

OFFICIAL NOTICE

The Des Moines County Board of Supervisors will hold a regular session on **Tuesday, November 29, 2022** at 9:00 A.M. in the public meeting room at the Des Moines County Courthouse.

8:30 AM -Work Session: Board of Supervisors: Review of Weekly Business

PUBLIC NOTICE – the meeting can be viewed by live stream at www.dmcountry.com/youtube. Anyone with questions during the meeting may email the Board of Supervisors at board@dmcountry.com OR call 319-753-8203, Ext 4

TENTATIVE AGENDA:

1. Pledge of Allegiance
2. Changes to Tentative Agenda
3. Meet with Department Heads / Elected Officials
4. Correspondence
5. Discussion / Vote:
 - A. 3rd Public Hearing for Proposed Amendment to Airport Approach Regulations Ordinance #58
 - B. Accounts Payable Claims
 - C. Payroll Claims Reimbursement
 - D. Approval of Weed Commissioner's Report
 - E. Approval of Weed Commissioner Certification
 - F. Approval of Contracts – Bridgeport PCC LFM-P71PCC23—7X-29
 - G. Resolution #2022-074 and Final Plat of Rupe Farm II Subdivision
 - H. Abatement Request by the City of Burlington for Parcels 11-32-256-011; 16-04-152-008; 16-05-201-002
 - I. Approve Contract, Performance Bond, and Notice to Proceed for Jail Project
 - J. Personnel Actions:
 1. Treasurer (1)
 - K. Minutes for Regular Meeting on November 22nd, 2022
6. Other Business
7. Future Agenda Items
8. Committee Reports
9. Public Input
10. Adjournment

AIRPORT APPROACH REGULATIONS

DES MOINES COUNTY, IOWA

ORDINANCE NO. 58

First Adopted February 22, 2022

Amended November 15, 2022

1st Reading

APPROVED

TZ NOV 15 2022
BOARD OF SUPERVISORS

APPROVED

TZ NOV 22 2022
BOARD OF SUPERVISORS

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APPROVED
FOR THE
BOARD OF SUPERVISORS

58.01 Short Title

These regulations shall be known and may be cited as the Airport Approach Regulations.

58.02 Purpose and Intent

The Airport Approach Regulations is established pursuant to the Authority conferred by Chapter 329 of the *Code of Iowa*. It is hereby found that an airport approach obstruction has the potential for endangering the lives and property of users of the Southeast Iowa Regional Airport (BRL) and property or occupants of land in its vicinity. An obstruction may affect existing and future instrument approach minimums of the Airport and an obstruction may reduce the size of the areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the Airport and the public investment therein. Accordingly, this Ordinance is established in order to:

1. Prevent the establishment of hazards to air navigation and incompatible land uses in public airport approach areas and surrounding areas in the interest of public health, safety, and general welfare of the community.
2. Minimize potential dangers from, and conflicts with, the use of aircraft at the Southeast Iowa Regional Airport, and
3. Address Federal Aviation Regulation (FAR) Part 77 and all other applicable federal and state laws regulating hazards to air navigation.

It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration, or mitigation of hazards to air navigation, or marking and lighting of otherwise would-be hazards to airport navigation are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

58.03 Definitions

For the purpose of this chapter, unless otherwise expressly stated, the following terms shall have the meanings indicated in this section:

1. Administrative Agency - The incorporated city or unincorporated county underlying the Airport Zones as defined in this Ordinance.
2. Airport – The Southeast Iowa Regional Airport (BRL).
3. Airport Elevation – Refers to the ground surface elevation of the runways at the Southeast Iowa Regional Airport (BRL) – six hundred ninety-eight feet (698') above mean sea level.
4. Airport Hazard- Any structure or tree or use of land which would exceed the Federal obstruction standards as contained in 14 CFR FAR, Part 77, and which obstructs or is otherwise hazardous to the landing and take-off of any aircraft at the Airport, or hazardous to persons or property on the ground.
5. Approach Area – Any area on the ground extending the length of the runways and the two-mile area measured from the centerline of the runways in all directions.

6. Federal Aviation Administration (FAA) – An agency of the United States government that administers federal regulations that relate to the use and flight of aircraft, and related regulations.
7. Hazard to Air Navigation – An object which, as a result of an aeronautical study, the FAA determines will have a substantial adverse effect upon the safe and efficient use of navigable airspace by aircraft, operation of air navigation facilities, or existing or potential airport capacity.
8. Height – For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the Southeast Iowa Regional Airport Approach Zones Map, the datum shall be mean sea level elevation unless otherwise specified.
9. Horizontal Surface Plane – The invisible surface plane located one hundred fifty (150) feet above the airport elevation.
10. Landscaping – Any object of natural or artificial growth including, but not limited to trees, shrubs or similar objects.
11. Nonconforming Use – Any structure, landscaping or use that does not conform to the regulations prescribed in this chapter or an amendment thereto.
12. Non-Precision Instrument Runway – A runway having an existing instrument approach procedure providing course guidance without vertical path guidance utilizing VOR, NDB, LDA, GPS, or other authorized RNAV system, for which a straight-in non-precision instrument approach procedure has been approved or planned. This includes Runway 12 and Runway 30 at the time of this Ordinance's adoption.
13. Notice to the FAA of Proposed Construction or Alteration – 14 CFR Part 77, Objects Affecting Navigable Airspace, requires persons proposing any construction or alteration described in 14 CFR Section 77.13 (A) to give 45-day notice to the FAA of their intent. This includes:
 - a) any construction or alteration exceeding 200 ft. above ground level;
 - b) any construction or alterations within 20,000 ft of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft.;
 - c) any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards; and
 - d) when requested by the FAA, for reasons in addition to items 13(a-c) above;
14. Obstruction – Any structure or tree, the height of which exceeds that which is allowed by this ordinance.
15. Person – An individual, firm, partnership, corporation, stakeholder, company, association, joint stock association, government entity or similar representative; includes a trustee, a receiver, an assignee, or a similar representative of any of them.
16. Precision Instrument Runway – A runway that utilizes an instrument approach procedure providing course and vertical path guidance conforming to Instrument Landing System (ILS) or Microwave Landing System (MLS), precision system performance standards, utilizing ILS, LAAS, WAAS, MLS, and other precision systems. It also means a runway for which a

precision approach system is planned and is so indicated on an approved airport layout plan or any other planning documents. This includes Runway 36 at the time of this Ordinance's adoption.

17. Runway – A defined area of an airport with the land surface prepared for landing and takeoff of aircraft along its length.
18. Runway protection zone (RPZ) - An area off the runway end designed to enhance the protection of people and property on the ground.¹
19. Structure – An object, including a mobile object, constructed or installed by man, including but without limitation: buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines. Refers to anything constructed or erected, whether intended to be permanent or temporary, which requires location on the ground or attached to something having location on the ground, including signs and billboards.
20. Visual Runway – A runway without an existing or planned straight-in instrument approach procedure. This includes Runway 18 at the time of this Ordinance's adoption.

