



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(MARCH 5) (WEEK 10 OF 2024)**

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

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Daniel A. Bittinger II
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dbittinger@woodburycountyiowa.gov

Mark Nelson
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Keith W. Radig
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Jeremy Taylor
259-7910
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Matthew A. Ung
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matthewung@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held March 5, 2024, 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 for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

AGENDA

3:30 p.m. Courthouse Foundation Meeting – Basement Meeting Room

- a. Election of Directors
- b. Election of Officers
- c. Approve the minutes of the March 14, 2023, meeting
- d. Receive the February 29, 2024 financial report
- e. Old Business
- f. New Business
- g. Adjourn

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 27, 2024 meeting

3. Approval of claims
4. County Auditor – Patrick Gill
Approval of Liquor License Application for Foot Wedge Lounge, Sloan
5. County Treasurer – Tina Bertrand
Approval of lifting tax suspension for J.T.
6. Human Resources – Melissa Thomas
Approval of Memorandum of Personnel Transactions
7. Board of Supervisors
 - a. Approval of Conflict Waiver from Ahlers & Cooney
 - b. Approval of Engagement Agreement from Ahlers & Cooney
 - c. Approval of Engagement Agreement from mechanical expert, HKA Global, LLC

End Consent Agenda

- | | | | |
|--------------------------------|---|--|---|
| | <ol style="list-style-type: none"> 8. Board Administration – Dennis Butler
Not to exceed \$406,000 General Obligation Capital Loan Notes (ECP #1) | | |
| 4:40 p.m
(Set time) | <ol style="list-style-type: none"> a. Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder b. Approval of resolution instituting proceedings to take additional action for the issuance of not to exceed \$406,000 General Obligation Capital Loan Notes | | <p>Action</p> <p>Action</p> |
| 4:45 p.m.
(Set time) | <ol style="list-style-type: none"> 9. Board Administration – Dennis Butler
Not to exceed \$394,000 General Obligation Capital Loan Notes (ECP #2) | | <p>Action</p> <p>Action</p> <p>Action</p> |
| | <ol style="list-style-type: none"> 10. Board of Supervisors – Mark Nelson
Update on LEC project | | <p>Information</p> |
| | <ol style="list-style-type: none"> 11. Reports on Committee Meetings | | <p>Information</p> |
| | <ol style="list-style-type: none"> 12. Citizen Concerns | | <p>Information</p> |
| | <ol style="list-style-type: none"> 13. Board Concerns | | <p>Information</p> |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- MON., MAR. 4** **1:30 p.m.** Loess Hills Alliance Economic Development Meeting, Uncommon Grounds, Sloan
6:00 p.m. Board of Adjustment meeting, First Floor Boardroom
- WED., MAR. 6** **11:00 a.m.** Loess Hill Alliance Executive Meeting, Pisgah, Iowa
1:00 p.m. Loess Hill Alliance Full Board Meeting
4:45 p.m. Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., MAR. 7** **12:00 p.m.** Regional Policy and Legislative Affairs Committee - Hybrid
- WED., MAR. 13** **7:30 a.m.** SIMPCO Executive-Finance Committee - Hybrid
8:05 a.m. Woodbury County Information Communication Commission, First Floor Boardroom
11:00 a.m. Western Iowa Tourism Region - Zoom
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
- THU., MAR. 14** **12:00 p.m.** SIMPCO Board of Directors, 6401 Gordon Dr.
4:00 p.m. Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- FRI., MAR. 16** **12:00 p.m.** Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.
- WED., MAR. 20** **12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
1:00 p.m. Regional Workforce Development Meeting, 2508 4th Street, Sioux City
- THU., MAR. 21** **10:00 a.m.** StarComm, Security Institute, WIT
4:30 p.m. Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- MON., MAR. 25** **6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- WED., MAR. 27** **2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., MAR. 28** **11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- MON., APR. 1** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WED., APR. 3** **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.

COURTHOUSE FOUNDATION MEETING

Tuesday, March 5, 2024 @ 3:30 p.m.

Board of Supervisors Meeting Room

AGENDA

Election of Directors

- Motion to elect ex officio members as Board of Directors

Election of Officers

- Motion to elect President of the Board of Directors
- Motion to elect Vice President of the Board of Directors
- Motion to combine the offices of Secretary and Treasurer and to appoint the County Auditor to the combined position

Reports

- Motion to approve the minutes of the March 14, 2023 meeting
- Motion to receive the February 29, 2024 Financial Report

Old Business

- Apply for retroactive reinstatement of non-profit status.

