



NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS (SEPTEMBER 15, 2026) (WEEK 38 OF 2026)

Live streaming at:

<https://www.youtube.com/user/woodburycountyiowa>

Agenda and Minutes available at:

www.woodburycountyiowa.gov

Daniel A. Bittinger II
389-4405

dbittinger@woodburycountyiowa.gov

Kent T. Carper
570-7681

kcarper@woodburycountyiowa.gov

David L. Dietrich
870-9224

ddietrich@woodburycountyiowa.gov

Mark E. Nelson
540-1259

mnelson@woodburycountyiowa.gov

Matthew A. Ung
490-7852

matthewung@woodburycountyiowa.gov

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held September 15, 2026, at **4:30 p.m.** in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa, for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair will recognize the agenda item presenter before asking for public comments or board discussion.
3. Members of the public will approach the microphone one at a time and give their name and city of residence before their statement.
4. Members of the public who comment will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

AGENDA

4:30 p.m. Call Meeting to Order — Pledge of Allegiance to the Flag - Moment of Silence

1. Approval of agenda

Action

Consent Agenda

Items 2 through 5 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

2. Approval of the minutes of September 8, 2026, meeting
3. Approval of claims
4. Planning/Zoning – Daniel Priestley
Motion to schedule October 13th at 4:48 p.m., October 20th at 4:48 p.m. and October 27th at 4:48 p.m. for three public hearings on a proposed Zoning Ordinance Map Amendment (rezone) of approximately 8.06 gross acres (7.46 net acres) located on Parcel #884703400012, Section 3, T88N R47W (Woodbury Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District

5. Human Resources – Melissa Thomas
Approval of retiree request to remain on health insurance

End of Consent Agenda

6. County Auditor – Michelle Skaff
1st Tier Canvass of the 2026 School Special Election Action
7. Secondary Roads – Laura Sievers
Award bid for propane heating fuel for county buildings – FY2027 Action
8. Board Administration – Ryan Ericson
Approval of resolution authorizing advancement of costs for the AG Processing, Inc. development project, urban renewal project and certification of expenses incurred by Woodbury County for payment under Iowa Code Section 403.1 Action
9. Reports on Committee Meetings Information
10. Citizen Concerns Information
11. Board Concerns Information

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

THU., SEP 17	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
THU., SEP 24	10:00 a.m.	Siouxland Regional Transit System Board of Directors Meeting, 6401 Gordon Dr.
	10:00 a.m.	WICIRHTF Board of Directors Meeting, 6401 Gordon Dr.
MON., SEP 28	5:00 p.m.	Zoning Commission Meeting, Courthouse Basement Boardroom
THU., OCT 1	12:00 p.m.	SIMPCO Regional Policy & Legislative Committee Meeting, 6401 Gordon Dr.
MON., OCT 5	5:00 p.m.	Board of Adjustment meeting, Courthouse Basement Boardroom
WED., OCT 7	10:00 a.m.	Starcom Board Meeting, The Security Institute, WIT Campus
	4:45 p.m.	Veteran Affairs Meeting, Veteran Affairs Office, 211 Tri-View Ave.
THU., OCT 8	12:00 p.m.	SIMPCO Board of Directors, 6401 Gordon Drive.
	4:00 p.m.	Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
WED., OCT 14	7:30 a.m.	SIMPCO Executive Finance Committee, 6401 Gordon Drive
	8:05 a.m.	Woodbury County Information Communication Commission, First Floor Boardroom
	12:00 p.m.	District Board of Health Meeting, 1014 Nebraska St.
THU., OCT 15	4:30 p.m.	Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
FRI., OCT 16	12:00 p.m.	Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.
WED., OCT 21	12:00 p.m.	Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202

Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

SEPTEMBER 8, 2026, THIRTY-SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, September 8, 2026, at 3:30 p.m. Board members present were Bittinger II, Carper (by phone), Nelson, and Dietrich; Ung was absent. Staff members present were Karen James, Board Administrative Assistant, Joshua Widman, Assistant County Attorney, Ryan Ericson, Budget and Finance Director, Melissa Thomas, HR Director, and Michelle Skaff, Auditor/Clerk to the Board.

Motion by Nelson second by Bittinger to go into joint closed session with the LEC Authority per Iowa Code Section 21.5(1)(c). Carried 4-0 on roll-call vote.

Motion by Nelson second by Bittinger to go out of joint closed session with the LEC authority per Iowa Code Section 21.5(1)(c). Carried 4-0 on roll-call vote.

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

1. Motion by Nelson second by Dietrich to approve the September 8, 2026 agenda with the removal of HR approval to deauthorize county position and a change to the remove from the Authorization to Hire form. Carried 4-0. Copy filed.

Motion by Nelson second by Dietrich to approve the following items by consent.

2. To approve minutes of the September 1, 2026 meeting. Copy filed.
3. To approve the claims totaling \$1,242,422.02. Copy filed.
4. To receive for signatures a Resolution Thanking and Commending Dawn Norton for her service on the United Way Campaign for Woodbury County.

WOODBURY COUNTY, IOWA RESOLUTION #14,102 A RESOLUTION THANKING AND COMMENDING DAWN NORTON FOR HER SERVICE TO WOODBURY COUNTY

WHEREAS, Dawn Norton has faithfully served as the Woodbury County United Way Chairperson for the past ten years, demonstrating a tremendous amount of dedication, time, and energy to ensure the continuous success of the annual campaign; and

WHEREAS, during her decade of leadership, Dawn Norton went above and beyond her regular duties to distribute and collect pledge forms, coordinate payroll deductions, organize engaging fundraising events, and purchase prizes for the main drawings; and

WHEREAS, her most impactful contribution has been helping to educate county employees on how their individual contributions make a profound, tangible difference in the lives of people throughout the Siouxland community; and

WHEREAS, leading this campaign for ten consecutive years represents an extraordinary level of civic responsibility, made even more commendable by the fact that she balanced these duties while working in a uniquely small department; and

WHEREAS, as the Woodbury County United Way campaign prepares to kick off its next event, Dawn Norton has graciously demonstrated her continued commitment to the county by offering to mentor the incoming chairperson and share her extensive experience during this transition; and

WHEREAS, the Woodbury County Board of Supervisors deeply recognizes that her ten years of faithful service and unwavering effort have left a lasting positive mark on both county employees and the broader Siouxland community.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA, that Dawn Norton is hereby officially thanked, commended, and honored for her ten years of outstanding dedication and exemplary service as the United Way Chairperson.