58.04 Airport Approach Zones Established

In order to carry out the provisions of this section, there are hereby created and established certain zones which are described herein and depicted on the Southeast Iowa Regional Airport Approach Zones Map, which is hereby made a part of this Ordinance. Any structure or tree located at or above more than one zone is considered to be only in the zone with the more restrictive height and use limitation. The various zones hereby established and defined are as follows:

1. **Approach Overlay Zone (AO)** – The airspace above a sloping plane extending outward from each end of each runway, rising uniformly at a fixed ratio, and of a fixed size, through which aircraft commonly operate when arriving at, and departing from, the Airport. AO zones vary in size and slope based on the present or future use that can be expected for each runway. The AO Zones at the Airport are as follows:
 - a. **Runway 36 (AO36)** – Beginning 200 feet (200') beyond the paved portion at the end of the runway and centered on the extended centerline of the runway, the inner edge of the zone is 1,000 feet (1,000') wide, expanding uniformly to an outer edge of 16,000 feet (16,000') wide. The altitude of the inner edge is the same as the altitude of the runway threshold at the centerline. For each 50 feet of horizontal distance from the floor of the zone rises from the inner edge one foot (50:1 slope) for a horizontal distance of 10,000 feet, and for an additional 40,000 horizontal feet, for each 40 feet of horizontal distance, rising at a rate of one foot (40:1).
 - b. **Runway 12 (AO12)** – Beginning 200 feet (200') beyond the paved portion at the end of the runway and centered on the extended centerline of the runway, the inner edge of the zone is 500 feet (500') wide, expanding uniformly to an outer edge of 3,500 feet wide (3,500'). The altitude of the inner edge is the same as the altitude of the runway threshold at the centerline. The floor of the zone rises from the inner edge one foot for each 34 feet of horizontal distance (34:1 slope) for a distance of 10,000 feet (10,000').

¹ Amended _____, 2022

- c. **Runway 30 (AO30)** – Beginning 200 feet (200') beyond the paved portion at the end of the runway and centered on the extended centerline of the runway, the inner edge of the zone is 500 feet (500') wide, expanding uniformly to an outer edge of 3,500 feet wide (3,500'). The altitude of the inner edge is the same as the altitude of the runway threshold at the centerline. The floor of the zone rises from the inner edge one foot for each 34 feet of horizontal distance (34:1 slope) for a distance of 10,000 feet (10,000').
 - d. **Runway 18 (AO18)** – Beginning 200 feet (200') beyond the paved portion at the end of the runway and centered on the extended centerline of the runway, the inner edge of the zone is 1,000 feet (1,000') wide, expanding uniformly to an outer edge of 1,500 feet (1,500') wide. The altitude of the inner edge is the same as the altitude of the runway threshold at the centerline. For each 20 feet of horizontal distance from the floor of the zone rises from the inner edge one foot (20:1) for a horizontal distance of 5,000 feet (5,000').
- 2. **Runway Protection Zone (RPZ)²** - An area of fixed size, underlying the innermost portion (closest to the runway end) of the Approach Overlay Zone for that runway, descending from the floor of the AO zone to the ground. The width and length of RPZ may vary, and may be different on each runway end. The RPZ for the airport are as follows:
 - a. **Runway 36 (RPZ36)** - Underlying the innermost two thousand five hundred feet (2,500') of the AO zone at the southern end of the runway, the width of the RPZ is one thousand feet (1,000') at the inner edge and expands uniformly to a width of one thousand seven hundred fifty feet (1,750').
 - b. **Runway 12 (RPZ12)** - Underlying the innermost one thousand feet (1,000') of the AO zone at the northwestern end of the runway, the width of the RPZ is five hundred feet (500') at the inner edge, expanding uniformly to a width of seven hundred feet (700').
 - c. **Runway 30 (RPZ30)** - Underlying the innermost one thousand feet (1,000') of the AO zone at the southeastern end of the runway, the width of the RPZ is five hundred feet (500') at the inner edge, expanding uniformly to a width of seven hundred feet (700').
 - d. **Runway 18 (RPZ18)** - Underlying the innermost one thousand seven hundred feet (1,700') of the AO zone at the northern end of the runway, the width of the RPZ is five hundred feet (500') at the inner edge and expands uniformly to a width of one thousand ten feet (1,010').
- 3. **Transitional Overlay Zone (TO)** – The airspace above a sloping plane rising from the sides of each runway and from the sides of each AO zone at the rate of 1 foot of elevation for each 7 feet horizontally (7:1 slope). The TO zones for the Airport are as follows:
 - a. **Runway 36 (TO36)** – Along each side of the runway, beginning at a point 500 feet from the center line of the runway and at right angles to the runway center line, and from each side of the AO36 zone at the south end of the runway, at right angles to the extended runway center line. The TO zone is interrupted at the point where it intersects the HO zone and resumes at the outer edge of the CO zone,

² Amended _____, 2022

continuing out for a distance of 5,000 feet horizontally from the edge of the AO36 zone.

- b. **Runway 12 (TO12)** – Along each side of the runway, beginning at a point 250 feet from the center line of the runway and at right angles to the runway center line, and from each side of the AO12 zone at right angles to the extended runway center line. The TO zone ends at the point where it intersects the HO zone.
 - c. **Runway 30 (TO30)** – Along each side of the runway, beginning at a point 250 feet from the center line of the runway and at right angles to the runway center line, and from each side of the AO30 zone at right angles to the extended runway center line. The TO zone ends at the point where it intersects the HO zone.
 - d. **Runway 18 (TO18)** – Along each side of the runway, beginning at a point 500 feet from the center line of the runway and at right angles to the runway center line, and from each side of the AO18 zone at right angles to the extended runway center line. The TO zone ends at the point where it intersects the HO zone.
4. **Horizontal Overlay Zone (HO)** – The airspace above the horizontal surface plane, the perimeter of which is established by swinging arcs of 10,000 feet radii from the center of the inner edge of Airport Overlay zones AO36, AO12, AO30, and AO18, and connecting adjacent arcs by lines tangent to those arcs. The floor of the HO is 150 feet (150') above the airport elevation, or 698 feet (698') above mean sea level.
5. **Conical Overlay Zone (CO)** – The airspace above a sloped horizontal plane beginning at the periphery of the HO zone and rising 1 foot in height for each 20 feet horizontally (20:1) for a distance of 4,000 feet horizontally.

58.05 Airport Approach Zones Map

There is hereby adopted and enacted the Southeast Iowa Regional Airport Approach Zones Map signed by the Chairman of the Board of Supervisors and attested by the County Auditor, which map is on file in the office of the Des Moines County Auditor, and is hereby incorporated into and made a part of these regulations and that the boundaries of the various approach zones, based on the runway layout as of July 1, 2021, are herewith enacted and established as shown on said map subject to the provisions hereafter set out relating to subsequent boundary changes and amendments. The map is designed and intended as a method and means of setting forth the boundaries of the various airport approach zones as the same are now shown on said map. All modifications, references, markings and other information shown thereon are hereby enacted and established as a part of the official district map for the Southeast Iowa Regional Airport and are made a part of these regulations.

58.06 General Zone Regulations

Except as otherwise provided herein, no person shall construct or alter any structure at or above the lowest extent of any Approach Overlay Zone, Transitional Overlay Zone, Horizontal Overlay Zone, or Conical Overlay Zone created herein without first having submitted a FAA Form 7460-1 (Notice of Proposed Construction or Alteration) or later editions of this form to the form to the FAA and obtained a permit from the Administrative Agency. No person shall be issued an Airport Approach permit from the Administrative Agency for any construction or alteration without a determination of finding from the FAA. Any conditions that the Federal Aviation Administration

attached to the approval recommendation shall be adopted and administered by the Administrative Agency. A permit will not be issued if the FAA finding, or determination determines that the proposed construction or alteration:

- a. Would create a hazard to air navigation
- b. Would establish a non-compatible use
- c. Would endanger the general safety, health, and welfare of persons in the vicinity of the Airport or occupants of aircraft in flight
- d. Would result in raising the minimum instrument flight altitude of any Federal Airway, approved off-airway route, or instrument approach procedure to the Airport.

