



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(JUNE 29, 2021) (WEEK 26 OF 2021)

Live streaming at:
https://www.youtube.com/user/woodburycountyiowa

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Live telephonic access at: 712-224-6014

Rocky L. DeWitt 253-0421 rdewitt@woodburycountyiowa.gov
Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov
Mark A. Monson 204-1015 mmonson@woodburycountyiowa.gov
Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov
Justin Wright 899-9044 jwright@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held June 29, 2021 at 4:30 p.m. in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board for speakers.

- 1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, please limit your remarks to three minutes on any one item.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please turn off all cell phones and other devices while in the Board Chambers.

AGENDA

4:30 p.m. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

- 1. Citizen Concerns Information
2. Approval of the agenda Action

Consent Agenda

Items 3 through 9 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

- 3. Approval of the minutes of the June 22, 2021 meeting
4. Approval of claims
5. Building Services – Kenny Schmitz
Approval of items to be auctioned per Personal Property Disposition Policy
6. County Treasurer – Tina Bertrand
a. Approval of resolution for a tax abatement for A.T.
b. Approval of resolution for a tax abatement for K.J.

7. Board Administration – Karen James
 - a. Approval of reappointment to various Boards/Commissions
 - b. Approval of appointment of Joseph Donovan to the Veteran Affairs Commission
 - c. Approval of appointment of Kevin Grieme to the Community Action Agency of Siouxland Board of Directors

8. Human Resources – Melissa Thomas
 - a. Appointment of Dawn Zahnley as the temporary service director for the Woodbury County Emergency Services department effective June 30, 2021
 - b. Approval of Memorandum of Personnel Transactions
 - c. Authorization to Initiate Hiring Process
 - d. Approval of retiree request to remain on the dental insurance and retiree’s spouse to remain on the health and dental insurance
 - e. Presentation of award certificate to Kyle Gates

9. Secondary Roads – Mark Nahra

Approval of utility permit for installation of fiber optic cable in county right of way for Farr Technologies

End Consent Agenda

10. Board Administration – Dennis Butler

Approval of Resolution authorizing the use of a preliminary official statement in connection with the sale of General Obligation Urban Renewal County Road Improvement Bonds, Series 2021 Action

11. Secondary Roads – Mark Nahra
 - a. Approve a resolution to hold a public hearing for the proposed road vacation and schedule July 17, 2021 for said hearing Action
 - b. Approval of a project agreement for the improvement of 130th Street west of Buchanan Avenue Action

- 4:45 p.m.** 12. Community & Economic Development

(Set time) – David Gleiser

Public hearing and approve second reading of Commercial Wind Energy Conversion Systems Ordinance Action

**Recess Board of Supervisors Meeting
Convene Bennet McDonald Smithland Drainage Districts Trustees Meeting**

13. Approval of the minutes of the June 22, 2021 meeting Action

**Adjourn Bennet McDonald Smithland Drainage Districts Trustees Meeting
Continue Board of Supervisors Meeting**

14. Reports on Committee Meetings Information

15. Citizen Concerns Information

16. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- MON., JUNE 28 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- MON., JULY 5 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WED., JULY 7 3:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., JULY 8 10:00 a.m.** COAD Meeting, The Security Institute
- 12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., JULY 14 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 10:00 a.m.** STARComm Board Meeting, The Security Institute, WIT Campus
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 6:30 p.m.** 911 Service Board Meeting, Public Safety Center, Climbing Hill
- 8:00 p.m.** County's Mayor Association Meeting, Public Safety Center, Climbing Hill
- THU., JULY 15 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., JULY 16 12:00 p.m.** Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- WED., JULY 21 10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., JULY 22 11:00 a.m.** Siouxland Regional Transit Systems Board Meeting, SIMPCO Office, 1122 Pierce
- MON., JULY 26 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., JULY 27 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., JULY 28 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- MON., AUG. 2 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WED., AUG. 4 9:00 a.m.** Loess Hills Alliance Protection Meeting, Pisgah, IA
- 10:30 a.m.** Loess Hills Alliance Stewardship Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive Meeting, Pisgah, IA
- 3:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., AUG. 5 10:00 a.m.** COAD Meeting, The Security Institute

Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

JUNE 22, 2021, TWENTY-FIFTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, June 22, 2021 at 4:30 p.m. Board members present were Monson, Radig, Ung, Wright, and De Witt. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

1. There were no citizen concerns.
2. Motion by De Witt second by Radig to approve the agenda for June 22, 2021. Carried 5-0. Copy filed.

Motion by De Witt second by Monson to approve the following items by consent:

3. To approve minutes of the June 15, 2021 meeting. Copy filed.
4. To approve the claims totaling \$1,018,416.53. Copy filed.
5. To receive for signatures a Resolution thanking and commending Gary Brown for his years of service to Woodbury County.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,192
A RESOLUTION THANKING AND COMMENDING
GARY BROWN
FOR HIS SERVICE TO WOODBURY COUNTY**

WHEREAS, Gary Brown has capably served Woodbury County as an employee of the Woodbury County Emergency Services Department for 39 years from August 20, 1982 to July 6, 2021 and his volunteering service since 1980;

WHEREAS, the service given by Gary Brown as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Gary Brown for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Gary Brown.

BE IT SO RESOLVED this 22nd day of June, 2021.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Carried 5-0.

8. Diana and Russ Wooley, Lamb Theater, addressed the Board regarding LAMB Arts funding needs.

Motion by Monson second by De Witt to defer for 2 weeks the request from LAMB Arts Ltd. for \$1,000,000 to restore the historic building located at 625 Douglas. Carried 5-0. Copy filed.

6. A public hearing was held at 4:40 p.m. for the first reading of Commercial Wind Energy Conversion Systems Ordinance. The Chairperson called on anyone wishing to be heard.

Director David Gleiser and County Engineer Mark Nahra presented information regarding the Ordinance.

Graham McGaffin, Nature Conservancy, Matt Ott from MidAmerican addressed the Board in favor of the Ordinance.

Doug Nelson, Wayne NE, and Randy Wagner, Wayne NE, expressed concerns regarding Wind Turbines.

Motion by De Witt second by Monson to close the public hearing. Carried 5-0.

Motion by Radig second by Wright to approve the 1st reading of the Commercial Wind Energy Conversion Systems Ordinance as amended. Carried 5-0. Copy filed.

- 7. A public hearing was held at 4:45 p.m. for the 28th Street Development Project (LEC Off-site Improvements). The Chairperson called on anyone wishing to be heard.

Motion by De Witt second by Monson to close the public hearing. Carried 5-0.

The Board recessed for a meeting of the Grant Township.

The Supervisors meeting was called back to order.

The Board recessed for a meeting of the Bennet McDonald Smithland Drainage Districts.

The Supervisors meeting was called back to order.

- 11a. Motion by Radig second by Monson to award the bid for project #ER-CO97(145)—58-97 to LA Carlson for \$89,562.25. Carried 5-0.

Motion by Radig second by Monson to approve and authorize the Chairperson to sign a Resolution bid award and designation and authorization of County Engineer for electronic signature of contract and bond. Carried 5-0.

**BID AWARD AND DESIGNATION AND AUTHORIZATION OF
COUNTY ENGINEER FOR ELECTRONIC SIGNATURE OF CONTRACT AND
BOND
RESOLUTION #13,193**

WHEREAS, the Board of Supervisors has received bids for the project captioned herein, and,

WHEREAS, the board has considered the bids and concurs with the Iowa DOT and the County Engineer's recommendation to award the contract to the lowest responsible bidder, and:

WHEREAS, time is of the essence in locking in material prices in a rapidly changing cost environment currently being experienced by contractors and road agencies across the state, the Board is directing the County Engineer to electronically sign the contracts and bonds for the following project upon presentation of completed documents meeting contract requirements for the following project:

**ER-CO97(145)—58-97
Bank Protection and Repair, County route D12/110th Street**

NOW, THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors hereby awards the bid and directs the County Engineer is directed to electronically sign the contracts and bonds for the above captioned project upon presentation of final contract documents.

Passed and approved this 22nd day of June, 2021.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11b. Motion by Radig second by De Witt to approve the plans for project #STBG-SWAP-C097(142)—FG-97. Carried 5-0. Copy filed.

12. The Board heard reports on committee meetings.

13. There were no citizen concerns.

14. Board concerns were heard.

The Board adjourned the regular meeting until June 29, 2021.

Meeting sign in sheet. Copy filed.

Woodbury County Personal Property Disposition Form



DATE:



NAME:



DEPARTMENT:

AUTHORIZED REPRESENTATIVE:



PHONE:

Fill in the fields below (* REQUIRED):

Item Description*	
Estimated Value*	
Current Location*	
County Asset Number	
Serial/VIN Number	
Year	
Make/Model	
Auction Reserve	
Notes	



For Office Use Only:

GovDeals ID #	
Sale Price	
Date	

WOODBURY COUNTY, IOWA BOARD ADMINISTRATION

MEMORANDUM

TO: Board of Supervisors
FROM: Karen James, Board Administrative Assistant
RE: Responses from Members of Boards/Commissions on Consideration
of Appointment/ Reappointment
DATE: June 24, 2021

Below are the responses of all the members of the various Boards/Commissions.

Library Board of Trustees

NO Dale Peterson, 1932 Hwy 20, Lawton, IA 51030

YES Susan Matthias, 3386 Hancock Ave., Smithland, IA 51056

YES Dennis Boyle, 3079 Safford Ave., Danbury, IA 51019

Veteran Affairs Commission

NO Leon Koster, 3407 Pine Crest Court, Sioux City, IA 51106

YES Katherine Moreno, 2410 S. Hennepin St., Sioux City, IA 51106

Civil Service Commission

YES Flora Lee, 1608 Casselman Street, Sioux City, IA 51103

Compensation Commission

NO Angela Kayl, 703 A Douglas, Sioux City, IA 51101

NO Jeremy Cross, 600 4th street, Suite #315, Sioux City, IA 51101

APPLICATION FORM FOR WOODBURY COUNTY
BOARD/COMMISSION

Please Return To:

Woodbury County Board of Supervisors, Room 104, Woodbury County Courthouse,
620 Douglas St., Sioux City, Iowa 51101

Phone: (712) 279-6525 Fax: (712) 279-279-6577 Website: <http://woodburyiowa.com>

Application For: VETERAN AFFAIRS COMMISSIONER (Board/Commission)

Date 11 June 2021 E-mail Address _____

Name JOSEPH DONDUAN

Address 3300 WALDEN AVENUE SIOUX CITY IOWA 51106

Phone Number 712-259-1742 Fax Number _____

Business Phone 712-233-0812 Cell Phone 712-259-1742

This form assists the Board of Supervisors in evaluating the qualifications of applicants for appointment to a board or commission. State law requires political subdivisions to make a good faith effort to balance most appointive boards, commissions, committees, and councils according to gender by January 1, 2012, and each year thereafter.

Female Male

Place of employment and position (and/or activities such as hobbies, volunteer work, etc. that you feel may qualify you for this position):

COMMAND CHIEF MASTER SERGEANT 185th ARW
VETERAN EVENTS
FREEDOM PARK BOARD

The following questions will assist the Board of Supervisors in its selection.

■ How much time will you be willing to devote in this position?

MEETINGS + SOME ADDITIONAL TIME - AS TIME PERMITS

■ Interest in Appointment: Describe in detail why you are interested in serving on a county board or commission. Include information about your background that supports your interest.

PREVIOUS WORK w/ BOARD MEMBERS + VA

■ Contributions you feel you can make to the Board/Commission:

IMPROVE OUTREACH, COMMUNITY, NETWORK, MEETINGS
COMMUNICATION - GENERATIONAL RELEVANCE

■ Direction/role you perceive of this Board/Commission:

GUIDE, MEMORSHIP, BEING EXPERIENCE TO BEAR ON
VETERAN NEGOTIATORS

■ In lieu of/in addition to the above, do you have any comments to add that may assist the Board of Supervisors in its selection?

■ Please provide two references who may be contacted on your qualifications for this position.

Name	Address	Phone number	Email address	Relationship
	185th AIR REVELTING WING		712-233-0210	
	JOHN MANFIELD (COL) (RET)		jmanfield@usmc.mil	USMC

I certify that there is nothing that would prohibit me from serving on this board or commission.

Signature  Date 11 June 2021

**YOUR APPLICATION WILL BE RETAINED IN OUR FILES FOR ONE YEAR
THIS APPLICATION IS A PUBLIC DOCUMENT AND AS SUCH CAN BE REPRODUCED AND
DISTRIBUTED FOR THE PUBLIC.**



BIOGRAPHY



UNITED STATES AIR FORCE

CHIEF MASTER SERGEANT JOSEPH M. DONOVAN

Chief Master Sergeant Joseph M. Donovan is the Command Chief Master Sergeant at the 185th Air Refueling Wing, Iowa Air National Guard, Sioux City, Iowa. In this role his responsibilities include advising the Wing Commander on matters influencing health, welfare, morale, and effective utilization of Wing enlisted personnel. He serves as representative to the Wing Commander and represents the Wing enlisted force on various committees, councils, and boards, and represents the Wing enlisted force at military and civilian functions.

Chief Donovan enlisted with United States Air Force in 1995 and served in the Financial Services career field. Chief Donovan joined the Air National Guard in 2002 he mobilized or provided direct support to OPERATIONS DESERT FOX and NOBLE EAGLE. He executed a tour at the National Guard Bureau in the financial management crisis cell, and has worked with the State Partnership Program in Kosovo. Chief Donovan served as the Retention Office Manager, and the Professional Development NCOIC where he advised senior leadership on strategic initiatives pertaining to recruiting, retention, mentoring, and force development. He also served as Financial Management Flight Superintendent, where he supervised the finance staff and provided oversight for a \$51M annual payroll, Chief Donovan was a member of the NGB Force Support Field Advisory Committee.



Chief Donovan is a past appointee to the Effective Fiscal & Public Policy Committee for the City of Sioux City. He is on the Executive Board of Directors for Active Generations, and has taught as adjunct faculty in the business departments of both Western Iowa Technical Community College and Briar Cliff University. Prior to assuming his current position the Chief was the Mission Support Group Superintendent for the 185th Mission Support Group, in Sioux City, Iowa.

EDUCATION

- 2002 Airman Leadership School, Correspondence, Maxwell Air Force Base, AL
- 2004 Associate Degree in Financial Management, CCAF
- 2004 Bachelor of Science in Philosophy, Cum Laude, University of South Dakota, Vermillion, SD
- 2004 Bachelor of Science in Psychology, Cum Laude, University of South Dakota, Vermillion, SD
- 2004 Financial Management Craftsman Course, Keesler AFB, MS
- 2006 USAF NCO Academy Course, correspondence, Maxwell AFB, AL
- 2006 Financial Management Advanced Agent Training Course, Silver Flag, Tyndall AFB, FL
- 2007 Graduate Management Certificate, Briar Cliff University, Sioux City, IA
- 2008 USAF Senior NCO Academy Course, correspondence, Maxwell AFB, AL
- 2009 Air National Guard Recruiting Course, Lackland AFB, TX
- 2010 Advanced Retention Management Course, McGhee Tyson ANGB, Knoxville, TN
- 2010 Masters of Arts Degree in Human Resource Management, Briar Cliff University, Sioux City, IA
- 2011 ANG Officer and Health Professional Recruiting Course, Orlando, FL
- 2012 USAF Professional Manager's Certification, CCAF
- 2012 ANG Instructor Certification Program, McGhee Tyson ANGB, Knoxville, TN
- 2014 Senior Enlisted Professional Military Education Course I, Joint Forces Staff College, Correspondence
- 2016 Department of Defense Financial Management Certification Level 3, # 30026120
- 2017 Reserve Component National Security Course, National Defense University, Ft McNair, DC
- 2017 Chief Master Sergeant's Executive Course, ANGRC, Andrews AFB, VA
- 2018 Contemporary Base Issues Course, Tulsa, OK

2018 Senior Enlisted Joint Professional Military Education II, Joint Knowledge Online, Correspondence
2018 Continuous Process Improvement for Execs, U of Cincinnati, Institute for Defense & Business, Cincinnati, OH
2019 China, Russia, & North Korea Seminar: A political-economic conflict seminar, Capitol Hill Club, Washington DC
2019 Defense Support of Civil Authorities (DSCA) Phase I Course, Correspondence
2019 Command Chief Master Sergeant Training Course, Lackland AFB, TX
2020 Air Mobility Command Nuclear Leadership Course, BG Bud Day Field, Sioux City, IA
2020 Middle East and South Asia Seminar: A political-economic conflict seminar, Capitol Hill Club, Washington DC
2020 Transnational Issues Seminar: Alexandria, VA

ASSIGNMENTS

1. March 1996 - August 1999, Financial Services, 28th CPTS, Ellsworth AFB, SD
2. February 2002 - December 2006, Financial Management, 185th FW, Sioux City, IA
3. December 2006 - October 2009, Retention Office Manager, 185th MSF, Sioux City, IA
4. October 2009 - April 2012, Professional Development NCOIC, 185th FRS SQ, Sioux City, IA
5. April 2012- August 2017, Financial Management Superintendent, 185th CPTF, Sioux City, IA
6. September 2017 - September 2019, Mission Support Group Superintendent, 185th MSG, Sioux City, IA
7. September 2019 - Present, Command Chief Master Sergeant, 185th ARW, Sioux City, IA

MAJOR AWARDS AND DECORATIONS

Air Force Meritorious Service Medal with two oak leaf clusters
Air Force Commendation Medal
Air Force Achievement Medal with two oak leaf clusters

STATE AWARDS AND DECORATIONS

Iowa National Guard Meritorious Service Medal
Iowa National Guard Commendation Medal with oak leaf cluster

PROFESSIONAL MEMBERSHIPS

Enlisted Association of the National Guard-Lifetime Member

OTHER ACHIEVEMENTS

1998 Wing Staff Airman of the Quarter, Ellsworth AFB, SD
2004 185th ARW Group Airman of the Year (NCO tier)
2008 ANG Rookie Retention Manager of the Year (Master Gold Badge)
2008 ANG Recruiting and Retention National Patriot Award (Team)
2010 Region II Golden Eagle Award Recruiting and Retention (Team)
2014 185th ARW Airman of the Year (Senior NCO tier)
2016 ANG Financial Management Comptroller Office of the Year (Team)
2016 ANG Financial Management and Comptroller Award: Financial Services Office of the Year (Team)

EFFECTIVE DATES OF PROMOTION

Airman, Oct. 4, 1995
Airman First Class, Aug. 13, 1996
Senior Airman, Oct. 4, 1998
Staff Sergeant, Sep. 1, 2002
Technical Sergeant, Sep. 1, 2004
Master Sergeant, Feb. 15, 2007
Senior Master Sergeant, July. 1, 2013
Chief Master Sergeant, Sept. 15, 2017

(Current as of Apr 2021)

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: ____6/18/21_____

Weekly Agenda Date: ____6/29/2021_____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _Jean Logan, Executive Director of the Community Action Agency of Siouxland__

SUBJECT: __Community Action Agency of Siouxland Board Appointment of Kevin Grieme as Health Representative

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

WORDING FOR AGENDA ITEM: Appointment of Kevin Grieme to the Community Action Agency of Siouxland Board of Directors to complete the term ending March, 2023

EXECUTIVE SUMMARY: One third (the equivalent of 7 seats) of the Community Action Agency Board of Directors is appointed by the Woodbury County Board of Supervisors, serving as their representatives. Traditionally one of the county board members has filled one of the seats and the remaining six positions have been filled representing specific areas. Heidi Nelson has been serving as the Health Representative. She resigned due to a move out of the county.

