

**MARCH 1, 2022, NINTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, March 1, 2022 at 4:15 p.m. Board members present were Taylor, Ung, Radig, De Witt, and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget Tax/Analyst, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Services Director, and Patrick Gill, 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.

2. Jasmin Solstice, Sioux City, Jackie Stellish, Sioux City JoAnn Sadler, Correctionville, Maria Rundquist, Sioux City and Kim Alexander, Smithland, expressed opinions about an event that is being sponsored by the Woodbury County Sheriff's Office.
3. Motion by Radig second by De Witt to approve the agenda for March 1, 2022. Carried 5-0. Copy filed.
- 10a. A public hearing was held at 4:35 p.m. for the sale of parcel #894730278008, 1825 W 4<sup>th</sup> St. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894730278008, 1825 W 4<sup>th</sup> St., to Twin Spires, LLC, PO Box 2025, Sioux City, IA, for \$500.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD  
OF SUPERVISORS OF WOODBURY COUNTY, IOWA  
RESOLUTION #13,396**

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

**By Twin Spires LLC** in the sum of **Five Hundred Dollars & 00/100 (\$500.00)**-----  
-----dollars.

For the following described real estate, To Wit:

**Parcel #894730278008**

**All of Lot Eight (8) except the North Sixty-Two Feet (N 62') thereof, in Block Two (2) of Hornick's Addition to Sioux City, Woodbury County, Iowa  
(1825 W. 4<sup>th</sup> 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close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.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 1<sup>st</sup> Day of March, 2022.

**WOODBURY COUNTY BOARD OF SUPERVISORS**  
Copy filed.

10b. A public hearing was held at 4:37 p.m. for the sale of parcel #894720384016, 1309 W. 14<sup>th</sup> St. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894720384016, 1309 W. 14<sup>th</sup> St., to E & M Rental LLC, 2086 150<sup>th</sup> St., Lawton, IA, for \$250.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD  
OF SUPERVISORS OF WOODBURY COUNTY, IOWA  
RESOLUTION #13,397**

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

**By E & M Rental LLC** in the sum of **Two Hundred Fifty Dollars & 00/100 (\$250.00)** dollars.

For the following described real estate, To Wit:

**Parcel #894720384016**  
**West 35 feet East 110 feet South ½ Lot 5 Block 36, West 35 feet East 110 feet Lot 6 Block 36 of North Sioux City Addition, City of Sioux City, Woodbury County, Iowa (1309 W 14<sup>th</sup> 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 1<sup>st</sup> Day of March, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

10c. A public hearing was held at 4:39 p.m. for the sale of parcel #894735116006, 3200 Leech Ave. The Chairperson called on anyone wishing to be heard.

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

Motion by Taylor second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894735116006, 3200 Leech Ave., to Dennis F. Cloud, 1414 Whitcher Ave., Sioux City, IA, for \$300.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD  
OF SUPERVISORS OF WOODBURY COUNTY, IOWA  
RESOLUTION #13,398**

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

**By Dennis F. Cloud** in the sum of **Three Hundred Dollars & 00/100 (\$300.00)**-----  
-----dollars.

For the following described real estate, To Wit:

**Parcel #894735116006**  
**Lots Eight (8), Nine (9), Ten (10), and Eleven (11) in Block Three (3) of Hedges Table Addition, City of Sioux City, Woodbury County, Iowa (3200 Leech Ave.)**

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 1<sup>st</sup> Day of March, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 11a. A public hearing was held at 4:45 p.m. for development agreement and tax increment payments to Ag Processing Inc. The Chairperson called on anyone wishing to be heard.

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

- 11b. Motion by Taylor second by Radig to approve and authorize the Chairperson to sign a Resolution approving development agreement with AG Processing Inc., authorizing tax increment payments and pledging certain tax increment revenues to the payment of the agreement. Carried 5-0.