Notwithstanding any other provision of this Ordinance, no person shall, in any zone created by this Ordinance, or upon any land or water underlying such zones:

- a. Establish any putrescible waste landfill, or open-air composting facility one (1) acre in size or larger.
- b. Create alter or maintain any structure or use that would create a bird strike hazard.
- c. Create, alter, or maintain any structure or use in such a manner as to create electrical or radio interference with aviation navigational signals or aircraft communications.
- d. Install, align, or use any lighting devices that make it difficult for pilots to distinguish between airport lights and others, create glare in the eyes of pilots, or otherwise impair visibility.
- e. Create, alter, or maintain any structure or use that would endanger or interfere with landing, takeoff, or maneuvering of aircraft.
- f. Plant, or allow the growth of, any tree, which, during the normal lifecycle of such tree, can be expected to grow into any zone created herein.
- g. Establish or maintain any private roadway in any location that would result in the penetration of any zone created herein.

58.07 Runway Protection Zone Use Limitations³

Runway Protection Zones are intended to provide a clear area that is free of above ground obstructions and structures. Compatible land uses within the RPZ ~~are~~ shall be restricted to such land uses as agricultural and limited transportation facilities (public roads, parking, railroads). Land uses such as recreational amenities (golf courses, sports fields), fuel and hazard storage facilities (above and below ground), wastewater treatment facilities, above ground utility infrastructure, and similar uses that do not involve congregations of people or construction of buildings or other improvements that may be obstructions shall require consultation with the Southeast Iowa Regional Airport and the FAA's National Airport Planning and Environmental Division (APP-400). In accordance with Section 58.09 of this Ordinance, ~~n~~No person shall establish any noncompatible use in any RPZ including buildings and structures (including but not limited to residences, churches, schools, hospitals, office buildings, shopping centers, and other uses with similar concentrations of persons characterizing places of public assembly). If the Airport and/or FAA deems the proposed land use is a hazard to air navigation, no permit for it shall be considered.

³ Amended _____, 2022

58.08 Lighting and Markings

Notwithstanding any other provision of this Ordinance, any person constructing or altering any structure located in any zone created by this Ordinance shall install all lighting or markings upon said structure as shall be recommended by the FAA as a part of its review of the applicant's Notice of Proposed Construction or Alteration. Such lighting or markings shall be made in a manner consistent with FAA Regulations and Advisories.

Any permit or variance granted under the provisions of the Ordinance may be so conditioned as to require the owner of the land, structure, or tree in question to install, operate and maintain, at the owner's expense, such markings and lights as the Airport or County deems necessary to indicate to operators of aircraft the presence of any obstruction.

Any permit or variance granted under the provisions of the Ordinance may be so conditioned so as to require the owner of the land, structure, or tree in question to permit the Airport, City, or County, at its own expense, to install, operate, and maintain such lighting and/or markings as the Airport, City, or County deems necessary to indicate to operators of aircraft the presence of an obstruction.

58.09 Existing and Future Uses

1. **Existing Uses** – No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater airport hazard than it was on the effective date of this Ordinance or any amendment thereto or than it is when the application for a permit is made.
2. **Future Uses** – Except as specifically provided hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established whether it is intended to be permanent or temporary, and no tree shall be planted in any zone hereby created unless a permit or variance therefore shall have been applied for and granted. Each application for a permit or variance shall indicate the purpose for which the permit or variance is desired, with sufficient particularity to permit or variance to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit or variance shall be granted. No permit or variance for a use inconsistent with the provisions of this Ordinance shall be granted.

58.10 Nonconforming Uses and Structures

The regulations prescribed shall not be construed to require the removal or alteration of any structure or landscaping not conforming to the regulations as of the effective date of this Ordinance or otherwise to interfere with the continuance of any nonconforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure, in which the construction or alteration has begun prior to the effective date of this chapter.

1. **Marking and Lighting.** Notwithstanding the preceding provision of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary through an FAA Airspace Analysis to indicate to the operators of aircraft in the vicinity of the airport the presence of such potential airport hazard.
2. **Alteration or Change of Nonconforming Use.** No permit shall be granted that would allow a nonconforming use or structure to become a greater airport hazard than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made.
3. **Nonconforming Uses Abandoned or Damaged.** Whenever the Administrative Agency or its designee determines that a nonconforming structure is abandoned for one (1) year or damaged, by any means, to the extent of more than sixty (60) percent of the replacement cost, no permit shall be granted that would allow the nonconforming use or structure to become a greater airport hazard than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made.

58.11 Variances

Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this Ordinance, may apply for a variance from such regulations. The application for variance shall be accompanied by a determination from the FAA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Ordinance. Additionally, no application for variance to the requirements of this Ordinance may be considered by the Airport Zoning Board of Adjustment unless a copy of the application has been furnished to the Southeast Iowa Regional Airport Authority for advice as to the aeronautical effects of the variance. If the Southeast Iowa Regional Airport Authority does not respond to the application within ninety (90) days after receipt, the Airport Zoning Board of Adjustment may act on its own to grant or deny said application.

In addition, all applications for height variance within the airport zones shall be accompanied by Federal Aviation Administration Form 7460-1 (Notice of Proposed Construction or Alteration), or later equivalent editions of this form, which has been completed by the applicant and processed by the FAA regional office or otherwise appropriate FAA office.

Any permit or variance granted may, if such action is deemed advisable to advance the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Southeast Iowa Regional Airport Authority, this condition may be modified to require the owner to permit the Southeast Iowa Regional Airport Authority at its own expense, to install, operate, and maintain the necessary markings and lights.

58.12 Administrative Procedures

It shall be the duty of the Administrative Agency or its designee to administer and enforce the regulations prescribed therein. Applications for permits and variances shall be made to the Administrative Agency or its designee upon a furnished form. Applications required by this Ordinance to be submitted to the Administrative Agency shall be promptly considered and granted or denied. Application for action by the Airport Zoning Commission and Airport Board of Adjustment shall be forthwith transmitted by the Administrative Agency as necessary.

The fee for a permit application shall be established by resolution of the Board of Supervisors. Such fee shall be paid to the Administrative Agency prior to any action being taken to review or approve a permit, and under no conditions shall said fee be refunded for failure of said permit to be approved.

58.13 Airport Zoning Commission

Pursuant to the provisions of Section 329.9 of the Iowa Code, there shall be a Southeast Iowa Regional Airport Zoning Commission, consisting of 7 members, two of whom shall be appointed by the City of Burlington, two of whom shall be appointed by the City of West Burlington, two of whom shall be appointed by the Board of Supervisors of Des Moines County, and one additional member whom shall be selected by a majority vote of the City and County appointed members, and who shall serve as Chairperson of the commission. The terms of such members shall be as provided by Section 329.9 of the Iowa Code. The purpose of the Airport Zoning Commission is to recommend amendments to the current Airport Zoning Regulations, including the repeal thereof.

