

The Board of Supervisors met on 9/3/19 at 10:00 a.m. in the Story County Administration Building. Members present: Linda Murken, Lauris Olson, and Lisa Heddens with Murken presiding. (all audio of meetings available at storycountyiowa.gov)

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

PROCLAMATION OF SEPTEMBER AS NATIONAL RECOVERY MONTH: Murken read the proclamation. Heddens moved, Olson seconded the approval of the Proclamation of September as National Recovery Month. Roll call vote. (MCU)

CLAIMS: 9/5/19 Claims of \$289,056.39 (run date 8/16/19, 26 pages, on file in the Auditor's Office) and authorize the Auditor to issue checks in payments of these claims and payment requests from Central Iowa Drug Task Force (\$3,000.00), BooST School Ready Services (\$15,735.84), BooST Early Childhood (\$4,374.83), Emergency Management (\$451.49), E911 surcharge (\$62,233.13), County Assessor (\$625.31), Ames City Assessor (\$5,103.91), and Central Iowa Community Services (\$438,417.78). Olson moved, Heddens seconded the approval of Claims as presented. Roll call vote. (MCU)

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

1. Methamphetamine Drug Hot Spots Grant Program, effective 7/1/19-6/30/20, for \$3,000.00
2. Change Order No. 011 between Boulder Contracting, LLC and Story County Conservation for the Tedesco Environmental Learning Corridor (TELC) Bid Package #2 for \$16,054.80
3. Resolution #20-20, to Set Date and Time for Public Hearing for 9/17/19 for the Dakins Lake sustainable cabin
4. Facilities Management Quarterly Report
5. Utility Permits: #20-4381, 20-4382, 20-4384, 20-4385, 20-4388
6. Road Closure Resolutions: #20-11, 20-12, 20-13

Roll call vote. (MCU)

THIRD CONSIDERATION OF ORDINANCE NO. 285, AMENDING CHAPTER 85.08 DEFINITIONS AND CHAPTER 88.05 ENVIRONMENTAL AND NATURAL RESOURCE STANDARDS FOR STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL OF THE STORY COUNTY LAND

DEVELOPMENT REGULATIONS, STORY COUNTY CODE OF ORDINANCES – Amelia Schoeneman, County Planner, presented background and recommended final approval of the ordinance. Murken opened the public hearing at 10:08 a.m. Seeing no members of the public wishing to make a comment, Murken closed the public hearing at 10:09 a.m. Olson moved, Heddens seconded approval of Ordinance No. 285. Roll call vote. (MCU)

ADDITIONAL FUNDING TO THE HEART OF IOWA REGIONAL TRANSIT AGENCY (HIRTA) FOR THE RESTORATION, REVISION, AND MAINTENANCE OF SERVICES IN STORY COUNTY IMPACTED BY FY20 BUDGET CUTS AND SUPPORT SERVICES TO DIVERSIFY REVENUE AND REDUCE EXPENSES – Julia Castillo and Brooke Ramsey, HIRTA, via telephone. Castillo provided an update to the Board. Murken asked about funding requests for specific services. Heddens asked for clarification regarding funding applications. Karla Webb, Community Services Director, presented options that HIRTA could take during its budgeting process. Further discussion occurred. Heddens moved, Olson seconded that the \$20,000.00 be one-time funding with quarterly reports from HIRTA. Roll call vote. (MCU)

REQUEST FROM THE CITY OF HUXLEY FOR THE FAÇADE GRANT IMPROVEMENT PROGRAM – Leanne Harter, County Outreach and Special Projects Manager, presented background on the grant program and the request. The City of Huxley is requesting that the Board waive the population eligibility cap. Olson provided background on a Story City project that also required a waiver of the population eligibility cap. David Whitaker, representing Whitaker Properties LLC, presented the proposal. Further discussion occurred. No action was taken.

USE OF TED GARNETT FOR MISSION STATEMENT FACILITATION – Alissa Wignall, Human Resources Director, and Leanne Harter, County Outreach and Special Projects Manager, presented background information. Olson moved, Heddens seconded to extend an offer to People Statements LLC to facilitate and assist with developing a core mission statement, not to exceed \$7,500.00. Roll call vote. (MCU)

CONSERVATION QUARTERLY REPORT – Mike Cox, Conservation Director, reported on projects, pending grant applications, services, and statistics.

UPCOMING AGENDA ITEMS: Heddens listed a Central Iowa Recovery (CIR) item.

LIAISON ASSIGNMENTS, COMMITTEE MEETINGS UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS: Heddens reported on the pending CIR 28E dissolution. Olson reported on several upcoming meetings. Murken reported on upcoming calendar items.

Heddens moved, Olson seconded to adjourn at 11:52 a.m. Roll call vote. (MCU)

Story County
Board of Supervisors Meeting
Agenda
9/3/19

1. CALL TO ORDER: 10:00 A.M.
2. PLEDGE OF ALLEGIANCE:
3. ADOPTION OF AGENDA:
4. PUBLIC COMMENT #1:
This comment period is for the public to address topics on today's agenda
5. Consideration Of Proclamation Of September As National Recovery Month - Community And Family Resources

Department Submitting Auditor

Documents:

RECOVERY MONTH PROCLAMATION.PDF

6. Continuation Of Discussion And Consideration Of Additional Funding To HIRTA For The Restoration, Revision, And Maintenance Of Services In Story County Impacted By FY20 Budget Cuts And Support Services To Diversify Revenue And Reduce Expenses- Julia Castillo And Brooke Ramsey Via Telephone

Department Submitting Board of Supervisors

Documents:

15474.PDF

7. AGENCY REPORTS:
8. CONSIDERATION OF MINUTES:
 - I. 8/27/19 Minutes

Department Submitting Auditor

9. CONSIDERATION OF PERSONNEL ACTIONS:
10. CONSIDERATION OF CLAIMS:
 - I. 9/5/19 Claims

Department Submitting Auditor

Documents:

CLAIMS 090519.PDF

11. CONSENT AGENDA:

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

- I. Consideration Of Methamphetamine Drug Hot Spots Grant Program Effective 7/1/19 - 6/30/20 For \$3,000.00

Department Submitting Sheriff

Documents:

HOT SPOTS GRANT FY 20.PDF

- II. Consideration Of Change Order No. 011 Between Boulder Contracting, LLC And Story County Conservation For The Tedesco Environmental Learning Corridor Bid Package #2 In The Decreased For \$16,054.80

Department Submitting Conservation

Documents:

BOULDER CO 011 FOR TELC PHASE 2.PDF

- III. Consideration Of Resolution 20-20, To Set Date And Time For Public Hearing For Sept. 17, 2019 For The Dakins Lake Sustainable Cabin

Department Submitting Conservation

Documents:

RESOLUTION SETTING PUBLIC HEARING FOR SUSTAINABLE CABIN.PDF

- IV. Consideration Of Facilities Management Quarterly Report

Department Submitting Auditor

Documents:

FAC MGMT Q3 2019.PDF

- V. Consideration Of Utility Permit(S): #20-4381, 20-4382, 20-4384, 20-4385, 20-4388

Department Submitting Engineer

Documents:

UT 20 4382.PDF

UT 20 4381.PDF

UT 20 4384.PDF

UT 20 4385.PDF

UT 20 4388.PDF

- VI. Consideration Of Road Closure Resolution(S): #20-11, 20-12, 20-13

Department Submitting Engineer

Documents:

RC 20 11.PDF
RC 20 12.PDF
RC 20 13.PDF

12. PUBLIC HEARING ITEMS:

- I. Third Consideration Of Ordinance No. 285, Amending Chapter 85.08 Definitions And Chapter 88.05 Environmental And Natural Resource Standards For Stormwater Management And Erosion And Sediment Control Of The Story County Land Development Regulations, Story County Code Of Ordinances – Amelia Schoeneman

Department Submitting Planning and Development

Documents:

STAFF MEMO.PDF
ORDINANCE NO 285.PDF
ORDINANCE 285 DEFINITIONS.PDF
ORDINANCE 285 STORMWATER MANAGEMENT.PDF
ORDINANCE 285 EROSION AND SEDIMENT CONTROL.PDF
STAFF MEMO ON FOCUS GROUP AND COSTS.PDF
STAKEHOLDER LIST.PDF
WATERSHED ASSESSMENT ORDINANCE REVIEW.PDF

13. ADDITIONAL ITEMS:

- I. Discussion And Consideration Of Request From The City Of Huxley For The Facade Grant Improvement Program-Leanne Harter

Department Submitting Board of Supervisors

Documents:

REQUEST FROM THE CITY OF HUXLEY.PDF
FGP REQUEST FOR CONSIDERATION FROM CITY OF HUXLEY
SEPTEMBER 2019.PDF

- II. Discussion And Consideration Of Using Ted Garnett For Mission Statement Facilitation - Alissa Wignall And Leanne Harter

Department Submitting Board of Supervisors

Documents:

MISSION STATEMENT.PDF

14. DEPARTMENTAL REPORTS:

- I. Conservation Quarterly Report - Mike Cox

15. OTHER REPORTS:

16. UPCOMING AGENDA ITEMS:

17. PUBLIC FORUM #2:

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

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

19. 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 Meeting
Tentative Agenda
9/3/19

NAME

ADDRESS

Todd Lyndvall
David + Ann Whitaker
Michael Cox
Jerry Moore
Jane Purke
TODD ANDERSON
Karla Webb
Amelia Schoereman
Gina Markley
Alissa Nigron

BOS
2646 Sand Hill Trl. Ames, Ia. 50710
Conservation
PRO PA
Nevada
CFR - WEBSTER CITY ⁺¹⁰ ~~to~~ todda@cfhelps.org
Community Services
PID
Aud
BOS



RECOVERY MONTH PROCLAMATION

WHEREAS, behavioral health is an essential part of health and one's overall wellness; and

WHEREAS, prevention of mental and/or substance use disorders works, treatment is effective, and recovery is vital to the well-being of the individual and the community; and

WHEREAS, proactively acknowledging and treating mental and/or substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

WHEREAS, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

WHEREAS, give the serious nature of this public health problem, we must strive to offer all persons the same opportunities for treatment and wellness; and

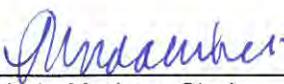
WHEREAS, approximately 100,000 Iowans currently receive treatment for mental illness or substance abuse addiction; and

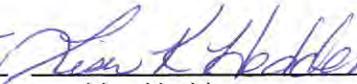
WHEREAS, in 2017 an estimated 20.7 million people aged 12 and older needed substance use treatment but just 4 million received treatment; and

WHEREAS, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and the Story County Board of Supervisors invite all residents of Story County to participate in **National Recovery Month (Recovery Month)**; and Story County, by virtue of the authority vested in us by the laws of Story County, do hereby proclaim the month of September 2019 as **NATIONAL RECOVERY MONTH**.

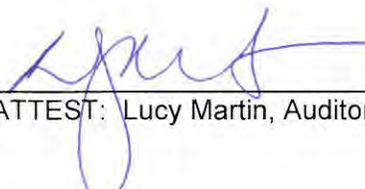
In Story County, and call upon the people of Story County to observe this month with appropriate programs, activities, and ceremonies to support this year's **Recovery Month**.

In Witness Whereof, we have hereunto set our hands this 3rd day of September, in the year two thousand nineteen.


Linda Murken, Chair
Story County
Board of Supervisors


Lisa Heddens


Lauris Olson


ATTEST: Lucy Martin, Auditor

RECOVERY & WELLNESS 5K Run/Walk

SEPT
7
2019

Ada Hayden Park
Ames, IA

\$10 REGISTRATION

GetMeRegistered.com/WalkforWellness

More info @ CFRHelps.org

Join us to celebrate wellness & raise awareness about mental health and addiction



COMMUNITY & FAMILY
RESOURCES
Inspiring prevention, treatment and recovery



NATIONAL
RECOVERY
MONTH 2019



NATIONAL
RECOVERY
MONTH 2019



COMMUNITY & FAMILY
RESOURCES

Inspiring prevention, treatment and recovery

7th Annual Recovery & Wellness Family Fun Festival

*Celebrate the Recovery Community During
an Afternoon of Fun and FREE Activities!*

SEPTEMBER 14TH, 2019 • 2 PM - 4 PM
211 AVE. M WEST, FORT DODGE
\$1 CHARGE FOR FOOD

ACTIVITIES INCLUDE:

Balloon Animals

Gourd Painting

Yoga in the Park

Spin Art Booth

Bike Safety Education

Snacks

Music

Games





Heart of Iowa Regional Transit Agency HIRTA Public Transit

Boone, Dallas, Jasper, Madison, Marion, Story, and Warren Counties

7/25/19

Dear Story County Board of Supervisors,

The Heart of Iowa Regional Transit Agency has suffered significant losses in revenue the last two fiscal years due to reductions in federal and state funding, the shift of Medicaid administration in Iowa to private providers, state changes in how some Medicaid waiver clients may be charged for transportation services and reductions in other funding, such as Aging Resources of Central Iowa. At the same time, expenses have risen.

The HIRTA board has responded by reducing and restructuring programs and services, some of which directly impact client services in Story County. Story County Supervisor Lauris Olson has asked us to present a list of services in Story County already reduced and the county's portion of support services which can or could be used to provide information and increase revenue from the county.

Aging Resources of Central Iowa

- Transportation services experienced a 10% across the board funding reduction for FY2020.
- These dollars are a match to other funds, and can only cover up to 50% of any expense.
- Donation rides are now limited to in-town only rather than anywhere within Story County.

\$3,690 FUNDED on 7.30.19

Nevada to Ames

- Resume dedicated service between Nevada and Ames, frequency to be determined by the trip requests for each given day.
- Previously, the bus was in Nevada on average once per hour.
- Currently runs 6 times per day, this would extend service approximately each hour 6AM-6PM Monday through Friday.

\$78,000

Customer Service Representative

- Answer customer service phone calls, responds to emails and schedules rides.
- Focused on how to make service in Story County more efficient.

\$38,000 per year for F/T

\$15,600 per year for P/T

Marketing and Outreach

- Hire part-time Outreach/ Mobility Coordinator to provide outreach efforts in Story County.
- Includes social media, re-design of print and educational materials, assist with outreach efforts in the community and review ridership data to target specific markets.

\$20,000

- P/T college student to attend events, assist with outreach efforts in the community and review ridership data to determine changes to customer base.
- Educate other agencies and facilities on funding sources most appropriate for riders.
- Outreach to facilities which have experienced staff turnover.

\$10,920

Notification Module

- Subscription fees for the automated, next day reminders of scheduled trips in Story County.
- Service is through a third party vendor.

\$2,040

Sincerely,

Julia Castillo
Julia Castillo, Executive Director

MARKETING AND OUTREACH POSITION
@ \$20,000.

APPROVED

DENIED

Board Member Initials: MC

Meeting Date: 9-3-19

Follow-up action: _____

METHAMPHETAMINE DRUG HOT SPOTS GRANT PROGRAM

Governor's Office of Drug Control Policy
 Pape State Office Bldg., 5th Floor
 215 E. 7th Street, Des Moines, Iowa 50319 (515) 725-0300

Meth HotSpots CFDA #16.710

Grantee: Story County Sheriff's Office 900 6th Street Nevada, Iowa 50201-2004 <i>Phone (515) 382-7200</i> <i>Fax (515) 382-7479</i>	Grant #18-CAMP-15 Grant Period: July 1, 2019 through June 30, 2020 Federal: \$3,000 Match: \$0 Total: \$3,000
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ODCP Contact: Dennis Wiggins 515/725-0311

Legal Applicant: Lauris Olson <i>Linda Murken</i> <i>Chairperson Story Co. Board of Supervisors</i>	Program Director: Brian Tickle (515) 371 -7941 <i>btickle@storycountyiaowa.gov</i>
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This grant is subject to the terms and conditions incorporated either directly or indirectly by reference in the grant program legislation, the grant program request for proposal, and the stipulations, if any, noted under "Special Conditions." Except for any waiver granted explicitly elsewhere in this grant, this award does not constitute approval of waiver from any Federal or state statutory/regulatory requirements for a United States Department of Justice grant. The grantee agrees to perform all services and furnish all supplies set forth in the application of this grant award for the consideration stated herein. This grant consists of the application for funds, the grant award notice, the budget documents, the standard grant conditions, the reporting forms, and all approved grant revision documents. All parties to this grant award acknowledge that they have fully read and understand this contract, and agree to abide by the terms set forth within.

SPECIAL CONDITIONS

- Grant funding is provided to assist project with mid to high level mehtamphetamine investigations or precursor diversion investigations.
- Targets of investions will be shared with the Division of Intelligence to be entered into the LEIN database system.
- Projects will regularly deconflict investigations by searching potential targets in the LEIN database system.

In witness wherefore, the parties hereto have executed this grant the day and year specified below.

SIGNATURES/DATES

[Signature] 9/3/19

 Legal Applicant/Date

[Signature] 8/23/19

 Program Director/Date

 ODCP Administrator/Date

IOWA GOVERNOR'S OFFICE OF DRUG CONTROL POLICY

STANDARD GRANT CONDITIONS

Byrne Justice Assistance Grant; Methamphetamine Hot Spots; Residential Substance Abuse Treatment; Byrne Discretionary; Second Chance; Drug Court; Post-conviction Testing of DNA Evidence to Exonerate the Innocent; Project Safe Neighborhoods; John R. Justice; Drug Free Communities; Anti-Heroin Task Force; Comprehensive Opioid Abuse Program; Paul Coverdell Forensic Science; and any other Grant administered by the Governor's Office of Drug Control Policy involving federal or state funding.

1. General.

These standard grant conditions, unless otherwise stated herein, apply to the following grant programs administered in Iowa by the Governor's Office of Drug Control Policy (ODCP): Byrne Justice Assistance Grant; Methamphetamine Hot Spots; Residential Substance Abuse Treatment; Byrne Discretionary; Second Chance; Drug Court; Post-conviction Testing of DNA Evidence to Exonerate the Innocent; Project Safe Neighborhoods; John R. Justice; Drug Free Communities; Anti-Heroin Task Force; Comprehensive Opioid Abuse Program; Paul Coverdell Forensic Science; and any other Grant administered by the ODCP involving Federal or State funding.

The Grantee shall provide the necessary facilities, materials, services, and qualified personnel to perform and/or provide all the services set forth in the approved application and the letter of notification for the grant amount. The grant budget will be a basis for the Grantee's expenditure of the grant amount. Acceptance of the terms and conditions of the grant is indicated by the applicants' signatures on the grant contract, attached certification, and by requesting and expending grant funds.

The Grantee shall abide by all applicable Federal, State, and local laws, rules and regulations. The Grantee shall comply with all applicable U.S. Department of Justice Grant Award Special Conditions which govern subrecipients/subgrantees. The Certified Assurances and forms signed and or submitted via www.iowagrants.gov by the Grantee in making application for grant funds are incorporated herein.

2. Definitions.

- a. "Deliverable" means any good, product, service, work, work product, item, material or property created, developed, produced, delivered, performed or provided by or on behalf of Grantee in connection with this contract.
- b. "JAG" means the *Federal* Byrne–Justice Assistance Grant program, for which the ODCP is the State Administering Agency in Iowa.
- c. "Grantee" or "Legal Applicant" or "Recipient" means the governmental agency contracting with the Governor's Office of Drug Control Policy
- d. "ODCP" means Governor's Office of Drug Control Policy.

- e. "Program/Project Director" means the person who has been delegated authority to administer the project described in the application.
- f. "Special Conditions" means those conditions applying uniquely to this grant contract as identified on the grant contract page.
- g. "Standard Grant Conditions" means those conditions applying to all ODCP grant contracts.
- h. "State" means the State of Iowa.

3. Accountability for All Grantees.

The Grantee shall promote effectiveness, efficiency, and accountability. The Grantee must serve the public in an ethical and transparent manner, including operating professionally, truthfully, fairly, and with integrity and accountability to uphold public trust.

The ODCP reserves the right to verify the contents of the Grantee's application and any assertions, reporting, attestations, and submissions to the ODCP or any other governmental agency throughout the term of the grant. If the ODCP determines the Grantee has provided false, misleading, or inaccurate information to the ODCP or another governmental agency, grant funds may be withheld, suspended or terminated.

4. Additional Guidance for Nonprofit Organizations.

A nonprofit organization awarded a subcontract pursuant to section 9 must be aware of and comply with applicable law and regulations. The Iowa Nonprofit Principles and Practices for Charitable Nonprofit Excellence Revised 2016 shall be used as a means of educating nonprofit organizations about the laws and regulations with which they must comply and to provide guidance about good operational practices and ethical conduct. This publication may be accessed at <https://inrc.law.uiowa.edu/sites/inrc.law.uiowa.edu/files/pp-2016ed-web.pdf>

The purpose of the Iowa Principles and Practices for Charitable Nonprofit Excellence is to promote good management practices, ethical conduct, and public accountability for Iowa charitable nonprofit organizations as they perform their crucial community services. The Principles and Practices are not regulatory. While many of the Principles and Practices will be helpful to all nonprofits, they are specifically written for 501(c)(3) organizations. The Iowa Principles and Practices for Charitable Nonprofit Excellence are intended to be primarily an educational process designed to improve efficiency and accountability. It is recognized that implementation will take different forms and occur at different levels, given the resources of the nonprofits.

5. Accounts and Records.

- a. The Grantee shall comply with pertinent state and Federal laws, and the provisions of the Office of Justice Program's (OJP) Financial Guide:
https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf
- b. The Grantee shall maintain accurate, current, and complete records of the financial activity of this contract, including records which adequately identify the source and application of funds. The Grantee shall maintain separate records for each Federal grant or program. Cash or matching contributions made by the Grantee shall be

- verifiable from the Grantee's records. These records shall contain information pertaining to contract amount, authorizations, obligations, unobligated balances, assets, liabilities, expenditures, and program income.
- c. The Grantee shall maintain effective control and accountability for all assets, including current and accurate equipment inventory records. The Grantee shall adequately safeguard all such assets and property and assure that it is used solely for authorized purposes. Accounting records shall be supported by source documentation such as canceled checks, paid bills, receipts, payrolls, contract award documents, etc.
 - d. The Grantee, in making project expenditure accounts, records and reports, shall make any necessary adjustments to reflect refunds, credits, underpayments or overpayments, as well as any adjustments resulting from administrative or compliance reviews and audits. Such adjustments shall be set forth in the financial reports filed with the ODCP.
 - e. The Grantee shall maintain a sufficient recordkeeping system to provide statistical data for the purpose of planning, monitoring, and evaluating their program.
 - f. The Grantee shall retain all pertinent records and books of accounts related to this contract for a period of three (3) years following the closure of the Grantee's most recent audit report. In the event of litigation, negotiation or audit findings, the records shall be retained until all issues arising from such actions have been resolved or until the end of the regular three-year period, whichever is later.

6. Cash/In-Kind Match (If required and included in the approved budget).

Grant application materials will specify the level and conditions of match required for each grant program. If cash or in-kind match is required, the match will be identified in the grant contract signed by the grantee as well as in the approved budget. If "cash" match is included in the approved budget, the Grantee must be able to demonstrate that the match is from a new appropriation, or from existing resources which were not intended for the stated program purpose

The Grantee shall maintain records clearly showing the source, the amount, and the timing of all match contributions. The following may be used as cash match:

- a. Local and State appropriations;
- b. Funds contributed from private sources;
- c. Federal funds from the following sources:
 - 1.) Housing and Community Development Act of 1974;
 - 2.) Appalachian Regional Development Act;
 - 3.) General Revenue Sharing;
- d. Existing resources (as long as the existing funds were used in areas other than the stated program purpose);
- e. Salaries of existing personnel who are transferred to grant activities (if the original positions are filled with new personnel);
- f. Asset forfeiture funds resulting from State or Federal court action per applicable state and Federal guidelines;
- g. Program income and the related interest earned on that program income generated from projects may be used as match provided it is identified and approved prior to making an award;

- h. Funds appropriated by Congress for the activities of any agency of a Tribal government or the Bureau of Indian Affairs performing law enforcement functions on Tribal lands; and
- i. Funds otherwise authorized by law.

All funds designated as match are restricted to the same use as grant program funds. The matching share must be obligated by the end of the period for which Federal funds have been made available for obligation under an approved program or project. The Grantee must submit a written plan for expenditure of matching funds if requested by the ODCP.

7. Non-Supplanting Requirement.

Federal funds must be used to supplement existing funds for program activities and not replace those funds which have been appropriated for the same purpose. Potential supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the grantee will be required to supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

8. Program Income.

“Program income” means gross income earned by the Grantee during the grant period as a direct result of the grant award. Direct result is defined as a specific act or set of activities that are directly attributable to grant funds and which are directly related to the goals and objectives of the project.

Program income shall be accounted for and used for any purpose that furthers the broad objectives of the legislation under which the award was made.

Program income earnings and expenditures must be reported with claims for reimbursement and must be used in accordance with the provisions of 2 CFR Part 200, Uniform Administrative Requirements.

9. Subcontracting.

None of the activities or funds of this grant shall be subcontracted to another organization or individual without specific prior approval by the ODCP, with the exception of subcontracts under \$1,000. To obtain ODCP approval, the Grantee shall submit the proposed contract or written agreement between the parties. The contract or agreement must contain a list of the activities to be performed by the subcontractor, and the contract policies and requirements. All grant related certifications and conditions agreed upon by the applicant agency shall be passed on to subcontracting agencies. Subcontractors shall complete the Standard Grant Condition Certification.

Open and free competition is required unless specific advanced approval is obtained to use a noncompetitive approach in contracting for a good or service.

10. Property and Equipment.

- a. Iowa Administrative Code, Chapter 110 and Section III, 3.7 of OJP's Financial Guide prescribe property rules and regulations.

- b. The Grantee shall develop procedures to assure competitive acquisition of approved purchases.
- c. Definition of Equipment: Any item costing \$5,000 or more and having an anticipated useful life of more than one year. Chairs, tables, files and movable partitions costing less than \$5,000 shall be accounted for in aggregate. All other items of equipment shall be accounted for individually.

The above definition identifies a minimum list of items, which must be considered as equipment. The Grantee's accounting system may include other items of equipment as well.

- d. The Grantee shall maintain property records, inventory control, and maintenance procedures for all non-expendable property purchased all or in part with grant funds. An inventory report form must be completed and submitted with the last project report to the ODCP. Procedures for managing equipment (including replacement, whether acquired in whole or in part with project funds), will, at a minimum, contain records, which include the following:
 - 1.) Description of the property;
 - 2.) Serial number or other identification number;
 - 3.) Source of the property;
 - 4.) Identification of who holds the title;
 - 5.) Acquisition date;
 - 6.) Cost of the property;
 - 7.) Location of the property; and
 - 8.) Disposition data including the date of disposal and sale price.
- e. Title of Property: Notwithstanding any other provision of law, title to all expendable and nonexpendable property purchased with grant funds made available under the Grant Program shall vest in the agency that purchased the property, if it certifies to the ODCP that it will use the property for the purposes outlined in the grant application. If such certification is not made, title to the property shall vest in the State of Iowa, which shall seek to have the property used for program related purposes elsewhere in the state prior to using it or disposing of it in any other manner.
- f. Use of Property: The Grantee may use property acquired in whole or in part with Federal funds for the authorized purpose of the original grant as long as needed whether or not the program or project continues to be supported by Federal funds.

11. Computer Systems.

No federal funding may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. Nothing in this subsection limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

12. Travel.

Travel specifically identified in the grant application and approved budget is approved for reimbursement by the ODCP. Out of state training and travel not identified and approved in the application and grant budget requires approval by the ODCP prior to reimbursement. Requests for out-of-state training and travel must be submitted to the ODCP in writing.

The Grantee shall follow its own written policy for allowable travel costs. In the event a reasonable and prudent policy does not exist, State of Iowa approval rates will apply to subrecipient travel costs. State rates are available by contacting the ODCP.

13. Payments.

Expenditure reports must be submitted monthly. Expenditure reimbursement shall be made on program cash expenditures included in the grant budget and upon the receipt and acceptance by the ODCP of a properly completed and authorized expenditure report and supporting documentation. Reimbursement must be requested within 23 days after the end of the period for which payment is being requested. Payments may be adjusted to correct disallowance's resulting from audit or contract review. Reimbursement may be withheld if a grantee is delinquent in program reporting or if the grantee fails to meet any contract condition.

14. Reporting.

Form to be Used:

- a. Claim for Reimbursement - Completed online at www.iowagrants.gov

Due Date:

Due by the 23rd day of **each** month, following expenditures.

- b. Quarterly Progress Reports - Completed online at www.iowagrants.gov

Due Date:

October 23rd
January 23rd
April 23rd
July 23rd

- c. Inventory Report Form
Equipment purchased all or in part with grant funds must be listed on the inventory report form. (See property.) Due to the ODCP 30 days after the grant period.

Due Date

July 31st

- d. Annual Audit Report
If agencies are exempt from audit requirements, the Grantee must keep records that are available for review or audit by appropriate officials including the Federal agency, the State agency, and the US Government Accountability Office (GAO).

Due Date

For July 1st through June 30th audit is due by March 31st

15. Awards to private agencies - accounting system audit requirement.

These organizations must have financial and compliance audits conducted by qualified individuals who are organizationally, personally, and externally independent from those who authorize the expenditure of Federal funds. This audit must be conducted in accordance

with the Government Auditing Standards (December 2011 Revision), as found on the GAO website. The purpose of this audit is to ascertain the effectiveness of the financial management systems and internal procedures that have been established to meet the terms and conditions of the award. Audits must be conducted no less frequently than every 2 years. The dollar threshold applies as established for audit reports in OMB Circular A-133, as amended.

16. Audits:

Subrecipients of Federal funds are required to permit access to their records and financial statements as necessary to comply with Title 2 CFR Part 200, Subpart F Audit Requirements and Code of Iowa, Chapter 11, Audit of Counties, Cities and School Districts.

Non-Federal entities that expend \$750,000 or more in Federal funds (from all sources including pass-through subawards) in the State fiscal year (July 1 - June 30) shall have a single organization-wide audit conducted in accordance with the provisions of Title 2 CFR Part 200, Subpart F.

Non-Federal entities that expend less than \$750,000 in Federal awards in a fiscal year are exempt from audit requirements for that year. Records must be available for review or audit by appropriate officials including the Federal agency, pass-through entity, and General Accounting Office (GAO).

A management letter must be submitted with the audit report. Grantee audit reports must be submitted no later than nine (9) months after the close of each fiscal year during the term of the award. Grantees shall comply with any audit resolution activities as directed by the ODCP.

Audit costs for audits not required or performed in accordance with Title 2 CFR Part 200, Subpart F are not allowable. If the grantee did not expend \$750,000 or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit; these costs may not be charged to the grant.

17. Monitoring/Evaluation.

The ODCP reserves the right to monitor the Grantee's performance through site visits, reports, or other means deemed necessary by the ODCP. The Grantee agrees that the ODCP may conduct site visits to review grant compliance, assess management controls, assess the applicable activities or strategies, and provide technical assistance. In addition, the Grantee shall provide any data or information required for the purposes of monitoring and program evaluation. Such evaluation may be conducted by the ODCP or other appropriate agencies. The Grantee shall ensure the cooperation of the Grantee's employees, agents, and board members in such efforts.

Following each site visit or review the ODCP may submit a written report to the Grantee, which will identify the findings. A corrective action plan with a timetable to address any deficiencies or problems noted in the report may be requested by the ODCP. The corrective action plan shall be submitted to the ODCP for the approval within the timeline outlined in

the written report. The Grantee shall carry out the plan after it is approved by the ODCP. Failure to do so may result in suspension or termination of funding.

18. Changes in the Program.

- a. **Changes in Service:** Changes in types of services provided by the Grantee as agreed to in the application and award require **prior approval** by the ODCP. Discontinuation or modification of a service without prior approval may result in a decrease in the grant amount or termination of the grant.
- b. **Changes in Location:** The Grantee shall notify the ODCP of any change in office or service location (relocation, addition, or deletion) from that shown in the application within 72 hours of such change.
- c. **Changes in Program Director or Other Personnel:** When there is a change in the program director or any other personnel supported by the grant from that shown on the application, the ODCP must be notified. The Grantee is responsible for replacement, and written notification to the ODCP of each action within 72 hours.
- d. **Change in Legal Applicant/Grantee:** This grant shall not be assigned, transferred, or conveyed in whole or in part by the Grantee to any third party or parties without prior written approval from the ODCP. A change in legal applicant is the process whereby the legal and administrative responsibility for administering the grant is transferred from one legal entity to another. A change of Grantee must be approved in advance by the ODCP. The ODCP reserves the right to not contract with a new Grantee. A written agreement of the original Grantee to relinquish all rights to the project; and, a written agreement of the new Grantee to accept all the terms and conditions of the contract must be submitted to and approved by the ODCP prior to the date of transfer.
- e. **Change in Budget:** Due to the fact that budget line item amounts are only estimates of budget expenditure, funds may be reallocated among budget line items. Budget revision requests must be submitted, and approved by, the ODCP prior to the revised expenditure of funds. The ODCP will not reimburse funds for unapproved expenditures. Budget revisions may be requested, via iowagrants.gov, by the legal applicant and/or the legal applicant's authorized designee (e.g. the Program/Project Director), who must certify that the change in budget does not constitute a change in the goals and objectives of the program.

19. Copyrights.

The U.S. Department of Justice and the State of Iowa, ODCP reserve a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: a) the copyright in any work developed under a grant, or contract under a grant or subgrant; and b) any rights of copyright to which Grantee or contractor purchases ownership with grant support.

20. Federal Funds Acknowledgment.

Program directors are encouraged to make the results and accomplishments of their activities available to the public. Prior ODCP approval is not needed for publishing the results of an activity under a grant project; however, an acknowledgment of State/Federal support must be made. The Grantee shall, when issuing statements, press releases, and other documents describing the grant project, clearly state: a) the percentage of the total

cost of the project which was or will be financed with Federal and State funds; and b) the dollar amount of Federal and State funds for the project.

Any publication (written, visual, or sound), whether published at the Grantee's or government's expense, shall contain the following statements: (NOTE: This excludes press releases, newsletters, and issue analyses.)

"This project was supported by Grant No._____, awarded by the U. S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice or the Governor's Office of Drug Control Policy."

21. Release of Information and Confidentiality of Records.

- a. **Release of Public Grant Information:** The Grantee is required to make available all records, papers and other documents kept by the Grantee relating to the receipt and disposition of any funds, if requested by any member of the public. All such records shall be available except when access to the records is limited by Federal or State confidentiality regulations. The intended use of such information will not be a criterion for release.
- b. **Confidentiality of Records:** The Grantee shall maintain the confidentiality of all confidential records related to this grant in accordance with Federal and State laws. Privacy rights of parents and students apply to this program. Grantee policies and procedures shall provide that records of the identity, diagnosis, prognosis, or treatment of any client which are maintained in connection with the performance of the grant be kept confidential and be used only for the purposes and under the circumstances expressly authorized under the Federal confidentiality regulations 42 CFR part 2 "Confidentiality of Alcohol and Drug Abuse Patient Records" and the Code of Iowa, Chapter 22.7. The Grantee shall comply with all confidentiality requirements of 42 U.S.C. 3789g and 28 CFR part 22 that are applicable to the collection, use, and revelation of data or information.

22. Conflict of Interest.

The Grantee shall establish safeguards to prevent employees, consultants, or members of governing bodies from using their positions for purposes that are, or give the appearance of being, motivated by the desire for private gain for themselves or others with whom they have family, business, or other ties.

23. Report Misuses of Funds.

The Grantee must promptly refer to the ODCP any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subcontract for services.

24. Restrictions and certifications regarding non-disclosure agreements and related matters.

No Grantee or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

- 1) In accepting this award, the Grantee--
 - a) represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
 - b) certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict) reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

25. Drug Free Workplace.

Each Grantee receiving an award from the Governor's Office of Drug Control Policy shall certify that it will maintain a drug-free workplace, or in the case of a Grantee, who is an individual, certify to the agency that his or her conduct of award activity will be drug-free. If a Grantee makes a false certification, the Grantee is subject to suspension, termination, and debarment. In order to comply with the Drug Free Workplace Act of 1988, Grantees are required to report any conviction of their employees under a criminal drug statute for violations occurring on the Grantee's premises or off the Grantee's premises while conducting official business. A report of a conviction must be made to the ODCP within ten (10) days of receiving notices of such conviction.

26. Americans With Disabilities Act.

The Grantee shall comply with Subtitle A, title II of the Americans with Disabilities Act (ADA), 42 U.S.C. 12131-12134, and Department of Justice implementing regulation, 28 CFR Part 35.

27. Immigration and Naturalization Service.

The Grantee shall complete and keep on file, as appropriate, Immigration and Naturalization Service Employment Eligibility Verification Form (I-9). This form is to be used by recipients of Federal funds to verify that persons are eligible to work in the United States.

28. Limited English Proficiency.

“Applicants must certify that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.”

Assistance for Spanish speaking people may be available through the Iowa Division of Latino Affairs at <http://www.latinoaffairs.iowa.gov> or 515-281-4080. Local interpreters and translators may be available through the Iowa Interpreters and Translators Association at <https://www.iitanet.org> .

29. Nondiscrimination/Equal Employment Opportunity Program.

- a. All grant recipients, including contractors, will comply with any applicable Federal nondiscrimination requirements, which may include the following: Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d); Victim of Crime Act (42 U.S.C. 10604(e)); Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. 5672(b)); Civil Rights Act of 1964 (42 U.S.C. 2000d); Rehabilitation Act of 1973 (29 U.S.C. 794); Americans with Disabilities Act of 1990 (42 U.S.C. 12131-34); Education Amendments of 1972 (20 U.S.C. 1681, 1683, 1685-86); Age Discrimination Act of 1975 (42 U.S.C. 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the laws for faith-based and community organizations); Violence Against Women Reauthorization Act of 2013; and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations).
- b. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the Grantee will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs and the Iowa Governor’s Office of Drug Control Policy (ODCP).
- c. The Grantee will provide an Equal Employment Opportunity Plan (EEOP) to the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR), if required to submit one. Otherwise, it will provide a certification to the OCR and the ODCP that it has a current EEOP on file, if required to maintain one. Grantee agencies receiving less than \$25,000; grantee agencies with less than 50 employees, regardless of the amount of the award; and non-profit organizations, Indian Tribes, and medical and education institutions, are exempt from the EEOP requirement, but the grantee is required to submit a certification form to the OCR to claim the exemption. A copy of the certification form shall also be submitted to the ODCP.

Information about civil rights obligations of grantees can be found at www.ojp.usdoj.gov/ocr.

- d. In accordance with Federal civil rights laws, the Grantee shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

All grant recipients, including contractors, will also comply with the Iowa Civil Rights Act. The Iowa Civil Rights Act, (IAC Ch 216), prohibits discrimination in employment because of a person's: Race, Creed, Color, Sex, Age, National Origin, Gender Identity, Sexual Orientation, Disability, or Religion.

- e. Grant recipients, if required, must make available, upon request, its Affirmative Action Program containing goals and time specifications.
- f. This contract may be suspended or terminated, in whole or in part, in the event of the Grant recipient's noncompliance with this section and the recipient may be declared ineligible for further contracts with the ODCP. Additionally, the ODCP may take further action by imposing other sanctions or invoking other remedies as provided by the Iowa Civil Rights Act of 1965 or as otherwise provided by law.
- g. The U.S. Department of Justice, Office of Civil Rights issued an advisory document for grant recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at https://ojp.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, the Grantee should consult local counsel in reviewing their employment practices. If warranted, the Grantee should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans.