BACKGROUND: Board terms are staggered, so the appointment would be to complete the remainder of the term, which ends in March, 2023.

FINANCIAL IMPACT:

None

RECOMMENDATION: Approve the re-appointment of Kevin to complete Heidi's term.

ACTION REQUIRED / PROPOSED MOTION: Approve the appointment of Kevin Grieme as the Health Representative to complete the term ending March, 2023 to the Community Action Agency Board of Directors.

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 06/23/2021

Weekly Agenda Date: 06/29/2021

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas

WORDING FOR AGENDA ITEM:

Appointment of Dawn Zahnley as the temporary service director for the Woodbury County Emergency Services department effective June 30, 2021.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

According to Iowa Code Chapter 147A and Iowa Administrative Code Rule 641-132.3, each service program approved by the Iowa Department of Public Health shall have a designated "service director" at all times. Upon Gary Brown's retirement, it is recommended that the Board appoint Dawn Zahnley to fill this designated role until a new Director of the Emergency Services Department is in place who can then fill that role. Dawn Zahnley has worked for the county in the Emergency Services Department for over 17 years. She is very familiar with the department and the responsibilities of the Rule 641-132.3 service director. She has also completed the training required by the State of Iowa.

BACKGROUND:

With Gary Brown's retirement Woodbury County is required to appoint a new or temporary service director. The responsibilities of the Service Director are laid out in Iowa Administrative Code Rule 641-132.3 as follows:
132.3(3) Service director:
a. Each service program shall have a designated service director at all times.
b. A service director shall:
(1) Be accessible 24 hours per day, seven days per week or ensure accessibility to a service director designee.
(2) Be responsible for providing direction and overall supervision of the administrative and operational aspects of the service program.
(3) Ensure that all duties and responsibilities of the service director are not relinquished before a new or temporary replacement is functioning in that capacity.
(4) Complete a department-sponsored training within one year of assuming duties as a service director and at a minimum once every three years thereafter.
(5) Ensure the service program is in compliance with service program policy, Iowa Code chapter 147A and these rules.
(6) Ensure that duties of the service program's emergency medical care providers do not exceed the providers' scope of practice as referenced in 641—subrule 131.5(2) or the service program's EMS service level of authorization.

FINANCIAL IMPACT:

Dawn will remain in her current position and perform the duties of the service director until a new Director of the Emergency Services Department is in place who can then fill that role of the Rule 641-132.3 service director. To compensate her for the additional responsibilities, Woodbury County would pay her an additional \$6.00 per hour for the weeks in which she is serving as the Rule 641-132.3 service director. Dawn and the Union understand that this is a temporary change in wage. Over a 12 month period, the difference, including benefits would be approximately \$14,687.82 annually.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Pass the motion.

ACTION REQUIRED / PROPOSED MOTION:

Motion to appoint Dawn Zahnley as the temporary service director for Woodbury County Emergency Services.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: June 29, 2021

*** PERSONNEL ACTION CODE:**

- | | |
|----------------|---------------------|
| A- Appointment | R- Reclassification |
| T - Transfer | E- End of Probation |
| P - Promotion | S - Separation |
| D - Demotion | O - Other |

TO: WOODBURY COUNTY BOARD OF SUPERVISORS

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Ryan, Colin	Secondary Roads	6-28-21	Assistant County Engineer	\$97,238/year	40%= \$27,903/year	P	Promotion from Civil Engineer Intern to Assistant County Engineer.
Zahnley, Dawn	Emergency Services	6-30-21	Clerk II	\$28.80/hour		R	Temporary Wage Increase.
Fitch, Jill	County Sheriff	7-02-21	P/T Courthouse Safety & Security Officer			S	Resignation.
Perez, Mark	County Sheriff	9-01-21	Civilian Jailer			S	Retirement.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas

From: Melissa Thomas
Sent: Tuesday, June 22, 2021 5:53 PM
To: Lisa Anderson
Subject: Fwd: Assistant County Engineer

Sent from my iPhone

Begin forwarded message:

From: Mark Nahra <mnahra@woodburycountyiowa.gov>
Date: June 22, 2021 at 5:01:13 PM CDT
To: Melissa Thomas <melissathomas@woodburycountyiowa.gov>
Subject: Assistant County Engineer

Melissa,

We received one application from an existing employee for the position of assistant County Engineer. Colin Ryan has requested consideration for the opening. He is qualified for the position and I recommend his promotion to fill the vacancy.

Mark Nahra
Woodbury County Engineer

**HUMAN RESOURCES DEPARTMENT
WOODBURY COUNTY, IOWA**

DATE: June 29, 2021

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Sheriff	Civilian Jailer	CWA: \$21.02/hour (7-1-21 Wage)		

Chairman, Board of Supervisors



Woodbury County Sheriff's Office

LAW ENFORCEMENT CENTER
P. O. BOX 3715 SIOUX CITY, IOWA 51102

Chad Sheehan, SHERIFF

PHONE: 712.279.6010
E-MAIL: csheehan@woodburycountyiowa.gov
FAX: 712.279.6522

June 21, 2021

To the Woodbury County Board of Supervisors & Human Resources Department,

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to begin the hiring process for one (1) Correctional Officer position, effective June 30th, 2021. We request this be placed on the agenda for Tuesday June 29th, 2021, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Sheehan".

Chad Sheehan, Sheriff

cc: file

To: Woodbury County Board of Supervisors
Woodbury County Human Resource Department

From: Mark Perez
WCSO Correctional Officer

Re: Letter of Resignation Due to Retirement

Date: June 21, 2021

The intent of this letter is to inform you that on September 01, 2021, I will be retiring from the Woodbury County Sheriff's Department after 37 years of service.

I began work as a Correctional Officer on July 4, 1984, in the "Old Jail" at 515 Water Street then worked at the current jail at 407-7th. While I will not be working in the upcoming new jail, my hopes are that the correctional officers who do work there will find it a safe and positive environment in which to continue their careers.

It has been an honor to work with the current and previous administrations, and the men and women of law enforcement of Woodbury County.

I would like to utilize the option of our C.W.A. Deputy Sheriff's Local 7177 Contract: Sick Leave Chapter 6, which allows for a one-year paid insurance option for myself. Also, I would like the option for continued 12-month coverage for my wife, which will be paid at our expense. I would also like to retain coverage for us both on the Delta Dental Plan at our expense.

Respectfully yours,

Mark Perez

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 06/24/21 Weekly Agenda Date: 06/29/21

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas

WORDING FOR AGENDA ITEM:

Presentation of Award Certificate to Kyle Gates.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Presentation of Award Certificate for 4 hours of Paid Time Off to Kyle Gates.

BACKGROUND:

On 6-16-15 the Board of Supervisors approved the participation of Woodbury County employees in the City of Sioux City Blood Drives and to provide the same incentive of four hours of paid time off to employees who reach gallon milestones. Recipients of this award have been kind enough to donate to the blood bank for the benefit of others.

FINANCIAL IMPACT:

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

ACTION REQUIRED / PROPOSED MOTION:

CERTIFICATE OF AWARD
FOUR (4) HOURS OF PAID TIME OFF
AWARDED TO
KYLE GATES

**FOR THE GENEROUS DONATION OF 4 GALLONS TO THE LIFESERVE BLOOD CENTER
(TIME OFF MUST BE REDEEMED WITHIN SIX MONTHS FROM THE DATE BELOW)**

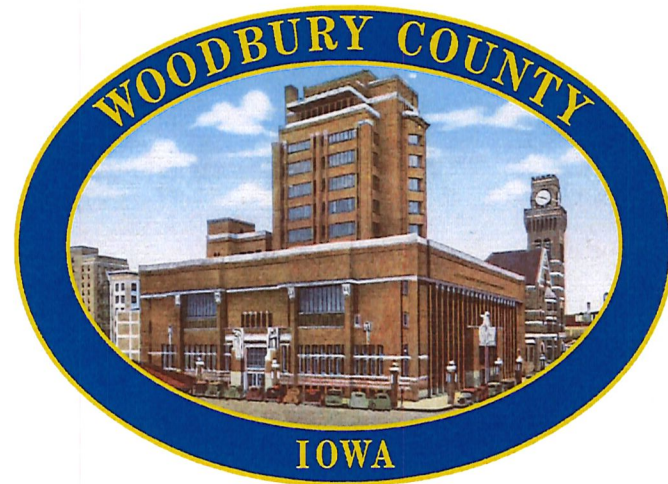
Rocky DeWitt, Board of Supervisors, Chairman

Keith Radig, Board of Supervisors

Jeremy Taylor, Board of Supervisors

Matthew Ung, Board of Supervisors

Justin Wright, Board of Supervisors



June 29, 2021

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 06/22/2021 Weekly Agenda Date: 06/29/2021

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, County Engineer

WORDING FOR AGENDA ITEM:

Consideration of a utility permit for installation of fiber optic cable in county right of way for Farr Technologies

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Farr Technologies has applied for a permit to place fiber optic cable west of Cushing, Iowa

BACKGROUND:

Work in county ROW requires a permit approved by the Board of Supervisors per section 318.8 of the Code of Iowa. The county engineer has reviewed the locations and recommends that the work be allowed.

FINANCIAL IMPACT:

No financial impact to the county.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Recommend approval of the permit for Farr Technologies.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the underground utility permit for Farr Technologies and to direct the chair to sign the permit.

PERMIT FOR USE OF COUNTY ROAD/HIGHWAY RIGHT-OF-WAY FOR OVERHEAD AND/OR BURIED UTILITIES ACCOMMODATION

REQUEST BY APPLICANT:

Name Matthew Wesier

Highway Hwy 20, Taylor Ave, 170th St

Address 7760 Office Plaza Drive South

Township Rock

City of Cushing

Office Phone 515-830-0497

Local Phone _____

Section: East of the West section line of section 2
North of the South section line of section 2
North of the South section line of the SW 1/4 of section 1

Type of Utility Installation Buried Fiber Optics

T 88 N, R 42W

Plans Prepared By FARR Technologies

Copy Enclosed x Yes _____ No _____

Map Showing Location Enclosed x Yes _____ No _____

Utility Location is _____ cross right-of-way x parallel to right-of-way

_____ overhead x underground

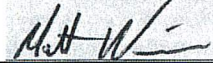
Proposed Method of Installation

_____ tunnel _____ suspend on poles _____ cased
x jack & bore _____ suspend on towers _____ trench
_____ open cut x plow

Estimated Starting Date 7-6-2021

Estimated Restoration Date 8-6-2021

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions listed on the reverse side hereof, and special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof. Applicant is to complete in triplicate and send all copies including plans and maps to Woodbury County Engineer, 759 E. Frontage Road, Merville, IA 51039. One executed copy will be returned to the Applicant.

By 
(Signature of Authorized Utility Representative)

Title Outside Plant Engineer

Date 6-23-2021

PERMIT APPROVAL BY PERMITTING AUTHORITY

The forgoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated herein and on the reverse side hereof and all attachments hereto.

By _____
(Signature of Woodbury County Board Chairman)

Title _____

Date _____

By _____
(Signature of Woodbury County Engineer)

Title _____

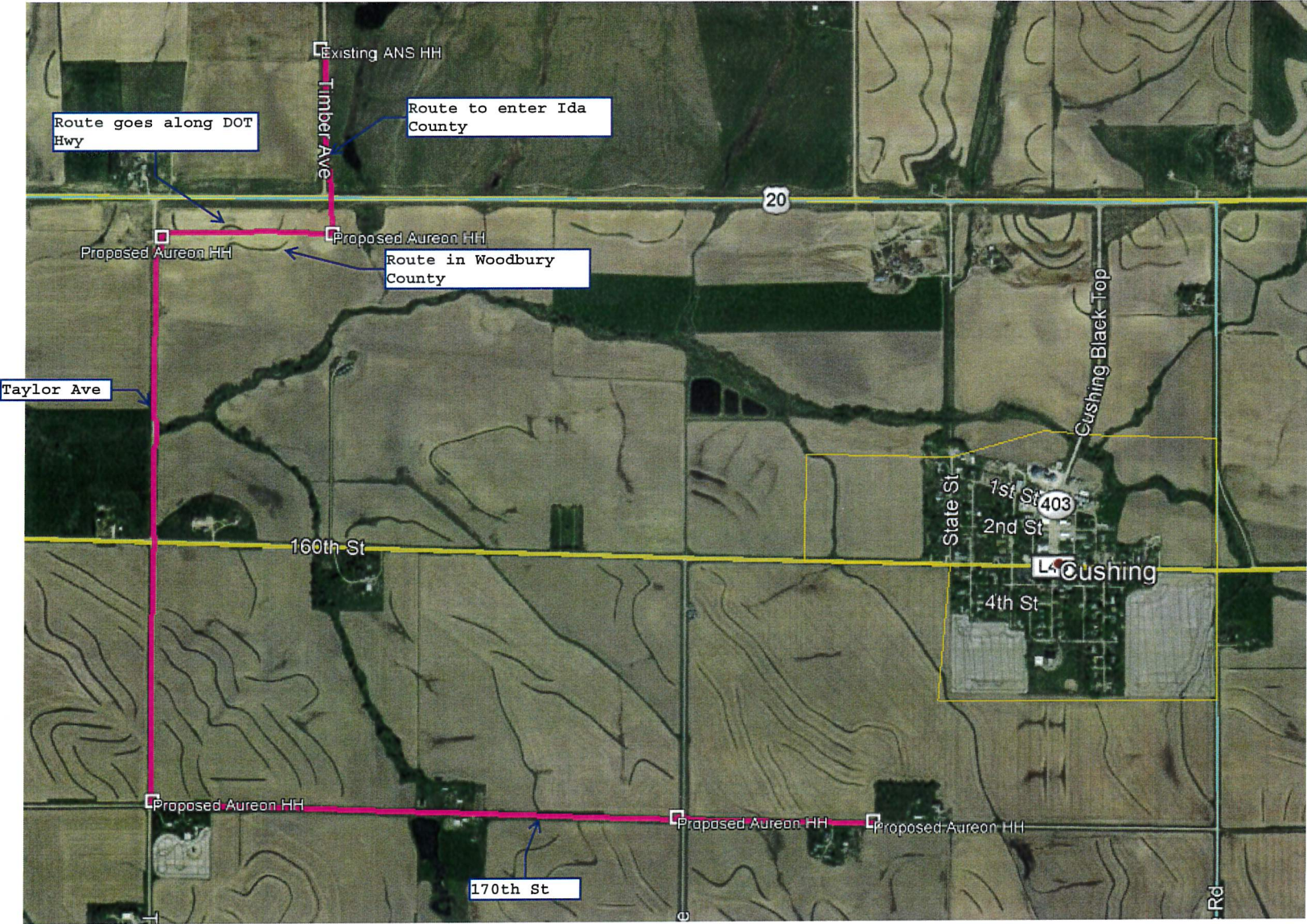
Date _____

Other Special Provisions:

Permit Provisions and Conditions of Issuance

- 1. The County and/or the County Board of Supervisors will not be charged with any responsibility for damages to the Applicant's property occasioned by any construction or maintenance operations on said county roads, including new or additional right-of-way acquired in connection therewith, subsequent to the building of the Applicant's facilities. The Board will endeavor to give the Applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way that is likely to expose, cover up, or disturb any facilities belonging to the Applicant, in order that the Applicant may arrange to protect the facilities. The Board will inform contractors, and others working on the job of the location of the facilities so that reasonable care may be taken to avoid damaging the facilities, however the County and the Board of Supervisors will assume no responsibility for failure to give such notice.