BE IT SO RESOLVED this 8th day of September, 2026.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 5a. To approve the lifting of tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension. Copy filed.
- 5b. To receive for signatures a Resolution thanking and commending Tracy Sitzmann-Stolen for her service to Woodbury County.

WOODBURY COUNTY, IOWA
RESOLUTION #14,103
A RESOLUTION THANKING AND COMMENDING
TRACY SITZMANN-STOLEN
FOR HER SERVICE TO WOODBURY COUNTY

WHEREAS, Tracy Sitzmann-Stolen has capably served Woodbury County as an employee of the Woodbury County Juvenile Detention Center for 37 years from November 25, 1989 to September 28, 2026.

WHEREAS, the service given by Tracy Sitzmann-Stolen as a Woodbury County employee, has been characterized by her dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Tracy Sitzmann-Stolen for her years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Tracy Sitzmann-Stolen

BE IT SO RESOLVED this 8th day of September, 2026.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 6. To set the dates and times for three public hearings on a proposed Zoning Ordinance Map Amendment (rezone) of approximately 17.255 acres (14.407 net acres) located on portions of parcels #894607100002 and #894607100014, Section 7, T89N R46W (Concord Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for Tuesday, October 13, 2026 at 4:45 p.m., Tuesday, October 20th, 2026 at 4:45 p.m., and Tuesday, October 27th, 2026 at 4:45 p.m. Copy filed.
- 7a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #894721336011, 615 17th St.

WOODBURY COUNTY, IOWA
RESOLUTION #14,104
NOTICE OF PROPERTY SALE

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

The East Thirty-Nine and One-Half feet (E 39 ½) of the West One-Half (W ½) of Lots Seven (7), Eight (8) and Nine (9), in Block Fourteen (14) Higman's Second Addition to Sioux City in the County of Woodbury and State of Iowa (615 17th Street)

NOW THEREFORE,

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

1. That a public hearing on the aforesaid proposal shall be held on
The **22nd Day of September, 2026 at 4:35 o'clock p.m.** in the basement of the
Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a
public auction to be held on the **22nd Day of September, 2026**, immediately
following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest
bidder at or above a **total minimum bid of \$3,130.00** plus recording fees.
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 8th Day of September, 2026.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 7b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel
#884706428015, 2550 S Patterson St.

**WOODBURY COUNTY, IOWA
RESOLUTION #14,105
NOTICE OF PROPERTY SALE**

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**Except South 54 feet (S 54') of Lot One (1) and Except Part to City of Vacated Bryan Road Adjacent lying West of
East line of vacated N-S Alley of Block Seven (7) of the Normandy Addition, City of Sioux City in the County of
Woodbury and State of Iowa
(2550 S. Patterson Street)**

NOW THEREFORE,

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

1. That a public hearing on the aforesaid proposal shall be held on
the **22nd Day of September, 2026 at 4:37 o'clock p.m.** in the basement of the
Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate on the **22nd
Day of September, 2026**, immediately following the closing of the public
hearing to **Alejandro De Anda only per Code of Iowa 331.361(2).**
3. That said Board proposes to sell the said real estate to **Alejandro De Anda
only for consideration of \$1,528.00 plus recording fees.**

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 8th Day of September, 2026
 WOODBURY COUNTY BOARD OF SUPERVISORS
 Copy filed.

- 8a. To approve the reclassification of Lillian Moravek, Assistant County Attorney, County Attorney Dept., effective 09-15-2026, \$96,618.00/year, 5%=\$4,229.00/yr. Per AFSCME Attorney – Move to Step 3. Anniversary Date: 9/15/26.; the reclassification of Jae Echer, Assistant County Attorney, County Attorney Dept., effective 09-14-2026, \$96,618.00/year, 5%=\$4,229.00/yr. Per AFSCME Attorney – Move to Step 3. Anniversary Date: 9/17/26.; the reclassification of Andrew DeMers, Assistant County Attorney, County Attorney Dept., effective 09-14-2026, \$108,910.00/year, 8%=\$8,056.00/yr. Per AFSCME Attorney – Move to Step 5. Anniversary Date: 9/18/26.; the reclassification of Lexi Choquette, Civilian Jailer, County Sheriff Dept., effective 09-14-2026, \$28.19/hour, 4%=\$0.98/hr. Per CWA Civilian – Move to Step 2. Anniversary Date: 9/16/26.; and the separation of Brigid Delaney Civilian Jailer, County Sheriff Dept., effective 12-31-2026. Retired. Copy filed.
- 8b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Civilian Jailer, County Sheriff Dept., CWA Civilian: Entry Level - \$27.21/hr.; Clerk II, County Attorney Dept. AFSCME Courthouse: \$20.41 - \$26.17/hr. Copy Filed.
- 8d. To approve providing flu shots for Woodbury County Employees. Copy filed.
- 8e. To approve the wellness screenings and quarterly health coaching. Copy filed.

Carried 4-0.

- 9a. Motion by Nelson second by Bittinger to receive for signatures a Resolution supporting the application for voluntary annexation of territory to the City of Sloan by New Cooperative, Inc. Carried 4-0.

WOODBURY COUNTY, IOWA
BOARD OF SUPERVISORS
RESOLUTION #14,106
RESOLUTION SUPPORTING THE APPLICATION FOR VOLUNTARY
ANNEXATION OF TERRITORY TO THE CITY OF SLOAN BY NEW
COOPERATIVE, INC.

WHEREAS, pursuant to Iowa Code Section 368.7(1)(b)(1), the City of Sloan provided written notice to the Woodbury County Board of Supervisors of a proposed voluntary annexation of territory adjoining the City of Sloan and scheduled a consultation meeting; and

WHEREAS, the consultation was held on August 20, 2026, at 7:00 p.m. in the City Council Chambers of the City of Sloan, and Daniel Priestley, Woodbury County Zoning Coordinator, attended on behalf of Woodbury County, Iowa; and

WHEREAS, NEW Cooperative, Inc. ("NEW Coop"), sole owner of land adjoining the City of Sloan, has submitted an Application for Voluntary Annexation for certain real property located in Woodbury County, Iowa, as legally described on **Exhibit A** and visually displayed on **Exhibit B** attached hereto and made a part hereof; and

WHEREAS, Iowa Code Section 368.7(1)(b)(2) requires that not later than thirty days after the consultation, the board of supervisors shall, by resolution, state whether or not it supports the application or takes no position, and if there is a comprehensive plan for the county, the board shall take the plan into account; and

WHEREAS, Woodbury County has adopted the Woodbury County Comprehensive Plan 2040 (Resolution No. 13,727, May 7, 2024), which includes a Future Land Use Map to guide orderly development in the unincorporated areas of the County; and

WHEREAS, upon review, the Board finds the proposed annexation compatible with the Comprehensive Plan 2040 and the Future Land Use Map for the unincorporated areas of Woodbury County; and

WHEREAS, the territory includes properties currently located in both the City of Sloan jurisdiction and the unincorporated jurisdiction of Woodbury County, and annexation would enable the property owner to combine its properties into one parcel for more effective development and use of the property; and

WHEREAS, the Board has considered the Application, consultation input, and Iowa Code Chapter 368, and has determined that support of the Application is appropriate.

