

MARCH 5, 2024, TENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, March 5, 2024, at 4:30 p.m. Board members present were Nelson, Ung, Bittinger II (by phone), 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.

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

1. Motion by Taylor second by Radig to approve the agenda for March 5, 2024. Carried 5-0. Copy filed.

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

2. To approve minutes of the February 27, 2024 meeting. Copy filed.
3. To approve the claims totaling \$693,183.99. Copy filed.
4. 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. Copy filed.
5. To lift tax suspension for James Tott, parcel #894726391007, 3500 1st St. Copy filed.
6. To approve the separation of Andres Garcia, Sheriff Reservist, County Sheriff Dept., effective 2-26-24. Resignation.; the appointment of Gavin Reitsma, Temporary Youth Worker, Juvenile Detention Dept., effective 3-08-24, \$21.41/hour. Job Vacancy Posted 12-20-23. Entry Level Salary: \$21.41/hour.; and the reclassification of Ryan Chytka, Environmental Project Supervisor, Building Services Dept., effective 03-18-24, \$3,290.08/bi-weekly, 3%=\$95.83/bi-weekly. Per Wage Plan Matrix, 6 year Salary Increase. Copy filed.
- 7a. To approve the Conflict Waiver from Ahlers & Cooney. Copy filed.
- 7b. To approve the engagement agreement from Ahlers & Cooney. Copy filed.
- 7c. To approve the engagement agreement from mechanical expert, HKA Global LLC. Copy filed.

Carried 5-0.

13. A presentation was made to the County Engineer Mark Nahra for the oldest concrete road in the nation by Greg Mulder and Andy Loonan from Iowa Concrete and Pavement Association.

- 8a. A public hearing was held at 4:40 p.m. for authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

- 8b. Motion by Ung second by Radig to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$406,000 General Obligation Capital Loan Notes. Carried 5-0.

RESOLUTION #13,704
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.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11. Reports on committee meetings were heard.
- 12. There were no citizen's concerns.
- 10. Nelson presented an update from the law enforcement authority.

Motion by Ung second by Nelson to approve the LEC authority report. Carried 5-0. Copy filed.

- 9a. A public hearing was held at 4:45 p.m. for authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder. The Chairperson called on anyone wishing to be heard.

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

- 9b. Motion by Ung second by Nelson to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$394,000 General Obligation Capital Loan Notes. Carried 5-0.

RESOLUTION #13,705
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.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 9c. Motion by Ung second by Nelson to approve and authorize the Chairperson to sign a Resolution authorizing the issuance of \$800,000 General Obligation Capital Loan Notes, Series 2024A, and Levying a tax for the payment thereof. Carried 5-0.

RESOLUTION #13,706
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:

<u>AMOUNT</u>	<u>FISCAL YEAR (JULY 1 TO JUNE 30)</u> <u>YEAR OF COLLECTION</u>
\$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.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

The Board adjourned the regular meeting until March 12, 2024.

Meeting sign in sheet. Copy filed.