



IOWA BOARD OF CORRECTIONS AGENDA  
Friday, July 8, 2022, 9:00 a.m.

LOCATION: Anamosa State Penitentiary, 406 High Street, Anamosa

TOPIC	PRESENTER
<ul style="list-style-type: none"> <li>➤ Call to Order <span style="float: right;">Rebecca Williams, Chair</span> <ul style="list-style-type: none"> <li>● Approval of June 3, 2022 Minutes (<b>Action Item</b>)</li> </ul> </li> <li>➤ Next Board meeting will be August 5, 2022 <span style="float: right;">Rebecca Williams, Chair</span>  <i>Third Judicial District, 515 Water Street, Sioux City</i>            (A meeting notice will be posted on the DOC website: <a href="https://doc.iowa.gov/">https://doc.iowa.gov/</a>)</li> </ul>	
Welcome	Kris Karberg, Warden
Director's Update	Randy Gibbs, Deputy Director Prison Operations
Budget Update	Steve Dick, Fiscal Manager
Five-year Review of DOC Administrative Rules <b>(Action Item)</b>	Michael Savala, General Counsel
IMCC Land Transaction with the City of Coralville <b>(Action Item)</b>	Michael Savala, General Counsel; Mike Heinrich, IMCC Warden
Public Comments	Public
Open Discussion	Board Members
Adjournment	Board Members

The Board of Corrections' agenda is posted on the DOC Web Site at <https://doc.iowa.gov/> under the Board of Corrections Tab.

This meeting will be live-streamed via the Department's Youtube Channel for members of the public that would like to observe. You can also view previous Board of Corrections meetings at this site.

Link: <https://www.youtube.com/channel/UCItY2PABjitQpT4Op2w3kTw>

The mission of the Iowa Department of Corrections is to:  
Creating Opportunities for Safer Communities



## IOWA BOARD OF CORRECTIONS MINUTES Friday, June 3, 2022

**Board Members Present:** Chair Rebecca Williams, Larry Kudej, Denise Bubeck, Trent Keller and Jim Kersten

**Staff Present:** Sally Kreamer, Randy Gibbs, Nick Crawford, Sarah Fineran, Brian Foster, Ryan Brophy, Mary Lee Neff, Lisa Chapman, Trina McBride, Joshua Stanger, Juan Nuci, Holly Reid, Dawn Kline, Brandy Manrique, James Houston

**Visitors Present:** Kim Kudej, Kathy Laird, Dan Srp

### **Call to Order, Chair Rebecca Williams**

- Chair Rebecca Williams called the meeting to order.
- Chair Williams asked for a motion to approve the May 6, 2022 meeting minutes. Mr. Trent Keller made a motion to approve. Mr. Jim Kersten seconded the motion. All present members were in favor of approving the minutes, **motion passed**.
- The next scheduled Board of Corrections meeting is July 8, 2022, at the Anamosa State Penitentiary. The meeting will begin at 9:00 a.m.
- (A meeting notice will be posted on the DOC website: <https://doc.iowa.gov/>)

### **Welcome - Waylyn McCulloh, District Director**

- Welcome to the Board members. It has been four years since the Board has visited the facility. Board members are welcome to tour the facility following the meeting.
- Seventh District is the smallest geographically, consisting of five counties. There are about 5,000 under active field supervision and operates two residential facilities. The building where this meeting is taking place consists of four floors of residential space with a capacity of 120. There is also a residential facility nearby with a capacity of 56.
- Seventh District has contracts with the Federal Bureau of Prisons to house their releases.
- The District completes 1300 PSIs annually.
- Thank you for your support of the community based corrections operations.

### **Director's Update - Sally Kreamer, Director Community Based Corrections**

- May has been a whirlwind month following the ICA conference. Emergency Preparedness training was conducted at the Clarinda Correctional Facility May 10th through 12th. All facilities participated with their CERT, K-9 and CNT teams. There was a first-time ever night exercise. There has been a positive response to this training.
- The Fallen Heroes week in Washington, DC was May 12th through 16th. Six Iowa DOC staff were honored including CO Robert Vidimos, CO Michael Teachout, CO Robert McFarland, RN Lorena Schulte, PO Broderick Daye and CO Richard Newkirk. The Iowa Honor Guard took a shift at the wall during this week. There are numerous breakout sessions throughout the event designed to help staff and family. Following training at this event, the Department has established a staff wellness committee. What the DOC does for staff is good, but we can do better. These six staff were also honored at a Peace Officers Memorial in Clive.
- June 14th through 16th will complete the final session of Leadership Training. This was

developed with APPA as part of the SRR grant. This is for high level management. Once all are trained, the next training level will be offered this program. Will look to start another cohort in the fall after this completes.

- The Correctional Peace Officers Foundation Memorial ceremony in Reno, Nevada will occur in June. This memorial is specific to Correctional Officers.
- The court system is hosting a Mental Health Summit. Director Skinner will be a panelist in one of the virtual sessions. The final session is an in person summit.
- Even during COVID, the quality improvements in Seventh District have been phenomenal. They are creative, hardworking and work towards improving their programs. They have worked hard with the pilot project and should be proud of the work they do. They also do community work as well.
- Mr. Kudej asked about funding for a facility during the last visit to the District. The residential facility on West 3rd Street is the building in question. Director McCullough stated this is the building as an example of what not to do when designing a residential facility. There are advocates to replace this building. In the meantime, the facility continues to see repairs. The estimated cost is \$11M to replace or \$4M to remodel. This continues to be a part of the Department capitals requests, but there are other residential facilities in other Districts also in need of repair.
- Mr. Kudej acknowledged the positive articles regarding the Emergency Preparedness Exercise. Great job.

#### **Tech2Connect - Lisa Chapman, Seventh District Assistant District Director**

- Lisa Chapman is the Assistant Director of Seventh District. She is very proud of the work her team has done. This program began with the Board's approval of the budget request for the treatment gap pilot program. Seventh District prepared an application and was granted funding as the urban site, along with Second District as the rural site. Finding allowed for additional staffing for the tech program.
- Leadership support from the Governor, Board of Corrections, Director Skinner and Director McCullough has made these improvements possible. There has been an increase in community treatment and help with reentry preparation for the prison population. This is affording a seamless transition for offenders from prison to the community.
- The District team includes Brandy Manrique, Dawn Cline, Holly Reed, Juan Nuci, Josh Stanger, and Trina McBride.
- Tech2Connect goals include:
  - Use technology to connect with Justice Involved Individuals*
    - This technology increases communication between the prisons (MCPF, FDCF, IMCC, ICIW) and the District.
    - American Prison Data Systems (APDS) had provided the tablets for the incarcerated individuals. They are restricted on what can be accessed. They can be used to complete documentation and send messages between the IIs and staff.
    - Chair Williams verified that the tablets are used at both prison and District sites. There will be additional information about programs offered to clients releasing from prisons and access to appointment scheduling through the tablets.
    - This system is secure and has multiple redundancies if abuse occurs. APDS has been working with multiple agencies on similar programs with no security issues.
    - Mr. Kudej asked if the tablets were issued or checked out. These are checked out because there is not enough capacity to issue to all IIs involved in the program.
  - Provide access to individualized treatment within institutions and the community*
    - Assessments are completed to identify the right clients for the program.
    - These assessments may include ACES, Modified Mini, Jessness, DRAOR, IRR, Michigan Alcohol Screening Test (MAST) and Drug Abuse Screening Tool (DAST).
    - The assessments help the team identify an Action Plan.
    - The tablet can also assist to connect clients with staff through Zoom meetings.

- Substance Abuse is often a high risk need. This can drive the type of programming offered through Tech2Connect.

*Developing a process for reconsideration of sentence*

- Reconsideration of sentence is not a new concept, but has been underutilized.
- Counselors at the facility can speak with the clients when they arrive at prison, review the expectations of the program, and determine participation which can begin immediately through the tablet. Recommendations for reconsideration will be made based on the program compliance.
- There used to be no outline for reconsideration prior to this program, and judges are now identifying clients and sending referrals to the District for consideration.

*Provide Reentry Services for Justice Involved Individuals*

- Identifying needs early on in the process helps prepare individuals for release to the community, as well as provide the most up to date services possible.
- Connecting to community resources can take time and this system helps smooth this transition.
- The Reentry process has identified those who may have pending charges or warrants pending as they release.

*Establish a Mentorship Program*

- Tech2Connect has afforded the district the opportunity to establish a mentorship program.
- It has been proven to help individuals.
- Lessons have been gained from other District mentorship programs. This included the best process to make sure this program works.
- Having multiple mentors for every mentee can be beneficial. This limits the risk to any one mentor.
- The mentorship relationships should begin during incarceration and the tablets allow for this to happen.

*Increasing treatment dosage within institutions and the community*

- This can help make time in prison more productive.
- Cognitive Based Program (CBP) participation has increased in the District by 250% as a result of the program. These programs are completely peer based.
- There are participants from all five of the counties because they can now join programs virtually using the tablets.
- The District is also able to track program usage as well as individual use.

- Tech2Connect is still in its infancy. It is essential that the program continue to expand.
- Mr. Kersten asked what we can do as a Board to help continue this project? There will be a need for additional staff, tablets and programming. There is an annual renewal cost that would increase with an addition of tablets as the program expands. The tablets were initially funded by a grant through ODCP. The current program has afforded 65 tablets, some of which went to the facilities and some for the community. There is also a goal to expand to additional prison facilities. With the current staff and funding, the four have been a full time responsibility. Deputy Director Kreamer also discussed the measures that are being monitored to show the success of the program to the Governor and Legislature to request additional funding in the future.
- Mr. Keller asked if there are any college interns or volunteers assisting with the program? Director McCullough discussed a student from University of Iowa who assisted with the District's proposal and another student from St. Ambrose who assisted with implementation.
- Ms. Denise Bubeck asked if there is training for mentors? There is a program and online training that the District is working to implement.
- Ms. Bubeck asked if there is a matrix for community relationships? And how will these be built? There are presentations in the coming weeks with a goal towards developing relationships. To this point, collaboration has been mostly word of mouth through the courts. Because this has taken off, there are calls and emails from family members and collaborators in other states. This will be opened to the community in coming weeks to build off of what is currently available.

The users are also able to kiosk and have asked for more information, even if they will not release to Seventh or Second District. Vera French (mental health facility) has worked to develop programs to supplement the Tech2Connect program and help with transition to the community. CADS (Center for Alcohol and Drug Services) is working on a similar program. It is remarkable that we can begin doing this before transitioning to the community. Community feedback has been positive.