30. Findings of Discrimination.

The Grantee assures that in the event a Federal or State court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, disability, age, sexual orientation, gender identity, or sex against a recipient of funds, the Grantee will promptly forward a copy of the finding to the Governor's Office of Drug Control Policy.

31. Equal Treatment for Faith Based Organizations.

The Grantee shall comply with the applicable requirements of 28 C.F.R. Part 38, governing "Equal Treatment for Faith Based Organizations". The Equal Treatment Regulation provides in part that grant awards may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Grant recipients may still engage in inherently religious activities, but such activities must be separate in time or place from the grant funded program, and participation in such activities by individuals

receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs funded through grant funding are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.

32. Lobbying Restrictions.

The Grantee agrees that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract or grant, and the Grantee receives Federal funds exceeding \$100,000, the Grantee shall complete and submit standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions <https://www.gsa.gov/forms-library/disclosure-lobbying-activities>
- c. The Grantee shall require that the language of this certification be included in any subcontracts and that all contractors shall certify and disclose accordingly. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

33. Sanctuary Jurisdiction.

(Byrne JAG & PSN Grantees Only) Grantee will comply with the provisions of 8 U.S.C §1373 and 1644 which addresses the exchange of information regarding citizenship and immigration status among Federal, State, and local government entities and officials from "prohibit[ing] or in any way restrict[ing]" government officials or entities from sending to, or receiving from, Federal immigration officers information concerning an individual's citizenship or immigration status. Certain grantees/subgrantees may also be required to complete a U.S. DOJ certification.

The following provisions apply to the recipient of this award, if the recipient is a unit of local government, and also apply to any local-government subrecipient of this award at any tier

- a. A local ordinance, -rule, -regulation, -policy, or -practice (or an applicable State statute, -rule, -regulation, - policy, or -practice) must be in place that is designed to ensure that agents of the United States acting under color of Federal law in fact are given access to a local-government (or local-government-contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

- b. A local ordinance, -rule, -regulation, -policy, or -practice (or an applicable State statute, -rule, -regulation, - policy, or -practice) must be in place that is designed to ensure that, when a local-government (or local-government contracted) correctional facility receives from DHS a formal written request authorized by the Immigration and Nationality Act that seeks advance notice of the scheduled release date and time for a particular alien in such facility, then such facility will honor such request and - as early as practicable.

34. Sanctuary Jurisdiction (Iowa Code).

The Grantee shall comply with the provisions of Iowa Code chapter 27A, which applies to the enforcement of immigration laws. Grantees who are found to be in non-compliance with Iowa Code 27A are ineligible to receive funds through the ODCP. Rules governing the determination of non-compliance and the reinstatement of eligibility are provided in Iowa Administrative code 541 chapter 13.

35. Liability.

- a. If any provision contained herein is in conflict with any State or Federal law or shall be declared to be invalid by any court of record of this State, such invalidity shall affect only such portions as are declared invalid or in conflict with the law. Any remaining portion ruled valid by the court shall continue to be in effect.
- b. The ODCP reserves all administrative, contractual and legal remedies, which are available in the event that the Grantee violates or breaches the terms of this contract.

36. Drug Task Force.

Officers funded by the Office of Drug Control Policy who encounter minors who as a direct or indirect result of the presence and or the use of any illegal drug are at risk of exposure, abuse, or neglect shall at a minimum report the encounter to the Department of Human Services. Task forces are strongly encouraged to participate in a Drug Endangered Children program designed to identify and protect the wellbeing of these youth.

37. Drug Task Force Training.

Each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete Department of Justice required online (internet-based) task force training. All task force members are required to complete this training once during the life of this award, or once every four years if multiple awards include this requirement. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. When registering for the training, participants should use the preauthorization code **QX6S4**

38. Use of Force Training Metrics.

(Byrne JAG Grantees Only) Law enforcement agencies receiving director or sub-awarded JAG funding must submit quarterly accountability metrics data related to training that

officers have received on the use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.

39. NEPA Clandestine Methamphetamine Laboratories.

This condition facilitates compliance with the provision of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories [hereinafter, “meth lab operations”]. No Federal monies from this award may be obligated to support meth lab operations unless the grant recipient implements this condition.

The Office of Justice Programs (OJP), in consultation with the Bureau of Justice Assistance, the Drug Enforcement Administration, and the Office for Community Oriented Policing Services, prepared a Program-level Environmental, health and safety impacts likely to be encountered by law enforcement agencies as they implement specific actions under their methamphetamine laboratory operations. Consistent with the Assessment, the following terms and conditions shall apply to the grant recipient for any OJP funded meth lab operations:

- a. The grant recipient shall comply with Federal, State, and local environmental, health, and safety laws and regulations applicable to meth lab operations, to include the disposal of the chemicals, equipment, and wastes resulting from those operations.
- b. Grant recipients shall have a Mitigation Plan in place that identifies and documents the processes and points of accountability within its state. This plan will be used to ensure the adverse environmental, health, and safety impacts in the Assessment are mitigated in a manner consistent with the requirements of this condition.
- c. Grant recipients shall monitor grant funded meth lab operations to ensure that they comply with the following nine mitigation measures identified in the Assessment and whose implementation is addressed in the grantee’s Mitigation Plan.

Methamphetamine Mitigation Conditions

Where applicable, grant recipients shall:

- a. Provide medical screening of personnel assigned or to be assigned by the grantee to the seizure or closure of clandestine methamphetamine laboratories;
- b. Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to either the seizure or closure of clandestine methamphetamine laboratories;
- c. As determined by their specified duties, equip the personnel with OSHA required protective wear and other required safety equipment;
- d. Assign properly trained personnel to prepare a comprehensive contamination report on each seized/closed laboratory;

- e. Utilize qualified disposal personnel to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized laboratory;
- f. Dispose of the chemicals, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licensed recycling facilities;
- g. Monitor the transport, disposal and recycling components of subparagraphs number "e" and "f" immediately above in order to ensure proper compliance;
- h. Have in place and implement a written agreement with the responsible State environmental agency. This agreement must provide that the responsible State environmental agency agrees to: (i) timely evaluate the environmental condition at and around the site of a closed clandestine laboratory; and (ii) coordinate with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if determined necessary by the State environmental agency and in accordance with existing State and Federal requirements;
- i. Have in place and implement a written agreement with the responsible State or local service agencies to properly respond to any minor, as defined by State law, at the site. This agreement must ensure immediate response by qualified persons who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv) arrange for any follow-up tests, examinations, or health care made necessary as a result of methamphetamine toxicity; and
- j. Report all clandestine lab responses to the Iowa Division of Narcotics Enforcement using EPIC report form #143. Assistance in completing this form is available by calling 515/281-9054.

40. DUNS/SAM Registration.

Grant recipient shall register and provide the Governor's Office of Drug Control Policy a Data Universal Number System (DUNS) number. The Grantee shall maintain a current registration with the System for Award Management (SAM) for the duration of the grant project period.

41. Recipient Integrity and Performance.

The Grantee must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) this award. Under certain circumstances, recipients of federal grant funds are required to report information about such proceedings, through the Federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the Federal designated integrity and performance system (currently, "FAPIS") within SAM are posted on the OJP web site at <http://ojp.gov/funding/FAPIS.htm> (Award condition: Recipient

Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

42. Disclosure of “High Risk” Designation by Federal Agency.

The Grantee shall disclose to the Office of Drug Control Policy any designation of “high risk” by any Federal grant-making agency currently or at any time during the course of the period of performance under the award. For purposes of this disclosure, high risk includes any status under which a Federal awarding agency provides additional oversight due to the Grantee’s past performance, or other programmatic or financial concerns with the Grantee.

43. Breach of Personally Identifiable Information.

The Grantee (including other participating agency supported by the award) must have written procedures in place to respond in the event of an actual or imminent “breach” if it (or participating agency)-- 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of “personally identifiable information (PII)” (2 CFR 200.79) within the scope of a grant-funded program or activity, or 2) uses or operates a “Federal information system” (OMB Circular A-130). The Grantee’s breach procedures must include a requirement to report actual or imminent breach of PII to the Office of Drug Control Policy no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach. The ODCP will in turn report the breach to the appropriate Federal agency.

44. Withholding of Support, Suspension, and Termination.

- a. Withholding of Support: With ten (10) days written notice, the ODCP may temporarily withhold payment of funds until a corrective action plan has been submitted by Grantee and approved by the ODCP. Reasons may include, but are not limited to the following:
 - 1.) Delinquency in submitting required reports;
 - 2.) Failure to provide adequate management of the funds;
 - 3.) Failure to show satisfactory progress in achieving the objectives of the program or failure to meet the terms and conditions of the contract; and
 - 4.) Failure to regularly coordinate the activities and services with other local providers funded by the ODCP. Temporary withholding of funds does not constitute just cause for the Grantee to interrupt services to clients.
- b. Suspension: When, as determined by the ODCP, a Grantee has materially failed to comply with the terms and conditions of the grant, the ODCP may, with ten (10) days written notice to Grantee, suspend the grant. Only necessary and proper costs that the ODCP agrees could not have reasonably been avoided during the period of suspension will be paid by the ODCP. Suspension shall remain in effect until the Grantee has shown to the satisfaction of the ODCP that corrective action has been or will be taken, or until the ODCP terminates the grant.
- c. Termination:
 1. Termination for Cause: The ODCP may terminate a grant in whole or in part any time before the date of completion if the ODCP determines that the Grantee has failed in a material way to comply with the terms and conditions of the grant. To terminate a grant, the ODCP must send written notice to the Grantee stating the date and reasons for the termination. Payments to the

Grantee will be only for services provided or purchases authorized up to the date of termination. Recovery of funds by the ODCP shall be made in accordance with the terms and conditions of this grant.

2. Termination on Other Grounds: In addition to termination for cause, the ODCP grants may be terminated in whole or in part as follows:
 - a. By the ODCP with the consent of the Grantee. Both parties agree on the termination conditions, including the effective date and, in the case of partial terminations, the portion to be terminated.
 - b. By the Grantee. Sixty (60) days written notice to the ODCP is required. Such notice shall set forth the reason for such termination. Termination of part of the grant is subject to Section 17 entitled "Changes in the Program."
 - c. By the ODCP due to the lack of adequate funds to support the grant. Should this contract terminate prior to the expiration date as set forth in the grant cover page, the Grantee agrees to deliver such information and items which are due as of the date of termination.
 - d. By the ODCP in whole or in part without the payment of any penalty or incurring any further obligation to the Grantee whenever the ODCP determines that such termination is in the best interests of the State. In this event, the ODCP shall issue a termination notice to the Grantee at least ten (10) days prior to the effective termination date. Following termination upon notice, the Grantee shall be entitled to compensation, upon submission of invoices and proper proof of claim, for services provided under this contract up to and including the date of termination.
 - e. In addition, the ODCP may terminate this contract effective immediately without penalty and without advance notice for any of the following reasons:
 - i. The Grantee furnished any statement, representation, warranty or certification in connection with this Contract, the RFP or **other solicitation document** that is false, deceptive, or materially incorrect or incomplete;
 - ii. **The Grantee or any of its officers, directors, employees, agents, contractors or subcontractors** has committed or engaged in fraud, misappropriation, embezzlement, malfeasance, misfeasance, or bad faith;
 - iii. The Grantee terminates or suspends its business;
 - iv. The **Grantee** has failed to comply with any applicable international, Federal, State (including, but not limited to Iowa Code chapter 8F), or local laws, rules, ordinances, regulations or orders when performing within the scope of this Contract;
 - v. The ODCP determines or believes the **Grantee** has engaged in conduct that: (a) has or may expose the ODCP or the State to material liability, or (b) has caused or may cause a person's life, health or safety to be jeopardized;

- vi. **The Grantee** infringes or allegedly infringes or violates any patent, trademark, copyright, trade dress or any other intellectual property right or proprietary right, or **the Grantee** misappropriates or allegedly misappropriates a trade secret or ;
 - vii. **The Grantee** fails to comply with any applicable confidentiality laws, privacy laws, or any provisions of this Contract pertaining to confidentiality or privacy.
- d In the event of termination, the Grantee shall be reimbursed by the ODCP only for those allowable costs incurred or encumbered up to and including the termination date, subject to the continued availability of funds to the ODCP. Upon receipt of notice of termination the Grantee shall cease work under this contract and take all necessary or appropriate steps to limit disbursements and minimize costs, and shall furnish a report within thirty (30) days of the date of notice of termination describing the status of all work under the contract. The Grantee shall also immediately cease using and return to the ODCP any personal property, equipment, or materials provided by the ODCP to the Grantee and shall immediately return to the ODCP any payments made by the ODCP for services that were not rendered by the Grantee.
 - e In the event of termination, the Grantee agrees to deliver such information and items which are due as of the date of termination, including but not limited to partially completed plans, drawings, data, documents, surveys, maps, and reports. The Grantee shall ensure a smooth transition of services to clients, regardless of whether this contract terminates prior to or upon the expiration date of the contract. If the Grantee fails to ensure a smooth transition of services to clients, the ODCP may, at its sole discretion, place the Grantee on its list of contractors barred from entering into any contract with the ODCP and immediately terminate all other existing contracts between the ODCP and the Grantee. The Grantee shall cooperate in good faith with the ODCP and its employees, agents and independent contractors during the transition period between the notification of termination and the substitution of any replacement provider.
 - f. The ODCP shall not be liable for the following costs or expenses: unemployment compensation; the payment of workers' compensation claims, which occur during the Contract or extend beyond the date on which the Contract terminates; any costs incurred by Grantee in its performance of the Contract, including, but not limited to, startup costs, overhead or other costs associated with the performance of the Contract; any damages or other amounts associated with the loss of prospective profits, anticipated sales, goodwill, or for expenditures, investments or commitments made in connection with this Contract; any taxes Grantee may owe in connection with the performance of this Contract, including, but not limited to, sales taxes, excise taxes, use taxes, income taxes or property taxes.
 - g The ODCP reserves all administrative, contractual and legal remedies which are available in the event that the Grantee violates or breaches the terms of this contract.

45. Indemnification.

The Grantee and its successors and assignees agree to indemnify and hold harmless the State of Iowa and the ODCP and its officers, employees, agents, and volunteers from any

and all liabilities, damages, settlements, judgments, costs and expenses, including the reasonable value of time spent by the Attorney General's Office and the costs and expenses and reasonable attorney fees of other counsel required to defend the ODCP or the State of Iowa, related to or arising from any of the following:

- a. Any violation of this contract.
- b. Any negligent, intentional, or wrongful act or omission of the Grantee, its officers, employees, agents, board members, contractors or subcontractors, or any other person in connection with this project.
- c. Any infringement of any patent, trademark, trade dress, trade secret, copyright, or other intellectual property right.
- d. The Grantee's performance or attempted performance of this contract.
- e. Any failure by the Grantee to comply with all Federal, State, and local laws and regulations.
- f. Any failure by the Grantee to make all reports, payments, and withholdings required by Federal and State law with respect to social security, employee income, and other taxes, fees, or costs required by the Grantee to conduct business in the State of Iowa.
- g. The death, bodily injury or damage to property of any enrollee, agent, employee, business invitee or business visitor of the Grantee or any of its subcontractors.
- h. Any failure by the Grantee to adhere to the confidentiality provisions of this contract.

46. Warranties.

- a. The Grantee represents and warrants that: (i) all Deliverables shall be wholly original with and prepared solely by Grantee; or it owns, possesses, holds, and has received or secured all rights, permits, permissions, licenses and authority necessary to provide the Deliverables to the ODCP hereunder and to assign, grant and convey the rights, benefits, licenses and other rights assigned, granted or conveyed to the ODCP hereunder or under any license agreement related hereto without violating any rights of any third party; (ii) Grantee has not previously and will not grant any rights in any Deliverables to any third party that are inconsistent with the rights granted to the ODCP herein; and (iii) the ODCP shall peacefully and quietly have, hold, possess, use and enjoy the Deliverables without suit, disruption or interruption.
- b. The Grantee represents and warrants that: (i) the Deliverables (and all intellectual property rights and proprietary rights arising out of, embodied in, or related to such Deliverables); and (ii) the ODCP's use of, and exercise of any rights with respect to, the Deliverables (and all intellectual property rights and proprietary rights arising out of, embodied in, or related to such Deliverables), do not and will not, under any circumstances, misappropriate a trade secret or infringe upon or violate any copyright, patent, trademark, trade dress or other intellectual property right, proprietary right or personal right of any third party. Grantee further represents and warrants there is no pending or threatened claim, litigation or action that is based on a claim of infringement or violation of an intellectual property right, proprietary right or personal right or misappropriation of a trade secret related to the Deliverables. Grantee shall inform the ODCP in writing immediately upon becoming aware of any actual, potential or threatened claim of or cause of action for infringement or violation or an intellectual property right, proprietary right, or personal right or misappropriation of a trade secret. If such a claim or cause of action arises or is likely

to arise, then Grantee shall, at the ODCP's request and at the Grantee's sole expense: (i) procure for the ODCP the right or license to continue to use the Deliverable at issue; (ii) replace such Deliverable with a functionally equivalent or superior Deliverable free of any such infringement, violation or misappropriation; (iii) modify or replace the affected portion of the Deliverable with a functionally equivalent or superior Deliverable free of any such infringement, violation or misappropriation; or (iv) accept the return of the Deliverable at issue and refund to the ODCP all fees, charges and any other amounts paid by the ODCP with respect to such Deliverable. In addition, Grantee agrees to indemnify, defend, protect and hold harmless the State and its officers, directors, employees, officials and agents as provided in the Indemnification section of this Contract, including for any breach of the representations and warranties made by Grantee in this section. The foregoing remedies shall be in addition to and not exclusive of other remedies available to the ODCP and shall survive termination of this Contract.

- c. The Grantee represents and warrants that the Deliverables (in whole and in part) shall: (i) be free from material Deficiencies; and (ii) meet, conform to and operate in accordance with all Specifications.
- d. The Grantee represents, warrants and covenants that all services to be performed under this Contract shall be performed in a professional, competent, diligent and workmanlike manner by knowledgeable, trained and qualified personnel, all in accordance with the terms and Specifications of this Contract and the standards of performance considered generally acceptable in the industry for similar tasks and projects. In the absence of a Specification for the performance of any portion of this Contract, the parties agree that the applicable specification shall be the generally accepted industry standard. So long as the ODCP notifies Grantee of any services performed in violation of this standard, Grantee shall re-perform the services at no cost to the ODCP, such that the services are rendered in the above-specified manner, or if the Grantee is unable to perform the services as warranted, Grantee shall reimburse the ODCP any fees or compensation paid to Grantee for the unsatisfactory services.
- e. The Grantee represents and warrants that the Deliverables will comply with any applicable Federal, State, foreign and local laws, rules, regulations, codes, and ordinances in effect during the term of this Contract, including applicable provisions of Section 508 of the Rehabilitation Act of 1973, as amended, and all standards and requirements established by the Architectural and Transportation Barriers Access Board and the Iowa Department of Administrative Services, Information Technology Enterprise.

47. Status of Grantee.

The Grantee shall at all times be deemed an independent contractor. The Grantee, its employees, agents, and any subcontractors performing under this contract are not employees or agents of the State of Iowa or any agency or department of the State. The Grantee shall be responsible for withholding all taxes and shall hold the ODCP harmless for any claims for the same.

48. Choice of Law and Forum.

The terms and provisions of this contract shall be construed in accordance with the laws of the State of Iowa. Any and all litigation or actions commenced in connection with this contract shall be brought in Des Moines, Iowa, in the Iowa District Court in and for Polk County, Iowa. If, however, jurisdiction is not proper in the Polk County District Court, the action shall only be brought in the United States District Court for the Southern District of Iowa, Central Division, provided that jurisdiction is proper in that forum. This provision shall not be construed as waiving any immunity to suit or liability that may be available to the ODCP or the State of Iowa.

49. Immunity from Liability.

Every person who is a party to the Contract is hereby notified and agrees that the State, the ODCP, and all of their employees, agents, successors, and assigns are immune from liability and suit for or from Grantee's and/or subcontractors' activities involving third parties and arising from the Contract.

50. Compliance with Iowa Code chapter 8F.

If the Contract is subject to the provisions of Iowa Code chapter 8F, the Grantee certifies it will comply with the requirements of the Iowa Code chapter 8F. The Grantee shall forward any compliance documentation, including but not limited to certifications, and any compliance documentation received from subcontractors by the Grantee to the ODCP.

51. Enhancement of Contractor Employee Whistleblower Protections.

41 U.S.C. 4712 states, "employees of a contractor, subcontractor, grantee [or subgrantee] may not be discharged, demoted, or otherwise discriminated against as a reprisal for "whistleblowing." In addition, whistleblowing protections cannot be waived by any agreement, policy, form or condition of employment.

Whistleblowing is defined as making a disclosure "that the employee reasonably believes is evidence of any of the following:

- Gross mismanagement of a Federal contract or grant;
- A gross waste of Federal funds;
- An abuse of authority relating to a Federal contract or grant;
- A substantial and specific danger to public health or safety; or,
- A violation of a law, rule, or regulation related to a federal contract or grant (including the competition for, or negotiation of, a contract or grant).

To qualify under the statute, the employee's disclosure must be made to:

- A member of Congress, or a representative of a Congressional committee;
- An Inspector General;
- The Government Accountability Office;
- A federal employee responsible for contract or grant oversight or management at the relevant agency;
- An official from the Department of Justice, or other law enforcement agency;
- A court or grand jury; or,

- A management official or other employee of the contractor, subcontractor, grantee, or subgrantee who has the responsibility to investigate, discover, or address misconduct.

The requirement to comply with, and inform all employees of the “Pilot Program for Enhancement of Contractor Employee Whistleblower Protections” is in effect for all grants, contracts, subgrants, and subcontracts.

52. Ownership of Deliverables.

Ownership and Assignment of Other Deliverables. The Grantee agrees that the State and the ODCP shall become the sole and exclusive owners of all Deliverables. Grantee hereby irrevocably assigns, transfers and conveys to the State and the ODCP all right, title and interest in and to all Deliverables and all intellectual property rights and proprietary rights arising out of, embodied in, or related to such Deliverables, including copyrights, patents, trademarks, trade secrets, trade dress, mask work, utility design, derivative works, and all other rights and interests therein or related thereto. Grantee represents and warrants that the State and the ODCP shall acquire good and clear title to all Deliverables, free from any claims, liens, security interests, encumbrances, intellectual property rights, proprietary rights, or other rights or interests of Grantee or of any third party, including any employee, agent, contractor, subcontractor, subsidiary or affiliate of Grantee. The Grantee (and Grantee’s employees, agents, contractors, subcontractors, subsidiaries and affiliates) shall not retain any property interests or other rights in and to the Deliverables and shall not use any Deliverables, in whole or in part, for any purpose, without the prior written consent of the ODCP and the payment of such royalties or other compensation as the ODCP deems appropriate. Unless otherwise requested by ODCP, upon completion or termination of this Contract, Grantee will immediately turn over to ODCP all Deliverables not previously delivered to the ODCP, and no copies thereof shall be retained by Grantee or its employees, agents, subcontractors or affiliates, without the prior written consent of the ODCP. To the extent any of Grantee’s rights in any Deliverables are not subject to assignment or transfer hereunder, including any moral rights and any rights of attribution and of integrity, Grantee hereby irrevocably and unconditionally waives all such rights and enforcement thereof and agrees not to challenge the State’s rights in and to the Deliverables.

53. Confidentiality, IT Standards, and Security.

a. The Grantee will comply with and adhere to the following the ODCP and State information technology standards and provide training to Grantee’s employees and subcontractors concerning such standards, procedures and protocols as applicable.

1. Data Backup Standard: Applicable to Grantees which utilize data systems to process, store, transmit or monitor information essential to the performance of the ODCP required services.
2. Data Stewardship Standard: Applicable to Grantees which utilize data systems to process, store, transmit or monitor information essential to the performance of ODCP required services.

3. Interconnectivity Standard: Applicable to Grantees which utilize data systems to process, store, transmit or monitor information essential to the performance of ODCP required services.
4. Laptop Data Protection Standard: Applicable to Grantees which utilize laptops to process, store, transmit or monitor data essential to the performance of the ODCP required services or connects to state owned or managed network.
5. Removable Storage Encryption Standard: Applicable to Grantees which utilize removable storage devices to process, store, transmit or monitor information essential to the performance of the ODCP required services.
6. Web Application Security Standard: Applicable to Grantees which develop, manage or utilize state resources including but not limited to websites, data systems, desktop applications and web based services.
7. Website Accessibility Standard: Applicable to Grantees which develop and maintain ODCP web pages.

Current state information technology standards are accessible online at <https://ocio.iowa.gov/home/standards>

b. The Grantee will take all precautions and actions necessary to: (i) prevent unauthorized access to the ODCP's and the State's systems, networks, computers, property, records, data, and information; and (ii) ensure that all of the ODCP's and the State's documentation, electronic files, data, and systems are developed, used, and maintained in a secure manner, protecting their confidentiality, integrity and availability. Grantee agrees that it will not copy, reproduce, transmit, or remove any ODCP (or State) information or data without the prior written consent of the ODCP. Grantee agrees that it shall be liable for any damages, losses, and expenses suffered or incurred by the ODCP or the State as a result of: (a) any breach of this section, or (b) any breaches of security (including those described below) that are caused by any action or omission of Grantee or Grantee's employees, agents and subcontractors. Breaches of security include, but are not limited to:

- 1 Disclosure of confidential or sensitive information;
- 2 Unauthorized access to ODCP or State systems;
- 3 Illegal technology transfer;
- 4 Sabotage or destruction of ODCP or State information or information systems;
- 5 Compromise or denial of ODCP or State information or information systems;
- 6 Damage to or loss of ODCP or State information or information systems; and
- 7 Theft.

c. The Grantee shall immediately report to the ODCP any such breach of security. In the event of a breach of this section or any breach of security as described herein, the ODCP may terminate this Agreement immediately without penalty or liability to the ODCP and the State and without affording Grantee any opportunity to cure.

54. Qualifications of Staff.

The Grantee shall be responsible for assuring that all persons, whether they are employees, agents, subcontractors or anyone acting for or on behalf of the Grantee, are properly licensed, certified or accredited as required under applicable Federal and State law and the

Iowa Administrative Code. The Grantee shall provide standards for service providers who are not otherwise licensed, certified or accredited under Federal or State law or the Iowa Administrative Code.

Revised 06/17/19

Iowa Governor's Office of Drug Control Policy
STANDARD GRANT CONDITIONS CERTIFICATION
Legal Applicant & Program/Project Director

On behalf of, (agency) Story County Sheriff's Office I have read, understand, and agree to abide by the Standard Grant Conditions for the Iowa/Governor's Office of Drug Control Policy Grant Program.

Linda Murken
(Legal Applicant – Print or Type)

Mudamba 9/3/19
(Signature Legal Applicant) (Date)

Brian Tickle
(Program/Project Director – Print or Type)

BET 8/23/19
(Signature Program/Project Director) (Date)

Iowa Governor's Office of Drug Control Policy
STANDARD GRANT CONDITIONS CERTIFICATION
Contract Services (If Applicable)

_____ (contracting agency) has entered into an agreement with _____ (Legal Applicant) to provide services through a grant provided by the Office of Drug Control Policy. The applicant agency has provided a copy of the standard grant conditions. I have read, understand, and agree to abide by the Standard Grant Conditions for the Iowa/Governor's Office of Drug Control Policy Grant Program.

Mudamba
(Signature Contracting Agency)

9/3/19
(Date)

Iowa Governor's Office of Drug Control Policy
CERTIFIED ASSURANCES

NON-SUPPLANTING

The grantee assures that Federal funds made available under this formula grant will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for project activities.

MATCHING FUNDS

The grantee assures that matching funds required to pay the non-Federal portion of the cost of each program and project, for which grant funds are made available, shall be in addition to funds that would otherwise be made available for criminal justice activities by the recipients of grant funds and shall be provided on a project-by-project basis.

RECORD KEEPING

The grantee assures that fund accounting, auditing, monitoring, evaluation procedures, and such records as the Governor's Office of Drug Control Policy shall require, shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received.

REPORTING

The grantee assures that it shall maintain such data and information and submit such reports in such form, at such times, and containing such data and information as the Governor's Office of Drug Control Policy may reasonably require to administer the program.

FINANCIAL AND ADMINISTRATIVE GUIDE

The grantee assures that it will comply with the provisions of the Office of Justice Programs' "Financial and Administrative Guide for Grants. <http://ojp.gov/financialguide/DOJ/index.htm>

COMPLIANCE WITH FEDERAL PROCEDURES

The grantee assures that it will comply with the provisions of 28 CFR applicable to grants and cooperative agreements, including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information Systems; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; and Part 63, Floodplain Management and Wetland Protection Procedures.

DUNS/SAM Registration:

The grantee assures that it will register and provide the Governor's Office of Drug Control Policy a Data Universal Number System (DUNS) number. The recipient shall maintain a current registration with the System for Award Management (SAM) for the duration of the grant project period.

Recipient Integrity and Performance

The grantee assures that it will comply with any and all applicable requirements regarding reporting of

information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) this award. Under certain circumstances, recipients of federal grant funds are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIS") within SAM are posted on the OJP web site at <http://ojp.gov/funding/FAPIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIS), and are incorporated by reference here.

CERTIFICATION

I certify that the program in this application meets all the requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; that all the information presented is correct; and the application will comply with the provisions of the Act and all other Federal laws, regulations, and guidelines. By appropriate language incorporated in each subcontract or other document under which funds are to be disbursed, the undersigned shall assure the applicable conditions above apply to all recipients of assistance.



Signature - Project Director



Signature - Legal Applicant

8/23/19

Date

9/3/19

Date

CIVIL RIGHTS REQUIREMENTS INFORMATION

1. Civil Rights Contact Person: Nicholas Lennie

2. Title/Address: Captain/Chief Deputy
1315 S. B. Ave
Nevada, IA 50201

3. Telephone Number: (515) 382-6566

4. Number of persons employed by the agency responsible for administering this grant:
85

Iowa Governor's Office of Drug Control Policy
US DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS**

(Sub-Recipient)

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, participants' responsibilities. The regulations were published as Part VIII of the May 26, 1988 Federal Register (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON FOLLOWING PAGE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in the certification, such prospective participant shall attach an explanation to this proposal.

Linda Murken, Chair, Story County Board of Supervisors
Name and Title of Authorized Representative

[Signature]
Signature

9/3/19
Date

Story County
Name of Organization

900 6th St, Nevada, IA 50201
Address of Organization

**INSTRUCTIONS FOR CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
INELIGIBILITY AND VOLUNTARY EXCLUSION LOWER TIER COVERED
TRANSACTIONS**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause title "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Non-procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

Grantees Other Than Individuals

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 28 CFR Part 67, Subpart F. The regulations, published in the May 25, 1990 Federal Register, require certification by grantees, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or government wide suspension or debarment (see 28 CFR Part 67, Sections 67.615 and 67.620).

The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about --
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- (e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Place(s) of Performance: The grantees shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (street address, City, County, State, zip code):

Organization Name Story County

Name and Title of Authorized Representative Linda Murken, Chair, Story County Board of Supervisors

Signature [Handwritten Signature]

Date 9/3/19

CERTIFICATION REGARDING LOBBYING

Each person shall file the most current edition of this certification and disclosure form, if applicable, with each submission that initiates agency consideration of such person for an award of a Federal contract, grant, or cooperative agreement of \$100,000 or more; or Federal loan of \$150,000 or more.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall initial here _____ and complete and submit Standard Form # LLL, "Disclosure of Lobbying Activities", in accordance with its instructions. (Forms are available from the Governor's Office of Drug Control Policy.)
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers and that all sub-recipients shall certify and disclose accordingly.

Story County - 900 6th St, Nevada
Name and Address of Organization

Linda Murken, Chair, Board of Supervisors
Name of Authorized Individual

Mudakhen 9/3/19
Signature and Date

Equal Employment Opportunity Plan Certification Form Instructions

Completing the Certification Form

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

The federal regulations implementing the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, require some recipients of financial assistance from the U.S. Department of Justice subject to the statute's administrative provisions to create, keep on file, submit to the Office for Civil Rights (OCR) at the Office of Justice Programs (OJP) for review, and implement an Equal Employment Opportunity Plan (EEOP). See 28 C.F.R. pt. 42, subpt. E. All awards from the Office of Community Oriented Policing Services (COPS) are subject to the EEOP requirements; many awards from OJP, including awards from the Bureau of Justice Assistance (BJA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Office for Victims of Crime (OVC) are subject to the EEOP requirements; and many awards from the Office on Violence Against Women (OVW) are also subject to the EEOP requirements. If you have any questions as to whether your award from the U.S. Department of Justice is subject to the Safe Streets Act's EEOP requirements, please consult your grant award document, your program manager, or the OCR.

Recipients should complete either Section A or Section B or Section C, not all three. If recipient completes Section A or C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Section A The regulations exempt some recipients from all of the EEOP requirements. Your organization may claim an exemption from all of the EEOP requirements if it meets any of the following criteria: it is a nonprofit organization, an educational institution, a medical institution, or an Indian tribe; or it received an award under \$25,000; or it has less than fifty employees. To claim the complete exemption from the EEOP requirements, complete Section A.

Section B Although the regulations require some recipients to create, maintain on file, and implement an EEOP, the regulations allow some recipients to forego submitting the EEOP to the OCR for review. Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business; and (2) have fifty or more employees; and (3) have received a single grant award of \$25,000 or more, but less than \$500,000, may claim the limited exemption from the submission requirement by completing Section B. In completing Section B, the recipient should note that the EEOP on file has been prepared within twenty-four months of the date of the most recent grant award.

Section C Recipients that (1) are a unit of state or local government, an agency of state or local government, or a private business, and (2) have fifty or more employees, and (3) have received a single grant award of \$500,000 or more, must prepare, maintain on file, submit to the OCR for review, and implement an EEOP. Recipients that have submitted an EEOP Utilization Report (or in the process of submitting one) to the OCR, should complete Section C.

Section D Recipients that (1) receive a single award over \$500,000; and (2) subaward a single award of \$500,000 or more must provide a list, including, name, address and DUNS # of each such sub-recipient by completing Section D.

Submission Process

Recipients should download the online Certification Form, complete required sections, have the appropriate official sign it, electronically scan the signed document, and then send the signed document to the following e-mail address: EEOPForms@usdoj.gov. The document must have the following title: EEOP Certification. If you have questions about completing or submitting the Certification Form, please contact the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, DC 20531 (Telephone: (202) 307-0690 and TTY: (202) 307-2027).

OMB Approval No. 1121-0340 Expiration Date: 12/31/15 Public Reporting Burden Statement Paperwork Reduction Act Notice. Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated minimum average time to complete and file this application is 20 minutes per form. If you have any comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office of Justice Programs, 810 7th Street, N.W., Washington, D.C. 20531.

Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three. If recipient completes Section A or C and sub-grants a single award over \$500,000, in addition, please complete Section D.

Recipient's Name: <u>Story County</u>	
Address: <u>900 6th St Nevada, IA 50201</u>	
Is agency a, <input type="checkbox"/> Direct or <input checked="" type="checkbox"/> Sub recipient of OJP, OVW or COPS funding? Law Enforcement Agency? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
DUNS Number: <u>050813112</u>	Vendor Number (only if direct recipient)
Name and Title of Contact Person: <u>Alissa Wignall, Director of Internal Operations & Human Resources</u>	
Telephone Number: <u>(515) 382-7204</u>	E-Mail Address: <u>awignall@storycountyia.gov</u>

Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

Please check all the following boxes that apply.

Less than fifty employees. Indian Tribe Medical Institution.
 Nonprofit Organization Educational Institution Receiving a single award(s) less than \$25,000.

I, _____ [responsible official], certify that _____ [recipient] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R § 42.302. I further certify that _____ [recipient] will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title _____ Signature _____ Date _____

Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

If a recipient agency has fifty or more employees and is receiving a single award or, subaward, of \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):

I, Alissa Wignall [responsible official], certify that Story County [recipient], which has fifty or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

[organization], Story County Board of Supervisors
900 6th St, Nevada IA 50201
 [address]. Linda Murken, Chair Mudamba 9/3/19
 Print or Type Name and Title _____ Signature _____ Date _____

Section C—Declaration Stating that an EEOP Short Form Has Been Submitted to the Office for Civil Rights for Review

If a recipient agency has fifty or more employees and is receiving a single award, or subaward, of \$500,000 or more, then the recipient agency must send an EEOP Short Form to the OCR for review.

I, _____ [responsible official], certify that _____ [recipient], which has fifty or more employees and is receiving a single award of \$500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [date] to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

If recipient sub-grants a single award over \$500,000, in addition, please complete Section D

Print or Type Name and Title _____ Signature _____ Date _____

Iowa Governor's Office of Drug Control Policy

D—Declaration Stating that Recipient Subawards a Single Award Over \$500,000

If a recipient agency, subawards a single award of \$500,000 or more then the granting agency should provide a list; including, name, address and DUNS # of each such sub-recipient.

Sub-Recipient Agency Name/Address	Sub-Recipient DUNS Number

If additional space in necessary, please duplicate this page.

Revised 06/17/2019



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

Memorandum

To: Story County Board of Supervisors
Through: Michael D. Cox, Director
From: Ryan M. Wiemold, Parks Superintendent
Date: September 3, 2019
Re: Consideration of Change Order No. 011 between Boulder Contracting, LLC and Story County Conservation for the Tedesco Environmental Learning Corridor Bid Package #2 in the Decreased Amount of \$16,054.80.

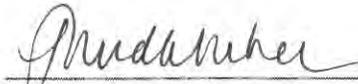
This change order reflects decreased quantities of materials used for the Tedesco Environmental Learning Corridor-Phase 2 project. This is anticipated to be the last change order as Phase 2 of this project as it being closed out.

Decreased items include:

- 12 tons of gravel for \$1,224.00.
- 1452 linear feet of straw waddle for \$2,395.80.
- 4.46 acres of temporary seeding for \$5,463.50.
- 309 square foot of permeable pavement for \$4,171.50.
- 400 yards of erosion control matting for \$2,800.00.

This will be a **decrease to the contract of \$16,054.80**, bringing the new contract total sum to \$1,267,343.85.

Staff urges your approval.


Approval _____
Date 9/3/19

Disapproval _____
Date _____

AIA[®] Document G701[™] – 2017

Change Order

PROJECT: <i>(Name and address)</i> Tedesco Environmental Learning Corridor - BP#2 Trail Paving & Park Amenities Ames, IA	CONTRACT INFORMATION: Contract For: TELC-BP#2 Trail Paving & Park Amenities Date: April 10, 2018	CHANGE ORDER INFORMATION: Change Order Number: 011 Date: August 21, 2019
OWNER: <i>(Name and address)</i> Story County Conservation Board 56461 180th Street Ames, IA 50010	ARCHITECT: <i>(Name and address)</i> Shive-Hattery, Inc. 4125 Westown Parkway, Suite 100 West Des Moines, IA 50266	CONTRACTOR: <i>(Name and address)</i> Boulder Contracting, LLC 25789 N Avenue Grundy Center, IA 50638

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

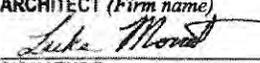
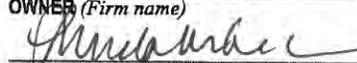
- Item 15 – Retevment, Gravel/Cobble: Decrease of 12 tons at contract price of \$102.00/ton for a total decrease of **\$1,224.00.**
- Item 18 – Straw Wattle, 6” Diameter: Decrease of 1452 linear feet at contract price of \$1.65/LF for a total decrease of **\$2,395.80.**
- Item 20 – Temporary Seeding: Decrease of 4.46 acres at contract price of \$1,225/AC for a total decrease of **\$5,463.50.**
- Change Order 1 / Item 3 – Permeable Paving 20% Glass: Decrease of 309 square feet at contract price of \$13.50/SF for a total decrease of **\$4,171.50.**
- Change Order 8 / Item 11 - Temporary Rolled Erosion Control Product, Type 2D: Decrease of 400 yards at contract price of \$7.00/SY for a total decrease of **\$2,800.00.**

The original Contract Sum was	\$ 1,068,788.00
The net change by previously authorized Change Orders	\$ 214,610.65
The Contract Sum prior to this Change Order was	\$ 1,283,398.65
The Contract Sum will be decreased by this Change Order in the amount of	\$ 16,054.80
The new Contract Sum including this Change Order will be	\$ 1,267,343.85

The Contract Time will be increased by Zero (0) days.
The new date of Substantial Completion will be unchanged.