Aureon Fiber Project



APPROVE PRELIMINARY OFFICIAL STATEMENT

424093-20

Sioux City, Iowa

June 29, 2021

The Board of Supervisors of Woodbury County, Iowa, met on June 29, 2021, at _____ .m., at the Woodbury County Courthouse.

The meeting was called to order by the Chairperson, and the roll was called showing the following Supervisors present and absent:

Present: _____

Absent: _____

It was reported that a Preliminary Official Statement had been prepared in connection with the sale of the County’s General Obligation Urban Renewal County Road Improvement Bonds, Series 2021, and that it was necessary for the Board to approve the Preliminary Official Statement and to authorize its use by D.A. Davidson & Co.

Supervisor _____ introduced the following resolution and moved its adoption, seconded by Supervisor _____. After due consideration and discussion, the Chairperson put the question upon the adoption of the resolution, and the roll being called, the following Supervisors voted:

Ayes: _____

Nays: _____

The Chairperson declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. _____

Resolution authorizing the use of a preliminary official statement in connection with the sale of General Obligation Urban Renewal County Road Improvement Bonds, Series 2021

WHEREAS, Chapters 331 and 403 of the Code of Iowa authorize counties to enter into loan agreements and issue general obligation bonds for the purpose of paying the cost of planning, undertaking and carrying out certain types of urban renewal projects under the authority of Chapter 403, provided notice is published, including notice of the right to petition for an election; and

WHEREAS, the Board of Supervisors (the “Board”) of Woodbury County, Iowa (the “County”) has established the Grow Woodbury County Urban Renewal Area (the “Urban Renewal Area”), based on a finding of the need for economic development in the County and has amended the urban renewal plan for the Urban Renewal Area to designate an urban renewal project consisting of improvements to County gravel roads in order to assist economic development (the “Urban Renewal Project”); and

WHEREAS, the Board has proposed to enter into a loan agreement (the “General Obligation Urban Renewal County Road Improvement Loan Agreement”) and issue general obligation bonds in a principal amount not to exceed \$10,000,000 (the “Bonds”), pursuant to the provisions of Section 331.402, Subsection 331.441(2)(b)(14), Section 331.442, Section 331.443 and Chapter 403 of the Code of Iowa, for the purpose of paying the costs of the Urban Renewal Project; and

WHEREAS, notice of the proposed action has been published, including the right to petition for an election, and a hearing has been held, and no petition has been filed asking that the question of entering into the Urban Renewal County Road Improvement Loan Agreement and issuing the Bonds be submitted to the registered voters of the County; and

WHEREAS, the Board has expressed its intent to enter into the Urban Renewal County Road Improvement Loan Agreement and to issue the Bonds; and

WHEREAS, a preliminary official statement (the “Preliminary Official Statement”) has been prepared to facilitate the sale of the Bonds, and it is necessary to make provision for the approval of the Preliminary Official Statement and to authorize its use by D.A. Davidson & Co.;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

Section 1. The use by D.A. Davidson & Co. of the Preliminary Official Statement related to the Bonds, in substantially the form as has been presented to and considered by the Board, is hereby approved, and D.A. Davidson & Co. is hereby authorized to prepare and use a final Official Statement for the Bonds substantially in the form of the Preliminary Official Statement, but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the issuance of the Bonds, and the

appropriate County officials are hereby authorized and directed to execute a final Official Statement for the Bonds, if requested. The Preliminary Official Statement as of its date is deemed final by the County within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission.

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved June 29, 2021.

Chairperson

Attest:

County Auditor

••••

At the conclusion of the meeting and upon motion and vote, the Board adjourned.

Chairperson

Attest:

County Auditor

STATE OF IOWA
WOODBURY COUNTY

SS:

I, the undersigned, County Auditor of Woodbury County, do hereby certify that attached hereto is a true and correct copy of the proceedings of the Board of Supervisors relating to the approval a preliminary official statement, as referred to herein.

WITNESS MY HAND this _____ day of _____, 2021.

County Auditor

June 23, 2021

Dennis Butler
Woodbury County Courthouse
620 Douglas
Sioux City, Iowa 51101

Re: General Obligation Urban Renewal County Road Improvement Bonds, Series
2021
Our File No. 424093-20

Dear Dennis:

I have prepared a resolution that may be adopted by the Woodbury County Board of Supervisors on June 29 in order to authorize the use of a preliminary official statement in connection with the sale of the County's General Obligation Urban Renewal County Road Improvement Bonds.

As these proceedings are completed, please return one fully executed copy to our office.

If you have any questions, please contact me.

Very truly yours,

Robert E. Josten

cc by email: Nate Summers, D.A. Davidson & Co.

PRELIMINARY OFFICIAL STATEMENT DATED JULY __, 2021

NEW ISSUE - DTC BOOK ENTRY ONLY

RATING: Moody's "____"
(See "Rating" herein.)

In the opinion of Dorsey & Whitney LLP, Bond Counsel, according to present laws, rulings and decisions and assuming compliance with certain covenants, the interest on the Bonds will be excluded from gross income for federal income tax purposes. Interest on the Bonds is not an item of tax preference for purposes of the federal alternative minimum tax under the Internal Revenue Code of 1986 (the "Code"). See "TAX EXEMPTION AND RELATED TAX MATTERS" herein.

\$9,685,000*
Woodbury County, Iowa
General Obligation Urban Renewal County Road Improvement Bonds,
Series 2021

Dated: Date of Delivery

Due: As shown on inside cover

The \$9,685,000* General Obligation Urban Renewal County Road Improvement Bonds, Series 2021 (the "Bonds"), are being issued in fully registered form in denominations of \$5,000 or any integral multiple thereof pursuant to the provisions of Chapters 331 and 76 of the Code of Iowa, 2021, as amended and a resolution authorizing issuance of the Bonds (the "Resolution") expected to be adopted by Woodbury County, Iowa (the "Issuer" or the "County") on August 10, 2021*. The Depository Trust Company, New York, New York ("DTC") will act as the securities depository for the Bonds and its nominee, Cede & Co., will be the registered owner of the Bonds. Individual purchases of the Bonds will be recorded on a book-entry only system operated by DTC. Purchasers of the Bonds will not receive certificates representing their interest in the Bonds purchased. So long as DTC or its nominee, Cede & Co., is the Bondholder, the principal of, premium, if any, and interest on the Bonds will be paid by BOKF, N.A., Lincoln, Nebraska, as Registrar and Paying Agent (the "Registrar"), or its successor, to DTC, or its nominee, Cede & Co. Disbursement of such payments to the Beneficial Owners is the responsibility of the DTC Participants as more fully described herein. Neither the Issuer nor the Registrar will have any responsibility or obligation to such DTC Participants, indirect participants or the persons for whom they act as nominee with respect to the Bonds. See "APPENDIX E – BOOK-ENTRY SYSTEM" herein.

The Bonds will bear interest from their dated date, payable semiannually on each June 1 and December 1, commencing December 1, 2022*. The Bonds are subject to redemption by the Issuer prior to their stated maturities in the manner and at the time described herein. All of the Bonds then outstanding are subject to redemption at the option of the Issuer, as a whole or in part, from any source of available funds, on June 1, 2029*, or on any date thereafter at a redemption price equal to the principal amount of the Bonds, together with accrued interest to the date fixed for redemption, without premium. See "THE BONDS – Redemption" herein.

The Bonds and the interest thereon are general obligations of the Issuer, and all taxable property within the boundaries of the Issuer is subject to the levy of taxes to pay the principal of and interest on the Bonds without constitutional or statutory limitation as to rate or amount. See "SECURITY AND SOURCE OF PAYMENT" herein.

Proceeds of the Bonds will be used for the purpose of paying the cost, to that extent of constructing improvements to County roads, bridges and culverts in order to assist economic development and paying certain costs of issuance related to the Bonds. See "PLAN OF FINANCING" herein.

The Bonds are being offered when, as and if issued by the Issuer and accepted by the Underwriter, subject to receipt of an opinion as to legality, validity and tax exemption by Dorsey & Whitney LLP, Des Moines, Iowa, Bond Counsel. Dorsey & Whitney LLP is also serving as Disclosure Counsel to the Issuer in connection with the issuance of the Bonds. It is expected that the Bonds in the definitive form will be available for delivery through the facilities of DTC on or about August 24, 2021.*



The Date of this Official Statement is July __, 2021

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

* Preliminary, subject to change

\$9,685,000*
Woodbury County, Iowa
General Obligation Urban Renewal County Road Improvement Bonds,
Series 2021

MATURITY SCHEDULE

<u>Due</u>	<u>Amount</u> *	<u>Rate</u> *	<u>Yield</u> *	<u>Cusip Num.</u> **
June 1, 2023	\$725,000			
June 1, 2024	\$920,000			
June 1, 2025	\$935,000			
June 1, 2026	\$955,000			
June 1, 2027	\$975,000			
June 1, 2028	\$995,000			
June 1, 2029	\$1,015,000			
June 1, 2030	\$1,035,000			
June 1, 2031	\$1,055,000			
June 1, 2032	\$1,075,000			

\$,000* ____%* Term Bond due June 1, 20__, Yield ____%*, CUSIP** _____

* Preliminary, subject to change.

** CUSIP numbers shown above have been assigned by a separate organization not affiliated with the Issuer. The Issuer has not selected nor is responsible for selecting the CUSIP numbers assigned to the Bonds nor do they make any representation as to the correctness of such CUSIP numbers on the Bonds or as indicated above.

No dealer, broker, salesman or any other person has been authorized to give any information or to make any representations other than those contained in this Official Statement and, if given or made, such information or representations must not be relied upon as having been authorized by the Issuer or the Underwriter. This Official Statement does not constitute an offer to sell or a solicitation of any offer to buy any of the securities offered hereby in any state to any persons to whom it is unlawful to make such offer in such state. Except where otherwise indicated, this Official Statement speaks as of the date hereof. Neither the delivery of this Official Statement nor any sale hereunder shall under any circumstances create any implication that there has been no change in the affairs of the Issuer since the date hereof.

The information set forth herein has been obtained from the Issuer and from other sources that are believed to be reliable, but it is not guaranteed as to accuracy or completeness, and is not to be construed as a representation, by the Underwriter. The Underwriter has provided the following sentence for inclusion in this Official Statement. The Underwriter has reviewed the information in this Official Statement in accordance with, and as part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriter does not guarantee the accuracy or completeness of such information.

No representation is made regarding whether the Bonds constitute legal investments under the laws of any state for banks, savings banks, savings and loan associations, life insurance companies, and other institutions organized in such state, or fiduciaries subject to the laws of such state.

This Official Statement is not to be construed as a contract with the purchasers of the Bonds. Statements contained in this Official Statement which involve estimates, forecasts or matters of opinion, whether or not expressly so described herein, are intended solely as such and are not to be construed as a representation of facts.

THE BONDS HAVE NOT BEEN REGISTERED WITH THE SECURITIES AND EXCHANGE COMMISSION BY REASON OF THE PROVISIONS OF SECTION 3(a)(2) OF THE SECURITIES ACT OF 1933, AS AMENDED. THE REGISTRATION OR QUALIFICATIONS OF THE BONDS IN ACCORDANCE WITH APPLICABLE PROVISIONS OF SECURITIES LAWS OF THE STATES IN WHICH THE BONDS HAVE BEEN REGISTERED OR QUALIFIED AND THE EXEMPTION FROM REGISTRATION OR QUALIFICATION IN OTHER STATES SHALL NOT BE REGARDED AS A RECOMMENDATION THEREOF. NEITHER THESE STATES NOR ANY OF THEIR AGENCIES HAVE PASSED UPON THE MERITS OF THE BONDS OR THE ACCURACY OR COMPLETENESS OF THIS OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY MAY BE A CRIMINAL OFFENSE.

THIS OFFICIAL STATEMENT, INCLUDING THE APPENDICES ATTACHED HERETO, CONTAINS STATEMENTS WHICH SHOULD BE CONSIDERED "FORWARD-LOOKING STATEMENTS," MEANING THEY REFER TO POSSIBLE FUTURE EVENTS OR CONDITIONS. SUCH STATEMENTS ARE GENERALLY IDENTIFIABLE BY THE WORDS SUCH AS "ANTICIPATED," "PLAN," "EXPECT," "PROJECTED," "ESTIMATE," "BUDGET," "PRO FORMA," "FORECAST," "INTEND," OR OTHER WORDS OF SIMILAR IMPORT. THE ACHIEVEMENT OF CERTAIN RESULTS OR OTHER EXPECTATIONS CONTAINED IN SUCH FORWARD-LOOKING STATEMENTS INVOLVE KNOWN AND UNKNOWN RISKS, UNCERTAINTIES AND OTHER FACTORS WHICH MAY CAUSE ACTUAL RESULTS, PERFORMANCE OR ACHIEVEMENTS TO DIFFER FROM THOSE EXPRESSED OR IMPLIED BY SUCH FORWARD-LOOKING STATEMENTS. THE ISSUER DOES NOT EXPECT OR INTEND TO UPDATE OR REVISE ANY FORWARD-LOOKING STATEMENTS CONTAINED HEREIN IF OR WHEN ITS EXPECTATIONS OR EVENTS, CONDITIONS OR CIRCUMSTANCES ON WHICH SUCH STATEMENTS ARE BASED OCCUR.

In connection with the issuance of the Bonds, the Issuer will enter into a Continuing Disclosure Certificate. See "APPENDIX C – FORM OF CONTINUING DISCLOSURE CERTIFICATE."

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OFFICIAL STATEMENT

\$9,685,000*
Woodbury County, Iowa
General Obligation Urban Renewal County Road Improvement Bonds,
Series 2021

INTRODUCTION

The purpose of this Official Statement, including the cover page and the appendices hereto (the “Official Statement”), is to set forth certain information in conjunction with the sale of \$9,685,000* General Obligation Urban Renewal County Road Improvement Bonds, Series 2021 (the “Bonds”), of Woodbury County, Iowa (the “Issuer” or the “County”). This Introduction is not a summary of this Official Statement, but is only a brief description of the Bonds and certain other matters. Such description is qualified by reference to the entire Official Statement and the documents summarized or described herein. This Official Statement should be reviewed in its entirety. The offering of the Bonds to potential investors is made only by means of the entire Official Statement, including the appendices attached hereto. All statements made in this Official Statement involving matters of opinion or of estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. Copies of statutes, resolutions, ordinances, reports or other documents referred to herein are available, upon request, from the Issuer.

The Bonds are being issued pursuant to the provisions of Chapters 331 and 76 of the Code of Iowa, 2021, as amended (collectively, the “Act”) and a Resolution expected to be adopted by the Issuer on August 10, 2021* (the “Resolution”), to evidence the obligations of the Issuer under a Loan Agreement between the Issuer and the Underwriter.

The Bonds and the interest thereon are general obligations of the Issuer, and all taxable property within the boundaries of the Issuer is subject to the levy of taxes to pay the principal of and interest on the Bonds without constitutional or statutory limitation as to rate or amount. See “SECURITY AND SOURCE OF PAYMENT” herein.

Proceeds of the Bonds will be used for the purpose of paying the cost, to that extent, of constructing improvements to County roads, bridges and culverts in order to assist economic development and paying certain costs of issuance related to the Bonds. See “PLAN OF FINANCING” and “SOURCES AND USES OF FUNDS” herein.

THE ISSUER

The Issuer, with a 2010 U.S. Census population of 102,172, comprises approximately 878 square miles. The Issuer operates under a statutory form of government consisting of a five-member Board of Supervisors. Additional information concerning the Issuer is included in “APPENDIX A – INFORMATION ABOUT THE ISSUER” hereto.

THE BONDS

General

The Bonds will be issued in fully registered form only, without coupons. The Bonds will be initially registered in the name of Cede & Co., as nominee of DTC. DTC will act as securities depository of the Bonds. Interest on and principal of the Bonds are payable in lawful money of the United States of America.

The Bonds are dated as of the date of their delivery, will mature on June 1 in the years and in the amounts set forth on the inside cover page hereof, and will bear interest at the rates to be set forth on the inside cover page hereof. Interest on the Bonds is payable semiannually on June 1 and December 1 in each year, beginning on December 1, 2022*, calculated on the basis of a year of 360 days and twelve 30-day months. Interest shall be payable to the persons who were registered owners thereof as of the fifteenth day of the month immediately preceding the interest payment date, to the addresses appearing on the registration books maintained by the Registrar or such other address as is furnished to the Registrar in writing by a registered owner. The Bonds are issuable in denominations of \$5,000 or any integral multiple thereof.

Redemption

Optional Redemption. All of the Bonds then outstanding are subject to redemption at the option of the Issuer, as a whole or in part, from any source of available funds, beginning June 1, 2029*, or on any date thereafter at a redemption price equal to the principal amount of the Bonds, together with accrued interest to the date fixed for redemption, without premium.