- Chair Williams asked what percentage of assessments are completed at IMCC during intake? Any assessments the clients are filing out are assigned by the coordinators. Some assessments (DRAOR) are completed in the facility and are comparing any assessments to see what is consistent. Some assessments are at intake and others are from some time in the facility. The assessments may identify needs that have not received any services before.
- Chair Williams asked, regarding the dosage programs, are these a one time or subscription service? Will there be monitoring of what programs are effective and if ineffective programs would be removed. This will be monitored and adjusted as needed. Currently, prison and community tablets are the same. There will be new programs that can be integrated as well. There was a benefit to nationwide access when the program was first established to see what worked best in other states. The treatment offered through the tablets are on an annual renewal. Staff will continually assess to identify which are the most effective.
- Chair Williams asked about staff additions to this program. Will these positions continue? Or will the funding end? This fund has been annualized and will continue. It is anticipated that as the program grows, there would be a need to increase staffing. The staff involved in the program are not able to maintain releases on their caseload going forward. It would be nice to have that continuity of service.
- Mr. Kudej asked if volunteers are paid? There is a very active community interested in working with the District. This is something the program will work towards as it becomes up and running.
- Mr. Kudej asked about reconsideration with the court system. Will this also be shared with the Board of Parole? The District has met with the BOP and they are receptive. Participation in the Tech2Connect program is shared with the BOP, who is more likely to consider release if they are compliant with the program. A lot of reconsiderations in the prisons are low - low scorers and may not receive programming while in the prisons.

#### **Legislative Update - Nick Crawford, Communications Director**

- Last week, the legislature gavelled out for the year, ending the 2022 legislative session.
- In FY2022, the DOC received a budget of \$408M. FY2023 is just under \$415M. This increase of \$6.3M has been distributed by the legislature to the prisons and judicial districts for salary adjustments. \$100K was allotted for County Confinement.
- Mr. Kudej asked if funds were received from the TRF and RIIF funds? \$4.9M from RIIF was received for various infrastructure projects around the state. \$2M was received from TRF.

#### **OP-MTV-01 Incarcerated Individual Correspondence Policy Update - Randy Gibbs, Deputy Director Prison Operations and Brian Foster, Director Security Operations (Action Item)**

- Changes to the policy are highlighted. This policy update allows the facility to use a third party vendor for incarcerated individual mail. In the past, the Board has heard about issues with contraband coming through the mail, in particular the drug K-2. This allows the DOC to enhance security for the facilities, staff and offenders.
- This is just not Iowa's problem - it is an issue being encountered nationwide.
- The Federal Bureau of Prisons and other state DOCs are utilizing this system.
- Mr. Kudej asked if this policy applies to non-legal mail. Do the IIs receive legal mail? This change impacts only non-legal mail. Legal mail is given directly to the IIs. Mr. Kudej asked if there is a person sending drugs into the facility, can it still be allowed through the legal mail? Deputy Director Gibbs stated that there is a process under review with attorneys in Iowa to work with the legal mail. Mr. Kudej encouraged the DOC to work with the Bar Association, with

- approximately 98% participation.
- Chair Williams verified that this is a private company? The mail will go to the third party vendor, rather than sending to the facility. The mail will be photocopied by the vendor and mailed to the facility to eliminate any contraband.
  - Mr. Larry Kudej made a motion to approve the change to Policy OP-MTV-01. Mr. Jim Kersten seconded the motion. All present members were in favor of approving the policy update, ***motion passed.***

#### **Public Comments - Public**

- Dan Srp, a member of the Seventh District Board, asked to speak towards the Tech2Connect program. He encourages the DOC to find ways to expand to the county level as well as the state level and seek the funding and resources to continue.
  - Chair Williams asked if there is a way to make a connection between Clinton County and the DOC? Deputy Director Kreamer discussed ways to measure success in collaboration, especially in saving days from prison. Even if individuals are diverted to probation rather than prison, this can greatly impact recidivism. As a District Board member, Mr. Srp connects with the District and Assistant Director Chapman and looks for ways to contribute to the discussions.
  - Ms. Bubeck asked if the Clinton County resource center is common to other counties? This is one of the first such centers. There has been interest in the program, but are looking to expand further including with medical and prescription assistance.
  - Chair Williams asked to consider an agenda item for three months out to update on programs with the program? There can be a success measure for this. The DOC will pull data at the end of fiscal year and will look to present results by the August or September meeting.

#### **Open Discussion - Board Members**

- None

#### **Adjournment - Board Members**

- A motion to adjourn the meeting was made by Mr. Larry Kudej, which was seconded by Mr. Trent Keller. The meeting was unanimously adjourned.

Respectfully Submitted,

Johana Herdrich, Executive Assistant

Department Totals

Iowa Department of Corrections

FY2022

Financial Status Reports

Through the Period Ending June 2022

	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-				
Total Staffing	-				
<b>Resources Available</b>					
04B Balance Brought Forward	2,211,057	2,211,057.00	-	2,211,057.00	1.00
05A Appropriation	311,088,663	311,088,663.00	-	311,088,663.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	33	-	-	-	-
202R Local Governments	236,499	232,155.52	-	232,155.52	0.98
204R Intra State Receipts	6,651,983	6,688,048.56	-	6,688,048.56	1.01
205R Reimbursement from Other Agencies	3,306	85,673.79	-	85,673.79	25.91
234R Transfers - Other Agencies	372,234	3,333,455.44	-	3,333,455.44	8.96
301R Interest	-	-	-	-	---
401R Fees, Licenses & Permits	631,200	881,182.23	-	881,182.23	1.40
501R Refunds & Reimbursements	1,284,201	1,633,354.65	-	1,633,354.65	1.27
602R Sale of Equipment & Salvage	105	3,980.64	-	3,980.64	37.91
603R Rents & Leases	82,876	80,397.00	-	80,397.00	0.97
604R Agricultural Sales	-	-	-	-	---
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	-	-	-	-	---
<b>Total Resources Available</b>	<b>322,562,157</b>	<b>326,237,967.83</b>		<b>326,237,967.83</b>	<b>1.01</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	244,369,790	233,032,715.86	-	233,032,715.86	0.95
202 Personal Travel (In State)	138,868	371,104.79	-	371,104.79	2.67
203 State Vehicle Operation	603,464	805,975.27	5,597.81	811,573.08	1.34
204 Depreciation	10,279	8,495.00	-	8,495.00	0.83
205 Personal Travel (Out of State)	24,524	44,159.57	-	44,159.57	1.80
301 Office Supplies	213,457	237,762.89	3,193.25	240,956.14	1.13
302 Facility Maintenance Supplies	1,616,913	2,013,031.97	83,060.86	2,096,092.83	1.30
303 Equipment Maintenance Supplies	867,023	785,292.25	317,988.32	1,103,280.57	1.27
304 Professional & Scientific Supplies	1,011,182	1,603,308.93	74,183.24	1,677,492.17	1.66
306 Housing & Subsistence Supplies	2,501,337	2,693,363.42	57,506.75	2,750,870.17	1.10
307 Ag.Conservation & Horticulture Supply	56,973	90,489.64	1,020.46	91,510.10	1.61
308 Other Supplies	544,616	540,279.91	170,674.25	710,954.16	1.31
309 Printing & Binding	6	-	-	-	-
310 Drugs & Biologicals	8,556,625	9,242,232.54	-	9,242,232.54	1.08
311 Food	11,759,852	12,244,319.72	109,542.33	12,353,862.05	1.05
312 Uniforms & Related Items	1,575,848	1,385,671.75	143,978.02	1,529,649.77	0.97
313 Postage	56,319	36,298.19	-	36,298.19	0.64
401 Communications	653,491	716,218.85	6,886.13	723,104.98	1.11
402 Rentals	101,314	121,434.18	3,285.06	124,719.24	1.23
403 Utilities	9,287,749	9,799,126.38	243,400.00	10,042,526.38	1.08
405 Professional & Scientific Services	2,509,076	3,149,296.83	22,141.12	3,171,437.95	1.26
406 Outside Services	7,047,993	8,159,696.13	20,684.19	8,180,380.32	1.16
407 Intra-State Transfers	10,080,247	3,118,100.08	-	3,118,100.08	0.31
408 Advertising & Publicity	23,102	208,014.08	-	208,014.08	9.00
409 Outside Repairs/Service	1,230,787	1,785,316.94	230,806.72	2,016,123.66	1.64
412 Auditor of State Reimbursements	-	-	-	-	---
414 Reimbursement to Other Agencies	5,559,899	5,495,017.38	20,100.00	5,515,117.38	0.99
416 ITD Reimbursements	1,924,641	1,644,562.94	9,500.00	1,654,062.94	0.86
417 Worker's Compensation	-	-	-	-	---
418 IT Outside Services	1,992,907	1,794,914.87	-	1,794,914.87	0.90
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	1,200	3,196.00	-	3,196.00	2.66
434 Transfers - Other Agencies Services	38,238	25,638.83	-	25,638.83	0.67
501 Equipment	1,233,530	2,119,913.74	157,854.77	2,277,768.51	1.85
502 Office Equipment	13,945	24,026.88	-	24,026.88	1.72
503 Equipment - Non-Inventory	273,770	589,351.57	276,500.51	865,852.08	3.16
510 IT Equipment	2,969,164	2,757,547.18	628,130.79	3,385,677.97	1.14
601 Claims	301	-	-	-	-
602 Other Expense & Obligations	3,164,632	2,541,410.44	27,336.68	2,568,747.12	0.81
604 Securities	6,233	12,466.32	-	12,466.32	2.00
701 Licenses	12,433	15,588.12	-	15,588.12	1.25
702 Fees	121	90.00	-	90.00	0.74
705 Refunds-Other	-	-	-	-	---
901 Capitals	100	15,785.00	-	15,785.00	157.85
--- Balance Carry Forward	530,208	-	-	-	-
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>322,562,157</b>	<b>309,231,214.44</b>	<b>2,613,371.26</b>	<b>311,844,585.70</b>	<b>0.97</b>
<b>Ending Balance</b>				<b>14,393,382.13</b>	

Iowa Department of Corrections  
 FY2022  
 Financial Status Reports  
 Through the Period Ending June 2022

