



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(JANUARY 2, 2020) (WEEK 1 OF 2020)

Agenda and Minutes also available at
www.woodburycountyiowa.gov

Rocky L. DeWitt 253-0421 rdewitt@woodburycountyiowa.gov
Marty J. Pottebaum 251-1799 mpottebaum@woodburycountyiowa.gov
Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov
Jeremy J. Taylor 259-7910 jtaylor@woodburycountyiowa.gov
Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held January 2, 2020 at 3:00 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

- 3:00 p.m. 1. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence
2. Election of Temporary Chair to preside over Election of Chairperson Action
3. Election of Chairperson Action
4. Election of Vice- Chairperson Action
5. Citizen Concerns Information
6. Approval of the agenda Action

Consent Agenda

Items 7 through 11 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.

- 7. Approval of the minutes of the December 30, 2019 meeting

8. Approval of Appointments of:
  - a. County Engineer – Mark Nahra
  - b. County Medical Examiner – Dr. Julie Breiner
  - c. County Weed Commissioner – Jered Jepsen
  - d. County Official Newspapers
  - e. County Representation to the Third Judicial Department of Correctional Services
9. Approval of Various Boards/Commissions
  - a. Conservation Board
  - b. Siouxland District Board of Health
  - c. Commission to Assess Damages
10. Secondary Roads – Mark Nahra
  - a. Consideration of resolution authorizing the County Engineer to execute certification of completion of work on Federal, State Aid and Farm to Market Construction during 2020
  - b. Consideration of resolution authorizing the County Engineer to close roads for construction, maintenance, and emergencies during 2020
11. Board of Supervisors – Jeremy Taylor
 

Approval of monthly reports from Juvenile Detention

**End Consent Agenda**

12. Board of Supervisors – Jeremy Taylor
  - a. Consideration of putting the bond issue referendum until September date in order to have systematic regular times and better inform the public Information
  - b. Consideration of a Taxpayer Protection Act in order to keep taxes low and not encumber taxpayers should a new Law Enforcement Center be built Information
13. Board Administration – Dennis Butler & Larry Goldberg – Goldberg Group Architects
 

Discussion on the proposed Law Enforcement Center pertaining to matters of scope, capacity, size, locations, costs, funding, appearance, staffing & operation, and other pertinent aspects of the project which may be brought to the board's attention for review Information
14. Reports on Committee Meetings Information
15. Citizen Concerns Information
16. Board Concerns Information

**ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- THU., JAN. 2,**    **10:00 a.m.**    COAD Meeting, The Security Institute
- TUES., JAN. 7**    **4:45 p.m.**    Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., JAN. 8**    **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.**    Siouxland District Board of Health Meeting, 1014 Nebraska Street
- 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. 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
- 6:00 p.m.**    Emergency Management Commission Meeting, Security Institute
- WED., JAN. 15** **10:00 a.m.**    Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- 12:00 p.m.**    Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., JAN. 16**    **4:30 p.m.**    Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- WED., JAN. 22**    **2:30 p.m.**    Rolling Hills Community Services Region Governance Board Meeting
- THU., JAN. 23**    **11:00 a.m.**    Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St.
- MON., JAN. 27**    **6:00 p.m.**    Zoning Commission Meeting, First Floor Boardroom

**The following Boards/Commission have vacancies:** Commission To Assess Damages - Category A, Category B, Category C and Category D

**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.*

**DECEMBER 30, 2019, FIFTY THIRD MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Monday, December 30, 2019 at 9:00 a.m. Board members present were De Witt, Taylor (by phone), Pottebaum, Radig, and Ung. Staff members present were Heather Satterwhite, Executive Secretary, Dennis Butler, Budget/Tax Analyst, Joshua Widman, Assistant County Attorney, and Patrick Gill Auditor/Clerk to the Board.

A General Relief Appeal was not heard because the petitioner did not appear.

The regular meeting was called to order at 9:20 a.m. with the Pledge of Allegiance to the Flag and a Moment of Silence.

