

The Board of Supervisors met on 3/28/23 at 10:00 a.m. in the Story County Administration Building. Latifah Faisal, Linda Murken, and Lisa Heddens present, with Faisal presiding. (all audio of meetings available at storycountyia.gov).

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

BID OPENING FOR THE STORY COUNTY HUMAN SERVICES CENTER HVAC EQUIPMENT REPLACEMENT

REBID: Joby Brogden, Facilities Management Director, and Jeff Harris, RMH Architects, opened a bid as follows: 1) HPC, LLC Ames, Iowa, bid bond included, total bid of \$762,000.00 with duration of 52 weeks, alternative #1 deduct \$125,000.00, review of sub-contractors. Brogden will review and return to the Board with a recommendation.

PROCLAMATION RECOGNIZING APRIL 2023 AS NATIONAL COUNTY GOVERNMENT MONTH IN STORY COUNTY: The Board members read the proclamation in full. Heddens moved Murken seconded the approval of the Proclamation in Recognition April 2023 as National County Government Month in Story County. Roll call vote. (MCU)

MINUTES: 3/21/23 Minutes – Murken moved, Heddens seconded the approval of 3/21/23 Minutes as presented. Roll call vote. (MCU)

PERSONNEL ACTIONS: 1) new hire, effective 4/3/23, in a) Sheriff's Office for Deanna Sydnes @ \$1,927.80/bw; Robin Tyler for 1,927.80/bw. Heddens moved, Murken seconded approving Personnel Actions as listed. Roll call vote. (MCU)

CLAIMS: 3/30/23 Claims of \$1,137,029.37 (run date 3/24/23, 24 pages, on file in the Auditor's Office) and authorize the Auditor to issue checks in payments of these claims and payment requests from CIDTF (\$270.19), BooSt School Ready (\$25,031.51), BooSt Early Childhood (\$12,109.95), Emergency Management (\$3,856.34), E911 (\$738.56), County Assessor (\$676.83), City Assessor (\$56,736.02), Central Iowa Community Services (\$2,855,136.71). Murken moved, Heddens seconded approving claims as presented. Roll call vote. (MCU)

Heddens moved, Murken seconded the approval of Consent Agenda as listed.

1. Acknowledgement of approval of the signature of the Board in signing the participation in the new national opioid settlements with Teva Pharmaceutical Industries Ltd.; Allergan Finance, LLC; CVS Health Corporation and CVS Pharmacy, Inc.; Walgreens Co.; and Walmart, Inc.
2. Resolution #23-81, Local Government Settlement Agreements with opioid defendants listed in Consent Agenda Item #1
3. Renewal Contract between Tyler Technologies and Story County Veterans Affairs, effective 5/1/23-4/30/24, for \$902.02

Roll call vote. (MCU)

LETTER OF SUPPORT, BOONE COUNTY BROADBAND APPLICATION: Murken reported on background information and the support from adjacent townships. Heddens moved, Murken seconded the Letter of Support, Boone County Broadband Application. Roll call vote. (MCU).

FIVE-YEAR SECONDARY ROAD CONSTRUCTION PROGRAM NEEDS: Darren Moon, Engineer, reported on process, increased cost estimates, and went over changes from the recent work session. Murken moved, Heddens seconded approval of the Five-Year Secondary Road Construction Program Needs. Roll call vote. (MCU).

FY24 IOWA DEPARTMENT OF TRANSPORTATION (IDOT) SECONDARY ROADS BUDGET: Darren Moon, Engineer, reported on purchases, increase in materials cost, and carry-over balances between fiscal years. Discussion took place. Moon reviewed projects and prices of budgeted items, and upcoming steps. Moon stated the Board can approve the IDOT budget as is. Additional discussion took place. Heddens moved, Murken seconded the approval of the FY24 IDOT Secondary Roads Budget. Roll call vote. (MCU) Moon asked about 13th Street options. The Board directed Moon to discuss with the Story County Attorney's Office.

PURCHASE ORDER FOR TOKU EXCAVATOR BREAKER AND COMPACTOR FROM LOGAN CONTRACTORS SUPPLY, INC. FOR \$12,890.00 (FY24): Darren Moon, Engineer, reported this purchase is budgeted in FY24, however, it is necessary to order the item now due to long lead time. Heddens moved, Murken seconded the approval of Purchase Order for Toku Excavator Breaker and Compactor from Logan Contractors Supply, Inc for \$12,890.00 (FY24). Roll call vote. (MCU)

REQUEST FROM THE BOYS AND GIRLS CLUB OF STORY COUNTY TO AMEND THE APPLICATION

APPROVED FOR USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDING: Ryan Santi, Director, reported on background information, and change in funding need. Murken moved, Heddens seconded the approval of the Request from the Boys and Girls Club of Story County to amend the application Approved for use of ARPA Funding to include use for fiber at its Nevada location. Roll call vote. (MCU).

RESOLUTION #23-74, HIDDEN CREEK FARM PLAT 1 MINOR SUBDIVISION: Marcus Amman, County Planner, Planning and Development reported on ownership and proposed subdivision. He reported on relevant rules and processes, and provided options for the Board to consider. Staff recommends approval with conditions. Jon Popp, Mayor, City of Gilbert, spoke against the proposed subdivision. Robert Burant, Ames, stated his opposition. John Gace, representing the property owner, provided additional detail on the process. Discussion took place. Amman reported all compliance has been met; this is a division of land. Murken moved, Heddens seconded the approval of Resolution #23-74, Hidden Creek Farm Plant 1 Minor Subdivision with conditions as itemized in Alternative 2.

A LETTER RESPONDING TO THE CITY OF AMES'S PROPOSED CHANGES TO THE DRAFT AMES URBAN FRINGE PLAN AND RESOLUTION #23-82 EXTENDING THE AMES URBAN FRINGE PLAN 28E AGREEMENT TO 6/30/23: Amelia Schoeneman, Planning and Development Director, reported on the discussion between signatories, options to consider, and requests by the County for certain alternatives. The plan presented helps achieve the Board's stated goals while offering certain compromises to the cities of Ames and Gilbert. She further stated the proposed resolution will extend the current plan to 6/30/23, allowing time for finalization of the proposed plan. Discussion took place. Jon Popp, Mayor of Gilbert, reviewed site maps for the Gilbert City Council decision. Kim Christiansen, Washington Township, asked for protection of farm services. Liesel Danielson, Ames, stated opposition for the designation of the Champlin site; the City of Ames will destroy it. Christine Hausner, Ames, is against the urban reserve overlay proposed. Rosie Grant, Ames, spoke about the proposed options to protect agricultural land. Phil Iasevoli, Washington Township, spoke in favor of dissolving the plan. Schoeneman reported on alternatives for the Ada Hayden

protection area, and the area between the cities of Ames and Gilbert. Discussion took place. Popp reported on planning. Schoeneman provided history on past discussions from past Boards. Murken stated the Board will consider a series of motions. Murken moved, Heddens seconded the approval of Urban Reserve as Alternative B. Roll call vote. (MCU) Heddens moved, Faisal seconded the urban growth and urban reserve overlay southwest of Ames as Alternative A. Discussion took place. Roll call vote. (MCU) Murken moved, Heddens seconded the approval of general policies second bullet point for alternative language that the City of Ames will not pursue annexation of any area designated as Urban Reserve until all infill, development and rezoning potential have been exhausted within 2023 city limits and the areas identified as Urban Growth in this plan. Roll call vote. (MCU) Murken moved, Heddens seconded the first bullet point be included. Roll call vote. (MCU) Heddens moved, Murken seconded the approval of Resolution #23-82, Extending the Ames Urban Fringe Plan 28E Agreement to 6/30/23. Roll call vote. (MCU)

LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS: All Board members reported on several items.

Heddens moved, Murken seconded to adjourn at 11:50 a.m. Roll call vote. (MCU)

Story County Board of Supervisors
Meeting Agenda
Administration Building
900 6th St.,
Nevada, IA
3/28/23

1. SPECIAL NOTE TO THE PUBLIC: This Meeting Is Also Being Offered Via Zoom. While Joining Via Zoom, If You Have A Question And/Or Comment, You May Raise Your Hand To Speak During Public Forum Or Use The Chat Feature And The Chair Will Ask The Zoom Moderator To Review All Comments During Public Forum.

Members of the public can participate by using the information below:

To join the zoom meeting by computer, tablet, smartphone:

Join from a PC, Mac, iPad, iPhone or Android device:

Please click the link below to join the webinar:

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[PWD=NFDNVVPRZHPJB0HMEWW5VFDTVVRTZZ09](https://us02web.zoom.us/j/81909605844?pwd=NFDNVVPRZHPJB0HMEWW5VFDTVVRTZZ09)

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US: +13017158592,,81909605844#,,,,*117434# or
+13052241968,,81909605844#,,,,*117434#

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Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312
626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 253 205 0468 or +1
253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or
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2. CALL TO ORDER: 10:00 A.M.
3. PLEDGE OF ALLEGIANCE:
4. ADOPTION OF AGENDA:

5. PUBLIC COMMENT #1:

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

6. Bid Opening For The Story County Human Services Center HVAC Equipment Replacement
Rebid - Joby Brogden

Department Submitting Facilities Management

7. Consideration Of Proclamation Recognizing April 2023 As National County Government
Month In Story County

Department Submitting Board of Supervisors

Documents:

COUNTY GOVERNMENT MONTH PROCLAMATION.PDF

8. AGENCY REPORTS:

9. CONSIDERATION OF MINUTES:

I. 3/21/23 Minutes

Department Submitting Auditor

10. CONSIDERATION OF PERSONNEL ACTIONS:

I. Action Forms

1) new hire, effective 4/3/23, in a) Sheriff's Office for Deanna Sydnes @ \$1,927.80/bw;
Robin Tyler for 1,927.80/bw

Department Submitting HR

11. CONSIDERATION OF CLAIMS:

I. 3/30/23 Claims

Department Submitting Auditor

Documents:

CLAIMS 033023.PDF

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. Acknowledgement Of Approval Of The Signature Of The Board Of Supervisor, In Signing For The Participation In The New National Opioid Settlements With Teva, Allergan, CVS, Walgreens And Walmart

Department Submitting BOS

Documents:

NEW NATIONAL OPIOID SETTLEMENTS.PDF

II. Consideration Of Resolution #23-81, Of Local Government Settlement

Department Submitting BOS

Documents:

RESOLUTION 2381.PDF

III. Consideration Of Renewal Contract Between Tyler Technologies And Story County Veterans Affairs Effective 5/1/23 - 4/30/24 For \$902.02

Department Submitting Veterans Affairs

Documents:

TYLER TECHNOLOGIES.PDF

13. PUBLIC HEARING ITEMS:

14. ADDITIONAL ITEMS:

I. Discussion And Consideration Of Letter Of Support Boone County Broadband Application - Linda Murken

Department Submitting Board of Supervisors

Documents:

BOONE STORY BROADBAND LOS.PDF

II. Discussion And Consideration Of 5 Year Secondary Road Construction Program Needs - Darren Moon

Department Submitting Engineer

Documents:

5 YEAR PROGRAM.PDF

III. Discussion And Consideration Of FY 24 Iowa Department Of Transportation Secondary Roads Budget - Darren Moon

Department Submitting Engineer

Documents:

ROAD FY 24 BUDGET.PDF

IV. Discussion And Consideration Of Purchase Order For Toku Excavator Breaker And Compactor From Logan Contractors Supply, Inc For \$12,890.00 (FY 24) - Darren Moon

Department Submitting Engineer

Documents:

BREAKER PO FY 24.PDF

V. Discussion And Consideration Of Request From The Boys And Girls Club Of Story County To Amend The Application Approved For Use Of ARPA Funding - Ryan Santi

Department Submitting Board of Supervisors

Documents:

AMD 1 RST.PDF

VI. Discussion And Consideration Of Resolution 23-74, Hidden Creek Farm Plat 1 Minor Subdivision - Marcus Amman

Department Submitting Planning and Development

Documents:

STAFF REPORT.PDF
RESOLUTION 23 74.PDF
APPLICATION DOCUMENTS.PDF
HIDDEN CREEK FARM LEGAL DOCUMENTS.PDF
HIDDEN CREEK FARM MIDLAND ELECTRIC.PDF
HIDDEN CREEK FARM PLAT 1.PDF
HIDDEN CREEK FARM XENIA.PDF
HIDDEN CREEK FARM ALLIANT NATURAL GAS.PDF
HIDDEN CREEK FARM CONTOURS.PDF
HIDDEN CREEK FARM GILBERT FIRE.PDF

VII. Discussion And Consideration Of A Letter Responding To The City Of Ames' Proposed Changes To The Draft Ames Urban Fringe Plan And Resolution 23-82 Extending The Ames Urban Fringe Plan 28E Agreement To June 30, 2023 - Amelia Schoeneman

Department Submitting Planning and Development

Documents:

MEMO.PDF
RESOLUTION 23 82.PDF
LETTER.PDF

15. DEPARTMENTAL REPORTS:

16. OTHER REPORTS:

17. UPCOMING AGENDA ITEMS:

18. PUBLIC COMMENT #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:

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
3/28/23

NAME

AGENCY

Joby Brody
CHRISTINE HAUSMAN
JEFF HARRIS
Becky Christiansen
BRIAN BREWER
Liesel Danielson
Jow Popp
Kim Christensen
Andrea Weyer
Marcus Amman
Brenda Potts
Phil Gasparoli

SCFM

RMH

BREWER ENGINEERING

CITY OF GILBERT

P&D
P&D
HPK

PROCLAMATION
National County Government Month

April 2023

WHEREAS, the nation's 3,069 counties serving more than 330 million Americans provide essential services to create healthy, safe and vibrant communities; and

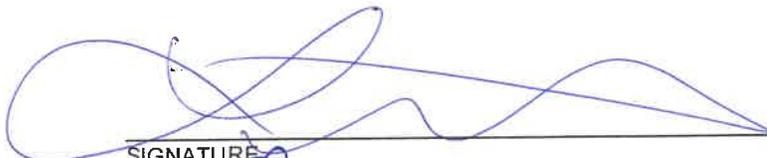
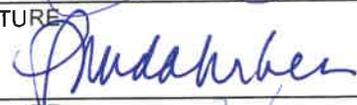
WHEREAS, counties fulfill a vast range of responsibilities and deliver services that touch nearly every aspect of our residents' lives; and

WHEREAS, Story County and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, under the leadership of National Association of Counties President Denise Winfrey, NACo is demonstrating how "Counties RISE!," demonstrating exemplary Resiliency, Inclusion, Solvency, and Empowerment; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs and services; and

NOW, THEREFORE, BE IT RESOLVED THAT We, the Story County Board of Supervisors, do hereby proclaim April 2023 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

	3-28-23
SIGNATURE	DATE
	3-28-23
SIGNATURE	DATE
	3-28-23
SIGNATURE	DATE



Acknowledgment

~~APPROVED~~

~~DENIED~~

Board Member Initials: CA

Meeting Date: 3-28-23

Follow-up action: _____

New National Opioids Settlements: Teva, Allergan, CVS, Walgreens, and Walmart
Opioids Implementation Administrator
opioidsparticipation@rubris.com

Story County, IA
Reference Number: CL-384111

TO LOCAL POLITICAL SUBDIVISIONS AND SPECIAL DISTRICTS:

THIS PACKAGE CONTAINS DOCUMENTATION TO PARTICIPATE IN THE NEW NATIONAL OPIOID SETTLEMENTS. YOU MUST TAKE ACTION IN ORDER TO PARTICIPATE.

Deadline: April 18, 2023

Five new proposed national opioid settlements ("New National Opioid Settlements") have been reached with **Teva, Allergan, CVS, Walgreens, and Walmart** ("Settling Defendants"). This *Participation Package* is a follow-up communication to the *Notice of National Opioid Settlements* recently received electronically by your subdivision or special district ("subdivision").

You are receiving this *Participation Package* because Iowa is participating in the following settlements:

- **Teva**
- **Allergan**
- **CVS**
- **Walgreens**
- **Walmart**

If a state does not participate in a particular Settlement, the subdivisions in that state are not eligible to participate in that Settlement.

This electronic envelope contains:

- *Participation Forms* for Teva, Allergan, CVS, Walgreens, and Walmart, including a release of any claims.

