

#13,658

RESOLUTION APPOINTING COMMISSIONER TO
WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY'S
BOARD OF COMMISSIONERS

WHEREAS, Woodbury County, State of Iowa (the "County"), is a political subdivision, organized and existing under and by the laws and Constitution of the State of Iowa; and

WHEREAS, the County has approached the City of Sioux City, Iowa (the "City") with a proposal to establish a Joint County and City Building Authority pursuant to Iowa Code Section 346.27 (the "Authority") for the purposes of building and financing a new law enforcement center for joint use by the City and County; and

WHEREAS, the County has now adopted a resolution adopting Articles of Incorporation to form the Woodbury County Law Enforcement Center Authority and has authorized the execution of the Articles of Incorporation: and

WHEREAS, Iowa Code Section 346.27 requires that the Authority be directed and governed by a Board of Commissioners of three members, one to be elected by the Board of Supervisors of the County from the area outside the county seat, one to be elected by the City Council of the City from the area inside the City, and one to be elected by the joint action of the Board of Supervisors of the County and the City Council of the City; and

WHEREAS, Article III, Section 3.4 of the Articles of Incorporation for the Woodbury County Law Enforcement Authority states "A Commissioner may be removed from office by the affirmative vote of two-thirds of the members of the governing body of the incorporating unit or units that elected the Commissioner"; and

WHEREAS, The Woodbury County Board of Supervisors has removed Rocky De Witt as the County's Commissioner on the Woodbury County Law Enforcement Authority's Board of Commissioners; and

WHEREAS, the County hereby intends to appoint a Commissioner to the Board of Commissioners of the Authority to serve the remainder of the current six-year term who is a current Woodbury County Supervisor; and

WHEREAS, the 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. Appointment. Mark Nelson, currently residing outside of the City of Sioux City, Iowa, is hereby appointed to serve as the County's Commissioner on the Woodbury County Law Enforcement Authority's Board of Commissioners for a remainder of the current six-year term ending December 31, 2027.

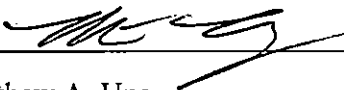
Section 2. Compensation. The Commissioner shall not receive compensation in any actual and necessary expenditures in connection with the performance of the Commissioner's duties.

Section 3. What constitutes vacancy. The appointment shall be vacant if any of the following occur:

- a. The Commissioner ceases to reside in the area outside of the county seat of Woodbury County, Iowa (i.e. Sioux City, Iowa).
- b. The Commissioner ceases to be a member of the Woodbury County Board of Supervisors.

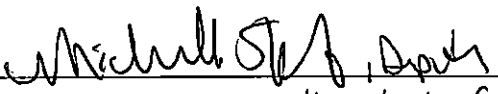
If a vacancy occurs, the Woodbury County Board of Supervisors shall fill the vacancy and the person filling such vacancy shall serve out the remainder of the term of the prior Commissioner.

PASSED AND APPROVED this 5th day of September 2023.



Matthew A. Ung
Chairperson, Board of Supervisors

ATTEST:



~~Patrick E. Gill~~ Michelle K. Steff
County Auditor, Deputy