



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(SEPTEMBER 24) (WEEK 39 OF 2024)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Daniel A. Bittinger II
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dbittinger@woodburycountyiowa.gov

Mark E. Nelson
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Keith W. Radig
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Jeremy J. Taylor
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Matthew A. Ung
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held September 24, 2024, 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. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of 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. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

AGENDA

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

1. Approval of the agenda Action

Consent Agenda

Items 2 through 7 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

2. Approval of the minutes of the September 17, 2024 meeting
3. Approval of claims
4. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorization to Initiate Hiring Process
 - c. Approval of retiree request to remain on the county dental insurance

5. Planning/Zoning Daniel Priestley
Approval to set October 8th at 4:45 p.m., October 15th at 4:45 p.m. and October 22nd for three public hearings on a proposed Zoning Ordinance Map Amendment (rezone) of 1.14-acres located on Parcel #884726200002, Section 26, T88N R47W (Woodbury Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District Action
6. Secondary Roads – Mark Nahra
Approve the permit to work in the right of way for Barbara Leimer
7. Board of Supervisors – Jeremy Taylor
Approve renaming the Butler Meeting Room the “Dennis Butler Meeting Room”

End Consent Agenda

8. Planning/Zoning – Dawn Norton & Board of Supervisors – Keith Radig
Approval to allocate \$1,000 (Gaming Revenue) and 2 days (16 hours total) of paid time off for the United Way of Siouxland Employee Contribution Campaign Action
9. Emergency Services – Drew Baier
Approval to move the \$30,000 ARPA fund designated to extrication equipment to ARPA 24 Life Pak Monitors upgrades \$15,681.80 and ARPA 25 Skit Unit for grass rig \$14,318.20 for a total of \$30,000.00 Action
10. Planning/Zoning – Daniel Priestley
4:45 p.m.
(Set time)
 - a. Conduct the second public hearing on proposed revisions to Woodbury County Ordinance #56, including amending Sections 5.2.D, 6.1.A, 6.2, 7, and 7.1.C, which regulate Commercial Wind Energy Conversion Systems (C-WECS) in unincorporated Woodbury County. The amendments address changes to the C-WECS application process, submission requirements, siting and design standards, including setbacks, protected areas, setback waiver limitations, as well as updates to discontinuance and decommissioning plan requirements Action
 - b. Approval of the 2nd reading of the ordinance amendments Action
11. Secondary Roads – Mark Nahra
 - a. Approval of resolution to revise the Woodbury County FY 2025 Five Year Road Construction Program Action
 - b. Award quote for a used tracked skid steer loader for the secondary road department Action
12. County Deputy Auditor – Michelle Skaff
Budget review Information
13. County Sheriff – Chad Sheehan
Approve a budget amendment up to \$15,000 to cover the purchase of equipment to come into compliance with federal regulations related to CJIS systems and to utilize the funds from the left-over medical fund to cover the expense Action
14. Reports on Committee Meetings Information
15. Citizen Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- MON., SEP 23 6:00 p.m.** Zoning Commission Meeting, Courthouse Basement Boardroom
- WED., SEP 24 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., SEP 26 10:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 6401 Gordan
- 11:15 a.m.** Western Iowa Community Improvement Regional Housing Trust Fund Meeting, 6401 Gordan
- WED., OCT 2 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., OCT 3 12:00 p.m.** SIMPCO Regional Policy & Legislative Affairs Committee Meeting, 6401 Gordan Drive
- MON., OCT 7 6:00 p.m.** Board of Adjustment meeting, Courthouse Basement Boardroom
- WED., OCT 9 7:30 a.m.** SIMPCO Executive Finance Committee Meeting, 6401 Gordan Drive
- 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 10:00 a.m.** StarComm Board Meeting, The Security Institute, WIT Campus
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- THU., OCT 10 12:00 p.m.** SIMPCO Board of Directors, 6401 Gordon Drive.
- 4:00 p.m.** Conservation Board Meeting, Brown's Lake – Bigelow Park
- WED., OCT 16 10:30 a.m.** Western Iowa Tourism Region Meeting, LaunchPad Museum, 623 Pearl St.
- 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- WED., OCT 23 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- MON., OCT 28 6:00 p.m.** Zoning Commission Meeting, Courthouse Basement Boardroom
- THU., OCT 24 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St.

Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

SEPTEMBER 17, 2024, THIRTY-EIGHTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, September 17, 2024, at 4:30 p.m. Board members present were Ung, Radig, Taylor, Bittinger II, and Nelson. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director and Patrick Gill, Auditor/Clerk to the Board.

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

1. Motion by Radig second by Ung to approve the agenda for September 17, 2024. Carried 5-0. Copy filed.
Motion by Taylor second by Ung to approve the following items by consent:
2. To approve minutes of the September 10, 2024, meeting. Copy filed.
3. To approve the claims totaling \$705,923.28. Copy filed.
4. To approve the lifting of tax suspension for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension. Copy filed.
5. To approve the items to be auctioned per Personal Property Disposition Policy. Copy filed.
- 6a. To approve the appointment of Andrew DeMers, Assistant County Attorney, County Attorney Dept., effective 09-18-2024, \$79,069.00/year. Job Vacancy Posted on 03/26/2023. Entry Level Salary: \$79,069.00.; the separation of Laura Kinnaman, Custodian, Building Services Dept., effective 09-27-24. Retired.; the separation of Jose Perez, Civilian Jailer, County Sheriff Dept., effective 10-04-2024. Resignation.; the separation of Delayne Folsom, Equipment Operator, Secondary Roads Dept., effective 01-10-2025. Retired.; and the separation of Tracy Nelson, Court Security Officer, County Sheriff Dept., effective 01-06-2025. Retired. Copy filed.
- 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Equipment Operator, Secondary Roads Dept. CWA Roads: \$27.04/hour.; Custodian, Building Services Dept. AFSCME: \$17.29/hour.; and Civilian Jailer (2), County Sheriff Dept. CWA Civilian: \$24.57/hour. Copy filed.
- 7a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #894726178006, 900 Cornelia St.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,793
NOTICE OF PROPERY SALE**

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

**Lot Forty (40) Block Seven (7) Eden Park Addition, City of Sioux City, Woodbury County, Iowa
(900 Cornelia 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 **1st Day of October, 2024 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 **1st Day of October, 2024**, 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 \$100.00** 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 17th Day of September, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 7b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #894726177013, 931 Cornelia St.