* Preliminary, subject to change.

Mandatory Sinking Fund Redemption. The Bonds identified below are subject to mandatory redemption (by lot, as selected by the Registrar) on June 1 in each of the years set forth below at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date in the following principal amounts:

Term Bond Maturing June 1, 20__

<u>Date</u>	<u>Amount</u>
June 1, 20__	\$ _____
June 1, 20__ (maturity)	\$ _____

Selection of Bonds for Redemption. Bonds subject to redemption (other than mandatory sinking fund redemption) will be selected in such order of maturity as the Issuer may direct. If less than all of the Bonds of a single maturity are to be redeemed, the Bonds to be redeemed will be selected by lot or other random method by the Registrar in such a manner as the Registrar may determine.

Notice of Redemption. Prior to the redemption of any Bonds under the provisions of the Resolution, the Registrar shall give notice by certified mail or electronic means not less than thirty (30) days prior to the redemption date to each registered owner thereof.

SECURITY AND SOURCE OF PAYMENT

General

Pursuant to the Resolution and the Act, the Bonds and the interest thereon are general obligations of the Issuer, and all taxable property within the boundaries of the Issuer is subject to the levy of taxes to pay the principal of and interest on the Bonds without constitutional or statutory limitation as to rate or amount. See “APPENDIX A – INFORMATION ABOUT THE ISSUER.”

Section 76.2 of the Act provides that when an Iowa political subdivision issues general obligation bonds, the governing authority of such political subdivision shall, by resolution adopted before issuing the bonds, provide for the assessment of an annual levy upon all the taxable property in the political subdivision sufficient to pay the interest and principal of the bonds. A certified copy of this resolution shall be filed with the County Auditor in which the Issuer is located, giving rise to a duty of the County Auditor to annually enter this levy for collection from the taxable property within the boundaries of the issuer, until funds are realized to pay the bonds in full.

For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, the Resolution provides for the levy of a tax sufficient for that purpose on all the taxable property in the Issuer in each of the years while the Bonds are outstanding. The Issuer shall file a certified copy of the Resolution with the County Auditor, pursuant to which the County Auditor is instructed to enter for collection and assess the tax authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the Issuer and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the Issuer and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds and for no other purpose whatsoever.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the Issuer which may lawfully be applied for such purpose, may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in the Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the Issuer’s budget.

BONDHOLDERS’ RISKS

An investment in the Bonds involves an element of risk. In order to identify risk factors and make an informed investment decision, potential investors should be thoroughly familiar with this entire Official Statement (including the appendices hereto) in order to make a judgment as to whether the Bonds are an appropriate investment.

COVID-19

The Issuer has been monitoring developments and directives of federal, state and local officials as it determined what precautions and procedures to implement or revise in light of the spread of COVID-19. Some procedures and precautions resulting from the spread of COVID-19 with respect to operations, personnel and services may have been or will be mandated by federal and/or state entities. The

continued spread of COVID-19 may affect the financial condition of the Issuer, either directly or indirectly in various ways, including: (i) limiting the ability of the Issuer to conduct its operations in an historically normal manner, (ii) increasing the cost of operations of the Issuer, (iii) impacting the ability of the Issuer to provide personnel to carry out the services routinely provided by the Issuer, (iv) impacting certain revenues received by the Issuer, (v) affecting the secondary market with respect to the Bonds, and (vi) affecting liquidity sources of the Issuer.

The Issuer is monitoring both expenses and revenues of the County that might be impacted by COVID-19, including the road use tax fund receipts (statewide gas tax), hotel/motel tax receipts, and local option sales tax receipts.

The Issuer [did / did not] experience material reductions in revenue or material increases in expenses in fiscal year 2020 and 2021 to date due to material COVID-19-related financial impacts and [does / does not] currently expect to amend its fiscal year 2021 budget due to material COVID-19-related financial impacts. It is too soon, however, to fully predict what COVID-19-related financial impacts the Issuer may incur and whether any such financial impacts will be material. The Issuer's cash on hand and unrestricted reserves as of April 30, 2021, is shown in table "CURRENT FUND BALANCES (as of April 30, 2021)" in Appendix A. The Issuer [does / does not] currently expect to request or receive support from federal or state COVID-19 related loan or grant programs.

This information is based on current information available to the Issuer that may be incomplete and unknown. This information was derived using certain assumptions and methodologies, and includes unaudited financial information and projections. This information is forward-looking and subject to change.

Tax Levy Procedures

The Bonds are general obligations of the Issuer, payable from and secured by a continuing ad-valorem tax levied against all of the taxable property within the boundaries of the Issuer. As part of the budgetary process of the Issuer each fiscal year the Issuer will have an obligation to request a debt service levy to be applied against all of the taxable property within the boundaries of the Issuer. A failure on the part of the Issuer to make a timely levy request or a levy request by the Issuer that is inaccurate or is insufficient to make full payments of the debt service on the Bonds for a particular fiscal year may cause Bondholders to experience delay in the receipt of distributions of principal of and/or interest on the Bonds.

Changes in Property Taxation

From time to time the Iowa General Assembly has altered the method of property taxation and could do so again. Any alteration in property taxation structure could affect property tax revenues available to pay the Bonds.

Historically, the Iowa General Assembly has applied changes in property taxation structure on a prospective basis; however, there is no assurance that future changes in property taxation structure by the Iowa General Assembly will not be retroactive. It is impossible to predict the outcome of future property tax changes by the Iowa General Assembly or their potential impact on the Bonds and the security for the Bonds.

Matters Relating to Enforceability of Agreements

Bondholders shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa and of the United States of America for the enforcement of payment of the Bonds, including, but not limited to, the right to a proceeding in law or in equity by suit, action or mandamus to enforce and compel performance of the duties required by Iowa law and the Resolution.

The practical realization of any rights upon any default will depend upon the exercise of various remedies specified in the Resolution or the Loan Agreement. The remedies available to the Bondholders upon an event of default under the Resolution or the Loan Agreement, in certain respects, may require judicial action, which is often subject to discretion and delay. Under existing law, including specifically the federal bankruptcy code, certain of the remedies specified in the Loan Agreement or the Resolution may not be readily available or may be limited. A court may decide not to order the specific performance of the covenants contained in these documents. The legal opinions to be delivered concurrently with the delivery of the Bonds will be qualified as to the enforceability of the various legal instruments by limitations imposed by general principles of equity and public policy and by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors generally.

No representation is made, and no assurance is given, that the enforcement of any remedies will result in sufficient funds to pay all amounts due under the Resolution or the Loan Agreement, including principal of and interest on the Bonds.

Secondary Market

There can be no guarantee that there will be a secondary market for the Bonds or, if a secondary market exists, that such Bonds can be sold for any particular price. Occasionally, because of general market conditions or because of adverse history of economic prospects

connected with a particular issue, secondary marketing practices in connection with a particular Bond or Bonds issue are suspended or terminated. Additionally, prices of bond or note issues for which a market is being made will depend upon then prevailing circumstances. Such prices could be substantially different from the original purchase price of the Bonds.

EACH PROSPECTIVE PURCHASER IS RESPONSIBLE FOR ASSESSING THE MERITS AND RISKS OF AN INVESTMENT IN THE BONDS AND MUST BE ABLE TO BEAR THE ECONOMIC RISK OF SUCH INVESTMENT. THE SECONDARY MARKET FOR THE BONDS, IF ANY, COULD BE LIMITED.

Rating Loss

Moody's Investors Service ("Moody's") has assigned a rating of "[____]" to the Bonds. Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. There is no assurance that the rating will continue for any given period of time, or that such rating will not be revised, suspended or withdrawn, if, in the judgment of Moody's, circumstances so warrant. A revision, suspension or withdrawal of a rating may have an adverse effect on the market price of the Bonds.

Bankruptcy and Insolvency

The rights and remedies provided in the Resolution may be limited by and are subject to the provisions of federal bankruptcy laws, to other laws or equitable principles that may affect the enforcement of creditor's rights, to the exercise of judicial discretion in appropriate cases and to limitations in legal remedies against exercise of judicial discretion in appropriate cases and to limitations on legal remedies against municipal corporations in the State of Iowa. The various opinions of counsel to be delivered with respect to the Bonds, the Loan Agreement and the Resolution, including the opinion of Bond Counsel, will be similarly qualified. If the Issuer were to file a petition under chapter nine of the federal bankruptcy code, the owners of the Bonds could be prohibited from taking any steps to enforce their rights under the Resolution. In the event the Issuer fails to comply with its covenants under the Resolution or fails to make payments on the Bonds, there can be no assurance of the availability of remedies adequate to protect the interests of the holders of the Bonds.

Under sections 76.16 and 76.16A of the Code of Iowa, as amended, a city, county, or other political subdivision may become a debtor under chapter nine of the federal bankruptcy code, if it is rendered insolvent, as defined in 11 U.S.C. §101(32)(c), as a result of a debt involuntarily incurred. As used therein, "*debt*" means an obligation to pay money, other than pursuant to a valid and binding collective bargaining agreement or previously authorized bond issue, as to which the governing body of the city, county, or other political subdivision has made a specific finding set forth in a duly adopted resolution of each of the following: (1) that all or a portion of such obligation will not be paid from available insurance proceeds and must be paid from an increase in general tax levy; (2) that such increase in the general tax levy will result in a severe, adverse impact on the ability of the city, county, or political subdivision to exercise the powers granted to it under applicable law, including without limitation providing necessary services and promoting economic development; (3) that as a result of such obligation, the city, county, or other political subdivision is unable to pay its debts as they become due; and (4) that the debt is not an obligation to pay money to a city, county, entity organized pursuant to chapter 28E of the Code of Iowa, or other political subdivision.

Forward-Looking Statements

This Official Statement contains statements relating to future results that are "forward-looking statements" as defined in the Private Securities Litigation Reform Act of 1995. When used in this Official Statement, the words "anticipated," "plan," "expect," "projected," "estimate," "budget," "pro forma," "forecast," "intend," and similar expressions identify forward-looking statements. Any forward-looking statement is subject to uncertainty. Accordingly, such statements are subject to risks that could cause actual results to differ, possibly materially, from those contemplated in such forward-looking statements. Inevitably, some assumptions used to develop forward-looking statements will not be realized or unanticipated events and circumstances may occur. Therefore, investors should be aware that there are likely to be differences between forward-looking statements and the actual results. These differences could be material and could impact the availability of funds of the Issuer to pay debt service when due on the Bonds.

Tax Matters and Loss of Tax Exemption

As discussed under the heading "TAX EXEMPTION AND RELATED TAX MATTERS" herein, the interest on the Bonds could become includable in gross income for purposes of federal income taxation retroactive to the date of delivery of the Bonds, as a result of acts or omissions of the Issuer in violation of its covenants in the Resolution. Should such an event of taxability occur, the Bonds would not be subject to a special redemption and would remain outstanding until maturity or until redeemed under the redemption provisions contained in the Bonds, and there is no provision for an adjustment of the interest rate on the Bonds.

It is possible that actions of the Issuer after the closing of the Bonds will alter the tax exempt status of the Bonds, and, in the extreme, remove the tax exempt status from the Bonds. In that instance, the Bonds are not subject to mandatory prepayment, and the interest

rate on the Bonds does not increase or otherwise reset. A determination of taxability on the Bonds, after closing of the Bonds, could materially adversely affect the value and marketability of the Bonds.

DTC-Beneficial Owners

Beneficial Owners of the Bonds may experience some delay in the receipt of distributions of principal of and interest on the Bonds since such distributions will be forwarded by the Paying Agent to DTC and DTC will credit such distributions to the accounts of the Participants which will thereafter credit them to the accounts of the Beneficial Owner either directly or indirectly through indirect Participants. Neither the Issuer nor the Paying Agent will have any responsibility or obligation to assure that any such notice or payment is forwarded by DTC to any Participants or by any Participant to any Beneficial Owner.

In addition, since transactions in the Bonds can be effected only through DTC Participants, indirect participants and certain banks, the ability of a Beneficial Owner to pledge the Bonds to persons or entities that do not participate in the DTC system, or otherwise to take actions in respect of such Bonds, may be limited due to lack of a physical certificate. Beneficial Owners will be permitted to exercise the rights of registered Owners only indirectly through DTC and the Participants. See “APPENDIX E – BOOK-ENTRY SYSTEM.”

Proposed Federal Tax Legislation

From time to time, Presidential proposals, federal legislative committee proposals or legislative proposals are made that would, if enacted, alter or amend one or more of the federal tax matters described herein in certain respects or would adversely affect the market value of the Bonds. It cannot be predicted whether or in what forms any of such proposals that may be introduced, may be enacted and there can be no assurance that such proposals will not apply to the Bonds. See “TAX EXEMPTION AND RELATED TAX MATTERS” herein.

Cybersecurity

The Issuer, like many other public and private entities, relies on a large and complex technology environment to conduct its operations. As such, it may face multiple cybersecurity threats including but not limited to, hacking, viruses, malware and other attacks on computer or other sensitive digital systems and networks. There can be no assurances that any security and operational control measures implemented by the Issuer will be completely successful to guard against and prevent cyber threats and attacks. Failure to properly maintain functionality, control, security, and integrity of the Issuer’s information systems could impact business operations and systems, and the costs of remedying any such damage could be significant.

Pension and OPEB Information

The Issuer contributes to the Iowa Public Employees’ Retirement System (“IPERS”), which is a state-wide multiple-employer cost-sharing defined benefit pension plan administered by the State of Iowa. IPERS provides retirement and death benefits which are established by State statute to plan members and beneficiaries. All full-time employees of the Issuer are required to participate in IPERS. IPERS plan members are required to contribute a percentage of their annual salary, in addition to the Issuer being required to make annual contributions to IPERS. Contribution amounts are set by State statute. The IPERS Comprehensive Annual Financial Report for its fiscal year ended June 30, 2020 (the “IPERS CAFR”), indicates that as of June 30, 2020, the date of the most recent actuarial valuation for IPERS, the funded ratio of IPERS was 83.96%, and the unfunded actuarial liability was approximately \$6.587 billion. The IPERS CAFR identifies the IPERS Net Pension Liability at June 30, 2020, at approximately \$7.025 billion, while its net pension liability at June 30, 2019, was approximately \$5.791 billion. The IPERS CAFR is available on the IPERS website, or by contacting IPERS at 7401 Register Drive, Des Moines, IA 50321. See “APPENDIX D – AUDITED FINANCIAL STATEMENTS OF THE ISSUER” for additional information on IPERS.

Bond Counsel, Disclosure Counsel, the Municipal Advisor (defined below), the Underwriter and the Issuer undertake no responsibility for and make no representations as to the accuracy or completeness of the information available from the IPERS discussed above or included on the IPERS website, including, but not limited to, updates of such information on the State Auditor’s website or links to other Internet sites accessed through the IPERS website.

In fiscal year ended June 30, 2019, the Issuer’s IPERS contribution totaled approximately \$1,729,804, and the Issuer’s component units (legally separate entities for which the County is financially responsible) totaled \$297,407. The Issuer is current in its obligations to IPERS.

Pursuant to Governmental Accounting Standards Board Statement No. 68, IPERS has allocated the net pension liability among its members, with the Issuer’s identified portion at June 30, 2019, at approximately \$9,807,253 and the Issuer’s component units’ identified portion at \$2,620,219. While the Issuer’s contributions to IPERS are controlled by state law, there can be no assurance the Issuer will not be required by changes in State law to increase its contribution requirement in the future, which may have the effect of negatively impacting the finances of the Issuer. See “APPENDIX D – AUDITED FINANCIAL STATEMENTS OF THE ISSUER” for additional information on pension and liabilities of the Issuer.

The Issuer operates a single-employer retiree benefit plan that provides medical, prescription drug, and dental benefits for employees, retirees and their spouses. As of June 30, 2019, there were 380 active and 32 inactive participants in the plan. Participants must be age 55 or older at retirement. Retirees under age 65 pay the same premium for the medical and prescription drug benefit as active employees, which results in an implicit subsidy and an OPEB liability. The plan also consists of an explicit subsidy for Medicare eligible retirees enrolling in a Medicare supplement program. The contribution requirements of plan members are established and may be amended by the County. The County currently finances the retiree benefit plan on a pay-as-you-go basis. For the fiscal year ended June 30, 2019, the unfunded OPEB liability for the Issuer and its component unit was \$3,360,479 and \$593,026 respectively. See “APPENDIX D — AUDITED FINANCIAL STATEMENTS OF THE ISSUER” for additional information on pension and OPEB obligations of the Issuer.

Summary

The foregoing is intended only as a summary of certain risk factors attendant to an investment in the Bonds. In order for potential investors to identify risk factors and make an informed investment decision, potential investors should become thoroughly familiar with this entire Official Statement and the appendices hereto.

LITIGATION

The Issuer encounters litigation occasionally, as a course of business; however, no litigation currently exists that is not believed to be covered by current insurance carriers and the Issuer is not aware of any pending litigation that questions the validity of these Bonds.

ACCOUNTANT

The financial statements of the Issuer as of and for the year ended June 30, 2019, included in this Official Statement as Appendix D, have been audited by Williams & Company P.C., Sioux City, Iowa, independent auditors, as stated in their report appearing herein. Williams & Company, P.C. has not been engaged to perform, and has not performed, any procedures on the financial statements after June 30, 2019, and also has not performed any procedures relating to this Official Statement..