58.14 Airport Board of Adjustment

Pursuant to the provisions of Section 329.12 of the Iowa Code, there shall be a Southeast Iowa Regional Airport Zoning Board of Adjustment, consisting of 7 members, two of who shall be appointed by the City of Burlington, two of whom shall be appointed by the City of West Burlington, two of whom shall be appointed by the Board of Supervisors of Des Moines County, and one additional member whom shall be selected by a majority vote of the City and County appointed members, and who shall serve as Chairperson of the said commission. The terms of such members shall be as provided by Section 329.9 of the Iowa Code. The Airport Zoning Board of Adjustment shall have the duties and powers established by the Iowa Code. The purpose of the Airport Zoning Board of Adjustment is to hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative office in the enforcement of the regulations within, and to hear and decide requests for variance from the terms of the regulations (See Section 170.30.610).

58.15 Prohibited Acts

Except as herein provided, it shall be unlawful for any person to construct or alter any structure, use any land, or grow any tree in violation of the provisions of this Ordinance.

58.16 Conflicting Regulations

In the event of any conflict between regulations contained in this Ordinance and any other regulations applicable to the same area, whether the conflict be with respect to height of

structures or trees, use of structures or land, or any other matter, the more stringent limitation or requirement shall prevail.

58.17 Equitable Remedies

The municipality, as defined in Section 329.1 of the Iowa Code, owning or controlling the Airport may, pursuant to Section 329.5 of the Iowa Code, maintain an action in equity to restrain and abate as a nuisance the creation, establishment or maintenance of an airport hazard, in violation of any provision established by this Ordinance, on any property, whether within or without the territorial limits of said municipality.

58.18 Severability

If any section, provision, or part of this Ordinance shall be adjudged to be invalid, such adjudication shall not affect the validity of this Ordinance as a whole, nor any section, provision or part thereof not adjudged invalid.

58.19 Enforcement and Penalties

It shall be the duty of the Land Use Administrator, with the aid of the County Attorney and County Sheriff as necessary, to enforce the provisions of this Ordinance. When it has been determined that a violation has occurred, the Land Use Administrator shall notify the owner of the property in writing, indicating the nature of and consequences for the violation.

1. Any individual charged with a violation of this Ordinance shall have the opportunity to submit evidence that would prove that the initial determination of the Administrator was in error. If contested by the Administrator, an Appeal may be filed with the Airport Board of Adjustment. See Section 58.13.
2. If the activity involved in the violation continues unabated after notification has been provided to the property owner, the Administrator shall direct the proper authorities to issue a Stop Work Order to prevent the continuance of any use or construction activity deemed to be in violation of this Ordinance.

Any violation of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a county infraction, as defined by Chapter 331.307 of the *Iowa Code*. Each day that the violation persists shall constitute a separate repeat offense.

1. In accordance with Chapter 331.307 of the *Iowa Code*, any person or firm that violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than seven hundred fifty (750) dollars for the first offense, and not more than one thousand (1,000) dollars for each repeat offense or be imprisoned for not more than thirty (30) days for each offense.
2. Nothing herein contained shall prevent Des Moines County from taking such other lawful action as is necessary to prevent or remedy any violation.

**DES MOINES COUNTY
BOARD OF SUPERVISORS
RESOLUTION #2022-073**

WHEREAS the Des Moines County Board of Supervisors adopted Airport Approach Regulations (Ordinance No. 58) on February 22, 2022, for the purposes of 1) preventing the establishment of hazards to air navigation and incompatible land uses in the airport approach areas, 2) minimizing potential dangers from, and conflicts with, the use of aircraft, and 3) addressing Federal Aviation Regulation (FAR) Part 77 and all other applicable federal and state laws regulating hazards to air navigation, and

WHEREAS the Southeast Iowa Airport Authority subsequently requested that additional regulations be added to address Runway Protection Zones (RPZs), which are the most sensitive to development due to their position just beyond the ends of each runway, and

WHEREAS the Board concurs with the Airport Authority that such additional regulations are appropriate and necessary safeguards against land uses that are incompatible with airport operations, and

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby amends Ordinance No. 58, by adding the following passages where indicated:

Section 58.03: Definitions

Runway protection zone (RPZ) - An area off the runway end designed to enhance the protection of people and property on the ground.

Section 58.04: Airport Approach Zones Established

2. **Runway Protection Zone (RPZ)** - An area of fixed size, underlying the Innermost portion (closest to the runway end) of the Approach Overlay Zone for that runway, descending from the floor of the AO zone to the ground. The width and length of RPZ may vary and may be different on each runway end. The RPZ for the airport are as follows:
 - a. **Runway 36 (RPZ36)** - Underlying the innermost two thousand five hundred feet (2,500') of the AO zone at the southern end of the runway, the width of the RPZ is one thousand feet (1,000') at the inner edge and expands uniformly to a width of one thousand seven hundred fifty feet (1,750').
 - b. **Runway 12 (RPZ12)** - Underlying the innermost one thousand feet (1,000') of the AO zone at the northwestern end of the runway, the width of the RPZ is five hundred feet (500') at the inner edge, expanding uniformly to a width of seven hundred feet (700').
 - c. **Runway 30 (RPZ30)** - Underlying the innermost one thousand feet (1,000') of the AO zone at the southeastern end of the runway, the width of the RPZ is five hundred feet (500') at the inner edge, expanding uniformly to a width of seven hundred feet (700').
 - d. **Runway 18 (RPZ18)** - Underlying the innermost one thousand seven hundred feet (1,700') of the AO zone at the northern end of the runway, the width of the RPZ is five hundred feet (500') at the inner edge and expands uniformly to a width of one thousand ten feet (1,010').

Section 58.07: Runway Protection Zone Use Limitations

Runway Protection Zones are intended to provide a clear area that is free of above ground obstructions and structures. Compatible land uses within the RPZ shall be restricted to such land uses as agricultural and limited transportation facilities (public

roads, parking, railroads). Land uses such as recreational amenities (golf courses, sports fields), fuel and hazard storage facilities (above and below ground), wastewater treatment facilities, above ground utility infrastructure, and similar uses that do not involve congregations of people or construction of buildings or other improvements that may be obstructions shall require consultation with the Southeast Iowa Regional Airport and the FAA's National Airport Planning and Environmental Division (APP-400). In accordance with Section 58.09 of this Ordinance, no person shall establish any noncompatible use in any RPZ including buildings and structures (including but not limited to residences, churches, schools, hospitals, office buildings, shopping centers, and other uses with similar concentrations of persons characterizing places of public assembly). If the Airport and/or FAA deems the proposed land use is a hazard to air navigation, no permit for it shall be considered.

AND FURTHER BE IT RESOLVED: That the Board of Supervisors hereby re-adopts the Southeast Iowa Regional Airport Approach Zones Map, as amended to include the Runway Protection Zones, including RPZ36, which is partly located in unincorporated Des Moines County.

Approved and adopted this 29th day of November 2022.