New Business

- Determine the need to update Articles of Incorporation
- Determine use of funds on hand

Adjourn

WOODBURY COUNTY COURTHOUSE FOUNDATION MEETING

ANNUAL MEETING MINUTES

Tuesday, March 14, 2023

Board of Supervisors Meeting Room

Present were Bittinger, Nelson, Radig and Ung.

Election of Directors

Motion by Ung second by Taylor to elect ex officio members as Board of Directors.
Motion carried.

Election of Officers

Motion by Taylor second by Radig to elect Ung as President of the Board of the Board of Directors. Motion carried.

Motion by Ung second by Radig to elect Taylor as Vice President of the Board of Directors. Motion Carried.

Motion by Ung second by Radig to combine the offices of Secretary and Treasurer and to appoint the County Auditor to the combined position. Motion carried.

Reports

Motion by Ung second by Radig to approve the minutes of the March 1, 2022 meeting.
Motion carried.

Motion by Radig second by Ung to receive the Financial Report as of February 28, 2023.
Motion carried.

Old Business

There was no old business.

New Business

Motion by Ung second by Nelson to apply for retroactive reinstatement of non-profit status.
Motion carried.

Adjourn

The meeting was adjourned.

FEBRUARY 27, 2024, NINETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, February 27, 2024, at 4:00 p.m. Board members present were Nelson, Ung, Bittinger II, Radig, and Taylor. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Joshua Widman, Assistant County Attorney, Dennis Butler, Budget and Finance Director, and Michelle Skaff, Deputy Auditor/Clerk to the Board.

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

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

Motion by Ung second by Nelson to approve \$421.00 in general relief. Carried 4-0.

Radig entered the meeting at 4:15 pm.

2. The board discussed the FY 2025 budget.

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

3. Motion by Radig second by Ung to approve the agenda for February 27, 2024. Carried 5-0. Copy filed.

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

4. To approve minutes of the February 20, 2024 meeting. Copy filed.
5. To approve the claims totaling \$1,447,640.20. Copy filed.
6. To approve and authorize the Chairperson to sign a Resolution approving the petition for suspension of taxes for Elizabeth Worrell, 1114 Hill Ave., parcel #894721227006.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,703
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

WHEREAS, Elizabeth Worrell, as titleholder of a property located 1114 Hill Ave., Sioux City, Woodbury County, Iowa, and legally described as follows:

Parcel #894721227006

BOULEVARD PARK LOT 10 BLOCK 3

WHEREAS, Elizabeth Worrell of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code section 427.9, and

WHEREAS, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

NOW, THEREFORE, BE IT RESOLVED, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

SO RESOLVED this 27th day of February 2024.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 7a. To approve the authorization of a Human Resources Clerk II position. Copy filed.
- 7b. To approve the separation of Tamarra Pasko, Clerk II, County Attorney Dept., effective 2-20-24. Resignation.; and the appointment of Taryn Ham, Clerk II, Human Resources Dept., effective 02-28-24, \$20.52/hour. Job Vacancy Posted 1-10-24. Entry Level Salary: \$18.68-\$23.95/hour. Copy filed.
- 7c. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Clerk II, County Attorney Dept. AFSCME Courthouse: \$18.68/hour. Copy filed.
- 7d. To approve the deauthorization of Sr. Clerk, Human Resource Dept. Copy filed.
- 8. To approve the permit to work in the right of way for Charles Milligan. Copy filed.
- 9. To receive the resignation letter from Deputy Medical Examiner, Dr. Pryce Noll. Copy filed.

Carried 5-0.

- 10. Information was shared by Daniel Bittinger, Board of Supervisors, and Jason Geary, Rachelle Rawson, and Teri Quintana, Agape Community Services, on Opioid remediation settlement use funding request for Agape Community Services. Copy filed.
- 11a. The board discussed extending health insurance to employees and their families catastrophically injured in the line of duty if necessary and clarifying secondary roads workers' inclusion. Copy filed.
- 11b. Information was presented on reconsideration of the present plan for a roundabout and closure of access to Old Lakeport at the Junction of Elk Creek and Christy Road in Sioux City. Copy filed.

