



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS (MARCH 7) (WEEK 10 OF 2023)

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Daniel A. Bittinger II
389-4405
dbittinger@woodburycountyiowa.gov

Mark Nelson
540-1259
mnelson@woodburycountyiowa.gov

Keith W. Radig
560-6542
kradig@woodburycountyiowa.gov

Jeremy 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 March 7, 2023 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. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

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

AGENDA

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

1. Approval of the agenda Action

Consent Agenda

Items 2 through 7 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.

2. Approval of the minutes of the February 28, 2023 meeting
3. Approval of claims
4. Board Administration – Karen James
 - a. Approval of resolution approving petition for suspension of taxes through the redemption process for C.V.
 - b. Approval of Kim Peterson to the Woodbury County Library Board Trustee to fulfill the rest of Alicia Sanders term that will expire June 2024

5. Deputy Commissioner of Elections – Steve Hofmeyer
 - a. Receive the appointment of Jeff Redmond to fill the vacant council seat for the City of Sloan
 - b. Receive the appointments of Jennifer Benson as the Grant Township clerk and Kevin Allman as a Grant Township trustee.

6. Human Resources – Melissa Thomas
 - a. Approval of Memorandum of Personnel Transactions
 - b. Authorization to Initiate Hiring Process

7. Board Administration – Dennis Butler
 - a. Approval of resolution fixing March 28, 2023 @ 4:40 p.m. for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$600,701 General Obligation Capital Loan Notes (ECP #1) of Woodbury County, State of Iowa (for essential County purposed), and providing for publication of notice thereof Action
 - b. Approval of resolution fixing March 28, 2023 @ 4:42 p.m. for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2) of Woodbury County, State of Iowa (for essential County purposed), and providing for publication of notice thereof Action
 - c. Approval of resolution fixing March 28, 2023, @ 4:44 p.m. for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$60,000 General Obligation Capital Loan Notes (ECP #3) of Woodbury County, State of Iowa (for essential County purposed), and providing for publication of notice thereof Action
 - d. Approval of resolution fixing March 28, 2023, @ 4:46 p.m. for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$276,330 General Obligation Capital Loan Notes (ECP #4) of Woodbury County, State of Iowa (for essential County purposed), and providing for publication of notice thereof Action
 - e. Approval of resolution fixing March 28, 2023, @ 4:48 p.m. for a meeting on the authorization of a loan agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (ECP #5) of Woodbury County, State of Iowa (for essential County purposed), and providing for publication of notice thereof Action

End Consent Agenda

8. Board Administration – Dennis Butler
 - Approval of Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C. Action

9. Planning/Zoning – Daniel Priestley
 - a. Receive final report-Zoning Commission recommendation to approve rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for Maxys Family Farm LLC and Brian and Bonnie Ivener Trust, 13.26-acres located on Parcel #874704300003 Action
 - b. Conduct public hearing on a Zoning Ordinance Map Amendment to rezone Parcel #874704300003 from AP to AE Action
 - c. Approve the first reading of the ordinance – Zoning Ordinance Map Amendment (Rezone) Action

- 4:42 p.m. (Set time)
 10. Board Administration – Dennis Butler
 - a. Public hearing on the FY 24 county maximum property tax dollars Action
 - b. Approval of resolution of FY 24 county maximum property tax dollars Action
 - c. Set the public hearing for the FY 24 proposed budget on March 28, 2023 at 4:50 p.m. Action

11. WCICC-IT – John Malloy
Approval to allow Building Services to remodel Room B07 to support the new LEC Data Center Migration Projects Action

12. Secondary Roads – Mark Nahra
Approve the plans for project number L-B(E66)—73-97 Action

13. Reports on Committee Meetings Information

14. Citizen Concerns Information

15. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

MON., MAR. 6	6:00 p.m.	Board of Adjustment meeting, First Floor Boardroom
TUE., MAR. 7	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
WED., MAR. 8	7:30 a.m.	SIMPCO Executive-Finance Committee, Hybrid
	8:05 a.m.	Woodbury County Information Communication Commission, First Floor Boardroom
	12:00 p.m.	District Board of Health Meeting, 1014 Nebraska St.
	6:30 p.m.	911 Service Board Meeting, Public Safety Center, Climbing Hill
	8:00 p.m.	County's Mayor Association Meeting, Public Safety Center, Climbing Hill
THU., MAR. 9	12:00 p.m.	SIMPCO Board of Directors Meeting, 1122 Pierce Street
	4:00 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
WED., MAR. 15	12:00 p.m.	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
	1:00 p.m.	Regional Workforce Development Meeting, 2508 4 th Street, Sioux City
THU., MAR. 16	4:00 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center
	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
FRI., MAR. 17	9:00 a.m.	Hungry Canyons Alliance Spring Quarterly Meeting, Atlantic, Iowa
	12:00 p.m.	Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
MON., MAR. 20	6:00 p.m.	Zoning Commission Meeting, First Floor Boardroom
TUE., MAR 21	2:00 p.m.	Decat Board Meeting, Western Hills AEA, Room F
WED., MAR 22	2:30 p.m.	Rolling Hills Community Services Region Governance Board Meeting
THU., MAR 23	10:00 a.m.	Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce St.
	11:15 a.m.	Western Iowa Community Improvement Regional Housing Trust Fund, Hybrid
	1:30 p.m.	SIMPCO Community and Economic Development, Hybrid
MON., APRIL 3	6:00 p.m.	Board of Adjustment meeting, First Floor Boardroom
WED., APRIL 5	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.

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.

FEBRUARY 28, 2023, EIGHTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, February 28, 2023, at 3:30 p.m. Board members present were Bittinger II, Nelson, Taylor, Ung, and Radig. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget and Finance Director, Loan Hensley, Assistant County Attorney, Melissa Thomas, Human Resources Director, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

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

1. Motion by Ung second by Taylor to approve the agenda for February 28, 2023. Carried 5-0. Copy filed.
Motion by Ung second by Radig to approve the following items by consent:
2. To approve minutes of the February 14, 2023 meeting. Copy filed.
3. To approve the claims totaling \$1,219,209.57. Copy filed.
4. To receive the appointment of Kim Boyle, 2323 Safford Ave., Correctionville, to Morgan Township Trustee, to fill a vacancy. Copy filed.
- 5a. To approve the property tax refund for Closing Siouxland for parcel #894710306014, 4004 Glen Oaks Blvd., in the amount of \$1878.00. Copy filed.
- 5b. To receive the County Treasurer's Semi-Annual Report period ending 12/31/22. Copy filed.
- 6a. To approve the appointment of Kraig Fulton, Sheriff Reserve Officer, County Sheriff Dept., effective 02-21-23, \$1.00/year. Per Iowa Code 80D.11; the separation of Edgar Rodriguez, Sheriff Reserve Officer, County Sheriff Dept., effective 02-21-23. Resignation.; the separation of Haley Hayworth, Clerk II, County Treasurer Dept., effective 03-06-23. Resignation.; the reclassification of Angel Chagolla, Sheriff Deputy, County Sheriff Dept., effective 03-06-23, \$30.86/hour, 16%=\$4.31/hour. Per CWA Deputy Sheriff Contract agreement, from Class 2 to Class 1.; the reclassification of Maxwell Stewart, Sheriff Deputy, County Sheriff Dept., effective 03-06-23, \$30.86/hour, 16%=\$4.13/hr. Per CWA Deputy Sheriff Contract agreement, from Class 2 to Class 1.; the reclassification of Luke Talbert, Sheriff Deputy, County Sheriff Dept., effective 03-06-23, \$30.86/hour, 16%=\$4.31/hr. Per CWA Deputy Sheriff Contract agreement, from Class 2 to Class 1.; the reclassification of Andrew Theisen, Sheriff Deputy, County Sheriff Dept., effective 03-06-23, \$30.86/hour, 16%=\$4.31/hr. Per CWA Deputy Sheriff Contract agreement, from Class 2 to Class 1.; the appointment of Matthew Christensen, Civilian Jailer, County Sheriff Dept., effective 03-13-23, \$23.33/hour. Job Vacancy Posted 2-8-23. Entry Level Salary: \$23.33/hour.; and the appointment of Dylan Ryder, Civilian Jailer, County Sheriff Dept., effective 03-13-23, \$23.33/hour. Job Vacancy Posted 2-08-23. Entry Level Salary: \$23.33/hour. Copy filed.
- 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Clerk II, County Treasurer Dept. AFSCME Courthouse: \$18.22/hour; (3) Temporary Engineering Aides, Secondary Roads Dept. Wage Plan: \$15.00-\$18.50/hour; and (5) Temporary Summer Laborers, Secondary Roads Dept. Wage Plan: \$14.00-\$16.00/hour. Copy filed.
7. To approve the underground utility permit for Long Lines. Copy filed.
- 8a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #894728102018, 1311 Grandview Blvd.

**RESOLUTION #13,550
NOTICE OF PROPERTY SALE**

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

Lot Nine (9) Block Seventy-nine (79) Sioux City East Addition, City of Sioux City, Woodbury County, Iowa (1311 Grandview Blvd.)

NOW THEREFORE,

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

1. That a public hearing on the aforesaid proposal shall be held on the **14th Day of March, 2023 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **14th Day of March, 2023**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$546.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 28th Day of February, 2023.
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 8b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894729402013, 210 ½ Main St.

RESOLUTION #13,551
NOTICE OF PROPERTY SALE

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

Irreg. Ely part NW of R/W 6.1 feet ex 68.8 feet x 51.3 feet x 85.8 feet, Lot 4 Block 17 Sioux City Addition to City of Sioux City, Woodbury County, Iowa (210 ½ Main Street)

NOW THEREFORE,

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

1. That a public hearing on the aforesaid proposal shall be held on the **14th Day of March, 2023 at 4:37 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **14th Day of March, 2023**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$100.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale"

and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 28th Day of February, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 8c. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894730254010, 315 Collins St.

**RESOLUTION #13,552
NOTICE OF PROPERTY SALE**

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

The South Fifty-Five feet of Lots One and Two and the South Fifty-Five feet of the East Fourteen feet of Lot Three in Block Nine, Hornicks 2nd Addition to Sioux City, Iowa, in the County of Woodbury County and State of Iowa (315 Collins Street)

NOW THEREFORE,

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

1. That a public hearing on the aforesaid proposal shall be held on the **14th Day of March, 2023 at 4:39 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **14th Day of March, 2023**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$349.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 28th Day of February, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Carried 5-0.

- 10. Presentation of resolution thanking and commending Darwin Hamann and his family for their positive contributions to our county was made. Copy filed.
- 9a. A public hearing was held at 3:35 p.m. for the sale of parcel #894729439007, 118 W. 3rd St. The Chairperson called on anyone wishing to be heard.

Motion by Ung second by Bittinger to close the public hearing. Carried 5-0.

Motion by Ung second by Taylor to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894729439007, 118 W. 3rd St., to West Third Partners LLC, 880 Bruner Ave., Sioux City, for \$1,500.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,553**

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

By West Third Partners LLC _____ in the sum of **One Thousand Five Hundred and 00/100 (\$1,500.00)**-----
-----dollars.

For the following described real estate, To Wit:

Parcel #894729439007

The East 28 feet of the West 85 feet of Lots 1 and 2 in Block 40 of Sioux City Addition, Woodbury County, Iowa (118 W. 3rd Street)

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 28th Day of February, 2023.
WOODBURY COUNTY BAORD OF SUPERVISORS
Copy filed.