MUNICIPAL ADVISOR

The Issuer has retained D.A. Davidson & Co. as Municipal Advisor (the “Municipal Advisor”) in connection with the issuance of the Bonds. In assisting with the preparation of the Official Statement, the Municipal Advisor has relied on government officials, and other sources to provide accurate information for disclosure purposes. The Municipal Advisor is not obligated to undertake, and has not undertaken, an independent verification of the accuracy, completeness, or fairness of the information contained in the Official Statement.

PLAN OF FINANCING

The Issuer will use the proceeds of the Bonds to provide funds for the purpose of paying the cost, to that extent, of constructing improvements to County roads, bridges and culverts in order to assist economic development and paying certain costs of issuance related to the Bonds.

SOURCES AND USES OF FUNDS*

The following are estimated sources and uses of funds, with respect to the Bonds.

Sources of Funds	
Bond Principal	\$9,685,000*
Premium	
Total Sources of Funds	\$
Uses of Funds	
Project Fund	\$
Costs of Issuance & Contingency ⁽¹⁾	\$
Total Uses of Funds	\$

(1) Includes, among other things, payment of certain legal, financial and other expenses related to the issuance of the Bonds (including, without limitation, underwriters' discount). See the discussion under the caption "UNDERWRITING" herein.

TAX EXEMPTION AND RELATED TAX MATTERS

Federal Income Tax Exemption

The opinion of Bond Counsel will state that under present laws and rulings, interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed under the Code.

The opinion set forth in the preceding sentence will be subject to the condition that the Issuer comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, or continue to be, excluded from gross income for federal income tax purposes. Failure to comply with certain of such requirements may cause the inclusion of interest on the Bonds in gross income for federal income tax purposes to be retroactive to the date of issuance of the Bonds. In the resolution authorizing the issuance of the Bonds, the Issuer will covenant to comply with all such requirements.

There may be certain other federal tax consequences to the ownership of the Bonds by certain taxpayers, including without limitation, corporations subject to the branch profits tax, financial institutions, certain insurance companies, certain S corporations, individual recipients of Social Security and Railroad Retirement benefits and taxpayers who may be deemed to have incurred (or continued) indebtedness to purchase or carry tax-exempt obligations. Bond Counsel will express no opinion with respect to other federal tax consequences to owners of the Bonds. Prospective purchasers of the Bonds should consult with their tax advisors as to such matters.

Proposed Changes in Federal and State Tax Law

From time to time, there are Presidential proposals, proposals of various federal committees, and legislative proposals in the Congress and in the states that, if enacted, could alter or amend the federal and state tax matters referred to herein or adversely affect the marketability or market value of the Bonds or otherwise prevent holders of the Bonds from realizing the full benefit of the tax exemption of interest on the Bonds. Further, such proposals may impact the marketability or market value of the Bonds simply by being proposed. No prediction is made whether such provisions will be enacted as proposed or concerning other future legislation affecting the tax treatment of interest on the Bonds. In addition, regulatory actions are from time to time announced or proposed and litigation is threatened or commenced which, if implemented or concluded in a particular manner, could adversely affect the market value, marketability or tax exempt status of the Bonds. It cannot be predicted whether any such regulatory action will be implemented, how any particular litigation or judicial action will be resolved, or whether the Bonds would be impacted thereby.

Purchasers of the Bonds should consult their tax advisors regarding any pending or proposed legislation, regulatory initiatives or litigation. The opinions expressed by Bond Counsel are based upon existing legislation and regulations as interpreted by relevant judicial and regulatory authorities as of the date of issuance and delivery of the Bonds, and Bond Counsel has expressed no opinion as of any date subsequent thereto or with respect to any proposed or pending legislation, regulatory initiatives or litigation.

Original Issue Premium

The Bonds maturing in the years _____ are being issued at a premium to the principal amount payable at maturity. Except in the case of dealers, which are subject to special rules, Bondholders who acquire the Bonds at a premium must, from time to time, reduce their federal tax bases for the Bonds for purposes of determining gain or loss on the sale or payment of such Bonds. Premium generally is amortized for federal income tax purposes on the basis of a bondholder's constant yield to maturity or to certain call dates

* Preliminary, subject to change.

with semiannual compounding. Bondholders who acquire any Bonds at a premium might recognize taxable gain upon sale of the Bonds, even if such Bonds are sold for an amount equal to or less than their original cost. Amortized premium is not deductible for federal income tax purposes. Bondholders who acquire any Bonds at a premium should consult their tax advisors concerning the calculation of bond premium and the timing and rate of premium amortization, as well as the state and local tax consequences of owning and selling the Bonds acquired at a premium.

Original Issue Discount

The Bonds maturing in the years _____ (collectively, the “Discount Bonds”) are being sold at a discount from the principal amount payable on such Discount Bonds at maturity. The difference between the price at which a substantial amount of the Discount Bonds of a given maturity is first sold to the public (the “Issue Price”) and the principal amount payable at maturity constitutes “original issue discount” under the Internal Revenue Code. The amount of original issue discount that accrues to a holder of a Discount Bond under section 1288 of the Internal Revenue Code is excluded from federal gross income to the same extent that stated interest on such Discount Bond would be so excluded. The amount of the original issue discount that accrues with respect to a Discount Bond under section 1288 is added to the owner’s federal tax basis in determining gain or loss upon disposition of such Discount Bond (whether by sale, exchange, redemption or payment at maturity).

Interest in the form of original issue discount accrues under section 1288 pursuant to a constant yield method that reflects semiannual compounding on dates that are determined by reference to the maturity date of the Discount Bond. The amount of original issue discount that accrues for any particular semiannual accrual period generally is equal to the excess of (1) the product of (a) one-half of the yield on such Discount Bonds (adjusted as necessary for an initial short period) and (b) the adjusted issue price of such Discount Bonds, over (2) the amount of stated interest actually payable. For purposes of the preceding sentence, the adjusted issue price is determined by adding to the Issue Price for such Discount Bonds the original issue discount that is treated as having accrued during all prior semiannual accrual periods. If a Discount Bond is sold or otherwise disposed of between semiannual compounding dates, then the original issue discount that would have accrued for that semiannual accrual period for federal income tax purposes is allocated ratably to the days in such accrual period.

An owner of a Discount Bond who disposes of such Discount Bond prior to maturity should consult owner’s tax advisor as to the amount of original issue discount accrued over the period held and the amount of taxable gain or loss upon the sale or other disposition of such Discount Bond prior to maturity.

Owners who purchase Discount Bonds in the initial public offering but at a price different than the Issue Price should consult their own tax advisors with respect to the tax consequences of the ownership of Discount Bonds.

The Internal Revenue Code contains provisions relating to the accrual of original issue discount in the case of subsequent purchasers of bonds such as the Discount Bonds. Owners who do not purchase Discount Bonds in the initial offering should consult their own tax advisors with respect to the tax consequences of the ownership of the Discount Bonds.

Original issue discount that accrues in each year to an owner of a Discount Bond may result in collateral federal income tax consequences to certain taxpayers. No opinion is expressed as to state and local income tax treatment of original issue discount. All owners of Discount Bonds should consult their own tax advisors with respect to the federal, state, local and foreign tax consequences associated with the purchase, ownership, redemption, sale or other disposition of Discount Bonds.

LEGAL MATTERS

Legal matters incident to the authorization, issuance and sale of the Bonds and with regard to the tax-exempt status of the interest thereon (see “TAX EXEMPTION AND RELATED TAX MATTERS” herein) are subject to the approving legal opinion of Dorsey & Whitney LLP, Des Moines, Iowa, Bond Counsel, a form of which is attached hereto as “APPENDIX B – FORM OF BOND COUNSEL OPINION.” Signed copies of the opinion, dated and premised on law in effect as of the date of original delivery of the Bonds, will be delivered to the Underwriter at the time of such original delivery. The Bonds are offered subject to prior sale and to the approval of legality of the Bonds by Bond Counsel. Dorsey & Whitney LLP is also serving as Disclosure Counsel to the Issuer in connection with issuance of the Bonds.

The legal opinion to be delivered will express the professional judgment of Bond Counsel, and by rendering a legal opinion, Bond Counsel does not become an insurer or guarantor of the result indicated by that expression of professional judgment or of the transaction or the future performance of the parties to the transaction.

RATING

The Bonds are rated “[_____]” by Moody’s. The rating reflects only the views of Moody’s, and an explanation of the significance of that rating may be obtained only from Moody’s and its published materials. The rating described above is not a recommendation to buy, sell or hold the Bonds. There can be no assurance that any rating will continue for any given period of time or that it will not be

revised downward or withdrawn entirely if, in the judgment of Moody's, circumstances so warrant. Therefore, after the date hereof, investors should not assume that the rating is still in effect. A downward revision or withdrawal of the rating is likely to have an adverse effect on the market price and marketability of the Bonds. The Issuer has not assumed any responsibility either to notify the owners of the Bonds of any proposed change in or withdrawal of any rating subsequent to the date of this Official Statement, except in connection with the reporting of events as provided in the Continuing Disclosure Certificate, or to contest any revision or withdrawal.

CONTINUING DISCLOSURE

The Issuer will covenant in a Continuing Disclosure Certificate for the benefit of the Owners and Beneficial Owners of the Bonds to provide annually certain financial information and operating data relating to the Issuer (the "Annual Report"), and to provide notices of the occurrence of certain enumerated events. The Annual Report is to be filed by the Issuer [no later than twelve months after the close of each fiscal year, commencing with the fiscal year ending June 30, 2020], with the Municipal Securities Rulemaking Board, at its internet repository named "Electronic Municipal Market Access" ("EMMA"). The notices of events, if any, are also to be filed with EMMA. See "APPENDIX C – FORM OF CONTINUING DISCLOSURE CERTIFICATE." The specific nature of the information to be contained in the Annual Report or the notices of events, and the manner in which such materials are to be filed, are summarized in "APPENDIX C – FORM OF CONTINUING DISCLOSURE CERTIFICATE." These covenants have been made in order to assist the Underwriter in complying with SEC Rule 15c2-12(b)(5) (the "Rule").

During the previous five years, the County has not failed to comply, in all material respects, with any previous undertakings it has entered into with respect to the Rule.

UNDERWRITING

The Bonds are being purchased, subject to certain conditions, by Piper Sandler & Co. (the "Underwriter"). The Underwriter has agreed, subject to certain conditions, to purchase all, but not less than all, of the Bonds at an aggregate purchase price of \$ _____ (reflecting the par amount of the Bonds with original issue premium of \$ _____ and an underwriter's discount of \$ _____).

The Underwriter may offer and sell the Bonds to certain dealers (including dealers depositing the Bonds into unit investment trusts, certain of which may be sponsored or managed by the Underwriter) at prices lower than the initial public offering prices stated on the cover page. The initial public offering prices of the Bonds may be changed, from time to time, by the Underwriter.

The Underwriter intends to engage in secondary market trading of the Bonds subject to applicable securities laws. The Underwriter is not obligated, however, to repurchase any of the Bonds at the request of the holder thereof.

MISCELLANEOUS

Brief descriptions or summaries of the Issuer, the Bonds, the Resolution and other documents, agreements and statutes are included in this Official Statement. The summaries or references herein to the Bonds, the Resolution and other documents, agreements and statutes referred to herein, and the description of the Bonds included herein, do not purport to be comprehensive or definitive, and such summaries, references and descriptions are qualified in their entirety by reference to such documents, and the description herein of the Bonds is qualified in its entirety by reference to the form thereof and the information with respect thereto included in the aforesaid documents. Copies of such documents may be obtained from the Issuer.

Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact, and no representation is made that any of the estimates will be realized. This Official Statement is not to be construed as a contract or agreement between the Issuer and the purchasers or Owners of any of the Bonds.

The attached APPENDICES A, B, C, D and E are integral parts of this Official Statement and must be read together with all of the foregoing statements.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bonds nor any error in the printing of such numbers shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for any Bonds.

The Issuer has reviewed the information contained herein which relates to it and has approved all such information for use within this Official Statement. The execution and delivery of this Official Statement has been duly authorized by the Issuer.

Woodbury County, Iowa

/s/ _____

APPENDIX A

INFORMATION ABOUT THE ISSUER

WOODBURY COUNTY, IOWA

620 Douglas Street
Sioux City, Iowa 51101

BOARD OF SUPERVISORS

Rocky De Witt, Chairperson, 5th District	<i>Term expires January 2021</i>
Keith Radig, Vice Chairperson, 1st District	<i>Term expires January 2021</i>
Matthew Ung, 4th District	<i>Term expires January 2023</i>
Marty Pottebaum, 3rd District	<i>Term expires January 2021</i>
Justin Wright, 2nd District*	<i>Term expires January 2023</i>

* Elected in 2020 to fill vacancy.

COUNTY OFFICIALS

Patrick Gill, County Auditor & Recorder	<i>Term expires January 2021</i>
Mike Clayton, County Treasurer	<i>Term expires January 2023</i>
Dave Drew, County Sheriff	<i>Term expires January 2021</i>
Patrick Jennings, County Attorney	<i>Term expires January 2023</i>

THE ISSUER

Geography

Woodbury County is located on the western border of Iowa, adjacent to South Dakota and Nebraska. The County is the sixth most populous county within the state, with a 2010 U.S. Census population of 102,172. The County encompasses 878 square miles, and contains 15 incorporated cities and 24 townships.

Education

County residents are served by nine school districts. The largest district, Sioux City Community School District has 14,976 students (2019-2020) and a district population of 83,145 people. Sergeant Bluff Community School District and Maple Valley – Anthon Oto Community School District also serve large portions of the County.

Higher education facilities within the County include Briar Cliff University and Morningside College, which offer four-year degree programs, and Western Iowa Tech Community College, which offers two-year degree programs as well as adult basic and continuing education courses. Additionally, the University of South Dakota is approximately 35 miles away.

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POPULATION TREND

	<u>2010</u>	<u>2000</u>	<u>1990</u>	<u>1980</u>
<u>Cities</u>				
Anthon	565	649	638	687
Bronson	322	269	209	289
Correctionville	821	851	897	935
Cushing	220	246	241	270
Danbury	348	384	430	492
Hornick	225	253	222	239
Lawton	908	697	482	447
Moville	1,618	1,583	1,306	1,273
Oto	108	145	118	172
Pierson	366	371	341	408
Salix	363	370	367	429
Sergeant Bluff	4,227	3,321	2,772	2,416
Sioux City	82,684	85,013	80,505	82,003
Sloan	973	1,032	938	978
Smithland	224	221	252	282
Total Incorporated	93,972	95,405	89,718	91,320
Woodbury County (Total)	102,172	103,877	98,276	100,884
State of Iowa	3,046,355	2,926,324	2,776,755	2,913,808

Source: US Census Bureau

MEDIAN HOUSEHOLD INCOME

Woodbury County had an estimated, median household income of \$59,224 compared to \$60,523 for the State of Iowa. The following table represents the distribution of family incomes for the County according to the 2015-2019 American Community Survey 5 year estimated table:

<u>Household Income</u>	<u># of Households</u>	<u>% of Households</u>
Less than \$10,000	2,048	5.25%
\$10,000 to \$14,999	1,564	4.01%
\$15,000 to \$24,999	4,041	10.36%
\$25,000 to \$34,999	4,107	10.53%
\$35,000 to \$49,999	4,553	11.67%
\$50,000 to \$74,999	7,606	19.49%
\$75,000 to \$99,999	5,852	15.00%
\$100,000 to \$149,999	6,094	15.62%
\$150,000 to \$199,999	1,800	4.61%
\$200,000 or more	<u>1,351</u>	3.46%
TOTAL	39,016	

Source: U.S. Census Bureau

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UNEMPLOYMENT STATISTICS

<u>Year</u>	<u>Woodbury County</u> ¹⁾	<u>State of Iowa</u> ²⁾
2020	5.50%	5.55%
2019	2.70%	2.75%
2018	2.60%	2.60%
2017	3.20%	3.10%
2016	3.55%	3.60%
2015	3.80%	3.75%

¹ Not seasonally adjusted annual average.

² Seasonally adjusted annual average.

Source: Iowa Workforce Development, Labor Market Information (LMI) Division.

AGRICULTURE STATISTICS AND HISTORICAL AVERAGE FARMLAND VALUES

<u>Agriculture Statistics</u>			<u>Historical Average Farmland Values</u>		
<u>Corn/Grain:</u>	<u>Woodbury County</u>	<u>State of Iowa</u>	<u>Year</u>	<u>Woodbury County</u>	<u>State of Iowa</u>
Harvested acres	201,500	13,050,000	2020	\$7,014	\$7,559
Yield per acre (bu./acre)	218.2	198.0	2019	\$6,873	\$7,432
Production (1,000 bu.)	43,961	2,583,900	2018	\$6,646	\$7,264
<u>Soybeans:</u>			2017	\$6,746	\$7,326
Harvested acres	152,600	9,120,000	2016	\$6,691	\$7,183
Yield per acre (bu./acre)	56.8	55.0	2015	\$7,298	\$7,633
Production (1,000 bu.)	8,670	501,600	2014	\$7,600	\$7,943

Source: 2020 Iowa Agriculture Statistical Bulletin, USDA., 2020 Farmland Value Survey Iowa State University

LARGER EMPLOYERS

<u>Name of Business</u>	<u>Type of Business</u>	<u>Approximate Number of Employees</u> ¹
Tyson Fresh Meats	Food Processor	4,500
Seaboard Triumph Foods	Food Processor	2,400
Sioux City Public Schools	Education	2,370
Bomgaars	Retail	2,100
Mercy Medical Center	Hospital	1,562
Unity Point Health - St. Luke's	Hospital	1,500
Hy-Vee	Food Retailer	1,023
185th Iowa Air National Guard	Military	952
City of Sioux City	Government	878
Western Iowa Tech	College	<u>700</u>
	TOTAL	17,985

¹ Includes fulltime and part-time employees.