Deputy Peterson, Woodbury County Sheriff's Office, and Jan King, 4000 Old Lakeport, addressed the board regarding the roundabout.

Motion by Taylor second by Bittinger to receive public questionnaires from Mr. Peterson. Carried 5-0. Copy filed.

Motion by Taylor second my Nelson to receive a map from the County Engineer's Office. Carried 5-0. Copy filed.

- 12. Reports on committee meetings were heard.
- 13. There were no citizen concerns
- 14. Board concerns were heard.

The Board adjourned the regular meeting until March 5, 2024.

Meeting sign in sheet. Copy filed.

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

Date: 02/27/24 Weekly Agenda Date: 03/05/24

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: County Auditor - Pat Gill

WORDING FOR AGENDA ITEM:

Consideration and approval for liquor license for Foot Wedge Lounge, Sloan Iowa

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

v/a

BACKGROUND:

v/a

FINANCIAL IMPACT:

Unknown at this time

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

Yes No

RECOMMENDATION:

Approve Motion

ACTION REQUIRED / PROPOSED MOTION:

Motion to approve an application for a 8-month Class C Retail Alcohol License, with Outdoor Service Sales privileges for Foot Wedge Lounge, effective 04/01/2024 through 12/31/24.

**Office Of The
AUDITOR/RECORDER
Of Woodbury County**


PATRICK F. GILL
Auditor/Recorder



Court House – Rooms 103
620 Douglas
Sioux City, Iowa 51101

Phone (712) 279-6702
Fax (712) 279-6629

To: Board of Supervisors

From: Patrick F. Gill  Auditor & Recorder

Date: February 27, 2024

Subject: Liquor License Application for the Foot Wedge Lounge, Sloan, Iowa.

Please approve and receive for signature, an applicaton for a 8-month, Class C Retail Alcohol License (LC) (Commercial), with Outdoor Service privileges, for the Foot Wedge Lounge, Sloan, Iowa. The license would be effective 04/01/24 through 12/31/24.



Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
SLOAN COMMUNITY RECREATION CORPORATION	Foot Wedge Lounge	(712) 490-7034		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
3212 Old Highway 75		Sloan	Woodbury	51055
MAILING ADDRESS	CITY	STATE	ZIP	
PO Box 425	Sloan	Iowa	51055	

Contact Person

NAME	PHONE	EMAIL
Jake Goodin	(712) 490-7034	jake.goodin@goodinins.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Class C Retail Alcohol License	8 Month	Submitted to Local Authority
TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS	
Apr 1, 2024	Dec 1, 2024		
SUB-PERMITS			
Class C Retail Alcohol License			



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Outdoor Service

Status of Business

BUSINESS TYPE

Nonprofit corporation organized under chapter 504.

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Jacob Goodin	Sergeant Bluff	Iowa	51054	President	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

Dec 1, 2023

POLICY EXPIRATION DATE

Dec 1, 2024

DRAM CANCEL DATE

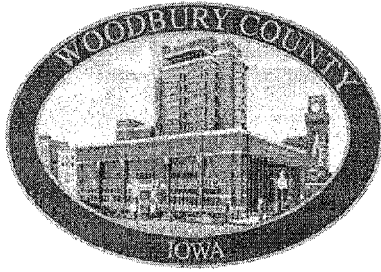
OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



Tina M Bertrand
Treasurer of Woodbury County
Property Tax
822 Douglas Street Suite 102
Sioux City, IA 51101
712-279-6495

February 26, 2024

RE: Removal of Suspension of Taxes

Dear Board of Supervisors,

Please remove the suspension on parcel 8947 26 391 007 (3500 1st St-Sioux City) under the name of James A Tott. James has passed away and so the suspension needs to be removed on this parcel.

Thank you for your time,

A handwritten signature in cursive script that reads "Janet L. Trimpe".