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

1. That the Woodbury County Board of Supervisors hereby **supports** the Application for Voluntary Annexation submitted by NEW Cooperative, Inc. to the City of Sloan for the territory legally described on Exhibit A, on the basis that the proposed annexation is compatible with the Woodbury County Comprehensive Plan 2040 and the Future Land Use Map for the unincorporated areas of Woodbury County, and that it offers a practical solution enabling the property owner to combine its properties into a single parcel for more effective development and use of the land.
2. That a copy of this Resolution shall be immediately filed with the City of Sloan for consideration by the City Council and forwarding to the City Development Board, as required by Iowa Code Section 368.7(1)(b)(2).
3. That the Chairperson and County Auditor are authorized to execute and attest this Resolution on behalf of Woodbury County, Iowa.

Passed and approved this 8th day of September, 2026.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 9b. Motion by Nelson second by Dietrich to receive an updated document from Daniel Priestley, Planning and Zoning. Carried 4-0. Copy filed.

Motion by Nelson second by Bittinger to receive for signatures a Resolution stating the support of the Woodbury County Board of Supervisors for the application for voluntary annexation of certain territory to the City of Danbury, Iowa, pursuant to Iowa Code Section 368.7. Carried 4-0.

**WOODBURY COUNTY, IOWA
BOARD OF SUPERVISORS
RESOLUTION #14,107
RESOLUTION STATING THE SUPPORT OF THE WOODBURY COUNTY BOARD
OF SUPERVISORS FOR THE APPLICATION FOR VOLUNTARY ANNEXATION OF
CERTAIN TERRITORY TO THE CITY OF DANBURY, IOWA, PURSUANT TO IOWA
CODE SECTION 368.7**

WHEREAS, the City of Danbury, Iowa, has received an application for voluntary annexation of territory not within an urbanized area of another city, pursuant to Iowa Code § 368.7, consisting of two parcels more particularly described in Exhibit A and visually displayed on Exhibit B, attached hereto and made a part hereof by this reference; and

WHEREAS, Parcel 1 consists of a portion of Hawkeye Drive and the associated right-of-way that is titled in the name of the City of Danbury but lies outside the City's existing corporate limits; and

WHEREAS, Parcel 2 consists of approximately 2.29 acres of real estate owned by Austin J. Bettin and Steffany J. Bettin that adjoins Parcel 1 and the existing corporate limits of the City of Danbury; and

WHEREAS, pursuant to Iowa Code § 368.7(1)(b), the City of Danbury provided written notice of the proposed annexation to the Woodbury County Board of Supervisors and the Board of Trustees of Liston Township and scheduled a consultation; and

WHEREAS, on August 17, 2026, Mark Nelson, Chairman of the Woodbury County Board of Supervisors, and Daniel Priestley, Woodbury County Zoning Coordinator, attended the consultation meeting on behalf of Woodbury County; and

WHEREAS, Iowa Code § 368.7(1)(b)(2) requires that, not later than thirty days after the consultation, the board of supervisors of each county containing all or a portion of the territory to be annexed shall, by resolution, state whether it supports the application, opposes the application, or takes no position, and shall take into account any comprehensive plan for the county; and

WHEREAS, the Woodbury County Comprehensive Plan 2040 was adopted by the Board of Supervisors on May 7, 2024, by Resolution No. 13,727; and

WHEREAS, the proposed annexation of Parcel 2 is intended to accommodate one residential home and a shed on the Bettin property, while the annexation of Parcel 1 (City-owned right-of-way) is included to create more uniform municipal boundaries and to avoid the creation of an island; and

WHEREAS, the subject territory is located in the Agricultural Preservation (AP) Zoning District under the Woodbury County Zoning Ordinance, which permits limited single-family residences as an allowed use while encouraging agricultural uses and preserving the County's rural character; and

WHEREAS, the proposed residential use on Parcel 2 is compatible with the Agricultural Preservation (AP) Zoning District and does not increase housing density within the quarter-quarter section beyond the County's minimum standard of two single-family dwellings; and

WHEREAS, although the Future Land Use Map in the Woodbury County Comprehensive Plan 2040 designates a portion of the unincorporated areas surrounding the City of Danbury, including the subject territory, for commercial development, the surrounding zoning consists of a mix of residential uses to the west, agricultural uses in the remaining areas, and Limited Industrial zoning to the northwest; and

WHEREAS, the Board of Supervisors finds that the proposed limited residential use is compatible with the existing Agricultural Preservation (AP) Zoning District; however, the Board notes that the greater portion of this quarter-quarter section is designated for commercial development on the Future Land Use Map, and that any additional development beyond a second house within that quarter-quarter section would require future long-term planning considerations; and

WHEREAS, the Board of Supervisors finds that the proposed voluntary annexation of both Parcel 1 and Parcel 2 is compatible with the existing zoning under the Woodbury County Zoning Ordinance and therefore supports the application.

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

1. The Woodbury County Board of Supervisors hereby states its support for the application for voluntary annexation of both Parcel 1 (City of Danbury-owned right-of-way) and Parcel 2 (Bettin property), as described in Exhibit A, to the City of Danbury, Iowa, pursuant to Iowa Code § 368.7.
2. A copy of this Resolution shall be immediately filed with the City of Danbury and shall be considered by the City Council when taking action on the application. The City Council shall forward a copy of this Resolution to the City Development Board as part of the City's proceedings on the annexation.

Passed and approved this 8th day of September, 2026.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 10a. Motion by Nelson second by Dietrich to receive a map from County Engineer Sievers. Carried 4-0. Copy filed.

Motion by Nelson second by Bittinger to approve and authorize the Chairperson to sign a Resolution Bridge Embargo. Carried 4-0.

