

The Board of Supervisors met on 7/14/20 at 10:00 a.m. in the Story County Administration Building. Members present: Linda Murken, Lisa Heddens, and Lauris Olson, with Murken presiding. (all audio of meetings available at [storycountyia.gov](http://storycountyia.gov)). Murken read the special note to the public: due to recommendations to limit gatherings in order to help slow the spread of the COVID-19 virus, public access to the meeting will be provided via Zoom meeting originating from the Story County Administration Building.

**ADOPTION OF AGENDA:** Heddens moved, Olson seconded adopting the agenda as presented. Motion carried unanimously (MCU) on a roll call vote.

**ARC OF STORY COUNTY ANNUAL REPORT** – submitted written report. Tricia Crain, Executive Director, stated she had no additional comments. Heddens thanked Crain for information about COVID-19 challenges. Crain stated they had hoped to resume some recreational opportunities in parks in July but the virus situation is too dangerous. The suspension of all programming by the Special Olympics of Iowa has been hard on all the athletes and their families. Hopefully in August some kind of social and recreational opportunities will be available. Murken thanked Crain on behalf of the Board.

**MINUTES:** 7/7/20 Minutes and 7/10/20 Special Minutes – Olson moved, Heddens seconded the approval of Minutes as presented. Roll call vote. (MCU)

Heddens moved, Olson seconded approval of the Consent Agenda as presented

1. Renewal of Class A Liquor License (LA)(Private Club) for the Ames Golf and Country Club, 5752 George Washington Carver Avenue, Ames, effective 9/9/20-9/10/21, including outdoor service and Sunday sales
2. Renewal and Support Fees between Story County and CDW-Government for CrowdStrike Anti-Virus, effective 7/26/20-7/25/21, for \$12,871.50
3. Renewal Fees between Story County and Solutions, Inc. for software support, effective 7/1/20-6/30/21, for \$25,600.00
4. 28E Agreement between Animal Control and the City of Cambridge, effective upon signature-6/30/21
5. Purchase Order for Caterpillar M320F Excavator from Ziegler for \$312,860.00
6. Using the County credit card for renewal agreement of domain name between Hostgator and Information Technology (IT) (per Story County Credit Card Policy), for \$17.99, effective 8/8/20-8/7/21
7. Change Order #1 between Howrey Construction, Inc. and Story County Conservation for the Heart of Iowa Nature Trail (HOINT) Phase 2 Paving Project from Huxley to the South Skunk River bridge, increased amount of \$4,995.00.
8. Quarterly Reports: Auditor, Sheriff, Veterans Affairs
9. Road Closure Resolution: #21-02

Roll call vote. (MCU)

**PLANS FOR THE HICKORY GROVE PARK ROAD RESURFACING PROJECT** – Mike Cox, Conservation Director, provided an overview of the Hickory Grove restoration project, now in its final stages. Cox asked the Board to approve releasing the bids; the bid opening will be on 8/4/20. Ryan Wiemold, Parks Superintendent, provided additional detail. Olson noted this project was thoroughly discussed via the budget work sessions and the Capital Improvements Planning (CIP) process. Murken opened the public hearing at 10:09 a.m., and, hearing none, she closed the public hearing at 10:09 a.m. Olson moved, Heddens seconded the approval of Plans for the Hickory Grove Park Road Resurfacing Project with a bid opening date of 8/4/20. Roll call vote. (MCU) Murken asked about HOINT paving work this summer. Cox stated once completed, the HOINT will be paved from the High Trestle Trail in Slater to the Skunk River bridge east of Cambridge. The Engineer is working on the road trail on 530<sup>th</sup> Avenue. Murken thanked Cox and Wiemold.

**RESOLUTION #21-03, AMES URBAN FRINGE PLAN – LAND USE FRAMEWORK MAP AMENDMENT FOR THE BISHOP FARMS PROPERTY (PARCEL# 05-23-400-255)** – Jerry Moore, Planning and Development Director, provided an overview of the amendment request. The proposal is to divide a 47-acre parcel to better match current usage with designation. The eastern 15 acres which adjoin a mining operation will remain commercial while the remaining portion, currently in row crop, will be designated for agricultural use. Moore provided the designation and use of surrounding properties. The City of Ames approved the amendment on 5/26/20; the City of Gilbert will consider the proposal on 7/20/20. The Planning and Zoning Commission unanimously approved the amendment on 7/1/20. At that meeting, there was a public question about any proposed change use and also concerns about dust control. Moore stated no change in use is anticipated. The mining operation, Martin Marietta, is working on the dust issue and plans to pave dirt shoulders on its private drive. Moore provided detail on how the public is notified, and recommends the Board approves the request. Discussion took place about traffic on Riverside Road. Murken opened the public hearing at 10:23 a.m., and, hearing none, she closed the public hearing at 10:23 a.m. Heddens moved, Olson seconded the approval of the Ames Urban Fringe Plan-Land Use Framework Map Amendment for the Bishop Farms Property. Roll call vote. (MCU)

**RESOLUTION #21-06, FY20 FUND BALANCE RESOLUTION** – Lisa Markley, Assistant Auditor, reported on the General Accounting Standards Board (GASB) 54 requirements for ending fund balances; all ending fund balances are included in this resolution. She stated committed funds were in a separate resolution passed by the Board at an earlier meeting. Markley stated a budget amendment will be brought to the Board later this summer. Olson moved, Heddens seconded the approval of Resolution #21-06, FY20 Fund Balance Resolution. Roll call vote. (MCU)

**AMENDMENTS TO THE STORY COUNTY DETOX SERVICES FUNDING POLICY** – Karla Webb, Community Services Director, on current policy, amendments, and name change. She stated the amendments were planned for February but delayed by COVID-19. The proposed changes have been reviewed by legal counsel. Heddens moved, Olson seconded the approval of Amendments to the Detox Services Funding Policy. It is now the Substance Abuse Policy. Roll call vote. (MCU)

**HIRING FREEZE EXCEPTION FOR CONSERVATION TECHNICIAN** – Mike Cox, Conservation Director, requested to fill a vacancy. The position has been open since May when the previous employee left. He stated the Conservation Board supports the request. Ryan Wiemold, Parks Superintendent, provided detail on the increased use of parks and facilities. Heddens clarified this is a backfill position. Cox said yes, it has been vacant since May of 2020. Olson spoke about her observations of high usage at County parks. Cox thanked Olson. Murken stated her

appreciation for details. Wiemold said moving forward, Conservation has mechanisms in place to track usage. Olson moved, Heddens seconded the approval of Hiring Freeze Exception for Conservation Technician. Roll call vote. (MCU)

**USING PAYPAL INSTEAD OF HEARTLAND FOR PROCESSING CREDIT CARD PAYMENTS OF ZONING PERMIT AND DEVELOPMENT CASE APPLICATIONS ON CITIZENSERVE** – Jerry Moore, Planning and Development Director, reported part of implementing CitizenServe is determining which credit card processing company to use. Heartland is the current credit card vendor but it is not one of CitizenServe's 20 supported credit card processing companies. If the County chooses to use Heartland with CitizenServe, a \$5,000.00 setup fee will be charged. Stephanie Jones, Planning and Development, researched and analyzed the 20 companies, as well as staying with Heartland. The recommendation is to switch to PayPal. Moore thanked Jones for her research and analysis, and stated price comparisons and additional information are provided in the supporting documentation. Moore talked about working with the Treasurer's Office to determine changes in process and any associated costs. Ted Rasmusson, Treasurer, spoke about the change in process, and stated he is neutral. Heddens asked if it added to his staff's workload. Rasmusson said it was a small increase. Discussion took place. Heddens moved, Olson seconded the approval of Using PayPal Instead of Heartland for Processing Credit Card Payments of Zoning Permit and Development Case Applications on CitizenServe. Roll call vote. (MCU)

**RESOLUTION #21-04, MALABY RESIDENTIAL PARCEL SUBDIVISION** – [presentation slightly delayed due to Zoom difficulties] Marcus Amman, County Planner, stated intern Emily Rizvic will provide the presentation to the Board. Rizvic presented on property information including location, ownership, and current zoning. The property is in the Squaw Creek watershed and lies outside the Ames Urban Fringe. The cities of Ames and Gilbert both waived subdivision review. The owner proposes to create two lots for single-family dwellings; the owner plans to sell both lots. Staff recommends approval as proposed (alternative #1). Olson asked if the lots are already listed for sale. Amman replied buyers are identified for both lots. Olson asked if buyers have development plans. Amman replied not at this time. Heddens said any proposed development will need to go through the proper procedure. Olson stated nearby parcels are listed for sale at \$15,000 an acre. Olson moved, Heddens seconded the approval of Resolution #21-04, Malaby Residential Parcel Subdivision, as presented. Roll call vote. (MCU)

**ENGINEER'S QUARTERLY REPORT** – submitted written report. Darren Moon, Engineer, spoke about traffic concerns on gravel roads south of Nevada due to the State's reconstruction work on US Highway 30, particularly when S14 is closed for the next phase. Olson asked about re-visiting the 220<sup>th</sup> Street paving project that is currently on hold. Murken asked Moon to add discussion to a future agenda, and to ask Assistant County Attorney Ethan Anderson if any closed session is warranted. Discussion took place about the City of Ames's long-term expansion plans. Moon thanked the Board.

**STORY COUNTY QUARTERLY FINANCIAL REPORT** – Lisa Markley, Assistant Auditor, reported financial details on year-end. She mentioned the upcoming budget amendment, and provided fund status by fund. Ending fund balances were typical. Revenues were 98% of budgeted. The transfer of funds from the General to the Supplemental was lowered for now based on current insurance needs, but the County may need to transfer the budgeted remainder later in the fiscal year. Markley asked for questions. Olson asked if roughly \$600,000 is currently unallocated. Markley stated yes, but carry-forward of multiple projects and needs from the August budget amendment will make this number clearer. In late August, she will have a much clearer idea. The Board thanked Markley.

**UPCOMING AGENDA ITEMS:** Olson said the Heart of Iowa Regional Transit Agency (HIRTA) will present to the Board next week; Olson is inviting members of the Ames City Council to listen in.

**LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS:** All Board members reported on multiple upcoming meetings.

Heddens moved, Olson seconded to adjourn at 11:36 a.m. Roll call vote. (MCU)

Story County  
Board of Supervisors Meeting  
Agenda  
7/14/20

1. Originating From Administration Building, Story County Public Access Provided Via "Zoom" Meeting

SPECIAL NOTE TO THE PUBLIC: Due to recommendations to limit gatherings to no more than ten (10) people in order to help slow the spread of the COVID-19 virus, public access to the meeting will be provided via Zoom. **Members of the public can participate by using the information at the end of this agenda:**

2. CALL TO ORDER: 10:00 A.M.

3. PLEDGE OF ALLEGIANCE:

4. STATEMENT EXPLAINING WHY A MEETING IN PERSON IS IMPOSSIBLE OR IMPRACTICAL, PER CODE SECTION 21.8.1

5. ADOPTION OF AGENDA:

6. UPDATES ON COVID-19

a) Staff

b)Supervisors

7. PUBLIC COMMENT #1:

This comment period is for the public to address topics on today's agenda

8. DISCUSSION AND CONSIDERATION OF ITEMS BROUGHT BEFORE THE BOARD WITH REQUEST FOR IMMEDIATE ACTION:

9. AGENCY REPORTS:

- I. Arc Of Story County Annual Report - Submitted Report Only

Department Submitting Auditor

Documents:

ARC.PDF

10. CONSIDERATION OF MINUTES:

- I. 7/7/20 Minutes And 7/10/20 Special Minutes

Department Submitting Auditor

11. CONSIDERATION OF PERSONNEL ACTIONS:

12. CONSENT AGENDA:

(All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time the Board votes on the motion.)

- I. Consideration Of Renewal Of Class A Liquor License (LA)(Private Club) For Ames Golf & Country Club, 5752 George Washington Carver, Ames, Effective 9/9/20-9/10/21,

Including Outdoor Service And Sunday Sales

Department Submitting Auditor

Documents:

AMES GOLF CC.PDF

- II. Consideration Of Renewal And Support Fees Between Story County And CDW Government For CrowdStrike Anti-Virus Effective 7/26/2020 - 7/25/2021 For \$12,871.50

Department Submitting Information Technology

Documents:

CROWDSTRIKE RENEWAL.PDF

- III. Consideration Of Renewal Fees Between Story County And Solutions, Inc. For Software Support, Effective 7/1/20-6/30/21, For \$25,600.00

Department Submitting Information Technology

Documents:

SOLUTIONS LICENSE CODE SUPPORT AGREEMENT.PDF  
SOLUTIONS SUPPORT AGREEMENT.PDF  
SOLUTIONS UPDATED SUPPORT AGREEMENT.PDF

- IV. Consideration Of 28E Agreements Between Animal Control And The Following City: Cambridge, Effective Upon Signature-6/30/21

Department Submitting Animal Control

Documents:

28E AGREEMENT.PDF

- V. Consideration Of Purchase Order For Caterpillar M320F Excavator From Ziegler For \$312,860.00 (FY21 Budget)

Department Submitting Engineer

Documents:

FY 21 CAT EXCAVATOR.PDF

- VI. Consideration Of Using The County Credit Card For Renewal Agreement Of Domain Name Between Hostgator And Information Technology (IT) (Per Story County Credit Card Policy), For \$17.99, Effective 8/8/20-8/7/21

Department Submitting Information Technology

Documents:

STORYEPAY.COM RENEWAL.PDF

- VII. Consideration Of Change Order No. 01 Between Howrey Construction, Inc And Story County Conservation For The Heart Of Iowa Nature Trail Phase 2 Paving Project From Huxley To The South Skunk River Bridge In The Increased Amount Of \$4,995.00.

Department Submitting Conservation

Documents:

HOINT PH 2 CO 1.PDF

- VIII. Consideration Of Quarterly Reports: Auditor, Sheriff, Veterans Affairs

Department Submitting Auditor

Documents:

AUD QTR.PDF  
SHRF QTR.PDF  
VA QTRLY.PDF

- IX. Consideration Of Road Closure Resolution: #21-02

Department Submitting Engineer

Documents:

RC21 02.PDF

13. PUBLIC HEARING ITEMS:

- I. Consideration Of Plans For The Hickory Grove Park Road Resurfacing Project

Department Submitting Conservation

Documents:

HGP ROAD RESURFACING.PDF

- II. Discussion And Consideration Of Ames Urban Fringe Plan – Land Use Framework Map Amendment For The Bishop Farms Property (Parcel# 05-23-400-255) – Jerry Moore

Department Submitting Planning and Development

Documents:

STAFF MEMO.PDF  
RESOLUTION 21 03.PDF  
POWERPOINT.PDF  
BISHOP FARMS AUPF MAP CHANGE REQUEST.PDF

E RIVERSIDE RD AUPP MINOR MAP AMENDMENT.PDF  
RESPONSE TO QUESTIONS.PDF  
RESOLUTION 20 290.PDF

14. ADDITIONAL ITEMS:

I. Consideration Of Resolution #21-06, FY20 Fund Balance Resolution - Lisa Markley

Department Submitting Auditor

Documents:

RES 2106.PDF  
EOY BREAKDOWN.PDF

II. Discussion And Consideration Of Amendments To The Story County Detox Services Funding Policy - Karla Webb

Department Submitting Community Services

Documents:

FUNDING POLICY FOR DETOX SERVICES SA COMMIT OCT 19.PDF

III. Discussion And Consideration Of Hiring Freeze Exception For Conservation Technician - Mike Cox

Department Submitting Conservation

Documents:

CONSERVATION TECHNICIAN HIRE BOS.PDF

IV. Discussion And Consideration Of Using PayPal Instead Of Heartland For Processing Credit Card Payments Of Zoning Permit And Development Case Applications On Citizenserve – Jerry Moore And Stephanie Jones

Department Submitting Planning and Development

Documents:

STAFF MEMO.PDF  
SIGNED CONTRACT.PDF

V. Discussion And Consideration Of Resolution #21-04, Malaby Residential Parcel Subdivision - Marcus Amman

Department Submitting Planning and Development

Documents:

STAFF REPORT.PDF  
RESOLUTION 21 04.PDF

POWERPOINT.PDF  
APPLICATION DOCUMENTS.PDF

15. DEPARTMENTAL REPORTS:

I. Engineer Quarterly Report - Submitted Report Only

Department Submitting Auditor

Documents:

SR.PDF

16. OTHER REPORTS:

I. Story County Quarterly Financial Report - Lisa Markley

Department Submitting Auditor

Documents:

QUARTERLY STORY COUNTY FINANCIAL REPORT FY20.PDF

17. UPCOMING AGENDA ITEMS:

18. PUBLIC FORUM #2:

Comments from the Public on Items not on this Agenda. The Board may not take any Action on the Comments due to the Requirements of the Open Meetings Law, but May Do So In the Future.

19. LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS:

20. ADJOURNMENT:

21. Instructions For Participation In Meeting Discussions

**Join Zoom Meeting**

[HTTPS://ZOOM.US/J/98170920243?](https://zoom.us/j/98170920243?)

PWD=NGG0UUK1AGVXELL4UI9ORKVLDLRPDZ09

Meeting ID: 981 7092 0243

Password: 446094

One tap mobile

+13017158592,,98170920243#,,1#,446094# US (Germantown)

+13126266799,,98170920243#,,1#,446094# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 981 7092 0243

Password: 446094

Find your local number: [HTTPS://ZOOM.US/U/AEP6HKSCHQ](https://zoom.us/j/9211111111)

**\*\*We ask that you mute your phone if possible. To request to speak when allowed on the agenda, participants must click "Raise Hand" if connected by smartphone or computer, or press \*9 if connected by telephone. All participants will be muted by the meeting host when not actually speaking. For additional information regarding How to Participate in Meeting Discussions, please visit Story County's website at: <https://www.storycountyiowa.gov/92/Board-of-Supervisors>**

Audio recordings of all Board meetings will be posted on our website [www.storycountyiowa.gov](http://www.storycountyiowa.gov) shortly after the meeting is concluded. You may access these recordings at any time by clicking on the Meetings and Agendas button on the home page.

### **How to Participate in Meeting Discussions**

If you would like to watch a meeting as it happens and participate in the discussion, you can do so via Zoom ([www.zoom.us](http://www.zoom.us)). Zoom is a videoconferencing platform that works across different internet-enabled devices and standard telephones. Meetings that are being held via Zoom will have information at the top of the agenda regarding how to find the meeting in Zoom. Each meeting is assigned a meeting ID (sometimes called a "webinar ID") that you will need to use to access the meeting.

**Zoom video conferencing** – You can access the meeting by either clicking the link in the agenda, or by opening the Zoom application and entering the meeting ID number found on the agenda.

- Meeting participants will be able to watch and hear the meeting as it takes place. For portions of the meeting where public input is accepted, participants interested in speaking can press the button called "Raise Hand." This will notify the staff that you wish to speak. When it is your turn, staff will announce your name and notify you it is your turn to speak.
- You will need to press the "unmute" button and provide your comments. Once you are complete, you will be muted again by the staff.

**Zoom phone conferencing** – As an alternative to video conferencing, participants may call in to a phone conference using their touch-tone phone. Call-in telephone numbers are provided at the top of each meeting agenda (you can select from any of the phone numbers.) Unless otherwise indicated, the number is a long-distance phone number; charges may apply depending on your telephone provider. Once you have dialed the telephone number provided, you will be prompted to enter the Meeting ID number (found on the agenda).

- During the meeting, you will be able to hear the discussion live, but will not be able to see any content (e.g., maps, text, or other visual materials) that may be displayed for video conference users. For portions of the meeting where public input is accepted, participants interested in speaking can press \*9 on their phone." This will notify the staff that you wish to speak. When it is your turn, staff will announce the last four digits of your phone number and notify you it is your turn to speak. You will hear an automated announcement that your line has been unmuted, then you can begin your comments. Once you are complete, you will be muted again by the staff.
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Story County strives to ensure that its programs and activities do not discriminate on the basis of race, color, national origin, sex, age or disability. Persons requiring assistance, auxiliary aids or services, or accommodation because of a disability may contact the county's ADA coordinator at (515) 382-7204.

Story County  
Board of Supervisors  
Agenda  
7/14/20

NAME

ADDRESS

Barb Steinbaek

SCIT

Sander King

BOS

Ann Mackley

And

The Arc of Story County receives funding for four programs through the ASSET process. Two of these services are supported through CICS.

Our Special Recreation Program, Active Lifestyles, continues to thrive in large part from the funding we receive from CICS, the City and United Way. We are serving almost 200 athletes this year. Up until March of this year, we were providing services five nights per week however that changed abruptly when COVID-19 hit. Special Olympics of Iowa suspended all programming and continues to do so through the end of July. The Arc offers a weekly Zoom chat to keep our participants involved with one another, and hopefully assist with the self-isolation that is taking place right now. In mid-July, if it is safe to do so, we would like to host some type of programming at area parks. People with disabilities in Story County have grown to know Active LifeStyles programs as a safe, social and healthy activity to which they can participate, grow and be contributing members in our community.

Care Coordination is an important aspect of the day to day services The Arc provides. Families new to the community or in search of which services are suitable for their child, see The Arc as a place to receive answers and learn what is available in the community. Care Coordination has been increasingly needed during this time with families seeking additional support and funding while their child is not in school.

Project SEARCH is beginning its fifth year at Iowa State on August 3rd. Though this program is not funded through the ASSET process, it has become a valuable service to the disability community. This year, we had five students or interns graduate from the program with three of the interns getting hired by Iowa State for competitive employment. We have internship sights across campus including School of Ed., Recreational Services, Iowa State Daily, Transportation, Parks Library, Dining, Ivy College of Business and athletics to name a few. Project SEARCH is a nine-month long employment training program for individuals with intellectual and development disabilities. The participants receive classroom instruction coupled with three different internship rotations. Project SEARCH is a national program with an employment success rate of 93%. IVRS will continue to provide funding for the internship portion of the nine month long program. At the writing of this report, Iowa State has stated the program can take place beginning in August. We have eight students scheduled to participate in the program for the 2020-2021 school year. The Arc is not a typical employment provider. We saw a need in the community and researched the best program. This program has allowed us to meet the emerging needs of our participants and meet a growing need in our county for quality employment services for people with intellectual and developmental disabilities.

The Arc has also been an integral member of getting the Inclusive Playground and Miracle Field to fruition in Story County. Regardless of whether one is in a wheelchair or has an intellectual disability, all people want and deserve the right to play, which is vital part of development and inclusion.

As always, it is a privilege for The Arc to provide services in Story County and use those services to assist others in living a life that the rest of us may take for granted.

Tricia Crain, Executive Director 6/30/2020

**Applicant License Application ( LA0000528 )**

<b>Name of Applicant:</b>	<u>Ames Golf &amp; Country Club</u>				
<b>Name of Business (DBA):</b>	<u>Ames Golf &amp; Country Club</u>				
<b>Address of Premises:</b>	<u>5752 George Washington Carver</u>				
<b>City</b>	<u>Ames</u>	<b>County:</b>	<u>Story</u>	<b>Zip:</b>	<u>5001092</u>
<b>Business</b>	<u>(515) 232-8334</u>				
<b>Mailing</b>	<u>5752 George Washington Carver</u>				
<b>City</b>	<u>Ames</u>	<b>State</b>	<u>IA</u>	<b>Zip:</b>	<u>500109282</u>

**Contact Person**

<b>Name</b>	<u>Cory Strait</u>		
<b>Phone:</b>	<u>(515) 232-8334</u>	<b>Email</b>	<u>office@amesgolfcc.com</u>

**Classification** Class A Liquor License (LA) (Private Club)

**Term:** 12 months

**Effective Date:** 09/10/2019

**Expiration Date:** 09/09/2020

**Privileges:**

Class A Liquor License (LA) (Private Club)

Outdoor Service

Sunday Sales

**APPROVED** **DENIED**  
**Board Member Initials:** MS  
**Meeting Date:** 7-14-2020  
**Follow-up action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Status of Business**

<b>BusinessType:</b>	<u>Privately Held Corporation</u>		
<b>Corporate ID Number:</b>	<u>XXXXXXXXXX</u>	<b>Federal Employer ID</b>	<u>XXXXXXXXXX</u>

**Ownership**

**John Peterson**

**First Name:** John

**Last Name:** Peterson

**City:** Ames

**State:** Iowa

**Zip:** 50014

**Position:** President

**% of Ownership:** 0.00%

**U.S. Citizen:** No

**Cory Strait**

**First Name:** Cory

**Last Name:** Strait

**City:** Ames

**State:** Iowa

**Zip:** 50014

**Position:** General Manager

**% of Ownership:** 0.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b> <u>Cincinnati Specialty Underwriters</u>
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# QUOTE CONFIRMATION



DEAR JOEL AHRENS,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

Hey Joel,



**ACCOUNT MANAGER NOTES:** Here's your renewal for CrowdStrike!!

Term Date: 7/26/2020 - 7/25/2021

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
LLCF315	5/21/2020	CROWDSTRIKE RENEWAL	8484660	\$12,871.50

**IMPORTANT - PLEASE READ**

**Special Instructions:** Term Date: 7/26/2020 - 7/25/2021

**QUOTE DETAILS**

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<u>Falcon Endpoint Protection Enterprise - subscription license (1 year) - 1 yr</u> Mfg. Part#: CS.EPPENT.SOLN.T3.12M UNSPSC: 43233205 Electronic distribution - NO MEDIA Contract: Iowa NVP Software (ADSPO16-130652)	300	5741422	\$23.61	\$7,083.00
<u>CROWDSTRIKE FLCN PREV NGTAV B3</u> Mfg. Part#: CS.PREVENT.SOLN.T3.12M Electronic distribution - NO MEDIA Contract: Iowa NVP Software (ADSPO16-130652)	300	5038238	\$0.00	\$0.00
<u>CROWDSTRIKE EXPRESS SUPPORT 1Y</u> Mfg. Part#: RR.HOS.ENT.EXPS.12M Electronic distribution - NO MEDIA Contract: Iowa NVP Software (ADSPO16-130652)	1	4915958	\$1,378.50	\$1,378.50
<u>CROWDSTRIKE OVERWATCH SVC 300-499</u> Mfg. Part#: CS.OW.SVC.T3.12M Electronic distribution - NO MEDIA Contract: Iowa NVP Software (ADSPO16-130652)	300	4918005	\$7.16	\$2,148.00
<u>CROWDSTRIKE THREAT GRAPH STD</u> Mfg. Part#: CS.TG.STD.12M Electronic distribution - NO MEDIA Contract: Iowa NVP Software (ADSPO16-130652)	300	5343526	\$7.54	\$2,262.00
<u>CROWDSTRIKE FLCN INSIGHT EDR B3</u> Mfg. Part#: CS.INSIGHT.SOLN.T3.12M Electronic distribution - NO MEDIA	300	5038229	\$0.00	\$0.00

**QUOTE DETAILS (CONT.)**

Contract: Iowa NVP Software (ADSP016-130652)

**CROWDSTRIKE UNIV LMS SUB** 2 5744579 \$0.00 \$0.00

Mfg. Part#: RR.PSO.ENT.PASS.12M

Electronic distribution - NO MEDIA

Contract: Iowa NVP Software (ADSP016-130652)

<b>PURCHASER BILLING INFO</b>		<b>SUBTOTAL</b>	\$12,871.50
<b>Billing Address:</b> STORY COUNTY INFORMATION TECHNOLOGY ACCOUNTS PAYABLE 900 6TH ST ADMINISTRATION BLDG NEVADA, IA 50201-2004 <b>Phone:</b> (515) 382-7304 <b>Payment Terms:</b> Net 30 Days-Govt State/Local		<b>SHIPPING</b>	\$0.00
		<b>SALES TAX</b>	\$0.00
		<b>GRAND TOTAL</b>	<b>\$12,871.50</b>
<b>DELIVER TO</b>		<b>Please remit payments to:</b>	
<b>Shipping Address:</b> STORY COUNTY INFORMATION TECHNOLOGY JOEL AHRENS 900 6TH ST ADMINISTRATION BLDG NEVADA, IA 50201-2004 <b>Phone:</b> (515) 382-7304 <b>Shipping Method:</b> ELECTRONIC DISTRIBUTION		CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	

**Need Assistance? CDW•G SALES CONTACT INFORMATION**



Gabe Brown

(877) 638-8136

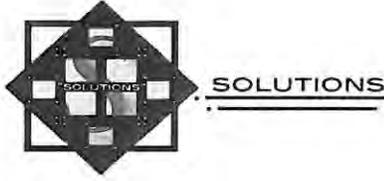
gabebro@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdw.com/content/terms-conditions/product-sales.aspx>  
 For more information, contact a CDW account manager

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**APPROVED** **DENIED**  
 Board Member Initials: Handwritten Signature  
 Meeting Date: \_\_\_\_\_  
 Follow-up action: Bd. Chair  
 \_\_\_\_\_  
Story Co.

7/14/2020



"Solutions", Inc.  
2311 West 18<sup>th</sup> Street, Spencer Iowa 51301  
712-262-4520

## Licensed Code Support Agreement

**This Support Agreement ("this Agreement") is made and entered into this 1st day of July, 2020 by and between "Solutions", Inc. (hereinafter "Vendor"), a (Software Developer and Licensor ) with principal offices at 2311 West 18th Street Spencer Iowa 51301-2631, and Story County, hereinafter "Customer"), a (Local Government and its Offices) with principal offices at: 900 6th Street Nevada, IA 50201**

### **WHEREAS,**

Vendor is in the business of developing computer programs, certain of which computer programs have already been Licensed by the Customer; and,

### **WHEREAS,**

The Customer desires to retain the services of Vendor to maintain and service the computer programs licensed by the Customer from Vendor, for a period up to one year, such maintenance and service of the Vendor's computer programs to be accomplished by Vendor pursuant to the terms of the Agreement.

**NOW, THEREFORE,** in consideration of the mutual promises and covenants set forth herein, Vendor and the Customer hereby agree as follows:

### **Section 1 - Definitions**

For the purposes of this Agreement, the following definitions shall apply to the respective capitalized terms:

1.1 "Licensed Program" The computer software described in Exhibit A hereto, including any extracts from such software, derivative works of such software, or collective works constituting such software (such as subsequent Releases) to the extent offered to Customer under this Agreement or the License Agreement.

1.2 "Custom Program" Any program that has been requested by the Customer to be written or installed in addition to the Customer's Licensed Program described in Exhibit A hereto.

1.3 "Non Maintained Program" Any program no longer maintained and updated to Vendor's current Release by the Customer. This can also be any program no longer offered for License by Vendor.

1.4 "Installation" The preparation and the loading of new or revised Licensed Programs onto the Customer's existing hardware. Installation is not limited to on-site loading, but also includes Licensed Programs sent or delivered to the Customer by Vendor.

1.5 "Error" Any failure of the Licensed Program to conform in all material respects to the functional specifications for the Licensed Program. However, any nonconformity resulting from Customer's misuse or improper use of the Licensed Program or combining or merging the Licensed Program with any hardware or software not supplied by Vendor, or not authorized to be so combined or merged by Vendor, shall not be considered an Error.

1.6 "Error Correction" Either a software modification or addition that, when made or added to the Licensed Program, establishes material conformity of the Licensed Program to the functional specifications, or a procedure or routine that, when observed in the regular operation of the Licensed Program, eliminates the practical adverse effect on Customer of such nonconformity.

1.7 "Enhancement" Any modification or addition that, when made or added to the Licensed Program, materially changes it's utility, efficiency, functional capability, or application, but that does not constitute solely an Error Correction. Enhancements may be designated by Vendor as minor or major, depending on Vendor's assessment of their value and of the function added to the preexisting Licensed Program.



1.8 "Normal Working Hours" The hours between 8:00 A.M and 5:00 P.M. Central Standard Time, on the days Monday through Friday, excluding regularly scheduled holidays of Vendor.

1.9 "Releases" New versions of the Licensed Program, which new versions may include both Error Corrections and Enhancements.

1.10 "Major Enhancement" Shall be further defined as: Any modification or addition that, when made or added to the Licensed Program, materially changes the Programs file structure and may require Program modifications to any of the Customer's Custom Programming.

1.11. "User Requested Major Enhancements" An enhancement of a Licensed Program requested by a 75% minimum majority of users of that Licensed Program.

1.12 "Federal or State Mandated Enhancement" An enhancement mandated by a change or definition of Federal or State code.

1.13 "Minor Enhancement" An enhancement of a Licensed Program that materially changes its utility, efficiency, functional capability, or application, that Vendor feels will improve the Customer's usage.

1.14 "Trade Secrets" Any information, process, or idea developed by Vendor which Vendor considers confidential. Examples of trade secrets include, but are not limited to:

1.14.1 Licensed Program reports, source code, object code, and documentation developed by Vendor.

1.14.2 All information relating to Vendor Licensed Programs now existing or currently under development by Vendor.

1.15 "Training" The instruction of the Customer and/or the Customer's employees in the use of Vendor Programs.

1.16 "Agreement Term." A period of one year, commencing on the entered date of this agreement, and ending one year hence, on the final day of the Customer's (then) current fiscal year.

1.17. "Cancellation," means that the Customer is canceling its requirements for all services in program years subsequent to that in which notice of cancellation is provided.

1.18. "Customer support" is a range of customer services to assist customers in making cost effective and correct use of a product. It includes assistance in planning, installation, training, trouble shooting, maintenance, upgrading, and disposal of a product

1.19. "Technical Support" Regarding technology products such as mobile phones, televisions, computers, software products or other electronic or mechanical goods, it is termed technical support.

## Section 2 - Scope of Services

2.1 During the Agreement Term, Vendor shall render the following services in support of the Licensed Program, during Normal Working Hours, subject to the compensation fixed for each type of service in Vendor's rate schedule set forth in 3.2. Rate Schedule hereto:

2.1.1 Vendor shall maintain a program control center capable of receiving by telephone or network transmission, operator reports of system irregularities.

2.1.2 Vendor shall maintain a telephone hot line that allows Customer to report system problems and seek assistance in use of the Licensed Program.

2.1.3 Vendor shall maintain a trained staff capable of rendering the services set forth in this Agreement.

2.1.4 Vendor shall be responsible for using all reasonable diligence in correcting verifiable and reproducible Errors when reported to Vendor in Accordance with Vendor's standard reporting procedures. Vendor shall, within 36 working hours of verifying that such an Error is present, initiate work in a diligent manner toward development of an Error Correction. Following completion of the Error Correction, Vendor shall provide the Error Correction through a "temporary fix" consisting of sufficient programming and operating instructions to implement the Error Correction, and Vendor shall include the Error Correction in all subsequent Releases of



the Licensed Program. Vendor shall not be responsible for correcting Errors in any version of the Licensed Program other than the most recent Release of the Licensed Program, provided that Vendor shall continue to support prior Releases superseded by recent Releases for a reasonable period sufficient to allow Customer to implement the newest Release, not to exceed 7 days.