DES MOINES COUNTY BOARD OF SUPERVISORS

Jim Cary, Chair

Shane McCampbell, Vice Chair

Tom L. Broeker, Member

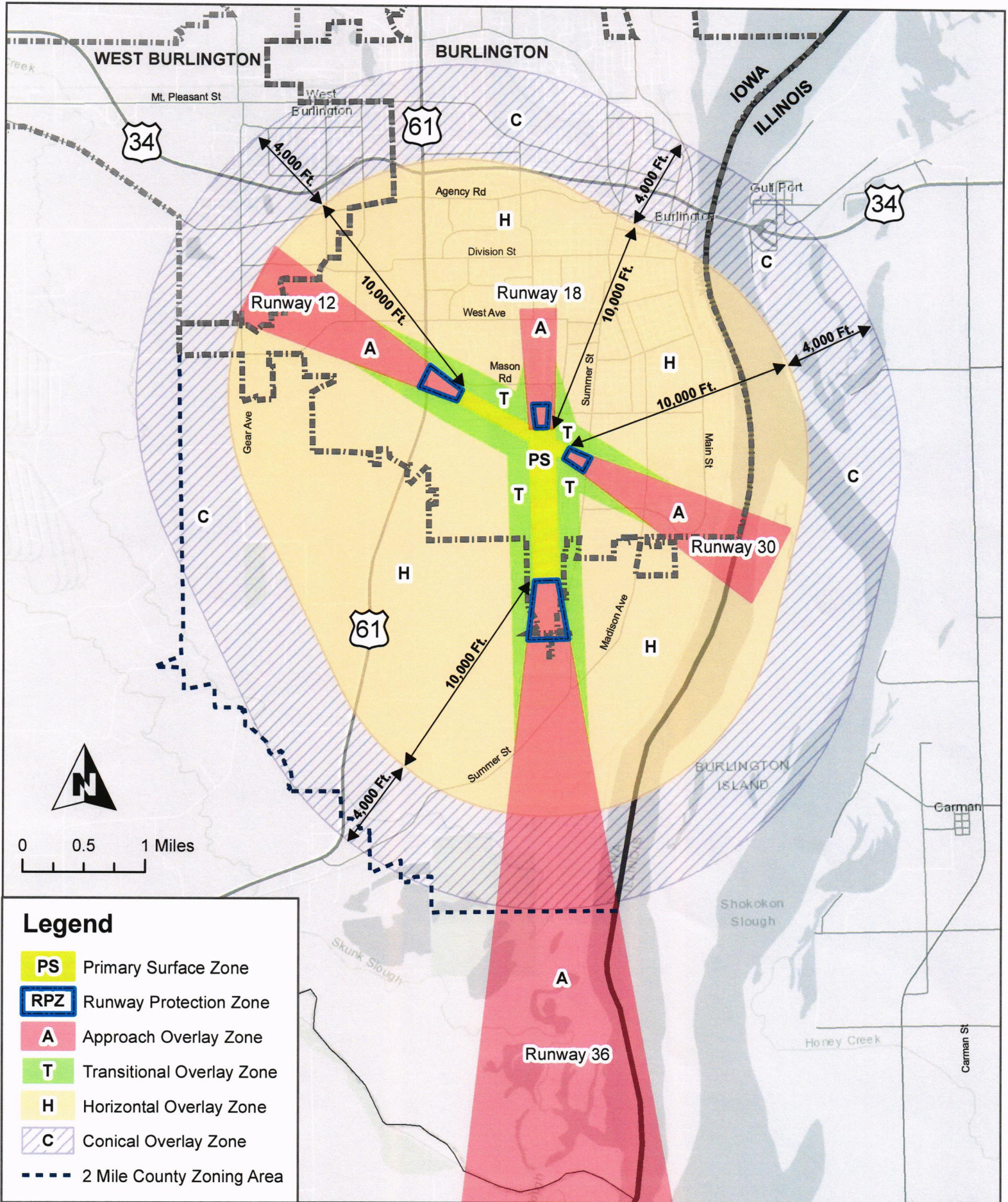
ATTEST:

Terri Johnson, County Auditor

Southeast Iowa Regional Airport Approach Zones Map

Adopted and Enacted by Des Moines County, Iowa, on: _____, 2022

Board of Supervisors, Chair: _____ County Auditor: _____



Accounts Payable Claims

Payroll Claims Reimbursements



2022 WEED COMMISSIONER'S REPORT

For the County of: Des Moines

Submit to County Board of Supervisors by: November 1, 2022
Return copy to the IDALS office by: December 1, 2022

Weed Commissioner's Contact Information:

Name <u>Jeff Chase</u>	Year Appointed <u>1996</u>
Address <u>13522 Washington Rd</u>	Telephone <u>319 753-8241</u>
City, Zip Code <u>West Burlington IA 52655</u>	Alternate Telephone <u>319 753-8154</u>
Email Address <u>jchase@dmc.roads.org</u>	Pesticide Certificate # <u>16388</u>

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

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

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

Primary Noxious Weeds	Answer	Secondary Noxious Weeds	Answer
Buckthorn		Buckhorn Plantain	
Bull Thistle	2	Cocklebur	
Canada Thistle	1	Curly Dock (Sour Dock)	
Field Bindweed		Multiflora Rose	
Hoary Cress (Perennial Pepper-grass)		Poison Hemlock	
Horse Nettle		Puncturevine	
Leafy Spurge		Red Sorrel (Sheep sorrel)	
Musk Thistle	2	Shattercane	
Palmer Amaranth		Smooth Dock	
Perennial Sow Thistle		Teasel	1
Quackgrass		Velvetleaf (Butterprint)	
Russian Knapweed		Wild Carrot	2
		Wild Mustard	
		Wild Sunflower	

<i>Invasive Prohibited Plants</i>	Answer		
Garlic Mustard	1		
Japanese Hop			
Japanese Knotweed			
Oriental Bittersweet			
Purple Loosestrife	2		

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

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

Yes ☒ No ☐

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

Yes ☐ No ☐

Did your county employ contract spraying during 2022?

Yes ☐ No ☒

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

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

Total contract cost \$ _____

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

\$ 30,000

How many times during 2022 was it necessary to serve a noxious weed notice?

Private (written) 0 Public (written) (DOT, DNR, CCB) 0

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

Private (verbal) 0 Public (verbal) (DOT, DNR, CCB) 0

Herbicide usage table:

CHEMICAL/BRAND	RATE USED	QUANTITY USED	TO CONTROL?
(Example) Milestone	4 fluid ounces per acre	3.32 gallons	Thistle and teasel on roadside
Escort	1.5oz/ae	1000 oz	Brush + weeds
24 D LV4	2qt/ae	700gal	Brush weeds

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

Signature _____
County Weed Commissioner

Date

Signature _____
Chairman, County Board of Supervisors

Date

Please return a copy to:

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



2023 COUNTY WEED COMMISSIONER CERTIFICATION FORM

For the County of: Des Moines

Weed Commissioner's Contact Information:

Name	Jeff Chase	Year Appointed	1996
Mailing Address	13522 Washington Rd	Telephone	319 753-8241
City, Zip Code	West Burlington IA 52655	Alternate Telephone	
Email Address	jchase@dmccroads.org	Pesticide Certificate #	16388

Signed: _____ Date: _____
Chair/President, County Board of Supervisors

PLEASE RETURN THIS FORM TO:

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
State Weed Commissioner
2230 South Ankeny Boulevard
Ankeny, IA 50023-9093

317.3 Weed commissioner -- standards for noxious weed control.

The board of supervisors of each county may annually appoint a county weed commissioner who may be a person otherwise employed by the county and who passes minimum standards established by the department of agriculture and land stewardship for noxious weed identification and the recognized methods for noxious weed control and elimination. The county weed commissioner's appointment shall be effective as of March 1 and shall continue for a term at the discretion of the board of supervisors unless the commissioner is removed from office as provided for by law. The county weed commissioner may, with the approval of the board of supervisors, require that commercial applicators and their appropriate employees pass the same standards for noxious weed identification as established by the department of agriculture and land stewardship. The name and address of the person appointed as county weed commissioner shall be certified to the county auditor and to the secretary of agriculture within ten days of the appointment. The board of supervisors shall fix the compensation of the county weed commissioner and deputies. In addition to compensation, the commissioner and deputies shall be paid their necessary travel expenses. At the discretion of the board of supervisors, the weed commissioner shall attend a seminar or school conducted or approved by the department of agriculture and land stewardship relating to the identification, control, and elimination of noxious weeds.