2. There were no citizen concerns
3. Motion by Radig second by Ung to approve the agenda for December 30, 2019. Carried 5-0. Copy filed.

Motion by Radig second by Ung to approve the following items by consent:

4. To approve minutes of the December 23, 2019 meeting. Copy filed.
5. To approve the claims totaling \$123,622.64. Copy filed.
6. To approve the separation of Jana Nash, Youth Worker Part Time, Juvenile Detention, effective 12-22-19. Copy filed.

Carried 5-0.

7. The Board recessed for a meeting of the Wolf Creek Drainage District.

The Board reconvened the regular meeting.

8. Motion by Radig second by De Witt to approve the bid for project number FM-C097(136)- HMA Overlay project to Knife River Corporation for \$1,991,352.65. Carried 5-0. Copy filed.
9. Motion by Radig second by Pottebaum to approve the request of the County Auditor to hire Legal Counsel to represent the Auditor in a matter in which the County Attorney has declared a conflict of interest. Carried 4-0; Taylor abstained.
10. Dennis Butler updated the Board on the proposed jail project.
11. Reports on committee meetings were heard.
12. Chief Judge Duane Hoffmeyer discussed the jail project with the Board.
13. Board concerns were heard.
14. Motion by Pottebaum second by Radig to receive the General Relief administration budget as submitted. Carried 5-0.

Motion by Radig second by Ung to receive the General Relief assistance budget as submitted. Carried 5-0.

Motion by Ung second by Radig to receive the County Supervisors Solid Waste budget as submitted. Carried 5-0.

Motion by Radig second by Taylor to receive the County Supervisors Refunds and CF rebates budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the County Supervisors Public Bidder budget as submitted. Carried 5-0.

Motion by De Witt second by Radig to receive the County Supervisors Mail Services budget as submitted. Carried 5-0.

Motion by De Witt second by Radig to receive the County Supervisors District Court Operations budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the County Supervisors Court Appointment Juvenile budget as submitted. Carried 5-0.

Motion by De Witt second by Radig to receive the County Supervisors Risk Management budget as submitted. Carried 5-0.

Motion by De Witt second by Radig to receive the County Supervisors Sheriff Training Center budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the Township Officers budget as submitted. Carried 5-0.

Motion by De Witt second by Radig to receive the County Supervisors Soil Conservation budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the County Supervisors Medical Examiner budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the County Supervisors Starcomm Program budget as submitted. Carried 5-0.

Motion by Radig second by Ung to receive the County Infrastructure/Economic budget as submitted. Carried 5-0.

Motion by Radig second by Ung to receive the records management budget as submitted. Carried 5-0.

Motion by Radig second by Ung to receive the Recorders Electronic Fees budget as submitted. Carried 5-0.

Motion by Radig second by Pottebaum to receive the EMS Loan Fund budget as submitted. Carried 5-0.

Motion by Radig second by De Witt to receive the EMS Training Fund budget as submitted. Carried 5-0.

The Board adjourned the regular meeting until January 2, 2020.

Meeting sign in sheet. Copy filed.

# The Sergeant Bluff Advocate

Pioneer Mall  
204 First St., Suite 2A  
Sergeant Bluff, IA 51054-0712  
(FAX) 712-943-4606 (Ph:)712-943-2583  
advocate@longlines.com

Oct. 04, 2019

Woodbury County Board of Supervisors  
ATTN: Board Administrative Coordinator  
Courthouse, Room 104  
620 Douglas Street  
Sioux City, IA, 51101

**RECEIVED**

**OCT 02 2019**

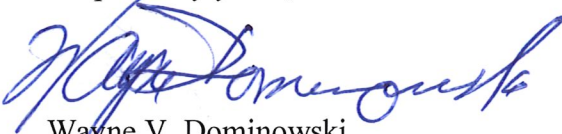
**WOODBURY COUNTY  
BOARD OF SUPERVISORS**

Dear Woodbury County Board of Supervisors:

Please find attached our Statement of Ownership, Management and Circulation (SOMC), published in the OCT. 3, 2019 issue of the Sergeant Bluff Advocate weekly newspaper. The SOMC published notification details our publishing information and numbers. This is in accordance with requirements for the annual status consideration of Official Woodbury County Newspaper of which we are applying.