2.1.5 Vendor may, from time to time, issue new Releases of the Licensed Program to its customers generally, containing Error Corrections, Minor Enhancements, and, in certain instances if Vendor so elects, Major Enhancements. Vendor shall provide Customer with one copy of each new Release. Vendor shall provide reasonable assistance to help Customer install and operate each new Release, provided that such assistance, if required to be provided at Customer's facility, shall be subject to the supplemental charges set forth in 3.2. Rate Schedule hereto.

2.1.6 Vendor may, from time to time, offer Major Enhancements to its customers that may be covered under an Annual Maintenance Fee set forth in Exhibit A hereto. Those Major Enhancements not covered under an Annual Maintenance Fee shall be subject to the supplemental charges set forth in 3.2. Rate Schedule hereto.

2.1.7 Subject to space availability, Customer may enroll its employees in Vendor's training classes, held at Vendor's facility in Spencer Iowa, for regular or advanced training subject to the supplemental charges set forth in 3.2. Rate Schedule hereto.

2.1.8 Vendor shall consider and evaluate the development of Enhancements for the specific use of Customer and shall respond to Customer's requests for additional services pertaining to the Licensed Program (including, without limitation, data conversion and report-formatting assistance), provided that such assistance, if agreed to be provided, shall be subject to supplemental charges mutually agreed to by Support Vendor and Customer.

2.2 During the Agreement term Customer shall be responsible for the following:

2.2.1 The Customer agrees to provide Vendor with dumps, as requested and with sufficient support and test time on the Customer's computer system to duplicate the error, certify that the problem is with Vendor's Programs, and certify that the problem has been corrected.

2.2.2 The Customer shall inform Vendor in writing of any modifications made by the Customer to the Licensed Program. Vendor shall not be responsible for maintaining Customer modified portions of the Licensed Program or for maintaining portions of the Licensed Program affected by Customer modified portions of the Licensed Program. Vendor shall not be responsible for maintaining Custom Program modified portions of the Licensed Program or for maintaining portions of the Licensed Program affected by Custom Program modified portions of the Licensed Program. Corrections for difficulties or defects traceable to the Customer's errors or systems changes shall be subject to the supplemental charges set forth in 3.2. Rate Schedule hereto.

2.2.3. The Vendor shall make available to the Customer and publish on a quarterly basis, the operating system requirements needed to maintain and operate the Licensed Program. The Customer agrees to meet or exceed those requirements on the Computer system that the Licensed Program is licensed for within 90 days of the published date.

### **Section 3 - Fees and Charges**

3.1 Customer shall pay Vendor an Annual Fee covering those Licenses as Specified in Exhibit A. Any additional services provided to the Customer shall incur charges as specified on the rate schedule set forth in 3.2. Rate Schedule hereto. Vendor reserves the right to change its rate schedule (3.2) from time to time, provided that no such change will be effective until at least 30 days after Vendor has given Customer written notice of such change. Such written notice may be in the form of a statement in Vendor's regularly issued newsletter, website or social media.

3.2. Rate Schedule – All rates shown are current rates and are subject to change with a thirty (30) day notice.

3.2.1 Primary Shift – Monday through Friday – 8:00AM to 5:00PM. Off Shift 5:01PM to 7:59 PM Monday through Friday. Double time shift - 8:00PM to 7:59AM and weekends (Saturday and Sunday).



3.2.2. Application Support or Training – Current rate is one hundred fifteen dollars per hour (\$115.00) for Primary Shift with two hour minimum unless otherwise described in Exhibit A.

3.2.3 Computer Programming and Customer Support – Current rate is one hundred forty-five dollars per hour (\$145.00) for Primary Shift with two hour minimum unless otherwise described in Exhibit A.

3.2.4. IBM i Technical Support – Current rate starts at one hundred forty-five dollars per hour (\$145.00) an hour for Primary Shift with two hour minimum unless otherwise described in Exhibit A or covered under a Services Agreement. Rate is based on service personnel involved. If outside vendors such as IBM i service or support personnel are involved, their time is not included, even if subcontracted.

3.2.5. Off shift is invoiced at 1.5 times the Prime shift rate with 2 hour minimum. Double time is invoiced at 2.0 times the Prime Shift rate with a two hour minimum.

3.2.6. Service orders – Articles 3.2.1., 3.2.2., 3.2.3.3.2.4., and 3.2.5. will require a service order or approval for over time, to be filled out by the Customer on work to be performed by Vendor on behalf of the Customer. Exceptions to this requirement will be Customer errors requiring immediate programming to be performed through communications due to time sensitive requirements. A sample of this Service order is available from the Vendor.

3.2.7. Travel and Expenses - the Customer will be provided flat fees for travel based on location, the number of personnel traveling and the number of other customers being invoiced in the same week of travel (up to two). The flat fee is based on current federal rate for mileage and average round trip time to and from the customer's site. Current rate is \$70.00 an hour and is subject to change. The Customer in addition to the travel charge will be invoiced for motel and meal expenses.

3.3 Reimbursement of Expenses. In addition to the foregoing, Customer shall pay Vendor its actual out-of-pocket expenses as reasonably incurred by Vendor in furtherance of its performance hereunder. Vendor agrees to provide Customer with access to such receipts, ledgers, and other records as may be reasonably appropriate for Customer or its accountants to verify the amount and nature of any such expenses. Expenses shall be reimbursed within ten (10) days after receipt of Vendor's invoice.

3.4. Invoices. Vendor shall invoice Customer each calendar month for all fees and charges accrued, and all reimbursable expenses incurred during the previous month(s), and Customer shall pay the invoiced amount promptly upon receipt of such invoice. Any amount not paid within 30 days after the invoice date shall bear interest at the lesser of 1.5 percent per month or the highest rate allowed by applicable law.

3.5. Responsibilities. Customer shall be responsible for procuring, installing, and maintaining all equipment, telephone lines, communications interfaces, hardware (other than the hardware constituting the program control center maintained at Vendor's facilities) and Software necessary to operate the Licensed Software and to obtain from Vendor the services called for by this Agreement.

#### **Section 4 - Proprietary Rights**

4.1 To the extent that Vendor may provide Customer with any Error Corrections or Enhancements or any other software, including any new software programs or components, or any compilations or derivative works, or Custom Program, prepared by Vendor (collectively, "Vendor Programs"), Customer may (1) install one set of the Vendor Programs, in the most current form provided by Vendor, in Customer's own facility; (2) use such Vendor Programs in a manner consistent with the requirements of the License Agreement, for purposes of serving Customer's internal business needs; and (3) make one copy of the Vendor Programs in machine-readable form for nonproductive backup purposes only. Customer may not use, copy, or modify the Vendor Programs, or any copy, adaptation, transcription, or merged portion thereof, except as expressly authorized by Vendor. Notwithstanding Section 6 hereof, Customer's rights under this Section 4.1 shall remain in effect for so long as Customer is authorized to use the Licensed Programs under the License Agreement.



4.2 The Vendor Programs are and shall remain the sole property of Vendor, regardless of whether Customer, its employees, or contractors may have contributed to the conception of such work, joined in the effort of its development, or paid Vendor for the use of the work product. Customer shall from time to time take any further action and execute and deliver any further instrument, including documents of assignment or acknowledgment that Vendor may reasonably request in order to establish and perfect its exclusive ownership rights in such works. Customer shall not assert any right, title, or interest in such works, except for the nonexclusive right of use granted to Customer at the time of its delivery or on-site development.

4.3 The Customer acknowledges and agrees that the Vendor Programs, Error Enhancements, Major Enhancements, Minor Enhancements, State Mandated Enhancements, and Custom Programs (hereinafter referred to as "Programs") are Trade Secrets and proprietary products of Vendor, and as such are protected by Trade Secret laws. The Programs are licensed (not sold) on a nonexclusive basis for use by the Customer on a single computer system. The Programs shall not be copied or reproduced, in whole or in part, in any form whatsoever, except for use by the Customer as a back-up and/or for archival purposes on a single computer system. The Customer will not, without the prior written consent of Vendor, transfer the Programs electronically from one computer to another over a network. The Programs shall not, under any circumstances, be used by the Customer concurrently on more than one computer system without the prior written consent of Vendor.

4.4 The Customer agrees to maintain full and complete records of the number and location of all Program copies used for back-up and/or archiving purposes, and to furnish these records to Vendor on request.

4.5 The Customer agrees that Vendor's license of the Program to the Customer is not assignable by the Customer, without the prior written consent of Vendor. The Customer shall not provide, or otherwise make available, the Program, in any form, to any person or entity, other than duly authorized employees of the Customer while acting within the scope of their employment for the Customer.

#### Section 5 - Disclaimer of Warranty and Limitation of Liability

**5.1 Except as expressly set forth in this Agreement, Vendor expressly disclaims any and all warranties concerning the Licensed Program or the Services to be rendered hereunder, whether express or implied, including (without limitation) any warranty of merchantability or fitness for a particular purpose.**

5.2 In no event shall Vendor's cumulative liability for any claim arising in connection with this Agreement exceed the total fees and charges paid to Vendor by Customer within the last 12 months. In no event shall Vendor be liable for any indirect, consequential, special, exemplary, or incidental damages of whatever kind and however caused, even if Vendor knew or should have known of the possibility of such damages.

5.3 No action, whether based on contract, strict liability, or tort, including any action based on negligence, arising out of the performance of services under this Agreement, may be brought by either party more than 3 years after such cause of action accrued, except that an action for nonpayment may be brought within two years of the date of the last payment.

#### Section 6 - Termination

6.1 This Agreement may be terminated as follows:

6.1.1 This Agreement may be terminated by either party upon the expiration of the then-current term of this Agreement, provided that at least 30 days prior written notice is given to the other party; or

6.1.2 This Agreement may be terminated by either party upon 30 days prior written notice if the other party has materially breached the provisions of this Agreement and has not cured such breach within such notice period.



## 6.2. Cancellation Under Multi-year Agreements

6.2.1. "Cancellation," as used in this clause, means that the Customer is canceling its requirements for all supplies or services in program years subsequent to that in which notice of cancellation is provided. Cancellation shall occur by the date or within the time period specified in the Schedule, unless a later date is agreed to, if the Customer -

6.2.1.1. Notifies the Vendor that funds are not available for contract performance for any subsequent program year; or

6.2.1.2. Fails to notify the Vendor that funds are available for performance of the succeeding program year requirement.

6.2.2. Except for cancellation under this clause or termination due to breach, any reduction by the Customer in the requirements of this contract shall be considered an early exit of a Multi-year Agreement,

6.3. Early Exit. In the case of Multi-year Agreements, a penalty may be assessed against the Customer for early exit. The termination penalty may not exceed the balance of the agreement, reflecting the fee normally assessed each year for the annual support of the Licenses as specified in Exhibit A.

6.4. Following termination of this Agreement, Vendor shall immediately invoice Customer for all accrued fees and charges and all reimbursable expenses, and Customer shall pay the invoiced amount immediately upon receipt of such invoice. Customer may continue to use any work supplied to Customer by Vendor for the remaining term of the License Agreement. Any amount not paid within 30 days after the invoice date shall bear interest at the lesser of 1.5 percent per month or the highest rate allowed by applicable law.

## **Section 7 - Hiring of Vendor's Personnel**

7.1 Additional Value from Hiring. Customer acknowledges that Vendor provides a valuable service by identifying and assigning personnel for Customer's work. Customer further acknowledges that Customer would receive substantial additional value, and Vendor would be deprived of the benefits of its work force, if Customer were to directly hire Vendor's personnel after they have been introduced to Customer by Vendor.

7.2 No Hiring Without Prior Consent. Without the prior written consent of Vendor, Customer shall not recruit or hire any personnel of Vendor who are or have been assigned to perform work until one (1) year after the completion of the last work performed on behalf of the Customer.

7.3 Hiring Fee. In the event that Customer hires any personnel of Vendor who are or have been assigned to perform work for Customer, Customer shall pay Vendor, within one (1) year of the date of such hiring, an amount equal to twenty-five percent (25%) of the total first-year compensation Customer pays such personnel as a fee for the additional benefit obtained by Customer.

## **Section 8 - Miscellaneous**

8.1 Each party acknowledges that it has read this Agreement, understands it, and agrees to be bound by its terms. The parties further agree that this is the complete and exclusive statement of the agreement of the parties with respect to the subject matter hereof and that it supersedes and merges all prior proposals, understandings, and agreements, whether oral or written, between the parties with respect to the subject matter hereof. This Agreement may not be modified except by a written instrument duly executed by the parties hereto.

8.2 This Agreement and the parties' obligations hereunder shall be governed, construed, and enforced in accordance with the laws of the State of Iowa.

8.3 In the event that any provision of this Agreement is held invalid, illegal, or unenforceable, the remaining provisions shall be enforced to the maximum extent permitted by applicable law.

8.4 Neither party may assign its rights or duties under this Agreement without the prior written consent of the other party, except to a successor of all or substantially all of its business and properties.



8.5 The waiver by either party of any term or condition of this Agreement shall not be deemed to constitute a continuing waiver thereof nor of any further or additional right that such party hold under this Agreement.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized representatives as set forth below.

**(Customer) Story County**

By: LINDA MURKIN

(Please type or print)

Signature: *[Handwritten Signature]*

Title: Board Chair

Date: 7-14-2020, 2020

**Address: 900 6th Street**

**Nevada, IA 50201**

Telephone Number 382-7202

Attachments - Exhibit A pages 1 & 2

**(Vendor) "Solutions", Inc.**

By: Alaire E. Nielsen

(Please type or print)

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

Title: Chief Financial Officer

Date: \_\_\_\_\_, 2020

**Address: 2311 West 18<sup>th</sup> St,**

**Spencer, Iowa 51301-2631**

Telephone Number (712) 262-4520



## Solutions Support Agreement - Exhibit A for Story County

SUPPORT FEES: A support fee of : \$25,600.00 shall be paid by the Customer to cover the the following

		<b>Annual Fee</b>
<b>Group C.</b>		
	<b><u>Assessor Administration Applications</u></b>	
___	Base Real Estate / Grain / Partial Exemption / M & E	_____
___	Sales Ratio Integration into base Real Estate	_____
___	Vanguard Integrated Work Module	_____
___	Schneider/Sidwell Transfer of CSR, Val. Acres	_____
	<b><u>Auditor</u></b>	
___	Base Real Estate / Grain / Utility Tax / TIF support	_____
___	Transfer Book and Reports	_____
<u>1</u>	Government General Ledger/Accounts Payable/Budgets and Accrual Reporting	\$6,800.00
<u>1</u>	Government Payroll System	\$6,000.00
___	Fixed Assets - Basic Inventory	_____
<u>1</u>	Drainage Accounting - Subsystem	\$1,000.00
___	Drainage Real Estate - Subsystem	_____
		\$13,800.00
	<b><u>Engineer</u></b>	
<u>1</u>	D.O.T. Accounting & Payroll System w/ interface to Auditor	\$4,800.00
<u>1</u>	Equipment Costs & Records	\$1,400.00
<u>1</u>	Parts & Materials Inventory	\$1,400.00
		\$7,600.00
	<b><u>Recorder</u></b>	
___	Instrument Indexes	_____
___	Accounts Receivable	_____
___	Vital Statistics	_____
	<b><u>Treasurer</u></b>	
___	Tax Receipting, Specials, Payments, Apportionment, Daily Cash Out & TaxSale	_____
___	Online Tax Payments - Loading, Receiving & Monitoring- Annual Fee	_____
<u>1</u>	Miscellaneous Receipts / GL / Treasurer's Sub-ledger	\$3,200.00
___	Drainage Tax Receipts-Subsystem	_____
___	Drainage Certificate Ledger-Subsystem	_____
___	Banking & Investments	_____
___	Document Locator (Imaging) for DOT Library	_____
		\$3,200.00
	<b><u>Specialty Applications and/or Support</u></b>	
	<b>IBM I Server Management - for 9009-41A 78-39260</b>	
<u>1</u>	OnDemand Printer Output to Storage Definitions	\$600.00
___	Scanning Interface for Imaging for Document Locator for 1st User	_____
___	Scanning Interface for Imaging for Document Locator for additional Users	_____
<u>1</u>	CSN Interface includes 1 license of Claims by Department	\$400.00
___	Urban Revitalization, Annexation and Phase in	_____
___	Records Storage Management	_____
___	Claims by department Interface for	_____
___	Payroll by Department Interface for -	_____
___		_____
		\$1,000.00
	<b>SUPPORT AGREEMENT TOTAL</b>	<b>\$25,600.00</b>

## Solutions Support Agreement - Exhibit A for Story County

The Support fee shall cover the following items for those Licensed programs indicated.

### Federal and State Mandated Enhancements

### Minor Enhancements

### Major Enhancements as specified in the Agreement

### Phone Support shall include and be limited to:

- Questions on the correct use and function of the Licensed Program.
- Reasonable assistance to install and operate new Licensed Program releases.
- Reasonable assistance relating to office procedures in regards to the operation of the Licensed Program.
- Assistance to correct the Customer's accidental or Incorrect usage of Licensed Program with a maximum of 2 hours per incident aggregate.
- All phone related support shall be limited to a 6 hour aggregate per module listed in Exhibit A, per office, per month.

### Phone Support through this Agreement does not cover:

- Questions on the use of the Operating System, Database or Utilities. This may be covered by a variety of other service Agreements. Examples would be IBM i OS V7R3, Windows Server 2012 R2, 2016, 2019 Windows SQL, etc.
- Questions on Hardware This may be covered by a variety of other service Agreements.
- Fixing the Customer's data due to mistakes or incorrect usage of the program, requiring programming or other methods not covered.
- Phone Support shall not be construed to include training.
- All other duties performed over the phone shall incur our usual rates as specified in the Agreement

**User Group Training in the use of Licensed Programs** in such form and at such sites and times as may, from time to time, be arranged by Vendor. There may be a nominal charge for the class, to cover the cost of preparation, materials and facilities. Exception: Certain modules have built in the cost of Annual User Meetings. This will cover an unlimited number of people per county per meeting. Meetings not covered will be identified in advance.

**IBM i Server Management has not been selected, this section will be blank**



"Solutions", Inc.  
2311 West 18<sup>th</sup> Street, Spencer Iowa 51301  
712-262-4520

June 8, 2020

RE: Changes to this year's Agreements

Dear County Official:

County Support Agreements – i.e. Vision Software and IBM i support

We have two major changes made to our existing "Solutions" Support Agreements. We moved the IBM i support that was attached to our services agreement, back to, our Annual Licensed Code Support Agreement. Second, for the first time ever, we are offering a locked in Five Year Licensed Code Support Agreement.

IBM i Support: Years ago, when we started offering network services to end users, we moved our IBM i (then AS400) support to that separate agreement. The problem has always been that the support is supplied by our IBM i "Solutions" Government Software (SGS) group. Our network services group, TechServ, is rarely involved with that support. So, we have moved that back to the primary Licensed Code Support Agreement.

Five-year Licensed Code Support Agreements: For years, we have resisted increasing our prices every year. We have only increased rates when we felt the need to cover specific costs. For example, the new-Vision release. If you go back and review your last 20 years of spending, you will see how infrequently we have increased our rates. That business model has limited sustainability. Starting in fiscal year 2021-2022, "Solutions" will be increasing annual software support in a similar fashion as our Competition, Microsoft, IBM, and many others. There were numerous requests to see if we would be willing to offer locked in rates, as one of our Competitors is offering, with their subscription pricing (you "rent" the software). We currently offer locked in subscription pricing in other states, but all of our clients in Iowa currently have licenses.

With that said, we are offering five year locked in rates for annual License Code Support for those counties that would like to get their rates locked in for 5 years. Starting next year, we will begin increasing rates annually to match industry standards. Those that have signed five-year agreements will only receive an invoice.

The changes to the support agreement, changes this paragraph at the beginning: The Customer desires to retain the services of Vendor to maintain and service the computer programs licensed by the Customer from Vendor, at a locked in, rate of five years (only if contracted), such maintenance and service of the Vendor's computer programs to be accomplished by Vendor pursuant to the terms of the Agreement.

The changes will affect or add change the following sections:

Section 1 - Definitions: 1.16 "Agreement Term", 1.17. "Cancellation"

Section 6 - Termination: 6.2, Cancellation under Multi-year Agreements and 6.3. Early Exit

As stated above, we will not be increasing rates until next year for Licensed Code Support Agreements.

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Government Service Agreements through TechServ:

If your County is one of the Counties that does not need DNS hosting, or an Annual Statement of Work, you will not receive any additional service agreements this year, only the Licensed Code Support Agreement.

Although we are not planning on raising rates, with work environment changes such as working from home, Zoom and Teams meetings and so on, expenses will go up, while others, will go down (travel). We have not been able to collect all the data as to what the total costs have been or will be, so, things could change. We doubt it, but they could.

Managed Services – Network Devices: Previously we charged \$1.50 per device, per month. Most of the work on these is provided as part of the network management base. Our rate is going up to \$2.00 per device, per month.

In the future, we would like to offer a separate advanced diagnostics network product, but that will require additional fees, and will not be covered here.

Managed Services - Printers: We are now charging the minimum cost for these of \$1.50 per printer, per month but only if it has an IP address. For example, a Copier or Pinter that is attached to the network will have a fee, even wireless attached printers if they have an IP address. The desktop printer attached only to a PC by USB cable will not.

We have had a few counties wonder if we would consider offering printer services as they see being offered by some copier companies. Where “Solutions” would supply printing solutions either by the page, which could include toner, paper, and the printer. Or if “Solutions” would be willing to offer Printer Management including automatic toner ordering, maintaining supplies, and service kits. We would consider these options but only if we had enough Counties interested.

Managed Services – Network Attached Storage (NAS): Previously we either charged NAS systems as a sever, or we excluded them completely. Neither option made sense. If you exclude them, how do you work on them or troubleshoot them. They do not require the maintenance of a server, so charging that kind of rate is a bit excessive. So, we looked at what our average costs were to maintain these and decided on \$10 per NAS, per month.

Managed Services – Miscellaneous devices: Finally, there are a certain class or group of devices that we want to monitor, but the County does not benefit that much from us monitoring, but we do. These include remote management consoles for servers, our Onsite Managed Services appliances, Power Distribution Devices with IP addresses, Watt Boxes (remote power control) and KVM (Keyboard/Video/Mouse) switching.

Then there are those devices that the cost of management is covered under a different agreement. Some of these would be the IBM i, the IBM i console and Datto Systems.

Managed Services-Excluded Devices: During an audit of a range of addresses, we might see these devices, but we do not monitor them or track them. These are specifically excluded from Managed Services. These might include video cameras, phone systems, some long-distance bridges, and some HVAC systems. Anytime the County wishes to have these added to Managed Services, they can be brought back in.

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#### Document Locator – Annual Support option from the Images Services Team

We started to offer this a couple of years ago, and this is becoming more and more popular. Let Alaire know if you would like those pages added to your Statement of Work. This covers all set up installations and covers the “how to” questions and support of pre-set up systems.

---

#### Security Concerns:

Whether you use “Solutions” TechServ for Managed Services, an internal technical professional, another outside technical support company, or all three, you are going to be seeing increased costs for network services that you did not budget for. This is due to several factors.

Heightened Security with any device that uses a Network, the Internet, Wireless Technology, Apple Airplay, 4G/5G phone systems, Blue Tooth, and other interconnected devices.

We are not done working from home, nor are we done paying for it. A lot of deferred spending happened, that must be caught up, and budgets may need to be updated. Aspects of working from home will continue. We will need to formalize how we work and where we work. This will require additional equipment and secure workspaces both at the Courthouse and at places away from the Courthouse.

Please be cognizant, that in the coming elections security will be heavily emphasized and will require constant adjustment. This will put additional demands on all of us.

#### Windows 7 Operating System & Windows Server 8

There are still offices using these older systems. Counties have turned them off, and someone turns them back on. Counties have had them physically unplugged from the network, only to have them plugged back in. These must be replaced. We do understand, sometimes these old units are the only place the data resides or there is a printer/plotter that cannot be moved to a more modern platform. But plugging these units back into the network, surfing the Internet, transferring files, or downloading mail, puts the whole network at risk. Our next recommendation will be for Counties to modify Active Directories or Firewalls, so that the offending device can no longer access other devices or the Internet. That way a user can sit at that device and look up the data or use that system to print a document to an older specialty printer.

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#### Some final words:

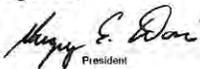
The last number of months have been difficult for all of us. Some of you have been caged up in your own courthouses, some stuck at home, we have mirrored both, with some of us at work and some at home. During that time, we hired new employees, replaced, and upgraded firewalls, installed switches, added wireless access points, installed several new systems, and even a few new IBM i systems.

The way we do business right now has changed. Some things will get back to normal. Other things will become the new normal. Business goes on. The services we supply will continue, as will the essential services you supply your constituents.

We have all learned so much in these last months. We have started embracing words like, self-reliance, sharing, helping, drive, motivation, enthusiasm, tolerance, patience and understanding. We still have a way to go, but we will get there.

If you have any questions, please give me a call at 712-262-4520 or e-mail me at [gdavis@gmdsolutions.com](mailto:gdavis@gmdsolutions.com).

Best Regards,



Gregory E. Davis  
President

Gregory E. Davis  
President "Solutions"

Return to &

Prepared by Sue McCaskey, Story County Animal Control, 975 West Lincoln Way, Nevada, IA 50201 515-382-3338

## ANIMAL RESCUE SERVICE CONTRACT

This contract and Agreement is entered into by and between Story County, Iowa and the City of Cambridge, Iowa pursuant to the authority, and by the procedures of Chapter 28E, Code of Iowa.

1. Purpose:

Under this contract, Story County shall provide said City with services of domestic animal rescue as set forth more specifically in succeeding paragraphs herein with the exception of 2(e) and (f). Story County will not provide service with regard to wild animals except as noted below in the Scope of Services, and in the sole discretion of Story County.

2. Scope of services (pursuant to Story County Code of Ordinances):

- a. Transportation of animals impounded by the contracting city.
- b. Shelter and board for the impounded animals.
- c. Issuance of applicable impoundment charges on impounded animals pursuant to Story County Code of Ordinances.
- d. Cat, dog, and other small domesticated animal adoption service for appropriately impounded animals.
- e. Investigation and disposition of rabid, sick or injured animals.
- f. Supervision of quarantine procedures and rabies testing.
- g. Collection and impounding of City trapped cats.
- h. Arrange for emergency veterinary care or provision of first-aid treatment.
- i. Provision of humane euthanasia of unclaimed cats and dogs pursuant to Iowa Code 351.37.
- j. Rescue of animals in unusual or emergency circumstances (i.e. flood waters, fire, etc., with permission from appropriate City Official).
- k. One letter sent to resident of said City when requested by said City and only after prior attempts at resolution by City.

Any other animal control related problem may be dealt with at the Animal Control Officer's discretion.

**\*The City understands that all service is subject to the Animal Control Officer's availability and discretion with the expressed approval of a City Official, except in emergencies.\***

\_\_\_ Check and Initial here if City prefers to be notified prior to Animal Control Officer's response in non-emergency situations. If you checked the box, please provide a twenty-four (24) hour phone number: Dale Hennick (515) 460-0627

3. Consideration: (Quarterly billing)

The City will pay Story County, Iowa, based on the following fee schedule:

(No trip charge will be assessed from 8:00 a.m. to 3:00 p.m., Monday – Friday)

- a. \$50.00 per officer involved, per trip between the hours of 3:00 p.m. and 8:00 a.m., Monday through Friday, all day Saturday, Sunday and holidays.
- b. \$25.00 per trip for investigations (regardless of whether or not an animal is detained), confining an animal, and other services as needed.
- c. \$6.50 per day up to a maximum of seven (7) days per unclaimed dog for boarding and transportation costs.
- d. \$5.50 per day up to a maximum of seven (7) days per unclaimed cat for boarding and transportation costs.
- e. \$5.50 per day up to a maximum of seven (7) days per unclaimed exotic animal for boarding and transportation costs.
- f. \$10.00 per day up to a maximum of seven (7) days per unclaimed head of livestock for boarding and transportation costs. Depending on animal size, if a trailer is needed to transport an animal, add an additional \$35.00.
- g. \$15.00 for euthanasia of each unclaimed or unwanted cat not held for seven (7) days, due to sickness, injury or rabies testing.
- h. \$25.00 for euthanasia of each unclaimed or unwanted dog not held for seven (7) days, due to sickness, injury or rabies testing.
- i. \$20.00 for euthanasia of each wild animal species such as opossum, raccoon, etc.
- j. \$5.00 per day for rental of cat box trap.
- k. \$8.00 per day for rental of dog box trap.
- l. \$10.00 per citation issued at the request of said City.
- m. \$10.00 handling/transportation charge for all domestic animals held less than seven (7) days.

In witness whereof the parties hereto have, by their authorized representatives, executed this agreement.

Story County, Iowa

By: *Midamer* *7-14-2020*  
Chairperson Date

City of *Cambridge*

By: *Steven P Kovach* *6-10-2020*  
Mayor Date

ATTEST

*[Signature]* *7-14-20*  
Auditor Date

*[Signature]* *6/10/2020*  
Clerk Date

Story County Animal Control

By: *[Signature]*  
Animal Control Director Date  
*6/10/20*



Story County Conservation Board - McFarland Park 56461 180<sup>th</sup> St. - Ames, Iowa 50010-9451  
Phone (515) 232-2516 - Fax (515)232-6989 - Email: conservation@storycounty.com  
www.storycountyconservation.org

Memorandum

To: Story County Board of Supervisors  
Through: Michael D. Cox, Director  
From: Patrick Shehan, Special Projects Ranger  
Date: July 14, 2020  
Re: Consideration of Change Order No. 01 between Howrey Construction, Inc and Story County Conservation for the Heart of Iowa Nature Trail Phase 2 paving project from Huxley to the South Skunk River Bridge in the Increased Amount of \$4,995.00.

This change order reflects increased costs due to the discovery of unknown conditions. The existing trail approaches to the Midwestern Railroad bridge were constructed in a manner such that the existing bridge abutments did not support the concrete trail approach. This change order will alleviate this problem.

This will be an **increase to the contract of \$4,995.00.**

The Story County Conservation Board recommends approval.

  
Approval

7-14-2020  
Date

Disapproval

Date

**CHANGE ORDER**  
For Local Public Agency Projects

No.: 01

Non-Substantial:

Substantial:

Administering Office  
Concurrence Date

Accounting ID No. (5-digit number): 36826

Project Number: TAP-R-C085(154)-8t-85

Contract Work Type: PCC SIDEWALK/TRAIL

Local Public Agency: STORY COUNTY

Contractor: HOWREY CONSTRUCTION, INC.

Date Prepared: July 08, 2020

You are hereby authorized to make the following changes to the contract documents.

A - Description of change to be made:

0130 - 2511-0302600 - Recreational Trail, PCC, 6 IN. - REMOVAL of 20 LF of 10 FT wide trail from project bid quantity.  
8001 - 2599- 9999018 - Trail Approach Pavement (Square Yards) - ADDITION of two 10 FT long 10 FT wide approach slabs. The trail approach pavement will include all material identified in the attached detail. Materials provided for this work shall comply with Section 2511 of the Iowa DOT standard specifications. The installed square yards of trail approach pavement will be measured and counted for payment. Payment will be at the agreed upon unit price identified in the contractor in the attached proposal and shall include all material, labor and equipment necessary to construct and install the trail approach pavement.

B - Reason for change:

0130 - 2511-0302600 - Recreational Trail, PCC, 6in. - Quantity removed from project.  
8001 - 2599- 9999018 - Trail Approach Pavement (Square Yards) - Discovery of unknown conditions resulting in change from bid plans.

C - Settlement for cost(s) of change as follows with items addressed in Sections F and/or G:

0130 - 2511-0302600 - Recreational Trail, PCC, 6in. - Per bid unit price.  
8001 - 2599- 9999018 - Trail Approach Pavement (Square Yards) - Includes material, labor and equipment costs.

D - Justification for cost(s) (See I.M. 3.805, Attachment D, Chapter 2.36, for acceptable justification):

0130 - 2511-0302600 - Recreational Trail, PCC, 6in. - Per bid unit price.  
8001 - 2599- 9999018 - Trail Approach Pavement (Square Yards) - Includes material, labor and equipment costs.

E - Contract time adjustment:  No Working Days added  Working Days added: 1  Unknown at this time

Justification for selection:

Due to one-way access from Water St in Cambridge, IA. Staging of pours on either side of the bridge will require two days to complete work.



316 Austin Street, Rockwell City, IA 50579  
Phone (712) 297-8182 Fax (712) 297-7307

June 26, 2020

Snyder & Associates  
Spencer Wignall  
2727 SW Snyder Blvd  
Ankeny, IA 50023

RE: TAP-R-C085(154)--8T-85  
Change Order #1

Spencer,

Howrey Construction is requesting a change order for the approach pavement section detailed on the enclosed sheet for the above mention project. A breakdown of costs is attached on the follow page. We also request an additional one (1) working day be added project.

Item Description	Quantity	Unit	Unit Price	Total Price
Shared Use Path Approach Pavement	22.2	SY	\$225.00	\$4,995.00

Thank you,

Brian Madsen, Project Manager  
Howrey Construction, Inc.

Enclosures.