The *Participation Form* for each settlement must be executed, without alteration, and submitted on or before April 18, 2023, in order for your subdivision to be considered for initial participation calculations and payment eligibility.

Based upon subdivision participation forms received on or before April 18th, the subdivision participation rate will be used to determine whether participation for each deal is sufficient for the settlement to move forward and whether a state earns its maximum potential payment under the settlement. If the settlement moves forward, your release will become effective. If a settlement does not move forward, that release will not become effective.

Any subdivision that does not participate cannot directly share in the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. Any subdivision that does not participate may also reduce the amount of money for programs to remediate the opioid crisis in its state. Please note, a subdivision will not necessarily directly receive settlement funds by participating; decisions on how settlement funds will be allocated within a state are subject to intrastate agreements or state statutes.

You are encouraged to discuss the terms and benefits of the *New National Opioid Settlements* with your counsel, your Attorney General's Office, and other contacts within your state. Many states are implementing and allocating funds for these new settlements the same as they did for the prior opioid settlements with McKesson, Cardinal, Amerisource, and J&J/Janssen, but states may choose to treat these settlements differently.

Information and documents regarding the *New National Opioid Settlements* and how they are being implemented in your state and how funds will be allocated within your state allocation can be found on the national settlement website at <https://nationalopioidsettlement.com/>. This website will be supplemented as additional documents are created.

How to return signed forms:

There are three methods for returning the executed *Participation Forms* and any supporting documentation to the Implementation Administrator:

- (1) *Electronic Signature via DocuSign*: Executing the *Participation Forms* electronically through DocuSign will return the signed forms to the Implementation Administrator and associate your forms with your subdivision's records. Electronic signature is the most efficient method for returning *Participation Forms*, allowing for more timely participation and the potential to meet higher settlement payment thresholds, and is therefore strongly encouraged.
- (2) *Manual Signature returned via DocuSign*: DocuSign allows forms to be downloaded, signed manually, then uploaded to DocuSign and returned automatically to the Implementation Administrator. Please be sure to complete all fields. As with electronic signature, returning manually signed *Participation Forms* via DocuSign will associate your signed forms with your subdivision's records.
- (3) *Manual Signature returned via electronic mail*: If your subdivision is unable to return executed *Participation Forms* using DocuSign, signed *Participation Forms* may be returned via electronic mail to opioids.participation@rubris.com. Please include the name, state, and reference ID of your subdivision in the body of the email and use the subject line Settlement Participation Forms - [Subdivision Name, Subdivision State] - [Reference ID].

Detailed instructions on how to sign and return the *Participation Forms*, including changing the authorized signer, can be found at <https://nationalopioidsettlement.com>. You may also contact opioidsparticipation@rubris.com.

The sign-on period for subdivisions ends on April 18, 2023.

If you have any questions about executing these forms, please contact your counsel, the Implementation Administrator at opioidsparticipation@rubris.com, or Amy Licht at the Iowa Attorney General's Office at amy.licht@ag.iowa.gov.

Thank you,

National Opioids Settlements Implementation Administrator

The Implementation Administrator is retained to provide the settlement notice required by the respective settlement agreements referenced above and to manage the collection of settlement participation forms for each settlement.

EXHIBIT K
Subdivision and Special District Settlement Participation Form

Will your subdivision or special district be signing the settlement participation forms for the Allergan and Teva Settlements at this time?

Yes No

Governmental Entity: Story County	State: IA
Authorized Signatory: Lisa K. Heddens	
Address 1: 900 sixth street	
Address 2:	
City, State, Zip: Nevada	Iowa 50201
Phone: 515-382-7201	
Email: lheddens@storycountyia.gov	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 (“*Allergan Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Allergan Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Allergan Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Allergan Settlement as provided therein.
2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Allergan Settlement regarding Cessation of Litigation Activities.
3. The Governmental Entity shall, within fourteen (14) days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the MDL Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
4. The Governmental Entity agrees to the terms of the Allergan Settlement pertaining to Subdivisions and Special Districts as defined therein.
5. By agreeing to the terms of the Allergan Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Allergan Settlement solely for the purposes provided therein.



7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Allergan Settlement.
8. The Governmental Entity has the right to enforce the Allergan Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Allergan Settlement, including, but not limited to, all provisions of **Section V (Release)**, and along with all departments, agencies, divisions, boards, commissions, Subdivisions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist in bringing, or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Allergan Settlement are intended to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Allergan Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Allergan Settlement.
11. In connection with the releases provided for in the Allergan Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Allergan Settlement.

12. Nothing herein is intended to modify in any way the terms of the Allergan Settlement, to which the Governmental Entity hereby agrees. To the extent this Settlement Participation Form is interpreted differently from the Allergan Settlement in any respect, the Allergan Settlement controls.



I have all necessary power and authorization to execute this Settlement Participation Form on behalf of the Governmental Entity.

DocuSigned by:
Lisa K. Heddens
32D714F10D714D8...

Signature: _____

Name: Lisa K. Heddens

Title: Supervisor

Date: 2/14/2023



RESOLUTION #23-81

Authorizing STORY County to Enter Into the Settlement Agreements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc.,

WHEREAS, negotiations to settle claims against several of the Opioid Defendants, specifically Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc (the "Settling Defendants") have been ongoing for several years;

WHEREAS, negotiations with the Settling Defendants have resulted in proposed nationwide settlements of state and local government claims involved in the Litigation;

WHEREAS, the proposed terms of those proposed nationwide settlements are set forth in the Teva and Allergan Settlement Agreement and the Walmart, Walgreens, and CVS Settlement Agreement (collectively "Settlement Agreements");

WHEREAS, the Settlement Agreements as well as a summary of the main terms of the Settlement Agreements, the deadlines for submitting the Participation Agreements to the Settlement Agreements and the MDL Court's Order setting deadlines for any Plaintiff who declines to enter into the Settlement Agreements have been provided to the County prior to the execution of this Resolution;

WHEREAS, the Settlement Agreements provide, among other things, for the payment of a certain sum to settling government entities in Iowa including to the State of Iowa and Participating Subdivisions, as that term is defined in the Settlement Agreements ("Iowa Opioid Funds"), upon occurrence of certain events as defined in the Settlement Agreements;

WHEREAS, the Law Firms have engaged in extensive discussions with the State Attorney General's Office ("AGO") as to how the Iowa Opioid Funds will be allocated, which has resulted in the Iowa Opioid Allocation Memorandum of Understanding ("Allocation MOU"), which is an agreement between all of the entities who are signatories to the Allocation MOU;

WHEREAS, the Allocation MOU divides Iowa Opioid Funds as follows: (i) 50% to the State ("the Iowa Abatement Share") and (ii) 50% to Participating Local Governments ("LG Share"), net of fees and costs allocated to the Iowa Backstop Fund as set forth in Section D of the Allocation MOU and in this Resolution ("LG Abatement Share");

WHEREAS, the LG Abatement Share shall be distributed in direct payments to the Counties that are Participating Local Governments according to the allocation model developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804) in the amounts set forth on Exhibit 2 to the Allocation MOU ("Direct Distribution Percentage"). The Direct Distribution Percentage will be multiplied by the total LG Abatement Share to arrive at the total allocation to the Participating Local Government (the "Direct Distribution Amount");

WHEREAS, 100% of the Iowa Abatement Share and the LG Abatement Share, regardless of allocation, shall be utilized only for Opioid Related Expenditures incurred after the Effective Date of this MOU. The list of approved Opioid Related Expenditures are set forth in Exhibit 1-E (Schedule A – Core Strategies) List of Opioid Remediation Uses.

WHEREAS at least 75% of the Iowa Abatement Share and 75% of the LG Abatement Share shall be utilized for only the “Core Strategies” listed in Schedule A of Exhibit 1 to Allocation MOU;

WHEREAS, every Participating Local Government that receives a Direct Distribution Amount shall create a separate fund on its financial books and records that is designated for the receipt and expenditure of the entity’s Direct Distribution Amount, called the “LG Abatement Fund;”

WHEREAS, Funds in an LG Abatement Fund shall not be commingled with any other money or funds of the Participating Local Government, but a Participating Local Government may invest LG Abatement Fund funds consistent with the investment of other funds of a Participating Local Government;

WHEREAS, Funds in a LG Abatement Fund may be expended by a Participating Local Government only for Opioid Related Expenditures, shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements and the Allocation MOU and, for avoidance of doubt, funds in a LG Abatement Fund may not be expended for costs, disbursements or payments made or incurred prior to the Settlement;

WHEREAS, if any audit required by the Allocation MOU reveals an expenditure inconsistent with the terms of the Allocation MOU, the Participating Local Government shall immediately redirect the funds associated with the inconsistent expenditure to an Opioid Related Expenditure;

WHEREAS, the County must comply annually with the reporting requirements in the Allocation MOU;

WHEREAS, if the County elects to become a Participating Subdivision in the Settlement Agreements it will receive the benefits associated with the Settlement Agreement and the Allocation MOU, provided the County (a) approves the Settlement Agreements; (b) executes the Participation Agreements stating the County’s intention to be bound by the Settlement Agreements;

WHEREAS, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements by executing the Participation Agreements.

NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby approves and authorizes the Board Chair to settle and release the County’s claims against the Settling Defendants in exchange for the consideration set forth in the Settlement Agreements by taking the following measures:

1. The execution and delivery of the Participation Agreement to the Settlement Agreements and any and all documents ancillary thereto.
3. The execution and delivery of any and all further and other documents necessary to effectuate the foregoing and the terms of this Resolution.

BE IT FURTHER RESOLVED: the County shall deposit the LG Share in its account titled “LG Abatement Fund” to receive the LG Abatement Share from the Settlement Agreements.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Adopted by the Story County Board of Supervisors this 21st day of March, 2023



**STORY COUNTY
BOARD OF SUPERVISORS
LATIFAH FAISAL
LINDA MURKEN
LISA K. HEDDENS**

Story County Administration
900 Sixth Street
Nevada Iowa 50201
515-382-7200
515-382-7206 (fax)

March 28, 2023

Office of the Chief Information Officer
200 E. Grand Ave.
Des Moines, IA 50309

RE: Broadband Intervention Zone – Boone/Story County application

To the Office of the Chief Information Officer of the State of Iowa:

It is my pleasure to offer this letter in support of Boone County's application to become a Broadband Intervention Zone. This application also includes Franklin and Lafayette townships in northwest Story County, which are adjacent to Boone County, and border County Road R-38, which is a primary north-south corridor for the growth area northwest of Ames.

There are numerous unserved and underserved locations in these two townships, as Boone County's Application to Qualify shows. The ripple effect stretches across nearly every aspect of our community. It is both a deterrent to prospective businesses locating in the area and detracts from residents' ability to educate their children and to access emergency and public safety information.

Two of the three barriers to broadband expansion included in the Invitation to Qualify apply to Lafayette township:

- Low population density (3,280 in an area of approximately 36 square miles, some of which is in the town of Story City, which is well-served. However, the rest of the township do not have adequate broadband)
- Higher proportion of lower income households

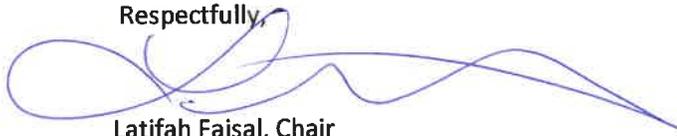
Franklin Township has different barriers. This township has a relatively high population density for a township, due to its proximity to Ames, with a good share of the population living in rural subdivisions. However, they are remarkably underserved, often by older technologies such as DSL that lack the capacity to provide modern speeds in rural settings. Many locations only have line-of-sight radio or satellite systems available, service tends to be low speed, unreliable and with high acquisition cost. Also, because some of the rural subdivision lots are heavily treed, line-of-sight is often difficult or impossible to achieve. Lastly, because the City of Ames does not have in their plans to annex these subdivisions, the larger companies that provide broadband within the city are not likely to expand into the unincorporated areas.

These factors, while different, make it unlikely that residents of either township will receive adequate broadband services without the contribution of governmental funding.

Approving this zone would allow Boone and Story Counties to work jointly with a service provider or providers in providing adequate broadband to an area which is of primary importance to both counties.

I greatly appreciate the Office of the Chief Information Officer taking this step to qualify regions as Broadband Intervention Zones. I would ask you to please grant Boone County's request to include this area in a Broadband Intervention Zone.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Latifah Faisal', with a large, stylized flourish extending to the right.

Latifah Faisal, Chair

Story County Board of Supervisors

Des Moines, IA
 Omaha, NE
 Olathe, KS



Bettendorf, IA
 Davenport, IA
 North Liberty, IA

QUOTE

THIS QUOTE IS SPECIFICALLY PRESENTED TO:

TO:
 CO: STORY COUNTY

DATE: 3/15/2023
 RE: ATTACHMENTS

QTY	ITEM DESCRIPTION	PRICE	U/M
1	TOKU TNB-4 EXCAVATOR BREAKER	\$ 7,295.00	EA
1	TOKU SC30 EXCAVATOR COMPACTOR	\$ 5,595.00	EA
LEAD TIMES ESTIMATED AT 60 DAYS			
FREIGHT NOT INCLUDED - WILL DEPEND ON FINAL ORDER			

TERMS: 30 F.O.B: **Prices Do Not Include Tax**
 QUOTE FIRM FOR: 15 FREIGHT: NOT INCLUDED

Thank you for the opportunity to quote you. Should you have any questions regarding this quote, please call us at 515-253-9048 or my cell at 515-201-5650

“Due to on-going Market Volatility, certain product availability, pricing of product, and freight thereof, may be impacted from the original date of the quote. Acceptance of this quote denotes your understanding of this potential and holds LCS harmless, in the event this quote should be impacted. “

Sincerely,
 Jake Logan
 Sales Manager

Recommended for approval by:

 Darren R. Moon, P.E. 3-21-23 Date

APPROVED **DENIED**
 Board Member Initials: 
 Meeting Date: 3-28-23
 Follow-up action: _____



**BOYS & GIRLS CLUBS
OF STORY COUNTY**

210 South Fifth Street | Ames, Iowa 50010 | 515.233.1872 | www.bgcstorycounty.org | theclub@bgcstorycounty.org

Board of Directors

March 23, 2023

Amber Christian,
President

Story County Board of Supervisors -

Tyler Farner,
Vice - President

In 2022, we received \$275,000 in American Rescue Plan Act funds. As a part of these funds, we were awarded a portion to purchase new computers for Club members to use for homework & educational programming. These computers have been purchased and installed.

Raymond Richie,
Treasurer

Jason Rechkemmer,
Secretary

After installation, we have run into internet issues at the Nevada Club site (Memorial Lutheran Church), making the 10 new computers currently unusable.

Kim Behrendt,
Chris Betts
Nate Brammer

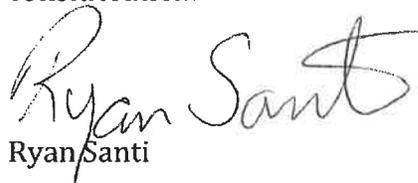
Andrea Hammes Dodge
Andrew Murdoch
Doug Ragaller

Our initial application requested \$5,000 for fiber installation at our Ames location. Unfortunately, fiber was installed at the Ames Club prior to the grant being awarded. We would like to use those funds to install fiber and help cover our monthly internet service costs at our Nevada location. This would give us the needed bandwidth to operate the 10 new computers we purchased. These computers will help with our programming that is vital to our grant deliverables.

Chief Executive Officer
Ryan Santi

Please let me know if you have any questions. Thank you for your consideration!