Janet L. Trimpe
Woodbury County Tax Deputy
jtrimpe@woodburycountyiowa.gov
712-224-6024

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: March 05, 2024

*** 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
Garcia, Andres	County Sheriff	2-26-24	Sheriff Reservist			S	Resignation.
Reitsma, Gavin	Juvenile Detention	3-08-24	Temporary Youth Worker	\$21.41/hour		A	Job Vacancy Posted 12-20-23. Entry Level Salary: \$21.41/hour.
Chytka, Ryan	Building Services	3-18-24	Environmental Project Supervisor	\$3,290.08/ bi-weekly	3%=\$95.83/ bi-weekly	R	Per Wage Plan Matrix, 6 year Salary Increase.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas, HR Director



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 1, 2024

Sent via Email

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

RE: Woodbury County – Conflict Waiver

Dear Board of Supervisors:

Our firm concurrently represents the Woodbury County Board of Supervisors ("County") and the Woodbury County Law Enforcement Center Authority ("Authority"). Recently, we were asked by both parties to act as scrivener in the drafting of a potential 28E agreement to address payment by the County of certain expert witness fees associated with potential construction litigation related to the Law Enforcement Center, the ultimate disposition of certain proceeds stemming from litigation or settlement and matters related thereto.

We do not believe such representation as scrivener of the parties' agreement presents a direct conflict of interest, but it is our duty to inform you of the nature of the concurrent representation. For the County we provide legal services on a variety of matters, including financing. Our firm has represented the Authority in connection with the financing of the Law Enforcement Center project and currently represents the Authority on other general project-related questions. This firm is not representing the Authority related to the 28E agreement described above, and it is the firm's understanding that the Authority has outside legal counsel related to the potential Law Enforcement Center construction litigation that will negotiate the terms and review the 28E on behalf of the Authority. It is further the firm's understanding that the County also has outside legal counsel related to the potential Law Enforcement Center construction litigation that will negotiate the terms and review the 28E on behalf of the County.

While this transaction does not fall within the scope of our representation, such representation could be perceived as a concurrent conflict of interest under the ethical standards governing the practice of law in Iowa. We do not believe this is an actual conflict of interest, but from a legal perspective, a concurrent conflict of interest exists under Iowa rules if (1) the representation of one client will be directly adverse to another client; or (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client, or a third person or by a personal interest of the lawyer. We know that the second condition stated above does not apply to this situation, as noted

above, but our firm's representation of the County related to drafting this 28E will technically be directly adverse to the Authority.

The state's ethical rules allow a law firm to concurrently represent two adverse parties if (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client; (2) the representation is not prohibited by law; (3) the representation does not involve the assertion of a claim by one client against another represented by the lawyer in the same litigation or other proceeding before a tribunal; and (4) each affected client gives informed consent, confirmed in writing. We believe confidently that our attorneys will be able to provide competent and diligent representation to each of their affected clients as the matters being addressed are totally unrelated, the representation is not prohibited by law, and there will not be an assertion of a claim as described. The purpose of this letter is to seek the written consent of the County in order to proceed. We are requesting the same from the Authority.

Please feel free to contact me with any questions or concerns. If you consent to the concurrent representation, please so indicate below and return a copy of this fully executed letter to my attention. Thank you.

Ahlers & Cooney, P.C.

Very truly yours,

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

Jason L. Comisky
FOR THE FIRM

JLC:

cc: Karen James (via email)
Joshua Widman (via email)
John Templer (via email)
Jodie McDougal (via email)

The Woodbury County Board of Supervisors hereby waives and consents to any actual, potential, or perceived conflict of interest associated with Ahlers & Cooney, P.C.'s representation with respect to the above referenced matter.

Dated this ____ day of _____, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS:

Chair

Attest:

County Auditor

*Approved by action of the governing body on _____, 2024.



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 1, 2024

Sent via Email

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

RE: Engagement Agreement

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 scrivener and counsel to Woodbury County, Iowa (the "County") related to the Services. While additional members of our firm may be involved in representing the County on other unrelated matters, this Agreement relates to the agreed-upon scope of services described herein (the "Services").

A. SCOPE OF SERVICES

Upon approval of written conflict waivers by the governing body of the County and the governing body of the Woodbury County Law Enforcement Center Authority (the "Authority"), we will represent the County and perform the following Services upon your request:

1. Act as a scrivener to an agreement between the County and the Authority which will be negotiated by outside counsel for each party.
2. Prepare a resolution to be considered by the governing body of the County and a resolution to be considered by the governing body of the Authority approving said agreement (the "Resolutions"); 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 matter.
3. Provide general legal advice regarding Iowa Code Section 346.27.

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 by this matter:

1. Representation of the County with respect to any threatened, pending, current or future litigation.
2. Defending any legal challenges to or arising out of this matter.
3. Any bond (finance) related services.
4. Drafting state constitutional or legislative amendments.
5. Pursuing test cases or other litigation.