F - Items included in contract:

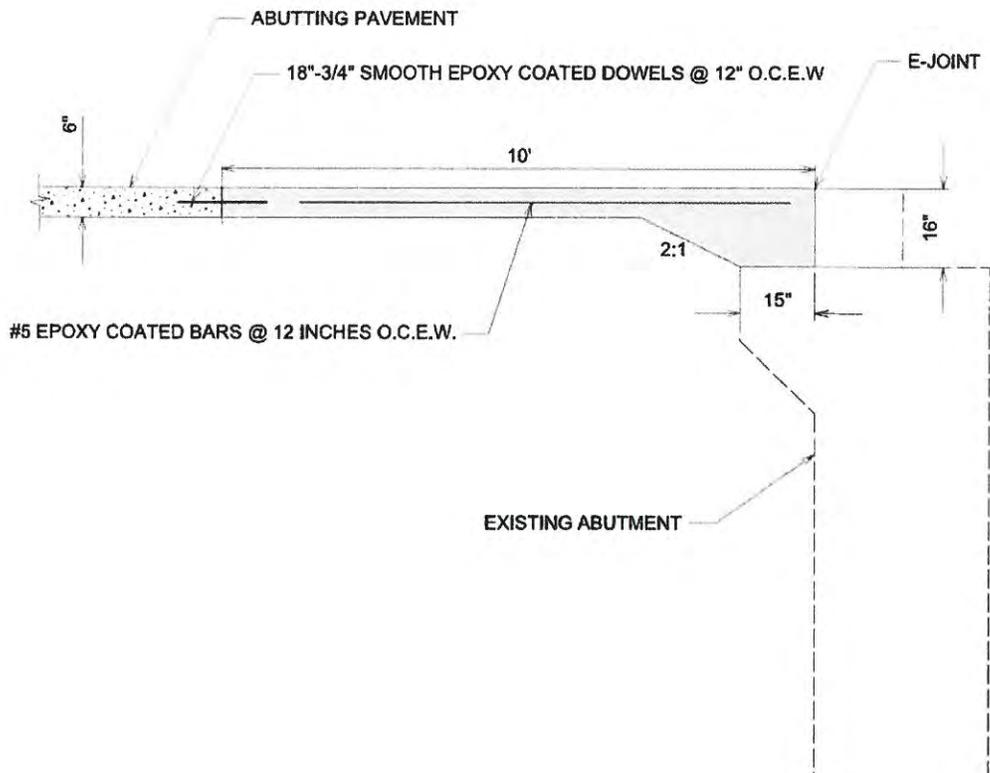
Participating		Line Number	Item Description	For deductions enter as "-x.xx"		Amount .xx
Federal-aid	State-aid			Unit Price .xx	Quantity .xxx	
	X	0130	Recreational Trail, PCC 6 IN.	\$31.50	-22.200	-\$699.30
<input type="button" value="Add Row"/> <input type="button" value="Delete Row"/> <b>TOTAL</b>						-\$699.30

G - Items not included in contract:

Participating		Change Number	Item Number	Item Description	For deductions enter as "-x.xx"		Amount .xx
Federal-aid	State-aid				Unit Price .xx	Quantity .xxx	
	X	8001	2599-9999018	Trail Approach Pavement	\$225.00	22.200	\$4,995.00
<input type="button" value="Add Row"/> <input type="button" value="Delete Row"/> <b>TOTAL</b>						\$4,995.00	

H. Signatures

Signatures will be applied through DocExpress.



<b>Item Description</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>Total Price</b>
PCC Concrete - C4WRC15	5	CY	\$135.00	\$675.00
Small Load Fee (<3 CY)	1	LS	\$80.00	\$80.00
Rebar	1	LS	\$575.00	\$575.00
Skidloader (Equip Only)	4	HR	\$135.00	\$540.00
Misc. Material	1	LS	\$150.00	\$150.00
Operator C	8	HR	\$90.00	\$720.00
Laborer A	8	HR	\$45.00	\$360.00
Laborer B	24	HR	\$42.75	\$1,026.00
Concrete Finisher	16	HR	\$52.50	\$840.00
			<b>\$223.69</b>	<b>\$4,966.00</b>

**Shared Use Path Approach Pavement      22.2      SY      \$225.00      \$4,995.00**

Ziegler Inc.



169797-01

October 30, 2019

STORY COUNTY  
837 N AVE  
NEVADA, Iowa 50201-1411

Attn: Darren Moon,

Travis McDowell  
Territory Manager  
515-238-0640

### **Caterpillar Model: M320F Excavator**

#### **STANDARD EQUIPMENT**

**POWERTRAIN** - Engine: - Cat C7.1, EPA/ARB Tier 4 Final and EU - Stage IV certified engine with - Aftertreatment - Altitude capability: 3000m/9842 ft - Automatic Engine Speed Control - incl. One Touch Low Idle - and Engine Idle Shutdown functionality - Automatic starting aid - Power mode selector

**UNDERCARRIAGE** - Four wheel drive - Heavy-duty axles with advanced disc - brake system and travel motor with - adjustable braking force - Hydrostatic transmission, two speed - Full hydraulic steering with emergency - capability - Oscillating front axle, lockable, with - remote greasing point - Steps including tool boxes, left & right - Creeper speed -

**HYDRAULICS** - Cat XT-6 ES hoses - Heavy lift mode - Separate swing pump - Load sensing hydraulic system - Adjustable Hydraulic Sensitivity -

**ELECTRICAL** - Alternator, 115 Ampere - Roofing lights (two front, two rear) - Main shut-off switch - Signal/warning horn - Two Caterpillar maintenance - free batteries - Refueling pump -

**OPERATOR ENVIRONMENT** - Reinforced cab structure compliant with - 2006/42/EC and tested according - ISO 12117-2:2008 - Adjustable armrests - 24 Volt lighter - Beverage cup/can holder - Bolt-on FOGS capability - Bottle holder - Bottom mounted, intermittent, parallel - wiper and washer - Coat hook - Floor mat, washable, with storage - compartment - Full graphic and full color display - Interior lighting with door switch - Joysticks, pilot operated - Laminated front windshield - Left side console, tiltable, with - lock-out for all controls - Literature compartment behind seat - Literature holder in right hand cab - panel - Mobile phone holder - FM radio incl. CD-player and speakers - Parking brake - Sealed cab with positive filtered - ventilation - Power supply, 12V-10A - Rear window, emergency exit - Skylight - Sliding door windows - Steering column, adjustable angle & - height - Storage compartment suitable for a lunch - box - Sunshade for windshield and skylight - Cruise control system - Pin code type engine start prevention

**OTHER STANDARD EQUIPMENT** - BLCV including overload warning device - SLCV - Automatic swing brake - Capability to add auxiliary hydraulic - circuits - Caterpillar Datalink and Electronic - Technician capability - Door locks and cab locks with - Caterpillar one-key security system - SOS quick sampling valves for engine - oil, hydraulic oil and coolant -

**MACHINE SPECIFICATIONS**

**DESCRIPTION**

M320F WHEEL EXCAVATOR  
 LANE 3 ORDER  
 STICK, 9'2", A-LUBE  
 SPEED 21.7 MPH  
 UC OUT. FRONT & REAR  
 STEPS, UC, INCL. FENDERS  
 CONTROL, MPF  
 CAB, 70/30  
 SEAT DELUXE W/3" SEAT BELT  
 JOYSTICK PATTERN, CHANGEABLE  
 CONTROL, 1PC & VA  
 CONTROLLER, ELECTRONIC XL  
 PRODUCT LINK, SATELLITE PL631  
 COOLING SYSTEM, STANDARD  
 COUNTERWEIGHT, 9258 LBS  
 HYDRAULIC OIL, MINERAL  
 DECALS, NORTH AMERICA (ANSI)  
 COMPLETE STORAGE PROTECTION  
 SETTING, QC CTRL, PIN GRABBER  
 ALARM, BACK-UP  
 BEACON, ROTATING, REMOVABLE  
 BOOM, 1PC, A-LUBE  
 RIDE CONTROL, 1PC  
 TIRES, MITAS 10.00-20 DUAL  
 MIRROR, ELECTRIC, 1PC  
 FOGS, LED  
 JOYSTICK, 2-SLIDER  
 WIPER, 70/30  
 HYDRAULIC TILTING MANUAL PIN LOCK QUICK COUPLER  
 WERK BRAU 60" POWER GRIP DC BUCKET FOR PIN LOCK COUPLER BOCE ON BOTH EDGES  
 CASE DRAIN

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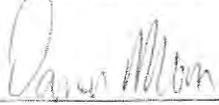
SELL PRICE	\$308,210.00
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**WARRANTY**

Standard Warranty:	1 Year Unlimited Premier
Extended Warranty:	5 Year 5,000 Hour Powertrain + Hydraulics (\$4,650 optional)

Recommended for approval by:

 7-1-20  
 Darren R. Moon, P.E.      Date

Approved by:

 7-14-2020  
 Board of Supervisors      Date

TOTAL = \$312,860.00

COUNTY AUDITOR'S REPORT OF FEES COLLECTED

STATE OF IOWA }  
STORY COUNTY }

TO THE BOARD OF SUPERVISORS OF STORY COUNTY:

Pursuant to the Code of Iowa, Chapter 331.902, Collection and Disposition of Fees collected, I, Lucy Martin, Auditor of the above named County and State, do hereby certify that the following is a true and correct statement of fees collected by me in my office for the quarter ending June 30, 2020 and the same has been paid to the Story County Treasurer.

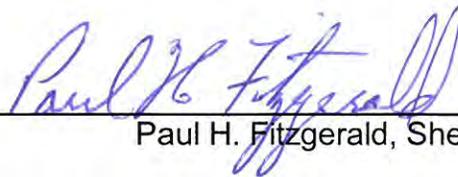
For Elections for Other Entities Elections		\$ 19,024.92
Misc Elections	95.00	
City/School Elections		
Special Elections	18,929.92	
For Other Office Fees		\$ 3,806.33
Plat Books		
Computer Lists		
Fiscal Agent Fees	3,800.43	
Map Copies		
Copies	5.90	
Miscellaneous		
	TOTAL	\$ 22,831.25

Treasurer's Receipts for the above are attached.

  
\_\_\_\_\_  
LUCY MARTIN  
Story County Auditor  
July 7, 2020

**Story County Sheriff's Report  
Total Income Earned  
For the Quarter Ending June 30, 2020**

Civil Fees (01000-01000-4400-05)	\$42,704.54
Civil Fees (Credit Card)	\$870.84
Permits to Carry Concealed Weapon (01000-01000-4410-05)	\$9,860.00
Permit to Carry Concealed Weapon (Credit Card)	\$1,520.00
Interest (01000-00054-6000-05)	\$14.85
Work Release (01000-01000-4400-05)	\$1,836.45
<b>Total</b>	<b>\$56,806.68</b>
 <b>Total Paid to Story County Treasurer</b>	 <b>\$56,806.68</b>



Paul H. Fitzgerald, Sheriff

Dated 06/30/20  
PHF:kan

**Story County Sheriff's Report  
Total Income Earned  
For the Year Ending June 29, 2020**

Civil Fees (01000-01000-4400-05)	\$135,558.20
Civil Fees (Credit Card)	\$4,546.17
Permits to Carry Concealed Weapon (01000-01000-4410-05)	\$24,280.00
Permits to Carry Concealed Weapon (Credit Card)	\$14,515.00
Interest (01000-00054-6000-05)	\$205.90
Work Release (01000-01000-4400-05)	\$8,310.45

**Total** **\$187,415.72**

**Total Paid to Story County Treasurer** **\$187,415.72**

  
\_\_\_\_\_  
Paul H. Fitzgerald, Sheriff

Dated 06/30/20  
PHF:kan



**Story County Commission of Veterans Affairs**  
**Brett D. McLain, Director**  
Story County Human Services Center  
126 S. Kellogg Ave. Suite 001, Ames, Iowa 50010

Ph. 515-956-2626 Fax 515-956-2627  
www.storycountylowa.Gov  
veteransaffairs@storycountylowa.Gov

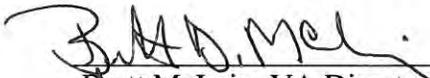
## REPORT OF VETERANS AFFAIRS COMMISSION

STATE OF IOWA,  
STORY COUNTY

We, the undersigned, members of the Veterans Affairs Commission, hereby certify that the following is a correct statement of the claim numbers and amount of assistance given to persons entitled to relief under Chapter 35B.10 Disbursement-inspection of records of the Code of Iowa, for the fourth quarter FY 20 from **April 1, 2020 – June 30, 2020**

STORY CO. VA CLAIM #	ASSISTANCE	AMOUNT
D 5139	Rent	\$600.00
K 6594	Utilities	\$500.00
C 3216	Funeral	1,993.00

**Total \$ 3,093**

  
Brett McLain, VA Director

\_\_\_\_\_  
Patrick Peakin, Chair

  
Amy Rosenberg, Secretary

\_\_\_\_\_  
Nicolas Briseno, Member

  
Monty Woodward, Member

  
Luke Vance, Member

Closure No. 21-02

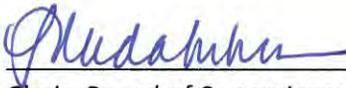
Date July 9, 2020

## Resolution

### BE IT RESOLVED

By the Board of Supervisors of Story County, Iowa, to approve the road Closure(s) for the purpose of Construction in section 20 & 21 Union Twp on

570th Ave is Closed Between 315th St and Highway 210

  
\_\_\_\_\_  
Chair, Board of Supervisors

Attest:   
\_\_\_\_\_  
County Auditor

ROLL CALL	Lauris Olson	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
FOR ALLOWANCE	Lisa Heddens	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
	Linda Murken	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>

ALLOWED BY VOTE  
OF THE BOARD

Yea	<input checked="" type="checkbox"/>	Nay	<input checked="" type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
-----	-------------------------------------	-----	-------------------------------------	--------	-------------------------------------

  
\_\_\_\_\_  
CHAIRPERSON

Above tabulation made by 



Story County Conservation Board - McFarland Park 56461 180<sup>th</sup> St. - Ames, Iowa 50010-9451  
Phone (515) 232-2516 - Fax (515)232-6989 - Email: conservation@storycounty.com  
www.storycountyconservation.org

Memorandum

To: Story County Board of Supervisors  
Through: Michael D. Cox, Director  
From: Luke Feilmeier, Park Ranger  
Date: July 14, 2020  
Re: Consideration of Plans for the Hickory Grove Park Road Resurfacing Project

The attached design plan set for resurfacing the asphalt portions of road at Hickory Grove Park. The road is in very poor condition. This project will also provide additional parking at the main boat ramp to help alleviate congestion. These plans were put together in partnership with Story County Engineers Office and is budgeted in FY21. We will set a bid opening date of August 4, 2020.

The Story County Conservation Board recommends your approval.



Approval

Disapproval

7-14-2020  
Date

\_\_\_\_\_  
Date

Project No. SCCB-2020-01

**IOWA**  
**DEPARTMENT OF TRANSPORTATION**  
 Highway Division  
 PLANS OF PROPOSED IMPROVEMENT FOR THE  
**STORY COUNTY**  
**CONSERVATION BOARD**  
**HMA RESURFACING**

ON INTERIOR ROADS, AT HICKORY GROVE PARK, SECTION 24, R23N, T22W

Refer to Proposal Form for a list of applicable specifications.

Scales: As Noted

It shall be the contractor's responsibility to provide such areas or details which are not shown on the drawings (or which are not indicated) which is not desirable to be incorporated into the work. The contractor shall be responsible for the design and construction of any such details. The contractor shall be responsible for the design and construction of any such details. The contractor shall be responsible for the design and construction of any such details.



**PROJECT LOCATION**  
 ON INTERIOR ROADS, AT  
 HICKORY GROVE PARK,  
 SECTION 24, R23N, T22W



**DESIGN DATA RURAL**  
 2015 AADT \_\_\_\_\_ VPD  
 Design \_\_\_\_\_ Standard Traffic

Number	Date	Title
PA-3	04-10-18	SAFETY EDGE
PA-202	04-21-20	HOT MIX ASPHALT RESURFACING
PA-201	10-21-14	ROUTING FOR RESURFACING
PA-202	10-21-14	NOTCHES FOR RESURFACING (WITH OR WITHOUT RAINOUT)
PA-213	10-21-14	LANE CLOSURE WITH FLAGGERS
PA-202	04-21-20	ROUTING CLOSED TO TRAFFIC

Accepted by \_\_\_\_\_  
 Conservation Director

Accepted by \_\_\_\_\_  
 Story County Conservation Board

I hereby certify that the information contained herein was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.  
 \_\_\_\_\_  
 By license renewed date is December 31, 2020  
 \_\_\_\_\_  
 Plans or sheets covered by this seal  
 (Public information unless specified here)



Approved Story County  
 Board of Supervisors

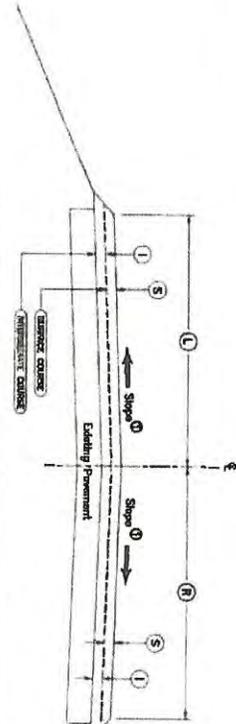
No.	Description
A.01	TITLE SHEET
B.01	TYPICAL SECTIONS SHEET
C.01	QUANTITY INFORMATION SHEET
D.01	PROJECT OVERVIEW SHEET
D.02	SOFT LAUNCH AREA PLAN VIEW SHEET
D.03	SOFT LAUNCH AREA PLAN VIEW SHEET

MILEAGE SUMMARY	
Location	Miles
STA. 0+00.00 TO STA. 20+14.00	2,314.00
STA. 100+00.00 TO STA. 102+86.00	286.00
STA. 200+00.00 TO STA. 202+54.00	254.00
STA. 300+00.00 TO STA. 301+48.00	148.00
STA. 400+00.00 TO STA. 401+41.00	141.00
<b>TOTAL</b>	<b>3,122.00</b>

**PROJECT TRAFFIC CONTROL PLAN**  
 THE PLAN SET HAS BEEN PREPARED AND EXTENSIVE WILL BE OPEN TO ONE LANE TRAFFIC AT THE END OF EACH WORK DAY, AND THE ROAD PART THE PROJECT SHALL BE OPEN TO TWO LANE TRAFFIC AT THE END OF EACH WORK DAY. THE ROAD PART THE PROJECT SHALL BE OPEN TO TWO LANE TRAFFIC AT THE END OF EACH WORK DAY. THE ROAD PART THE PROJECT SHALL BE OPEN TO TWO LANE TRAFFIC AT THE END OF EACH WORK DAY.

**LETTER INFORMATION**  
 CITY CODES HAVE BEEN PROVIDED FOR THE R23N AND T22W TO BE WITHIN THE CONSTRUCTION LIMITS SHALL BE ENTERED BY THE CONTRACTOR OF THE CONSTRUCTION STARTING DATE AND ENDING DATE OF THE WORK.  
 ALLIANT ENERGY, 319-288-1315  
 IOWA ENERGY, 515-281-2977-6992  
 CONSUMERS ENERGY, 841-754-1644  
 IOWA ENERGY, 515-281-2977-6992  
 CONSUMERS ENERGY, 841-754-1644  
 CONTRACTOR SHALL CALL ONE CALL AT LEAST 48 HOURS PRIOR TO BEGINNING WORK. ONE CALL 1-800-292-8989

Story County Conservation Board  
 HMA RESURFACING  
 Proj. No. SCCB-2020-01  
 Letting Date: AUGUST 3, 2020



Notes:  
 1. Unless finished slope to existing pavement, except that the maximum allowable slope is 3.0% minimum allowable slope is 2.0%. Standard may be approved or directed by the Engineer through items of record.

TYPICAL CROSS SECTION  
HMA RESURFACING

ROAD IDENTIFICATION	STATION TO STATION	③	①	④	②
		Thickness	Thickness	Thickness	Thickness
		inches	inches	Feet	Feet
Main Road	0+400.00	6+75.00	1 1/2	1 1/2	11.0
Main Road	6+75.00	23+16.00	1 1/2	1 1/2	10.0
Boat Launch-Rigging Lane	1000+00.00	1002+58.00	1 1/2	1 1/2	6.5
Boat Launch-Entrance Lane	2000+00.00	2002+18.00	1 1/2	1 1/2	6.5
Boat Launch-Exit Lane	3000+00.00	3001+89.00	1 1/2	1 1/2	6.5
Beach Road	4000+00.00	4001+41.00	1 1/2	1 1/2	10.0

Full-Depth Patching Details

STATION TO STATION	SIDE	LENGTH	WIDTH	DEPTH	COMMENTS
1+08.0 to 1+60.0	Both	52.0'	24.0'	6"	138.7 sy
3001+50.0 to 3001+77.7	Both	27.7'	var.	6"	44.8 sy
4000+09.0 to 4001+20.1	Rt.	128.9'	20.0'	6"	288.7 sy

Removal of Pavement

STATION TO STATION	LENGTH	WIDTH	DEPTH	SAWCUT	COMMENTS
23+16.0 to 23+52.0	36.0'	20.0'	6"	20.0'	80.8 sy
1000+00.0 to 1000+50.0	50.0'	var.	6"	88.7'	156.1 sy
2001+52.0 to 2002+18.0	166.0'	var.	6"	60.0'	75.7 sy

Full-Depth HMA Paving

STATION TO STATION	LENGTH	WIDTH	THICKNESS		CLASS 10 EXCAV. CY	SPEC. BACKFILL CY	COMMENTS
			BASE	INTER. OVERLAY			
0+73.1 to 1+98.3	125.2'	var.	3"	1 1/2"	15.1	156.1 sy (right side)	
1000+00.0 to 1000+46.0	46.0'	var.	3"	3"	17.3	156.1 sy (boot ramp entrance)	
1002+74.6 to 1003+53.7	79.1'	40.0'	3"	1 1/2"	39.1	351.8 sy (lower boat parking)	
3000+95.0 to 3001+68.0	var.	42.0'	3"	1 1/2"	46.9	419.3 sy (upper boat parking)	

Class 10 Excavation

STATION TO STATION	LENGTH	WIDTH	DEPTH	CY	COMMENTS
0+73.1 to 1+98.3	125.2'	var.	7"	26.5	
1000+00.0 to 1000+46.0	46.0'	var.	10"	15.0	
1002+74.6 to 1003+53.7	79.1'	40.0'	7"	68.4	
3000+95.0 to 3001+68.0	var.	42.0'	7"	81.5	

QUANTITY INFORMATION SHEET

PROJ No. SCCB-2020-01

ESTIMATED PROJECT QUANTITIES OF QUANTITIES  
(1 DIVISION PROJECT)

100-1A

ITEM	ITEM CODE	ITEM	UNIT	TOTAL
1	2102-0426071	SPECIAL BACKFILL	CY	118.4
2	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	191.4
3	2212-0475095	CLEANING AND PREPARATION OF BASE	MILE	0.6
4	2212-5070310	PATCHES, FULL-DEPTH REPAIR	SY	472.2
5	2212-5070330	PATCHES BY COUNT (REPAIR)	EACH	3.0
6	2214-5148150	PAVEMENT SCARIFICATION	SY	17.3
7	2303-1131500	HMA, ST, BASE COURSE, 1/2 IN. MIX	SY	1083.3
8	2303-1133500	HMA, ST, INTERMEDIATE COURSE, 1/2 IN. MIX	SY	8,540.9
9	2303-1133500	HMA, ST, SURFACE COURSE, 1/2 IN. MIX, NO SPECIAL FRICTION	SY	8,540.9
10	2417-1040015	CULVERT, CORRUGATED METAL ENTRANCE PIPE, 15 IN. DIA.	LF	40.0
11	2510-6745850	REMOVAL OF PAVEMENT	SY	312.6
12	2527-9263112	PAINTED PAVEMENT MARKINGS, HIGH-BUILD WATERBORNE	STA	5.0
13	2528-8445110	TRAFFIC CONTROL	LS	1.0
14	2528-8445113	FLAGGER	EACH	6.0
15	2533-4980005	MOBILIZATION	LS	1.0

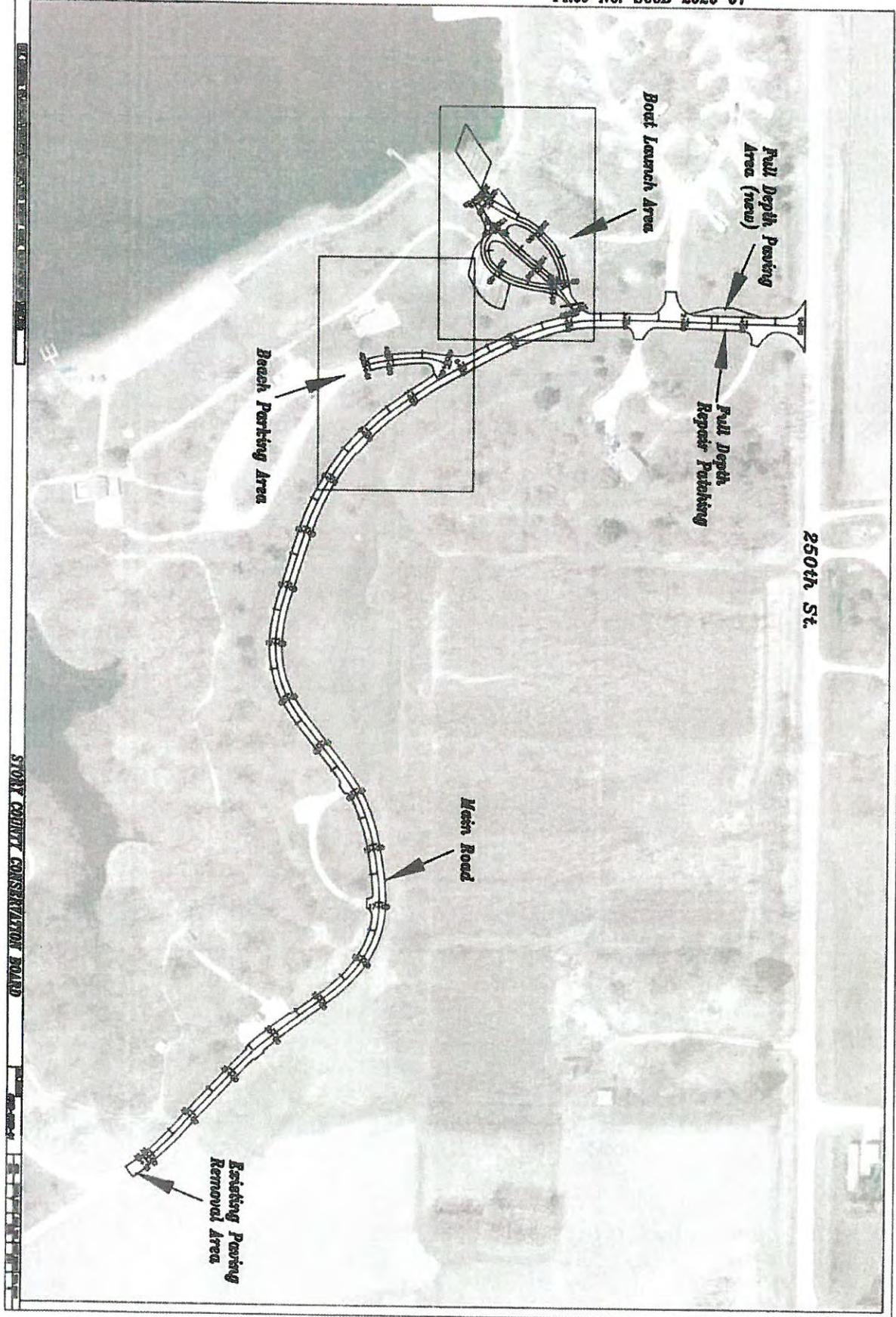
GENERAL NOTES

Story County will mark out scarification and removal areas prior to construction.

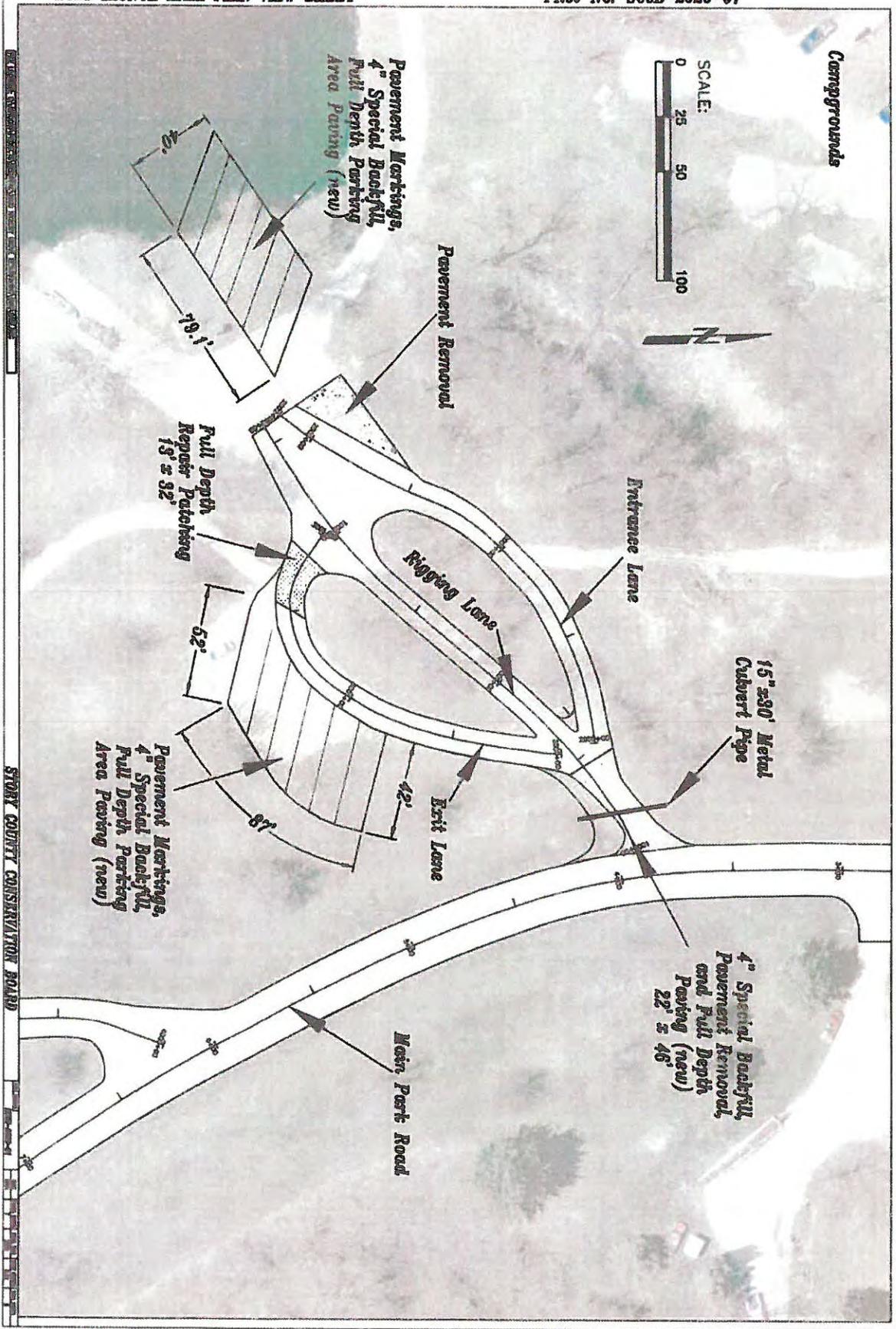
- Ludlum asbestos tested or authorized, all hot mix asphalt and other bituminous materials which are not specifically addressed or described in the contract documents shall become the property of the Contractor.
- The Contractor, in accordance with current rules and regulations of the Iowa Department of Natural Resources, may:
1. With the approval of the Contracting Authority, blend or otherwise process the material for use with shoulder or special basefill aggregates, for use on the project.
  2. With the approval of the Contracting Authority, place with material in areas designated by the Contracting Authority as Soil Aggregate Subbase without extra charge.
  3. Remove the material from the project and stockpile for the contractor's future use.

ESTIMATE REFERENCE INFORMATION

ITEM NO.	DESCRIPTION
1.	Item for 4" subbase under full-depth paving areas. See tabulation on Sheet B.01 for details. Includes finish grading for parking. Type A Compaction is required.
2.	Excavation for full depth parking lots, parking lane at Park entrance, and boat ramp entrance widening. Plan quantity is based on approximately 2.4 CY of fill (30% shrink factor) and 191.4 CY of cut. Contractor to waste approx. 189.0 CY of material to achieve dirt balance. Any excess material may be stockpiled at History Grove Park with location approved by the Contracting Authority. No payment for overhaul will be made. Type A Compaction is required in fill areas. This item includes striping, staking, and spreading topsoil. Topsoil to be spread to a minimum 4" on all disturbed areas from catch points to edge of road. Slopes to be finished smooth to allow for seeding.
3.	Item is for entire project with variable width lanes.
4.-5.	See Plan View Detail sheets for location and tabulation on Sheet B.01 for stationing and quantities.
6.	Scarification is located at Sta. 1002+58 where HMA exists existing FCC boat ramp. To be marked out by County prior to construction. Quantity is estimated at 6 feet wide by 28 feet long.
7.	Item for areas that require full depth paving. See tabulations on Sheet B.01 for details.
8.-9.	QMA does not apply. Each item quantity is for a 1 1/2" lift of Standard Traffic design overlay with variable width lanes for entire the project. Quantity includes roads of varying widths and radii of various sizes. Safety Edge shall be used on both lanes. See Standard Road Plan PV-3 for details. Top coat is incidental to this item.
10.	Culvert installation of Sta. 1000+25.00 on the boat ramp area entrance. County will stake and grade prior to installation.
11.	Item for the removal and disposal of existing HMA parking. Existing pavement is 2" HMA and 4" of asphalt treated base. See tabulation on Sheet B.01 for details. Coat of sawcuts included in Item Bid price.
12.	Item for painting parking stalls. Five lines, 50 feet long in each of two parking areas, as shown on Sheet D.02 for quantity total. County to mark out lines prior to painting.
13.	See Project Traffic Control Plan on Sheet A.01 for traffic control notes and refer to TC Standard Road Plans for further details. Access to campgrounds must be maintained at all times.
14.	Flags to be used when working at the beginning of project. Campground access must be maintained at all times.