United Way of
Story County
partner agency


Ryan Santi

Chief Executive Officer

APPROVED **DENIED**

Board Member Initials: RS

Meeting Date: 3-28-23

Follow-up action: _____

SECONDARY ROADS FIVE YEAR PROGRAM

Iowa Department of Transportation
SECONDARY ROADS FIVE YEAR PROGRAM

County: Story County
Fiscal Year: 2024
Version: Original

COUNTY CERTIFICATION

The detailed construction program for the secondary road system was adopted by the Board of Supervisors on

3/28/23
Date

ATTESTED

[Signature]
County Auditor

3.28.23
Date

[Signature]
County Engineer

3-21-23
Date

[Signature]
Chairperson, Board of Supervisors

3.28.23
Date

IOWA DOT PROGRAM APPROVALS

Recommended Approval: _____

OLS Reviewer

Date

Approval: _____

Director of Local Systems

Date

Generated on 3/21/2023 1:40 PM

SECONDARY ROADS FIVE YEAR PROGRAM

Project Number	Project Name	Location	AADT Length	Status	Day Labor	Accomp Year					Total	
						FY 2024	FY 2025	FY 2026	FY 2027	FY 2028		
FM-C085(S14)--55-85	S14 Overlay	On S14, from Nevada City Limits S 9.6 miles to Polk County Line	360 9,600 miles	Previous	\$0 366 HMA Paving FM	Local FM	2,400					\$2,400
38694						Special FA SWAP						
FM-C085(H11)--55-85	Howard 11 Bridge	On 115th St., Over Bear Creek, S11 T85 R23	120 miles	Previous	\$0 320 Bridges FM	Local FM	600					\$600
38675						Special FA SWAP						
FM-C085(R8)--55-85	Richland 8 Bridge	On 170th St., Over unnamed stream, S8 T84 R22	10 miles	Previous	\$0 332 Box Culverts FM	Local FM	110					\$110
40201						Special FA SWAP						
FM-C085(HIL)--55-85	Hillcrest Overlay	On R 61, from E18 N 0.9 miles to Story City	1550 0.900 miles	New	\$0 366 HMA Paving FM	Local FM	225					\$225
52814						Special FA SWAP						
		24 / 85 / 24										

SECONDARY ROADS FIVE YEAR PROGRAM

Project Number	Project Name	Location	Description of Work	AADT Length	Status	Day Labor	Type of Work	Accomp Year					Total			
								Federal ID	FM Transfer	Project Type	Fund	FY 2024		FY 2025	FY 2026	FY 2027
L-ROW--73-85	Right-of-Way Reserve	On Various Routes		miles	New	\$0	311 Right of way	Local	Local	20						\$20
52871							Local	Special								
52871							FA									
52871							SWAP									
LFM-HMA-166-58--7X-77	340th St. Overlay	On 340TH ST, from Sheldahl city limits E 0.5 miles to 510th Ave.		420 0.500 miles	New	\$0	366 HMA Paving	Local	Local	50						\$50
53063							Local	Special								
							FA									
							SWAP									
L-IC8--73-85	Indian Creek 8 Bridge	On 632ND AVE, Over STREAM, S8 T82 R22		60 0.000 miles	Previous	\$0	320 Bridges	Local	Local	130						\$130
45779							Local	Special								
							FA									
							SWAP									
L-C3--73-85	Collins 3 Pipe	On 280TH ST, Over Willow Creek, S3 T82 R21		40 0.000 miles	Previous	\$0	332 Box Culverts	Local	Local	225						\$225
49747							Local	Special								
							FA									
							SWAP									

SECONDARY ROADS FIVE YEAR PROGRAM

Project Number	Project Name	Location	AADT Length Federal ID	Status FM Transfer	Day Labor Type of Work Project Type	Fund	Accomp Year					Total	
							FY 2024	FY 2025	FY 2026	FY 2027	FY 2028		
L-M24--73-85	Milford 24 Bridge	On 610th Ave., Over West Indian Creek, on WLINE S24 T84 R23	35 0,000 miles 315390	Previous	\$0 320 Bridges Local	Local		650					\$650
STP-S-C085(E29)--5E-85	E29 Overlay	On E29, from 700' west of 570th Ave. E 8.2 miles to 660th Ave.	750 9,200 miles	Previous	\$0 366 HMA Paving FA	Local		420					\$2,100
41362						Special		1,680					
STP-S-C085(E15)--5E-85	E15 HMA Overlay	On E 15, from 525' west of 570th Ave. E 3.1 miles to 600th Ave.	1080 3,100 miles	Previous	\$0 366 HMA Paving FA	Local		150					\$750
44690						Special		600					
FM-C085(S14N)--55-85	S14 North Overlay	On S14, from Nevada N 9.7 miles to E18	670 9,700 miles	Previous	\$0 366 HMA Paving FM	Local				2,300			\$2,300
45775						Special							
						FA							
						SWAP							

SECONDARY ROADS FIVE YEAR PROGRAM

Project Number	Project Name	Location	AADT Length	Status	Day Labor	Accomp Year					Total		
						Fund	FY 2024	FY 2025	FY 2026	FY 2027		FY 2028	
FM-C085(NA7)--55-85	New Albany 7 Culvert, E41	On E 41, Over unnamed stream, S6 T83 R21	930 0.000 miles	Previous	\$0 332 Box Culverts FM	Local			120				\$120
49758						Special FA SWAP							
FM-C085(P15)--55-85	Palestine 15 Bridge	On 530th Ave., Over Ballard Creek, on WLINE S15 T82 R24	50 miles	Previous	\$0 320 Bridges FM	Local			500				\$500
37298						Special FA SWAP							
FM-C085(L25)--55-85	Lincoln 25 Bridge	On 730TH AVE, Over unnamed stream, S25 T85 R21	25 miles	New	\$0 332 Box Culverts FM	Local			100				\$100
53014						Special FA SWAP							
BROS-C085(162)--5F-85	Howard 31 Bridge	On 150th St., Over Skunk River, NLINE S31 T85 R23	100 0.000 miles	Previous	\$0 320 Bridges FA	Local							\$1,700
32507						Special FA SWAP			1,360				
						SWAP			340				

SECONDARY ROADS FIVE YEAR PROGRAM

Project Number	Project Name	Location Description of Work Section / Township / Range	AADT Length Federal ID	Status FM Transfer	Day Labor Type of Work Project Type	Accomp Year					Total		
						FY 2024	FY 2025	FY 2026	FY 2027	FY 2028			
L-COL20--73-85	Collins 20 Bridge	On 310TH ST, Over DRAINAGE, S20 T82 R21	90 0.000 miles	Previous	\$0 332 Box Culverts Local	Local			200				\$200
50880						Special							
						FA							
						SWAP							
L-F25--73-85	Stagecoach Bridge	On STAGECOACH RD, Over No name stream, S25 T84 R24	80 0.000 miles	Previous	\$0 332 Box Culverts Local	Local			120				\$120
45781						Special							
						FA							
						SWAP							
L-IC21--73-85	Indian Creek 21 Bridge	On 645TH AVE, Over No name stream, S21 T82 R22	20 0.000 miles	Previous	\$0 332 Box Culverts Local	Local			120				\$120
45799						Special							
						FA							
						SWAP							
FM-C085(NA35)--55-85	New Albany 35 Bridge	On 270th St, Over small stream, S35 T83 R21	35 miles	Previous	\$0 320 Bridges FM	Local					500		\$500
38677						Special							
						FA							
						SWAP							

SECONDARY ROADS FIVE YEAR PROGRAM

Project Number Project Name Project ID	Location Description of Work Section / Township / Range	AADT Length Federal ID	Status FM Transfer	Day Labor Type of Work Project Type	Accomp Year					Total	
					Fund	FY 2024	FY 2025	FY 2026	FY 2027		FY 2028
FM-C085(E41)--55-85 E41 East Overlay 49829	On E41, from Hwy 65 E 4.0 miles to 740th Ave.	360 4,000 miles	Previous	\$0 366 HMA Paving FM	Local						\$950
					FM				950		
					Special						
FM-C085(161)--55-85 Collins 1 Bridge 36017	On 730th Ave., Over Willow Creek, NW1/4 S1 T82 R21	30 miles 313440	Previous	\$0 320 Bridges FM	Local						\$400
					FM				400		
					Special						
BRS-C085(E15)--60-85 E15 Bridge 49760	On E 15, Over LONG DICK CREEK, S9 T85 R23	1030 0,000 miles 316160	Previous	\$0 320 Bridges FA	Local						\$600
					FM				120		
					Special						
L-L22--73-85 Lincoln 22 Bridge 45780	On 710TH AVE, Over MIDDLE MINERVA CREEK, S22 T85 R21	60 0,000 miles 315820	Previous	\$0 320 Bridges Local	Local						\$500
					FM				500		
					Special						
22 / 85 / 21					SWAP						
					FA						
					SWAP						

SECONDARY ROADS FIVE YEAR PROGRAM

Project Number	Project Name	Location Description of Work Section / Township / Range	AADT Length Federal ID	Status FM Transfer	Day Labor Type of Work Project Type	Fund	Accomp Year					Total	
							FY 2024	FY 2025	FY 2026	FY 2027	FY 2028		
L-IC35D--73-85	335th Ln Bridge	On 335TH LN, Over SMALL STREAM, S35 T82 R22	5 0.000 miles	New	\$0 332 Box Culverts Local	Local						200	\$200
53016						Special FA SWAP							
L-IC28--73-85	640th Ave. Bridge	On 640TH AVE, Over CALAMUS CREEK, S28 T82 R22	45 miles 49040	New	\$0 320 Bridges Local	Local						600	\$600
53017						Special FA SWAP							
L-MIL4--73-85	Milford 4 Bridge	On 585TH AVE, Over Dry Creek, East line of NW1/4 S4 T84 R23	30 miles	Previous	\$0 332 Box Culverts Local	Local						140	\$140
40233						Special FA SWAP							

SECONDARY ROADS FIVE YEAR PROGRAM

Paving Point Computations

Local or FM Route	Project Number	Location	Type of Work	Year	Road Type	AADT	Pavement Proximity	Trucks	Bonus	Total
Local	RFM-C085()- 54-85 Public Hearing: 21/2/2019	On 220TH ST, from 580th Ave. E 1 miles	367 PCC Paving	2024	15	25	0	15	0	55

SECONDARY ROADS FIVE YEAR PROGRAM

Fund	2024	2025	2026	2027	2028
SWAP	\$160,000	\$0	\$340,000	\$0	\$0
FM	\$3,625,000	\$1,170,000	\$3,020,000	\$1,970,000	\$1,100,000
Local	\$1,435,000	\$650,000	\$440,000	\$700,000	\$940,000
FA	\$1,800,000	\$3,080,000	\$1,360,000	\$480,000	\$0
Special	\$1,687,500	\$0	\$0	\$0	\$0

Iowa Department of Transportation SECONDARY ROADS BUDGET

County: **Story County**
Fiscal Year: **2024**
Version: **Original**

COUNTY CERTIFICATION

This Secondary Road Budget was adopted by the Board of Supervisors on

3/28/23
Date

ATTESTED

County Auditor

3-28-23
Date

County Engineer

3-21-23
Date

Chairperson, Board of Supervisors

3-28-23
Date

IOWA DOT BUDGET APPROVALS

Recommended Approval:

OLS Reviewer

Date

Approval: Director of Local Systems

Date

SECONDARY ROADS BUDGET

	Actual Receipts Prior Years		Estimated Receipts	
	2 nd Prior FY 2021	1 st Prior FY 2022	Current FY 2023	Next FY 2024
1. County Auditor's Beginning Balance	\$5,038,826.97	\$5,650,533.96	\$7,675,066.00	\$7,226,605.00
Receipts from Property Tax Levies	2,215,78 Dollars on all taxable property in county except on property within cities and towns. (Max. \$3,00375) 0,16537 Dollars on all taxable property in the county. (Max. \$0,16875)	\$3,270,000.00	\$3,485,000.00	\$3,723,000.00
2A. Local Option Sales Tax	\$0.00	\$0.00	\$0.00	\$0.00
3. Regular Road Use Tax Received	(Doesn't include transfer of local R.U.T. to FM account for const. on FM routes)	\$4,438,742.77	\$4,107,830.00	\$4,222,070.00
3b. Amount for 306.4(a3)	(Senate File 451 - FM Ext. in City <=500)	\$41,545.90	\$33,914.56	\$40,940.00
3c. Time 21		\$640,723.49	\$554,968.80	\$515,340.00
4. RISE Funds	\$0.00	\$0.00	\$0.00	\$0.00
5. FA Bridge Replacement Funds	\$0.00	\$0.00	\$0.00	\$0.00
5a. SWAP Bridge Replacement Funds	\$791,933.96	\$0.00	\$0.00	\$0.00
6. Proposed transfer of FM funds to Local Secondary Fund.(Section 309.10)	\$0.00	\$0.00	\$0.00	\$0.00
7. Tax Refunds (-) and/or Credits (+).(Section 309.10 - Code of Iowa)	\$25,738.74	\$26,561.45	\$25,000.00	\$25,000.00
8. Miscellaneous Receipts <i>Donations, sale of used materials, Special Assessments, etc</i> <i>Itemized for 2024</i>	Damage/Insurance Payments	\$20,330.86	\$40,000.00	\$10,000.00
	Drainage Districts	\$49,834.14	\$31,984.09	\$40,000.00
	licensesandPermits	\$30,670.00	\$33,960.00	\$25,000.00
	Local Govt Payments	\$2,699.83	\$1,474.11	\$6,214.00
	Miscellaneous	\$49,613.53	\$298,510.90	\$24,570.00
9. Total Miscellaneous Receipts	\$132,817.50	\$401,899.62	\$115,784.00	\$103,500.00
10. TOTAL RECEIPTS	\$14,112,921.93	\$14,376,621.16	\$15,964,960.00	\$15,850,645.00
11. Road Use Tax Funds or other local funds not transferred to Secondary Roads to be transferred to FM fund for construction.	0	0	\$0.00	\$0.00

SECONDARY ROADS BUDGET

	Actual Expenditures		Estimated Expenditures	
	Prior 2 FY 2021	Prior 1 FY 2022	Current FY 2023	Next FY 2024
70X * Administration and Engineering				
700 Administration Expenditures	\$268,084.04	\$277,780.64	\$300,000.00	\$305,250.00
701 Engineering Expenditures	\$453,177.84	\$423,656.76	\$575,500.00	\$600,941.00
TOTAL ADMINISTRATION AND ENGINEERING	\$721,261.88	\$701,437.40	\$875,500.00	\$906,191.00
020 * Construction				
Adjusted Construction Program Expenditures (300) on FM and Local Sec. Roads <i>(With other than FM funds ---See Accomplishment Year projects)</i>	\$1,737,088.04	\$406,224.83	\$600,000.00	\$1,435,000.00
71X* Roadway Maintenance				
710 Bridges and Culverts (420, 430)	\$218,139.38	\$556,133.46	\$620,000.00	\$471,114.00
711 Roads (4250, 460, 480)	\$2,957,515.91	\$2,736,692.33	\$2,904,725.00	\$3,008,080.00
712 Snow and Ice Control (520)	\$419,345.07	\$206,333.95	\$448,730.00	\$474,920.00
713 Traffic Controls (590)	\$205,826.68	\$270,348.25	\$355,000.00	\$310,000.00
714 Road Clearing (490)	\$448,988.00	\$409,130.80	\$385,500.00	\$385,500.00
TOTAL ROADWAY MAINTENANCE	\$4,249,815.04	\$4,178,638.79	\$4,713,955.00	\$4,649,614.00
72X * General Roadway				
720 New Equipment (610)	\$418,453.88	\$57,609.68	\$826,805.00	\$4,810,000.00
721 Equipment Operations (620, 630, 650)	\$1,310,411.34	\$1,328,966.67	\$1,638,095.00	\$1,645,095.00
722 Tools, Materials and Supplies (655, 660, 670, 680, 690)	\$8,827.30	\$19,433.41	\$19,000.00	\$19,000.00
723 Real Estate and Buildings (800)	\$16,530.49	\$9,243.90	\$65,000.00	\$60,000.00
TOTAL GENERAL ROADWAY	\$1,754,223.01	\$1,415,253.66	\$2,548,900.00	\$6,534,095.00
TOTAL EXPENDITURES (70X + 020 + 71X + 72X)	\$8,462,387.97	\$6,701,554.68	\$8,738,355.00	\$13,524,900.00
County Auditor's balance at end of fiscal year	\$5,650,533.96	\$7,675,066.48	\$7,226,605.00	\$2,325,745.00
TOTAL (Must equal receipts) [Does not include transfer of Road Use Tax to FM Fund]	\$14,112,921.93	\$14,376,621.16	\$15,964,960.00	\$15,850,645.00

DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER
Prepared By: Marcus Amman, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245

Please return to:
Planning & Development

**STORY COUNTY IOWA
RESOLUTION OF THE BOARD OF SUPERVISORS
RESOLUTION NUMBER 23-74**

WHEREAS, there has been submitted to the Board of Supervisors of Story County, Iowa, an application to subdivide real estate from Kurt Friedrich, 100 6th Street, Ames, Iowa, 50010, involving the real estate located at the northeast corner of the intersection of Grant Avenue and W 190th Street, identified as Southwest Quarter of the Southwest Quarter Section 15 of Franklin Township and as Parcel #05-15-300-320 and hereinafter described on Attachment A and shown on Attachment B, and

WHEREAS, Hidden Creek Farms, LLC, 1001 N Terrace Dr, Webster City, Iowa, 50595, is the legal titleholder 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,

WHEREAS, the Story County Planning and Zoning Commission recommended approval (vote 6-0) of the Minor Subdivision Preliminary Plat on March 1, 2023, with conditions and

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 Hidden Creek Farm Plat 1 Minor Subdivision Preliminary Plat involving real estate hereinafter described on Attachment A and shown on Attachment B being the same, is hereby approved and accepted with conditions listed on Attachment C 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 Hidden Creek Farm Plat 1 Minor Subdivision Preliminary Plat.

