



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(OCTOBER 29) (WEEK 44 OF 2024)**

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

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

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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held October 29, 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.

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**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 5 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 October 22, 2024 meeting
3. Approval of claims
4. County Treasurer – Tina Bertrand
  - a. Approve property tax refund request for parcel #884706105008 in the amount of \$2804.00
5. Human Resources – Melissa Thomas
  - Approval of Memorandum of Personnel Transactions

## End Consent Agenda

6. Weed Commissioner – Jered Jepsen  
Receive and approve annual report of the County Weed Commissioner Action
7. Human Resources – Melissa Thomas  
Approval to modify the Woodbury County Handbook regarding sick leave and Insurance payout upon retirement Action

## Recess Board of Supervisors Meeting

### Convene Bennett McDonald Levee & Wolf Creek Drainage Districts Trustees Meeting

8. Approve the proposal from ISG to address repairs to the Bennett McDonald Smithland levee Action

### Adjourn Bennett McDonald Levee & Wolf Creek Drainage Districts Trustees Meeting Continue Board of Supervisors Meeting

9. Reports on Committee Meetings Information
10. Citizen Concerns Information
11. Board Concerns Information

## ADJOURNMENT

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- 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.
- MON., NOV 4 6:00 p.m.** Board of Adjustment meeting, Courthouse Basement Boardroom
- WED., NOV 6 11:00 a.m.** Loess Hills Alliance Stewardship Meeting, Pisgah, Iowa
- 1:00 p.m.** Loess Hills Alliance Executive Meeting
- 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., NOV 13 7:30 p.m.** SIMPCO Executive-Finance Committee Meeting, 6401 Gordon Drive
- 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 6:30 p.m.** 911 Service Board Meeting, Public Safety Center, Climbing Hill
- THU., NOV 14 12:00 p.m.** SIMPCO Board of Directors, 6401 Gordon Drive.
- 5:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., NOV 20 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., NOV 21 10:00 a.m.** Siouxland Regional Transit System Meeting, 6401 Gordon Drive
- 11:15 a.m.** Western Iowa Community Improvement Regional Housing Trust Fund, 6401 Gordon Drive
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- MON., NOV 25 6:00 p.m.** Zoning Commission Meeting, Courthouse Basement Boardroom
- WED., NOV 27 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., NOV 28 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, 6401 Gordon Dr.
- SAT., NOV 30 1:30 p.m.** SIMPCO – Community & Economic Development, 6401 Gordon Drive

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

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

**OCTOBER 22, 2024, FORTY-THIRD MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, October 22, 2024, at 4:30 p.m. Board members present were Ung, Radig, Bittinger II, and Nelson; Taylor was absent. 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 Ung second by Nelson to approve the agenda for October 22, 2024. Carried 4-0. Copy filed.  
Motion by Ung second by Radig to approve the following items by consent:
2. To approve minutes of the October 15, 2024, meeting. Copy filed.
3. To approve the claims totaling \$516,285.10. Copy filed.
- 4a. To approve the separation of Traci Launsby, PT Youth Worker, Juvenile Detention Dept., effective 10-14-2024. Resignation.; and the reclassification of Dawna Hollingshead, Clerk III, Sheriff's Office Dept., effective 10-28-2024, \$26.34/hour, 5%=\$1.28/h. Per AFSCME: Step Increase from Step 3 to Step 4. Anniversary Date: 11/6/24. Copy filed.
- 4b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for (2) Youth Worker P-T, Juvenile Detention Dept. AFSCME Juvenile: \$22.05/hour. Copy filed.
5. To approve to receive the Auditor's Quarterly Report from July 1, 2024 through September 30, 2024. Copy filed.

Carried 4-0.

- 6a. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a resolution authorizing the County Engineer to close any Secondary Road for the purpose of construction, routine maintenance, or emergencies during 2024. Carried 4-0.