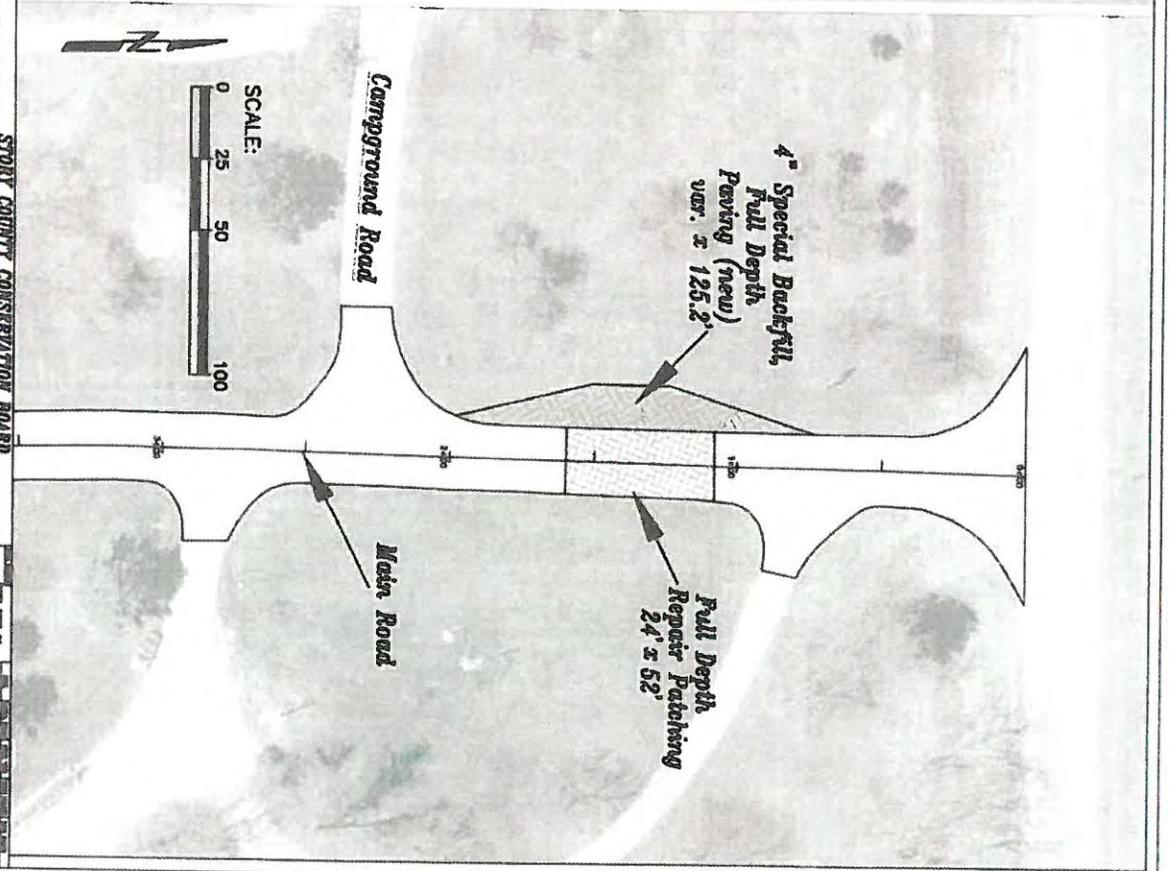
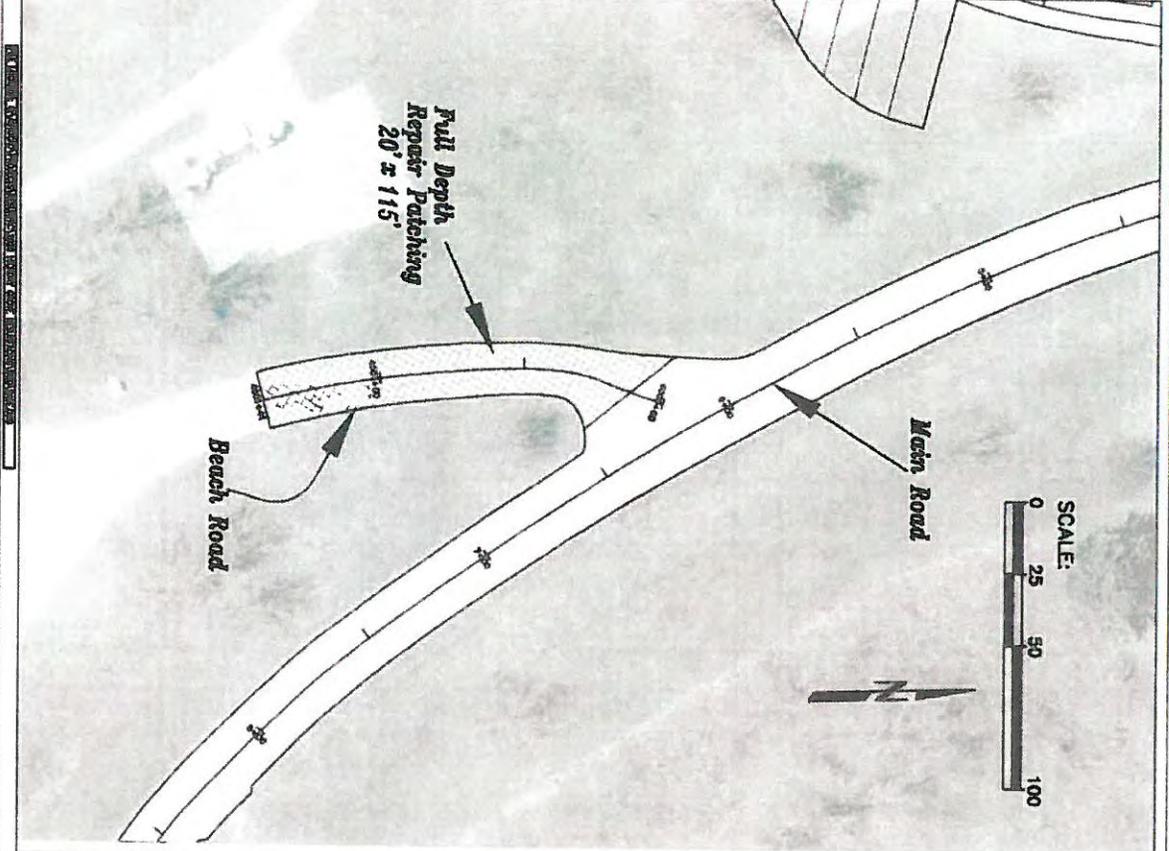


Campgrounds



**BEACH PARKING AREA PLAN VIEW SHEET**

**PROJ No. SCCB-2020-01**



STORY COUNTY CONSERVATION BOARD

DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER  
Prepared by Jerry L. Moore, Story County Planning and Development Department  
900 6<sup>th</sup> Street, Nevada, Iowa 50201 515-382-7245

Please return to:  
Planning and  
Development

**STORY COUNTY IOWA  
RESOLUTION OF THE BOARD OF SUPERVISORS  
RESOLUTION #21-03**

WHEREAS, there has been submitted to the Board of Supervisors of Story County, Iowa from Brad Stumbo, Fox Engineering Associates, 414 South 17<sup>th</sup> Street, Suite 107 Ames, IA an application to amend the *Ames Urban Fringe Plan – Land Use Framework Map* for the proposed east 15 acres of the 47.84 acre parcel ((#05-23-400-255) owned by Bishop Farms and located on the northwest side of W. Riverside Road and Stagecoach Road from the Rural Transitional Residential Area to the General Industrial Area except the south portion zoned R-1 Transitional District and;

WHEREAS, on May 26, 2020 the City of Ames City Council approved the requested *Ames Urban Fringe Plan – Land Use Framework Map* amendment and the City of Gilbert City Council will act on the request at their July 20, 2020 meeting and;

WHEREAS, on July 1, 2020 the Story County Planning and Zoning Commission recommended approval (vote 4-0) of the requested *Ames Urban Fringe Plan – Land Use Framework Map* amendment and;

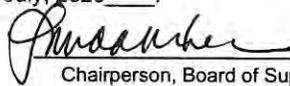
WHEREAS, Attachment "A" is the general *Ames Urban Fringe Plan – Land Use Framework Map* property description area and Attachment "B" is a map that illustrates the area of the requested *Ames Urban Fringe Plan – Land Use Framework Map* amendment; and

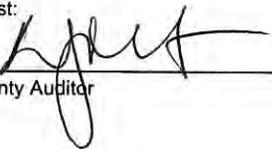
WHEREAS, the *Ames Urban Fringe Plan* is referenced in the *Story County Cornerstone to Capstone Plan*; and

WHEREAS, it is the opinion of the Board of Supervisors of Story County, Iowa, that it is advisable and in the best interest of Story County, Iowa, and of all persons concerned, that said application requesting amendment of the *Ames Urban Fringe Plan – Land Use Framework Map* for the proposed east 15 acres of the 47.84 acre parcel Bishop Farms property from the Rural Transitional Residential Area to the General Industrial Area, except the south portion zoned R-1 Transitional Residential District be approved.

NOW, THEREFORE, BE IT RESOLVED that the review of application to amend the *Ames Urban Fringe Plan – Land Use Framework Map* from Brad Stumbo, Fox Engineering Associates, on behalf of Bishop Farms involving real estate described on Attachments A and B is approved.

Dated this 14<sup>th</sup> day of July, 2020 \_\_\_\_\_

  
Chairperson, Board of Supervisors

Attest:  
  
County Auditor

ROLL CALL Lauris Olson Yea  Nay \_\_\_ Absent \_\_\_  
FOR ALLOWANCE Lisa Heddens Yea  Nay \_\_\_ Absent \_\_\_  
Linda Murken Yea  Nay \_\_\_ Absent \_\_\_

ALLOWED BY VOTE  
OF BOARD Yea 3 Nay 0 Absent 0

  
CHAIRPERSON

Above tabulation made by 4

## **ATTACHMENT A**

### **GENERAL PROPERTY LOCATION**

The area of the requested *Ames Urban Fringe Plan – Land Use Framework Map amendment* is generally located on the northwest side of W. Riverside Road and Stagecoach Road and is the approximate east 15 acres of the 47.83 acre parcel (Parcel #05-23-400-255) except the south portion zoned R-1 Transitional District and located in the SE of SE Section 23, Franklin Township.



Story County Planning and Development  
Administration Building  
900 6<sup>th</sup> Street, Nevada, Iowa 50201

Ph. 515-382-7245 Fax 515-382-7294  
[www.storycountyiaowa.gov](http://www.storycountyiaowa.gov)

## MEMORANDUM

**TO:** Story County Board of Supervisors  
**FROM:** Jerry L. Moore, Planning and Development Director  
**RE:** Request for Ames Urban Fringe Plan Land Use Framework Map Amendment – On Bishop Farms property located at Parcel #05-23-400-255 in Franklin Township  
**DATE OF MEETING:** July 14, 2020

### **Background and Ames Urban Fringe Plan Land Use Framework Map designation:**

Bishop Farms is proposing to divide the approximate east 15 acres of the 47.84 acre parcel (#05-23-400-255) that includes the office, scale house and parking area and adjoin it with the 111 acre parcel to the east containing the mining operation for Martin Marietta. The balance of the 47.84 acre parcel is in row crop production.

This proposed division is prompting the need for the applicant to request an Ames Urban Fringe Plan Land Use Frame Work Map Amendment. The 47.84 acre parcel is currently designated Rural Transitional Residential Area in the Ames Urban Fringe Plan. The applicant is requesting an Ames Urban Fringe Plan Map Amendment from the Rural Transitional Residential Area to the General Industrial Area for the proposed 15 acre parcel, except for the area that is zoned R-1 Transitional Residential District. The east 111 acre parcel is designated General Industrial Area. The goal of the Ames Urban Fringe Plan Land Use Frame Work Map Amendment is to establish consistency in land uses adjoining the office, scale house and parking area with the mining operation. The balance of the 47.84 acre parcel will remain in agricultural production and benefit from agricultural tax classification instead of the current commercial tax classification.

The applicant has no plans to develop or change the current use of the balance of the 47.84 acre parcel. Also, Martin Marietta has no plans to develop or change the current use of the proposed 15 acre parcel. Lastly, the location of the proposed Ames Urban Fringe Plan Land Use Frame Work Map Amendment is not currently one of the growth expansion areas identified in the City of Ames' current draft of the 2040 Plan.

Martin Marietta obtained a Conditional Use Permit CUP 2-90 for the office, scale house, fresh air shaft and expand a stock pile area in 1990. The use however, was established through the granting of a Special Permit in 1959 to Ray Cook Construction for extraction of gravel, sand, stone and clay. The Ames Urban Fringe Plan was adopted in 2008 and the 28E Agreement was adopted in 2011. The zoning of the R1-Transitional Residential District on the 47.84 acre parcel and adjacent properties along W. Riverside Road and Stagecoach Road is shown on a Story County Zoning Map dated 1960.



**Property and adjacent property zoning and land use**

Subject Property - the 47.84 acre parcel is currently split zoned A-1 Agricultural District and R-1 Transitional Residential District (approximately the south 260 feet) Bishop Farms mining operation and agricultural row crops

North – 20 acres HI-Heavy Industrial (Bishop Farms mining operation)

East – 111 acres HI-Heavy Industrial (Bishop Farms mining operation)

South – six lots ranging from 1 to 1.65 acres (three lots contain single family dwellings)

West – 21.54 acres A1-Agricultural District and R-1 Transitional Residential District (contains a dwelling)

**Action by Ames Planning and Zoning Commission and City Council**

The Ames Planning and Zoning Commission approved the requested AUPF-Land Use Framework Map amendment at their meeting on May 20, 2020 and the City Council approved the request at their May 26, 2020 meeting.

**The City of Gilbert Planning and Zoning Commission will address the request at their July 16, 2020 meeting and the City Council will act on this request at their July 20, 2020 meeting.**

**Recommendation by Story County Planning and Zoning Commission**

At the July 1, 2020 Story County Planning and Zoning Commission meeting, the commission recommended approval (4-0) of the requested Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District.

A property owner residing on Stagecoach Road raised concerns about whether Bishop Farms or Martin Marietta had future plans to improve or develop the parcel and the dust that is generated from trucks leaving the mine property.

Jerry reminded the property owner and commission that the applicant and Martin Marietta communicated to Planning and Development staff that neither have plans to develop or change the land use, they are trying to match up the mining and related land uses and benefit also from an agricultural tax classification for the balance of the 47.84 acre parcel that is in row crops. Currently the 47.84 parcel is being taxed commercially. With the proposed division of the east 15 acres, the land use will match the industrial land use of the east 111 acre parcel containing much of the mining operation. In response to the dust concern, Jerry informed the property owner that Martin Marietta recently requested and obtained an Insignificant Modification CUP to pave part of the shoulders on the main driveway entrance south of the scale and office area to near W. Riverside Road. Also, if in the future, Martin Marietta decides to add additional site improvements and/or material storage areas, they would be required to request a CUP and Planning and Development staff would send public notices to land owners within ¼ mile of the mining property.



Brad Stumbo, representing the applicant reminded the commission that the proposed division of the 47.84 acre parcel created the need to request the land use designation change from Rural Transitional Residential Area to the General Industrial Area for the proposed 15 acre parcel, except the south portion that is zoned R-1 District and the plan is to adjoin the 15 acre parcel with the 111 acre parcel located to the east.

### **Notification / Publication**

Notices were mailed to property owners located within ¼ mile of the property on June 24, 2020. A publication regarding the request was published in the three County designated newspapers on July 9, 2020.

### **Analysis**

#### ***Select policies for Rural Transitional Residential Area***

- Policy 1 This land use designation includes all single family and two family residential land uses/developments that involve average net densities between one unit per acre and 3.75 units per acre.
- Policy 4 Depending on location, density of units, size of lots, timing of development, development design, clustering of proposed sites, or other considerations, require full urban infrastructure standards. If the City does not require these improvements to be installed at the time of subdivision, require infrastructure assessment agreements.
- Policy 7 Require annexation agreements and developer agreements in instances of new development that is particularly intense, or that occurs in certain critical locations.

#### ***Select policies for General Industrial Area***

- Policy 1 Locate this use designation in the area that can best support the extraction of the existing mineral resource and has access to roads and highways needed to transport its products. The extent of the area accommodates the needs of the operation and the need to limit negative impacts on other surrounding established uses.
- Policy 2 Water, wastewater systems and other infrastructure meet IDNR and county standards. At the time that surface activities for mineral resource extraction need to be expanded, require appropriate permits and rezoning may be to regulate these surface operations.

The property owner has no interest in pursuing residential development of the portion of the 47.84 acre parcel zoned R-1 Transitional Residential District. Also, residential development is not likely to occur in the short term due to the current mining operation activity. In light of the established R-1 Transitional Residential District zoning on the 47.84 acre parcel and adjacent and surrounding similar zoned properties along W. Riverside Road and Stagecoach Road, Planning and Development staff informed a property owner and a representative from Martin Marietta our concern that their initial Ames Urban Fringe Plan Land Use Framework Map amendment that included changing the designation of the entire proposed 15 acre parcel to General Industrial Area, would not be consistent with the R-1 Transitional Residential District zoning of the parcel, and while not intended may be viewed as a measure to shift the proposed land use from residential to industrial in this area. Also, retaining the portion of the Rural Transitional Residential Area of the proposed 15



acre parcel that is also zoned R-1 Transitional Residential District continues consistency with the existing residential development in the area and also provides somewhat of a buffer from the mining activity.

The property owners and a representative from Martin Marietta both supported revising the submittal to request the General Industrial Area for the proposed 15 acre area, excluding the south portion that is zoned R-1 Transitional Residential District. See the applicant's responses to Planning and Development Staff comments on this and other items posted on the Agenda Center.

### **Recommendation**

The Story County Planning and Zoning Commission recommended approval (4-0) and Alternative 1 below to the Story County Board of Supervisors of the requested Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District.

Ames Urban Fringe Plan map amendments require approval by the City of Ames, City of Gilbert and Story County.

### **Alternatives**

- 1. The Story County Board of Supervisors approve Resolution #21-03 the requested Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District.**
2. The Story County Board of Supervisors deny Resolution #21-03 the requested Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District.
3. The Story County Board of Supervisors table Resolution #21-03 the requested Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District and request Planning and Development staff and the applicant to provide additional information before bringing the item back at a future Board of Supervisor's meeting.





# **Board of Supervisors**

**July 14, 2020**

# Ames Urban Fringe Plan – Land Use Framework Map Amendment

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## Background:

**Property Owner** - Bishop Farms, 10823 Elmcrest Dr. Clive, IA 50325

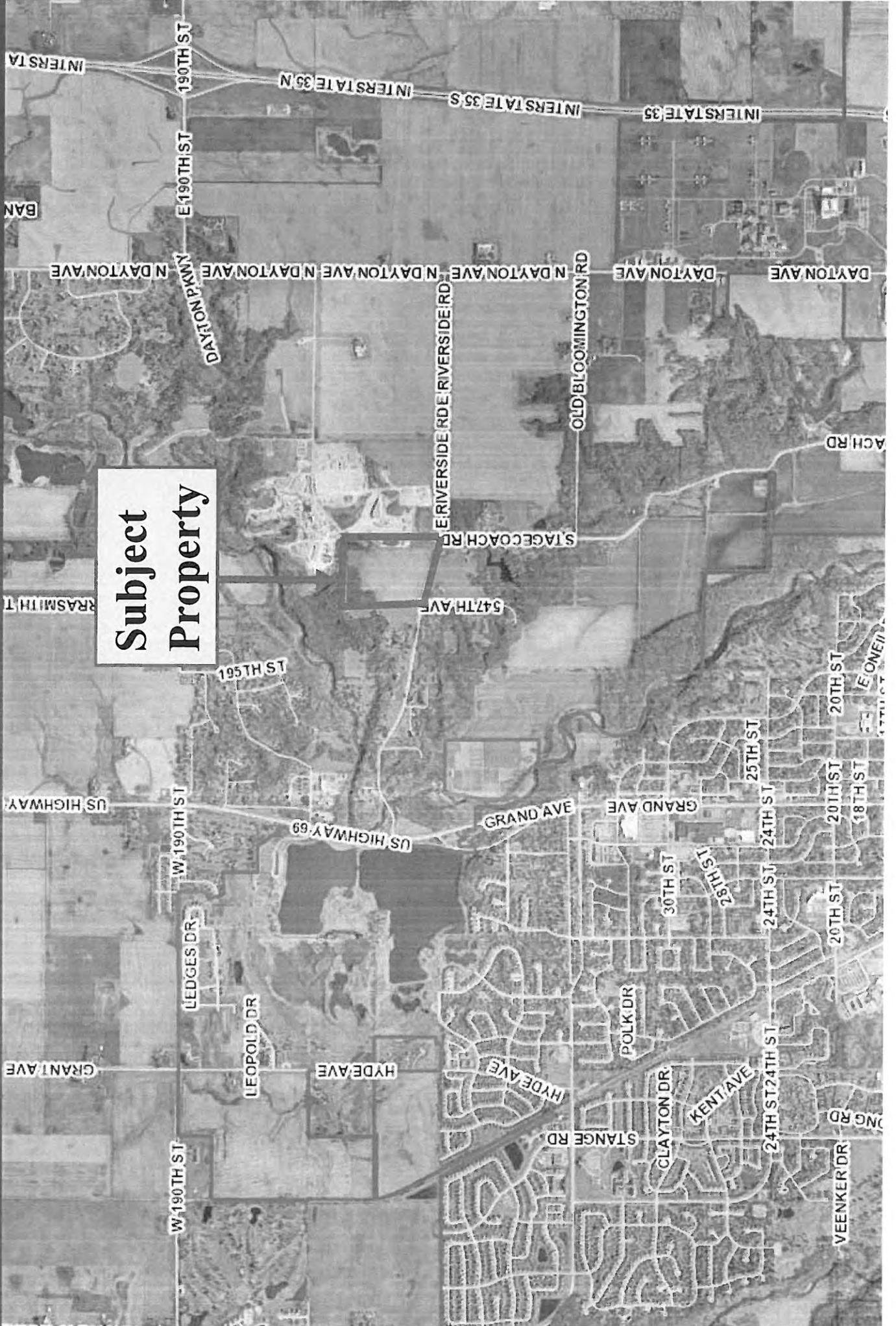
**Parcel Identification** – Parcel #05-23-400-255, SE of SE Section 23, Franklin Township

**Parcel Size** - 47.84 acres

**Zoning** – A-1 District and R-1 Transitional Residential District

**AUFP Designation** – Rural Transitional Residential Area

**Reason for AUFP Amendment Request** – The property owner proposes to divide the east 15 acres of the 47.84 acre parcel containing the office, scale house and parking to adjoin with 111 acres to east containing mining operation in support of consistency in land uses and to take advantage of a shift to the agricultural tax classification for the balance of the 47.84 acre parcel that will remain in agricultural row crop production.



**Subject  
Property**

INTERSTA

190TH ST

INTERSTATE 35 N

INTERSTATE 35 S

INTERSTATE 35

BAN

E 190TH ST

N DAYTON AVE

DAYTON AVE

N DAYTON AVE

N DAYTON AVE

E RIVERSIDE RD E RIVERSIDE RD

OLD BLOOMINGTON RD

DAYTON AVE

DAYTON AVE

ACH RD

STAGECOACH RD

547TH AVE

CRASMIT

15TH ST

US HIGHWAY

W 190TH ST

US HIGHWAY 69

GRAND AVE

GRAND AVE

25TH ST

20TH ST

20TH ST

18TH ST

LEDGES DR

LEOPOLD DR

HYDE AVE

HYDE AVE

POLK DR

30TH ST

28TH ST

24TH ST

24TH ST

20TH ST

VEENKER DR

GRANT AVE

W 190TH ST

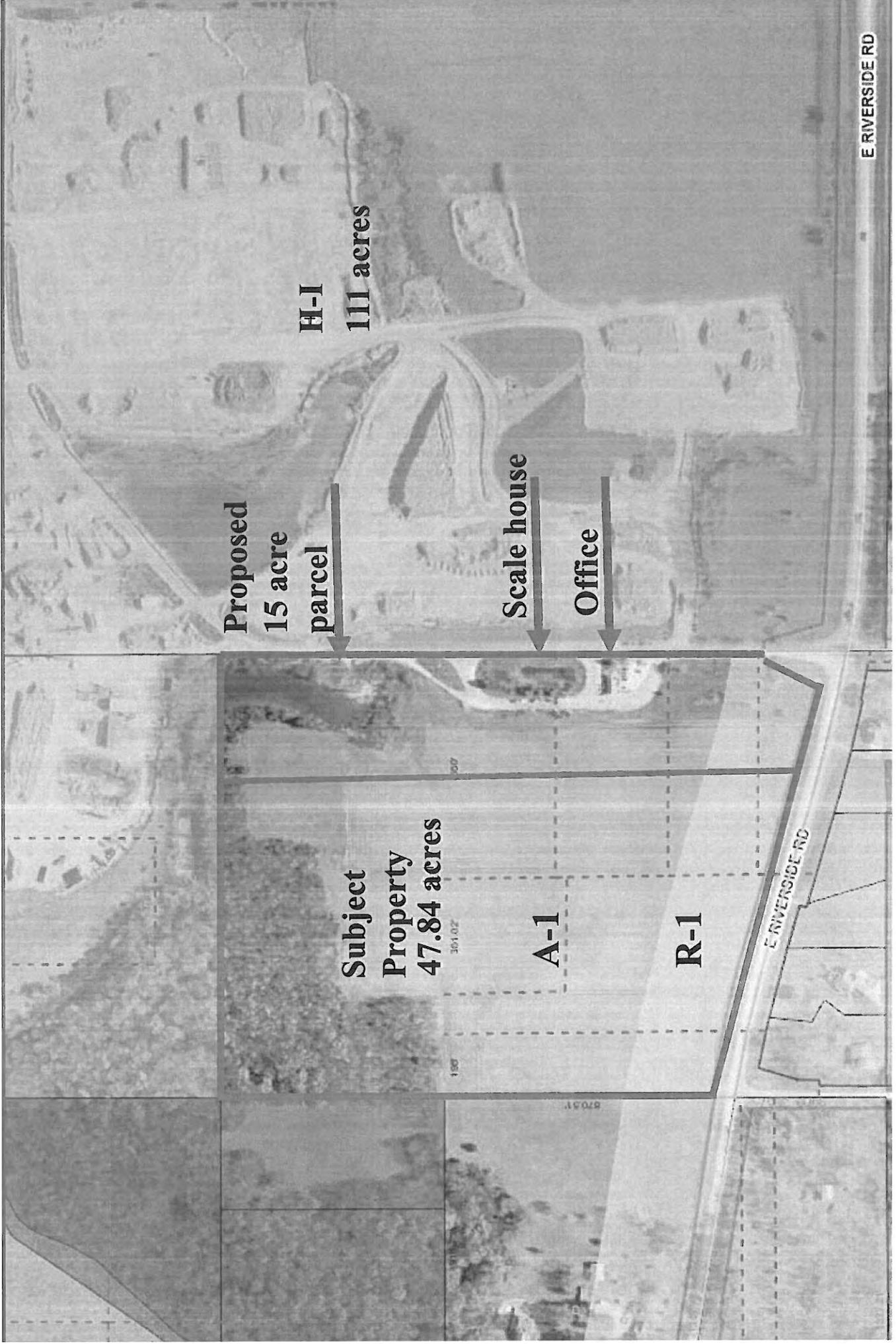
STANGE RD

CLAYTON DR

KENT AVE

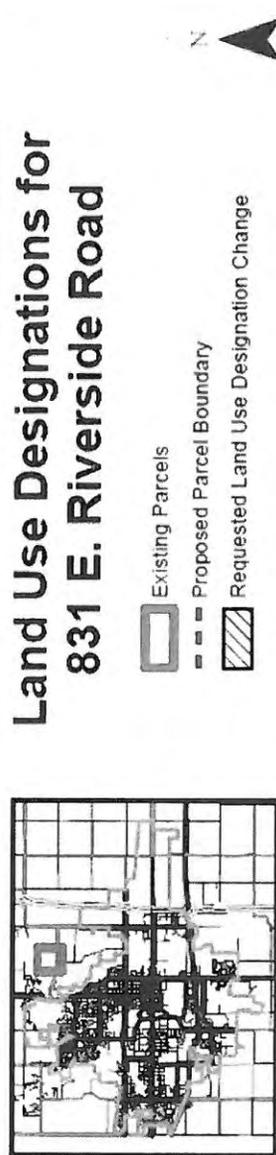
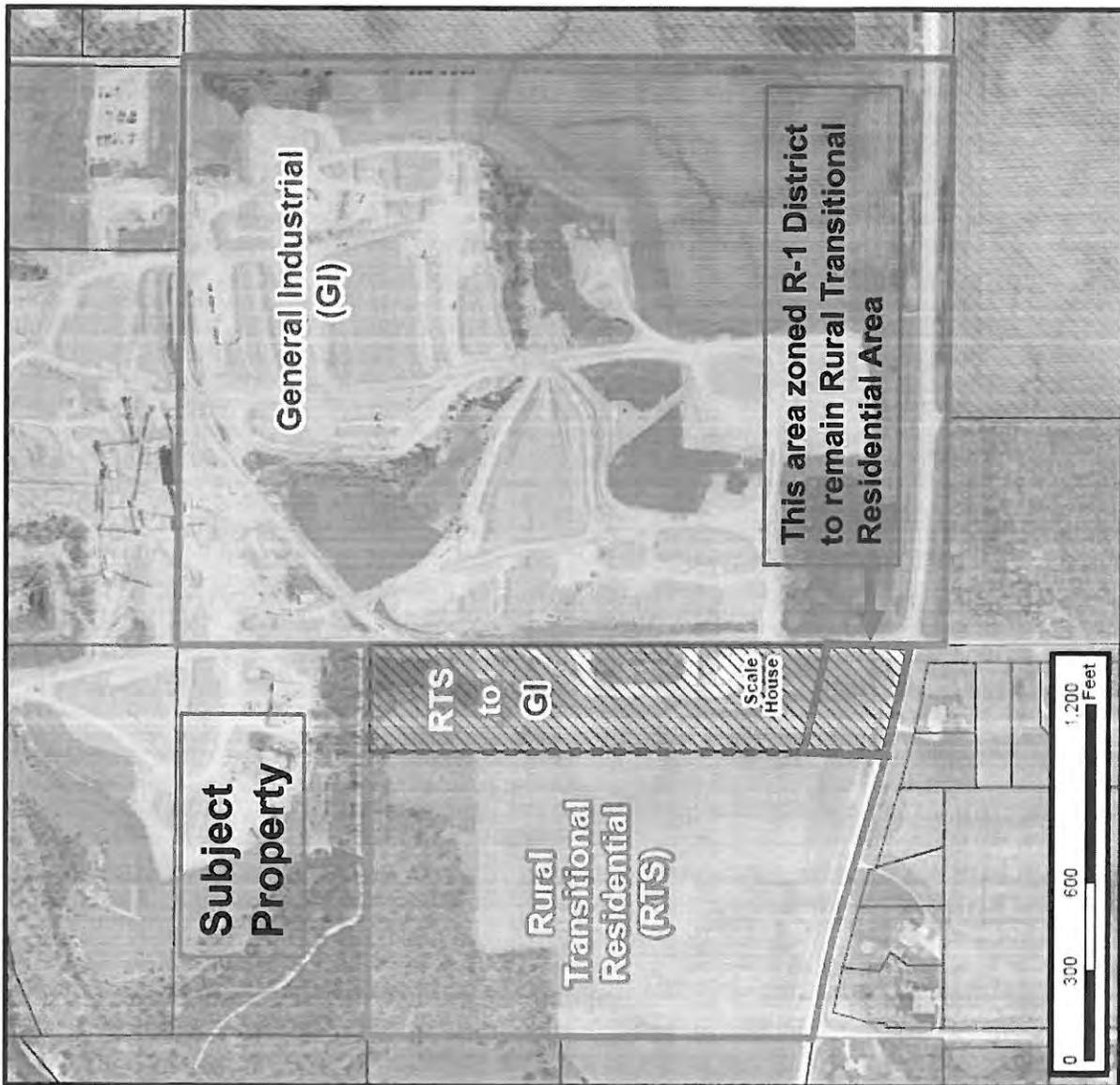
NG RD

# County Zoning Map



Map Source:  
City of Ames  
Submittal  
Ames Urban  
Fringe Plan –  
Land Use  
Framework  
Map  
Amendment

Revised by Story  
County Planning  
and Development  
Staff



### Land Use Designations for 831 E. Riverside Road

- Existing Parcels
- Proposed Parcel Boundary
- Requested Land Use Designation Change

# Recommendation

At their July 1, 2020 meeting, the Story County Planning and Zoning Commission recommended approval (4-0) to the Story County Board of Supervisors of the requested Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District.

## Alternatives

1. The Story County Board of Supervisors approve the Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District shall remain Transitional Residential Area.
2. The Story County Board of Supervisors deny the requested Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District.
3. The Story County Board of Supervisors table the requested Ames Urban Fringe Plan Land Use Framework Map Amendment from the Rural Transitional Residential Area to the General Industrial Area of the proposed 15 acre parcel, except the south portion that is zoned R-1 Transitional Residential District and request Planning and Development staff and the applicant provide additional information or revise the request before bringing the item back at a future Board of Supervisor's meeting.

# Bishop Farms

June 25, 2020

Jerry L. Moore  
Planning and Development Director  
Story County Planning and Development  
Administration Building  
900 Sixth Street  
Nevada, Iowa 50201

Dear Mr. Moore,

We recently received a communication dated June 23, 2020 sent to Brad Stumbo, Fox Engineering Associates. Subject: Proposed Ames Urban Fringe Plan amendment request from Rural Transitional Residential Area to General Industrial Area for the Bishop Farms property located at Parcel #05-23-400-255, in Franklin Township.

You asked for a response by the property owner by June 25, 2020 in order to put the matter before the Story County Planning & Zoning Committee at their July 1<sup>st</sup> meeting. We're happy to respond and thank you for taking calls from us today. Our responses to your questions are as follows:

## Question #1

Would you support a proposed Ames Urban Fringe Plan land use amendment request from the Rural Transitional Residential Area to the General Industrial Area for all area of the proposed 15 acres, except the south approximately 260 feet that is zoned R-1 Transitional Residential District to continue the current pairing of the AUFPP land use designation of the Rural Transitional Residential Area with the current R-1 Transitional Residential Zoning of the south area of the property?

Response: Yes, Bishops Farms supports excluding the south 260 feet from the proposed land use amendment (leaving the existing AUFPP designation of Rural Transitional Residential Area) in order to remain consistent with the existing zoning designation of R-1 Transitional Residential.

## Question #2:

Please explain the reason(s) for the proposed 15 acre division.

Response: The proposed lot line adjustment is being made to create consistency between the existing use of the property with the property tax classification (west parcel will remain ag use and now exclusively be designated as ag tax classification while east parcel will remain mining use on commercial tax classification). The adjustment will also facilitate the transfer of surface rights between related entities for similar consistency (Bishop Farms for the ag use and E.I. Sargent for the mining use).

