



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(JANUARY 10) (WEEK 2 OF 2023)

Live streaming at:
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Agenda and Minutes available at:
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Live telephonic access at: 712-224-6014

Daniel A. Bittinger II Keith W. Radig Jeremy Taylor Matthew A. Ung
389-4405 560-6542 259-7910 490-7852
dbittinger@woodburycountyiowa.gov kradig@woodburycountyiowa.gov jtaylor@woodburycountyiowa.gov matthewung@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held January 10, 2023 at 3:30 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

3:30 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 5 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 January 3, 2023 meeting
Approval of the minutes of the January 5, 2023 meeting
- 4. Approval of claims
- 5. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorization to Initiate Hiring Process
 - c. Approval of the casualty policy with Princeton Excess and Surplus Lines Insurance Company

End Consent Agenda

- | | | |
|-----|---|-------------|
| 6. | Siouxland Coalition against Human Trafficking – Bernadette Rixner
Approval and presentation of proclamation naming the month of January
“Slavery and Human Trafficking Prevention Month” | Action |
| 7. | Community & Economic Development – Daniel Priestly
Consideration of applicants & appointment of member of the Board of
Adjustment for the new five-year term (2023 to 2027) | Action |
| 8. | Board of Supervisors – Matthew Ung | |
| a. | Approval of 2023 Liaison Assignments | Action |
| b. | Approval of Committee Form for Health & Wellness Committee | Action |
| c. | Approval of Committee Form for Woodbury County Courthouse Advisory
Committee for Historical Preservation | Action |
| d. | Approval of Committee Form for Policy Review Committee | Action |
| e. | Approval of resolution reappointing Rocky De Witt to LEC Authority
following his resignation from the Woodbury County Board of Supervisors | Action |
| f. | Approval of the rules for public participation in the Board of Supervisors meetings | Action |
| 9. | Board of Supervisors – Keith Radig | |
| a. | Approve to separate consideration of Board of Supervisors pay from
other elected officials | Action |
| b. | Approve to reduce the supervisor’s salaries to 0% increase for FY 24 | Action |
| 10. | County Attorney – James Loomis
Addressing/filling the attorney vacancies in the office | Information |
| 11. | Building Services – Kenny Schmitz
Trosper Hoyt Update | Information |
| 12. | Secondary Roads – Mark Nahra | |
| a. | Approve the contract for gravel production at the Little Sioux pit with
Bedrock for \$1,575,000.00 | Action |
| b. | Approve the contract for overburden removal at the Little Sioux pit with
Bedrock for \$108,000.00 | Action |
| 13. | Board Administration – Dennis Butler
Approval of resolution amending Resolution No. 13,518 authorizing and
providing for the issuance of not to exceed \$2,100,000 aggregate principal
amount of Revenue Bonds (Siouxland Regional Transit System Project) and
approving bank qualification designation | Action |
| 14. | Reports on Committee Meetings | Information |
| 15. | Citizen Concerns | Information |
| 16. | Board Concerns | Information |

17. Budget Review Discussion for FY 2024

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Board of Supervisors – Matthew Ung	
a. Approval to reduce FY 24 property tax asking by \$2.5 million by reducing from reserves the “sale of the county farm” revenues as previously directed by the Board	Action
b. Cash Reserves – G.B.	
c. Interest on Idle Investments	
d. Board of Supervisors	
1. Communication Center – G.B.	35
2. Starcom Program – G.S.	39-40
3. Youth Guidance Services – G.S.	43
e. Emergency Management – R.B.	38
f. Community/Economic Development – R.B.	1-5
g. County Supervisors	
1. Hard Rock Gaming Fees – N.T.	46
a. Woodbury County Senior Meal Program – N.T.	50-52
b. Siouxland Regional Transit System – N.T.	47-49
c. NEW – Centers Against Abuse & Sexual Assault – N.T.	53-55
2. Infrastructure/Economic Development – N.T.	66-69
a. Event Center (6 of 10) – N.T.	
b. Siouxland Initiative – N.T.	
c. Woodbury County Fair – N.T.	78-83
d. SIMPCO Improvement Regional Housing – N.T.	84-85
e. SIMPCO Memberships – N.T.	
f. Western Iowa Tourism – N.T.	75-77

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- WED., JAN. 11** **7:30 a.m.** SIMPCO Executive – Finance Committee - Hybrid
- 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., JAN. 12** **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., JAN. 18** **12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., JAN. 19** **4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., JAN. 20** **12:00 p.m.** Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- MON., JAN. 23** **6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., JAN. 24** **2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., JAN. 25** **2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., JAN. 26** **11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, 1122 Pierce St.
- WED., FEB. 1** **4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., FEB. 2** **10:00 a.m.** COAD Meeting, The Security Institute
- MON., FEB. 6** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WED., FEB. 8** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- THU., FEB. 9** **12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park

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.

JANUARY 3, 2023, FIRST MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, January 3, 2023, at 3:30 p.m. Board members present were Taylor, Ung, Radig and Bittinger; De Witt was absent. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Melissa Thomas, Human Resources Director, and Patrick Gill, 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. Motion by Radig second by Taylor to approve the adoption of current Board of Supervisors Bylaws. Carried 4-0. Copy filed.
2. Motion by Ung second by Taylor to appoint Supervisor Radig as Temporary Chair to preside over Election of Chairperson. Carried 4-0.
3. Motion by Taylor second by Radig to appoint Supervisor Ung as Chairperson for the 2023 session. Carried 4-0.
4. Motion by Ung second by Radig to appoint Supervisor Taylor as Vice-Chairperson. Carried 4-0.
5. There were no citizen concerns.
6. Motion by Ung second by Taylor to approve the agenda for January 3, 2023. Carried 4-0. Copy filed.
Motion by Ung second by Radig to approve the following items by consent:
 7. To approve minutes of the December 20, 2022, meeting. Copy filed.
 8. To approve the claims totaling \$952,215.41. Copy filed.
 - 9a. To approve the appointment of County Engineer, Mark Nahra.
 - 9b. To approve the appointment of County Medical Examiner, Dr. Julie Breiner.
 - 9c. To approve the appointment of Jered Jepsen as Weed Commissioner.
 - 9d. To approve The Sioux City Journal, The Sergeant Bluff Advocate, and The Merville Record as the County's official newspapers. Copy filed.
 - 9e. To approve to the Third Judicial Department of Correctional Services. Copy filed.
 - 10a. No appointment to the Conservation Board. Copy filed.
 - 10b. To approve the appointment of George Boykin, 2737 Lemon, Sioux City, and Diane Prieksat, 801 5th St., Sioux City, to the Siouxland District Health Board. Copy filed.
 - 10c. To approve the appointment of Leo Jochum, 1691 250th, Salix, to the Commission of Assess Damages Category A – Owner/operators of Agricultural Property; Bob Batcheller, PO Box 3311, Sioux City, and Ruth Groth, 305 North Cauley Ave., Anthon, to the Commission to Assess Damages Category B – Owners of City Property; Colleen Baker, 3422 Jackson St, Sioux City, Tori Jackson, 4601 S Ridge Rd., Sioux City, and Rachel Law, 1407 Megan's Way, Correctionville, to the Commission to Assess Damages Category C – Licensed Real Estate Salesman or Real Estate Broker; and Patrick Curry, 502 Huntington Court, Sgt Bluff, Linda Mathison, 5008 Ravine Park Lane, Sioux City, and Doug Lehman, PO Box 1381, Sioux City, to the Commission of Assess Damages Category D – Persons Having Knowledge of Property Values in the County by Reason of their Occupation. Copy filed.
- 11a. To approve the separation of Donald Scarlett, Youth Worker, Juvenile Detention Dept., effective 12-20-22. Resignation.; the separation of Jacob Smith, P/T Operations Officer-Paramedic, Emergency Services Dept., effective 12-26-22. Resignation.; the end of probation of Casey Cooper, Equipment Operator, Secondary Roads Dept.,

effective 12-26-22, \$26.92/hour, 3%=\$.81/hr. Per CWA Secondary Roads Contract agreement, End of Probation Salary Increase.; the appointment of Dean Lauters, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 01-05-23, \$20.02/hour. Job Vacancy Posted 11-23-22. Entry Level Salary: \$18.22 - \$20.02/hour.; the appointment of Sandra Williams, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 01-05-23, \$18.22/hour. Job Vacancy Posted 11-23-22. Entry Level Salary: \$18.22 - \$20.02/hour.; and the promotion of Austin Svendsen, Jail Sergeant, County Sheriff Dept., effective 01-09-23, \$34.57/hour, 36%=\$9.31/hr. Promotion from Civilian Jailer to Jail Sergeant. Copy filed.

- 11b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for a Civilian Jailer, County Sheriff Dept. CWA: \$23.33/hour. Copy filed.
- 11c. To approve the request of Darin Fay and his spouse to remain on the county dental insurance. Copy filed.
- 12. To approve the property tax refund for 2820 3rd St, parcel #894727481012, in the amount of \$598.00. Copy filed.
- 13. To receive the appointment of Jeff Keleher, 206 Elm, Bronson, to the City Council of Bronson, previously held by Doug Williams, until the next regular/general election. Copy filed.
- 14a. To approve and authorize the Chairperson to sign a Resolution authorizing the County Engineer to execute Certification of Completion of Work on Federal Aid, State Aid, and Farm to Market Construction during 2023.

RESOLUTION #13,526
RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO EXECUTE
CERTIFICATION OF COMPLETION OF WORK ON FEDERAL AID, STATE AID, AND
FARM TO MARKET CONSTRUCTION DURING 2023

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that Mark J. Nagra, the County Engineer of Woodbury County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and federal or state aid construction projects in this county.

Dated at Sioux City, Iowa, this 3rd day of January 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 14b. To approve and authorize the Chairperson to sign a Resolution authorizing the County Engineer to close any secondary roads for the purpose of construction, maintenance, or emergencies during 2023.

RESOLUTION #13,527
RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO CLOSE ANY
SECONDARY ROADS FOR THE PURPOSE OF CONSTRUCTION, ROUTINE
MAINTENANCE, OR EMERGENCIES DURING 2023

WHEREAS, the Woodbury County Board of Supervisors is concerned about traffic safety involved during construction and maintenance work or during natural or traffic emergencies on the secondary road system, and

WHEREAS, they are further interested in making appropriate traffic accommodations for the traveling public, adjacent landowners and related users during construction and maintenance operations, and

WHEREAS, the Board of Supervisors under section 306.41 of the Code of Iowa can delegate the authority to temporarily closure of roads to the County Engineer,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Woodbury County Board of Supervisors give Mark J. Nagra, Woodbury County Engineer the authority to temporarily close sections of highway in Woodbury County's Road system when necessary, because of construction, maintenance, emergencies, or natural disaster.

DATED this 3rd day of January 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 15a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894725454004, 5217 1st St.

RESOLUTION #13,528
NOTICE OF PROPERTY SALE

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

Lot Thirty (30) in Block Two (2) of the Hamilton's Addition, City of Sioux City, Woodbury County, Iowa (5217 1st Street)

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

- 1. That a public hearing on the aforesaid proposal shall be held on the **17th Day of January 2023 at 3:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
- 2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **17th Day of January 2023**, immediately following the closing of the public hearing.
- 3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$400.00** plus recording fees.
- 4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 3rd Day of January 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 15b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894723379019, 3431 Athlone Ave.

RESOLUTION #13,529
NOTICE OF PROPERTY SALE

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

Lot Nine (9) in Block Seventeen (17) of Kelly Park, an Addition to Sioux City in the County of Woodbury and State of Iowa (3431 Athlone Ave.)

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

- 1. That a public hearing on the aforesaid proposal shall be held on

the **17th Day of January 2023 at 3:37 o'clock p.m.** in the basement of the Woodbury County Courthouse.

2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **17th Day of January 2023**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$718.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 3rd Day of January 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

Carried 4-0.

16. Action to receive for signatures a Resolution of proclamation for "Slavery and Human Trafficking Prevention and Awareness Month" was postponed.
17. Chief Judge Patrick Tott discussed with the Board the usage of the 2nd floor of the Trospen-Hoyt building. Copy filed.
- 18a. Motion by Ung second by Radig to defer action to approve an appointment to the Board of Adjustment for a five-year term (2023 to 2027). Carried 4-0. Copy filed.
- 18b. Motion by Ung second by Taylor to approve the appointment of Tom Bride to the Zoning Commission for a five-year term (2023 to 2027). Carried 4-0. Copy filed.
- 18c. Motion by Ung second by Radig to approve and authorize the Chairperson to sign the Construction Evaluation Resolution for large animal confinement operations. Carried 4-0.

RESOLUTION #13,531

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of

supervisors between February 1, 2023 and January 31, 2024 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

DATED this 3rd day of January 2023.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

19. Supervisor Ung discussed the reappointment of Rocky De Witt to the LEC Authority following his resignation from the Woodbury County Board of Supervisors. Copy filed.
20. Reports on committee meetings were heard.
21. There were no citizen concerns.
22. State of the Budget was presented by Dennis Butler. Copy filed.
23. Supervisor Ung presented remarks on FY 2024 budget.
- 24a. Motion by Ung second by Radig to receive the General Relief Administration budget as submitted. Carried 4-0.
Motion by Taylor second by Radig to receive the General Relief Assistance budget reduces by \$25,500.00. Carried 4-0.
- 24b. Motion by Radig second by Taylor to receive the County Supervisors CF Rebates & Miscellaneous Funds budget as submitted. Carried 4-0.
Motion by Taylor second by Ung to receive the County Supervisors Expense budget reduced by \$6,839.00. Carried 4-0.
Motion by Radig second by Ung to receive the County Supervisors Administration budget reduced by \$3,517.00. Carried 4-0.
Motion by Radig second by Ung to receive the County Supervisors Public Bidder budget as submitted. Carried 4-0.
Motion by Radig second by Taylor to receive the County Supervisors Mail Services budget as submitted. Carried 4-0.
Motion by Taylor second by Ung to receive the County Supervisors District Court Operations budget as submitted. Carried 4-0.
Motion by Taylor second by Ung to receive the County Supervisors Court Appointed Juvenile Attorneys budget reduced by \$5,000.00. Carried 4-0.
Motion by Radig second by Ung to receive the County Supervisors Risk Management budget as submitted. Carried 4-0.
Motion by Taylor second by Ung to receive the County Supervisors Rolling Hills Region budget as submitted. Carried 4-0.