9b. A public hearing was held at 3:37 p.m. for the sale of parcel #894729439001, 120 W. 3rd St. The Chairperson called on anyone wishing to be heard.

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

Motion by Ung second by Nelson to approve and authorize the Chairperson to sign a Resolution for the sale of the real estate parcel #894729439001, 120 W. 3rd St., to West Third Partners LLC, 880 Bruner Ave., Sioux City, for \$3,000.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,554**

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

By West Third Partners LLC _____ in the sum of **Three Thousand and 00/100 (\$3,000.00)**-----
-----dollars.

For the following described real estate, To Wit:

Parcel #894729439001

**The West 57 feet of Lot One (1) and the North 9 feet of the West 31 feet of Lot Two (2) and the North 3 feet of the East 26 feet of the West 57 feet of Lot Two (2) in Block Forty (40) of Sioux City Addition, County of Woodbury and State of Iowa
(120 W. 3rd Street)**

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

BE IT RESOLVED that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

BE IT RESOLVED that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

BE IT FURTHER RESOLVED that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

SO DATED this 28th Day of February, 2023.
WOODBURY COUNTY BAORD OF SUPERVISORS
Copy filed.

- 11. Motion by Taylor second by Ung to approve to include an additional 40% funding for a GIS Analyst position within WCICC-IT's FY2024 budget. Carried 4-1; Radig opposed. Copy filed.
- 12a. Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution committing of funds and project maintenance for Old Highway 75 road improvements. Carried 5-0.

**COMMITMENT OF FUNDS AND PROJECT MAINTENANCE
RESOLUTION
RESOLUTION #13,555**

WHEREAS: The Board of Supervisors is submitting application to the SRTPA RPA Surface Transportation Program for the following project in FY 2025, and

**County Hwy K45 – Old Highway 75
PCC Pavement Overlay**

NOW, THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors that County Engineer is directed to submit application for the above captioned project, that the Board of Supervisors will dedicate the local match funding for the project, and that Woodbury County will maintain the completed project for its intended public use for a minimum of 20 years following project completion.

Passed and approved this 28th day of February, 2023.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 12b. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution committing of funds and project maintenance for the Southbridge Interchange construction project. Carried 5-0.

**COMMITMENT OF FUNDS AND PROJECT MAINTENANCE
RESOLUTION
RESOLUTION #13,556**

WHEREAS: The Board of Supervisors is submitting application to the SRTPA RPA Surface Transportation Program for the following project in FY 2028, and

**Southbridge Interchange-Approach Roadways
Grading and PCC Pavement**

NOW, THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors that County Engineer is directed to submit application for the above captioned project, that the Board of Supervisors will dedicate the local match funding for the project, and that Woodbury County will maintain the completed project for its intended public use for a minimum of 20 years following project completion.

Passed and approved this 28th day of February, 2023.

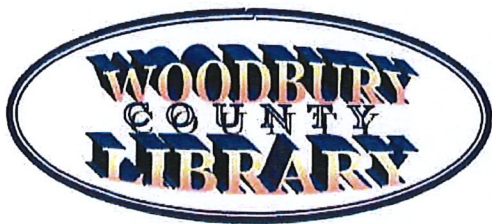
WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 12c. Motion by Taylor second by Radig to approve the project agreement with Iowa DOT and City of Pierson for project #BRS-6012(602)—60-97 for the Minnesota Avenue Bridge Replacement. Carried 5-0. Copy filed.
- 12d. Motion by Radig second by Ung to approve the staff recommendation to set the period for county bonds for the city-county agreement for Southbridge Interchange project at 10 years. Carried 5-0. Copy filed.
- 13. Motion by Radig second by Nelson to approve the bid of \$162,745 from ARPA funds for new radio replacements for Emergency Services and Conservation. Carried 5-0. Copy filed.
- 14. Motion by Taylor second by Radig to purchase of 5 vehicles in the amount of \$276,330.00 from ARPA funds. Carried 5-0. Copy filed.
- 15. No action was taken to approve a working group led by Supervisors Taylor and Nelson in bringing together several different representatives in order to bring back a recommendation to the BOS for RAGBRAI. Copy filed.
- 16. Motion by Taylor second by Bittinger to approve a letter to legislators and the Farm Bureau regarding Senate File 356. Carried 5-0. Copy filed.
- 17. Reports on committee meetings were heard.
- 18. There were no citizen concerns.
- 19. Board concerns were heard.
- 20. Information was presented regarding the FY 24 budget.

The Board adjourned the regular meeting until March 7, 2023.

Meeting sign in sheet. Copy filed.



- 825 Main Street
- P.O. Box 625
- Merville, Ia. 51039

MAR 2 2023 AM 10:55

Karen James
Administrative Coordinator
Woodbury County Board of Supervisors
Woodbury County Court House
620 Douglas Street
Room 104
Sioux City, Iowa, 51101

February 28, 2023

Dear Karen:

The Woodbury County Library Board would like to submit the following name to the Woodbury County Board of Supervisors, replacing Alicia Sanders (her term will expires June 2024) as a Woodbury County Library Board Trustee.
Kim Peterson would fullfill the rest of Alicia term.

1. Kim Peterson, 515 N. Pine St., Lawton, Iowa 51030
712-899-8277 dkpfamily@wiatel.net

Thank You, Karen for your services to the Woodbury County Library. I do appreciate your assistance and advice.

Sincerely,
Donna Chapman
Donna Chapman
Woodbury County Library Director

NOTICE OF APPOINTMENT TO FILL A VACANCY

TO: Patrick F. Gill, Woodbury County Auditor/Recorder & Commissioner of Elections

From: City of Sloan School/City/Township/
Dixie Iverson, Clerk Extension/Soil & Water
Secretary/Clerk
March 23, 2023 Date
February

This is to notify you and the Board of Supervisors of Woodbury County that the following person has been appointed until the next regular/general election:

For the office of Council
Name Jeff Redmond
Address 109 Buckley St.
City/Zip Sloan Ia 51055
Date of appointment March 23, 2023
February

This appointment is to fill the office previously held by:

Robert Copple, Council
(Name of previous official)

RETURN TO: Patrick F. Gill
Woodbury County Commissioner of Elections
620 Douglas St, Rm 103
Sioux City, IA 51101

PATRICK F. GILL
WOODBURY COUNTY
AUDITOR RECORDER
COMM OF ELECTIONS
2023 FEB 27 PM 1:55

Steve Hofmeyer

From: sloaniowaclerk@gmail.com
Sent: Monday, February 27, 2023 2:16 PM
To: Steve Hofmeyer
Subject: RE: Jeff Redmond appointment

CAUTION: This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.**

MY BAD....It was supposed to be February 23rd for both. I don't know why I put March 23rd on that form. Do you need an updated one or can you just change the date?

*Dixie Iverson, IaCMC
City of Sloan (pop. 1042)
428 Evans St
PO Box 1
Sloan IA 51055
PH: 712-428-3348
FAX: 712-428-4323
Email: sloaniowaclerk@gmail.com
Website: www.sloania.com*

From: Steve Hofmeyer <shofmeyer@woodburycountyiowa.gov>
Sent: Monday, February 27, 2023 2:10 PM
To: sloaniowaclerk@gmail.com
Subject: FW: Jeff Redmond appointment

Dixie,

I just wanted to check with you since the "Notice of Appointment to fill a vacancy" form I received from you today is dated March 23 and also the date of appointment is March 23, is this when the appointment is taking place? Or were these supposed to be February 23?

Please advise.

Steve Hofmeyer
Woodbury County
Deputy Commissioner of Elections
620 Douglas St., Room 103
Sioux City, IA 51101
Ph. (712) 279-6465
Fax (712) 279-6629

NOTICE OF APPOINTMENT TO FILL A VACANCY

TO: Patrick F. Gill, Woodbury County Auditor/Recorder & Commissioner of Elections

From: Chase Benson School/City/Township/
Grant Township Trustee Extension/Soil & Water
March 1 2023 Secretary/Clerk
Date

This is to notify you and the Board of Supervisors of Woodbury County that the following person has been appointed until the next regular/general election:

For the office of Clerk of Grant township
Name Jennifer Benson
Address 3263 230th Street
City/Zip Anthran, IA 51004
Date of appointment March 1, 2023

This appointment is to fill the office previously held by:

(Name of previous official)

RETURN TO: Patrick F. Gill
Woodbury County Commissioner of Elections
620 Douglas St, Rm 103
Sioux City, IA 51101

NOTICE OF APPOINTMENT TO FILL A VACANCY

TO: Patrick F. Gill, Woodbury County Auditor/Recorder & Commissioner of Elections

From: Chase Benson School/City/Township/
Grant Township Trustee Extension/Soil & Water
March 1 2023 Secretary/Clerk
Date

This is to notify you and the Board of Supervisors of Woodbury County that the following person has been appointed until the next regular/general election:

For the office of Trustee Grant Township
Name Kevin Allmar
Address 2620 Jewell Ave
City/Zip Oto, IA 51094
Date of appointment March 1 2023

This appointment is to fill the office previously held by:

(Name of previous official)

RETURN TO: Patrick F. Gill
Woodbury County Commissioner of Elections
620 Douglas St, Rm 103
Sioux City, IA 51101

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: March 7, 2023

*** PERSONNEL ACTION CODE:**

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

TO: WOODBURY COUNTY BOARD OF SUPERVISORS

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Blanchard, Lee	County Sheriff	3-06-23	Civilian Lieutenant	\$87,349.05/year \$3,235.15/ bi-weekly	17%=\$469.55 /bi-weekly	P	Promotion from Jail Sergeant to Civilian Lieutenant.
Vanderschaaf, Tristen	County Sheriff	3-06-23	Jail Sergeant	\$34.57/hour	29%=\$10.29/ hr	P	Promotion from Civilian Jailer to Jail Sergeant.
Gilreath, Jacob	Secondary Roads	3-13-23	P/T Civil/ Construction Engineer Intern	\$34.13/hour		A	Job Vacancy Posted 7-28-22. Entry Level Salary: \$69,334-\$73,000/year.
Schmitz, Kenneth	Building Services	3-20-23	Director	\$111,452.76/year \$4,127.88/ bi-weekly	3.8%= \$4,127.88/yr	R	Other.
Harlow, Todd	County Sheriff	3-20-23	Civilian Captain	\$106,735.12/year \$3,953.17/ bi-weekly	3.8%= \$3,953.17/yr	R	Other.
Thomas, Melissa	Human Resources	3-20-23	Director	\$101,769.23/year \$3,769.23/ bi-weekly	3.8%= \$3,769.23/yr	R	Other.
Hinrickson, Kelsey	County Treasurer	3-27-23	Clerk II	\$18.22/hour		A	Job Vacancy Posted 1-18-23. Entry Level Salary: \$18.22/hour.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas HR Director

HUMAN RESOURCES DEPARTMENT

WOODBURY COUNTY, IOWA

DATE: March 7, 2023

AUTHORIZATION TO INITIATE HIRING PROCESS

DEPARTMENT	POSITION	ENTRY LEVEL	APPROVED	DISAPPROVED
Secondary Roads	P/T Civil/Construction Engineer Intern	Wage Plan: \$34.13/hour		
County Sheriff	Jail Sergeant	CWA: \$34.57/hour		
County Sheriff	Civilian Jailer	CWA: \$23.33/hour		
County Sheriff	(2) Deputy Sheriff	CWA: \$26.55/hour		

Chairman, Board of Supervisors



Woodbury County Sheriff's Office

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

Chad Sheehan, SHERIFF

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

March 2, 2023

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 promote one (1) Civilian Sergeant position. We request this be placed on the agenda for Tuesday, March 7th, 2023, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Sheehan", with a long horizontal line extending to the right.