Question #3:

Does Martin Marietta have any plans to make any above or below ground changes to the proposed 15 acre division and/or balance of the land

Response: Martin Marietta does not currently have any plans for above ground or below ground changes on the subject 15 acre property or on the balance to the west. If Martin Marietta develops such plans in the future they will be submitted to Story County for review through the Conditional Use Permit (CUP) process.

Please let us know if you have further questions. Thank you for your consideration.

David W. Bishop

President, Bishop Farms

515.681.4788

Jane Bishop Fogg

VP/Secretary Bishop Farms

515.360.2626



February 24, 2020

Mayor John Haila  
Ames City Council  
P.O. Box 811  
515 Clark Ave.  
Ames, IA 50010

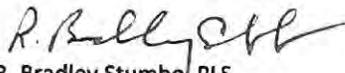
RE: Request to amend the Ames Urban Fringe Plan  
FOX Project #14129-19A

Honorable Mayor and Council:

I am writing to you upon the authority of Bishop Farms, 10823 Elmcrest Dr. Clive, IA 50325, owners of land with parcel IDs 0523400255 and 0524300105, Story County, Iowa, and located on E. Riverside Road, to request that the City of Ames initiate an Urban Fringe Plan Amendment and Map Change for the applicant. This request is for a change from Rural Transitional Residential to General Industrial for a portion of the land. The properties are currently the home of a Martin Marietta gravel pit and agricultural land. The applicant is proposing to move a parcel line in order to consolidate the Martin Marietta operations onto fewer parcels.

Formal applications and supporting documents will be submitted as required.

Sincerely,  
FOX Engineering Associates, Inc.

  
R. Bradley Stumbo, PLS  
Property Survey Manager

ITEM #: 47  
DATE: 05-26-20

**COUNCIL ACTION FORM**

**SUBJECT:** MINOR AMENDMENT TO THE AMES URBAN FRINGE PLAN LAND USE FRAMEWORK MAP FOR LAND ADDRESSED AS 831 E. RIVERSIDE ROAD

**BACKGROUND:**

Representatives of the Martin Marietta Ames Mine at 831 E. Riverside Road have filed a plat of survey with the City and County to move a boundary line. The plat is intended to locate the existing scale house onto a parcel used for mine purposes and have the other parcel as vacant land. (*Attachment B*). In accordance with the Ames Urban Fringe Joint and Cooperative Agreement (28-E), the Story County Planning and Development Department requested that the applicant apply to the Ames City Council to amend the Ames Urban Fringe Plan to allow for the proposed boundary to match Fringe Plan designations.

The current land use designation for the scale house is Rural Transitional Residential (RTS); the requested designation is General Industrial (GI). The proposed change in designation, encompassing approximately 15 acres, will match the proposed parcel lines. The GI designation is intended for land used in mineral extraction. No changes are proposed for how the land will be used compared to its current condition. The scale house existed at the time of the adoption of the Fringe Plan, but the boundary followed the property line rather than the existing extent of the use.

The City Council referred to staff a letter from Brad Stumbo, with FOX Engineering Associates, representing property owner David Bishop, of Bishop Farms, asking to initiate a Minor Amendment to the Land Use Policy Plan for property at 831 E. Riverside Road. The site currently has mining operations and a farm field. The designation change request covers approximately 15 acres. The parcel to the east (which is proposed to absorb the subject land) contains 111 acres; the parcel containing the scale house (and which currently includes the 15-acre subject property) is approximately 48 acres. (*Attachment B*). City Council determined on April 15, 2020, that the developer could proceed with an application for a Minor LUPP Amendment.

On May 5, 2020, the Story County Board of Supervisors also determined that the developer could proceed with the application. This approval by both the Council and the Board of Supervisors was in accordance with the Ames Urban Fringe Joint and Cooperative Agreement. Once two of the three government entities have agreed to initiate a change it can be reviewed as an amendment. Ultimately, all three entities must approve the change.

## **LAND USE ANALYSIS AND CAPACITY:**

Analysis of the request contemplates the suitability of the specific site for the proposed use as well as the Goals and Policies of the LUPP (*Attachment B*).

In any proposed change to the Land Use Policy Plan Future Land Use Map, the City examines the suitability of infrastructure, such as sewer and water capacity, storm drainage, and general circulation needs. **In this instance, no changes in infrastructure or use are planned. The property is currently operating as a mine and has done so for decades. No surrounding properties or uses should be affected by the proposed change as the two sites are currently in related ownership.**

In determining LUPP map changes, it is important to consider the interface between adjacent uses. In this case, however, the change is bringing the map in line with the existing land use. **The subject 15 acres functions today as if it were General Industrial. The proposed change will align the use with the map.**

A proposed change in designation away from residential and to industrial should consider the reduction of land available for future dwellings. **Staff considers it unlikely that these 15 acres will develop into a residential use due to the proximity of substantial operations of the mine and because of the considerable work needed to alter the property for homes.** As the subject property is over a mile (by road) from the nearest city limit at Ada Hayden Heritage Park, it is unlikely to be annexed. **The City has no specific interest or policy on the preservation of rural areas for residential development that would warrant retaining the designation on this property. Expansion of the designation to include existing mining operations can be found consistent with the AUPP.**

## **PLANNING AND ZONING COMMISSION:**

The Planning and Zoning Commission reviewed this request on May 20, 2020, and voted 6-0 to recommend that the City Council approve the request to amend the Ames Urban Fringe Plan Land Use Map for approximately 15 acres of land located at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial, as depicted in *Attachment B*.

## **ALTERNATIVES:**

1. Approve an amendment to the Ames Urban Fringe Plan Land Use Framework Map land use designation of approximately 15 acres of land located at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial, as depicted in *Attachment B*.
2. Deny the proposed amendment to the Ames Urban Fringe Plan Land Use Framework Map land use designation of approximately 15 acres of land located

at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial, as depicted in *Attachment B*.

3. Refer this request back to staff or the applicant for more information.

**CITY MANAGER'S RECOMMENDED ACTION:**

The proposed change to the AUFP will result in the mapped use aligning with the existing use. No changes are proposed to the property and the map change will match existing conditions. There are no policies indicating a need to preserve rural residential opportunities in this area at the expense of accommodating the existing mining operations.

**Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1**, which is to approve an amendment to the Ames Urban Fringe Plan Land Use Framework Map land use designation of approximately 15 acres of land located at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial, as depicted in *Attachment B*.

## ADDENDUM

The AUPF designation of the property is currently Rural Transitional Residential. The existing use is scale house. The RTS designation is designed “to transition seamlessly into adjacent rural residential and agricultural land uses.” This designation is shared by the land to the west and south.

The proposed AUPF designation is General Industrial, described as applying “to the existing surface operation that supports... subsurface mineral extraction.” The Martin Marietta mine is the only land in the AUPF designated General Industrial.

The applicant submitted a brief statement outlining the request. (*Attachment C*)

### **Ames Urban Fringe Plan Goals and Objectives:**

Staff finds that the proposed amendment meets the following policies found in the AUPF:

*General Industrial Policy 1: Locate this use designation in the area that can best support the extraction of the existing mineral resource and has access to roads and highways needed to transport its products. The extent of the area accommodates the needs of the operation and the need to limit negative impacts on other surrounding established uses.*

Staff Comments: The subject property is already supporting the mineral extraction. No change in use is proposed by the applicant.

*Goal 1.3 (Additional Policies for All Areas): To provide adequate opportunities for commercial and industrial development.*

*Policy 1.3.2: Ensure an adequate supply of industrial land resources. Locate agricultural-based industrial services in unincorporated areas that provide the most economical and efficient access to the agricultural industry. Locate large industrial services/land uses strategically within the communities or in commercial areas designated in the Framework Map.*

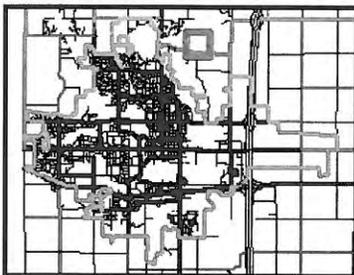
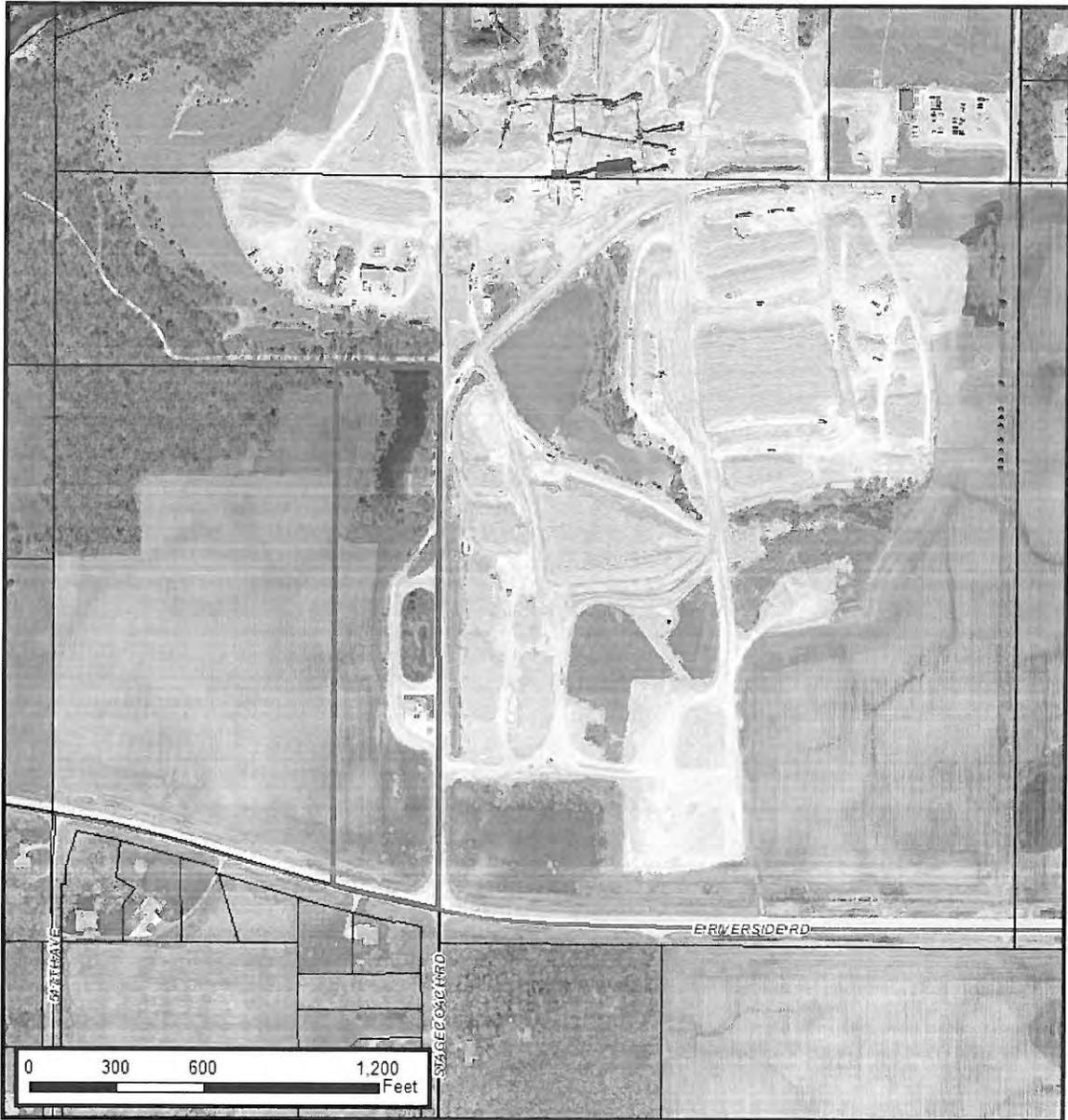
Staff Comments: The change will ensure that the existing industrial use continues. The likelihood of this land being used for residential purposes is very small. Staff is not concerned about a loss of future residential land in the urban fringe.

### **Additional Considerations:**

In reviewing the application, staff finds it logical to amend the mapped use to meet the current use. The possibility of the land being used for residences is remote, as extensive work would need to be done to prepare the site for such construction. Staff also does not think it likely that the loss of 15 acres of residentially designated land adjacent to mining operations will adversely affect the orderly planning and expansion of the City of Ames into its urban fringe. This area is not part of an expansion area for Ames Plan 2040.

The site has utilities and road access, and no investment from the City is required.

# Attachment A: Location Map

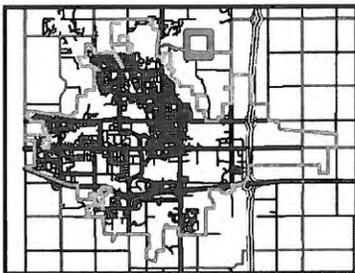
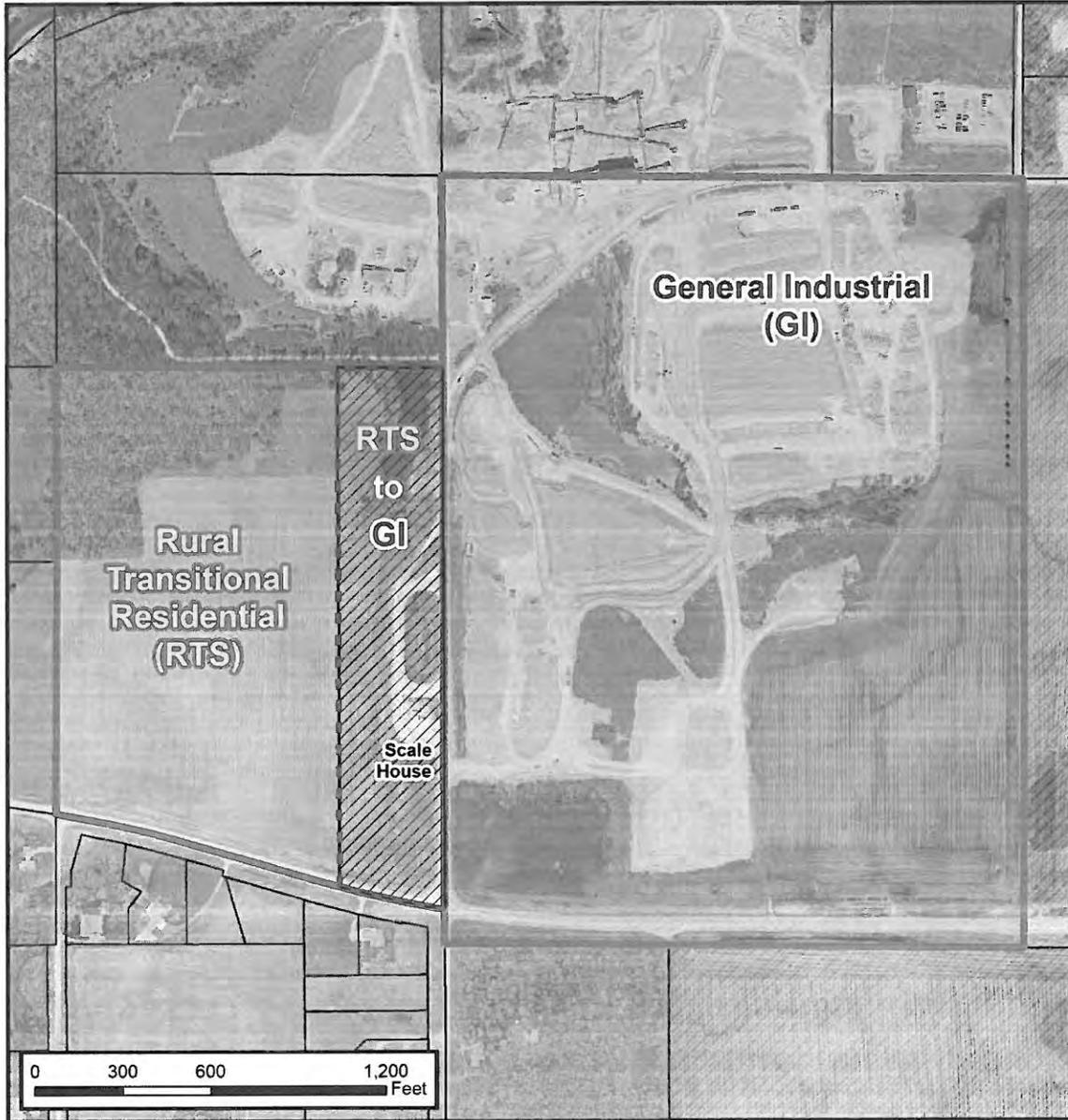


## 831 E. Riverside Road

 Requested Land Use Designation Change



# Attachment B: Designation Change Exhibit



## Land Use Designations for 831 E. Riverside Road

-  Existing Parcels
-  Proposed Parcel Boundary
-  Requested Land Use Designation Change



## Attachment C: Applicant Statement

Request for LUPP Map Change

Property Owner: Bishop Farms

Property Location: Part of the E1/2, SE1/4 Section 23-84-24, Story County, Iowa

Parcel ID: 0523400255

Current LUPP Map Designation: Rural Transitional Residential

Proposed LUPP Map Designation: General Industrial (East 15.06 acres only)

**1. Explain the consistency of this proposal with the goals and policies set forth in the Land Use Policy Plan:**

This map adjustment would serve to bring the current use of the subject property into compliance with the current plan. The site contains a building and facilities that are used in the daily operation of a mining company. This request is being made to satisfy a requirement by Ames Planning staff related to a property boundary line adjustment survey.

**2. Demonstrate why the LUPP Map designation for this property should be changed. Explain why the site cannot be reasonably developed under the current designation.**

City Planning staff is requiring a change of the LUPP map designation in order to approve the adjustment of a property boundary line since the current use of the property is not consistent with the current map designation. The current use was in place prior to the establishment of the current map boundaries. There are no plans to develop any part of this property.

**3. Determine if there is a lack of developable property in the City, which has the same designation as that proposed. If not, explain the need for expanding the amount of land included in the designation proposed for this property.**

This request is not for the purpose of changing use for development.

**4. As a result of this action, will there be an adverse impact upon:**

**a. Other undeveloped property in the designation proposed for this site**

No impact on remaining undeveloped property

**b. Other developed property in the designation proposed for this site, which may be subject to redevelopment/rehabilitation.**

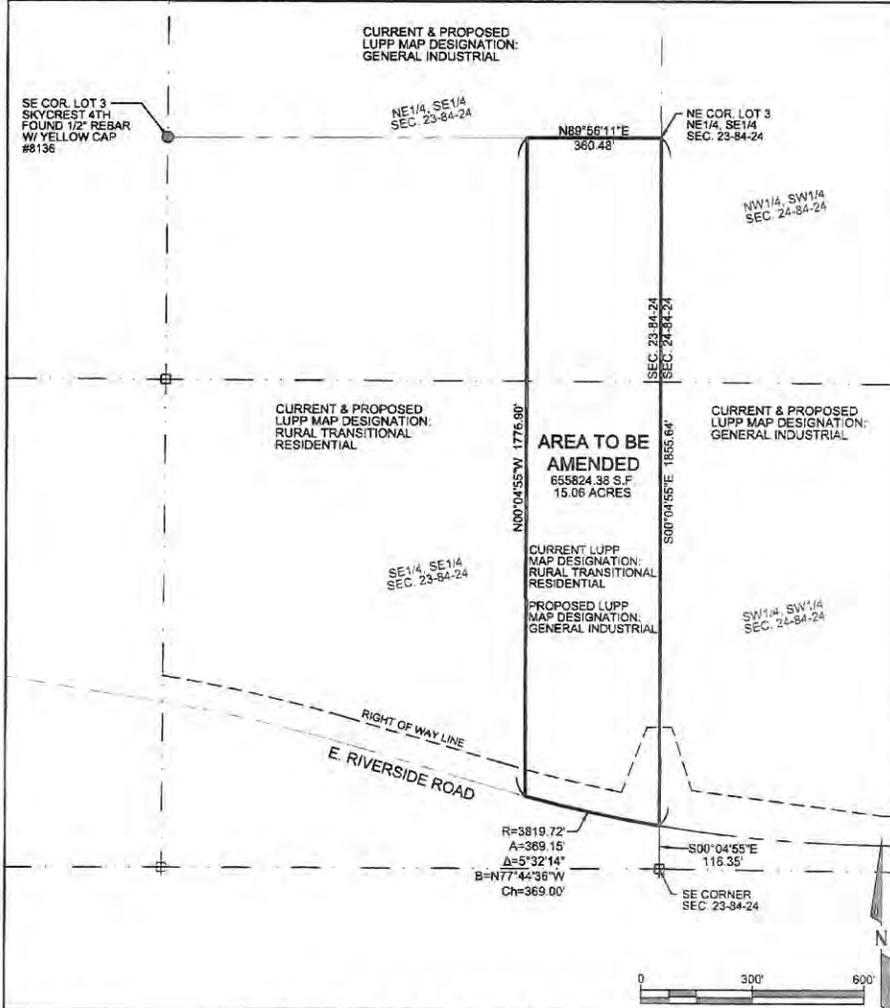
No impact on the developed property in this proposed designation

**5. Demonstrate that the new designation of the site would be in the public interest. What is the public need or community benefit?**

City staff is requiring this map designation change.

# Attachment D: Survey

<b>LAND USE MAP CHANGE</b>	<div style="font-size: 24pt; font-weight: bold; margin-bottom: 10px;">RECEIVED</div> <div style="text-align: center;">MAY 04 2020</div> <div style="text-align: center;">CITY OF AMES IA DEPT. OF PLANNING AND HOUSING</div>
<b>LOCATION:</b> IN PT OF THE E1/2, SE1/4 SEC. 23-84-24 STORY COUNTY, IOWA	
<b>PROPRIETOR:</b> BISHOP FARMS	
<b>REQUESTED BY:</b> DAVID BISHOP	
<b>SURVEYOR:</b> R. BRADLEY STUMBO, PLS #17161 FOX ENGINEERING ASSOCIATES, INC. AMES, IA 50010 515-233-0000	



 <p>FOX Engineering Associates, Inc. 414 South 17th Street, Suite 107 Ames, Iowa 50010 Phone: (515) 233-0000 FAX: (515) 233-0103</p>	<p>I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.</p> <p style="text-align: center;"><i>R. Bradley Stumbo</i>      5/1/2020          R. BRADLEY STUMBO, PLS      DATE          License number 17161          My license renewal date is December 31, 2021.</p>	
JOB# 14129-19A    DATE: 4/30/20    PAGE 1 OF 1		

**Attachment E: Common Goals for the Urban Fringe**  
*(Excerpt from the Ames Urban Fringe Plan)*

## **Common Goals for the Urban Fringe**

The six principles discussed in the first section of this report guide the cooperation to plan and manage land uses in the Ames Urban Fringe, including intergovernmental coordination, prime agricultural land preservation, targeted growth, growth management, transitional land uses, and environmental protection. These principles are embodied in the following goals for the Urban Fringe.

*Common Goal 1.1*

To provide a balanced mix of land uses that is arranged to avoid conflicts and to maximize efficient delivery of municipal and county services and facilities.

*Common Goal 1.2*

To prevent premature development and preserve the most high value farmland in appropriate locations.

*Common Goal 1.3*

To provide a variety of housing opportunities in the Ames Urban Fringe in appropriate locations.

*Common Goal 1.4*

To provide adequate opportunities for commercial and industrial development in appropriate locations.

*Common Goal 1.5*

To coordinate development decisions with the efficient provision of public facilities and services.

*Common Goal 1.6*

To protect and preserve sensitive natural resources, including floodplains, woodland areas, wetlands, and other sensitive natural areas.

*Common Goal 1.7*

To secure a system of public and private open spaces throughout the Ames Urban Fringe that serves as a visual and recreational amenity.

**Attachment F: Rural/Urban Transition Area  
Key Issues and Goals  
(Excerpt from the Ames Urban Fringe Plan)**

## Rural/Urban Transition Area

The Rural/Urban Transition Area is to accommodate rural development that can also be accommodated within municipal jurisdiction at some time, perhaps beyond the life of the Plan. This area coordinates public preferences for broad choices in rural development with orderly and efficient future transition between land uses within municipal limits and unincorporated areas. These areas are not necessarily expected to be developed under sole municipal jurisdiction during the life of the Plan, but because of their proximity and/or juxtaposition in relation to city limits, development of these areas must be carefully orchestrated to be compatible with city development patterns.

### **Key Issues and Goals for Rural/Urban Transition Area**

The Rural/Urban Transition Area represents a critical intersection of county and city land use policies. It is here that the greatest potential for conflict among cooperating communities exists, and also where the greatest potential for public frustration over a non-unified planning approach exists.

Lands in the Rural/Urban Transition Area, if developed appropriately, can contribute to efficiently meeting the needs of the City of Ames and City of Gilbert to grow, while also helping to meet the market demand for larger residential lots in a rural setting. Lands identified for future industrial or commercial use are also included in the Rural/Urban Transition Area, but not all of this land will be utilized this way in the near future. Until such time that conversion of these land resources is justified, land in the Rural/Urban Transition Area designated for industrial or commercial uses is best maintained for agricultural production.

Because of the dual role of land in the area, the Rural/Urban Transition Area becomes the center stage for cooperative planning among the City of Ames, City of Gilbert, Story County, and Boone County. All have strong interests in the land use of the area, and may therefore seek to apply differing policies at different times, depending on the location of proposed development. Therefore, a clear outline of split jurisdictional responsibilities, shared goals, and clear expectations are needed.

### Land Use

The Rural/Urban Transition Area is intended to create as smooth a transition as possible between rural and urban areas. Residential land uses occur, in some cases, at a density more typical of rural areas, while in other areas where city expansion is more likely in the near future, residential density is more typical of an urban area. Likewise, urban infrastructure standards may be applied in certain critical areas, while other areas are subject only to the minimum urban standards necessary to smooth potential transition into city limits in the distant future.

### Water and Wastewater

The provision of water and wastewater services in the Rural/Urban Transition Area will need to be carefully orchestrated to ensure that the needs of all cooperating communities are met, while unnecessary expenditures on urban-type services are eliminated where urban expansion is not anticipated in the near future. In certain areas, the installation of dry sewer and water services may be necessary to ease the future rural-to-urban transition of development. Annexation and development agreements may also be necessary.

### Transportation

The existing county road systems that include dirt, gravel, and hard-surfaced roads, will continue to be utilized within the Rural/Urban Transition Area. Boone and Story County shall have a limited paving program and generally will not pave roads or add new roads in this area unless and until traffic volume increases indicate the need to improve the system in order to provide safe roads. However, developer-funded additions to the road system are probable in keeping with city and county subdivision improvement standards. System expansions must be done within the fiscal means of the county and should provide flexibility to evolve as needs and technology change. The location and design of new facilities should be compatible with the Cities of Ames and Gilbert street networks and transportation plans. Street systems shall protect the character of existing areas. Transportation system planning is an on-going process that should be flexible, but comprehensive, open to public participation, and long-term focused.

### Public Facilities and Services

Development within the Rural/Urban Transition Area should not expect the same level of public facilities and services as the urban growth areas of the City of Ames and City of Gilbert. New public facilities and services are likely to be built and provided in the urban growth areas as the cities develop. Services shall be provided as the density of population increases, making the provision for services efficient and cost-effective. In rural areas, the affected county will maintain its existing levels of law enforcement and emergency services.

In addition to the goals stated above for all areas, the following goals guide planning and management of land use in the Rural/Urban Transition Area.

#### *RUTA Goal 3.1*

Provide for strategically located development in portions of the Urban Fringe that will not be served by the City of Ames or City of Gilbert in the time horizon of the Ames Urban Fringe Plan.

#### *RUTA Goal 3.2*

To prepare non-agricultural development for efficient rural-to-urban transition.

#### *RUTA Goal 3.3*

To ensure that new development has safe and adequate water and wastewater service and other adequate facilities and that there is sufficient space for these facilities to be improved so that they may become public facilities.

*RUTA Goal 3.4*

To maintain the rural character of the surrounding countryside.

*RUTA Goal 3.5*

To maintain the county road system and effectively incorporate new subdivision roads and other system expansions in the existing and planned road system.

## **Attachment G: Rural Transitional Residential & General Industrial Key Policies**

### **Rural Transitional Residential (RTR)**

Areas designated Rural Transitional Residential are located in areas where urban infrastructure may not be in place for a time period beyond the Ames Urban Fringe Plan planning horizon. Rural Transitional Residential development is designed to transition seamlessly into adjacent rural residential and agricultural land use, providing buffers where necessary to separate residences from particularly intense or noxious agricultural activities. Residential densities with this designation are between rural densities and urban densities.

RTR Policy 1: This land use designation includes all single-family and two-family residential land uses/developments that involve average net densities between one unit per acre and 3.75 units per acre. (Relates to RUTA Goal 3.2)

RTR Policy 2: Strategically locate Rural Transitional Residential land uses in areas where they can provide for an orderly and efficient future transition between land uses within the likely future extent of municipal limits and the unincorporated area. (Relates to RUTA Goal 3.2)

RTR Policy 3: Encourage clustering of residential sites within these land areas to limit the short-term and long-term costs associated with infrastructure improvements and the distribution of public services. (Relates to RUTA Goal 3.2, 3.4)

RTR Policy 4: Depending on location, density of units, size of lots, timing of development, development design, clustering of proposed sites, or other considerations, require full urban infrastructure standards. If the City does not require these improvements to be installed at the time of subdivision, require infrastructure assessment agreements. (Relates to RUTA Goal 3.2, 3.3, 3.5)

RTR Policy 5: Any decentralized wastewater treatment facilities, wells and supporting infrastructure shall meet IDNR, county, and city standards. Other rural development standards may be acceptable on a case-by-case basis. Require agreements that if and when the property is annexed to a city, the land developer and/or landowner shall be responsible for the full cost of abandoning the rural systems and connecting to urban infrastructure. (Relates to RUTA Goal 3.2, 3.3)

RTR Policy 6: Make provisions to protect environmental resources, environmentally sensitive areas and adjacent Natural Areas. (Relates to RUTA Goal 3.4)

RTR Policy 7: Require annexation agreements and developer agreements in instances of new development that is particularly intense, or that occurs in certain critical locations. (Relates to RUTA Goal 3.2)

RTR Policy 8: Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge according to IDNR and city standards. (Relates to RUTA Goal 3.4)

## **General Industrial (GI)**

This designation applies to the existing surface operation that supports the subsurface mineral extraction in the Agricultural/Subsurface Mining land use designation.

GI Policy 1: Locate this use designation in the area that can best support the extraction of the existing mineral resource and has access to roads and highways needed to transport its products. The extent of the area accommodates the needs of the operation and the need to limit negative impacts on other surrounding established uses.

GI Policy 2: Water, wastewater systems and other infrastructure meet IDNR and county standards. At the time that surface activities for mineral resource extraction need to be expanded, required appropriate permits and rezoning may be to regulate these surface operations.

**RESOLUTION NO. 20-290**

**RESOLUTION APPROVING MINOR AMENDMENT TO THE  
AMES URBAN FRINGE PLAN LAND USE FRAMEWORK MAP  
FOR LAND ADDRESSED AS 831 E. RIVERSIDE ROAD  
FOR THE CITY OF AMES, IOWA**

WHEREAS, representatives of the Martin Marietta Ames Mine at 831 E. Riverside Road have filed a Plat of Survey with the City and County to move a boundary line; and,

WHEREAS, the Plat is intended to locate the existing scale house onto a parcel used for mine purposes and have the other parcel as vacant land; and,

WHEREAS, in accordance with the Ames Urban Fringe Joint and Cooperative Agreement (28E), the Story County Planning and Development Department requested that the applicant apply to the Ames City Council to amend the Ames Urban Fringe Plan to allow for the proposed boundary to match Fringe Plan designations; and,

WHEREAS, the current land use designation for the scale house is Rural Transitional Residential (RTS); the requested designation is General Industrial (GI); and,

WHEREAS, the proposed change in designation, encompassing approximately 15 acres, will match the proposed parcel lines; and,

WHEREAS, the GI designation is intended for land used in mineral extraction and no changes are proposed for how the land will be used compared to its current condition; and,

WHEREAS, the scale house existed at the time of the adoption of the Fringe Plan, but the boundary followed the property line rather than the existing extent of the use; and,

WHEREAS, the City Council referred to staff a letter from Brad Stumbo, with Fox Engineering Associates, representing property owner David Bishop of Bishop Farms asking to initiate a Minor Amendment to the Land Use Policy Plan for the property at 831 E. Riverside Road; and,

WHEREAS, the site currently has mining operations and a farm field; and,

WHEREAS, on May 5, 2020, the Story County Board of Supervisors also determined that the developer could proceed with the application and the approval by both the Council and the Board of Supervisors was in accordance with the Ames Urban Fringe Joint and Cooperative Agreement; and,

WHEREAS, once two of the three government entities have agreed to initiate a change it can be reviewed as an Amendment, and ultimately all three entities must approve the change; and,

WHEREAS, in any proposed change to the Land Use Policy Plan Future Land Use Map, the City examines the suitability of infrastructure, such as sewer and water capacity, storm drainage, and general circulation needs; and,

WHEREAS, in this instance, no changes in infrastructure or use are planned; and,

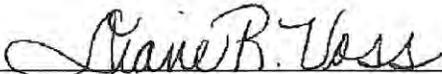
WHEREAS, staff considered it unlikely that the 15 acres would develop into a residential use due to the proximity of substantial operations of the mine and because of the considerable work needed to alter the property for homes; and,

WHEREAS, the City has no specific interest or policy on the preservation of rural areas for residential development that would warrant retaining the designation of this property, and expansion of the designation to include existing mining operations can be found consistent with the Ames Urban Fringe Plan; and,

WHEREAS, the Planning and Zoning Commission reviewed the request on May 20, 2020, and voted to recommend that the City Council approve the request.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ames, Iowa, that the Amendment to the Ames Urban Fringe Plan Land Use Framework Map land use designation of approximately 15 acres of land located at 831 E. Riverside Road, from Rural Transitional Residential to General Industrial is hereby approved.

ADOPTED THIS 26<sup>th</sup> day of May, 2020.



Diane R. Voss, City Clerk



John A. Haila, Mayor

Introduced by:	Corrieri
Seconded by:	Betcher
Voting aye:	Beatty-Hansen, Betcher, Corrieri, Gartin, Junck, Martin
Voting nay:	None
Absent:	None

Resolution declared adopted and signed by the Mayor this 26<sup>th</sup> day of May, 2020.