**RESOLUTION #13,399**  
**RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH AG PROCESSING INC.,**  
**AUTHORIZING TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT**  
**REVENUES TO THE PAYMENT OF THE AGREEMENT**

WHEREAS, Woodbury County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an urban renewal plan for the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this Board of Supervisors has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the County for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, a certain Development Agreement (the "Agreement") between the County and Ag Processing Inc., (the "Company") has been prepared in connection with the expansion of a soybean processing facility for use in the Company's business operations on certain real property (the "Property") situated at 2753 Port Neal Circle, Sergeant Bluff, Iowa in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Company including certain incremental property tax payments in an amount not to exceed \$1,000,000 (the "Payments") under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, the Board of Supervisors, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement on March 1, 2022, and has otherwise complied with statutory requirements for the approval of the Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa ("Chapter 15A") declares that economic development is a public purpose for which a County may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a Board of Supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a Board of Supervisors must consider any or all of a series of factors; and

WHEREAS, pursuant to the Plan and Chapter 403 of the Code of Iowa, the County may undertake projects and initiatives for the promotion of economic development;  
Woodbury County/424093-24/Hold Hrg Dev Agmt

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

Section 1. Pursuant to the factors listed in Chapter 15A, the Board hereby finds that:

(a) The Project will add diversity and generate new opportunities for the Woodbury County and Iowa economies;

(b) The Project will generate public gains and benefits, particularly in the creation of new jobs and housing opportunities, which are warranted in comparison to the amount of the proposed property tax incentives.

Section 2. The Board further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the incremental property tax payments to the Company.

Section 3. The Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Agreement on behalf of the County, in substantially the form and content in which the Agreement has been presented to this Board of Supervisors, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 4. As provided and required by Chapter 403 of the Code of Iowa, the County's obligations under the Agreement shall be payable solely from a subfund (the "Ag Processing Inc. Subfund") which is hereby established, into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

Section 5. The County hereby pledges to the payment of the Agreement the Ag Processing Inc. Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Woodbury County, Iowa to evidence the continuing pledging of the Ag Processing Inc. Subfund and the portion

of taxes to be paid into such Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the County Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed and approved March 1, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 11c. Motion by Radig second by Taylor to authorize the Chairperson to sign the Development Agreement with Ag Processing Inc. Carried 5-0. Copy filed.

Motion by De Witt second by Taylor to approve the following items by consent:

- 4. To approve minutes of the February 22, 2022 meeting. Copy filed.
- 5. To approve the claims totaling \$338,244.09. Copy filed.
- 6. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Joan Ellensohn-Conley, 924 N Alice, Sioux City, parcel #894726154009.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,400  
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

WHEREAS, Joan Ellensohn-Conley, is the titleholder of property located at 924 N. Alice, Sioux City, IA, Woodbury County, Iowa, and legally described as follows:

Parcel #894726154009

**EAST TERRACE LOT 21 BLOCK 3**

WHEREAS, Joan Ellensohn-Conley is the titleholder of the aforementioned property have 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 1st day of March, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 7. To approve and authorize the Chairperson to sign a Resolution Notice of Property Sale - Woodbury County Farm.

**RESOLUTION #13,401  
NOTICE OF PROPERTY SALE – WOODBURY COUNTY FARM**

WHEREAS Woodbury County, Iowa is the owner of certain parcels of real estate described as:

Parcel 1:

All of the Northwest ¼ of the Southwest ¼ and that part of the Southwest ¼ of the Southwest ¼ of Section 14, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Beginning at the Northwest corner of said Northwest ¼ of the Southwest ¼ of Section 14; thence South 89°32'09" East along the North line of said Northwest ¼ of the Southwest ¼ for 1328.16 feet to the Northeast corner of said Northwest ¼ of the Southwest ¼; thence South 0°04'33" East along the East line of said Northwest ¼ of the Southwest ¼ and the East line of said Southwest ¼ of the Southwest ¼ for 2511.20 feet to the centerline of Old Highway # 141; thence North and West along said centerline on the following courses and distances: North 59°43'02" West for 691.82 feet; Northwesterly for 322.20 feet on an 1145.92 foot radius curve, concave Northeasterly, having a long chord of 321.14 feet, bearing North 51°39'44" West; North 43°36'26" West for 699.13 feet to the West line of said Southwest ¼ of the Southwest ¼; thence North 0°00'08" East along said West line and the West line of said Northwest ¼ of the Southwest ¼ for 1467.67 feet to the point of beginning

Said described parcel contains 63.029 acres, more or less, which includes 3.936 acres in roadway easement.

