



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(MAY 19, 2020) (WEEK 21 OF 2020)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Boardroom Phone: 712-224-6014

Due to the Governor’s proclamation issued March 20th access to this meeting will be by live streaming on YouTube with telephonic access by telephone number listed above.

Rocky L. De Witt 253-0421 rdewitt@woodburycountyiowa.gov	Marty J. Pottebaum 251-1799 mpottebaum@woodburycountyiowa.gov	Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov	Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held May 19, 2020 at **4:30 p.m.** in the basement of the courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

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

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, your remarks may be limited 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 silence cell phones and other devices while in the Board Chambers.

AGENDA

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

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

Consent Agenda

Items 3 through 6 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 May 12, 2020 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 request to deauthorize county position

6. Secondary Roads – Mark Nahra
Approve the permit to work in the county right of way for Greg Smith.

End Consent Agenda

7. Board Administration – Dennis Butler
 - a. Approval of resolution to set date for hearing on 2020 Amendment to Urban Renewal Plan for Grow Woodbury County Urban Renewal Area for June 16th at 4:45 p.m. Action
 - b. Discussion and action regarding the funding source for the DGR Agreement involving the 28E Agreement Action
 - c. Approval of resolution fixing date of June 2nd at 4:45 p.m. for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$195,000 General Obligation Capital Loan Notes of Woodbury County, State of Iowa (for general county purposes) and providing for publication of notice thereof Action
 - d. Approval of resolution fixing date of June 2nd at 4:46 p.m. for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$705,000 General Obligation Capital Loan Notes of Woodbury County, State of Iowa (for essential county purposes) and providing for publication of notice thereof Action
8. Secondary Roads – Mark Nahra
 - a. Approval of contract and bond with Dixon Construction for project number L-B(C278)—73-97 for \$175,979.00 Action
 - b. Approval to accept the tandem truck quotes and return them to the county engineer for an award recommendation Action
 - c. Approval to receive the wheel loader quotes and return them to the county engineer for an award recommendation Action
 - d. Approval to accept the motor grader quotes and return them to the county engineer for an award recommendation Action
9. Board of Supervisors – Keith Radig
Approval of Articles of Agreement for Workforce Development Chief Elected Official Consortium Workforce Innovation and Opportunity Act of 2014 Action
10. Due to COVID-19, the board will be discussing various issues and may take appropriate steps for the protection and safety of both the community and county employees Action
11. Reports on Committee Meetings Information
12. Citizen Concerns Information
13. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- WED., MAY 20 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., MAY 21 11:15 a.m.** Western Iowa Community Improvement Regional Housing Trust Fund Meeting, TBD
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- MON., MAY 25 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., MAY 26 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., MAY 27 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- MON., JUNE 1 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., JUNE 2 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., JUNE 3 9:00 a.m.** Loess Hills Alliance Stewardship Committee Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Executive Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Full Board Meeting
- THU., JUNE 4 10:00 a.m.** COAD Meeting, The Security Institute
- FRI., JUNE 5 10:00 a.m.** Hungry Canyon Alliance Meeting, Atlantic, Iowa
- WED., JUNE 10 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- THU., JUNE 11 12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- 4:30 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- FRI., JUNE 12 8:30 a.m.** Woodbury County Building Security Committee Meeting, LEC Conference Room
- WED., JUNE 17 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., JUNE 18 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., JUNE 19 12:00 p.m.** Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G

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.

MAY 12, 2020, NINETEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, May 12, 2020 at 4:00 p.m. Board members present were Pottebaum, Radig, De Witt, and Ung. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget/Tax Analyst, Melissa Thomas, HR Director, and Patrick Gill, Auditor/Clerk to the Board.

1. Motion by Pottebaum second by Ung to go into closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll-call vote.

Motion by Ung second by De Witt to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll-call vote.

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

2. There were no citizen concerns.
3. Motion by Ung second by De Witt to approve the agenda for May 12, 2020, Carried 4-0. Copy Filed.

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

4. To approve minutes of the May 7, 2020 meeting. Copy filed.
5. To approve the claims totaling \$750,650.73. Copy filed.
6. To approve the lifting of tax suspension for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension. Copy filed.
7. To approve the liquor license for the White Horse Patrol. Carried 4-0. Copy filed.
- 8a. To approve the transfer of Stacey Richie, Clerk II, Human Resources, effective 05-13-20, \$16.84/hr, 0%, transfer from Part-time to Full-time Clerk. Copy filed.
- 8b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Senior Clerk, Human Resources, Wage Plan: \$18.51/hour; F/T Clerk II, Human Resources, Wage Plan: \$16.84/hour; (2) P/T Youth Workers, Juvenile Detention, AFSCME Juvenile Detention: \$19.30/hour. Copy filed
- 8c. To approve the deauthorization of the Safety Risk Coordinator, Human Resources; the P/T Clerk II, Human Resources. Copy filed.

Carried 4-0.

9. Motion by Radig second by De Witt to approve the L.E.C. Fiber Optic Infrastructure Request for Proposal for a Public-Private Partnership and to authorize it to be sent to the Local Internet Service Providers. Carried 4-0. Copy filed.
10. Motion by Ung second by Pottebaum to approve making the application for the Coronavirus Emergency Supplemental Funding Program Solicitation FY 2020 Formula Grant Solicitation. Carried 4-0. Copy filed.
11. Motion by De Witt second by Ung to approve the plans for project number BROS-SWAP-CO97(140)—SE-97. Carried 4-0. Copy filed.
12. The Board discussed various issues related to COVID-19.
13. The Board heard reports on committee meetings.
14. There were no citizen concerns.

May 12, 2020 Cont'd.

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15. Board concerns were heard.

The Board adjourned the regular meeting until May 19, 2020.

Meeting sign in sheet. Copy filed.

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: May 19, 2020

* PERSONNEL ACTION CODE:

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

TO: **WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Thomas, Anthony	County Sheriff	5-18-20	Civilian Jailer			S	Resignation.
Kerns, Derrick	Secondary Roads	5-20-20	Temporary Summer Laborer	\$11.00/hour		A	Not to exceed 120 days.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas

HUMAN RESOURCES DEPARTMENT
WOODBURY COUNTY, IOWA

DATE: May 19, 2020

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
County Attorney	Asst. County Attorney	AFSCME: \$59,861.00 to \$69,227.00/year		
County Auditor/ Commissioner of Elections	Elections Clerk III	AFSCME: \$20.40/hour		
County Sheriff	Civilian Jailer	CWA: \$19.86/hour		

Chairman, Board of Supervisors



WOODBURY COUNTY ATTORNEY

PATRICK "PJ" JENNINGS
COUNTY ATTORNEY

300 COURTHOUSE
620 DOUGLAS STREET
SIOUX CITY, IOWA 51101

TELEPHONE
712-279-6516
FAX # 712-279-8457

MEMORANDUM

Date: May 13, 2020
To: Board of Supervisors
From: PJ Jennings
RE: Request for New Hire

Supervisors:

On June 30, 2020, one of our felony attorneys will be retiring. This is a very important position within our office and will certainly cause a delay in the processing our criminal caseload. It is crucial that we get a new attorney hired as soon as possible as the duties and learning curve for this prosecutor can be quite over-whelming. It would be vital to have the outgoing prosecutor be able to assist with the training of any new hire to the office.