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 23-74 to be affixed to said Minor Subdivision Preliminary Plat upon its approval by the Board of Supervisors.

Dated this 28th day of March, 2023.


Chairperson, Board of Supervisors

Attest:


County Auditor

<u>ROLL CALL</u>	<u>Latifah Faisal</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 ___ Nay ___ Absent ___

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke.

Above tabulation made by _____

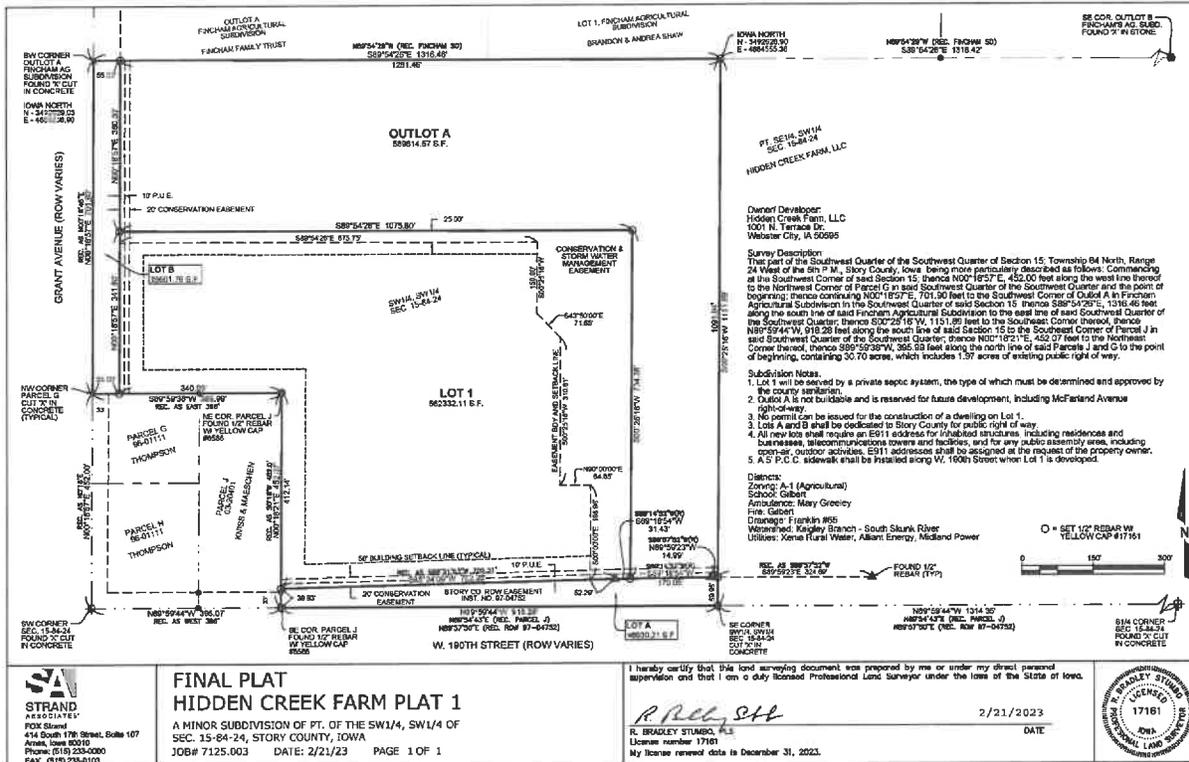
CHAIRPERSON

ATTACHMENT A

Survey Description:

That part of the Southwest Quarter of the Southwest Quarter of Section 15; Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Commencing at the Southwest Corner of said Section 15; thence N00°18'57"E, 452.00 feet along the west line thereof to the Northwest Corner of Parcel G in said Southwest Quarter of the Southwest Quarter and the point of beginning; thence continuing N00°18'57"E, 701.90 feet to the Southwest Corner of Outlot A in Fincham Agricultural Subdivision in the Southwest Quarter of said Section 15; thence S89°54'26"E, 1316.46 feet along the south line of said Fincham Agricultural Subdivision to the east line of said Southwest Quarter of the Southwest Quarter; thence S00°25'16"W, 1151.89 feet to the Southeast Corner thereof; thence N89°59'44"W, 918.28 feet along the south line of said Section 15 to the Southeast Corner of Parcel J in said Southwest Quarter of the Southwest Quarter; thence N00°18'21"E, 452.07 feet to the Northeast Corner thereof; thence S89°59'38"W, 395.99 feet along the north line of said Parcels J and G to the point of beginning, containing 30.70 acres, which includes 1.97 acres of existing public right of way.

ATTACHMENT B



Client Developer:
Hidden Creek Farm, LLC
1001 N. Terrace Dr.
Webster City, IA 52665

Survey Description:
The part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 64 North, Range 24 West of the 5th T.M., Story County, Iowa, being more particularly described as follows: Commencing at the Southwest Corner of said Section 15, thence N00°16'57"E, 452.00 feet along the west line thereof to the Northwest Corner of Parcel G in said Southwest Quarter of the Southwest Quarter and the point of beginning; thence containing N00°16'57"E, 701.30 feet to the Southwest Corner of Outlot A in Fincham Agricultural Subdivision in the Southwest Quarter of said Section 15; thence S89°54'28"E, 1316.46 feet along the south line of said Fincham Agricultural Subdivision to the east line of said Southwest Quarter of the Southwest Quarter; thence S00°23'16"W, 1111.99 feet to the Southeast Corner thereof, thence N89°54'44"W, 918.28 feet along the south line of said Section 15 to the Southwest Corner of Parcel J in said Southwest Quarter of the Southwest Quarter; thence N00°16'21"E, 452.07 feet to the northeast corner thereof, thence S89°52'38"W, 565.03 feet along the north line of said Parcel J and C to the point of beginning, containing 30.70 acres, which includes 1.37 acres of existing public right of way.

Subdivision Notes:
1. Lot 1 will be conveyed by a private septic system, the type of which must be determined and approved by the county sanitarian.
2. Outlot A is not buildable and is reserved for future development, including McFarland Avenue right-of-way.
3. No permit can be issued for the construction of a dwelling on Lot 1.
4. 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. E911 addresses shall be assigned at the request of the property owner.
5. A D.P.C. sidewalk shall be installed along W. 190th Street when Lot 1 is developed.

Districts:
Zoning: A-1 (Agricultural)
School: Galena
Ambulance: Mary Greeley
Fire: Galena
Drainage: Franklin #65
Municipal: Keosauqua Branch - South Stank River
Utilities: Xcel Rural Water, Alliant Energy, Midland Power

STRAND
A KOSKOVICH COMPANY
PO Box 100
414 South 17th Street, Suite 107
Ankeny, Iowa 50016
Phone: (515) 234-0000
FAX: (515) 234-0103

FINAL PLAT
HIDDEN CREEK FARM PLAT 1
A MINOR SUBDIVISION OF PT. OF THE SW1/4, SW1/4 OF
SEC. 15-64-24, STORY COUNTY, IOWA
JOB# 7125.003 DATE: 2/21/23 PAGE 1 OF 1

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.

R. Bradley Stungo
R. BRADLEY STUNGO, P.L.S.
License number 17161
My license renewed date is December 31, 2023.

2/21/2023
DATE



ATTACHMENT C

Conditions of Approval:

1. The traffic study submitted as part of a conditional use permit or other development application (rezoning, site plan, etc.) shall meet both County standards and include a traffic memo/turning movements on 190th to be reviewed by City of Ames.
2. Any new accesses proposed as part of the conditional use permit or other development application shall meet both City and County standards for spacing, as allowed by the County or City Engineers.
3. A sidewalk easement shall be submitted and reviewed by the City of Ames prior to Board of Supervisors action on the subdivision plat. The conservation easement shall be updated to include the 20-foot area adjacent to 190th, and to allow a sidewalk.
4. The site soils evaluation for septic shall be submitted with the conditional use permit or other development application (rezoning, site plan, etc.).
5. The stormwater management plan submitted to the County as part of the conditional use permit or other development application (rezoning, site plan, etc.) shall be submitted to the City of Ames for review.

Staff Report

Board of Supervisors

Date of Meeting:
March 21, 2023

Case Number SUB23-000001

Minor Subdivision
Hidden Creek Farm Plat 1
Resolution No. 23-74

APPLICANT:

Hidden Creek Farm LLC
1001 N Terrace Dr
Webster City, IA 50595

STAFF PROJECT MANAGER:

Marcus Amman, Planner

SUMMARY:

A minor subdivision request for Parcel #05-15-300-320 to reconfigure the parcel into one lot, two street lots and an outlot: proposed Lot 1, approximately 15.2-net acres, Lot A, approximately 1.07-net acres, and Lot B, 0.88-net acres, and Outlot A, approximately 13.53-net acres. Lot 1 does not meet any exceptions to the 35-acre minimum lot size requirement for a dwelling in the A-1 Agricultural Zoning District and is not buildable for a dwelling(s). A conditional use permit could be applied for or a rezoning to allow development on the lot at a later time. Lot A and Lot B are proposed to be dedicated to Story County for road right-of-way. Proposed Outlot A is not developable for any non-agricultural use unless re-platted (subdivided) and likely annexed. The City of Ames also has review and approval authority over the subdivision plat. Planning and Zoning Commission recommend approval of the proposed Minor Subdivision Plat with the following conditions:

- Accesses shall meet both County and City standards for spacing
- A traffic study meeting County and City of Ames standards must be submitted when the CUP or other development (rezoning, site plan, etc.) application is made





- A septic application and site evaluation for soils must be submitted when the CUP or other development (rezoning, site plan, etc.) application is made
- A sidewalk easement/agreement, meeting the City of Ames requirements, shall be submitted prior to consideration of the subdivision by the Board of Supervisors. The conservation easement shall be updated to include the 20-foot area adjacent to 190th, and to allow a sidewalk.
- The stormwater management plan submitted to the County as part of the conditional use permit or other development application shall also be submitted to the City for review.

Property Owner

Hidden Creek Farm LLC

Parcel Identification Number(s)

05-15-300-320

Size of Area

29.05 net acres

Location of Subdivision

Franklin Township (Section 15, Township 84, Range 24) SW SW

Districts

A-1 Agricultural District

Gilbert Fire

Gilbert School District

Xenia Water

Alliant Energy - Gas

Midland Electric

Mary Greeley Ambulance

Watershed -- Keigley Branch - South Skunk River

Current and Future Land Use

The subject property is currently zoned as A-1 Agricultural and in agricultural production. It is located in the Story County Study Area of the Ames Urban Fringe Plan (AUFPP). The AUFPP is an intergovernmental agreement between Ames, Gilbert, and Story County with policies and goals



for the future land use in the two mile are outside of the City of Ames' corporate limits. As agreement as to the future land use of the area between 180th and 190th could not be reached during the development of the AUF, the Study Area designation was developed to allow for each cooperator to retain their jurisdictional review of subdivisions in the area that is granted under state code. As such, Story County and the City of Ames (as the closest city to the subdivision) both must review and approve the subdivision.

No new/additional development lots are being created. Ames is requiring an agreement for the property owners to annex voluntarily when requested, and agreements for future infrastructure improvements and upgrades after annexation.

The western portion of the property is located within the Ada Hayden Watershed protection area of the AUF. The City of Ames' standards for conservation and stormwater easements on the plat address the necessary design considerations for development in this area. A condition that the City review the stormwater management plan submitted with the conditional use permit or other development application is included to meet the principles for the designation, including:

- WPA Policy 1: This designation applies to watershed areas of Ada Hayden Lake and other important water resources particularly sensitive to negative impacts of stormwater run-off.
- WPA Policy 2: Construct mitigation facilities at nodal locations where they can protect effectively the water resources within the watershed. Develop mitigation facilities or Best Management Practices according to city standards.
- WPA Policy 3: Accommodate or provide Best Management Practices within all development within Watershed Protection Areas.
- WPA Policy 4: Name Watershed Protection Areas named according to the waterway, water body, or aquifer they are designated to protect.

The proposed subdivision would yield one lot that could be developed only through a conditional use permit or if a rezoning were approved at a later time.

The purpose of this division is to facilitate transfer of ownership of Lot 1 to a church, and create a parcel of land for a potential church. This would require a conditional use permit from the County. Conditional use permits require a public hearing before the Board of Adjustment and notification of property owners within a quarter mile.

Current Surrounding Land Use

Adjacent properties include:



North

A 15.44 net-acre parcel in the A-1 Agricultural zoning district owned by Shaw, Brandon N & Andrea G. This parcel has a dwelling and open space.

A 5.46 net-acre parcel in the A-1 Agricultural zoning district. This parcel is owned by Fincham, Anita Trustee & Fincham Family Trust. This parcel is in row crop production.

East

A 32.89 net-acre parcel in the A-1 Agricultural zoning district under common ownership with the subject property. This parcel is in row crop production.

South

Various parcels located within the Ames city limits including, Vintage Corporate of Ames and Quarry Estates Subdivision (a residential subdivision). These are located across 190th Street.

West

Three residential parcels ranging between 0.86 and 1.67 acres in size. They are under the ownership of Ricky Thompson and Kirk Kniss and Karen Maeschen. They are zoned A-1 Agricultural.

Grant Avenue is also located to the west. There is an agricultural parcel across Grant owned by the Fincham family. It is zoned A-1 Agricultural.

There is a total of 204 parcels located within a quarter mile of the subject property. Of the 204 properties, 13 are located in the county, the remaining 191 parcels are located within the city limits of Ames. Of the 13 parcels in the unincorporated are 5 contain single-family dwellings. Six (6) of the parcels in the county meet or exceed the minimum 35-acre requirement to construct a single-family dwelling in the A-1 Agricultural Zoning District.

Review Process

The County and the City of Ames have been working on this proposal since August of 2022. With the existing Ames Urban Fringe Plan giving the County and City joint review, the applicant has had conceptual review with the County, a sketch plan with the city, and has been working to meet both the requirements of the County and the City.

Several such requirements include for:

- Access: The City has a requirement of streets not being greater than 175 feet apart and the County has a requirement of a minimum of 300 feet between accesses. Staff worked through these issues with the applicant and they will be addressed as part of the conditional use permit. A portion of the proposed outlot is in alignment with McFarland



Ave for future city street extensions. A condition is recommended related to access requirements for future development.

- Traffic: The County and City require traffic studies for new development. A condition is recommended that the traffic study that is required to be submitted for the church or other development meet both County standards and include a traffic memo/turning movements on 190th to be reviewed by the City.
- Sidewalks: The City requires a 5 foot sidewalk along 190th. An easement is forthcoming and a condition is recommended that it be received and reviewed by the City of Ames prior to Board of Supervisors action on the subdivision plat.
- Wastewater and Other Infrastructure: The applicant has worked with Environmental Health regarding the need for a future septic system for proposed Lot 1 and soil site evaluation. An agreement has been reached that the evaluation may be submitted with the conditional use permit or other development application instead of with the subdivision plat. Alternatively, the City is requiring an annexation and infrastructure improvement agreement.
- Stormwater: The County and City have similar stormwater management requirements. A condition is recommended that the stormwater management plan submitted to the County as part of the conditional use permit or other development application be submitted to the City for review.