**RESOLUTION COUNTY, IOWA
RESOLUTION #13,794
NOTICE OF PROPERTY SALE**

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

Lot Fourteen (14) Block Six (6) Eden Park Addition, City of Sioux City, Woodbury County, Iowa (931 Cornelia 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 **1st Day of October, 2024 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 **1st Day of October, 2024**, 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 \$100.00** 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 17th Day of September, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 7c. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894726178011, 917 Glass St.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,795
NOTICE OF PROPERTY SALE**

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

Lot Fourteen (14) Block Seven (7) Eden Park Addition, City of Sioux City, Woodbury County, Iowa (917 Glass 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 **1st Day of October, 2024 at 4:39 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 **1st Day of October, 2024**, 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 \$100.00** 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 17th Day of September, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 7d. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894728102006, 208 14th St.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,796
NOTICE OF PROPERTY SALE**

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

The West Twenty-five feet (W 25') of the East Fifty feet (E 50') of Lot One (1) and the West Twenty-five feet (W 25') of the East Fifty feet (E 50') of the North Eighteen and one-half feet (N 18 ½') of Lot Two (2), Block Seventy-nine (79), Sioux City East Addition, City of Sioux City, Woodbury County, Iowa (208 14th 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 **1st Day of October, 2024 at 4:41 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 **1st Day of October, 2024**, 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 \$224.00** 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 17th Day of September, 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Carried 5-0.

- 8a. Motion by Taylor second by Ung to approve the plans for project #L-B(K19)—73-97. Carried 5-0. Copy filed.
- 8b. Motion by Nelson second by Taylor to approve the plans for project #FM-CO97(152)—55-97. Carried 5-0. Copy filed.

The Board recessed for a meeting of the Bennett McDonald Levee & Wolf Creek Drainage Districts Trustees meeting.

The Supervisors meeting was called back to order.

- 10a. Motion by Nelson second by Ung to receive the county staff report concerning proposed amendments to Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems. Carried 5-0. Copy filed.

Motion by Nelson second by Taylor to receive written comments from MidAmerican Energy Company regarding the Woodbury County wind ordinance. Carried 5-0. Copy filed.

- 10b. A public hearing was held at 4:45 p.m. for proposed revisions to Woodbury County ordinance #56, including amending Sections 5.2.D, 6.1.A, 6.2, 7 and 7.1.C, which regulate Commercial Wind Energy Conversion Systems (C-WECS) in unincorporated Woodbury County. The amendments address changes to the C-WECS application process, submission requirements, siting and design standards, including setbacks, protected areas, setback waiver limitations, as well as updates to discontinuance and decommissioning plan requirements. The Chairperson called on anyone wishing to be heard.

Larry Fillipi, Anthon, presented documents to the Board regarding wind turbines.

Motion by Taylor second by Ung to receive documents from Larry Fillipi. Carried 5-0.

Tim Hoy, Anthon, Steve Corey, Salix, Jacob Joliet, Urbandale, Doyle Turner, Merville, Daniel Hair, Hornick, Ron Bohle, Pierson and Kim Alexander, Smithland, addressed the Board in regards to the proposed wind ordinance.

Motion by Ung second by Nelson to close the public hearing. Carried 5-0.

- 10c. Motion by Ung second by Bittinger to approve the 1st reading. Carried 5-0.
11. Motion by Taylor second by Radig to approve to use the remaining \$2,198.05 Emergency Services Doors CIP balance for a new CIP to make a partial payment for a firefighting skid unit for EMS. Carried 5-0. Copy filed.
12. Daniel Bittinger, Board of Supervisors, and Anna Bertrand and Sierra Mohr, Sky Rance Behavioral Services, presented information on Opioid remediation settlement request and proposal from Sky Rance Behavioral Services for 3 F.T.E. positions. Copy filed.
13. Matthew Ung, Board of Supervisors, and Daniel Bittinger, Board of Supervisors, presented a joint statement regarding MOU with Attorney's union. Copy filed.

14. There was no action taken to give direction for the Chairman to draft a resolution to be approved at a subsequent meeting, regarding the official position of the Woodbury County Board related to the MOU with AFSCME Council 61 Local 3462 (the attorney's union). Copy filed.
15. Motion by Taylor second by Nelson to designate Mark Nelson and Keith Radig to work with the County Attorney's Union (AFSCME representatives) to negotiate a memorandum of understanding to address staffing issues in the County Attorney's Office. Carried 4-1 on a roll call vote; Ung was opposed. Copy filed.
16. Motion by Taylor second by Radig to approve naming the "Old Board of Supervisors Chambers" the "Butler Meeting Room" and dedicate up to \$1,500 in gaming revenue and set the intent for a dedication of that room at a future time certain. Carried 5-0. Copy filed.
17. Reports on committee meetings were heard.
18. There were no citizen concerns.
19. Board concerns were heard.