I ask that you now approve the hiring of a new assistant prosecutor at this time.

A handwritten signature in black ink, appearing to be "PJ Jennings", written over a horizontal line.

Melissa Thomas

From: Pat Gill
Sent: Tuesday, May 12, 2020 5:56 PM
To: Melissa Thomas
Cc: Steve Hofmeyer; Michelle Skaff
Subject: Clerk Positions In The Auditor's Office

Director Thomas,

With the unfortunate passing of one of our election clerks, we have been evaluating a basic reorganization in our office. Deputies Hofmeyer and Skaff and I have held numerous conversations about our personnel needs in our office and analyzed the resources we need to perform the duties we are charged with under the Iowa code and those that have been delegated to us by the Board of Supervisors. The first step we are moving forward with is in our elections division, we are asking to deauthorize a clerk II position and to authorize a clerk III position. When we are through with our reorganization, we anticipate having have just two clerks in this area. Having a clerk III position is necessary due to the increased duties that our clerks have assumed in the area of training and supervision when it comes to our Precinct Election Officials and the increased volume of activity that our absentee voting process has absorbed.

I am respectfully asking you to present this to the Board of Supervisors and to let me know if you require any additional information.

Sincerely,

Pat Gill

Woodbury County Auditor and Recorder



Woodbury County Sheriff's Office

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

DAVID A. DREW, SHERIFF

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

May 13, 2020

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

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to begin the hiring process for a male Correctional Officer position, effective May 20th, 2020. We request this be placed on the agenda for Tuesday, May 19th, 2020, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "David Drew".

Dave Drew, Sheriff

Cc: file

HUMAN RESOURCES DEPARTMENT

#5c

WOODBURY COUNTY, IOWA

DATE: May 19, 2020

REQUEST TO DEAUTHORIZE COUNTY POSITION(S)

DEPARTMENT	POSITION	APPROVED	DISAPPROVED
County Auditor/ Commissioner of Elections	Election Clerk II		

Melissa Thomas

Chairman, Board of Supervisors

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

Date: 5/14/2020 Weekly Agenda Date: 5/19/2020

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

WORDING FOR AGENDA ITEM:

Consideration of permit to work in the county right of way

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Greg Smith has requested a permit to work in the right of way to regrade private property in the NE corner of the intersection of 170th Street and Eastland Avenue.

BACKGROUND:

Work in county ROW requires permit by Board of Supervisors per section 318.8 of the Code of Iowa. Mr. Smith is lowering the field elevation to improve sight distance at the intersection of Eastland Avenue and 170th Street. The work will require adjustment of the backslopes and ditches within the county right of way. The work will be done by private forces.

FINANCIAL IMPACT:

No 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?

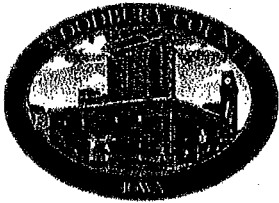
Yes No

RECOMMENDATION:

Recommend approval of the permit for the Greg Smith.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the permit to work in the right of way for Greg Smith and to direct the chair to sign the permit.



Woodbury County Secondary Roads Department

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

COUNTY ENGINEER
Mark J. Nagra, P.E.
mnagra@woodburycountyiowa.gov

ASSISTANT TO THE COUNTY ENGINEER
Benjamin T. Kusler, E.I.T.
bkusler@woodburycountyiowa.gov

SECRETARY
Tish Brice
tbrice@woodburycountyiowa.gov

WOODBURY COUNTY SECONDARY ROAD DEPARTMENT PERMIT & AGREEMENT TO PERFORM WORK WITHIN WOODBURY COUNTY RIGHT OF WAY

Name of Permittee: Greg Smith Phone No.: 712-540-2770

Mailing Address: 1771 Delaware Ave., Lawton, Ia. 51030

Township: Floyd Section: 3-88-46

Woodbury County, State of Iowa, and Greg Smith for owner (hereinafter referred to as property owner, organization or authorized representative) do hereby enter into the following permit and agreement:

1. Woodbury County hereby consents to and grants permission to the property owner, organization or authorized representative, to conduct the following described construction or activities within the right-of-way:

Work in right of way adjacent to field to lower field for better sight distance at intersection. May work in ditch. Must re-seed disturbed right of way.

2. In consideration of Woodbury County granting said permission and consent, the property owner, organization or authorized representative hereby promises and agrees to the following:

A. The applicant shall carry on the construction, repair and maintenance with serious regard to the safety of the traveling public and adjacent property owners.

B. The property owner, organization or authorized representative, at his/her own expense, shall provide all safety measures and warning devices necessary to protect the traveling public such as but not limited to, signs, lights, and barricades during the day and at night if the roadway will be obstructed. Traffic protection shall be in accordance with Part VI of the current Manual on Uniform Traffic Control Devices for Streets and Highways. The Department will loan the required signs to the applicant who shall be responsible for placing the signs and covering or removing when not in use, removal after the work has been completed, and return of the Department owned signs to the Department maintenance facility from which obtained. The applicant shall be responsible for correctly using signs as needed while work is in progress. Flagging operations are the responsibility of the applicant.

C. In placing any drainage structure, no natural drainage course will be altered or blocked.

D. The finished project shall be left in a satisfactory condition subject to the approval of the County Engineer. The traveled portion of the roadway shall not be damaged or disturbed. The property owner, organization or authorized representative assumes all liability and agrees to reimburse Woodbury County for any damage to the roadway or ditch caused by placement of this structure. Permittee is to call County Engineer for upon completion for final inspection.

E. The property owner, organization or authorized representative shall notify all appropriate telephone and utility companies in advance of any excavation and shall check for underground electric or telephone lines.

F. Woodbury County will not assume any of the cost of the construction of the said improvement or structure nor will Woodbury County assume any future costs for maintenance or replacement of said improvement or structure. If in the best interest of Woodbury County, the said improvement or structure may be removed by the County, or may be caused to be removed, without any obligation by Woodbury County to pay damages or cost of replacement.