Chad Sheehan, Sheriff

CC: file



Woodbury County Sheriff's Office

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

Chad Sheehan, SHERIFF

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

March 2nd, 2023

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

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to begin the hiring process for one (1) Correctional Officer position, effective March 6th, 2023. We request this be placed on the agenda for Tuesday March 7th, 2023, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Sheehan", with a long horizontal flourish extending to the right.

Chad Sheehan, Sheriff

cc: file



Woodbury County Sheriff's Office

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

Chad Sheehan, SHERIFF

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

02 Mar 2023

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 hire for two Deputy Sheriff's positions. We request this be placed on the agenda for the Tuesday, March 7th 2023, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Wingert".

Chief Deputy Tony Wingert



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

March 2, 2023

Via E-Mail Only

Mr. Dennis Butler
Finance/Budget Director
Woodbury County Courthouse
620 Douglas Street, Room 104
Sioux City, Iowa 51101

Re: Woodbury County, State of Iowa
General Obligation Capital Loan Notes (ECP & GCP)

Dear Dennis:

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.)

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, **between March 8, 2023 and March 18, 2023**, 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)
Heather Satterwhite (via email)

ITEMS TO INCLUDE ON AGENDA FOR MARCH 7, 2023

WOODBURY COUNTY, IOWA

Not to Exceed \$600,701 General Obligation Capital Loan Notes (ECP #1)

- 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.

March 7, 2023

The Board of Supervisors of Woodbury County, State of Iowa, met in _____ session, in the Basement Boardroom, 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 \$600,701 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #1) 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 \$600,701 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #1) 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 (ECP #1), to the amount of not to exceed \$600,701, as authorized by Sections 331.402 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 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 (ECP #1), 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 Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$600,701 General Obligation Capital Loan Notes (ECP #1), for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing of the Courthouse including remodeling Room 210, software, hardware and other equipment; equipping the law enforcement center including software, hardware and other equipment; and erecting, equipping, remodeling or reconstructing the Siouxland District Health building.

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 (ECP #1), evidencing the County's obligations to a principal amount of not to exceed \$600,701, 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 between March 8, 2023 and March 18, 2023, inclusive)

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 \$600,701 GENERAL OBLIGATION CAPITAL LOAN
NOTES (ECP #1) 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 28th day of March, 2023, at _____ .M., in the Basement Boardroom, 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 \$600,701 General Obligation Capital Loan Notes (ECP #1), for essential county purposes, to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing of the Courthouse including remodeling Room 210, software, hardware and other equipment; equipping the law enforcement center including software, hardware and other equipment; and erecting, equipping, remodeling or reconstructing the Siouxland District Health building. 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 331.402 and 331.443 of the Code of Iowa.

Dated this _____ day of _____, 2023.

County Auditor, Woodbury County, State of
Iowa

(End of Notice)

PASSED AND APPROVED this 7th day of March, 2023.

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 _____, 2023.

 County Auditor, Woodbury County, State of
 Iowa

(SEAL)

ITEMS TO INCLUDE ON AGENDA FOR MARCH 7, 2023

WOODBURY COUNTY, IOWA

Not to Exceed \$662,969 General Obligation Capital Loan Notes (ECP #2)

- 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.

March 7, 2023

The Board of Supervisors of Woodbury County, State of Iowa, met in _____ session, in the Basement Boardroom, 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 \$662,969 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #2) 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 \$662,969 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #2) 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 (ECP #2), to the amount of not to exceed \$662,969, as authorized by Sections 331.402 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 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 (ECP #2), 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 Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2), for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the planning, acquisition, leasing, construction, reconstruction, extension, remodeling, improvement, repair, equipping, maintenance, and operation of works and facilities useful for the collection, treatment, and disposal of surface waters and streams including the 28th Street sewer project; and the construction, reconstruction, improvement, or repair of Elk Creek Road which is located along the corporate limits of a city and is partly within and partly without the limits and is in whole or part a secondary road and is also a capital project that assists in economic development which creates jobs and wealth.

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 \$662,969, 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 between March 8, 2023 and March 18, 2023, inclusive)

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 \$662,969 GENERAL OBLIGATION CAPITAL LOAN
NOTES (ECP #2) 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 28th day of March, 2023, at _____ .M., in the Basement Boardroom, 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 \$662,969 General Obligation Capital Loan Notes (ECP #2), for essential county purposes, to provide funds to pay the costs of the planning, acquisition, leasing, construction, reconstruction, extension, remodeling, improvement, repair, equipping, maintenance, and operation of works and facilities useful for the collection, treatment, and disposal of surface waters and streams including the 28th Street sewer project; and the construction, reconstruction, improvement, or repair of Elk Creek Road which is located along the corporate limits of a city and is partly within and partly without the limits and is in whole or part a secondary road and is also a capital project that assists in economic development which creates jobs and wealth. 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 331.402 and 331.443 of the Code of Iowa.

Dated this _____ day of _____, 2023.

County Auditor, Woodbury County, State of
Iowa

(End of Notice)

PASSED AND APPROVED this 7th day of March, 2023.

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 _____, 2023.

County Auditor, Woodbury County, State of Iowa

(SEAL)

ITEMS TO INCLUDE ON AGENDA FOR MARCH 7, 2023

WOODBURY COUNTY, IOWA

Not to Exceed \$60,000 General Obligation Capital Loan Notes (GCP#3)

- 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.

March 7, 2023

The Board of Supervisors of Woodbury County, State of Iowa, met in _____ session, in the Basement Boardroom, 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 \$60,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP#3) 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 \$60,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP#3) 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 (GCP#3), to the amount of not to exceed \$60,000, as authorized by Sections 331.402 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 Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$60,000 General Obligation Capital Loan Notes (GCP#3), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition and equipping a vehicle for emergency services 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 \$60,000, 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 between March 8, 2023 and March 18, 2023, inclusive)

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 \$60,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES (GCP#3) 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 28th day of March, 2023, at _____ .M., in the Basement Boardroom, 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 \$60,000 General Obligation Capital Loan Notes (GCP#3), 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 and equipping a vehicle for emergency services which is necessary for the operation of the county or the health and welfare of its citizens. 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 331.402 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 331.402 and 331.442 of the Code of Iowa.

Dated this _____ day of _____, 2023.

County Auditor, Woodbury County, State of
Iowa

(End of Notice)

PASSED AND APPROVED this 7th day of March, 2023.

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 _____, 2023.

County Auditor, Woodbury County, State of Iowa

(SEAL)

ITEMS TO INCLUDE ON AGENDA FOR MARCH 7, 2023

WOODBURY COUNTY, IOWA

Not to Exceed \$276,330 General Obligation Capital Loan Notes (GCP #4)

- 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.

March 7, 2023

The Board of Supervisors of Woodbury County, State of Iowa, met in _____ session, in the Basement Boardroom, 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 \$276,330 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #4) 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 \$276,330 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #4) 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 (GCP #4), to the amount of not to exceed \$276,330, as authorized by Sections 331.402 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 Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$276,330 General Obligation Capital Loan Notes (GCP #4), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition and equipping of sheriff's vehicles which are 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 \$276,330, 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 between March 8, 2023 and March 18, 2023, inclusive)

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 \$276,330 GENERAL OBLIGATION CAPITAL LOAN
NOTES (GCP #4) 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 28th day of March, 2023, at _____ .M., in the Basement Boardroom, 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 \$276,330 General Obligation Capital Loan Notes (GCP #4), 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 and equipping of sheriff's vehicles which are necessary for the operation of the county or the health and welfare of its citizens. 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 331.402 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 331.402 and 331.442 of the Code of Iowa.

Dated this _____ day of _____, 2023.

County Auditor, Woodbury County, State of
Iowa

(End of Notice)

PASSED AND APPROVED this 7th day of March, 2023.

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 _____, 2023.

County Auditor, Woodbury County, State of Iowa

(SEAL)

ITEMS TO INCLUDE ON AGENDA FOR MARCH 7, 2023

WOODBURY COUNTY, IOWA

Not to Exceed \$300,000 General Obligation Capital Loan Notes (GCP #5)

- 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.

March 7, 2023

The Board of Supervisors of Woodbury County, State of Iowa, met in _____ session, in the Basement Boardroom, 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 \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #5) 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 \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #5) 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 \$300,000, as authorized by Sections 331.402 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 Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at _____ .M., on the 28th day of March, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (GCP #5), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition and equipping of the sheriff's department including body cameras and tasers which are 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 (GCP #5), evidencing the County's obligations to a principal amount of not to exceed \$300,000, 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 between March 8, 2023 and March 18, 2023, inclusive)

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 \$300,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES (GCP #5) 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 28th day of March, 2023, at _____ .M., in the Basement Boardroom, 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 \$300,000 General Obligation Capital Loan Notes (GCP #5), 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 and equipping of the sheriff's department including body cameras and tasers which are necessary for the operation of the county or the health and welfare of its citizens. 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 331.402 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 331.402 and 331.442 of the Code of Iowa.

Dated this _____ day of _____, 2023.

County Auditor, Woodbury County, State of
Iowa

(End of Notice)

PASSED AND APPROVED this 7th day of March, 2023.

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 _____, 2023.

County Auditor, Woodbury County, State of Iowa

(SEAL)

March 2, 2023

Sent via Email

Mr. Dennis Butler
Finance/Budget Director
Woodbury County Courthouse
620 Douglas Street, Room 104
Sioux City, Iowa 51101

RE: Woodbury County, Iowa – Bond Counsel Engagement Agreement
General Obligation Capital Loan Notes, Series 2023A (ECP & GCP)

Dear Board of Supervisors:

The purpose of this Engagement Agreement (the "Agreement") is to disclose and memorialize the terms and conditions under which services will be rendered by Ahlers & Cooney, P.C. as bond counsel to Woodbury County, Iowa (the "County" or "Issuer") in connection with the above-referenced issuance (the "Bonds"). While additional members of our firm may be involved in representing the Issuer on other matters unrelated to the Bonds, this Agreement relates to the agreed-upon scope of bond counsel services described herein (the "Services").

A. SCOPE OF SERVICES -- *Bond Counsel*

As Bond Counsel, we will represent the County and cooperate with the following persons and firms: the underwriters or other bond purchasers who purchase the Bonds from the County (all of whom are referred to as the "Bond Purchasers"), counsel for the Bond Purchasers, the Municipal Advisor, trustee, paying agent and bond registrar and their designated counsel (you and all of the foregoing persons or firms collectively, the "Participants"). We intend to undertake each of the following as are necessary:

1. Review relevant Iowa law, including pending legislation and other recent developments, relating to the legal status and powers of the County or otherwise relating to the issuance of the Bonds.
2. Obtain information about the Bond transaction and the nature of use of the facilities or purposes to be financed (the "Project").
3. Review the proposed timetable and consult with the Participants as to the issuance of the Bonds in accordance with the timetable.
4. Consider issues arising under the Internal Revenue Code of 1986, as amended, and applicable tax regulations and other sources of law relating to the issuance of the Bonds on a tax-exempt basis; these issues include, without limitation, ownership and use of the project, use and investment of Bond proceeds prior to expenditure and security provisions or credit enhancement relating to the Bonds.

