

MARCH 29, 2022 THIRTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, March 29, 2022 at 4:30 p.m. Board members present were Ung, Radig, De Witt, Taylor, 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. There were no citizen concerns.
3. Motion by Radig second by Taylor to approve the agenda for March 29, 2022. Carried 5-0. Copy filed.

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

4. To approve minutes of the March 22, 2022 meeting. Copy filed.
5. To approve the claims totaling \$1,170,957.59. Copy filed.
- 6a. To approve Bond Counsel Engagement Agreement. Copy filed.
- 6b. To approve the sale of the County Farm and purchase agreements. Copy filed.
- 7a. To approve the separation of Aaron Tyler, Youth Worker, Juvenile Detention Dept., effective 04-06-22. Resignation. Copy filed.
- 7b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for a F/T Youth Worker, Juvenile Detention Dept. AFSCME Juvenile Detention: \$20.38/hour, and P/T Youth Worker, Juvenile Detention Dept. AFSCME Juvenile Detention: \$20.38/hour. Copy filed.
8. To approve the permit to work in the right of way for Brown's Lake area homeowners. Copy filed.

Carried 5-0.

13. Motion by Radig second by Taylor approve transfer of up to \$1,200,000 from General Basic Reserves for the Brown's Lake project, to be reimbursed by Conservation Reserve Fund over a 10-year period. Carried 5-0. Copy filed.
9. A public hearing was held at 4:35 for the sale of parcel #894727230005, 1006 Dubuque 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 Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of real estate parcel #894727230005, 1006 Dubuque St., to Cody & Kelly Boulware, 2513 10th St., Sioux City, IA, for \$10,000.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD
OF SUPERVISORS OF WOODBURY COUNTY, IOWA
RESOLUTION #13,406**

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

By Cody Boulware & Kelly M. Boulware in the sum of **Ten Thousand Dollars & 00/100 (\$10,000.00)** dollars.

For the following described real estate, To Wit:

Parcel #894727230005

Lot Five (5) in Block Nineteen (19) of Coles Addition to Sioux City, in the County of Woodbury and State of Iowa (1006 Dubuque 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 29th Day of March, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

10a. A public hearing was held at 4:40 p.m. for the ordinance to amend Section 5.03: Floodplain Management Ordinance in the Woodbury County Zoning Ordinance. The Chairperson called on anyone wishing to be heard.

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

10b. Motion by Radig second by De Witt to conduct the second reading of the ordinance. Carried 5-0. Copy filed.

11a. Motion by Taylor second by De Witt to approve and authorize the Chairperson to sign a Resolution ratifying, confirming, and approving publication of notice of public hearing for the issuance of not to exceed \$421,000 General Obligation Capital Loan Notes (Essential County Purpose #1). Carried 5-0.

RESOLUTION #13,407
RESOLUTION RATIFYING, CONFIRMING AND
APPROVING PUBLICATION OF NOTICE OF PUBLIC
HEARING FOR THE ISSUANCE OF NOT TO EXCEED
\$421,000 GENERAL OBLIGATION LOAN NOTES
(ESSENTIAL COUNTY PURPOSE #1)

WHEREAS, Woodbury County, State of Iowa, is in need of funds to carry out the purpose of providing funds to pay the costs of erecting, equipping, remodeling or reconstructing of the Courthouse including audio/visual equipment, software, hardware and other equipment; front windows for the public building used by District Health; and remodeling the data center; and

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$421,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s); and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before said Notes may be issued, it is necessary to publish a notice of the proposal to enter into a Loan Agreement and issue such Notes and of the time and place of the meeting at which it is proposed to take action

for the issuance of the Notes and to receive oral and/or written objections from any resident or property owner to such action; and

WHEREAS, the notice of above meeting has been published as required by Sections 331.402 and 331.443 of the Code of Iowa, as amended, and the following action is now considered to be in the best interests of the County and its residents.

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

Section 1. That the action of the Auditor setting a public hearing before the Board of Supervisors to meet in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:45 P.M., the 29th day of March, 2022, for the purpose of taking action on the matter of entering into a Loan Agreement and on the issuance of not to exceed \$421,000 General Obligation Capital Loan Notes (Essential County Purpose #1), for essential county purpose project(s), the proceeds of which will be used to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing of the Courthouse including audio/visual equipment, software, hardware and other equipment; front windows for the public building used by District Health; and remodeling the data center, is hereby ratified, confirmed and approved.

Section 2. That the Auditor has caused publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County, said publication to be not less than four (4) nor more than twenty (20) clear days before the date of the public meeting on the issuance of the Notes.

Section 3. That the form of notice of public hearing is hereby ratified, confirmed and approved.

PASSED AND APPROVED this 29th day of March, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 11b. A public hearing was held at 4:45 p.m. for the 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 De Witt second by Radig to close the public hearing. Carried 5-0.