Applicable Regulations – Story County Land Development Regulations

87.08 MINOR SUBDIVISION PLAT

1. A subdivision may be submitted for review and approval as a minor subdivision plat when all of the following are true:
 - a. The subdivision contains no more than four new development lots.
 - b. All development lots within the subdivision are fronted on an existing public street.
 - c. The subdivision includes no land set apart for new streets, alleys, parks, dedicated open space, school property or public use.
 - d. No Agricultural or Minor Subdivision Plats have been approved for the tracts being divided after December 31, 2003.

In addition to the above requirements, Section 87.08 of the code requires items to be shown on the face of the plat such as easements and setbacks. It also requires all state code requirements for subdivisions to be met, including submittal of a consent and dedication, title opinion, mortgage holder consent, and certificate from the County Treasurer. Finally, letters from utility



providers and the applicable fire chief acknowledging the subdivision are required. All these materials and requirements have been met and are available on the agenda center.

Commentary

The following comments are part of the official record of the proposed Residential Subdivision Plat – **Hidden Creek Farm Plat 1, Case No. SUB23-000001**. 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 February 13, 2023, and the following applicable comments were received.

Story County Engineer

Engineer and City worked to provide joint comments to the applicant. Comments have been provided to the applicant.

Story County Environmental Health

Space indicated on drawing for future onsite wastewater treatment, soils in this area are typically conducive for soil-based treatment methods pending on water tables and findings in the soil evaluation. Applicant knows that a DNR permit maybe required based on the proposed use or working with the city to connect to existing infrastructure on the southside of W 190th St.

Story County Emergency Management

No comments.

Story County Assessor

The Assessor's Office will review the use and classification of this parcel for the 01/01/2024 assessment.

Story County Conservation

No comments.

Story County Auditor

No Comments.

Story County Planning and Development

All Planning and Development comments have been addressed by the submittal.

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 February 22, 2023. A sign was also placed on the property.



Staff received a few phone calls and an email regarding the proposal. Some of the calls were just asking for general information. One caller was concerned about the loss of ag land and the Ames Urban Fringe Plan. One email was concerned about how the development of the church could affect stormwater run-off. Staff responded with the proposed plat and contours, also informed them of the proposed stormwater easement and county and state requirements of stormwater management.

Marcus Amman presented the staff report and PowerPoint to the Planning and Zoning Commission at their March 1st, 2023 meeting.

Younkin had a question about the annexation agreement with the City of Ames. Amman explained that with the location of the subdivision Ames retains its review authority and part of their review requirements are that new subdivisions within 2 miles of their boundary require an annexation agreement.

There was one comment from the public at the March 1, 2023 Planning and Zoning Commission meeting. A neighboring property owner attended the meeting. They voiced concerns about stormwater runoff. Staff responded that if more than an acre of land is disturbed an NPDES permit will be required, if less than an acre the county's stormwater management ordinance is required to be followed. There is also a stormwater easement area as part of the subdivision plat request.

Comments from Cities within Two Miles

Ames and Gilbert are within two miles of the subject property. Gilbert was notified and a letter from their fire chief obtained stating they would serve the development.

Ames City Council also has review authority and will take action on the plat prior to recording.

Analysis

Points to consider in evaluating the applicant's request to divide their property through the Minor Subdivision Plat process to create one (1) lot for a future conditional use and an outlet.

1. The property owner proposes to reconfigure their parcel totaling 29.05 net acres to facilitate a change in ownership.
2. No new/additional development lots are being created. Ames is requiring an agreement to annex voluntarily when requested, and agreements for future infrastructure improvements and upgrades after annexation.
3. There are plans to apply for a conditional use permit for a church on Lot 1 in the future. Notification of property owners within a quarter mile and a public hearing will occur at that time.



4. Access, wastewater, infrastructure, sidewalk, stormwater and traffic study requirements have been discussed between the County, the City, and the applicant and several conditions are recommended to ensure both City and County standards are met.
5. All requirements for a Minor Subdivision Plat in Section 87.08 of the Story County Land Development Regulations are met.
6. There is a total of 204 parcels located within a quarter mile of the subject property. Of the 204 properties, 13 are located in the County, and 5 contain single-family dwellings.
7. Any additional divisions of Outlot A would require a rezoning and a replatting of the proposed area, and likely annexation.

Alternatives

Story County Planning & Development Staff recommend the approval of the Hidden Creek Farm Plat 1, with conditions (alternative #2).

1. The Story County Planning and Zoning Commission recommends approval of Resolution #23-74, the Minor Subdivision Plat – Hidden Creek Farm Plat 1 as submitted.
2. **The Story County Planning and Zoning Commission recommends approval of Resolution #23-74, the Minor Subdivision Plat – Hidden Creek Farm Plat 1, with conditions:**
 - The traffic study submitted as part of a conditional use permit or other development application (rezoning, site plan, etc.) shall meet both County standards and include a traffic memo/turning movements on 190th to be reviewed by City of Ames.
 - Any new accesses proposed as part of the conditional use permit or other development application shall meet both City and County standards for spacing, as allowed by the County or City Engineers.
 - A sidewalk easement shall be submitted and reviewed by the City of Ames prior to Board of Supervisors action on the subdivision plat. The conservation easement shall be updated to include the 20-foot area adjacent to 190th, and to allow a sidewalk.
 - The site soils evaluation for septic shall be submitted with the conditional use permit or other development application (rezoning, site plan, etc.).
 - The stormwater management plan submitted to the County as part of the conditional use permit or other development application (rezoning, site plan, etc.) shall be submitted to the City of Ames for review.
3. The Story County Planning and Zoning Commission recommends denial Resolution #23-74, the Minor Subdivision Plat – Hidden Creek Farm Plat 1 as submitted.
4. The Story County Planning and Zoning Commission tables the decision on Resolution #23-74, the Minor Subdivision Plat – Hidden Creek Farm Plat 1 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 Planning and Zoning Commission agenda.

Prepared by & Return to: Zachary S. Chizek, 1620 Superior Street, Unit 1, Webster City, IA 50595

CONSENT AND DEDICATION

THE UNDERSIGNED HEREBY CERTIFY:

That Philip D. Voge, Manager of Hidden Creek Farms, LLC, an Iowa limited liability company, owners of the herein described real estate, have in pursuance of law, caused the real estate described herein to be surveyed, staked, and platted, as is particularly shown and set forth in this plat and the Certificates thereto of R. Bradley Stumbo of Fox Engineering Associates, Inc., a Licensed Land Surveyor who surveyed and platted the same to be known as Hidden Creek Farm Plat 1, as sole owner and proprietors thereof. Said Plat is prepared with the owner's free consent and in accordance with the owner's desire.

The real estate contained in said plat is described as follows:

That part of the Southwest Quarter of the Southwest Quarter of Section 15; Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Commencing at the Southwest Corner of said Section 15; thence $N00^{\circ}18'57''E$, 452.00 feet along the west line thereof to the Northwest Corner of Parcel G in said Southwest Quarter of the Southwest Quarter and the point of beginning; thence continuing $N00^{\circ}18'57''E$, 701.90 feet to the Southwest Corner of Outlot A in Fincham Agricultural Subdivision in the Southwest Quarter of said Section 15; thence $S89^{\circ}54'26''E$, 1316.46 feet along the south line of said Fincham Agricultural Subdivision to the east line of said Southwest Quarter of the Southwest Quarter; thence $S00^{\circ}25'16''W$, 1151.89 feet to the Southeast Corner thereof; thence $N89^{\circ}59'44''W$, 918.28 feet along the south line of said Section 15 to the Southeast Corner of Parcel J in said Southwest Quarter of the Southwest Quarter; thence $N00^{\circ}18'21''E$, 452.07 feet to the Northeast Corner thereof; thence $S89^{\circ}59'38''W$, 395.99 feet along the north line of said Parcels J and G to the point of beginning, containing 30.70 acres, which includes 1.97 acres of existing public right of way.

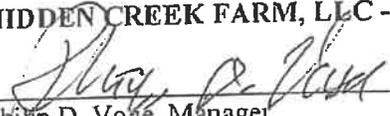
Further, Philip D. Voge, Manager of Hidden Creek Farms, LLC, an Iowa limited liability company, owners of the real estate described below, hereby irrevocably offers to dedicate to the public all lands within the Hidden Creek Farm Plat 1, that are designated for streets, alleys, parks, open areas, or other public use as platted and lying within the following described real estate:

Lots A and B in Hidden Creek Farm Plat 1

This offer is made pursuant to Iowa Code §355.8. The approval of the Story County Board of Supervisors shall be deemed an acceptance of this proposed dedication for public use.

(SIGNATURE PAGE FOLLOWS)

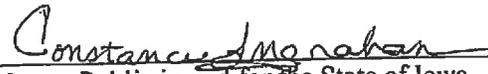
HIDDEN CREEK FARM, LLC - OWNER:

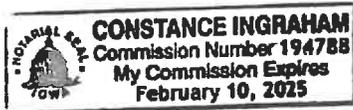

Philip D. Voge, Manager

Date: 11/28/22

STATE OF IOWA, HAMILTON COUNTY, ss:

Signed and sworn to (or affirmed) before me on this 28th day of November, 2022, by Philip D. Voge, as Manager of Hidden Creek Farm, LLC.


Notary Public in and for the State of Iowa



Prepared by & Return to: Zachary S. Chizek, 1620 Superior Street, Unit 1, Webster City, IA 50595

CONSENT OF MORTGAGE HOLDER

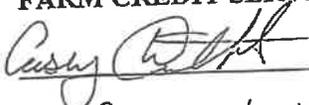
THE UNDERSIGNED HEREBY CERTIFY:

That Farm Credit Services of America, FLCA, holds one (1) real estate mortgages on real estate that includes the real estate described in the Plat of Hidden Creek Farm Plat 1. The mortgage was executed on March 1, 2022 and recorded on March 1, 2022 as Instrument No. 22-01865. The mortgage listed include all or a portion of the following described real estate:

That part of the Southwest Quarter of the Southwest Quarter of Section 15; Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Commencing at the Southwest Corner of said Section 15; thence N00°18'57"E, 452.00 feet along the west line thereof to the Northwest Corner of Parcel G in said Southwest Quarter of the Southwest Quarter and the point of beginning; thence continuing N00°18'57"E, 701.90 feet to the Southwest Corner of Outlot A in Fincham Agricultural Subdivision in the Southwest Quarter of said Section 15; thence S89°54'26"E, 1316.46 feet along the south line of said Fincham Agricultural Subdivision to the east line of said Southwest Quarter of the Southwest Quarter; thence S00°25'16"W, 1151.89 feet to the Southeast Corner thereof; thence N89°59'44"W, 918.28 feet along the south line of said Section 15 to the Southeast Corner of Parcel J in said Southwest Quarter of the Southwest Quarter; thence N00°18'21"E, 452.07 feet to the Northeast Corner thereof; thence S89°59'38"W, 395.99 feet along the north line of said Parcels J and G to the point of beginning, containing 30.70 acres, which includes 1.97 acres of existing public right of way.

Farm Credit Services of America, FLCA, does hereby consent to the platting of the described real estate by the owner, Hidden Creek Farm, LLC, as Hidden Creek Farm Plat 1

FARM CREDIT SERVICES OF AMERICA, FLCA- MORTGAGE HOLDER:



By: Casey Harlburt

Its: Financial Services Officer

Date: 11/28/2022

STATE OF IOWA, HAMILTON COUNTY, ss:

On this 28th day of November 2022, before me, a Notary Public, personally appeared Casey Harlburt, the Financial Services Office of Farm Credit Services of America, FLCA, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged it was signed on behalf of Farm Credit Services of America, FLCA, by its authority and acknowledged it was executed voluntarily by Farm Credit Services of America, FLCA, and by them.



Kadie Jo Ritland
Notary Public in and for the State of Iowa

Prepared by and Return to: Zachary S. Chizek, 1620 Superior Street, Unit 1, Webster City, Iowa 50595 (515) 832-2885

CERTIFICATE OF THE TREASURER OF STORY COUNTY, IOWA

I, Ted Rasmusson, the duly elected and acting Treasurer of Story County, Iowa, do hereby certify that the real estate described below is free and clear of all taxes and special assessments due and payable as of the date of this Certificate.

That part of the Southwest Quarter of the Southwest Quarter of Section 15; Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Commencing at the Southwest Corner of said Section 15; thence N00°18'57"E, 452.00 feet along the west line thereof to the Northwest Corner of Parcel G in said Southwest Quarter of the Southwest Quarter and the point of beginning; thence continuing N00°18'57"E, 701.90 feet to the Southwest Corner of Outlot A in Fincham Agricultural Subdivision in the Southwest Quarter of said Section 15; thence S89°54'26"E, 1316.46 feet along the south line of said Fincham Agricultural Subdivision to the east line of said Southwest Quarter of the Southwest Quarter; thence S00°25'16"W, 1151.89 feet to the Southeast Corner thereof; thence N89°59'44"W, 918.28 feet along the south line of said Section 15 to the Southeast Corner of Parcel J in said Southwest Quarter of the Southwest Quarter; thence N00°18'21"E, 452.07 feet to the Northeast Corner thereof; thence S89°59'38"W, 395.99 feet along the north line of said Parcels J and G to the point of beginning, containing 30.70 acres, which includes 1.97 acres of existing public right of way.

Witness my hand and Official Seal this 1st day of December, 2022.



Ted Rasmusson,
Story County Treasurer

Parcel No. 05-15-300-320
Parcel No. 05-15-300-410

ATTORNEY'S OPINION

I, Zachary S. Chizek, hereby state that I am an Attorney at Law, duly admitted to the practice of law in the State of Iowa, and an attorney at Groves & Chizek Law Office with offices at 1620 Superior Street, Unit 1, Webster City, Hamilton County, Iowa. I further state that I have examined the Abstract of Title to the following-described real estate, to-wit:

That part of the Southwest Quarter of the Southwest Quarter of Section 15; Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Commencing at the Southwest Corner of said Section 15; thence $N00^{\circ}18'57''E$, 452.00 feet along the west line thereof to the Northwest Corner of Parcel G in said Southwest Quarter of the Southwest Quarter and the point of beginning; thence continuing $N00^{\circ}18'57''E$, 701.90 feet to the Southwest Corner of Outlot A in Fincham Agricultural Subdivision in the Southwest Quarter of said Section 15; thence $S89^{\circ}54'26''E$, 1316.46 feet along the south line of said Fincham Agricultural Subdivision to the east line of said Southwest Quarter of the Southwest Quarter; thence $S00^{\circ}25'16''W$, 1151.89 feet to the Southeast Corner thereof; thence $N89^{\circ}59'44''W$, 918.28 feet along the south line of said Section 15 to the Southeast Corner of Parcel J in said Southwest Quarter of the Southwest Quarter; thence $N00^{\circ}18'21''E$, 452.07 feet to the Northeast Corner thereof; thence $S89^{\circ}59'38''W$, 395.99 feet along the north line of said Parcels J and G to the point of beginning, containing 30.70 acres, which includes 1.97 acres of existing public right of way.

My examination of the Abstract of Title is from the root of title thereof, down to and including the 4th day of January, 2023 at 8:00 a.m., last certified by Abstract and Title Services – Story County, Ames, Iowa (Iowa Title Guaranty Division Member #8650). The Real Estate has now been subdivided and is now known as **Hidden Creek Farm Plat 1, Ames, Story County, Iowa**.

Based upon information within said Abstract of Title, it is my opinion that the fee simple title to the Real Estate is vested in **Hidden Creek Farm, LLC**. The Real Estate is subject to easements of record and to zoning ordinances of the City of Ames, Iowa and/or Story County, as well as the following:

1. Real Estate Mortgage, Security Agreement, Assignment of Rents, and Fixture Filing with Farm Credit Services of America, FLCA dated March 1, 2022, filed March 1, 2022 as Inst. No. 22-01865 in the records at the office of the Story County Recorder, Nevada, Iowa.

Dated this 16th day of January, 2023.

Hidden Creek Farm, LLC
January 16, 2023
Page 2

By:



Zachary S. Chizek
Attorney at Law
Title Guaranty # 10478

Prepared by & Return to: Zachary S. Chizek, 1620 Superior Street, Unit 1, Webster City, IA 50595

EASEMENTS

KNOW ALL PERSONS BY THESE PRESENTS:

That **Hidden Creek Farm, LLC**, an Iowa limited liability company, for good and valuable consideration, does hereby grant unto **Story County, Iowa**, and its successors and assigns, public utility easements upon, underground, over or across the following-described real estate:

Lot 1: The South 10 feet of that part abutting W. 190th Street, The West 10 feet of that part abutting Grant Avenue

Outlot A: The South 10 feet of that part abutting W. 190th Street, The West 10 feet of that part abutting Grant Avenue

all of the foregoing in **Hidden Creek Farm Plat 1, Ames, Story County, Iowa**.