G. Property owner, organization or authorized representative will reseed and mulch the disturbed areas. Property owner, organization or authorized representative will be responsible for seed, mulch, and labor unless otherwise provided in section L.

H. The property owner, organization, or authorized representative hereby agrees to hold Woodbury County and the Woodbury County Secondary Road Department, its employees and agents harmless against any and all claims for damages and personal injury arising out of work performed or actions taken by the applicant related to the construction or maintenance of the facility. The applicant further agrees to reimburse the County or the Department for any expenditures that the County or Department may have to make on said highway rights of way on account of said applicant's construction or maintenance activity or other activities or lack thereof. The applicant shall also save Woodbury County and the Woodbury County Secondary Road Department harmless of any damage or losses that may be sustained by the traveling public on account of such construction, repair or maintenance operations, or other activities.

I. **FAILURE TO CONFORM TO OR TO ACQUIRE A PERMIT IS A VIOLATION OF SECTION 318.8, 2009 CODE OF IOWA.** This permit is subject to any laws now in effect or any laws that may be hereafter enacted and all applicable rules and regulations of local, state and federal agencies. This permit is subject to all the rules and regulations of Woodbury County and the Woodbury County Secondary Road Department.

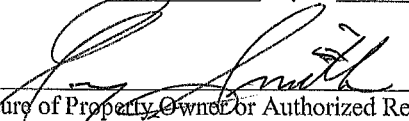
J. This permit is subject to revocation by the Department at any time and at no cost to the Department, when in the judgment of the Department it is necessary in the improvement or maintenance of the highway or for other reasonable cause.

K. All proposed work covered by this permit shall be at the applicant's expense. The applicant shall reimburse the Woodbury County Secondary Road Department for any materials removed from the highway right of way described as follows:

L. Woodbury County agrees to provide the following contribution toward completion of this project:

M. All work done by property owner, organization or authorized representative pursuant to this agreement shall be completed prior to the 31st day of October, 2020.

Entered into this 11th day of May, 2020.



Signature of Property Owner or Authorized Representative

Woodbury County Engineer

Chair, Woodbury County Board of Supervisors

Mark Nahra

From: danielerhine@aol.com
Sent: Monday, May 11, 2020 3:20 PM
To: Mark Nahra
Subject: Permission for Greg Smith to move dirt at intersection of 170th and Eastland near Lawton IA

This is to let you know that I have given Greg Smith permission to remove dirt from the intersection of 170th and Eastland near Lawton, IA to improve the visibility at the intersection. Thank you

Dan Rhine
300 Tomahawk Trail SE
Cedar Rapids, IA 52403-2075
Home: 319-363-5650
Cell: 319-360-4871

SET DATE FOR HEARING ON 2020 AMENDMENT TO URBAN RENEWAL PLAN FOR GROW WOODBURY COUNTY URBAN RENEWAL AREA

424093-19

Sioux City, Iowa

May 19, 2020

The Board of Supervisors of Woodbury County, Iowa, met on May 19, 2020, at _____ o'clock, __.m., at the Woodbury County Courthouse, Sioux City, Iowa, for the purpose of setting a date for a public hearing on amending an urban renewal plan. The Chairperson presided and the roll being called, the following members of the Board were present and absent:

Present: _____

Absent: _____.

It was reported that an amendment to the County's plan for the Grow Woodbury County Urban Renewal Area had been prepared, which supplements the amendment that the Board adopted in 2019 and which expands the description of a new urban renewal project consisting of financing improvements to county roads with incremental property tax revenues, and that it was necessary to set a date for a public hearing on that amendment. Accordingly, Supervisor _____ moved the adoption of the following resolution entitled "Resolution setting date for a public hearing on 2020 Amendment to the Grow Woodbury County Urban Renewal Area and plan," and the motion was seconded by Supervisor _____.

Following due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: _____

Nays: _____.

Whereupon, the Chairperson declared the resolution duly adopted, as follows:

RESOLUTION NO. _____

Setting date for a public hearing on 2020 Amendment to the Grow Woodbury County Urban Renewal Area and Plan

WHEREAS, the Board of Supervisors of Woodbury County, Iowa (the “County”) has created the Grow Woodbury County Urban Renewal Area (the “Urban Renewal Area”) and has approved an urban renewal plan for the Urban Renewal Area; and

WHEREAS, Chapter 403 of the Code of Iowa requires that, before a county approves any new urban renewal project or adds new property to an urban renewal area, a county must amend the existing urban renewal plan to describe the new property and to include that new project; and

WHEREAS, on October 22, 2019, the Board approved the 2019 Amendment to the urban renewal plan for the Urban Renewal Area which described a new urban renewal project consisting of financing improvements to county roads with incremental property tax revenues; and

WHEREAS, a 2020 amendment to the urban renewal plan has been prepared for the purpose of supplementing the information included in the 2019 Amendment and expanding the description of the county road improvement project; and

WHEREAS, it is necessary that a date be set for a public hearing on the 2020 Amendment;

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

Section 1. This Board will meet at the Woodbury County Courthouse, Sioux City, Iowa, on June 16, 2020, at _____ o'clock __.m., at which time and place it will hold a public hearing on the proposed 2020 amendment to the plan for the Urban Renewal Area.

Section 2. Notice of the hearing shall be published, the same being in the form attached to this resolution, which publication shall be made in a newspaper of general circulation in Woodbury County, which publication shall be not less than four (4) nor more than twenty (20) days before the date set for the hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, Dennis Butler and David Gleiser are hereby designated as the County's representatives in connection with the consultation process which is required under that section of the urban renewal law.

Passed and approved May 19, 2020.

Chairperson, Board of Supervisors

Attest:

County Auditor

**NOTICE OF A PUBLIC HEARING ON 2020 AMENDMENT TO THE GROW
WOODBURY COUNTY URBAN RENEWAL AREA AND PLAN**

Notice Is Hereby Given: That at _____ o'clock ____m., at the Woodbury County Courthouse, Sioux City, Iowa, on June 16, 2020, the Board of Supervisors of Woodbury County will hold a public hearing on the proposed 2020 Amendment to the urban renewal plan for the Grow Woodbury Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, for the purpose of supplementing and expanding information about a new urban renewal project that was approved in the 2019 Amendment to the urban renewal plan, consisting of financing improvements to county roads with incremental property tax revenues. The 2020 Amendment provides background information and an explanation of the necessity for undertaking the county road improvement project. A copy of the 2020 Amendment is on file in the office of the County Auditor.

At the hearing any interested person may file written objections or comments and may be heard with respect to the subject matter of the hearing.

Patrick Gill
County Auditor

• • • • •

On motion and vote the meeting adjourned.