**RESOLUTION #13,806  
RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO CLOSE ANY  
SECONDARY ROAD FOR THE PURPOSE OF CONSTRUCTION, ROUTINE  
MAINTENANCE, OR EMERGENCIES DURING 2024**

WHEREAS, the Woodbury County Board of Supervisors is concerned about traffic safety involved during construction and maintenance work or during natural or traffic emergencies on the secondary road system, and

WHEREAS, they are further interested in making appropriate traffic accommodations for the traveling public, adjacent landowners and related users during construction and maintenance operations, and

WHEREAS, the Board of Supervisors under section 306.41 of the Code of Iowa can delegate the authority to temporarily closure of roads to the County Engineer,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors give Laura Sievers, Woodbury County Engineer the authority to temporarily close sections of highway in Woodbury County's Road system when necessary because of construction, maintenance, emergencies, or natural disaster.

DATED this 22<sup>nd</sup> day of October 2024.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 6b. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution authorizing the County Engineer to execute certification of completion of work on federal aid, state aid, and farm to market construction during 2024. Carried 4-0.

**RESOLUTION #13,807**  
**RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO EXECUTE**  
**CERTIFICATION OF COMPLETION OF WORK ON FEDERAL, STATE AID, AND**  
**FARM TO MARKET CONSTRUCTION DURING 2024**

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that Laura Sievers, the County Engineer of Woodbury County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and federal or state aid construction projects in this county.

Dated at Sioux City, Iowa, this 22<sup>nd</sup> day of October 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 6c. Motion by Radig second by Ung to approve the contract for the PCC Patching 2024 project with Cedar Falls Construction for \$56,421.00. Carried 4-0. Copy filed.
7. There was no action taken to approve giving percentage deputies and wage plan employees of the Sheriff's Office a retirement benefit of compensation for unused sick leave. Copy filed.

Motion by Ung second by Radig to receive corrected document. Carried 4-0. Copy filed.

8. Reports on committee meetings were heard.
9. Doyle Turner, Merville, discussed procedural rules with the Board.

Tom Kimmel, Sioux City, discussed county land that abuts his property with the Board.

Motion by Nelson second by Ung to receive photos. Carried 4-0. Copy filed.

10. Board Concerns were heard.

The Board adjourned the regular meeting until October 29, 2024.

Meeting sign in sheet. Copy filed.



**Tina M. Bertrand**  
Woodbury County Treasurer  
822 Douglas St Ste 102  
Sioux City IA 51101  
712-279-6495

October 24, 2024

RE: 8847 06 105 008

Dear Board of Supervisors,

Parcel 8847 06 105 008 (3226 Laurel Ave) received double payments in September 2024. Both Bankfirst & Ann Rickord paid the September installment. Evidently there is an escrow being paid by the owner. Ann has requested a refund for her payment. Please authorize a refund to be issued to Ann for \$2804.00.

If you have any questions, please feel free to contact me.

Thank you for your time,

Janet L. Trimpe  
Woodbury County Tax Deputy  
[jtrimpe@woodburycountyiowa.gov](mailto:jtrimpe@woodburycountyiowa.gov)  
712-224-6024

**HUMAN RESOURCES DEPARTMENT**

**MEMORANDUM OF PERSONNEL TRANSACTIONS**

**DATE:** October 29th, 2024

**\* PERSONNEL ACTION CODE:**

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

**TO: WOODBURY COUNTY BOARD OF SUPERVISORS**

<b>NAME</b>	<b>DEPARTMENT</b>	<b>EFFECTIVE DATE</b>	<b>JOB TITLE</b>	<b>SALARY REQUESTED</b>	<b>% INCREASE</b>	<b>*</b>	<b>REMARKS</b>
Wise, Cathia	Building Services	10-28-2024	Lead Custodian	\$21.70/hour	5%=\$0.97/hour	R	In House Vacancy Posted on 10/9/2024
Davidson, Kenie	Treasurer	10-30-2024	Clerk II	\$19.24/hour		A	Job Vacancy Posted on 9/4/2024. Entry Level Salary: \$19.24/hour

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

**MELISSA THOMAS, HR DIRECTOR:** \_\_\_\_\_

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

Date: 10/24/2024 Weekly Agenda Date: 10/29/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Jered Jepsen, Weed Commissioner

**WORDING FOR AGENDA ITEM:**

Receive and approve annual report of the county weed commissioner

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The county weed commissioner prepares an annual report for the Department of Agriculture. The report is reviewed with and signed by the Board in advance of submittal.