	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-				
Total Staffing	-				
<b>Resources Available</b>					
04B Balance Brought Forward	888,820	888,820.00	-	888,820.00	1.00
05A Appropriation	289,487,225	289,487,225.00	-	289,487,225.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	25	-	-	-	-
202R Local Governments	236,499	232,155.52	-	232,155.52	0.98
204R Intra State Receipts	3,458,059	2,771,903.24	-	2,771,903.24	0.80
205R Reimbursement from Other Agencies	3,306	-	-	-	-
234R Transfers - Other Agencies	365,083	3,262,546.71	-	3,262,546.71	8.94
301R Interest	-	-	-	-	---
401R Fees, Licenses & Permits	631,200	881,182.23	-	881,182.23	1.40
501R Refunds & Reimbursements	1,239,201	1,601,187.67	-	1,601,187.67	1.29
602R Sale of Equipment & Salvage	105	3,980.64	-	3,980.64	37.91
603R Rents & Leases	82,876	80,397.00	-	80,397.00	0.97
604R Agricultural Sales	-	-	-	-	---
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	-	-	-	-	---
<b>Total Resources Available</b>	<b>296,392,399</b>	<b>299,209,398.01</b>		<b>299,209,398.01</b>	<b>1.01</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	239,119,838	227,853,840.30	-	227,853,840.30	0.95
202 Personal Travel (In State)	122,015	344,655.71	-	344,655.71	2.82
203 State Vehicle Operation	583,915	782,982.72	5,597.81	788,580.53	1.35
204 Depreciation	10,278	8,495.00	-	8,495.00	0.83
205 Personal Travel (Out of State)	12,018	38,272.37	-	38,272.37	3.18
301 Office Supplies	194,414	219,979.32	3,193.25	223,172.57	1.15
302 Facility Maintenance Supplies	1,616,913	2,013,031.97	83,060.86	2,096,092.83	1.30
303 Equipment Maintenance Supplies	867,023	785,292.25	317,988.32	1,103,280.57	1.27
304 Professional & Scientific Supplies	1,011,182	1,603,308.93	74,183.24	1,677,492.17	1.66
306 Housing & Subsistence Supplies	2,501,337	2,693,363.42	57,506.75	2,750,870.17	1.10
307 Ag.Conservation & Horticulture Supply	56,973	90,489.64	1,020.46	91,510.10	1.61
308 Other Supplies	506,972	504,332.08	170,674.25	675,006.33	1.33
309 Printing & Binding	5	-	-	-	-
310 Drugs & Biologicals	8,556,625	9,242,232.54	-	9,242,232.54	1.08
311 Food	11,759,852	12,244,319.72	109,542.33	12,353,862.05	1.05
312 Uniforms & Related Items	1,575,848	1,385,671.75	143,978.02	1,529,649.77	0.97
313 Postage	52,319	33,811.58	-	33,811.58	0.65
401 Communications	532,263	599,959.26	6,886.13	606,845.39	1.14
402 Rentals	101,314	119,334.18	3,285.06	122,619.24	1.21
403 Utilities	9,287,749	9,799,126.38	243,400.00	10,042,526.38	1.08
405 Professional & Scientific Services	2,473,075	3,148,808.99	22,141.12	3,170,950.11	1.28
406 Outside Services	1,515,749	3,379,537.71	20,684.19	3,400,221.90	2.24
407 Intra-State Transfers	256	-	-	-	-
408 Advertising & Publicity	23,102	208,014.08	-	208,014.08	9.00
409 Outside Repairs/Service	1,230,786	1,785,316.94	230,806.72	2,016,123.66	1.64
412 Auditor of State Reimbursements	-	-	-	-	---
414 Reimbursement to Other Agencies	5,391,177	5,335,004.16	20,100.00	5,355,104.16	0.99
416 ITD Reimbursements	1,885,367	1,612,932.69	9,500.00	1,622,432.69	0.86
417 Worker's Compensation	-	-	-	-	---
418 IT Outside Services	205	-	-	-	-
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	-	-	-	-	---
434 Transfers - Other Agencies Services	18,241	18,026.16	-	18,026.16	0.99
501 Equipment	199,827	1,086,212.04	157,854.77	1,244,066.81	6.23
502 Office Equipment	13,945	24,026.88	-	24,026.88	1.72
503 Equipment - Non-Inventory	263,808	579,391.57	276,500.51	855,892.08	3.24
510 IT Equipment	1,726,851	1,260,972.58	628,130.79	1,889,103.37	1.09
601 Claims	301	-	-	-	-
602 Other Expense & Obligations	3,164,557	2,541,323.44	27,336.68	2,568,660.12	0.81
604 Securities	-	-	-	-	---
701 Licenses	12,433	15,588.12	-	15,588.12	1.25
702 Fees	120	90.00	-	90.00	0.75
705 Refunds-Other	-	-	-	-	---
901 Capitals	100	15,785.00	-	15,785.00	157.85
--- Balance Carry Forward	3,646	-	-	-	-
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>296,392,399</b>	<b>291,373,529.48</b>	<b>2,613,371.26</b>	<b>293,986,900.74</b>	<b>0.99</b>
<b>Ending Balance</b>				<b>5,222,497.27</b>	



Central Office Totals

Iowa Department of Corrections  
 FY2022  
 Financial Status Reports  
 Through the Period Ending June 2022

	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-	-	-	-	-
Total Staffing	-	-	-	-	-
<b>Resources Available</b>					
04B Balance Brought Forward	1,322,237	1,322,237	-	1,322,237.00	1.00
05A Appropriation	21,601,438	21,601,438	-	21,601,438.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	8	-	-	-	-
202R Local Governments	-	-	-	-	---
204R Intra State Receipts	3,193,924	3,916,145	-	3,916,145.32	1.23
205R Reimbursement from Other Agencies	-	85,674	-	85,673.79	---
234R Transfers - Other Agencies	7,151	70,909	-	70,908.73	9.92
301R Interest	-	-	-	-	---
401R Fees, Licenses & Permits	-	-	-	-	---
501R Refunds & Reimbursements	45,000	32,167	-	32,166.98	0.71
602R Sale of Equipment & Salvage	-	-	-	-	---
603R Rents & Leases	-	-	-	-	---
604R Agricultural Sales	-	-	-	-	---
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	-	-	-	-	---
<b>Total Resources Available</b>	<b>26,169,758</b>	<b>27,028,569.82</b>		<b>27,028,569.82</b>	<b>1.03</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	5,249,952	5,178,876	-	5,178,875.56	0.99
202 Personal Travel (In State)	16,853	26,449	-	26,449.08	1.57
203 State Vehicle Operation	19,549	22,993	-	22,992.55	1.18
204 Depreciation	1	-	-	-	-
205 Personal Travel (Out of State)	12,506	5,887	-	5,887.20	0.47
301 Office Supplies	19,043	17,784	-	17,783.57	0.93
302 Facility Maintenance Supplies	-	-	-	-	---
303 Equipment Maintenance Supplies	-	-	-	-	---
304 Professional & Scientific Supplies	-	-	-	-	---
306 Housing & Subsistence Supplies	-	-	-	-	---
307 Ag,Conservation & Horticulture Supply	-	-	-	-	---
308 Other Supplies	37,644	35,948	-	35,947.83	0.95
309 Printing & Binding	1	-	-	-	-
310 Drugs & Biologicals	-	-	-	-	---
311 Food	-	-	-	-	---
312 Uniforms & Related Items	-	-	-	-	---
313 Postage	4,000	2,487	-	2,486.61	0.62
401 Communications	121,228	116,260	-	116,259.59	0.96
402 Rentals	-	2,100	-	2,100.00	---
403 Utilities	-	-	-	-	---
405 Professional & Scientific Services	36,001	488	-	487.84	0.01
406 Outside Services	5,532,244	4,780,158	-	4,780,158.42	0.86
407 Intra-State Transfers	10,079,991	3,118,100	-	3,118,100.08	0.31
408 Advertising & Publicity	-	-	-	-	---
409 Outside Repairs/Service	1	-	-	-	-
412 Auditor of State Reimbursements	-	-	-	-	---
414 Reimbursement to Other Agencies	168,722	160,013	-	160,013.22	0.95
416 ITD Reimbursements	39,274	31,630	-	31,630.25	0.81
417 Worker's Compensation	-	-	-	-	---
418 IT Outside Services	1,992,702	1,794,915	-	1,794,914.87	0.90
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	1,200	3,196	-	3,196.00	2.66
434 Transfers - Other Agencies Services	19,997	7,613	-	7,612.67	0.38
501 Equipment	1,033,703	1,033,702	-	1,033,701.70	1.00
502 Office Equipment	-	-	-	-	---
503 Equipment - Non-Inventory	9,962	9,960	-	9,960.00	1.00
510 IT Equipment	1,242,313	1,496,575	-	1,496,574.60	1.20
601 Claims	-	-	-	-	---
602 Other Expense & Obligations	75	87	-	87.00	1.16
604 Securities	6,233	12,466	-	12,466.32	2.00
701 Licenses	-	-	-	-	---
702 Fees	1	-	-	-	-
705 Refunds-Other	-	-	-	-	---
901 Capitals	-	-	-	-	---
--- Balance Carry Forward	526,562	-	-	-	-
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>26,169,758</b>	<b>17,857,684.96</b>		<b>17,857,684.96</b>	<b>0.68</b>
<b>Ending Balance</b>				<b>9,170,884.86</b>	

Capital Totals

Iowa Department of Corrections

FY2022

Financial Status Reports

Through the Period Ending June 2022

	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-				
Total Staffing	-				
<b>Resources Available</b>					
04B Balance Brought Forward	599,685	599,685	-	599,685.00	1.00
05A Appropriation	5,452,619	5,452,619	-	5,452,619.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	-	-	-	-	---
202R Local Governments	-	-	-	-	---
204R Intra State Receipts	-	-	-	-	---
205R Reimbursement from Other Agencies	-	-	-	-	---
234R Transfers - Other Agencies	-	-	-	-	---
301R Interest	-	-	-	-	---
401R Fees, Licenses & Permits	-	-	-	-	---
501R Refunds & Reimbursements	-	-	-	-	---
602R Sale of Equipment & Salvage	-	-	-	-	---
603R Rents & Leases	-	-	-	-	---
604R Agricultural Sales	-	-	-	-	---
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	-	-	-	-	---
<b>Total Resources Available</b>	<b>6,052,304</b>	<b>6,052,304.00</b>		<b>6,052,304.00</b>	<b>1.00</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	-	-	-	-	---
202 Personal Travel (In State)	-	-	-	-	---
203 State Vehicle Operation	-	-	-	-	---
204 Depreciation	-	-	-	-	---
205 Personal Travel (Out of State)	-	-	-	-	---
301 Office Supplies	-	-	-	-	---
302 Facility Maintenance Supplies	-	11,674	-	11,674.31	---
303 Equipment Maintenance Supplies	-	-	-	-	---
304 Professional & Scientific Supplies	-	1,070	-	1,069.88	---
306 Housing & Subsistence Supplies	-	-	-	-	---
307 Ag.Conservation & Horticulture Supply	-	-	-	-	---
308 Other Supplies	-	6,848	-	6,847.80	---
309 Printing & Binding	-	-	-	-	---
310 Drugs & Biologicals	-	-	-	-	---
311 Food	-	-	-	-	---
312 Uniforms & Related Items	-	-	-	-	---
313 Postage	-	-	-	-	---
401 Communications	-	15,569	-	15,569.47	---
402 Rentals	-	-	-	-	---
403 Utilities	-	-	-	-	---
405 Professional & Scientific Services	-	-	-	-	---
406 Outside Services	-	252,395	-	252,395.00	---
407 Intra-State Transfers	-	-	-	-	---
408 Advertising & Publicity	-	-	-	-	---
409 Outside Repairs/Service	449,685	173,972	-	173,972.00	0.39
412 Auditor of State Reimbursements	-	-	-	-	---
414 Reimbursement to Other Agencies	-	-	-	-	---
416 ITD Reimbursements	-	-	-	-	---
417 Worker's Compensation	-	-	-	-	---
418 IT Outside Services	-	-	-	-	---
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	-	-	-	-	---
434 Transfers - Other Agencies Services	-	1,030,000	-	1,030,000.00	---
501 Equipment	-	-	-	-	---
502 Office Equipment	-	-	-	-	---
503 Equipment - Non-Inventory	-	23,842	-	23,842.29	---
510 IT Equipment	210,000	38,476	-	38,475.87	0.18
601 Claims	-	-	-	-	---
602 Other Expense & Obligations	-	-	-	-	---
604 Securities	-	-	-	-	---
701 Licenses	-	-	-	-	---
702 Fees	-	-	-	-	---
705 Refunds-Other	-	-	-	-	---
901 Capitals	5,392,619	-	-	-	-
--- Balance Carry Forward	-	-	-	-	---
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>6,052,304</b>	<b>1,553,846.62</b>	<b>-</b>	<b>1,553,846.62</b>	<b>0.26</b>
<b>Ending Balance</b>				<b>4,498,457.38</b>	