Motion by Taylor second by Ung to receive the County Supervisors Soil Conservation funded thru LOST budget as submitted. Carried 4-0.

Motion by Radig second by Taylor to receive the County Supervisors Solid Waste Landfill budget as submitted. Carried 4-0.

Motion by Taylor second by Radig to receive the County Supervisors Township Officers budget as submitted. Carried 4-0.

Motion by Radig second by Taylor to receive the County Supervisors Tax Increment Funds budget as submitted. Carried 4-0.

24c. Motion by Taylor second by Ung to receive the County Library budget as submitted. Carried 4-0.

24d. Motion by Ung second by Bittinger to receive the Department of Human Services budget reduced by \$2,000.00. Carried 4-0.

24e. Motion by Radig second by Ung to receive the Human Resources budget reduced by \$2,189.00. Carried 4-0.

24f. Motion by Taylor second by Ung to receive the Conservation Administration budget reduced by \$4,996.00. Carried 4-0.

Motion by Taylor second by Ung to receive the Conservation Parks budget reduced by \$3,481.00. Carried 4-0.

Motion by Taylor second by Ung to receive the Conservation Naturalist budget reduced by \$1,458.00. Carried 4-0.

Motion by Radig second by Taylor to receive the Conservation Nature Center budget as submitted. Carried 4-0.

Motion by Taylor second by Ung to receive the Conservation REAP budget as submitted. Carried 4-0.

Motion by Taylor second by Radig to receive the Conservation Nature Center- non-tax budget as submitted. Carried 4-0.

Motion by Taylor second by Ung to receive the Conservation Reserve budget as submitted. Carried 4-0.

24g. Motion by Taylor second by Ung to receive the County Auditor Recorder budget reduced by \$1,996.00. Carried 4-0.

Motion by Taylor second by Ung to receive the County Auditor budget reduced by \$4,345. Carried 4-0.

Motion by Radig second by Ung to receive the County Auditor Election Administration budget reduced by \$1,996.00. Carried 4-0.

Motion by Radig second by Ung to receive the County Auditor General Election budget as submitted. Carried 4-0.

Motion by Radig second by Ung to receive the County Auditor School/City Elections budget as submitted. Carried 4-0.

Motion by Radig second by Taylor to receive the County Auditor City Primary Election budget as submitted. Carried 4-0.

Motion by Radig second by Taylor to receive the County Auditor Recorder Records Management budget as submitted. Carried 4-0.

24h. Motion by Taylor second by Radig to receive the County Treasurer Motor Vehicle budget reduced by \$3,875. Carried 4-0.

Motion by Taylor second by Ung to receive the County Treasurer Tax Department budget reduced by \$6,106.00. Carried 4-0.

24i. Motion by Taylor second by Ung to receive the Civil Service budget as submitted. Carried 4-0.

25. Board concerns were heard.

The Board adjourned the regular meeting until January 10, 2023.

Meeting sign in sheet. Copy filed.

JANUARY 5, 2023 SPECIAL BUDGET MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Thursday, January 5, 2023, at 2:00 p.m. Board members present were Ung, Radig, Bittinger, and Taylor. Staff members present were Dennis Butler, Budget and Finance Director, Melissa Thomas, Human Resources Director, Michelle Skaff, Deputy County Auditor, and Patrick Gill, Auditor/Clerk to the Board.

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

1. Motion by Radig second by Ung to receive the District Health budget reduced by \$670,500.00. Carried 3-0.
- 2a. Motion by Radig second by Ung to receive the Veteran Affairs Administration budget reduced by \$1,512.00. Carried 3-0.
- 2b. Motion by Radig second by Ung to receive the Veteran Affairs IDVA Grant budget as submitted. Carried 3-0.
- 2c. Motion by Radig second by Bittinger to receive the Veteran Affairs Assistance budget as submitted. Carried 3-0.
- 3a. Motion by Radig second by Ung to receive the Juvenile Detention Facility budget reduced by \$44,164.00. Carried 3-0.
- 3b. Motion by Radig second by Ung to receive the Juvenile Detention Federal Food Program reduced by \$24,000.00. Carried 3-0.
- 4a. Motion by Radig second by Ung to receive the Emergency Services budget reduced by \$13,485.00. Carried 3-0.
- 4b. Motion by Radig second by Ung to receive the Emergency Services Animal Control budget as submitted. Carried 3-0.
- 4c. Motion by Radig second by Ung to receive the Emergency Services Emergency Paramedic Services budget as submitted. Carried 3-0.
- 4d. Motion by Radig second by Ung to receive the Emergency Services EMS Training budget as submitted. Carried 3-0.
- 5a. Motion by Radig second by Ung to receive the Secondary Road Roadside Management budget as submitted. Carried 3-0.

Taylor arrived at 3:10 p.m.

- 5b. Motion by Radig second by Ung to receive the Secondary Roads budget reduced by \$225,000.00. Carried 4-0.
- 6a. Motion by Taylor second by Radig to receive the Building Services Courthouse budget reduced by \$13,000.00. Carried 4-0.
- 6b. Motion by Radig second by Taylor to receive the Building Services LEC budget reduced by \$51,000.00. Carried 4-0.
- 6c. Motion by Radig second by Ung to receive the Building Services Trospen/Hoyt budget reduced by \$5,000.00. Carried 4-0.
- 6d. Motion by Radig second by Ung to receive the Building Services Anthon Courthouse budget as submitted. Carried 4-0.
- 6e. Motion by Radig second by Ung to receive the Building Services Prairie Hills Facility budget as submitted. Carried 4-0.
- 6f. Motion by Radig second by Ung to receive the Building Services District Health Building budget as submitted. Carried 4-0.

- 6g. Motion by Taylor second by Radig to receive the Building Services budget reduced by \$10,000. Carried 4-0.
- 6h. Motion by Radig second by Ung to receive the Building Services Tri View Facility budget as submitted. Carried 4-0.
- 6i. Motion by Radig second by Taylor to receive the Building Services New LEC Justice Center budget as submitted. Carried 4-0.
- 7a. Motion by Radig second by Taylor to receive the Sheriff Uniform Patrol budget as submitted. Carried 4-0.
- 7b. Motion by Radig second by Ung to receive the Sheriff Highway Safety Grant budget as submitted. Carried 4-0.
- 7c. Motion by Radig second by Ung to receive the Sheriff Investigations budget as submitted. Carried 4-0.
- 7d. Motion by Radig second by Ung to receive the Sheriff Drug Task Force – Federal Reimbursement budget as submitted. Carried 4-0.
- 7e. Motion by Radig second by Taylor to receive the Sheriff Correctional Facility budget reduced by \$411,739.00. Carried 4-0.
- 7f. Motion by Radig second by Taylor to receive the Sheriff Administration budget reduced by \$11,000.00. Carried 4-0.
- 7g. Motion by Taylor second by Ung to receive the Sheriff Crime Prevention budget as submitted. Carried 4-0.
- 7h. Motion by Taylor second by Ung to receive the Sheriff Civil Division budget reduced by \$1,690.00. Carried 4-0.
- 7i. Motion by Taylor second by Ung to receive the Sheriff Courthouse Security budget reduced by \$2,077.00. Carried 3-1; Radig opposed.
- 7j. Motion by Radig second by Ung to receive the Sheriff Courtroom Security & Transport budget reduced by \$2,100.00. Carried 4-0.
- 7k. Motion by Radig second by Taylor to receive the Sheriff Commissary budget as submitted. Carried 4-0.
- 7l. Motion by Radig second by Ung to receive the Sheriff Prisoner Room & Board budget as submitted. Carried 4-0.
- 7m. Motion by Radig second by Ung to receive the Sheriff Uniform Patrol budget as submitted. Carried 4-0.
- 7n. Motion by Radig second by Taylor to receive the Sheriff Forfeiture budget as submitted. Carried 4-0.
- 7o. Motion by Radig second by Taylor to receive the Sheriff Dare Donations budget as submitted. Carried 4-0.

The Board adjourned the special meeting until January 10, 2023.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: January 10, 2023

*** 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
Ung, Matthew	Board of Supervisors	1-03-23	Board Chairperson	\$44,100.02/year \$1,633.33/ bi-weekly	19%= \$7,059.31/yr	O	From Board Member to Board Chairperson.
Radig, Keith	Board of Supervisors	1-03-23	Board Member	\$37,040.71/year \$1,371.88/ bi-weekly	-19%= -\$7,059.31/yr	O	From Board Chairperson to Board Member.
De Witt, Rocky	Board of Supervisors	1-03-23	Board Member			S	Resignation.
Jensen, Brent	County Sheriff	1-09-23	P/T Courthouse Safety & Security Officer	\$23.37/hour	10.5%=\$2.25/ hr	R	Per Wage Plan comparability with AFSCME Courthouse Contract, from Grade 3/Step 4 to Grade 3/Step 5.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR:

Melissa Thomas HR Director

**HUMAN RESOURCES DEPARTMENT
WOODBURY COUNTY, IOWA**

DATE: January 10, 2023

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Attorney	Legal Secretary III- Fine Collection	AFSCME Courthouse: \$22.08/hour		
County Attorney	Assistant County Attorney – Felony Division	AFSCME Assistant County Attorney: \$67,271.54 - \$77,796.55/year.		

Chairman, Board of Supervisors

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

Date: 01/05/2023 Weekly Agenda Date: 01/10/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Melissa Thomas HR Director

WORDING FOR AGENDA ITEM:

Approval of the casualty policy with Princeton Excess and Surplus Lines Insurance Company

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The paperwork for the renewal of Woodbury County's casualty insurance is being submitted. It lays out the limits and premiums for the 2023 calendar year.

BACKGROUND:

Renewal of Woodbury County's liability insurance is an annual event (January 1).

FINANCIAL IMPACT:

The Princeton Excess annual premium for 2023 is \$290,413.00. This is an increase of \$25,222.73 from 2022. Cost specifics and historical information is attached.

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:

Please accept the renewal paperwork and provide necessary signature.

ACTION REQUIRED / PROPOSED MOTION:

Accept and sign the 2023 casualty renewal.



Proposal of Insurance

Woodbury County, Iowa

620 Douglas Street, #701
Sioux City, IA 51101

Presented: December 27, 2022

Effective: January 1, 2023

Rich Stokluska, ARM

Area Senior Executive Vice President

Arthur J. Gallagher Risk Management Services, Inc.

2850 Golf Road

Rolling Meadows, IL 60008

(630) 773-3800

Rich_Stokluska@ajg.com



ajg.com

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Gallagher

Insurance | Risk Management | Consulting

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Service Team

Rich Stokluska has primary service responsibility for your company. We operate using a team approach. Your Service Team consists of:

NAME / TITLE	PHONE / ALT. PHONE	EMAIL	ROLE
Rich Stokluska, ARM Area Senior Executive Vice President	(630) 285-4012	Rich_Stokluska@ajg.com	Producer - Illinois
Terry Locaciato Client Service Manager	(630) 228-6959	Terry_Locaciato@ajg.com	Client Service Manager II
Steve Schultz Area Vice President	(712) 274-8223	Steve_Schultz@ajg.com	Producer - Iowa
Heather Murad Client Service Manager II	(712) 274-8234	heather_murad@ajg.com	Client Service Manager II

Arthur J. Gallagher Risk Management Services, Inc.

Main Office Phone Number: (630) 773-3800

Program Structure



Named Insured

Named Insured Schedule:

Add / Change / Delete	Named Insured	All Lines
	Woodbury County, Iowa	X
	Woodbury County 911 Service Board	X
	Woodbury County Emergency Management Commission	X

Note: Any entity not named in this proposal, may not be an insured entity. This may include affiliates, subsidiaries, LLC's, partnerships and joint ventures.

Market Review

We approached the following carriers in an effort to provide the most comprehensive and cost effective insurance program.