**BACKGROUND:**

The county weed commissioner is a position established under Chapter 317 of the Code of Iowa and is a Board appointed county official. The secondary road department provides logistic and clerical support to the weed commissioner. In his annual report he will provide the board with information on his 2024 work and a discussion of upcoming programming and needs.

**FINANCIAL IMPACT:**

The county funds the work of the weed commissioner through the weed eradication budget.

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

Yes  No

**RECOMMENDATION:**

I recommend that the Board receive the 2024 report of the weed commissioner and direct the chair to sign the report.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the 2024 report of the weed commissioner and direct the chair to sign the report.





# 2024 WEED COMMISSIONER'S REPORT

For the County of: Woodbury

Submit to County Board of Supervisors by: November 1, 2024  
 Return copy to the IDALS office by: December 1, 2024

## Weed Commissioner's Contact Information:

Name <u>Jered Jepsen</u>	Year Appointed <u>2012</u>
Address <u>303 2nd St P.O. Box 202</u>	Telephone <u>712-898-0822</u>
City, Zip Code <u>Correctionville 51016</u>	Alternate Telephone
Email Address <u>wcweedcomm@gmail.com</u>	Pesticide Certificate # <u>41681</u>

## Which of the noxious weeds have you found in your county?

- 1 - Found, a problem in my county
- 2 - Found, but not a problem

- 3 - Not known in my county
- ? - If you cannot identify this plant

Primary Noxious Weeds	Answer	Secondary Noxious Weeds	Answer
Buckthorn	<u>3</u>	Buckhorn Plantain	<u>3</u>
Bull Thistle	<u>2</u>	Cocklebur	<u>2</u>
Canada Thistle	<u>2</u>	Curly Dock (Sour Dock)	<u>2</u>
Field Bindweed	<u>2</u>	Multiflora Rose	<u>2</u>
Hoary Cress (Perennial Pepper-grass)	<u>2</u>	Poison Hemlock	<u>2</u>
Horse Nettle	<u>2</u>	Puncturevine	<u>2</u>
Leafy Spurge	<u>2</u>	Red Sorrel (Sheep sorrel)	<u>2</u>
Musk Thistle	<u>2</u>	Shattercane	<u>2</u>
Palmer Amaranth	<u>3</u>	Smooth Dock	<u>2</u>
Perennial Sow Thistle	<u>2</u>	Teasel	<u>2</u>
Quackgrass	<u>2</u>	Velvetleaf (Butterprint)	<u>2</u>
Russian Knapweed	<u>2</u>	Wild Carrot	<u>2</u>
		Wild Mustard	<u>2</u>
		Wild Sunflower	<u>2</u>

<i>Invasive Prohibited Plants</i>	Answer		
Garlic Mustard	2		
Japanese Hop	3		
Japanese Knotweed	3		
Oriental Bittersweet	2		
Purple Loosestrife	2		

**Please list any other plants which are a problem or a concern in your county:**

Trees & brush in the R.O.W

**As County Weed Commissioner, do your duties include roadside spraying?**

Yes  No

**Did your county publish a Notice of Program for weed control pursuant to the provisions of Title VIII Chapter 317 Section 317.14?**

Yes  No

**Did your county employ contract spraying during 2024?**

Yes  No

If yes, what percentage of your total spray program is contracted? \_\_\_\_\_%

If possible, please list the contract rates. \$/mile \_\_\_\_\_

Total contract cost \$ \_\_\_\_\_

**In the past year how much did your county spend on purchasing herbicides?**

\$ 34,970

**How many times during 2024 was it necessary to serve a noxious weed notice?**

Private (written) \_\_\_\_\_ Public (written) (DOT, DNR, CCB) \_\_\_\_\_

**How many times did you contact individuals personally, rather than sending them a weed control notice?**

Private (verbal) 19 Public (verbal) (DOT, DNR, CCB) 9

How many times did you actually enter private or public land, control weeds, and assess the cost to the owner?