The board of supervisors shall prescribe the time of year the weed commissioner shall perform the powers and duties of county weed commissioner under this chapter which may be during that time of year when noxious weeds can effectively be killed. Compensation shall be for the period of actual work only although a weed commissioner assigned other duties not related to weed eradication may receive an annual salary. The board of supervisors shall likewise determine whether employment shall be by hour, day or month and the rate of pay for the employment time.

CONTRACT

DES MOINES County -- 367 - PCC Paving

Project Number: LFM-P71PCC23--7X-29

Letting Date: Friday, November 4, 2022

THIS AGREEMENT made and entered by and between DES MOINES County, Iowa, by its Board of Supervisors consisting of: Thomas L. Broeker (Chairperson), Shane McCampbell, Jim Cary, Contracting Authority, and JONES CONTRACTING CORP. of, WEST POINT, IA 52656, Contractor.

WITNESSETH: That the contractor, for and in consideration of One Million Three Hundred Ninety Five Thousand Seven Hundred Seventy Seven Dollars and No Cents (\$1,395,777.00) payable as set forth in the specifications constituting a part of this contract, hereby agrees to construct in accordance with the plans and specification therefore, and in the locations designated in the notice to bidders, the various items of work as listed in the quantity and unit price tabulation

Said specifications and plans are hereby made a part of and the basis of this agreement, and a true copy of said plans and specifications are now on file in the office of the County Auditor under the date of 4/12/2022

That in consideration of the foregoing, the Contracting Authority hereby agrees to pay the Contractor, promptly and according to the requirements of the specifications the amounts set forth, subject to the conditions as set forth in the specifications

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. LFM-P71PCC23--7X-29 in DES MOINES County, Iowa, the within contract, the contractor's bond and the general and detailed plans are and constitute the basis of the contract between the parties hereto.

That it is further understood and agreed by the parties of this contract that the above work shall be commenced and completed on or before:

Work Days	Date Type	Date	Liquidated Damages Per Day
59	Late Start Date	3/6/2023	\$1,000.00

That time is the essence of this contract and that said contract contains all of the terms and conditions agreed upon the parties hereto.

It is further understood that the Contractor consents to the jurisdiction of the courts of Iowa to hear, determine and render judgment as to any controversy arising hereunder.

IN WITNESS WHEREOF the parties hereto have set their hands for the purposes herein expressed to this and three other instruments of like tenor, as of the ____ Day of _____, 2022

DES MOINES County Iowa, Contracting Authority

Chairperson, County Board of Supervisors

Date

JONES CONTRACTING CORP., Contractor

Signature

Federal ID

SCHEDULE OF PRICES -- CONTRACT

DES MOINES County, Iowa -- Project LFM-P71PCC23--7X-29

Type of work : 367 - PCC Paving

	Item Number	Description	Units	Quantity	Unit Price	Total
1.	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	3762.0	\$7.95	\$29,907.90
2.	2105-8425015	TOPSOIL, STRIP, SALVAGE AND SPREAD	CY	608.0	\$6.60	\$4,012.80
3.	2110-3825010	GRANULAR MATERIAL	TON	3995.0	\$24.20	\$96,679.00
4.	2121-7425020	GRANULAR SHOULDERS, TYPE B	TON	70.000	\$30.80	\$2,156.00
5.	2123-7450000	SHOULDER CONSTRUCTION, EARTH	STA	83.06	\$181.50	\$15,075.39
6.	2210-0475290	MACADAM STONE BASE	TON	5988.000	\$25.30	\$151,496.40
7.	2301-1033080	STANDARD OR SLIP FORM PORTLAND CEMENT CONCRETE PAVEMENT, CLASS C, CLASS 3 DURABILITY, 8 IN.	SY	13763.300	\$67.40	\$927,646.42
8.	2301-9091000	RUMBLE STRIP PANEL (PCC SURFACE)	EACH	2	\$200.00	\$400.00
9.	2401-6745650	REMOVAL OF EXISTING STRUCTURES	LS	1.00	\$1,650.00	\$1,650.00
10.	2402-0425031	GRANULAR BACKFILL	TON	6.0	\$55.00	\$330.00
11.	2402-2720100	EXCAVATION, CLASS 20, FOR ROADWAY PIPE CULVERT	CY	9.0	\$110.00	\$990.00
12.	2416-1180018	CULVERT, CONCRETE ROADWAY PIPE, 18 IN. DIA.	LF	29	\$60.50	\$1,754.50
13.	2435-0250700	INTAKE, SW-507	EACH	4	\$6,176.50	\$24,706.00
14.	2502-8212034	SUBDRAIN, LONGITUDINAL, (SHOULDER) 4 IN. DIA.	LF	5784.0	\$5.50	\$31,812.00
15.	2502-8221305	SUBDRAIN OUTLET, DR-305	EACH	6	\$330.00	\$1,980.00
16.	2506-4984000	FLOWABLE MORTAR	CY	3.0	\$440.00	\$1,320.00
17.	2510-6745850	REMOVAL OF PAVEMENT	SY	13763.3	\$3.70	\$50,924.21
18.	2527-9263109	PAINTED PAVEMENT MARKING, WATERBORNE OR SOLVENT-BASED	STA	62.73	\$86.00	\$5,394.78
19.	2528-2518000	SAFETY CLOSURE	EACH	3	\$330.00	\$990.00
20.	2528-8445110	TRAFFIC CONTROL	LS	1.00	\$11,550.00	\$11,550.00
21.	2533-4980005	MOBILIZATION	LS	1.00	\$31,239.60	\$31,239.60
22.	2601-2634100	MULCHING	ACRE	1.2	\$935.00	\$1,122.00
23.	2601-2636043	SEEDING AND FERTILIZING (RURAL)	ACRE	1.2	\$2,200.00	\$2,640.00
Contract Total						\$1,395,777.00

*** Working Days:**

* 12 days - closure from gravel road intersection to north to paved road intersection (approx. Sta. 108+50-110+78).

* 47 days - remainder of project south of 108+50.

Note: "left over" working days from closure at Sta. 108+50-110+78 may be applied to segment south of Sta. 108+50 if requested by contractor.

No free winter work.

STANDARD SPECIFICATIONS OF THE IDOT, SERIES 2015, AND CURRENT SUPPLEMENTAL SPECIFICATIONS SHALL APPLY.

The County, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/15/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Holmes Murphy & Associates - WDM
1-800-247-7756

PO Box 9207

Des Moines, IA 50306-9207

INSURED
Jones Contracting Corp.