INSURANCE COMPANY	LINE OF COVERAGE	RESPONSE	PREMIUM
Princeton Excess & Surplus Lines Ins Co	Package	Recommended Quote	\$287,538.00

Location Schedule

LOC # / BLDG #	LOCATION ADDRESS
1/1	620 Douglas Street; Sioux City, IA 51101-1247
2/1	407 7 th Street; Sioux City, IA 51101-1000
3/1	1600 County Home Road; Sioux City, IA 51106-6932
3/2	1600 County Home Road; Sioux City, IA 51106-6932
3/4	1600 County Home Road; Sioux City, IA 51106-6932
3/5	1600 County Home Road; Sioux City, IA 51106-6932
3/6	1600 County Home Road; Sioux City, IA 51106-6932
3/7	1600 County Home Road; Sioux City, IA 51106-6932
3/8	1600 County Home Road; Sioux City, IA 51106-6932
4/1	121 Deer Run Trail; Climbing Hill, IA 51015-8124
5/1	825 Main Street; Merville, IA 51039-5009
6/1	221 Main Street; Danbury, IA 51019-7725
7/1	321 4 th Street; Pierson, IA 51048-8064
8/1	510 Main Street; Hornick, IA 51026-7700
9/1	1 MI SW; Smithland, IA 51056
9/2	1 MI SW; Smithland, IA 51056
9/3	1 MI SW; Smithland, IA 51056
9/4	1 MI SW; Smithland, IA 51056
9/5	1 MI SW; Smithland, IA 51056
10/1	Snyder Bend Road; Salix, IA 51052-8050
10/2	Snyder Bend Road; Salix, IA 51052-8050
10/3	Snyder Bend Road; Salix, IA 51052-8050
10/4	Snyder Bend Road; Salix, IA 51052-8050
10/5	Snyder Bend Road; Salix, IA 51052-8050
11/1	Fowler First; Smithland, IA 51056
11/2	Fowler First; Smithland, IA 51056
12/1	Bigelow Park Road; Salix, IA 51052
12/2	Bigelow Park Road; Salix, IA 51052
12/3	Bigelow Park Road; Salix, IA 51052
12/4	Bigelow Park Road; Salix, IA 51052
12/5	Bigelow Park Road; Salix, IA 51052
13/1	Little Sioux Park; Correctionville, IA 51016
13/2	Little Sioux Park; Correctionville, IA 51016
13/3	Little Sioux Park; Correctionville, IA 51016
13/4	Little Sioux Park; Correctionville, IA 51016

LOC # / BLDG #	LOCATION ADDRESS
13/5	Little Sioux Park; Correctionville, IA 51016
13/6	Little Sioux Park; Correctionville, IA 51016
13/7	Little Sioux Park; Correctionville, IA 51016
13/8	Little Sioux Park; Correctionville, IA 51016
14/1	Highway 20; Lawton, IA 51030
15/1	Highway 20; Merville, IA 51039
15/2	Highway 20; Merville, IA 51039
16/1	106 Summit Street; Pierson, IA 51048-7704
17/1	112 Knotty Pine Street; Correctionville, IA 51016-8160
17/2	112 Knotty Pine Street; Correctionville, IA 51016-8160
18/1	NW Corner of Bridge Street; Anthon, IA 51004
18/2	NW Corner of Bridge Street; Anthon, IA 51004
19/1	205 Washington Street; Oto, IA 51044-7702
20/1	290 2 nd Street, #IA-31; Oto, IA 51044-7716
20/2	290 2 nd Street, #IA-31; Oto, IA 51044-7716
20/3	290 2 nd Street, #IA-31; Oto, IA 51044-7716
20/4	290 2 nd Street, #IA-31; Oto, IA 51044-7716
21/1	250 th & O'Brien Avenue; Millersburg, IA 52308
22/1	1 st Street Thomas Street; Danbury, IA 51019
23/1	220 Main Street; Hornick, IA 51026-8155
23/2	220 Main Street; Hornick, IA 51026-8155
24/1	75 Deer Run Trail; Climbing Hill, IA 51015-8152
25/1	822 Douglas Street; Sioux City, IA 51101-1029
26/1	4500 Sioux River Road; Sioux, City, IA 51109-1657
27/1	1014 Nebraska Street; Sioux City, IA 51105-1435
28/1	401 8 th Street; Sioux City, IA 51101-1013
29/1	1211 Tri View Avenue; Sioux City, IA 51103-4902
30/1	759 E. Frontage Road; Merville, IA 51039-8199
31/1	2924 Snyder Bend Road; Salix, IA 51052-8050
31/2	2924 Snyder Bend Road; Salix, IA 51052-8050
31/3	2924 Snyder Bend Road; Salix, IA 51052-8050
31/4	2924 Snyder Bend Road; Salix, IA 51052-8050
32/1	2508 Dallas Avenue; Salix, IA 51052

Program Details

Coverage: Package - General Liability
Carrier: Princeton Excess & Surplus Lines Ins Co
Policy Period: 1/1/2023 to 1/1/2024

Form Type:

COVERAGE	FORM TYPE	RETROACTIVE DATE	PENDING & PRIOR DATE
General Liability	Occurrence	N/A	Not Applicable

Coverage:

DESCRIPTION	AMOUNT
General Liability:	
Any One Occurrence	\$10,000,000
Annual Aggregate	\$10,000,000
Sexual Abuse and Molestation:	
Any One Occurrence	\$5,000,000
Annual Aggregate	\$5,000,000

Self-Insured Retention:

COVERAGE	AMOUNT
General Liability – Each Occurrence, Accident or Claim	\$300,000
Sexual Abuse and Molestation	\$300,000

Endorsements include, but are not limited to:

DESCRIPTION
Common Declarations Page - AO 2502 (01-19)
Declarations - AE 2502 (01-19)
PSI Package Policy Form - Excluding Cyber - AE 0003 (12-14)
Sexual Abuse - AE 0436 (07-21)
Statutory Requirement Endorsement - AE 2206 (02-13)
Terrorist Activity Exclusion – State Exception

Exclusions include, but are not limited to:

DESCRIPTION
Bodily Injury and Property Damage from pollutants - Absolute Exclusion
Losses arising from the ownership maintenance or use of aircraft (including drones), autos, or watercraft, with some minor exceptions including certain contractual obligations

Exclusions include, but are not limited to:

DESCRIPTION
Employment Related Practices Exclusion
Liquor Liability Exclusion
Mold / Fungus
Dishonest, fraudulent, criminal or malicious act or omission
Bodily Injury or Property Damage or Personal Injury
Failure of performance of contract
Violation of Economic or Trade Sanctions Exclusion - AE 2209 (01-20)
Cyber Exclusion - Access or Disclosure of Confidential or Personal Information and Data Related Liability - AE 2401 (01-19)
General Liability Communicable Disease Exclusion - AE 2414 (06-21)

Binding Requirements:

DESCRIPTION
Subject to Signed Terrorism Selection form is required prior to binding

Premium	\$287,538.00
Taxes	
Taxes	\$2,875.38
Total Taxes	\$2,875.38
ESTIMATED PROGRAM COST	\$290,413.38
Minimum Earned Premium	100.00%
TRIA/TRIPRA PREMIUM <i>(Not Included in the above Premium)</i> (+ Additional Surcharges, Taxes and Fees as applicable)	
<i>If TRIA coverage is elected, the additional premium is \$2,446 + IA Surplus Lines Tax of \$244.60.</i>	

Coverage: Package - Automobile
Carrier: Princeton Excess & Surplus Lines Ins Co
Policy Period: 1/1/2023 to 1/1/2024

Coverage:

Each Occurrence	AMOUNT
Limit of Insurance for Each Occurrence	\$10,000,000
Iowa Uninsured Motorists (subject to \$300,000 SIR)	\$1,000,000

Self-Insured Retention

COVERAGE	AMOUNT
Automobile Liability - Each Occurrence, Accident or Claim	\$300,000

Endorsements include, but are not limited to:

DESCRIPTION
Statutory Requirement Endorsement - AE 2206 (02-13)
Iowa UM - AE 2321 (02-13)
Service of Process Endorsement - SLSOP (02-13)

Exclusions include, but are not limited to:

DESCRIPTION
Excluded Drivers
Expected or Intended Injury
Property Damage to Property Owned or Transported by you
Terrorism
Terrorist Activity Exclusion – State Exception

Binding Requirements:

DESCRIPTION
Subject to Signed Terrorism Selection form is required prior to binding

Other Significant Terms and Conditions/Restrictions:

DESCRIPTION
Hired/Borrowed Liability , IA: Cost of Hire - If any basis
Non-Owned Liability , IA: Employees - 328
Premium is due in full at inception, Premium is minimum & deposit
Part I B. – Multiple Lines Loss Protection Shown under General Liability

Premium	Included in General Liability
ESTIMATED PROGRAM COST	Included in General Liability
Minimum Earned Premium	100.00%
TRIA/TRIPRA PREMIUM (+ Additional Surcharges, Taxes and Fees as applicable)	See General Liability Premium Page

Coverage: Package - Law Enforcement Liability
Carrier: Princeton Excess & Surplus Lines Ins Co
Policy Period: 1/1/2023 to 1/1/2024

Form Type:

COVERAGE	FORM TYPE	RETROACTIVE DATE	PENDING & PRIOR DATE
Law Enforcement Liability	Occurrence	Not Applicable	Not Applicable

Coverage:

DESCRIPTION	AMOUNT
Law Enforcement Liability:	
Any One Occurrence	\$10,000,000
Annual Aggregate	\$10,000,000

Self-Insured Retention

COVERAGE	AMOUNT
Any One Occurrence	\$300,000

Endorsements include, but are not limited to:

DESCRIPTION
Statutory Requirement Endorsement
Service of Process Endorsement
if you choose not to purchase TRIPRA coverage per the premium quoted above and the attached disclosure notice OR Cap on Losses from Certified Acts of Terrorism if you choose to purchase TRIPRA coverage per the premium quoted above and the attached disclosure notice.

Exclusions include, but are not limited to:

DESCRIPTION
Violation of Economic or Trade Sanctions Exclusion
Cyber Exclusion - Access or Disclosure of Confidential or Personal Information and Data Related Liability
Terrorist Activity Exclusion – State Exception

Premium

Included in General Liability

ESTIMATED PROGRAM COST

Included in General Liability

Minimum Earned Premium

100.00%

TRIA/TRIPRA PREMIUM
 (+ Additional Surcharges, Taxes and Fees as applicable)

See General Liability Premium Page

Coverage: Package - Errors and Omissions Liability
Carrier: Princeton Excess & Surplus Lines Ins Co
Policy Period: 1/1/2023 to 1/1/2024

Form Type:

COVERAGE	FORM TYPE	RETROACTIVE DATE	PENDING & PRIOR DATE
Errors and Omissions	Claims Made	4/1/1999	Not Applicable
Employment Practice Liability	Claims Made	4/1/1999	Not Applicable
Sexual Harassment	Claims Made	4/1/1999	Not Applicable

Coverage:

DESCRIPTION	AMOUNT
All Coverages Under Section V Errors and Omissions Combined Subject to the Following Sub-Limits / Aggregates Which are Part of and not in Addition to the Combined Section V Limit and Annual Aggregate – Any One Claim	\$10,000,000
All Coverages Under Section V Errors and Omissions Combined Subject to the Following Sub-Limits / Aggregates Which are Part of and not in Addition to the Combined Section V Limit and Annual Aggregate – Annual Aggregate	\$10,000,000
Employment Practice Liability – Any One Claim	\$10,000,000
Employment Practice Liability – Annual Aggregate	\$10,000,000
Sexual Harassment – Any One Claim	\$10,000,000
Sexual Harassment – Annual Aggregate	\$10,000,000

Self-Insured Retention

COVERAGE	AMOUNT
Errors and Omissions - Each Occurrence, Accident or Claim	\$300,000
Employment Practice Liability - Each Occurrence, Accident or Claim	\$300,000
Sexual Harassment - Each Occurrence, Accident or Claim	\$300,000

Any Other Continuity or Specific Dates/Limits applicable to the Claims-Made Conditions:

COVERAGE	CONTINUITY DATE	LIMITS	CONDITIONS
Errors and Omissions	--		
Employment Practice Liability	--		
Sexual Harassment	--		

Any Other Continuity or Specific Dates/Limits applicable to the Claims-Made Conditions:

COVERAGE	CONTINUITY DATE	LIMITS	CONDITIONS
----------	-----------------	--------	------------

Claims Made Coverage:

Should you elect to change carriers (if a new retroactive date is provided) or non-renew this policy, a supplemental extended reporting endorsement may be available subject to policy terms and conditions. You must request the extended reporting period in writing to the carrier within ([Days To Extend]) days of the expiration date. The cost of this extended reporting period is [Percent Cost]% of the annual premium and is fully earned. The extended reporting period extends only to those claims made during the extended reporting period for wrongful acts that occurred prior to the expiration date and would have been covered by the policy. Claims must be reported to the carrier within ([Days To Report]) days of the end of the policy period. The extended reporting period does not increase the limits of liability and is subject to all policy terms, conditions and exclusions.

Definition of Claim:

DESCRIPTION
<p>Claim means:</p> <ul style="list-style-type: none"> a. A written demand for damages or a notice advising an Insured of an intent to sue; b. A notice of a charge or violation from any government agency c. An arbitration notice d. A civil proceeding commenced by the service of a summons, complaint or similar pleading received by an Insured alleging a Wrongful Act. e. Claim shall not include any criminal action

Run Off Provisions:

DESCRIPTION	PREMIUM AMOUNT	PREMIUM DUE DATE	LENGTH	% OF EXPIRING PREMIUM
Extended Reporting Period		At Expiration	12 Months	100%

Endorsements include, but are not limited to:

DESCRIPTION
Common Declarations Page - AO 2502 (01-19)
Declarations - AE 2502 (01-19)
PSI Package Policy Form - Excluding Cyber - AE 0003 (12-14)
Statutory Requirement Endorsement - AE 2206 (02-13)
Service of Process Endorsement

Exclusions include, but are not limited to:

DESCRIPTION
Violation of Economic or Trade Sanctions Exclusion - AE 2209 (01-20)
Terrorist Activity Exclusion – State Exception - SLSOP (02-13)

Binding Requirements:

DESCRIPTION
Subject to the Receipt and Satisfactory Review of the Insured’s Written Sexual Harassment Policies and Procedures Prior to the Effective Date. The Insurer’s Review of the Information May Result in Recommendations to the Insured’s Policies and Procedures

Binding Requirements:

DESCRIPTION
Subject to subject to the Insured's written Sexual Abuse policies and procedures prior to the policy effective date. The Insurer's review of the information may result in recommendations to the Insured's policies and procedures
Subject to Signed Terrorism Selection form is required prior to binding

Premium

Included in General Liability

ESTIMATED PROGRAM COST

Included in General Liability

Minimum Earned Premium

100.00%

TRIA/TRIPRA PREMIUM
(+ Additional Surcharges, Taxes and Fees as applicable)

See General Liability Premium Page

Coverage: Employee Benefits Liability
Carrier: Princeton Excess & Surplus Lines Ins Co
Policy Period: 1/1/2022 to 1/1/2023

Form Type:

COVERAGE	FORM TYPE	RETROACTIVE DATE	PENDING & PRIOR DATE
Employee Benefits Liability	Claims Made	4/1/1999	Not Applicable

Coverage:

DESCRIPTION	AMOUNT
All Coverages Under Section VII Employee Benefits Liability Combined – Any One Claim	\$10,000,000
All Coverages Under Section VII Employee Benefits Liability Combined – Annual Aggregate	\$10,000,000

Self-Insured Retention

COVERAGE	AMOUNT
Employee Benefits Liability: - Each Occurrence Accident or Claim	\$300,000

Any Other Continuity or Specific Dates/Limits applicable to the Claims-Made Conditions:

COVERAGE	CONTINUITY DATE	LIMITS	CONDITIONS
Employee Benefits Liability	--		

Claims Made Coverage:

Should you elect to change carriers (if a new retroactive date is provided) or non-renew this policy, a supplemental extended reporting endorsement may be available subject to policy terms and conditions. You must request the extended reporting period in writing to the carrier within ([Days To Extend]) days of the expiration date. The cost of this extended reporting period is [Percent Cost]% of the annual premium and is fully earned. The extended reporting period extends only to those claims made during the extended reporting period for wrongful acts that occurred prior to the expiration date and would have been covered by the policy. Claims must be reported to the carrier within ([Days To Report]) days of the end of the policy period. The extended reporting period does not increase the limits of liability and is subject to all policy terms, conditions and exclusions.