**RESOLUTION NO. 21-06**  
**FY20 FUND BALANCE RESOLUTION**

WHEREAS, it is desired to assign fiscal year ending fund balances for certain purposes, in accordance with the Governmental Accounting Standards Board (GASB) 54 instructions,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Story County, Iowa, as follows:

**ASSIGNED:**

General fund balance for fiscal year ending June 30, 2020: \$350,000 for Justice Center Renovations; \$251,899 ASSET carryovers; \$30,000 Paging System-JC; \$230,625 for CIP; \$224,529 for small community funding; \$1,240,977 for future capital projects for a total of \$2,328,029 in the general fund.  
Inmate Commissary Fund: \$116,084.39  
County Attorney Fine Collection Fund: \$311,856.00  
Conservation Acquisition & Capital Projects Fund: \$597,631.00

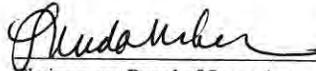
**RESTRICTED:**

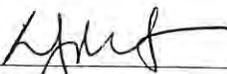
General Fund –StoryComm: \$1,791,219.00  
General Supplemental Fund: \$1,529,586.00  
MHDS County Services Fund: \$208,683.95  
Rural Services Fund: \$982,724.75 - \$120,305 LOST Assigned  
TIF Fund: \$10,473.31  
Urban Renewal Projects Fund: \$554,315.38  
Secondary Roads Fund: \$5,038,826.97  
Special Law Enforcement Fund: \$40,667.24  
REAP Fund: \$78,984.05  
Employee Wellness Fund: \$2,436.96  
Recorder’s Records Management: \$84,241.03  
Debt Service Fund: \$657,078.28  
Capital Projects Fund: \$137,738.92  
Capital Projects Sec Rds: \$2,975,700.00  
Capital Projects – TIF Fund: \$1,058,340.86  
Sheriff Reserve Officers Fund: \$44,603.53  
Friends of Conservation: \$1,063,618.88  
Friends of Animals: \$113,343.06

**COMMITTED:**

General Fund: \$1,529,586

Approved this 14<sup>th</sup> day of July, 2020

  
Chairperson, Board of Supervisors

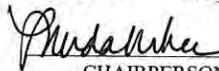
Attest:   
County Auditor

**ROLL CALL  
FOR ALLOWANCE**

Lauris Olson	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Lisa Heddens	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Linda Murken	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>

**ALLOWED BY VOTE**

OF BOARD    Yea 3    Nay 0    Absent 0

 Above tabulation made by   
CHAIRPERSON

**Ending Fund Balance Breakdown for June 30, 2020**

General Fund	Committed	1,066,793	(DAPL Conserv)
	Assigned	230,624	CIP Projects
		224,529	Small Community Funding
		251,899	ASSET
		30,000	Paging System-JC
		350,000	Justice Center Renovations
		<u>1,240,977</u>	Future Capital Proj
		2,328,029	
	Unassigned	7,572,901	36% of gen fund exp
	25%=	5,262,595	
		2,310,306	
Rural Fund	LOST 40%	120,305	* less by late claims in the amount of \$8,641

All other budgetary funds are restricted used funds.

# Story County ~~Substance Abuse Services~~ ~~Detox Services~~ Funding Policy

## **Funding**

Story County funds detox services for clients of Story County Community Services through the county budgeting process. These services are subject to change or termination by decision of the Board of Supervisors during budgeting each fiscal year for the period of July 1 to June 30.

For Substance Abuse involuntary commitments, Story County funds court appointed attorney services and transportation services provided by the Sheriff or Sheriff Designee.

The funding and service coordination for ~~detox services~~ and Substance Abuse involuntary court appointed attorney and transportation services is administered through the Story County Community Services Office. Story County funds will be administered in accordance with all applicable laws and regulations.

Story County is subject to all laws pertaining to equal access to services and supports without regard to race, age, sex, religion, cultural customs, or disability.

## **Contracting and Reimbursement Methodology**

Story County will negotiate a contract and a unit rate with providers of detox services and involuntary commitment related transportation services not provided by a Sheriff's Office. The unit of service and the unit cost will be included in the contract for the service provided. Story County will ensure a uniform and consistent basis for cost finding and cost analysis. ~~In the event a contract is needed with a provider located outside of Story County, the county will honor the host county's reimbursement rate, if such a rate has been established.~~ In the event an individual receives detox services with a provider located outside of Story County, the county will honor the provider's host county contract for detox services up to three days.

Contracted providers will be reimbursed by submitting a statement of charges for detox services and involuntary commitment related transportation services provided to Story County residents. Any client co-pays for detox services will be subtracted from the charges and billed directly to the client by the provider. Contractors to the county will be required to follow all applicable federal, state, and county policies.

In a Substance Abuse involuntary commitment proceeding Story County will compensate a court appointed attorney at an hourly rate to be established by the county board of supervisors as identified in Iowa Code 125.78 (1) and (2).

## **Application Process and Eligibility Criteria**

**APPROVED** **DENIED**  
Board Member Initials: AM  
Meeting Date: 7-14-2020  
Follow-up action: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Clients with a diagnosis of substance abuse may be eligible for county funding of inpatient detox services on either a voluntary or involuntary basis. Story County will fund up to three days of detox services. Income and resource criteria will be the same that is used for MH/DS regional funding for Adults. See Appendix A for current criteria.

A funding application and prior authorization through the Story County Community Services Office is required for funding consideration of detox services. The Community Services Director (CSD) or Designee is responsible for securing and evaluating necessary information to determine eligibility. The Community Services Director or Designee will give funding approval, denial, or pending notice in writing on a Notice of Decision. The decision of the CSD is final. All client and service information that is shared as part of the eligibility determination process will be regarded with strict confidentiality. Release of confidential information will be done in accordance with applicable state and federal standards.

A written Notice of Decision will be issued to the client and a copy to the provider within ten working days of receipt of a fully completed application. The Notice of Decision will outline the client's right to appeal and will include a description of the appeal process.

~~For clients presenting at the hospital emergency room in a crisis situation, the~~ Upon the admission for detox services, the Story County Community Services Office must be notified within 24 hours of admission or the next business day following admission in order for funding to be considered. Additionally, the funding application form must be completed and forwarded to the Community Services Office. Services may be given to ensure safety and stabilization, however, additional service planning or authorization requiring county funding needs to involve the Community Services Office.

### **Appeals Process**

Clients, families, client representatives (with the consent of the client), and providers may appeal the decisions of the county or any of its designees or contractors at any time. Such individuals or organizations may also file a grievance about the actions or behavior of a party associated with the county managed system of care at any time.

#### **How To Appeal:**

Written appeal forms, with a clear description of the appeals, investigation, and disposition process will be attached to the Notice of Decision form.

To appeal, a completed appeal form must be sent to the Story County Community Services office located at 126 S. Kellogg Ave. Suite 001 Ames, IA 50010 within ten (10) working days of receipt of the Notice of Decision.

Step One - Reconsideration - The Community Services Director or the Director's Designee will review all appeals and grievances. After reviewing an appeal, the Community Services Director shall contact the appellant not more than five (5) working days after the written appeal is received. The Community

Services Director will discuss the facts of the decision and will consider additional information the appellant submits relevant to the appeal. A written decision will be issued no later than five (5) working days following the date of the meeting. A copy of the decision will be sent to the appellant and/or representative via regular mail.

Step Two - If a resolution is not satisfactory, then the appellant can submit a written appeal to the Director of External Operations and County Services located in the Story County Board of Supervisors Office. The Director of External Operations and County Services will review the information already collected and will consider additional information submitted by the appellant relevant to the appeal. A meeting may be arranged with the appellant and the Director of External Operations and County Services. If such a meeting is deemed necessary it will be held within ten (10) working days of receipt of the appeal form. The appellant will be notified of the meeting time, day, and location by mail. A decision will be issued by the Director of External Operations and County Services within ten (10) working days of the meeting. The decision of the Director of External Operations and County Services is the final decision.

Story County will not pay legal fees for an appeal case. If you cannot afford legal representation, you may contact Legal Services of Iowa at 1-800-532-1275.



Story County Conservation Board - McFarland Park 56461 180<sup>th</sup> St. - Ames, Iowa 50010-9451  
Phone (515) 232-2516 - Fax (515)232-6989 - Email: conservation@storycounty.com  
www.storycountyconservation.org

Memorandum

To: Story County Board of Supervisors  
Through: Michael D. Cox, Director  
From: Ryan Wiemold, Parks Superintendent  
Date: July 14, 2020  
Re: Consideration of Starting the Hiring Process for Full Time Conservation Technician Vacancy

Conservation staff is requesting permission to pursue hiring a full time Conservation Technician for the vacancy at Hickory Grove Park. This position has been unstaffed since May 2020. Park use during COVID has been markedly increased thus workload has followed suit. Workloads and maintenance items need to be completed to provide the safe public use opportunities with a high-standard level of service. Without this position, we will fall behind on park upkeep. We would like to start this position in September.

The Story County Conservation Board recommends your approval.

Approval

7-14-2020

Date

Disapproval

Date



# **Board of Supervisors**

## Story County, Iowa

### **Hiring Freeze Policy**

<b>Approval Date:</b> 4/21/2020	<b>Effective Date:</b> 4/21/2020	<b>Revision No:</b> 1
------------------------------------	-------------------------------------	--------------------------

<b>Reference:</b> BOS Minutes 4/21/20	<b>Distribution:</b> Intranet, S:drive; Policy Book
---------------------------------------	--

#### **General Policy Statement**

In an effort to address decreased revenues and revenue sources due to COVID-19, cost-saving measures need to be developed and exercised. One such measure is to implement a hiring freeze. This process will enable County department heads and elected officials, along with the Board of Supervisors, an opportunity to examine department or office functions and services in conjunction with cost reduction efforts.

#### **Hiring Freeze Guidelines**

An immediate hiring freeze has been authorized by the Board of Supervisors. Any offers that were extended and accepted, or actions already communicated to prospective employees prior to the hiring freeze being implemented will be processed as normal. Recognizing that it may be important for certain positions to be filled during the hiring freeze an exemption process has been developed.

1. The hiring freeze applies to new positions, replacement staff, full-time, part-time and temporary positions regardless of the funding source.
2. Exemptions will be considered for essential staff and approved by the Board of Supervisors. A Hiring Freeze Exemption Request Form will need to be completed, signed by the department head or elected official and submitted to Human Resources. Approval of an exemption will be handled through normal board proceedings.
3. Vacant positions may be filled after approval of an exemption request.
4. No employment action or position posting will occur before an exemption request is approved.

## Hiring Freeze Exemption Request

Position Title: Conservation Technician Date Submitted: 7/14/20

Division/Department: Conservation Preferred Start Date: 9/16/20

Requestor: Ryan Wiemold Board Approval: \_\_\_\_\_

---

What job function will this position serve?

Park and facilities maintenance.

Why do you consider this position to be essential?

This position helps SCC keep up with project work and maintenance items to keep properties up to a quality and safe standard for public use.

What are the consequences if this position is not filled?

Park maintenance standards and budgeted project items may not be able to be completed on due to workload volumes and limited staff.

Is it possible for the job responsibilities to be performed by other staff?

Work loads can often already exceed staffing capabilities. Sharing and balancing staffing resources already happens. If field staff are pulled from one location or work is performed by other staff, some workload elsewhere is not being completed.

What are the funding sources for this position?

General fund - SCC salary budget

How will the department/office manage its work if this position is not authorized?

Park maintenance and safety items will fall behind, budgeted park projects may not be able to be completed, or some overtime will be needed for other staff to accomplish that workload. The position has been unfilled for 2 months and staff is feeling that workload.



Story County Planning and Development  
Administration Building  
900 6<sup>th</sup> Street, Nevada, Iowa 50201

Ph. 515-382-7245 Fax 515-382-7294  
[www.storycountyiaowa.gov](http://www.storycountyiaowa.gov)

**APPROVED** **DENIED**

Board Member Initials: AM

Meeting Date: 7-14-2020

Follow-up action: \_\_\_\_\_

## MEMORANDUM

**TO:** Story County Board of Supervisors  
**FROM:** Jerry L. Moore, Planning and Development Director & Stephanie Jones, Administrative Assistant II  
**RE:** Request to use PayPal instead of Heartland for credit card payment processing of zoning permit and development applications on Citizenseve.

**DATE OF MEETING:** July 14, 2020

### Background

Implementation of Citizenseve, the County's new zoning permit and development case application system is nearly complete with a tentative go-live date of August 3, 2020. A component of the implementation is setting up a credit card payment processor. Planning and Development staff requests the Board of Supervisor's support in using PayPal instead of Heartland, our current credit card payment processor, to avoid having to pay Citizenseve \$5000 to integrate Heartland into the new zoning permit application system. Other County departments also use Heartland for their credit card payment processing, except the Recorders Office and Story County Conservation.

Part of Citizenseve's contract with Story County includes the free use of several (20) affiliated credit card payment processors. Under the County's contract, no fees are charged to Story County to setup the credit card payment processing system if we use one of the affiliated credit card payment processor companies. Heartland is not one of the affiliated payment processors.

The additional fee for the County to have Citizenseve integrate Heartland into the new zoning permit application system prompted the Planning and Development Department to evaluate the free affiliated network of credit card payment processor companies offered by Citizenseve. From our department's evaluation of the payment processors, three companies stood out. Information on Heartland is also provided below for comparison.

- **Authorizenet** – (\$25 Monthly fees – Story County, .20% + .10 per transaction - customer) (E-check available for \$25 monthly fee – Story County and .75% per transaction fee - customer)
- **Elavon** – (\$99 annual fee – Story County, \$10 Monthly fee – Story County, coverage one-time \$149 fee to integrate with Citizenseve – Story County, 2.9% + .30 per transaction - customer)
- **Paypal** – (No fees – Story County, 2.9% + .30 per transaction - customer)
- **Heartland** – (current payment processor, no monthly or annual fee – Story County, 2.25% per transaction - customer) (recently lowered from 2.5% through new a contract)

### Zoning Permit and Development Application fee Comparison – Heartland and PayPal

The benefit of using Citizenseve is the ability of the general public to submit a zoning permit application, project drawings, and related documents and pay with a credit card. The general public will also have the option of paying with a check and/or cash. By using PayPal, however, the general public will experience a slight increase when paying for permits and development applications by credit card.



- On a \$30 zoning permit the processing fee with PayPal would be \$1.17 compared to .68 cents for Heartland, a difference of .49 cents.
- On a \$275 Conditional Use Permit application, the processing fee with PayPal would be \$8.28 compared to \$6.19 with Heartland, a difference of \$2.09.
- On a \$500 zoning permit for a new single family dwelling, the processing fee with PayPal would be \$14.80 compared to \$11.25 with Heartland, a difference of \$3.55.

#### **Treasurer's Office Comments**

Planning and Development Staff worked closely with the Story County Treasurers staff in evaluating the top three payment processors. The main comments/concerns from the Treasurer's staff with PayPal and responses are identified below:

1. Can the Treasures Office receive a lump sum total daily, of the moneys PayPal collects? Yes
2. What does the description say when PayPal deposits the money into the Treasurers account? It will be identified as PayPal.
3. What is the transaction process time period in days and time. Will the Treasurer receive the money the day the customer pays the fee, if not, what is the payment processing time period? Payments are processed daily.

#### **Recommendation**

Based on our review of the above payment processors, Planning and Development Department staff is recommending the Board of Supervisors support using PayPal. The primary reasons include:

1. No \$5000 integration fee.
2. No annual or monthly fees.
3. Slight increase in processing credit card fees compared to fees charged by Heartland.
4. No annual contract.
5. No charge from Citizenserve and Citizenserve receives no royalties from PayPal.
6. General public access to Citizenserve and the PayPal payment system will be available 24/7.

Based on the background and analysis of the above credit card payment processors, Planning and Development staff recommend the Board of Supervisors approve **alternative 1**.

1. **The Story County Board of Supervisors approve the use of PayPal for processing the general public's credit card payments for zoning permits, development case applications, and related items.**
2. The Story County Board of Supervisors deny the use of PayPal for processing the general public's credit card payments for zoning permits, development case applications, and related items.
3. The Story County Board of Supervisors support the continued use of Heartland and paying Citizenserve \$5000 to integrate Heartland into the new zoning permit application system.
4. The Story County Board of Supervisors tables this item and requests Planning and Development staff to further evaluate other payment processors for zoning permits, development case applications, and related items to use with Citizenserve and requests the item to be brought back to a future meeting for consideration.



## SERVICE AGREEMENT

THIS SERVICE AGREEMENT (the "Agreement") between Online Solutions LLC. ("CitizenServe") with its principal place of business 1101 East Warner, Suite 160, Tempe, Arizona 85284 and Story County, Iowa ("Customer") with its principal place of business at 900 6th Street, Nevada, Iowa 50201 is made effective as of 09/15/2019 ("Effective Date").

### 1. ONLINE SOLUTIONS DELIVERY OF SERVICES:

CitizenServe grants to Customer a non-exclusive, non-transferable, limited subscription to access and use the CitizenServe software service in consideration of the fees and terms described in the CitizenServe Order Form.

The subscription will begin on the date specified in the order form which is the date CitizenServe will begin providing services. On this date CitizenServe's responsibilities begin regarding providing support services, infrastructure, backing up data, performing setup and configuration. The Service Agreement renews automatically on the anniversary date identified on the CitizenServe Order Form. Neither party is obligated to renew this Agreement. If Story County decides to cease use of the CitizenServe program and void the Service Agreement, Story County will notify CitizenServe 60 days prior to the anniversary date. No additional fees or penalty will be incurred by Story County in connection with the exercise of service cancellation.

Implementation and "go live" timelines vary based on the availability and responsiveness of Customer's personnel and on the Customer's priorities and objectives. CitizenServe and Customer agree that they will work collectively on a best efforts basis to achieve a satisfactory migration from legacy systems and to achieve the Customer's implementation objectives.

### 2. CUSTOMER RESPONSIBILITIES:

Customer acknowledges it is receiving only a limited subscription to use the Software Service and related documentation, if any, and shall obtain no title, ownership nor any other rights in or to the software, service and related documentation, all of which title and rights shall remain with CitizenServe. In addition, Customer agrees that this subscription is limited to applications for its own use and may not lease or rent the Service nor offer its use for others. All Customer data is owned by the Customer.

### 3. SERVICE LEVELS:

CitizenServe will use commercially reasonable efforts to backup and keep the Service and Authorized Website(s) in operation consistent with applicable industry standards and will respond to customers' requests for support during normal business hours.

THE SERVICES ARE PROVIDED ON AN "AS IS" BASIS, AND CUSTOMER'S USE OF THE SERVICES IS AT ITS OWN RISK. CITIZENSERVE DOES NOT WARRANT THAT THE SERVICES WILL BE UNINTERRUPTED OR ERROR-FREE.

### 4. TERMINATION:

Either party may terminate this agreement for cause if the terminating party gives the other party sixty (60) days written notice prior to termination. Should Customer terminate without cause after the first date of the term as defined in the CitizenServe Order Form, Customer must pay the balance of the current contracted term and this payment obligation will immediately become due. CitizenServe may terminate services if payments are not received by CitizenServe as specified in the CitizenServe Order Form.

Upon any termination, CitizenServe will discontinue Services under this agreement; CitizenServe will provide Customer with an electronic copy of all of Customer's data, if requested; and, provisions of this Agreement regarding Ownership, Liability, Confidentiality and Miscellaneous will continue to survive.

### 5. NO THIRD PARTY RIGHTS

The provisions of this agreement are intended to bind the undersigned parties as to each other and are not intended to and do not create rights in any other person or confer upon any other person any benefits, rights or remedies, and no person is or is intended to be a third party beneficiary of any of the provisions of this agreement.

**6. ACCEPTABLE USE:**

Customer represents and warrants that the Services will only be used for lawful purposes, in a manner allowed by law, and in accordance with reasonable operating rules, policies, terms and procedures.

CitizenServe may, upon misuse of the Services, request Customer to terminate access to any individual and Customer agrees to promptly comply with such request unless such misuse is corrected.

**7. CONFIDENTIALITY:**

Each party hereby agrees to maintain the confidentiality of the other party's proprietary materials and information, including but not limited to, all information, knowledge or data not generally available to the public which is acquired in connection with this Agreement, unless disclosure is required by law. Each party hereby agrees not to copy, duplicate, or transcribe any confidential documents of the other party except as required in connection with their performance under this Agreement. Customer acknowledges that the Services contain valuable trade secrets, which are the sole property of CitizenServe, and Customer agrees to use reasonable care to prevent other parties from learning of these trade secrets or have unauthorized access to the Services. CitizenServe will use reasonable efforts to insure that any CitizenServe contractors maintain the confidentiality of proprietary materials and information.

**8. MISCELLANEOUS PROVISIONS:**

This Agreement will be governed by and construed in accordance with the laws of the State of Iowa.

CitizenServe may not assign its rights and obligations under this Agreement, in whole or part, without prior written consent of Customer, which consent will not be unreasonably withheld.

**9. ACCEPTANCE:**

Authorized representatives of Customer and CitizenServe have read the foregoing and all documents incorporated therein and agree and accept such terms effective as of the date first written above.

Customer:	"Customer"	Online Solutions, LLC
Date:	<u>9/10/19</u>	Date: <u>9/11/2019</u>
Signature:	<u>[Signature]</u>	Signature: <u>[Signature]</u>
Print Name:	<u>Linda Murken</u>	Print Name: <u>Jim Garvey</u>
Title:	<u>Chair, Bd of Super</u>	Title: <u>Manager</u>

# citizen<sup>serve</sup>

## Order Form

**Account Name:** Story County, Iowa

**Contact Information:**

Jerry Moore  
 Planning and Development Director  
 Story County  
 900 6th Street  
 Nevada, Iowa 50201  
 Email: jmoore@storycountyiowa.gov  
 Phone: 515-382-7246

**Billing Information:**

Jerry Moore  
 Planning and Development Director  
 Story County  
 900 6th Street  
 Nevada, Iowa 50201  
 Email: jmoore@storycountyiowa.gov  
 Phone: 515-382-7246

**Contact Term:**

Billing Cycle: Annual  
 Billing Schedule: Upon Contract Signing  
 Service Term Starts: 09/15/2019  
 Service Term Ends: 09/14/2020

**Components to be Implemented:**

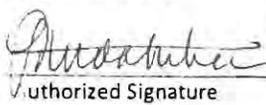
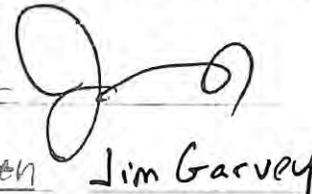
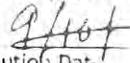
Building Permits  
 Planning and Zoning  
 Citizen Access Pages

**Fees:**

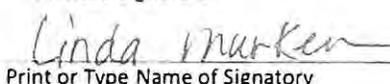
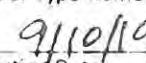
14 User Subscriptions	\$1,800 per named user per year (includes 1 read only)	\$25,200.00
Setup, Training and Implementation	\$1,200 per named user	\$16,800.00
Additional Services	Data Migration (MS Access: Zoning Permits, Development Cases, and special Projects)	\$6,250.00
	Data Migration (MS Access: Flood Plain data)	\$1,200.00
	System Integration (not requested)	\$0.00
	Payment processors listed in Appendix A	\$0.00
	Batch load of parcel data and ongoing updates	\$0.00
	Batch load of GIS data layers and ongoing updates	\$0.00
	<b>Total 1<sup>st</sup> Year Fees</b>	<b>\$49,450.00</b>
	<b>Each Additional Year Fees</b>	<b>\$25,200.00</b>

I authorize Online Solutions, LLC to invoice as per the above information.

Online Solutions:

  
 Authorized Signature  
  
 Print or Type Name of Signatory  
 Linda Marken Jim Garvey  
 9/11/2019  
 Execution Date

Customer:

  
 Authorized Signature  
  
 Print or Type Name of Signatory  
 Linda Marken  
 9/10/19  
 Execution Date

**Address:**  
 1101 E. Warner Road  
 Suite 160

**Address:**  
 Story County  
 900 6th Street  
 Nevada, Iowa 50201





## Order Form

Tempe, AZ 85284

### Appendix A – CitizenServe existing payment processors

Authorizenet  
Biqsho  
Civitek  
Civitekpaynow  
Convergys  
Cyber  
Ets  
Forte  
Invoicecloud  
Openedge  
Paybill  
Payeezy  
Paypal  
Ppg  
Psn  
Scgovpegv2  
Scgovpegv3  
Unibank  
Xpress  
Xpressv2

Integration with Payment processor not on this list will incur a onetime charge of \$5,000



citizenServe e-government software  
www.citizenServe.com  
1.800.325.9818  
All rights reserved. Confidential.

**DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER**

Prepared By: Marcus Amman, Story County Planning and Development, 900 6<sup>th</sup> Street, Nevada, IA 50201 (515) 382-7245  
Please Return to the Story County Planning & Development Department

Please return to:  
Planning & Development

**STORY COUNTY IOWA  
RESOLUTION OF THE BOARD OF SUPERVISORS  
RESOLUTION #21-04**

WHEREAS, there has been submitted to the Board of Supervisors of Story County, Iowa, an application to subdivide real estate from Shirley M. Malaby, 50542 180<sup>th</sup> St. Ames, Iowa, 50010, involving the real estate located at said address and identified as in Section 18 of Union Township (84N 24) and as Parcel #05-18-100-260 and hereinafter described on Attachment A and shown on Attachment B.

WHEREAS, Shirley M. Malaby as the Trustee of Shirley M. Malaby Revocable Trust, dated October 23<sup>rd</sup>, 2012 is the legal titleholders of said real estate, and

WHEREAS, it appears that all conditions and requirements prescribed by Chapter 354 and Chapter 355, Code of Iowa, and as prescribed by the Story County C2C Plan and the Code of Ordinances, of Story County, Iowa, have been complied with and met,

AND WHEREAS, it is the opinion of the Board of Supervisors of Story County, Iowa, that it is advisable and in the best interests of Story County, Iowa, and all persons concerned, that said Plat be approved, and accepted.

NOW, THEREFORE, BE IT RESOLVED that the Residential Parcel Subdivision Plat of the Malaby Subdivision involving real estate hereinafter described on Attachment A and shown on Attachment B being the same, is hereby approved, and all acts and deeds of the said owners and grantors in the premises are hereby confirmed and approved and the real estate hereinafter described on Attachment A and shown on Attachment B shall hereinafter be known as the Malaby Residential Subdivision.

IT IS FURTHER RESOLVED that the Chair of the Board of Supervisors and the County Auditor are authorized and they are hereby directed to certify a copy of this Resolution 21-04 to be affixed to said Final Plat upon its approval by the Board of Supervisors.

Dated this 14 day of July, 2020.

[Signature]  
Chairperson, Board of Supervisors

Attest:

[Signature]  
County Auditor

<u>ROLL CALL</u>	<u>Lauris Olson</u>	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
<u>FOR ALLOWANCE</u>	<u>Lisa Heddens</u>	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
	<u>Linda Murken</u>	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE  
OF BOARD                      Yea 3 Nay 0 Absent 0

[Signature]  
CHAIRPERSON

Above tabulation made by [Signature]

**ATTACHMENT A**

**Survey Description-Malaby Subdivision:**

That part of the Northwest Quarter (NW¼) and the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, further described as follows:

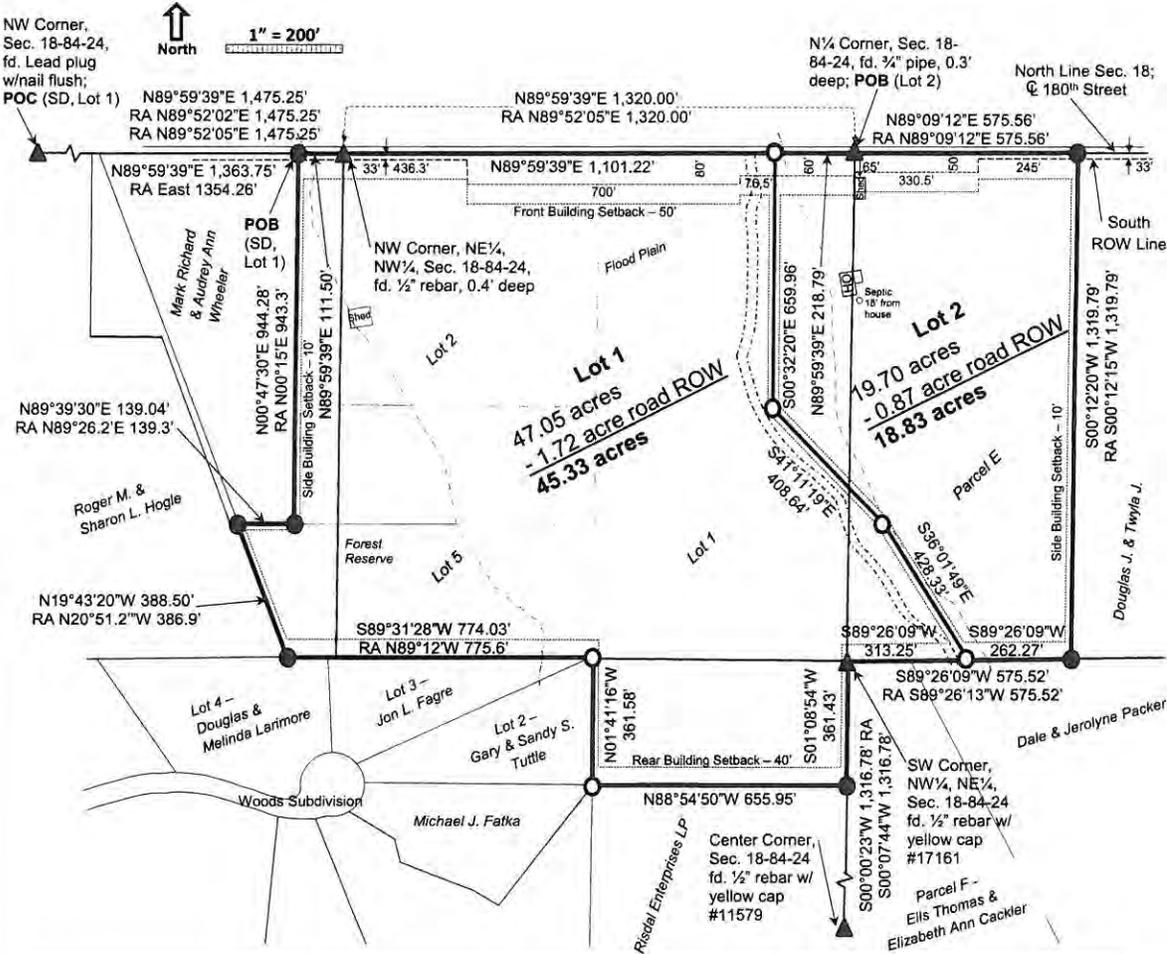
Commencing at the Northwest Corner of said Section 18; thence N89°59'39"E 1,363.75 feet along the North line of the NW ¼ of said Section 18 to the Point of Beginning; thence continuing N89°59'39"E 111.50 feet along the North line of the NW ¼ of said Section 18 to the NW Corner of the NE ¼ of the NW ¼ of said Section 18; thence continuing N89°59'39"E 1,320.00 feet along the North line of the NW ¼ of said Section 18 to the North Quarter Corner of said Section 18; thence N89°09'12"E 575.56 feet along the North line of the NE ¼ of said Section 18; thence S00°12'20"W 1,319.79 feet along the West line of Parcel D; thence S89°26'09"W 575.52 feet along the South line of the NW ¼ of the NE ¼ of said Section 18 and the North line of Parcel F to the Southwest Corner of the NW ¼ of the NE ¼ of said Section 18; thence S01°08'54"W 361.43 feet along the West line of Parcel F; thence N88°54'50"W 655.95 feet; thence N01°41'16"W 361.58 feet along the East line of Lot 2 of Woods Subdivision; thence S89°31'28"W 774.03 feet along the South line of the NW ¼ of the NE ¼ of said Section 18 and the North line of Lot 3 and Lot 4 of Woods Subdivision; thence N19°43'20"W 388.50 feet; thence N89°39'30"E 139.04 feet; thence N00°47'30"E 944.28 feet back to the Point of Beginning. Said Subdivision contains 66.75 acres of which 2.59 acres are Story County Road Right of Way, netting 64.16 acres.

**NOTE:** The subdivision contains a stream easement which the subdivider provided and dedicated to Story County. The stream easement is located 30 feet on each side of the center of the watercourse and is for the purpose of widening, improving, or protecting the stream, if necessary. The property owners agree to Story County maintenance and upkeep within this stream easement.

