**

- 3.1 Term. This Agreement shall be effective when the undersigned initial member counties, as listed in Section 1 execute this Agreement and this Agreement is filed with the Iowa Secretary of State as required by Iowa Code Section 28E.8 (the "Effective Date").
- 3.2 Termination. The term of this Agreement shall be perpetual, unless terminated by:
  - a) a repeal or amendment of the Iowa Code sections that result in a major modification of a statutory requirement for mental health services to be provided through a regional format; or

## **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

b) a majority of the member counties approve termination of the region.

3.3 Wind Up of Region. In the event the Agreement is terminated as provided in Section 3.2, the Governing Board shall begin winding down the Region. If all the requirements in Section 3.2 are met by or on December 1 of any year, then this Agreement will terminate effective for the succeeding June 30<sup>th</sup>. If all the requirements in Section 3.2 are met after December 1 of any year, then this Agreement will terminate effective one calendar year from the succeeding June 30<sup>th</sup>. Any county could terminate their participation with this agreement at an earlier date by a two-thirds majority vote of the Governing Board.

3.4 Distribution of Assets. In the event this Agreement is terminated and the Region is dissolved, all property of the Region shall be delivered, assigned and conveyed to the member counties, by population to each member county. Any real property that needs to be acquired or disposed of shall be completed at the discretion of the Governing Board.

The foregoing notwithstanding, in the event any asset real property owned by the Region is sold, the member counties that contributed to the cost to purchase or improve that property shall first be reimbursed their respective contribution from the proceeds of such sale. Any proceeds remaining after such reimbursement shall be divided between all member counties.

### **SECTION 4: GOVERNING**

4.1 Governing Board Directors: The Governing Board of Directors shall contain the following Directors:

- a) Each member county shall appoint one of its supervisors to serve as a Director on the Governing Board and alternates. The Board of Supervisors of each member county shall select its Director and alternates and he or she shall serve indefinitely at the pleasure of the county appointing the Director, until a successor is appointed, or until the earlier death, resignation, or the end of such person's service as a county supervisor. Any Director appointed under this Section may be removed for any reason by the county appointing the Director, upon written notice to the Region's Board of Directors, which notice shall designate a successor Director to fill the vacancy.
- b) At least one adult individual who utilizes mental health and disability services, or is an actively involved relative of such an individual. This Director shall be appointed by the Region's Adult Advisory Committee described below, with such appointment to become effective upon approval by the Governing Board of the Region. This Director shall serve as

## **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

voting Director. This Director shall serve an initial term of one year, which shall begin upon the Effective Date, with appointments thereafter to be for two year terms.

- c) At least one individual representing adult service providers in the Region. This Director shall be appointed by the Region's Adult Advisory Committee described below, with such appointment to become effective upon approval by the Governing Board of the Region. This Director shall serve as an ex-officio, non-voting Director. This Director shall be appointed to two year terms, with the initial term beginning upon the Effective Date.
- d) At least one individual representing children's behavioral health service providers in the Region. This Director shall be designated by the Region's Children's Advisory Committee with such appointment effective upon approval by the Governing Board of the Region. This Director shall serve as an ex-officio, non-voting Director. This Director shall be appointed to two-year terms, with the initial term beginning upon the effective date.
- e) One individual representing the education system in the Region. This Director shall be designated by the Region's Children's Advisory Committee with such appointment effective upon approval by the Governing Board of the Region. This Director shall serve as voting Director. This Director shall be appointed for two-year terms, with the initial term beginning upon effective date.
- f) One person who is a parent of a child who utilizes children's behavioral health services or an actively involved relative of such child. This Director shall be designated by the Region's Children's Advisory Committee with such appointment effective upon approval by the Governing Board of the Region. This Director shall serve as voting Director. This Director shall be appointed for two-year terms, with the initial term beginning upon effective date.

### **4.2 Director Vacancies.**

- a) County-Appointed Directors: If a vacancy occurs during the term of a county-appointed Director, and/or alternates due to death, resignation, or end of service as a county supervisor of such Director, the vacancy shall be filled within sixty (60) days of its occurrence by the county having the right of appointment.
- b) Committee-Appointed Directors. If a vacancy occurs during the term of a committee-appointed Director, due to death or resignation of such Director, the vacancy shall be filled within sixty (60) days of its occurrence by the committee having the right of appointment. Such appointment to fill a vacancy shall become effective upon the approval of the Governing Board of the Region.