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Shive-Hattery, Inc. ARCHITECT <i>(Firm name)</i>  SIGNATURE Luke Monat, P.E. PRINTED NAME AND TITLE August 21, 2019 DATE	Boulder Contracting, LLC CONTRACTOR <i>(Firm name)</i>  SIGNATURE Luke Kjosmon PRINTED NAME AND TITLE 8/21/19 DATE	Story County Board of Supervisors OWNER <i>(Firm name)</i>  SIGNATURE Linda Murken, Chair PRINTED NAME AND TITLE 9/3/19 DATE
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DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER
Prepared by Michael D. Cox, Conservation Director, 56461 180th Street, Ames, Iowa 50010 515-232-2516

STORY COUNTY IOWA
RESOLUTION OF THE BOARD OF SUPERVISORS
RESOLUTION #20-20

SETTING DATE AND TIME FOR PUBLIC HEARING FOR SEPTEMBER 17, 2019, FOR
CONSIDERATION ON THE PROPOSED PLANS, SPECIFICATIONS, AND FORM OF
CONTRACT TO CONSTRUCT A SUSTAINABLE ENERGY CABIN AT DAKINS LAKE

WHEREAS, the Story County Board of Supervisors of Story County, Iowa, will consider proposed plans, specifications, and form of contract for construction of a sustainable cabin at Dakins Lake

AND WHEREAS, notice of a Public Hearing by the Story County Board of Supervisors on the proposed plans, specifications, and form of contract, is heretofore given in compliance with the provisions of the *Code of Iowa*;

AND WHEREAS, Story County will be considering the plans, specifications, and form of contract on September 17, 2019.

NOW THEREFORE BE IT RESOLVED that a public hearing on this matter be held on the 17th day of September 2019, in the Public Meeting Room of the Story County Administration Building, 900 6th Street, Nevada, Iowa, at 10:00 AM.

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 upon its approval by the Board of Supervisors.

Dated this 3 day of Sept 2019.



Board of Supervisors



Attest: Story County Auditor

Moved by: Heddens
Seconded by: Olson
Voting Aye: Heddens, Olson, Murken
Voting Nay: _____
Absent: _____

May 30, 2019-August 27, 2019			Q3 2018	
Completed	Work Orders	On-Call	Work Orders	On-Call
Admin	113	4	141	10
GH	76	3	54	6
Conservation	10	0	25	0
HSC	78	5	111	7
Jail	191	28	102	4
JC	112	2	172	4
Animal Control	45	0	14	0
Engineer	12	1	11	2
Total	637	43	630	33

Snow days: 0

- Exterior window cleaning at all buildings completed
- Switched over from radios to cell phones with push to talk feature
- Well field vault cleaning completed at HSC and JC
- Completed soffit project at McFarland Park
- Icon plumbing controls added to one jail cell at JC to determine if it will reduce maintenance costs and future toilet blockages
- New roof installed at JC
- Received new tractor for Admin
- HSC panic system fully operational
- Completed concrete repairs SE parking lot at Admin
- Replaced retaining wall around flag poles at the front entry of Admin
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APPROVED DENIED

Board Member Initials: Am
 Meeting Date: 9/3/19
 Follow-up action: _____

STORY COUNTY UTILITY PERMIT

Date 8/27/19

To the Board of Supervisors, Story County, Iowa:

The Alliant Energy IP&L Company, incorporated under the laws of Iowa, authorize to do business within the State of Iowa, with its principal place of business at 1284 XE Place Ames, IA 50014, does hereby make application requesting permission to occupy certain portions of public right-of-way and that the County Engineer be directed to establish the location of lines of transmission of electrical on secondary route 260th St, from 580th Ave to Sand Hill Trail, a distance of 0.53 miles.

Agreements: The utility company, corporation, applicant, permittee, or licensee, (hereinafter referred to as the permittee) agrees that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed line on the secondary route and that the description of the proposed installation including type, height, and spacing of poles, maximum voltage, lengths of cross arms, minimum clearance and number of wires, type, size and capacity of underground cables, conduits, tile lines, and pipe lines, maximum working pressures for pipe lines carrying gas or flammable petroleum products are described as follows:

Placing 1 phase 1 AL underground conductor along 260th St starting just west of 580th Ave half way to Sand Hill Trail. Equipment being placed will include 1 phase pad mounted transformers along with a short stretch of 4/0 TPLX underground secondary conductor. All road crossings will be bored and placed in 2" duct.

2. The installation shall meet the requirements of county, state, and federal laws, franchise rules, and of the Iowa State Commerce Commission Regulations and Directives, Utilities Division, the Iowa State Department of Health, and any other laws or regulations applicable.

3. The Permittee shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations.

4. Story County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.

5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners.

6. The Permittee, and its contractors, shall carry on the construction or repair of the accommodated utility with serious regard to the safety of the public. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.

7. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said utility, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee's utility having been constructed, operated, and maintained thereon.

8. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all

liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Noncompliance with any of the terms of permit, or agreement, may be considered cause for shut down of utility construction operations, or revocation of the permit.

10. The following special requirements, if applicable, shall apply to this permit:

Whenever the route of the proposed cable line runs along a paved secondary highway, the location of said cable shall be constructed on top of the road shoulder so as to be within approximately two-feet of the pavement edge.

Whenever the route of the proposed cable line runs along a dirt or gravel surfaced highway, the location of said cable shall be constructed on top of the road surface and as near possible to the shoulder line

Whenever a cross road culvert or bridge is encountered along the route of the proposed cable lines, said cable shall be constructed around the ends of said cross road culvert or bridge even though this looping is not designated on the situation plans attached hereto.

The crossing of the cable line from one side of the highway to the other shall be accomplished at a near right angle rather than diagonally so as to disturb the roadbed of the traveled way as little as possible.

Whenever the route of the proposed cable line is to cross a paved highway, such crossing shall be in a bored hole rather than open cut trench.

Date 8-24-19

Alliant Energy IP&L - Matt Deam
Name of Company (Applicant - Permittee)

Matthew O. Deam 641-754-5851
by Phone no.

Recommended for Approval:

Date 8-27-19

[Signature] 515-382-7355
County Engineer Phone no.

Approved:

Date 9/3/19

[Signature] 9/3/19
Chair, Board of Supervisors
Story County, Iowa

Three (3) copies of this form will be required for each installation. A plat shall be attached to each copy submitted.



580th Ave

260th St

Sand Hill Trail

Alliant Energy IP&L
WR# 4175235
Ames, IA Story County
1PH Underground
Conductor

250th St

EST

35

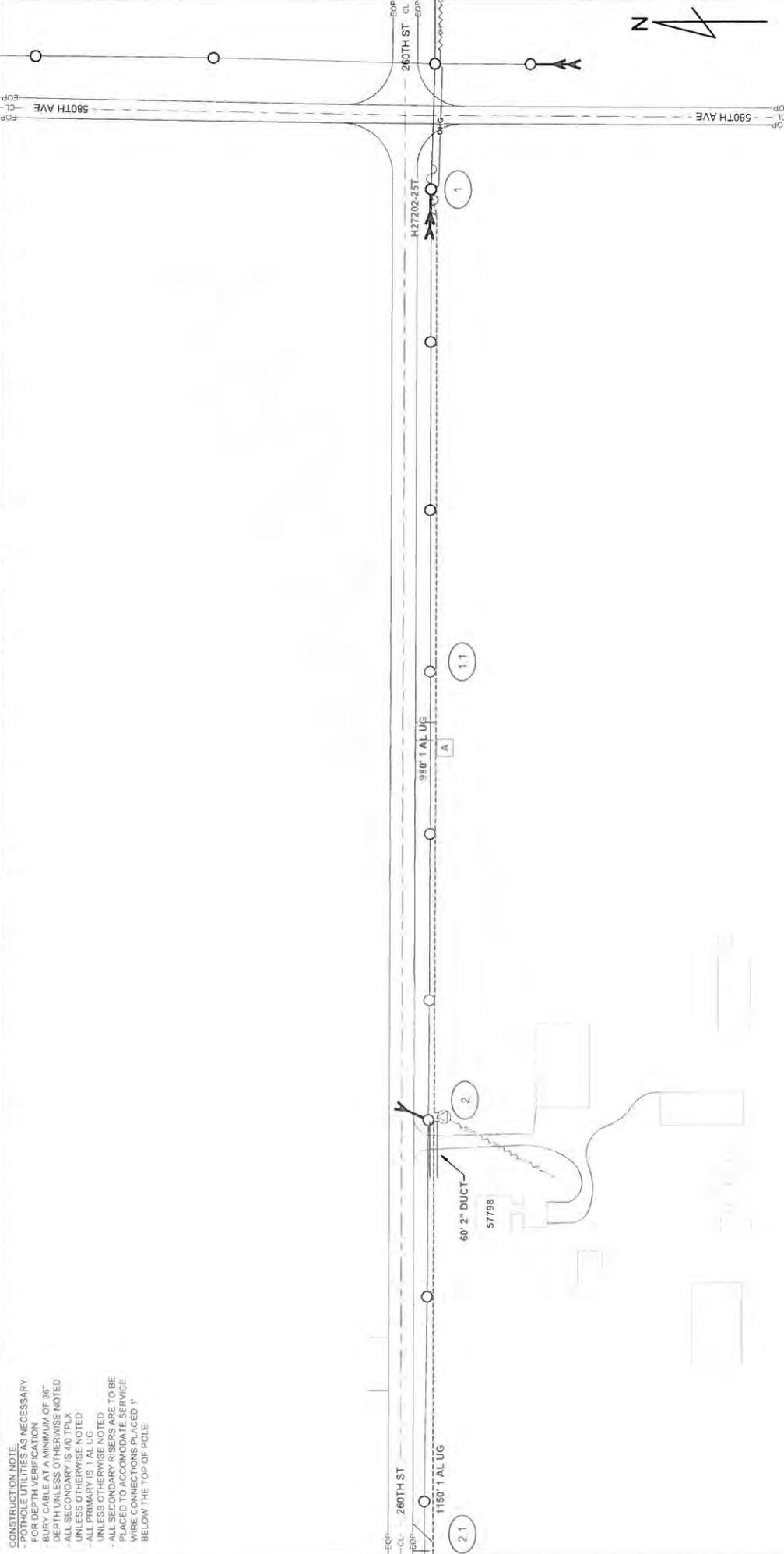
Google Earth

© 2018 Google

UTILITIES SHOWN ON THIS PLAN ARE INDICATED IN ACCORDANCE WITH AVAILABLE RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING EXACT LOCATIONS AND DEPTHS OF ALL UTILITIES FROM FIELD VERIFICATION AND CONTACT WITH UTILITY OWNERS. CONTRACTOR IS TO FOLLOW NESC CODE AND ALLIANT ENERGY IPL CONSTRUCTION STANDARDS AT ALL TIMES. GUYING, ANCHORING, POLE LOCATION AND CONDUCTOR ARE SHOWN TO REFLECT GENERAL REAL WORLD LOCATIONS AND DIRECTION, AND SHOULD NOT BE INTERPRETED AS EXACT. SOME INTENDED STRUCTURE LOCATIONS AND DIRECTIONS ARE MANIPULATED FOR DRAWING NEATNESS AND CLARITY. FIELD VERIFICATION IS REQUIRED PRIOR TO CONSTRUCTION. RIGHT OF WAY AND PARCELS ARE DEPICTED IN ACCORDANCE WITH AVAILABLE COUNTY GIS DATA.

CONSTRUCTION NOTE:

- POT-HOLE UTILITIES AS NECESSARY
- ALL UTILITIES TO BE BURIED AT A MINIMUM OF 24"
- BURIED UTILITIES TO BE BURIED AT A MINIMUM OF 24"
- ALL SECONDARY IS 4/0 TPLX UNLESS OTHERWISE NOTED
- ALL PRIMARY IS 1 AL UG UNLESS OTHERWISE NOTED
- ALL SECONDARY RISERS ARE TO BE PLACED TO ACCOMMODATE SERVICE WHERE CONDUCTORS ARE PLACED 1' BELOW THE TOP OF POLE



<p style="font-size: 8px;">mi-TECH Power On Line, Lower Cost, Maximum Efficiency P.O. Box 1000 Ames, IA 50010</p>	<p>SYMBOL LEGEND</p> <table style="font-size: 8px; width: 100%;"> <tr> <td>●</td><td>NEW POLE</td> <td>○</td><td>POLE EXISTING</td> <td>⊕</td><td>ANCHOR NEW</td> <td>⊕</td><td>ANCHOR EXISTING</td> <td>⊕</td><td>FLUSE NEW</td> <td>⊕</td><td>FLUSE EXISTING</td> <td>⊕</td><td>GROUND NEW</td> <td>⊕</td><td>GROUND EXISTING</td> </tr> <tr> <td>⊕</td><td>TRANSFORMER 3PH PAD MOUNTED NEW</td> <td>⊕</td><td>TRANSFORMER 3PH PAD MOUNTED EXISTING</td> <td>⊕</td><td>TRANSFORMER 1PH PAD MOUNTED NEW</td> <td>⊕</td><td>TRANSFORMER 1PH PAD MOUNTED EXISTING</td> <td>⊕</td><td>TRANSFORMER 3PH POLE MOUNTED NEW</td> <td>⊕</td><td>TRANSFORMER 3PH POLE MOUNTED EXISTING</td> <td>⊕</td><td>TRANSFORMER 1PH POLE MOUNTED NEW</td> <td>⊕</td><td>TRANSFORMER 1PH POLE MOUNTED EXISTING</td> </tr> <tr> <td>⊕</td><td>NEW LINE UG</td> <td>⊕</td><td>EXISTING LINE UG</td> <td>⊕</td><td>NEW 3PH LINE OH</td> <td>⊕</td><td>EXISTING 3PH LINE OH</td> <td>⊕</td><td>NEW 1PH LINE OH</td> <td>⊕</td><td>EXISTING 1PH LINE OH</td> <td>⊕</td><td>SPICE, NEW WITH EXISTING</td> <td></td><td></td> </tr> <tr> <td>⊕</td><td>GAS</td> <td>⊕</td><td>WATER</td> <td>⊕</td><td>ELECTRICAL</td> <td>⊕</td><td>STORM</td> <td>⊕</td><td>SANITARY</td> <td>⊕</td><td>CABLE TV</td> <td>⊕</td><td>TELEPHONE</td> <td></td><td></td> </tr> </table>	●	NEW POLE	○	POLE EXISTING	⊕	ANCHOR NEW	⊕	ANCHOR EXISTING	⊕	FLUSE NEW	⊕	FLUSE EXISTING	⊕	GROUND NEW	⊕	GROUND EXISTING	⊕	TRANSFORMER 3PH PAD MOUNTED NEW	⊕	TRANSFORMER 3PH PAD MOUNTED EXISTING	⊕	TRANSFORMER 1PH PAD MOUNTED NEW	⊕	TRANSFORMER 1PH PAD MOUNTED EXISTING	⊕	TRANSFORMER 3PH POLE MOUNTED NEW	⊕	TRANSFORMER 3PH POLE MOUNTED EXISTING	⊕	TRANSFORMER 1PH POLE MOUNTED NEW	⊕	TRANSFORMER 1PH POLE MOUNTED EXISTING	⊕	NEW LINE UG	⊕	EXISTING LINE UG	⊕	NEW 3PH LINE OH	⊕	EXISTING 3PH LINE OH	⊕	NEW 1PH LINE OH	⊕	EXISTING 1PH LINE OH	⊕	SPICE, NEW WITH EXISTING			⊕	GAS	⊕	WATER	⊕	ELECTRICAL	⊕	STORM	⊕	SANITARY	⊕	CABLE TV	⊕	TELEPHONE			<p>LINE TYPES</p> <table style="font-size: 8px; width: 100%;"> <tr> <td>⊕</td><td>NEW SECONDARY</td> <td>⊕</td><td>NEW LINE UG</td> <td>⊕</td><td>EXISTING LINE UG</td> <td>⊕</td><td>EXISTING LINE OH</td> <td>⊕</td><td>NEW 3PH LINE OH</td> <td>⊕</td><td>NEW 1PH LINE OH</td> <td>⊕</td><td>SPICE, NEW WITH EXISTING</td> </tr> </table>	⊕	NEW SECONDARY	⊕	NEW LINE UG	⊕	EXISTING LINE UG	⊕	EXISTING LINE OH	⊕	NEW 3PH LINE OH	⊕	NEW 1PH LINE OH	⊕	SPICE, NEW WITH EXISTING	<p>LOCATION: AMES, IA</p> <table style="font-size: 8px; width: 100%;"> <tr> <td>FILED BY:</td><td>D.V.</td> <td>DATE:</td><td>6/5/2019</td> </tr> <tr> <td>DRAFTED BY:</td><td>J.D.</td> <td>DATE:</td><td>8/6/2019</td> </tr> <tr> <td>DESIGNED BY:</td><td>D.V.</td> <td>DATE:</td><td>7/17/2019</td> </tr> <tr> <td>IOWA P.E.:</td><td></td> <td>APPROVAL DATE:</td><td></td> </tr> </table>	FILED BY:	D.V.	DATE:	6/5/2019	DRAFTED BY:	J.D.	DATE:	8/6/2019	DESIGNED BY:	D.V.	DATE:	7/17/2019	IOWA P.E.:		APPROVAL DATE:	
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<p>ALLIANT ENERGY HAS DIRECTED THAT ENGINEERING RISING TO THE LEVEL OF PROFESSIONAL ENGINEERING IS NOT REQUIRED OR INTENDED FOR THIS PLAN. A MI-TECH ENGINEER DOES NOT REVIEW THE PLAN SET INCLUDING ALL CALCULATIONS OR ANALYSIS, FOR THE INTENT OF PROVIDING PROFESSIONAL ENGINEERING SERVICES. ALL PROFESSIONAL ENGINEERING OR DESIGN ISSUES OR QUESTIONS SHALL BE DIRECTED TO ALLIANT ENERGY. MI-TECH WILL USE INDUSTRY STANDARDS FOR REVIEWS AND COMPLETION OF THE SCOPE OF SERVICES FOR ALLIANT ENERGY.</p>																																																																																																	

STORY COUNTY UTILITY PERMIT

Date 8/27/19

To the Board of Supervisors, Story County, Iowa:

The Interstate Power & Light Company Company, incorporated under the laws of Iowa, with its principal place of business at 1284 XE PL Ames, IA 50014, does hereby make application requesting permission to occupy certain portions of public right-of-way and that the County Engineer be directed to establish the location of lines of transmission of PRIMARY ELECTRIC on secondary route 130TH ST, from EAST BACK SLOPE OF 130TH ST to SOUTH ON FRONT SLOPE OF 720TH AVE, a distance of 750' miles.

Agreements: The utility company, corporation, applicant, permittee, or licensee, (hereinafter referred to as the permittee) agrees that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed line on the secondary route and that the description of the proposed installation including type, height, and spacing of poles, maximum voltage, lengths of cross arms, minimum clearance and number of wires, type, size and capacity of underground cables, conduits, tile lines, and pipe lines, maximum working pressures for pipe lines carrying gas or flammable petroleum products are described as follows:

TRENCH ON BACK SIDE OF 130TH ST FROM POLE GOING EAST TO INTERSECTION OF 720TH AVE. BORE UNDER 130TH ST AND INSTALL 2" CONDUIT UNDER ROAD UNTIL HITTING FRONT SLOPE OF 720TH AVE. PLOW SOUTH MAINTAINING A DEPTH 4'. CABLE TO BE INSTALLED IS #1AL SINGLE PHASE 7,200 VOLTS

2. The installation shall meet the requirements of county, state, and federal laws, franchise rules, and of the Iowa State Commerce Commission Regulations and Directives, Utilities Division, the Iowa State Department of Health, and any other laws or regulations applicable.
3. The Permittee shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations.
4. Story County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.
5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners.
6. The Permittee, and its contractors, shall carry on the construction or repair of the accommodated utility with serious regard to the safety of the public. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.
7. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said utility, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee's utility having been constructed, operated, and maintained thereon.
8. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all

liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Noncompliance with any of the terms of permit, or agreement, may be considered cause for shut down of utility construction operations, or revocation of the permit.

10. The following special requirements, if applicable, shall apply to this permit:

Whenever the route of the proposed cable line runs along a paved secondary highway, the location of said cable shall be constructed on top of the road shoulder so as to be within approximately two-feet of the pavement edge.

Whenever the route of the proposed cable line runs along a dirt or gravel surfaced highway, the location of said cable shall be constructed on top of the road surface and as near possible to the shoulder line

Whenever a cross road culvert or bridge is encountered along the route of the proposed cable lines, said cable shall be constructed around the ends of said cross road culvert or bridge even though this looping is not designated on the situation plans attached hereto.

The crossing of the cable line from one side of the highway to the other shall be accomplished at a near right angle rather than diagonally so as to disturb the roadbed of the traveled way as little as possible.

Whenever the route of the proposed cable line is to cross a paved highway, such crossing shall be in a bored hole rather than open cut trench.

Date 08/26/19

Interstate Power & Light Company

Name of Company (Applicant - Permittee)

by *Mattie D.* 641-754-5851
Phone no.

Recommended for Approval:

Date 8-27-19

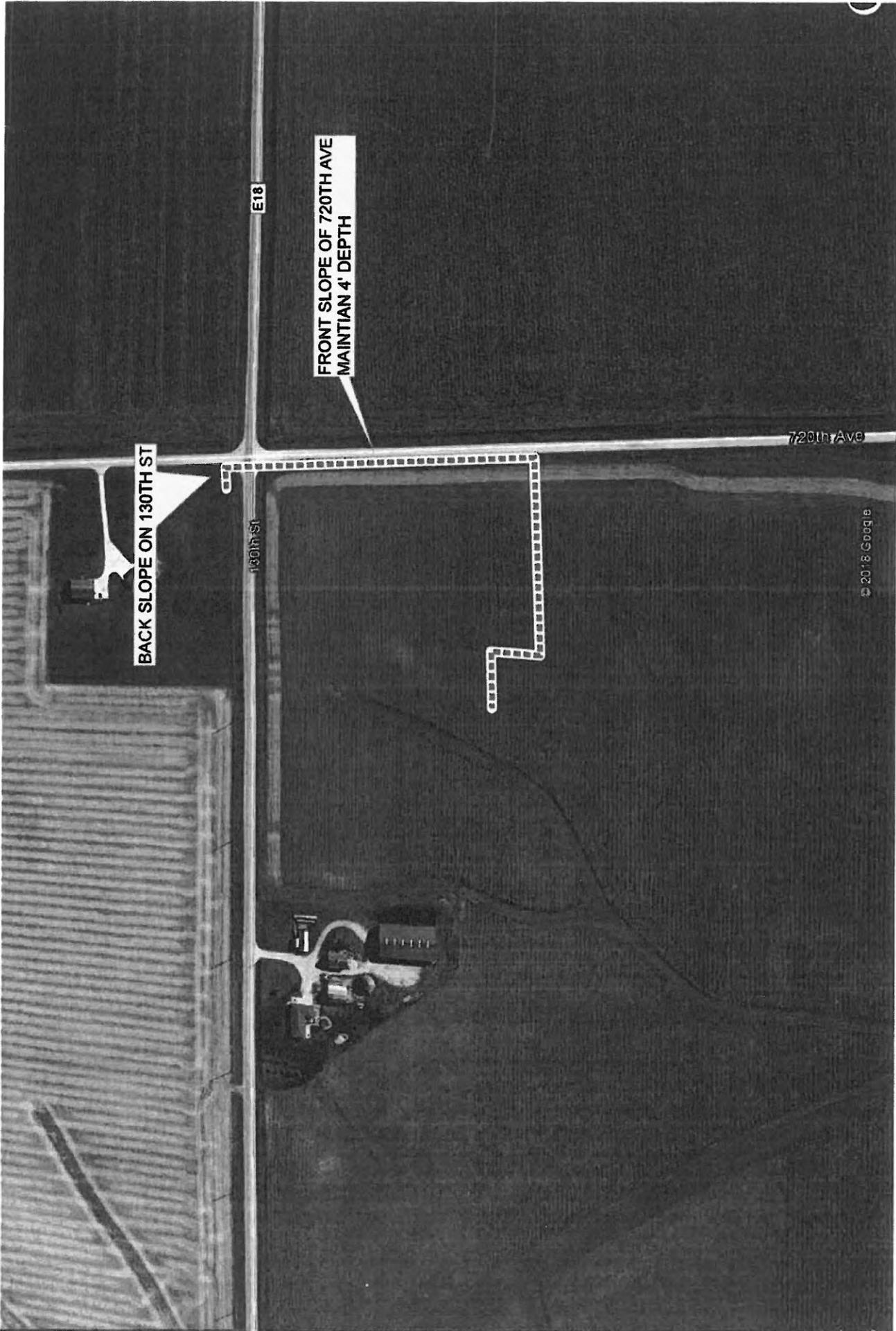
Janeen Allen 515-382-7355
County Engineer Phone no.

Approved:

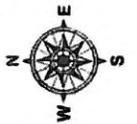
Date 9/3/19

J. M. ...
Chair, Board of Supervisors
Story County, Iowa

Three (3) copies of this form will be required for each installation. A plat shall be attached to each copy submitted.



PERMIT UG PRIMARY CELL TOWER
13067 720TH AVE
ZEARING



STORY COUNTY UTILITY PERMIT

Date 8-27-19

To the Board of Supervisors, Story County, Iowa:

The Consumers Energy Company, incorporated under the laws of Iowa, with its principal place of business at 2074 242nd St. Marshalltown, IA 50158, does hereby make application requesting permission to occupy certain portions of public right-of-way and that the County Engineer be directed to establish the location of lines of transmission of Electric on secondary route 590th AVE, from 250th St to 45 Highway 30, a distance of 1 mile.

Agreements: The utility company, corporation, applicant, permittee, or licensee, (hereinafter referred to as the permittee) agrees that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed line on the secondary route and that the description of the proposed installation including type, height, and spacing of poles, maximum voltage, lengths of cross arms, minimum clearance and number of wires, type, size and capacity of underground cables, conduits, tile lines, and pipe lines, maximum working pressures for pipe lines carrying gas or flammable petroleum products are described as follows:
2. The installation shall meet the requirements of county, state, and federal laws, franchise rules, and of the Iowa State Commerce Commission Regulations and Directives, Utilities Division, the Iowa State Department of Health, and any other laws or regulations applicable.
3. The Permittee shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations.
4. Story County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.
5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners.
6. The Permittee, and its contractors, shall carry on the construction or repair of the accommodated utility with serious regard to the safety of the public. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.
7. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said utility, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee's utility having been constructed, operated, and maintained thereon.
8. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all

liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Noncompliance with any of the terms of permit, or agreement, may be considered cause for shut down of utility construction operations, or revocation of the permit.

10. The following special requirements, if applicable, shall apply to this permit:

Whenever the route of the proposed cable line runs along a paved secondary highway, the location of said cable shall be constructed on top of the road shoulder so as to be within approximately two-feet of the pavement edge.

Whenever the route of the proposed cable line runs along a dirt or gravel surfaced highway, the location of said cable shall be constructed on top of the road surface and as near possible to the shoulder line

Whenever a cross road culvert or bridge is encountered along the route of the proposed cable lines, said cable shall be constructed around the ends of said cross road culvert or bridge even though this looping is not designated on the situation plans attached hereto.

The crossing of the cable line from one side of the highway to the other shall be accomplished at a near right angle rather than diagonally so as to disturb the roadbed of the traveled way as little as possible.

Whenever the route of the proposed cable line is to cross a paved highway, such crossing shall be in a bored hole rather than open cut trench.

Date 8-27-19

Consumers Energy
Name of Company (Applicant - Permittee)

Kevin Peterson 641-485-0702
by Kevin Peterson Phone no.

Recommended for Approval:

Date 8-27-19

Janeen 515-382-7355
County Engineer Phone no.

Approved:

Date 9/3/19

Muddehice
Chair, Board of Supervisors
Story County, Iowa

Three (3) copies of this form will be required for each installation. A plat shall be attached to each copy submitted.

U.S Highway 30

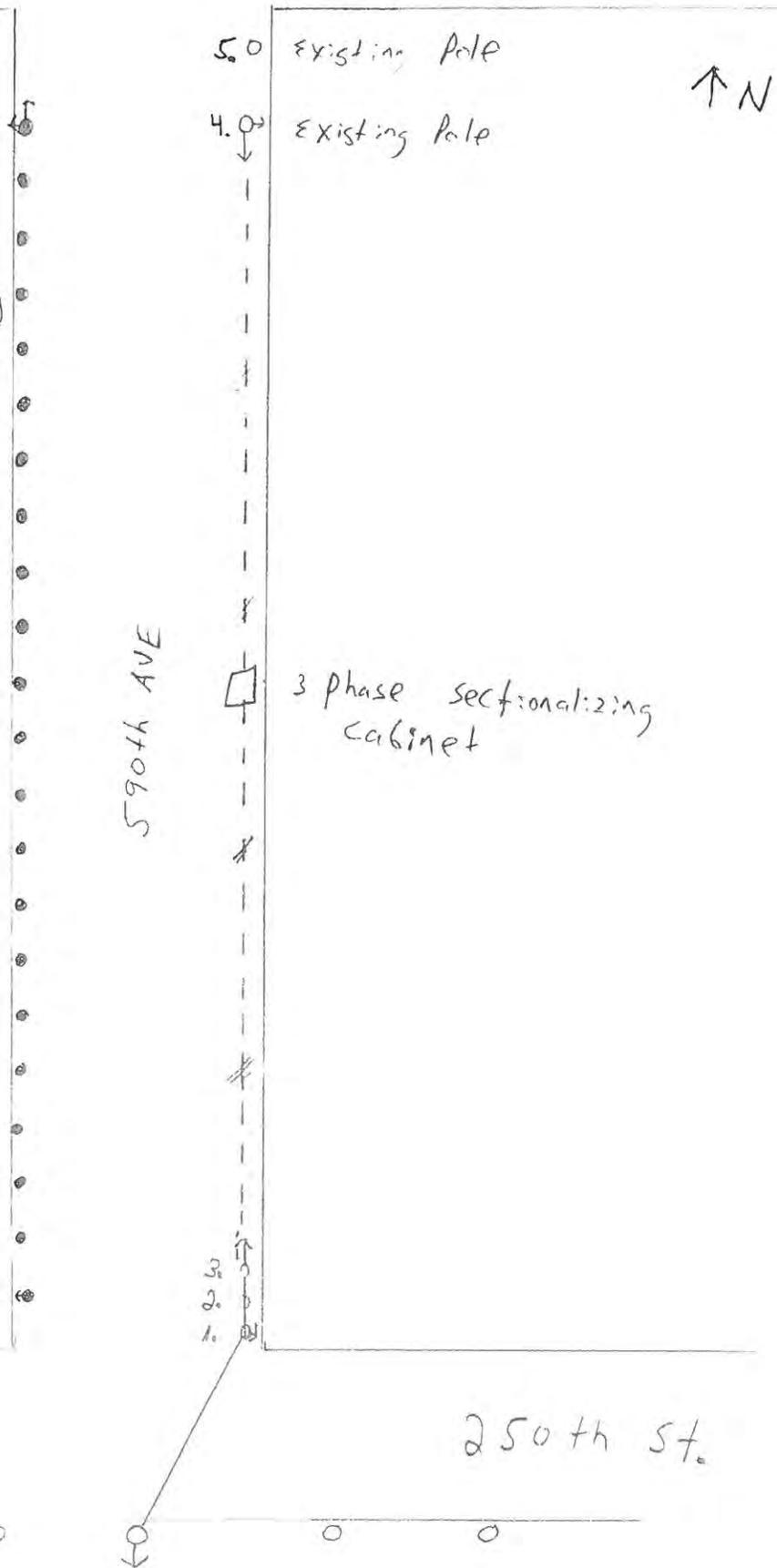
U.S Highway 30

1. Retiring Poles, wire and anchors off the west side of 590th AVE.

2. Installing new Poles, wire and anchors on the East side of 590th AVE and over 250th St.

3. Installing new 3 Phase underground at a minimum depth of 4 ft.

* Grant Township sections 15 & 16. *



1-00

Permit Number 20-4385

STORY COUNTY UTILITY PERMIT

Date 8/27/19

To the Board of Supervisors, Story County, Iowa:
XENIA RURAL

The WATER DISTRICT Company, incorporated under the laws of IOWA
authorize to do business within the State of Iowa, with its principal place of business at 23998
141st ST, Bouton IA 50039 does hereby make application requesting
permission to occupy certain portions of public right-of-way and that the County Engineer be
directed to establish the location of lines of transmission of potable water on secondary route

To provide water service per attached map(s).

Agreements: The utility company, corporation, applicant, permittee, or licensee, (hereinafter referred to as the permittee) agrees that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed line on the secondary route and that the description of the proposed installation including type, height, and spacing of poles, maximum voltage, lengths of cross arms, minimum clearance and number of wires, type, size and capacity of underground cables, conduits, tile lines, and pipe lines, maximum working pressures for pipe lines carrying gas or flammable petroleum products are described as follows:
2. The installation shall meet the requirements of county, state, and federal laws, franchise rules, and of the Iowa State Commerce Commission Regulations and Directives, Utilities Division, the Iowa State Department of Health, and any other laws or regulations applicable.
3. The Permittee shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations.
4. Story County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.
5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners.
6. The Permittee, and its contractors, shall carry on the construction or repair of the accommodated utility with serious regard to the safety of the public. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.
7. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said utility, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee's utility having been constructed, operated, and maintained thereon.

#119071 - 1576

8. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Noncompliance with any of the terms of permit, or agreement, may be considered cause for shut down of utility construction operations, or revocation of the permit.

10. The following special requirements, if applicable, shall apply to this permit:

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Whenever the route of the proposed cable line runs along a dirt or gravel surfaced highway, the location of said cable shall be constructed on top of the road surface and as near possible to the shoulder line

Whenever a cross road culvert or bridge is encountered along the route of the proposed cable lines, said cable shall be constructed around the ends of said cross road culvert or bridge even though this looping is not designated on the situation plans attached hereto.

The crossing of the cable line from one side of the highway to the other shall be accomplished at a near right angle rather than diagonally so as to disturb the roadbed of the traveled way as little as possible.

Whenever the route of the proposed cable line is to cross a paved highway, such crossing shall be in a bored hole rather than open cut trench.

Date 8/27/2019

KENIA RURAL WATER DISTRICT

Name of Company (Applicant - Permittee)

Ray Ok (515) 676-2117
by Phone no.

Recommended for Approval:

Date 8-27-19

Dan Miller 515-382-7355
Asst. County Engineer Phone no.

Approved:

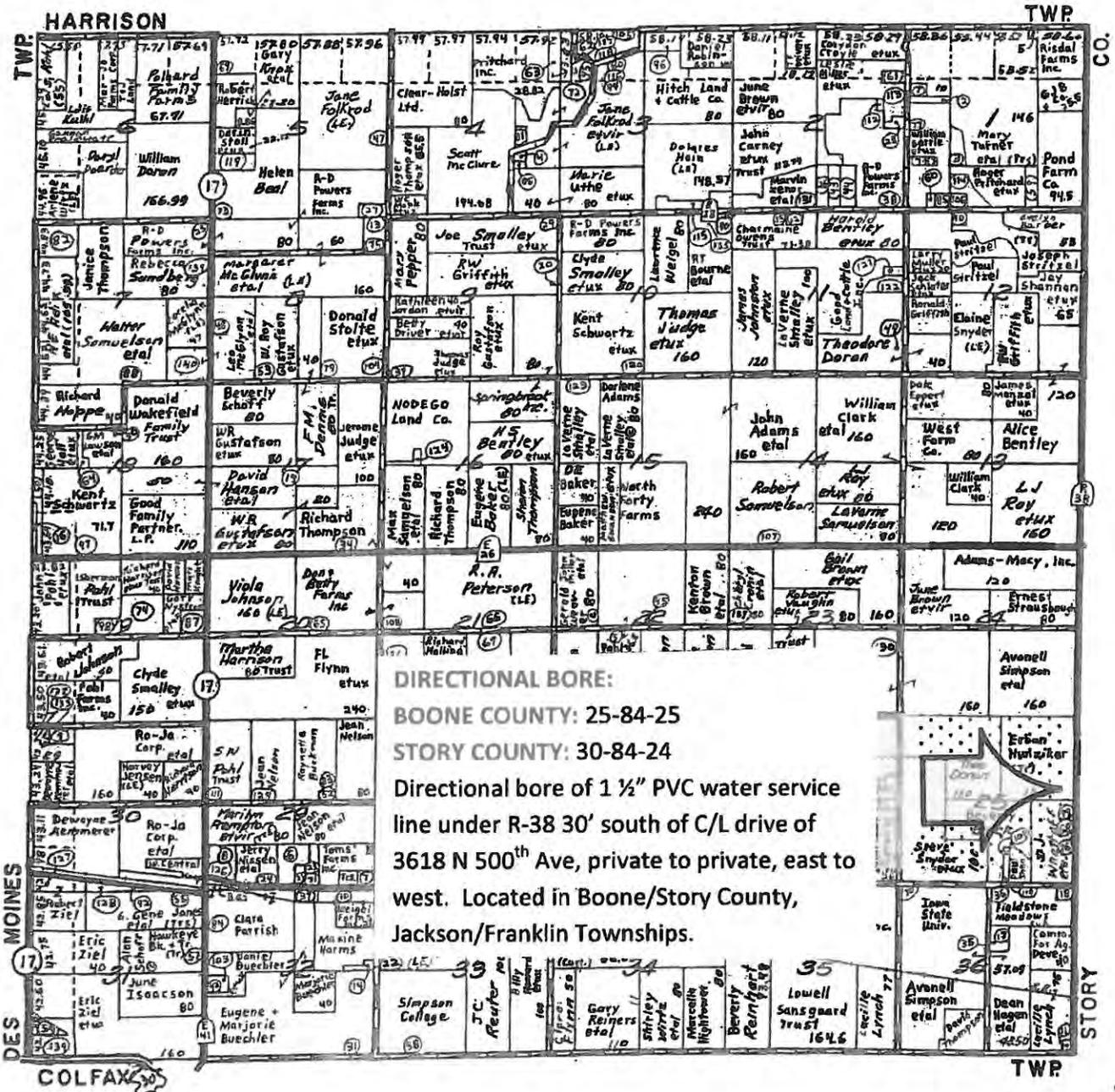
Date 9/3/19

Mudamike
Chair, Board of Supervisors
Story County, Iowa

Three (3) copies of this form will be required for each installation. A plat shall be attached to each copy submitted.