The undersigned further grants unto **Story County, Iowa**, and its successors and assigns, conservation and storm water management easements upon, underground, over or across the following-described real estate:

All that part of Lot 1 lying North and East of the following line: Beginning at a point on the West line of Lot 1 which is 25.00 feet South of the NW Corner thereof; thence S89°54'26"E, 875.75 feet, parallel with and 25.00 feet South of the north line of said Lot 1; thence S00°25'16"W, 150.00 feet; thence S43°50'00"E, 71.65 feet; thence S00°25'16"W, 310.61 feet; thence N90°00'00"E, 64.85 feet; thence S00°00'00"E, 198.96 feet to the south line of said Lot 1, and there terminating.

all of the foregoing in **Hidden Creek Farm Plat 1, Ames, Story County, Iowa**.

The undersigned further grants unto **Story County, Iowa**, and its successors and assigns, conservation easements, including sidewalks, upon, underground, over or across the following-described real estate:

Lot 1: The South 20 feet of that part abutting W. 190th Street, The West 20 feet of that part abutting Grant Avenue

Outlot A: The South 20 feet of that part abutting W. 190th Street, The West 20 feet of that part abutting Grant Avenue

all of the foregoing in **Hidden Creek Farm Plat 1, Ames, Story County, Iowa.**

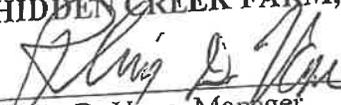
The foregoing rights are granted upon the express condition that the undersigned shall not erect or place within the easement areas identified herein any building or other structure or improvement, including, but not limited to, a retaining wall or fence, or any trees, shrubs, or other landscape plantings other than grass or comparable ground cover except with the consent of Story County, Iowa. Story County, Iowa shall have the right to trim or remove trees and shrubs within the easement areas identified herein to prevent damage to utility service lines of Story County, Iowa located within said easement areas.

The foregoing rights are granted upon the express condition that the users of the granted rights will assume liability for all damage to the real estate described herein and any adjacent real estate caused by the failure to use due care in the exercise of the granted rights.

Dated this 2nd day of March, 2023.

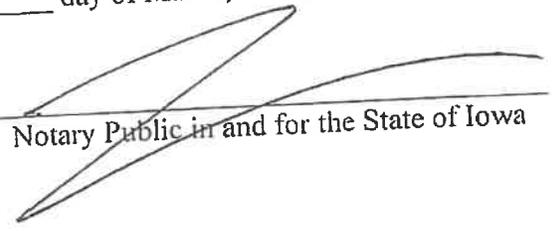
[SIGNATURE PAGE TO FOLLOW]

HIDDEN CREEK FARM, LLC


Philip D. Voge, Manager

STATE OF IOWA, HAMILTON COUNTY, ss:

Signed and sworn to (or affirmed) before me on this 2nd day of March, 2023, by Philip D. Voge,
as Manager of Hidden Creek Farm, LLC.


Notary Public in and for the State of Iowa





**GILBERT - FRANKLIN TOWNSHIP
FIRE & EMERGENCY RESPONSE
AGENCY**

**GILBERT IOWA FIREFIGHTERS'
ASSOCIATION**

February 2, 2023

To Whom it may concern:

After my officer team and myself went over your proposed site plan we do not see any reason that you cannot proceed with your process for Lot 1, Hidden Creek Farm, Plat 1, in Franklin Township, in Story County Iowa.

If I can be of any further assistance, please let me know.

Chief David Zeisneiss

Gilbert-Franklin Twp Fire Department

Gffdchief1105@gmail.com

515-290-7145



Alliant Energy
1284 XE Place
Ames, IA 50014-6304

1-800-ALLIANT (1-800-255-4268)
alliantenergy.com

January 18, 2023

John Gade
Hidden Creek Farm Plat 1
Ames, IA 50010

R.E. Hidden Creek Farm Plat 1 Proposed Subdivision

John,

Please accept this letter as confirmation that the proposed Hidden Creek Farm Plat 1 subdivision is within Alliant Energy service territory for natural gas service. The closest gas main is along W 190th St. and Hyde / Grant Ave. There would be no capacity concerns to serve the single proposed building from existing facilities.

If Alliant Energy cannot provide gas service at this time, then the subdivision has the ability to be serviced with individual Liquid Petroleum (LP) gas tanks.

Sincerely,

Jack Mauss
Field Designer | Alliant Energy
Ames Operating Office
1284 XE Place
Ames, Iowa 50010



PERMIT PROJECT
 FILE #: 23-000031
 NEVADA IA 50010
 NEW LOT FOR CHURCH FACILITY



PERMIT #: SUB23-000001

Permit Type
Subdivision

Subtype

Minor Plat



Work Description:

New lot for church facility



Applicant

FOX Strand - Brad Stumbo



Status

Under Review



Valuation

0.00



FEES & PAYMENTS

Plan Check Fees

275.00

Permit Fees

6.19

Total Amount

281.19

Amount Paid

281.19

Balance Due

0.00

Non-Billable



PERMIT DATES

Application Date

02/09/2023

Approval Date

Issue Date:

Expiration Date:

Close Date

Last Inspection

Have you attended a conceptual review meeting?

Yes

Conceptual Review Permit #

CR22-000008 

Original Subdivision Name

Proposed Subdivision Name

Hidden Creek Farm Plat 1

Required Attachments

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

Hidden Creek Farm Plat 1 legal (subd only).docx



Proposed subdivision plat (submit as PDF)

7125.003 Hidden Creek Farm Plat 1 FP.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)

Hidden Creek LTR Alliant Natural Gas.pdf

Hidden Creek LTR Gilbert Fire.pdf

Hidden Creek LTR Xenia.pdf

Hidden Creek LTR Midland Electric.pdf

Hidden Creek Farms Site Contours.pdf



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

Hidden Creek Final Plat Docs (copy).pdf



Additional Documents



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

Signature

signature.png



FEES



FEE	DESC	QUANTITY	AMOUNT	TOTAL
Subdivision				275.00
Convenience Fee		1.0	6.1900	6.19
Plan Check Fees				275.00



Permit Fees **6.19**

Total Fees **281.19**

 **PAYMENTS**



DATE	TYPE	REFERENCE	NOTE	RECEIPT #	RECEIVED FROM	AMOUNT
02/10/2023	Credi	214698219	SUB2	26	FOX Stran	281.19
Amount Paid						281.19
Balance Due						0.00



OUTLOT A
FINCHAM AGRICULTURAL
SUBDIVISION
FINCHAM FAMILY TRUST

N89°54'29"W (REC. FINCHAM SD)
S89°54'26"E 1316.46'
1261.46'

LOT 1, FINCHAM AGRICULTURAL
SUBDIVISION
BRANDON & ANDREA SHAW

IOWA NORTH
E - 4884552.36

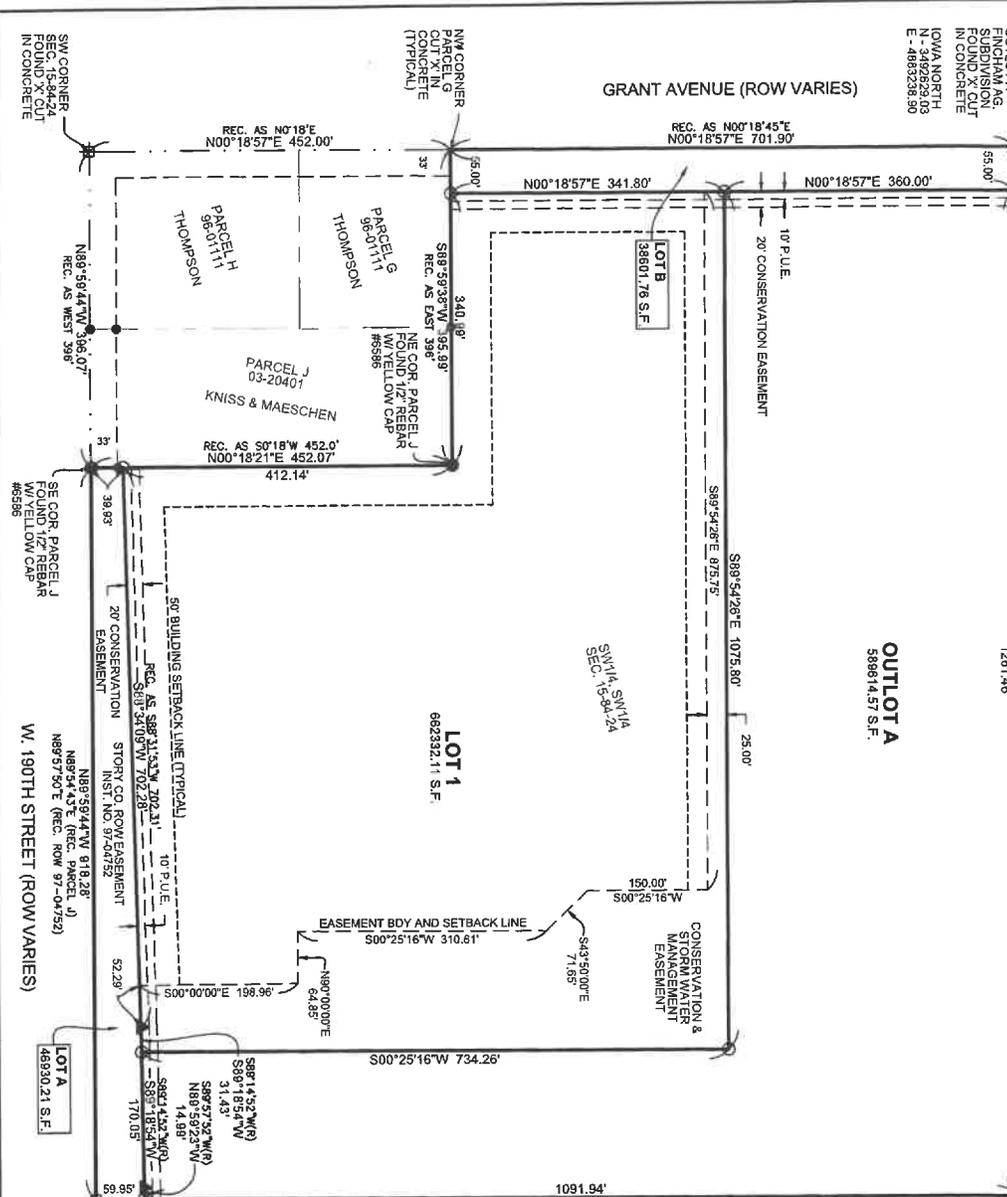
N89°54'29"W (REC. FINCHAM SD)
S89°54'26"E 1316.42'

SE COR. OUTLOT B
FINCHAM AGRICULTURAL
SUBDIVISION
FOUND 'X' IN STONE

SW CORNER
OUTLOT A
FINCHAM AGRICULTURAL
SUBDIVISION
FOUND 'X' CUT
IN CONCRETE
IOWA NORTH
N - 3492629.03
E - 4883238.90

GRANT AVENUE (ROW VARIES)

OUTLOTA
588614.57 S.F.



Owner/ Developer:
Hidden Creek Farm, LLC
1001 N. Terrace Dr.
Webster City, IA 50595

Survey Description:
That part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, hereinafter justly described as follows: Commencing at the Northwest Corner of Section 15, thence N00°18'57"E 452.00 feet along the west line thereof to the Northwest Corner of Parcel G in said Southwest Quarter of the Southwest Quarter and the point of beginning, thence continuing N00°18'57"E 701.50 feet to the Southwest Corner of Outlot A in Fincham Agricultural Subdivision in the Southwest Quarter of said Section 15, thence S89°54'26"E 1316.46 feet along the south line of said Fincham Agricultural Subdivision to the east line of said Southwest Quarter of the Southwest Quarter, thence S00°25'16"W 1151.89 feet to the Southeast Corner thereof, thence N89°59'44"W 918.28 feet along the south line of said Section 15 to the Southeast Corner of Parcel J in said Southwest Quarter of the Southwest Quarter, thence N00°18'21"E 452.07 feet to the Northeast Corner thereof, thence S89°59'38"W 395.99 feet along the north line of said Parcel J and G to the point of beginning, containing 30,770 acres, which includes 1.97 acres of existing public right of way.

Subdivision Notes:
1. Lot 1 is to be set apart.
2. Outlot A is not buildable and is reserved for future development, including McFarland Avenue right-of-way.
3. No permit can be issued for the construction of a dwelling on Lot 1.
4. 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. E911 addresses shall be assigned at the request of the property owner.
5. A 5' P.C.C. sidewalk shall be installed along W. 190th Street when Lot 1 is developed.

Districts:
K-1 (Agricultural)
School: Gilbert
Ambulance: Mary Greeley
Fire: Gilbert
Drainage: Franklin #95
Watershed: Keigley Branch - South Skunk River
Utilities: Xenia Rural Water, Alliant Energy, Midland Power

LOT A
46990.21 S.F.

SE CORNER
SW1/4, SW1/4
SEC. 15-84-24
CONCRETE

N89°59'44"W 1814.36'
N89°57'50"E (REC. ROW 87-04752)

S1/4 CORNER
FOUND 'X' CUT
IN CONCRETE

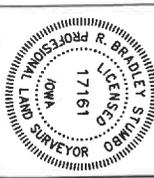
STRAND ASSOCIATES
FOX Strand
414 South 17th Street, Suite 107
Ames, Iowa 50010
Phone: (515) 253-0000
FAX: (515) 253-0103

**FINAL PLAT
HIDDEN CREEK FARM PLAT 1**
A MINOR SUBDIVISION OF PT. OF THE SW 1/4, SW 1/4 OF
SEC. 15-84-24, STORY COUNTY, IOWA
JOB# 7125.003 DATE: 2/21/23 PAGE 1 OF 1

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.

R. Bradley Stumbo
R. BRADLEY STUMBO, FLS
License number 17161
My license renewal date is December 31, 2023.

2/21/2023
DATE





To Whom It May Concern,

Midland Power Cooperative is the electric utility provider for the parcel located at the NE corner of Grant Ave & W 190th St.

Regards,

A handwritten signature in black ink, appearing to read "Casey Huff", is written over a light gray rectangular background.

Casey Huff
Director of Engineering



January 25, 2023

Story County Planning Department
900 6th St.
Nevada, IA 50201

To Whom it May Concern:

Xenia Rural Water District has reviewed the plat for Hidden Creek Farm Plat 1, a rural subdivision of a church located along W 190th St, east of Grant Ave in Story County. Xenia has the capacity to provide domestic water service to this property and is situated within Xenia's water service territory.

If you have any questions, please contact me at (515) 676-2117 ext. 116 or via email at ciben@xeniawater.org.