PO Box 156

West Point, IA 52656

CONTACT
NAME: Cara HellmanPHONE
(A/C, No, Ext):FAX
(A/C, No):E-MAIL
ADDRESS: chellman@holmesmurphy.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: INTEGRITY INS CO

11584

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

CERTIFICATE NUMBER: 67153228

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		CPP2676766	05/01/22	05/01/23	
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
						MED EXP (Any one person) \$ 10,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC					\$
A	AUTOMOBILE LIABILITY		CA2676767	05/01/22	05/01/23	
	<input checked="" type="checkbox"/> ANY AUTO					COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ALL OWNED AUTOS					BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> HIRED AUTOS					BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE	CUP2676769	05/01/22	05/01/23	
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ 5,000,000
						AGGREGATE \$ 5,000,000
						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N	WCP2676768	05/01/22	05/01/23	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N				<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				E.L. EACH ACCIDENT \$ 1,000,000
						E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
						E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: Project #LFM-P71PCC2377X-29 Des Moines County Bridgeport Rd

CERTIFICATE HOLDERDes Moines County
Secondary Roads

13522 Washington Road

West Burlington, IA 52655

USA

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

DES MOINES COUNTY
BOARD OF SUPERVISORS
RESOLUTION #2022-074

WHEREAS Section 354.8 of the Code of Iowa states that a governing body shall certify by resolution the approval of a subdivision plat, and,

WHEREAS the Final Plat for **Rupe Farm II Subdivision** has been reviewed for conformance to applicable County standards by the Des Moines County Auditor, Health Department, Secondary Roads Department, and Land Use Department and has been duly recommended by the aforementioned entities for approval,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves the Final Plat of **Rupe Farm II Subdivision**.

Approved and adopted this 29th day of November, 2022.

DES MOINES COUNTY BOARD OF SUPERVISORS

Jim Cary, Chair

Shane McCampbell, Vice Chair

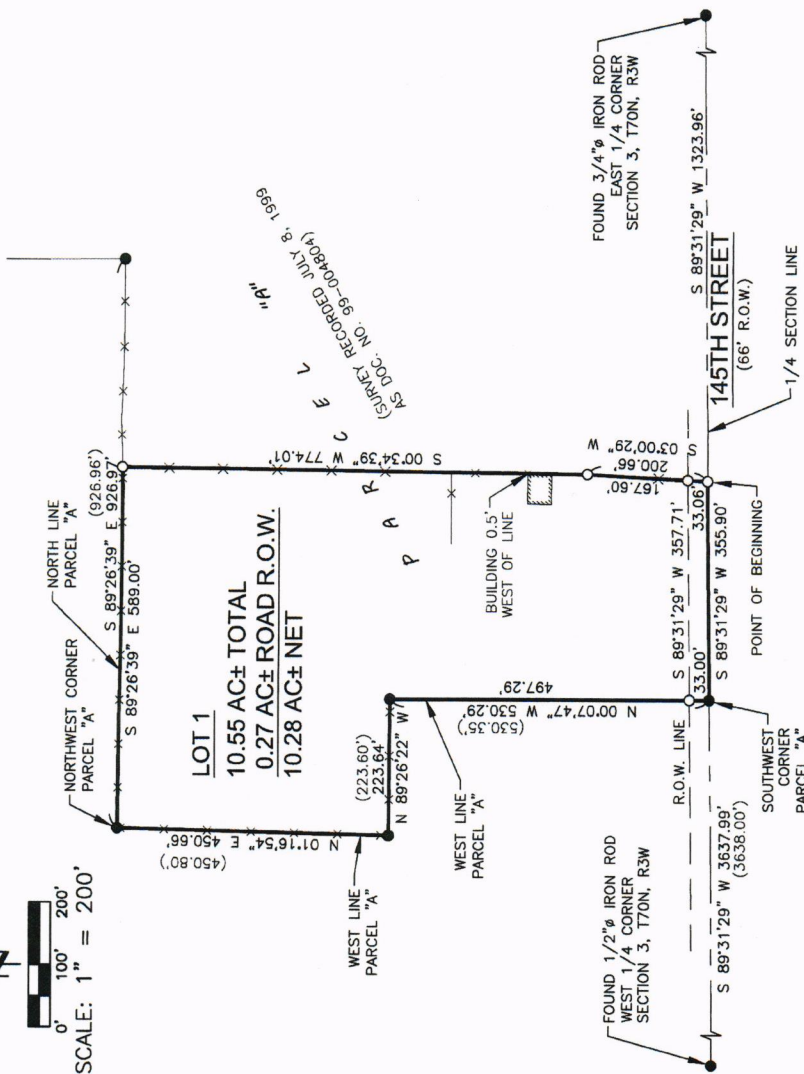
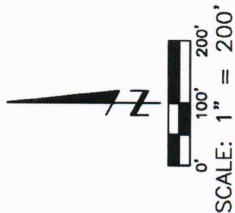
Tom Broeker, Member

ATTEST:

Terri Johnson, County Auditor

FINAL PLAT RUPE FARM II SUBDIVISION

PART OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 70 NORTH,
RANGE 3 WEST OF THE 5TH P.M., DES MOINES COUNTY, IOWA



NOTES:

- INDICATES 1/2" IRON ROD WITH CAP #5144 (U.N.O.) FOUND IN PLACE.
- INDICATES 5/8" X 30" REBAR WITH PLASTIC CAP STAMPED "LS 19282" SET THIS SURVEY.
- DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF.
- BEARINGS & DISTANCES IN PARENTHESIS ARE THOSE OF RECORD; ALL OTHERS ARE FIELD MEASUREMENTS.
- BEARINGS ARE BASED ON IOWA REGIONAL COORDINATE SYSTEM, ZONE 14, BURLINGTON.
- INDICATES EXISTING FENCE.
- SUBJECT SURVEY IS SUBJECT TO EASEMENTS, AGREEMENTS OR RESTRICTIONS OF RECORD.

DESCRIPTION: RUPE FARM II SUBDIVISION

PART OF PARCEL "A" LOCATED IN PART OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 70 NORTH, RANGE 3 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DES MOINES COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 3; THENCE S 89° 31' 29" W, 1323.96' ALONG THE 1/4 SECTION LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S 89° 31' 29" W, 355.90' ALONG THE 1/4 SECTION LINE TO THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE N 00° 07' 47" W, 530.29' ALONG THE WEST LINE OF SAID PARCEL "A"; THENCE N 89° 26' 39" E, 223.64' ALONG THE SOUTHWEST LINE OF SAID PARCEL "A"; THENCE N 01° 16' 54" E, 450.66' ALONG THE WEST LINE OF SAID PARCEL "A"; THENCE S 89° 26' 39" E, 589.00' ALONG THE NORTH LINE OF SAID PARCEL "A"; THENCE S 00° 34' 39" W, 774.01'; THENCE S 03° 00' 29" W, 200.66' TO THE POINT OF BEGINNING, CONTAINING 10.55 ACRES, MORE OR LESS.

BEING SUBJECT THAT PORTION BEING USED AND/OR DEDICATED AS PUBLIC ROAD RIGHT-OF-WAY ALONG THE SOUTH SIDE THEREOF AND ALSO BEING SUBJECT TO EASEMENTS, AGREEMENTS OR RESTRICTIONS OF RECORD.

OWNER & SUBDIVIDER
PHILIP L. & ANGELA L. RUPE
13294 145TH STREET
BURLINGTON, IA. 52601

Bruner, Cooper & Zuck, Inc.