5. Prepare or review major Bond documents, including tax compliance certificates, review the bond purchase agreement, if applicable, and, at your request, draft descriptions of the documents which we have drafted. As Bond Counsel, we assist you in reviewing only those portions of an official statement or any other disclosure document to be disseminated in connection with the sale of the Bonds involving the description of the Bonds, the security for the Bonds (excluding forecasts, projections, estimates or any other financial or economic information in connection therewith), the description of the federal tax exemption of interest on the Bonds and the "bank-qualified" status of the Bonds.
6. Prepare or review all pertinent proceedings to be considered by the governing body of the County; confirm that the necessary quorum, meeting and notice requirements are contained in the proceedings and draft pertinent excerpts of minutes of the meetings relating to the financing.
7. Attend or host such drafting sessions and other conferences as may be necessary, including a preclosing, if needed, and closing; and prepare and coordinate the distribution and execution of closing documents and certificates, opinions and document transcripts.
8. Render our legal opinion regarding the validity of the Bonds, the sources of payment for the Bonds and the federal income tax treatment of interest on the Bonds, which opinion (the "Bond Opinion") will be delivered in written form on the date the Bonds are exchanged for their purchase price (the "Closing"). The Bond Opinion will be based on facts and law existing as of its date. Please note that our opinion represents our legal judgment based upon our review of the law and the facts so supplied to us that we deem relevant and is not a guarantee of a result.
9. Subsequent to the Closing, we will prepare and provide the Participants a bond transcript pertaining to the Bonds and make certain the appropriate Federal Information Reporting Form 8038 is filed for each series.

B. LIMITATIONS

The duties covered by this Agreement are limited to those expressly set forth above. Our fee *does not* include the following services, or any other matter not required to render our Bond Opinion:

1. Preparing requests for tax rulings from the Internal Revenue Service, or "no action" letters from the Securities and Exchange Commission.
2. Drafting state constitutional or legislative amendments.
3. Pursuing test cases or other litigation, such as contested validation proceedings.
4. Representing the Issuer in Internal Revenue Service examinations or inquiries, or Securities and Exchange Commission investigations.
5. After Closing, providing continuing advice to the Issuer or any other party concerning actions necessary to assure that interest paid on the Bonds will continue to be excludable from gross income for federal income tax purposes (e.g. this Bond Counsel engagement for the Bonds does not include rebate calculations, nor continuing post-issuance compliance activities).
6. Opining on a continuing disclosure undertaking pertaining to the Bonds and, after the execution and delivery of the Bonds, providing advice concerning any actions necessary to assure compliance with any continuing disclosure requirements.

7. After Closing, providing continuing advice to the Issuer or any other party concerning disclosure issues or questions that relate to the Bonds, (e.g., questions regarding actions necessary to assure fulfillment of continuing disclosure responsibilities).
8. Undertake responsibility as disclosure counsel engaged as recognized counsel specially experienced in Iowa law and federal law relating to disclosure requirements that pertain to governmental debt obligations, whose primary responsibility will be to render objective written advice with respect to the Issuer's issuance of Bonds and its compliance with applicable rules promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

We will provide one or more of the services listed in subsections (1)–(8) of this Section B upon your request, however, a separate, written engagement or request for services will be required before we assume one or more of these duties. The remaining services in this list, specifically those listed in subsections (9)–(14) of this Section B below, are not included in this Agreement, nor will they be provided by us at any time.

9. Providing any advice, opinion or representation as to the financial feasibility or the fiscal prudence of issuing the Bonds, the financial condition of the Issuer, or to any other aspect of the financing, such as the proposed financing structure, use of a financial advisor, or the investment of proceeds of the Bonds.
10. Independently establishing the veracity of certifications and representations of the County or the other Participants.
11. Acting as an underwriter, or otherwise marketing the Bonds.
12. Acting in a financial advisory role.
13. Preparing blue sky or investment surveys with respect to the Bonds.
14. Making an investigation or expressing any view as to the creditworthiness of the Issuer or of the Bonds.

C. ATTORNEY-CLIENT RELATIONSHIP; OTHER REPRESENTATIONS

Upon execution of this Agreement and upon notification by the Issuer that our Bond Counsel services are requested with regard to a specific issue of Bonds, the Issuer will be our client and an attorney-client relationship will exist between us with respect to the issuance of the Bonds. We assume that all other parties will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction. We further assume that all parties understand that in this transaction we represent only the Issuer, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services are limited to those contracted for in this Agreement; the Issuer's execution of this Agreement will constitute an acknowledgement of those limitations. Our representation of the Issuer will not affect, however, our responsibility to render an objective Bond Opinion.

Our representation of the Issuer and the attorney-client relationship created by this Agreement with respect to a series of Bonds will be concluded upon issuance of such Bonds. Nevertheless, subsequent to Closing, we will mail the appropriate completed Internal Revenue Service Form 8038 and prepare and distribute to the Participants a transcript of the proceedings pertaining to the Bonds.

As you are aware, our firm represents many political subdivisions, companies and individuals. It

is possible that during the time that we are representing the Issuer, one or more of our present or future clients will have transactions with the Issuer. We do not believe such representation, if it occurs, will adversely affect our ability to represent you as provided in this Agreement, either because such matters will be sufficiently different from the issuance of the Bonds so as to make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Bonds. We will decline to participate in any matter where the interests of our clients, including the Issuer, may differ to the point where separate representation is advisable. The firm historically has arranged its practice to hold such occasions to a minimum, and intends to continue doing so. Execution of this Agreement will signify the Issuer's consent to our representation of others consistent with the circumstances described in this paragraph.

D. OTHER TERMS OF THE ENGAGEMENT; CERTAIN OF YOUR UNDERTAKINGS

Please note our understanding with respect to this Agreement and your role in connection with the issuance of the Bonds:

1. In rendering the Bond Opinion and in performing any other Services hereunder, we will rely upon the certified proceedings and other certifications you and other persons furnish us. Other than as we may determine as appropriate to rendering the Bond Opinion, we are not engaged and will not provide services intended to verify the truth or accuracy of these proceedings or certifications. Except by request, we do not ordinarily attend meetings of the governing body of the County at which proceedings related to the Bonds are discussed or passed unless special circumstances require our attendance.
2. The factual representations contained in those documents which are prepared by us, and the factual representations which may also be contained in any other documents that are furnished to us by you are essential for and provide the basis for our conclusions that there is compliance with State law requirements for the issue and sale of valid bonds and with the Federal tax law for the tax exemption of interest paid on the Bonds. Accordingly, it is important for you to read and understand the documents we provide to you because you will be confirming the truth, accuracy and completeness of matters contained in those documents at the issuance of the Bonds.
3. If the documents contain incorrect or incomplete factual statements, you must call those to our attention. We are always happy to discuss the content or meaning of the transaction documents with you. Any untruth, inaccuracy or incompleteness may have adverse consequences affecting either the tax exemption of interest paid on the Bonds or the adequacy of disclosures made in the Official Statement under the State and Federal securities laws, with resulting potential liability for you. During the course of this engagement, we will further assume and rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and their security. We understand that you will cooperate with us in this regard.
4. You should carefully review all of the representations you are making in the transaction documents. We are available and encourage you to consult with us for explanations as to what is intended in these documents. To the extent the facts and representations stated in the documents we provide to you appear reasonable to us, and are not corrected by you, we are then relying upon your signed certifications for their truth, accuracy and completeness.
5. Issuing the Bonds as "securities" under State and Federal securities laws and on a tax-exempt basis is a serious undertaking. As the issuer of the Bonds, the County is obligated under the State and Federal securities laws and the Federal tax laws to disclose all material facts. The County's lawyers, financial advisors and bankers can assist the County in fulfilling these duties, but the

County in its corporate capacity, including your knowledge, has the collective knowledge of the facts pertinent to the transaction and the ultimate responsibility for the presentation and disclosure of the relevant information. Further, there are complicated Federal tax rules applicable to the Bonds. The IRS has an active program to audit such transactions. The documents we prepare are designed so that the Bonds will comply with the applicable rules, but this means you must fully understand the documents, including the representations and the covenants relating to the continuing compliance with the federal tax requirements. Accordingly, we want you to ask questions about anything in the documents that is unclear.

6. As noted, the members of the governing body of the County also have duties under the State and Federal Securities and tax laws with respect to these matters and should be knowledgeable as to the underlying factual basis for the bond issue size, use of proceeds and related matters.

E. FEES

1. It is our practice to bill our fees as Bond Counsel on a transactional basis instead of hourly. Factors which affect our billing include: (a) the amount of the issuance; (b) an estimate of the time necessary to do the work; (c) the complexity of the issue (number of parties, timetable, type of financing, legal issues and so forth); (d) recognition of the partially contingent nature of our fee, since it is customary that in the case no financing is ever completed, we render a greatly reduced statement of charges; and (e) a recognition that we carry the time for services rendered on our books until a financing is completed, rather than billing monthly or quarterly.
2. We estimate that our fee for Bond Counsel services will not exceed \$10,900. If, at any time, we believe that circumstances require an adjustment of our original fee estimate(s), we will advise you of such requirement. Such adjustment might be necessary in the event: (a) the principal amount of Bonds actually issued differs significantly from the amount anticipated at the time we initially estimated our fee(s); (b) material changes in the structure or schedule of the financing occur; or (c) unusual or unforeseen circumstances arise which require a significant increase or decrease in our time or responsibility, such as personal attendance at meetings, significant travel, or unexpected revision of the issuance documents at the request of the Issuer, any agent acting on your behalf (such as a financial advisor), the purchaser, a bond insurer, other counsel providing services with respect to issuance of a particular issuance of obligations.
3. In addition to our flat fees, we will charge a flat amount for any incidental costs incurred (copies, overnight charges, bond printing, travel reimbursement, deliveries, etc.). We estimate that such charges will not exceed \$750. We will contact you prior to incurring expenses that exceed this amount.
4. The delivery of written advice, or opinions beyond the Bond Opinion, to third parties at the request of the Issuer with respect to a series of Bonds shall be subject to a separate opinion charge in an amount established at the time of the request.

F. BILLING MATTERS:

We will submit a summary invoice for the professional services described herein after Closing. In the event of a substantial delay in completing the financing, we reserve the right to present an interim statement for payment. Unless other arrangements have been agreed upon in advance, we anticipate our statements to be paid in full within thirty (30) days of receipt.

If, for any reason, the financing represented by an issue of Bonds is not consummated or is completed without the delivery of our Bond Opinion, or our services are otherwise terminated, we will

expect to be compensated at our normal hourly rates¹, plus incidental costs, as described above (not to exceed the fee we would have received if we had rendered our Bond Opinion).

G. RISK OF AUDIT BY THE INTERNAL REVENUE SERVICE (IRS)

The IRS has an ongoing program of auditing tax-exempt obligations to determine whether, in the view of the IRS, interest on such tax-exempt obligations is excludable from gross income of the owners for federal income tax purposes. We can give no assurances as to whether the IRS might commence an audit of the Bonds or whether, in the event of an audit, the IRS would agree with our opinions. If an audit were to be commenced, the IRS may treat the County as the taxpayer for purposes of the examination. As noted above, the scope of our representation does not include responding to such an audit. However, if we were separately engaged at the time, and subject to the applicable rules of professional conduct, we may be able to represent the County in the matter.