**WOODBURY COUNTY
BRIDGE EMBARGO RESOLUTION
RESOLUTION #14,108**

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the Woodbury County Engineer has caused to be completed the Structure Inventory and Appraisal of certain bridges according to accepted Bridge Inspection Standards and has determined that the bridges below, require revision to their current load ratings,

NOW, THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors that the following vehicle and load limit be established and that closure signs be placed advising of the permissible maximum weights or closures thereof on the bridge listed herein.

<u>Bridge No.</u>	<u>FHWA No.</u>	<u>Posted Limit</u>
N-191	351840	Close until replacement
P-006	352340	Close until replacement
Q-018	352520	6 tons
V-117	350840	10, 15, 15, "All Veh's", "One Lane"

Passed and approved this 8th day of September 2026.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 10b. Motion by Nelson second by Dietrich to receive for signatures a Resolution closing and vacating a road right of way Jewell Ave (road #367). Carried 4-0.

**RESOLUTION #14,109
WOODBURY COUNTY, IOWA
A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY
JEWELL AVE (ROAD NO. 367)**

WHEREAS, the Woodbury County Board of Supervisors in accordance with Section 306.11, (Code of Iowa), on September 8, 2026 held a public hearing on the proposed vacation of a Woodbury County Secondary Road Right-Of-Way described as follows:

That portion of Jewell Avenue (Road No. 367) lying southerly of the south ROW line of U.S. Highway 20 and northerly of the north ROW line of 160th Street in Section 31 T89N, R43W, Rutland Township and Section 36 T89N, R44W, Arlington Township of the 5th P.M. Woodbury County, Iowa

WHEREAS, no objections were received in either writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO RESOLVED this 8th day of September 2026.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 10c. Motion by Nelson second by Dietrich to approve the HMA project plans for project #FM-Co97(156)—55-97, #FM-CO97(157)—55-97, and #L-1394—73-97. Carried 4-0. Copy filed.
- 11. Reports on Committee meetings were heard.
- 12. Auditor Recorder Skaff shared information about the two school special elections that are today, 9-8-26 until 8:00pm.
- 13. Board concerns were heard.

The Board adjourned the regular meeting until September 15, 2026.

Meeting sign in sheet. Copy filed.

WOODBURY COUNTY AGENDA ITEM(S) REQUEST FORM

Date: 9/10/2026 Weekly Agenda Date: 9/15/2026

Elected Official / Department Head / Citizen: Daniel J. Priestley

Wording for Agenda Item:

Motion to schedule dates and times for three public hearings on a proposed Zoning Ordinance Map Amendment (rezone) of approximately 8.06 gross acres (7.46 net acres) located on Parcel #884703400012, Section 3, T88N R47W (Woodbury Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

Action Required:

Approve Ordinance ☐

Approve Resolution ☐

Approve Motion ☒

Hold Public Hearing ☐

Informational ☐

Attachments ☐

Set Time:

Reviewed by County Attorney's Office: ☐

Background & Financial Impact:

This request asks the Board to set dates and times for three public hearings on a proposed Zoning Ordinance Map Amendment to rezone approximately 8.06 gross acres (7.46 net acres) in Parcel No. 884703400012, Section 3, T88N R47W (Woodbury Township), from Agricultural Preservation (AP) to Agricultural Estates (AE). Sam M. Peterson is proposing to build a house on the property. However, two houses already exist in the quarter-quarter section. Under Section 3.01.1.B of the Woodbury County Zoning Ordinance, no more than two residences are permitted on any quarter-quarter section (nominally 40 acres) in the AP district. Because the two-house limit has already been reached, rezoning is required to allow an additional residential dwelling. The Zoning Commission will hold a public hearing and provide a recommendation to the Board of Supervisors on September 28, 2026.

Recommendation:

Set the dates and times for three public hearings on a proposed Zoning Ordinance Map Amendment (rezone) of approximately 8.06 gross acres (7.46 net acres) located on Parcel #884703400012, Section 3, T88N R47W (Woodbury Township) from Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District. Tuesday, October 13th, 2026, 4:48 PM; Tuesday, October 20th, 2026, 4:48 PM; Tuesday, October 27th, 2026, 4:48 PM.

Approved by Board of Supervisors on March 17, 2026

September 4, 2026

Woodbury County Board of Supervisors
Woodbury County Courthouse
620 Douglas St, Sioux City, IA 51101

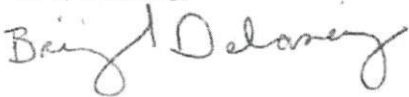
RE: Election of Retiree Health Insurance Benefit

Dear Members of the Woodbury County Board of Supervisors:

I will be retiring from the Woodbury County Sheriff's Office effective December 31, 2026. I am writing to formally elect to receive the retiree health insurance benefit that allows a retiring employee to have the County provide personal insurance for a period of one year from the date of retirement provided he/she has over 20 years of employment with Woodbury Co and has accumulated sick time of 500 or more hours. This is in lieu of a cash payout. I have over 22 yrs of employment with the Woodbury County Sheriff's office and have accumulated sick leave over 500 hours.

Thank you for your consideration and assistance with this.

Respectfully,

A handwritten signature in cursive script that reads "Brigid Delaney".

Brigid Delaney
Woodbury County Sheriff's Office
Jail Division/Warrants Officer

WOODBURY COUNTY AGENDA ITEM(S) REQUEST FORM

Date: 9/10/2026 Weekly Agenda Date: 9/15/2026

Elected Official / Department Head / Citizen: Michelle Skaff

Wording for Agenda Item:

1st Tier Canvass of the 2026 School Special Election.

Action Required:

Approve Ordinance ☐

Approve Resolution ☐

Approve Motion ☒

Hold Public Hearing ☐

Informational ☐

Attachments ☐

Set Time:

Reviewed by County Attorney's Office: ☐

Background & Financial Impact:

Recommendation:

To approve the 1st Tier Canvass of the 2026 School Special Election.

Approved by Board of Supervisors on March 17, 2026

WOODBURY COUNTY AGENDA ITEM(S) REQUEST FORM

Date: 9/10/2026 Weekly Agenda Date: 9/15/2026

Elected Official / Department Head / Citizen: Laura Sievers, PE, Woodbury County Engineer

Wording for Agenda Item:

Award Bid for Propane Heating Fuel for County Buildings – FY2027

Action Required:

Approve Ordinance ☐

Approve Resolution ☐

Approve Motion ☒

Hold Public Hearing ☐

Informational ☐

Attachments ☒

Set Time:

Reviewed by County Attorney's Office: ☐

Background & Financial Impact:

Annual bids for propane supplied for heating fuel in the Secondary Road Department, Emergency Services, Sheriff's Department, Conservation, and the Little Courthouse in Anthon. The lowest bidder is Agri Land FS from Winterset, Iowa. The bid came in at \$1.094/gal.