We may provide one or more of the services listed in subsections (1) – (5) of this Section B upon your request, however, a separate, written engagement or request for those services will be required before we assume one or more of these duties. The remaining services in this list, specifically those listed in subsections (6) – (9) of this Section B below, are not included in this Agreement, nor will they be provided by us at any time.

6. Providing any advice, opinion or representation as to the financial feasibility or the fiscal prudence of this action, the financial condition of the County or the Authority, or any other aspect of this matter.
7. Independently establishing the veracity of certifications and representations of the County or Authority.
8. Acting in a financial advisory role.
9. Negotiating the terms of the agreement referenced in the Services.

C. ATTORNEY-CLIENT RELATIONSHIP; OTHER REPRESENTATIONS

Upon execution of this Agreement and upon notification by the County that our Services are requested, an attorney-client relationship will exist between us with respect to the Services. Our services are limited to those contracted for in this Agreement; the execution of this Agreement will constitute an acknowledgement of those limitations. Our representation and the attorney-client relationship created by this Agreement will be concluded upon adoption of the Resolutions.

As you are aware, our firm represents many political subdivisions, companies and individuals. It is possible that during our representation, one or more of our present or future clients will have transactions with the County. 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 Services 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 this matter. We will decline to participate in any matter where the interests of our clients, including the County, 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 County'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 this matter:

1. In performing any 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, 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 at which proceedings 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 the law. 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.
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. 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 matter. 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 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.

E. FEES

1. I will be the attorney chiefly responsible for providing you with these legal services. However, if efficient and appropriate, I may call on other attorneys and legal assistants from time to time. The fees will be based on the hours worked by firm personnel at their hourly rates in effect at the time the work is performed. Our rates are generally adjusted on an annual basis, beginning January 1 of each year. My current hourly rate is \$365, and my legal assistant's current hourly rate is \$140. It is difficult to estimate the total cost for the work, because we charge by the hour and there are many variables that impact the number of hours spent on the work.
2. In addition to our fees, we will charge for any incidental costs incurred (copies, overnight charges, 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.

F. BILLING MATTERS:

We will submit a summary invoice to the County for the professional services described herein upon adoption of the Resolutions. In the event of a substantial delay in adopting the Resolutions or if the Resolutions are not adopted or our services are otherwise terminated, we reserve the right to present an interim statement for payment. Unless other arrangements have been agreed upon in advance, we expect our statements to be paid in full within thirty (30) days of receipt.

G. 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. 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.

H. OTHER ADVICE

1. If requested, we will maintain one or more separate accounts for periodic services rendered in connection with other matters. Such services may involve the rendering of advice, opinions or other assistance in connection with such issues. 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, please do not hesitate to contact me.

Ahlers & Cooney, P.C.

Very truly yours,



Jason L. Comisky
FOR THE FIRM

JLC:ks

Accepted:

Woodbury County, Iowa

By: _____ Date: _____, 2024

*Approved by action of the governing body on _____, 2024.



Ahlers & Cooney, P.C.
Attorneys at Law

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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

February 26, 2024

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, Iowa - Not to Exceed \$406,000 General Obligation Capital Loan Notes (ECP-1); and Not to Exceed \$394,000 General Obligation Capital Loan Notes (ECP-2)

Dear Dennis:

We have prepared and are including with this letter suggested proceedings to be acted upon by the Board on the date fixed for the hearings on the authorization to enter into a loan agreement and the issuance of the above-mentioned Notes, pursuant to the provisions of Code Sections 331.402 and 331.443. A certificate to attest to each set of the proceedings is also enclosed.

The proceedings are prepared to show as a first step the receipt of any oral or written objections from any resident or property owner to the proposed action of the Board to enter into a loan agreement and issue the Notes. A summary of objections received or made, if any, should be attached to the proceedings. After all objections have been received and considered if the Board decides not to abandon the proposal to issue the Notes, a form of resolution follows that should be introduced and adopted, entitled "Resolution Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$406,000 General Obligation Capital Loan Notes" and "Resolution Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$394,000 General Obligation Capital Loan Notes."

Action Must Be Taken At The Hearing.

The Board is required by statute to adopt the resolutions instituting proceedings to enter into a loan agreement and issue the Notes at the hearing or an adjournment thereof. If necessary to adjourn, the minutes are written to accommodate that action.