H. RECORDS

1. At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retained by us after the termination of this Agreement. It is our practice to retain transcripts for each financing for at least the life of the Bonds. We may store some or all client file materials in a digital format. In the process of digitizing such documents, any original paper documents provided by you will be returned to you. Any copies of paper documents provided by you will not be returned to you unless you request such copies in writing. You will be notified prior to destruction of our file, and will have the option to request them, should you desire.
2. In the interest of facilitating our services to you, we may send documents, information or data electronically or via the Internet or store electronic documents or data via computer software applications hosted remotely or utilize cloud-based storage. Your confidential electronic documents or data may be transmitted or stored using these methods. We may use third party service providers to store or transmit these documents or data. In using these electronic communication and storage methods, we employ reasonable efforts to keep such communications, documents and data secure in accordance with our obligations under applicable laws, regulations, and professional standards; however, you recognize and accept that we have no control over the unauthorized interception or breach of any communications, documents or data once it has been transmitted or if it has been subject to unauthorized access while stored, notwithstanding all reasonable security measures employed by us or by our third party vendors. By your acceptance of this letter, you consent to our use of these electronic devices and applications and submission of confidential client information to or through third party service providers during this engagement.

1. The firm reviews hourly rates on an annual basis, and reserves the right to implement rate adjustments. If implemented in any particular year, adjustments generally become effective on January 1. Accordingly, our work on this matter will be billed at the hourly rate in effect at the time services are performed. Our current (2023) hourly rates are as follows:

- a. Attorneys: \$200-\$495/hour (for reference purposes, the undersigned's hourly rate as of 01/01/23 is \$350/hour).
- b. Legal Assistants: \$135/hour.

I. OTHER ADVICE

1. If requested, we will maintain one or more separate accounts for periodic services rendered to the Issuer in connection with other matters unrelated to any particular Bond financing. Such services may involve the rendering of advice, opinions or other assistance in connection with such issues including, but not limited to (a) financing alternatives in connection with a particular project, (b) compliance with lending programs, (c) the impact of specified actions on tax-exempt status of outstanding Bonds, (d) interpretation and/or required actions with regard to other "financial obligations" under a continuing disclosure certificate, or (e) other matters the Issuer may seek advice or guidance upon. Billings for such separate services will be based on our standard hourly rate of the individual attorney at the time of performing such separate services.

Please carefully review the terms and conditions of this Agreement. ***If the above correctly reflects our mutual understanding, please so indicate by returning a signed and dated copy of this Agreement, retaining an original for your file as well.***

If you have questions regarding any aspect of the above or our representation as Bond Counsel, please do not hesitate to contact me.

Very truly yours,



Jason L. Comisky
FOR THE FIRM

JLC:ks

cc: Karen James (via email)

Accepted:
Woodbury County, Iowa

By: _____ Date: _____

*Approved by action of the governing body on _____, 2023.

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

Date: 3/1/23

Weekly Agenda Date: 3/7/23 4:42

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Daniel Priestley, CED Zoning Co

WORDING FOR AGENDA ITEM:

a. Receive final report-Zoning Commission recommendation to approve Rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for Maxys Family Farm LLC & Brian & Bonnie Ivener Trust 13.26-acres located on Parcel #874704300003. b. Conduct Public Hearing on the Zoning Ordinance Map Amendment (Rezone) from AP to AE. c. Approve the 1st Reading of the Ordinance (Rezone)

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing at 4:42 PM to discuss a proposed Zoning Ordinance Map Amendment to rezone Maxys Family Farm LLC & Brian & Bonnie Ivener Trust, LLC's 13.26-acre property located on Parcel #874704300003, SW1/4 SW1/4, T87N R47W, Section 4 (Liberty Township) from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust has filed an application for a zoning ordinance map amendment (rezone) on the property (Parcel #874704300003) as referenced above from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the purpose of establishing six residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journal Legals Section on February 11, 2023 for the Zoning Commission's public hearing and on March 2, 2023 for the Board of Supervisors' public hearings. The neighbors within 1000 FT have been duly notified via a February 10, 2023 letter about the February 27, 2023 Zoning Commission public hearing and have been requested to comment. As of February 22, 2023, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Hara (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Following the February 27, 2023 public hearing at the Woodbury County Zoning Commission, the Zoning Commissioners voted 3-0 to recommend approval to the Board of Supervisors, the Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District on the portion of Parcel #874704300003 as proposed. Staff also recommends approval.

FINANCIAL IMPACT:

0

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

Yes No

RECOMMENDATION:

Receive final report and Zoning Commission recommendation from their 2/27/23 meeting.

Open and close the public hearing. (Set Time: 4:42 PM)

Conduct and approve the first reading of the Zoning Ordinance Map Amendment (Rezone).

The 2nd and 3rd public hearings and readings of the ordinance have been scheduled for Tuesday, 3/14/23 at 4:42 PM, and Tuesday, 3/21/23 at 4:42 PM, respectively.

ACTION REQUIRED / PROPOSED MOTION:

a. Receive final report-Zoning Commission recommendation to approve rezone from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for Maxys Family Farm LLC & Brian & Bonnie Ivener Trust, 13.26-acres located on Parcel #874704300003.

b. Conduct Public Hearing on a Zoning Ordinance Map Amendment to rezone Parcel #874704300003 from AP to AE. (Set Time: 4:42 PM)

c. Motion to Approve the 1st Reading of the Ordinance - Zoning Ordinance Map Amendment (Rezone).

Minutes - Woodbury County Zoning Commission Meeting – February 27, 2023

The Zoning Commission (ZC) meeting convened on the 27th of February at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Tom Bride, Corey Meister, Jeff O'Tool
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Dolf Ivener, Dan Bittinger

Call to Order

Vice Chair Tom Bride formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

None.

Approval of Previous Meeting Minutes – November 28, 2022

Motion by O'Tool to approve the minutes. Second: Meister. Motion approved 3-0.

Election of Chair of Zoning Commission for 2023

O'Tool nominated and motioned for Chris Zellmer Zant to serve as Chair. Second by Meister. Motion approved 3-0.

Election of Vice Chair of Zoning Commission for 2023

Meister nominated and motioned for Tom Bride to serve as Vice-Chair. Second by O'Tool. Motion approved 3-0.

Public Hearing: Barker Addition, Minor Subdivision Proposal on Parcel #874704300003

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed for a six (6) lot minor subdivision. The proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) from the Agricultural Perseveration (AP) Zoning District to the Agricultural Estates (AE) Zoning District. Both proposals have been properly noticed in the Sioux City Journal Legals Section on February 11, 2023. The neighbors within 1000 FT have been duly notified via a February 10, 2023, letter about the February 27, 2023, Zoning Commission Public Hearing. Appropriate stakeholders have been notified and requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review was waived by the City of Sergeant Bluff with the adoption of Resolution 23-01 on January 10, 2023. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval with the condition that the property owner sign pavement agreements for any future paving along Barker Avenue and 230th Street. The surveyor addressed the County Engineer's concerns regarding a typographical error on the plat. The change has been made and highlighted. Dolf Ivener stated one lot is in the path of a proposed future pipeline. Siouxland District Health will be involved with the placement of wells and septic systems and will require special systems if they are to be located in any floodplain area. The draft future floodplain map which will come out in approximately June 2024 shows the area will likely be removed from the floodplain. The Woodbury County Treasurer shows taxes due for the parcel; the final plat can't be recorder until taxes are paid. Ivener will bring them up to date. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 3-0. Motion to approve by O'Tool to recommend approval of the Barker Addition to Board of Supervisor's with condition a pavement agreement be signed for future grading and hard surfacing of Barker Avenue and 230th Street. Second: Meister. Motion approved 3-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezone) from AP to AE Proposal – Portion of Parcel #874704300003

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed an application for a zoning ordinance map amendment (rezone) on property currently zoned Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the propose of establishing six residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journals Legals Section on February 11, 2023. The neighbors within 1000 FT have been notified via a February 10, 2023, letter about the February 27, 2023, Zoning Commission public hearing and have been requested to comment. As of February 22, 2023, no comments or inquiries have been received. Appropriate stakeholders including government agencies, utilities and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the AE Zoning District. O'Tool inquired about the Corn Suitability Rating as part of the rezone consideration process. Priestley indicated that this is one of the several criteria for consideration of the rezone based on the general plan. The future land use map of the development plan is the key criteria for classifying rezones. Motion to close the public hearing Meister. Second: O'Tool. Motion approved 3-0. Motion to recommend acceptance and approval of the

zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estate (AE) Zoning District to the Woodbury County Board of Supervisors by Meister. Second O'Tool. Motion approved 3-0.

Information/Discussion: Woodbury County Comprehensive Plan 2040 Update

SIMPSCO is in the process of putting together the 2040 Plan, Zoning Commission Chair Chris Zeller Zan is part of the SIMPSCO steering committee for this process. The comprehensive plan is an ongoing process to identify goals for future land use and expansion for business, residential and commercial areas within the county. Cities within the county also have their own comprehensive plans, the goal is to work in harmony to present a plan that works together with the cities and rural areas. When completed, the plan will be presented to Zoning Commission and the Board of Supervisors along with be public meetings for input.

Information/Discussion: The New woodburycountyiowa.gov Website

Priestley offered information about the new Woodbury County website. Content on the website was discussed including the ability to sign up for notifications about public meetings.

Public Comment on Matters Not on the Agenda

Bride inquired about the city's ability to exercise zoning within 2 miles of their corporate boundaries. Priestley discussed exterritorial review under subdivisions and noted that Iowa Code has subdividing and county zoning in separate chapters with separate parameters. City's have the authority under Iowa Code to place regulations on properties through subdivisions. In Woodbury County, the county regulates zoning outside of the corporate limits.

Staff Update

Priestley stated that the Board of Supervisors formally received the Zoning Commission's recommendation and final report on the draft pipeline ordinance (December 6, 2022).

Adjourn

Motion by O'Tool. Second: Meister. 3-0. The meeting adjourned at 7:08 PM.



