



Woodbury County Law Enforcement Center Authority

620 Douglas St., Room 104

Sioux City, Iowa 51101

712 – 279-6525

Ron Wieck - Chair

Dan Moore - Secretary

Rocky De Witt - Treasurer

Agenda

December 12, 2022 3:00 p.m.

First Floor Boardroom, County Courthouse

3:00 p.m. Call Meeting to Order

1. Approval of the agenda
2. Approval of the minutes of the December 6, 2022 meeting
3. Approval of resolution fixing December 20, 2022 at 3:05 p.m. for a public hearing on the proposal to amend the Lease Agreement with Woodbury County, Iowa
4. Approval of transfer of furniture, fixtures & equipment (FF&E) from Authority to County
5. Commissioners concerns
6. Adjourn

ADJOURNMENT

Woodbury County Law Enforcement Center Authority

Minutes

December 6, 2022 3:00 p.m.

First Floor Boardroom, County Courthouse

Attendance:

Members: Ron Wieck, Dan Moore

Staff: Karen James, Dennis Butler, Shane Albrecht, Baker Group, Kenny Schmitz, Building Services, Kevin Rost, Goldberg Group Architect

1. Motion by Moore, second by Wieck to approve the agenda. Carried 2-0
2. Motion by Wieck, second by Moore to approve the minutes of November 22, 2022 meeting. Carried 2-0
3. Motion by Wieck, second by Moore to approve claims totaling \$2,027,779.97. Carried 2-0
4. Dennis Butler gave a financial update.
5.
 - a. Motion by Wieck, second by Moore to approve Prime Contract Potential Change Order 014R2 – PR 09R Wall Panels for a total amount of \$43,514.00. Carried 2-0
 - b. Motion by Wieck, second by Moore to approve Prime Contract Potential Change Order 031R2 – PR 18 Relocating Condensing Units for no cost asking. Carried 2-0
 - c. Motion by Moore, second by Wieck to approve Prime Contract Potential Change Order 037R – PR 19 added chases in kitchen for a total amount of \$6,362.00. Carried 2-0
 - d. Motion by Wieck, second by Moore to approve Prime Contract Potential Change Order 038R – PR 21 28th Street pour back for a total amount of \$28,940.00 to be reimbursed by Woodbury County. Carried 2-0
 - e. Motion by Wieck, second by Moore to approve Prime Contract Potential Change Order 039 – PR 20 multi-purpose space for a total amount of \$6,529.00. Carried 2-0
 - f.&h. Motion by Moore, second by Wieck to approve Prime Contract Potential Change Orders 041 – PR 22 power data at housing and control and 043 – PR 24 power and data revisions for a total amount of \$13,361. Carried 2-0
 - g. Motion by Moore, second by Wieck to approve Prime Contract Potential Change Order 042R – RFI #243 utility trench bedding for a credit amount of \$7,650.00. Carried 2-0
 - i. Shane Albrecht, Baker Group discussed because of the need for an emergency decision, Chairman Wieck had already approved Prime Contract Potential Change Order 044-RFI #282 in the amount of \$11,265.00
6. Motion by Wieck, second by Moore to approve Prime Contract Change Order #010: PCCO 010. Carried 2-0
7. Motion by Wieck, second by Moore to approve Prime Contract Change Order # 011: PCCO 011. Carried 2-0

8. Shane Albrecht, Baker Group, Klay Kasik and Nathan Thege, Hausmann Construction, Kevin Rost, Goldberg Group Architect gave an update on the Woodbury County LEC Main Project.
9. Shane Albrecht, Baker Group gave an update on the 28E Road Project.
10. The LEC Authority is working on a Media Day at the Courthouse on December 21st.
11. Motion by Wieck, second by Moore to adjourn. Carried 2-0

Dan Moore, Secretary



Ahlers & Cooney, P.C.
Attorneys at Law

100 Court Avenue, Suite 600
Des Moines, Iowa 50309-2231

Phone: 515-243-7611

Fax: 515-243-2149

www.ahlerslaw.com

Jason L. Comisky

515.246.0337

jcomisky@ahlerslaw.com

December 8, 2022

Via E-mail Only

Woodbury County Law Enforcement Center Authority
c/o Mr. Dennis Butler
Woodbury County Finance/Budget Director
Woodbury County Courthouse
620 Douglas Street, Room 104
Sioux City, Iowa 51101

Re: Woodbury County Law Enforcement Center Authority, Iowa
Resolution Fixing Date of Hearing on the First Amendment to the Lease
Agreement

Dear Dennis:

We have now prepared and are enclosing suggested proceedings to be acted upon by the Board of Commissioners in fixing the date of a meeting on the proposition to amend the Lease Agreement with Woodbury County, Iowa and ordering publication of a notice of hearing.

Publication Requirement - Notice of Hearing.

Notice of this meeting must be published at least once in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The date of publication is to be not less than four clear days nor more than twenty days before the date of the public meeting on the proposition to amend the Lease Agreement. In computing time, the date of publication should be excluded. If the last day falls on Sunday, the whole of the following Monday should be excluded. [See Section ICS 4.1(34).]