Chairperson, Board of Supervisors

Attest:

County Auditor

STATE OF IOWA
WOODBURY COUNTY

SS:

I, the undersigned, Auditor of Woodbury County, Iowa, do hereby certify that as such I have in my possession or have access to the complete records of the County and of its officers; and that I have carefully compared the transcript hereto attached with those records and that the attached is a true, correct and complete copy of the records relating to the action taken by the Board of Supervisors preliminary to and in connection with setting a date for a public hearing on the 2020 Amendment to the Grow Woodbury County Urban Renewal Area and plan.

WITNESS my hand this _____ day of _____, 2020.

County Auditor

STATE OF IOWA
WOODBURY COUNTY

SS:

I, the undersigned, Auditor of Woodbury County, Iowa do hereby certify that pursuant to the resolution of its Board of Supervisors fixing the date of a public hearing on the 2020 Amendment to the Grow Woodbury County Urban Renewal Area and plan, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the County.

WITNESS my hand this _____ day of _____, 2020.

County Auditor

(Attach here publisher's affidavit of publication of notice.)

2020 AMENDMENT
URBAN RENEWAL PLAN
GROW WOODBURY COUNTY URBAN RENEWAL AREA
June, 2020

The Urban Renewal Plan for the Grow Woodbury County Urban Renewal Area was amended in October, 2019 in order to add property consisting of all right-of-way of County Roads and related bridges and culverts to the Urban Renewal Area and to describe an urban renewal project that will be financed with increment property tax revenues.

This 2020 Amendment is intended to supplement the October, 2019 Amendment and to provide additional information about the need for the Project. This 2020 Amendment does not call for spending an amount of incremental tax revenues greater than the amount that was proposed in the 2019 Amendment.

Woodbury County's rural and agricultural-related economies depend on the County's extensive system of county roads to carry traffic from, for example, cattle and hog feeding operations which support significant job creation and retention, and to provide emergency services to residents who live along gravel roads. In addition, County gravel roads are used by buses from nine school districts.

Woodbury County has more than 1,300 miles of roads, of which nearly 940 miles are gravel surfaced. The project will consist of improvements to 750 miles of the gravel roads, which have been identified as most in need of improvement. Each mile of gravel road was selected for the project based on having a traffic count greater than 50 vehicles per day, one or more residences, a rural business or an animal feeding operation. Many of these roads have only 1 to 3 inches of gravel base remaining, which is not enough thickness to support and distribute wheel loads from vehicles such as trucks and school buses. In addition, during the spring thaw, there is very little gravel left to cover soft subgrade conditions, which requires vehicles such as school buses and heavy trucks to limit travel to hard-surfaced roads.

The work will consist of adding gravel base to each road in the project to bring that base from the existing 1 to 3 inches of gravel up to 5 to 7 inches of gravel. The project is expected to take up to five years to complete, and will be financed from future incremental property taxes, in the maximum amount of \$10,000,000.

The following information was provided in October, 2019, in accordance with the requirements of Section 403.17 of the Code of Iowa:

Outstanding general obligation debt of the County	\$7,152,887
Constitutional debt limit of the County:	\$377,328,370
Proposed amount of tax increment revenue to pay new debt:	\$10,000,000

May 14, 2020

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

Re: Urban Renewal Area/2020 Amendment

Our File No. 424093-19

Dear Dennis and David:

I have prepared a resolution which may be adopted by your Board of Supervisors on May 19 in order to set June 16 as the date for a public hearing on the 2020 amendment to the urban renewal plan for the Grow Woodbury County Urban Renewal Area.

The notice which is included in the enclosed resolution must be published once, not less than four (4) nor more than twenty (20) days prior to the date of the hearing, in a newspaper of general circulation in the County. The notice may also be published in the other official County newspapers, if you wish. Please email or fax a copy of the published notice to our office at (515) 283-1060.

Please send us one fully executed set of the proceedings once all the actions have been taken. Please contact me if you have any questions.

Very truly yours,

Robert E. Josten

Woodbury County Board of Supervisors

Courthouse • Room 104

620 Douglas Street • Sioux City, Iowa 51101

Telephone (712) 279-6525 • Fax (712) 279-6577



MEMBERS

ROCKY L. DE WITT
LAWTON

MARTY POTTEBAUM
SIOUX CITY

KEITH W. RADIG
SIOUX CITY

MATTHEW A. UNG
SIOUX CITY

FINANCE / BUDGET DIRECTOR
DENNIS BUTLER

ADMINISTRATIVE ASSISTANT
KAREN JAMES

EXECUTIVE SECRETARY / PUBLIC BIDDER
HEATHER SATTERWHITE

TO: Board of Supervisors

FROM: Dennis Butler – Budget/Finance Director *DBB*

DATE: May 15, 2020

RE: DGR Agreement

The board approved paying the DGR Agreement establishing a 28E between Woodbury County & the City of Sioux City from the CIP Fund. After conferring with Jason Comisky, our CIP Legal Attorney, it has been determined that this expenditure does not qualify as a CIP Project.

After reviewing gaming revenues, there is unallocated revenues in FY20 in the amount of \$134,648. This amount is inclusive of no gaming revenues from the Hard Rock through June, 2020. During FY21 budget hearings I anticipated a carryover of \$175,000 in addition to gaming revenues for FY21. For FY21, there was budgeted \$254,623 unallocated. This amount is reduced by the loss of gaming revenues in FY20, which now leaves \$214,271.

It is recommended that the \$15,000 is paid from gaming revenues which will reduce the FY21 unallocated funds in the amount of \$199,271.

Gaming Revenue Funds

May 1, 2020

Allocations for FY 20

Fund Cash Balance on Hand May 1, 2020		350,844
Estimated Revenue for FY 20 (384,000)	Due to State Ordered Closing	0
Gaming Revenue - MRHD FY 20 (75,000)		6,500
Less Obligated Funds:		

FY 20

Transfers:

Sheriff's Training Center - 1st Full FY Payments	PAID	
Tax Reduction - General Basic	209,926	
Professional Development	1,250	
Meals on Wheels (12,760) - FY 20 Approved	3,190	
Neo-Gov One Time Expense	PAID	
ATV Decals - FY 20 Approved	PAID	
United Way - FY 20 Approved	PAID	
Holiday Luncheon - FY 20 Approved	PAID	
SRTS (33,320) - FY 20 Approved	8,330	
	<hr/>	222,696
Funds Unallocated for FY 2020		<hr/> <hr/> 134,648

Anticipated carryover	175,000
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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

#7c
& d

May 14, 2020

Via E-Mail Only

Mr. Michael Clayton
 Woodbury County Treasurer
 Trospen Hoyt
 822 Douglas St. Room 102
 Sioux City, Iowa 51101

Re: Woodbury County, State of Iowa
 Not to Exceed \$705,000 General Obligation Capital Loan Notes (ECP)
 Not to Exceed \$195,000 General Obligation Capital Loan Notes (GCP)

Dear Michael:

We have now prepared and are enclosing suggested proceedings to be acted upon by the Board in fixing the date of a meeting on the proposition to enter into a loan agreement and issue the above mentioned notes and ordering publication of a notice of hearing consistent with the provisions of Code Sections 331.402, 331.442 and 331.443 (See publication requirement.) A separate set is enclosed for each type of hearing.