The Board adjourned the regular meeting until September 24, 2024.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: September 24th, 2024

*** 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 |
|-----------------------|--------------------|----------------|---------------------------|------------------|--------------|---|---|
| Thomas, Cole | Secondary Roads | 08-16-2024 | Summer Laborer | | | S | End of Temp Work. |
| Devereux, Andrew | Attorney's Office | 08-16-2024 | Intern | | | S | End of Temp Work |
| Singh, Mansanwalpreet | Attorney's Office | 09-30-2024 | Assistant County Attorney | \$79,069.00/year | | A | Job Vacancy Posted on 03/26/2023. Entry Level Salary: \$79,069.00/yr. |
| Peck, Kyrese | Secondary Roads | 09-30-2024 | Motor Grader Operator | \$28.18/hour | 3%=\$0.85/hr | E | End of Probationary Period. Move to Step 1. Anniversary Date 10/3/24. |
| Gibson, John | Secondary Roads | 09-30-2024 | Equipment Operator | \$27.88/hour | 3%=\$0.84/hr | E | End of Probationary Period. Move to Step 1. Anniversary Date 10/3/24. |
| Davis, Jeff | Juvenile Detention | 10-08-2024 | Youth Worker | | | S | Retired. |
| | | | | | | | |
| | | | | | | | |

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: _____

**HUMAN RESOURCES DEPARTMENT
WOODBURY COUNTY, IOWA**

DATE: September 24th, 2024

AUTHORIZATION TO INITIATE HIRING PROCESS

| DEPARTMENT | POSITION | ENTRY LEVEL | APPROVED | DISAPPROVED |
|--------------------|-------------------|-------------------------------------|-----------------|--------------------|
| Juvenile Detention | Youth Worker - FT | AFSCME Juvenile: \$22.05/hour | | |
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Chairman, Board of Supervisors

September 13, 2024

To Whom It May Concern,

I would like to purchase Retiree Dental Insurance at my own expense for my husband Dave and myself.

Thank you,

Debra Leckband

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

Date: 9/18/24 Weekly Agenda Date: 9/24/24

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel Priestley

WORDING FOR AGENDA ITEM:

Schedule Dates and Times for 3 Public Hearings on a proposed Zoning Ordinance Map Amendment (rezone) of 1.14-acres located on Parcel #884726200002, Section 26, T88N R47W (Woodbury Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

This request is for the Board to set the dates and times for 3 Public Hearings on a proposed Zoning Ordinance Map Amendment (rezone) of 1.14-acres located on Parcel #884726200002, Section 26, T88N R47W (Woodbury Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

BACKGROUND:

The Sandra K. Baker Revocable Trust (Applicant: Sandra K. Baker) and Jimmie L. and Renee T. Colyer (Owners) have submitted an application for a zoning ordinance map amendment to rezone a portion of the property (Parcel #884726200002) from the Agricultural Preservation (AP) District to the Agricultural Estates (AE) District. The applicants seek to rezone a 1.14-acre portion of this parcel, which will be split and combined with Lot 1 of the Baker Acres subdivision through the Woodbury County Assessor's combination process. A survey conducted by Al Fagan Land Surveying P.C. provides the legal description of the portion of land to be conveyed to the Sandra K. Baker Revocable Trust. This 1.14-acre area is not eligible for development as a standalone lot because it does not meet the requirements of the Zoning and Subdivision Ordinance.

FINANCIAL IMPACT:

0

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 the dates and times for 3 Public Hearings on a proposed Zoning Ordinance Map Amendment (rezone) of 1.14-acres located on Parcel #884726200002, Section 26, T88N R47W (Woodbury Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Tuesday, October 8, 2024, 4:45 PM
Tuesday, October 15, 2024, 4:45 PM
Tuesday, October 22, 2024, 4:45 PM

ACTION REQUIRED / PROPOSED MOTION:

Motion to set the dates and times for 3 Public Hearings on a proposed Zoning Ordinance Map Amendment (rezone) of 1.14-acres located on Parcel #884726200002, Section 26, T88N R47W (Woodbury Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Tuesday, October 8, 2024, 4:45 PM
Tuesday, October 15, 2024, 4:45 PM
Tuesday, October 22, 2024, 4:45 PM

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

Date: 08/28/2024 Weekly Agenda Date: 09/3/2024

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

WORDING FOR AGENDA ITEM:

Consideration of permit to work in the county right of way for the Barbara Leimer

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Barbara Leimer has requested a permit to work in the right of way to shape the backslope near her house and burn the ditch at 3294 150th Street.

BACKGROUND:

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa. I have reviewed the site and recommend the work be permitted.

FINANCIAL IMPACT:

No impact 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 the permit to work in the right of way.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the permit to work in the right of way for Barbara Leimer and to direct the chair to sign the permit.



Woodbury County Secondary Roads Department

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

WOODBURY COUNTY SECONDARY ROAD DEPARTMENT

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

Name of Permittee: Barbara Leimer Phone No.: ~~479~~-479-225-1952

Mailing Address: 3294 150th St. Kingsley, IA

Township: Rutland Section: 31

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

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

Backslope shaping west of house. Minor ditch bottom shaping to remove debris. Will seed disturbed areas when finished. May burn ditch with CRP burn.

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

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

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

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

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

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

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

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

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

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

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

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

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

County will review repairs at cross road culvert east of house.

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the 31st day of July, ~~2024~~ ²⁰²⁵.

