

DECEMBER 17, 2013 — FIFTYFIRST MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, December 17, 2013 at 10:00 a.m. Board members present were Clausen, Smith, Boykin and Monson; Tripp was absent. Staff members present were Karen James, Board Administrator, Dennis Butler, Finance/Operations Controller, Joshua Widman, Assistant County Attorney, and Patrick F. Gill, Auditor/Clerk to the Board.

The meeting was called to order.

Motion by Monson second by Boykin to approve the minutes of the 12/10/2013 Board meeting. Carried 4-0. Copy filed.

Motion by Smith second by Monson to approve the county's claims totaling \$728,236.81. Carried 4-0. Copy filed. 4440

Motion by Boykin second by Monson to approve the reclassification of John Pylelo, Administrator, Planning & Zoning Dept., effective 12/09/13, \$72,845/year, 9%=\$6,000/year. Other.; the appointment of Marvin Flewelling, Temporary Equipment Operator, Secondary Roads Dept., effective 12/18/13, \$20.30/hour. Not to exceed 120 days.; the reclassification of Athena Ladeas, Asst. County Attorney, County Attorney Dept., effective 1/05/14, \$65,644/year, 4%=\$2,757/yr. Per AFSCME Asst. County Attorney Contract agreement, from Step 5 to Step 6; and the appointment of David Gleiser, Director, Rural Economic Development, effective 01/06/14, \$60,000/year. Job vacancy Posted 9-18-13. Entry Level Salary: \$60,000-\$75,000/year. Carried 4-0. Copy filed. 22

Motion by Monson second by Boykin to approve and authorize the Chairperson to sign a transfer of Starcomm tower located at 3301 West 19th Street in Sioux City, Iowa lease between Woodbury County, City of Sioux City, and Long Lines Wireless LLC to LL Acquisition Company. Carried 4-0. Copy filed. 9-1964

Motion by Monson second by Boykin to approve and authorize the Chairperson to sign a transfer of a Starcomm tower located at 2290 Platte Road in Homer, Nebraska lease between Woodbury County and Long Lines Wireless LLC to LL Acquisition Company. Carried 4-0. Copy filed. 9-1965

Discussion with I & S Group – Ivan Droessler about Orton Slough improvement preliminary design work and next steps in project development.

Motion by Boykin second by Smith to set a public hearing for January 16, 2014 at 5:00 p.m. at Salix Community Center. Carried 4-0

Motion by Monson second by Smith to lift the suspension of taxes for Arnold Brannan and Agnes Brannan, 1633 Goldie Ave, Sioux City, Parcel #158911. Carried 4-0. Copy filed. 5K

Motion by Monson second by Boykin to approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes through the redemption process for Penny Birkley, 1511 W. Lunah Ave, Sioux City, parcel #894717356011. Carried 4-0.

**WOODBURY COUNTY, IOWA
RESOLUTION #11,947
RESOLUTION APPROVING PETITION OF SUSPENSION
OF TAXES THROUGH THE REDEMPTION PROCESS** 20

WHEREAS, Penny R. Birkley as joint titleholders of a property located at 1511 W. Lunah Ave., Woodbury County, Iowa, and legally described as follows:

Parcel # 894717356011

Pleasant View Addition Lot 42

WHEREAS, Penny R. Birkley, as joint titleholders of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 1999 Iowa Code Section 447.9(3) 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 directs the County Auditor to redeem this property Parcel #894717356011 owned by the petitioner from the holder of a certificate of purchase of the amount necessary to redeem under section 447.1, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this parcel.

SO RESOLVED this 17th day of December, 2013.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Motion by Boykin second by Monson to approve and authorize the Chairperson to sign a 28E Agreement between Woodbury County, Iowa and the City of Salix, Iowa for the Provision of Law Enforcement Services. Carried 4-0. Copy filed. *9-1966*

Motion by Monson second by Smith to approve and receive for signatures a Resolution Adopting and Approving Tax Compliance Procedures Relating to Conduit Tax-Exempt Bonds. Carried 4-0.

RESOLUTION #11,948
RESOLUTION ADOPTING AND APPROVING TAX COMPLIANCE PROCEDURES RELATING TO CONDUIT TAX-EXEMPT BONDS

WHEREAS, pursuant to Chapter 419 of the Code of Iowa (the "Act") and Section 103 of the Internal Revenue Code, Woodbury County, Iowa (the "County"), acting by and through the authority of its Board of Supervisors, has issued, and likely will issue in the future, tax exempt bonds, notes or other obligations (the "Conduit Tax Exempt Bonds") and loan the proceeds to private parties ("Conduit Borrowers") to finance project authorized by the Act; and

WHEREAS, in response to recommended best practices by the Internal Revenue Service, the County deems it necessary and desirable to adopt certain procedures and practices to be followed in connection with the issuance of Conduit Tax Exempt Bonds to insure compliance with the requirements of the Internal Revenue Code by such conduit borrowers and there has been presented for consideration by the Board proposed tax compliance procedures \attached hereto as Exhibit A (the "Compliance Procedures"); and

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

- Section 1. The Compliance Procedures attached hereto as Exhibit A are hereby adopted and shall be dated as of the date hereof.
- Section 2. The Board will periodically update the Compliance Procedures in accordance with the Internal Revenue Code and supporting Internal Revenue Service Rulings and Regulations, with advice from bond counsel.
- Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved December 17, 2013.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

Dr. Mike McTaggart and Susan Barta presented the Prevention Commission for Youths at Risk Annual Report to the Board.

Motion by Smith second by Monson to approve the appointment of Perla Alarcon-Flory as Commission Member to the Prevention Commission of Youths at Risk. Carried 3-0, Boykin abstained. Copy filed. *5X*

The Chairperson asked if there were any individuals or groups wishing to make a presentation of items not on the agenda, or Supervisors concerns.

Motion by Boykin second by Monson to go into closed session with Dan Hartnett per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll call vote.

Motion by Monson second by Smith to go out of closed session with Dan Hartnett per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll call vote.

Motion by Boykin second by Monson to go into closed session with Dan Hartnett per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll call vote.

Motion by Smith second by Monson to go out of closed session with Dan Hartnett per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll call vote.

There was a discussion with Terry Lutz of McClure Engineering on a Master Planning Agreement.

Action on the Master Planning Agreement was postponed on the recommendation of Mr. Lutz.

The Board adjourned the regular meeting until December 23, 2013.