0

How many months were you employed as weed commissioner in 2024?

9 months

Are your duties as weed commissioner incorporated into another county job?

Yes  No

If Yes, what? Equipment Operator

Weed Comm. Duties 25 % IRVM Duties 75 %

Other County Duties \_\_\_\_\_%

How does the overall county weed situation compare with last year?

Improved  Unchanged  Worse

Comments? \_\_\_\_\_

Is brush control included in your weed commissioner duties?

Yes  No

If yes, what method(s) do you use? (Circle all that apply):

Spraying  Cutting  Stump treatment  Basal bark

Other, explain \_\_\_\_\_

What are your suggestions and/or recommendations which may improve your county weed and brush infestations?

Update equipment

What herbicides did your county use in your weed control program? Be specific, please list brand name and quantity of each. Please do not list surfactants or adjuvants. If the spray program is contracted in your county, ask your contractor for this information. Add another page if necessary.

Herbicide usage table:

CHEMICAL/BRAND	RATE USED	QUANTITY USED	TO CONTROL?
(Example) Milestone	4 fluid ounces per acre	3.32 gallons	Thistle and teasel on roadside
Wetstone	5 to 7½ ounces/acre	25 gal	ROW weeds
Escort XP	.75 to 2 oz/A	50 lbs.	weeds, trees brush
Method	14 oz/acre	25 gal	trees & brush
Plainview	32 oz/Acc	10 gallons	Bareground, parking lots
Graslan L	3 pints/acre	30 gal	ROW weeds.
Grason PD3	2 pints/acre	10 gal	ROW weeds.

The above report is true to the best of my knowledge.

Signature   
County Weed Commissioner

10/22/21  
Date

Signature \_\_\_\_\_  
Chairman, County Board of Supervisors

\_\_\_\_\_  
Date

Please return a copy to:

Iowa Department of Agriculture and Land Stewardship  
Attn: State Weed Commissioner  
2230 S Ankeny Blvd  
Ankeny, IA 50023-9093

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

Date: 10/24/2024 Weekly Agenda Date: 10/29/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Melissa Thomas HR Director

**WORDING FOR AGENDA ITEM:**

Approval to modify the Woodbury County Handbook regarding sick leave and insurance payout upon retirement.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

This item is to increase the amount of sick time payout and insurance reimbursement with qualifying sick leave bank balance upon retirement.

**BACKGROUND:**

Currently wage plan employees are eligible for a payout of 15% of sick leave up to \$3,000 after 25 years of service. This would increase that benefit to payout 28% of sick leave up to \$5000 after 15 years of service and also give the option of 1 year of single insurance paid if the retiree has 500 hours in their sick leave accrual bank.

**FINANCIAL IMPACT:**

The financial impact of this item is included in the back up.

**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 motion

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to increase the sick leave payout to \$5000 after 15 years of service and the option of 1 year single health insurance provided in lieu of payout.

#### 4.6 SICK LEAVE CONVERSION AND PAYMENT

An employee who has accumulated and maintains six hundred and forty (640) hours of sick leave will be allowed to convert sick leave earned to vacation at the rate of four (4) hours of sick leave for one (1) hour of vacation. An employee will cease to be eligible for this conversion any time their accumulated sick leave falls below six hundred and forty (640) hours.

Accumulated sick leave is not paid out upon separation or termination from employment except when an employee who is retiring and who has a minimum of fifteen (15) years of employment with Woodbury County will be paid for twenty-eight percent (28%) of their accumulated sick leave up to a maximum of five thousand dollars (\$5,000).

Any retiring employee who has a minimum of 15 years of employment with Woodbury County and accumulated sick leave of 500 or more hours may elect to have the County place funds equivalent to the cost of his/her personal insurance for a period of one year from the date of retirement into a Health Retirement Account ("HRA") in lieu of the cash payout of up to Five Thousand Dollars (\$5000.00). Should the employee elect family coverage, the employee will be responsible for the difference in cost between the personal, single coverage and the cost of family coverage.