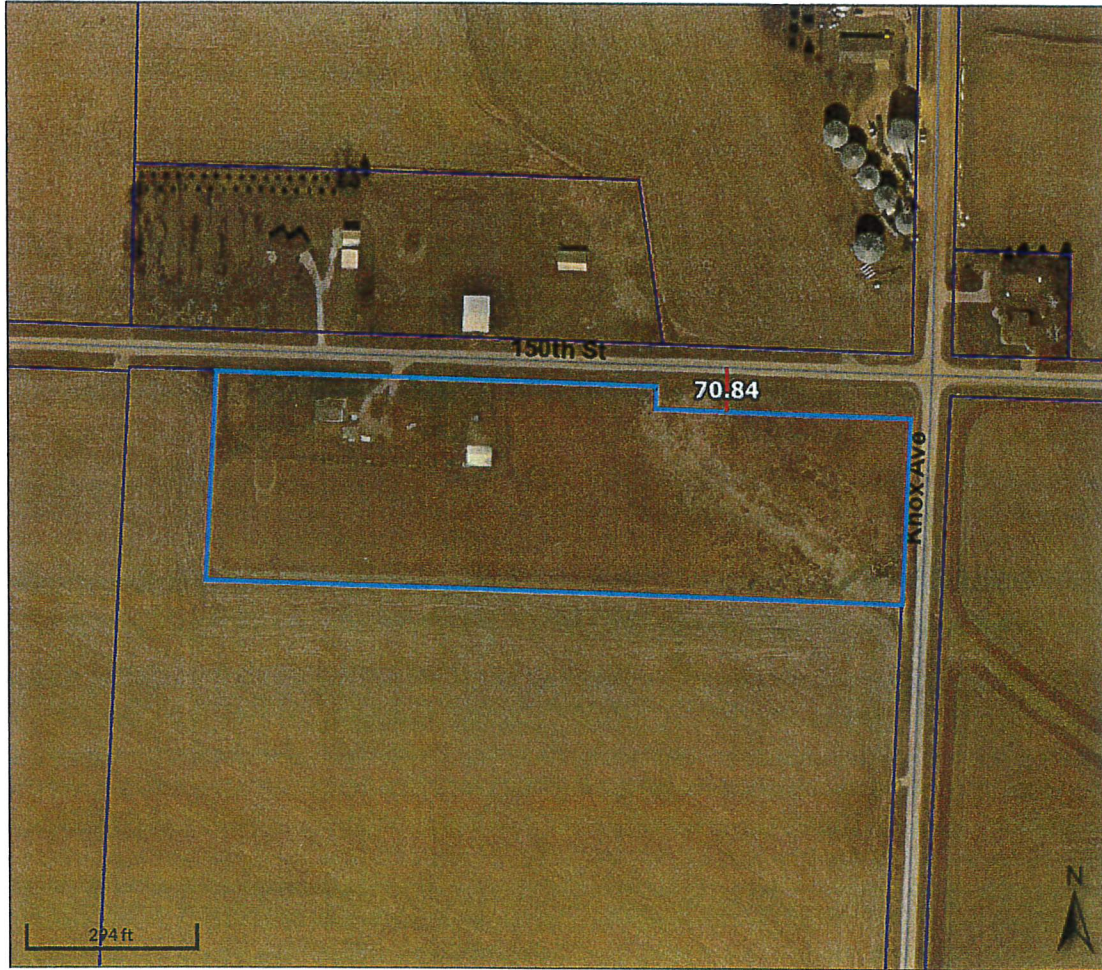
Entered into this _____ day of _____, ~~2024~~ ²⁰²⁵.

Barbara A. Leimer

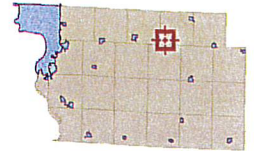
Signature of Property Owner or Authorized Representative

Woodbury County Engineer

Chair, Woodbury County Board of Supervisors



Overview



Legend

-  Roads
-  Corp Boundaries
-  Townships
-  Parcels

| | | | | | |
|-----------------------|---|--------------|--------|---------------|--------------------|
| Parcel ID | 894331200003 | Alternate ID | 845355 | Owner Address | J & B LEIMER TRUST |
| Sec/Twp/Rng | 31-89-43 | Class | R | | 3294 150TH ST |
| Property Address | 3294 150TH ST | Acreege | 8.48 | | KINGSLEY, IA 51028 |
| | KINGSLEY | | | | |
| District | 0054 | | | | |
| Brief Tax Description | N369.8' E1178.9' NENE 31-89-43 | | | | |
| | (Note: Not to be used on legal documents) | | | | |

Date created: 9/17/2024
 Last Data Uploaded: 9/17/2024 12:42:09 AM

Developed by  Schneider
 GEOSPATIAL

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

Date: 9/19/2024 Weekly Agenda Date: 9/24/2024

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Jeremy Taylor - Supervisor

WORDING FOR AGENDA ITEM:

Approve renaming the Butler Meeting Room the "Dennis Butler Meeting Room"

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

BACKGROUND:

During the 9/17/24 board meeting there was discussion and a motion to name the room, Butler Meeting Room. Since that meeting there have been several employees who have requested the room be named the Dennis Butler Meeting Room instead.

FINANCIAL IMPACT:

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

Yes No

RECOMMENDATION:

Approve Motion renaming the Butler Meeting Room the "Dennis Butler Meeting Room".

ACTION REQUIRED / PROPOSED MOTION:

Approve Motion renaming the Butler Meeting Room the "Dennis Butler Meeting Room".

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

Date: 09/18/2024 Weekly Agenda Date: 09/24/2024

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Dawn Norton/Keith Radig

WORDING FOR AGENDA ITEM:

United Way of Siouxland Employee Contribution Campaign

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

To consider a request of allocating \$1,000 (Gaming Revenue) for a budget to develop and implement an Employee Contribution Campaign for the United Way of Siouxland, with a goal of raising \$26,720.

BACKGROUND:

County employees are raising funds for the United Way Community Impact Fund, which supports Education, Income, and Health initiatives for families in Siouxland. Last year the Board approved \$1,000 and 2 PTO days for the campaign. Last year county employees raised \$24,291.10 in total. We hope to increase the number of employees who donate and increase donations by 10%.

FINANCIAL IMPACT:

\$1,000 (Gaming Revenue)

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:

Provide a budget of \$1,000 and 2 days (16 hours) of paid time off for the employee contribution campaign. Through Board consensus, commit the County to a goal of \$26,720, and strongly encourage department heads, elected officials, and staff to participate. Woodbury County is recognized in campaign ads for their contribution.