Parcel 2:

All that part of the Southwest ¼ of the Southwest ¼ of Section 14, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Commencing at the Northwest corner of the Northwest ¼ of the Southwest ¼ of said Section 14; thence South 0°00'08" West along the West line of said Northwest ¼ of the Southwest ¼ and the West line of said Southwest ¼ of the Southwest ¼ for 1467.67 feet to the centerline of Old Highway # 141 and the point of beginning; thence continuing South 0°00'08" West along the West line of said Southwest ¼ of the Southwest ¼ for 1210.78 feet to the Southwest corner of said Southwest ¼ of the Southwest ¼; thence South 89°52'45" East along the South line of said Southwest ¼ of the Southwest ¼ for 1331.77 feet to the Southeast corner of said Southwest ¼ of the Southwest ¼; thence North 0°04'33" West along the East line of said Southwest ¼ of the Southwest ¼ for 159.30 feet to the centerline of Old Highway # 141; thence North and West along said centerline on the following courses and distances: North 59°43'02" West for 691.82 feet; Northwesterly for 322.20 feet on an 1145.92 foot radius curve, concave Northeasterly, having a long chord of 321.14 feet, bearing North 51°39'44" West; North 43°36'26" West for 699.13 feet to the point of beginning

Said described parcel contains 18.626 acres, more or less, which includes 5.354 acres in roadway easement.

Parcel 3:

All that part of the Northwest ¼ of Section 23, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, described as follows:

Commencing at the Northwest corner of said Northwest ¼ of Section 23; thence South 89°52'45" East along the North line of said Northwest ¼ for 531.00 feet to the point of beginning; thence continuing South 89°52'45" East along said North line for 1074.33 feet to the centerline of Old Highway # 141; thence South and East along said centerline on the following courses and distances: South 59°43'02" East for 547.70 feet; Southeasterly for 315.21 feet on an 1145.92 foot radius curve, concave Southwesterly, having a long chord of 314.22 feet, bearing South 51°50'13" East; South 43°57'24" East for 466.81 feet to the East line of said Northwest ¼; thence South 1°00'33" West along the East line of said Northwest ¼ for 1862.15 feet to the Southeast corner of said Northwest ¼; thence North 89°46'29" West along the South line of said Northwest ¼ for 2652.80 feet to the Southwest corner of said Northwest ¼; thence North 0°46'46" East along the West line of said Northwest ¼ for 1230.43 feet; thence South 89°20'41" East for 594.00 feet; thence North 0°41'17" East for 438.50 feet; thence North 4°43'39" East for 241.50 feet; thence North 5°10'48" West for 760.50 feet to the point of beginning

Said described parcel contains 134.950 acres, more or less, which includes 3.980 acres in roadway easement.

NOW THEREFORE,

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

1. That a public hearing on this property sale proposal shall be held on the **15<sup>th</sup> Day of March, 2022 at 4:40 p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcels of real estate at a public auction conducted by Stalcup Agricultural Service, Inc. to be held on the **22<sup>nd</sup> Day of March, 2022 at 10:00 a.m.**
3. That said Board proposes to sell the said real estate to the highest Bidder for each parcel at or above a **minimum bid set by the Board of Supervisors** which shall be at or above the appraised value of the property.
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 1<sup>st</sup> Day of March, 2022.  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