- 11c. Motion by De Witt second by Taylor to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$421,000 General Obligation Capital Loan Notes (Essential County Purpose #1). Carried 5-0.

RESOLUTION #13,408
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$421,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES (ESSENTIAL COUNTY PURPOSE #1)

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 \$421,000 General Obligation Capital Loan Notes (Essential County Purpose #1), for the essential county purposes, in order to provide funds to pay the costs of erecting, equipping, remodeling or reconstructing of the Courthouse including audio/visual equipment, software, hardware and other equipment; front windows for the public building used by District Health; and remodeling the data center, 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 \$421,000 General Obligation Capital Loan Notes (Essential County Purpose #1), 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 29th day of March, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11d. Motion by Radig second by Taylor to approve and authorization the Chairperson to sign a Resolution ratifying, confirming, and approving publication of notice of public hearing the issuance not to exceed \$1,995,000 General Obligation Capital Loan Notes (Essential County Purpose #2). Carried 5-0.

**RESOLUTION #13,409
RESOLUTION RATIFYING, CONFIRMING AND
APPROVING PUBLICATION OF NOTICE OF PUBLIC
HEARING FOR THE ISSUANCE OF NOT TO EXCEED
\$1,995,000 GENERAL OBLIGATION CAPITAL LOAN NOTES
(ESSENTIAL COUNTY PURPOSE #2)**

WHEREAS, Woodbury County, State of Iowa, is in need of funds to carry out the purpose of providing funds to pay the costs of demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance including Prairie Hills demolition and related costs; peace officer communication equipment and other emergency services communication equipment and systems including software and hardware; and optical scan voting system and related equipment; and

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$1,995,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s); and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before said Notes may be issued, it is necessary to publish a notice of the proposal to enter into a Loan Agreement and issue such Notes and of the time and place of the meeting at which it is proposed to take action for the issuance of the Notes and to receive oral and/or written objections from any resident or property owner to such action; and

WHEREAS, the notice of above meeting has been published as required by Sections 331.402 and 331.443 of the Code of Iowa, as amended, and the following action is now considered to be in the best interests of the County and its residents.

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

Section 1. That the action of the Auditor setting a public hearing before the Board of Supervisors to meet in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:47 P.M., the 29th day of March, 2022, for the purpose of taking action on the matter of entering into a Loan Agreement and on the issuance of not to exceed \$1,995,000 General Obligation Capital Loan Notes (Essential County Purpose

#2), for essential county purpose project(s), the proceeds of which will be used to provide funds to pay the costs of demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance including Prairie Hills demolition and related costs; peace officer communication equipment and other emergency services communication equipment and systems including software and hardware; and optical scan voting system and related equipment, is hereby ratified, confirmed and approved.

Section 2. That the Auditor has caused publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County, said publication to be not less than four (4) nor more than twenty (20) clear days before the date of the public meeting on the issuance of the Notes.

Section 3. That the form of notice of public hearing is hereby ratified, confirmed and approved.

PASSED AND APPROVED this 29th day of March, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

11e. A public hearing was held at 4:47 p.m. for the 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 Taylor second by Radig to close the public hearing. Carried 5-0.

11f. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution instituting proceedings to take additional action for the issuance of not to exceed \$1,995,000 General Obligation Capital Loan Notes (Essential County Purpose #2). Carried 5-0.

RESOLUTION #13,410
RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$1,995,000 GENERAL OBLIGATION CAPITAL
LOAN NOTES (ESSENTIAL COUNTY PURPOSE #2)

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 \$1,995,000 General Obligation Capital Loan Notes (Essential County Purpose #2), for the essential county purposes, in order to provide funds to pay the costs of demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance including Prairie Hills demolition and related costs; peace officer communication equipment and other emergency services communication equipment and systems including software and hardware; and optical scan voting system and related 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 \$1,995,000 General Obligation Capital Loan Notes (Essential County Purpose #2), 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 29th day of March, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 11g. Motion by Radig second by Taylor to approve and authorize the Chairperson to sign a Resolution authorizing the issuance of \$2,416,000 General Obligation Capital Loan Notes, Series 2022A, and levying a tax for the payment thereof. Carried 5-0.

RESOLUTION #13,411
RESOLUTION AUTHORIZING THE ISSUANCE OF
\$2,416,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES, SERIES 2022A, 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 (a) erecting, equipping, remodeling or reconstructing of the Courthouse including audio/visual equipment, software, hardware and other equipment; (b) front windows for the public building used by District Health; (c) remodeling the data center; (d) demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance including Prairie Hills demolition and related costs; (e) peace officer communication equipment and other emergency services communication equipment and systems including software and hardware; and (f) optical scan voting system and related equipment (the "Project"), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, Series 2022A, in the amount of \$2,416,000 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 2022A, in the amount of \$2,416,000 shall be issued pursuant to the provisions of Iowa Code Sections 331.402 and 331.443 for the purposes covered by the hearings.