Source: Woodbury County

PRINCIPAL TAXPAYERS

	1/1/2020
	Taxable Valuation
<u>Taxpayer</u>	<u>for FY 2021/22</u>
Mid American Energy - Gas & Elec #7289	197,823,779
CF Industries Nitrogen,LLC	114,264,632
CF Industries Properties LLC #5419	86,911,595
Seaboard Triumph Foods LLC	53,752,050
SCE Partners LLC	45,900,000
Southern Hills Mall LLC	42,163,650
Mid American Energy - Gas & Elec #5289	37,929,754
New Cooperative, Inc	24,603,841
CCS Realty Property Owner LLC	23,351,310
Wal-Mart Real Estate Business Prop. Tax Dept #0555	<u>22,741,920</u>
Total Top 10 Taxable Valuation:	<u>\$649,442,531</u>

Top 10 as % of Total 2020 Taxable Valuation: 12.09%

Source: Woodbury County

SCHEDULE OF RECEIPTS AND DISBURSEMENTS (General Fund)

<u>Fiscal Year</u>	<u>Beginning Balance</u>	<u>Receipts</u>	<u>Disbursements</u>	<u>Ending Balance</u>
2019/20	\$5,962,310	\$42,788,450	\$42,047,609	\$6,703,151
2018/19	\$5,817,472	\$33,901,981	\$33,820,416	\$5,899,037
2017/18	\$5,218,082	\$33,128,067	\$32,520,377	\$5,825,772
2016/17	\$5,325,621	\$31,257,577	\$31,365,116	\$5,218,082
2015/16	\$5,839,452	\$30,050,358	\$30,564,189	\$5,325,621

Source: Woodbury County

PROPERTY VALUATIONS AND TAX COLLECTION PROCEDURES

All property subject to taxation is valued in compliance with State law every two years subject to an equalization action of the State Department of Revenue. All property except utility property is assessed at the local level. The State Department of Revenue assesses utility property.

The Assessor establishes the actual valuation (100%) as of January 1 in a calendar year for taxes payable in the succeeding fiscal year, i.e. valuations made in 2019 are for taxes payable in the fiscal year 2020/21. The actual value of parcels is provided by the assessor to the county auditor who then determines the taxable value. The taxable value is computed by adjusting the actual value of various classes of real property, principally residential property, by percentages (roll back rates) determined by the State Department of Revenue. The roll back percentages for residential property values for the years shown are:

<u>Fiscal Year</u>	<u>Residential</u>	<u>Agricultural</u>	<u>Commercial & Industrial</u>	<u>Multiresidential</u>
FY 2020-21	55.07%	81.48%	90.00%	71.25%
FY 2019-20	56.92%	56.13%	90.00%	75.00%
FY 2018-19	55.62%	54.45%	90.00%	78.75%
FY 2017-18	56.94%	47.50%	90.00%	82.50%
FY 2016-17	55.63%	46.11%	90.00%	86.25%

Source: Iowa Department of Revenue

CURRENT FUND BALANCES (as of 4/30/21)

Cash - General Account	\$12,754,761
Cash - Treasurer General Checking	(47,332)
Cash - Recorders Records Management	79,411
Cash - Check Issuing	(515,077)
Cash - Emergency Management	25,856
Cash - Mastercard/Visa Processing	1,399,663
Cash - Siouxland District Health Internet	199,208
Cash - Debt Service	271,222
Cash - M Anderson Trust	37,830
Cash - Case Management	1,280,757
Cash - Siouxland District Health	1,486,646
Cash - Recorder Electronic Fees	5,179
Cash - Recorder ACH	2,716,062
Cash - Holding Account	24,977,493
Cash - Conservation Reserve	8,154
Cash - Grant	129,946
Cash - Anthon Heritage Bank	2,646,659
Cash - Liberty National Bank	1,033,108
Cash - CD's	8,483,000
Investment in Stamped Warrants	<u>45,813</u>
TOTAL	57,018,357

Source: Woodbury County

TAX RATE PER \$1,000 OF TAXABLE VALUATION

Valuation Year:	2019	2018	2017	2016	2015
<u>Collection Year:</u>	<u>2020/21</u>	<u>2019/20</u>	<u>2018/19</u>	<u>2017/18</u>	<u>2016/17</u>
General Basic	3.65946	3.82712	3.69591	3.70269	3.65035
General Supplemental	2.48601	2.62513	2.65730	2.80611	2.81028
Debt Service	0.21332	0.12427	0.37716	0.45059	0.26710
Mental Health/Dev Disability	<u>0.80535</u>	<u>0.65134</u>	<u>0.53132</u>	<u>0.44594</u>	<u>0.72650</u>
Total County (Urban)	7.16414	7.22786	7.26169	7.40533	7.45423
Rural Basic	2.47340	2.49971	2.24345	2.96224	3.04187
<u>Additional:</u>					
County Assessor	0.47953	0.49458	0.50886	0.41730	0.42081
Agricultural Extension	0.12200	0.12727	0.12823	0.13327	0.13238
North Iowa Area CC	0.88483	0.90221	0.96256	0.79732	0.74787
State of Iowa	0.00270	0.00280	0.00290	0.00310	0.00330

Source: Iowa Department of Management

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TAX COLLECTION TREND

Valuation Year	Collection Year	Amount Levied	Amount Collected*	Percent Collected
2019	2020/21	\$37,701,219	\$38,576,826	102.32%
2018	2019/20	\$35,603,534	\$35,959,569	101.00%
2017	2018/19	\$34,615,415	\$35,566,880	102.75%
2016	2017/18	\$33,326,965	\$34,611,421	103.85%
2015	2016/17	\$32,665,447	\$32,747,764	100.25%

* Includes delinquent taxes, if any.

Source: Woodbury County

VALUATION BY PROPERTY CLASSIFICATION

The following tables present the January 1, 2019 100% Assessed and Taxable Valuations of the County by property classification (for Fiscal Year 2020/21 tax levies) and the January 1, 2020 100% Assessed and Taxable Valuations of the County by property classification (for Fiscal Year 2021/22 tax levies).

	Assessment Year: 2019 Collection Year: 2020/21		Assessment Year: 2020* Collection Year: 2021/22	
	100% Actual Value	Taxable Value (With Rollback)	100% Actual Value	Taxable Value (With Rollback)
Residential	\$4,388,068,723	\$2,397,778,922	\$4,379,081,890	\$2,456,735,367
Agricultural Land & Buildings	\$722,929,636	\$588,986,275	\$724,479,214	\$608,751,594
Commercial	\$1,105,372,370	\$966,023,763	\$1,125,486,564	\$978,533,355
Industrial	\$260,589,723	\$224,866,229	\$299,160,180	\$258,478,188
Multiresidential	\$197,899,721	\$140,178,938	\$224,253,302	\$150,582,407
Railroads	\$36,877,488	\$33,189,740	\$38,736,940	\$34,863,247
Utilities w/o Gas & Electric	\$38,779,555	\$38,779,555	\$35,221,651	\$34,710,547
Other	\$5,300,000	\$4,770,000	\$4,455,000	\$4,009,500
Gross Valuation	\$6,755,817,216	\$4,394,573,422	\$6,830,874,741	\$4,526,664,205
Less: Military Exemption	(\$7,045,008)	(\$7,045,008)	(\$6,777,596)	(\$6,777,596)
Net Valuation	\$6,748,772,208	\$4,387,528,414	\$6,824,097,145	\$4,519,886,609
TIF Increment (used to compute debt service levies and constitutional debt limit)	\$430,181,088	\$430,179,293	\$485,280,955	\$485,277,597
Gas & Electric	\$803,407,473	\$407,675,570	\$787,896,359	\$366,383,846
Total Valuation	\$7,982,360,769	\$5,225,383,277	\$8,097,274,459	\$5,371,548,052

*Subject to final certification July 1, 2021.

Source: Iowa Department of Management

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VALUATION TREND

Valuation <u>Year</u>	Payable <u>Fiscal Year</u>	100% <u>Actual Valuation</u>	Taxable Valuation <u>(With Rollback)</u>	Taxable TIF <u>Increment Valuation</u>	Total Taxable <u>Valuation</u>
2020*	2021/22	\$8,097,274,459	\$4,886,270,455	\$485,277,597	\$5,371,548,052
2019	2020/21	\$7,982,360,769	\$4,795,203,984	\$430,179,293	\$5,225,383,277
2018	2019/20	\$7,541,493,536	\$4,477,974,037	\$362,184,070	\$4,840,158,107
2017	2018/19	\$7,411,382,056	\$4,367,098,018	\$359,850,336	\$4,726,948,354
2016	2017/18	\$7,005,847,865	\$4,051,788,986	\$310,927,242	\$4,362,716,228

The 100% actual valuations, before rollback and after reduction of military exemption, include agricultural land and buildings, TIF increment, and gas and electric utilities and are used for calculating debt capacity. The taxable valuations, with the rollback and after the reduction of military exemption, include gas and electric utilities, agricultural land and buildings and excludes taxable TIF increment value, which is shown separately. Iowa cities certify operating levies against taxable value excluding TIF increment. However, debt service levies are certified against taxable value including TIF increment.

*Subject to final certification July 1, 2021.

Source: Iowa Department of Management

TAXABLE RETAIL SALES TREND

Year Ended <u>June 30</u>	Woodbury County	
	<u>Retail Sales</u>	<u>No. of Businesses</u>
2020	\$1,682,145,488	2,489
2019	\$1,708,036,124	2,516
2018	\$1,733,986,866	2,494
2017	\$1,715,713,645	2,514
2016	\$1,718,120,910	2,535
2015	\$1,703,936,549	2,524

Source: Iowa Department of Revenue

OUTSTANDING DEBT

<u>Date of Issue</u>	<u>Original Amount</u>	<u>Purpose</u>	<u>Final Maturity</u>	<u>Current Obligations as of 7/1/21</u>
2017	\$4,717,404	General Obligation (Bank Loan)	6/2027	\$2,830,440
2017	1,710,000	TIF Revenue (Bank Loan)	6/2023	750,000
2018	1,364,260	General Obligation (Bank Loan)	6/2023	545,704
2019	787,559	General Obligation (Bank Loan)	6/2024	157,511
2020	900,000	Capital Loan Note	6/2025	720,000
2021	1,800,000	Capital Loan Note	6/2026	1,800,000
10/2020	25,300,000	LEC Revenue Bonds	6/2040	25,300,000
6/2021	9,685,000	General Obligation Urban Renewal Bonds	6/2032	9,685,000*
7/2021	25,000,000	LEC Revenue Bonds	6/2041	25,000,000*
			TOTAL	\$67,103,679

*Preliminary. Subject to change

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Fiscal Year General Obligation Debt Payments

Fiscal Year	Outstanding G.O. and TIF Debt		Series 2021 LEC Revenue Bonds*			Series 2021 G.O. Urban Renewal Bonds*		
	Principal	Interest	Principal	Interest	P&I	Principal	Interest	P&I
2022	2,617,104	1,084,894						
2023	2,972,104	692,797	\$165,000	\$1,613,738	\$1,778,738	725,000	375,563	1,100,563
2024	2,334,251	642,086	940,000	835,350	1,775,350	920,000	179,200	1,099,200
2025	2,191,740	603,618	980,000	797,750	1,777,750	935,000	160,800	1,095,800
2026	2,026,740	567,636	1,015,000	758,550	1,773,550	955,000	142,100	1,097,100
2027	1,681,740	530,200	1,060,000	717,950	1,777,950	975,000	123,000	1,098,000
2028	1,235,000	499,710	1,100,000	675,550	1,775,550	995,000	103,500	1,098,500
2029	1,260,000	475,195	1,145,000	631,550	1,776,550	1,015,000	83,600	1,098,600
2030	1,285,000	448,798	1,190,000	585,750	1,775,750	1,035,000	63,300	1,098,300
2031	1,315,000	419,950	1,240,000	538,150	1,778,150	1,055,000	42,600	1,097,600
2032	1,350,000	389,113	1,275,000	500,950	1,775,950	<u>1,075,000</u>	<u>21,500</u>	<u>1,096,500</u>
2033	1,375,000	356,241	1,315,000	462,700	1,777,700			
2034	1,410,000	321,385	1,355,000	423,250	1,778,250			
2035	1,450,000	284,231	1,395,000	382,600	1,777,600			
2036	1,490,000	244,574	1,435,000	340,750	1,775,750			
2037	1,535,000	198,533	1,480,000	297,700	1,777,700			
2038	1,585,000	151,101	1,525,000	253,300	1,778,300			
2039	1,630,000	102,125	1,570,000	207,550	1,777,550			
2040	<u>1,675,000</u>	<u>51,758</u>	1,615,000	160,450	1,775,450			
2041			<u>3,200,000</u>	<u>112,000</u>	<u>3,312,000</u>			
Total	\$32,418,679	\$8,063,945	\$25,000,000	\$10,295,588	\$35,295,588	\$9,685,000	\$1,295,163	\$10,980,163

*Preliminary. Subject to change

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INDIRECT DEBT – Woodbury County, Iowa

Listed below are the outstanding general obligations of the political subdivisions within Woodbury County as of May 1, 2021.

Cities	Outstanding	Total Taxable	Taxable Valuation	Percent	Amount
	G.O. Debt	Valuation ²	within County	Applicable to County	Applicable to County
Anthon	\$142,500	\$13,093,254	\$13,093,254	100.00%	\$142,500
Bronson	\$114,596	\$7,975,710	\$7,975,710	100.00%	\$114,596
Correctionville	\$573,500	\$19,775,606	\$19,775,606	100.00%	\$573,500
Moville	\$1,226,000	\$53,508,825	\$53,508,825	100.00%	\$1,226,000
Pierson	\$69,116	\$8,352,068	\$8,352,068	100.00%	\$69,116
Salix	\$130,000	\$10,971,761	\$10,971,761	100.00%	\$130,000
Sergeant Bluff	\$8,165,000	\$194,849,569	\$194,849,569	100.00%	\$8,165,000
Sioux City	\$147,980,000	\$3,017,649,100	\$3,017,045,570	99.98%	\$147,950,404
Smithland	\$58,619	\$3,526,945	\$3,526,945	10.00%	\$5,862
Community School Districts					
Lawton-Bronson CSD	\$3,135,000	\$244,471,093	\$242,930,925	99.37%	\$3,115,250
Maple Valley-Anthon Oto CSD	\$500,000	\$399,609,006	\$89,752,183	24.46%	\$122,300
Sioux City CSD	\$1,557,973	\$2,864,293,984	\$2,825,912,445	98.66%	<u>\$1,537,096</u>

Total Indirect Debt Allocable to County: \$163,151,624

¹ Only political subdivisions with outstanding general obligation debts are included. The entire city, school district, or community college may not be within the boundaries of the County

² Industrial New Jobs Training Certificates are not included.

Source: Treasurer of the State of Iowa, Outstanding Obligations Report; Audited Financial Statements, Annual Financial Reports (AFRs).

DEBT LIMIT CALCULATION

The amount of general obligation debt a political subdivision of the State of Iowa can incur is controlled by constitutional debt limit which is an amount equal to 5% of the value of taxable property within its limits as ascertained by the last state and county tax lists. The Issuer's debt limit, based upon 2019 and 2020 property valuations, is illustrated below.

	Current (2019 Valuation)	After approx. July 2021 (2020 Valuation)
Total Market Valuation	\$7,989,405,777	\$8,104,052,055
Less: Military Exemption	(7,045,008)	(6,777,596)
100% Actual Valuation	\$7,982,360,769	\$8,097,274,459
	x 5%	x 5%
Legal Debt Limit	\$399,118,038	\$404,863,723
Debt Applicable to limit:		
General Obligation Bonds/Notes (including this issue)	\$16,053,679	\$16,053,679
County Lease Payments	50,300,000	50,300,000
Urban Renewal Bonds/Notes	750,000	750,000
Legal Debt Limit Available	\$332,014,359	\$337,760,044
Percentage of Debt Limit Available	83.19%	83.43%

DEBT RATIOS

		Debt/2019 Actual Market Value	Debt/2020 Approx. Actual Market Value	Debt/102,172 Population
	<u>G.O. Debt</u>	<u>(\$7,989,405,777)</u>	<u>(\$8,104,052,055)</u>	
Total General Obligation Debt	\$16,803,679	0.21%	0.21%	\$164
County's Share of Indirect General Obligation Debt	\$163,151,624	2.04%	2.01%	\$1,597
Combined Total Direct and Indirect G.O. Debt	\$179,955,303	2.25%	2.25%	\$1,761

FINANCIAL SUMMARY

	Current (2019 Valuation)	After approx. July 2021 (2020 Valuation)
100% Valuation	\$7,982,360,769	\$8,097,274,459
Taxable Valuation	\$5,225,383,277	\$5,371,548,052
General Obligation Debt (<i>including this issue</i>)	\$67,103,679	\$67,103,679
Ratio of General Obligation Debt to 100% Valuation	0.84%	0.83%
Direct General Obligation Debt per Capita (102,172)	\$656.77	\$656.77
100% Valuation per Capita	\$78,126.70	\$79,251.40

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APPENDIX B
FORM OF BOND COUNSEL OPINION

APPENDIX C

FORM OF CONTINUING DISCLOSURE CERTIFICATE

APPENDIX D
AUDITED FINANCIAL STATEMENTS OF THE ISSUER

APPENDIX E

BOOK-ENTRY SYSTEM

The information in this Appendix concerning The Depository Trust Company, New York, New York (“DTC”) and DTC’s book-entry system has been obtained from DTC. Neither the Underwriter nor the Issuer take responsibility for the accuracy or completeness thereof, or for any material changes in such information subsequent to the date hereof, or for any information provided at the web sites referenced below. Beneficial Owners should confirm the following with DTC or the Direct Participants (as hereinafter defined). So long as Cede & Co. is the Registered Owner of the Bonds, as nominee of DTC, references in the Official Statement to the Bondowners or Registered Owners of the Bonds shall mean Cede & Co. and shall not mean the Beneficial Owners of the Bonds.