Definition of Claim:

DESCRIPTION
Claim means: a) A written demand for damages or a notice advising an Insured of an intent to sue; b) A notice of a charge or violation from any government agency c) An arbitration notice d) A civil proceeding commenced by the service of a summons, complaint or similar pleading received by an Insured alleging a Wrongful Act. e) Claim shall not include any criminal action

Run Off Provisions:

DESCRIPTION	PREMIUM AMOUNT	PREMIUM DUE DATE	LENGTH	% OF EXPIRING PREMIUM
Extended Reporting Period		At Expiration	12 Months	100%

Endorsements include, but are not limited to:

DESCRIPTION
Statutory Requirement Endorsement
Service of Process Endorsement
if you choose not to purchase TRIPRA coverage per the premium quoted above and the attached disclosure notice OR Cap on Losses from Certified Acts of Terrorism if you choose to purchase TRIPRA coverage per the premium quoted above and the attached disclosure notice.

Exclusions include, but are not limited to:

DESCRIPTION
Violation of Economic or Trade Sanctions Exclusion
Cyber Exclusion - Access or Disclosure of Confidential or Personal Information and Data Related Liability
Terrorist Activity Exclusion – State Exception

Binding Requirements:

DESCRIPTION
Subject to
Sign TRIA Form

Other Significant Terms and Conditions/Restrictions:

DESCRIPTION
Part I B. – Multiple Lines Loss Protection Shown under General Liability
TRIA and Taxes Shown under General Liability , Premium is Minimum & Deposit.

Premium

ESTIMATED PROGRAM COST

Included in General Liability

Minimum Earned Premium – 100%

Payment Plans

CARRIER / PAYABLE CARRIER	LINE OF COVERAGE	PAYMENT SCHEDULE	PAYMENT METHOD
Princeton Excess & Surplus Lines Ins Co (Munich-American Holding Corporation)	Package	All premiums and any fees are due to RPS within 20 days of binding	Agency Bill

Carrier Ratings and Admitted Status

PROPOSED INSURANCE COMPANIES	A.M. BEST'S RATING & FINANCIAL SIZE CATEGORY *	ADMITTED/NON-ADMITTED **
Princeton Excess & Surplus Lines Ins Co	A+ XV	Non-Admitted

*Gallagher companies use A.M. Best rated insurers and the rating listed above was verified on the date the proposal document was created.

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**If coverage placed with a non-admitted carrier, it is doing business in the state as a surplus lines or non-admitted carrier, and is neither subject to the same regulations as an admitted carrier nor do they participate in any state insurance guarantee fund.

Gallagher companies make no representations and warranties concerning the solvency of any carrier, nor does it make any representation or warranty concerning the rating of the carrier which may change.

Proposal Disclosures

Premium Summary

The estimated program cost for the options are outlined in the following table:

LINE OF COVERAGE		EXPIRING PROGRAM		PROPOSED PROGRAM	
		CARRIER	EXPIRING COST	CARRIER	ESTIMATED COST
Package	Premium	Princeton Excess & Surplus Lines Ins Co (Munich-American Holding Corporation)	\$262,565.00	Princeton Excess & Surplus Lines Ins Co (Munich-American Holding Corporation)	\$287,538.00
	Taxes		\$2,625.65		\$2,875.38
	Estimated Cost		\$265,190.65		\$290,413.38
	TRIA Premium		\$7,954.00		\$2,446.00
Total Estimated Program Cost			\$265,190.65		\$290,413.38

Quote from Princeton Excess & Surplus Lines Ins Co (Munich-American Holding Corporation) is valid until 12/29/2022

Premiums are due and payable as billed and may be financed, subject to acceptance by an approved finance company. Following acceptance, completion (and signature) of a premium finance agreement with the specified down payment is required. Note: Unless prohibited by law, Gallagher may earn compensation for this optional value-added service.

Gallagher is responsible for the placement of the following lines of coverage:

Package

It is understood that any other type of exposure/coverage is either self-insured or placed by another brokerage firm other than Gallagher. If you need help in placing other lines of coverage or covering other types of exposures, please contact your Gallagher representative.

Proposal Disclosures

The following disclosures are hereby made a part of this proposal. Please review these disclosures prior to signing the Client Authorization to Bind or e-mail confirmation.

Proposal Disclaimer

IMPORTANT: The proposal and/or any executive summaries outline certain terms and conditions of the insurance proposed by the insurers, based on the information provided by your company. The insurance policies themselves must be read to fully understand the terms, coverages, exclusions, limitations and/or conditions of the actual policy contract of insurance. Policy forms will be made available upon request. We make no warranties with respect to policy limits or coverage considerations of the carrier.

Compensation Disclosure

1. Gallagher Companies are primarily compensated from the usual and customary commissions, fees or, where permitted, a combination of both, for brokerage and servicing of insurance policies, annuity contracts, guarantee contracts and surety bonds (collectively "insurance coverages") handled for a client's account, which may vary based on market conditions and the insurance product placed for the client.
2. In placing, renewing, consulting on or servicing your insurance coverages, Gallagher companies may participate in contingent and supplemental commission arrangements with intermediaries and insurance companies that provide for additional compensation if certain underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company, not on an individual policy basis. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company. If you do not wish to have your commercial insurance placement included in consideration for additional compensation, contact your producer or service team for an Opt-out form.
3. Gallagher Companies may receive investment income on fiduciary funds temporarily held by them, or from obtaining or generating premium finance quotes, unless prohibited by law.
4. Gallagher Companies may also access or have an ownership interest in other facilities, including wholesalers, reinsurance intermediaries, captive managers, underwriting managers and others that act as intermediaries for both Gallagher and other brokers in the insurance marketplace some of which may earn and retain customary brokerage commission and fees for their work.

If you have specific questions about any compensation received by Gallagher and its affiliates in relation to your insurance placements, please contact your Gallagher representative for more details.

In the event you wish to register a formal complaint regarding compensation Gallagher receives from insurers or third-parties, please contact Gallagher via e-mail at Compensation_Complaints@ajg.com or by regular mail at:

Chief Compliance Officer
Gallagher Global Brokerage
Arthur J. Gallagher & Co.
2850 Golf Rd.
Rolling Meadows, IL 60008

TRIA/TRIPRA Disclaimer

If this proposal contains options to purchase TRIA/TRIPRA coverage, the proposed TRIA/TRIPRA program may not cover all terrorism losses. While the amendments to TRIA eliminated the distinction between foreign and domestic acts of terrorism, a number of lines of coverage excluded under the amendments passed in 2005 remain excluded including commercial automobile, burglary and theft insurance; surety insurance, farm owners multiple perils and professional liability (although directors and officers liability is specifically included). If such excluded coverages are required, we recommend that you consider purchasing a separate terrorism policy. Please note that a separate terrorism policy for these excluded coverages may be necessary to satisfy loan covenants or other contractual obligations. TRIPRA includes a \$100 billion cap on insurers' aggregate liability.

TRIPRA is set to expire on December 31, 2027. There is no certainty of extension, thus the coverage provided by your insurers may or may not extend beyond December 31, 2027. In the event you have loan covenants or other contractual obligations requiring that TRIA/TRIPRA be maintained throughout the duration of your policy period, we recommend that a separate ""Stand Alone"" terrorism policy be purchased to satisfy those obligations.

Terms and Conditions

It is important that we clearly outline the nature of our mutual relationship. The following terms and conditions (these "Terms") govern your relationship with Gallagher unless you have separately entered into a written services agreement with Gallagher relative to the policies and services outlined in this Proposal, in which case that services agreement will govern and control with respect to any conflicts with these Terms. These Terms will become effective upon your execution of the Client Authorization to Bind Coverage (the "CAB") included in this Proposal and shall survive for the duration of your relationship with Gallagher relative to the policies placed pursuant to the CAB or otherwise at your request.

Services

Gallagher will represent and assist you in all discussions and transactions with insurance companies relating to the lines of insurance coverage set forth in the CAB and any other lines of insurance coverage with which you request Gallagher's assistance. Gallagher will consult with you regarding any matters involving these or other coverages for which you have engaged Gallagher. You have the sole discretion for approving any insurance policies placed, as well as all other material decisions involving your risk management, risk transfer and/or loss prevention needs.

Although you are responsible for notifying applicable insurance companies directly in connection with any claims, demands, suits, notices of potential claims or any other matters as required by the terms and conditions of your policies, Gallagher will assist you in determining applicable claim reporting requirements.

Treatment of Information

Gallagher understands the need to protect the confidentiality and security of your confidential and sensitive information and strives to comply with applicable data privacy and security laws. Your confidential and sensitive information will be protected by Gallagher and only used to perform services for you; provided that Gallagher may disclose and transfer your information to our affiliates, agents or vendors that have a need to know such information in connection with the provision of such services (including insurance markets, as necessary, for marketing, quoting, placing and/or servicing insurance coverages). We may also disclose such information as required by applicable data protection laws or the order of any court or tribunal, subject to our providing you with prior notice as permitted by law.

We will (i) implement appropriate administrative, physical and technical safeguards to protect personal information; (ii) timely report security incidents involving personal information to affected parties and/or regulatory bodies; (iii) create and maintain required policies and procedures; and (iv) comply with data subjects' rights, as applicable. To the extent applicable under associated data protection laws, you are a "business" or "controller" and Gallagher is a "service provider" or "data processor." You will ensure that any information provided to Gallagher has been provided with any required notices and that you have obtained all required consents, if any and where required, or are otherwise authorized to transfer all information to Gallagher and enable Gallagher to process the information for the purposes described in this Proposal and as set forth in Gallagher's Privacy Policy located at <https://www.ajg.com/privacy-policy/>. Gallagher may update its Privacy Policy from time to time and any updates will be posted to such site.

Dispute Resolution

Gallagher does not expect that it will ever have a formal dispute with any of its clients. However, in the event that one should arise, we should each strive to achieve a fair, expedient and efficient resolution and we'd like to clearly outline the resolution process.

A. If the parties have a dispute regarding Gallagher's services or the relationship governed by this Proposal ("Dispute"), each party agrees to resolve that Dispute by mediation. If mediation fails to resolve the Dispute, you and Gallagher agree to binding arbitration. Each party waives all rights to commence litigation in court to resolve a Dispute, and specifically waives all rights to pursue relief by class action or mass action in court or through arbitration. However, the parties do not waive the ability to seek a court order of injunction in aid of the mediation and arbitration required by these Terms.

B. The party asserting a Dispute must provide a written notice ("Notice") of the claim to the other party and to the American Arbitration Association ("AAA") in accordance with its Commercial Arbitration Rules and Mediation Procedures. All Dispute resolutions will take place in Chicago, IL, unless you and Gallagher agree to another location. The parties will equally divide all costs of the mediation and arbitration proceedings and will each pay their own attorneys' fees. All matters will be before a neutral, impartial and disinterested mediator or arbitrator(s) that have at least 20 years' experience in commercial and insurance coverage disputes.

C. Mediation will occur within sixty (60) days of filing the Notice with the AAA. Mediation results will be reduced to a memorandum of understanding signed by you, Gallagher and the mediator. A Dispute that is not resolved in mediation will commence to binding arbitration. For Disputes in excess of \$500,000, either party may elect to have the Dispute heard by a panel of three (3) arbitrators. The award of the arbitrator(s) must be accompanied by a reasoned opinion prepared and signed by the arbitrator(s). Except as may be required by law, neither you, Gallagher, nor a mediator or arbitrator may disclose the existence, content or results of any Dispute or its dispute resolution proceeding without the prior written consent of both you and Gallagher.

Electronic Delivery

In lieu of receiving documents in paper format, you agree, to the fullest extent permitted by law, to accept electronic delivery of any documents that Gallagher may be required to deliver to you (including, but not limited to, insurance policies and endorsements, account statements and all

other agreements, forms and communications) in connection with services provided by Gallagher. Electronic delivery of a document to you may be made via electronic mail or by other electronic means, including posting documents to a secure website.

Miscellaneous Terms

Gallagher is engaged to perform services as an independent contractor and not as your employee or agent, and Gallagher will not be operating in a fiduciary capacity.