Civil Engineers · Structural Engineers · Architects · Land Surveyors
Professional Design Firm LS/ARC/PE/SE Corp. 184-002633-0015
bacz@bczengr.com www.bczengr.com

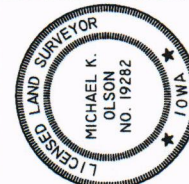
188 East Simmons St.
Burlington, Iowa 52601
319.752.9282
635 Golden Valley Drive
Burlington, Iowa 52722
563.355.1856

JOB NO. 2022119-2
DRAWN: BJS
CHECKED: MKO
APPROVED: MKO

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Michael K. Olson 11/10/2022

MICHAEL K. OLSON
DATE
LICENSE NUMBER: 19282
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022
PAGES OR SHEETS COVERED BY THIS SEAL: 1



LOCATION: RUPE FARM II SUBDIVISION
NE 1/4 SECTION 3,
T70N, R3W OF THE 5TH P.M.,
DES MOINES COUNTY, IOWA
REQUESTOR: PHILIP L. & ANGELA L. RUPE
PROPRIETOR: PHILIP L. & ANGELA L. RUPE
SURVEYOR: MICHAEL K. OLSON mko@bczengr.com
COMPANY: BRUNER, COOPER & ZUCK, INC.
308 NORTH 3RD STREET
BURLINGTON, IA 52601
PH: 319-752-9282

INDEX LEGEND



City of

Burlington

A Great Place to Live, Work and Play

FILED

NOV 21 2022

DES MOINES CO. AUDITOR
BURLINGTON, IOWA

November 17, 2022

Terri Johnson, Des Moines County Auditor
Des Moines County Courthouse
513 North Main Street
Burlington, IA 52601

ATTENTION: Des Moines County Supervisors

Dear Terri,

The City is requesting the release of any and all property taxes & special assessments associated with the following property:

Parcel ID: 11-32-256-011

Location: 1209 STOWE ST

Legal Description: BURLINGTON NORTHERN ADD LOT:246

If you have any questions, please contact me at (319) 753-8125.

Sincerely,

Katie Music
City Clerk

an

Terri Johnson
Des Moines County Auditor



FILED

NOV 21 2022

DES MOINES CO. AUDITOR
BURLINGTON, IOWA

November 17, 2022

Terri Johnson, Des Moines County Auditor
Des Moines County Courthouse
513 North Main Street
Burlington, IA 52601

ATTENTION: Des Moines County Supervisors

Dear Terri,

The City is requesting the release of any and all property taxes & special assessments associated with the following property:

Parcel ID: 16-04-152-008

Location: 318 ½ S. 3RD ST

Legal Description: BURLINGTON BURLINGTON ORIGINAL CITY LOT:275 E1/2 N1/2

If you have any questions, please contact me at (319) 753-8125.

Sincerely,

A handwritten signature in black ink that reads "Katie Music".

Katie Music
City Clerk

an

Terri Johnson
Des Moines County Auditor



City of
Burlington
A Great Place to Live, Work and Play

FILED

NOV 21 2022

DES MOINES CO. AUDITOR
BURLINGTON, IOWA

November 17, 2022

Terri Johnson, Des Moines County Auditor
Des Moines County Courthouse
513 North Main Street
Burlington, IA 52601

ATTENTION: Des Moines County Supervisors

Dear Terri,

The City is requesting the release of any and all property taxes & special assessments associated with the following property:

Parcel ID: 16-05-201-002

Location: 1106 VALLEY ST

Legal Description: BURLINGTON ULRICH ADD LOT:4 E:26'

If you have any questions, please contact me at (319) 753-8125.

Sincerely,

Katie Music
City Clerk

an

Terri Johnson
Des Moines County Auditor

November 22nd, 2022

The Des Moines County Board of Supervisors met in regular session at the Court House in Burlington at 9 AM on Tuesday, November 22nd, 2022, with Chairman Jim Cary, Vice-Chair Shane McCampbell and Member Tom Broeker present. This meeting was also held electronically via Webex and YouTube live streaming. Public input was available through board email or call in.

Unless otherwise noted, all motions passed unanimously. The Pledge of Allegiance was conducted.

The swearing in ceremony for the County Recorder was held. Natalie Steffener was sworn in by Judge Emily Dean.

Meet with Department Heads: Deputy Auditor Sara Doty reported she is busy. IT Director Colin Gerst reported his office is busy. Sheriff Kevin Glendening stated he attended the Iowa State Sheriff and Deputies Association meeting. They are working on some changes in the fentanyl legislation. He also attended the Mediapolis and Danville City Council meetings. The jail population is at 96. Assistant County Attorney Trent Henkelvig reported he is present for a work session after the meeting. Conservation Director Chris Lee reported his crew is going to work on burning at Big Hollow with the weather this week. Land Use Administrator Zach James stated their office is busy. They have subdivisions out for review and are working on a Flood Plain Development Ordinance. They also have an agenda item today. County Recorder Natalie Steffener reported her office remains busy. SEIL CDS Director Ken Hyndman gave a SEIL update. County Auditor Terri Johnson reported her office is busy. Her office is working on getting Deeds up to date. The Election Canvass was able to be finalized Friday and they are working on getting reports finished. Public Health Administrator Christa Poggemiller stated RSV and Influenza are going around at this time. Her staff is still offering flu and covid shots on Tuesday's and Thursday's.

The 2nd public hearing was held for a proposed amendment to Airport Approach Regulations Ordinance #58. Broeker made a motion to go into public hearing and seconded by McCampbell. Land Use Administrator Zach James spoke on the ordinance. Tom Green, 5763 Hartman Rd., had a few questions for Land Use Administrator Zach James. Broeker made a motion to close the public hearing and seconded by McCampbell. Broeker made a motion to approve the 2nd Reading and seconded by McCampbell.

Approval of the 2022 gas and electric assessment was presented. Broeker made a motion to approve and seconded by McCampbell.

Approval of the 2022 utility assessment was presented. Broeker made a motion to approve and seconded by McCampbell.

Class C liquor license for Robinson Wedding on December 10th at Barn on the Ridge was presented. McCampbell made a motion to approve and seconded by Broeker.

Personnel Actions: Correctional Center – Russell Elliott, Full Time Correctional Officer, 20 days of unpaid time from 11/13-12/11; Addison Clayton, Kitchen Asst. Cook, new hire part time, \$9.36 hourly effective 11/23; Patrick Ogogzalek, Full Time Correction Officer, 6-month step increase, new rate of \$42,429.10 yearly effective 12/8; Brittani Whalen, Kitchen Cook, 6-month step increase, new rate of \$13.56 hourly effective 11/25. McCampbell made a motion to approve all four personnel actions and seconded by Broeker.

Reports received and filed in the Auditor's Office:

Sheriff's Monthly Report of Fees Collected, October 2022
Jail Stats, October 2022

Broeker motioned to approve the November 15th, 2022, regular meeting minutes and seconded by McCampbell.

Broeker motioned to approve the November 18th, 2022, special meeting minutes and seconded by McCampbell.

Broeker reported he attended a COBCO and Emergency Food & Shelter Program meeting. Cary reported he attended a Public Health meeting. McCampbell stated he attended a Early Childhood Development meeting.

Meeting was adjourned at 9:38 AM.

Following the meeting a work session was held with the Sheriff, Assistant County Attorney, and Public Health Administrator regarding the Nuisance Ordinance.

This Board meeting is recorded. The meeting minutes and audio are posted on the county's website www.dmcourty.com

Jim Cary, Chair

Attest: Sara Doty, Deputy Auditor