4.3 Voting Procedures for Governing Board Members. Each county-appointed Director shall have one vote that shall be weighted as three votes. Each county vote shall be cast by their county-appointed Director or alternate. Each committee-appointed voting Director shall have one vote and shall count as one vote. A quorum must be present in order for the

## **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

Governing Board to take action. A quorum shall be 51% of county-appointed Directors or alternates.

The Governing Board shall take action by approval from the majority of the votes present. Voting shall be done by roll call vote. Proxy voting will not be allowed; however, a Governing Board Director may attend meeting via electronic means and be considered present for purposes of quorum and voting.

4.5 Board Officers. The Governing Board shall organize itself and at its initial meeting elect a Chair, Vice-Chair and Secretary. Thereafter, at the first meeting each calendar year, the Governing Board shall elect a Chair, Vice-Chair and Secretary for the next ensuing one (1) calendar year.

- a) The Chair shall preside at the Board's meetings, preserve order and enforce this Agreement.
- b) The Vice-Chair shall assist the Chair. During the temporary absence or disability of the Chair, the Vice-Chair shall discharge the duties of the Chair. Should the Chair be permanently absent or disabled, the Vice-Chair shall succeed to the office of the Chair.

Minutes shall be kept at all board meetings.

4.6 Powers of the Governing Board. Except as otherwise provided in this Agreement, the Region shall be under the direction and control of the Board of Directors and the Chief Executive Officer. The Governing Board of Directors shall have each and all of the following powers:

- a) To make and enforce bylaws or rules and regulations for the management and operation of the Region's business and affairs;
- b) To do and perform any acts authorized by the Code of Iowa, under, through or by means of its officers, agents and employees, or by contracts with any person or entity;

The Board may delegate any of these powers to staff of the Region or staff of member counties serving the Region as the Board deems necessary. The Board may adopt such policies, rules, regulations and actions not inconsistent with law or this Agreement.

4.7 Appointment of Committees

Members of any committee of the Region shall be appointed by the Governing Board. Committee members shall serve indefinitely at the pleasure of the Governing Board, until a successor is appointed, or until the earlier death or resignation of such committee member.

- a) The Children's Advisory Committee, as appointed by the Governing Board, shall have a minimum of 10 members as defined in HF690. The committee members shall be:
  - (1) A parent of a child who utilizes services or the actively involved relatives of such child.

## **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

- (2) A member of the education system
- (3) An early childhood advocate
- (4) A child welfare advocate
- (5) A children's behavioral health service provider
- (6) A member of the juvenile court
- (7) A pediatrician
- (8) A child care provider
- (9) A local law enforcement representative
- (10) A regional governing board member

- b) The child advisory committee shall advise the Governing Board as requested by the Governing Board and shall also make designations to the Governing Board as described above. A quorum shall be 51% voting members.

### **4.8 Duties of Committees**

The advisory committee, as appointed by the Governing Board, shall have a maximum of two representatives per county. The committee members shall be: individuals who utilize services or actively involved relatives of such individuals; service providers; and the Governing Board Directors. The advisory committee shall advise the Governing Board as requested by the Governing Board and shall also make designations of the ex officio members to the Governing Board as described above.

The Governing Board may take action to create additional committees for various other purposes as it deems appropriate.

### **4.9 Methods for Dispute Resolution**

An internal dispute which cannot be resolved shall mean any action which the Region must take and for which no agreement on the particular action to be taken has been determined through the process set forth under this Agreement and such determination of action has remained unresolved for 10 business days.

In the event an internal dispute arises amongst or between the Governing Board, the Chief Executive Officer or any of the member counties, which cannot be resolved, the following dispute resolution shall be used:

- a) Mediation conducted pursuant to Chapter 679C of the Iowa Code;
- b) If after which the dispute remains unresolved, arbitration will be conducted pursuant to Chapter 679A of the Iowa Code.

# **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

## **5. MEMBERS**

### 5.1 Specification, Requirements, Obligations, Expectations of Member Counties

The member Counties agree to the following:

- To respond to reasonable requests to make local records available to the Region for the purposes of this Agreement;
- To provide sufficient office space for the performance of contracted services;
- To support the effective collaboration of other county functions related to the provision of contracted services;
- To provide county staff as agreed between the member county and the Governing Board for the effective provision of contracted services;
- To contribute funds as required by this Agreement; and
- To contribute funds as required by this Agreement at the time of entry into the Region (or the Effective Date for initial member counties).