JACKSON

TOWNSHIP 84 NORTH - RANGE 25 WEST



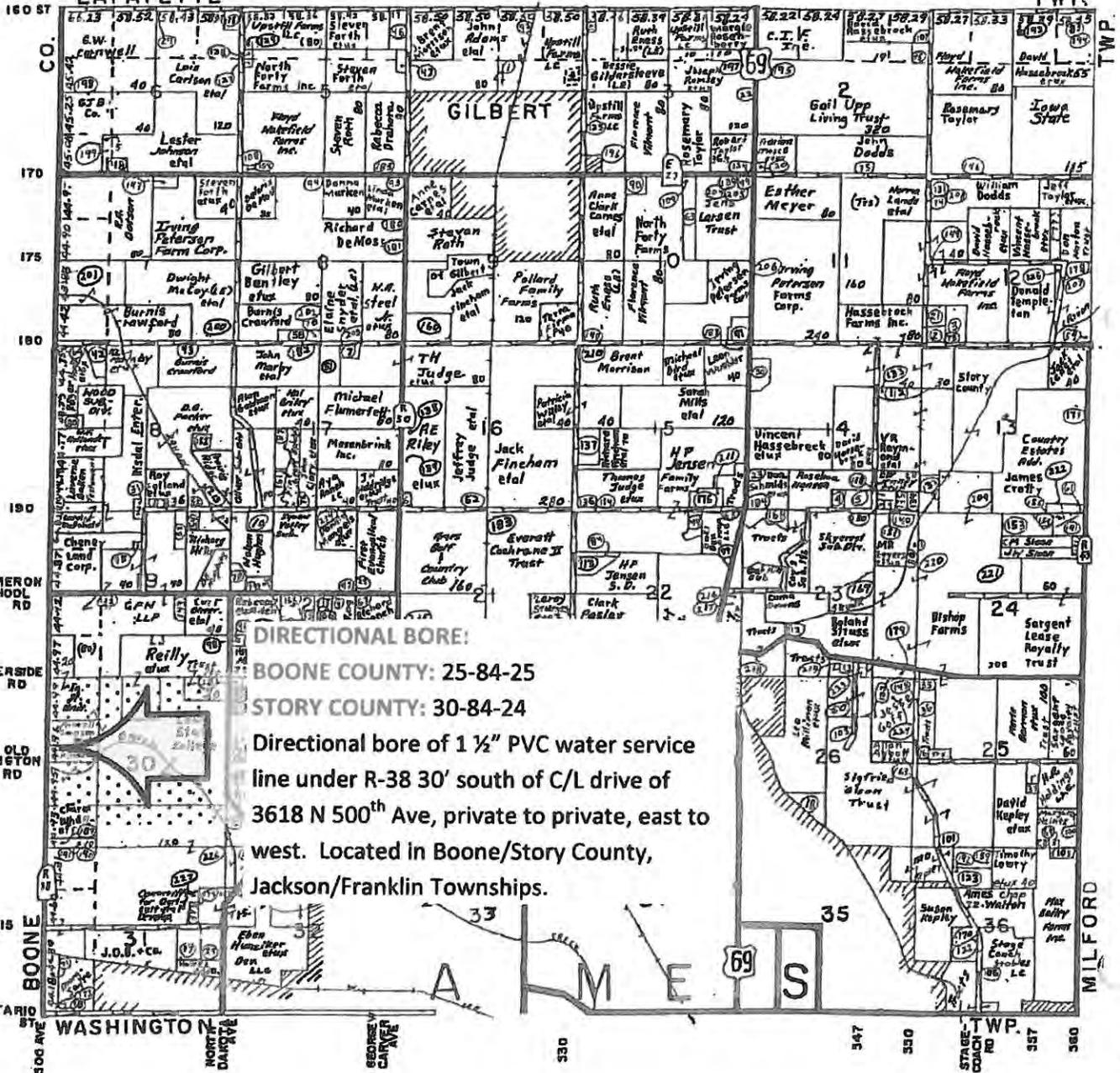
T84N

FRANKLIN

R24N

LAFAYETTE

TWP.



DIRECTIONAL BORE:

BOONE COUNTY: 25-84-25

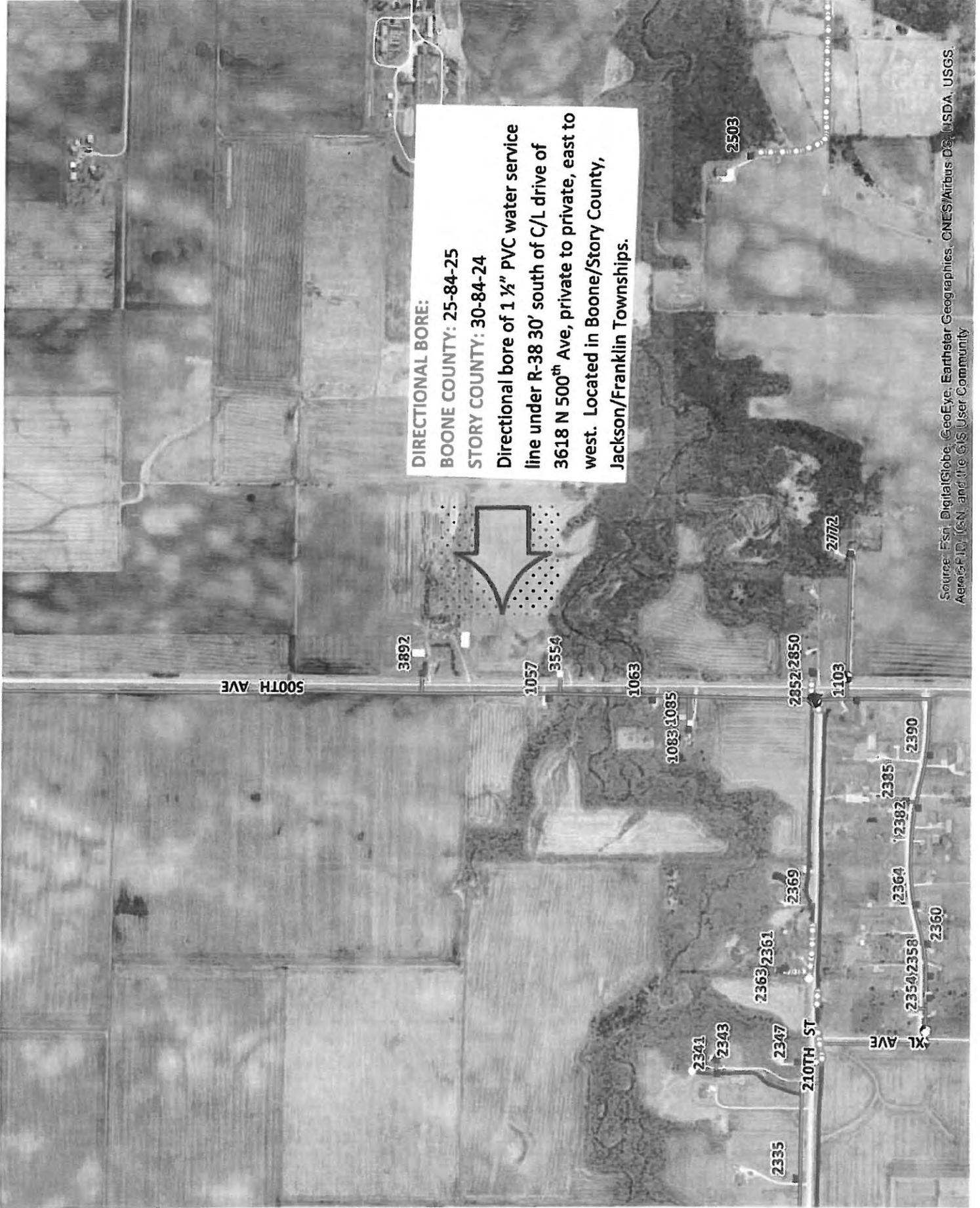
STORY COUNTY: 30-84-24

Directional bore of 1 1/2" PVC water service line under R-38 30' south of C/L drive of 3618 N 500th Ave, private to private, east to west. Located in Boone/Story County, Jackson/Franklin Townships.

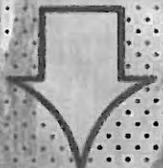
A M E S

160 ST
170
175
180
190
CAMERON SCHOOL RD
RIVERSIDE RD
OLD BLOOMINGTON RD
215
BOONE
ONTARIO ST
300 AVE

300
305
310
315
320
325
330
335
340
345
350
355
360
TWP.
MILFORD



DIRECTIONAL BORE:
BOONE COUNTY: 25-84-25
STORY COUNTY: 30-84-24
Directional bore of 1 1/2" PVC water service line under R-38 30' south of C/L drive of 3618 N 500th Ave, private to private, east to west. Located in Boone/Story County, Jackson/Franklin Townships.



Source: Fsn, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

STORY COUNTY UTILITY PERMIT

Date 8/29/19

To the Board of Supervisors, Story County, Iowa:

The Alliant Energy IP&L Company, incorporated under the laws of Iowa, with its principal place of business at 1284 XE Place Ames, IA 50014, does hereby make application requesting permission to occupy certain portions of public right-of-way and that the County Engineer be directed to establish the location of lines of transmission of electrical on secondary route Sumwalt Station Rd, from Y Ave/S 500th Ave to 510th Ave, a distance of 0.6 miles.

Agreements: The utility company, corporation, applicant, permittee, or licensee, (hereinafter referred to as the permittee) agrees that the following stipulations shall govern under this permit.

1. The Permittee will file a plat setting out the location of proposed line on the secondary route and that the description of the proposed installation including type, height, and spacing of poles, maximum voltage, lengths of cross arms, minimum clearance and number of wires, type, size and capacity of underground cables, conduits, tile lines, and pipe lines, maximum working pressures for pipe lines carrying gas or flammable petroleum products are described as follows:

Placing approximately 2,900' of 3 phase T2 ACSR 4/0 25kv overhead electrical conductor along the south side of Zumwalt Station Rd starting at Y Ave and going east. New poles will be placed along with the conductor. 3 phase 1 AL underground conductor will extend from Pt 12 to a 3 phase pad mounted transformer at the comm tower to the south.

2. The installation shall meet the requirements of county, state, and federal laws, franchise rules, and of the Iowa State Commerce Commission Regulations and Directives, Utilities Division, the Iowa State Department of Health, and any other laws or regulations applicable.

3. The Permittee shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations.

4. Story County assumes no responsibility for damages to the Permittee's property occasioned by any construction or maintenance operations on said highways.

5. The Permittee shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners.

6. The Permittee, and its contractors, shall carry on the construction or repair of the accommodated utility with serious regard to the safety of the public. Traffic protection shall be in accordance with Part VI of the current Iowa Department of Transportation Manual on Uniform Control Devices for Streets and Highways.

7. The Permittee shall be responsible for any damage resulting to said highways because of the construction operation, or maintenance of said utility, and shall reimburse Story County for any expenditure the County may have to make on said highways because of said permittee's utility having been constructed, operated, and maintained thereon.

8. The Permittee shall indemnify and save harmless Story County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all

liability and expense of whatsoever nature for, on account of or due to the acts or omissions of said Permittee's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Noncompliance with any of the terms of permit, or agreement, may be considered cause for shut down of utility construction operations, or revocation of the permit.

10. The following special requirements, if applicable, shall apply to this permit:

Whenever the route of the proposed cable line runs along a paved secondary highway, the location of said cable shall be constructed on top of the road shoulder so as to be within approximately two-feet of the pavement edge.

Whenever the route of the proposed cable line runs along a dirt or gravel surfaced highway, the location of said cable shall be constructed on top of the road surface and as near possible to the shoulder line

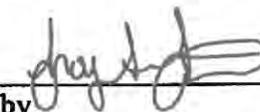
Whenever a cross road culvert or bridge is encountered along the route of the proposed cable lines, said cable shall be constructed around the ends of said cross road culvert or bridge even though this looping is not designated on the situation plans attached hereto.

The crossing of the cable line from one side of the highway to the other shall be accomplished at a near right angle rather than diagonally so as to disturb the roadbed of the traveled way as little as possible.

Whenever the route of the proposed cable line is to cross a paved highway, such crossing shall be in a bored hole rather than open cut trench.

Date 06-18-2019

Alliant Energy IP&L - Troy Foreman
Name of Company (Applicant - Permittee)

by  515-268-3421
Phone no.

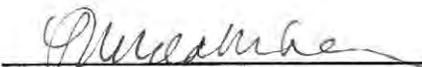
Recommended for Approval:

Date 8-29-19

 515-382-7355
County Engineer Phone no.

Approved:

Date 9/3/19


Chair, Board of Supervisors
Story County, Iowa

Three (3) copies of this form will be required for each installation. A plat shall be attached to each copy submitted.



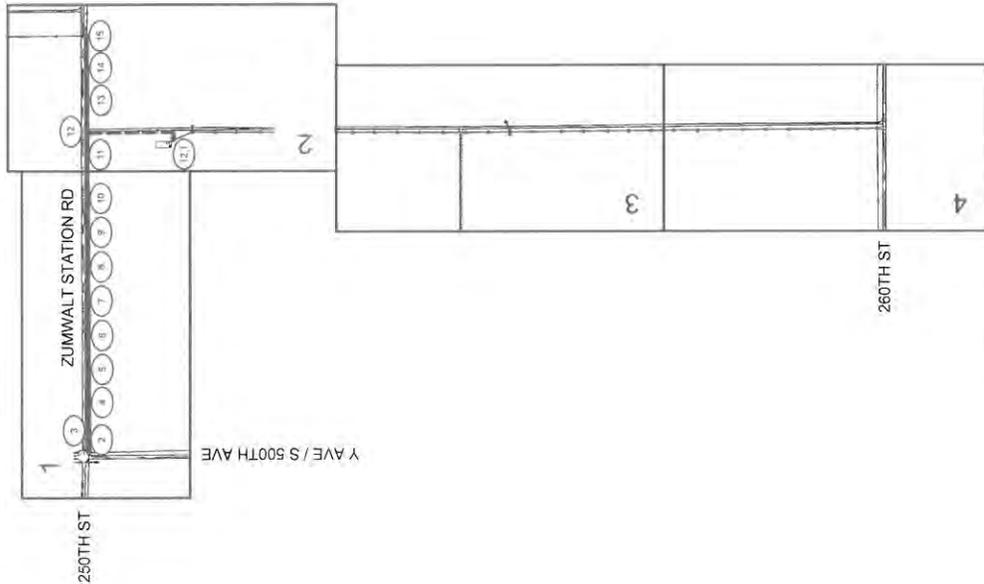
Legend

Alliant Energy IP&L
WR#3982235
Ames, Story County, IA
3 Phase overhead conductor

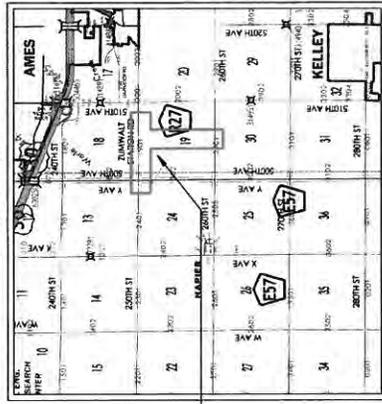
Google Earth

© 2015 Google

UTILITIES SHOWN ON THIS PLAN ARE INDICATED IN ACCORDANCE WITH AVAILABLE RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING EXACT LOCATIONS AND DEPTHS OF ALL UTILITIES FROM FIELD VERIFICATION AND CONTACT WITH UTILITY OWNERS. THE CONTRACTOR IS TO FOLLOW NECA/IBEW ALLIANT ENERGY'S PLACEMENT STANDARDS AT ALL TIMES. CLIPPING, ANCHORING, POLE LOCATION AND CONDUCTOR ARE SHOWN TO REFLECT GENERAL REAL WORLD LOCATIONS AND DIRECTION AND SHOULD NOT BE INTERPRETED AS EXACT. SOME INTENDED STRUCTURE LOCATIONS AND DIRECTIONS ARE MANIPULATED FOR DRAWING NEATNESS AND CLARITY. FIELD VERIFICATION IS REQUIRED PRIOR TO CONSTRUCTION. RIGHT OF WAY AND PARCELS ARE DEPICTED IN ACCORDANCE WITH AVAILABLE COUNTY GIS DATA.



VICINITY MAP



PROJECT LOCATION

PROJECT CONTACTS

ALLIANT ENERGY ENGINEER: JOE LOONAN, JR.
 CONTRACT DESIGNER: DYLAN VASSAR
 (515) 268-3435 (OFFICE) (920) 392-2495 (CELL)
 (515)-450-8600 (CELL)

IOWA ONE CALL: (800)-292-6889 OR 811

PERMITS REQUIRED: STORY COUNTY & ITC ATTACHMENT

ALLIANT ENERGY HAS DIRECTED THAT ENGINEERING RISING TO THE LEVEL OF PROFESSIONAL ENGINEERING IS NOT REQUIRED OR INTENDED FOR THIS PLAN. A M-TECH ENGINEER DOES NOT REVIEW THE PLAN SET INCLUDING ALL CALCULATIONS OR ANALYSIS FOR THE INTENT OF PROVIDING PROFESSIONAL ENGINEERING SERVICES. ALL PROFESSIONAL ENGINEERING OR DESIGN ISSUES OR QUESTIONS SHALL BE DIRECTED TO ALLIANT ENERGY. M-TECH WILL USE INDUSTRY STANDARDS FOR REVIEWS AND COMPLETION OF THE SCOPE OF SERVICES FOR ALLIANT ENERGY.



Feed In Line - Commercial Applications - 1200V/208V
 800.865.8600

ALSIANT ENERGY WORK REQUEST # 3982235 (EDT)

LOCATION: AMES, IA

FIELD BY: D.V.	DATE: 10/9/2018
DRAWN BY: R.L.	DATE: 6/4/2019
DESIGNED BY: D.V.	DATE: 11/21/2019
IOWA FE: D.N.	APPROVAL DATE: 6/3/2019



SYMBOL LEGEND

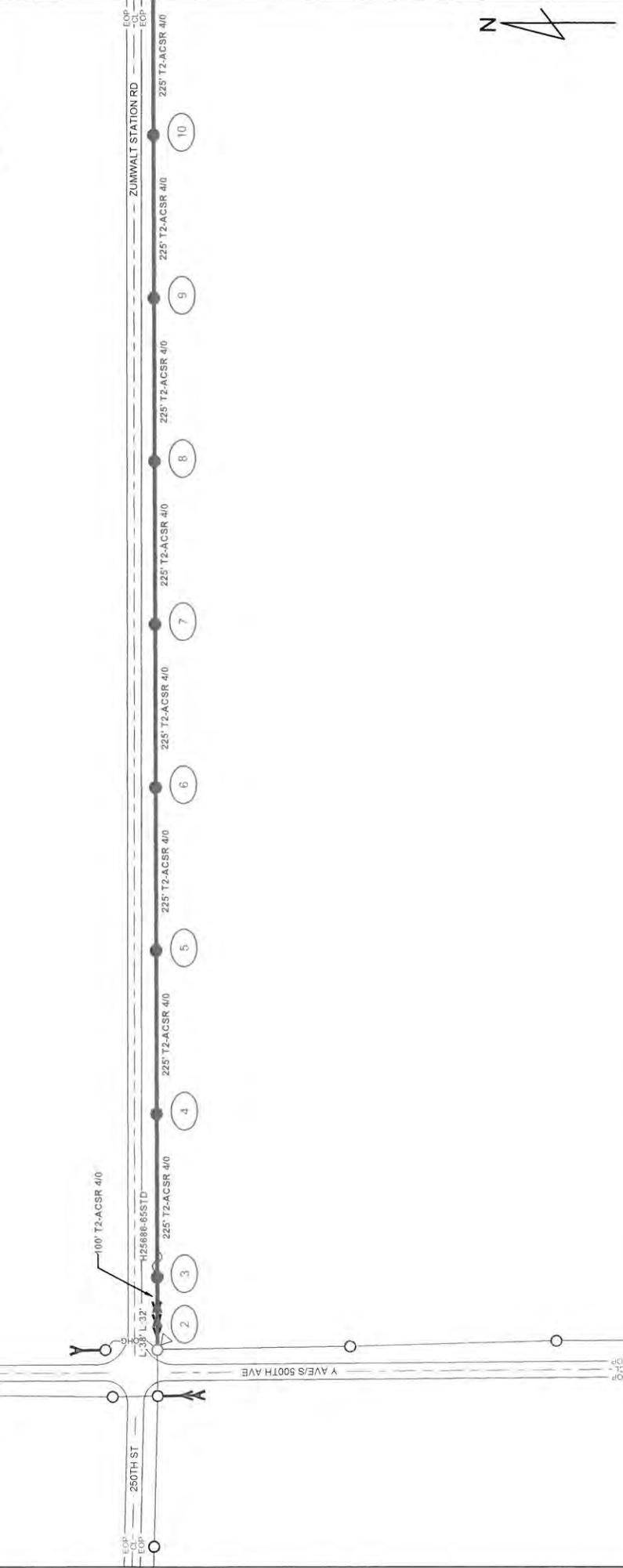
TRANSMISSION POLE NEW	CAPACITOR NEW	NEW POLE
TRANSFORMER JPH PAD MOUNTED NEW	CAPACITOR EXISTING	POWER PD EXISTING
TRANSFORMER JPH PAD MOUNTED EXISTING	CAPACITOR N.O. EXISTING	WARNING MARKER
TRANSFORMER JPH POLE MOUNTED NEW	SWITCH N.O. NEW	METER
TRANSFORMER JPH POLE MOUNTED EXISTING	SWITCH N.O. EXISTING	PHASING
TRANSFORMER 2PH POLE MOUNTED NEW	SWITCH N.C. NEW	SAGS
TRANSFORMER 2PH POLE MOUNTED EXISTING	SWITCH N.C. EXISTING	STREET LIGHT
TRANSFORMER JPH POLE MOUNTED EXISTING	GROUND EXISTING	COMM PEDestal

LINETYPES

NEW SECONDARY	GAS
NEW LINE US	WATER
EXISTING LINE US	ELECTRICAL
EXISTING LINE OH	STORM
NEW JPH LINE OH	SANITARY
NEW JPH LINE OH	CABLE TV
SPACE NEW WITH EXISTING	TELEPHONE

UTILITIES SHOWN ON THIS PLAN ARE INDICATED IN ACCORDANCE WITH AVAILABLE RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING EXACT LOCATIONS AND DEPTHS OF ALL UTILITIES FROM FIELD VERIFICATION AND CONTACT WITH UTILITY OWNERS. CONTRACTOR IS TO FOLLOW NESC CODE AND ALLIANT ENERGY JPL CONSTRUCTION STANDARDS AT ALL TIMES. GUYING, ANCHORING, POLE LOCATION AND CONDUCTOR ARE SHOWN TO REFLECT GENERAL REAL WORLD LOCATIONS AND DIRECTION, AND SHOULD NOT BE INTERPRETED AS EXACT. SOME INTENDED STRUCTURE LOCATIONS AND DIRECTIONS ARE MANIPULATED FOR DRAWING NEATNESS AND CLARITY. FIELD VERIFICATION IS REQUIRED PRIOR TO CONSTRUCTION. RIGHT OF WAY AND PARCELS ARE DEPICTED IN ACCORDANCE WITH AVAILABLE COUNTY GIS DATA.

- CONSTRUCTION NOTE
- GOTOHLE UTILITIES AS NECESSARY
 - FOR DEPTH VERIFICATION
 - BURY CABLE AT A MINIMUM OF 36"
 - DEPTH UNLESS OTHERWISE NOTED
 - ALL SECONDARY IS 1/0 TPL X
 - UNLESS OTHERWISE NOTED
 - ALL PRIMARY IS T2-ACSR 4/0
 - ALL SECONDARY RISERS ARE TO BE PLACED TO ACCOMMODATE SERVICE WIRE CONNECTIONS PLACED 1' BELOW THE TOP OF POLE



mi-TECH
 800 3rd Street
 Grand Rapids, MI 49503

Alliant Energy

3982235 (EDT)

FIELD BY: DATE: 10/9/2018
 D.V.
 DRAFTED BY: DATE: 6/4/2019
 R.L.
 DESIGNED BY: DATE: 1/21/2019
 D.V.
 APPROVAL DATE: 6/3/2019
 D.N.

LOCATION: AMES, IA

SYMBOL LEGEND

NEW SECONDARY	NEW POLE	CAPACITOR NEW	NEW P.O. EXISTING
NEW LINE UG	TRANSMISSION POLE NEW	CAPACITOR EXISTING	POWER P.O. EXISTING
EXISTING LINE UG	TRANSMISSION POLE EXISTING	CAPACITOR EXISTING	WARNING MARKER
EXISTING LINE OH	ANCHOR NEW	ANCHOR EXISTING	METER
NEW JPL LINE OH	ANCHOR EXISTING	ANCHOR EXISTING	PHASING
NEW JPL LINE OH	FUSE NEW	FUSE EXISTING	SIGNS
NEW JPL LINE OH	FUSE EXISTING	FUSE EXISTING	STREET LIGHT
SPLICE NEW WITH EXISTING	GROUND NEW	GROUND EXISTING	COMM FEDERAL
	GROUND EXISTING	GROUND EXISTING	
	GROUND EXISTING	GROUND EXISTING	

LINETYPES

NEW SECONDARY	EASEMENT
NEW LINE UG	GAS
EXISTING LINE UG	WATER
EXISTING LINE OH	ELECTRICAL
NEW JPL LINE OH	STORM
NEW JPL LINE OH	SANITARY
NEW JPL LINE OH	CABLE TV
SPLICE NEW WITH EXISTING	TELEPHONE

UTILITIES ENGINEERING IS NOT REQUIRED OR INTENDED FOR THIS PLAN. A MI-TECH ENGINEER DOES NOT REVIEW THE PLAN SET INCLUDING ALL CALCULATIONS OR ANALYSIS. FOR THE INTENT OF PROVIDING PROFESSIONAL ENGINEERING SERVICES, ALL PROFESSIONAL ENGINEERING OR DESIGN ISSUES OR QUESTIONS SHALL BE DIRECTED TO ALLIANT ENERGY. MI-TECH WILL USE INDUSTRY STANDARDS FOR REVIEWS AND COMPLETION OF THE SCOPE OF SERVICES FOR ALLIANT ENERGY.

Closure No. 20-12

Date August 27, 2019

Resolution

BE IT RESOLVED

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

260th St is closed between Sand Hill Trail and 580th Ave

Motion by: Heddens Seconded by: Olson

Olson	<u> X </u>	Aye	Heddens	<u> X </u>	Aye	Murken	<u> X </u>	Aye
	<u> </u>	Nay		<u> </u>	Nay		<u> </u>	Nay
	<u> </u>	Absent		<u> </u>	Absent		<u> </u>	Absent



Story County Board of Supervisors

Closure No. 20-13

Date August 29, 2019

Resolution

BE IT RESOLVED

By the Board of Supervisors of Story County, Iowa, to approve the road Closure(s) for the purpose of Construction in section 29 Grant on

Sandhill Trail is closed between 260th and R70

Motion by: Heddens Seconded by: Olson

Olson	<u>X</u>	Aye	Heddens	<u>X</u>	Aye	Murken	<u>X</u>	Aye
	<u> </u>	Nay		<u> </u>	Nay		<u> </u>	Nay
	<u> </u>	Absent		<u> </u>	Absent		<u> </u>	Absent



Story County Board of Supervisors

DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER

Prepared by Amelia Schoeneman, Story County Planning & Development, 900 6th St., Nevada, Iowa 50201
Return to Story County Planning and Development

ORDINANCE NO. 285

AN ORDINANCE AMENDING THE STORY COUNTY LAND DEVELOPMENT REGULATIONS, CHAPTER 85.08 DEFINITIONS – ADDING DEFINITIONS, CHAPTER 88.05 ENVIRONMENTAL AND NATURAL RESOURCE STANDARDS -- ADDING A STORMWATER MANAGEMENT PLAN REQUIREMENT AND ADDING A EROSION AND SEDIMENT CONTROL PLAN AND/OR GRADING PERMIT REQUIREMENT, OF THE STORY COUNTY CODE OF ORDINANCES.

BE IT ENACTED by the Board of Supervisors of Story County, Iowa:

WHEREAS; the Story County Planning and Zoning Commission at their meeting on August 7, 2019 made a motion to approve the above described amendment as proposed and referenced in the Story County Land Development Regulations and chapters identified in this ordinance, which failed due to lack of support (vote 2-2); and

WHEREAS; the amendment is created in the Story County Code of Ordinances in the Story County Land Development Regulations in the chapter and table referenced in this ordinance and as shown in Attachment A; and

WHEREAS: all other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict; and

WHEREAS: if any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional; and

WHEREAS: this ordinance shall be effective after its final passage, approval and publication of the ordinance or a summary thereof, as provided by law.

THEREFORE HEREBY BE IT ORDAINED, that the Story County Board of Supervisors approves Ordinance No. 285 as amended and referenced in this ordinance.

Action upon FIRST Consideration: _____

DATE: August 20, 2019

Moved by: Heddens

Seconded by: Olson

Voting Aye: Heddens, Olson, Murken

Voting Nay: -
Not Voting: -
Absent: -

Action upon SECOND Consideration: _____

DATE: August 27, 2019

Moved by: Heddens
Seconded by: Olson
Voting Aye: Heddens, Olson, Murken
Voting Nay: -
Not Voting: -
Absent: -

Action upon THIRD Consideration: _____

DATE: September 3, 2019

Moved by: Olson
Seconded by: Heddens
Voting Aye: Olson, Heddens, Murken
Voting Nay: -
Not Voting: -
Absent: -

ADOPTED THIS 3rd day of September, 2019.



Story County Board of Supervisors



ATTEST: County Auditor

Attachment A

Definitions—to be added/amended in to Chapter 85.08 of the Story County Land Development Regulations

“Best Management Practices” (BMPs) means ~~actions~~ any structural or non-structural measure taken to keep soil and other pollutants out of streams and lakes, designed to protect water quality, control water quantity, and to prevent new pollution. Non-structural measures include schedules of activities, prohibitions of practices, maintenance procedures, treatment requirements, operating procedures, and other management practices to control site runoff, spillage or leaks, sludge or waste disposal, drainage from raw material storage, or measures that otherwise prevent or reduce the pollutant loading of receiving waters.

“Best Management Practices, Erosion Control” means BMPs that are designed to intercept precipitation and prevent movement of soil particles. Erosion control BMPs may include staging construction work, minimizing total area disturbed, protecting existing vegetation, and temporarily or permanently stabilizing disturbed areas.

“Best Management Practices, Sediment Control” means BMPs that are designed to capture soil particles after they have been dislodged and are carried from the site. Products designed for this may include silt fences, filter socks, filter berms, wattles, sediment basins, sediment traps, inlet protection, flocculants, floating silt curtains and other practices identified in the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual Chapter 7 Erosion and Sediment Control or other professionally accepted BMPs.

“Best Management Practices, Stormwater Management” means the use of BMPs that are designed to reduce stormwater runoff, runoff pollutant loads, discharge volumes, and peak flow discharge rates. Practices may include those identified in the Iowa Stormwater Management Manual or other professionally accepted BMPs.

“Buffer” means an area of land and/or a vegetative area of desirable trees, shrubs and herbaceous plants that exists and/or is established to separate different land uses or mitigate a risk associated with land use or structure.

“Channel Protection Volume” means managing the volume of runoff generated by a 1-year, 24-hour duration storm event by capturing the runoff volume and slowly releasing it over a period of no less than 24-hours to prevent habitat degradation and erosion that may cause downstream enlargement and incision due to

increased frequency of bank-full and near-bank-full flows. See the Iowa Stormwater Management Manual for details on calculating the channel protection volume.

“**Common Development Plan**” means a contiguous area where multiple separate and/or distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur or are proposed.

“**Compaction**” means the process by which the soil grains are rearranged to decrease void space and bring the grains into closer contact with one another and thereby increase the weight of solid material per cubic foot and decrease permeability.

“**Concentrated Flow**” means flow that gains speed and increases depth, forming small channels. There are two types of concentrated flow: shallow concentrated flow and channelized flow. Shallow concentrated flow forms small channels of water, from several inches to a foot in width. As these small rills of water come together, they form streams and eventually rivers; this is channelized flow.

“**Construction site**” means a site or common plan of development or sale on which construction activity, including clearing, grading and excavating, results in soil disturbance. A construction site is considered one site if all areas of the site are contiguous with one another and one entity owns all areas of the site

“**Curve Number (CN)**” means an index for use in runoff prediction models that represents the runoff potential from a storm event for a specific land area. Curve numbers range from zero to 100, with a smaller curve number representing low runoff potential and a higher curve number representing high runoff potential. The factors combined to determine the curve number include Hydrologic Soil Group (HSG); cover type, such as pavement, grass, bare soil, etc.; treatment or a modification of cover type based on the management of the cover, such as contouring of agricultural lands, or mowing of urban parks; and hydrologic condition, representing the condition of cover type, including the density of plantings or degree of surface roughness. For the pre-development curve number to use in stormwater design calculations, see the definition of pre-settlement condition.

“**Development**” means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

“Disturbance, Land” means actions taken to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of topsoil.

“Downstream Hydrologic Analysis” means an analysis performed to determine if there are any additional impacts in terms of peak flow increase or downstream flooding while meeting overbank and extreme flooding design. Such an analysis is recommended for larger sites (i.e., greater than 50 acres) to size facilities in the context of a larger watershed. The analysis is performed at the outlet(s) of the site, and downstream at each tributary junction to the point(s) in the conveyance system where the area of the portion of the site draining into the system is less than or equal to 10% of the total drainage area and in accordance with the Iowa Stormwater Management Manual.

“Environmentally Sensitive Area” means areas including wetlands, lakes, reservoirs, streams, and other areas as identified on the Restoration and Protection maps available on the Story County website under watershed planning.

“Extreme Flood Protection” means managing the effects of the 100-year, 24-hour storm event on the stormwater management system, boundaries of the 100-year floodplain, adjacent property, and downstream facilities and property through detention controls and/or floodplain management. See the Iowa Stormwater Management Manual for details on the calculation of the rate.

“Hotspot” means areas where land use or activities generate highly contaminated runoff, with concentrations of pollutants such as trace metals or hydrocarbons in excess of those typically found in stormwater. Examples of hotspots include gas stations, vehicle service and maintenance areas, salvage yards, material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

“Hydrologic Soil Group (HSG)” means a Natural Resource Conservation Service (NRCS) designation given to different soil types to reflect their relative surface permeability and infiltrative capability. Designations consist of four classifications (A, B, C, and D) grouped according to soil infiltration rates from high infiltration rates in Group A to very low infiltration rates in Group D. To determine the hydrologic soil group, see the Iowa Stormwater Management Manual (ISWMM).

“Iowa Statewide Urban Design and Specifications” means the manual for public improvements, common urban design standards and construction specifications managed and maintained by the Institute for Transportation at Iowa State University

“Iowa Stormwater Management Manual (ISWMM)” means the manual collaboratively developed by the Iowa Department of Natural Resources (IDNR) and the Center for Transportation Research and Education (CTRE) at Iowa State University and updated by the Iowa Storm Water Education Program that contains the sizing criteria, design and specification guidelines and BMPs that address stormwater quality and quantity management.

“Low-Impact Development (LID)” means an approach to stormwater management that attempts to mimic pre-development conditions by compensating for losses of rainfall abstraction through infiltration, evapotranspiration, surface storage, and increased travel time to reduce excess runoff. These practices include, but are not limited to, protection and restoration of open space and environmentally sensitive areas including riparian buffers, soil quality restoration, minimizing soil compaction, reduction and disconnection of impervious surfaces, the use of conveyance facilities open to the atmosphere (e.g. swales, vegetated buffer strips, energy-dissipating structures, etc.), rather than through enclosed pipes, and encouraging infiltration and soil storage of runoff through grass channels, bioswales, bioretention cells and rain gardens.

“Overbank Flood Protection” means peak discharge control of the 5-year storm event such that the post=development peak rate does not exceed the downstream conveyance capacity and/or cause overbank flooding See the Iowa Stormwater Management Manual for details on the calculation.

“Peak Discharge Rate” means the maximum rate of stormwater flow at a particular location following a storm event, as measured at a given point and time in cubic feet per second (CFS).

“Post-development condition” means the extent and distribution of land cover types anticipated to occur after development activities are completed that impact runoff and infiltration.

“Pre-settlement condition” means, for stormwater design calculations, assuming the pre-development curve number is for a cover type of meadow for a site’s hydrologic soil group. Table 85-3 contains the curve numbers for a meadow for a given hydrologic soil group.

Hydrologic Soil Group (HSG)	Meadow
A	30
B	58
C	72
D	78

“Site” means the entire area of the lot, parcel, or tract included in the legal description of which the development, land disturbing, or other activity will occur.

“Stabilization, Final” means an Erosion Control BMP where when all soil disturbing activities at the site have been completed, a uniform perennial vegetative cover with a density of 70%, sufficient to preclude erosion, for the entire disturbed area of the permitted project has been established or equivalent stabilization measures have been employed or which has been returned to agricultural production. Permanent erosion control stabilization BMPs may include sodding and permanent seeding or other practices identified in the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual Chapter 7 Erosion and Sediment Control or other professionally accepted BMPs.

“Stabilization, Temporary” means an Erosion Control BMP where exposed soils or disturbed areas are provided temporary vegetative and/or non-vegetative protective cover to prevent erosion and sediment loss until either final stabilization can be achieved or until further construction activities take place to re-disturb an area. Temporary stabilization may include temporary seeding, geotextiles, mulches, vegetative filter strips and other techniques to reduce or eliminate erosion as identified in the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual Chapter 7 Erosion and Sediment Control or other professionally accepted BMPs.

“Staging” means stabilizing one part of the site before beginning development on another to minimize the time and amount of soil exposed and therefore the movement of soil.

“Stormwater” means storm runoff, snowmelt runoff, surface runoff, and drainage.

“Stormwater Best Management Practices, Infiltration-Based” means a natural or constructed feature (bed, trench, basin, well, etc.) that captures, temporarily stores, and infiltrates the design volume of water. Practices may include those identified in the Iowa Stormwater Management Manual or other professionally accepted BMPs

“Stormwater Infiltration” means the process by which rainfall and stormwater runoff flow from the land surface into and through the subsurface soil. Stormwater infiltration occurs when rainfall lands on pervious surfaces, when runoff flows across pervious surfaces, and when runoff is collected and directed to a stormwater infiltration Best Management Practice (BMP).

“Treatment Train” means a storm water management Best Management Practice (BMP) where redundant treatment is provided through swales, biocells, filter strips, and bioretention or other practices for pollutant removal to collectively meet water quality volume treatment requirements and/or maintenance of practices.”

“Runoff” means that portion of the precipitation on a drainage area that is discharged from the area by flowing over the ground surface.

“Time of Concentration” means the time needed for water to flow from the most remote point in a watershed to the point of interest within the watershed. It is a function of topography, geology and land use within the watershed and is computed by summing all the travel times for consecutive components of the drainage conveyance system.

“Recharge Volume” means a portion of the water quality volume recharged to maintain existing groundwater recharge rates at development sites to preserve existing water table elevations, thereby maintaining the hydrology of streams and wetlands during dry weather. The volume of recharge that occurs on a site depends on slope, soil type, vegetative cover, precipitation, and evapotranspiration. See the Iowa Stormwater Management Manual for details on the calculation.