**Department of Corrections  
General Fund FY 2023 Budget**

Appr.	Total FY 2022	Total FY2023 Status Quo	Additional Funding by Legislature	FY2023 Final GF Appropriation
CBC District 1	\$ 15,553,865	\$ 15,915,362	291,977	\$ 16,207,339
CBC District 2	\$ 12,015,201	\$ 12,536,466	253,183	\$ 12,789,649
CBC District 3	\$ 7,519,274	\$ 7,519,274	191,516	\$ 7,710,790
CBC District 4	\$ 5,941,717	\$ 6,095,454	98,351	\$ 6,193,805
CBC District 5	\$ 22,514,230	\$ 23,014,230	425,794	\$ 23,440,024
CBC District 6	\$ 15,431,664	\$ 16,430,310	325,060	\$ 16,755,370
CBC District 7	\$ 8,213,355	\$ 9,463,844	209,007	\$ 9,672,851
CBC District 8	\$ 8,761,954	\$ 9,035,497	203,281	\$ 9,238,778
CBC Statewide	\$ 663,219			
Central Office	\$ 5,558,227	\$ 6,238,128	83,062	\$ 6,321,190
ICON	\$ 2,000,000	\$ 2,000,000	-	\$ 2,000,000
Department Wide Duties	\$ 10,079,991	\$ 243,797	-	\$ 243,797
County Confinement	\$ 1,082,635	\$ 1,082,635	112,684	\$ 1,195,319
Federal Prisoners	\$ 234,411	\$ 234,411	-	\$ 234,411
Corrections Education	\$ 2,608,109	\$ 2,608,109	-	\$ 2,608,109
Mental Health/Substance Abuse	\$ 28,065	\$ 28,065	-	\$ 28,065
State Cases - Std.	\$ 10,000	\$ 10,000	-	\$ 10,000
Fort Madison	\$ 42,488,273	\$ 43,200,288	737,115	\$ 43,937,403
Anamosa	\$ 35,868,225	\$ 36,087,370	762,211	\$ 36,849,581
Oakdale	\$ 63,688,978	\$ 55,418,190	832,652	\$ 56,250,842
Oakdale Pharmacy	\$ -	\$ 8,556,620	-	\$ 8,556,620
Newton	\$ 29,390,947	\$ 29,823,196	495,018	\$ 30,318,214
Mt. Pleasant	\$ 26,680,161	\$ 28,033,084	431,863	\$ 28,464,947
Rockwell City	\$ 10,841,112	\$ 10,841,112	202,002	\$ 11,043,114
Clarinda	\$ 25,647,227	\$ 26,802,003	373,871	\$ 27,175,874
Mitchellville	\$ 23,979,152	\$ 24,362,498	460,894	\$ 24,823,392
Fort Dodge	\$ 30,903,150	\$ 32,123,199	513,027	\$ 32,636,226
<b>General Fund Total</b>	<b>\$ 407,703,142</b>	<b>\$ 407,703,142</b>	<b>7,002,568</b>	<b>\$ 414,705,710</b>

## CORRECTIONS DEPARTMENT[201]

## Adopted and Filed

The Corrections Department hereby amends Chapter 1, "Departmental Organization And Procedures," and Chapter 20, "Institutions Administration," Iowa Administrative Code.

## Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 904.108.

## State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 904.108.

## Purpose and Summary

All of the Department's rules were reviewed as part of the comprehensive five-year review required under Iowa Code section 17A.7. These proposed amendments are designed to eliminate outdated or redundant rules, update Iowa Administrative Code language and eliminate any rules that are inconsistent or incompatible with statutes or other rules.

The proposed amendments to Chapter 1 reflect updates to the Department's internal structure, such as prison telephone numbers and staff job responsibilities.

The proposed amendments to Chapter 20 include:

- Removing advertising brochures and flyers from the list of authorized publications that can be received by an incarcerated individual;
- Replacing the words "moderate intensity family violence prevention program" with "participation in evidence-based programs" to refer to programs that certain incarcerated individuals must complete before visitation;
- Replacing the words "send a copy of the removal form to the incarcerated individual" with "notify the incarcerated individual of the completed removal" in reference to when an incarcerated individual requests a visitor be removed from the individual's visiting list;
- Replacing the words "upon entrance to the institution" with "before the start of the visit" to reflect that both in-person and video visits occur;
- Clarifying that an incarcerated individual's mail sent to and received from the Office of Ombudsman shall be delivered unopened;
- Clarifying the name of the Iowa Department of Corrections account where money orders and cashier's checks from the public must be sent for deposit into an incarcerated individual's account;
- Clarifying that publications may be purchased by a third party or an incarcerated individual;
- Clarifying that the warden's designee may accept donations to the prison; and
- Changing the timeframe from quarterly to annually for the Director to review incarcerated individual telephone commission expenditure requests with the Board of Corrections.

## Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on May 18, 2022, as ARC 6324C.

A public hearing was offered on June 7, 2022. There were no attendees.

No changes from the Notice have been made.

## Adoption of Rule Making

This rule making was adopted by the Corrections Department on July 8, 2022.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Corrections for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

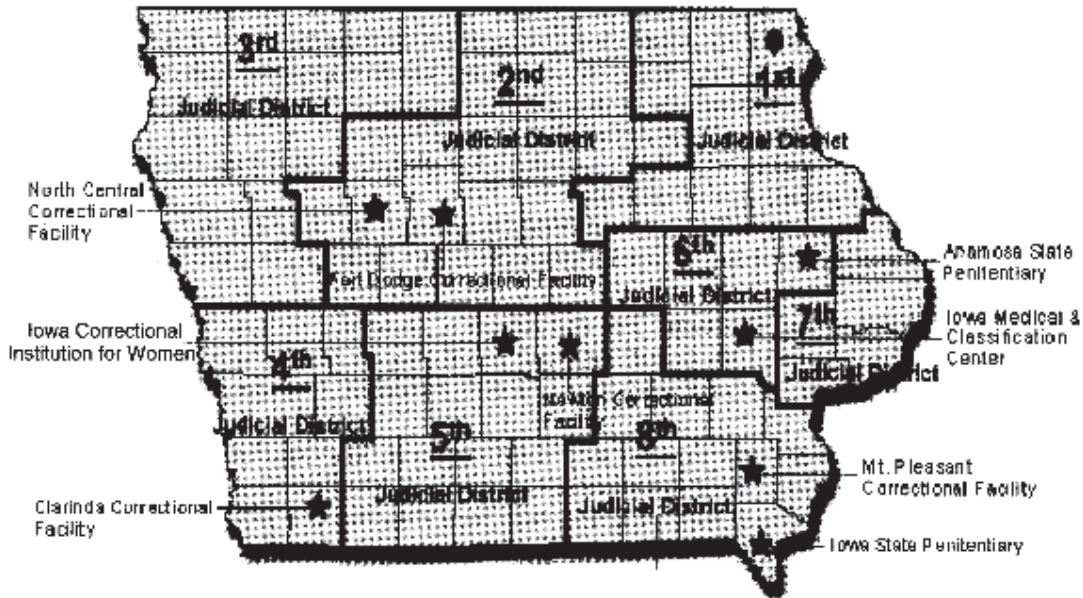
Effective Date

This rule making will become effective on August 31, 2022. The following rule-making action is adopted:

ITEM 1. Amend subrule 1.3(3) as follows:

1.3(3) *Contact information.* Contact information for correctional institutions and judicial district departments of correctional services and other offices located outside the principal headquarters is listed below and may also be found on the department's website, which is listed in rule 201—1.4(904). The following map provides a general overview of judicial district department of correctional services and correctional institution locations.

Department of Corrections Institutions  
and  
Judicial District Departments of Correctional Services



Anamosa State Penitentiary

Iowa Medical and Classification Center

406 North High Street  
Anamosa, IA 52205  
(319)462-3504  
(319)462-4962 Fax

2700 Coral Ridge Avenue  
Coralville, IA 52241  
(319)626-2391  
(319)626-2141 Fax

Mt. Pleasant Correctional Facility  
1200 East Washington  
Mt. Pleasant, IA 52641  
(319)385-9511  
(319)385-8828 Fax

Iowa State Penitentiary  
2111 330th Avenue, P.O. Box 316  
Fort Madison, IA 52627  
(319)372-5432  
(319)372-6967 Fax

Newton Correctional Facility  
307 S. 60th Avenue W, P.O. Box 218  
Newton, IA 50208  
(641)792-7552  
(641)791-1683 Fax

Fort Dodge Correctional Facility  
1550 L Street  
Fort Dodge, IA 50501-5767  
(515)574-4700  
(515)574-4707 Fax

North Central Correctional Facility  
313 Lanedale  
Rockwell City, IA 50579  
(712)297-7521  
(712)297-7875 Fax

Iowa Correctional Institution for Women  
420 Mill Street SW  
Mitchellville, IA 50169  
~~(515)967-4236~~(515)725-5042  
~~(515)967-5347~~(515)725-5015 Fax

Clarinda Correctional Facility  
2000 N. 16th Street  
Clarinda, IA 51362  
~~(712)542-5634/5635~~(712)695-7140  
~~(712)542-4844~~(712)695-7130 Fax

First Judicial District, DCS  
314 East Sixth Street, P.O. Box 4030  
Waterloo, IA 50704-4030  
(319)236-9626  
(319)291-3947 Fax

Second Judicial District, DCS  
509 Main Street, Suite 200  
Ames, IA 50010  
(515)232-1511  
(515)232-9453 Fax

Third Judicial District, DCS  
515 Water Street  
Sioux City, IA 51103  
(712)252-0590  
(712)252-0634 Fax

Fourth Judicial District, DCS  
810 South Tenth Street  
Council Bluffs, IA 51501  
(712)325-4943  
(712)325-0312 Fax

Fifth Judicial District, DCS  
1000 Washington Street  
Des Moines, IA 50314  
(515)242-6611  
(515)242-6656 Fax

Sixth Judicial District, DCS  
951 29th Ave. SW  
Cedar Rapids, IA 52404

Seventh Judicial District, DCS  
605 Main Street  
Davenport, IA 52803-5244

(319)398-3675

(563)322-7986

(319)398-3684 Fax

(563)324-2063 Fax

Eighth Judicial District, DCS

1805 West Jefferson, P.O. Box 1060

Fairfield, IA 52556-1060

(641)472-4242

(641)472-9966 Fax

ITEM 2. Amend rule 201—1.4(904) as follows:

201—1.4(904) Internet website. The department's Internet home page is located at ~~www.doc.iowa.gov~~ doc.iowa.gov.

ITEM 3. Amend paragraph 1.8(1)“b” as follows:

b. The deputy director of institutional operations is also responsible for the following:

- (1) Classification.
- (2) Education.
- (3) Safety officers.
- (4) Records.
- (5) Transfers.
- (6) Security operations.
  1. Investigations.
  2. Reserved.