ACTION REQUIRED / PROPOSED MOTION:

Motion to allocate \$1,000 (Gaming Revenue) and 2 days (16 hours total) of paid time off for the employee contribution campaign.



Campaign History Roll Up

| Type | Life Pledge | 2025 Pledge | 2024 Pledge | 2023 Pledge | 2022 Pledge | 2021 Pledge | 2020 Pledge | 2019 Pledge | 2018 Pledge | 2017 Pledge | 2016 Pledge | 2015 Pledge |
|--------------------------|---------------------|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Employee Gift | \$491,295.07 | \$0.00 | \$24,081.10 | \$25,749.88 | \$25,742.40 | \$17,565.02 | \$20,634.34 | \$20,777.84 | \$21,459.48 | \$22,971.70 | \$19,770.30 | \$20,686.50 |
| Workplace Special Events | \$2,371.00 | \$0.00 | \$210.00 | \$250.00 | \$1,460.00 | \$150.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| **CAMPAIGN TOTAL | \$493,666.07 | \$0.00 | \$24,291.10 | \$25,999.88 | \$27,202.40 | \$17,715.02 | \$20,634.34 | \$20,777.84 | \$21,459.48 | \$22,971.70 | \$19,770.30 | \$20,686.50 |
| Leader \$ | \$153,448.96 | \$0.00 | \$17,036.00 | \$16,905.98 | \$16,222.50 | \$6,678.00 | \$9,489.74 | \$8,876.14 | \$8,076.10 | \$9,061.00 | \$7,592.00 | \$6,480.50 |
| # Leaders | | | 18 | 19 | 18 | 11 | 12 | 12 | 11 | 14 | 13 | 12 |
| # Employees | | 459 | 459 | 418 | 443 | 443 | 443 | 425 | 408 | 408 | 418 | 418 |
| # Donors | | | 72 | 88 | 85 | 84 | 95 | 107 | 136 | 147 | 125 | 144 |
| Participation | | 0.0% | 15.69% | 21.05% | 19.19% | 18.96% | 21.44% | 25.18% | 33.33% | 36.03% | 29.9% | 34.45% |
| Avg Gift | | \$0.00 | \$334.46 | \$292.61 | \$302.85 | \$209.11 | \$217.20 | \$194.19 | \$157.79 | \$156.27 | \$158.16 | \$143.66 |
| E/Capita | | \$0.00 | \$52.46 | \$61.60 | \$58.11 | \$39.65 | \$46.58 | \$48.89 | \$52.60 | \$56.30 | \$47.30 | \$49.49 |

Don't Miss...

Campaign Training Palooza August 21 11:00 am-1:00 pm at United Way of Siouxland. Hands on experiences on how your company campaign can grow by leaps and bounds while having fun. **FREE LUNCH**

Kickoff September 12 8-9:00 am. Exciting news on the new Goals for Siouxland, meet the campaign chairs and be the first to hear which new programs will be funded.

Early Bird Deadline November 6 by 5:00 pm. Turn in you completed campaign packet by Nov. 6 and you will be featured in our **THANK YOU** campaign ads.

Life Pledge is from 1997 to current.

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

Date: 09/19/2024 Weekly Agenda Date: 09/24/2024

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Drew Baier, EMS Director

WORDING FOR AGENDA ITEM:

Requesting transfer and use of ARPA funds

ACTION REQUIRED:

- Approve Ordinance Approve Resolution Approve Motion
Give Direction Other: Informational Attachments

EXECUTIVE SUMMARY:

Emergency Services is requesting the board to authorize the expenditure of ARPA fund money to complete 2 separate projects.

BACKGROUND:

Emergency Services is to provide EMS/Fire support to the 14 rural communities and rural residents of Woodbury County. ARPA funding is allowing us to enhance those services that effect both areas of coverage. The first is updating the cardiac monitors to get 3-5 more years of service life before needed replacement. The second part is the support of grassland fires impacting crops and property.

FINANCIAL IMPACT:

None. The \$30,000 ARPA fund had already been approved for Extrication Equipment.

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 to move the \$30,000.00 ARPA fund designated to Extrication Equipment to ARPA 24 LifePak Monitors upgrades \$15,681.80 and ARPA 25 Skid Unit for Grass Rig \$14,318.20 for a the total of \$30,000.00

ACTION REQUIRED / PROPOSED MOTION:

Approval to move the \$30,000.00 ARPA fund designated to Extrication Equipment to ARPA 24 LifePak Monitors upgrades \$15,681.80 and ARPA 25 Skid Unit for Grass Rig \$14,318.20 for a total of \$30,000.00

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

Date: 9/18/24

Weekly Agenda Date: 9/24/24 4:45

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel J. Priestley

WORDING FOR AGENDA ITEM:

A) Conduct the second public hearing on proposed revisions to Woodbury County Ordinance #56, including amending Sections 5.2.D, 6.1.A, 6.2, 7, and 7.1.C, which regulate Commercial Wind Energy Conversion Systems (C-WECS) in unincorporated Woodbury County. The amendments address changes to the C-WECS application process, submission requirements, siting and design standards, including setbacks, protected areas, setback waiver limitations, as well as updates to discontinuance and decommissioning requirements. B) Motion to approve the 2nd Reading of the Ordinance Amendments.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

SUMMARY OF PROPOSED REVISIONS TO WOODBURY COUNTY, IOWA ORDINANCE #56: AMENDMENTS TO MODIFY SECTION 5.2.D, SECTION 6.1.A, SECTION 6.2, SECTION 7, AND SECTION 7.1.C IN THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY. THE AMENDMENTS TO THE REFERENCED SECTIONS INCLUDE MODIFICATIONS TO THE COMMERCIAL WIND ENERGY CONVERSION SYSTEMS SPECIAL USE PERMIT APPLICATION REVIEW AND APPROVAL PROCESS INCLUDING APPLICATION SUBMISSION REQUIREMENTS, SITING AND DESIGN STANDARDS INCLUDING SETBACKS, WIND TURBINES PROTECTED AREAS AND TURBINE SET BACK REQUIREMENTS AND SETBACK WAIVERS REQUIREMENTS, AND DISCONTINUANCE AND DECOMMISSIONING REQUIREMENTS.