FY 23/24  
Current Payouts \$ 9,515.16  
If 15 years 28% \$ 28,246.52

FY 23/24  
Current \$ 9,515.16  
If 20 yrs 28% \$ 19,737.85

Difference \$ 18,731.36  
Insurance Payout \$ 17,422.00  
Additional Cost \$ **36,153.36**

Difference \$ 10,222.69  
Insurance Payout \$ 17,422.00  
Additional Cost \$ **27,644.69**



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

Date: 10/24/2024 Weekly Agenda Date: 10/29/2024

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

**WORDING FOR AGENDA ITEM:**

Session as trustees to Bennett McDonald Smithland Levee and Wolf Creek Drainage Districts: Consider quotation for engineering work to address flood damage

**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 checked="" type="checkbox"/> | Attachments <input type="checkbox"/>               |

**EXECUTIVE SUMMARY:**

Damage occurred throughout the Little Sioux River Watershed during June 2024 flooding. The county's drainage engineer prepared a proposal for plan preparation to repair the damaged levee.

**BACKGROUND:**

Following discussion at the September 10 board meeting, ISG has prepared a proposal to prepare plans and obtain necessary permits to complete repair work on the Bennett McDonald levee system. The repairs are limited to bringing the levee system back to functional, but not full state of repair. The proposed work also addresses working with USACOE to review long term needs.

**FINANCIAL IMPACT:**

The Bennett McDonald Smithland (BMS) levee district has been non-compliant since damage occurred in 1990 and 1993. Costs to bring it into compliance would likely exceed \$1,000,000, not counting new damage during the June flood. These costs would normally be levied to the benefited properties within the district.

**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:**

Consider approval of the proposal and direct the drainage engineer to proceed with the work.

**ACTION REQUIRED / PROPOSED MOTION:**

Possible motion: Motion to approve the proposal from ISG to address repairs to the Bennett McDonald Smithland levee.

OCTOBER 11, 2024  
Woodbury County Supervisors  
Acting Trustees – Bennett McDonald Smithland Drainage District  
320 Douglas St  
Sioux City, Iowa 51101



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RE: PROPOSAL LEVEE REPAIRS – BENNETT-SMITHLAND-MCDONALD DRAINAGE DISTRICT.

Acting Trustees,

## **UNDERSTANDING:**

Following the flooding of June 2024, the Bennet McDonald Smithland Drainage District sustained significant damage to their levee segments. Foregoing the USACE WRDA 2020 Section 120 process, the Trustees have elected to pursue functional repairs to the levees to mitigate continual degradation, but not necessarily bring them into 'Acceptable' condition as defined by the PL84-99 Program. Invasive repairs or work within the channel are expected to require coordination with the USACE and either a PCN or a 408 permit along with other potential permits such as 401/404, SHPO Section 106, etc.

Damage Intake performed by ISG will be used to drive scope services. Known damages are:

- Bench Erosion
- Embankment Erosion
- Culvert Damage
- Levee Overtopping
- Sediment & Debris Deposition

It is not expected that a levee piggy-back or setback (where additional ROW needs to be acquired) are desired as possible repairs in preparation of this scope of services.

## **METHOD OF APPROACH:**

To identify priority issues, establish a baseline for monitoring, comply with federal requirements, and reduce potential for burdensome costs to the landowners of the District, the following phased approach is proposed. ISG will prepare technical plans and specifications to meet relevant USACE Engineering Manuals, Engineering Circulars, and other relevant guidance documents. Projects will be considered on a 0-, 5-, and 10-year basis in consideration of the requirements of Iowa Code 468.126.1.d for Engineer's Report requirements along with other regulatory requirements.. After an engineer's report is filed, it is valid for 10 years. Thereafter, a new report is required and therefore additional effort would be required. Some regulating agencies will require information to be validated if documentation and reports are over 5 years old (NEPA Compliance per EC1165-2-220).