Thank you for permitting the Sergeant Bluff Advocate to serve the Woodbury County Board of Supervisors as an Official Woodbury County Newspaper and the people of Sergeant Bluff, Salix, Sloan, Hornick, Climbing Hill, Sioux City and elsewhere in Woodbury County.

Respectfully yours,



Wayne V. Dominowski  
Publisher/Editor, SB-Advocate  
Lt.Col., USAF, USAR, (Ret.)

THE *Record*

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Box 546 • 238 Main Street  
Moyile, Iowa 51039  
Phone: 712-873-3141 • 844-873-3141

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DEC 10 2019 PM4:02

**Your Regional Newspaper Serving Your Friends And Neighbors In  
Moyile - Kingsley - Lawton - Correctionville - Anthon - Pierson  
Bronson - Quimby - Washta - Hornick - Cushing - Oto - Climbing Hill**

December 5, 2019

Woodbury County Board of Supervisors  
6th & Douglas St  
Room 104  
Sioux City, IA 51101

Dear Sirs:

Please accept this letter as our 2020 request to be an official newspaper for Woodbury County, Iowa. Thank you for your consideration in this matter. We look forward to serving you in the coming year.

Sincerely,



Blake Stubbs  
Publisher/Editor

RECEIVED

DEC 23 2019

WOODBURY COUNTY  
BOARD OF SUPERVISORS

SIoux CITY  
**JOURNAL**  
COMMUNICATIONS

Chad Pauling  
515 Pavonia Street  
Sioux City, IA 51101  
12/19/19

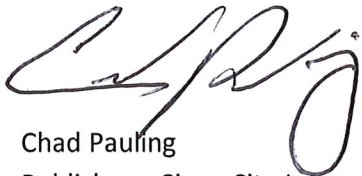
Board of Supervisors  
Woodbury County, IA  
620 Douglas St.  
Sioux City, IA 51101

Dear Board of Supervisors,

I am writing to request that the Sioux City Journal be appointed as the official newspaper of Woodbury County for 2020.

The Sioux City Journal is the largest daily newspaper in the county. We serve over 8,000 households and provide the majority of the county with their news and local information.

I thank you for your time and consideration.



Chad Pauling  
Publisher – Sioux City Journal





# DEPARTMENT OF CORRECTIONAL SERVICES

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December 10, 2019

DEC 13 2019 PM 1:02

TO: Chair, County Board of Supervisors

From: Jody Hagaman  
Board of Director's Secretary

Subject: Membership Notices

Enclosed herein please find a Notice of Appointment for calendar year 2020 to be completed in order to appoint representation from your county to our Board of Directors.

Thank you for your assistance in returning this to me by mid-January 2020. Also, if your representative is a first-time appointment, please include the member's physical address, email address and phone number.

If you have any questions, feel free to contact me at 712-224-6821.

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515 Water Street  
Sioux City, Iowa 51103  
(712) 252-0590  
RTF: 252-3451  
FAX: 252-0634

Suite One  
100 West 5<sup>th</sup> St.  
Spencer, Iowa 51301  
(712) 262-5252  
FAX: 262-5391

720 Western Avenue  
P.O. Box 39  
Sheldon, Iowa 51201  
(712) 324-5384  
FAX: 324-5366

# NOTICE OF APPOINTMENT

PURSUANT to Section 905.3(1)(a), Code of Iowa,

The Board of Supervisors

of \_\_\_\_\_ County

hereby appoint

\_\_\_\_\_

to serve on the Board of Directors of the

**THIRD JUDICIAL DISTRICT  
DEPARTMENT OF CORRECTIONAL SERVICES**

for the calendar year 2020.

Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Board Chairperson

\_\_\_\_\_ County

# WOODBURY COUNTY, IOWA BOARD ADMINISTRATION

## MEMORANDUM

**TO:** Board of Supervisors  
**FROM:** Karen James, Board Administrative Assistant  
**RE:** Responses from Members of Boards/Commissions on Consideration of a Reappointment  
**DATE:** December 18, 2019

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

### CONSERVATION BOARD

Yes Neil Stockfleth, 613 Coniston Circle, Sergeant Bluff, IA 51054

### SIouxLAND DISTRICT BOARD OF HEALTH

Yes George Boykin, 2204 Terrace Place, Sioux City, IA 51104

No Shauna LaFleur, 1321 Fox Ridge Trail, Sioux City, IA 51104

### COMMISSION TO ASSESS DAMAGES

#### **Category A - Owner/operators of Agricultural Property:**

Yes Leo Jochum 1691 – 250<sup>TH</sup>, Salix, IA 51052

No Thomas Ullrich, 819 Brown Street, Sloan, Iowa 51055 (**Moved to Oklahoma**)

Yes Debbie DeForrest, 1861 Buchanan Ave., Sioux City, Iowa 51106

#### **Category B - Owners of City Property:**

Yes Bob Batcheller, PO Box 3311, Sioux City, IA 51102

Yes Ruth A. Groth, 305 North Cauley Ave, Anthon, IA 51004

Yes Kathleen F. Fenceroy, 323 Oakland, Sioux City, Iowa 51103

#### **Category C - Licensed Real Estate Salesman or Real Estate Broker:**

Yes Colleen R. Baker, 3422 Jackson Street, Sioux City, Iowa 51104

Yes Anita Small, 4629 – 46<sup>th</sup> Street, Sioux City, IA 51108

No Nancy Henry CRS, P.O. Box 2484, Sioux City, IA 51102 (**No longer lives in county**)

Yes Tori Jackson, 103 Virginia St., Suite 100, Sioux City, IA 51101

**Category D - Persons Having Knowledge of Property Values in the County by Reason of their Occupation:**

**Yes** Patrick Curry, 502 Huntington Court., Sergeant Bluff, Iowa 51054

**Yes** Linda Mathison, 5008 Ravine Park Lane, Sioux City, IA 51106

**Yes** Doug Lehman, P. O. Box 1381, Sioux City, IA 51105

**In conclusion the Board needs appointments for:**

Siouxland District Board of Health

One person

Commission to Assess Damages

- ❖ Category A – Five persons
- ❖ Category B – Four persons
- ❖ Category C - Four persons
- ❖ Category D – Four persons

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

#10a

Date: 12/19/2019 Weekly Agenda Date: 1/2/2020

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

**WORDING FOR AGENDA ITEM:**

Consider a resolution authorizing the County Engineer to execute certification of completion of work on Federal Aid, State Aid and Farm to Market Construction during 2020

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The County Engineer requests authorization to accept work and certify its completion in compliance with approved plans and specifications on behalf of Woodbury County.

**BACKGROUND:**

Section 309.21 Code of Iowa: Supervision of construction and maintenance work. - All construction and maintenance work shall be performed under the direct and immediate supervision of the county engineer who shall be deemed responsible for the efficient, economical and good-faith performance of said work. This resolution is approved annually.

**FINANCIAL IMPACT:**

There is no financial impact. This is an annual authorization to complete project closure paperwork.

**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 resolution officially authorizing the county engineer to certify completion of work on federal aid, state aid and farm to market construction work on behalf of the county.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the resolution authorizing the County Engineer to accept federal aid, state aid and farm to market construction work on behalf of the county during 2020.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO EXECUTE  
CERTIFICATION OF COMPLETION OF WORK ON FEDERAL AID, STATE AID, AND  
FARM TO MARKET CONSTRUCTION DURING 2020

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that Mark J. Nahra, 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 2<sup>nd</sup> day of January 2020.