“Topsoil” means the upper layer of soil, the A-horizon, and for the purposes of restoration, shall meet standards for Soil Quality Management and Restoration in the Iowa Stormwater Management Manual.

“Unified Sizing Criteria” means an integrated approach to managing stormwater runoff quality and quantity by addressing the adverse impacts of stormwater runoff from development. The intent is to comprehensively manage stormwater to remove pollutants and improve water quality, prevent downstream streambank and channel erosion, reduce downstream overbank flooding and safely convey and reduce runoff from extreme storm events.

“Watercourse” means any natural or improved stream, river, creek, ditch, channel, canal, conduit, gutter, culvert, drain, gully, or swale in which waters flow either continuously or intermittently.

“Water Quality Volume” means the runoff resulting from a rainfall depth of 1.25” (90% of the rainfall events in Iowa are of this depth or less) that is required to be captured and treated. By managing these storms, the majority of water volume will be treated and many of the “first flush” pollutants of concern will be effectively managed on-site. See the Iowa Stormwater Management Manual for details on the calculation.

Amendments to Chapter 88.05 of the Story County Land Development Regulations for Erosion Control

5. Construction Site Erosion and Sediment Control. Sedimentation and erosion pollute water, degrade land, cause the loss of native vegetation and habitats, and impair drainage. Development activities cause land to become susceptible to erosion and sedimentation by wind and water. The following requirements shall apply to development and land disturbance activities in Story County to mitigate the impacts of erosion and sedimentation, protect public and private property, and to protect natural resources and preserve their functions. ~~Erosion control. Any development that will “disturb” an area of one or more acres is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for its storm water discharge.~~
- A. Any development that disturbs one or more acres is required to obtain a National Pollutant Discharge Elimination System (NPDES) Permit from the Iowa Department of Natural Resources.
- B. A. Any development that is not required to obtain an NPDES permit shall submit the following information in addition to other applicable development permit applications or, if no development permits are applicable, a grading permit and the following information:
- (1) A site plan showing the area to be disturbed, any slopes, watercourses, floodplain, other features prone to erosion, and the location of Erosion and Sediment Control Best Management Practices (BMPs) selected to meet the requirements of this Chapter;
 - (2) Other information necessary to illustrate conformance with the Erosion and Sediment Control Requirements in this Chapter including a construction/grading schedule and schedule for the installation of erosion and sediment control BMPs. For example, a schedule of when grading will occur and when temporary erosion control BMPs will be installed or a schedule of staging activities.
 - (3) The party responsible for maintenance and their contact information if different from the property owner or permit applicant.

~~Stormwater discharge permit shall provide temporary sediment barriers to filter runoff so sediment stays on the site. As soon as vegetation is removed by construction activity, sediment barriers shall be used extensively in drainage ditches, waterways, and on the contour. The sediment~~

barrier must be maintained until the project is completed and placed back into a vegetative state. Sediment barriers shall be spaced in accordance with Table 88-3. The following are acceptable materials for sediment barriers:

- (1) ~~Silt Fence. A silt fence shall be designed to allow water to pass through while retaining the sediment on the site. The maximum drainage area flow to a silt fence should not exceed one-fourth acre per 100 feet of fence. Silt fences should be placed as close as possible to the undisturbed soil and shall use steel posts.~~
- (2) ~~Compost Filter Tubes. The particle size shall be selected in light of the soil gradations that are to be retained by the device. These devices should be installed along the contour, as with silt fences. Compost tubes shall not be placed on slopes in excess of a 10 percent grade. Spacing shall be determined to allow the bottom of the next higher tube to be seen from the one being installed below, and shall be placed at least five feet from the toe of a slope to provide for the formation of a sediment basin. The tubes shall be staked and additional compost placed in front of each tube to enhance the ability to collect sediment.~~
- (3) ~~Wattles. Wattle locations shall be established in the same manner as compost tubes, but installed in shallow trenches (two to four inches deep). Excavated materials shall be placed on the upstream side of the wattle to initiate sediment collection. The wattles shall be staked with wooden stakes and left in place during the establishment of vegetation on the slope.~~

Table 88-3 Maximum Sediment Barrier Spacing

FENCE SPACING ON SLOPES	Sediment Interval (feet)
33%)	
25%)	
20%)	
(10%)	
1 (2%)	
33%)	
25%)	
20%)	

POST TUBE SPACING	
Soil Slope (%)	Approximate Spacing (feet)

POST TUBE SPACING	
Soil Slope (%)	Approximate Spacing (feet)
10% - 20:1 (5%)	
5% - 50:1 (2%)	
1:1 (2%)	

POST TUBE SPACING	
Soil Slope (%)	Approximate Spacing (feet)
10% - 50:1 (5%)	
5% - 4:1 (25%)	
1:1 (25%)	

C. Erosion and Sediment Control Requirements.

(1) General Requirements. The following requirements apply to all developments required to submit information on Erosion and Sediment Control in accordance with this Chapter.

- a. Erosion and sediment control BMPs shall be installed following the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual and Standards Manual or other professionally accepted design criteria.
- b. Maintenance of erosion and sediment control BMPs shall occur to keep the BMPs functioning in an effective manner.

- c. Minimize Disturbed Area.
 - i. The area of land to be disturbed shall be minimized and staging shall be used to minimize the area disturbed at a given time, as practical. The limits of the development including staging and equipment storage areas shall be delineated/flagged/fenced on the site to protect areas that are not proposed to be disturbed.
 - ii. Natural plant covering shall be retained and protected to the maximum extent practicable and as consistent with developing the site.
 - d. Stabilize Disturbed Areas.
 - i. Final stabilization of disturbed areas shall, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site. If final stabilization cannot occur due to the time of year or weather conditions based on SUDAS specifications for a practice, temporary stabilization shall be immediately initiated until such time final stabilization may be completed. final stabilization BMPs may include seeding and sodding.
 - ii. Temporary stabilization shall, at a minimum, be initiated on all disturbed areas, including stockpiles, whenever any clearing, grading, excavating or other earth disturbing activities have temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Temporary erosion control stabilization BMPs may include temporary seeding, geotextiles, mulches, vegetative filter strips.
- (2) Requirements for Sites with Sensitive Features. The following requirements apply to all developments required to submit information on Erosion and Sediment Control in accordance with this Chapter where watercourses, floodplain, slopes, or other features prone to erosion are proposed to be disturbed or where work may affect adjacent properties.

- a. An undisturbed buffer zone shall be provided in accordance with the following minimum buffer sizes measured from the edge of a watercourse/feature. These buffer zones are encouraged to be revegetated where existing native vegetation does not exist. Standards for native revegetation may be used following the Iowa Stormwater Management Manual or other professionally accepted BMPs. For assistance identifying features to be protected by a buffer, maps are available on the Story County website under watershed planning.
 - i. Wetlands, priority wetlands, lakes, reservoirs, and environmentally sensitive areas – 100 feet
 - ii. Priority Streams – 75 feet
 - iii. Secondary and Other Streams – 50 feet

- b. The following uses are permitted in a required buffer zone:
 - i. Legal, nonconforming uses
 - ii. Minor land-disturbing activities for erosion control and bank stabilization or revegetation
 - iii. A perpendicular stream crossing by a driveway, street, or utility lines
 - iv. A street or driveway where buffer intrusion is the only option to provide access to a property
 - v. Paved and unpaved trails and paths for public use
 - vi. Public water supply intake or public wastewater outfall structures
 - vii. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks

- viii. Utility lines and easements running parallel with the stream, except that all easements (permanent and construction) and clearing and grading shall recognize the sensitivity of the streams and use BMPs to limit and repair the disturbance within the buffer area. This includes such impervious cover as necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
 - c. Development in the floodplain is discouraged. Any proposed development in the floodplain shall be done in accordance with the adopted Floodplain Management Ordinance (codified in Chapter 80 of this Code of Ordinances) or other State or Federal requirements.
 - d. Perimeter sediment control BMPs shall be in place prior to disturbing activities when the disturbed areas are above or on a slope to site borders, watercourse, or environmentally sensitive areas. Perimeter sediment control BMPs may be removed after final stabilization of the area above the BMP. The timing and/or installation of the perimeter control installations may be adjusted to accommodate short-term activities such as the passage of vehicles or to accommodate disturbing activities required to install the controls. Perimeter sediment control BMPs may include filter berms, filter socks, wattles, temporary earth diversion structures, vegetative filter strips, and silt fences.
 - e. On steep or lengthy slopes or for construction sites that show signs of concentrated flows, additional erosion and sediment control BMPs may be required. These practices may include silt fence, filter berms, filter socks, or other flow diversion and flow control BMPs to reduce the amount or velocity of flow a disturbed area receives. Follow the design considerations for a practice in SUDAS.
- (3) Requirements for Treatment of Topsoil. The following requirements apply to all developments required to submit information on Erosion and Sediment Control in accordance with this Chapter where topsoil is stripped or otherwise disturbed and its removal and/or disturbance is not required for the function of the proposed project.

- a. Practices to reduce compaction including reducing passes made over an area with heavy equipment and not using heavy equipment when soil is wet shall be used.
 - b. Topsoil that is removed but may be used for restoration after development activities cease shall be preserved on-site where possible. Topsoil shall be respread or restored to create a healthy soil profile following the methods for Soil Quality Management and Restoration in the Iowa Stormwater Management Manual or other professionally accepted methods.
- (4) Construction Site Standards. The following requirements apply to all developments required to submit information on Erosion and Sediment Control in accordance with this Chapter where the site does not have an existing stabilized entrance or where a concrete truck will be used.
- a. A stabilized entrance shall be designed to minimize tracking of sediment or other debris off the site and/or in the road right-of-way and shall be installed prior to land disturbing activities.
 - b. Concrete waste must be contained in washout areas installed following SUDAS or other professionally accepted design criteria.

D. Inspections and Responsibility.

- (1) In no instance shall acceptance of the Erosion and Sediment Control plans and/or approval of the grading permit by Story County be construed as approval of the design, construction, or concurrence by Story County that all criteria have been satisfied. Story County shall not be liable for any damages resulting from erosion and sedimentation.
- (2) An inspection for compliance with submitted erosion and sediment control plans and requirements of this Chapter shall be conducted by Planning and Development Staff as part of the required foundation location inspection for a zoning permit or if no development permits are applicable, as part of the grading permit and corresponding inspection after BMPs have been installed but prior to the commencement of land disturbing activities.
- (3) Temporary erosion and sediment controls shall not be removed until the Planning and

Development Staff have determined that the site has been permanently stabilized through a final inspection for a zoning permit, or if no zoning permit is required, an inspection once final stabilization is completed.

- (4) The applicant or owner of the site agree to provide for access to the BMP and the land it serves at reasonable times for periodic inspection by County or County's designee to ensure that the BMP is maintained in proper working condition to the requirements of this Chapter.
 - (5) Any amendments or changes to the submitted Grading Permit or Erosion and Sediment Control information shall be communicated to the Planning and Development Department and submitted prior to their implementation on-site. All amendments shall comply with the requirements for Erosion and Sediment Control in this Chapter.
 - (6) If a responsible party fails or refuses to meet the requirements of the approved plan or any provision of this ordinance or in the event that the erosion or sediment control BMP becomes a danger to public safety or public health, the County shall notify the party responsible for maintenance of the erosion or sediment control BMP in writing following the procedure for Notice of Violations in Chapter 93 of the Story County Land Development Regulations. Depending on the severity of the violation, the permitted timeframe to submit a compliance schedule may be reduced. If the violator does not correct/abate the violation or provide an acceptable schedule to correct/abate the violation or does not comply with the schedule, a citation for a County infraction may be issued in accordance with Chapter 93 of the Story County Land Development Regulations.
- E. Exemptions. The following exemptions to the Erosion and Sediment Control requirements may apply; however, such uses shall not be exempt from adopted Floodplain Management Ordinance (codified in Chapter 80 of this Code of Ordinances) or other State or Federal requirements.
- (1) Agricultural. Except to the extent required to implement Section 335.2, Code of Iowa, the grading permit application and Erosion and Sediment Control requirements shall not apply to development that is primarily adapted, by reason of nature or area, for use for agricultural purposes, while so used.
 - (2) County Engineer. The County Engineer shall not be required to submit a grading permit application for the maintenance and/or construction of public roads and public road right-of-way.

Amendments to Chapter 88.05 of the Story County Land Development Regulations for Stormwater Management

6. Post-Construction Stormwater Management and Water Quality. Stormwater runoff increases nonpoint source pollution, flooding, siltation, stream temperatures, and streambank erosion. The following requirements shall apply to development in Story County to ensure site design minimizes the generation of stormwater runoff and maximizes pervious areas, provide a single, consistent set of performance goals that apply to all developments, protect functional values of all types of natural watercourses, protect life and property from dangers associated with flooding, maintain existing flow patterns, and promote infiltration and recharge of groundwater.
- A. Development that meets any of the following thresholds shall be required to submit a Stormwater Management Plan, in addition to other applicable development permit applications, prior to commencing development activities:
- (1) Development, including common development, that disturbs an area one-acre or greater in size.
 - (2) Development that will result in the division of land into more than four development lots.
- B. Criteria for Stormwater Management. Developments required to submit a Stormwater Management Plan shall be designed, constructed, and maintained to achieve the purposes of this Ordinance, as stated above, and to prevent flooding, minimize stream channel impacts, and protect water quality in accordance with the following criteria for stormwater management. See the Iowa Stormwater Management Manual for details on the calculation of the criteria. LID practices shall be used where possible to meet stormwater management criteria and in the design of a development.
- (1) The site shall be designed to manage the water quality volume of a rainfall depth of 1.25 inches and to manage corresponding recharge volume through infiltration practices.
 - (2) To protect stream channels, the site shall be designed to provide 24-hours of extended detention of the channel protection volume determined for the 1 year, 24-hour storm.
 - (3) Stormwater management shall be provided to limit the post development rate of runoff from the site area during the 5-year through the 100-year, 24 hour storm events to the lesser of the following values: runoff rates equivalent to those from a storm event of the same intensity and duration based on predevelopment conditions or runoff rates equivalent to those from the 5 year storm event based

on conditions which exist as of the date of the proposed improvement plans (row crop agriculture cover, contoured in good condition and surface soil types as identified from County Soil Maps; unless otherwise approved).

C. Contents of the Stormwater Management Plan. The Stormwater Management Plan shall include a site plan, narrative, and other attachments necessary to illustrate how runoff and associated water quality impacts resulting from the development is proposed to be managed meeting the requirements of this Chapter and following the Iowa Stormwater Management Manual or other professionally accepted BMPs and/or through LID practices. It shall also:

- (1) Be signed and certified by an Iowa licensed professional engineer (PE).
- (2) Identify pre-development and post-development land use, including on and off-site features that may affect or be impacted by the stormwater management requirements for the development. Features may include:
 - a. Proposed and existing site improvements including lot divisions, building footprints, easements, and other impervious surfaces or areas of land disturbance.
 - b. Pre-developed land use and soil conditions including coverage, soil type, and Hydrologic Soil Group (HSG). If a geotechnical study of the site is used to determine HSG, provide boring logs and locations. If a soil survey is used to determine HSG, cite it and provide a copy of the area of interest map with HSGs.
 - c. Existing site topography with contours at two-foot intervals. Light Detection and Ranging (LIDAR) contour maps may be requested from the Story County Planning and Development Department or a survey of the site's topography may be completed and submitted to determine slopes.
 - d. Natural and artificial watercourses, wetlands, floodplains, lakes, existing stormwater storage facilities, woodlands, native vegetation, or other natural resources.

- e. Proposed or existing drinking water wells, septic systems/drain fields, public wellheads and wellhead protection areas, hot spots, and areas with shallow bedrock.
- (3) Identify the proposed stormwater management BMPs or LID practices selected for the site, their location, landscaping and stabilization to prevent their impairment, and any hydrologic and hydraulic design calculations and summaries/descriptions to show that the proposed BMPs are capable of achieving the criteria for stormwater management in Section 88.05(5)(B) and that they are designed in accordance with the Iowa Stormwater Management Manual. These may include, as applicable:
- a. Impervious area (by area and percent of site)
 - b. Soil Curve Numbers or runoff coefficients
 - c. Times of concentration
 - d. Description of the design storm frequency, intensity and duration
 - e. Water quality volume and infiltration calculations
 - f. Channel protection volume calculations
 - g. Detention basin design calculations, runoff rates, volumes, water surface elevations, and data on the increase in rate and volume of runoff for the design storms referenced in the Iowa Stormwater Management Manual and stormwater management criteria
 - h. Peak runoff rates and total runoff volumes for each watershed area
 - i. Other design calculations for culverts, open channels, storm sewers, and intakes
 - j. Documentation of sources for all computation methods and field test results.
- (4) Describe the maintenance procedures required for each selected practice and the party responsible for maintenance and their contact information if different from the property owner or permit applicant. Such maintenance procedures shall keep the stormwater management BMPs or LID practices functioning in an effective manner.

- (1) Agricultural. Except to the extent required to implement Section 335.2, Code of Iowa, the Stormwater Management Plan requirement shall not apply to development that is primarily adapted, by reason of nature or area, for use for agricultural purposes, while so used.
- (2) County Engineer. The County Engineer shall not be required to submit a Stormwater Management Plan for the maintenance and/or construction of public roads and public road right-of-way.
- (3) Maintenance of Legally Established Development. The maintenance of development that has legally occurred prior to the adoption of this Ordinance (Ord. 285), shall not be counted towards the threshold for submitting a Stormwater Management Plan of one-acre disturbed or one-acre disturbed as part of a common development plan if the footprint of the maintenance work is within or the same area as that previously disturbed.
- (4) When infiltration is infeasible due to the natural or existing physical characteristics of a site including, but not limited to, if the surface and underlying soils are NRCS Group D or have minimum infiltration rate less than .52 inch/hour, the measured groundwater elevation is less than four feet below the basin invert or infiltration surface, bedrock or impervious soils are less than four feet below the infiltration surface, recommended setbacks from site features (property lines, structures, septic systems, and wells) in the Iowa Stormwater Management Manual cannot be met, or where hotspots or contaminated soil make infiltration-oriented BMPs hazardous, the site shall be designed to provide water quality treatment for the runoff resulting from a rainfall depth of 1.25 inches and alternative practices such as a treatment train, constructed wetlands/wetland forebays, retention ponds/extended detention ponds, filters (sand-peat, underground sand, perimeter sand filter, organic sand, pocket sand filter, gravel, others), grassed/vegetated swales and channels, and vegetated filter strips shall be implemented to the maximum extent practical with the goal of an 80% reduction in of the annual average post-development total suspended solids (TSS) load. The site limitations shall be identified in the Stormwater Management Plan.

MEMORANDUM

TO: Story County Board of Supervisors
FROM: Amelia Schoeneman, Planner,
Planning and Development Department
RE: Stormwater Management and Erosion and Sediment
Control Ordinance—Ordinance No. 285
MEETING: August 27, 2019



First Consideration of the Ordinance on August 20, 2019

At the August 20, 2019, Board of Supervisors meeting, the Board approved the first consideration of Ordinance 285. The Board received comments from one member of the public and engineer. No new comments or information were received prior to the posting of this report.

Staff recommends approval of the ordinance, Ordinance 285, on second consideration and that the third consideration be set for September 3, 2019.

The below memo summarizes the ordinance, its development, and comments received, and was previously provided to the Board for their consideration on August 20, 2019.

Introduction and Motivation for Ordinance Amendments

Planning and Development staff began work on the Stormwater Management and Erosion and Sediment Control Ordinance in May of 2017. Staff began work on the amendments in part after several instances of large-scale grading including a borrow pit where no state permit for erosion control was required but damage to County ditches and erosion onto neighboring properties occurred, two violations of state National Pollutant Discharge Elimination Permits for subdivisions where County staff reported issues to the Iowa Department of Natural Resources, and concerns from property owners about stormwater runoff from a new subdivision that resulted in the construction of a detention basin for the subdivision.

Additionally, in early 2017, Emmons & Olivier Resources (EOR) was retained by Story County as a consultant to complete a Countywide Watershed Assessment. As part of the assessment, EOR reviewed the County's current stormwater and erosion control ordinance and provided a technical memo with a set of recommendations, which is attached to this memo.

The current stormwater and erosion control ordinance is limited to spacing requirements for sediment control barriers to be installed in any development under one acre and requiring that developments incorporate best management practices for stormwater control, as outlined in the Iowa Storm Water Management Manual (ISWMM) and Iowa Statewide Urban Design and Specifications (SUDAS), but without any clear standards for the design of those practices.

To summarize EOR's findings, the current erosion and sediment control requirements are inadequate as they only require one of many types of practices. The stormwater management

requirements are vague, “the lack of precision likely creates confusion, inconsistent interpretation, and ineffective application. It is unclear how many BMPs need to be adopted, where the practices should be located, or how rate, volume, or quality need to be controlled.”

Ordinance Amendment Summary

To summarize the proposed changes for **erosion and sediment control**, the ordinance will still apply to sites where under one acre in size is disturbed. For land disturbance activities that do not require a zoning permit, a grading permit may be required. The proposed ordinance will require:

- temporary and final site stabilization (seeding and sodding)
- practices to minimize the area disturbed (limiting the area graded and vegetation disturbed)
- in cases where there are sensitive features on site, perimeter and other controls
- topsoil restoration when it is removed and the removal is not essential to a site’s function
- a stabilized construction entrance and concrete washout

For **stormwater management**, the proposed ordinance establishes design criteria addressing the volume and rate of stormwater runoff permitted for developments that disturb over one acre.

The Ordinance is based on the professional information and guidance available such as stormwater management manuals and model ordinances, public feedback including from professionals and other stakeholders, and Story County-specific experiences and assessments. Because of this, it is comprehensive while also allowing exceptions where requirements may not be applicable or needed. Staff will actively be involved in the Ordinance’s implementation and plan to continue outreach with the public and stakeholders.

At the August 7, 2019, Planning and Zoning Commission meeting, a motion was made to recommend approval of the ordinance as proposed, which failed due to a lack of support (vote 2-2). The meeting is addressed at length below.

Ordinance References and Guiding Documents

The proposed ordinance amendments are based on the ISWMM, National Pollutant Discharge Elimination System (NPDES) permit requirements, Iowa SUDAS, model ordinances from the Iowa Stormwater Education Partnership (an organization that provides certification programs, technical services and workshop facilitation regarding federal stormwater regulations) and Environmental Protection Agency, Dubuque County, Johnson County, and the City of Ames’ Ordinances.

EOR also provided a model ordinance for Story County’s cities regarding stormwater management as part of the watershed assessment that staff utilized as a model. The main differences between the model Ordinance in the watershed study and proposed amendments

are that the proposed amendments have a higher threshold for when a stormwater management plan is required and has less complex exemptions to the criteria for stormwater management. The proposed amendments also contain submittal requirements, unlike the model ordinance.

Ordinance Outreach and Subsequent Changes

Staff also completed considerable internal and external outreach to tailor the ordinance, which is detailed below.

Initial Outreach

Staff first brought the proposed amendments to the Interagency Review Team of County Departments in October of 2017. Several changes were made based on their feedback, most notably the addition of the exception for the County Engineer. The County Engineer will not be required to submit grading permits, stormwater plans, or erosion and sediment control plans. However, the Ordinance's requirements will still be applicable to the County Engineer.

Staff first brought the proposed amendments to the Planning and Zoning Commission in March of 2018. Before this meeting, staff emailed stakeholders including designers, engineers, developers, and environmental organizations to solicit feedback. After the Commission meeting, a press release was also sent regarding the ordinance an email was sent to the Ames Home Builders Association requesting comment. Staff spoke about the proposed amendment on April 11, 2018, on KHOI Local Talk talk show. An updated draft of the ordinance was taken to the Planning and Zoning Commission for discussion on May 2, 2018. The ordinance was again routed to stakeholders and available on the website before this meeting.

From these first meetings and public outreach, the feedback received that was most influential in shaping the current version ordinance included that:

- Erosion control requirements should not apply to development over one acre as the state NPDES permits regulate erosion control for developments of this size.
- Previously proposed thresholds for submitting a stormwater management plan were too small. The proposed one-acre area disturbed threshold for submitting a stormwater management plan came out of comments received.
- An exception from stormwater management requirements for the maintenance of legally established development (e.g. repaving of a parking lot) was needed. This is now part of the proposed ordinance.
- A provision should be included based on feedback to allow designers to use best management practices that may not yet be in the ISWMM or SUDAS. This is now included in language throughout the ordinance.

After the May 2, 2018, meeting, staff continued to work on the ordinance. Staff met with the Interagency Review Team again in October of 2018, March of 2019, and April of 2019. Staff worked with County Departments and used the recommendations of the watershed assessment to rework the size of buffer required from environmentally sensitive areas and to better identify sensitive areas using the maps created through the watershed assessment. This buffer requirement was further amended based on feedback from the July 2019 Planning and

Zoning Commission meeting—Polk County’s ordinance for streambank protection was used to allow certain activities in the required buffer and ensure streambank stabilization and revegetation was permitted.

Based on feedback from the Interagency Review team, changes were made to make the erosion control ordinance more practical for individual property owners to comply with. If there are no environmentally sensitive or erosion-prone areas, or a disturbed area is not upslope from a property line, only stabilization requirements, requirements to minimize the disturbed area and preserve vegetation as practical, and standards for construction sites (having a concrete washout, stabilized construction entrance) would apply. Topsoil treatment requirements would only apply if it is removed from a site and its removal is not required for the function of the project (e.g. when large-scale grading of a site happens).

Focus Group

A draft of the amendment was brought to the Planning and Zoning Commission at their February 2019 meeting for discussion. The Commission requested more information on the potential cost of stormwater management practices. There was also discussion about plans for public outreach. A memo with this information and information on a subsequent focus group that was provided to the Commission at their July 2019 meeting is included on the agenda center for the Board’s review.

A focus group hosted by the Planning and Development Department on April 7, 2019, and moderated by Nancy Franz, Professor Emeritus at Iowa State University. A press release was sent and the County posted on social media inviting the public to participate. An email invitation was also sent to area engineering firms, development and real estate firms, contractors and home builders, certified stormwater designers through the Iowa Stormwater Education Partnership, non-profit environmental groups, the County Conservation Board, and Board of Supervisors. A list of the stakeholders emailed is available on the agenda center. The meeting was attended by several area engineers and members of the conservation community. Supervisor Murken, County Conservation Director Mike Cox, and Planning and Development Staff also attended.

Some of the main themes of the meeting staff incorporated into the ordinance were:

- The focus group supported the amendments with minor changes.
- Ensure all references to practices and definitions match/reference state and national standards.
- Add or adjust definitions including construction site, common development plan, environmentally sensitive area, temporary and final stabilization, and definitions of the manuals and standards the Ordinance references.
- Clarify the buffer requirement around environmentally sensitive features in the Erosion and Sediment Control ordinance and that it is encouraged to be restored.
- The focus group also recommended adding provisions to both Stormwater Management and Erosion and Sediment Control for violations and to provide the County access to inspect practices.

Additionally, the focus group had concerns about a previous five-acre area disturbed minimum threshold to require stormwater management for overbank and extreme flooding, especially for development in the urban fringe areas of cities where downstream impacts and negative consequences could be more severe. It was suggested that the Ordinance should require stormwater management for overbank and extreme flooding for when an area less than five acres is disturbed to better manage the stormwater impacts in these areas. The threshold for managing for overbank and extreme flooding has since been reduced to a one-acre area disturbed.

The requirement that the water quality volume be treated through infiltration practices was rewritten to require infiltration of only a portion of the water quality volume. An exception to this requirement was also added in case of site constraints. A provision encouraging low impact development where possible was also rewritten at the recommendation of participants.

July 2019 Planning and Zoning Commission Meeting

The Ordinance was routed to stakeholders again before to the July 2019 Planning and Zoning Commission meeting. Before the meeting, staff received feedback concerning establishing a pre-settlement curve number (index for use in runoff prediction models that represents the runoff potential from a storm event for a specific land area) of 58 rather than allowing designers to select a number based on soil type. The soil type can increase or decrease the curve number. Staff changed this provision to give designers the flexibility to select a pre-settlement curve number based on soil type. Staff contacted both Johnson and Dubuque Counties regarding this change and others, and both counties allow designers to select a pre-settlement curve number based on soil type.

At the meeting, additional feedback was received from the focus group attendees who also attended the Commission meeting and one engineer who did not attend but was invited. Of the 12 areas of concern brought up at the meeting, staff made changes to address eight items.

Items not changed in the ordinance were the exception of the County Engineer, the compulsory language requiring inspections, the lack of a minimum threshold for submitting an erosion and sediment control plan, and final stabilization requirements requiring a uniform vegetative cover that may preclude native plantings. Staff's reasoning for not addressing the items is as follows:

- The County Engineer exception was previously discussed in this memo. To clarify the exception, the County Engineer is not exempt for the proposed requirements—they are exempt from submitting a stormwater management plan or grading permit application.
- Regarding inspections, staff intends to conduct inspections of erosion and sediment control practices as part of preliminary inspections for zoning permits. Similarly, staff intends to conduct inspections of stormwater management practices and final stabilization as part of the final inspection for a zoning permit or inspection required as part of a development agreement process for a major subdivision. Staff has not changed the compulsory language in the proposed ordinance requiring inspections. Director Jerry Moore has inspected many commercial and industrial developments that included stormwater management systems and has experience in checking these systems for

conformance with their designs. Further, Planner Amelia Schoeneman has been certified through the Iowa Stormwater Education Partnership in Inspection and Maintenance of Stormwater Practices and will complete a similar program for erosion and sediment control practices on August 15, 2019. Staff is qualified to complete these inspections.

- Regarding a minimum threshold for submitting an erosion and sediment control plan, in the first version of the proposed ordinance presented to the Planning and Zoning Commission, a minimum threshold for erosion and sediment control was proposed of a one-acre area disturbed. Staff was directed to have the ordinance apply to disturbances under one acre based on public feedback that the minimum threshold of one acre was duplicative of State of Iowa National Pollutant Discharge Elimination System (NPDES) permits. Since that time, the proposed ordinance was rewritten to apply to developments under one acre with no minimum size threshold requirement. Concerns about not having a minimum threshold were also brought up during Interagency Review. Staff feels the potential for erosion and damage from erosion is not always dependent on the size of a project, but rather site characteristics and location of the disturbance. No minimum size threshold is proposed as the proposed ordinance establishes minimum requirements based on the erosion potential of a site. Again, on some sites, only minimizing a disturbed area and stabilization of a disturbed area may be required.
- Finally, final stabilization requires a uniform perennial vegetative cover with a density of 70%, sufficient to preclude erosion, for the entire disturbed area of the permitted project has been established or equivalent stabilization measures have been employed. Further, it allows a designer to follow the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual standards or other professionally accepted best management practices. This definition would not preclude using plantings such as prairie plantings—the SUDAS specifications for permanent seeding include native grasses and forbs. These may require more maintenance in the first years of establishment if selected.

Areas changed based on feedback from the July meeting include:

- The requirement that the water quality volume be treated through infiltration practices was rewritten to require infiltration of only a portion of the water quality volume. An exceptions section to this requirement was also added.
- Allowing designers more flexibility in designing to pre-development rates for the 5-year storm or presettlement rates for a storm of the same intensity, whichever is less, to meet the overbank and extreme flooding criteria for stormwater management.
- A previous version of the ordinance required “a signed and dated certification under penalty of perjury by the preparer of the stormwater management concept plan that it complies with all requirements of this ordinance and the Iowa Stormwater Management Manual, meets the submittal requirements outlined in the Iowa Stormwater Management Manual, is designed to achieve County stormwater requirements, and that County is entitled to rely upon the certification as due diligence on the part of the County.” This was removed based on feedback from designers that it was unnecessary.

In the version considered by the Commission in July, staff had simplified the requirement that the plan be prepared by a licensed professional engineer (PE). The current proposed ordinance requires only a certification and signature from an Iowa Licensed PE based on additional feedback received.

- Matched timing requirements for stabilization of disturbed area in the erosion and sediment control ordinance to state NPDES permit requirements.
- It was noted at the July meeting that the previous requirement that “disturbed slope lengths shall be broken up into several smaller slopes by installing silt fence, filter berms, filter socks, or other flow diversion sediment control BMP as needed to prevent concentrated flow” was vague. If stabilization practices are employed and runoff is maintained as sheet flow, little erosion typically occurs. The intent of this provision was to prevent concentrated flows, which occur as flows gain velocity due to a slope or flows converge and the volume of water increases. In the case of concentrated flows, small concentrated flows of water can dislodge particles and cause rill or gully erosion and the general requirements in the proposed ordinance related to stabilization practices may not be sufficient. The requirement has been clarified to state that where there may be steep or lengthy slopes, or signs of concentrated flows, additional erosion control BMPs may be required and to follow the design considerations for selected practice in SUDAS, which provides recommendations based on different site conditions such as slope.
- Ensure all practices reference SUDAS or the ISWMM for clarity. The ordinance contains the following statement that all practices should be installed following SUDAS guidelines or other professionally accepted criteria: “Erosion and sediment control BMPs shall be installed following the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual Chapter 7 and Standards Manual Division 9 or other professionally accepted design criteria.” Staff has since removed all references to specific chapters of SUDAS or the ISWMM numbers so that if the manual is updated, the Ordinance references are still applicable.
- Added a provision based on Polk County’s stream buffer ordinance to allow certain practices/uses in sensitive area buffers, including streambank stabilization work.
- A definition of site was added.

August 7, 2019, Planning and Zoning Commission Meeting

At the August 7, 2019, Planning and Zoning Commission meeting, a motion was made to recommend approval of the ordinance, which failed due to a lack of support (vote 2-2).

Commission Comments

The Commission had several comments about the ordinance. A commissioner asked if the stormwater ordinance could be simplified to only require a plan be submitted, stamped by an engineer. Staff maintains that the ordinance needs to have criteria for stormwater management designs and the content of the plan. These are the two main sections of the proposed stormwater ordinance. Without criteria for designs, the ordinance would not be improved from the current requirements. The other sections of the ordinance were added based on feedback that they were needed from external and internal outreach. Staff added the

exemptions section based on feedback. The inspections responsibility section was recommended by EOR, other communities with similar ordinances, and the focus group.

There was also a question about staff review of the plans. After reviewing model ordinances and discussions with other municipalities, staff determined that the content required to be submitted is the minimum required to ensure compliance with the ordinance. Staff will be reviewing the content submitted for items such as ensuring the appropriate curve number was selected and peak runoff rates pre and post-development meet requirements.

Public Comments

One engineer provided public comment at the meeting. Their comments were similar to those they provided at the July meeting and prior to the March meeting in 2018. For example, one comment was that the infiltration requirement should be stricken. Staff previously chose instead to introduce an exception to the infiltration requirement. Another comment was regarding striking the overbank flooding criteria. Staff, after the July meeting, also worked to address this comment by allowing designers more flexibility in designing to pre-development rates for the 5-year storm or pre-settlement rates for a storm of the same intensity, whichever is less, to meet the overbank and extreme flooding criteria for stormwater management. In general, the comments on the stormwater management ordinance suggested that all criteria but the criteria to limit the rate of runoff from the largest storms should be stricken. This comment was related to perceived issues with the criteria applying to rural areas, the ISWMM, and the ability of designers and property owners to create and maintain practices.

Staff would like to address the need for all proposed criteria for comprehensive stormwater management and the need specific to Story County.

The criteria in the stormwater management manual are also known as unified sizing criteria. These criteria are what other municipalities use in their ordinances, what ISWMM recommends, and what other states' Stormwater Management Manuals recommend. They are designed so that treatment and management are provided for a range of hydrologic events and all potential stormwater impacts from a site. For example, smaller rainfall events should be controlled to achieve groundwater pollutant load reduction and channel erosion. Larger events should be controlled to mitigate flood impacts by limiting the post-development runoff rate.

Specifically, regarding the smallest events, the water quality volume criterion is designed to treat the runoff from rainfalls of 1.25 inches or less--90% of the annual storms. These storms are known as "first flush" events and lead to pollutant loading. According to ISWMM, the goal of this criteria is "to reduce average annual post-development total suspended solids loadings by 80%." The Story County Watershed Assessment provided Watershed Pollutant Source Assessments. While the assessment makes several recommendations to address pollution from agricultural areas, it does also include the model ordinance for stormwater management with the water quality volume criteria to address pollution from new development in more urban areas. While Story County has a significant portion of the county in agricultural land use, it has also experienced recent growth and development. There were 59 development cases in 2017,

65 in 2018, and 30 in the first two quarters of 2019. This is an increase from 33 total in 2016. Staff believes this trend will continue.

The water quality volume criterion also includes a recharge volume—a portion of the water quality volume that is required to be infiltrated for groundwater recharge. This is the portion of the water quality volume criteria that was suggested to be stricken. Regarding groundwater, the watershed assessment included the County's groundwater resources and states that "approximately 80% of Story County residents rely on groundwater as their primary source of drinking water." While infiltration for groundwater recharge may not be feasible for all sites, it is an important goal and staff has added an exception for when it is not practical so that management of pollutants is still provided.

Regarding the channel protection volume criteria, ISWMM states that the criterion for channel protection is to "provide 24 hours of extended detention of the runoff from the 1-year 24-hour duration storm event to reduce bank-full flows and protect downstream channels from erosive velocities and unstable conditions." This criterion is important for Story County's stream health. The Watershed Assessment found a large number of eroded streambanks. "The large number of sites is a reflection of the "flashy" nature of Story County's streams which tend to respond very quickly and dramatically to storm events especially during the periods of the year when row crops are not fully established. In flashy streams, periodic increases in flow depth and velocity result in an increase in the amount of force produced by flowing water against the streambank which can remove soil particles from the banks, and in some cases lead to bank failure, slumping, and overall bank instability." While the ordinance would not necessarily reverse damage, it may help prevent further erosion.

The engineer who commented also recommended striking the overbank flood protection criterion requiring the peak runoff rate from the 5-year storm to not exceed predevelopment rates. Again, this comment was previously received and staff had introduced a version of the ordinance where only developments over five acres in size had to meet this criterion and the criterion for extreme flooding (100-year events). This larger threshold was discussed by the focus group and ultimately staff reduced it to one-acre because of concerns communicated about development in the County upstream of cities and their downstream impacts.

The engineer identified that they recommended cutting the unified sizing criteria because of the complexity of the designs and maintenance required for a practice such as a rain garden on an individual lot. Staff understands the concerns for maintenance and has included a requirement that a maintenance plan is provided, responsible parties identified, and has trained staff in inspecting stormwater practices for maintenance issues.

Regarding the engineer's concerns about incorrect designs and failures of practices that could cause more damage through flooding, ultimately the Ordinance is designed so that the Engineer may select the practices used and certify their plans. They may use other best management practices not described in the ISWMM. This was added to the ordinance based on a similar comment received in 2018. A previous version of the ordinance included an exception

where an engineer could submit a separate assessment showing a practice may increase runoff rates downstream and the focus group deemed this unnecessary/overly complicated.

Comments on the validity of the ISWMM were also brought up. Staff has reached out to several professionals involved in ongoing updates to the manual to better understand how the manual is maintained. The manual was created in the early 2000s and chapters currently being updated include on the unified sizing criteria to make the guidance more user-friendly. The criteria will not change. New guidance on best management practices (such as those the engineer mentioned as being preferable like wet and dry detention) and others are also being proposed. The committee making these changes includes consulting engineers, representatives from universities, cities, and urban conservationists through the Natural Resource Conservation Service.