In the event the Board decides to abandon the proposal, then the form of resolution included in the proceedings should not be adopted. We would suggest that, in this event, a motion merely be adopted to the effect that such proposal is abandoned.

Section 331.443 of the Code provides that any resident or property owner may appeal the decision to take additional action to the District Court for the County within 15 days after the

additional action is taken. The additional action is final and conclusive unless the court finds that the Board exceeded its authority.

In the event an appeal is filed by any resident or property owner, please see that we are notified immediately; and, as soon as available, a copy of the notice of appeal should be furnished to our office for review.

Also, enclosed are the proceedings to certify the tax levy for the payment of General Obligation Capital Loan Notes to be issued after the budget filing deadline. The "pre-levy" resolution imposes a levy for the Fiscal Year beginning July 1, 2024 and ending June 30, 2025. The amount should be included in the budget or in an amended budget. This resolution will satisfy the requirements for the resolution and levy as required by Iowa Code Chapter 76. When the Notes are issued (the sizing of which may change as directed by the Board), the authorizing resolution will incorporate this levy and will include the levy based on actual rates at the sale. **The pre-levy resolution should be placed on the agenda after the hearings and after the Board adopts the resolutions instituting proceedings to take additional action. If the Board declines to adopt either resolution instituting proceedings to take additional action, then the pre-levy resolution should not be adopted.**

A copy of this Resolution must be filed with the Woodbury County Auditor. It is essential that the Resolution be adopted and filed with the Woodbury County Auditor prior to **April 14, 2024**. **However, to be included in the certified budget, the Resolution should be adopted and filed prior to certification of the budget.** In addition, new Iowa Code section 24.2A (created by Division X of HF 718) requires the County Auditor to mail to all taxpayers by March 20 notice of proposed tax levies and revenues. The Department of Management (DOM) is requesting public bodies upload all anticipated property tax estimates to the DOM software by March 5 (though the statute requires submission by March 15).

Also enclosed is the Certificate for the Auditor to verify that this Resolution was filed.

Please return a completed copy of each proceeding, via email followed up by a hard copy, filled in as the original and certified back to us.

If you have any questions, do not hesitate to contact us.

Ahlers & Cooney, P.C.

Sincerely,



Jason L. Comisky
FOR THE FIRM

JLC:seb

Enclosures

cc: Karen James (via email)

02314564\18799-046

ITEMS TO INCLUDE ON AGENDA FOR MARCH 5, 2024

WOODBURY COUNTY, IOWA

Not to Exceed \$406,000 General Obligation Capital Loan Notes (ECP-1)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder.
- Resolution instituting proceedings to take additional action.

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

March 5, 2024

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

Absent: _____

Vacant: _____

* * * * *

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$406,000 General Obligation Capital Loan Notes, of Woodbury County, State of Iowa, in order to provide funds to pay the costs of capital projects for the construction, reconstruction, improvement, repair or equipping of bridges, roads, and culverts which assist in economic development through the creation of jobs and wealth, including the Frontage Road project, for essential county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 331.402 and 331.443 of the Code of Iowa.

The Chairperson then asked the Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Auditor advised the Chairperson and the Board that _____ written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and _____ were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member _____ introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$406,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2024, at this place.

Board Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

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

RESOLUTION NO. _____

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$406,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$406,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of costs of capital projects for the construction, reconstruction, improvement, repair or equipping of bridges, roads, and culverts which assist in economic development through the creation of jobs and wealth, including the Frontage Road project, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$406,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 5th day of March, 2024.

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 _____, 2024.

County Auditor, Woodbury County, State of Iowa

(SEAL)

ITEMS TO INCLUDE ON AGENDA FOR MARCH 5, 2024

WOODBURY COUNTY, IOWA

Not to Exceed \$394,000 General Obligation Capital Loan Notes (ECP-2)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder.
- Resolution instituting proceedings to take additional action.

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

March 5, 2024

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

Absent: _____

Vacant: _____

* * * * *

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$394,000 General Obligation Capital Loan Notes, of Woodbury County, State in Iowa, in order to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing sidewalks on the site of the district health building; equipping the law enforcement center including software, hardware and other equipment; equipping the Courthouse including software, hardware and other equipment, for essential county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 331.402 and 331.443 of the Code of Iowa.

The Chairperson then asked the Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Auditor advised the Chairperson and the Board that _____ written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and _____ were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member _____ introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$394,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2024, at this place.