As to the essential county purpose portion of this issue, notice of this type of hearing 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 clear days before the date of the public meeting on the issuance of the Notes. 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 the hearing the Board shall receive oral or written objections from any resident or property owner to the proposed action to enter into a loan agreement and issue the notes. After all objections have been received and considered, the Board is required, at that meeting or at any adjournment thereof, to take additional action for the authorization of a loan agreement and the issuance of the notes or to abandon the proposal.

As to the general county purpose portion of this issue, notice of this type of hearing 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 ten nor more than twenty clear days before the date of said public meeting on the issuance of said Notes. 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 ICS 4.1(4).)

If at any time before the date fixed for taking action for the issuance of the Notes, a petition is filed with the Auditor of the County, in the manner provided by Section 331.306 of the Code, asking that the question of issuing the Notes be submitted to the qualified electors of the County, the Board shall, by resolution, either declare the proposal to issue the Notes to have been abandoned or shall direct the County Commissioner of Elections to call a special election upon the question of issuing the Notes. (Notice of election and its conduct shall be in the same manner as provided in Section 331.442 for other General Corporate Purpose Notes or Notes.)

As to the petition, if one is filed, Section 331.306 provides that the Petition is valid if signed by eligible electors of the County equal in number to 10% of the persons who voted for the office of the President of the United States or the Governor at the preceding general election.

For convenience we suggest both notices be published at the same time, on or before **May 22, 2020**, thus in compliance with the GCP requirements. The forms of notice include the deadline at the top. Please notify us immediately if this publication schedule is problematic.

The Board is required by statute to adopt the resolution instituting proceedings to enter into a loan agreement and issue the notes at the hearing or an adjournment thereof.

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 for each type 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,



Jason L. Comisky
FOR THE FIRM

JLC:ks

Enclosures

cc: Karen James (via email)
Dennis Butler (via email)

ITEMS TO INCLUDE ON AGENDA FOR MAY 19, 2020

WOODBURY COUNTY, IOWA

Not to Exceed \$195,000 General Obligation Capital Loan Notes (GCP)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the County thereunder.

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

May 19, 2020

The Board of Supervisors of Woodbury County, State of Iowa, met in _____ session, in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the above date. There were present Chairperson _____, in the chair, and the following named Board Members:

Absent: _____

Vacant: _____

* * * * *

Board Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$195,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF WOODBURY COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$195,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF WOODBURY COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$195,000, as authorized by Sections 331.441 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the

authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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

Section 1. That this Board meet in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the 2nd day of June, 2020, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$195,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition of an air truck for emergency services and spray equipment for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$195,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: May 22, 2020)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, STATE OF IOWA, ON THE
MATTER OF THE PROPOSED AUTHORIZATION OF A
LOAN AGREEMENT AND THE ISSUANCE OF NOT TO
EXCEED \$195,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES OF THE COUNTY (FOR GENERAL COUNTY
PURPOSES), AND THE HEARING ON THE ISSUANCE
THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, State of Iowa, will hold a public hearing on the 2nd day of June, 2020, at _____ .M., in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$195,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition of an air truck for emergency services and spray equipment for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens which costs are estimated to be \$195,000. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.441 and 331.442 of the Code of Iowa.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Woodbury County, State of Iowa, as provided by Sections 331.441 and 331.442 of the Code of Iowa.

Dated this _____ day of _____, 2020.

County Auditor, Woodbury County, State of
Iowa

(End of Notice)

PASSED AND APPROVED this 19th day of May, 2020.

Chairperson

ATTEST:

County Auditor

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned County Auditor of Woodbury County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this _____ day of _____, 2020.

County Auditor, Woodbury County, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Auditor of Woodbury County, in the County of Woodbury, State of Iowa, and that as such Auditor and by full authority from the Board of the County, I have caused a

NOTICE OF PUBLIC HEARING
(Not to Exceed \$195,000 General Obligation Capital Loan Notes)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the " _____ ", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the County, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2020.

WITNESS my official signature this _____ day of _____, 2020.

County Auditor, Woodbury County, State of
Iowa

(SEAL)

ITEMS TO INCLUDE ON AGENDA FOR MAY 19, 2020

WOODBURY COUNTY, IOWA

Not to Exceed \$705,000 General Obligation Capital Loan Notes (ECP)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the County thereunder.

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

May 19, 2020

The Board of Supervisors of Woodbury County, State of Iowa, met in _____ session, in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the above date. There were present Chairperson _____, in the chair, and the following named Board Members:

Absent: _____

Vacant: _____

* * * * *

Board Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$705,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF WOODBURY COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$705,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF WOODBURY COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$705,000, as authorized by Sections 331.441 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the County has a population in excess of 100,000 but not more than 200,000, and the Notes for these purposes do not exceed \$1,200,000; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

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

Section 1. That this Board meet in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ _____.M., on the 2nd day of June, 2020, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$705,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of:

- a) the erection, equipment, remodeling, or reconstruction of, and additions or extensions to public buildings, including the site or grounds thereof and including, but not limited to paving the parking lot at the Sheriff Training Center, renovations to Dist. Health building, EMS fire detection equipment, computer scanning and election equipment, computer equipment for Courthouse, fire suppression system at Courthouse, renovations to data center room at Courthouse; and
- b) peace officer communication equipment and other emergency services communication equipment and systems.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$705,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: May 22, 2020)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS
OF WOODBURY COUNTY, STATE OF IOWA, ON THE
MATTER OF THE PROPOSED AUTHORIZATION OF A
LOAN AGREEMENT AND THE ISSUANCE OF NOT TO
EXCEED \$705,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY
PURPOSES), AND THE HEARING ON THE ISSUANCE
THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, State of Iowa, will hold a public hearing on the 2nd day of June, 2020, at _____ .M., in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$705,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of:

- a) the erection, equipment, remodeling, or reconstruction of, and additions or extensions to public buildings, including the site or grounds thereof and including, but not limited to paving the parking lot at the Sheriff Training Center, renovations to Dist. Health building, EMS fire detection equipment, computer scanning and election equipment, computer equipment for Courthouse, fire suppression system at Courthouse, renovations to data center room at Courthouse; and
- b) peace officer communication equipment and other emergency services communication equipment and systems. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Woodbury County, State of Iowa, as provided by Sections 331.441 and 331.443 of the Code of Iowa.