ITEM 4. Amend subrule 1.8(6) as follows:

1.8(6) The general counsel/~~inspector general~~ shall be responsible for the following:

- a. Legal services.
- b. Coordination of court orders.
- c. ~~Investigations~~ Public records.
- d. ~~EEO/AA~~ Civil rights.
- e. Administrative law judges.
- f. Jail inspections.
- g. ~~Legislative program.~~
- ~~h.~~ g. Administrative rules.

ITEM 5. Amend subrule 1.8(7) as follows:

1.8(7) The director of media and public relations shall be responsible for the following:

- a. Providing public information to constituency groups and the media.
- b. Facilitating internal communications in the department.
- c. Legislative program.

ITEM 6. Amend rule 201—20.1(904) as follows:

201—20.1(904) Application of rules. The rules in this chapter apply to all adult correctional institutions unless otherwise stated. The institutions covered by these rules are the Iowa state penitentiary, Fort Madison, the Anamosa state penitentiary, Anamosa, the Iowa correctional institution for women, Mitchellville, the Iowa medical and classification center, ~~Oakdale~~ Coralville, the Newton correctional facility, Newton, the Mt. Pleasant correctional facility, Mt. Pleasant, the Clarinda correctional facility, Clarinda, the north central correctional facility, Rockwell City, and the Fort Dodge correctional facility, Fort Dodge.

This rule is intended to implement Iowa Code section 904.102.

ITEM 7. Amend rule 201—20.2(904), definition of “Publication,” as follows:

“Publication” means a book, booklet, pamphlet, or similar document, or a single issue of a magazine, periodical, newsletter, newspaper, plus such other materials addressed to a specific incarcerated individual, such as ~~advertising brochures, flyers, and~~ catalogs.

ITEM 8. Amend subparagraph 20.3(6)“d”(1) as follows:

(1) Applicants may appeal to the warden or designee in writing. An appeal by an applicant who is the victim of a sex offense, or who is the victim's family member, and is seeking to visit the perpetrator of the crime shall be reviewed in consultation with the department sex offender treatment director or the institution's treatment director for ~~the moderate intensity family violence prevention program~~ participation in evidence-based programs.

ITEM 9. Amend subrule 20.3(7) as follows:

20.3(7) *Removal from visiting list.* If an incarcerated individual wishes to have a visitor removed from the incarcerated individual's visiting list, the incarcerated individual shall complete the Removal of Visitor form contained in department policy OP-MTV-04 and send it to the central visiting authority. Upon receipt of the removal request, the central visiting authority shall respond to the request within seven business days and ~~send a copy of the removal form to the incarcerated individual~~ notify the incarcerated individual of the completed removal. Once a visitor has been removed from a visiting list, six months must elapse before reapplication by the removed visitor.

ITEM 10. Amend subrule 20.3(9) as follows:

20.3(9) *Identification.* All visitors shall present proper identification ~~upon entrance to the institution~~ before the start of the visit. Photo identification is preferred, but any identification presented shall identify personal characteristics, such as color of hair and eyes, height, weight, and birth date.

a. Signature cards may be required from visitors.

b. All visitors may be required to be photographed for future identification purposes only.

ITEM 11. Amend subrule 20.3(10) as follows:

20.3(10) *Special visitors.*

a. *Law enforcement.* Division of criminal investigation agents, Federal Bureau of Investigation agents, and law enforcement officials shall present proof of identity upon entrance to the institution.

b. *Attorneys.* Attorneys must complete an initial visitor application form to visit an incarcerated individual; however, this initial application shall apply to multiple visiting lists. After initial approval is established, attorneys must contact the central visiting authority at (319)385-9511 to be added to the visiting lists of additional incarcerated individuals. Background checks are not required, and attorneys shall not be counted as a friend on an incarcerated individual's visiting list as set forth in 20.3(3) "b."

Attorneys shall present proof of identity ~~upon entrance to the institution~~ before the start of the visit. The incarcerated individual must express a desire to visit with an attorney before the attorney will be admitted. Attorney visits shall be during normal visiting hours unless a special visit has been requested by the incarcerated individual and approved by the warden or designee prior to the visit.

An attorney testing positive by an electronic detection device may be required to visit without direct contact.

c. *Ministers.* Ministers must complete an initial visitor application form to visit an incarcerated individual; however, this initial application shall apply to multiple visiting lists. After initial approval is established, ministers must contact the central visiting authority at (319)385-9511 to be added to the visiting lists of additional incarcerated individuals. Background checks are required. Ministers shall not be counted as a friend on an incarcerated individual's visiting list as set forth in 20.3(3) "b."

Ministers shall present proof of identity ~~upon entrance to the institution~~ before the start of the visit. The incarcerated individual must express a desire to visit with a minister before the minister will be admitted. Minister visits shall be during normal visiting hours unless a special visit has been requested by the incarcerated individual and approved by the warden or designee prior to the visit.

A minister testing positive by an electronic detection device may be required to visit without direct contact.

ITEM 12. Amend paragraph 20.4(3) "a" as follows:

a. Pursuant to Iowa Code chapter 2C, mail addressed to and received from the ombudsman office shall be delivered unopened.

ITEM 13. Amend rule 201—20.4(904) as follows:

201—20.4(~~2C~~,904) Mail. Constructive, unlimited correspondence with family, friends, and community sources will be encouraged and facilitated. Incarcerated individuals have the responsibility in the use of correspondence to be truthful and honest. Institutions have the responsibility to maintain a safe, secure, and orderly procedure for use of the mail by an incarcerated individual. Mail is additionally governed by the provisions of department of corrections policy OP-MTV-01.

20.4(1) to 20.4(3) No change.

This rule is intended to implement Iowa Code section 2C.14.

ITEM 14. Amend rule 201—20.5(904) as follows:

201—20.5(904) Money orders, cashier's checks, and electronic funds transfers for incarcerated individuals. An individual may deposit funds in an incarcerated individual's account by money order, cashier's check, or electronic funds transfer. Personal checks and cash will not be accepted. Only money orders and cashier's checks will be accepted for deposit into an incarcerated individual's account by mail. Money orders and cashier's checks must be made payable to the Iowa Department of Corrections ~~Incarcerated Individual~~ Offender Fiduciary Account (IDOC ~~HFA~~ OFA) and sent to: Fort Dodge Correctional Facility, 1550 L Street, Suite B, Fort Dodge, Iowa 50501, and must include the incarcerated individual's name and ID number and the sender's name and complete address. Funds will also be accepted via electronic funds transfers from authorized vendors. An incarcerated individual's suspected abuse of requests for money



from the public may be cause for limits or restrictions on the amounts of money which can be received and from whom money can be received.

This rule is intended to implement Iowa Code section 904.506.

ITEM 15. Amend subrule 20.6(2) as follows:

20.6(2) Publications include any periodical, newspaper, book, pamphlet, magazine, newsletter, or similar material published by any individual, organization, company, or corporation, and made available for a commercial purpose. ~~All publications~~ Publications may be purchased by a third party or an incarcerated individual and shall be unused and sent directly from an approved publisher or bookstore which does mail order business. Any exceptions must be authorized by the warden. No publication will be denied solely on the basis of its appeal to a particular ethnic, racial, religious, or political group. The quantity of printed materials, as with other personal property, ~~will~~ shall be controlled for safety and security reasons.

ITEM 16. Amend paragraph 20.6(5)“k” as follows:

k. Is a ~~pamphlet~~; catalog; or other publication whose purpose is primarily or significantly to sell items or materials that are expressly prohibited inside any of the department institutions. The warden can make exceptions for materials that serve reentry efforts.

ITEM 17. Adopt the following new implementation sentence in rule 201—20.6(904):  
This rule is intended to implement Iowa Code section 904.108(1)“k.”

ITEM 18. Adopt the following new implementation sentence in rule 201—20.7(904):  
This rule is intended to implement Iowa Code section 904.108(1)“k.”

ITEM 19. Adopt the following new implementation sentence in rule 201—20.8(904):  
This rule is intended to implement Iowa Code sections 904.108(1)“k” and 904.512.

ITEM 20. Amend rule 201—20.9(904) as follows:

201—20.9(904) Donations. Donations of money, books, games, recreation equipment or other such gifts shall be made directly to the warden or the warden’s designee. The warden or the warden’s designee shall evaluate the donation in terms of the nature of the contribution to the institution program. The warden or the warden’s designee is responsible for accepting the donation and reporting the gift to the institutional deputy director on a monthly basis.

This rule is intended to implement Iowa Code section 904.113.

ITEM 21. Adopt the following new implementation sentence in rule 201—20.10(904):  
This rule is intended to implement Iowa Code section 904.108(6).

ITEM 22. Adopt the following new implementation sentence in rule 201—20.12(904):  
This rule is intended to implement Iowa Code section 904.108(2).

ITEM 23. Amend rule 201—20.15(910A) as follows:

201—20.15(~~910A~~ 915) Victim notification.

20.15(1) to 20.15(7) No change.

This rule is intended to implement Iowa Code ~~section 910A.9~~ chapter 915.

ITEM 24. Amend subrule 20.20(4) as follows:

20.20(4) *Review and approval of expenditures.* The deputy director of operations and the financial manager of administration will review the proposals for ~~a quarterly~~ an annual presentation by the director to the corrections board for approval. The director will notify the chairpersons and ranking members of the justice system’s appropriations subcommittee of the proposals prior to the corrections board approval. All expenditures and encumbrances shall require prior approval from the corrections board and the deputy director of operations. Institutions shall not be allowed to encumber or expend funds without approval. Revenues generated by telephone commissions at each institution shall be used to determine the availability of funds for each project.

## **Department of Corrections Five-Year Review of Administrative Rules**

### **Introduction**

Iowa Code §17A.7 (2) states the following:

*Beginning July 1, 2012, over each five-year period of time, an agency shall conduct an ongoing and comprehensive review of all of the agency's rules. The goal of the review is the identification and elimination of all rules of the agency that are outdated, redundant, or inconsistent or incompatible with statute or its own rules or those of other agencies. An agency shall commence its review by developing a plan of review in consultation with major stakeholders and constituent groups. When the agency completes the five-year review of the agency's own rules, the agency shall provide a summary of the results to the administrative rules coordinator and the administrative rules review committee.*

### **Regulatory Objectives**

The Director of the Department of Corrections:

- Strives to provide by rule general statements that implement, interpret or prescribe law or policy or serve an important public need;
- Strives to describe by rule the organization, procedure, and practice requirements of the Department;
- Strives to use sound scientific analysis, economic analysis, and policy analysis;
- Strives to use an open, inclusive process for rule making; and
- Strives to provide rules that are plain-spoken, direct, productive, and are necessary to carry out the laws of Iowa and any federally mandated programs.