Where applicable, insurance coverage placements and other services may require the payment of federal excise taxes, surplus lines taxes, stamping or other fees to the Internal Revenue Service, various State(s) departments of revenue, state regulators, boards or associations. In such cases, you will be responsible for the payment of the taxes and/or fees, which Gallagher will separately identify on related invoices.

The Proposal and these Terms are governed by the laws of the State of Illinois, without regard to its conflict of law rules.

If an arbitrator/court of competent jurisdiction determines that any provision of these Terms is void or unenforceable, that provision will be severed, and the arbitrator/court will replace it with a valid and enforceable provision that most closely approximates the original intent, and the remainder of these Terms will remain in effect.

Except to the extent in conflict with a services agreement that you may enter into with Gallagher, these Terms and the remainder of the Proposal constitute the entire agreement between you and Gallagher with respect to the subject matter of the Proposal, and supersede all prior negotiations, agreements and understandings as to such matters.

Client Signature Requirements



Coverages for Consideration

Overview

Gallagher recommends that you consider purchasing the following additional coverages for which you have exposure. A Proposal for any of the coverages below can be provided.

- Stand-Alone Terrorism

Please note the recommendations and considerations summarized in this section are not intended to identify all potential exposures. Gallagher is not an expert in all aspects of your business and assumes no responsibility to independently investigate the risks your business faces. Gallagher has relied upon the information you provided in making our insurance Proposals. If you are interested in pursuing additional coverages other than those listed above, please list the additional coverages in the Client Authorization to Bind.

Client Authorization to Bind Coverage

After careful consideration of Gallagher's proposal dated 12/27/2023, we accept the following coverage(s). Please check the desired coverage(s) and note any coverage amendments below:

COVERAGE/CARRIER	
<input type="checkbox"/> Accept <input type="checkbox"/> Reject	Package
	Princeton Excess & Surplus Lines Ins Co
<input type="checkbox"/> Accept <input type="checkbox"/> Reject	TRIA

Additional Recommended Coverages

Gallagher recommends that you purchase the following additional coverages for which you have exposure. By checking the box(es) below, you are requesting that Gallagher provide you with a Proposal for this coverage. By not requesting a Proposal for this coverage, you assume the risk of any uncovered loss.

Other Coverages to Consider

- Stand-Alone Terrorism

The above coverage(s) does not necessarily represent the entirety of available insurance products. If you are interested in pursuing additional coverages other than those listed in the Additional Recommended Coverages, please list below:

Coverage Amendments and Notes:

Exposures and Values

You confirm the payroll, values, schedules, and any other information pertaining to your operations, and submitted to the underwriters, were compiled from information provided by you. If no updates were provided to Gallagher, the values, exposures and operations used were based on the expiring policies. You acknowledge it is your responsibility to notify Gallagher of any material change in your operations or exposures.

Additional Terms and Disclosures

Gallagher is not an expert in all aspects of your business. Gallagher's Proposals for insurance are based upon the information concerning your business that was provided to Gallagher by you. Gallagher expects the information you provide is true, correct

Woodbury County, Iowa



and complete in all material respects. Gallagher assumes no responsibility to independently investigate the risks that may be facing your business, but rather have relied upon the information you provide to Gallagher in making our insurance Proposals.

Gallagher's liability to you arising from any of Gallagher's acts or omissions will not exceed \$20 million in the aggregate. The parties each will only be liable for actual damages incurred by the other party, and will not be liable for any indirect, special, exemplary, consequential, reliance or punitive damages. No claim or cause of action, regardless of form (tort, contract, statutory, or otherwise), arising out of, relating to or in any way connected with the Proposal, any of Gallagher's services or your relationship with Gallagher may be brought by either party any later than two (2) years after the accrual of the claim or cause of action.

Gallagher has established security controls to protect Client confidential information from unauthorized use or disclosure. For additional information, please review Gallagher's Privacy Policy located at <https://www.aig.com/privacy-policy/>.

You have read, understand and agree that the information contained in the Proposal and all documents attached to and incorporated into the Proposal, is correct and has been disclosed to you prior to authorizing Gallagher to bind coverage and/or provide services to you. By signing below, or authorizing Gallagher to bind your insurance coverage through email when allowed, you acknowledge you have reviewed and agree with terms, conditions and disclosures contained in the Proposal.

By:

Print Name (Specify Title)

Company

Signature

Date: _____

Appendix



Bindable Quotations & Compensation Disclosure Schedule

Client Name: Woodbury County, Iowa

COVERAGE(S)	CARRIER NAME(S)	WHOLESALE, MGA, OR INTERMEDIARY NAME ¹	EST. ANNUAL PREMIUM ²	COMM.% OR FEE ³	GALLAGHER U.S. OWNED WHOLESALE, MGA, OR INTERMEDIARY %
Package	Princeton Excess & Surplus Lines Ins Co (Munich-American Holding Corporation)	Risk Placement Services	\$287,538.00	15%	11.5%

¹ We were able to obtain more advantageous terms and conditions for you through an intermediary/ wholesaler.

² If the premium is shown as an indication: The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.

* A verbal quotation was received from this carrier. We are awaiting a quotation in writing.

³ The commission rate is a percentage of annual premium excluding taxes & fees.

* Gallagher is receiving ___% commission on this policy. The fee due Gallagher will be reduced by the amount of the commissions received.



Binding Requirements

Coverage (Issuing Carrier)	Binding Requirements
<p style="text-align: center;">Package Princeton Excess & Surplus Lines Ins Co</p>	<p>General Liability - Subject to Signed Terrorism Selection form is required prior to binding</p>
	<p>Errors and Omissions Liability - Subject to the Receipt and Satisfactory Review of the Insured's Written Sexual Harassment Policies and Procedures Prior to the Effective Date. The Insurer's Review of the Information May Result in Recommendations to the Insured's Policies and Procedures</p>
	<p>Errors and Omissions Liability - Subject to subject to the Insured's written Sexual Abuse policies and procedures prior to the policy effective date. The Insurer's review of the information may result in recommendations to the Insured's policies and procedures</p>
	<p>Errors and Omissions Liability - Subject to Signed Terrorism Selection form is required prior to binding</p>
	<p>Law Enforcement Liability - N/A</p>
	<p>Automobile - Subject to Signed Terrorism Selection form is required prior to binding</p>
	<p>Excess Liability - N/A</p>

Claims Reporting By Policy

Immediately report all claims. Each insurer requires notice of certain types of claims depending on the potential exposure or particular injury types. It is important to thoroughly review your policy to ensure you are reporting particular incidents and claims, based upon the insurer's policy requirements.

If you are using a third party administrator ("TPA"), your TPA may or may not report claims to an insurer on your behalf. Although we will assist you where requested, it is important that you understand whether your TPA will be completing this notification.

Reporting Direct to Carrier [Only When Applicable]

COVERAGE(S): Package	IMMEDIATELY REPORT CLAIMS DIRECTLY TO:
Insurer: Princeton Excess & Surplus Lines Insurance Company Policy Number: Policy Term: 1/1/2023 - 1/1/2024	Insurer/TPA Name: Princeton Excess & Surplus Lines Insurance Company Phone: 1-888-729-2242/ 1-866-220-3505 Fax: 609-243-4558 Web: http://www.peslic.com/en.html

Reporting to Gallagher or Assistance in Reporting

COVERAGE(S):	IMMEDIATELY REPORT CLAIMS DIRECTLY TO:
Gallagher Claim Center Policy Number: Policy Term:	Phone: 855-497-0578 Fax: 225-663-3224 Email: ggb.nrcclaimscenter@ajg.com

WOODBURY COUNTY, IOWA

RESOLUTION NO. _____

PROCLAMATION

WHEREAS, *the United States was founded upon the principle that all people are created with the inalienable right to freedom, and added the 13th amendment to the Constitution making slavery illegal; and*

WHEREAS, *slavery within the United States today is most often found in the form of forced labor and sex trafficking, which weakens our social fabric, increases violence and organized crime, and debases our humanity; and*

WHEREAS, *this problem is found even within our community; and*

WHEREAS, *every business, community organization, faith community, family and individual can make a difference by choosing products that are not made by forced labor; by working to protect our young people from sexual exploitation; by addressing the problems of internet sex trafficking and pornography; and by becoming more aware of the problem and possible solutions.*

NOW, THEREFORE, BE IT RESOLVED THAT the Woodbury County Board of Supervisors do hereby proclaim the month of January, 2023 as

“SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH”
in Woodbury County, Iowa and urge all citizens to become more familiar with the problem and to work towards solutions.

Matthew A. Ung, Supervisor

Dan A. Bittinger, Supervisor

Keith W. Radig, Supervisor

Jeremy J. Taylor, Supervisor

Attest: Patrick F. Gill, Woodbury County Auditor

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

Date: 1/4/23 Weekly Agenda Date: 1/10/23

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel Priestley, Zoning Coordinator

WORDING FOR AGENDA ITEM:

Consideration of applicants for the appointment to fill one expired term on the Woodbury County Board of Adjustment from 2023 to 2027.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

This item requests for the Board to consider appointing one (1) applicant from the candidate pool to the Board of Adjustment (BOA) for a 5-year term (2023 to 2027).

BACKGROUND:

Two (2) candidates have applied to be considered for service on the Board of Adjustment. Both candidates meet the requirements to serve and their references have been verified.

Applicants: - Applications Enclosed.

- Hanson, Jeffrey William - 1623 Eastland Ave., Lawton, IA 51030, 712-899-4054

- Turner, Doyle K. - 2738 200th St., Moville, IA 51039, 712-870-9715

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:

Approve the appointment of one of the candidates (effective immediately) to the Board of Adjustment for a new five-year term (2023 to 2027).

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the the appointment of _____ (effective immediately) to the Board of Adjustment for a new five-year term (2023 to 2027).

5. Board of Adjustment.

- A. Establishment. Pursuant to Chapter 335 of the Code of Iowa, a County Board of Adjustment, consisting of five members, as previously established, is hereby continued.
- B. Appointment and membership.
 - (1) The members of the Board of Adjustment shall be appointed by the Board of Supervisors for terms of five years. Terms of the Board shall be staggered so that no more than two memberships expire on December 31 of any year. Vacancies shall be filled in the same manner for the remainder of an unexpired term.
 - (2) Members of the Board of Adjustment shall consist of eligible electors, as defined by Iowa Code section 39.3, who reside within the area regulated by the County Zoning Ordinance and shall not be officers or employees of any agency or department of the County. Iowa law requires all appointive boards, commissions, committees, and councils of a political subdivision to be gender balanced by using a fair and unbiased method of selecting the best qualified applicants. The Board of Supervisors may appoint any qualified applicant, regardless of gender, after making a three-month good faith effort to appoint a gender balanced Board.
 - (3) Members of the Board of Adjustment shall serve without compensation but may be reimbursed for the actual expenses incurred while performing their official duties, which shall be subject to the approval of the Board of Supervisors.
 - (4) Any member of the Board of Adjustment may be removed for cause by the Board of Supervisors following a public hearing on written charges. Cause for removal may be found by the Board of Supervisors in any action or condition which it determines to be detrimental to the proper functioning of the Board, including conflicts of interest, violations of laws or regulations pertaining to the role of the Board, failing to carry out the duties of a member of the Board, including failure to attend 50% or more regular meetings in any twelve-month period, or other conduct which casts doubt upon the integrity or effectiveness of the member.
- C. Rules of Procedure. The Board of Adjustment shall organize itself and shall adopt and maintain, subject to the approval of the Board of Supervisors, rules of procedure in conformance with the provisions of this ordinance and the Iowa Code to govern the conduct of its business.
- D. Powers and Duties. The Board of Adjustment shall have the following powers and it shall be its duty:
 - (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of Iowa Code Chapter 335, or of any ordinance adopted pursuant thereto.
 - (2) To hear and decide special exceptions to the terms of the ordinance upon which such Board is required to pass under such ordinance.
 - (3) To authorize upon appeal, in specific cases, such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed, and substantial justice done.

**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: Planning and Zoning Commission and Board of Adjustment (Board/Commission)

Date December 2, 2022 E-mail Address jhanson@mcclurevision.com

Name Jeffrey William Hanson

Address 1623 Eastland Avenue, Lawton, Iowa 51030

Phone Number 712-899-4054 Fax Number _____

Business Phone 712-220-3294 Cell Phone 712-899-4054

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):

Current: McClure Engineering – Business Development Lead

Previous: City of Sioux City – Community Development Operations Manager (18 years)

Previous: SIMPCO – Transportation Planning Director (6 years)

Retired volunteer firefighter with the Lawton Fire Department (17 years)

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

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

Available to attend all meetings and committed to devoting as much time as needed.

■ **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.**

I am a lifelong Sioux City/Woodbury County resident. I built our home in 2000 in rural Woodbury County where my wife and I have raised our children. For the last 18 years, I was employed with the City of Sioux City in various Planning and Community Development positions. Most recently, I served as the Community Development Operations Manager overseeing the Housing, Inspections, Neighborhood Services, and Planning and Zoning Divisions.

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

I believe I could use my education and 24 years of professional experience in planning and community development to contribute to the Planning and Zoning Commission and Board of Adjustment.

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

Planning and Zoning Commission – Provide recommendations to the Board of Adjustment and Board of Supervisors on planning, zoning, subdivision, and development projects in the unincorporated area of Woodbury County.

Board of Adjustment – Quasi-judicial board to hear and make decisions regarding appeals to the Zoning Ordinance.

Reviews and decides on variances and conditional use permits in the unincorporated area of Woodbury County.

■ **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?**

In my new role at McClure, I can devote time to volunteer in my community and assist the residents of unincorporated Woodbury County. I believe I can use my education, background, and professional experience to make sound recommendations to the Board of Supervisors.