Book-Entry System

The Depository Trust Company (“DTC”), New York, NY, will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for series of the Bonds, each in the aggregate principal amount of such series, and will be deposited with DTC.

DTC, the world’s largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC has a Standard & Poor’s rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Securities is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC’s practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Securities unless authorized by a Direct Participant in accordance with DTC’s MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the

Direct Participant as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Securities are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal and interest payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Issuer or Trustee, on any payment date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with Bonds held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Trustee or the Issuer, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Issuer or the Trustee, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the Issuer or the Trustee. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.

The Issuer may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor depository). In that event, Bond certificates will be printed and delivered to DTC.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Issuer believes to be reliable, but the Issuer does not take any responsibility for the accuracy thereof.

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 06/22/2021 Weekly Agenda Date: 06/29/2021

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, County Engineer

WORDING FOR AGENDA ITEM:

Consideration of a resolution to hold a public hearing to close and vacate county right of way on Garner Avenue south of 130th Street

ACTION REQUIRED:

- | | | |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Give Direction <input type="checkbox"/> | Other: Informational <input type="checkbox"/> | Attachments <input checked="" type="checkbox"/> |

EXECUTIVE SUMMARY:

The county engineer's office has received a petition to close and vacate a portion of Garner Avenue between 130th and 140th Streets in Banner Township.

BACKGROUND:

The Board of Supervisors has the authority to establish, alter, or vacate roads per section 306.10 of the Code of Iowa. A request to vacate the north half of the road from the center of the section to the south ROW line of 130th Street was received by petition from adjacent landowners. A hearing is proposed for July 27, 2021 to vacate the right of way.

FINANCIAL IMPACT:

The county will place this land back on the property tax rolls.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Recommend the Board approve a resolution to hold a public hearing to consider the proposed road vacation.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve a resolution to hold a public hearing for the proposed road vacation and schedule July 27, 2021 for said hearing.

RESOLUTION NO. _____

WOODBURY COUNTY, IOWA

**A RESOLUTION SETTING DATE FOR PUBLIC
HEARING FOR VACATING ROAD RIGHT-OF -WAY**

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), as amended, seeks to set a date for public hearing to vacate platted roads and alleys, and

WHEREAS, described road has ceased being a benefit to the public,

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors that on Tuesday, July 27, 2021 at 4:30 P.M CST, at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, the County Board will hold a Public Hearing to vacate the right-of-way described as follows:

Vacate in Section 24, T89N R45W, the north one-half mile of Garner Avenue (Eldridge Road #291) more specifically described as beginning at the one-half section line thence north to the south right-of-way line of 130th Street.

SO RESOLVED this 29th day of June 2021.

WOODBURY COUNTY BOARD OF SUPERVISORS

Rocky De Witt, Board Chair

ATTEST:

Keith Radig, Member

Patrick F. Gill, Woodbury
County Auditor

Mark Monson, Member

Matthew Ung, Member

Justin Wright, Member

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 6/22/2021 Weekly Agenda Date: 06/29/2021

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, County Engineer

WORDING FOR AGENDA ITEM:

Consider approval of a project agreement for the improvement of 130th Street west of Buchanan Avenue

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Brenton and Sarah Feuchtenberger have requested that the county upgrade a portion of 130th Street west of Buchanan Ave. to improve access to a new home site.

BACKGROUND:

The Board is required to sign a project agreement with the Iowa DOT for projects involving funds awarded through the Iowa DOT. The funding is provided for bridge replacement projects. The project is to replace bridge A24, about 2.5 miles east of Pierson. The bridge will be constructed in the 2022 construction season.

FINANCIAL IMPACT:

STBG-SWAP program funding is providing \$1,000,000 based on the estimated project cost. The balance of the project cost, if necessary, would be funded through the Woodbury County farm to market fund.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

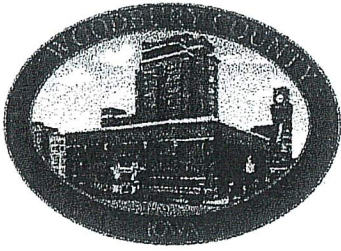
Yes No

RECOMMENDATION:

Recommend that the board approve the BRS-SWAP project agreement with the Iowa DOT for the above captioned project and direct the chair to sign the agreement.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the federal aid project agreement for project BRS-SWAP-C097(147)--FF-97 and direct the chair to sign said agreement.



Woodbury County Secondary Roads De

759 E. Frontage Road • Merville, Iowa 51039
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER

ASSISTANT TO THE COUNTY ENGINEER

SEC

WOODBURY COUNTY SECONDARY ROAD DEPARTMENT

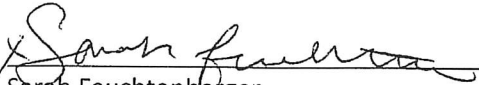
CONSTRUCTION AGREEMENT

Brenton and Sarah Feuchtenberger have requested a driveway to serve an acreage on family owned property off 130th Street west of Buchanan Avenue. The road had been classified as Level C – minimum maintenance/restricted access. The Feuchtenbergers have requested the county improve the road to provide year around access and a driveway with adequate sight distance to allow them to build a home at property they own adjacent to the road. The Board of Supervisors has approved the road upgrade in their action on May 28, 2019. This work is being done under the terms of the PPM #3 - Road Improvements for Residential and Commercial Development. The acreage has been assigned an address of 1548 130th Street, Sioux City, IA 51106.

SCOPE OF PROJECT: The county will grade approximately 450 feet of road west of Buchanan Avenue. The grading project will raise and improve the roadway to allow all season access meeting county gravel road level A service. The Level C access control gates will be moved to a location as designated by the County Engineer. The county will also build a residential drive to serve the lot.

The Feuchtenbergers agree to pay the full cost of the road upgrade, the cost of which is estimated to not exceed \$20,000. The county will bill the Feuchtenbergers the actual costs for grading and graveling the road upon completion of the work up to \$20,000.

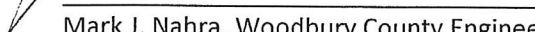
The parties signed below have agreed to the work:


Sarah Feuchtenberger

6-21-2021
Date


Brenton Feuchtenberger

6-15-2021
Date


Mark J. Nahra, Woodbury County Engineer

Date

Approved, Woodbury County Board of Supervisors:

Rocky DeWitt, Chair, Woodbury County Board of Supervisors

Date

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 6/24/21 Weekly Agenda Date: 6/29/21

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: David Gleiser, CED Director

WORDING FOR AGENDA ITEM:

Public Hearing and 2nd Reading of Commercial Wind Energy Conversion Systems Ordinance

ACTION REQUIRED:

- | | | |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input checked="" type="checkbox"/> | Other: Informational <input type="checkbox"/> | Attachments <input type="checkbox"/> |

EXECUTIVE SUMMARY:

The Board will hold a public hearing for a proposed ordinance to regulate commercial wind energy conversion systems in unincorporated Woodbury County and may conduct the 2nd reading of said ordinance.

BACKGROUND:

County staff recognize the existing zoning ordinance currently allows commercial wind turbines but does not provide enough safeguards for property owners as it relates to setback distances, or any protections against damages to the county roads during their construction, or any assurances of their removal when decommissioned. As such, county staff have worked collaboratively with various relevant stakeholder groups to develop and recommend this ordinance to address the site plan review and application approval process for the special use C-WECS permit for the construction and ongoing maintenance of large-scale commercial wind turbines proposed to be erected in unincorporated Woodbury County.

FINANCIAL IMPACT:

0

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Open and close the public hearing. Approve the ordinance as amended and conduct the 2nd reading.

The 3rd public hearing/ordinance reading has been scheduled for 7/6/21 at 4:45 PM.

ACTION REQUIRED / PROPOSED MOTION:

Motion to open the public hearing.
Motion to close the public hearing.
Motion to approve second reading of Commercial Wind Energy Conversion Systems Ordinance

WOODBURY COUNTY, IOWA
ORDINANCE # _____

**AN ORDINANCE REGULATING COMMERCIAL
WIND ENERGY CONVERSION SYSTEMS
IN UNINCORPORATED WOODBURY COUNTY**

WHEREAS, it is deemed advisable and recommended by the Woodbury County Board of Supervisors to create and enforce an ordinance in Woodbury County addressing the site plan review and application approval process for the construction and ongoing maintenance of large-scale commercial wind energy conversion systems proposed to be erected in unincorporated Woodbury County; and

WHEREAS, the Woodbury County Board of Supervisors wish to adopt and enforce this Commercial Wind Energy Conversion Systems Ordinance to better promote the Land Use Goal of the County's General Development Plan in order to minimize conflict with agriculture, which is the principal land use in Woodbury County, guide future growth and development of non-agricultural uses to a compact pattern by efficient and economical expansion of public infrastructure, and by recognizing the Loess Hills from the "front range" to the steeply rolling hills tapering off toward the east as a unique natural resource that should be conserved by good stewardship by the owners of the land, and its Economic Development Goal of fully exploring alternative renewable energy sources, particularly wind generation facilities both as a contribution to the total energy needs of the country and as a new source of income for property owners; and

WHEREAS, this Commercial Wind Energy Conversion Systems Ordinance is a separate county ordinance and shall be a "stand alone" enactment authorized under County Home Rule under Iowa Code Section 331.302(1). These provisions only relate to the application for a wind energy conversion systems project with a total nameplate generating capacity of more than 100kW.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that this Commercial Wind Energy Conversions Systems Ordinance is hereby adopted within Woodbury County, Iowa and includes the following provisions:

Section 1 - Purpose

The purpose of this Ordinance is to establish guidelines for the effective and efficient use of large-scale Commercial Wind Energy Conversion Systems (C-WECS) projects by regulating and requiring a permit for the siting, design, construction, operation, and decommissioning of these wind energy conversion systems (WECS) to protect the public health, safety, and general welfare of the County's residents and businesses. The requirements of this Ordinance shall apply to all C-WECS after the effective date of this Ordinance.

Because of the significant, long-lasting impacts on the County's residents and infrastructure resulting from large-scale C-WECS projects, the Woodbury County Board of Supervisors believes it is in the public's best interest that the Supervisors retain the final authority over the issuance of any permit for large-scale C-WECS projects and shall adhere to all the standards, procedures and fees as set forth in this Ordinance.

Section 2 – Jurisdiction

This Ordinance is adopted by the Woodbury County Board of Supervisors and governs all lands within the unincorporated areas of Woodbury County, Iowa. This Ordinance and its provisions shall not apply to those properties or projects occurring within the incorporated cities of Woodbury County.

Section 3 – Definitions

For use in this Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

Wind Energy Conversion System (WECS) shall mean any device, such as a wind charger or wind turbine, which converts the kinetic energy of wind to a form of usable electric energy.

Commercial Wind Energy Conversion Systems (C-WECS) A large-scale WECS or a group of WECS in the same location with a generating nameplate capacity of 100 kW or greater and is used for production of electric power to be interconnected into the local utility electrical grid and built to produce energy primarily for on-grid utility customers located off the property. Individual turbines are usually interconnected to a power collection system and then connected to an existing or proposed high voltage transmission system. C-WECS projects may consist of a single WECS or multiple wind turbines, and cover small areas to extended areas of many square miles.

Applicant shall mean the person or entity submitting the application under this Ordinance, which is normally expected to be the owner or operator of a WECS, or the owner of the C-WECS development project.

Components shall mean all the physical facilities comprising a WECS; including turbines (i.e. – the tower, nacelle, hub, motor, and blades), turbine foundations, transformers, crane pads, feeder lines, and any accessory buildings and equipment. Components shall include any substations that are constructed in conjunction with a C-WECS project.

Confinement Feeding Operation Building shall have the same meaning as found in Iowa Code §459.102(15).

Feeder Line shall mean any above or below-ground line that carries electrical power from one or more turbines.

Meteorological (“MET”) Tower shall mean a tower which is erected primarily to measure wind speed and directions, plus other atmospheric/weather data relevant to siting and operating a WECS.

Meteorological towers do not include towers and equipment used by airports, the Iowa Department of Transportation, or other applications to monitor weather conditions.

Non-Participating Landowner shall mean any landowner not under agreement with the owner or operator of the WECS.

Occupied Non-Residential Building shall mean any building (other than a residence) that is regularly occupied by humans, and that is open to the public, sells goods or services, or a public, religious, or other non-profit institution.

Occupied Residence shall mean a building designed for, and occupied on a regular basis as an abode.

Operator shall mean the entity responsible for the day-to-day operation and maintenance of the WECS.

Owner shall mean the entity or entities with an interest in the WECS, including their respective successors and assigns. Owner does not mean (1) the property owner from whom a lease, easement or other property rights are acquired for locating the WECS (unless the property owner has an equity interest in the WECS; or (2) any person holding a security interest in the WECS solely to secure an extension of credit, or a person foreclosing on such security interest provided that after foreclosure, such person seeks to sell the WECS at the earliest practical date.

Participating Landowner shall mean a landowner under lease, easement or other property agreements with the owner or operator of the WECS.

Professional Engineer shall mean a qualified individual who is licensed in the State of Iowa as a professional engineer.

Project Area shall mean the geographic area encompassing all components of a C-WECS project.

Property Line shall mean the legal boundary between separately-owned real estate parcels, and between privately-owned parcels and publicly-owned land or public right-of-way.

Public Conservation Areas shall mean land owned by County, State or Federal agencies and managed for conservation/preservation purposes, including but not limited to Wildlife Management Areas, Conservation Areas, Parks, Preserves, Wildlife Refuges, and Waterfowl Production Areas. For purposes of this Ordinance, Public Conservation Areas also include land owned by non-profit conservation organizations and other privately-owned lands upon which permanent conservation easements have been granted to public agencies or non-profit conservation organizations. Public Conservation Areas do not include land enrolled in the Conservation Reserve Program.

Rotor Diameter shall mean the diameter of the circle described by the turbine's moving rotor blades.

Setback shall mean the minimum required distance from a certain object, structure or point to the center point of the foundation of the wind turbine at the natural ground level.

Structure shall mean anything constructed or erected on the ground or attached to the ground, including but not limited to antennas, buildings, sheds, cabins, residences, signs, storage tanks, towers, wind turbines, and other similar objects.

Substation shall mean the apparatus that connects the electrical connection system of the WECS and increases the voltage for connection with the utility's, transmission owner's or WECS owner's transmission lines.

Tower shall mean the vertical structure that supports the electrical generator, rotor blades, or meteorological equipment.

Tower Height shall mean the total height of a turbine as measured from the ground to the tip of the blade when fully extended.

Transmission Line shall mean those electrical power lines that carry voltages of at least 69,000 volts (69 kV) and are primarily used to carry electrical energy over medium to long distances rather than directly interconnecting and supplying electrical energy to customers.

Turbine shall mean any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy using airfoils, blades, or similar devices to capture the wind.

Occupied Residence shall mean a building designed for, and occupied on a regular basis as an abode.

Section 4 – Applicability

It shall be unlawful to construct, erect, install, alter or locate any WECS within unincorporated Woodbury County, without first obtaining a C-WECS permit from the Woodbury County Board of Supervisors as outlined in this Ordinance.

1. No application for a C-WECS permit shall be granted without first submitting all required information, obtaining necessary permits, certifications and documentation, and paying all associated fees to the County.

Section 5 – C-WECS Permit Application Review, Amendment, and Approval Process

1. **General.** Before any construction activities related to a C-WECS project can begin in unincorporated Woodbury County, a C-WECS permit must be issued by the Woodbury County Board of Supervisors. For purposes of this paragraph, the installation of MET towers and access roads associated with a C-WECS project shall not be deemed

construction activities requiring a C-WECS permit; provided that any such tower or road must be installed in compliance with all other applicable county ordinances and regulations.