In doing so, the Director of the Department of Corrections will strive to incorporate the Governor's priorities to:

- Create opportunities for safer communities;
- Provide a safe and humane environment for staff, offenders and the public in our institutions and communities;
- Work in partnership with communities to supervise offenders at the appropriate level to manage risk;
- Implements evidence-based practices system-wide that are proven to reduce victimization, reduce recidivism, and enhance community safety;
- Implement practices and policies that are supported by research and ensure that system-wide changes sustain over time through leadership, data-driven decision making, continuous quality improvement, input from and investment in staff, and collaboration with other state agencies and community partners.
- Provide programs and services so offenders can become law-abiding citizens; and
- Be active in our communities' efforts to prevent crime.

### **How Can You Participate?**

You can participate by contacting the person listed in the summary of the administrative rules below. You may also participate by commenting on proposed rules that are published in the Iowa Administrative Bulletin. Once a rule has been proposed, the Department will consider your comments and address them before issuing a final rule. To be most effective, comments should contain information and data that support your position, and explain why they should be incorporated in the final rule. You can be particularly helpful and persuasive if you provide examples to illustrate your concerns and offer specific alternatives.

### **Administrative Rules**

The following table list the Department's Administrative Rules.

<b>Chapter</b>	<b>Subject of Administrative Rules/Staff Contact</b>
201-1	<b>Departmental Organization and Procedures</b> Nick Crawford - nick.crawford@iowa.gov
201-5	<b>Public Records and Fair Information Practices</b> Michael Savala - michael.savala@iowa.gov
201-7	<b>Waivers &amp; Variances</b> Michael Savala - michael.savala@iowa.gov
201-10	<b>Rulemaking</b> Michael Savala - michael.savala@iowa.gov
201-11	<b>Declaratory Rulings</b> Michael Savala - michael.savala@iowa.gov
201-12	<b>Contested Cases</b> Michael Savala - michael.savala@iowa.gov
201-20	<b>Institutions Administration</b> Randy Gibbs - randy.gibbs@iowa.gov
201-37	<b>Iowa State Industries</b> Dan Clark - dan.clark@iowa.gov
201-38	<b>Sex Offender Management and Treatment</b> Sally Kreamer – sally.kreamer@iowa.gov
201-40	<b>Community-Based Corrections Administration</b>

	Sally Kreamer – sally.kreamer@iowa.gov
201-41	<b>Pre-Conviction Service</b> Sally Kreamer – sally.kreamer@iowa.gov
201-42	<b>Probation Services</b> Sally Kreamer – sally.kreamer@iowa.gov
201-43	<b>Residential Services</b> Sally Kreamer – sally.kreamer@iowa.gov
201-44	<b>Work Release</b> Sally Kreamer – sally.kreamer@iowa.gov
201-45	<b>Parole</b> Sally Kreamer – sally.kreamer@iowa.gov
201-47	<b>OWI Programs</b> Sally Kreamer – sally.kreamer@iowa.gov
201-50	<b>Jail Facilities</b> Delbert Longley – delbert.longley@iowa.gov
201-51	<b>Temporary Holding Facilities</b> Delbert Longley – delbert.longley@iowa.gov

The Iowa Administrative Rules are also posted on the Iowa Department of Corrections website for public review and comments.

**Stakeholder Review:**

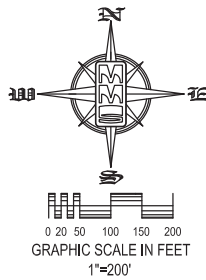
Beth Skinner, Director- IDOC  
Randy Gibbs, Deputy Director of Institutions- IDOC  
Dr. Jerome Greenfield, Health Care Administrator- IDOC  
Dr. Matthew Morris, Medical Director- IDOC  
Tasha Rooks, Nursing Services Director - IDOC  
Sally Kreamer, Deputy Director of Community Based Corrections- IDOC  
Dan Clark, Deputy Director of Iowa Prison Industries- IDOC  
Michelle Dix, Assistant Deputy Director of Community Based Corrections- IDOC  
Brian Foster, Security Operations Director- IDOC  
Steve Dick, Financial Manager-IDOC  
Sarah Fineran, Research Director- IDOC  
Sarah Holder, Training Director- IDOC  
Kristofer Karberg, Warden-Anamosa State Penitentiary  
Chris Tripp, Warden-Iowa State Penitentiary  
Nicholas Lamb, Warden-Fort Dodge Correctional Facility  
Sheryl Dahm, Warden-Iowa Correctional Institution for Women  
Steve Weis, Warden-Clarinda Correctional Facility  
Marcy Stroud, Warden- Mount Pleasant Correctional Facility  
Mike Heinricy, Warden-Iowa Medical and Classification Center  
Nicholas Lamb, Warden-North Central Correctional Facility  
Shawn Howard, Warden-Newton Correctional Facility  
Ken Kolthoff, Director, 1<sup>st</sup> District-Community Based Corrections  
Amanda Milligan, Director 2<sup>nd</sup> District-Community Based Corrections  
Maureen Hansen, Director 3<sup>rd</sup> District-Community Based Corrections  
Kip Shanks, Director 4<sup>th</sup> District-Community Based Corrections  
Jerry Evans, Director 5<sup>th</sup> District-Community Based Corrections  
Bruce Vander Sanden, Director 6<sup>th</sup> District-Community Based Corrections  
Waylyn McCulloh, Director 7<sup>th</sup> District-Community Based Corrections  
Daniel Fell, Director 8<sup>th</sup> District-Community Based Corrections  
Simona Hammond, Interstate Compact Administrator- IDOC  
Heather Bell, Administrative Assistant Interstate Compact- IDOC  
Delbert Longley, Jail Inspector- IDOC  
Ken Pirc, Offender Transfers- IDOC  
Susan Shields, Pharmacy Director - IDOC  
Mary Roche, Victim Services- IDOC  
Jennifer Guild, Sex Offender Treatment Program Coordinator- IDOC  
Katrina Skinner, Treatment Services- IDOC  
Tony Tatman, Clinical Services Director of Community Based Corrections- IDOC  
Rebecca Williams, Iowa Board of Corrections  
Webster Kranto, Iowa Board of Corrections  
Larry Kudej, Iowa Board of Corrections  
Dr. Lisa Hill, Iowa Board of Corrections  
Jim Kersten, Iowa Board of Corrections  
Trent Keller, Iowa Board of Corrections

**Stakeholder Review:**

State Court Administrator for the Iowa Courts  
Iowa Board of Parole  
Iowa State Public Defenders Office  
Iowa Department of Public Safety  
Iowa Attorney General's Office  
Iowa Ombudsman's Office  
Iowa Department of Human Rights  
Iowa Department of Administrative Services  
Iowa Workforce Development  
Iowa Finance Authority  
Department of Management  
Department of Education  
Department of Public Health  
Department of Human Services  
Iowa State Sheriff's & Deputies Association  
Iowa Peace Officers Association  
Iowa League of Cities  
Iowa Board of Supervisors



# EXHIBIT "A"



FOR COUNTY RECORDER'S USE

## EASEMENT PLAT PERMANENT PUBLIC IMPROVEMENT EASEMENT CORALVILLE, JOHNSON COUNTY, IOWA

<b>LOCATION:</b> A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ALL OF SECTION 25-T80N-R7W OF THE 5TH P.M., CORALVILLE, JOHNSON COUNTY, IOWA	<b>SURVEY REQUESTED BY:</b> THE CITY OF CORALVILLE 1512 7TH STREET PO BOX 5127 CORALVILLE, IOWA, 52241
<b>LAND SURVEYOR, INCLUDING FIRM OR ORGANIZATION:</b> RICHARD R. NOWOTNY P.L.S MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA, 52240 PHONE: 319-351-8282	<b>PROPRIETOR OR OWNER:</b> STATE OF IOWA 4 JESSUP HALL IOWA CITY, IOWA 52242
<b>DOCUMENT RETURN INFORMATION:</b> LAND SURVEYOR	<b>DOCUMENT RETURN INFORMATION:</b> LAND SURVEYOR

### LEGEND AND NOTES

- CONGRESSIONAL CORNER, FOUND
  - PROPERTY CORNER(S), FOUND (as noted)
  - PROPERTY CORNERS SET (5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS")
  - PROPERTY &/or BOUNDARY LINES
  - CONGRESSIONAL SECTION LINES
  - RIGHT-OF-WAY LINES
  - CENTER LINES
  - LOT LINES, INTERNAL
  - LOT LINES, PLATTED OR BY DEED
  - EASEMENT LINES, WIDTH & PURPOSE NOTED
  - EXISTING EASEMENT LINES, PURPOSE NOTED
  - RECORDED DIMENSIONS
  - MEASURED DIMENSIONS
- UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

#### DESCRIPTION - PERMANENT PUBLIC IMPROVEMENT EASEMENT #1

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ALL OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 7 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, CORALVILLE, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Commencing at the North Quarter Corner of Section 25, Township 80 North, Range 7 West, of the Fifth Principal Meridian, Coralville, Johnson County, Iowa; Thence S89°41'38"W, along the North Line of the Northeast Quarter of the Northwest Quarter of said Section 25, a distance of 36.26 feet, to a Point on the West Right-of-Way Line of Coral Ridge Avenue; Thence S00°26'08"E, along said West Right-of-Way Line, 301.34 feet, to the Point of Beginning; Thence continuing S00°26'08"E, along said West Right-of-Way Line, 850.64 feet; Thence S03°14'52"W, along said West Right-of-Way Line, 233.48 feet; Thence S00°26'08"E, along said West Right-of-Way Line, 285.60 feet; Thence S89°33'52"W, 72.00 feet; Thence N00°26'08"W, 187.40 feet; Thence N10°42'32"E, 315.59 feet; Thence N89°33'52"E, 11.00 feet; Thence N00°26'08"W, 829.01 feet; Thence N45°26'08"W, 28.28 feet; Thence N00°26'08"W, 24.87 feet; Thence S87°41'32"E, 35.04 feet, to the Point of Beginning. Said Permanent Public Improvement Easement #1 contains 41,453 square feet, and is subject to easements and restrictions of record.

#### DESCRIPTION - PERMANENT PUBLIC IMPROVEMENT EASEMENT #2

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 7 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, CORALVILLE, JOHNSON COUNTY, IOWA, DESCRIBED AS FOLLOWS:

Commencing at the Center of Section 25, Township 80 North, Range 7 West, of the Fifth Principal Meridian, Coralville, Johnson County, Iowa; Thence N00°56'50"W, along the East Line of the Southwest Quarter of the Northwest Quarter of said Section 25, a distance of 495.13 feet; Thence S89°59'13"W, 70.69 feet, to a Point on the West Right-of-Way Line of Coral Ridge Avenue, and the Point of Beginning; Thence continuing S89°59'13"W, along said West Right-of-Way Line, 50.00 feet; Thence N12°58'45"E, 215.51 feet, to a Point on the West Right-of-Way Line of Coral Ridge Avenue; Thence S00°26'08"E, along said West Right-of-Way Line, 210.00 feet, to the Point of Beginning. Said Permanent Public Improvement Easement #2 contains 5,250 square feet, and is subject to easements and restrictions of record.

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 Professional Land Surveyor under the laws of the State of Iowa.