Recommendation:

Motion to award the propane fuel bid to Agri Land FS for \$1.094 per gallon.

Approved by Board of Supervisors on March 17, 2026

TABULATION OF BIDS

LETTING: August 25,2026

PROPANE LETTING
2026/2027 SEASON
WOODBURY COUNTY, IOWA

NOTE: IN CASE OF MATHEMATICAL ERROR, UNIT PRICE SHALL GOVERN

PROPOSAL GUARANTY	**	**	**	**	*	*	*	*
	**	**	Johnson Propane		* Sapp Bros Petroleum Inc.**	* New Cooperative Inc.	* Rodney Propane	
	**	**	Hwy 175 W., Box 138		* 129 Steuben St.	* 3330 Movable Blacktop	* 2909 Movable Blacktop	
	**	**	Battle Creek, IA 51006		* Sioux City, IA 51101	* Hornick, IA 51026	* Hornick, IA 51026	
	**	**			*	*	*	
1. PROPANE FUEL FOR PERIOD FROM SEPTEMBER 15, 2026 THROUGH AND INCLUDING SEPTEMBER 14, 2027	**	**	QUANTITI	UNIT PRICE : AMOUNT	* UNIT PRICE : AMOUNT	* UNIT PRICE : AMOUNT	* UNIT PRICE : AMOUNT	
	**	**		:	*	*	*	:
	**	**		:	*	*	*	:
	**	**		:	*	*	*	:
	**	**		:	*	*	*	:
	**	**		:	*	*	*	:
APPROXIMATELY GALLONS FURNISH AND DELIVER @ \$/GAL.	**	57,025	**	:	*	*	*	:
	**	**	\$1.12/GAL.	: \$63,868.00	* \$/GAL. :	* \$1.25/GAL. : \$71,281.25	* \$/GAL. :	

PROPOSAL GUARANTY	**	**	**	**	*	*	*	*
	**	**	Galva Holstein Ag., LLC		* Central Valley Ag. Coop	* New Century FS	* Agri Land FS	
	**	**	204 E. First St.		* 30459 Hwy. 3	* 1524 South Bell Ave.	* 421 N 10 th street	
	**	**	P. O. Box 230		* LeMars, IA 51031	* Ames, IA 50010	* Winterset, Iowa 50273	
	**	**	Holstein, IA 51025		*	*	*	
1. PROPANE FUEL FOR PERIOD FROM SEPTEMBER 15, 2026 THROUGH AND INCLUDING SEPTEMBER 14, 2027	**	**	QUANTITI	UNIT PRICE : AMOUNT	* UNIT PRICE : AMOUNT	* UNIT PRICE : AMOUNT	* UNIT PRICE : AMOUNT	
	**	**		:	*	*	*	:
	**	**		:	*	*	*	:
	**	**		:	*	*	*	:
	**	**		:	*	*	*	:
	**	**		:	*	*	*	:
APPROXIMATELY GALLONS FURNISH AND DELIVER @ \$/GAL.	**	57,025	**	:	*	*	*	:
	**	**	\$/GAL. :		* \$/GAL. :	* \$1.189/GAL. : \$67,802.73	* \$1.094/GAL. : \$62,385.35	

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

Date: 8-31-2026 Weekly Agenda Date: 9-15-2026

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Ryan Ericson

WORDING FOR AGENDA ITEM:

RESOLUTION AUTHORIZING ADVANCEMENT OF COSTS FOR THE AG PROCESSING, INC. DEVELOPMENT PROJECT URBAN RENEWAL PROJECT AND CERTIFICATION OF EXPENSES INCURRED BY WOODBURY COUNTY FOR PAYMENT UNDER IOWA CODE SECTION 403.19

ACTION REQUIRED:

Approve Ordinance ☐

Approve Resolution ☐

Approve Motion ☒

Public Hearing ☐

Other: Informational ☐

Attachments ☒

EXECUTIVE SUMMARY:

1 of 5 payments of \$200,000 to Ag Processing, Inc per development agreement.

BACKGROUND:

On March 1, 2022, The County entered into a development agreement with Ag Processing, Inc. (AGP). AGP invested over \$70 million and the County agreed to pay AGP \$200,000 per year over 5 years for a total of \$1 million. The Payments shall not constitute general obligations of the County, but shall be made solely and only from Incremental Property Tax Revenues received by the County.

FINANCIAL IMPACT:

\$200,000 for first payment from General Fund which will be reimbursed from Tax Increment Fund

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:

Approve the Resolution

ACTION REQUIRED / PROPOSED MOTION:

Approve the Resolution

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ADVANCEMENT OF COSTS FOR THE AG
PROCESSING, INC. DEVELOPMENT PROJECT URBAN RENEWAL
PROJECT AND CERTIFICATION OF EXPENSES INCURRED BY
WOODBURY COUNTY FOR PAYMENT UNDER IOWA CODE SECTION
403.19

WHEREAS, the Woodbury County, Iowa has previously adopted the Grow Woodbury County Urban Renewal Plan, as subsequently amended (the "Plan"), for the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area") for the purpose of undertaking urban renewal projects within the Urban Renewal Area; and

WHEREAS, the County adopted a 2022 Amendment to the Plan (the "2022 Amendment") on February 15, 2022, which authorized various projects as urban renewal projects to be undertaken within the Urban Renewal Area; and

WHEREAS, the 2022 Amendment authorized the Ag Processing, Inc. Development Project as an urban renewal project within the Urban Renewal Area, which project was described as including: (i) a development agreement between Ag Processing, Inc. and the County (the "Development Agreement") and (ii) legal and administrative fees associated with the County's participation in the project, not to exceed \$10,000 (the "Administrative Fees"); and

WHEREAS, in the judgement of the Board of Supervisors, the Development Agreement and the Administrative Fees will further one or more of the objectives of the Plan; therefore, the Development Agreement and Administrative Fees constitute a public use and purpose as provided by Iowa Code Chapters 15A and 403; and

WHEREAS, the County intends to advance funds from its General Fund to pay the first "Payment" due to Ag Processing, Inc. under the terms and conditions of the Development Agreement, and thereafter reimburse the General Fund with tax increment; and

WHEREAS, the amount of funds to be advanced from the General Fund for the first Payment due under the Development Agreement is \$200,000; and

WHEREAS, the County also intends to advance funds from its General Fund to pay certain costs that qualify as Administrative Fees, and thereafter reimburse the General Fund with tax increment; and

WHEREAS, the amount of funds to be advanced from the General Fund for the Administrative Fees is currently estimated at \$10,000; and

WHEREAS, before approving an urban renewal project for reimbursement with tax increment, it is necessary to make certain findings under Chapter 403; and

WHEREAS, it is the intention of the County to certify the amount of funds advanced for reimbursement under Iowa Code Section 403.19 before December 1, 2026.