The engineer also stated that ISWMM and unified sizing criteria are designed to be used in an urban setting. Staff asked this question of many of the professional designers who provided comment and determined that they are applicable. Staff also reached out to the County Engineer after the August meeting to discuss any potential incompatibilities with the ordinance and drainage districts and the County Engineer did not have concerns. Story County has a large rural area but is growing. The unified sizing criteria from the Iowa Stormwater Management Manual were recommended by the Watershed Assessment prepared by EOR to address issues with the health of the County's watersheds. Dubuque and Johnson Counties have adopted the unified sizing criteria. The manual also guides designers to account for site-specific features and watershed characteristics that may influence a design—the percent of impervious area, land cover, slope, and the time it takes water to move through the watershed. These factors allow a designer to account for the hydrologic differences in a rural area.

Regarding erosion and sediment control, the engineer recommended striking erosion control so that it did not duplicate state requirements. This comment was previously received and the threshold to submit a plan reduced so that only developments not regulated by the state would fall under proposed County requirements. Other comments received by the focus group emphasized using similar standards as the state even though the threshold was different in the County's ordinance to assist designers who may be familiar with state requirements.

Regarding both stormwater and erosion control, the engineer commented that they would not communicate changes in their plans to staff, as required by the proposed ordinance. Changes in plans are required to be communicated to staff to ensure requirements are still met, have up to date records, and assist with inspections. This is true of and required for any zoning or other development permit.

MEMORANDUM

TO: Story County Planning and Zoning Commission
FROM: Amelia Schoeneman, Planning and Development
RE: 2018 Work Program Item: Stormwater Management and Erosion and Sediment Control Ordinance—Ordinance No. 285
MEETING: July 10, 2019



Summary

As part of the Planning and Development Department's Work Program, the Department has completed a final draft of proposed amendments to the stormwater and erosion control ordinance. The current stormwater and erosion control ordinance is limited to spacing requirements for sediment control barriers to be installed in any development under one acre and requiring that developments incorporate best management practices for stormwater control from the Iowa Storm Water Management Manual and Iowa Statewide Urban Design and Specifications.

The item was assigned to the Department's Work Program at the request of Planning and Development Staff due to several events and issues that have occurred. First, several instances of large-scale grading work and borrow areas were brought to the Department's attention that did not require a development permit. No permit for grading work is currently required. Other development case submittals have illustrated weaknesses in the current stormwater ordinance including not specifically require a plan to be submitted to the County detailing how pre- and post-construction runoff will be addressed and not requiring a licensed engineer to prepare designs based on specific criteria for the volume and rate of stormwater runoff permitted.

Second, Emmons & Olivier Resources (EOR) was retained as a consultant to complete a Countywide Watershed Assessment. As part of the assessment, EOR reviewed the County's current stormwater and erosion control ordinance and provided a technical memo with a set of recommendations. The recommendations included:

- Require erosion and stormwater management planning for all subdivision types;
- Establish consistent, feasible regulatory triggers;
- Mandate erosion and sediment control practices from project initiation to final stabilization and revegetation;
- Require a comprehensive set of erosion and sediment control best management practices for all construction sites;
- Establish objective stormwater volume, rate, and quality standards that achieve water resource protection goals;
- Obtain financial securities to ensure Best Management Practices (BMPs) are properly installed and actively maintained;

- Require routine monitoring and maintenance of erosion and sediment control BMPs and stormwater facilities, as well as thorough documentation and reporting of such activities;
- Secure a contractually binding Maintenance Agreement to ensure stormwater facilities are monitored and maintained for the entire lifecycle of the facility; and
- Actively consult and educate stakeholders about erosion and sediment control and stormwater management planning, design, and best practices.

Proposed amendments are also based on the Iowa Stormwater Management Manual, National Pollutant Discharge Elimination System (NPDES) permit requirements, Iowa Statewide Urban Design and Specifications, model ordinances from the Iowa Stormwater Education Partnership (an organization that provides certification programs, technical services and workshop facilitation regarding federal stormwater regulations) and Environmental Protection Agency, Dubuque County, Johnson County, and the City of Ames' Ordinances.

February Planning Zoning Commission Meeting

At the February 6, 2019, meeting, staff presented a previous draft of the ordinance to the Planning and Zoning Commission, asked the commission for feedback, and provided an update on plans to solicit further feedback from the public and stakeholders. The Commission requested more information on the potential cost of stormwater management practices. There was also discussion about plans for public outreach.

Outreach and Amendments since February

Interagency Review Team

Based on feedback from the Interagency Review Team, including the County Engineer, Environmental Health Director, and County Conservation Director, the Ordinance has been simplified. In the proposed amendment for Erosion and Sediment Control, a previous section requiring flow diversion measures has been removed. The credits section for the use of low impact development practices in the Stormwater Management amendment has also been removed.

Focus Group

The ordinance was also amended from the previous draft based on feedback from a focus group hosted by the Planning and Development Department on April 7, 2019, and moderated by Nancy Franz, Professor Emeritus at Iowa State University. A press release was sent and the County posted on social media regarding the meeting. An email invitation was also sent to area engineering firms, development and real estate firms, contractors and home builders, certified stormwater designers through the Iowa Stormwater Education Partnership, non-profit environmental groups, the County Conservation Board, and Board of Supervisors. The meeting was attended by several area engineers and members of the conservation community.

Supervisor Murken, County Conservation Director Mike Cox, and Planning and Development Staff also attended.

The main themes of the meeting were that the focus group supported the amendments with minor changes. The changes have been addressed in the Ordinance and include ensuring all references to practices and definitions match/reference state and national standards. Several definitions have been added or adjusted including construction site, common development plan, environmentally sensitive area, temporary and final stabilization, and definitions of the manuals and standards the Ordinance references. A statement was added to the Erosion and Sediment Control ordinance that buffer areas around natural features are encouraged to be restored. The focus group also recommend adding provisions to both Stormwater Management, and Erosion and Sediment Control for violations and to provide the County access to inspect practices.

Specific to the Stormwater Management Ordinance, it was recommended that the Ordinance establish a pre-settlement curve number rather than allowing designers to select a number based on soil type to ensure consistency. The focus group had concerns about the five-acre area disturbed threshold to require stormwater management for overbank and extreme flooding, especially for development in the urban fringe areas of cities where downstream impacts could be more severe. It was suggested that the Ordinance should require stormwater management for overbank and extreme flooding for when an area less than five acres is disturbed to better manage the stormwater impacts in these areas. The threshold for managing for overbank and extreme flooding has since been reduced to a one-acre area disturbed. The requirement that the water quality volume be treated through infiltration practices was rewritten to encourage infiltration practices at the recommendation of the focus group. The focus group also commented that the requirements for the contents of the stormwater management plan were reasonable.

The focus group also had several additional ideas to improve water quality in Story County that were discussed but were determined to be outside the scope of the current Ordinance amendments. The focus group suggested a rebranding of drainage districts to also have a focus on water quality improvements. Incentives were suggested through the drainage districts to land owners that implement practices voluntarily. There was also discussion about concerns with the State Code exemption for agricultural from county zoning requirements and thus stormwater management requirements.

Costs

Based on conversations with other Counties in Iowa and online resources on stormwater management practice design, there are several factors that influence the cost of a practice: the cost of land, cost of design and construction of structural practices, and cost of maintenance. Planning and Development Staff reached out to several area engineering firms for cost estimates. Staff did not receive any estimates of the typical cost as it varies based on a site and

project. Snyder and Associates noted that “it is difficult to put a cost on this type of improvement, but in general, the additional construction cost to a project is very minimal. The two primary items this would affect is (1) it will require more engineering time/fees for storm water calculations reports and detailed design of outlet structures and (2) this takes space on the site to allow for storm water management.”

However, there are also costs associated with worsened downstream water quality and flooding issues without an ordinance setting clear standards for stormwater designers to follow. In addition, costs may not be equal between those that choose to implement best management practices under the current ordinance when others do not, due to the vagueness of current requirements. The proposed amendments may level the costs incurred.

The cost of land may be thought of as equivalent to the profits lost when an area is used for a stormwater management practice instead of additional development lots. While not designed under the proposed ordinance, a wet detention pond at Cameron Estates, Third Addition, is located on .84 net-acre outlot. Several nearby development lots in the subdivision’s first addition range from 1.08 to 1.43 net acres and based on the Assessor’s Beacon data, and were sold as vacant lots from \$110,000 to \$135,000.

In the Irons Subdivision, which was developed under the City of Ames’ stormwater ordinance that contains similar design criteria as the proposed Ordinance, there is a wet detention basin located on a 2.29 net-acre outlot. Adjacent to the basin, several .58 net-acre lots appear to have sold for \$160,000 based on the Assessor’s Beacon data.

However, the Story County Land Development Regulations already require that in all major subdivisions of 10 development lots or more a minimum of 15 percent of the subdivision is dedicated or reserved as common open space. The cost of reserving land for stormwater practices may not be a new cost to developers for subdivisions over 10 lots. A subdivision over 10 lots with a total of 50 developed acres is already required to have 7.5 acres reserved as common open space. A detention practice or other practice that is not located on an individual residential lot could count towards this 15% common open space requirement.

Regarding the cost of construction and design, staff is unable to provide an average or typical cost from other Iowa communities or area professionals. Costs vary based on the practice, size and design of the area developed, and other site factors. A 1999 Environmental Protection Agency report¹ provided the following estimates for construction for a given development (based on development size and impervious cover) in Table 1, which have been adjusted for regional rainfall factors and inflation per the EPA report.

¹ U.S. Environmental Protection Agency (USEPA). (1999). “Preliminary data summary of urban stormwater best management practices.” EPA-821-R-99-012, Washington, D.C.

Base Costs of Typical Applications of Stormwater BMPs		
BMP Type	Typical Cost	Application
Retention Basin	\$136,836.36	50-Acre Residential Site (Impervious Cover = 35%)
Wetland	\$171,045.46	50-Acre Residential Site (Impervious Cover = 35%)
Infiltration Trench	\$61,576.36	5-Acre Commercial Site (Impervious Cover = 65%)
Infiltration Basin	\$20,525.46	5-Acre Commercial Site (Impervious Cover = 65%)
Sand Filter	\$47,892.73 to \$102,627.27	5-Acre Commercial Site (Impervious Cover = 65%)
Bioretention	\$82,101.82	5-Acre Commercial Site (Impervious Cover = 65%)
Grass Swale	\$4,789.27	5-Acre Residential Site (Impervious Cover = 35%)
Filter Strip	\$0 to \$12,315.27	5-Acre Residential Site (Impervious Cover = 35%)

Table 1: Estimates of Stormwater BMPs from USEPA 1999 Study, adjusted for regional rainfall and inflation.

These costs do not include engineering design costs. The EPA study noted that permitting fees, engineering design and contingency costs are typically a fraction of base construction costs and may range from 25% to 32%.

A 2011 Minnesota Pollution Control Agency study² provided per unit costs for practices and compared those with the 1999 EPA study. It found that the costs were similar, with differences likely related to issues with assigning an average cost to a practice that is heavily influence by the individual characteristics of a site. The MPCA study identified that the EPA study had a low cost for infiltration basins and estimates a cost between the EPA cost of \$1.8 per cubic feet of treated water volume and the MPCA cost of \$21 per cubic feet of treated water volume.

One influence on construction costs is if a site is being redeveloped or if the practices are constructed during initial grading of the site. Redevelopment adds a significant cost. The proposed ordinance has a provision to allow for the maintenance of development that has legally occurred prior to the ordinance's adoption to help alleviate the cost of installing practices in a previously developed site.

² Barr Engineering, prepared for Minnesota Pollution Control Agency (MPCA). (2011). "Best Management Practices Construction Costs, Maintenance Costs, and Land Requirements."

<https://www.pca.state.mn.us/sites/default/files/p-gen3-13x.pdf>. Minneapolis, MN.

Regarding maintenance costs, stormwater practices require upkeep to ensure they continue to function. One requirement of the proposed ordinance is that a maintenance plan is submitted. Maintenance costs may be shifted to property owners through Home Owners Association fees. The MPCA study provided a table of annual maintenance costs compared with the USEPA study

Comparison of Annual Maintenance Cost Estimator Models to Study Data

BMP	USEPA (1999) As percent of construction cost/\$	Weiss et al. (2005) As percent of construction cost/\$	This study As percent of construction cost/\$
Constructed Wetlands	0.02	4% - 14.2%	No data
Wet Detention Basins	NR	1.9% - 10.2%	3.5%
Infiltration Trenches	5% - 20%	5.1% - 12.6%	3.6%
Bioretention Basins	5% - 7%	0.7% - 10.9%	8.3%
Infiltration Basins	1% - 10%	2.8% - 4.9%	No data
Dry Ponds	<1%	1.8% - 2.7%	No data
Sand Filters	11% - 13%	0.9% - 9.5%	No data

NR = Not reported

Table 3: MPCA Study Table Comparing Maintenance Costs of Stormwater Practices from USEPA and MNDOT Studies.

and a 2005 study prepared for the Minnesota Department of Transportation³. The costs are shown as a percent of the construction cost of a practice.

Regarding costs for erosion control, the most costly practice may be Soil Quality Management and Restoration. In the proposed Ordinance, when topsoil is from a site and restoration is required, methods for Soil Quality Management and Restoration in the Iowa Stormwater Management Manual Chapter 5 Section 6 Soil Quality Management and Restoration are to be followed to create a healthy soil profile. Dubuque County estimated that this may cost \$2,000 to \$3,000 per lot. Clapsaddle-Garber Associates, CGA, provided material costs for other erosion control practices. A full list with labor costs is posted on the agenda center. Selected material costs are as follow in Table 2:

PRACTICE	UNIT/QUANTITY	COST PER UNIT
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³ Weiss, P.T., J. S. Gulliver and A. J. Erickson, (2005). "The Cost and Effectiveness of Stormwater Management Practices," Minnesota Department of Transportation (MNDOT) Report 2005-23.

FILTER SOCKS, 9"	LF	\$3.00
WATTLES, 6"	LF	\$2.30
WATTLES, 9"	LF	\$3.15
RIP RAP, CLASS 'B' REVETMENT	TON	\$57.00
RIP RAP, CLASS 'D' OR 'E' REVETMENT	TON	\$58.00
STABILIZED CONSTRUCTION ENTRANCE	TON	\$50.00
STABILIZED CONSTRUCTION ENTRANCE	SY	\$47.50
EROSION CONTROL MULCHING	AC	\$3,000.00
CONCRETE WASHOUT	LS	\$1,337.50
SILT FENCE OR SILT FENCE DITCH CHECK	LF	\$2.20
TURF REINFORCEMENT MAT, TYPE 1	SQF	\$36.00

Table 2: Clapsaddle-Garber Associates estimated materials costs for erosion control practices.

With these materials costs, staff created a cost estimate for erosion and sediment control based on a site plan for a new dwelling that was submitted with a permit application. The site plan included 671 linear feet of silt fence, a concrete washout, topsoil stockpiles, and a 1,530 square foot construction entrance. Half of the site was proposed to be graded and it is assumed soil quality restoration will occur on that portion of the site. Approximate materials costs may be \$12,388.7, with the majority of the cost being the stabilized construction entrance.

Staff Recommendation

Story County Planning and Development Staff recommend the Planning and Zoning Commission support the proposed Stormwater Management and Erosion and Sediment Control Ordinance (Ord. 285) as presented. Planning and Development Staff believe the current erosion control and stormwater management Ordinance is lacking. The practices and requirements proposed as part of the Ordinance amendment are modeled after other Iowa cities and counties who have adopted similar requirements and have been workshopped by local stakeholders and professionals. We have recently learned about the water quality improvements needed in Story County from the Story County Watershed Assessment and the Ordinance amendment represents an important step in implementing the recommendations of the assessment to benefit Story County.

Definitions—to be added to Chapter 85 of the Story County Land Development Regulations

“Best Management Practices” (BMPs) means ~~actions~~ any structural or non-structural measure taken to keep soil and other pollutants out of streams and lakes, designed to protect water quality, control water quantity, and to prevent new pollution. Non-structural measures include schedules of activities, prohibitions of practices, maintenance procedures, treatment requirements, operating procedures, and other management practices to control site runoff, spillage or leaks, sludge or waste disposal, drainage from raw material storage, or measures that otherwise prevent or reduce the pollutant loading of receiving waters.

“Best Management Practices, Erosion Control” means BMPs that are designed to intercept precipitation and prevent movement of soil particles. Erosion control BMPs may include staging construction work, minimizing total area disturbed, protecting existing vegetation, and temporarily or permanently stabilizing disturbed areas.

“Best Management Practices, Sediment Control” means BMPs that are designed to capture soil particles after they have been dislodged and are carried from the site. Products designed for this may include silt fences, filter socks, filter berms, wattles, sediment basins, sediment traps, inlet protection, flocculants, floating silt curtains and other practices identified in the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual Chapter 7 Erosion and Sediment Control or other professionally accepted BMPs.

“Best Management Practices, Stormwater Management” means the use of BMPs that are designed to reduce stormwater runoff, runoff pollutant loads, discharge volumes, and peak flow discharge rates. Practices may include those identified in the Iowa Stormwater Management Manual or other professionally accepted BMPs.

“Buffer” means an area of land and/or a vegetative area of desirable trees, shrubs and herbaceous plants that exists and/or is established to separate different land uses or mitigate a risk associated with land use or structure.

“Channel Protection Volume” means managing the volume of runoff generated by a 1-year, 24-hour duration storm event by capturing the runoff volume and slowly releasing it over a period of no less than 24-hours to prevent habitat degradation and erosion that may cause downstream enlargement and incision due to increased frequency of bank-full and near-bank-full flows. See the Iowa Stormwater Management Manual for details on calculating the channel protection volume.

“Common Development Plan” means a contiguous area where multiple separate and/or distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur or are proposed.

“Compaction” means the process by which the soil grains are rearranged to decrease void space and bring the grains into closer contact with one another and thereby increase the weight of solid material per cubic foot and decrease permeability.

“Concentrated Flow” means flow that gains speed and increases depth, forming small channels. There are two types of concentrated flow: shallow concentrated flow and channelized flow. Shallow concentrated flow forms small channels of water, from several inches to a foot in width. As these small rills of water come together, they form streams and eventually rivers; this is channelized flow.

“Construction site” means a site or common plan of development or sale on which construction activity, including clearing, grading and excavating, results in soil disturbance. A construction site is considered one site if all areas of the site are contiguous with one another and one entity owns all areas of the site

“Curve Number (CN)” means an index for use in runoff prediction models that represents the runoff potential from a storm event for a specific land area. Curve numbers range from zero to 100, with a smaller curve number representing low runoff potential and a higher curve number representing high runoff potential. The factors combined to determine the curve number include Hydrologic Soil Group (HSG); cover type, such as pavement, grass, bare soil, etc.; treatment or a modification of cover type based on the management of the cover, such as contouring of agricultural lands, or mowing of urban parks; and hydrologic condition, representing the condition of cover type, including the density of plantings or degree of surface roughness. For the pre-development curve number to use in stormwater design calculations, see the definition of pre-settlement condition.

“Development” means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

“Disturbance, Land” means actions taken to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of topsoil.

“Downstream Hydrologic Analysis” means an analysis performed to determine if there are any additional impacts in terms of peak flow increase or downstream flooding while meeting overbank and extreme flooding design. Such an analysis is recommended for larger sites (i.e., greater than 50 acres) to size facilities in the context of a larger watershed. The analysis is performed at the outlet(s) of the site, and downstream at each tributary junction to the point(s) in the conveyance system where the area of the portion of the site draining into the system is less than or equal to 10% of the total drainage area and in accordance with the Iowa Stormwater Management Manual.

“Environmentally Sensitive Area” means areas including wetlands, lakes, reservoirs, streams, and other areas as identified on the Restoration and Protection maps available on the Story County website under watershed planning.

“Extreme Flood Protection” means managing the effects of the 100-year, 24-hour storm event on the stormwater management system, boundaries of the 100-year floodplain, adjacent property, and

downstream facilities and property through detention controls and/or floodplain management. See the Iowa Stormwater Management Manual for details on the calculation of the rate.

“Hotspot” means areas where land use or activities generate highly contaminated runoff, with concentrations of pollutants such as trace metals or hydrocarbons in excess of those typically found in stormwater. Examples of hotspots include gas stations, vehicle service and maintenance areas, salvage yards, material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

“Hydrologic Soil Group (HSG)” means a Natural Resource Conservation Service (NRCS) designation given to different soil types to reflect their relative surface permeability and infiltrative capability. Designations consist of four classifications (A, B, C, and D) grouped according to soil infiltration rates from high infiltration rates in Group A to very low infiltration rates in Group D. To determine the hydrologic soil group, see the Iowa Stormwater Management Manual (ISWMM).

“Iowa Statewide Urban Design and Specifications” means the manual for public improvements, common urban design standards and construction specifications managed and maintained by the Institute for Transportation at Iowa State University

“Iowa Stormwater Management Manual (ISWMM)” means the manual collaboratively developed by the Iowa Department of Natural Resources (IDNR) and the Center for Transportation Research and Education (CTRE) at Iowa State University and updated by the Iowa Storm Water Education Program that contains the sizing criteria, design and specification guidelines and BMPs that address stormwater quality and quantity management.

“Low-Impact Development (LID)” means an approach to stormwater management that attempts to mimic pre-development conditions by compensating for losses of rainfall abstraction through infiltration, evapotranspiration, surface storage, and increased travel time to reduce excess runoff. These practices include, but are not limited to, protection and restoration of open space and environmentally sensitive areas including riparian buffers, soil quality restoration, minimizing soil compaction, reduction and disconnection of impervious surfaces, the use of conveyance facilities open to the atmosphere (e.g. swales, vegetated buffer strips, energy-dissipating structures, etc.), rather than through enclosed pipes, and encouraging infiltration and soil storage of runoff through grass channels, bioswales, bioretention cells and rain gardens.

“Overbank Flood Protection” means peak discharge control of the 5-year storm event such that the post=development peak rate does not exceed the downstream conveyance capacity and/or cause overbank flooding See the Iowa Stormwater Management Manual for details on the calculation.

“Peak Discharge Rate” means the maximum rate of stormwater flow at a particular location following a storm event, as measured at a given point and time in cubic feet per second (CFS).

“Post-development condition” means the extent and distribution of land cover types anticipated to occur after development activities are completed that impact runoff and infiltration.

“Pre-settlement condition” means, for stormwater design calculations, assuming the pre-development curve number is for a cover type of meadow for a site’s hydrologic soil group. Table 85-3 contains the curve numbers for a meadow for a given hydrologic soil group.

Hydrologic Soil Group (HSG)	Meadow
A	30
B	58
C	72
D	78

“Site” means the entire area of the lot, parcel, or tract included in the legal description of which the development, land disturbing, or other activity will occur.

“Stabilization, Final” means an Erosion Control BMP where when all soil disturbing activities at the site have been completed, a uniform perennial vegetative cover with a density of 70%, sufficient to preclude erosion, for the entire disturbed area of the permitted project has been established or equivalent stabilization measures have been employed or which has been returned to agricultural production. Permanent erosion control stabilization BMPs may include sodding and permanent seeding or other practices identified in the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual Chapter 7 Erosion and Sediment Control or other professionally accepted BMPs.

“Stabilization, Temporary” means an Erosion Control BMP where exposed soils or disturbed areas are provided temporary vegetative and/or non-vegetative protective cover to prevent erosion and sediment loss until either final stabilization can be achieved or until further construction activities take place to re-disturb an area. Temporary stabilization may include temporary seeding, geotextiles, mulches, vegetative filter strips and other techniques to reduce or eliminate erosion as identified in the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual Chapter 7 Erosion and Sediment Control or other professionally accepted BMPs.

“Staging” means stabilizing one part of the site before beginning development on another to minimize the time and amount of soil exposed and therefore the movement of soil.

“Stormwater” means storm runoff, snowmelt runoff, surface runoff, and drainage.

“Stormwater Best Management Practices, Infiltration-Based” means a natural or constructed feature (bed, trench, basin, well, etc.) that captures, temporarily stores, and infiltrates the design volume of water. Practices may include those identified in the Iowa Stormwater Management Manual or other professionally accepted BMPs

“Stormwater Infiltration” means the process by which rainfall and stormwater runoff flow from the land surface into and through the subsurface soil. Stormwater infiltration occurs when rainfall lands on pervious surfaces, when runoff flows across pervious surfaces, and when runoff is collected and directed to a stormwater infiltration Best Management Practice (BMP).

“Treatment Train” means a storm water management Best Management Practice (BMP) where redundant treatment is provided through swales, biocells, filter strips, and bioretention or other

practices for pollutant removal to collectively meet water quality volume treatment requirements and/or maintenance of practices.”

“Runoff” means that portion of the precipitation on a drainage area that is discharged from the area by flowing over the ground surface.

“Time of Concentration” means the time needed for water to flow from the most remote point in a watershed to the point of interest within the watershed. It is a function of topography, geology and land use within the watershed and is computed by summing all the travel times for consecutive components of the drainage conveyance system.

“Recharge Volume” means a portion of the water quality volume recharged to maintain existing groundwater recharge rates at development sites to preserve existing water table elevations, thereby maintaining the hydrology of streams and wetlands during dry weather. The volume of recharge that occurs on a site depends on slope, soil type, vegetative cover, precipitation, and evapotranspiration. See the Iowa Stormwater Management Manual for details on the calculation.

“Topsoil” means the upper layer of soil, the A-horizon, and for the purposes of restoration, shall meet standards for Soil Quality Management and Restoration in the Iowa Stormwater Management Manual.

“Unified Sizing Criteria” means an integrated approach to managing stormwater runoff quality and quantity by addressing the adverse impacts of stormwater runoff from development. The intent is to comprehensively manage stormwater to remove pollutants and improve water quality, prevent downstream streambank and channel erosion, reduce downstream overbank flooding and safely convey and reduce runoff from extreme storm events.

“Watercourse” means any natural or improved stream, river, creek, ditch, channel, canal, conduit, gutter, culvert, drain, gully, or swale in which waters flow either continuously or intermittently.

“Water Quality Volume” means the runoff resulting from a rainfall depth of 1.25” (90% of the rainfall events in Iowa are of this depth or less) that is required to be captured and treated. By managing these storms, the majority of water volume will be treated and many of the “first flush” pollutants of concern will be effectively managed on-site. See the Iowa Stormwater Management Manual for details on the calculation.

Amendments to Chapter 88.05 of the Story County Land Development Regulations for Erosion Control

4. Construction Site Erosion and Sediment Control. Sedimentation and erosion pollute water, degrade land, cause the loss of native vegetation and habitats, and impair drainage. Development activities cause land to become susceptible to erosion and sedimentation by wind and water. The following requirements shall apply to development and land disturbance activities in Story County to mitigate the impacts of erosion and sedimentation, protect public and private property, and to protect natural resources and preserve their functions. **Erosion control. Any development that will “disturb” an area of one or more acres is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for its storm water discharge.**
- A. Any development that disturbs one or more acres is required to obtain a National Pollutant Discharge Elimination System (NPDES) Permit from the Iowa Department of Natural Resources.
- B. A. Any development that is not required to obtain an NPDES permit shall submit the following information in addition to other applicable development permit applications or, if no development permits are applicable, a grading permit and the following information:
- (1) A site plan showing the area to be disturbed, any slopes, watercourses, floodplain, other features prone to erosion, and the location of Erosion and Sediment Control Best Management Practices (BMPs) selected to meet the requirements of this Chapter;
 - (2) Other information necessary to illustrate conformance with the Erosion and Sediment Control Requirements in this Chapter including a construction/grading schedule and schedule for the installation of erosion and sediment control BMPs. For example, a schedule of when grading will occur and when temporary erosion control BMPs will be installed or a schedule of staging activities.
 - (3) The party responsible for maintenance and their contact information if different from the property owner or permit applicant.

~~Stormwater discharge permit shall provide temporary sediment barriers to filter runoff so sediment stays on the site. As soon as vegetation is removed by construction activity, sediment barriers shall be used extensively in drainage ditches, waterways, and on the contour. The sediment barrier must be maintained until the project is completed and placed back into a vegetative state. Sediment barriers shall be spaced in accordance with Table 88-3. The following are acceptable materials for sediment barriers:~~

- ~~(1) Silt Fence. A silt fence shall be designed to allow water to pass through while retaining the sediment on the site. The maximum drainage area flow to a silt fence should not exceed one fourth acre per 100 feet of fence. Silt fences should be placed as close as possible to the undisturbed soil and shall use steel posts.~~

- (2) ~~Compost Filter Tubes. The particle size shall be selected in light of the soil gradations that are to be retained by the device. These devices should be installed along the contour, as with silt fences. Compost tubes shall not be placed on slopes in excess of a 10 percent grade. Spacing shall be determined to allow the bottom of the next higher tube to be seen from the one being installed below, and shall be placed at least five feet from the toe of a slope to provide for the formation of a sediment basin. The tubes shall be staked and additional compost placed in front of each tube to enhance the ability to collect sediment.~~
- (3) ~~Wattles. Wattle locations shall be established in the same manner as compost tubes, but installed in shallow trenches (two to four inches deep). Excavated materials shall be placed on the upstream side of the wattle to initiate sediment collection. The wattles shall be staked with wooden stakes and left in place during the establishment of vegetation on the slope.~~

Table 88-3 Maximum Sediment Barrier Spacing

F FENCE SPACING ON SLOPES	
Slope	Sediment Interval (feet)
33%	
25%	
20%	
10%	
5:1 (2%)	
33%	
25%	
20%	

F FENCE SPACING IN DITCHES	
Ditch Grade (%)	Approximate Spacing (feet)

COMPOST TUBE SPACING	
Slope	Approximate Spacing (feet)
10% - 20:1 (5%)	

(5%) 50:1 (2%)	
:1 (2%)	

PILE SPACING	
Depth	Approximate Spacing (feet)
1 (50%)	
50% 4:1 (25%)	
1 (25%)	

C. Erosion and Sediment Control Requirements.

(1) General Requirements. The following requirements apply to all developments required to submit information on Erosion and Sediment Control in accordance with this Chapter.

- a. Erosion and sediment control BMPs shall be installed following the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual and Standards Manual or other professionally accepted design criteria.
- b. Maintenance of erosion and sediment control BMPs shall occur to keep the BMPs functioning in an effective manner.
- c. Minimize Disturbed Area.
 - i. The area of land to be disturbed shall be minimized and staging shall be used to minimize the area disturbed at a given time, as practical. The limits of the development including staging and equipment storage areas shall be delineated/flagged/fenced on the site to protect areas that are not proposed to be disturbed.
 - ii. Natural plant covering shall be retained and protected to the maximum extent practicable and as consistent with developing the site.
- d. Stabilize Disturbed Areas.
 - i. Final stabilization of disturbed areas shall, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site. If final

stabilization cannot occur due to the time of year or weather conditions based on SUDAS specifications for a practice, temporary stabilization shall be immediately initiated until such time final stabilization may be completed. final stabilization BMPs may include seeding and sodding.

- ii. Temporary stabilization shall, at a minimum, be initiated on all disturbed areas, including stockpiles, whenever any clearing, grading, excavating or other earth disturbing activities have temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Temporary erosion control stabilization BMPs may include temporary seeding, geotextiles, mulches, vegetative filter strips.

(2) Requirements for Sites with Sensitive Features. The following requirements apply to all developments required to submit information on Erosion and Sediment Control in accordance with this Chapter where watercourses, floodplain, slopes, or other features prone to erosion are proposed to be disturbed or where work may affect adjacent properties.

- a. An undisturbed buffer zone shall be provided in accordance with the following minimum buffer sizes measured from the edge of a watercourse/feature. These buffer zones are encouraged to be revegetated where existing native vegetation does not exist. Standards for native revegetation may be used following the Iowa Stormwater Management Manual or other professionally accepted BMPs. For assistance identifying features to be protected by a buffer, maps are available on the Story County website under watershed planning.
 - i. Wetlands, priority wetlands, lakes, reservoirs, and environmentally sensitive areas – 100 feet
 - ii. Priority Streams – 75 feet
 - iii. Secondary and Other Streams – 50 feet
- b. The following uses are permitted in a required buffer zone:
 - i. Legal, nonconforming uses
 - ii. Minor land-disturbing activities for erosion control and bank stabilization or revegetation

- iii. A perpendicular stream crossing by a driveway, street, or utility lines
 - iv. A street or driveway where buffer intrusion is the only option to provide access to a property
 - v. Paved and unpaved trails and paths for public use
 - vi. Public water supply intake or public wastewater outfall structures
 - vii. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks
 - viii. Utility lines and easements running parallel with the stream, except that all easements (permanent and construction) and clearing and grading shall recognize the sensitivity of the streams and use BMPs to limit and repair the disturbance within the buffer area. This includes such impervious cover as necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
- c. Development in the floodplain is discouraged. Any proposed development in the floodplain shall be done in accordance with the adopted Floodplain Management Ordinance (codified in Chapter 80 of this Code of Ordinances) or other State or Federal requirements.
 - d. Perimeter sediment control BMPs shall be in place prior to disturbing activities when the disturbed areas are above or on a slope to site borders, watercourse, or environmentally sensitive areas. Perimeter sediment control BMPs may be removed after final stabilization of the area above the BMP. The timing and/or installation of the perimeter control installations may be adjusted to accommodate short-term activities such as the passage of vehicles or to accommodate disturbing activities required to install the controls. Perimeter sediment control BMPs may include filter berms, filter socks, wattles, temporary earth diversion structures, vegetative filter strips, and silt fences.
 - e. On steep or lengthy slopes or for construction sites that show signs of concentrated flows, additional erosion and sediment control BMPs may be required. These practices may include silt fence, filter berms, filter socks, or other flow diversion and flow control BMPs

to reduce the amount or velocity of flow a disturbed area receives. Follow the design considerations for a practice in SUDAS.

- (3) Requirements for Treatment of Topsoil. The following requirements apply to all developments required to submit information on Erosion and Sediment Control in accordance with this Chapter where topsoil is stripped or otherwise disturbed and its removal and/or disturbance is not required for the function of the proposed project.
 - a. Practices to reduce compaction including reducing passes made over an area with heavy equipment and not using heavy equipment when soil is wet shall be used.
 - b. Topsoil that is removed but may be used for restoration after development activities cease shall be preserved on-site where possible. Topsoil shall be respread or restored to create a healthy soil profile following the methods for Soil Quality Management and Restoration in the Iowa Stormwater Management Manual or other professionally accepted methods.
- (4) Construction Site Standards. The following requirements apply to all developments required to submit information on Erosion and Sediment Control in accordance with this Chapter where the site does not have an existing stabilized entrance or where a concrete truck will be used.
 - a. A stabilized entrance shall be designed to minimize tracking of sediment or other debris off the site and/or in the road right-of-way and shall be installed prior to land disturbing activities.
 - b. Concrete waste must be contained in washout areas installed following SUDAS or other professionally accepted design criteria.

D. Inspections and Responsibility.

- (1) In no instance shall acceptance of the Erosion and Sediment Control plans and/or approval of the grading permit by Story County be construed as approval of the design, construction, or concurrence by Story County that all criteria have been satisfied. Story County shall not be liable for any damages resulting from erosion and sedimentation.
- (2) An inspection for compliance with submitted erosion and sediment control plans and requirements of this Chapter shall be conducted by Planning and Development Staff as part of the required foundation location inspection for a zoning permit or if no development permits are applicable, as part of the grading permit and corresponding inspection after BMPs have been installed but prior to the commencement of land disturbing activities.

- (3) Temporary erosion and sediment controls shall not be removed until the Planning and Development Staff have determined that the site has been permanently stabilized through a final inspection for a zoning permit, or if no zoning permit is required, an inspection once final stabilization is completed.
 - (4) The applicant or owner of the site agree to provide for access to the BMP and the land it serves at reasonable times for periodic inspection by County or County's designee to ensure that the BMP is maintained in proper working condition to the requirements of this Chapter.
 - (5) Any amendments or changes to the submitted Grading Permit or Erosion and Sediment Control information shall be communicated to the Planning and Development Department and submitted prior to their implementation on-site. All amendments shall comply with the requirements for Erosion and Sediment Control in this Chapter.
 - (6) If a responsible party fails or refuses to meet the requirements of the approved plan or any provision of this ordinance or in the event that the erosion or sediment control BMP becomes a danger to public safety or public health, the County shall notify the party responsible for maintenance of the erosion or sediment control BMP in writing following the procedure for Notice of Violations in Chapter 93 of the Story County Land Development Regulations. Depending on the severity of the violation, the permitted timeframe to submit a compliance schedule may be reduced. If the violator does not correct/abate the violation or provide an acceptable schedule to correct/abate the violation or does not comply with the schedule, a citation for a County infraction may be issued in accordance with Chapter 93 of the Story County Land Development Regulations.
- E. Exemptions. The following exemptions to the Erosion and Sediment Control requirements may apply; however, such uses shall not be exempt from adopted Floodplain Management Ordinance (codified in Chapter 80 of this Code of Ordinances) or other State or Federal requirements.
- (1) Agricultural. Except to the extent required to implement Section 335.2, Code of Iowa, the grading permit application and Erosion and Sediment Control requirements shall not apply to development that is primarily adapted, by reason of nature or area, for use for agricultural purposes, while so used.
 - (2) County Engineer. The County Engineer shall not be required to submit a grading permit application for the maintenance and/or construction of public roads and public road right-of-way.

Amendments to Chapter 88.05 of the Story County Land Development Regulations for Stormwater Management

5. Post-Construction Stormwater Management and Water Quality. Stormwater runoff increases nonpoint source pollution, flooding, siltation, stream temperatures, and streambank erosion. The following requirements shall apply to development in Story County to ensure site design minimizes the generation of stormwater runoff and maximizes pervious areas, provide a single, consistent set of performance goals that apply to all developments, protect functional values of all types of natural watercourses, protect life and property from dangers associated with flooding, maintain existing flow patterns, and promote infiltration and recharge of groundwater.
- A. Development that meets any of the following thresholds shall be required to submit a Stormwater Management Plan, in addition to other applicable development permit applications, prior to commencing development activities:
- (1) Development, including common development, that disturbs an area one-acre or greater in size.
 - (2) Development that will result in the division of land into more than four development lots.
- B. Criteria for Stormwater Management. Developments required to submit a Stormwater Management Plan shall be designed, constructed, and maintained to achieve the purposes of this Ordinance, as stated above, and to prevent flooding, minimize stream channel impacts, and protect water quality in accordance with the following criteria for stormwater management. See the Iowa Stormwater Management Manual for details on the calculation of the criteria. LID practices shall be used where possible to meet stormwater management criteria and in the design of a development.
- (1) The site shall be designed to manage the water quality volume of a rainfall depth of 1.25 inches and to manage corresponding recharge volume through infiltration practices.
 - (2) To protect stream channels, the site shall be designed to provide 24-hours of extended detention of the channel protection volume determined for the 1 year, 24-hour storm.
 - (3) Stormwater management shall be provided to limit the post development rate of runoff from the site area during the 5-year through the 100-year, 24 hour storm events to the lesser of the following values: runoff rates equivalent to those from a storm event of the same intensity and duration based on predevelopment conditions or runoff rates equivalent to those from the 5 year storm event based on conditions which exist as of the date of the proposed improvement plans (row crop agriculture cover, contoured in good condition and surface soil types as identified from County Soil Maps; unless otherwise approved).