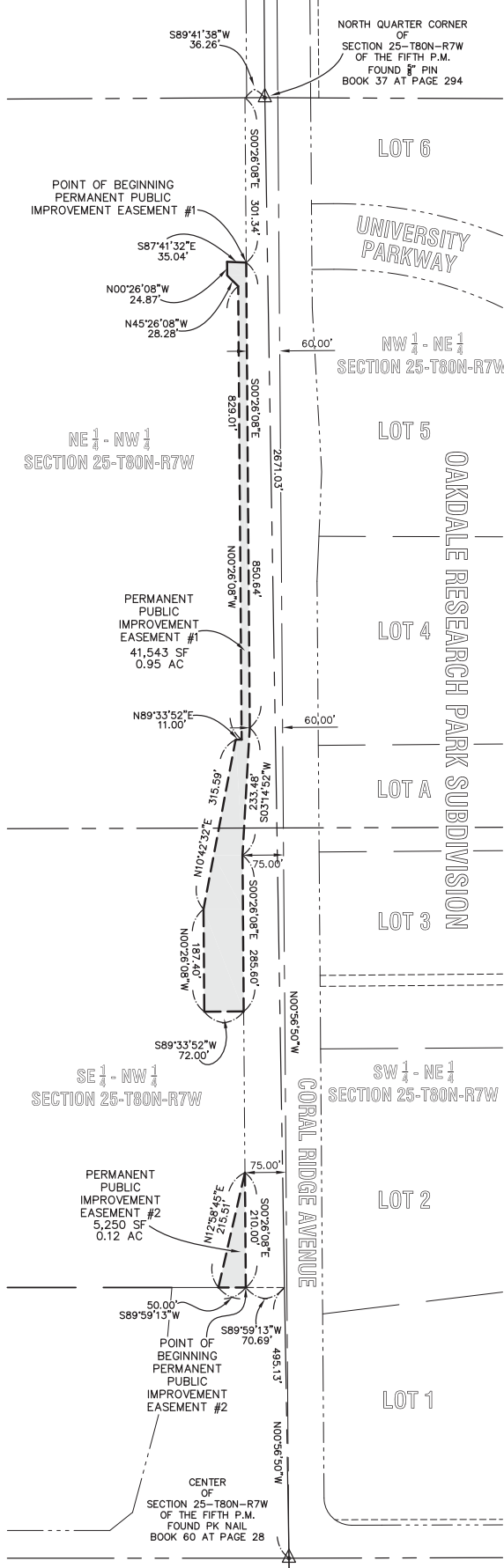
\_\_\_\_\_ 20\_\_\_\_

RICHARD R. NOWOTNY  
P.L.S. Iowa Lic. No. 17916

My license renewal date is December 31, 20\_\_\_\_.

Pages or sheets covered by this seal: \_\_\_\_\_

SEAL



**PERMANENT PUBLIC IMPROVEMENT EASEMENT**

**CORALVILLE  
JOHNSON COUNTY  
IOWA**

**MMS CONSULTANTS, INC.**

Date: 03-24-2020

Designed by: JDM  
Field Book No.: 1191

Drawn by: RLW  
Scale: 1"=200'

Checked by: RRN  
Sheet No.: 1

Project No.: IC 0116-135  
of: 1

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SECTION 25-T80N-R7W OF THE 5TH P.M.

Date: \_\_\_\_\_  
Revision: \_\_\_\_\_

CIVIL ENGINEERS  
LAND PLANNERS  
LAND SURVEYORS  
LANDSCAPE ARCHITECTS  
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.  
IOWA CITY, IOWA 52240  
(319) 351-8282  
www.mmsconsultants.net



EXHIBIT “B”

Preparer: Michael J. Moss, Assistant Attorney General, Ph: 515-239-1521  
IOWA DEPARTMENT OF JUSTICE, General Counsel Division, 800 Lincoln Way, Ames, IA 50010

# *State of Iowa*

## OFFICE OF THE SECRETARY OF STATE

Easement No. \_\_\_\_\_

### STATE LAND OFFICE

The **STATE OF IOWA**, pursuant to Iowa Code sections 307.12 and 904.317, subject to conditions listed in this easement, hereby conveys a permanent nonexclusive easement for the purposes noted below to the City of Coralville, Iowa, and its heirs, assigns, and successors in interest in real estate in Johnson County, Iowa, described on Exhibit “A” attached hereto and made a part hereof:

**CONDITIONS:**

1. Location. The easement granted herein shall be located upon and limited to the tract described and shown as permanent public improvement easements on the plat map document attached hereto as Exhibit “A” (“Easement Area”).
2. Use. Said easement shall be used by City of Coralville (“City”) for the purposes of excavating, construction, replacement, repair, maintenance and use of the Easement Area for a shared use path, storm water mains and bioretention cells, street lighting, brick pavers and landscaping on the Property, as the City shall, from time to time, elect to use, and all necessary appurtenances for use in connection with adequate protection thereof and also a right-of-way with right of ingress and egress thereto, over, through and across the Easement Area.

The State of Iowa (“State”) further grants to City the following rights in connection with the above uses:

- a. The right of grading said Easement Area for the full width thereof, and the right to extend the cuts and fills for such grading into and on said Easement Area;
- b. The right from time to time, in consultation with the State, to trim and cut down and clear away trees and brush on the Easement Area which now or hereafter, in the opinion of the City in consultation with the State, may be a hazard to the Easement Area, or which may interfere in any manner with the City’s exercise of its rights herein. In the event that trees are cut down or cleared away City shall be responsible for replacing trees with like number and species in consultation with the State. In the event State plants any trees, shrubs or other foliage on the Easement Area, City shall have no obligation to replace the same if City must remove or disturb the trees, shrubs or foliage in the exercise of its easement rights hereunder provided City notifies and consults with State prior to removing or disturbing the trees, shrubs or foliage;
- c. The right to enter onto land beyond the Easement Area and conduct emergency repair which may extend minimally beyond the Easement Area, without obtaining a separate temporary easement. City’s right to do such work shall be effective only upon City’s prior notice to State, and with minimal disruption of the area. In

the event of such emergency repair, City agrees to restore said area substantially to its prior condition, as set forth in Paragraph 5 below.

3. Access. City's entrance upon State's premises for access to the Easement Area shall be over reasonable routes designated by State officials, and any parts of said premises damaged in the course thereof shall be repaired, replaced or restored by City within a reasonable amount of time to substantially the same condition as existed prior to City's entrance.
4. Excavations and Embankments. All ditches, trenches, other excavations, embankments and other areas of fill shall be firmly filled and maintained in such a manner as to present no hazard or obstacle to State's use of the premises for other purposes.
5. Restoration and Maintenance. City shall be solely responsible for the maintenance, repair and operation of the facilities located in the Easement Area and the State shall have no responsibilities under the Coralville City Code, including section 136.04, for maintenance of trails, sidewalks and walkways in or upon the Easement Area. Upon completion of any construction, inspection, maintenance or repair of any improvements located within the Easement Area, the City shall restore the Easement Area in good and workmanlike manner to a condition comparable to its condition before such inspection, maintenance or repair, including replacement of all ground cover and landscaping contained therein.
6. Liability for Improvements, Damage and Injuries. In accepting this agreement, the City agrees that: (a) any casualty, damage or injury done to the Easement Area or surrounding property, by any person, act or thing resulting from any actions, omissions or negligence of the City or any employee, agent, contractor or subcontractor utilized or employed by the City, shall be promptly repaired or replaced by the City, at its sole expense, and the State shall not be liable for any such damage or injury; and (b) the City shall be solely responsible and liable for any personal injuries occurring on the Easement Areas resulting from any actions, omissions or negligence of the City or any employee, agent, contractor or subcontractor utilized or employed by the City, and the State shall have no responsibility or liability for any of the foregoing such injuries.
7. Liability. The City agrees to indemnify and hold harmless the State including the Department of Transportation and the Department of Corrections, as well as their respective employees, officers, members, managers, agents, representatives, contractors, insurers and attorneys from and against any and all claims, demands, liabilities, losses, damages, costs, expenses or attorney's fees (including, without limitation, the reasonable value of time spent by the Attorney General's Office) of any kind directly or indirectly related to, resulting from, or arising out of: (a) this agreement or any breach hereof by the City; (b) any actions, omissions or negligence of the City or any employee, agent, contractor or subcontractor utilized or employed by the City; or (c) any undertaking of the City (or of any employee, agent, contractor or subcontractor utilized or employed by the City) arising out of or otherwise related to this agreement.
8. Removal of Snow, Ice and Accumulations. It is the responsibility of the City to remove snow, ice and accumulations promptly from trails, sidewalks and walkways in or upon the Easement Areas. Further, the State shall have no such responsibilities under Coralville City Code section 136.03 as it pertains to trails, sidewalks and walkways in or upon the Easement Area.
9. Rights reserved. State reserves the right to full use of said Easement Area for any purpose it sees fit which does not interfere with City's rights herein granted. State may not erect buildings or other above ground structures which cross the Easement Area. However, the parties agree that notwithstanding any provisions of this easement to the contrary, any existing roadways or driveways of the State upon the Easement Area may so remain and that the State is authorized to repair, maintain and replace said driveways and roadways in their current location.
10. Duration. The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto; shall be deemed to apply to and run with the land and with the title to the land.
11. Assignment Prohibited. The grant is to City only and cannot be assigned in whole or in part to any other party without written consent of the State.

12. Amendment. The terms of this agreement may be amended by mutual agreement of the parties hereto, but any such amendment shall be in writing.

I, *Kim Reynolds*, Governor of the State of Iowa, have caused this instrument to be issued and the Great Seal of the State of Iowa to be affixed at Des Moines, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Kim Reynolds, Governor of Iowa

\_\_\_\_\_  
Paul D. Pate, Iowa Secretary of State

**I hereby certify that the foregoing Easement is recorded in Vol. \_\_\_\_ Page \_\_\_\_ in the State Land Office.**

\_\_\_\_\_  
Paul D. Pate, Iowa Secretary of State



1" = 100'

Coralville Engineering Dept.  
Printed 06-19-2022

University  
of Iowa  
Research  
Park

University  
of Iowa  
Research  
Park

Coral Ridge Avenue

Future Commercial

Redhawk Subdivision  
State of Iowa Property

University Parkway

proposed road easement

proposed road easement

Redhawk Street

Future Commercial

Redhawk Subdivision  
State of Iowa Property

proposed road easement

Proposed 8' Chainlink Fence

pavement to be removed

paver island (typ.) for  
trailer overtracking  
stalls converted  
to turf island

IMCC north parking lot

EXHIBIT "C"

Iowa Medical &  
Classification  
Center



1" = 200'

Coralville Engineering Dept.  
Printed 06-19-2022

University of Iowa Research Park

University of Iowa Research Park

University of Iowa Research Park

University of Iowa Research Park

Coral Ridge Avenue

Coral Ridge Avenue

Coral Ridge Avenue

Future Commercial

Future Commercial

Redhawk Street

Redhawk Subdivision  
State of Iowa Property

Redhawk Subdivision  
State of Iowa Property

Redhawk Subdivision  
State of Iowa Property

Redhawk Subdivision  
State of Iowa Property

Colony Property  
State of Iowa Property

University Parkway

University Parkway

University Parkway

University Parkway

965 Flats Residential

Future Commercial

Proposed to be removed

proposed to be removed  
scale converted to full island

IMCC north parking lot

IMCC south parking lot

Iowa Medical & Classification Center

EXHIBIT "D"

### Untitled Map

Write a description for your map.