Dated this _____ day of _____, 2020.

County Auditor, Woodbury County, State of
Iowa

(End of Notice)

PASSED AND APPROVED this 19th day of May, 2020.

Chairperson

ATTEST:

County Auditor

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned County Auditor of Woodbury County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this _____ day of _____, 2020.

County Auditor, Woodbury County, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Auditor of Woodbury County, in the County of Woodbury, State of Iowa, and that as such Auditor and by full authority from the Board of the County, I have caused a

NOTICE OF PUBLIC HEARING
(Not to Exceed \$705,000 General Obligation Capital Loan Notes)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the " _____ ", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the County, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2020.

WITNESS my official signature this _____ day of _____, 2020.

County Auditor, Woodbury County, State of
Iowa

(SEAL)

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

Date: 5/14/2020 Weekly Agenda Date: 5/19/2020

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

WORDING FOR AGENDA ITEM:

Approve contract and bond for project number L-B(C278)--73-97 - Bridge Replacement on Jewell Avenue between 110th St. and 120th St.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

Bids were received for the bridge replacement project on Jewell Ave. The Board awarded the contract on March 25, 2020 and the contract and bond have been returned for approval.

BACKGROUND:

The project will replace an existing load posted bridge with a new precast concrete box culvert.

FINANCIAL IMPACT:

The project is paid for with Woodbury County local secondary road funds.

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 and bond with Dixon Construction for project number L-B (C278)--73-97 for \$175,979.00.

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the contract and bond with Dixon Construction for project number L-B(C278)--73-97 for \$175,979.00 and that the Board direct the board chair to sign the contract and bond.



WOODBURY COUNTY, IOWA
CONTRACT

Kind of Work Precast RCB Culvert New

Project No. L-B(C278)--73-97 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, Rocky DeWitt and Marty Pottebaum, Contracting Authority, and Dixon Construction Correctionville, IA, Contractor.

WITNESSETH: That the Contractor, for and in consideration of One Hundred Seventy Five Thousand Nine Hundred Seventy Nine 00/100 (\$175,979.00)

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. Lists 18 items including Clearing and Grubbing, Embankment, Excavation, Granular Surfacing, etc., with a total bid of \$175,979.00.

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 March 18, 2020

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. L-B(C278)--73-97 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.

Table with 4 columns: Approximate Starting Date, Specified Starting Date, Late Start Date, Number of Working Days. Values: August 3, 2020, 30.

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 _____, 2020

Approved: Contractor: Dixon Construction

By Contracting Authority: Woodbury County Board Chairperson

Date _____

Date _____

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

Date: 5/14/2020 Weekly Agenda Date: 5/19/2020

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

WORDING FOR AGENDA ITEM:

Receive quotes for a tandem axle dump truck for the secondary road department

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The county annually takes bids for new equipment to maintain its fleet of road maintenance vehicles. The county is requesting a quotation for one, new tandem axle dump truck for purchase.

BACKGROUND:

The county owns 17 dump trucks, 5 flatbed trucks, and three truck plows that are used for material hauling and snow removal. Typically we update one tandem truck every other year. This year the truck replaces an aging International tandem truck with a new tandem truck for the Hornick district.

FINANCIAL IMPACT:

The project is paid for with Woodbury County local secondary road funds.

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

Yes No

RECOMMENDATION:

Recommend that the board receive the quotes and allow the county engineer to examine the responsive quotes and recommend award at a later board meeting.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board accept the tandem truck quotes and return them to the county engineer for an award recommendation.

2020 or 2021 Tandem Axle Truck Chassis with Dump Body and Snow Equipment

May 19, 2020

	GATR Truck Center P. O. Box 3288 5325 N. E. 14th Street Des Moines, IA 50316	Sioux City Truck and Trlr 3900 Harbor Drive Sioux City, IA 51111	Peterbilt 4135 Harbor Drive Sioux City, IA 51111	Boyer Trucks 2101 E. Benson Rd. Sioux Falls, SD 57104	Cornhusker Intl. 2601 Bridgeport Sioux City, IA 51102	Istate Truck Center 4801 Harbor Drive Sioux City, IA 51102	Ziegler Cat 5300 Harbor Drive Sioux City, IA 51111
Trade In	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679
Brand Name & Model							
Purchase Price							
Less Trade							
Net Price	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Outright Purchase bid for Trade in Vehicle

Purchase price offer for truck #504							

2020 or 2021 Tandem Axle Truck Chassis with Dump Body and Snow Equipment

May 19, 2020

	McKenna Truck Center P. O. Box 3288 5325 N. E. 14th Street Des Moines, IA 50316	Rees Mack Sales & Service 1709 Hwy 20 Lawton, IA 51030	TranSource Truck & Eq. 901 E. 60th St. North Sioux Falls, SD 57104	Steffen Equipment 4535 Harbor Drive Sioux City, IA 51111	North American Truck & Tri 5430 Harbor Drive Sioux City, IA 51111	Hiway Truck Equip. 2246 1st Ave. South Fort Dodge, IA 50501
Trade In	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679	2006 International 7600 Tandem Dump Truck VIN# 1HTWXAHT56J219679
Brand Name & Model						
Purchase Price						
Less Trade						
Net Price	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Outright Purchase bid for Trade in Vehicle

Purchase price offer for truck #504						
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WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

#8c

Date: 5/14/2020 Weekly Agenda Date: 5/19/2020

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

WORDING FOR AGENDA ITEM:

Receive quotes for a wheel loader for the secondary road department

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The county annually takes bids for new equipment to maintain its fleet of road maintenance vehicles. The county is requesting a quotation for one, new wheel loader for purchase.

BACKGROUND:

The county owns 9 wheel loaders that are used for material loading, minor grading and snow removal. This year the new loader replaces an aging Komatsu loader for the Oto district.

FINANCIAL IMPACT:

The project is paid for with Woodbury County local secondary road funds.

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

Yes No

RECOMMENDATION:

Recommend that the board receive the quotes and allow the county engineer to examine the responsive quotes and recommend award at a later board meeting.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board receive the wheel loader quotes and return them to the county engineer for an award recommendation.

