

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 10/5/2023

Weekly Agenda Date: 10/10/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor J. Taylor / D. Butler

WORDING FOR AGENDA ITEM:

Information Related to Overall Funding Status and the Issue of a Maintenance Fund for the Law Enforcement Center

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

Regarding the Law Enforcement Center, the #1 priority of this Board is to support what we can to do everything that we can to help ensure that the Law Enforcement Center opens as soon as possible while insisting on the quality that taxpayers deserve. At the same time, we were each elected to represent taxpayers to ensure that we are good stewards of every dollar that is used. Opening the new LEC as soon as is possible will allow us to safely transition for law enforcement and the courts the dilapidated and aging 1987 LEC with its host of problems. Toward that end, the Board of Supervisors has insisted that each line item be purposefully used and most recently de-obligated \$941,000 of ARPA funding that was already funded from other county sources and therefore duplicative. We also watch with interest a final decision by the Law Enforcement Authority as to whether or not a \$250,000 line item is indeed funded for Building Services. Understanding that this funding was given for that contractual purpose and that the money cannot be used otherwise without express approval by the Board, we are presently awaiting a decision on that matter. Of note, approximately \$450,000-\$700,000 remains in available funding by the LEC Authority (depending on the maintenance building funding and how one calculates it). Today, we turn our attention to the issue of the Law Enforcement Center Maintenance Fund.

BACKGROUND:

Here is background that taxpayers should realize:

1. The purpose of the Maintenance Fund was to assure bondholders and taxpayers alike that the building would not necessitate another borrowing of debt and have programmatic funding in order to ensure its life beyond the 20-year-holding of the LEC Authority before it transfers back to full county ownership.
2. According to the Baker Group's Shane Albrecht, an engineer developed a list that was put in front of the 3-member LEC Authority (Ron Wieck, Dan Moore, then-member Rocky DeWitt) that totaled \$8 million. We have requested copies of the "2021 Maintenance Fund" list to be presented and are learning that they are presently updating it for the October 10 meeting to reflect 2023 prices.
3. Desiring this information is not a criticism of having a maintenance fund. However, the appropriateness of how much money should be taxed for a maintenance fund and decisions requiring the taxation of Woodbury County taxpayers should have input from the Board of Supervisors. Supervisors should be able to review this list in seeing if this level of funding is appropriate.
4. The Maintenance Fund currently has a total of \$1 million as of November 1 (\$400,000 is directly taxed this way each year). Taxpayers should know that "The Maintenance Fund" will have a total of \$1.2 million by May 1, ironically amassing the total of Iowa's statutory bond limit the month after the building is currently projected to open.
5. The direct taxation of \$400,000 per year in addition to the \$3.6 million bond (principal/interest) payment equals \$4 million annually. The LEC Authority lease calls for an 80/20 split additionally to go into this fund from federal prisoner revenue if the principal/interest is fully paid in any given year. The lease is written in such a way as to give sole authority on decisions of maintenance to the 3-member LEC Authority Board, and it has been posited that there is an \$8 million limitation on this fund.

FINANCIAL IMPACT:

None

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Receive the information. Allow the Board to have 2 weeks until October 24, 2023 and revisit for potential Board of Supervisors action and/or follow-on questions.

ACTION REQUIRED / PROPOSED MOTION:

Receive the information. Allow the Board to have 2 weeks until October 24, 2023 and revisit for potential Board of Supervisors action and/or follow-on questions.