#### Legend

- 📍 985 Flats Apartments
- 📏 Line Measure
- 🌳 PORT LOUISA NATIONAL WILDLIFE REFUGE

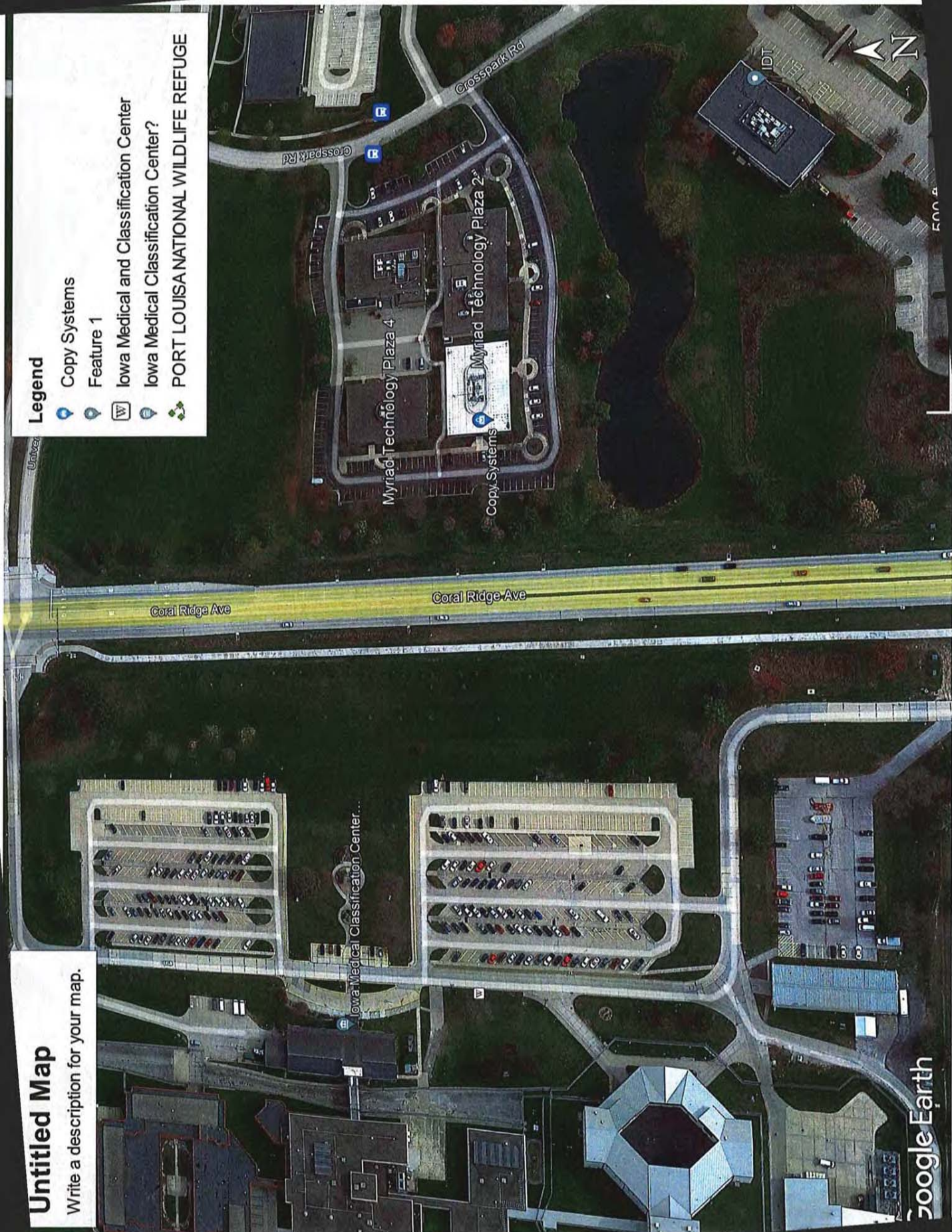


# Untitled Map

Write a description for your map.

## Legend

- Copy Systems
- Feature 1
- Iowa Medical and Classification Center
- Iowa Medical Classification Center?
- PORT LOUISA NATIONAL WILDLIFE REFUGE



**PARTIAL ACQUISITION AGREEMENT**

THIS AGREEMENT made and entered into this \_\_\_ day of \_\_\_\_\_, 2022, by and between the **Iowa Department of Corrections, acting through the State of Iowa**, hereinafter referred to as “GRANTOR”; and the **City of Coralville, Iowa**, 1512 7<sup>th</sup> Street, Coralville, Iowa 52241, hereinafter referred to as “CITY.”

WHEREAS, the CITY is undertaking a project to construct certain improvements, namely the extension of Redhawk Street and University Parkway in the City; and

WHEREAS, GRANTOR owns that certain property legally described as:

Auditor’s Parcel 2020027, as recorded in Book \_\_\_\_ at Page \_\_\_\_, Plat Records of Johnson County, Iowa; and

Auditor’s Parcel 2020028, as recorded in Book \_\_\_\_ at Page \_\_\_\_, Plat Records of Johnson County, Iowa; and

That certain Right-of-Way Acquisition Plat recorded in Book \_\_\_\_ at Page \_\_\_\_, Plat Records of Johnson County, Iowa

(collectively the “Property”); and

WHEREAS, the State of Iowa is the owner of that certain property legally described on Exhibit “A” attached hereto (the “Easement Area”); and

WHEREAS, the CITY desires to construct extensions to Redhawk Street and University Parkway across the area described in the Right-of-Way Acquisition Plat; and

WHEREAS, Auditor’s Parcels 2020027 and 2020028 are remnant parcels left over the from acquisition of the right-of-way that should be acquired by the CITY; and

WHEREAS, the CITY has placed certain stormwater quality improvements and other improvements in the Easement Area and the CITY desires to acquire easement rights over the same; and



WHEREAS, GRANTOR agrees to convey to the CITY a permanent easement according to the terms outlined below.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Based upon the appraisal submitted to GRANTOR, CITY agrees to pay to GRANTOR the sum of \$267,325.00 for the Property (the "Purchase Price"), which represents a purchase price of \$92,500 per acre for the Property.
2. Upon payment of the Purchase Price and fulfillment of the requirements of paragraph 10 of this agreement by CITY, GRANTOR agrees to sell and furnish to CITY a Patent to the CITY conveying the Property to the CITY. All costs associated with the payment of transfer taxes and recording will be borne by the CITY.
3. Based upon the appraisal submitted to GRANTOR, CITY agrees to pay to GRANTOR the sum of \$41,400.00 for an easement over that portion of the Easement Area adjacent to the Iowa Department of Correction's facility which represents a purchase price of \$46,261.68 per easement acre and upon payment, GRANTOR will provide the executed Easement Patent as shown on Exhibit "B" attached hereto. The provision of said Patent is contingent upon CITY meeting the terms of a partial acquisition agreement with the Iowa Department of Transportation, acting through the State of Iowa, as it pertains to that portion of the Easement Area adjacent to the facility of the Iowa Department of Transportation.
4. CITY expressly agrees that the CITY will not assess any of the costs of the Project against the Property in exchange for the conveyance of the Parcel to the CITY pursuant to the terms of this Agreement.
5. GRANTOR acknowledges that possession of the Property is the essence of this Agreement, and the GRANTOR does hereby grant the CITY immediate possession of said Property.
6. GRANTOR states that the GRANTOR is the lawful owner of the Property and CITY acknowledges that it will accept a State Patent without an Abstract of Title.
7. That the GRANTOR states that to the best of its knowledge, that there is no known well, solid waste disposal site, hazardous substances, or underground storage tanks on the premises described and sought herein, other than noted below: The GRANTOR understands that the Property may have been a dump site at some point in the past, and as such, there may be the presence of solid waste and /or hazardous substances, the extent of which is unknown by the GRANTOR.
8. The GRANTOR reserves it rights under Iowa Code section 6B.52 to renegotiate within 5-years from the date of this agreement, construction or maintenance damages not apparent at the time of this agreement.

9. CITY agrees that any drain tiles or lines that are located within the Property that are damaged or require relocation by roadway construction shall be repaired or relocated at no expense to the GRANTOR.

10. As part of this agreement, the CITY agrees to the following as it relates to the project known the extension of Redhawk Street and University Parkway:

a. CITY shall grade and pave a new GRANTOR entrance aligned with University Parkway as shown on the preliminary project design plan attached hereto and made a part hereof as Exhibit "C", with said entrance to include the construction of the paver and turf islands as shown on said plans. Further, the CITY warrants that said entrance as constructed will be suitable for and accommodate WB-67 semitrucks.

b. CITY shall install at GRANTOR'S new entrance signage approved by the GRANTOR which indicates that the entrance is to the Iowa Medical and Classification Center.

c. CITY shall remove that portion of the existing driveway shown as "pavement to be removed" on the Exhibit "C" and CITY shall establish lawn on such removal site.

d. CITY shall provide GRANTOR and install an 8-foot high chain link fence in the location shown as "Proposed 8' Chainlink Fence" as shown on the preliminary project design plan attached hereto and made a part hereof as Exhibit "D".

11. GRANTOR does hereby grant to CITY the RIGHT, PRIVILEGE and EASEMENT to use and occupy the property of the State as necessary for purposes of completing its obligations outlined in Paragraph 10 above, under the following terms and conditions:

a. That the CITY shall perform the construction work contemplated herein at its sole cost and expense and in compliance with all applicable laws and regulations and in a good and workmanlike manner minimizing any disturbance of the operations and activities of GRANTOR. The CITY shall timely and fully pay all such costs of the construction and shall keep the easement area and the rest of GRANTOR'S property free and clear of Mechanic's Liens and Material's Liens at all times.

b. That immediately following the construction herein referred to, the CITY will cause to be removed from the State's property, all debris, surplus material and construction equipment and leave such property Area in a neat and presentable condition.

c. That the right, privilege and easement herein granted shall cease and terminate immediately following the completion of construction, final inspection and acceptance of the improvements by the GRANTOR.

12. That this written Partial Acquisition Agreement is intended to set forth all of the commitments, responsibilities and obligations as between the GRANTOR and the CITY in connection herein. Accordingly, the terms of this Agreement supersede and replace all prior oral negotiations and written documentation provided to facilitate negotiation of the easement rights granted herein, specifically including without limitation, the terms and provisions of that certain partial acquisition contract that pertain to the easement rights granted via this Agreement.

13. This agreement is contingent upon the execution of the Patents by the Governor and the Secretary of State of the State of Iowa

CITY OF CORALVILLE:

\_\_\_\_\_  
Meghann Foster, Mayor

ATTEST:

\_\_\_\_\_  
Thorsten J. Johnson, City Clerk

\_\_\_\_\_  
Beth Skinner, Director  
IOWA DEPARTMENT OF CORRECTIONS

STATE OF IOWA, POLK COUNTY:

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Beth Skinner as Director of the Iowa Department of Corrections.

\_\_\_\_\_  
NOTARY PUBLIC for the State of Iowa