### 5.2 Decision that Require a Member Vote

The Governing Board shall not have authority to, and they covenant and agree that they shall not, do, or cause the Region to do, any of the following acts without the prior consent of the majority of the County Boards of Supervisors members of a majority of the member counties:

- a) Permit any new member counties;
- b) Remove any member county (other than a voluntary withdrawal of a county as provided below);
- c) Terminate or amend this Agreement; or
- d) Dissolve the Region.

### 5.3 Member Voting Procedure

Any question related to the issues listed in Section 5.2 above may be presented to the member counties by resolution of the Governing Board of the Region by first adopting a recommendation on the issue and then submitting it to the individual member counties. A separate explanation of the reasons for the recommendation shall be included. Each member county desiring to vote upon the proposal shall do so by resolution of its Board of Supervisors and return of the same to Region's Governing Board Chair a certified copy of the resolution stating the County's vote within thirty (30) days of the date that the County received a copy of the proposal. Any member county not voting upon the proposal within this time shall be considered to have disapproved the

## **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

proposal. If the proposal receives approval by majority of the votes, it shall become effective ten (10) days following the date the vote is tabulated.

### 5.4 Additional Member Counties

If a county wishes to become a member county of the Region after the Effective Date, the county must make a written request to the Region's Governing Board. Such request will then be addressed through the Member Voting Procedure set forth in Section 5.3. If a new county's request is approved through such procedure, such new membership will not become effective until:

- a) the county provides a signature page to this Agreement and a resolution from its Board of Supervisors that it agrees to abide by the terms of this Agreement as set out herein and possess legal power and authority to do so; and
- b) if the new county's request has been properly approved and it has submitted the documentation in Section 5.4(a) prior to November 15<sup>th</sup>, then such membership shall become effective on the first day of the next fiscal year. If all of these requirements are not met until after November 15<sup>th</sup>, then such membership shall become effective one year from the first day of the next fiscal year. The timing requirements in this subsection may be waived by the Governing Board for cause, including in the event the Region is required by law or by the Iowa Department of Human Services to accept a new member county.

### 5.5 Member County Withdrawal / Removal

#### a) Member County Withdrawal

Any member county, by resolution of its Board of Supervisors, may withdraw from the Region by giving written notice to the Governing Board of the Region no later than November 15 prior to the end of the fiscal year the withdrawal will be effective. Withdrawal shall not relieve the withdrawing member county of the obligation to pay its share of the expenses of the Region incurred during the fiscal year in which the withdrawal occurs and any other past due amounts. Services of the Region shall continue to be provided to the withdrawing member county until the date of withdrawal, so long as such member county remains in good standing as provided in Section 5.6 below. Upon withdrawal, member counties shall not be entitled to any repayment for funds, services or property provided to the Region.

#### b) Member County Removal



## **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

If the Governing Board feels it is in the best interest of the Region for a member county to be removed from the Region, the Governing Board will pass a resolution to that effect and proceed under the Member Voting Procedure set forth in Section 5.3. Upon removal, member counties shall not be entitled to any repayment for funds, services or property provided to the Region.

### 5.6. Suspension of Voting Rights and Services

In the event any member county fails to make a payment to the Region as required under this Agreement for 30 days after such payment is requested in writing, then the member county will be deemed delinquent. During any period of delinquency, such member county shall not be entitled to the administrative services of the Region, nor shall the member county be entitled to vote on matters coming before the Governing Board or the member counties unless such delinquency shall be waived by a unanimous vote of the remaining members of the Governing Board. During any period of delinquency, the delinquent county shall not be considered for purposes of achieving a quorum. During any period of delinquency, the clients of such member county will not suffer as a result.

## **6. STAFF**

### 6.1 Selection Process for Chief Executive Officer

The Governing Board will be responsible for hiring and determining the compensation of the Chief Executive Officer for the region. The Governing Board and Chief Executive Officer will determine the amount of employees necessary to fulfill the staffing needs of the region. The Chief Executive Officer and Coordinators of Disability Services which make up the Regional Administrative Team shall be employees of a county through a Memorandum of Understanding (MOU) with the region. The Coordinators of Disability Services report to the Chief Executive Officer and the Chief Executive Officer shall report to the Region's Governing Board. Any further staffing needs shall be addressed by the Governing Board.

The Region has entered into a Memorandum of Understanding addressing the county of record for employees assigned to provide services to the Region.