BACKGROUND:

The People of Woodbury County (the "County"), as reflected in the County Comprehensive Plan 2040 (the "Comp Plan"), expect the County to scrutinize policies that could significantly impact their long-term prosperity, including health, safety, and welfare. The Comp Plan sets a goal to "plan for the creation and use of alternative and renewable energy sources in Woodbury County" (p. 127). However, it also emphasizes the need to "continuously update policies that regulate renewable energy infrastructure to ensure that it does not present safety hazards and to minimize disruptions to surrounding land uses."

Since the passage of Ordinance #56, which regulates commercial wind energy conversion systems (C-WECS) in unincorporated Woodbury County in July 2021, there has been significant public input. Residents have raised concerns about potential dangers that could impact their communities including those considered in subsequent amendments adopted in August 2022 and May 2023. New information about the safety ratings of wind turbines has continued to raise concerns among residents not limited to data presented in safety data sheets.

On April 17, 2024, a town hall meeting hosted by the Woodbury County Board of Supervisors and the Lawton City Council members was held in Lawton, IA. The meeting covered various topics, including C-WECS regulations. Attendees expressed concerns about safety, long-term agreements, and property values (Woodbury "Lawton," 2024). Following the meeting, a petition with over 160 signatures was submitted on August 6, 2024, requesting the Board of Supervisors to revisit the regulations outlined in Ordinance #56. The petition includes the following statement:

"We the people of Woodbury County demand the county's commercial wind ordinance be relevant based on information readily available. We believe new information makes our current ordinance no longer relevant and needs to be updated. We, the undersigned would like to see, at a minimum, the following issues addressed: ½ mile or at least 4.5x tower height (TH) whichever is greater from a non-participating property line, 2.5x TH from a participating residence, 3 miles from a town, county park, and airports, 40 decibels max for sound, complete removal of all concrete, metal, and wires for decommissioning, and mandatory bolstering of county roads and infrastructure prior to any construction" (Woodbury "Petition," 2024).

The role of these proposed amendments is to establish a balance that continues to keep in mind the public health, safety, and general welfare of the People of Woodbury County in terms of the location, operation, and decommissioning of commercial wind projects.

References:

Woodbury County Board of Supervisors. (2024, April 17). Lawton Town Hall part 1 of 2 [Video]. YouTube. <https://www.youtube.com/watch?v=vYObe3e8hJk>

Woodbury County Board of Supervisors. (2024, April 17). Lawton Town Hall part 2 of 2 [Video]. YouTube. <https://www.youtube.com/watch?v=V-WPdTx6S8>

Woodbury County Board of Supervisors. (2024, August 6). Petition. Agenda Item 12: Citizens concerns. Woodbury County, Iowa. https://www.woodburycountyiowa.gov/files/meeting_assets/citizens_concerns_2024-08-06_64181.pdf

Woodbury County Board of Supervisors. (2024, August 6). Minutes of the Woodbury County Board of Supervisors meeting. Woodbury County, Iowa. <https://www.woodburycountyiowa.gov/supervisors/meetings/minutes/2024-08-06/>

Woodbury County Comprehensive Plan 2040. https://www.woodburycountyiowa.gov/files/community_economic_development/woodbury_county_comprehensive_plan_2040_89417.pdf

FINANCIAL IMPACT:

0

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:

Open and close the public hearing. (Set Time: 4:45 PM)

Conduct and approve the second reading of the ordinance.

The third and final public hearing and third and final reading of the ordinance has been scheduled for Tuesday, October 1 at 4:45 PM.

ACTION REQUIRED / PROPOSED MOTION:

A) Conduct the second public hearing on proposed revisions to Woodbury County Ordinance #56, including amending Sections 5.2.D, 6.1.A, 6.2, 7, and 7.1.C, which regulate Commercial Wind Energy Conversion Systems (C-WECS) in unincorporated Woodbury County. The amendments address changes to the C-WECS application process, submission requirements, siting and design standards, including setbacks, protected areas, setback waiver limitations, as well as updates to discontinuance and decommissioning plan requirements.

B) Motion to approve the 2nd Reading of the Ordinance Amendments.

ORDINANCE NO. _____
WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING PORTIONS OF WOODBURY COUNTY ORDINANCE #56: AMENDMENTS TO MODIFY SECTION 5.2.D, SECTION 6.1.A, SECTION 6.2, SECTION 7, AND SECTION 7.1.C IN THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE FOLLOWING AMENDMENTS BE MADE:

AMENDMENT #1 – Section 5.2.D

On page 6, to repeal the following language from Section 5.2.D:

Project details, including the name of the project, anticipated number, generating capacity, tower height, and rotor diameter of the turbines must be provided with the Development Plan. The final number, generating capacity, tower height, and rotor diameter must be provided in the Final Development Plan during the C-WECS Building Permit application process.

On page 6, to replace with the following:

Project details, including the name of the project, the final number, generating capacity, tower height, rotor diameter of the turbines, and the Safety Instruction Rescue and Evacuation Plan (SIREP) from the C-WECS manufacturer must be provided in the Development Plan. The final number, generating capacity, tower height, and rotor diameter of the turbines, and SIREP from the C-WECS manufacturer must be provided in the Final Development Plan during the C-WECS Building Permit application process.