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

Section 1. Pursuant to ordinances adopted pursuant to Iowa Code Section 403.19, there has been established a special fund known as the Grow Woodbury County Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund"), into which all incremental property tax revenues received from the Urban Renewal Area, as amended, are deposited. The Board finds the Development Agreement and the Administrative Fees to be part of an urban renewal project as defined in Iowa Code Chapter 403, and further finds that said urban renewal project is included in the 2022 Amendment to the Plan for the Urban Renewal Area.

Section 2. It is hereby directed that \$200,000 for the first "Payment" due to Ag Processing, Inc. under the terms and conditions of the Development Agreement, be advanced from the General Fund, which shall be treated as an internal loan (the "Loan") from the General Fund, and the General Fund shall be reimbursed the amount of said Payment from the Tax Increment Fund.

Section 3. It is hereby directed that the amount of the Administrative Fees, up to \$10,000, be advanced from time to time from the General Fund, in order to pay the Administrative Fees as they are due and payable, which shall be treated as an internal loan (the "Loan") from the General Fund, and the General Fund shall be reimbursed the total actual amount advanced for payment of such Administrative Fees from the Tax Increment Fund.

Section 4. Certification for reimbursement under Iowa Code Section 403.19 for the amount of the Payment described in Section 2 and the amount of the Administrative Fees described in Section 3 shall be made by the County on or before December 1, 2026.

ADOPTED AND PASSED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WOODBURY, STATE OF IOWA, this ____ day of _____, 2026.

Chairperson

ATTEST:

County Auditor

11c

DEVELOPMENT AGREEMENT

This Agreement is entered into between Woodbury County, Iowa (the "County") and Ag Processing Inc a cooperative (the "Company") as of the 1st day of March, 2022.

WHEREAS, the County has established the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area"), and has adopted a tax increment ordinance for the Urban Renewal Area; and

WHEREAS, the Company owns certain real property which is situated in the County, lies within the Urban Renewal Area and is more specifically described on Exhibit A hereto (the "Property"); and

WHEREAS, the Company has proposed to undertake the expansion of an existing soybean processing facility (the "Project") on the Property for use in its business operations; and

WHEREAS, the Company has entered into an agreement with the Iowa Economic Development Authority (the "IEDA") under the State of Iowa's High Quality Jobs Program to construct the Project, and thereby has been granted assistance under Part 13 of Chapter 15 of the Code of Iowa, and such program requires a certain level of local government; and

WHEREAS, the Company has requested that the County provide financial assistance in the form of incremental property tax payments to be used by the Company in paying the costs of constructing and maintaining the Project on the Property; and

WHEREAS, the base valuation of the Property for purposes of calculating Incremental Property Tax Revenues (as hereinafter defined) under Section 403.19 of the Code of Iowa and this Agreement is \$ 32,338,950 (the "Base Valuation"); and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons;

NOW THEREFORE, the parties hereto agree as follows:

A. Company's Covenants

1. **Project Construction and Use.** The Company agrees to construct the Project on the Property and to maintain and use the completed Project as part of its business operations throughout the Term, as hereinafter defined. Furthermore, the Company reasonably expects to invest approximately \$70,400,000 into capital improvements for the Project, including construction work, equipment, furnishings and other capital improvements. Furthermore, the Company reasonably expects to create not less than two (2) new full time jobs in connection with its operations at the completed Project. The Company agrees to complete the construction of the project by December 31, 2023. The Company agrees to maintain compliance with local zoning, land use, building and safety codes and regulations throughout its construction and use of the Project.

2. **Property Taxes.** The Company agrees to make timely payment of all property taxes as they come due with respect to the Property with the completed Project thereon throughout the Term, as hereinafter defined, and, if requested by the County, to submit a receipt or cancelled check in evidence of each such payment.

3. **Company's Certifications.** The Company shall not materially change the Project or the nature of the business and activities being conducted or proposed to be conducted by the Company on the Property.

4. **Minimum Assessment Agreement.** The Company agrees to enter into an assessment agreement (the "Assessment Agreement"), pursuant to Section 403.6 of the Code of Iowa fixing the minimum assessed actual valuation increase for the Property during the Term of this Agreement, as hereinafter defined, at not less than Eleven Million Two Hundred Thousand Dollars (\$11,200,000) (the "Minimum Assessed Valuation") as of January 1, 2024 (the "First Valuation Date"). It is intended by the Company that the Minimum Assessed Valuation shall be established on the Woodbury County property tax rolls as of the First Valuation Date regardless of the then-current degree of completion or incompleteness of the Project. The Assessment Agreement shall be in substantially the form attached hereto as Exhibit B.

5. **No Abatement; No Property Tax Exemption.** The Company agrees that it will not seek any tax exemption or abatement either presently or prospectively authorized under any State, federal or local law with respect to taxation of the improvements comprising the completed Project on the Property throughout the Term (as hereinafter defined) including causing or allowing the property to be leased, sold, transferred to or otherwise used by an entity that is exempt from property taxes under the laws of the State of Iowa (except for any conveyance or sale to the County).

6. **Economic Development Assistance Contract.** The Company agrees that it will enter into, and maintain compliance under, a certain Economic Development Assistance Contract (the "IEDA Contract") with the Iowa Economic Development Authority. At such time that the IEDA Contract is executed, it shall be inserted as Exhibit C of this Agreement. The Company agrees to submit documentation to the County no later than each October 15 during the Term, as hereinafter defined, commencing October 15, 2024 demonstrating that the Company is in compliance with the requirements of the IEDA Contract. Furthermore, the Company agrees to provide written notice to the County within thirty (30) days of the receipt of any notification from IEDA that the Company has fallen out of compliance with the requirements of the IEDA Contract.

7. **Default Provisions.** The following shall be "Events of Default" under this Agreement, and the term "Event of Default" shall mean, whenever it is used in this Agreement (unless otherwise provided), any one or more of the following events:

- a) Failure by the Company to commence and complete construction of the Project pursuant to the terms and conditions of this Agreement.
- b) Failure by the Company to fully and timely remit payment of property taxes when due and owing.