### 6.2 Performance Evaluation of Chief Executive Officer

## **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

The Governing Board shall conduct annual evaluations of the Chief Executive Officer. The Governing Board may conduct additional evaluations of the Chief Executive Officer at any time, as it deems necessary in a given situation. All evaluations shall be summarized in writing and submitted to the Board of Supervisors of the member county which employs the respective Chief Executive Officer. In the event the Governing Board determines that it is not in the best interests of the Region for a particular person or persons to continue to serve as the Chief Executive Officer, the Governing Board shall inform the Board of Supervisors of the member county employing such person.

In the event the Chief Executive Officer resigns, retires or otherwise has his or her employment with the member county terminated, the Governing Board shall appoint a new Chief Executive Officer within thirty (30) days.

### **6.3 General functions and responsibilities of staff**

The Chief Executive Officer may employ through a MOU with persons or entities (including contracting through a MOU with member counties for member county employees to provide services to the Region) to staff the needs of the Region; however, the terms of all employment or MOU for staff shall be approved by the Governing Board. Staff shall include one or more coordinators of adult and children's services, hired either directly by the Region or provided to the Region by the member counties. Coordinators must have a bachelor's or higher degree in human services related or administrative related field. In lieu of a degree in administration, a coordinator may provide documentation of relevant management experience.

The Region intends to employ or contract through a MOU for staff for the following functions and responsibilities:

- a) Communications;
- b) Strategic Plan Development;
- c) Budget Planning and Financial Reports;
- d) Operations – personnel, benefits, space, training, etc.;
- e) Risk Management;
- f) Compliance and Reporting;
- g) Service Processing, Authorization and Access;
- h) Provider Network- development, contracting, quality and performance;
- i) Payment of Claims;
- j) Quality Assurance;
- k) Appeals and Grievances; and

## **28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

- l) Information Technology.

The Governing Board reserves the right to amend this list on its own motion without member approval as a non-substantive amendment as provided for in Section 8.1.

### **7. REGION FINANCES**

#### **7.1 Process for Annual Independent Audit**

Accounts of the Region shall be audited annually by a certified public accountant certified in the state of Iowa, as selected by the Governing Board.

### **8. SCOPE & AMENDMENTS**

#### **8.1 Amendments**

The Governing Board is authorized to make non-substantive amendments to this Agreement with a two-thirds vote of board members present. All other amendments to this Agreement shall be conducted through the member approval process described in Section 5.3 and in compliance with Iowa Code Chapter 28E, which includes filing all amendments with the Iowa Secretary of State.

#### **8.2 Entire Agreement**

This Agreement represents the entire 28E Agreement of the Region.

#### **8.3 Invalidity**

If any one or more provisions of this Agreement are declared unconstitutional or contrary to law, the validity of the remainder hereof shall not be affected.

#### **8.4 No Waiver**

The waiver by any party of a breach or violation of any provisions of this Agreement shall not operate as or be construed to be a waiver of any subsequent breach.

**28E AGREEMENT - ROLLING HILLS COMMUNITY SERVICES REGION**

IN WITNESS WHEREOF, WOODBURY COUNTY EXECUTES THIS 28E AGREEMENT, APPROVING CHANGES TO THE 28E AGREEMENT AS PASSED BY THE ROLLING HILLS GOVERNANCE BOARD ON JUNE 30, 2022 EFFECTIVE       JULY 1, 2022      :

BY: \_\_\_\_\_  
Matthew Ung, Woodbury County Board of Supervisors

BY: \_\_\_\_\_  
Rocky DeWitt, Woodbury County Board of Supervisors

BY: \_\_\_\_\_  
Justin Wright, Woodbury County Board of Supervisors

BY: \_\_\_\_\_  
Keith Radig, Woodbury County Board of Supervisors

BY: \_\_\_\_\_  
Jeremy Taylor, Woodbury County Board of Supervisors

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
Patrick Gill, Woodbury County Auditor

**MEMORANDUM OF UNDERSTANDING  
REGARDING REIMBURSEMENT FROM ROLLING HILLS COMMUNITY  
SERVICES REGION FOR COUNTY EMPLOYEES**