Board Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

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

RESOLUTION NO. _____

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$394,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$394,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing sidewalks on the site of the district health building; equipping the law enforcement center including software, hardware and other equipment; equipping the Courthouse including software, hardware and other equipment, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$394,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 5th day of March, 2024.

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 _____, 2024.

County Auditor, Woodbury County, State of Iowa

(SEAL)

ITEMS TO INCLUDE ON AGENDA FOR MARCH 5, 2024
WOODBURY COUNTY, IOWA

\$800,000 General Obligation Capital Loan Notes, Series 2024A

- Resolution authorizing the issuance and levying a tax for the payment thereof.

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

March 5, 2024

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

Absent: _____

Vacant: _____

* * * * *

Board Member _____ introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$800,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2024A, AND LEVYING A TAX FOR THE PAYMENT 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 NO. _____

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$800,000
GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES
2024A, AND LEVYING A TAX FOR THE PAYMENT
THEREOF**

WHEREAS, Woodbury County, State of Iowa ("Issuer"), is a political subdivision, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of of capital projects for the construction, reconstruction, improvement, repair or equipping of bridges, roads, and culverts which assist in economic development through the creation of jobs and wealth, including the Frontage Road project; and erecting, equipping, remodeling or reconstructing sidewalks on the site of the district health building; equipping the law enforcement center including software, hardware and other equipment; equipping the Courthouse including software, hardware and other equipment (the "Project"), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, Series 2024A , in the amount of \$800,000 be issued; and

WHEREAS, the Board of Supervisors has taken such acts as are necessary to authorize issuance of the Notes.

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

Section 1. Authorization of the Issuance. General Obligation Capital Loan Notes, Series 2024A, in the amount of \$800,000 shall be issued pursuant to the provisions of Iowa Code Sections 331.402 and 331.443 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76, there is levied for each future year the following direct annual tax upon all the taxable property in Woodbury County, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$190,666.67	2024/2025
\$184,000.00	2025/2026
\$178,000.00	2026/2027
\$172,000.00	2027/2028
\$166,000.00	2028/2029

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Notes to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Woodbury, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Notes.

PASSED AND APPROVED this 5th day of March, 2024.

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 _____, 2024.

County Auditor, Woodbury County, State of Iowa

(SEAL)

COUNTY AUDITOR'S CERTIFICATE

I, _____, County Auditor of Woodbury County, State of Iowa, hereby certify that on the _____ day of _____, 2024 there was filed in my office the Resolution of the Board of Supervisors of Woodbury County, State of Iowa, adopted on the 5th day of March, 2024, such Resolution levying a tax for the purpose of paying principal and interest on \$800,000 of General Obligation Capital Loan Notes, Series 2024A and authorizing the issuance of the Notes above described.

(COUNTY SEAL)

County Auditor of Woodbury County, State of
Iowa



Woodbury County Law Enforcement Center Authority

Ron Wieck, Chair
Dan Moore, Secretary
Mark Nelson, Treasurer

Woodbury County Courthouse
620 Douglas Street, Room #104
Sioux City, Iowa 51101
712.279.6525

February 27, 2024

Re: Press Release – For Immediate Release

The Authority's focus continues to be working with Hausmann Construction (Hausmann) and Goldberg Group Architects (GGA) on the completion of the Project.

CCD 10R, which relates to certain work that will need to be performed on the mechanical system, was issued on February 7, 2024. CCD 10R encompasses ASI 010, RFI 557, and PR 42R. It also has a January 5, 2024 letter from Michael Shea, Principal at Introba. The cost and time impact of CCD 10R is still being determined.

The State Jail Inspector's final walk is scheduled for three to four days the week of March 11, 2024.

February 26, 27, & 28 we will conduct punch lists in the 2nd floor jail sections and the penthouse over the Sheriff's Administration area.

Furniture is currently being delivered and installed in all areas of the building.

The Authority, GGA, and Hausmann are continuing to discuss Hausmann's previously requested additional time and expense for this damper work, with which the Authority and GGA has expressed their disagreement. The Authority and its counsel continue to assess its additional costs and damages on the Project caused by the actions, inactions, and delays by Hausmann, GGA, and GGA's mechanical engineering subconsultant, Introba, and are taking the proper steps to ultimately hold the responsible parties liable for such additional costs and damages to be incurred by the Authority.