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
\$525,278.67	2022/2023
\$515,091.20	2023/2024
\$507,118.40	2024/2025
\$499,145.60	2025/2026
\$491,172.80	2026/2027

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 29th day of March, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 12a. A public hearing was held at 4:50 p.m. to levy General Basic property tax which exceed statutory Maximum. The Chairperson called on anyone wishing to be heard.

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

- 12b. A public hearing was held for proposed Fiscal Year 2023 budget. The Chairperson called on anyone wishing to be heard.

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

Motion by Radig second by Taylor to Reduce the Compensation Board recommendation by 55.55% with a supplemental payment for all percentage deputies of elected officials. The motion was removed from the table.

Motion by Taylor second by Radig to receive the memo from Auditor Gill referencing different scenarios the Board could consider in regard to the compensation board recommendations. Carried 5-0. Copy filed.

Motion by Radig second by Taylor to reduce the compensation board recommendation by 50%. Failed 2-3 on a roll call vote; De Witt, Ung and Wright were opposed.

Motion by Taylor second by Wright to reduce the compensation board recommendation by 45.5%. Carried 3-2 on a roll call vote; De Witt and Ung were opposed.

- 12c. Motion by Taylor second by Radig to approve and authorize the Chairperson to sign a Resolution approval of FY 2022/2023 Budget and Certification of Taxes. Carried 4-1; De Witt oposed.

**APPROVAL OF FY 2022/2023 BUDGET AND CERTIFICATION OF TAXES
RESOLUTION #13,412**

WHEREAS, the Woodbury County Board of Supervisors has considered the proposed FY 2022/2023 county budget and certification of taxes, and

WHEREAS, a public hearing concerning the proposed county budget was held on March 29, 2022,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Woodbury County that the county budget and certificate of taxes for FY 2022/2023 as set forth in the budget summary, is hereby adopted and that the Woodbury County Auditor is directed to file said budget and to establish accounting records in accordance with the attached schedules.

BE IT FURTHER RESOLVED that the Chairperson and the County Auditor be and are hereby authorized to sign the approved FY 2022/2023 county budget.

Signed and dated this 29th day of March, 2022.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 14a. Motion by Radig second by De Witt approve the Emergency budget request reference air truck filtration system part. Carried 5-0. Copy filed.

- 14b. Motion by Taylor second by Radig to approve the purchase of mortuary cart for medical examiner investigation. Carried 5-0. Copy filed.

- 15a. Motion by Radig second by De Witt to award the bid for annual corrugated metal pipe purchase for 2022, project #CP-2022 to Metal Culverts Inc. for \$130,758.00. Carried 5-0. Copy filed.
- 15b. Motion by Radig second by De Witt to receive for signatures a Resolution supporting the City of Sioux City's grant application to the Iowa Department of Transportation for the Revitalize Iowa's Sound Economy (RISE) Program. Carried 5-0.

**WOODBURY COUNTY, IOWA
RESOLUTION #13,413**

**A RESOLUTION SUPPORTING THE CITY OF SIOUX CITY'S GRANT APPLICATION TO THE IOWA
DEPARTMENT OF TRANSPORTATION FOR THE REVITALIZE IOWA'S SOUND ECONOMY (RISE) PROGRAM**

WHEREAS, the City of Sioux City is applying for a RISE Grant from the Iowa Department of Transportation to support the development of an immediate, non-speculative economic development opportunity in the Southbridge Business Park; and

WHEREAS, Cold Link Logistics recent announcement of the construction of a new cold storage warehouse facility in the Southbridge Business Park will create additional traffic and related issues on the local street system; and

WHEREAS, improvements to the local road infrastructure and the construction of Alicia Avenue in the Southbridge Business Park are vital to the success of the Cold Link Logistics project; and

Whereas, the roadway to be improved through the use of RISE Funds will be dedicated for public use following construction and fall within the jurisdiction of the City of Sioux City; and

WHEREAS, RISE funding is essential to the creation of 60 new jobs and \$60 million in new capital investment as proposed by the Cold Link project, and without it the project will fail.

NOW, THEREFORE, BE IT RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS: Woodbury County hereby endorses the City of Sioux City's plan to make such road improvements in the Southbridge Business Park on Alicia Avenue as it is essential to the success of the Cold Link Logistics project and it will strengthen the heavily used road network in the Southbridge Business Park and surrounding industrial area.

Dated this 29th day of March 2022
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 16. The Board heard reports on committee meetings.
- 17. There were no citizen concerns
- 18. Board concerns were heard.

The Board adjourned the regular meeting until April 5, 2022.

Meeting sign in sheet. Copy filed.