2. **Application.** The Woodbury County Community and Economic Development (CED) Department will supply a permit application form to be used by any person seeking to construct a C-WECS project. Each project shall require a separate application. The application shall contain:
 - A. The name, address, W-9 and EIN of the applicant, as well as the proposed owners or operators of the project, including the contact information (name, address, telephone and email) of their authorized representatives. The application shall designate the entity who will be the permit holder of the C-WECS permit.
 - B. A Certified Abstractor's list of the names and addresses of all property owners (i) located within the project area, and (ii) located within 5,280 feet of any turbine in the project.
 - C. A final development plan for the project, which shall contain aerial photographs of the entire proposed project area, showing the approximate proposed location of the turbines, private access roads, feeder lines, substations and all other components of the project. The plan shall show property lines and setback distances under Section 6, as well as all public roads and public drainage district facilities (i.e. – ditches and underground tiles) in the project area. The plan shall also identify any other turbines, communication antennae, and airports (including private airstrips) located within five (5) miles of the project area; and all lakes, permanent water courses and Public Conservation Areas within three (3) miles of the project area boundaries. In providing the above information, the plan shall use a GPS coordinate system that is compatible with the County's geographical information and data systems. The plan shall also include a mailing address for the owner of each communication antennae identified.
 - D. Project details, including the name of the project, anticipated number, generating capacity, tower height, and rotor diameter of the turbines. The final number, generating capacity, tower height, and rotor diameter must be provided in the final development plan.
 - E. Documentation of applicant's legal control over the private property necessary for the project, signed by the property owner. Such legal control must vest in the permit holder of the C-WECS permit at the time of its issuance.
 - F. A description of the public roads anticipated to be used during all phases of construction, as well as for access to material storage sites and staging areas. As set forth in Section 6, before construction commences on a project, all public road and public drainage district crossings must be provided to the County

Engineer, and approved for compliance with the County's Road Use and Public Drainage System Protection Agreements

- G. A permit fee equal to \$1,000.00 for each turbine in a C-WECS project, to be paid upon receipt of the final C-WECS permit application.
 - H. Any FAA, FCC, or other state or federal permits or approvals that are necessary for the project. Applicant shall submit a copy of the actual permit application, or proof that the permit has been filed with the appropriate agency.
 - J. A decommissioning plan pursuant to Section 7.
 - K. Such additional information as the County may request due to the unique circumstances with the project. Applicants are encouraged to have on-going discussions with the County CED staff and County Engineer during preparation of the application.
3. **County Staff Review.** Completed C-WECS permit applications shall be filed with the CED Department. The CED staff shall promptly provide a copy of the application to the County Engineer, County Finance Controller, County Emergency Management Director, and any other relevant county staff for review. Upon determination by the CED Director that the requirements of this Ordinance have been satisfied, the completed C-WECS permit application and any/all necessary supporting documentation shall be presented to the Woodbury County Board of Supervisors for approval. If the CED Director determines that the application lacks the required information provided in Section 5, the CED Director shall then provide the applicant's authorized representative written Notice of the deficiency. The applicant may refile an amended application once the deficiencies have been resolved.
4. **Public Hearing Required.** Upon completion of the County's review of the application, the County shall schedule a public hearing to be held no later than thirty (30) days after the County has deemed the application complete. Representatives of the C-WECS permit holder who are familiar with all aspects of the project must be present at the public hearing.
5. **Notice of Public Hearing.** In accordance with Iowa Code Chapter 21, the CED Department shall provide a notice of the filing in substantially the following form for each public hearing:

PUBLIC NOTICE

Notice is hereby given that (name of applicant) has filed a completed application with Woodbury County to build a commercial windfarm to be located in (list Township names and section numbers). The windfarm is projected to have _____ individual turbines that are being reviewed by the County. The Woodbury County Board of Supervisors shall hold a Public Hearing on this application in the Woodbury County Courthouse, Board of Supervisors Meeting Room, located in the basement of 620 Douglas Street, Sioux City, IA 51101, on: (Day, Month, Year) at (Time).

The Notice of Filing shall be:

- A. Published by the CED Department once for two consecutive weeks in one or more newspapers, as defined in Iowa Code Section 618.3, published in and having general circulation in Woodbury County, which has been identified as the following currently existing newspaper: Sioux City Journal; and
 - B. Mailed by the CED Department to each landowner identified in the application pursuant to paragraph 2. B. and to each city located within one (1) mile of the project area; and
 - C. Mailed by the CED Department to the owners of the Public Conservation Areas and all communication and other antenna identified in the application.
 - D. All costs of mailing and publication shall be paid by applicant to the CED Department in advance.
6. **Approval by Board of Supervisors.** In considering whether to approve an application for a C-WECS permit, the Board of Supervisors shall proceed according to the following format:
- A. Within thirty (30) days following the C-WECS permit application being deemed complete, the Supervisors shall review it for completeness and compliance with this Ordinance.
 - B. The Supervisors shall establish findings of fact based upon information contained in the application, the staff report and information gathered at the public hearings.
 - C. The Supervisors shall consider such reasonable requirements or conditions to the C-WECS permit as will ensure the development will satisfy the requirements of this Ordinance.
 - D. If the Supervisors conclude that all such criteria have been met, the application may be approved by Resolution.
 - E. Without limiting the foregoing, the Supervisors may attach to a C-WECS permit conditions it deems necessary to protect the health, safety, and general welfare of the public; and, if the applicant is agreeable to such conditions, the Supervisors may approve the application by Resolution.
 - F. The Resolution shall direct the CED Director to issue an approved C-WECS permit.

7. **Modifications.** The location of components may be modified from the final development plan when necessary to address exigencies encountered during construction, subject to the following limitations:
- A. Any such modification shall remain subject to all setbacks and other requirements set forth in this Ordinance and the Ancillary Agreements in Section 8; and
 - B. The location of turbines and project substations can only be modified from the final development plan with approval of the CED Director if the proposed relocation is 300 feet or less; or, for such modifications exceeding 300 feet, with the approval of the Board of Supervisors. Approval of a turbine or project substation modification by the CED Director or the Board of Supervisors shall be deemed an approved amendment to the final development plan and automatically amend the C-WECS permit; and
 - C. Within 30 days from the completion of the project, the C-WECS permit holder shall revise the final development plan to show the exact “as-built” coordinates for all components, including any modifications. Failure to timely provide such coordinates shall be a material violation of this Ordinance.

Section 6 – Siting and Design Standards

1. **Setbacks.** All turbines and project substations shall observe the following setbacks:

[Note – all measurements shall be from the center point of the tower (or from the nearest above-ground non-fence structure at a substation site) to the nearest point on any occupied residence, occupied non-residential building, or confinement feeding operation building; or to the nearest property line of any other protected area.]

A.

<u>Protected Area</u>	<u>Set Back Requirement</u>
Adjacent Property Lines	110% of total height
Occupied Residence	600 feet or 110% of total height (whichever is greater)
Unoccupied Non-Residential Building	110% of total height
Confinement Feeding Operation Building	110% of total height
Public Road Right-of-Way	600 feet or 110% of total height (whichever is greater)
Public Drainage District Right-of-Way	
Open Ditch	300 feet
Tile (centerline)	100 feet
Public Conservation Area	600 feet or 110% of total height (whichever is greater)
Loess Hills	1 mile
Cemetery	600 feet
City Limits	600 feet
Airports (public and private)	FAA consultation and determination required

B. **Public and Private Airport Setbacks.**

1. The following landing areas shall be considered for purposes of this Ordinance airports if, prior to the initial filing date of the Notice, are in operation or to which a sponsor has a

valid Certificate of Site Approval as set forth in Iowa Administrative Code Rules 761-720.4 and 761-720.5:

- A. A public-use airport as defined in Iowa Code Sections 329.1(1) and Iowa Administrative Code Rule 761-720.2; or
 - B. A private-use airport as defined in Iowa Code Section 329.1(1) and Iowa Administrative Code Rule 761-720.2 that had: (i) obtained all necessary local, state, and federal approvals to construct and operate as a private-use airport; and (ii) received an airport identification assignment from the Federal Aviation Administration (“FAA”) pursuant to Federal Aviation Regulations Part 157.
2. The setback distance for airports shall be governed by the rules and regulations of the Federal Aviation Administration (“FAA”) and/or any laws or rules of the State of Iowa that are applicable. An applicant shall not construct a turbine in violation thereof.
2. **Setback Waivers.** Property owners and municipalities may request a waiver from the setbacks as established in this Ordinance, except for the following protected areas: airports, cemeteries, public conservation areas, and public road rights-of-way.

PROVIDED, a waiver shall not alter any other non-waived setback requirement.

To effectuate such a waiver, the applicant must provide the CED Department with a recordable instrument signed by all owner(s) (or the controlling governmental entity) of the affected protected area that specifically identifies the nature and extent of the waiver. All waivers must be approved by the Board of Supervisors for compliance with this Ordinance; and upon such approval, shall be recorded in the office of the Woodbury County Recorder by the applicant.

3. **Color and finish.** All turbines and towers that are part of a C-WECS shall be white or grey. Finishes shall be matte or non-reflective.
4. **Lighting.** Lighting, including lighting intensity and frequency of strobes, shall adhere to but not exceed requirements established by the FAA permits and regulations. Red strobe lights shall be used during nighttime illumination to reduce impacts on neighboring uses and migratory birds. Red pulsating incandescent lights are not permitted.
5. **Signage.** All turbine sites shall be required to have individual 911 rural address signs at each access road. All other signs except those required for safety and directional purposes (or otherwise authorized by the County) shall be prohibited in the project area.

Section 7 – Discontinuance/Decommissioning

A WECS shall be considered a discontinued use after one (1) year without energy production, unless a plan is developed and submitted to the CED Director outlining the steps and schedule for returning the WECS to service. Discontinued use does not apply to the pre-construction or construction period and shall be measured from the initial commercial energy production and operation of the C-WECS project.

All C-WECS and accessory facilities shall be removed to a depth of four (4) feet below ground level within one (1) year of discontinuation of use.

1. Each project shall have decommissioning plan approved by the Board of Supervisors. Such plan shall contain:
 - A. A description of the project components, sequence and description of the activities and cost estimates required to remove same in compliance with this Section.
 - B. The cost estimates shall be made by a professional engineer licensed in the State of Iowa. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the C-WECS and accessory facilities. The County reserves the right to verify that adequate decommissioning terms are contained in the landowner's lease or easement.
 - C. Cash, an irrevocable letter of credit, or a performance bond running in favor of the County in an amount no less than the total estimated net removal/restoration costs as determined by said report. Said security must be in place at the time the project is completed, and must remain in effect until decommissioning is completed. No such security shall be cancelable without notice to the Board of Supervisors. Each year, the C-WECS permit holder shall provide proof that such security is in effect at the same time as the annual report to the County Assessor is made for purposes of the real estate tax assessment.
 - D. The report prepared under c.) above shall be updated and provided to the Supervisors (i) at least every five (5) years, and (ii) upon any proposed transfer of the C-WECS permit. Should any update indicate a change in the decommissioning costs, the security required under c.) above shall be adjusted accordingly.
 - E. No transfer/assignment of the C-WECS permit shall be effective without a corresponding transfer/assignment of the obligations and financial security required under the decommissioning plan, as approved by the Board of Supervisors.

Section 8 – Ancillary Agreements/Procedures

Issuance of a C-WECS permit is strictly conditioned on the applicant executing and adhering to the following:

1. **Roads.** Applicants shall adhere to the Woodbury County Road Use and Repair Agreement, and in doing so, shall identify all roads to be used for the purpose of transporting WECS, substation parts, cement, and/or equipment for construction, operation or maintenance of the WECS and obtain applicable weight and size permits from the impacted road authorities prior to construction.

2. **Existing Road Conditions.** Applicants shall conduct a pre-construction survey, in coordination with the impacted local road authorities to determine existing conditions of roads identified pursuant to Section 8.1. The survey shall include photographs or video and written documentation of the condition of the identified road facilities. The applicant is responsible for on-going road maintenance and dust control measures identified by the County Engineer during all phases of construction.
3. **Drainage System.** Applicants shall adhere to the Woodbury County Public Drainage System Protection Agreement, and in doing so, shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation or maintenance of WECS (where required).
4. **Post Completion Survey.** Applicants and the County Engineer will meet upon completion of the project and agree as to the necessary action needed to return roads to the existing road conditions as identified in Section 8.1 and 8.2.
5. **Required Financial Security.** Applicants shall be responsible for restoring or paying damages as agreed to by the applicable road authority sufficient to restore the identified roads, bridges, and associated infrastructure to preconstruction conditions. Financial security in a manner reviewed by the County Financial Controller and the County Engineer, and approved by the Board of Supervisors, shall be submitted covering 130% of the costs of all required improvements. This requirement may be waived or modified by the Board of Supervisors upon recommendation from the County Engineer.
6. **Safety.** All wiring between wind turbines and the C-WECS substation shall be underground. If the developer can demonstrate the need for an overhead line and the acceptance of landowners for this line, such option may be approved conditionally by the Board of Supervisors. Wind turbines and meteorological towers shall not be climbable up to fifteen (15) feet above ground level. All access doors to wind turbines and meteorological towers and electrical equipment shall be locked when not being serviced. Appropriate warning signage shall be placed on wind turbine towers, electrical equipment, and C-WECS entrances. For all WECS, the manufacturer's engineer or another qualified engineer shall certify that the turbine, foundation and tower design of the WECS is within accepted professional standards, given local soil and climate conditions.
7. **Guyed Towers.** For all guyed towers, visible and reflective objects, such as plastic sleeves, reflectors or tape, shall be placed on the guy wire anchor points and along the outer and innermost guy wires up to a height of eight (8) feet above the ground. Visible fencing shall be installed around anchor points of guy wires.
8. **Emergency Response Plan.** An Emergency Response Plan (ER Plan) provided by applicant shall be reviewed by the County's Director of Emergency Management and the Director of Emergency Services, and shall be approved by the Board of Supervisors. Said ER Plan shall contain response procedures to be followed in the event of a fire, collapse, personal injury, or other emergency at a project. The ER Plan shall contain 24-hour emergency contact information for the project

9. **Electrical Codes and Standards.** All WECS and accessory equipment and facilities shall comply with the National Electrical Code and other applicable standards.
10. **Uniform Building Code.** All WECS shall comply with the State Building Code adopted by the State of Iowa.

Section 9 – Effect and Transferability of C-WECS Permit

1. No construction activities on a project may begin until a C-WECS permit has been issued, except as permitted in Section 5.1.
2. Any material violation of any provision of this Ordinance that remains uncured after thirty (30) days' written notice from the County to the permit holder shall be grounds for revocation of the C-WECS permit.
3. If construction on the project has not begun within eighteen (18) months from the issuance date of the approved C-WECS permit, the C-WECS permit shall be automatically revoked without further action by the County. In such event, no work on the project may take place unless and until a new C-WECS permit is issued, and any portion of the project then completed shall be deemed a discontinued use.
4. Only the holder of the C-WECS permit shall own the project, and such holder shall be the entity responsible for observing all requirements of this Ordinance. The permit holder shall be responsible to maintain all components of the C-WECS project in good repair, and in compliance with this Ordinance and the Ancillary Agreements listed in Section 8.
5. No C-WECS permit shall be transferred or assigned, voluntarily or involuntarily, without the written approval of the Woodbury County Board of Supervisors, which consent may be withheld unless and until the Board is satisfied that a proposed transferee has the financial and operational responsibility to assume all obligations required of the permit holder under this Ordinance and the Ancillary Agreements listed in Section 8. Requests for approval of a C-WECS permit transfer shall be directed to the CED Director.

Section 10 – Miscellaneous

1. **Condemnation Waiver.** Issuance of a C-WECS permit shall be conditioned on the permit holder's enforceable promise, supported by the consideration of the issuance of the C-WECS permit, that the permit holder shall never use, or seek to use, eminent domain to acquire any real property interests to construct or operate the project.
2. In any action brought by the County against the permit holder of a C-WECS permit to enforce the provisions of this Ordinance, the County shall be entitled to recover its reasonable attorney fees and court costs as may be awarded by the decision-making tribunal.

Section 11 – Severability Clause

If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 12 – Repealer

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 13 – Date of Effect

This Ordinance shall become effective upon its passage by the Board at three meetings and published as required by Iowa Code §331.302(8). Adopted and passed by the Woodbury County Board of Supervisors on this _____ day of _____ 2021.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:

ATTEST:

Patrick Gill, Woodbury County Auditor

Rocky De Witt, Chairman

Matthew Ung, Vice Chairman

Mark Monson

Keith Radig

Justin Wright

Adoption Timeline

- _____ : Public Hearing and 1st Reading
- _____ : Public Hearing and 2nd Reading
- _____ : Public Hearing, 3rd Reading, Adopted
- _____ : Published/Effective Date

JUNE 22, 2021 — MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS AS TRUSTEES FOR THE BENNET MCDONALD SMITHLAND DRAINAGE DISTRICT IN WOODBURY COUNTY

The Board of Supervisors met on Tuesday, June 22, 2021, as Trustees for Bennett McDonald Smithland Drainage District in Woodbury County. Board members present were De Witt, Radig, Wright, Monson, and Ung. Staff members present were Karen James, Board Administrative Assistant, Joshua Widman, Assistant County Attorney, Mark Nahra, County Engineer's Office, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

The Chair called to order the Bennett McDonald Smithland Drainage District Trustee meeting.

Motion by Monson second by De Witt to approve the contract from RP Constructors for culvert clean out for the affected drainage districts. Carried 5-0. Copy filed.

The Bennett McDonald Smithland Drainage District Trustee meeting was adjourned.