## **Phase 100: USACE Pre-Project Meeting**

**Task 101: Document Aggregation-** ISG will formalize flood damage drawings with annotation for review with the USACE. ISG will identify major areas of concern and make preliminary prioritization lists.

- Deliverables:
  - PDF/Physical Maps showing station/location/description of levee damages with July 2024 orthographic aerial imagery.
  - Prioritized lists of damages ranked by risk and budgetary costs
- Owner Requirements:
  - Provide Emergency Action Plan
  - Provide Animal Control Plan
  - Provide Previous CEI +Pipe Inspection Reports
  - Provide other relevant documentation

**Task 102: USACE Pre-Project Meeting-** ISG will coordinate a joint meeting (virtual) with the USACE and the BMS Drainage District Trustees to discuss prioritized list, means of stabilization, permit requirements, and processes. This is not anticipated to be a 408 preapplication meeting and a request for technical assistance to the USACE will need to be made by the Trustees prior to this meeting. Only a verbal description of anticipated repairs are expected at this meeting (no physical drawings to be made prior)

- Deliverables:
  - Meeting agenda
  - Draft Request for Technical Assistance
  - Meeting minutes + associated documentation
- Owner Responsibilities:
  - Submit Request for Technical Assistance prior to meeting

**Task 103: IA HSEM Levee Grant Application-** ISG will apply for, on BSM DD's behalf, grant moneys available through the Iowa Homeland Security and Emergency Management Office of Levee Safety.

- Time to complete: Contingent on IA Geological Survey
- Deliverables:
  - Grant Application

## **Phase 200: Site Review and Survey**

**Task 200: Site Review-** ISG will attend a site walk-through with the USACE to review priority areas following the Task 102: Pre-project Meeting. Note:-the USACE may desire to perform a site walk-through immediately following the request for Technical Assistance performed in Phase 100.

- Deliverables:
  - Walk-through minutes + associated documentation



**Task 201: Site Survey-** ISG proposes to conduct survey using LiDAR drone for ALL levees. We feel that this will provide a baseline to monitor future degradation. This will also aid in the evaluation of embankment settlement and capture low areas resulting from overtopping, which may be missed by interval GPS survey. ISG also proposes to take 4 full cross-sections: one on each side of IA-141 and one near the Poverty Hollow and Parnell Creek to evaluate potential for scour and sediment. A complete pipe inventory will also be made using conventional GPS. ISG will also complete a design one call to evaluate buried utilities.

- Deliverables:
  - Survey notes as necessary
  - Electronic survey information
  - Updated Damaged Intake PDF/maps with contours

**Task 202: Drainage District Informational Meeting-** ISG proposes to present the findings and USACE requirements for repairs with prioritized lists to the landowners in an information meeting. Landowner input will be taken under consideration in determining timeline for repairs.

- Deliverables:
  - Draft notice of informational meeting
  - Meeting Agenda
  - Presentation information for landowners
    - Possible Items: Damages + Priorities, Drone flight video, USACE expectations, budgetary cost evaluation, IA HSEM Grant Update, Potential Cost/Acre
- Owner Responsibilities:
  - Provide mailing and publication of notice
  - Provide venue for meeting

**Note Phases 300-500 maybe fluid and not have defined “page turn”**

### **Phase 300: Preliminary Design**

**Task 300: 408 Preapplication Meeting + Concept Design-** If not covered in Task 102, and as dictated by preliminary expectations of federal requirements, ISG will coordinate a 408 Preapplication meeting with USACE, District Trustees, Utility Companies (if necessary), and others with significant interest (USACE Silver Jackets, Landowners, Smithland, etc).

- Deliverables:
  - Concept Repair Drawings (2D line work, no grading)
  - Meeting Agenda
  - Meeting Minutes



**Task 301: Schematic Design (30% Plan)-** ISG will prepare necessary Schematic Design (30%) drawings necessary to determine ultimate extents and gross quantities that will be needed for analysis based on information provided in the 408 Preapplication Meeting. ISG will work with the owner to source materials, organize testing, and other outside services.