- c) Failure by the Company to keep the completed Project in service as part of its business operations on the Property throughout the Term, as hereinafter defined.
- d) Failure by the Company to maintain compliance with the IEDA Contract.
- e) Failure by the Company to comply with Sections A.2, A.3 A.4, A.5, A.6 or A.6 of this Agreement.

Whenever any event of default described in this Agreement occurs, the County shall provide written notice to the Company describing the cause of the default and the steps that must be taken by the Company in order to cure the default. The Company shall have thirty (30) days after receipt of the notice to cure the default or to provide reasonable assurances satisfactory to County that the default will be cured as soon as reasonably possible. If the Company fails to cure the default or provide reasonable assurances, the County shall then have the right to pursue any action available to it, at law or in equity, which may include:

- a) Pursue any action available to it, at law or in equity, in order to enforce the terms of this Agreement.
- b) Withholding of the Payments provided for under Section B.1 below.

8. Legal and Administrative Costs. The Company hereby acknowledges that the County will cover the initial payment of legal fees and administrative costs (the "Actual Admin Costs") incurred by the Company in connection with the drafting, negotiation and authorization of this Agreement, including the necessary amendment to the Urban Renewal Area. Furthermore, the Company agrees that the County shall withhold an amount (the "Admin Withholding Amount") equal to the lesser of (1) \$10,000 or (2) the Actual Admin Costs from the initial Payments, as hereinafter set forth in order to recover some or all of the Actual Admin Costs.

B. County's Obligations

1. Payments. In recognition of the Company's obligations set out above, the County agrees to make five (5) annual economic development tax increment payments (the "Payments" and each, individually a "Payment") to the Company during the Term, as hereinafter defined, pursuant to Chapters 15A and 403 of the Code of Iowa, provided however that the aggregate, total amount of the Payments shall not exceed \$1,000,000 (the "Maximum Payment Total").

The Payments shall not constitute general obligations of the County, but shall be made solely and only from Incremental Property Tax Revenues received by the County from the Woodbury County Treasurer attributable to the taxable valuation of the Property.

Prior to funding any Payments under this Agreement, the County will first withhold from the Incremental Property Tax Revenues an amount equal to the Admin Withholding Amount. Once an amount equal to the Admin Withholding Amount has been withheld by the County, the Payments shall be made as hereinafter set forth.

Subject to section B.2. below, each Payment shall be calculated pursuant to Chapters 15A and 403 of the Code of Iowa to equal the amount which represents the "Annual Percentage" of

the Incremental Property Tax Revenues available to the County with respect to the Property during the twelve (12) months immediately preceding each Payment date.

This Agreement assumes that some or all of the new valuation from the Project will go on the property tax rolls as of January 1, 2024. Accordingly, Payments will be made on June 1 of each fiscal year, beginning June 1, 2026, and continuing through and including June 1, 2030, or until such earlier date upon which total Payments equal to the Maximum Payment Total have been made.

2. **Payment Amounts.** The aggregate Payments to be made in a fiscal year shall not exceed \$200,000.

C. **Administrative Provisions**

1. **Amendment and Assignment.** This Agreement may not be amended or assigned by either party without the written consent of the other party. However, the County hereby gives its permission that the Company's rights to receive the Payments hereunder may be assigned by the Company, as security on a credit facility taken with respect to the Project, without further action on the part of the County.

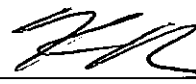
2. **Successors.** This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. **Term.** The term (the "Term") of this Agreement shall commence on the Commencement Date and end on June 1, 2030 or on such earlier date upon which the aggregate sum of Payments made to the Company equals the Maximum Payment Total.

4. **Choice of Law.** This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

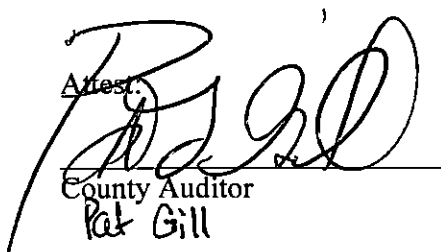
The County and the Company have caused this Agreement to be signed, in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

WOODBURY COUNTY, IOWA

By: 
Chairperson, Board of Supervisors

Keith Radig

Attest:


County Auditor

Pat Gill

AG PROCESSING INC a cooperative

By: 

Kyle Driescher, Group Vice President
Finance, Chief Financial Officer


LEGAL REVIEW

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Certain real property located in Woodbury County, Iowa more specifically described as follows:

Woodbury County Property Tax Identification Number: 87431300001

EXHIBIT B

MINIMUM ASSESSMENT AGREEMENT

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

John P. Danos, Esq., Dorsey & Whitney LLP, 801 Grand Avenue, Suite 4100, Des Moines, IA 50309; Phone: 515-699-3275

Return Document To:

David Gleiser, Community and Economic Development Director, Woodbury County, Iowa, 620 Douglas St. 6th Flr, Sioux County, IA 51101; Phone: 712-279-6609

County:

Woodbury County, Iowa

Property Owner:

Ag Processing Inc a cooperative

Legal Description:

Book & Page Reference if applicable:

MINIMUM ASSESSMENT AGREEMENT

THIS AGREEMENT, dated as of the 1st day of March, 2022, by and among the Woodbury County, Iowa (the "County"), Ag Processing Inc a cooperative (the "Property Owner"), and the County Assessor of Woodbury County (the "Assessor").

WITNESSETH

WHEREAS, the Property Owner owns the real property, the legal description of which is contained in Exhibit A attached hereto (the "Property"), which is located in the Grow Woodbury County Urban Renewal Area in the County; and

WHEREAS, the Property Owner has undertaken the expansion of an existing soybean processing facility on the Property; and

WHEREAS, a development agreement (the "Development Agreement"), dated March 1st, 2022, has been executed between the County and the Property Owner in connection with the Property Owner's investment in the Property; and

WHEREAS, the Assessor's records show the valuation for the Property and any improvements as of January 1, 2022 to be \$ 32,338,950 and

WHEREAS, pursuant to Section 403.6(19) of the Code of Iowa, the County and the Property Owner desire to establish a minimum taxable value for the Property and the improvements to be constructed thereon, which shall be effective as of January 1, 2024, and from then until this Agreement is terminated pursuant to the terms herein and which is intended to reflect the minimum market value of the land and improvements;

NOW, THEREFORE, the parties to this Agreement, in consideration of the promises, covenants and agreements made by each other, do hereby agree as follows:

1. Effective January 1, 2024, the minimum actual value which shall be assessed for the Property, attributable to the improvements to be constructed thereon, shall be Eleven Million Two Hundred Thousand Dollars (\$11,200,000) until termination of this Agreement.
2. The Property Owner agrees to pay when due, all taxes and assessments, general or special, and all other charges whatsoever levied upon or assessed or placed against the Property, subject to any limitations set forth in the Development Agreement. The Property Owner further agrees that until this Agreement is terminated they will not seek administrative or judicial review of the applicability, enforceability, or constitutionality of this Agreement or the obligation to be taxed based upon the Minimum Actual Value or to raise any such argument by way of defense in any proceedings, including delinquent tax proceedings.
3. The Property Owner further agrees that until this Agreement is terminated it will not seek any tax exemption or abatement either presently or prospectively authorized under any State, federal or local law with respect to taxation of the Property including causing or allowing

the property to be leased, sold, transferred to or otherwise used by an entity that is exempt from property taxes under the laws of the State of Iowa.