**FINAL PLAT – MALABY SUBDIVISION**

**LOCATION:** Malaby Subdivision, North ½ Section 18, T84N, R24W of the 5<sup>th</sup> PM, Story County, Iowa  
**PROPRIETOR:** Shirley M. Malaby Revocable Trust  
**REQUESTED BY:** Shirley M. Malaby  
**SURVEYOR:** Marlee Walton, PLS #11590  
 M.J. Walton & Associates, Inc.  
 456 Rookwood Drive; Ames, IA 50010  
 515-232-5768

**FINAL PLAT – MALABY SUBDIVISION  
 A Residential Parcel Subdivision**



**DISTRICTS:**  
 Ambulance: Mary Greeley  
 Fire: Westory (Gilbert)  
 School: Gilbert CSD  
 Taxing: Franklin Township  
 Zoning: A1 – Agricultural  
 Watershed: Squaw Creek  
 Utilities: Midland Power COOP and Xenia Rural Water

**E911 ADDRESS:**  
 50542 180<sup>th</sup> Street  
 Ames, Iowa 50014

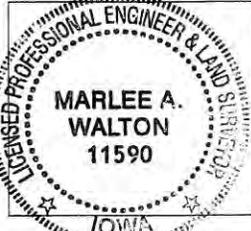
**NOTES:**

- All new lots shall require an E911 address for inhabited structures, including residences and businesses, telecommunications towers and facilities, and for any public assembly area including open-air, outdoor activities shall be assigned by story County at the request of the property owner.
- Flood plain information was taken from FIRM Map 19169C0130E, dated February 20, 2008.
- Lot 2 is served by rural water and private Septic.
- Xenia Rural Water has a 30-foot limited easement located on the property (Instrument 1996-10109) but does not have a legal description and cannot be shown on the plat

**LEGEND:**

- ▲ Government Corner Found
- △ Government Corner Set
- Property Pin Found
- Property Pin Set – 5/8" dia. x 3' rebar w/yellow cap #11590

RA Recorded As  
 --- Road ROW  
 - - - - Building Setback  
 - · - · - Flood Plain Limit  
 - · - · - Flood Plain  
 - · - · - Stream Easement



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

*Marlee A. Walton* 7/1/20  
 Marlee A. Walton, PE, PLS Date

License Number #11590  
 My license renewal date is December 31, 2020

Date of field survey:  
 05/08/20

Project Number:  
 8090

PAGE 1/2

**MALABY SUBDIVISION - LEGAL DESCRIPTION:**

That part of the Northwest Quarter (NW¼) and the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, further described as follows:

Commencing at the Northwest Corner of said Section 18; thence N89°59'39"E 1,363.75 feet along the North line of the NW ¼ of said Section 18 to the Point of Beginning; thence continuing N89°59'39"E 111.50 feet along the North line of the NW ¼ of said Section 18 to the NW Corner of the NE¼ of the NW¼ of said Section 18; thence continuing N89°59'39"E 1,320.00 feet along the North line of the NW ¼ of said Section 18 to the North Quarter Corner of said Section 18; thence N89°09'12"E 575.56 feet along the North line of the NE ¼ of said Section 18; thence S00°12'20"W 1,319.79 feet along the West line of Parcel D; thence S89°26'09"W 575.52 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Parcel F to the Southwest Corner of the NW¼ of the NE¼ of said Section 18; thence S01°08'54"W 361.43 feet along the West line of Parcel F; thence N88°54'50"W 655.95 feet; thence N01°41'16"W 361.58 feet along the East line of Lot 2 of Woods Subdivision; thence S89°31'28"W 774.03 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Lot 3 and Lot 4 of Woods Subdivision; thence N19°43'20"W 388.50 feet; thence N89°39'30"E 139.04 feet; thence N00°47'30"E 944.28 feet back to the Point of Beginning. Said Subdivision contains 66.75 acres of which 2.59 acres are Story County Road Right of Way, netting 64.16 acres.

**NOTE:** The subdivision contains a stream easement which the subdivider provided and dedicated to Story County. The stream easement is located 30 feet on each side of the center of the watercourse and is for the purpose of widening, improving, or protecting the stream, if necessary. The property owners agree to Story County maintenance and upkeep within this stream easement.

**Lot 1 - LEGAL DESCRIPTION:**

That part of the Northwest Quarter (NW¼) and the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, further described as follows:

Commencing at the Northwest Corner of said Section 18; thence N89°59'39"E 1,363.75 feet along the North line of the NW ¼ of said Section 18 to the Point of Beginning; thence continuing N89°59'39"E 111.50 feet along the North line of the NW ¼ of said Section 18 to the Northwest Corner of the NE¼ of the NW¼ of said Section 18; thence continuing N89°59'39"E 1,101.22 feet along the North line of the NW ¼ of said Section 18; thence S00°32'20"E 659.96 feet; thence S41°11'19"E 408.64 feet; thence S36°01'49"E 428.33 feet; thence S89°26'09"W 313.25 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Parcel F to the Southwest Corner of the NW¼ of the NE¼ of said Section 18; thence S01°08'54"W 361.43 feet along the West line of Parcel F; thence N88°54'50"W 655.95 feet; thence N01°41'16"W 361.58 feet along the East line of Lot 2 of Woods Subdivision; thence S89°31'28"W 774.03 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Lot 3 and Lot 4 of Woods Subdivision; thence N19°43'20"W 388.50 feet; thence N89°39'30"E 139.04 feet; thence N00°47'30"E 944.28 feet back to the Point of Beginning. Said Lot contains 47.05 acres of which 1.72 acres is Story County Road Right of Way, netting 45.33 acres.

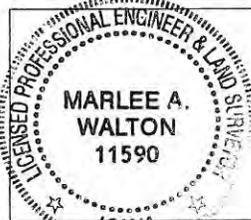
**NOTE:** Lot 1 contains 37.39 acres of which 1.64 acres is Story County Road Right of Way, netting 35.75 acres in the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, and 4.15 acres of which 0.08 acre is Story County Road Right of Way, netting 4.07 acres in the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, and 5.51 acres in the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa.

**Lot 2 - LEGAL DESCRIPTION:**

That part of the Northwest Quarter (NW¼) and the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, further described as follows:

Beginning at the North Quarter (N¼) of said Section 18; thence N89°09'12"E 575.56 feet along the North line of the NE ¼ of said Section 18; thence thence S00°12'20"W 1,319.79 feet along the West line of Parcel D; thence S89°26'09"W 262.27 feet along the South line of the NW¼ of the NE¼ of said Section 18; thence N36°01'49"W 428.33 feet; thence N41°11'19"W 408.64 feet; thence N00°32'20"W 659.96 feet; thence N89°59'39"E 218.79 feet along the North line of the NE ¼ of said Section 18 back to the Point of Beginning. Said Lot contains 19.70 acres of which 0.87 acre is Story County Road Right of Way, netting 18.83 acres.

**NOTE:** Lot 2 contains 15.87 acres of which 0.57 acre is Story County Road Right of Way, netting 15.30 acres in the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, and 3.83 acres of which 0.30 acre is Story County Road Right of Way, netting 3.53 acres in the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa.



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

*Marlee A. Walton* 7/11/20  
Marlee A. Walton, PE, PLS Date

License Number #11590  
My license renewal date is December 31, 2020

Date of field survey:  
05/08/20

Project Number:  
8090

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**ATTACHMENT B**



# Staff Report

Board of Supervisors

**Date of Meeting:**

July 14, 2020

**Case Number SUB09-20**

Residential Parcel Subdivision

Malaby Subdivision

Resolution No. 21-04

**APPLICANT:**

Shirley M. Malaby

50542 180<sup>th</sup> St.

Ames, Iowa, 50010

**STAFF PROJECT MANAGER:**

Marcus Amman, Planner

Emily Rizvic, Planning Intern

**SUMMARY:**

A residential parcel Subdivision request for Parcel #05-18-100-260 to divide the parcel into two lots: proposed Lot 1, 45.33-net acres containing an existing accessory structure, and proposed Lot 2, 18.83-net acres containing an existing single family dwelling and accessory structures, with the property owners' intention to sell both lots. Planning and Development staff recommend approval of the proposed Residential Parcel Subdivision Plat.





**Property Owner**

Shirley M. Malaby Revocable Trust

**Parcel Identification Number(s)**

05-18-100-260

**Size of Area**

64.16 net acres

**Location of Subdivision**

Franklin Township (Section 18, Township 84, Range 24) NW NW, NE NW, NW NE, SE NW

**Districts**

A-1 Agricultural District  
Mary Greeley Ambulance  
Gilbert Central School District  
Westory Fire District (Gilbert)  
Midland Power COOP  
Xenia Rural Water  
Squaw Creek -- Watersheds

**Description of Proposed Subdivision**

The application is to consider a request for a Residential Parcel Subdivision to divide one parcel into two lots. The parcel is within the Northeast Quarter, Northwest quarter and the Southeast quarter of the Northwest quarter. The parcels are proposed to be divided as follows into two lots; proposed Lot 1, 45.33-net acres containing existing accessory structure, and proposed Lot 2, 18.83-net acres containing existing dwelling and accessory structure.

Both proposed lots are intended to be sold by the property owner. The configuration provides the property owner with two lots that are each buildable for one single-family dwelling.

Lot 1 and Lot 2 are currently served by separate, existing access-ways located on 180<sup>th</sup> street, a gravel county road and there is a separation distance from other access-ways of over 300’.

Lot 1 is described as having potentially environmentally sensitive features, with a medium priority, containing “*Large, forested track with closed canopy and deep interior forested areas along streams and adjacent uplands*”. A Forest Reserve Tax Exemption application was filed in 2017 for approximately 44.86 acres which generally encompasses Lot 1.

Additionally, Lot 1 contains a drainage easement of 30 feet in width, following the meandering of Squaw Creek and runs through Lot 1 in a north-south orientation. Additionally, there is a floodplain covering approximately 38 acres. The floodplain generally divides the existing parcel



north-south and is approximately 1,063 feet wide. The existing structure on Lot 1 is currently used for farm equipment storage, and will continue to be used for storing farm equipment.

Lot 2 contains a single-family dwelling built in 1996 and a 30'x62' Machine Shed Accessory Structure. The Machine Shed accessory structure had been built in 1950 prior to the adoption of zoning and is classified as legal nonconforming as it is within the minimum 50 foot front setback requirement.

Midland Power Cooperative indicated that they would be able to provide electrical connections to proposed Lot 1, Lot 2 is already serviced. Xenia indicated that they would also be able to serve Lot 1.

### **Current and Future Land Use**

Both proposed Lot 1 and 2 are currently zoned for A-1 Agricultural. Future land use map shows Lot 1 and Lot 2 as remaining purpose for Agricultural uses and Agricultural dwellings. Lot 1 current land use is designated for an Agricultural Dwelling and Agricultural purposes and contains a 45'x54' Pole Barn (1980) which is currently being used for storage. Lot 2 currently is used for single-family residential purposes and contains a 30'x62' Machine Shed accessory structure.

### **Applicant's Property and Current Surrounding Land Use**

The property is located in Franklin Township. It is approximately 1.8 miles southwest of the City of Gilbert and it is approximately 1.9 miles northwest of the City of Ames. The proposed subdivision is also located near Eagle Ridge and Woods Subdivisions. It is also located just outside of the Ames Urban Fringe Plan area. Adjacent properties include:

#### **North**

There are four (4) parcels located north of the proposed residential parcel subdivision:

17.98 net-acre parcel in A-R Agricultural Residential zone. This parcel is located within the Flood Plain. This parcel is owned by Eagle Ridge Home Owners Association and west of this property is the Eagle Ridge Subdivision.

36.99 net-acre parcel in A-1 zone containing a 40'x64' Steel Utility bldg. this parcel is buildable for a single-family dwelling. This parcel contains crop production and is also located within the Flood Plain.

4.05 net acre parcel in A-1 zone used for residential purposes. This parcel contains 3 accessory structure: One 37'x27' crib, two pole barns: one 40'x40' and one 40'x80'

36.96 net acre parcel in A-1 zone buildable for a single-family dwelling. This parcel contains an access way that services single-family dwellings north of its parcel



**East**

One 21.91 net-acre parcel in A-1 zone containing a single-family dwelling. This parcel contains crop production.

**South**

One 24.50 net-acre parcel located within the Flood Plain and zoned A-1

One 15.5 net-acre parcel located entirely within the Flood Plain and zoned A-1

One 14.53 acre parcel located within the Flood Plain and zoned A-1

Three residential lots, which are a part of the Woods Residential Parcel Subdivision and are zoned R-1. The properties include:

One 1.00 net-acre residential lot containing a single-family dwelling.

One 2.33 net-acre residential lot containing a single-family dwelling.

One 3.49 net-acre residential lot containing a single-family dwelling and one accessory structure: a secondary garage that is detached from the dwelling.

**West**

One 28.78 net-acre parcel in crop production.

One 7.67 net-acre parcel in A-1 zone, containing a single-family dwelling and one accessory structure: a 10'x12' shed

There are eighty (80) parcels located within a half mile of the property. Of those parcels, Fifty-five (55) contain a single-family dwelling. Four (4) parcels within the half mile of the property meet or exceed the minimum 35-acre requirement to construct a single-family dwelling in the A-1 Agricultural Zoning District.

**Applicable Regulations – Story County Land Development Regulations**

**87.07 RESIDENTIAL SUBDIVISION PLAT**

1. A subdivision may be submitted for review and approval as a residential parcel subdivision plat when all of the following are true:
  - a. The development lots created by the subdivision are intended to be used for residential purposes;
  - b. Only two development lots may be created;
  - c. The Assessment Property Record Card for the property shall show a single-family dwelling and/or farmstead as defined in Section 85.08, in existence;
  - d. The subdivision includes no land set apart for new streets, alleys, parks, dedicated open space, school property or public use;
  - e. The subdivision lies wholly within the A-1. For parcels located within the boundaries of the *Ames Urban Fringe Plan*, the subdivision must be both zoned



A-1 Agricultural and lie wholly within the Rural Service and Agricultural Conservation Area designation;

- f. Both development lots (created by the residential Parcel Subdivision Plat) shall contain a minimum of one acre (net) each. All side and rear yard setback requirements must be met
- g. All resulting development lots shall have access to an adjoining public roadway by actual road frontage or easement
- h. No variances from subdivision or zoning standards shall be granted in order to accomplish the Residential Parcel Subdivision Plat.
- i. The existing parcel shall not have been created through a previously approved Residential Parcel Subdivision Plat.

#### **Commentary**

The following comments are part of the official record of the proposed Residential Subdivision Plat – **Malaby Subdivision, Case No. SUB09-20**. If necessary, conditions of approval may be formulated based on these comments.

#### **Comments from the Interagency Review Team**

The application materials were forwarded to the members of the Interagency Review Team on June 12, 2020, and the following applicable comments were received.

#### **Story County Engineer**

No Comments were provided by the Story County Engineer

#### **Story County Planning & Development Department**

1. A residential parcel subdivision will create two lots that are each buildable for one single-family dwelling. One single-family dwelling currently exists on proposed Lot 2, no single-family dwelling exists on proposed Lot 1. What is the planned use for proposed Lot 1? Where is development anticipated to occur on proposed Lot 1? Where will access take place if development is planned for proposed Lot 1?  
**A: No dwellings are planned for the near future.**
2. There is an accessory structure on proposed Lot 1—what is the use of the structure?  
**A: Structure on Lot 1 used for Storage only**
3. Planning and Development staff will need to take site photos of the property as part of the review and for the presentation to the Board of Supervisors. Staff would like this to occur the week of June 29. You do not need to meet staff on-site and no access to



buildings/the dwelling is required. Please confirm that you give staff permission to complete the site review.

**Acknowledged and Permitted by Shirley Malaby**

4. The majority of proposed Lot 1 is located in the floodplain. Approval of a floodplain development application and compliance with Story County's adopted floodplain management regulations in Chapter 80 would be required for any proposed development in the floodplain, including driveways and roads. Development in the floodplain is discouraged.

**Acknowledged**

5. Subdivision lots are required to be served by a driveway that is elevated above the Base Flood Elevation (BFE). The BFE for the property can be requested from the Iowa DNR. A land surveyor will also be required to determine the elevation of the portion of a driveway that extends through the floodplain. A floodplain permit will be required for the construction of a driveway in the floodplain.

**Acknowledged**

6. A majority of the lots are covered by natural vegetation. If development occurs in areas covered by natural vegetation, Section 88.05 of the Story County Land Development Regulations requires that no more than 15% of naturally occurring resources shall be removed. If over 15% is removed, Section 88.05 includes mitigation requirements for significant trees, defined as a deciduous tree with a caliper of greater than four inches measured four feet off the ground or a coniferous tree taller than 15 feet.

**Acknowledged**

7. Erosion control requirements in Section 88.05 will apply to any development of the lots. The requirements include temporary stabilization of a site.

**Acknowledged**

8. Please contact and provide communications with Midland Power COOP and Xenia Rural Water (if applicable) that they are able to service proposed Lot 1.

**There are no communications to provide because there is no development plan and no utilities are required. The owner of proposed Lot 1 will comply with development regulations when (and if) the property is developed.**

9. Are restrictive covenants proposed? If so, please provide a copy.

**A: No covenants at this time**

**Comments from the General Public**



Notification letters were mailed to surrounding property owners within a ¼ mile of the subject property regarding the public meeting on the subdivision request on July 6, 2020.

No comments were received as of the writing of this report.

#### **Comments from Cities within Two Miles**

The City of Ames has waived their right to review on June 26<sup>th</sup>, 2020.

The City of Gilbert waived their review of the subdivision on July 6<sup>th</sup>, 2020 at their regular meeting.

#### **Analysis**

Points to consider in evaluating the applicant's request to divide their property through the Residential Subdivision Plat process to create two (2) lots for residential use.

1. The property owner proposes to divide their 64.12 net-acre parcel and sell both lots.
2. The proposed subdivision is located near Eagle Ridge and Woods Subdivisions.
3. All requirements for a Residential Subdivision Plat in Section 87.07 of the Story County Land Development Regulations are met.
4. There are a total of 43 parcels located within a quarter mile of the subject property, of these parcels, 2 are located within Boone County. Of the 43 properties, 31 contain single-family dwellings.
5. Both lots currently have existing accesses off of 180<sup>th</sup> St, a county road.
6. Any driveway or access improvements or development on proposed Lot 1 may require submittal of a floodplain permit application.
7. Additional divisions of the lots created with Residential Parcel Subdivisions are not permitted.
8. The City of Ames and Gilbert raised no concerns regarding the subdivision.

#### **Alternatives**

Story County Planning & Development Staff recommend the approval of the Malaby Residential Parcel Subdivision, as proposed (alternative #1).

1. **The Story County Board of Supervisors approves Resolution #21-04, the Residential Parcel Subdivision Plat – Malaby Subdivision, as put forth in SUB09-20.**
2. The Story County Board of Supervisors approves Resolution #21-04, the Residential Parcel Subdivision Plat – Malaby Subdivision, with conditions, as put forth in SUB09-20.
3. The Story County Board of Supervisors denies Resolution #21-04, the Residential Parcel Subdivision Plat – Malaby Residential Subdivision, as put forth in SUB09-20.
4. The Story County Board of Supervisors tables the decision on Resolution #21-04, the Residential Parcel Subdivision Plat – Malaby Subdivision, as put forth in SUB09-20 and directs the applicant to address specific areas for additional information, review and/or modifications, and to work with staff to place the subdivision plat back on the Board of Supervisor's agenda.



## **Board of Supervisors**

July 14, 2020

# Sub09-20 Malaby Subdivision Residential Parcel Subdivision

---

## Applicant/Property Owner

Shirley Malaby  
50542 180<sup>th</sup> Street  
Ames, IA 50010

## Property Location

Franklin Township (Section 18, Township  
84, Range 24)  
05-18-100-260  
50542 180<sup>th</sup> Street  
Ames, IA 50010

## Districts

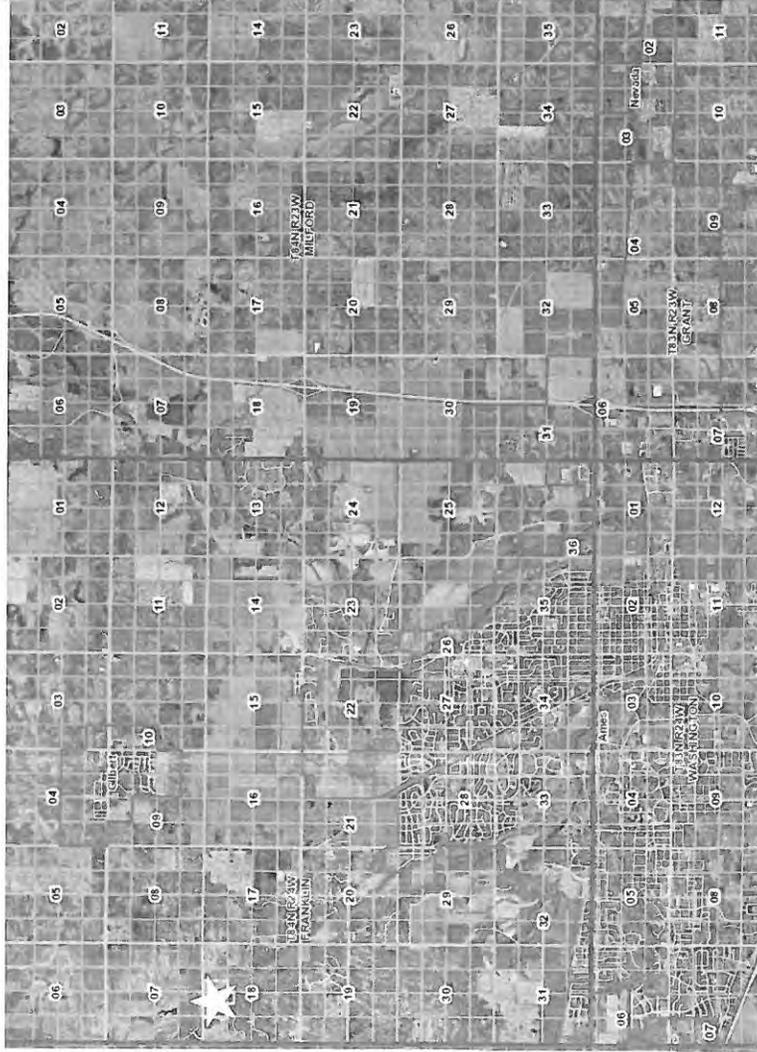
A-1 Agricultural District  
Gilbert Central School District  
Westory Fire Department (Gilbert)  
Story County Sheriff  
Mary Greeley Ambulance  
Midland Power Coop  
Xenia Rural Water  
Squaw Creek - Watershed



Presented by Story County Planning and  
Development

Story County  
Board of Supervisors

# Location



Presented by Story County Planning and  
Development

Story County  
Board of Supervisors

# Subject Property

- To meet the requirements of a Residential Parcel Subdivision, all of the subject property must be zoned A-1 Agricultural.
- Lots created through the Residential Parcel Subdivision process meet exception to the 35-acre minimum lot size requirement
- The dwelling on the subject property was constructed in 1996. It is located approximately 250 feet South of the 180<sup>th</sup> Street right-of-way.





# Land Use

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The subject property contains environmentally sensitive features with Medium Priority and is described as containing “*Large, forested track with closed canopy and deep interior forested areas along streams and adjacent uplands*”. A Forest Reserve Tax Exemption application was filed in 2017 for approximately 44.86 acres which generally encompasses Lot 1

Lot 1 contains a drainage easement of 30 feet in width (either side of the creek), following the meandering of Squaw Creek and runs through Lot 1. Additionally, there is a floodplain covering approximately 38 acres. This lot contains one accessory structure used for farm equipment storage, this use of the structure will continue.

Lot 2 contains a 1996 single family dwelling and a legal nonconforming accessory structure.

# Surrounding Land Use



- The parcel is surrounded by both A-1 and Residential districts.
- 52 parcels within a quarter mile of the subject property, if those parcels.
- Nearby residential parcel subdivisions include Eagle Ridge, Woods, and McCoy

# Recommendation and Board of Supervisors Alternatives

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**Story County Planning & Development Staff recommend the approval of the Malaby Subdivision, a Residential Parcel Subdivision Plat as proposed.**

- 1. The Story County Board of Supervisors approves Resolution #21-04, the Residential Parcel Subdivision Plat – the Malaby Subdivision as put forth in SUB09-20.**
- 2. The Story County Board of Supervisors approves Resolution #21-04, the Residential Parcel Subdivision Plat – the Malaby Subdivision as put forth in SUB09-20 with conditions.**
- 3. The Story County Board of Supervisors denies Resolution #21-04, the Residential Parcel Subdivision Plat – the Malaby Subdivision as put forth in SUB09-20.**
- 4. The Story County Board of Supervisors tables the decision on Resolution #21-04, the Residential Parcel Subdivision Plat – the Malaby Acres Subdivision as put forth in SUB09-20, and directs the applicant to address specific areas for additional information, review and/or modifications, and to work with staff to place the subdivision plat back on a future Board of Supervisor’s agenda.**

# Story County Planning and Development

900 6th Street, Nevada, Iowa 50201  
(515) 382-7245 — pweb@storycounty.iowa.gov

www.storycounty.iowa.gov

Sub 09-26

# SUBDIVISIONS



## 1. Property Owner\*

(Last Name) Shirley M. Malaby as trustee of the Shirley M. Malaby Revocable Trust

(First Name)

(Address) 50542 180th St

(City) Ames

(State) IA

(Zip) 50010

(Phone) 515-233-1827 (Email) ShirleyMalaby@msn.com

## 2. Applicant (if different than owner)

(Last Name)

(First Name)

(Address)

(City)

(State)

(Zip)

(Phone)

(Email)

3. Property Address 50542 180th St

Parcel ID Number(s) 05-18-100-260

## 4. Certification and Signature

I/we certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owners of the property. Pursuant to said authority, I hereby permit County officials to enter upon the property for the purpose of inspection.

\*Acknowledgement of property owner is required and may occur via email or by signature of this application.

Property Owner Signature Shirley Malaby

Date 4-10-20 Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_

## Subdivision

Proposed Name: Malaby Subdivision

Filing Fee/Type (required prior to processing):

Residential Parcel Plat (\$175)

Agricultural Plat (\$175)

Minor Plat (\$275)\*\*

Major Plat—Preliminary (\$275)\*\*

Major Plat— Final (\$175)\*\*

\*\*Conceptual Review required

## Vacation

Type:  Right-of-way  Plat

Submittal Requirements:

Filing Fee (required prior to processing): \$175

Legal description that will be used on all required legal documents (submit as Word document)

Written description of requested items to be vacated

See Chapter 87.10 for the vacation process

Submittal Requirements:

Attend conceptual review meeting

Legal description that will be used on all required legal documents (submit as Word document)

Proposed subdivision plat (submit as PDF)

All required submittal requirements as outlined in Chapter 87 of the Story County Code of Ordinances (87.06(3) for Residential Parcel, 87.07(3) for Agricultural, 87.08(3) for Minor, 87.09(3) for Major-Preliminary and 87.09(5) for Major-Final)

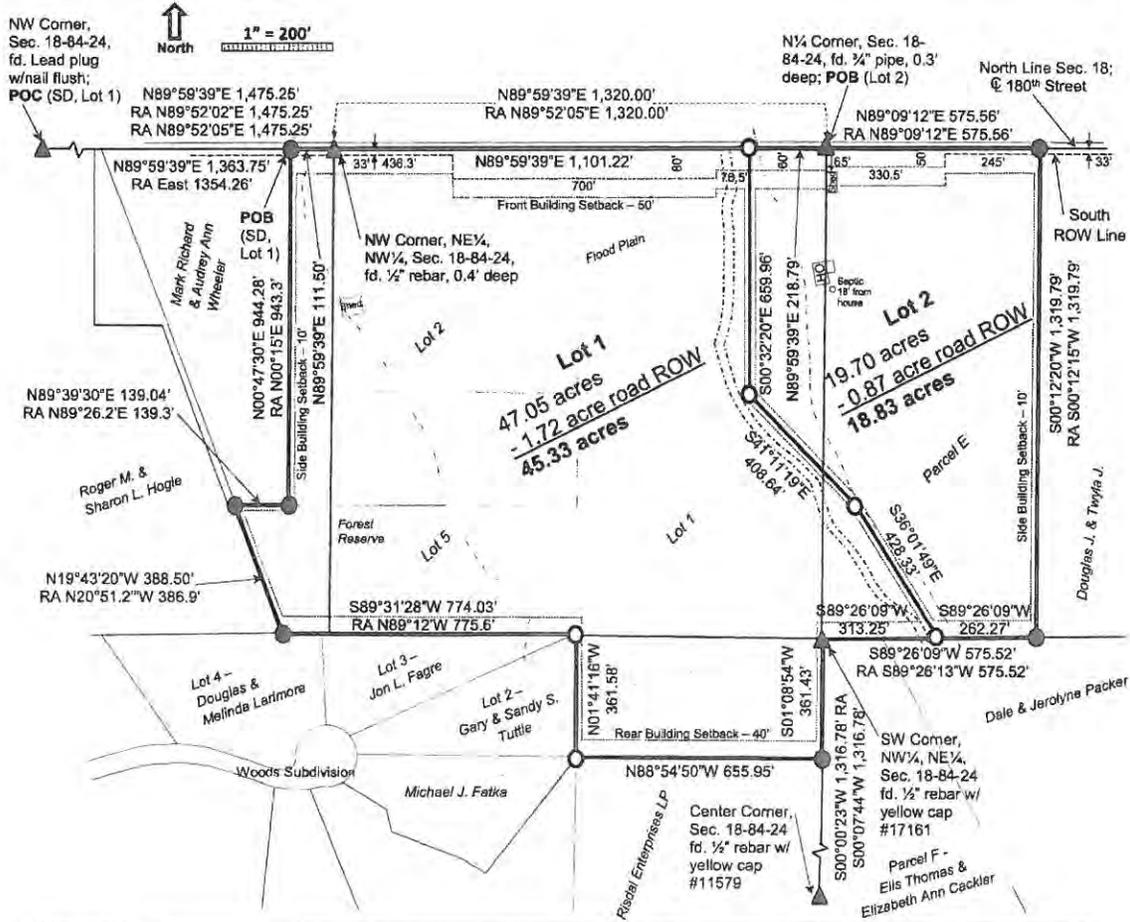
All required documents for subdivision plats as outlined in Iowa Code Chapter 354.11

Receipt No. 570306  
Receipt Amount 175

**FINAL PLAT – MALABY SUBDIVISION**

**LOCATION:** Malaby Subdivision, North ½ Section 18, T84N, R24W of the 5<sup>th</sup> PM, Story County, Iowa  
**PROPRIETOR:** Shirley M. Malaby Revocable Trust  
**REQUESTED BY:** Shirley M. Malaby  
**SURVEYOR:** Marlee Walton, PLS #11590  
 M.J. Walton & Associates, Inc.  
 456 Rookwood Drive; Ames, IA 50010  
 515-232-5768

**FINAL PLAT – MALABY SUBDIVISION**  
**A Residential Parcel Subdivision**



**DISTRICTS:**  
 Ambulance: Mary Greeley  
 Fire: Westory (Gilbert)  
 School: Gilbert CSD  
 Taxing: Franklin Township  
 Zoning: A1 – Agricultural  
 Watershed: Squaw Creek  
 Utilities: Midland Power COOP and Xenia Rural Water  
**E911 ADDRESS:**  
 50542 180<sup>th</sup> Street  
 Ames, Iowa 50014

**NOTES:**

- All new lots shall require an E911 address for inhabited structures, including residences and businesses, telecommunications towers and facilities, and for any public assembly area including open-air, outdoor activities shall be assigned by story County at the request of the property owner.
- Flood plain information was taken from FIRM Map 19169CD130E, dated February 20, 2008.
- Lot 2 is served by rural water and private Septic.
- Xenia Rural Water has a 30-foot limited easement located on the property (Instrument 1996-10109) but does not have a legal description and cannot be shown on the plat

**LEGEND:**

- ▲ Government Corner Found
- ▲ Government Corner Set
- Property Pin Found
- Property Pin Set – 5/8" dia. x 3' rebar w/yellow cap #11590
- RA Recorded As
- Road ROW
- Building Setback
- Flood Plain Limit
- Flood Plain
- Stream Easement



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

*Marlee Walton* 7/1/20  
 Marlee A. Walton, PE, PLS Date

License Number #11590  
 My license renewal date is December 31, 2020

Date of field survey:  
 05/08/20

Project Number:  
 8090

PAGE 1/2

**MALABY SUBDIVISION - LEGAL DESCRIPTION:**

That part of the Northwest Quarter (NW¼) and the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, further described as follows:

Commencing at the Northwest Corner of said Section 18; thence N89°59'39"E 1,363.75 feet along the North line of the NW ¼ of said Section 18 to the Point of Beginning; thence continuing N89°59'39"E 111.50 feet along the North line of the NW ¼ of said Section 18 to the NW Corner of the NE¼ of the NW¼ of said Section 18; thence continuing N89°59'39"E 1,320.00 feet along the North line of the NW ¼ of said Section 18 to the North Quarter Corner of said Section 18; thence N89°09'12"E 575.56 feet along the North line of the NE ¼ of said Section 18; thence S00°12'20"W 1,319.79 feet along the West line of Parcel D; thence S89°26'09"W 575.52 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Parcel F to the Southwest Corner of the NW¼ of the NE¼ of said Section 18; thence S01°08'54"W 361.43 feet along the West line of Parcel F; thence N88°54'50"W 655.95 feet; thence N01°41'16"W 361.58 feet along the East line of Lot 2 of Woods Subdivision; thence S89°31'28"W 774.03 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Lot 3 and Lot 4 of Woods Subdivision; thence N19°43'20"W 388.50 feet; thence N89°39'30"E 139.04 feet; thence N00°47'30"E 944.28 feet back to the Point of Beginning. Said Subdivision contains 66.75 acres of which 2.59 acres are Story County Road Right of Way, netting 64.16 acres.

**NOTE:** The subdivision contains a stream easement which the subdivider provided and dedicated to Story County. The stream easement is located 30 feet on each side of the center of the watercourse and is for the purpose of widening, improving, or protecting the stream, if necessary. The property owners agree to Story County maintenance and upkeep within this stream easement.

**Lot 1 - LEGAL DESCRIPTION:**

That part of the Northwest Quarter (NW¼) and the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, further described as follows:

Commencing at the Northwest Corner of said Section 18; thence N89°59'39"E 1,363.75 feet along the North line of the NW ¼ of said Section 18 to the Point of Beginning; thence continuing N89°59'39"E 111.50 feet along the North line of the NW ¼ of said Section 18 to the Northwest Corner of the NE¼ of the NW¼ of said Section 18; thence continuing N89°59'39"E 1,101.22 feet along the North line of the NW ¼ of said Section 18; thence S00°32'20"E 659.96 feet; thence S41°11'19"E 408.64 feet; thence S36°01'49"E 428.33 feet; thence S89°26'09"W 313.25 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Parcel F to the Southwest Corner of the NW¼ of the NE¼ of said Section 18; thence S01°08'54"W 361.43 feet along the West line of Parcel F; thence N88°54'50"W 655.95 feet; thence N01°41'16"W 361.58 feet along the East line of Lot 2 of Woods Subdivision; thence S89°31'28"W 774.03 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Lot 3 and Lot 4 of Woods Subdivision; thence N19°43'20"W 388.50 feet; thence N89°39'30"E 139.04 feet; thence N00°47'30"E 944.28 feet back to the Point of Beginning. Said Lot contains 47.05 acres of which 1.72 acres is Story County Road Right of Way, netting 45.33 acres.

**NOTE:** Lot 1 contains 37.39 acres of which 1.64 acres is Story County Road Right of Way, netting 35.75 acres in the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, and 4.15 acres of which 0.08 acre is Story County Road Right of Way, netting 4.07 acres in the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, and 5.51 acres in the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa.