Board of Supervisors of Woodbury County, Iowa

\_\_\_\_\_  
Chair

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

By \_\_\_\_\_  
Patrick F. Gill, Woodbury County Auditor

SEAL

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

**#10b**

Date: 12/19/2020 Weekly Agenda Date: 1/2/2020

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

**WORDING FOR AGENDA ITEM:**

Consider a resolution authorizing the County Engineer to close county roads for construction, maintenance, and emergencies during 2020

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

The County Engineer requests authorization to close roads as necessary for construction, maintenance, and emergencies during calendar year 2020.

**BACKGROUND:**

The Board of Supervisors has jurisdiction over the county road system. Long term and permanent closure of roads requires board approval. Temporary closure of county roads due to emergencies, maintenance work, and construction is sometimes necessary and may be required between board meetings. The Board can authorize the county engineer to close roads under these conditions. (Annual resolution)

**FINANCIAL IMPACT:**

There is no financial impact. This is an annual authorization to temporarily close county roads.

**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 resolution officially authorizing the county engineer to close roads for emergencies, maintenance operations, and construction on behalf of the county board of supervisors in 2020.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the resolution authorizing the County Engineer to close roads for emergencies, maintenance operations, and construction on behalf of the county board of supervisors in 2020.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO CLOSE ANY  
SECONDARY ROAD FOR THE PURPOSE OF CONSTRUCTION, ROUTINE  
MAINTENANCE, OR EMERGENCIES DURING 2020

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. Nahra, 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 2<sup>nd</sup> day of January 2020.

WOODBURY COUNTY BOARD OF SUPERVISORS

ATTESTED:

BY:

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Patrick F. Gill, County Auditor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

Date: 12/27/2019 Weekly Agenda Date: 01/02/2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Jeremy Taylor - Board Member

**WORDING FOR AGENDA ITEM:**

Approval of monthly reports being sent from Juvenile Detention

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:**

Ryan Weber, Juvenile Detention Director, reports \$79,350.00 revenue from out of county clients (BIA/Omaha Nation) from July 2019 to November 2019.

**BACKGROUND:**

\$500,000 has been budgeted for Juvenile Detention Care.

**FINANCIAL IMPACT:**

None

**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:**

Supervisors Rocky De Witt & Jeremy Taylor are requesting monthly reports being made available the first Tuesday of every month. These will take the form of YTD budget to revenue tracking as well as number of clients.

**ACTION REQUIRED / PROPOSED MOTION:**

Approval of monthly reporting.

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

Date: December 26, 2019

Weekly Agenda Date: January 2, 2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Supervisor Jeremy Taylor

**WORDING FOR AGENDA ITEM:** Consideration of putting the bond issue referendum until September date in order to have systematic regular times and better inform the public.

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:** There has been a good deal of information that we have studied during the last year, much of which took place in committee or otherwise. Information has been available to the public but having regular informational meetings from January to July will be more successful. Coupled with a Taxpayer Protection Act, there is a better likelihood the public will be supportive.

**BACKGROUND:** We did the work of studying and having many committee meetings through the years, which helped us to finally close Prairie Hills (build adjacent training center; explore options; move kitchen). Now, we are to the point of ultimately deciding whether or not costly renovations to take care of sallyport; jail medical; expansion needs; HVAC retrofitting; benzene remediation are worth it.

Chairman Radig started the process. Some feedback from the public in regularly scheduled forums as well as a regularity of agenda items would be helpful. For example, the second Tuesday of each month in digestable form that the media and others could pick up on would be items such as

- Historical Timeline and Steps Taken So Far
- Expansion Plan Exploration: Rec Area, Moving Across the Street—Why It Won't Work
- Why HVAC Replacement and Transportation Costs are Wasteful
- What Happens if Federal Revenue/ICE does not help: Taxpayer Protection Act
- What Future Planning Ensures (room for expansion; HVAC redundancy, etc.
- Steps Taken to Form Joint Authority
- Any other questions, comments, objections

**FINANCIAL IMPACT:** None.

**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:** Delay vote until later date after informational meetings.

**ACTION REQUIRED / PROPOSED MOTION:** Delay vote until second Tuesday in September

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

Date: December 26, 2019

Weekly Agenda Date: January 2, 2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Supervisor Jeremy Taylor

**WORDING FOR AGENDA ITEM:** Consideration of a Taxpayer Protection Act in order to keep taxes low and not encumber taxpayers should a new Law Enforcement Center be built.