2020/2021 AWD Wheel Loader w/bucket, quick coupler

May 19, 2020

	TranSource Truck & Equipment Inc.	Road Machinery & Supplies Co.	Murphy Tractor & Equipment	Titan Machinery
	901 E. 60th Street North	1400 N. Hwy 75	4900 Harbor Drive	5601 Harbor Drive
	Sioux Falls, SD 57104	Sioux City, IA 51105	Sioux City, IA 51111	Sioux City, IA 51111
Trade In Machine	#422-2002 Komatsu WA380-5	#422-2002 Komatsu WA380-5	#422-2002 Komatsu WA380-5	#422-2002 Komatsu WA380-5
Brand Name & Model				
Purchase Price of Machine				
Less Trade #422				
Net Price Of Machine				
	Ziegler Caterpillar	Rueter's	Mid Country Machinery	Diesel Machinery Inc.
	5300 Harbor Drive	4730 S. York St.	106 8th St.	4301 N. Cliff Ave.
	Sioux City, IA 51111-1114	Sioux City, IA 51106	Sgt. Bluff, IA 51054	Sioux Falls, SD 57104
Trade In Machine	#422-2002 Komatsu WA380-5	#422-2002 Komatsu WA380-5	#422-2002 Komatsu WA380-5	#422-2002 Komatsu WA380-5
Brand Name & Model				
Purchase Price of Machine				
Less Trade #422				
Net Price Of Machine				

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

Date: 5/14/2020 Weekly Agenda Date: 5/19/2020

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

WORDING FOR AGENDA ITEM:

Receive quotes for two new motor graders for the secondary road department

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

The county annually takes bids for new equipment to maintain its fleet of road maintenance vehicles. The county is requesting quotations for two new all wheel drive motor graders for purchase.

BACKGROUND:

The county owns 21 motor graders. Twenty have territory assignments and one serves as a spare motor grader. Typically we update one or two motor graders per year. This year the motor graders replace aging machines in the Merville and Hornick districts.

FINANCIAL IMPACT:

The purchases are paid for with Woodbury County local secondary road funds.

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

Yes No

RECOMMENDATION:

Recommend that the board receive the quotes and allow the county engineer to examine the responsive quotes and recommend award at a later board meeting.

ACTION REQUIRED / PROPOSED MOTION:

Motion that the board accept the motor grader quotes and return them to the county engineer for an award recommendation.

2020 or 2021 Motor Grader bid tabulations

May 19, 2020

	Murphy Tractor	Murphy Tractor	Ziegler Equipment	Ziegler Equipment
	4900 Harbor Drive	4900 Harbor Drive	5300 Harbor Drive	5300 Harbor Drive
	Sioux City, IA 51102	Sioux City, IA 51102	Sioux City, IA 51111	Sioux City, IA 51111
	#213	#517	#213	#517
Trade In Machine	2008 John Deere 770D	2003 Caterpillar 140H	2008 John Deere 770D	2003 Caterpillar 140H
Brand Name & Model				
Purchase Price of Machine				
Less Trade				
Options:				
Push Blade (2)				
Net Price of Machine	\$ -	\$ -	\$ -	\$ -
Trade In Machine				
Brand Name & Model				
Purchase Price of Machine				
Less Trade				
Options:				
Push Blade (2)				
Net Price of Machine	\$ -	\$ -	\$ -	\$ -

ARTICLES OF AGREEMENT
for
WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM

WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014

WHEREAS, pursuant to the Workforce Innovation and Opportunity Act of July 2014 (WIOA), the State of Iowa has determined the counties of, Cherokee, Ida, Plymouth, Monona, and Woodbury and shall comprise Workforce Development Region 12; the counties of Audubon, Carroll, Crawford, Greene, Guthrie, and Sac shall comprise Workforce Development Region 8; and, the counties of Cass, Fremont, Harrison, Mills, Page, Pottawattamie, and Shelby shall comprise Workforce Development Region 13; and

WHEREAS, the counties of Audubon, Carroll, Cass, Cherokee, Crawford, Fremont, Greene, Guthrie, Harrison, Ida, Mills, Monona, Page, Plymouth, Pottawattamie, Sac, Shelby, and Woodbury desire to participate in and be a member of a new consolidated Workforce Development Area as designated by the Governor; and

WHEREAS, Chapter 28E of the Iowa Code allows units of local government to indicate their joint participation in the WIOA by executing a joint exercise of powers agreement in accordance with Chapter 28E and WIOA.

IT IS NOW THEREFORE AGREED, that the above-listed counties, hereinafter referred to as “Western Iowa Workforce Development Area,” hereby join together for the purpose of establishing a Chief Elected Official Board under the WIOA as follows:

Article 1. Purpose

The undersigned counties hereby establish a Chief Elected Official Board (CEO Board) pursuant to the revisions of Iowa Code Chapter 28E and to carry out the requirements of the WIOA.

Article 2. Duration

This Agreement shall be effective upon the approval of the Boards of Supervisors of each of the member counties and the filing of this Agreement with the Iowa Secretary of State. This Agreement shall continue until the WIOA is rescinded, the Area as currently designated is changed by the Governor, or upon the CEO Board amending or terminating this Agreement. This Agreement replaces any prior Workforce Development Regions 8, 12, and 13 Articles of Agreement filed with the Iowa Secretary of State.

Article 3. New Entity

No separate legal or administrative entity is being created because of this Agreement. Pursuant to Iowa Code Chapter 28E.6, the CEO Board shall be responsible for administering this agreement and joint undertaking.

Article 4. Organization and Administration

- A. A CEO Board of Eighteen (18) members is hereby created. Each county that is a signatory to this agreement shall appoint one (1) of its board members to this board and each member shall have one (1) vote on issues to come before the CEO Board.
- B. The CEO Board shall elect a Chief Lead Elected Official (CLEO), and one (1) or two (2) Vice-CLEOs by majority vote of the CEO Board and said officers shall be elected for one (1) year with each term expiring on December 31. The sole authority of the CLEO, different from any other board member, shall be to call, organize, conduct, and chair meetings of the Board. Otherwise, the CLEO shall have the same voting rights, duties, and responsibilities as any other board member.
- C. The CLEO shall act as duly authorized signatory for the CEO Board on all agreements, grants, or on any other document requiring a signature and duly approved by the CEO Board, in order to be legally binding. The CLEO will serve as the primary point of contact for IWD in the dissemination of information to the CEO Board. In the absence of the CLEO, a Vice CLEO may sign on behalf of the CEO Board and serve as the primary point of contact for the CEO Board.
- D. Conflict of Interest. Whenever a potential conflict of interest arises, either directly or indirectly, the Board members shall act to the benefit of the CEO Board and not their own interests. When any such situation occurs, the affected CEO Board member is required to disclose the possible conflict of interest. In such a situation, the CEO may participate in discussion but must abstain from voting.