**Lot 2 - LEGAL DESCRIPTION:**

That part of the Northwest Quarter (NW¼) and the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, further described as follows:

Beginning at the North Quarter (N¼) of said Section 18; thence N89°09'12"E 575.56 feet along the North line of the NE ¼ of said Section 18; thence thence S00°12'20"W 1,319.79 feet along the West line of Parcel D; thence S89°26'09"W 262.27 feet along the South line of the NW¼ of the NE¼ of said Section 18; thence N36°01'49"W 428.33 feet; thence N41°11'19"W 408.64 feet; thence N00°32'20"W 659.96 feet; thence N89°59'39"E 218.79 feet along the North line of the NE ¼ of said Section 18 back to the Point of Beginning. Said Lot contains 19.70 acres of which 0.87 acre is Story County Road Right of Way, netting 18.83 acres.

**NOTE:** Lot 2 contains 15.87 acres of which 0.57 acre is Story County Road Right of Way, netting 15.30 acres in the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, and 3.83 acres of which 0.30 acre is Story County Road Right of Way, netting 3.53 acres in the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa.

	I hereby certify that this land survey document was prepared and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.	Date of field survey: 05/08/20
	Marlee A. Walton, PE, PLS License Number #11590 My license renewal date is December 31, 2020	Project Number: 8090  PAGE 2/2

## Treasurer's Certificate

State of Iowa, Story County, ss.:

I, Ted Rasmusson, Treasurer of Story County, Iowa, in accordance with section 354.11 of the Code of Iowa, hereby certify that the Real Property described in the attached subdivision plat to be known as:

**Malaby Subdivision, Story County, Iowa,**

A replat of:

Lot One (1), except the North 658.5 feet thereof, and Lot Five (5) in the Subdivision of the Northwest Quarter (NW1/4) of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, and a tract of land described as follows: Beginning at the SW corner of said Lot 1, thence South 361.3 feet, thence N88°06'E along existing fence to the East line of the SE1/4 of the NW1/4, thence Northerly along said East line to the SE corner of said Lot 1, thence Westerly along the South line of said Lot 1 to the point of beginning

AND

Beginning at a point 1,354.26 feet East of the NW Corner of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, on the North line of the NW1/4 of said Sec. 18, thence S0°15'W 943.28 feet, thence S88°38'E 767.4 feet, thence N0°11'W 303.2 feet, thence East 677.8 feet, thence N0°18'E 658.5 feet to the N1/4 Corner of said NW1/4 of said Sec. 18, thence West 1,443.3 feet to the point of beginning,

AND

Parcel "E" of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the Plat of Survey recorded on June 21, 2005, as Inst. No. 05-07130, Slide 243, Page 3

is free from certified taxes and certified special assessments. More particularly, the official records of my office show that all certified taxes and special assessments have been paid in full for the parcels of land presently having the following parcel identification numbers:

05-18-100-260

which, based upon the representations of the Owner identified in the Consent to Platting to which this certificate is attached, are all the lands included in said subdivision plat.

In witness whereof, I have subscribed and sealed this certificate on the date set out hereinafter:

STORY COUNTY TREASURER

Dated the 4<sup>th</sup> day of June, 2020.

By: Ted Rasmusson  
TED RASMUSSON,  
TREASURER

SEAL:



## Attorney's Title Opinion

I, Stacey C. Blink, am an attorney licensed by the Iowa Supreme Court to practice law in the State of Iowa. My principal place of business is located at 323 6th St., Ames, Iowa 50010.

In accordance with section 354.11 of the Code of Iowa and for the limited purpose described therein, I have examined an abstract of title prepared by Abstract and Title Services of Story County for certain Real Property more particularly described in the attached Proprietor Consent to subdivision platting and to be known as:

Lot One (1), except the North 658.5 feet thereof, and Lot Five (5) in the Subdivision of the Northwest Quarter (NW1/4) of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, and a tract of land described as follows: Beginning at the SW corner of said Lot 1, thence South 361.3 feet, thence N88°06'E along existing fence to the East line of the SE1/4 of the NW1/4, thence Northerly along said East line to the SE corner of said Lot 1, thence Westerly along the South line of said Lot 1 to the point of beginning

AND

Beginning at a point 1,354.26 feet East of the NW Corner of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, on the North line of the NWf1/4 of said Sec. 18, thence S0°15'W 943.28 feet, thence S88°38'E 767.4 feet, thence N0°11'W 303.2 feet, thence East 677.8 feet, thence N0°18'E 658.5 feet to the N1/4 Corner of said NWf1/4 of said Sec. 18, thence West 1,443.3 feet to the point of beginning,

AND

Parcel "E" of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the Plat of Survey recorded on June 21, 2005, as Inst. No. 05-07130, Slide 243, Page 3

It is my professional opinion, based on my examination of the abstract of title, subject to the certification and limitations therein stated, that:

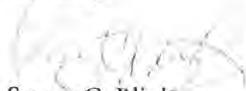
The title in fee simple absolute to said Real Property is vested in:

**The Trustee of The Shirley M. Malaby Revocable Trust dated October 23, 2012<sup>1</sup>**

who is the sole owner and proprietor entitled and required to consent to the subdivision platting, subject to easements, rights-of-way, restrictive covenants of record and applicable governmental regulations.

There are no holders of mortgages, liens, or other encumbrances on said Real Property being platted.

Sincerely,



Stacey C. Blink

Attorney at Law

Iowa Finance Authority/Title Guaranty Division Member No. 10327

<sup>1</sup> The deed literally reads to "The Shirley M. Malaby Revocable Trust dated October 23, 2012" without mention of a trustee. However, "interest in real estate held of record at any time by a trust shall be deemed to be held of record by the trustee of such trust." Iowa Code Section 614.14(6).

## Consent to Subdivision Platting

### Know All Persons:

#### The Owner:

Shirley M. Malaby as the Trustee of the Shirley M. Malaby Revocable Trust dated October 23, 2012,

is the sole, lawful owner and proprietor of certain Real Property located in Story County, Iowa, and legally described as follows:

Lot One (1), except the North 658.5 feet thereof, and Lot Five (5) in the Subdivision of the Northwest Quarter (NW1/4) of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, and a tract of land described as follows: Beginning at the SW corner of said Lot 1, thence South 361.3 feet, thence N88°06'E along existing fence to the East line of the SE1/4 of the NW1/4, thence Northerly along said East line to the SE corner of said Lot 1, thence Westerly along the South line of said Lot 1 to the point of beginning

AND

Beginning at a point 1,354.26 feet East of the NW Corner of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, on the North line of the NW1/4 of said Sec. 18, thence S0°15'W 943.28 feet, thence S88°38'E 767.4 feet, thence N0°11'W 303.2 feet, thence East 677.8 feet, thence N0°18'E 658.5 feet to the N1/4 Corner of said NW1/4 of said Sec. 18, thence West 1,443.3 feet to the point of beginning,

AND

Parcel "E" of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., Story County, Iowa, as shown on the Plat of Survey recorded on June 21, 2005, as Inst. No. 05-07130, Slide 243, Page 3

and also described as:

That part of the Northwest Quarter (NW1/4) and the Northeast Quarter (NE1/4) of Section 18, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County, Iowa, further described as follows:

Commencing at the Northwest Corner of said Section 18; thence N89°59'39"E 1,363.75 feet along the North line of the NW 1/4 of said Section 18 to the Point of Beginning; thence continuing N89°59'39"E 111.50 feet along the North line of the

NW ¼ of said Section 18 to the NW Corner of the NE¼ of the NW¼ of said Section 18; thence continuing N89°59'39"E 1,320.00 feet along the North line of the NW ¼ of said Section 18 to the North Quarter Corner of said Section 18; thence N89°09'12"E 575.56 feet along the North line of the NE ¼ of said Section 18; thence S00°12'20"W 1,319.79 feet along the West line of Parcel D; thence S89°26'09"W 575.52 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Parcel F to the Southwest Corner of the NW¼ of the NE¼ of said Section 18; thence S01°08'54"W 361.43 feet along the West line of Parcel F; thence N88°54'50"W 655.95 feet; thence N01°41'16"W 361.58 feet along the East line of Lot 2 of Woods Subdivision; thence S89°31'28"W 774.03 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Lot 3 and Lot 4 of Woods Subdivision; thence N19°43'20"W 388.50 feet; thence N89°39'30"E 139.04 feet; thence N00°47'30"E 944.28 feet back to the Point of Beginning. Said Subdivision contains 66.75 acres of which 1.52 acres are Story County Road Right of Way, netting 65.23 acres.

The Owner has caused to be filed herewith a subdivision plat for said Real Property together with all instruments required by law attached hereto and by this reference incorporated as if set out fully, all in accordance with the requirements of chapters 354 and 355 of the Code of Iowa and the ordinances of Story County, Iowa, the Owner does hereby consent to the subdivision plat, which shall hereafter be known as:

**Malaby Subdivision, Story County, Iowa.**

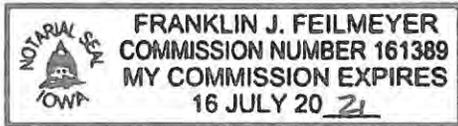
In Witness Whereof the Owner executes this record as follows:

Dated the 8<sup>th</sup> day of June, 2020.

Shirley Malaby  
**SHIRLEY M. MALABY**  
 as the Trustee of the Shirley M. Malaby  
 Revocable Trust dated October 23, 2012

STATE OF IOWA, COUNTY OF STORY, SS.:

This record was acknowledged before me on the 8<sup>th</sup> day of June, 2020, by Shirley M. Malaby as the trustee of the Shirley M. Malaby Revocable Trust dated October 23, 2012.



Franklin J. Feilmeyer  
 NOTARY PUBLIC

## Drainage Easement

**Know All Persons:** Grantor conveys an easement to County upon the following terms and conditions:

- 1 **Definitions.** When used in this Record, unless otherwise required by the context:
  - 1.1 “*Grantor*” means Shirley M. Malaby as Trustee of the Shirley M. Malaby Revocable Trust dated October 23, 2012 of Story County, Iowa.
  - 1.2 “*County*” means Story County, Iowa.
  - 1.3 “*Subdivision*” means a tract of land known or to be known as Malaby Subdivision, Story County, Iowa.
  - 1.4 “*Easement Area*” means the tract of land described as follows:

All that part of Lot 1, Malaby Subdivision, Story County, Iowa, described as:  
A strip of land being 60 feet in width and lying 30 feet on either side of and adjacent to the center line of the waterway now known and described as Squaw Creek as it is presently located and further shown on the final plat of Malaby Subdivision, Story County, Iowa.
  - 1.5 “*Record*” means this instrument as signed by the parties thereto.
- 2 **Circumstances.** Grantor proposes to establish the Subdivision. The Subdivision includes a part of a stream as defined by Code of Ordinances of Story County, Iowa. Pursuant to section 88.05 of the Code of Ordinances of Story County, Iowa, Grantor is required to provide and to dedicate to the County an easement along each side of the stream, which easement shall be for the purpose of widening, improving or protecting the streams, if necessary.
- 3 **Easement Created.** Within the Easement Area, the County shall have the perpetual right to keep, use, and maintain for surface water drainage, together with the perpetual right of ingress and egress between said Easement Area and adjacent public rights-of-way.
- 4 **Obstructions Prohibited.** The Grantor and the Grantors’ successors and assigns, shall not erect or place within the Easement Area any building or other structure or improvement or any trees, shrubs, or other landscape plantings other than grass or comparable ground cover, except with the prior written consent of County. County shall have the right to trim or remove trees and shrubs within the Easement Area.
- 5 **Title Warranty.** Grantor warrants to County that Grantor holds the Easement Area by title in fee simple; that Grantor has good and lawful authority to grant the easement rights herein provided for; and that any prior liens or encumbrances on the Easement Area will either be released

forthwith or will be subordinated to the easement rights granted herein by a duly executed and recorded subordination agreement.

- 6 **Nonexclusive Easement.** The easement rights granted under this Record to County are nonexclusive. This Record shall not preclude Grantor from granting easement rights to third parties upon terms and conditions that do not impair or diminish the rights granted under this Record to County.
- 7 **Entire Agreement.** This instrument constitutes the entire agreement between the parties with respect to the subject matter thereof and supersedes all prior statements, representations, promises and agreements, oral or written. No addition to or change in the terms of this Record shall be binding upon the parties unless it is expressed in a writing signed by the parties.
- 8 **Successors Bound.** This Record shall be binding upon and inure to the benefit of the respective successors and assigns of all parties executing this Record.
- 9 **Interpretation.** Words and phrases used in this Record shall be construed as in the single or plural number, and as masculine, feminine or neuter gender, according to the context. This Record shall be governed exclusively by and construed in accordance with the laws of the State of Iowa. The paragraph headings in this Record are for convenience only and in no way define or limit the scope or intent of any provisions of this Record. This Record may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same instrument.

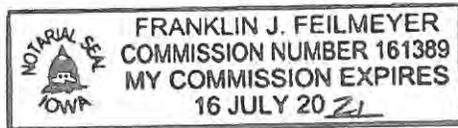
In Witness of This Record Grantor has executed this Record as follows:

Dated the 8<sup>th</sup> day of June, 2020

Shirley M. Malaby  
 Shirley M. Malaby as Trustee of the  
 SHIRLEY M. MALABY REVOCABLE  
 TRUST dated October 23, 2012, Owner and  
 Proprietor

STATE OF IOWA, COUNTY OF STORY, SS.:

This record was acknowledged before me on the 8<sup>th</sup> day of June, 2020, by Shirley M. Malaby as trustee of the Shirley M. Malaby Revocable Trust dated October 23, 2012.



Franklin J. Feilmeyer  
 NOTARY PUBLIC

City of Gilbert, Iowa  
Resolution No. 2020-07-02

*Approving final plat of Malaby Subdivision*

**BE IT RESOLVED** by the City Council of Gilbert, Iowa:

1 The City Council has authority, as described in article III, section 38A of the Constitution of the State of Iowa and in chapters 354 and 355 of the Code of Iowa (2020) and under the ordinances of the City of Gilbert, to review and approve subdivision plats of lands lying within the corporate limits of the city and within two miles thereof.

2 The Owner—

Shirley M. Malaby as the Trustee of the Shirley M. Malaby Revocable Trust dated October 23, 2012

has executed a Consent to Platting for a subdivision to be known as:

Malaby Subdivision, Story County, Iowa,

and said Owner has requested that the city council review and approve the subdivision plat as required by law.

3 The City Council finds that said subdivision plat is located in rural Story County and that, while the City has statutory authority over the subdivision, the City does hereby defer to Story County as the governing body with primary jurisdiction over the subdivision and does hereby waive application of the City's subdivision ordinances.

4 The City Council accepts and approves the subdivision plat to be known as:

Malaby Subdivision, Story County, Iowa,

which is a replat of:

Lot One (1), except the North 658.5 feet thereof, and Lot Five (5) in the Subdivision of the Northwest Quarter (NW1/4) of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5th P.M., Story County, Iowa, and a tract of land described as follows: Beginning at the SW corner of said Lot 1, thence South 361.3 feet, thence N88°06'E along existing fence to the East line of the SE1/4 of the NW1/4, thence Northerly along said East line to the SE corner of said Lot 1, thence Westerly along the South line of said Lot 1 to the point of beginning

AND

Beginning at a point 1,354.26 feet East of the NW Corner of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5th P.M., Story County, Iowa, on the North line of the NW1/4 of said Sec. 18, thence S0°15'W 943.28 feet, thence S88°38'E 767.4 feet, thence N0°11'W 303.2 feet, thence East 677.8 feet, thence N0°18'E 658.5 feet to the N1/4 Corner of said NW1/4 of said Sec. 18, thence West 1,443.3 feet to the point of beginning,

AND

Parcel "E" of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section Eighteen (18), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5th P.M., Story County, Iowa, as shown on the Plat of Survey recorded on June 21, 2005, as Inst. No. 05-07130, Slide 243, Page 3

and also described as:

That part of the Northwest Quarter (NW1/4) and the Northeast Quarter (NE1/4) of Section 18, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, further described as follows:

Commencing at the Northwest Corner of said Section 18; thence N89°59'39"E 1,363.75 feet along the North line of the NW ¼ of said Section 18 to the Point of Beginning; thence continuing N89°59'39"E 111.50 feet along the North line of the NW ¼ of said Section 18 to the NW Corner of the NE¼ of the NW¼ of said Section 18; thence continuing N89°59'39"E 1,320.00 feet along the North line of the NW ¼ of said Section 18 to the North Quarter Corner of said Section 18; thence N89°09'12"E 575.56 feet along the North line of the NE ¼ of said Section 18; thence S00°12'20"W 1,319.79 feet along the West line of Parcel D; thence S89°26'09"W 575.52 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Parcel F to the Southwest Corner of the NW¼ of the NE¼ of said Section 18; thence S01°08'54"W 361.43 feet along the West line of Parcel F; thence N88°54'50"W 655.95 feet; thence N01°41'16"W 361.58 feet along the East line of Lot 2 of Woods Subdivision; thence S89°31'28"W 774.03 feet along the South line of the NW¼ of the NE¼ of said Section 18 and the North line of Lot 3 and Lot 4 of Woods Subdivision; thence N19°43'20"W 388.50 feet; thence N89°39'30"E 139.04 feet; thence N00°47'30"E 944.28 feet back to the Point of Beginning. Said Subdivision contains 66.75 acres of which 1.52 acres are Story County Road Right of Way, netting 65.23 acres.

- 5 The Clerk is authorized and directed to certify and affix to said plat a true copy of this resolution in accordance with sections 354.8 and 354.11 of the Code of Iowa.
- 6 The City Council finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of the City of Gilbert and its citizens, all as provided for in and permitted by section 364.1 of the Code of Iowa (2020).
- 7 All other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of the City Council as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law.

APPROVAL OF RESOLUTION: In accordance with Iowa Code section 380.5, the undersigned approves the foregoing as enacted on the 6<sup>th</sup> day of July, 2020, by the City Council.

In Witness Whereof,  
I affix my signature on this  
6<sup>th</sup> day of July, 2020:

  
JONATHAN POPP, Mayor

Attested and Sealed:  
with the seal of the City of Gilbert, Iowa on the  
date aforesaid  
Affix Seal Here:

by:   
SONIA ARELLANO DODD, City Clerk

**Record of Council Proceedings for Resolution No. 2020-07-02**

The City Council of Gilbert, Iowa, met in regular session in the council chambers, City Hall, Gilbert, Iowa, at 6:00 P.M., on the 6<sup>th</sup> day of July, 2020, with the Mayor presiding and the following Council Members present and absent:

Present: Anderson, Gallahan, Miller, Rydl  
Absent: Derkins

The adoption of the resolution was moved and seconded, and upon the question of approval voted upon as follows:

Moved: Gallahan  
Seconded Anderson  
Yes: Anderson, Gallahan, Miller, Rydl  
No: - Absent/Abstain: Derkins

The presiding officer declared the resolution adopted.

\* \* \* \* \*

*Note: The Clerk's Certificate is used to authenticate a duplicate of the original. The Clerk should not sign the certificate on the original document. The Clerk should keep the original document and record of proceedings on file in the City's permanent records at all times. The Clerk should complete the following on the duplicate when necessary to provide a "certified copy" of the original.*

**Clerk's Certificate**

I, the undersigned, the duly appointed, qualified, and acting City Clerk of the City of Gilbert, Iowa, do hereby certify: that I have custody of the records of the City of Gilbert; that the foregoing Resolution No. 2020-07-02 is a true and exact copy of said resolution as filed and recorded in my office; that said resolution was duly passed by the City Council, and approved as shown by the attached *Record of Action*.

In Witness Whereof, I have affixed my signature and the seal of the City of Gilbert, Iowa on this 6<sup>th</sup> day of July, 2020:

Attest Seal Here

J. Ann D. [Signature], City Clerk

## Marcus T. Amman

---

**From:** Emily Rizvic  
**Sent:** Wednesday, July 8, 2020 3:25 PM  
**To:** Marcus T. Amman  
**Subject:** FW: Ability to Service Proposed Lot for a Residential Parcel Subdivision Request

Emily Rizvic  
Story County  
900 6th Street  
Nevada, IA, 50201  
515.382.7245  
[erizvic@storycountyiowa.gov](mailto:erizvic@storycountyiowa.gov)

**From:** Roger Olsen <[rolsen@xeniawater.org](mailto:rolsen@xeniawater.org)>  
**Sent:** Wednesday, July 8, 2020 3:24 PM  
**To:** Emily Rizvic <[ERizvic@storycountyiowa.gov](mailto:ERizvic@storycountyiowa.gov)>  
**Subject:** FW: Ability to Service Proposed Lot for a Residential Parcel Subdivision Request

[External Sender - Please Use Caution]

Emily,

I meant him to answer you directly – sorry for the delay.

Roger

**From:** Laird VanDee <[lvandee@xeniawater.org](mailto:lvandee@xeniawater.org)>  
**Sent:** Wednesday, July 8, 2020 3:09 PM  
**To:** Roger Olsen <[rolsen@xeniawater.org](mailto:rolsen@xeniawater.org)>  
**Subject:** RE: Ability to Service Proposed Lot for a Residential Parcel Subdivision Request

Yes one domestic service @ 73-111 psi

**From:** Roger Olsen <[rolsen@xeniawater.org](mailto:rolsen@xeniawater.org)>  
**Sent:** Wednesday, July 8, 2020 1:41 PM  
**To:** Laird VanDee <[lvandee@xeniawater.org](mailto:lvandee@xeniawater.org)>  
**Subject:** FW: Ability to Service Proposed Lot for a Residential Parcel Subdivision Request

**From:** Emily Rizvic <[ERizvic@storycountyiowa.gov](mailto:ERizvic@storycountyiowa.gov)>  
**Sent:** Wednesday, July 8, 2020 1:08 PM  
**To:** Roger Olsen <[rolsen@xeniawater.org](mailto:rolsen@xeniawater.org)>  
**Cc:** Marcus T. Amman <[MAmman@storycountyiowa.gov](mailto:MAmman@storycountyiowa.gov)>  
**Subject:** Ability to Service Proposed Lot for a Residential Parcel Subdivision Request

Hi Roger,

We are currently working on a residential parcel subdivision request for the Malaby Subdivision located in the Franklin township 18-84-24 NE NW (PIN: 05-18-100-260). I have attached an image with the proposed area for Lot 1. Would Xenia be able to service this lot?

Thank you,  
Emily

Emily Rizvic  
Planning Intern | Planning and Development  
Story County  
900 6th Street  
Nevada, IA, 50201  
515.382.7245  
[erizvic@storycountyiowa.gov](mailto:erizvic@storycountyiowa.gov)

## Marcus T. Amman

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**From:** Todd Leemkuil <tleemkuil@midlandpower.coop>  
**Sent:** Thursday, July 9, 2020 8:17 AM  
**To:** Marcus T. Amman  
**Subject:** RE: Malaby Subdivision power question

[External Sender - Please Use Caution]

Good Morning, Story County section 18 of Franklin township is in Midland Power Cooperative service area. Thanks Todd

**From:** Marcus T. Amman <MAmman@storycountyiowa.gov>  
**Sent:** Thursday, July 9, 2020 8:11 AM  
**To:** Todd Leemkuil <tleemkuil@midlandpower.coop>  
**Subject:** Malaby Subdivision power question

Todd,

Please respond regarding Midland's ability to service the western side of the property located at 50542 180<sup>th</sup> st Ames, IA 50014.

Best,



**Marcus Amman**

*Planner*

Planning and Development

Story County

900 6<sup>th</sup> Street | Nevada, Iowa 50201-2087

Phone: (515) 382-7249 | [MAmman@storycountyiowa.gov](mailto:MAmman@storycountyiowa.gov)



**Secondary Road Department**  
Darren R. Moon, P.E. County Engineer

**Road Department**  
**Quarterly Board Report**  
7-14-2020

**Maintenance Work Update:**

The Engineer's Office is still closed to the public but we have staff answering phones, completing online business, and scheduling in-person meetings in the field. Contract rock hauling was completed in May on the western half the county. The gravel roads were in far better condition this spring than last spring but we did have an unusually high number of erosion holes in gravel roads that showed up at culverts and bridges that required repairs. All shoulders of our paved roads have been mowed once and we have started mowing the gravel roadways. We have crack sealing and slurry leveling work starting this week on various pavements in the county. This work will require the closure of one lane at a time with the use of a pilot car.

**Construction Project Updates:**

Nine projects this year:

	<u>Cost</u>	<u>Status</u>
Hickory Grove Lake Asphalt Overlay	\$ 845,000	Let
Lincoln 20 Box Culvert	\$ 146,000	Let
Lincoln 1 Bridge	\$ 360,000 - FM	Done
Union 17 Bridge	\$ 578,425 - SWAP	Let
Indian Creek 21 Pipe Culvert	\$ 59,000	Let
535 <sup>th</sup> Ave. Paving (for H.O.I. bike trail)	\$ 146,100	Let
560 <sup>th</sup> Ave. Paving (Huxley)	\$ 1,000,000 - Bonding	Started
Timberland Drive (Story City)	\$ 200,000 - Bonding	July Let- City
Collins 26 Bridge	\$ 76,100 - Bonding	Let

**Construction Project Design:**

- 220<sup>th</sup> St. (13<sup>th</sup> St.) paving, r.o.w. negotiations were put on hold last winter. This will delay the project a year and we will have further discussion with board before proceeding with negotiations.
- 560<sup>th</sup> Ave. paving: City of Huxley has hired a consultant to design the paving plans and let the project. Project was let and construction started last week. Total cost \$2,368,511.
- Timberland Drive paving near Story City is planned to be let by Story City on July 15<sup>th</sup>. Construction could be this fall or next spring. We will be working to inform landowners to the north of the project about the timing of the construction as this is the only access for them. Current plan is to keep one lane of traffic open at all times.

**Jasper County Line Bridge Closure:**

A bridge in Collins 35 on the Story/Jasper County line was closed by Jasper County after a recent bridge inspection. Jasper County has not wanted to permanently close this bridge in the past but they may be willing to consider it now since the bridge needs major repairs. The bridge is currently temporarily closed due to safety issues but if Jasper County is willing to consider permanent closure, this will be brought back to the board for consideration at a future date.

**Road Use Tax Issues:**

Due to the Covid-19 pandemic, fewer people are driving which is resulting in fewer gallons of gasoline being purchased. Some estimates have shown a 40% drop in recent vehicle travel. This could have a severe impact on our budget as the majority of our funding comes from the Road Use Tax Fund. Our FY20 RUT funds came in \$351,000 over our estimate revenue so this additional funding should help make up for some of the anticipated shortfall in FY21. Current estimates predict at least a 10% to 15% reduction in RUT for FY21.

**DOT Construction Issues:**

The DOT is currently working on pavement reconstruction on Hwy 30 through Nevada. There will be times when left turns will be restricted which will push additional traffic on to county roads. This could result in heavier traffic on some gravel roads south of Nevada (Maple Ave., South S Ave., 19<sup>th</sup> St., and 250<sup>th</sup> Ave.). The DOT did supply some dust control in certain affected areas. The next phase of the project will completely close S14 southbound which will increase traffic on these gravel roadways.

**Engine Brake Ordinance Request:**

We have received a request from a group of homeowners on Riverside Road to ban the use of engine brakes (jake brakes) due to the noise that they produce. This stretch of Riverside Road gets a high volume of truck traffic from the Martin Marietta mine. The engine brakes are used by the trucks to slow down as they travel down the hill near the Skunk River Bridge. I plan to put this item on a future board agenda for discussion where we can get input from the public and the Sheriff's Office as they would be responsible for the enforcement of an ordinance. Enforcement of this type of ordinance can be problematic.

**Radios:**

Our new radios have been installed by Racom and we have turned our leased radios back in to Electronic Engineering.

**Dust Control:**

The second application of dust control on our gravel roads is scheduled for the week of July 20<sup>th</sup>, 2020.

**Job Opening:**

We currently have an Equipment Operator I position open. Application deadline is today, July 14th.

**Story County FY20 Quarterly Report  
June 30, 2020**

Expenditures:	Original		Apr-May-June Total	YTD Total	Percent of Budget	Amount Remaining
	Annual Budget	Amended				
Board of Supervisors	\$1,027,349.00	\$1,042,649.00	\$279,004.19	\$1,011,675.80	97.03%	\$30,973.20
Auditor	\$1,312,975.00	\$1,361,000.00	\$295,129.60	\$1,290,843.93	94.85%	\$70,156.07
Treasurer	\$883,240.00	\$882,240.00	\$234,877.16	\$867,676.32	98.35%	\$14,563.68
County Attorney	\$2,671,612.00	\$2,770,112.00	\$706,289.99	\$2,720,819.83	98.22%	\$49,292.17
Sheriff	\$9,350,249.00	\$9,551,449.00	\$2,732,126.27	\$9,471,869.69	99.17%	\$79,579.31
Recorder	\$440,608.00	\$459,608.00	\$130,176.39	\$452,440.98	98.44%	\$7,167.02
Animal Control	\$486,794.00	\$618,474.00	\$165,422.88	\$566,434.05	91.59%	\$52,039.95
General Betterment (40% L.O.S.T.)	\$1,002,225.00	\$1,015,658.00	\$350,794.59	\$999,782.62	98.44%	\$15,875.38
Engineer	\$8,907,925.00	\$10,904,925.00	\$2,704,593.96	\$7,145,847.39	65.53%	\$3,759,077.61
Veteran Affairs	\$116,104.00	\$119,604.00	\$36,614.12	\$115,435.22	96.51%	\$4,168.78
Conservation Board	\$3,393,826.00	\$5,304,584.00	\$1,041,274.95	\$4,878,458.73	91.97%	\$426,125.27
Environmental Health	\$327,824.00	\$340,524.00	\$86,831.43	\$322,848.77	94.81%	\$17,675.23
IRVM	\$371,515.00	\$371,625.00	\$115,859.80	\$315,976.32	85.03%	\$55,648.68
Community Services	\$395,284.00	\$333,234.00	\$76,372.20	\$313,802.66	94.17%	\$19,431.34
Community Life	\$55,750.00		\$17,393.61	\$45,201.66	81.08%	\$10,548.34
Human Services Center	\$403,275.00	\$420,425.00	\$107,246.71	\$400,284.85	95.21%	\$20,140.15
Facilities Management	\$803,000.00	\$862,150.00	\$226,922.60	\$841,618.98	97.62%	\$20,531.02
Information Technology	\$1,184,980.00	\$1,193,730.00	\$301,308.94	\$1,034,209.79	86.64%	\$159,520.21
Planning & Development	\$293,180.00	\$318,855.00	\$84,242.83	\$315,361.32	98.90%	\$3,493.68
Justice Center Facilities	\$1,126,650.00	\$1,137,850.00	\$207,863.73	\$826,609.19	72.65%	\$311,240.81
DHS	\$66,500.00		\$8,571.83	\$38,225.19	57.48%	\$28,274.81
Mental Health	\$1,921,124.00	\$2,942,724.00	\$2,622,195.73	\$2,937,298.45	99.82%	\$5,425.55
Juvenile Court Services	\$100,050.00		\$8,098.68	\$48,324.93	48.30%	\$51,725.07
Countywide Services	\$6,907,448.00	\$13,499,019.00	\$6,245,858.79	\$9,654,654.54	71.52%	\$3,844,364.46
<b>Total Expenditures:</b>	<b>\$43,549,487.00</b>	<b>\$55,672,739.00</b>	<b>\$18,785,070.98</b>	<b>\$46,615,701.21</b>	<b>83.73%</b>	<b>\$9,057,037.79</b>
<b>Fund Balance Status:</b>		<b>Restricted-Story Comm</b>	<b>Committed</b>	<b>Assigned</b>	<b>% of exp YTD</b>	<b>EFB %</b>
General Basic Fund	\$12,758,940.95	\$1,791,219.00	\$1,066,793.36	\$2,328,029	87.65%	35.98%
General Supplemental Fund	\$1,529,586.00			\$200,000	97.24%	25.63%
County Services MHDS Fund	\$208,683.95				99.62%	7.10%
Rural Services Fund	\$982,724.75			\$120,305	98.35%	20.21%
TIF Fund	\$10,473.31				99.99%	
Secondary Roads Fund	\$5,038,826.97				71.90%	70.75%

**Story County FY20 Quarterly Report  
June 30, 2020**

<b>Departmental Revenues:</b>	<b>Annual Budget</b>	<b>Amended</b>	<b>YTD Total</b>	<b>Percent of Budget</b>	<b>Amount Remaining</b>
Auditor	\$79,100.00	\$133,745.00	\$122,299.64	91.44%	\$11,445.36
Treasurer	\$1,040,950.00	\$1,325,950.00	\$1,341,741.38	101.19%	-\$15,791.38
County Attorney	\$288,996.00	\$302,396.00	\$292,198.69	96.63%	\$10,197.31
Sheriff	\$1,256,130.00	\$1,231,794.00	\$1,200,307.80	97.44%	\$31,486.20
Recorder	\$559,335.00		\$551,002.29	98.51%	\$8,332.71
Animal Control	\$40,500.00	\$87,000.00	\$82,958.59	95.35%	\$4,041.41
Engineer	\$7,397,560.00	\$10,558,960.00	\$10,563,908.66	100.05%	-\$4,948.66
Veteran Affairs	\$10,100.00		\$10,155.40	100.55%	-\$55.40
Conservation Board	\$1,163,470.00	\$1,500,660.00	\$1,034,098.76	68.91%	\$466,561.24
Environmental Health	\$71,412.00		\$70,057.89	98.10%	\$1,354.11
IRVM	\$64,070.00	\$34,473.00	\$34,886.47	101.20%	-\$413.47
Community Services	\$1,900.00	\$100.00	\$1.25	1.25%	\$98.75
Community Life	\$135,690.00	\$155,690.00	\$149,167.80	95.81%	-\$13,477.80
Facilities Management	\$1,700.00		\$4,407.86	259.29%	-\$2,707.86
Information Technology	\$9,600.00	\$9,800.00	\$9,850.00	100.51%	-\$50.00
Planning & Development	\$43,840.00	\$191,840.00	\$187,919.21	97.96%	\$3,920.79
DHS	\$185,600.00	\$191,600.00	\$190,639.05	99.50%	\$960.95
Mental Health	\$0.00		\$29.43		-\$29.43
Juvenile Court Services	\$0.00		\$0.00		\$0.00
Countwide Services	\$33,606,848.00	\$37,478,693.00	\$36,951,216.51	98.59%	\$527,476.49
<b>Total Revenues:</b>	<b>\$45,956,801.00</b>	<b>53,845,248.00</b>	<b>\$52,796,846.68</b>	<b>98.05%</b>	<b>\$1,028,401.32</b>