Sincerely,

Corey Iben
HR & Administration Manager
Xenia Rural Water District



Board of Supervisors

March 28, 2023

Background

- Hidden Creek Farm LLC is applying for a minor subdivision to **reconfigure their property and transfer of ownership of a portion to a church for the future development.**
- **One lot (approx. 15.2 acres) will be created that may be developed if a conditional use permit were issued or it was rezoned.**
- Churches are allowed in the A-1 Agricultural District (present zoning district) with the granting of a conditional use permit by the Board of Adjustment. When the church is ready to begin development they will need to apply for a CUP. **Approval of the subdivision does not approve any development on the site. Future public notice and hearings will be required.**
- **There will also be an outlet** that cannot be developed without a rezoning and additional subdivisions.
- The right-of-way will be placed in street lots and dedicated to the County.
- Planning and Development Staff is recommending approval with conditions



Background (cont)

Differences between subdivisions and zoning

Subdivisions	Zoning
Changes land boundaries	Allows certain uses on land (development)
Does not approve development or allow certain land use	Some uses permitted by right in zoning district (e.g. dwellings, agricultural uses)
Standards for approval are objective and narrow (i.e. north arrow, legal description, survey points)	Some uses need special permits and additional review
	Special permits have broad standards that consider traffic, the environment, fire, etc. (i.e. Conditional Use Permits)



Subject Property, Surrounding Area, and FEMA Map



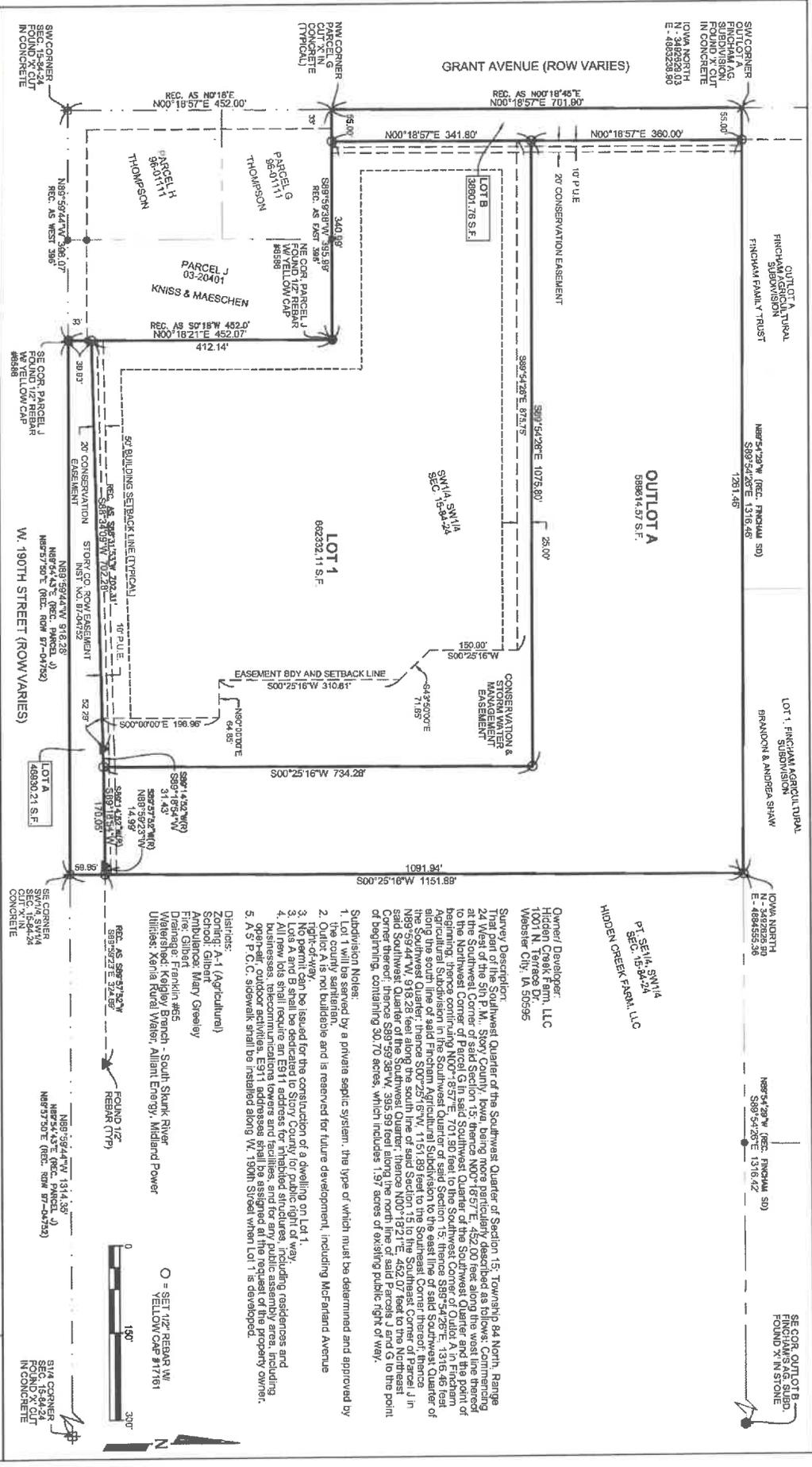
North of Ames
Access off of W 190th St
Franklin Township
Section 15 SW SW



Presented by Story County
Planning and Development

Story County
Board of Supervisors

Proposed Subdivision Plat



STRAND ASSOCIATES
 FOX Strand
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 283-0000
 Fax: (515) 283-0103

HIDDEN CREEK FARM PLAT 1
 A MINOR SUBDIVISION OF PT. OF THE SW1/4, SW1/4 OF
 SEC. 15-84-24, STORY COUNTY, IOWA
 JOB# 7125.003 DATE: 2/21/23 PAGE 1 OF 1

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.

R. Bradley Stumbo
 R. BRADLEY STUMBO, FLS
 License number: 17161
 My license renewal date is December 31, 2023.

2/21/2023 DATE

STORY COUNTY IOWA
 R. BRADLEY STUMBO, FLS
 License number: 17161
 My license renewal date is December 31, 2023.



OWNER/DEVELOPER:
 Hidden Creek Farm, LLC
 1001 N. Terrace Dr.
 Webster City, IA 50595

SURVEY DESCRIPTION:
 That part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Commencing at the Southwest Corner of said Section 15; thence N00°18'57"E 452.00 feet along the west line thereof to the Northwest Corner of Parcel G in said Southwest Quarter of the Southwest Quarter and the point of beginning; thence S89°54'25"E 1316.46 feet along the south line of said Southwest Quarter to the Southeast Corner thereof; thence S00°25'16"W 734.28 feet along the south line of said Southwest Quarter to the east line of said Southwest Quarter of the Southwest Quarter; thence S00°25'16"W 1151.89 feet to the Northeast Corner thereof; thence S50°29'38"W 350.51 feet along the east line of said Southwest Quarter to the point of beginning, containing 50,710 acres, which includes 1.97 acres of existing public right of way.

SUBDIVISION NOTES:
 1. Lot 1 will be served by a private septic system, the type of which must be determined and approved by the county sanitarian.
 2. Once A is not built and is reserved for future development, including McFarland Avenue
 3. No permit can be issued for the construction of a dwelling on Lot 1.
 4. Lots A and B shall be dedicated to Story County for public right of way.
 5. All new lots shall require an E911 address for habited structures, including residences and businesses, telecommunications towers and facilities, and for any public assembly area, including open-air, outdoor activities, E911 addresses shall be assigned at the request of the property owner.
 5. A 5' T.O.C. sidewalk shall be installed along W. 190th Street when Lot 1 is developed.

DISTRICTS:
 Zoning: A-1 (Agricultural)
 School: Gilbert
 Fire: Gibbs Franklin #65
 Electric: Iowa Electric #65
 Water/Sewer: Kegley Branch - South Shunk River
 Utilities: Xenia Rural Water, Alliant Energy, Midland Power

SE COR. OUTLOT B FINCHAM AGRICULTURAL SUBDIVISION FOUND 'X' IN STONE

PT. SEC. 14, SW1/4 SEC. 15-84-24 HIDDEN CREEK FARM, LLC

SE COR. PARCEL J FOUND 1/2\"/>

Analysis

1. The property owner proposes to reconfigure their parcel totaling 29.05 net acres to facilitate a change in ownership.
2. No new/additional development lots are being created. Ames is requiring an agreement to annex voluntarily when requested, and agreements for future infrastructure improvements and upgrades after annexation. Ames has joint review.
3. There are plans to apply for a conditional use permit for a church on Lot 1 in the future. Notification of property owners within a quarter mile and a public hearing will occur at that time. No development may occur without a CUP or rezoning on Lot 1.
4. Access, wastewater, infrastructure, sidewalk, stormwater and traffic study requirements have been discussed between the County, the City, and the applicant and several conditions are recommended to ensure both City and County standards are met.
5. All requirements for a Minor Subdivision Plat in Section 87.08 of the Story County Land Development Regulations are met.
6. Any additional divisions of Outlot A would require a rezoning and a replatting of the proposed area, and likely annexation.



Planning and Zoning Commission Recommendation

Planning and Zoning Commission recommend approval of the proposed Minor Subdivision Plat with the following conditions at their March 1st, 2023 meeting:

- **Accesses shall meet both County and City standards for spacing**
- **A traffic study meeting County and City of Ames standards must be submitted when the CUP or other development (rezoning, site plan, etc.) application is made**
- **A septic application and site evaluation for soils must be submitted when the CUP or other development (rezoning, site plan, etc.) application is made**
- **A sidewalk easement/agreement, meeting the City of Ames requirements, shall be submitted prior to consideration of the subdivision by the Board of Supervisors. The conservation easement shall be updated to include the 20-foot area adjacent to 190th, and to allow a sidewalk.**
- **The stormwater management plan submitted to the County as part of the conditional use permit or other development application shall also be submitted to the City for review.**



Board of Supervisors Alternatives

The Story County Board of Supervisors may consider the following alternatives for SUB23-000001, Resolution 23-74:

1. The Story County Board of Supervisors recommends approval of the Minor Subdivision for the Hidden Creek Farm Plat 1 subdivision as put forth in case SUB23-000001, Resolution 23-74, as submitted.
2. **The Story County Board of Supervisors recommends approval of the Minor Subdivision for the Hidden Creek Farm Plat 1 subdivision as put forth in case SUB23-000001, Resolution 23-74, with conditions.**
3. The Story County Board of Supervisors denies the Minor Subdivision for the Hidden Creek Farm Plat 1 subdivision as put forth in case SUB23-000001, Resolution 23-74, as submitted.
4. The Story County Board of Supervisors remands the Minor Subdivision for the Hidden Creek Farm Plat 1 subdivision as put forth in case SUB23-000001, Resolution 23-74, back to the applicant for further review and/or modifications and directs staff to place this item on the April 4th, 2023, Story County Board of Supervisors agenda.



Conditions Recommended to Board of Supervisors

- The traffic study submitted as part of a conditional use permit or other development application (rezoning, site plan, etc.) shall meet both County standards and include a traffic memo/turning movements on 190th to be reviewed by City of Ames.
- Any new accesses proposed as part of the conditional use permit or other development application shall meet both City and County standards for spacing, as allowed by the County or City Engineers.
- A sidewalk easement shall be submitted and reviewed by the City of Ames prior to Board of Supervisors action on the subdivision plat. The conservation easement shall be updated to include the 20-foot area adjacent to 190th, and to allow a sidewalk.
- The site soils evaluation for septic shall be submitted with the conditional use permit or other development application (rezoning, site plan, etc.).
- The stormwater management plan submitted to the County as part of the conditional use permit or other development application (rezoning, site plan, etc.) shall be submitted to the City of Ames for review.



DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER
 Prepared By: Amelia Scheneman, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 362-7245
 Please Return to the Story County Planning & Development Department

**STORY COUNTY IOWA
 RESOLUTION OF THE BOARD OF SUPERVISORS
 RESOLUTION 23-82**

EXTENDING THE AMES URBAN FRINGE PLAN 28E AGREEMENT TO June 30, 2023

WHEREAS, the current Ames Urban Fringe Plan (AUPF) was initially prepared July 2006 for Story County, Boone County, the City of Ames, and the City of Gilbert; and

WHEREAS, the provisions of the Code of Iowa, Chapter 28E were adopted to facilitate such inter-jurisdictional cooperative efforts; and

WHEREAS, a 28E Agreement, the Ames Urban Fringe Joint and Cooperative Agreement, was adopted on July 11, 2011, and recorded on July 15, 2011, as Instrument Number 2011-0006589 between Story County, the City of Ames and City of Gilbert; and

WHEREAS, the 28E Agreement was effective for five years after the date of adoption with automatic renewal for an additional five years; and

WHEREAS, the expiration of the 28E Agreement was extended by Story County, the City of Ames, and City of Gilbert to July 11, 2022; and

WHEREAS, the expiration of the 28E Agreement was again extended by Story County, the City of Ames, and City of Gilbert to November 7, 2022, and the 28E was filed as expiring on November 11, 2022, with the Iowa Secretary of State; and

WHEREAS, the expiration of the 28E Agreement was again extended by Story County, the City of Ames, and the City of Gilbert to January 1, 2023; and

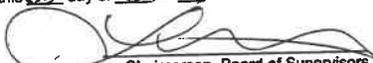
WHEREAS, the expiration of the 28E Agreement was again extended by Story County, the City of Ames, and the City of Gilbert to April 30, 2023; and

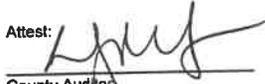
WHEREAS, under the 28E Agreement Sections 9 and 7, the parties may extend the current agreement, which allows the jurisdictions to continue to work together to amend the agreement; and

WHEREAS, the Story County Board of Supervisors support an extension of the current AUPF 28E Agreement to June 30, 2023, to allow adequate time for all jurisdictions to work together on goals and policy amendments to the future AUPF.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors directs Story County Planning and Development Staff to send resolution number 23-82 to the other jurisdictions.

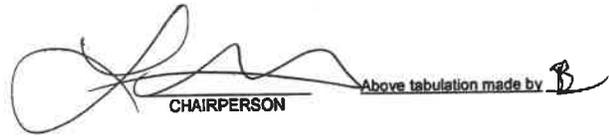
Dated this 28th day of 3, 2023


 Chairperson, Board of Supervisors

Attest: 
 County Auditor

<u>ROLL CALL</u>	<u>Latifah Faisal</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

 Above tabulation made by B
CHAIRPERSON



Story County Planning and Development
Administration Building
900 6th Street, Nevada, Iowa 50201
Ph. 515-382-7245 www.storycountyiowa.gov

Memorandum

DATE: March 28, 2023
TO: Story County Board of Supervisors
FROM: Amelia Schoeneman, Story County Planning and Development Director
RE: Draft Ames Urban Fringe Plan Update- Board of Supervisors' Response Letter to Changes to the Draft Ames Urban Fringe Plan Future Land Use Map Offered by the Ames City Council on January 10, 2023, and the City of Gilbert's February 24, 2023, and March 20, 2023 responses and Extension of the Current Ames Urban Fringe Plan

On February 28, the Board of Supervisors directed staff to draft a letter to the cities of Ames and Gilbert in response to the changes to the Draft Ames Urban Fringe Plan Future Land Use Map offered by the Ames City Council on January 10, 2023, and the City of Gilbert's February 24, 2023, and March 20, 2023 responses.

Staff has prepared a letter, available on the agenda center, reflecting the Board's direction from February on several issues: remove the Urban Reserve Overlay from the area between Ames and Gilbert, remove the Urban Reserve Overlay from Meadow Glen, and remove the Urban Growth designation from the Champlin Farms property. The letter also reflects the Board's direction from February regarding the public hearing process on a final Plan should Ames not accept the requested changes.

Since the February 28 meeting, the City of Gilbert acted to clarify its response to Ames' proposed changes. Gilbert consented to map the Urban Reserve one-quarter mile north of 190th, outside of the Ada Hayden protection area. Staff has provided the Board an alternative in the letter allowing Urban Reserve one-quarter mile north of 190th. However, staff included two 40-acre parcels on the west side of Grant that are in the Ada Hayden protection area as we understand sanitary sewer would be extended along Hyde/Grant and could serve these properties. Additionally, the purpose of the Ada Hayden Watershed Protection area is that stormwater management standards would be applied to development in the area, which would be the case if they were annexed

A third alternative provided in the letter regarding the mapping the Urban Reserve north of 190th is to increase the Urban Reserve to a half mile, splitting the area equally between Ames and Gilbert. The half mile will likely be more amenable to Ames as a quarter mile of area is restrictive, may not be sufficient to warrant investments in infrastructure, and would more closely match how properties are owned (often a land owner owns several quarter sections).

Regarding the Champlin Farms mapping, an alternative is also provided to allow the Champlin Farms property to remain as Urban Growth. This alternative does request the adjacent properties to the north be mapped as Agriculture and Farm Service. Staff included this option in the case the Board feels additional compromises are needed in order to have Ames agree to remove additional Urban Reserve

north of 190th. As infrastructure is available to serve the Champlin property if it were annexed, staff feels it is less likely that Ames would offer further compromises over this area than the area north of 190th.

Staff also add two general polices regarding the installation of infrastructure in the Environmentally Sensitive Areas Overlay and annexation of the Urban Reserve Overlay to help achieve the Board's goals while offering compromises.

Finally, the current plan expires on April 30, 2023. Staff has included a resolution to extend the Plan to June 30, 2023, to allow time for the finalization of the Plan. The Board's action should include 1) selection of alternatives for each issue in the letter and 2) action on extension of the current Ames Urban Fringe Plan.



