

**ITEMS TO INCLUDE ON AGENDA FOR MARCH 28, 2023****WOODBURY COUNTY, IOWA**

Not to Exceed \$662,969 General Obligation Capital Loan Notes (ECP #2)

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder.
- Resolution instituting proceedings to take additional action.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE COUNTY.

March 28, 2023

The Board of Supervisors of Woodbury County, State of Iowa, met in open session, in the Basement Boardroom, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:42 P.M., on the above date. There were present Chairperson Matthew Ung, in the chair, and the following named Board Members:

Dan Bittinger, Mark Nelson, Keith Radig, Jeremy Taylor

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\*\*\*\*\*

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$662,969 General Obligation Capital Loan Notes (ECP #2), in order to provide funds to pay the costs of the planning, acquisition, leasing, construction, reconstruction, extension, remodeling, improvement, repair, equipping, maintenance, and operation of works and facilities useful for the collection, treatment, and disposal of surface waters and streams including the 28th Street sewer project; and the construction, reconstruction, improvement, or repair of Elk Creek Road which is located along the corporate limits of a city and is partly within and partly without the limits and is in whole or part a secondary road and is also a capital project that assists in economic development which creates jobs and wealth, for essential county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 331.402 and 331.443 of the Code of Iowa.

The Chairperson then asked the Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Auditor advised the Chairperson and the Board that   0   written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and   0   were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Taylor introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$662,969 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #2)", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at \_\_\_\_\_ .M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at this place.

Board Member Ung seconded the motion. The roll was called and the vote was,

AYES: Ung, Bittinger, Nelson, Radig, Taylor

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Chairperson declared the measure duly adopted.

#13,573

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$662,969 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #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 \$662,969 General Obligation Capital Loan Notes (ECP #2), for the essential county purposes, in order to provide funds to pay the costs of the planning, acquisition, leasing, construction, reconstruction, extension, remodeling, improvement, repair, equipping, maintenance, and operation of works and facilities useful for the collection, treatment, and disposal of surface waters and streams including the 28th Street sewer project; and the construction, reconstruction, improvement, or repair of Elk Creek Road which is located along the corporate limits of a city and is partly within and partly without the limits and is in whole or part a secondary road and is also a capital project that assists in economic development which creates jobs and wealth, 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 \$662,969 General Obligation Capital Loan Notes (ECP #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 28th day of March, 2023.

  
\_\_\_\_\_  
Chairperson

ATTEST:

  
\_\_\_\_\_  
County Auditor

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WOODBURY )

I, the undersigned County Auditor of Woodbury County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 28<sup>th</sup> day of March, 2023.

Michelle K. Depoy  
County Auditor, Woodbury County, State of Iowa

(SEAL)