C. Contents of the Stormwater Management Plan. The Stormwater Management Plan shall include a site plan, narrative, and other attachments necessary to illustrate how runoff and associated water quality impacts resulting from the development is proposed to be managed meeting the requirements of this Chapter and following the Iowa Stormwater Management Manual or other professionally accepted BMPs and/or through LID practices. It shall also:

(1) Be signed and certified by an Iowa licensed professional engineer (PE).

(2) Identify pre-development and post-development land use, including on and off-site features that may affect or be impacted by the stormwater management requirements for the development. Features may include:

a. Proposed and existing site improvements including lot divisions, building footprints, easements, and other impervious surfaces or areas of land disturbance.

b. Pre-developed land use and soil conditions including coverage, soil type, and Hydrologic Soil Group (HSG). If a geotechnical study of the site is used to determine HSG, provide boring logs and locations. If a soil survey is used to determine HSG, cite it and provide a copy of the area of interest map with HSGs.

c. Existing site topography with contours at two-foot intervals. Light Detection and Ranging (LIDAR) contour maps may be requested from the Story County Planning and Development Department or a survey of the site's topography may be completed and submitted to determine slopes.

d. Natural and artificial watercourses, wetlands, floodplains, lakes, existing stormwater storage facilities, woodlands, native vegetation, or other natural resources.

e. Proposed or existing drinking water wells, septic systems/drain fields, public wellheads and wellhead protection areas, hot spots, and areas with shallow bedrock.

(3) Identify the proposed stormwater management BMPs or LID practices selected for the site, their location, landscaping and stabilization to prevent their impairment, and any hydrologic and hydraulic design calculations and summaries/descriptions to show that the proposed BMPs are capable of achieving the criteria for stormwater management in Section 88.05(5)(B) and that they are designed in accordance with the Iowa Stormwater Management Manual. Most commonly, these may include:

a. Impervious area (by area and percent of site)

- b. Soil Curve Numbers or runoff coefficients
 - c. Times of concentration
 - d. Description of the design storm frequency, intensity and duration
 - e. Water quality volume and infiltration calculations
 - f. Channel protection volume calculations
 - g. Detention basin design calculations, runoff rates, volumes, water surface elevations, and data on the increase in rate and volume of runoff for the design storms referenced in the Iowa Stormwater Management Manual and stormwater management criteria
 - h. Peak runoff rates and total runoff volumes for each watershed area
 - i. Other design calculations for culverts, open channels, storm sewers, and intakes
 - j. Documentation of sources for all computation methods and field test results.
- (4) Describe the maintenance procedures required for each selected practice and the party responsible for maintenance and their contact information if different from the property owner or permit applicant. Such maintenance procedures shall keep the stormwater management BMPs or LID practices functioning in an effective manner.

D. Inspections and Responsibility.

- (1) In no instance shall the acceptance of the Stormwater Management Plan by Story County be construed as approval of the design, design methods, design calculations, detention facilities plan, construction, or concurrence by Story County that all design criteria have been satisfied. Story County shall not be liable for damages resulting from stormwater runoff or discharge of stormwater detention facilities.
- (2) An inspection for compliance with submitted Stormwater Management Plan shall be conducted by Planning and Development Staff as part of the required final inspection for a zoning permit or if no zoning permit is required after BMPs have been installed.
- (3) The applicant or owner of the site agree to provide for access to the BMP and the land it serves at reasonable times for periodic inspection by County or County's designee to ensure that the BMP is maintained in proper working condition to the requirements of this Chapter.

- (4) Any amendments or changes to a Stormwater Management Plan shall be communicated to the Planning and Development and submitted as part of an amended plan to prior to their implementation on-site. All amendments shall comply with the requirements of this Chapter.
 - (5) If a responsible party fails or refuses to meet the requirements of the approved plan or any provision of this ordinance or in the event that the stormwater management BMP becomes a danger to public safety or public health, the County shall notify the party responsible for maintenance of the stormwater management BMP in writing following the procedure for Notice of Violations in Chapter 93 of the Story County Land Development Regulations. If the violator does not correct/abate the violation or provide an acceptable schedule to correct/abate the violation or does not comply with the schedule, a citation for a County infraction may be issued in accordance with Chapter 93 of the Story County Land Development Regulations.
- E. Exemptions. The following exemptions to the Stormwater Management Plan requirement may apply; however, such uses shall not be exempt from adopted Floodplain Management Ordinance (codified in Chapter 80 of this Code of Ordinances) or other State or Federal requirements.
- (1) Agricultural. Except to the extent required to implement Section 335.2, Code of Iowa, the Stormwater Management Plan requirement shall not apply to development that is primarily adapted, by reason of nature or area, for use for agricultural purposes, while so used.
 - (2) County Engineer. The County Engineer shall not be required to submit a Stormwater Management Plan for the maintenance and/or construction of public roads and public road right-of-way.
 - (3) Maintenance of Legally Established Development. The maintenance of development that has legally occurred prior to the adoption of this Ordinance (Ord. 285), shall not be counted towards the threshold for submitting a Stormwater Management Plan of one-acre disturbed or one-acre disturbed as part of a common development plan if the footprint of the maintenance work is within or the same area as that previously disturbed.
 - (4) When infiltration is infeasible due to the natural or existing physical characteristics of a site including, but not limited to, if the surface and underlying soils are NRCS Group D or have minimum infiltration rate less than .52 inch/hour, the measured groundwater elevation is less than four feet below the basin invert or infiltration surface, bedrock or impervious soils are less than four feet below the infiltration surface, recommended setbacks from site features (property lines, structures, septic systems, and wells) in the Iowa Stormwater Management Manual cannot be met, or where hotspots or contaminated soil make infiltration-oriented BMPs hazardous, the site shall be designed to provide water quality treatment for the runoff resulting from a rainfall depth of 1.25 inches and alternative practices such as a treatment train, constructed wetlands/wetland forebays, retention

ponds/extended detention ponds, filters (sand-peat, underground sand, perimeter sand filter, organic sand, pocket sand filter, gravel, others), grassed/vegetated swales and channels, and vegetated filter strips shall be implemented to the maximum extent practical with the goal of an 80% reduction in of the annual average post-development total suspended solids (TSS) load. The site limitations shall be identified in the Stormwater Management Plan.

	Name	Organization
Scott	Renaud	Fox Engineering
Ryan	Benjegerdes	Bolton and Menk/Iowa Certified SWPPP Designer
Brady	Bogaard	WHKS/Iowa Certified SWPPP Designer
Colby	Fangman	Red-Tail Design/Iowa Certified SWPPP Designer
Justin	Heim	Bolton and Menk/Iowa Certified SWPPP Designer
Nathan	Miner	GreenTech of Iowa/Iowa Certified SWPPP Designer
Mike	Perez	Iowa State University/Iowa Certified SWPPP Designer
Brandt	Williamson	Fox Engineering/Iowa Certified SWPPP Designer
Steven	Soupir	Fox Engineering
Bob	Gibson	Civil Design Advantage
Dickson	Jensen	Jensen Group
Don	Marnier	Snyder and Associates
Larry	Stevens	HR Green
Chuck	Winkleblack	Hunziker
Kurt	Friedrich	Friedrich
Chris	Gardner	Bella Homes
Pat	Sauer	Iowa Stormwater Education Partnership
Tracey	Warner	City of Ames
Jennifer	Welch	Polk Soil and Water Conservation District
Clay	Miller	Iowa State University
Hillary	Olson	Story Soil and Water Conservation District
Derek	Namanny	IDALS
Dan	Haug	Prairie Rivers
Penny	Brown Huber	Prairie Rivers
Justin	Dodge	Hunziker
Ben	Jensen	J Corp
Luke	Jensen	Friedrich
Jeff	Harris	RMH
Erv	Klaas	
Kasey	Hutchinson	Johnson County
Stacy	Woodward	Ames Home Builders
Mark	Ackelson	Iowa Natural Heritage Foundation
Ryan	Allan	Prestige Builders
Jared	Willis	Willis Custom Homes
Denise	Junod	Happe Homes
Kenny	Meusburger	Meusburge Constuction
Brad	Heemstra	Integrity Construction
David	Hade	Iowa Home Crafters
Rich	Lepper	Rich Lepper Construction
Blake	Ahlers	HR Green
Eric	Doll	Jeffrey L. Bruce
Don	Drake	Stanley Group
Darren	Fife	Ecosource
David	Fliehler	Shive Hattery
Andrew	Gettler	Foth
Dave	Hellickson	Snyder and Associates

Jonathan	Hultgren	Bolton and Menk
Tyler	Jensen	Snyder and Associates
Elara	Jondle	Pelds Engineering
Rob	Kline	GBA Team
Brandon	Mickelson	HR Green
Paige	Naber	Synergy Contracting
Jake	Nilles	Nillesi Group
Voldemars	Pelds	Pelds.C Group
Greg	Pierce	RDG
Greg	Roth	Veenstra & Kimm
Jerry	Selbher	Nilles Associates
Blair	Spotts	Foth
Ryan	Turner	Foth
Kevin	Griggs	EOR
Trinitee	Martin	
James	Sweeney	CGA
Grant	R	Woodruff Construction
Cindy	Hildebrand	
Mike	Meetz	

Appendix A: Review of County Ordinances

The following is a narrative summary of an initial review of Story County's ordinances and feedlot management strategy. The review attempted to achieve three distinct goals. First, the County's land development regulations were analyzed to gauge the status and potential effectiveness of existing construction erosion and sediment control and stormwater management provisions. Second, the floodplain management ordinance was examined to understand its potential impact on implementing water quality and conservation practices within the floodplain and adjacent areas. Third, potential strategies for increasing County influence on animal feeding operations (feedlots) and manure application were researched. This memorandum is organized into three sections that correspond to the goals outlined above. Each section ends with a brief summary and a bulleted list of recommendations.

Erosion and Sediment Control and Stormwater Management in Story County

This section discusses a review of the County's Land Development, Zoning, and other relevant ordinances. The purpose of the review was to identify and understand the scope of existing erosion and sediment control and stormwater management provisions. Several gaps in the ordinances were identified during the review. Emmons and Olivier Resources recommends the County choose one of three options for improving county regulation of erosion and sediment control and stormwater management.

EOR staff reviewed all Land Development Regulations for erosion control and stormwater management provisions. The County's entire ordinance package was reviewed, but several ordinances were reviewed in detail: (1) Chapter 85 – General Provisions and Definitions; (2) Chapter 87 – Land Division Requirements; (3) Chapter 88 – General Site Planning Standards; and (4) Chapter 92 – Administration. Each of the four chapters was annotated, evaluated for potential effectiveness, and compared to leading examples of erosion and sediment control (ESC) and stormwater management (SWM) regulation (i.e. Minnesota's Minimal Impacts Design Standards (MIDS)). The ordinances were also analyzed using tools, including the U.S. Environmental Protection Agency's [Water Quality Scorecard](https://www.epa.gov/smartgrowth/water-quality-scorecard) (<https://www.epa.gov/smartgrowth/water-quality-scorecard>), and the Center for Watershed Protection's (CWP) [Codes and Ordinance Worksheet](http://owl.cwp.org/mdocs-posts/codes-ordinance-worksheet/) (<http://owl.cwp.org/mdocs-posts/codes-ordinance-worksheet/>). The following sections discuss the review's Findings and propose several Recommendations.

Findings

This section describes the County's existing erosion and sediment control and stormwater management regulations. The ESC and SWM regulations are scattered across several ordinance chapters. To simplify the discussion, the relevant provisions are described and analyzed according to topic.

Erosion and Sediment Control

Although preventing erosion caused by wind and rain is a stated purpose of the Land Development ordinances,ⁱⁱ very little actual regulation on the subject exists in Story County's ordinances. Land division planning and approval requirements (Chapter 87) do not mention erosion and sediment control

planning or Best Management Practices (BMPs), even indirectly. Neither preliminary nor final plats for any type of land division are required to submit erosion and sediment control plans. Chapter 88 – General Site Planning Standardsⁱⁱⁱ contains a few provisions related to erosion and sediment control. The first states that projects greater than one acre must obtain a National Pollutant Discharge Elimination System permit. This provision mandates the use of “temporary sediment barriers to prevent runoff,” provides three examples of sediment barriers, and defines minimum barrier spacing. No other provisions exist in this chapter or any other chapter.

The provisions in Chapter 88 are inadequate for a number of reasons. First, sediment barriers are only one of a huge range of BMPs that should be used at construction sites to prevent sedimentation and erosion. There are other, significantly more effective BMPs. In addition, the term “temporary” is likely to be interpreted in a multitude of ways, and may even be interpreted in a way that fails to prevent any erosion or sedimentation. Second, several terms and concepts are used, but are undefined (i.e. temporary, filter, completed, etc). Third, the federal permit is relatively complicated and difficult to understand. This may result in incomplete designs or ineffective practices. Finally, while obtaining a National Pollutant Discharge Elimination System (NPDES) General Permit 2 is mandatory for sites over one acre, the County should implement additional standards that supplement the federal permit standards. The federal standards are only minimum standards.

Stormwater Management

The County’s ordinances contain very limited stormwater management provisions. Chapter 88 contains the only provisions that mandate any stormwater-related action: (1) § 88.05(5) – “Storm water Management and Water Quality”; (2) § 88.02(2) – “Street Design Standards”; (3) § 88.03 – “Lots”; and (4) 88.11 – “Minimum Landscaping Standards.” With the exception of the minimum landscaping standards none of these sections contain enforceable, objective targets.^{iv} Instead, the provisions use vague, arguably unenforceable standards such as “achieve maximum capture” or “better replicate natural drainage patterns” or “shall incorporate [BMPs] as described in the Iowa Storm Water Management Manual.” Like the vague erosion and sediment control provisions previously described, the lack of precision likely creates confusion, inconsistent interpretation, and ineffective application. It is unclear how many BMPs need to be adopted, where the practices should be located, or how rate, volume, or quality need to be controlled. The only other functional stormwater-related provision is located in the plat submission requirements of Chapter 87: § 87.08 – Minor Subdivision Plats; and § 87.09 – Major Subdivision Plats. However, these provisions do not actually mandate stormwater management planning or design features. The provisions only require plats to show “location and size of such sub-surface features such as existing or nearest available storm and sanitary sewers.”

Several undefined terms are used throughout these provisions. For instance, in § 88.05(5) the term “predevelopment runoff” is used. For a first-time developer, this term is likely unintelligible without a definition in another chapter. Experienced subdivision developers may have trouble interpreting this term, and may even use the vagueness to design a new development to a significantly lower standard.

Design standards for various development elements (i.e. parking spaces) should be reviewed with Low Impact Development (LID) design tools.^v In many cases, the sizes prescribed for these elements comply with industry practice, but are considerably larger than LID best practices.

Finally, and possibly most importantly, neither the erosion and sediment control nor the stormwater management provisions establish any meaningful planning process for these topics. Instead of integrating ESC and SWM as crucial issues that must be addressed from the very first design steps, the existing provisions likely cause developers to adopt ESC and SWM best practices at the very end of the design process. As a result, water resource protection is not a foundational goal of the design process, but rather a regulatory annoyance that can be satisfied by the least effort or creativity possible.

Recommendations

The County's ordinances are unlikely to produce development projects that effectively or efficiently protect water quality because they include very few ESC or SWM provisions. The County should consider either updating its existing ordinances or adopting an entirely new ordinance focused on ESC and SWM.

The review suggests three options for updating the County's ordinances:

- Update existing ordinances with new standards, definitions, and procedures.
- Adopt a new, “stand-alone” ordinance that draws from leading examples and resources.
- Make minor revisions to existing ordinances, and overhaul the County's standard Development Agreement to include strong ESC and SWM requirements.

Ultimately, the updated or new ordinance will comprehensively regulate both erosion and sediment control and stormwater management. The new ordinance will:

- Require erosion and stormwater management planning for all subdivision types;
 - LID will be the foundation of ESC and SWM planning and design;
 - LID will be incorporated from the very first design steps.
- Establish consistent, feasible regulatory triggers;
- Mandate ESC control practices from project initiation to final stabilization and revegetation;
- Require a comprehensive set of ESC best management practices for all construction sites;
- Establish objective stormwater volume, rate, and quality standards that achieve water resource protection goals;
- Obtain financial securities to ensure BMPs are properly installed and actively maintained;

- Require routine monitoring and maintenance of erosion and sediment control BMPs and stormwater facilities, as well as thorough documentation and reporting of such activities;
- Secure a contractually binding Maintenance Agreement to ensure stormwater facilities are monitored and maintained for the entire lifecycle of the facility;
- Actively consult and educate stakeholders about ESC and SWM planning, design, and best practices.

If the County is unable to update the existing ordinances or adopt a new ordinance, the County should optimize its use of Development Agreements. The ordinances already require the use of Development Agreements. These contract-like documents can be used to require a powerful range of conditions on new and redevelopment projects. In fact, Development Agreements can be tailored to a specific project, or standardized for particular categories, for example a range of sizes, or types of end use. Future efforts to improve ESC and SWM in the County should include reviewing and updating the standard forms and provisions used in Development Agreements.

Finally, the County should develop and initiate a multifaceted public outreach and participation campaign. Ordinances, whether existing or new, can only influence new development. Existing impervious surfaces on all land use types are the main contributors to stormwater pollution. However, property owners, businesses, and many others have numerous opportunities to reduce the amount of stormwater runoff, and the quality of runoff. A citizen outreach and education program has the potential to encourage the adoption of both erosion and stormwater management best practices on a huge number of properties.

Floodplain Management and Conservation Practices

This section briefly describes the County's Floodplain Management Ordinance and discusses its potential impact on implementing water quality and conservation practices in the floodplain. Potential practices primarily include saturated buffers and basic riparian buffers but could also include treatment wetlands or other practices. Other potential projects may include practices within ephemeral streams and ditches. For instance, these could include two-stage ditches, or rip-rap check dams built within the ditch. The buffer practices could be installed along all types of streams. In-stream practices would be limited to smaller ditches. These conservation practices may inundate small areas of the floodplain during small rain events. These practices *would not*, however, impact flood levels for larger storm events. All impacts will be supported by quantifiable hydrologic and hydrographic analysis showing projected impacts.

Findings

The ordinance is a somewhat flexible tool that could be applied in such a way to either permit or prohibit water quality and conservation in the regulated districts. The success of the recommendations described below is highly contingent on cultivating a favorable interpretation of the floodplain management ordinance. Please note that the review did not consider state or federal regulation of flooding. However, the arguments that the conservation practices will have minimal impact on flooding are very similar regardless of the audience.

The major regulatory goal of Story County's Floodplain Management ordinance is to protect floodplains from development that would "increase flood levels or impeded the free flow of flood waters."^{vi} In other words, the ordinance prohibits any development that is vulnerable to damage as a result of floods, or that could increase flood heights or velocities, or restrict flood conveyance. A corollary of that purpose is to permit land uses that are not vulnerable to flood damage, do not restrict flood conveyance, and do not increase flood heights or velocities in the floodplain districts. Most importantly, restrictions on land use in the floodplain are not absolute. The ordinance explicitly allows land use in the floodplain if the use achieves "full compliance with the terms" of the ordinance.^{vii}

The ordinance achieves its goals by requiring permits for all development located within the floodplain, and by establishing three regulatory districts: (1) Floodway district, (2) Floodway Fringe district, and (3) General Floodplain district. The actual boundaries of each district are provided by the County's Official Floodplain Map. These maps were developed as part of a comprehensive [Flood Insurance Study](http://www.starr-team.com/starr/RegionalWorkspaces/RegionVII/StoryCounty/Shared%20Documents/19169CV000B.pdf) (<http://www.starr-team.com/starr/RegionalWorkspaces/RegionVII/StoryCounty/Shared%20Documents/19169CV000B.pdf>).^{viii} The Floodway and General Floodplain districts have specific "permitted uses" that could generally be considered open space uses (i.e. lawns, parking lots, parks, etc). Uses in Floodway and General Floodplain districts must also be permitted by the underlying zoning district (i.e. Residential). The Floodway Fringe district allows all uses permitted by the underlying zoning district. Each district also has "development standards" with which all land uses must comply. These range from specific residential construction practices and materials, to setbacks, to vehicular access standards.

The potential conservation practices discussed at the beginning of this section are likely permitted by all underlying zoning codes and the uses specified for the Floodway and General Floodplain districts. Although not specifically mentioned as a permitted use, strong arguments can be made that conservation practices are a permitted use. In Floodway districts, conservation practices would qualify as an "open-space use similar in nature" to the other listed uses.^{ix} In the Floodway Fringe district the practices would be permitted as either a permitted use, or a conditional use, depending on the underlying zoning district.^x Placing conservation practices in General Floodplain districts would likely require conversation with the County's Planning and Development Department and the Floodplain Manager. It is possible the practices could be considered "agricultural uses" or a "public recreational use."

The floodplain districts' development standards also do not appear to prohibit conservation practices. The most important standards involve the practices' influence on flood levels, minimizing damage caused by floods, channel alterations, reductions in conveyance capacity, and placement of fill. As previously stated, the conservation practices are specifically designed to not increase flood levels or contribute to flooding. These practices will also not reduce conveyance capacity or alter channels. Because the practices will not include above-ground structures, but will be open-space (buffers, wetlands, etc), they will not increase the potential for floods, or cause damage during a flood. In fact, many of the proposed practices may reduce flood levels, and the damage caused by floods. Practices such as treatment wetlands, in-ditch check dams, and riparian buffers reduce stormwater runoff volumes, decrease flow rates of drainage ditches and overland flow, and retain water on-site.

Recommendations

- County staff should review the interpretation and enforcement of the Floodplain Ordinance in relation to conservation practices.
- Initiate conversations with the Iowa Department of Natural Resources, about the County’s intention to interpret and enforce the floodplain ordinance in this manner.
- Develop an education and outreach campaign about the operation of the Floodplain Management Ordinance, and the use of conservation practices in the floodplain.
- Train County staff about reviewing applications that include floodplain conservation practices.
- The County should consider incorporating water quality Best Management Practices (BMPs) in ditch maintenance projects.
- Watershed management authorities should consider installing practices within the riparian areas to supplement conservation efforts.

Feedlot and Manure Application Strategy

This section describes the regulatory background of Animal Feeding Operations and manure management practices in Iowa. After the legal review, this section recommends several options Story County has for exercising authority over the planning, permitting, and operation of animal feeding operations (AFOs).

Regulatory Background

Animal Feeding Operations, also known as feedlots or Concentrated Animal Feeding Operations (CAFO) are subject to federal and state regulation. The state has passed comprehensive legislation, and delegated regulatory responsibility to the DNR. The applicable state laws are codified in [Iowa Code \(2017\) Chapters 459, 459A, and 459B](#). The DNR published its AFO rules in [Chapter 65](#) of the Iowa Administrative Code. These rules are administered by the Environmental Protection Commission.

Under state law, AFOs are defined as agricultural operations that confine livestock in a specific area (lot, pen, barn, corral) and feed the animals for 45 days or more a year. There are two types: (1) Confinements, and (2) Open Feedlots. The former confine animals in an area that is totally roofed. The latter keep animals in either a partially roofed or unroofed area with no vegetative cover on the ground. Iowa law also recognizes two sizes of AFOs: “small farms” with less than 500 animal units; and “large farms” with more than 500 animal units.^{xi}

Regardless of the type or size, the Iowa Department of Natural Resources regulates the planning, permitting, siting, and operation of AFOs. All AFOs must apply for a permit to establish a new operation, or to expand or modify an existing operation. Permits include conditions on various aspects of animal feeding operations, including setbacks from adjacent residential uses and wells, and properly retaining, storing, and disposing of manure. The regulations for Confinements and Open Feedlots are slightly

different. Large confinements are required to develop and submit for approval a Manure Management Plan (MMP); small confinements can voluntarily adopt such plans. Manure Management Plans contain information on how manure will be stored between applications, and a plan for timing and method of manure application. Open Feedlots are subject to similar regulations on siting and construction, but must develop and comply with a Nutrient Management Plan.

Finally, the DNR maintains a comprehensive database of information on all feedlots in the state. The database contains information about location, animal type and numbers, completed environmental reviews, nutrient and manure management plans, and details about structures. Perhaps the most valuable informational tool available is the DNR's [AFO Siting Atlas](#). This online GIS database locates all AFOs on an interactive map, and provides links to the available information.

Findings

Story County has almost no authority to regulate Animal Feeding Operations. The County has very little authority for two main reasons. First, state law grants all regulatory authority for AFOs to the DNR, and expressly prohibits Counties (and other local governments) from regulating AFOs. Second, case law (court rulings) have upheld these state laws, and overturned multiple attempts by local governments to use statutory or local authority to regulate AFOs. The following paragraphs will describe key laws and cases to detail the extent of the DNR's power and illustrate how local authority is extremely constrained.

In *Goodell v. Humboldt County*,^{xii} the Iowa Supreme Court overturned four county ordinances as "inconsistent with applicable state law." The ordinances sought to regulate AFOs by requiring a county permit, obtain financial assurances, protect groundwater pollution, and prevent toxic air emissions. The county enacted these regulations using its Home Rule authority granted by the state's Constitution and laws.^{xiii} The ordinances were challenged by a group of livestock producers and individual farmers as unconstitutional and as contrary to state law exempting agricultural uses from local zoning ordinances. Under state law, land, houses, and other structures that are "primarily adapted . . . for use for agricultural purposes" cannot be regulated by zoning ordinances.^{xiv} However, the Court held that the zoning exemption did not apply because the ordinances were not zoning ordinances, but instead were "police powers" and applied to all uses regardless of the zoning district.

The Court also held that the local ordinances were "irreconcilable" with state legislation regarding feedlots. In a lengthy discussion of the subject, the Court found that state laws did not expressly preempt local regulation of feedlots. In fact, the state laws allowed local authorities to set higher standards than state regulation. The Court, however, determined the local ordinances were "inconsistent" with state law. The ordinances not only set higher standards, but "revise[d] the state regulatory scheme, and, by doing so, [became] irreconcilable with state law." Because the local ordinances conflicted with state laws, the ordinances were invalid and unenforceable.

In response to this legal battle, but before the Supreme Court issued its decision, the state legislature enacted new legislation that expressly prohibited Counties from regulating feedlots.^{xv} This law states:

“A county shall not adopt or enforce county legislation regulating a condition or activity occurring on land used for the production, care, feeding, or housing of animals unless the regulation of the production, care, feeding, or housing of animals is expressly authorized by state law. County legislation adopted in violation of this section is void and unenforceable and any enforcement activity conducted in violation of this section is void.”^{xvi}

On its face, this law effectively prohibits local authorities from either adopting or enforcing any regulations that are not consistent with state law and regulations.

Worth County enacted an ordinance titled “County Rural Health and Family Farm Protection Ordinance.” The intended purpose of this ordinance was to protect the residents and property of Worth County from toxic air emissions, protect feedlot workers from dangerous indoor air pollution, and prevent contamination of local groundwater resources. Almost immediately after the ordinance was enacted, several individuals and groups sued the county and asked the court to declare the ordinance invalid and unenforceable under state law. In *Worth County Friends v. Worth County*,^{xvii} the Supreme Court of Iowa overturned the county ordinance. The Court held that the ordinance was “expressly preempted by state law.”

Like the Court’s decision in *Goodell v. Humboldt County*, the Supreme Court in *Worth County Friends* decided that the local health ordinances directly conflicted with the legislature’s express delegation of complete authority to the DNR regarding AFOs. Thus, even though Worth County’s ordinances were reasonable attempts to protect public health—a valid and traditional area of local concern—the state legislature had clearly and completely delegated all authority over feedlots to the DNR. The law’s operation is very broad and prevents County from regulating “a condition or activity occurring on land used for the production, care, feeding or housing of animals.” The ruling also affirmed the constitutionality of the law (Iowa Code § 331.304(A))

These Supreme Court decision leave very little authority to a County to regulate AFOs. Neither the *Goodell* nor the *Worth County Friends* decisions clarify the full extent of this law’s operation. Both courts only discussed the application of the law to the specific ordinances before the court. However, the logic used to determine the county ordinance was preempted could easily be applied to nearly any regulation. The language used in § 331.304(A) is sufficiently broad to preempt nearly any County attempt to regulate feedlots. The phrase “regulating a condition or activity” likely includes any environmental, health, financial, construction, building code, or other regulation a County has authority to adopt. In addition, Counties can only regulate feedlots when “expressly authorized by state law.”

The lack of official authority does not mean the County has zero options for influencing the construction and operation of feedlots. The county can prohibit feedlots within floodplains.^{xviii} The county should also vigorously educate and inform its citizens about feedlot regulations and best practices. This could include training farmers or providing incentives for adopting feedlot operation and manure application best management practices, disseminating informational resources, and collaborating with partners (i.e. EOR, Iowa State University, etc) to engage and inform citizens and farmers. Story County should also frequently consult with state legislators and environmental protection groups to advocate for increased

local authority or stronger state environmental standards for feedlots. Finally, Story County should optimize its influence on feedlots through existing regulatory processes. For instance, the County should ensure citizens are aware of existing laws and apply them appropriately on their own properly. There are several opportunities for the County to impact feedlots through DNR-led processes, including rigorous use of the Master Matrix, and providing public comment periods for all feedlot applications. Finally, the County should consider allocating human and financial resources to ensuring that all feedlots within the County's borders follow state laws and regulations.

Recommendations

- Consider adopting strict regulations (prohibition?) of confinements in the floodplain.
- Continue to delegate staff resources to monitoring feedlots and manure applications.
- Continue to report any known/suspected violations to the IDNR
- Inventory all protected resources, develop/use GIS tools ([IDNR's AFO Siting Atlas](#)) that clearly define resources and required buffers:
 - Designated areas: 200'
 - High-quality water resources: 800'
 - Residence (not owned by farmer), church, school, public areas: 750'
- Collect, review, comment on, and assist in enforcement of all Manure Management Plans
- Provide incentives for adopting more rigorous practices
- Widely publicize all MMPs/construction permit applications; hold public hearing for all permits applications and provide comments about relevant concerns to DNR
- Conduct public education and outreach to inform citizens of AFO rules and regulations; encourage a citizen led enforcement program (citizens monitor, report violations)
- Rigorously apply the Master Matrix to all permit applications
- Lobby DNR to strengthen MM standards.
- Develop public-private partnership with farmers, stakeholders in livestock value chain to voluntarily adopt/implement stronger standards/practices.
- Lobby legislators/governor (via ISAC, other interest groups) to
 - repeal § 331.304(A);
 - enact new environmental standards for feedlots;

- enact new laws granting counties more authority in permitting/regulating feedlots

John Haldemen (City Administrator)
515 N Main St
Huxley, IA 50124
8-20-19

Lauris Olson, Linda Murken, Lisa Heddens
County Supervisors
900 6th St
Nevada, IA 50201

Dear Lauris Olson, Linda Murken, Lisa Heddens
County Supervisors:

- built in 2005,
- appeal.
- no structural problems?

I would like to formally request for the county supervisors to make an exception to the facade improvement grant eligibility requirements. *Eligible properties are located in communities within Story County with a population less than 2,000 persons, according to the 2010 US Census.* However, the City of Huxley would be inclined to participate if the supervisors would allow the grant to be awarded in our town of 3,317 persons, according to the 2010 US Census.

Whitaker Properties, LLC has requested the City of Huxley and Story County to assist in a Façade Improvement Grant Program. Whitaker Marketing Group, LLC will be using the building located at 101 US Hwy 69 in Huxley, Iowa to provide auction and real estate services to the City of Huxley as well as the entire county.

If the county would make the exception to allow the City of Huxley and Whitaker Properties, LLC to participate in this grant program, it would still need to be voted on before the city council for the matching 20% to be approved. The council advisement has asked to table this request until the county has approved the eligibility of the program in our community for this request.

The City of Huxley, Whitaker Properties, LLC., & Dustin Ingram (Director, Community & Economic Development Outreach), have met and feel this would be a good fit for the Story County Façade Improvement Grant Program.

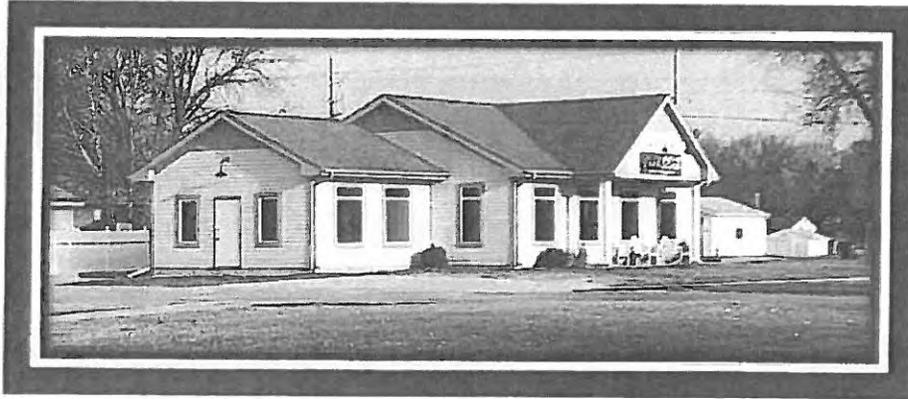
Please see attached façade proposal by Mr. Whitaker.

Sincerely, John Haldemen (City Administrator)





Whitaker Marketing Group
AUCTIONS & REALESTATE



FAÇADE IMPROVEMENT PROPOSAL

Presented by:
Whitaker Marketing Group

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IV. GOALS/OBJECTIVES..... 5

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X. ENDORSEMENTS..... 8

XI. NEXT STEPS..... 8

Summary

Whitaker Properties.llc is asking the City of Huxley and Story County to assist in a Façade Improvement grant program. Whitaker Marketing Group.llc will be using the building located at 101 US Hwy 69 in Huxley, Iowa to provide Auction and Real Estate services to the City of Huxley as well as the entire county.

- Whitaker Marketing Group is a real estate firm and auction company, that will be looking to add additional staff and grow their business.
- By summiting this proposal, it is our hope to have the city of Huxley and Story County assist us in updating the façade of exterior of our building. Giving our building a fresh look that will be aesthetically appealing to the community of Huxley and Story County.
- We are asking Story county to assist at 20% level (\$4,736.65)
We are asking the city of Huxley to assist at 20% level (\$4,736.65)
- Our Façade Improvement will cost an estimated total of \$23,683.26
- Benefiting the community with job creation and services provided
- Increasing the taxable value benefiting both the city and the county.

Introduction

Whitaker Marketing Group is a full-service auction and real estate firm serving all of Iowa since 2008. Our primary focus is Agriculture real estate, but we also sell equipment, cattle, and personal property. Whitaker Marketing Group also regularly works with non-profit organizations to raise money for fundraising.

Whitaker Marketing Group is headed by David and Ann Whitaker, a husband and wife team, working for the common goal of doing the best job for their clients.

With agriculture in our blood, we are experts in our prospective fields.

Whitaker Marketing Group also has team members, throughout the state of Iowa, that are extremely friendly, honest, knowledgeable, hardworking, and talented!

Our job is to work with buyers and seller; to connect them and have a successful exchange of property.

Mission Statement:

" Our commitment is to be your trusted advisor. Our obligation is to market your assets to the largest audience, yielding the most successful outcome."



Needs

- We recently purchased the building and we will be remodeling it into office space for our Real Estate firm
- It is our intent to give the building a "higher end" Classier Look by adding new elements.
- It is our intent to provide a place for the farmer coffee group in the morning hours.
- We will spend over \$50,000 dollars to update the building.
- We are asking the county to assist at 20% level (\$4,736.65)
- We are asking the city of Huxley to assist at 20% level (\$4,736.65)

Goals/Objectives

- Build pillars and add stonework to the building to give it a upscale look.
- Install Garage door to engage the community (Coffee Group in the conference room each day)
- Install New rear door to keep Salon 101 in business

Procedures/Scope of Work

- PB Construction will remove siding and prep for stonework.
- PB Construction will build pillars for stonework.
- PB Construction will remove 2 windows and frame an opening for new Garage door.
- The Door Store will install a new exterior garage door.
- Centurion Stone will add stone Wayne's coat to the building and pillars.
- PB Construction will flash remaining siding.
- PB Construction will Add a commercial door the south side of building.
- PB Construction will install new signs to the building provided by Sign Pro Ames.





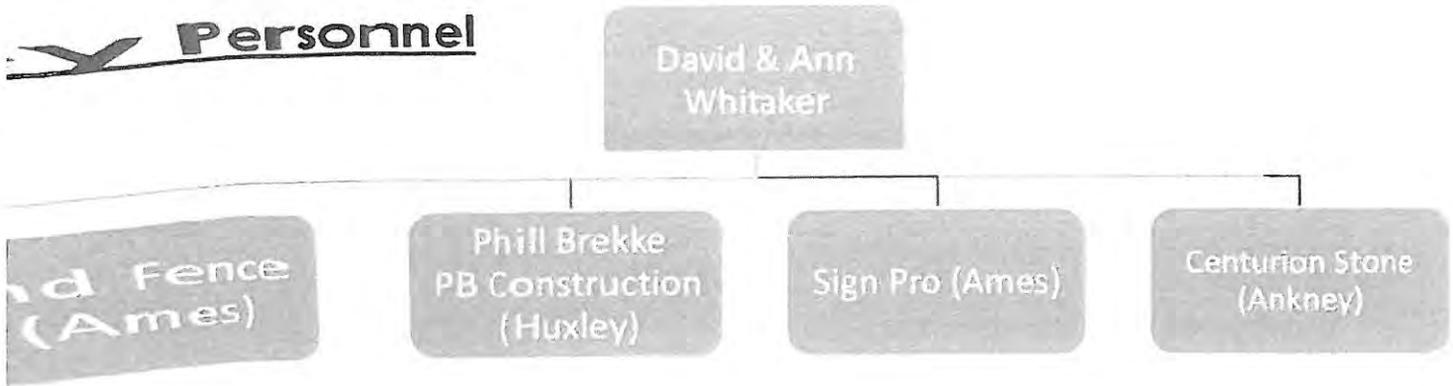
Timetable

	Description of Work	Start and End Dates
Phase One	Exterior Renovations	May – June 2019
Phase Two	New Salon 101 Space	Aug – Sept 2019
Phase Three	New office Space	Oct – Nov 2019

Budget

	Description of Work	Anticipated Costs
Phase One	Add Stone façade, Pillars, signs, and Doors	\$23,683
Phase Two	Remodel back rooms to new salon	\$8,500
Phase Three	Remodel interior from salon to office	\$28,000
	Total	\$ 60,183

Personnel



Evaluation

We intend to have a fully staffed office by December 2019

Endorsements

Tanner Winterhof – Vision Bank

Erin Thompson – Salon 101

Dustin Ingram – Economic Development Outreach

Next Steps

- Approval by Huxley Economic Committee
Send to City Council
- Approval by City of Huxley City Council
Ask county for exception on population requirements.
- Approval by Story County Supervisors.