**ACTION REQUIRED:**

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

**EXECUTIVE SUMMARY:** There has been much discussion about a bond referendum in order to build a new Law Enforcement Center.

There must be adequate protections in order to truly keep this taxpayer-neutral. The idea of a new LEC has been predicated upon revenue from federal inmates, Immigration Customs Enforcement (ICE), and other counties who might utilize a new LEC with increased capacity for realizing such revenues and room for future planning. For this reason, there is a plan to build for a capacity of 440 (see attached schedule).

**BACKGROUND:** The goal from the beginning has been to avoid a potentially emergency situation in which the HVAC system must be replaced with the thorny problem of what to do with 234 inmates during protracted shutdown. The taxpayers would have to pay other entities (counties) to house every one and transport them back for trial: these costs have been identified as over \$2.2 million in wasteful transport/housing alone. In addition to many other problems and because of ventilation and other codes during a very long shutdown, there is no easy problem for the lack of foresight in HVAC redundancy on what we are facing today.

Through the LEC Expansion Committee and Chairman Radig’s work with GGA/Building Services, the public is aware of a potential \$49 million LEC. However, there should be one key and four backup provisions in order to keep taxpayers held harmless:

- A. Utilization of revenue schedules and tables in order to finance through the addition of revenues paid by federal inmates. It is important to understand that the intent of building with a capacity of potentially up to 200 extra beds is that with the same staff (predicated upon better technologies, lines of sight, etc.) the goal is to pay off the 20-year loan with revenues and not taxes. However, the objection has been raised, “What if you don’t realize those revenues? Absent a guarantee from the feds (which while they’ve been assuring, they won’t give)...then what?**

Should the Board not be able to realize these revenues, I propose the following Taxpayer Protection Act provisions come into effect:

- B. The Board will not obligate any new capital infrastructure projects from 2022-2030 over \$400,000 total in any year in which at least 75% of federal/anticipated revenues are not realized.**

**Fiscal Impact: The impact would be to help hold harmless taxpayers from \$600,000 of incurred indebtedness.** The BOS has currently obligated approximately \$1 million in borrowing annually. With the levy kept the same, this provision would trigger that rather than looking at any new projects, \$600,000 would be obligated to paying down debt associated with the new LEC instead. This would essentially represent a moratorium on any projects above \$400,000.

- C. CF Industries revenue in 2030-2040 and beyond means that the county's portion (not TIF, tax increment financing), could be utilized to great effect. This puts the county beyond the rebuilding of the secondary roads system through TIF and again, is only the portion coming to us as a taxing body.**

**Fiscal Impact: The county's portion on TIF release (that portion which comes to the county) in 2030 and beyond would be \$3,203,000.** The BOS has utilized tax increment financing; however, there is no reason to use TIF and hold this from the taxing bodies otherwise. From 2030-2040, at that point we can cover the second half (decade) of debt payments—even if federal revenue is not realized. If revenue is not covered by federal prisoners, then the amount outstanding will be covered by new revenue from CF Industries so as to hold taxpayers harmless.

- D. Gaming revenues are currently \$126,000 without obligation. The training center falls off by 2021 which represents an annual expenditure of \$74,000.**

**Fiscal Impact: This covers approximately \$200,000 annually.** If revenue is not covered by federal prisoners, then the amount outstanding will be covered by gaming revenue so as to hold taxpayers harmless.

- E. There still remains a gap of approximately \$500,000 to \$1 million annually from 2022 to 2030. We need to look for other provisional triggers besides these.**

- A 1% across-the-board cut would represent approximately \$530,000.
- An operational spending freeze would mean that we could still utilize new growth. This doesn't rely upon new assessments but anything that is built that we heretofore had not realized in revenue.