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

Name	Address	Phone number	Email address	Relationship
Ryan Ross	329 Pierce Street	712-259-3563	ross@craryhuff.com	Friend/Colleague
Kurt Miene	212 Larimer Street	712-870-5222	Kurt.Miene@stocktontowingiowa.com	Friend/Lawton Fire

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

Signature



Date 12/02/2022

**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.**

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: Board of Adjustments (Board/Commission)

Date 12/15/22 E-mail Address doyle.turner@rocketmail.com

Name Doyle K. Turner

Address 2738 - 200 ST Merville, IA 51039

Phone Number _____ Fax Number _____

Business Phone _____ Cell Phone 712-870-9715

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):

See Attached

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

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

15 hours / week

■ 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.

See Attached

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

See Attached

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

See Attached

■ 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
Jason Markov	788 Logan Drive Moorillo, IA 51039		jasonmarkov4@gmail.com	Life long friend and business associate
Jim Young	4520 Grayhawk Ridge Drive Sioux City, IA 51106		doodeyo3100@yahoo.com	Old Boss @ Firstar

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

Signature  Date 12-5-22

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.

Employment:

Currently I have been retired and helping my 20 year old son as a beginning farmer take over the family farm. I was the CFO for Interstate Powder Coatings and College Products, both of Sioux City. I farmed and was an Ag Loan Officer for Firststar Bank, Sioux City and Cooperative Credit Company, Sioux Center. At Firststar my primary responsibility were large cattle feeding accounts. My first loan was \$3 million on up to \$30 million. At Cooperative Credit my partner and I started and managed a finance company for originally 6 cooperatives, in 2 years I was asked to present our company to 60 different Coop Board of Directors and 40 of those Coops became members of Cooperative Credit, which is currently over \$100 million in assets. Cooperative Credit loans money directly to farmers for short and intermediate-term farm financing needs through member cooperatives. I went through banking backwards, starting with large loans and then going to smaller loans. Prior to that I worked as a cattle agent for a firm at The Sioux City Stockards and I was the night Safety Director for Direct Transit, responsible for accidents, overages/shortages, license and permit issues for 1500 trucks.

Interest in Appointment:

While working for Cooperative Credit, my territory was essentially everything west of I35 in Iowa. That opportunity put me in a lot of different communities with many different dynamics, working with both community leaders, businesses, and farmers. Many times I was negotiating between other lenders, the borrower and our member cooperatives. This experience gives me a working knowledge of what other communities have tried, what works, what doesn't work, but most of all, it made me appreciate my home community that much more. We are very fortunate in Woodbury County to have such a diversity of people, industries, geography, and opportunities. Two counties to the north of us we have one of the wealthiest counties in the state, they have the smallest average farm size in the state and they are a large net importer of corn. One county south of us we have one of the poorest counties in the state with the largest average farm size. It is one of the largest corn exporting counties in the state and the county seat which sits on I29 has the distinction as the poorest town in the state. The people are always the key to success but good local government can be a vital partner in success as well.

My goal is to continue and hopefully expand the relationship between the citizens and the government of Woodbury County. Our citizens need to know that their opinions are always heard, considered and valued. When people feel that their voices are heard, they are more willing to engage in both government and business within our county. They are more willing to start businesses or expand existing businesses when they feel confident that the local government is intent on fairly representing all citizens.

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



I feel that I can bring the common sense that comes with farming my entire life, building my own shop, moving 2 houses, doing my own dirt work and laying my own drainage tile, water pipes and electrical. Also, my banking experience will help me know what types of things are feasible

and practical from a lender's perspective. In general I am very good at engaging with people who have opposing views and finding common ground.

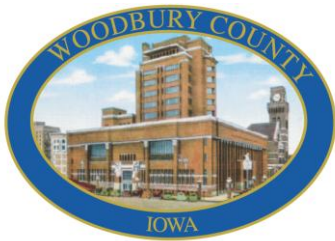
Direction/role you perceive of this Board/Commission:

I see the Board of Adjustments as both a judicial role and as a mediator role. Judicial in the fact that it makes sure that zoning regulations are followed, but also a mediator in that each case can be looked at individually to come to an agreement between neighbors and/or the community to arrive at solutions that best represent all parties involved.

Advertisements

ONLINE	PRINT							
 <p>WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT</p> <h2>COMMISSION & BOARD OPENINGS</h2> <table border="1"> <tr> <th>ZONING COMMISSION</th> <th>BOARD OF ADJUSTMENT</th> </tr> <tr> <td>1 OPENING</td> <td>1 OPENING</td> </tr> <tr> <td>January 2023 to December 2027</td> <td>January 2023 to December 2027</td> </tr> </table> <p>The Zoning Commission is a commission of five citizens appointed by the Woodbury County Board of Supervisors. The Commission is responsible for preparing and making recommendations to the Board of Adjustment and Board of Supervisors on issues concerning the general plan and amendments; subdivision; plats; amendments to the ordinance; rezoning; and development. Members shall be residents of the unincorporated area of the County and serve terms of five years without compensation.</p> <p>The Board of Adjustment is a quasi-judicial board of five citizens appointed by the Woodbury County Board of Supervisors. The Board hears and decides appeals to any order, requirement, decision, or determination made by an administrative officer in the enforcement of the County's zoning ordinance; hears and reviews variances and special exceptions from the terms of the zoning ordinance; and decides applications for conditional use permits. Members shall be residents of the unincorporated area of the county and serve terms of five years without compensation.</p> <p>MUST BE A RESIDENT OF RURAL UNINCORPORATED WOODBURY COUNTY For more information, call 712-279-6609 Applications can be downloaded at www.WoodburyCountyCED.com APPLICATION DEADLINE: DECEMBER 15, 2022</p>	ZONING COMMISSION	BOARD OF ADJUSTMENT	1 OPENING	1 OPENING	January 2023 to December 2027	January 2023 to December 2027	 <p>WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT</p> <h2>COMMISSION & BOARD OPENINGS</h2> <h3>NOW ACCEPTING APPLICATIONS FOR</h3> <h3>WOODBURY COUNTY Zoning Commission & Board of Adjustment</h3> <p>Must be a resident of rural unincorporated Woodbury County</p> <p>For more information, call 712-279-6609</p> <p>Applications can be downloaded at www.WoodburyCountyCED.com Application Deadline: Dec. 15, 2022</p>	<p>NOW ACCEPTING APPLICATIONS FOR APPOINTMENTS TO THE WOODBURY COUNTY PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT</p> <p>To apply, submit a completed application by December 15, 2022, to the Woodbury County Board of Supervisors, Woodbury County Courthouse, 620 Douglas St., Room 104, Sioux City, IA 51101. Applicants must be residents of rural unincorporated Woodbury County. For more information, visit WoodburyCountyCED.com or call 712-279-6609. Planning and Zoning Commission (1 Appointment Available)</p> <p>The Zoning Commission is a commission of five citizens appointed by the County Board of Supervisors. The Commission is responsible for preparing and making recommendations to the Board of Adjustment and Board of Supervisors on issues concerning the general plan and amendments; subdivision; plats; amendments to the ordinance; rezoning; and development. Members shall be residents of the unincorporated area of the County and serve terms of five years without compensation. This appointment will be from 1/23 to 12/27.</p> <p>Board of Adjustment (1 Appointment Available)</p> <p>The Board of Adjustment is a quasi-judicial board of five citizens appointed by the County Board of Supervisors. The Board hears and decides appeals to any order, requirement, decision, or determination made by an administrative officer in the enforcement of the County's zoning ordinance; hears and reviews variances and special exceptions from the terms of the zoning ordinance; and decides applications for conditional use permits. Members shall be residents of the unincorporated area of the county and serve terms of five years without compensation. This appointment will be from 1/23 to 12/27.</p>
ZONING COMMISSION	BOARD OF ADJUSTMENT							
1 OPENING	1 OPENING							
January 2023 to December 2027	January 2023 to December 2027							
<p>Facebook</p> <ul style="list-style-type: none"> - December 14, 2022 - December 5, 2022 - November 28, 2022 - November 21, 2022 - November 18, 2022 - November 7, 2022 - October 31, 2022 <p>Twitter</p> <ul style="list-style-type: none"> - December 14, 2022 - December 5, 2022 - November 28, 2022 - November 21, 2022 - November 18, 2022 - November 7, 2022 - October 31, 2022 <p>Woodbury County Website</p> <ul style="list-style-type: none"> - https://www.woodburycountyiowa.gov/latest-news/5386-vacancies-board-of-adjustment-zoning-commission <p>Community & Economic Development Website</p> <p>DOWNLOAD APPLICATION HERE</p> <p>Now Accepting Applications Zoning Commission & Board of Adjustment Must be a resident of unincorporated Woodbury County For more information, CALL 712-279-6609</p> <ul style="list-style-type: none"> - http://www.woodburycountyced.com/ 	<p>Grapevine Classifieds – Ryan Publishing Company</p> <ul style="list-style-type: none"> - November 16, 2022 <p>Moville Record</p> <ul style="list-style-type: none"> - November 3, 2022 <p>Sergeant Bluff Advocate</p> <ul style="list-style-type: none"> - November 3, 2022 <p>Danbury Review</p> <ul style="list-style-type: none"> - November 2, 2022 	<p>Sioux City Journal (Legal Public Notice)</p> <ul style="list-style-type: none"> - November 12, 2022 						

2023 LIAISON ASSIGNMENTS



Chairman Matthew Ung
Vice-Chairman Jeremy Taylor
Supervisor Keith Radig
Supervisor Dan Bittinger

Liaisons act as a two-way conduit of information both to implement board policy and to keep the board informed concerning each department. While each supervisor is assumed to have an “open door policy,” the proper procedure for dealing with concerns is to channel them through the appropriate supervisor. In this way, supervisors can divide their time and focus most productively.

Departments

Building Services	Ung, Radig
Community & Economic Development	Ung, Radig
Conservation	Radig
Court Administration	Ung
Department Head Meetings	Chair & Vice-Chair
Department of Human Services	Ung
Emergency Services	Taylor, Radig
Human Resources	Ung
Juvenile Court Services	Taylor
Juvenile Detention	Taylor
Rolling Hills Region (and related committees)	Ung
Secondary Roads	Taylor, Radig
Union Relations	Ung
Veterans Affairs	Taylor, Bittinger

County Boards, Commissions, and Committees

BY IOWA CODE

Board of Adjustment	Bittinger
Conservation Board	Radig
DECAT (Decategorization) Board	Bittinger
E911 Board	Taylor
Emergency Management Commission	Taylor (Alternate: Radig)
Soil and Water Conservation District	Bittinger
Third Judicial Department of Corrections	Bittinger
Zoning Commission	Radig, Bittinger

BY AGREEMENT

Community Action Agency of Siouxland Board of Directors	Radig
Siouxland Economic Development Corporation	Radig
Siouxland Tri-State Area Radio Communications (STARCOMM)	Taylor
Woodbury County Law Enforcement Center Authority	Rocky De Witt (county appointee)

CHAPTER 28E

Area Solid Waste Board (Landfill)	Taylor, Radig
Hazardous Materials Commission	Bittinger
Hungry Canyons Alliance	Bittinger
Loess Hills Alliance	Bittinger (Alternate: Taylor)
Loess Hills Development and Conservation Authority	Bittinger
Loess Hills Scenic Byway	Bittinger
Western Iowa Workforce Development	Radig
Security Institute Commission	Taylor, Radig
Siouxland Interstate Metropolitan Planning Council Board	Radig
<i>Comprehensive Economic Development Strategy</i>	"
<i>Housing Trust Fund</i>	"
<i>Metropolitan Planning Organization Policy Board</i>	"
<i>Rural Planning Association</i>	"
<i>Finance Committee</i>	"
<i>Legislative Committee</i>	"
<i>Siouxland Regional Transit System Board</i>	"
Siouxland District Board of Health	Ung
Siouxland Human Investment Partnership	Bittinger
Woodbury County Information & Communication Commission (WCICC)	Ung, Bittinger
Western Iowa Tourism	Radig

SPECIAL PURPOSE

Courthouse Advisory Committee for Historical Preservation	Ung, Radig
Courthouse & Public Building Security Committee	Ung
Health & Wellness Committee	Ung
Policy Review Committee	Ung, Radig

CREATION/CHANGE OF COMMITTEE FORM
Form Approved by the Board of Supervisors 11/17/15

Board Approval Date:

Date Originally Created:

Ending Date (if known):

Name of Committee:

Purpose:

	Members OR Position	Entity Represented
1.		
2.		
3.		
4.		
5.		
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7.		
8.		
9.		
10.		
11.		
12.		

Is this Committee - X the box that applies

- | | |
|---|---|
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Required by Iowa Code |
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Created by the provision of Iowa Code Chapter 28E |
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Committee Created by Agreement |
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Committee Created for Special Purpose* |

The Committee plans to at least meet - X the box that applies

- | | |
|---|---------------|
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Weekly |
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Monthly |
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Quarterly |
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Annually |
| <input style="width: 100%; height: 20px;" type="checkbox"/> | Other/Unknown |

* Special committees will sunset at the end of every calendar year unless re-approved each year.

CREATION/CHANGE OF COMMITTEE FORM
Form Approved by the Board of Supervisors 11/17/15

Board Approval Date:

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Is this Committee - X the box that applies

- | | |
|---|---|
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12.		

Is this Committee - X the box that applies

- Required by Iowa Code
- Created by the provision of Iowa Code Chapter 28E
- Committee Created by Agreement
- Committee Created for Special Purpose*

The Committee plans to at least meet - X the box that applies

- Weekly
- Monthly
- Quarterly
- Annually
- Other/Unknown

* Special committees will sunset at the end of every calendar year unless re-approved each year.