4. This Agreement, and the minimum assessed valuation established herein, shall be effective until the earlier of: a) June 1, 2030; or b) at the option of the Property Owner upon the County's failure to make any of the Payments (as defined in the Development Agreement).

5. Nothing herein shall be deemed to waive the Property Owner's rights under Section 403.6(19) Code of Iowa, (2022) or otherwise, to contest that portion of any actual value assignment made by the Assessor in excess of the Minimum Actual Value.

6. This Agreement shall be promptly recorded with the Woodbury County Recorder, along with a copy of Iowa Code Section 403.6.

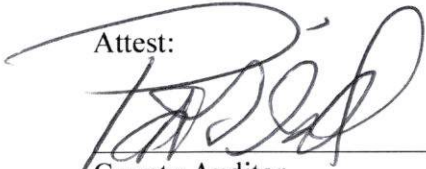
7. Neither the preamble nor provisions of this Agreement are intended to, nor shall they be construed as, modifying the terms of any other contract between the County and the Property Owner, including the Development Agreement.

This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

WOODBURY COUNTY, IOWA

By: 
Chairperson, Board of Supervisors
Keith Radig

Attest:


County Auditor
Pat Gill

AG PROCESSING INC a cooperative

By: 
Kyle Droesch, Group Vice President
Finance, Chief Financial Officer



STATE OF IOWA)
) SS:
COUNTY OF WOODBURY)

The foregoing instrument was acknowledged before me this 13th day of March,
2022, by Pat Gill, the Auctor of Woodbury County, Iowa, on behalf of the County.

Dawn M Norton
Notary Public



STATE OF ~~IOWA~~ Nebraska)
)
COUNTY OF ~~WOODBURY~~) SS:
Douglas

The foregoing instrument was acknowledged before me this 14th day of March, 2022 by Kyle Driescher the Group Vice President Finance, Chief Financial Officer of Ag Processing Inc a cooperative.

Shelly L. Cooper
Notary Public

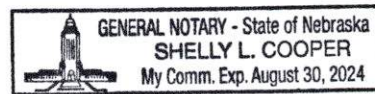


EXHIBIT A TO MINIMUM ASSESSMENT AGREEMENT

Woodbury County Property Tax Identification Number: 87431300001

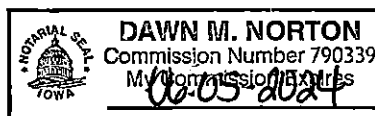
CERTIFICATION BY ASSESSOR

The undersigned Assessor, being legally responsible for the assessment of the above described property upon completion of improvements to be made on it, hereby certifies that the actual value assigned to such land and improvements upon completion, shall be not less than Eleven Million Two Hundred Thousand Dollars (\$11,200,000) until termination of the Agreement.

Julie Conolly
County Assessor for Woodbury County,
State of Iowa
Julie Conolly

Subscribed and sworn to before me this 9th day of March, 2022.

Dawn M. Norton
Notary Public



LIENHOLDER'S CONSENT, IF ANY

In consideration of one dollar and other valuable consideration, the receipt of which is hereby acknowledged, and notwithstanding anything in any loan or security agreement to the contrary, the undersigned ratifies, approves, consents to and confirms the Assessment Agreement entered into between the parties, and agrees to be bound by its terms. This provision shall be binding on the parties and their respective successors and assigns.

[NAME OF LIENHOLDER]

By: _____
Signature

Date: _____

STATE OF IOWA)
) SS:
COUNTY OF WOODBURY)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022 by _____ the _____ of _____.

Notary Public

[Add additional pages for each Lienholder]

[If no Lienholders exist, this consent will not be completed]

WOODBURY COUNTY, IOWA
URBAN RENEWAL PLAN AMENDMENT
GROW WOODBURY COUNTY URBAN RENEWAL AREA

February, 2022

The Urban Renewal Plan (the “Plan”) for the Grow Woodbury County Urban Renewal Area (the “Urban Renewal Area”) is being amended for the purposes of identifying a new urban renewal project to be undertaken in the Urban Renewal Area.

1) Identification of Projects. By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project descriptions:

A.

Name of Project: Ag Processing Inc. Development Project

Name of Urban Renewal Area: Grow Woodbury County Urban Renewal Area

Date of Board Approval of Project: February 15, 2022

Description of the Project and Project Site: Ag Processing Inc. (the “Cooperative”) has proposed to undertake the expansion of an existing soybean processing facility (the “Project”) on certain real property (the “Property”) situated at 2753 Port Neal Circle, Sergeant Bluff, Iowa for use in its business operations in the Urban Renewal Area.

The costs incurred by the County in providing tax increment financing assistance to Cooperative will include legal and administrative fees (the “Admin Fees”) associated with the initiation, authorization and carrying out of the County’s participation therein in an amount not to exceed \$10,000.

Description of Public Infrastructure to be Constructed by the County in Connection with the Project: It is not anticipated that the County will undertake any public infrastructure improvements in connection with the Project.

Description of Properties to be Acquired in Connection with the Project: It is not anticipated that the County will acquire real property in connection with the Project.

Description of Use of TIF: The County intends to enter into a development agreement (the “Agreement”) with the Cooperative with respect to the construction and use of the Project and to provide annual appropriation economic development payments (the “Payments”) to the Cooperative thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the County’s total commitment of incremental property tax revenues with respect to the Project will not exceed \$1,000,000, plus the Admin Fees.

2) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the County:	<u>\$ 404,863,722</u>
Outstanding general obligation debt of the County:	<u>\$</u>
Proposed debt to be incurred under this	
February 15, 2022 Amendment*:	<u>\$1,010,000</u>

*It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the Board of Supervisors.