- Deliverables:
  - Schematic Designs for Repairs
  - 30% Quantities
  - Draft Specifications
  - Permitting Matrix + Coordination + Preliminary Permit Applications
    - USACE 404/401 (Assumed NWP 3)
    - IDNR Stream Mitigation
    - IDNR Sovereign Lands
    - IDOT Permits
    - USFWS Section 7: Threatened/Endangered Species
    - Utility Permits + Coordination
- Owner Requirements:
  - Procure outside services (with ISG assistance if requested)
    - Geotechnical Investigation + Materials Testing
    - Phase 1 Archaeological Survey, if required (SHPO Section 106)
    - Review Schematic Designs and provide comments

**Task 302: Design Development (60% Plan)-** ISG will incorporate Owner comments on 30% plan and generate details for USACE Preliminary Design Review Meeting.

- Deliverables:
  - Updates to Task 301 Deliverables

#### **Phase 400: USACE Preliminary Design Review + Permitting**

\*TASKS UNDER THIS PHASE ARE ITERATIVE AS NECESSARY.

**Task 400: USACE Preliminary Design Review-** ISG will coordinate a review or prepare a report for the USACE to review with Phase 300 deliverables addressing 408 Preapplication comments and requirements. It is expected that the USACE will review internally between all sections, Levee Safety + 408, Hydraulics, Structural, Geotechnical, Flood Risk & Floodplain, and Environmental Compliance are all expected to provide comments on submitted documents.

- Deliverables:
  - USACE required submission documents
  - Meeting minutes from related conference calls
- Owner Responsibilities
  - Facilitate deliverables from outside services

**Task 401: USACE Response + Plan Updates-** ISG will amend plans in accordance with USACE comments and address each comment in a Technical Memorandum.

- Deliverables:
  - Technical Memoranda addressing USACE comments



**Task 402: Permitting-** ISG will secure letters of acceptance and authorized permits from Jurisdictional Agencies (USACE, US FWS, IDNR, etc.) and their subdivisions for the owner. Application information for each agency will vary and will likely be completed throughout other tasks and Phases. A 408 permit is required to advance to Phase 5.

- Deliverables:
  - Authorized permit documents

### **Phase 500: Final Design + Public Hearing**

**Task 500: Design Development (90% Plans)-** Following final revision and securing the 408 permit, ISG will advance the plans to 90% (or 100% pending previous efforts) and update quantities. This will be provided to the Trustees for comment.

- Deliverables:
  - 90% or 100% Plans, Specifications, and Estimate of Costs.
- Owner Requirements
  - Review Plans and Specifications

**Task 501: Engineer's Report per 468.126 + Public Hearing-** If threshold requirements for reporting dictate, ISG will prepare and engineer's report to accompany 90% plans and cost. ISG will also prepare notice for public hearing on the report and/or plans as threshold requirements dictate. Holding a public hearing ensures compliance with Iowa Code 468.126.4.c.(2) which allows projects to bid separately.

- Deliverables:
  - Engineer's Report on Repairs
  - 90% Plans, Specifications, Cost
  - Draft Public Notice
  - Public Hearing Agenda
  - Presentation information
- Exclusions
  - Review of the existing Drainage District Assessment Schedule for the purpose of annexation and reclassification unless so directed by the Trustees.
- Owner Requirements:
  - Provide publication of notice and mailing as required by Iowa Code 468
  - Provide venue for Public Hearing
  - Provide legal council if desired

**Task 502: 100% Plans and Specifications-** Following landowner input from the Public Hearing, ISG will finalize plans and specifications and file with the Auditor for acceptance by the Trustees and to initiate the bidding process.

- Deliverables:
  - Construction Documents for Bidding

### **Phase 600: Bidding + Construction Administration**

Tasks within this phase are to be updated following a more comprehensive understanding of repairs, requirements, and landowner desires.