- 8a. To approve the separation of Kenzie Holsinger, P/T Youth Worker, Juvenile Detention Dept., effective 02-18-22. Separation.; the separation of Erick Ortiz, P/T Youth Worker, Juvenile Detention Dept., effective 02-19-22. Separation.; the appointment of Jeremy Pope, Civilian Jailer, County Sheriff Dept., effective 03-07-22, \$21.02/hour. Job Vacancy Posted 1-26-22. Entry Level Salary: \$21.02/hour.; and the reclassification of Amanda Quade, Civilian Jailer, County Sheriff Dept., effective 03-07-22, \$22.76/hour, 4%=\$.88/hour. Per CWA Civilian Officers Contract agreement, from Class 2 to Class 1. Copy filed.
- 8b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for a P/T Youth Worker, Juvenile Detention Dept. AFSCME Juvenile Detention: \$20.38/hour., and for (2) Equipment Operators, Secondary Roads Copy filed.
- 9a. To approve the refund of property tax for parcel #884705256007 in the amount of \$773.00. Copy filed.
- 9b. To receive for signatures a Resolution naming depositories for the County Treasurer.

**RESOLUTION NAMING DEPOSITORIES**  
**RESOLUTION #13,402**

**BE IT RESOLVED** by the Woodbury County Board of Supervisors in Woodbury County, Iowa: That we do hereby designate the following named banks to be depositories of the Woodbury County funds in amounts not to exceed the amount named opposite each of said designated depositories and **Tina Bertrand, Woodbury County Treasurer** is hereby authorized to deposit the Woodbury County funds in amounts not to exceed in the aggregate the amounts named for said banks as follows, to wit:

NAME OF DEPOSITORY	LOCATION	MAXIMUM DEPOSIT	MAXIMUM DEPOSIT
		In the effect Prior resolution	under the resolution
U.S. Bank	Sioux City, Iowa	\$50,000,000	\$50,000,000
Security National Bank	Sioux City, Iowa	100,000,000	100,000,000
Wells Fargo Bank	Sioux City, Iowa	50,000,000	50,000,000
PeoplesBank	Sioux City, Iowa	5,000,000	5,000,000
First National Bank	Sioux City, Iowa	50,000,000	50,000,000

Primebank	Sioux City, Iowa	50,000,000	50,000,000
Great Southern Bank	Sioux City, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	1,000,000	1,000,000
Pioneer Bank	Sergeant Bluff, Iowa	10,000,000	10,000,000
Sloan State Bank	Sloan, Iowa	5,000,000	5,000,000
Valley Bank & Trust	Danbury, Iowa	1,500,000	1,500,000
BankFirst	Hornick, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Moville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Anthon, Iowa	5,000,000	5,000,000
Liberty National Bank	Sioux City, Iowa	25,000,000	25,000,000
Availa Bank	Sioux City, Iowa	10,000,000	10,000,000
Central Bank	Sioux City, Iowa	10,000,000	10,000,000
Kingsley State Bank	Sergeant Bluff, Iowa	1,000,000	1,000,000
First State Bank	Danbury, Iowa	5,000,000	\$5,000,000
Shelby County State Bank	Danbury, Iowa	5,000,000	\$5,000,000

**SO RESOLVED** this 1<sup>st</sup> day of March, 2022  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

Carried 5-0.

12. Information was presented by Summit Carbon Solutions.

Motion by Taylor second by Radig to receive material from Carbon Solutions. Carried 5-0. Copy Filed.

13a. Motion by Taylor second by Wright to approve and authorize the Chairperson to sign a Resolution supporting HF 2430, a bill for an act relating to methods of determining compensation of elected county officers (Formerly HSB 666). Failed 2-3 on a roll call vote; De Witt, Ung and Radig were opposed. Copy filed.

13b. Motion by Taylor second by De Witt to approve the Memorandum of Understanding between Woodbury County's Board of Supervisors, Conservation Board, and Secondary Roads Department regarding future uses of the Briese Property. Carried 3-2; Wright and Radig were opposed. Copy filed.

14. The Board heard reports on committee meetings.

15. There were no citizen concerns.

16. Board concerns were heard.

March 1, 2022 Cont'd.

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The Board adjourned the regular meeting until March 08, 2022.

Meeting sign in sheet. Copy filed.