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

Date: 1/3/2023 Weekly Agenda Date: 1/10/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Chairman Matthew Ung

WORDING FOR AGENDA ITEM:

Approval of resolution reappointing of Rocky De Witt to LEC Authority following his resignation from the Woodbury County Board of Supervisors

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

(see agenda item from 1/3/2023)

BACKGROUND:

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:

Approve "RESOLUTION APPOINTING COMMISSIONER TO WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY'S BOARD OF COMMISSIONERS"

RESOLUTION APPOINTING COMMISSIONER TO
WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY'S
BOARD OF COMMISSIONERS

WHEREAS, Woodbury County, State of Iowa (the "County"), is a political subdivision, organized and existing under and by the laws and Constitution of the State of Iowa; and

WHEREAS, the County has approached the City of Sioux City, Iowa (the "City") with a proposal to establish a Joint County and City Building Authority pursuant to Iowa Code Section 346.27 (the "Authority") for the purposes of building and financing a new law enforcement center for joint use by the City and County; and

WHEREAS, the County has now adopted a resolution adopting Articles of Incorporation to form the Woodbury County Law Enforcement Center Authority and has authorized the execution of the Articles of Incorporation: and

WHEREAS, Iowa Code Section 346.27 requires that the Authority be directed and governed by a Board of Commissioners of three members, one to be elected by the Board of Supervisors of the County from the area outside the county seat, one to be elected by the City Council of the City from the area inside the City, and one to be elected by the joint action of the Board of Supervisors of the County and the City Council of the City; and

WHEREAS, the County's appointee Rocky De Witt has resigned from the Woodbury County Board of Supervisors and per the County's Resolution #13,371 his appointment is vacant; and

WHEREAS, the County hereby intends to appoint a Commissioner to the Board of Commissioners of the Authority to serve the remainder of the current six-year term; and

WHEREAS, the following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF WOODBURY COUNTY, STATE OF IOWA:

Section 1. Appointment. Rocky De Witt, currently residing outside of the City of Sioux City, Iowa, is hereby appointed to serve as the County's Commissioner on the Woodbury County Law Enforcement Authority's Board of Commissioners for a remainder of the current six-year term ending December 31, 2027.

Section 2. Compensation. The Commissioner shall not receive compensation in any actual and necessary expenditures in connection with the performance of the Commissioner's duties.

Section 3. What constitutes vacancy. The appointment shall be vacant if the Commissioner ceases to reside in the area outside of the county seat of Woodbury County, Iowa (i.e. Sioux City, Iowa).

If a vacancy occurs, the Woodbury County Board of Supervisors shall fill the vacancy and the person filling such vacancy shall serve out the remainder of the term of the prior Commissioner.

PASSED AND APPROVED this 10th day of January 2023.

Matthew A. Ung

Chairperson, Board of Supervisors

ATTEST:

Patrick F. Gill

County Auditor

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

Date: 1/4/2023

Weekly Agenda Date: 1/10/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Chairman Matthew Ung

WORDING FOR AGENDA ITEM:

Approval of the rules for public participation in Board of Supervisors meetings

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

This item updates the participation rules for board meetings, and consolidates the two "Citizen Concern" items at the beginning and end of the agenda into one item at the end, in order to facilitate more orderly, respectful, and productive meetings for everyone involved.

For the last eight years, the Board has gone far above and beyond by providing two separate items on each agenda for "citizen concerns." For contrast, the Sioux City Council provides only one at the end, and the Sergeant Bluff City Council provides only one at the beginning. The Sioux City School Board provides only one at the beginning, with the added restriction of a policy that requires speakers submit a form before the meeting in which they wish to speak.

Orderly, respectful, and productive public comment will not be restricted by this change, as every effort will be made to encourage participation through more organized and more transparent agenda items. If a citizen is unwilling to either take the time to submit an agenda item for consideration or sit through items of official business to speak at the end of the meeting, then that is their choice.

BACKGROUND:

It surprises many people to learn that Iowa Code does not guarantee a "right" for the public to speak during a board meeting. The Iowa Public Information Board states on their "Open Meetings" webpage the following: "Government bodies are not required to allow public comment at open meetings, though many do, and they are allowed to enforce reasonable rules to ensure meetings are orderly." The intent of our rules is to facilitate as much public participation as possible in an orderly fashion.

Below is an updated list of rules for approval and inclusion on board meeting agendas.

This is a formal meeting during which the Board may take official action on various items of business. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item, and address their remarks to the Board.
5. At the beginning of 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. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except when directed by a majority of the board for a particular agenda item of a subsequent meeting.

FINANCIAL IMPACT:

n/a

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:

The Board should approve these amended rules and consolidate citizen concerns into one item. Over the years, "citizen concerns" at the beginning of the agenda has all too often devolved into a "gotcha" opportunity to attack others and draw Board members into irrelevant arguments. Unfortunately, Board members are also incentivized to engage in these arguments during citizen concerns because "board concerns" is listed only once, at the end of the agenda. The perfect example of abuse is Maria Rundquist wrongfully accusing Supervisor-elect Bittinger of failure to pay property taxes at the Dec. 6 meeting, while referring to documents not shared with the Board.

ACTION REQUIRED / PROPOSED MOTION:

Approve the rules for public participation in Board of Supervisors meetings

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

Date: 1/5/23

Weekly Agenda Date: 1/10/23

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor, Keith Radt

WORDING FOR AGENDA ITEM:

Action to Separate Board of Supervisors Pay from Other Elected Officials and setting the Supervisors' salary increase at 0%

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Iowa Code allows us to separate setting the Board of Supervisors pay from that of other elected officials. Doing so means that we can treat ourselves differently instead of making the argument that by setting our salary a certain way, it will adversely affect, for example, deputies to other elected officials and obviate the argument that we are somehow taking an increase because it is for them.

BACKGROUND:

This is a tough budget year. The BOS ought to work tirelessly to avoid any tax increases recognizing that these are tough times for property taxpayers. In this year, I propose that we separate ourselves from other elected officials and do not seek a pay increase.

FINANCIAL IMPACT:

Moving the Board of Supervisors salary to 0% increase for FY24 will save approximately \$

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:

Move to separate consideration of Board of Supervisors pay from other elected officials.

ACTION REQUIRED / PROPOSED MOTION:

Motion to separate consideration of Board of Supervisors pay from other elected officials.
Motion to reduce the supervisors salaries to 0% increase for FY24.

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

Date: _____ Weekly Agenda Date: _____

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: _____

WORDING FOR AGENDA ITEM:

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

BACKGROUND:

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:

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

Date: 1/4/2023 Weekly Agenda Date: 1/10/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Kenny Schmitz

WORDING FOR AGENDA ITEM:

Trosper Hoyt Update

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

On January 4th, 2023 Raker Rhodes Engineering conducted an on-sight evaluation of the second floor area where fiber-brick released from structural steel. Comments from that visit will be shared.

BACKGROUND:

On December 27th, 2022 a portion of fire-brick released from a second floor steel beam.

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:

Information

ACTION REQUIRED / PROPOSED MOTION:

Information

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

Date: 01/5/2023 Weekly Agenda Date: 01/10/2023

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

WORDING FOR AGENDA ITEM:

Approve contract for gravel excavation and processing at Little Sioux Gravel Pit.

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The county engineer's office has negotiated a price for the excavation and processing of gravel at the Little Sioux Gravel Pit south of Correctionville.

BACKGROUND:

This project is for the production of gravel in conjunction with 10 million dollars supported by TIFF that was approved by resolution on December 17, 2019. The county is contracting for an additional 300,000 tons of gravel for the gravel road improvement program. This contract will bring the total production from Little Sioux to 600,000 ton when complete.

FINANCIAL IMPACT:

The project is paid for with a 10 million dollar county road improvement bond.

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:

I recommend that the Board approve the contract with Bedrock Gravel.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the contract for gravel production at the Little Sioux pit with Bedrock for \$1,575,000.00



WOODBURY COUNTY, IOWA CONTRACT

Kind of Work Maintenance Gravel Little Sioux Pit 2023
Project No. Maintenance Gravel Little Sioux Pit 2023 County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following Members Matthew Ung , Keith Radig, Daniel Bittinger II and Jeremy Taylor Contracting Authority, and Bedrock Gravel , Schleswig, IA , Contractor.

WITNESSETH: That the Contractor, for and in consideration of _____
One Million Five Hundred and Seventy Five Thousand and 00/100 (\$1,575,000.00)

Payable as set forth in the specifications constituting a part of this contract, hereby agrees to produce in accordance with Woodbury County Gravel gradations and scope of work for gravel production. Payment of work as follows:

Item No.	Item	Quantity	Unit Price	Amount
	Maintenance Gravel Little Sioux Pit 2023			
1.	Gravel-Excavate, Crush, and Stockpile	300,000 Ton	\$5.25	\$1,575,000.00
TOTAL BID				\$1,575,000.00

Said specifications and plans are hereby made part of and the basis of this agreement and a true copy of said plans and specifications are now on file in the office of the County Engineer under the date of January 6, 2023. This contract is in accordance with Attachment "A" and specifications contained in it for the gravel production at Little Gravel Pit.

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

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. Maintenance Gravel Little Sioux Pit 2023 in Woodbury County, Iowa, the within contract, the contractor's bond, and the general and detailed plans are and constitute the basis of contract between the parties hereto.

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

Approximate Starting Date	Specified Starting Date	Completion Date	Number of Working Days
		December 1, 2025	

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

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

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

_____ day of _____, 20_____

Approved:

By _____
Contractor: Bedrock Gravel

By _____
Contracting Authority: Woodbury County Board Chairperson

Date _____

Date _____

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

Date: 01/5/2023 Weekly Agenda Date: 01/10/2023

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

WORDING FOR AGENDA ITEM:

Approve contract for overburden remove and stockpile at Little Sioux Gravel Pit.

ACTION REQUIRED:

- Approve Ordinance Approve Resolution Approve Motion
Public Hearing Other: Informational Attachments

EXECUTIVE SUMMARY:

The county engineer's office has negotiated a price for the excavation and stock piling of overburden at the Little Sioux Gravel Pit south of Correctionville.

BACKGROUND:

This project is for the production of gravel in conjunction with 10 million dollars supported by TIFF that was approved by resolution on December 17, 2019. The county is contracting for an additional 300,000 tons of gravel for the gravel road improvement program. This contract will bring the total production from Little Sioux to 600,000 ton when complete.

FINANCIAL IMPACT:

The project is paid for with a 10 million dollar county road improvement bond.

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:

I recommend that the Board approve the contract with Bedrock Gravel.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the contract for overburden removal at the Little Sioux pit with Bedrock for \$108,000.00



WOODBURY COUNTY, IOWA
CONTRACT

Kind of Work Excavation of overburden
Project No. Little Sioux Gravel Pit Overburden Excavation 2023 County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Matthew Ung, Keith Radig, Daniel Bittinger II and Jeremy Taylor Contracting Authority, and Bedrock Gravel, Schleswig, Iowa WITNESSETH:

That the Contractor, for and in consideration of One Hundred Eight Thousand and 00/100 (\$108,000.00)

payable as set forth in the specifications constituting a part of this contract, hereby agrees to construct in accordance with the plans and specifications therefore, and in the locations designated in the notice to bidders, the various items of work as follows:

Table with 5 columns: Item No., Item, Quantity, Unit Price, Amount

Project: Little Sioux Gravel Pit Overburden Excavation 2023

Table row: 1. Excavate, Load and Place Overburden 60,000 CY \$1.80 \$ 108,000.00

TOTAL BID \$108,000.00

Said specifications and plans are hereby made part of and the basis of this agreement and a true copy of said plans and specifications are now on file in the office of the County Engineer under the date of January 5, 2023

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

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. Little Sioux Gravel Pit Overburden Excavation 2023 Woodbury County, Iowa, the within contract, the contractor's bond, and the general and detailed plans are and constitute the basis of contract between the parties hereto.

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

Table with 4 columns: Approximate Starting Date, Specified Starting Date, Completion Date, Liquidated Damages. Completion Date: December 31, 2024

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

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

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

day of, 20

Approved:

By Contractor: Bedrock Gravel

By Contracting Authority: Woodbury County Board Chairperson

Date

Date

AMENDED AUTHORIZATION AND
ISSUANCE PROCEEDINGS AND
APPROVING BANK QUALIFICATION
DESIGNATION

Sioux City, Iowa

January 10, 2023

The Board of Supervisors of Woodbury County, Iowa, met in regular session on the above date at _____ o'clock, p.m. in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa. The meeting was called to order and there were present the Chairperson and the following named Board Members:

Present: _____

Absent: _____.

****Other Business****

MOTION TO APPROVE RESOLUTION

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

Ayes: _____

Nays: _____.