Article 5. Meetings, Quorum, Voting, Open Meetings, and Open Records

- A. Meetings shall be called by the CLEO and held as needed at the discretion of the CLEO, but shall be held not less than semi-annually, or upon the written demand of 40% of the member counties. The place of the meeting shall be within the Area as determined by the CLEO and scheduled Monday through Friday.
- B. In-person meetings are preferred but telephonic meetings or electronic meetings may be called and held in CLEO's discretion due to inclement weather, pandemic or other disaster, or due to a timely matter that would better be served via a telephonic or electronic meeting.
- C. A quorum of three-fifths of the member counties is required to conduct a meeting.
- D. Voting on any matter or motion before the board shall be by simple majority of those members present at the meeting unless otherwise described herein. Proxy voting shall not be permitted. Each member county shall cast its own vote.
- E. Meetings and the records of the organization are open to the public subject to the Open Meetings and Open Records requirements and exceptions of the Code of Iowa. Notice of meetings and posting of agendas shall comply with State statute. Meetings, including electronic or telephonic meetings, shall be scheduled at place and time that permits the public to participate.
- F. The records of the organization that are public records shall be maintained by a County Auditor designated by the CEO Board and/or appointed professional staff to the board and shall be available to the public for inspection or copying during normal business hours.

Article 6. Financing

This joint cooperative undertaking is to be financed by the federal funds allocated to the Area under the WIOA and with funds that the CEO Board may apply for and receive on behalf of the Western Iowa Workforce Development Area.

Article 7. Powers and Duties

The roles and responsibilities of the CEO Board include:

- A. Providing input to the Governor on designation of local-workforce development areas.
- B. Securing nominations for vacancies on the Local Workforce Development Board (LWDB) in accordance with Section 84A.4(2) of the Code of Iowa, and making final selection for appointment.
- C. Accepting liability as described in Article 9 for any misuse of WIOA Title 1 funds expended under the contract. It is hereby acknowledged that any repayment of funds must be made from non-Federal fund sources.
- D. Serving as Local Grant Recipient under WIOA, including designating an entity to serve as sub-recipient (fiscal agent).
- E. In partnership with the Iowa Workforce Development, the CEO Board is responsible for:
 1. Allocating WIOA funds
 2. Developing reorganization plans for the LWDB if one is decertified.
 3. Certifying and operating local American Job Centers, including consultation regarding policies related to and funding of infrastructure costs.
- E. In partnership with the LWDB, the CEO Board is responsible for:
 1. Negotiating and reaching agreement with IWD on local performance standards for the WIOA program.
 2. Local budget approval.
 3. Maintaining a working relationship with staff at IWD for various topics.
 4. Appointing a Youth Advisory Council.
 5. Determining the role of the Coordinating Service Provider.
 6. Designating and certifying the Coordinating Service Provider.
 7. Developing a CEO Board/LWDB Agreement, outlining how the two boards will cooperate and collaborate in establishing and overseeing the Area's Workforce Development Center system.
 8. Selecting the WIOA Service Providers.
 9. Selecting the One Stop Operator(s).
 10. Developing and entering into a Memorandum of Understanding with the Workforce Development Center System Partners.
 11. Conducting oversight of the local WIOA adult, dislocated worker services, and youth programs and the Workforce Development Center system; evaluating service delivery to determine if local needs and priorities are being met; determining whether regional needs have changed and if so, whether a plan modification is necessary; ensuring quality improvement is on-going; and, ensuring that performance standards are met.
 12. Developing and submitting the Local Area Workforce Development Customer Service Plan based on the Local Area Assessment and Analysis.
- F. Any other activities later defined by Statute; authorized by State IWD, Federal Rule, or Regulation; or, agreed to by the CEO Board within the limits of their authority to so act.

Article 8. Local Workforce Development Board (LWDB)

Nominations and appointments for the LWDB shall be made in compliance with Iowa Code section 84A.4(2). A shared priority of all members of the CEO Board is to have a geographic mix of representation on the LWDB from as many counties as possible, within reason and in accordance with other board membership criteria. LWDB members may be removed by a majority vote of the CEO Board for good cause including but not limited to excessive absences, change in occupation, relocation outside the region, or violation of board policies. LWDB members will be appointed to staggered terms and may be reappointed to successive terms.

Article 9. Liability

By approval of this Agreement and the consummation of an agreement with the LWDB named above, each member county government jointly and separately accepts responsibility and liability for the operation of the WIOA Title 1 programs to the extent of the responsibilities assigned and agreed upon in any agreement between the CEO Board and local sub-recipient. Repayment of unallowable costs attributed to workforce programs administered through this agreement, as determined by audits conducted by the state or federal government, will first be collected from contractors responsible for payment of those unallowable costs before being assessed to members. In the event some or all of those costs are not able to be recaptured from responsible parties, member counties to this agreement will be assessed an appropriate share of those costs on a per-capita basis. Should it be determined by the CEO Board or by a judicial order that the misuse is attributable to one or more specific member counties, that county or those counties shall reimburse the other member counties and wholly restore them.

Article 10. Procurement

The CEO Board shall follow appropriate Federal Government procurement standards.

Article 11. Property

No property, real or personal, shall be acquired as a result of this Agreement.

Article 12. Fiscal Agent

The CEO Board shall designate a fiscal agent for Western Iowa Workforce Development Area. Initial and subsequent selections of a fiscal agent shall only be made after considering qualifications of the entity including capacity to and proven success with managing federal funds. The fiscal agent shall receive all funds, pay all claims, or make all disbursements after approval by the CEO Board. Said fiscal agent shall deposit and maintain such funds in accordance with federal and state laws and shall maintain a separate accounting for such funds. The fiscal agent shall make available at any time to any member county a complete accounting of funds managed for the CEO Board. The funds and disbursements shall be subject to annual audit in accordance with federal guidelines. Any irregularity in receipts, disbursements, or fund balances shall immediately be reported in writing to all members of the CEO Board. The fiscal agent shall provide an accounting at each regular meeting of the CEO Board of all receipts, disbursements, balances, any accounts receivable, as well as any accounts payable. The fiscal agent will ensure payments are proper and will perform other duties as directed by Iowa Workforce Development pertaining to monitoring and oversight as it relates to fiscal duties. The fiscal agent shall provide 90 days written notice to the CEO Board before discontinuing further

service and the CEO Board shall appoint a successor fiscal agent for the Area. Provisions of this Article may be altered by a majority vote of the CEO Board for operational necessity.

Article 13. Termination by Counties

A county may withdraw from this Agreement by resolution of their Board of Supervisors and by providing notice of said withdrawal to the CEO Board at least ninety (90) days prior to the beginning of the upcoming fiscal year.

Article 14. Amendments

The terms and provisions of this Agreement may be amended from time to time. Amendments must be proposed by the CEO Board for approval by each member county. Amendments will become incorporated into this Agreement when approved by 2/3 of the member counties of this Agreement.