AMENDMENT #2 – Section 6.1.A

On page 10, Section 6.1.A, in the “Wind Turbines” table to add “Non-participating Property Lines” to the “Protected Area” column and add “3,280 feet” to the “Turbine Set Back Requirement” column associated with the “Non-participating Property Lines” protected area.

AMENDMENT #3 – Section 6.1.A

On page 10, Section 6.1.A, in the “Wind Turbines” table to repeal the “Adjacent Property Lines” in the “Protected Area” column and replace with “Adjacent Participating Property Lines” with the “Turbine Set Back Requirement” column associated with the “Adjacent Participating Property Lines” to be “110% of total height.”

AMENDMENT #4 – Section 6.1.A

On page 10, Section 6.1.A, in the “Wind Tubines” table to repeal “Occupied Residence” in the “Protected Area” column and replace with “Participating Occupied Residence” with the “Turbine Set Back Requirement” column associated with the “Participating Occupied Residence” to be “2,500 feet.”

AMENDMENT #5 – Section 6.1.A

On page 10, Section 6.1.A, below the “Wind Tubines” table to add the following definition:

1. Non-participating Property Lines shall mean the legal boundary line defining any parcel of land where the landowner(s) of the parcel has not entered into a voluntary agreement with the Applicant, Operator, and/or Owner regarding the C-WECS project regardless of the presence of a residence.

AMENDMENT #6 – Section 6.2

On page 11, to repeal the following language from Section 6.2:

Setback Waivers. Property owners and municipalities may request a waiver from the setbacks as established in this Ordinance, except for the following protected areas: airports, cemeteries, public conservation areas, and public road rights-of-way.

On page 11, to replace with the following:

Setback Waivers. Property owners and municipalities may request a waiver from the setbacks as established in this ordinance, except for the following protected areas: airports, cemeteries, public conservation areas, adjacent participating property lines, and public road rights-of-way. A waiver for a participating occupied residence may not be less than 1,640 feet.

AMENDMENT #7 – Section 7

On page 12, to repeal the following language from Section 7:

A WECS shall be considered a discontinued use after one (1) year without energy production, unless a plan is developed and submitted to the CED Director outlining the steps and schedule for returning the WECS to service. Discontinued use does not apply to the pre-construction or construction period and shall be measured from the initial commercial energy production and operation of the C-WECS project. All C-WECS and accessory facilities shall be removed to a depth of four (4) feet below ground level within one (1) year of discontinuation of use.

On page 12, to replace with the following:

A WECS shall be considered a discontinued use after one (1) year without energy production. The owner/operator will have one (1) year following this determination to decommission and remove the WECS at the owner's expense. If the WECS is not removed during the one (1) year period, the County may pursue legal action against the owner. Discontinued use does not apply to the pre-construction or construction period and shall be measured from the initial commercial energy production and operation of the C-WECS project. All C-WECS and accessory facilities shall be removed completely to include all concrete, steel, rebar, wires, and cable below ground within one (1) year of discontinuation of use.

AMENDMENT #8 – Section 7.1.C

On page 12, to repeal the following language from Section 7.1.C:

Cash, an irrevocable letter of credit, or a performance bond running in favor of the County in an amount no less than the total estimated net removal/restoration costs as determined by said report. Said security must be in place at the time the project is completed, and must remain in effect until decommissioning is completed. No such security shall be cancelable without notice to the Board of Supervisors. Each year, the C-WECS Special Use Permit holder shall provide proof

that such security is in effect at the same time as the annual report to the County Assessor is made for purposes of the real estate tax assessment.

On page 12, to replace with the following:

Cash, an irrevocable letter of credit, or a performance bond running in favor of the County in an amount no less than 125% of the total estimate net removal/restoration costs as determined by said report. Said security must be in place at the time the project is completed, and must remain in effect until decommissioning is completed. No such security shall be cancelable without notice to the Board of Supervisors. Each year, the C-WECS Special Use Permit Holder shall provide proof that such security is in effect at the same time as the annual report to the County Assessor is made for purposes of the real estate tax assessment.

Adopted this ____ day of _____, 2024

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Matthew Ung, Chairman

Daniel Bittinger II, Vice Chairman

Mark Nelson

Keith Radig

Jeremy Taylor

ATTEST:

Patrick Gill, Woodbury County Auditor

Adoption Timeline

_____: Public Hearing and 1st Reading
_____: Public Hearing and 2nd Reading
_____: Public Hearing and 3rd Reading
_____: Adopted
_____: Published/Effective Date

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

Date: 09/17/2024 Weekly Agenda Date: 09/24/2025

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

WORDING FOR AGENDA ITEM:

Consider resolution to revise the Woodbury County FY 2025 Five Year Road Construction Program.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The county needs to adjust the cost estimate for the D38 resurfacing project. It will be constructed in the 2025 construction season.

BACKGROUND:

The project to resurface D38 is programmed for letting in December 2024. The estimate in the construction program needs to be adjusted to reflect current average prices for similar work. Construction of the project is proposed for the 2025 construction season.

FINANCIAL IMPACT:

The project is funded for with Woodbury County Farm to Market Funds.

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:

That the Board approve the resolution amending the FY 2025-2029 construction program.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the resolution to amending the FY 2025-2029 construction program.

2025 County Five Year Program Resolution 0.1

Woodbury County Secondary Roads

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year Program and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan.