**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:** Pass the proposed motions during the next meeting.

**ACTION REQUIRED / PROPOSED MOTION:** None at this time.

**Possible Use of TIF Releases**

	<b>Potential Amount of Taxes Released Released</b>									
	<u>FY 29-30</u>	<u>FY 30-31</u>	<u>FY 31-32</u>	<u>FY 32-33</u>	<u>FY 33-34</u>	<u>FY 34-35</u>	<u>FY 35-36</u>	<u>FY 36-37</u>	<u>FY 37-38</u>	<u>FY 38-39</u>
Total Potential Taxes - Our Share of TIF Each FY if Released	2,559,513	3,184,022	3,449,419	3,664,137	3,878,855	4,145,460	4,340,658	4,584,656	5,365,448	5,365,448
General Basic	1,006,989	1,252,690	1,357,104	1,441,582	1,526,059	1,630,949	1,707,745	1,803,741	2,110,928	2,110,929
General Supplemental	690,710	859,240	930,860	988,804	1,046,747	1,118,693	1,171,370	1,237,215	1,447,920	1,447,920
County Services	171,359	213,170	230,939	245,313	259,689	277,539	290,607	306,943	359,217	359,216
Debt Service	32,711	40,692	44,084	46,828	49,572	52,979	55,474	58,592	68,570	68,570
Rural Basic	657,744	818,230	886,432	941,610	996,788	1,065,300	1,115,462	1,178,165	1,378,813	1,378,813
<b>Total</b>	<b>2,559,513</b>	<b>3,184,022</b>	<b>3,449,419</b>	<b>3,664,137</b>	<b>3,878,855</b>	<b>4,145,460</b>	<b>4,340,658</b>	<b>4,584,656</b>	<b>5,365,448</b>	<b>5,365,448</b>

**FY 20 Tax Rate Breakdown**

	<u>Fund Tax Rate</u>	<u>% of Total Tax Rate</u>
General Basic	3.82712	39.343%
General Supplemental	2.62513	26.986%
County Services	0.65134	6.695%
Debt Service	0.12427	1.278%
Rural Basic	2.49971	25.698%
<b>Total</b>	<b>9.72757</b>	<b>100.000%</b>

The only taxes that could be used for debt service tax relief would be the Debt Service fund and General Basic Fund.

**Potential Revenues for Debt Service Tax Rate Reductions**

**Funds Available**

Type of Revenue	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY 26</u>	<u>FY 27</u>	<u>FY 28</u>	<u>FY 29</u>
Gaming Revenue	126,000	126,000	126,000	126,000	126,000	126,000	126,000	126,000	126,000
Training Center Revenues after Center Paid Off			37,172	74,344	74,344	74,344	74,344	74,344	74,344
Debt Revenues that will be available as debt is retired keeping tax rate the Constant				383,250				379,138	379,138
				280,082	280,082	280,082	280,082	101,990	101,990
								280,082	280,082
Holding CIP Total Projects to a Total of \$400,000/FY		83,287	83,287	83,287	83,287	83,287	83,287	83,287	83,287
General Basic Revenues dedicated to Correctional Facility Debt Retirement									
Telephone Comm.			148,512	148,512	148,512	148,512	148,512	148,512	148,512
Work Release			25,000	25,000	25,000	25,000	25,000	25,000	25,000
Electronic Monitor.			80,000	80,000	80,000	80,000	80,000	80,000	80,000
Room & Board			100,000	100,000	100,000	100,000	100,000	100,000	100,000
Subtotal	126,000	209,287	599,971	1,300,475	917,225	917,225	917,225	1,398,353	1,398,353
Potential Federal Prisoners Room for 148, using only 126 \$68.50 a day		3,150,315	3,150,315	3,150,315	3,150,315	3,150,315	3,150,315	3,150,315	3,150,315
Debt Service Payment each FY	1,936,750	3,431,750	3,432,000	3,433,500	3,431,000	3,429,500	3,428,750	3,428,500	3,428,500