1. COME NOW the Woodbury County Board of Supervisors (hereinafter “the County Board”) and the Governing Board of the Rolling Hills Community Services Region (hereinafter “the Governing Board”) indicate their mutual understanding of the following:
2. Woodbury County, (hereinafter “County”), is a member county in and the County Board is a signatory to a 28E Agreement for the Rolling Hills Community Services Region, (hereinafter “the Region”, or “Region”).
3. The purpose of this Memorandum of Understanding is to establish a methodology by which the Region shall reimburse County for the cost/expense incurred by County for any county employee who performs services on behalf of the Region, all in compliance with applicable Iowa law.
4. The 28E Agreement to which County is a signatory contemplates that the Region’s Chief Executive Officer, Coordinators of Disability Services, and all support staff will be made up of and will remain employees of the individual member counties. Any future employee must be a resident of the Region.
5. For all employees who begin employment after July 1, 2022, the county of record for any employee providing services on behalf of the Region shall be the county in which the employee permanently resides. If an employee moves to another county within the Region, they will retain the original employer of record. As such, each employee shall follow and receive the policies, procedures and benefits of the employee’s county of record. The foregoing notwithstanding, the Region’s Chief Executive Officer, with input from the County, shall have the authority to manage, and discipline the employee, and terminate the contract for the employee in accordance with the county of record’s personnel policy and with any applicable law.
6. In compliance with the provision of the 28E Agreement, Exhibit A is attached hereto, setting forth the individual County employees, the positions they fill for the region, and the amount of their wages and benefits that are to be reimbursed to

County by the Region.

7. In the event one of the specific employees listed separates employment with County, for whatever reason, and a new employee is hired to fill that vacant position, the County Board's representative on the Region's Governing Board shall provide the Governing Board with an updated Exhibit A.
8. The Governing Board, consistent with the 28E Agreement, shall reimburse County from regional funds the amount of wages and benefits listed for the County employees included on Exhibit A.
9. The Governing Board shall reimburse the member county for the time an employee spends fulfilling regional functions as defined in Attachment A. Reimbursement shall include the employee's base salary, benefits, applicable payroll deductions, occupancy expenses, and identified administrative expenses, including unemployment compensation and workers compensation.
10. The Governing Board shall obtain a commercial general liability insurance, Auto Liability and Public Officials Liability in the amounts of \$2,000,000 separately each occurrence to cover the employees included in Exhibit A. This policy shall be endorsed to include Calhoun County as an additional insured.
11. County agrees to provide the employee with sufficient office space, equipment, supplies and telephone to conduct employee's Region responsibilities while working within the County, which will be reimbursed by the Region. The Governing Board shall reimburse the member county for all travel expenses incurred while an employee performs work on behalf of the Region. Reimbursements shall be reviewed annually or as needed when changes to a member county's expenses occur. Any reimbursement for mileage shall be limited to mileage from the employee's home or office, to the determined destination, whichever is closer. No reimbursement shall be made for miles driven by employee from their residence to their assigned primary office location.
12. The Region shall issue funds to County for one fourth of County's combined payroll and occupancy budgeted expenses as identified above by the latest practical claims date before the beginning of the new quarter (July, October, January, and April) in order to ensure that County receives adequate funds to cover the quarterly administrative expenses.

13. If County has higher expenditures during a quarter that exceed the quarterly payment, a request for reimbursement will be sent to the Region to be considered at the next Regional Governing Board meeting. If County expects lower expenditures in any given quarter, County should notify the Region. Adjustments to County's quarterly distribution will be completed in the fourth quarter, as necessary.
14. County will submit a quarterly report of expenditures to the Region for reconciliation purposes. The quarterly report will not impact the next quarterly distribution.
15. This agreement shall be effective for the time period of July 1, 2022 through June 30, 2023. The Governing Board may vote to extend or amend this MOU for FY24.
16. Any disagreements in reimbursement amounts shall be discussed and rectified between the Governing Board and County Board of Supervisors in the same manner disputes are resolved under Section 4.9 of the regional 28E Agreement.

WOODBURY COUNTY  
BOARD OF SUPERVISORS

GOVERNING BOARD OF THE  
ROLLING HILLS COMMUNITY  
SERVICES REGION

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

By: Paul Murtz

WOODBURY County Chairperson

\_\_\_\_\_, Chairperson

Signed the \_\_\_\_ day of \_\_\_\_\_, 2022.

Signed the 30<sup>th</sup> day of June, 2022.

Attest: \_\_\_\_\_

\_\_\_\_\_ County Auditor



**EXHIBIT A  
WOODBURY COUNTY  
EMPLOYEES**

The region intends to employ or contract for staff for the following regional functions and responsibilities with the following rates:

		<b>% of Wages/Benefits to be Appropriated to</b>
Julie Albright	Mental Health Advocate Coordinator	100 %
Theresa Jochum	Coordinator of Disability Services	100 %
Cindy Wiemold	Mental Health Advocate	100 %

By:   
County RHCS Representative

By: \_\_\_\_\_  
Board Chair

Date: 6-30-2022

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