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:		Applicant Information:	
Owner	<u>Maxys Family Farm LLC</u>	Applicant	<u>Dolf Ivener</u>
Address	<u>3701 Cheyenne Blvd</u> <u>Sioux City, IA 51104</u>	Address	<u>3400 Talbot Rd</u> <u>Sioux City, IA 51103</u>
Phone	<u>712-251-9967</u>	Phone	<u>712-251-9967</u>

Engineer/Surveyor Justin Jensen Phone 515-450-9199

Property Information:

Property Address or Address Range Sergeant Bluff, IA 51054 proposed legal desc. attached

Quarter/Quarter SW 1/4 SW 1/4 Sec 4 Twshp/Range 87-47

Parcel ID # 874704300003 or GIS # _____ Total Acres 13.26

Current Use AGRICULTURE Proposed Use RESIDENTIAL

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 66.26 CSR2

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date _____ Staff present _____

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner *Dolf Ivener* Applicant *Dolf Ivener*

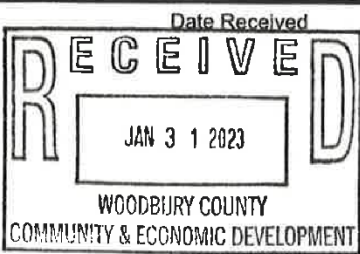
Date _____ Date _____

Fee: **\$400** Case #: 6833

Check #: 84084

Receipt #: _____

*Maxys Family Farm LLC
Brian and Bonnie Ivener Trust*



MEMBER RESOLUTION
MAXYS FAMILY FARM, L.L.C.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the undersigned, being all the members of Maxys Family Farm, L.L.C., an Iowa limited liability company (the "Company") authorize member Dolf A. Ivener ("Dolf") to execute and deliver the plat of Barker Addition, Woodbury County, Iowa, ("Barker Subdivision") to the Woodbury County Recorder's Office. Said Barker Subdivision is a subdivision of the following legally described real estate:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION FOUR (4), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


THE SOUTH ONE THOUSAND TWO HUNDRED THIRTY-THREE FEET (1,233.00') OF THE WEST FOUR HUNDRED SIXTY-NINE FEET (469.00') OF SECTION FOUR, TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST.

DESCRIBED PARCEL CONTAINS 13.27 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT-OF-WAY.

FURTHER RESOLVED, that Dolf is hereby fully authorized for and on behalf of the Company to take any and all such action as he shall deem appropriate with regard to the establishment of Barker Subdivision, including but not limited to executing and delivering other documents and instruments from time to time.

The foregoing Resolution was approved on December 12, 2022, at a duly convened meeting of the Members of the Company. This Resolution may be executed in multiple counterparts, each of which shall be considered an original copy of the Resolution.

MEMBERS


Dolf A. Ivener


Sara-Lesa Ivener


Gina R. Bernstein

ORDINANCE NO. ____

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this ____ day of _____, 2023.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Matthew Ung, Chairman

Jeremy Taylor, Vice Chairman

Daniel Bittinger

Mark Nelson

Keith Radig

Attest:

Patrick Gill, Woodbury County Auditor

Adoption Timeline: Public Hearing and 1st Reading: Public Hearing and 2nd Reading: Public Hearing and 3rd Reading: Adopted: Effective:
--

ITEM ONE (1)

Property Owner(s): Maxys Family Farm, L.L.C., 3400 Talbot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

Petitioner Applicant(s): Dolf Ivener on behalf of the Maxys Family Farm, L.L.C., 3400 Talbot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, February 27, 2023, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 13.26-acres located on Parcel #874704300003 in the SW ¼ of the SW ¼ of Section 4, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is described as

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M., CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

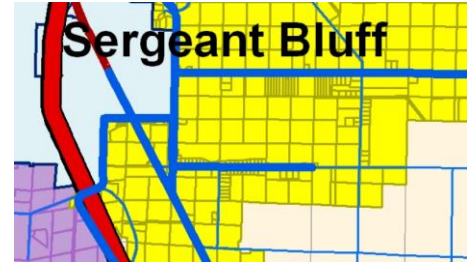
THE SOUTH 1233.00 FEET OF THE WEST 469.00 FEET OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST. DESCRIBED PARCEL CONTAINS 13.26 ACRES INCLUDING 1.26 ACRE OF ROAD RIGHT OF WAY.

EVALUATION CRITERIA

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

Conformance with the goals and objectives set forth in the approved general development plan for Woodbury County including the future land use map.

The 2005 Future Land Use Map shows this area as Rural Residential. The parcel is currently zoned Agricultural Preservation (AP) and the request is to change to Agricultural Estates (AE). The request conforms to the goals and objectives of the general development plan as it relates to the following land use goals:



- **Residential Goal 5.1:** Encourage non-farm residential development to locate near cities or on existing hard surfaced roadways, particularly in areas that can be served by urban services such as public water and sewer systems.
- **Residential Goal 5.2:** Encourage residential development to locate in areas with suitable accessibility, soils, and terrain.
- **Land Use Goal 1.2:** Adopt development regulations that promote efficient, stable land uses with minimum conflicts and provision of public infrastructure.
- **Land Use Goal 1.3:** Encourage development near cities by discouraging leap-frog development outside municipalities.

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

There are no conflicts with the policies and plans of other agencies.

Consideration of the Corn Suitability (CSR) of the property.

The CSR2 rating for this property includes ratings of 66.26. The agricultural goal of the Woodbury County General Plan is to protect prime farmland as determined by a high corn suitability rating (e.g. over 65 CSR) from conversion to other land uses.

Summary

Parcel ID	874704300003
Gross Acres	37.08
ROW Acres	0.00
Gross Taxable Acres	37.08
Exempt Acres	0.00
Net Taxable Acres	37.08 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	66.26 (2456.78 CSR2 Points / 37.08 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	37.08	66.26	2,456.78	2,456.78
Non-Crop	0.00	0.00	0.00	0.00
Total	37.08		2,456.78	2,456.78

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	14.34	1,089.84	1,089.84
100% Value	137	HAYNIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	3.43	246.96	246.96
100% Value	156	ALBATON SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	58.00	19.31	1,119.98	1,119.98
Total				37.08	2,456.78	2,456.78

Compatibility with adjacent land uses.

The rezone to AE is compatible with the area residential uses. As the image below illustrates, Barker Avenue includes AE districts to the north of the property.



Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

This proposal is compatible with other physical and economic factors in the project area as there are no major infrastructure improvements required.

Any other relevant factors.

The purpose of the rezone to AE allows for more than two houses to be located within the same quarter-quarter section.

LEGAL NOTIFICATION – ZONING COMMISSION PUBLIC HEARING

The Public Hearing Legal Notification was published in the Sioux City Journal Legals Section on Saturday, February 11, 2023.

***** Proof of Publication *****

STATE OF IOWA
COUNTY OF WOODBURY

The undersigned, of said County, being duly sworn, on oath states the undersigned is an employee of the Sioux City Journal printed and published by Journal Communications, in Sioux City in said County and issued daily and Sunday

Woodbury County Community & Economic Development

620 DOUGLAS ST, 6TH FLOOR - DAN PRIESTLEY
SIOUX CITY IA 51101

ORDER NUMBER 56254

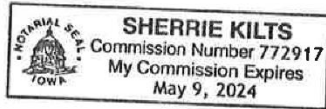
Subscribed and sworn before me in Sioux City, in said County,

this 13 day of February, 2023.

Micahene Graham

Sherrie Kilts Notary Public

In and for Woodbury County.



Section: Legal

Category: 015 Attorneys & Legals

PUBLISHED ON: 02/11/2023

TOTAL AD COST: 47.43

FILED ON: 2/13/2023

NOTICE REGARDING PUBLIC HEARINGS FOR A ZONING ORDINANCE MAP AMENDMENT (REZONE) AND FOR A MINOR SUBDIVISION
WOODBURY COUNTY ZONING COMMISSION
The Woodbury County Zoning Commission will hold public hearings on the following items hereafter described in detail on February 27, 2023 at 6:00 PM or as soon thereafter as the matters may be considered. Said hearings will be held in the Board of Supervisors' Meeting Room, Number 104, County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to these matters should appear at the aforesaid hearings in person or call: 712-454-1133 and enter the Conference ID: 516 721 135# during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

Item One (1)
Pursuant to Section 335 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Doll Ivener on behalf of the Maxys Family Farm, L.L.C. and the Brian and Bonnie Ivener Trust.

The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 13.26-acres located on Parcel #874704-300003 in the SW 1/4 of the SW 1/4 of Section 4, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is described as:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5TH P.M. CITY OF SERGEANT BLUFF, WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 1233.00 FEET OF THE WEST 469.00 FEET OF SECTION 4, TOWNSHIP 87 NORTH, RANGE 47 WEST. DESCRIBED PARCEL CONTAINS 13.26 ACRES INCLUDING 1.28 ACRE OF ROAD RIGHT OF WAY.

Owner(s)/Applicant(s): Doll Ivener on behalf of the Maxys Family Farm, L.L.C., 3400 Talbot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

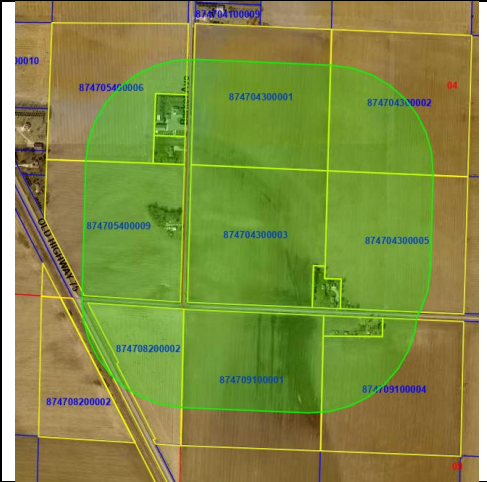
Item Two (2)
PROPOSED MINOR SUBDIVISION: To be known as the Barker Addition, a six-lot minor subdivision in a 13.26-acre portion of Section 4, T87N R47W (Liberty Township) in the SW 1/4 of the SW 1/4 on Parcel #874704300003. The parent parcel is located about 0.5 miles east of Sergeant Bluff. The property is located in the Agricultural Preservation (AP) Zoning District. A portion of the property is located in the Special Flood Hazard Area (Zone A - Floodplain). Owner(s)/Applicant(s): Doll Ivener on behalf of the Maxys Family Farm, L.L.C., 3400 Talbot Road, Sioux City, IA 51103, and the Brian and Bonnie Ivener Trust, 3701 Cheyenne Blvd., Sioux City, IA 51104.

PROPERTY OWNER(S) NOTIFICATION – 1000 FEET

The **nine (9)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **February 20, 2023** letter of the public hearing before the Woodbury County Zoning Commission on **February 27, 2023**.

As of **March 2, 2023**, the Community and Development office has received the following comments. The names of the property owners are listed below.

When more comments are received after the printing of this packet, they will be provided at the meeting.

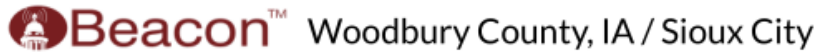


PROPERTY OWNER(S)	ADDRESS	CITY	STATE	ZIP	COMMENTS
Maxys Family Farm LLC & Brian and Bonnie Ivener Trust	3701 Cheyenne Blvd	Sioux City	IA	51104	No comments.
Todd M. Hostetler and Christina M. Hostetler	1419 230th St.	Sergeant Bluff	IA	51054	No comments.
Phillip Freiberg and Stephanie Freiberg	2266 Buchanan Ave.	Sergeant Bluff	IA	51054	No comments.
Glenn J. Kasik and Teresa R. Kasik	2251 Barker Ave.	Sergeant Bluff	IA	51054	No comments.
Loren L. Schroeder and Pamel K. Schroeder	2277 Barker Ave.	Sergeant Bluff	IA	51054	No comments.
Carolyn Blighton	22 Sunnyview Drive	Suffield	CT	6078	No comments.
Union Pacific Railroad	1400 Douglas STOP 1640	Omaha	NE	68179-1640	No comments.
Brian Krogh and Aimee Krogh	2381 Port Neal Road	Sergeant Bluff	IA	51054	No comments.
Mark S. Godfredson	2359 Barker Ave.	Sergeant Bluff	IA	511054	No comments.

STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
CITY OF SERGEANT BLUFF:	Extraterritorial Review of Subdivision Waived.
FARMERS DRAINAGE DISTRICT:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LONGLINES:	No comments.
LUMEN:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have review the following proposed rezoning for MEC electric. We have no conflicts, but the developer should be aware that the proposed subdivision is not in MEC service territory. Let me know if you have any questions and have a great weekend! – Casey Meinen, 2/2/23.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC "gas" either. – Tyler Ahlquist, 2/2/23.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request, NIPCO has no facilities at or adjacent to this location. NIPCO has no issues with this request. – Jeff Zettel, 2/8/23.
NUSTAR PIPELINE:	NuStar does not have any issues with the request. – Matt McGee, 2/14/23.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	First off, I wanted to inform you that Paige is no longer with SDHD. At this time, all calls/emails/questions can be directed to myself. Second, after review of this rezoning, our Department would like acknowledge that due to the parcel located in a Flood Plain and previous on-site septic installations they will need to be aware that it is likely that either an oversized soil based system or an alternative system will be required for each property. This may affect the lot sizes with the installation of a private well. Thanks and please call with any questions. – Ivy Bremer, 2/6/23.
UNION PACIFIC RAILROAD:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	No comments on the rezone.
WOODBURY COUNTY RECORDER:	I see no issues. – Diane Swoboda Peterson, 2/3/23.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments on this proposal. – Neil Stockfleth, 2/3/23.
WOODBURY COUNTY TREASURER:	The taxes are not current. There is \$592.00 owed for the March 2023 payment. – Kimberlee Koepke, 2/2/23.

PARCEL REPORT



Summary

Parcel ID 874704300003
Alternate ID 767055
Property Address N/A
Sec/Twp/Rng 4-87-47
Brief Tax Description EX 1 A IN SE COR SW SW 4-87-47
(Note: Not to be used on legal documents)
Deed Book/Page 2021-06042 (5/6/2021)
Gross Acres 37.08
Net Acres 37.08
Adjusted CSR Pts 2456.78
Zoning AP - AGRICULTURAL PRESERVATION
District 0038 LIBERTY/SB/L
School District SGT BLUFF LUTON
Neighborhood N/A

Owner

Deed Holder
[Maxys Family Farm LLC](#)
[3701 Cheyenne Blvd](#)
Sioux City IA 51104

[Ivener Brian & Bonnie Trust](#)
[3701 Cheyenne Blvd](#)
Sioux City IA 51104

Contract Holder
Mailing Address
Michael Or Gina Bernstein
8 Crestwood Dr
Saint Louis MO 63105

Land

Lot Area 37.08 Acres : 1,615,205 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
2/5/2021	IVENER MAX & FRANCYS FAMILY TRUST	MAXYS FAMILY FARM LLC	2021-06042	No consideration	Deed		\$0.00
2/5/2021	IVNER MAX & FRANCYS FAMILY TRUST	MAXY FAMILY FARM LLC	2021-03169	Normal	Deed	Y	\$2,568,000.00

Show There are other parcels involved in one or more of the above sales:

Valuation

	2022	2021	2020	2019	2018
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$62,540	\$62,540	\$59,130	\$59,130	\$85,570

Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Photos, Sketches.

Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels
- County Zoning
- AE
- AP
- GC
- GC-PD
- GI
- LI
- LI-PD
- SR
- WR

Parcel ID	874704300003	Alternate ID	767055	Owner Address	MAXYS FAMILY FARM LLC
Sec/Twp/Rng	4-87-47	Class	A		3701 CHEYENNE BLVD
Property Address		Acreage	37.08		SIOUX CITY, IA 51104
District	0038				
Brief Tax Description	EX 1 A IN SE COR SW SW 4-87-47				
	(Note: Not to be used on legal documents)				

Date created: 1/31/2023
 Last Data Uploaded: 1/31/2023 7:59:47 PM

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 GEOSPATIAL

Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

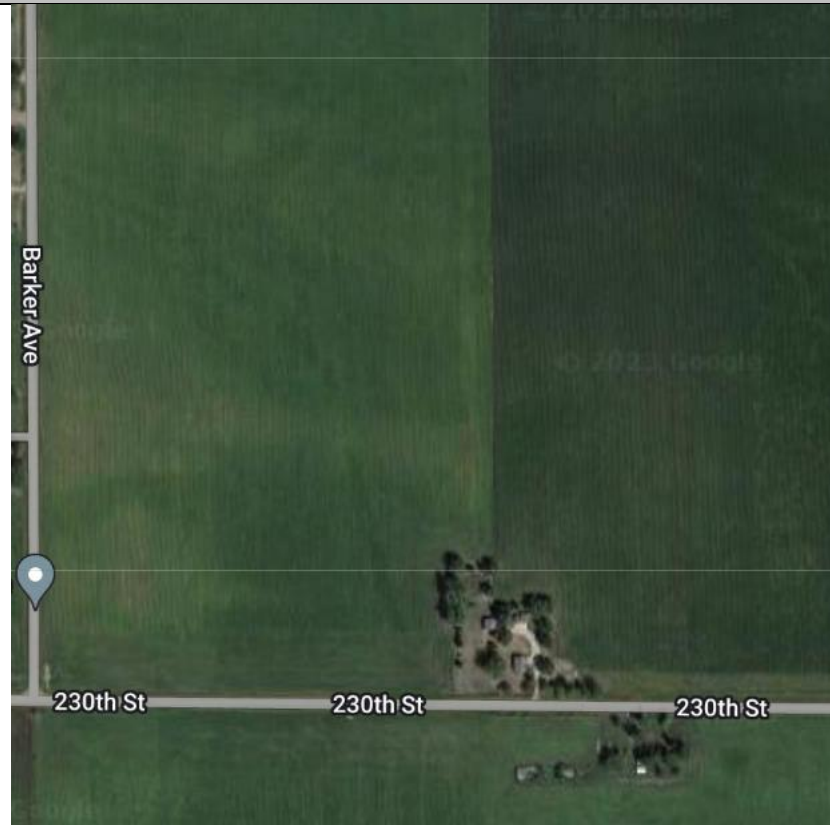
- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels
- FEMA Flood Map**
- A,
- AE,
- AE, FLOODWAY
- AH,
- AO,
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

Parcel ID	874704300003	Alternate ID	767055	Owner Address	MAXYS FAMILY FARM LLC
Sec/Twp/Rng	4-87-47	Class	A		3701 CHEYENNE BLVD
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FLOODPLAIN REPORT – DRAFT MAP



<https://ifis.iowafloodcenter.org/ifis/newmaps/hazard/>

SOIL REPORT

Beacon™ Woodbury County, IA / Sioux City

Summary

Parcel ID	874704300003
Gross Acres	37.08
ROW Acres	0.00
Gross Taxable Acres	37.08
Exempt Acres	0.00
Net Taxable Acres	37.08 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	66.26 (2456.78 CSR2 Points / 37.08 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	37.08	66.26	2,456.78	2,456.78
Non-Crop	0.00	0.00	0.00	0.00
Total	37.08		2,456.78	2,456.78

Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	3549	MODALE SOILS, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	76.00	14.34	1,089.84	1,089.84
100% Value	137	HAYNIE SILT LOAM, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	72.00	3.43	246.96	246.96
100% Value	156	ALBATON SILTY CLAY, 0 TO 2 PERCENT SLOPES, RARELY FLOODED	58.00	19.31	1,119.98	1,119.98
Total				37.08	2,456.78	2,456.78

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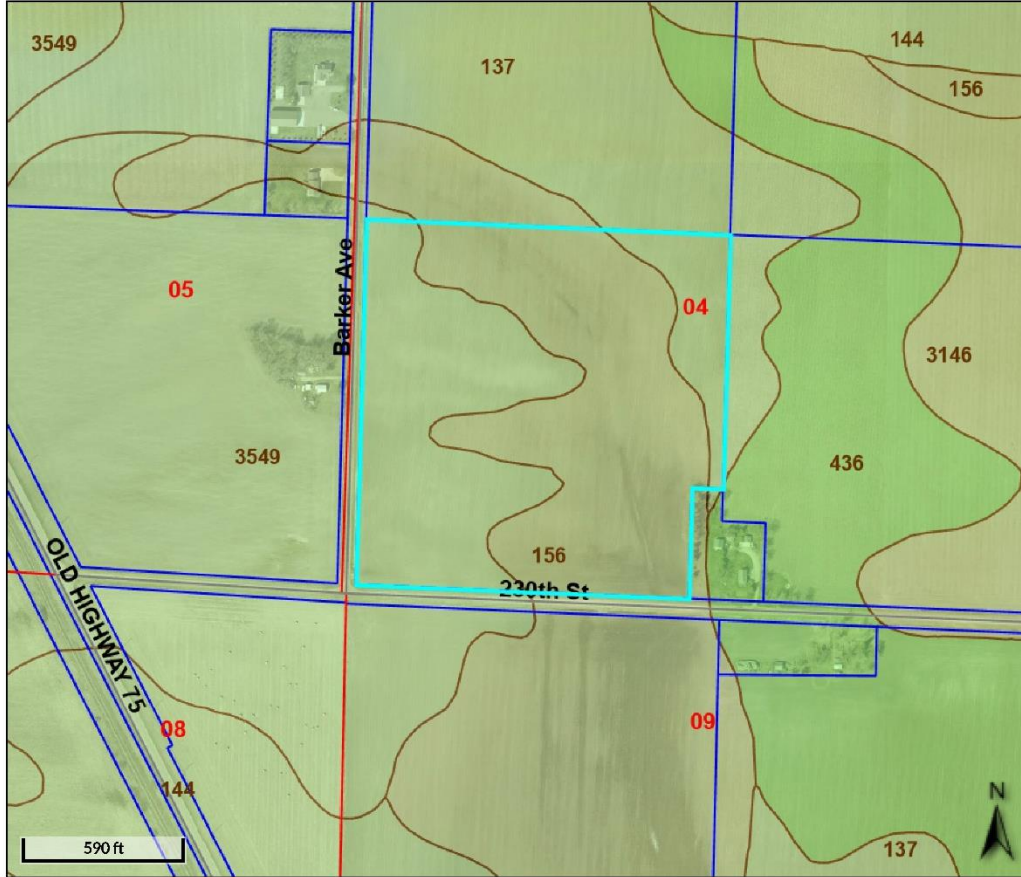
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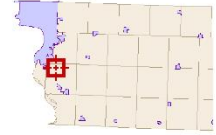
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SOIL MAP

 **Beacon**TM Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Soils
 - 0.000000 - 5.000000
 - 5.000001 - 20.000000
 - 20.000001 - 30.000000
 - 30.000001 - 40.000000
 - 40.000001 - 50.000000
 - 50.000001 - 60.000000
 - 60.000001 - 70.000000
 - 70.000001 - 80.000000
 - 80.000001 - 90.000000
 - 90.000001 - 100.000000
- Corp Boundaries
- Townships
- Parcels

Parcel ID	874704300003	Alternate ID	767055	Owner Address	MAXYS FAMILY FARM LLC
Sec/Twp/Rng	4-87-47	Class	A		3701 CHEYENNE BLVD
Property Address		Acreage	37.08		SIOUX CITY, IA 51104
District	0038				
Brief Tax Description	EX 1 A IN SE COR SW SW 4-87-47				
	(Note: Not to be used on legal documents)				

Date created: 2/1/2023
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APPROVAL OF FY24 MAXIMUM PROPERTY TAX DOLLARS

RESOLUTION # _____

WHEREAS, the Woodbury County Board of Supervisors have considered the proposed FY24 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county web site and/or social media accounts if applicable, and

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on March 7, 2023,

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Woodbury County that the maximum property tax dollars for General County Services and Rural County Services for FY24 shall not exceed the following:

General County Services - \$34,269,177

Rural County Services - \$3,806,583

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY24 represents an increase over 102% from the Maximum Property Tax dollars requested for FY23

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor/Recorder

Matthew A. Ung, Chairman

NOTICE OF PUBLIC HEARING -PROPOSED PROPERTY TAX LEVY
Fiscal Year July 1, 2023 - June 30, 2024

County Name: **WOODBURY COUNTY** County Number: **97**

The County Board of Supervisors will conduct a public hearing on the proposed Fiscal Year County budget as follows:
Meeting Date: 3/7/2023 Meeting Time: 04:45 PM Meeting Location: Woodbury County Courthouse Board of Supervisors Meeting Room Lower Level of
Courthous 620 Douglas Street Sioux City, Iowa 51101

Contact Person: Dennis D. Butler, Finance/Budget Director Contact Phone Number: (712) 234-2910

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After adoption of the proposed tax levy, the Board will publish notice and hold a hearing on the proposed county budget.