## ESTIMATE OF COSTS & TIME OF COMPLETION

Cost ranges are estimated using 3 factors:

- Assume full damages approach cost of \$2,000,000
- IA Homeland Security and Emergency Management will have competitive grant funds available for the repairs over the next 10 years
- No outside funds are available and all costs are to be borne by the landowners of the District under the current assessment schedule.
  - a. It is assumed that a per-acre cost that is not financially burdensome to the landowners is \$30/acre/year. Cost to be waived over a 20-year period (\$600/acre total)
  - b. Approximately 639 acres are assumed on the assessment schedule (to be verified)
  - c. \$600/acre x 639 acres = \$383,400 total allowable project costs
    - i. Based on this estimate, repairs to the embankment on the left levee, and some pipe/flap gate work can be completed without financial burden to the District in 10 years.

Phase	ISG Services: Low Cost (District Funded) + Outside Services**	ISG Services: High Cost (Secured Grant Funding) + Outside Services**
Phase 1: USACE Pre-Project Meeting		\$4,200
Phase 2: Site Review & Survey		\$27,250
Phase 3: Preliminary Design	\$3,500 + \$5,000** (Total above \$8,500)	\$18,250 + \$17,500** (Total above \$35,750)
Phase 4: USACE Preliminary Design Review + Permitting	\$8,000	\$14,500
Phase 5: Final Design + Public Hearing		\$6,000
<b>Total Non-Construction Design Costs*</b>	<b>\$53,950</b>	<b>\$87,700</b>

\*Assumes Right-of-Way acquisition and detailed modeling can be avoided.

Consideration that a successful grant application through the IA HSEM Office of Levee Safety can be obtained in the next 10 years should influence degree of initial planning. To leverage potential from future grants and avoid delays with public hearing notice requirements, engineering, and permitting it is recommended that Phases 1-3 be completed for all levee segments of the Bennett-McDonald-Smithland District. This way, if/as funding becomes available the District can be "shovel ready" to perform repairs with minimal additional design effort.

ISG understands the economic hurdles that limit the ability to repair the levees into 'Acceptable' status of the PL-84-99 program. Therefore, our services are proposed on a Time and Materials basis, utilizing our District Watchman rate for Phases 1-3. When able, ISG will work with the District and Woodbury County to find efficiencies to reduce costs.



**Time of Completion**

Time to complete is contingent on external communication, responsiveness, and funding of the 408 program. ISG commits to expeditious work to minimize potential for ongoing erosion. Methodology is written to accommodate the 408 application process; in some instances, only a Preconstruction Notification (PCN) would be needed and the process may be abridged. With authorization to conduct survey in fall/winter of 2024, it would be our goal to see the first project bid in late summer of 2025.

**ADDITIONAL SERVICES**

ISG's goal for this proposal, like its services, is to be flexible with accommodating the requirements of this project. Upon request, ISG is able to provide a subsequent proposal to assist with any additional professional design and construction phase services that will be necessary to facilitate this project as it moves forward.

**APPLICABLE CONTRACT**

The General Terms and Conditions applicable to this Proposal are available at the link below and are hereby accepted and incorporated herein by reference. Upon acceptance of this Proposal, the parties can proceed with the project based on this signed Proposal, per its General Terms and Conditions, or for more complex projects, ISG, at its discretion, will prepare and require the use of an AIA or EJCDC Contract that will govern the project.

↖ [bit.ly/termsconditions\\_isg](https://bit.ly/termsconditions_isg)

ISG appreciates the opportunity to provide a solution tailored to the needs of the Bennett McDonald Smithland Drainage District. Upon acceptance of this proposal, please sign the acknowledgment box and return a copy to our office. We look forward to providing you with responsive service, a collaborative approach, and timely delivery.

Sincerely,

Caleb Rasmussen, PE  
Civil Engineer

[Caleb.Rasmussen@ISGInc.com](mailto:Caleb.Rasmussen@ISGInc.com)

C: Mark Nahra, PE – Woodbury County Engineer

Enc: Standard Rate Table

**ACKNOWLEDGMENT OF ACCEPTANCE**

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Company: \_\_\_\_\_  
*Print*

Name: \_\_\_\_\_  
*Print*

Title: \_\_\_\_\_  
*Print*

Signature: \_\_\_\_\_

*This proposal is valid for 30 days.*