Whereupon, the Chairperson declared said motion duly carried and the resolution adopted as follows:

RESOLUTION NO. _____

RESOLUTION AMENDING RESOLUTION NO. 13,518 CONFIRMING THE
ISSUANCE OF NOT TO EXCEED \$2,100,00 AGGREGATE PRINCIPAL
AMOUNT OF REVENUE BONDS (SIOUXLAND REGIONAL TRANSIT
SYSTEM PROJECT) AND APPROVING BANK QUALIFICATION
DESIGNATION

WHEREAS, Woodbury County, State of Iowa (the “Issuer”), is a county and political subdivision of the State of Iowa authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, as amended (the “Act”), to issue revenue bonds or notes for a project located within, or within eight miles of, the Issuer for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the “Code”) which is exempt from federal income tax under Section 501(a) of the Code (a “Tax Exempt Organization”), to refund any bonds issued pursuant to the Act, and to retire any existing indebtedness on a facility for a Tax Exempt Organization; and

WHEREAS, the Issuer has been requested by Siouxland Regional Transit System (the “Borrower”), a Tax Exempt Organization, to issue revenue bonds or notes, in one or more series, in an aggregate principal amount of not to exceed \$2,100,000 (the “Bonds”), pursuant to the Act, and to loan said amount to the Borrower for the purpose of (1) financing a portion of the cost of constructing, equipping and furnishing a bus operation facility (the “Project”) to be located at 6401 Gordon Drive, Sioux City, Iowa, and (2) paying for certain costs of issuance of the Bonds; and

WHEREAS, pursuant to published notice of intention, this Board has previously conducted a public hearing thereon on August 2, 2022, as required by Section 419.9 of the Act and Section 147(f) of the Code; and

WHEREAS, this Board has previously adopted a resolution on November 22, 2022 (the “Authorizing Resolution”) authorizing and providing for the issuance of the Bonds in calendar year 2022, the execution and delivery of a Loan Agreement providing for the repayment of the loan, the sale of said Bonds, the execution of an Assignment and Pledge Agreement, and the execution of other documents related thereto; and

WHEREAS, the Borrower has negotiated with Security National Bank (the “Lender”) to purchase the Bonds and the Borrower anticipated the issuance of the Bonds and the Closing of the Loan to occur in calendar year 2022; and

WHEREAS, the issuance of the Bonds was delayed until calendar year 2023, and the Borrower has requested the County confirm the issuance of the Bonds for calendar year 2023;

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

Section 1. The issuance of the Bonds in calendar year 2023 is approved, and the Authorizing Resolution is amended as provided herein and remains in full force and effect.

Section 2. In order to qualify the Bonds as “qualified tax exempt obligations” within the meaning of Section 265(b)(3) of the Code for calendar year 2023, the Issuer hereby makes the following factual statements and representations:

(A) The Issuer hereby designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;

(B) The reasonably anticipated amount of tax-exempt obligations (other than obligations described in clause (ii) of Section 265(b)(3)(c) of the Code) which will be issued by the Issuer (and all entities whose obligations will be aggregated with those of the Issuer) during this calendar year 2023 will not exceed \$10,000,000; and

(C) Not more than \$10,000,000 of obligations issued by the Issuer during this calendar year 2023 (including the Bonds) have been designated for purposes of Section 265(b)(3) of the Code.

Section 3. The provisions of this Resolution are hereby declared to be separable and if any action, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

Section 4. All resolutions or parts thereof in conflict herewith are repealed, to the extent of such conflict.

Section 5. That this Resolution shall become effective immediately upon its passage and approval.

Passed and approved January 10, 2023.

Chairperson

Attest:

County Auditor

*** * * Other Business * * ***

On motion and vote, the meeting adjourned.

STATE OF IOWA)
COUNTY OF WOODBURY) SS:

I, the undersigned, being first duly sworn, do hereby depose and certify that I am the duly appointed, qualified and acting County Auditor of the aforementioned County and that as such I have in my possession, or have access to, the complete corporate records of said County and of this Board and its members; that I have carefully compared the transcript hereto attached with the aforesaid corporate records; and that said transcript hereto attached is a true, correct and complete copy of all the corporate records in relation to the adoption of a resolution amending Resolution No. 13,518 and approving bank qualification designation of Revenue Bonds (Siouxland Regional Transit System Project), Series 2023, in an aggregate principal amount of not to exceed \$2,100,000.

WITNESS my hand this ____ day of January, 2023.

County Auditor

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

Date: 1/3/2023 Weekly Agenda Date: 1/10/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Chairman Matthew Ung

WORDING FOR AGENDA ITEM:

Approval to reduce FY24 property tax askings by \$2.5 million by reducing from reserves the "sale of the county farm" revenues as previously directed by the Board

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The board previously and unanimously voted to place all proceeds from the prior sale of the county farm in a restricted reserve account "purposed for FY24 budget review sessions."

BACKGROUND:

See attached agenda item from 2-15-22, and corresponding meeting minutes.

FINANCIAL IMPACT:

This will result in an FY24 tax askings reduction of \$2,518,784. The Board Office estimates this will leave 26.65% in general basic reserves, which is a very healthy level compared to prior years.

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:

The current budget shortfall of over \$7 million necessitates this decisive move in order to complete the final fiscal year (FY24) of "bridging the gap" of sizable one-time expenses (unbalanced until a full fiscal year of revenues in FY25) mandated by the voter's bond referendum passed in 2020 by the public to complete a new Law Enforcement Center.

ACTION REQUIRED / PROPOSED MOTION:

Reduce General Basic reserves by \$2,518,784.

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

Date: 2/11/2022 Weekly Agenda Date: 2/15/2022

Sale 3,236,647
Payout 717,863
Reserves 2,518,784
This will leave a 21% reserve in G.O.

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor Matthew Ung

WORDING FOR AGENDA ITEM:

Rescind the Jan. 18, 2022 motion which split proceeds of the sale of the county farm equally for FY23 and FY24, and to instead retain all proceeds in general basic reserves and within a restricted reserve account purposed for FY24 budget review sessions

ACTION REQUIRED:

- Approve Ordinance Approve Resolution Approve Motion
Public Hearing Other: Informational Attachments

EXECUTIVE SUMMARY:

The Board should rescind the below motion as other funding sources now negate the need for sale proceeds of the county farm be applied to the FY23 budget year.

BACKGROUND:

Minutes from January 18, 2022:
"Motion by Taylor second by Radig to approve proceeds go to Debt Service obligations for FY23 & FY24. Carried 5-0."

FINANCIAL IMPACT:

The proceeds from the county farm are of course unknown at this time, but they should be retained in the general funds in a restricted reserve account purposed to ensure a flat/lower tax rate in FY24.

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:

The goal of the 1-18-22 motion was to hold tax rates to the current levels by equally offsetting tax askings in FY23 & FY24. If the previous two items have been approved, then this use of funds is not necessary for FY23, and should instead be used for any budget shortfall in FY24 or even FY25, which promise to be challenging budget years as well.

ACTION REQUIRED / PROPOSED MOTION:

Motion by Ung, second by _____, to rescind the Jan. 18, 2022 motion which split proceeds of the sale of the county farm for FY23 and FY24, and to instead retain all proceeds in general basic reserves and within a restricted reserve account purposed for FY24 budget review sessions.

Passed and approved February 15, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

A public hearing was held at 4:37 p.m. on proposed Zoning Ordinance Text Amendment to Sub-Sections 2.01.4 and 2.01.5. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by Radig to waive the third reading of Ordinance amending the text of the Woodbury County Zoning Ordinance to repeal and replace Sub-Sections 2.01.4 entitled "Planning and Zoning Commission" and 2.01.5 entitled "Board of Adjustment" with revised language pertaining to the establishment, appointment and membership, rules of procedure, and powers and duties of both the Planning and Zoning Commission and the Board of Adjustment and waive the 3rd reading and final approval. Carried 5-0. **Copy filed.**

Motion by Taylor second by Radig to approve the second and final reading of the ordinance and to adopt **Ordinance #61** amending the text of the Woodbury County Zoning Ordinance to repeal and replace Sub-Sections 2.01.4 entitled "Planning and Zoning Commission" and 2.01.5 entitled "Board of Adjustment" with revised language pertaining to the establishment, appointment and membership, rules of procedure, and powers and duties of both the Planning and Zoning Commission and the Board of Adjustment and waive the 3rd reading and final approval. Carried 5-0. **Copy filed.**

Motion by Taylor second by Radig to activate Socrata Open Finance and place the link on the home page of the county website for public access. Carried 5-0. **Copy filed.**

Information was presented by John Lawson, City Assessor, about exemption applications for a historical property tax exemption under Iowa Code 427.16. **Copy filed.**

Motion by Radig second by De Witt to approve the certificate of completion of the 2021 PCC Patching project with Ten Point Construction for \$54,552.00. Carried 5-0. **Copy filed.**

Motion by Radig second by De Witt to approve the certificate of completion of the 2021 HMA Rout and Seal project with Sioux Commercial Sweeping for \$62,700.00. Carried 5-0. **Copy filed.**

Motion by Radig second by De Witt to approve the plans for project #BRS-SWAP-CO97(146)—FF-67. Carried 5-0. **Copy filed.**

Motion by De Witt second by Taylor to approve the plans for project #BRS-SWAP-CO97(148)—FE-97. Carried 5-0. **Copy filed.**

Motion by Radig second by Taylor to approve the federal aid project agreement for projects #BRS-SWAP-CO97(148)—FE-97. Carried 5-0. **Copy filed.**

Motion by Ung second by Taylor to authorize up to \$250,000 in State & Local Fiscal Recovery Funds to provide a one-time retention incentive of \$1,000.00 per full-time union employee. Carried 5-0. **Copy filed.**

Motion by Ung second by Taylor to allocate \$1,291,264 from ARPA State & Local Fiscal Recovery Funds to Siouxland District Health Department, under the eligible use category of Public Health & Economic Impacts and the Public Health staff response to COVID-19. Carried 5-0. **Copy filed.**

Motion by Ung second by Taylor to reduce by \$1,291,264 the FY2023 county allocation to SDHD. Carried 5-0. **Copy filed.**

Motion by Ung second by Taylor to rescind the January 18, 2022 motion which was split proceeds of the sale of the county farm for FY 23 and FY 24, and to instead retain all proceeds in general basic revenues and with a restricted reserve account purposed for FY 24 budget review sessions. Carried 5-0. **Copy filed.**

Motion by Taylor second by Ung to approve the use of Gaming Revenues, \$175,341, in the Rural Basic Fund to reduce the tax rate. Carried 5-0. **Copy filed.**

Motion by Radig second by Taylor to approve the use of LOST Revenues, \$100,000, in Rural Basic Fund to reduce the tax rate. Carried. **Copy filed.**

Motion by Radig second by Taylor to use ARPA Funds for FY 23 to fund Meals on Wheels at \$12,760, SIMPCO Housing at \$10,235, Sioux City Regional Convention Tourism at \$20,000 and Western Iowa Tourism at \$10,235.

Running Tally Report for Tax Askings
Proposed FY 2024
 Updated - January 3, 2023

To hold the line on the tax rates for the General Basic Fund, General Supplemental Fund and Rural Basic Fund Projected Taxes exceed Current FY 23 Taxes by the following amounts.*

	<u>To Hold the Line to the Current Rates of FY 23 Proposed Tax Revenues over Current Tax Revenues</u>				<u>Mandated Taxes</u>
	<u>Countywide Funds</u>		<u>Township Only</u>	<u>Total Revenues Over Expenditures</u>	<u>Countywide Fund</u>
	<u>General Basic</u>	<u>General Supplemental</u>	<u>Rural Basic</u>	<u>Totals</u>	<u>Debt Service</u>
* January 3, 2023 - Potential Increase in Taxes	(6,561,789)	(1,147,318)	(538,758)	(8,247,865)	911,572
New Tax Revenue Growth using FY 23 Tax Rates	1,037,804	642,983	298,699	1,979,486	229,343
Total of 2,208,829					
To Achieve the Goal of the Same Tax Rate as FY 23	(5,523,985)	(504,335)	(240,059)	(6,268,379)	1,140,915

Changes:

January 3, 2023

Board Expense	6,839			
Board Administration	3,517			
Human Resources	2,189			
Conservation - Administration	4,996			
Conservation - Parks	3,481			
Conservation - Naturalist	1,458			
Auditor - Recorder	1,996			
Auditor - Administration	4,345			
Auditor - Election Administration		1,996		
County Treasurer - Motor Vehicle	3,875			
County Treasurer - Tax	6,106			

	<u>Countywide Funds</u>		<u>Township Only</u>	<u>Total Revenues Over Expenditures</u>	<u>Countywide Fund</u>
Department of Human Services	2,000				
General Relief - Assistance	25,500				
District Court Operations	5,000				
January 3, 2023 Total Changes	<u>71,302</u>	1,996	0	73,298	
Subtotal	(5,452,683)	(502,339)	(240,059)	(6,195,081)	1,140,915
January 5, 2023					
Take of 20% Maintenance LEC					(250,000)
Secondary Roads Minimum Tax Asking lower			225,000		
Veteran Affairs - Administration	1,512				
District Health Allocation Reduced	670,500				
Juvenile Detention - Administration		44,164			
Federal Food Program		24,000			
Emergency Services Administration		13,485			
Buildings Services - Courthouse	13,000				
LEC	51,000				
Trosper Hoyt	5,000				
Building Services	10,000				
Sheriff - Correctional Facility	411,738				
Administration	11,000				
Civil Division	1,690				
Courtroom & Transport		2,100			
January 5, 2023 Total Changes	<u>1,175,440</u>	83,749	225,000	1,484,189	(250,000)
Subtotal	(4,277,243)	(418,590)	(15,059)	(4,710,892)	890,915

The Running Total: Current Tax Rates for FY 23

Certified budget March 29, 2022

Woodbury County: County-Wide
\$7.149 / \$1,000

Woodbury County: Rural Unincorporated
\$9.610 / \$1,000

The Running Total: Current Tax Rates for FY 24

Proposed January 3, 2023 Tax Rates

Woodbury County: County-Wide
\$8.070 / \$1,000

+\$0.921

Woodbury County: Rural Unincorporated
\$10.690 / \$1,000

+\$1.080

The Running Total: Current Tax Rates for FY 24

After January 3, 2023 Adjustment

Woodbury County: County-Wide
\$8.057 / \$1,000

+\$0.429

-\$0.013

Woodbury County: Rural Unincorporated
\$10.676 / \$1,000

+\$1.066

-\$0.014

The Running Total: Current Tax Rates for FY 24

After January 5, 2023 Adjustment

Woodbury County: County-Wide
\$7.867 / \$1,000

+\$0.239

-\$0.190

Woodbury County: Rural Unincorporated
\$10.338 / \$1,000

+\$0.728

-\$0.338