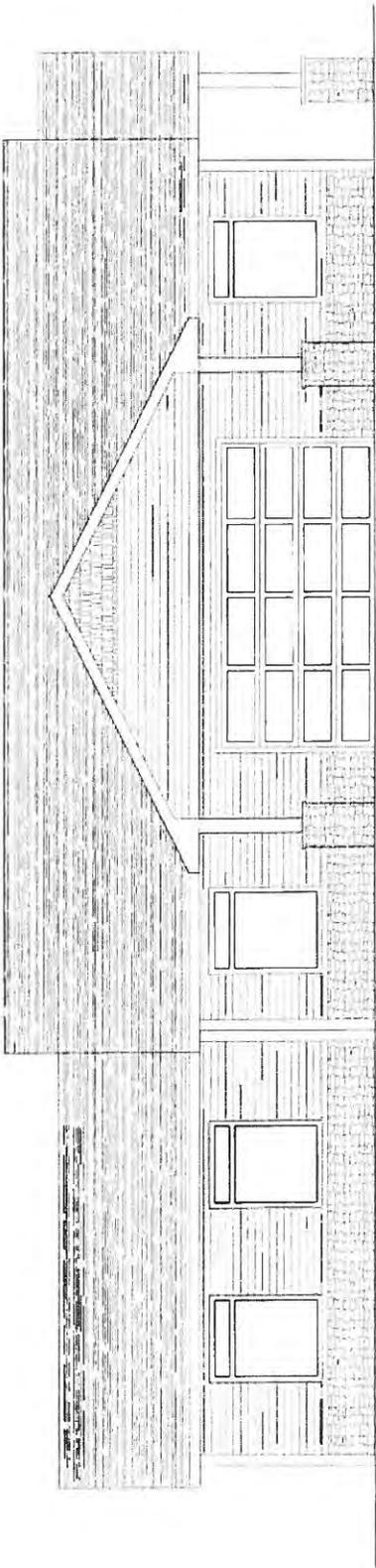


I, Ann Whitaker,

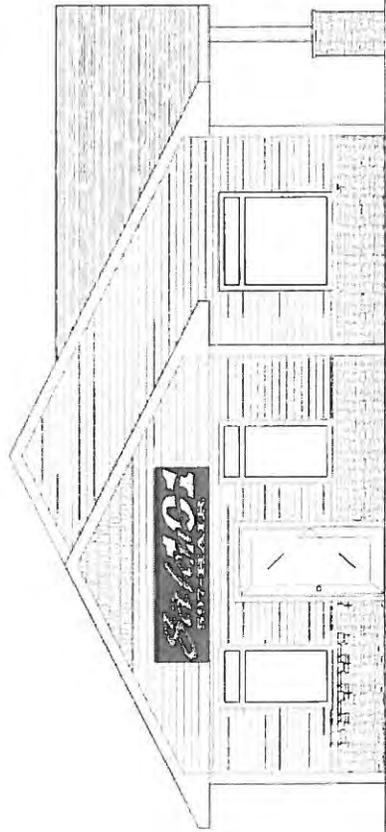
Managing member of Whitaker Properties.Ic do by give written consent to conduct improvements on the building located at 101 US Hwy 69 Huxley, IA 50124

Ann Whitaker

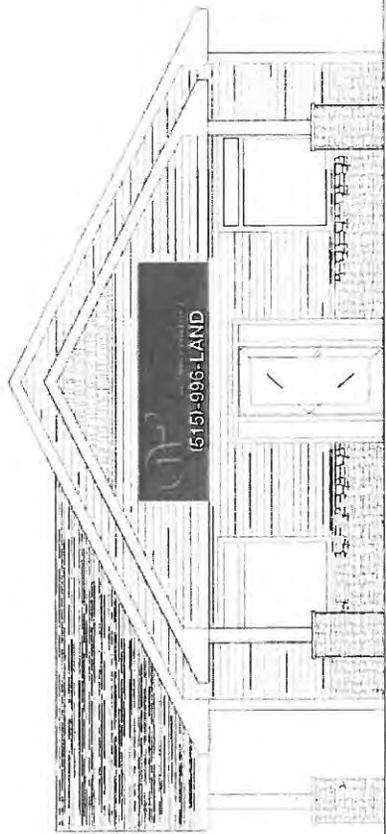
Date



EAST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

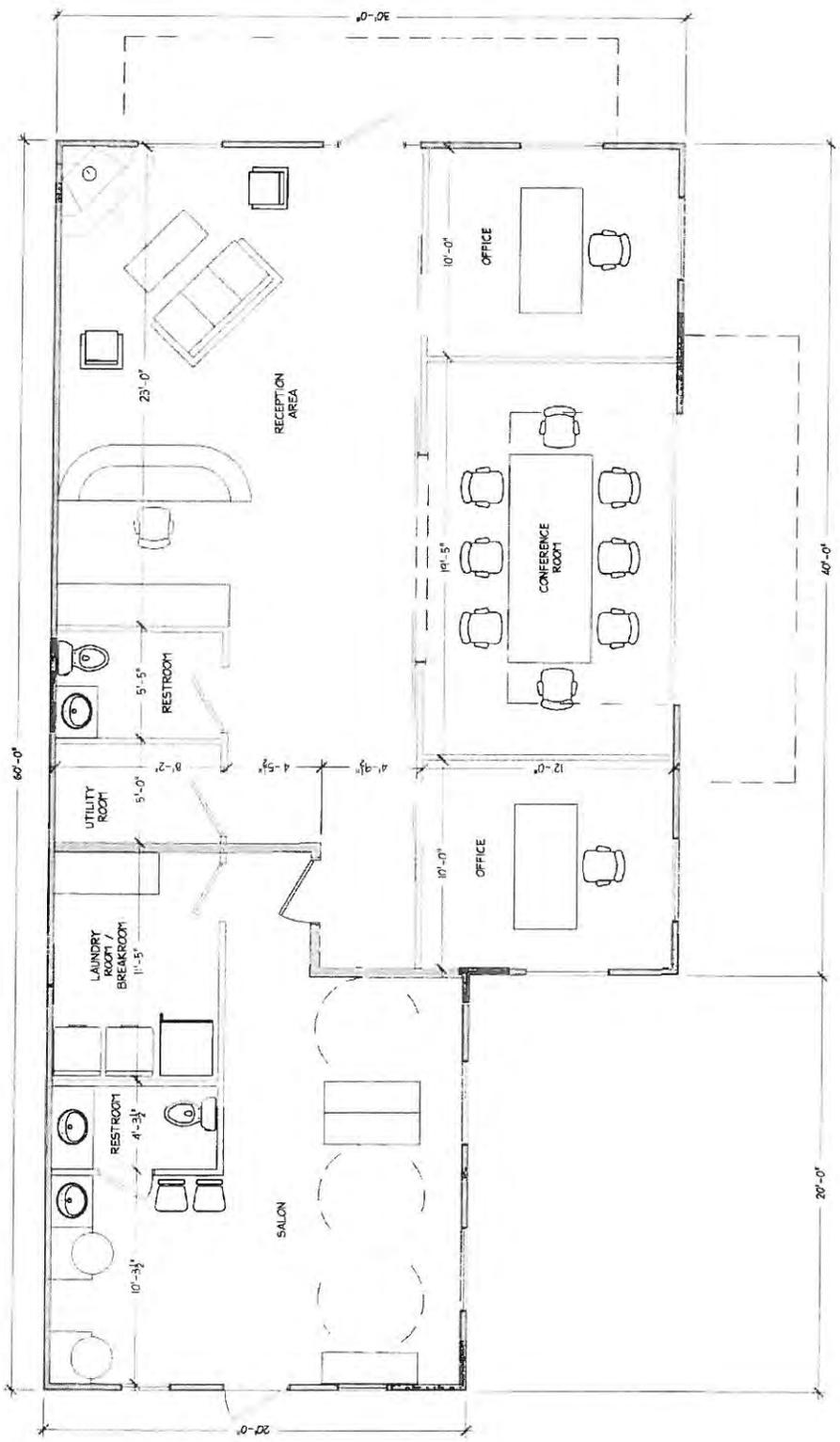
NOTES/REVISIONS

DATE: 3/27/2019
SCALE: 1/4" = 1'-0"
DRAWN: CHRIS
CHECKED: DAVID

ELEVATIONS
WHITTAKER MARKETING GROUP
101 US HWY 69, HUXLEY, IA

PROJECT #

PAGE
2
OF 2



Façade Improvent	Contractor	
Framing Posts	PB Construction	\$ 750.00
Framing in new garage door	PB Construction	\$ 3,500.00
Rear entry door replacemnt	PB Construction	1000
Siding removal	PB Construction	1600
Flashing siding	PB Construction	500
New Signs	Sign Pro Ames	690
Sign Install	PB Construction	200
New Garage door	Door Store	3957.4
Exterior Stone	Centurion Stone	10485.86
Archetecture and Drafting	Dieter Drafting	1000
Total		\$ 23,683.26
County 20% Grant		\$ 4,736.65
City 20% Match		\$ 4,736.65
Balance to Owner		\$ 14,209.96

Proudly Serving Central Iowa Since 1976

Door and Fence Store, Inc.
 2316 230th St. Suite #304
 Ames, Iowa 50014
 515-292-4292

Date	Estimate #
3/7/2019	150593

Proposal

Name / Address

David Whitaker

Ship To

Account # **whit267**

515-460-8585
 info@wmgauktion.com

Qty	Description	Cost	Total
1	14' 2" x 7' C.H.I. door model 3295 ~ Full - View aluminum door with 1/2" Insulated/Tinted glass, 2" clipmount Track, 15" Radius and stop with seal.	3,086.00	3,086.00T
1	Stiles, rails and hinges prefinished in C.H.I. black OPTION: RAL Powdercoated black = \$980.00 Optional: Installation of the above door add: \$528.00	612.50	612.50T
<i>If you would like to proceed please contact the Door Store.</i>			
Sales Tax (7.0%)			\$258.90

UNLESS OTHERWISE NOTED: The above price does not include any electrical wiring or running of station wire, opening preparation or modification, painting or staining, sheetrock work, removal/disposal of sliding doors, or wrapping of jambs.

Total \$3,957.40

Terms DUE UPON COMPLETION

You can pay by credit card. We accept VISA and MASTERCARD. There will be a 4% convenience fee for this service.
IF PAID WITHIN 3 DAYS, THIS FEE WILL BE WAIVED.



CENTURION STONE

5525 NE 22nd St., Suite A
Des Moines, IA 50313
515-727-5998

Estimate

Date	Estimate #
3/7/2019	14387

Name / Address
David & Ann Whitaker

Ship To
Huxley

P.O. No.	Rep
Ext & Int	PM

Qty	Description	Rate	Total
	Estimate is for exterior Centurion stone wainscot at 40" high and four columns at same height, interior fireplace Centurion stone mantle high, and two interior walls thin brick. Estimate includes stone, thin brick, setting materials, labor, and delivery *ESTIMATE REFLECTS NO STONE ON THE BACK AND FIGURED FOR GARAGE DOOR		
	Exterior stone and columns		
416	Centurion Stone Flats	14.45	6,011.20T
57	Centurion Stone Corners	16.75	954.75T
48	48" Limestone Sill	40.00	1,920.00T
4	Column Cap 24x24	95.00	380.00T
12	Install Mat - Weep Screed	7.15	85.80T
4	Install Mat - Casing Bead	7.15	28.60T
4	Install Mat - Caulking	7.15	28.60T
96	Ice and Water Shield	1.00	96.00T
1	Delivery	115.00	115.00T
	Fireplace		
25	Centurion Stone Flats	16.45	411.25T
4	Plain Heartstone	30.00	120.00T
	Two interior walls		
120	Meridian Charlevoix Flats	19.45	2,334.00T

Thank you for your interest in Centurion Stone	Subtotal	\$12,485.20
	Sales Tax (7.0%)	\$865.91
	Total	\$13,351.11



Estimate #27078

3/11/2019

Prepared For:

Whitaker Marketing Group
David Whitaker
26466 Sand Hill Trail
Ames, IA 50010

Phone: 515-460-8585 Fax:
Alt. Phone:
E-Mail: amescattle@gmail.com

Prepared By:

Jim Stewart
Sign Pro in Ames
619 S 4th St
Ames, IA 50010
USA

Phone: 515-232-4500 Fax: 515-232-9138
Alt. Phone: 515-232-SIGN
E-Mail: jim@signproames.com

Description:

Black Alupanel signs

Quantity	Description	Each	Total	Taxable
2	96"w x 24"h Copper Metallic and White HP vinyl Applied to Black 3mm Alupanel Phone # - 5"h -COPY- Logo 515-996-LAND (5263)	345.00	\$690.00	✓

Terms:

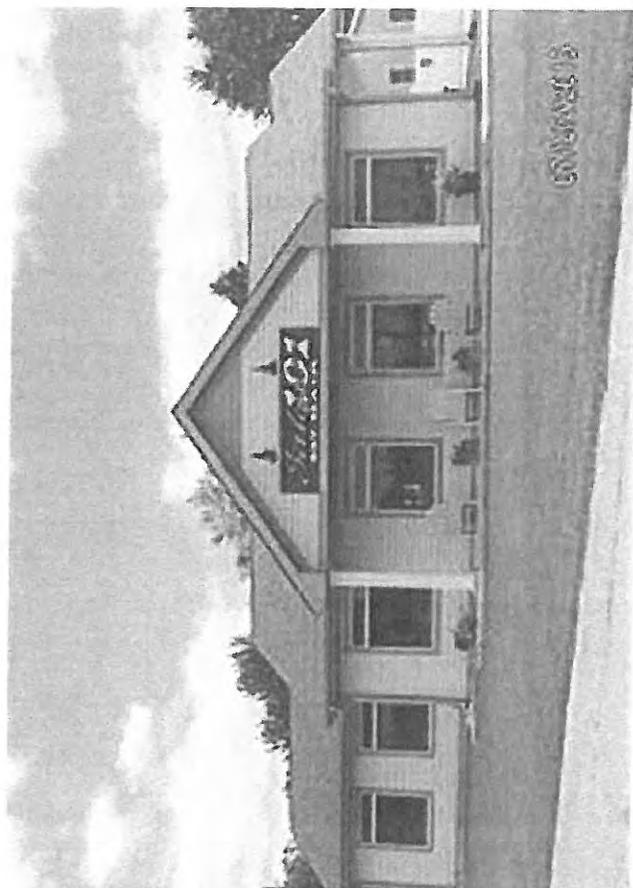
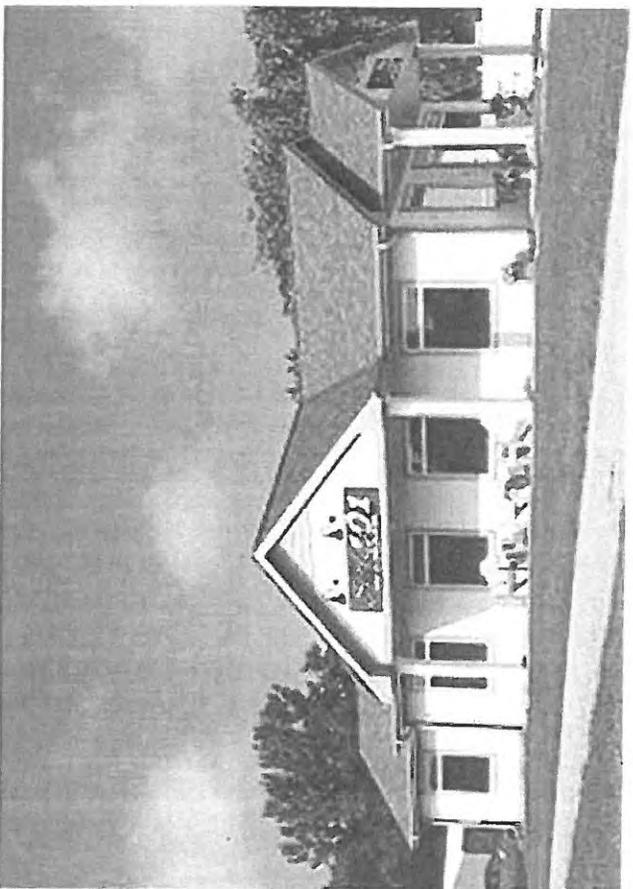
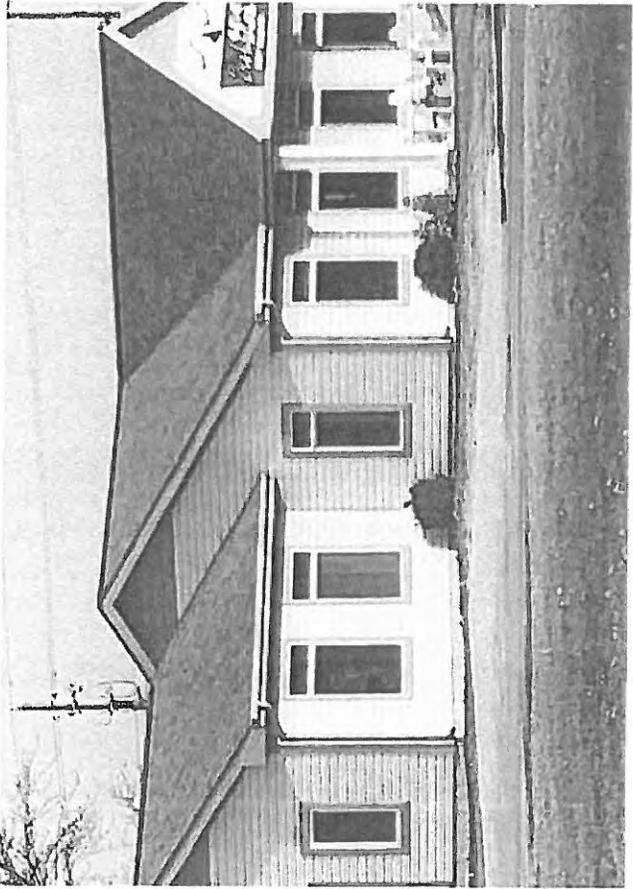
This estimate good for 30 days.

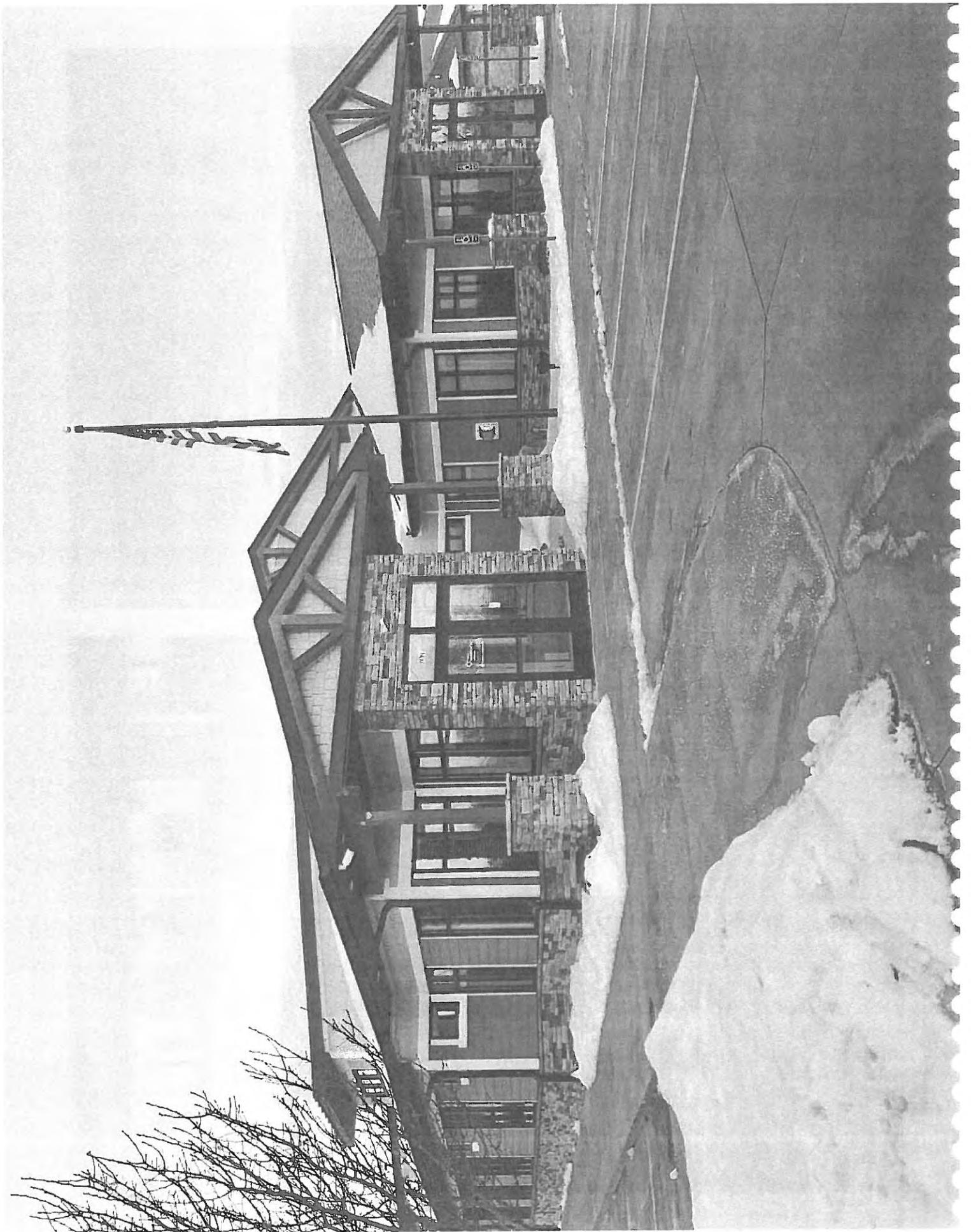
By my signature, I authorize work to begin and agree to pay the above amount in full according to the terms on this agreement.

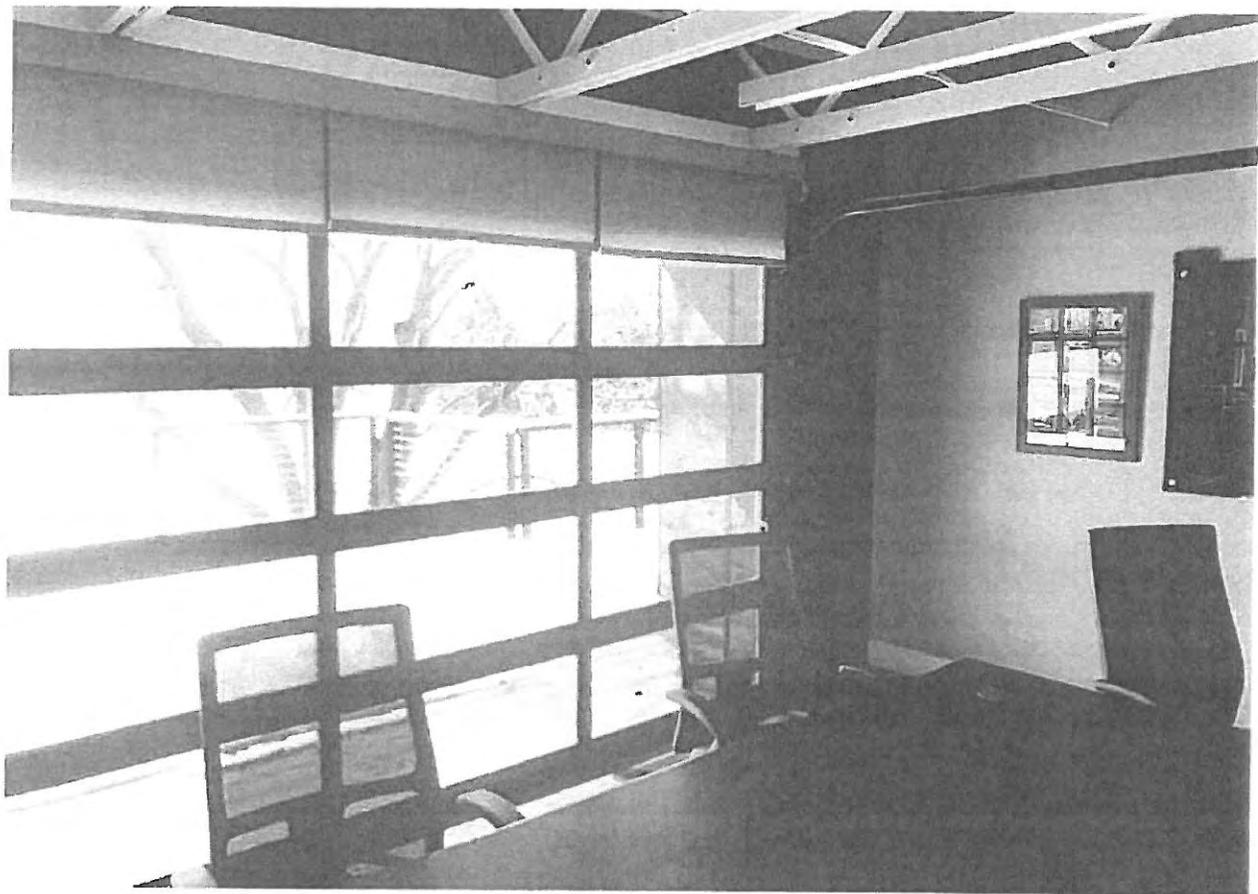
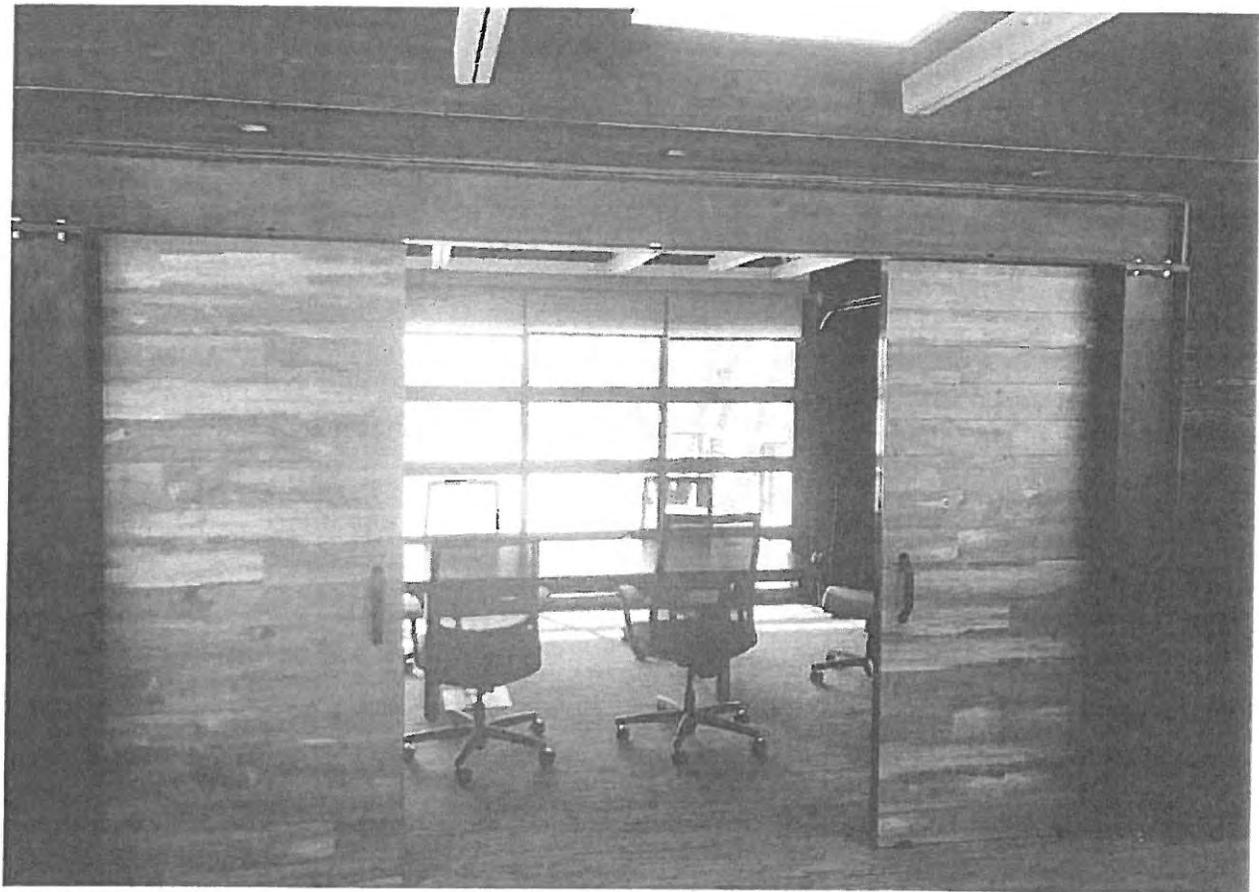
Signed by

Date

Amt. Paid Today









FAÇADE GRANT PROGRAM

A Public-Private Partnership Program sponsored by Story County to revitalize small town commercial business areas

PROGRAM GUIDELINES



PURPOSE

- ∞ Provides financial assistance to the city governments, working in collaboration with private commercial businesses within their city limits, for façade improvements.
- ∞ Supports the revitalization of business districts in small towns by stimulating private investments that enhance the appearance of buildings and properties.

PROGRAM GUIDELINES



ELIGIBILITY

- ❑ The City is the applicant, working with eligible properties in their City.
- ❑ Eligible properties located in a community in the County with a population of < 2000 persons
- ❑ One-time reimbursement grant up to 20% or not more than \$10,000 towards the total project costs of façade improvements.
- ❑ City provides matching funds equal to or greater than the maximum provided by the County.

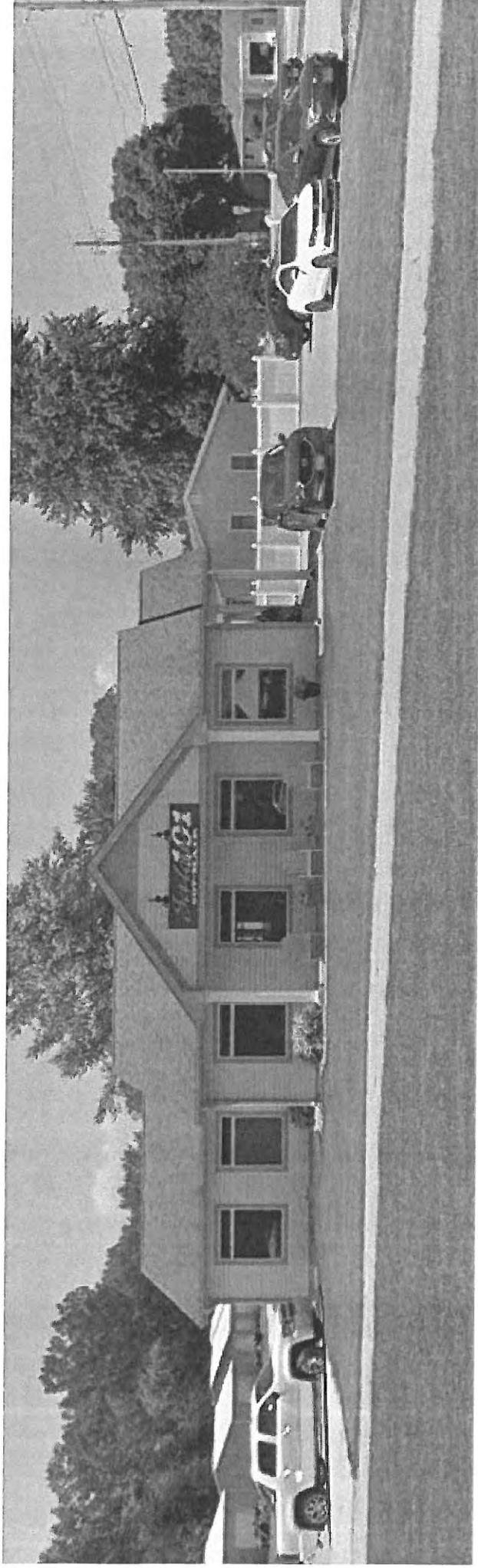
PROGRAM GUIDELINES

ELIGIBLE IMPROVEMENTS

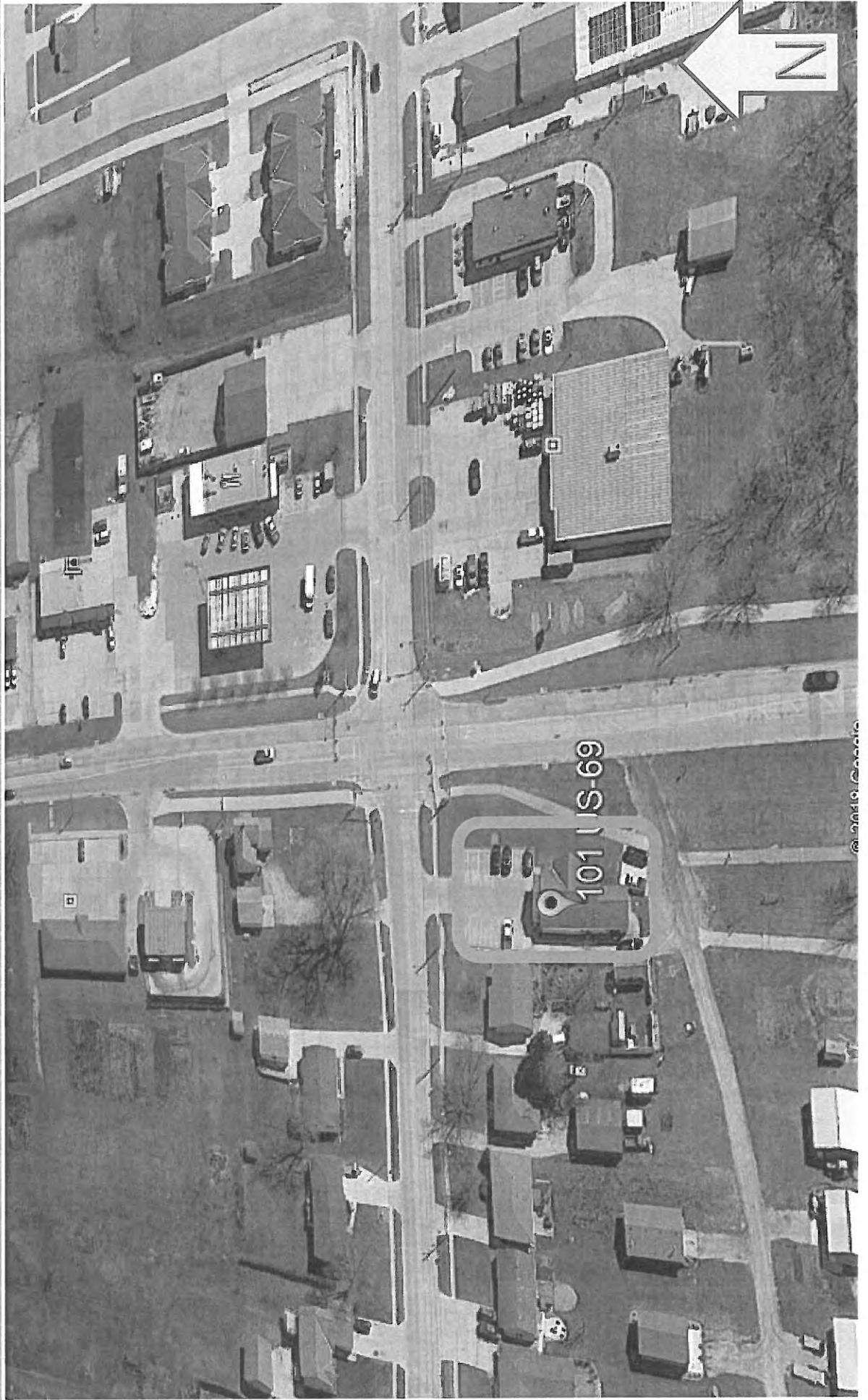
- Projects oriented towards the exterior improvements of existing structures; the portion visible from the road right-of-way upon which the structure fronts.
- All work must result in a publicly visible improvement.
 - Exterior buildings improvements, either cosmetic and/or structural
 - Signage* (not including billboards)
 - Lighting*
 - Landscaping*

*These improvements shall apply if it has been determined that the structural and cosmetic conditions of the façade are at an acceptable level.

- Property Address: 101 S US Highway 69, Huxley
- Owners: Whitaker Properties, LLC



Location of Request



© 2010 Google

PROJECTS AWARDED

∞ Fiscal Year 2020

- City of Zearing - \$5,530

∞ Fiscal Year 2019

- City of Zearing - \$3,132
- City of Collins - \$5,102
- Caring of Cambridge - \$1,170

∞ Fiscal Year 2018

- City of Zearing - \$6,868
- City of Story City - \$1,700
(withdrew funding request)

∞ Fiscal Year 2017

- City of Cambridge - \$8,201.20
- City of Slater - \$4,400

∞ Fiscal Year 2016

- City of Roland - \$892
- City of Zearing - \$2,997.60

∞ Fiscal Year 2015

- City of Zearing - \$2,264.75

Total (by community)

Cambridge - \$9,371.20 (23%)
Collins - \$5,102 (12%)
Roland - \$892 (2%)
Slater - \$4,400 (11%)
Story City - ~~\$1,700~~
Zearing - \$21,256.65 (52%)

Totals \$41,021.85

Action Requested of Board of Supervisors

- 20 The City of Huxley requests the Board of Supervisors waive the eligibility population cap of 2,000 persons so that the community would be eligible for consideration through the grant program.
- 20 If the eligibility requirement is waived by the Board of Supervisors, and the request approved, the city would still need to submit the application form noting approval and formal matching amount from the City of Huxley.

STORY COUNTY CONSERVATION QUARTERLY REPORT

September 3, 2019

Michael D. Cox, Conservation Director

Tedesco Environmental Learning Corridor (TELC)

- Grand Opening was held on June 28. Approximately 400 people attended.
- Design for Phase 3 is underway – including easement negotiations with landowners. Two of six easements have been finalized. All other easements have been negotiated and are in the process of being approved.
- Cy-Biz Lab is completing an analysis of economic impact of TELC.

Heart of Iowa Nature Trail Paving

- Construction on Phase 1 is complete. Final seeding is being done this week and we anticipate opening the trail within the next week.
- Phase 2 is the segment between Huxley and Cambridge. We have been awarded a grant from CIRPTA (\$200,000) and have been recommended for award for a grant from the State Recreation Trails program (\$530,000). This project is estimated to cost \$1,077,000.
- The Heart of Iowa Nature Trail has been included in the Great American Rail Trail.

Praeri Rail Trail Extension

- This construction is underway and anticipated to conclude in 3 weeks.

Hickory Grove Beach House Construction

- Construction of the beach house is underway.

Hickory Grove Park Lake Renovation

- Work is underway. Project will be complete in the spring of 2020. The dam has been completed and the trail around the lake is nearly complete. Dredging of the east basin is underway.

Dakins Lake Cabin

- Design is nearly complete. We are planning to release bids in mid-September. Anticipate bid letting September 2019 with a completion deadline of May 30, 2020

Water Quality

- Water quality efforts continue in the Tedesco Environmental Learning Corridor watershed. Staff are working with representatives from the City of Ames and Prairie Rivers of Iowa to develop a countywide water quality monitoring plan.
- Assessment is underway at McFarland Pond. Analysis includes grab samples and automated samples from the inlet. Samples are tested for nitrogen, phosphorous, and turbidity.

Hannums Mill Lowhead Dam

- Development of mitigation options is underway. A public open house was held in August and consultants are analyzing input and developing options.

Events/Environmental Education

- Classroom programs are underway. We have held meetings with all middle school to elementary teachers in the county and scheduled the school year programs.
- A very successful summer camp season has concluded. We held 20 camps totaling more than 200 children.
- We are looking forward to our 7th annual Wild Women of the Woods to be held September 20-21 at McFarland Park. To date nearly 500 people have participated in this program.
- We coordinated a river clean up on the Skunk River. Partnering organizations included the Skunk River Paddlers, City of Ames, and the Outdoor Alliance of Story County.
- We are partnering with Story County Extension to offer a Master Conservationist program. This program was created by SCC in 1998 and has spread since statewide. It is now being offered across the state by ISU Extension offices.
- A special behind the scenes tour of Hickory Grove Park is being offered on September 5th at 6:30 pm.