**STORY COUNTY
BOARD OF SUPERVISORS
LISA K. HEDDENS
LINDA MURKEN
LATIFAH FAISAL**

Story County Administration
900 Sixth Street
Nevada Iowa 50201
515-382-7200
515-382-7206 (fax)

March 28, 2023

Mayor John Haila and Members of the Ames City Council
City of Ames
515 Clark Avenue
Ames, IA 50010

Mayor Jon Popp and Members of the Gilbert City Council
City of Gilbert
105 SE 2nd Street
Gilbert, IA 50105

RE: Changes to the Draft Ames Urban Fringe Plan

Dear Mayor Haila, Mayor Popp, and City Council Members,

The Board of Supervisors has considered the changes to the draft Ames Urban Fringe Plan Future Land Use Map offered by the Ames City Council on January 10, 2023, and the City of Gilbert's February 24, 2023, and March 20, 2023 responses. We appreciate the cooperators' continued work, and the compromises offered, to facilitate the development of a mutually-agreed upon and beneficial Plan. Toward this goal, the Board makes the following requests for changes:

1. Urban Reserve Overlay between Ames and Gilbert.

- **Alternative A and 2/28/23 BOS Direction:** Remove the Urban Reserve Overlay from the area between 190th and 180th Streets. See Attachment A for a proposed map for this area. The Board requests this area be mapped as Agriculture and Farm Service only.
- **Alternative B:** Remove the Urban Reserve Overlay from the area one-quarter mile north of 190th to 180th Street. See Attachment A for a proposed map for this area. This would allow one-quarter mile of Urban Reserve directly north of 190th. The Board requests the remaining area be mapped as Agriculture and Farm Service only.
- **Alternative C:** Remove the Urban Reserve Overlay from the area one-half mile north of 190th to 180th Street. See Attachment A for a proposed map for this area. This would allow one-half mile of Urban Reserve directly north of 190th. The Board requests the remaining area be mapped as Agriculture and Farm Service only.

2. Urban Growth and Urban Reserve Overlay Mapping Southwest of Ames.

- Alternative A and 2/28/23 BOS Direction: Remove Urban Growth designation from the Champlin property and adjacent properties, mapping them as Agriculture and Farm Service, and remove the Urban Reserve Overlay from the areas zoned residential along Meadow Glen Road. We believe the mapping of Meadow Glen was an oversight, since with the removal of the Urban Reserve Overlay from the area southwest of Ames, it would not be possible to annex this area voluntarily. See Attachment B for a proposed map.
- Alternative B: Remove Urban Growth designation from the properties north of and adjacent to the Champlin property, mapping them as Agriculture and Farm Service. These properties contain existing dwellings and natural areas along Worle Creek that do not have development potential. The Champlin property may connect to the City of Ames to the east if annexation were proposed. See Attachment B for a proposed map. Additionally, remove the Urban Reserve Overlay from the areas zoned residential along Meadow Glen Road. We believe the mapping of Meadow Glen was an oversight, since with the removal of the Urban Reserve Overlay from the area southwest of Ames, it would not be possible to annex this area voluntarily. Attachment B also includes a map illustrating this change.

3. General Policies.

- Add a policy to the Environmentally Sensitive Area Overlay that a city shall consider directional drilling as the preferred installation method for sewer and other infrastructure when crossing streams or other sensitive areas.
- Add a policy to the Urban Reserve Overlay that consideration of its annexation should include consideration of the Urban Growth areas and city's infill goals and should not directly undermine their viability for build-out in a predictable or sustainable economic manner.

The Board understands the importance and value of the Ames Urban Fringe Plan. However, without these requested changes, which are in response to public comment and the City of Gilbert's concerns, we cannot agree to the content of the final Plan prior to a public hearing process. If the Ames City Council will not accept these changes, the Board would be willing to consider a finalized Plan with Ames' proposed changes at a public hearing and make a final decision on adopting the Plan and entering into a 28E Agreement at that point. The Board requests the City of Ames hold the first public hearings before their Planning and Zoning Commission and City Council prior to the Story County Planning and Zoning Commission's and Board's consideration.

Toward the goal of finalizing the Plan, the Board has also acted to extend the current Plan to June 30, 2023, and asks the other cooperators to do the same.

Thank you for your consideration.

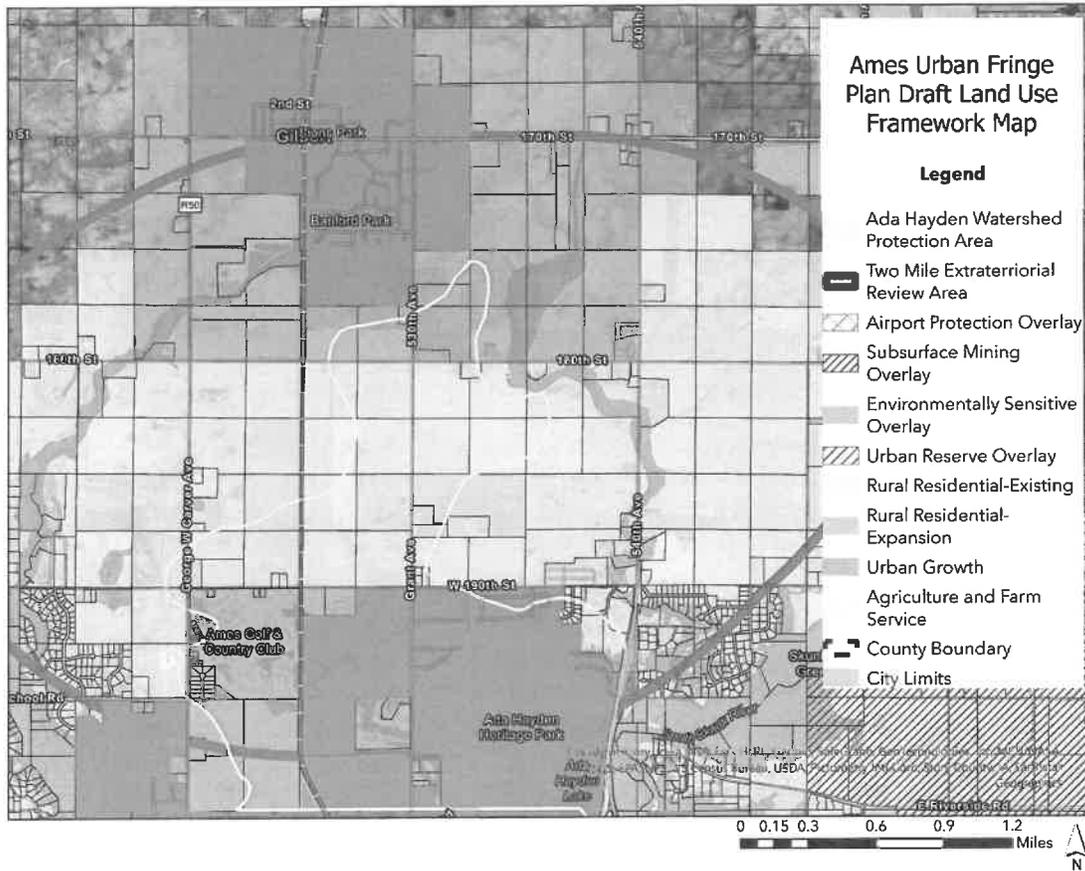
Sincerely,

Latifah Faisal, Chair

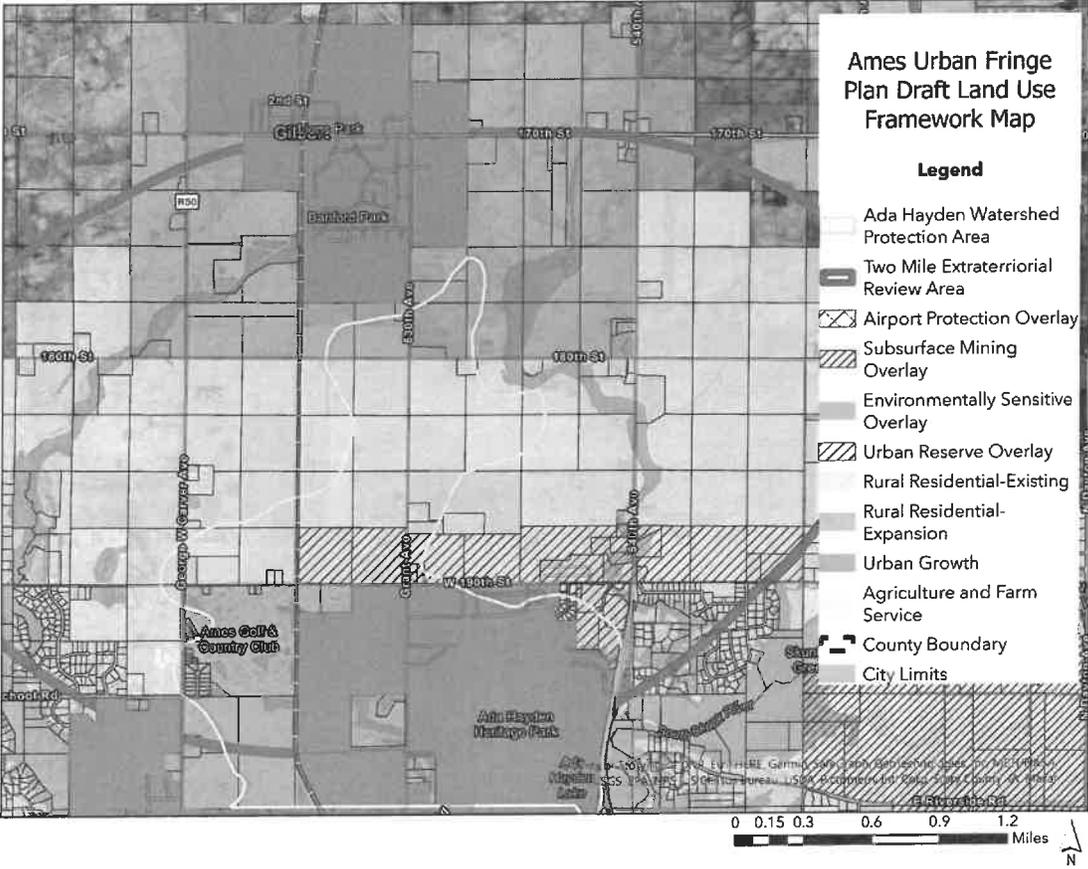
Story County Board of Supervisors

Cc: Kelly Diekmann, Planning and Housing Director, City of Ames
Sonia Arellano Sundberg, City Clerk, City of Gilbert

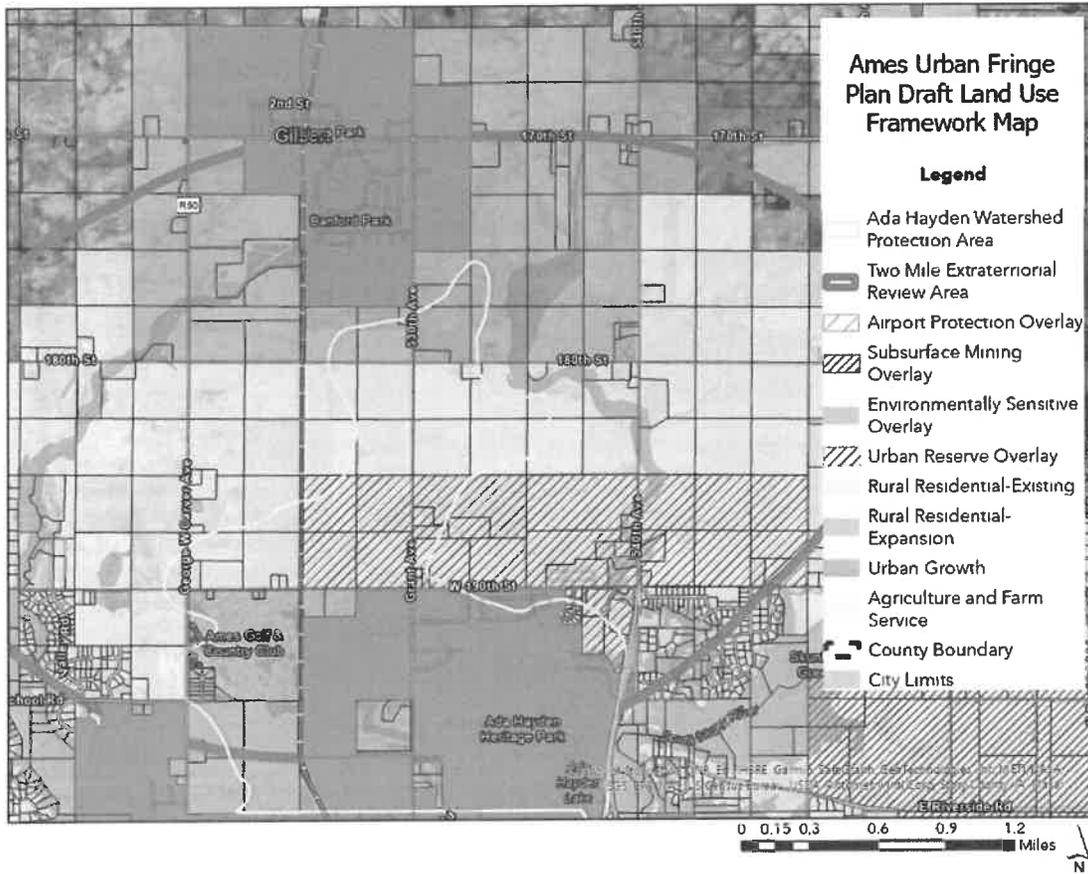
Attachment A—Alternative A



Attachment A—Alternative B

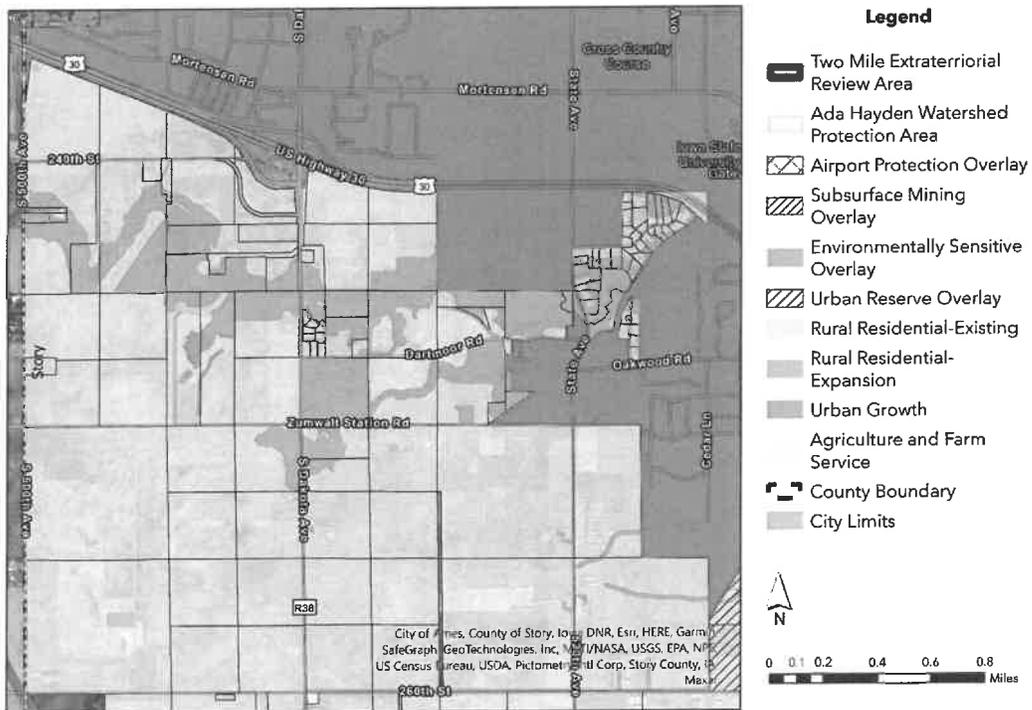


Attachment A—Alternative C



Attachment B—Alternative A

Ames Urban Fringe Plan Draft Land Use Framework Map



Attachment B—Alternative B

Ames Urban Fringe Plan Draft Land Use Framework Map