At the time of hearing the Board of Commissioners shall receive oral or written objections from any resident or property owner to the proposed action to amend the Lease Agreement with Woodbury County, Iowa. After all objections have been received and considered, the Board of Commissioners is required, at that meeting or at any adjournment thereof, to take additional action for the authorization of an amendment to the Lease Agreement or to abandon the proposal.

Please return a completed copy of the proceeding, via email followed up by a hard copy, filled in as the original and certified back to us. **We are also enclosing an extra copy of the notice of hearing to be delivered to the newspaper for publication purposes.** A certificate to attest the proceeding is attached as well.

We will prepare and forward to you in the near future, suggested procedure to be acted upon on the date of hearing. If you have any questions pertaining to the proceedings enclosed or the above instructions, please do not hesitate to either write or call.

Ahlers & Cooney, P.C.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason L. Comisky".

Jason L. Comisky
FOR THE FIRM

JLC:ks

Enclosures

cc: Ron Weick (via email)
Karen James (via email)

ITEMS TO INCLUDE ON AGENDA FOR DECEMBER 12, 2022

WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY

Woodbury County Law Enforcement Center Authority.

- Resolution fixing date for a public hearing on the proposal to amend the Lease Agreement with Woodbury County, Iowa.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE
AUTHORITY.

December 12, 2022

The Board of Commissioners of the Woodbury County Law Enforcement Center Authority, met in _____ session, in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at _____ o'clock _____.M., on the above date. There were present the following named Commissioners:

Absent: _____

* * * * *

Commissioner _____ introduced the following resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO AMEND THE LEASE AGREEMENT WITH WOODBURY COUNTY, IOWA", and moved that the resolution be adopted. Commissioner _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Resolution was duly adopted as follows:

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON
THE PROPOSAL TO AMEND THE LEASE AGREEMENT
WITH WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Law Enforcement Center Authority (the "Authority"), and Woodbury County, State of Iowa (the "County") have heretofore entered into that certain Lease Agreement dated September 1, 2020 (the "Lease"); and

WHEREAS, it is now deemed necessary and advisable that the Authority should provide for the authorization of a First Amendment to the Lease (the "Amendment") with the County; and

WHEREAS, Iowa Code Section 346.27 provides that the Authority shall have and exercise certain public and essential governmental powers and functions including the right to lease all or any part of a building to an incorporating unit upon rental terms agreed upon between the Authority and the incorporating unit; and

WHEREAS, the Authority and the County have negotiated the form of a proposed Amendment, which is intended to clarify that after the Commencement Date (as defined in the Lease) the County may place partitions, fixtures, furniture, equipment and make improvements and other non-structural alterations in the interior of the Facility (as defined in the Lease) at its own expense and that the County will own all such partitions, fixtures, furniture, equipment and improvements; and

WHEREAS, neither Section 346.27 nor any other Code provision sets forth any procedural action required to be taken before said Amendment can be approved, and the Authority hereby deems it sufficient if the action hereinafter described be taken and the Secretary of the Board of Commissioners causes to be published notice of the proposal and of the time and

place of the meeting at which the Board of Commissioners proposes to take action thereon and to receive oral and/or written objections to such action; and

WHEREAS, the following action is now considered to be in the best interests of the Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY:

Section 1. That this Board of Commissioners meet in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at __:00 __.M. on December 20, 2022, for the purpose of taking action on the matter of the proposal to amend the Lease with Woodbury County, Iowa.

Section 2. That the Secretary of the Board of Commissioners is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in Woodbury County, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING OF THE BOARD OF COMMISSIONERS OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY, ON THE MATTER OF THE PROPOSAL TO AMEND THE LEASE AGREEMENT WITH WOODBURY COUNTY, IOWA, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Commissioners of the Woodbury County Law Enforcement Center Authority, will hold a public hearing on December 20, 2022, at ___:00 ___M. in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at which meeting the Board of Commissioners proposes to take action on the proposal to authorize a First Amendment to the Lease Agreement (the "Amendment") with Woodbury County, Iowa (the "County") said Lease Agreement dated September 1, 2020.

The Amendment is intended to clarify that after the Commencement Date (as defined in the Lease) the County may place partitions, fixtures, furniture, equipment and make improvements and other non-structural alterations in the interior of the Facility (as defined in the Lease) at its own expense and that the County will own all such partitions, fixtures, furniture, equipment and improvements.

A copy of the Amendment is on file for public inspection during regular business hours in the office of the Auditor of Woodbury County, Iowa.

At the above meeting the Board of Commissioners shall receive oral or written objections to the proposal to enter into the Amendment. After all objections have been received and considered, the Board of Commissioners will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Amendment.

This notice is given by order of the Board of Commissioners of the Woodbury County Law Enforcement Center Authority.

Dated this _____ day of _____, 2022.

Secretary, Woodbury County Law Enforcement
Center Authority

(End of Notice)

PASSED AND APPROVED this 12th day of December, 2022.

Chairperson, Board of Commissioners

ATTEST:

Secretary, Board of Commissioners