The Board of Supervisors of Woodbury County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2025), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following projects shall be MODIFIED as follows:

| Project Number Name Project ID | Project Location Description of Work | AADT Length Bridge ID | Type of Work Fund | Modifications | Total |
|---|--|--------------------------------------|------------------------------|----------------------------------|--------------|
| FM-C097(152)--55-97 D38 HMA Resurfacing 32655 | On D38, from County Route K64 E 10.3 miles to IA Hwy 31 HMA Resurfacing on D38 from Merville Blacktop to Hwy 31 | 43 10.400 miles | 366 HMA Paving FM | added 600,000 FM dollars to 2025 | \$2,600,000 |

| Fund | Accomplishment Year | | |
|----------------|---------------------|--------------|------------|
| | Previous Amount | New Amount | Net Change |
| Local | \$1,700,000 | \$1,700,000 | \$0 |
| Farm-to-Market | \$3,397,000 | \$3,997,000 | \$600,000 |
| Special | \$2,000,000 | \$2,000,000 | \$0 |
| SWAP | \$200,000 | \$200,000 | \$0 |
| Federal Aid | \$4,603,000 | \$4,603,000 | \$0 |
| Totals | \$11,900,000 | \$12,500,000 | \$600,000 |

Recommended

County Engineer

Date

Approved

Chair Board of Supervisors

Date

Attested

I, _____, Auditor in and for Woodbury County, Iowa, do hereby certify the above and foregoing to be a true and exact copy of a resolution passed and approved by the Board of Supervisors of Woodbury County, Iowa, at its meeting held on the _____ day of _____, _____

County Auditor

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

Date: 9/17/2024 Weekly Agenda Date: 9/24/2024

| | | |
|--|---|--|
| ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: <u>Mark J. Nahra, County Engineer</u> | | |
| WORDING FOR AGENDA ITEM: | | |
| <div style="border: 1px solid black; padding: 5px;">Award quote for a used tracked skid steer loader for the secondary road department</div> | | |
| ACTION REQUIRED: | | |
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/> | Other: Informational <input type="checkbox"/> | Attachments <input type="checkbox"/> |

EXECUTIVE SUMMARY:

The current tracked skid loader used by District 2 has been unreliable following engine repairs. The road department requested a quotation for one, used tracked skid steer loader to replace it.

BACKGROUND:

The current skid steer loader has been unreliable since having engine trouble earlier this year. The county contacted equipment dealers seeking a good, used skid steer to replace it. Several were reviewed and test operated. This loader from Sooland Bobcat is recommended for purchase. It is for the Movice district.

FINANCIAL IMPACT:

The project is paid for with Woodbury County local secondary road funds.

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 award the quotes for the used skid steer loader to Sooland Bobcat.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board award the quote for a used tracked skid steer loader to Sooland Bobcat for \$28,000.



Sooland Bobcat

3109 HIGHWAY 75 N., SIOUX CITY, IA 51105
712-277-8066 WWW.SOOLANDBOBCAT.COM
PARTS. SERVICE. SALES. RENTAL

QUOTE - DO NOT PAY

Quote: 01-10868

Date: 9/4/2024

PO:

CustId: WC HIGHWAY DEPT

Cust Email: tbrice@woodburycountyiowa.gov

Phone: (712) 873-3215

Salesperson: KevinP

User: KevinP

Bill To:

Woodbury County Highway Dept
759 E. Frontage Rd
Merville, IA 51039

Ship To:

Woodbury County Highway Dept

Picked Up at Sooland Bobcat. Includes two buckets.

| Item | Type | Description | Qty | Tax | Price | Discount | Net Price |
|---------|------|--|--------|-----|--------------|---------------|--------------------|
| 13657 | UN | BOBCAT T770 Yr: 2020 S/N: AT6324086 USD - COMPACT TRACK LOADER Used Meter: 1319.20 Hours Line Discount: | 1.0000 | | \$55,000.00 | \$1,000.00 | \$54,000.00 |
| | | | | | (\$1,000.00) | | |
| 15319 | TR | Case CASE USD - COMPACT TRACK LOADER | 1.0000 | | \$27,324.05 | | (\$27,324.05) |
| 6733136 | PA | BOB - KIT ATTACHMENT 14-PIN | 1.0000 | | \$1,053.02 | | \$1,053.02 |
| 7129301 | PA | BOB - KIT, STROBE LIGHT Bin:A1 | 1.0000 | | \$271.03 | | \$271.03 |
| | | | | | | Total: | \$28,000.00 |

| Totals | |
|--------|----------------------------|
| | Sub Total: \$28,000.00 |
| | Total Tax: \$0.00 |
| | Invoice Total: \$28,000.00 |

Signature: _____

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

Date: 09/19/24 Weekly Agenda Date: 09-24-24

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Michelle Skaff - Deputy Auditor

WORDING FOR AGENDA ITEM:

Budget Review

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

A review of the following will be presented:
Gaming, L.O.S.T, ARPA, Opioid, and County Reserves.

BACKGROUND:

na

FINANCIAL IMPACT:

na

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:

na

ACTION REQUIRED / PROPOSED MOTION:

Deputy Auditor Skaff shared information about county funding sources and unallocated funds.

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

Date: September 17, 2024 Weekly Agenda Date: September 24, 2024

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Sheriff Sheehan

WORDING FOR AGENDA ITEM:

Budget ammendment to cover CJIS dual authentication.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Federal government is requiring dual authentication for anyone using the CJIS systems. This requires purchasing equipment to be in compliance with federal regulations.

BACKGROUND:

Federal government has mandated dual authentication for anyone using the CJIS systems. This was not planned in our budget and will cost the Sheriff's Office approximately \$15,000.00 to purchase fingerprint readers for 125 staff members.

FINANCIAL IMPACT:

Approximately \$15,000.00
We are presenting a check to the BOS tonight from ACH in the ammount of \$82,945.04. This is unused money from our previous fiscal year medical fund. I suggest ear marking \$15,000.00 from that to cover this budget ammendment.

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 a budget ammendment up to \$15,000.00 to cover the purchase of equipment to come into compliance with federal regulations related to CJIS systems and to utilize the funds from the left over medical fund to cover the expense.

ACTION REQUIRED / PROPOSED MOTION:

Approve motion.