County Website (if available)

County Telephone Number
(712) 234-2910

		Current Year Certified Property Tax FY 2022/2023	Budget Year Effective Property Tax FY 2023/2024	Budget Year Proposed Maximum Property Tax FY 2023/2024	Proposed Percentage Change
Taxable Valuations-General Services	1	5,137,390,222	5,411,803,588	5,411,803,588	
Requested Tax Dollars-General Basic	2	19,429,100		21,043,632	
Requested Tax Dollars-General Supplemental	3	12,037,504		13,198,107	
Requested Tax Dollars-General Services Total	4	31,466,604	31,466,604	34,241,739	8.82
Estimated Tax Rate-General Services	5	6.12502	5.81444	6.32723	
Taxable Valuations-Rural Services	6	1,395,538,786	1,516,903,573	1,516,903,573	
Requested Tax Dollars-Rural Basic	7	3,434,653		3,806,583	
Requested Tax Dollars-Rural Supplemental	8				
Requested Tax Dollars-Rural Services Total	9	3,434,653	3,434,653	3,806,583	10.83
Estimated Tax Rate-Rural Services	10	2.46117	2.26425	2.50944	

Explanation of increases in the budget:

The increase in taxes is due to the opening of the new Law Enforcement Center in the fall of 2023. The increases will be staffing and operating costs as the center will be twice as big as the old Law Enforcement Center.

If applicable, the above notice is also available online at:

The above tax rates do not include county voted levies, mental health and disabilities services levy, debt service levy and the rates of other local jurisdictions. Regarding proposed maximum dollars, the Board of Supervisors cannot adopt a higher tax asking for these levies following the public hearing. Budget year effective property tax rate is the rate that would be assessed for these levies if the dollars requested is not changed in the coming year.

NOTICE OF PUBLIC HEARING -- PROPOSED BUDGET

Fiscal Year July 1, 2023 - June 30, 2024

County Name: WOODBURY COUNTY County Number: 97

The County Board of Supervisors will conduct a public hearing on the proposed Fiscal Year County budget as follows:

Meeting Date: 3/28/2023 Meeting Time: 04:50 PM Meeting Location: Board of Supervisor's Meeting Room, Woodbury County Courthouse, lower level.

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the County Auditor. A copy of the supporting detail will be furnished upon request.

County budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult dom.iowa.gov/local-budget-appeals

Average annual percentage changes between "Actual" and "Budget" amounts for "Taxes Levied on Property", "Other County Taxes/ TIF Tax Revenues", and for each of the ten "Expenditure Classes" must be published. Expenditure classes proposing "Budget" amounts, but having no "Actual" amounts, are designated "NEW".

County Website (if available)

County Telephone Number
(712) 234-2910

	Budget 2023/2024	Re-Est 2022/2023	Actual 2021/2022	AVG Annual % CHG	
REVENUES & OTHER FINANCING SOURCES					
Taxes Levied on Property	1	38,789,658	37,831,351	35,255,268	4.89
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0	
Less: Credits to Taxpayers	3	1,439,124	1,504,648	1,479,704	
Net Current Property Taxes	4	37,350,534	36,326,703	33,775,564	
Delinquent Property Tax Revenue	5	16,000	18,500	28,963	
Penalties, Interest & Costs on Taxes	6	203,000	283,000	352,749	
Other County Taxes/TIF Tax Revenues	7	7,354,784	7,693,350	8,191,738	-5.25
Intergovernmental	8	10,336,596	9,950,547	12,105,868	
Licenses & Permits	9	369,230	34,650	51,211	
Charges for Service	10	3,419,000	2,475,231	2,990,658	
Use of Money & Property	11	783,000	271,050	3,611,758	
Miscellaneous	12	756,250	647,311	1,495,550	
Subtotal Revenues	13	60,588,394	57,700,342	62,604,059	
Other Financing Sources:					
General Long-Term Debt Proceeds	14	2,194,000	2,676,430	12,545,448	
Operating Transfers In	15	11,706,380	11,273,666	10,094,700	
Proceeds of Fixed Asset Sales	16	0	0	0	
Total Revenues & Other Sources	17	74,488,774	71,650,438	85,244,207	
EXPENDITURES & OTHER FINANCING USES					
Operating:					
Public Safety and Legal Services	18	25,950,581	20,627,905	19,575,324	15.14
Physical Health and Social Services	19	5,104,585	4,045,447	4,732,290	3.86
Mental Health, ID & DD	20	0	0	2,949,615	
County Environment and Education	21	3,588,626	3,857,763	4,405,031	-9.74
Roads & Transportation	22	10,942,855	10,586,610	8,637,899	12.55
Government Services to Residents	23	3,004,699	2,800,103	2,422,492	11.37
Administration	24	9,285,627	8,567,870	7,271,769	13.00
Nonprogram Current	25	1,130,000	333,000	2,030,467	-25.40
Debt Service	26	7,320,950	7,540,015	3,794,669	38.90
Capital Projects	27	11,219,000	4,412,999	6,115,483	35.44
Subtotal Expenditures	28	77,546,923	62,771,712	61,935,039	
Other Financing Uses:					
Operating Transfers Out	29	11,706,380	11,273,666	10,094,700	
Refunded Debt/Payments to Escrow	30	0	0	0	
Total Expenditures & Other Uses	31	89,253,303	74,045,378	72,029,739	
Excess of Revenues & Other Sources over (under) Expenditures & Other Uses	32	-14,764,529	-2,394,940	13,214,468	
Beginning Fund Balance - July 1,	33	27,402,179	29,797,119	16,582,651	
Increase (Decrease) in Reserves (GAAP Budgeting)	34	0	0	0	
Fund Balance - Nonspendable	35	0	0	0	
Fund Balance - Restricted	36	5,394,684	14,303,036	19,293,023	
Fund Balance - Committed	37	0	2,519,591	2,835,628	
Fund Balance - Assigned	38	0	0	0	
Fund Balance - Unassigned	39	7,242,966	10,579,552	7,668,468	
Total Ending Fund Balance - June 30,	40	12,637,650	27,402,179	29,797,119	
Proposed property taxation by type:		Proposed tax rates per \$1,000 taxable valuation:			
Countywide Levies*:	35,705,334	Urban Areas: 7.13857			
Rural Only Levies*:	3,084,324	Rural Areas: 9.59974			
Special District Levies*:	0	Any special district tax rates not included.			
TIF Tax Revenues:	686,250				
Utility Replacement Excise Tax:	3,022,828				

Explanation of any significant items in the budget or additional virtual meeting information:

new Justice Center budgeted cost increased as size of facility doubled and at a different location than the previous Correctional facility.

NOTICE OF PUBLIC HEARING THE BOARD OF SUPERVISORS INTENDS TO LEVY GENERAL BASIC PROPERTY TAX RATES WHICH EXCEED STATUTORY MAXIMUMS The accompanying budget summary requires a general basic property tax rate that exceeds the maximum rate as established by the general assembly. Comparison of the proposed general basic rate with the statutory maximum 3.50000 general basic tax rate and the dollar amount of the difference between the proposed rate and the maximum rate:

Proposed General Basic Tax Rate per \$1,000 of Taxable Value:	3.88154
Maximum General Basic Tax Rate per \$1,000 of Taxable Value:	3.50000
General Basic Tax Dollars to be Generated in Excess of Maximum:	2,015,709

Major reasons for the difference between the proposed general basic tax rate and the maximum basic tax rate:

The new Justice Center is opening in FY 24. There will be new operating costs and staffing in regards to this opening.

NOTICE OF PUBLIC HEARING THE BOARD OF SUPERVISORS INTENDS TO LEVY RURAL BASIC PROPERTY TAX RATES WHICH EXCEED STATUTORY MAXIMUMS The accompanying budget summary requires a Rural Basic property tax rate that exceeds the maximum rate as established by the General Assembly. Comparison of the proposed general basic rate with the statutory maximum 3.95 Rural Basic tax rate and the dollar amount of the difference between the proposed rate and the maximum rate:

Proposed Rural Basic Tax Rate per \$1,000 of Taxable Value:	
Maximum Rural Basic Tax Rate per \$1,000 of Taxable Value:	3.95000
Rural Basic Tax Dollars to be Generated in Excess of Maximum:	

Major reasons for the difference between the proposed Rural Basic tax rate and the maximum basic tax rate:

-

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

Date: 03/02/2023 Weekly Agenda Date: 03/07/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: John Malloy, WCICC-IT CIO

WORDING FOR AGENDA ITEM:

Request to Repurpose Courthouse Room B07.

ACTION REQUIRED:

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

EXECUTIVE SUMMARY:

WCICC-IT requests BOS approval to repurpose Courthouse Room B07 to optimize space of IT resources within the Courthouse.

BACKGROUND:

This request is a sub-project related to two significant County initiatives: 1. The New LEC 2. The Migration of of the Courthouse Data Center to a Third-Party Facility Building Services would remodel the room to create a Secure Area and a proper egress. Our understanding is that the WCSO currently has control over the room and that the room has been vacant for a number of years.

FINANCIAL IMPACT:

The total estimated financial impact for the addition is anticipated to be less than \$5K. Leftover funding from Data Center remodeling project (which has been halted) would be used.

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:

WCICC-IT advocates the repurposing of Room B07.

ACTION REQUIRED / PROPOSED MOTION:

Motion to allow Building Services to remodel Room B07 to Support the New LEC and Data Center Migration Projects.

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

Date: 3/2/2023 Weekly Agenda Date: 3/7/2023

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

WORDING FOR AGENDA ITEM:

Consider approval of plans for project number L-B(E66)--73-97

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Plans have been completed for a bridge replacement project on 120th Street, between Dallas and Delaware Ave. The bridge will be replaced with a continuous concrete slab bridge.

BACKGROUND:

The project will replace an aging bridge that is currently closed due to a substructure component failure.

FINANCIAL IMPACT:

The projects are paid for with local Woodbury County 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 plans for project number L-B(E66)--73-97 .

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve the plans for project number L-B(E66)--73-97.

