

**AUGUST 10, 2021, THIRTY-SECOND MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, August 10, 2021 at 4:30 p.m. Board members present were Monson, Ung, Wright, and De Witt; Radig was absent. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Finance Director, Joshua Widman, Assistant County Attorney, 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.

1. There were no citizen concerns.
2. Motion by De Witt second by Monson to approve the agenda for August 10, 2021. Carried 4-0. Copy filed.

Motion by De Witt second by Monson to approve the following items by consent:

3. To approve minutes of the August 03, 2021 meeting. Copy filed.
4. To approve the claims totaling \$750,633.37. Copy filed.
5. To approve the underground utility permit for CenturyLink (Lumen).
- 6a. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Russell Moore, 2937 South Coral St., Parcel #884707127022.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,217  
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

**WHEREAS**, Russell A. Moore, is the titleholder of property located at 2937 South Coral St., Sioux City, IA, Woodbury County, Iowa, and legally described as follows:

**Parcel #884707127022**

**LINCOLN PARK LOT 15 BLOCK 3**

**WHEREAS**, Russell A. Moore is the titleholder of the aforementioned property have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code section 427.9, 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 grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 10th day of August, 2021.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 6b. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Kristine Johnson, 415 W. 1<sup>st</sup> St., Parcel #894729408018.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,218  
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

**WHEREAS**, Kristine Johnson, as titleholder of a property located 416 W. 1<sup>st</sup> St., Sioux City, Woodbury County, Iowa, and legally described as follows:

**Parcel #894729408018**

**Sioux City Outlots Lot 25**

**WHEREAS**, Kristine Johnson of the aforementioned property has petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code section 427.9, 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 grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 10th day of August, 2021.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 7. To receive Juvenile Detention’s July Population Report.
- 8a. To approve the separation of Ely Fundermann, Temporary Summer Laborer, Secondary Roads Dept., effective 07-30-2021. End of Temporary work; the separation of Jacob Gilreath, Temporary Engineering Aide, Secondary Roads Dept., effective 08-06-21. End of Temporary Work.; the separation of Jakob Schultz, Temporary Engineering Aide, Secondary Roads Dept., effective 08-10-21. End of Temporary Work.; the reclassification of Cornelia Venable-Ridley, Asst. County Attorney, County Attorney Dept., effective 08-23-21, \$92,856.00/year, 3.7%=\$3,349.00/yr., Per AFSCME Asst. County Attorney Contract agreement, from Step 8 to Step 9. ; and the reclassification of David Dawson, Asst. County Attorney, County Attorney Dept., effective 08-23-21, \$96,208.00/year, 3.6%=\$3,352.00/yr. Per AFSCME Asst. County Attorney Contract agreement, from Step 9 to Step 10. Copy filed.
- 8b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for P/T Emergency Management Assistant (New Position), Emergency Management. Wage Plan: \$17.50-\$19.00/hour. Copy filed.

Carried 4-0.

- 9. Motion by De Witt second by Monson to approve expenditure/claim from WITCC for the TSI building repair in the amount of \$59,208.88. Carried 4-0. Copy filed.
- 10. Action to approve application process for a MRHD grant from the Sheriff’s Office was previously approved.
- 12a. Motion by De Witt second by Monson to allow the county to sell a used sign truck, a Bailey Bridge, used tires, and other minor equipment at auction through GovDeals. Carried 4-0. Copy filed.
- 12b. Bid letting was held for propane for heating county buildings for FY 2022. The bids are as follows:

Johnson Propane, Battle Creek, IA	\$62,640.00
New Cooperative Inc., Hornick, IA	\$57,420.00

Motion by De Witt second by Monson to receive the bids for propane for heating county buildings for FY 2022. Carried 4-0. Copy filed.

Motion by Monson second by De Witt to award the bid to New Cooperative Inc. for \$57,420.00. Carried 4-0. Copy filed.

12c. Bid letting was held for calcium chloride for FY 2022. The bids are as follows:

Scotwood Industries, Inc., Overland Park, KS	\$62,568.00
Jerico Service Inc., Indianola, IA	\$62,832.00

Motion by De Witt second by Monson to receive the bids for calcium chloride for FY 2022. Carried 4-0. Copy filed.

Motion by Monson second by De Witt to award the bid to Scotwood Industries, Inc. for \$62,568.00. Carried 4-0. Copy filed.

11a. A public hearing was held at 4:45 p.m. for Ordinance for Zoning District Map Amendment to rezone GIS parcels #884704302005 and #884704302006, owned by JAB Holding Co. LLC/Elk Creek Animal Hospital to General Commercial. The Chairperson called on anyone wishing to be heard.

Motion by De Witt second by Ung to close the public hearing. Carried 4-0.

11b. Motion by De Witt second by Ung to conduct the second reading and waive the third reading of the ordinance for zoning district map amendment and adopt as proposed Ordinance #57. Carried 4-0. Copy filed.

12d. Motion by De Witt second by Monson to approve the federal aid project agreement for projects #STBG-SWAP-C097(142)—FG-97. Carried 4-0. Copy filed.

11c. A public hearing was held at 4:50 p.m. for Ordinance for Zoning District Map Amendment to rezone GIS parcel #884724300005, owned by Lieber Properties LLC, to Agricultural Estates. The Chairperson called on anyone wishing to be heard.

Motion by De Witt second by Monson to close the public hearing. Carried 4-0.

11d. Motion by Monson second by Ung to conduct the second reading and waive the third reading of the ordinance for zoning district map amendment and adopt as proposed Ordinance #58. Carried 4-0. Copy filed.

11e. Motion by De Witt second by Ung to receive the final staff report and Zoning Commission's recommendation from their 07-26-21 meeting. Carried 4-0. Copy filed.

11f. Motion by Monson second by Ung to approve and authorize the Chairperson to sign a Resolution accepting and approving the final plat of Davis Estates, a minor subdivision to Woodbury County, Iowa. Carried 4-0

**RESOLUTION #13,219  
ACCEPTING DAVIS ESTATES  
A MINOR SUBDIVISION  
INTO WOODBURY COUNTY**

RESOLUTION ACCEPTING AND APPROVING THE PLAT OF DAVIS ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNERS AND PROPRIETORS DID ON:

THE 26<sup>TH</sup> DAY OF JULY, 2021, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS DAVIS ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

WHEREAS THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTAANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF DAVIS ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA BE AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNER AND PROPRIETOR A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 10<sup>TH</sup> DAY OF AUGUST, 2021  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy Filed.

- 13a. Motion by De Witt second by Monson to approve and authorize the chairperson to sign a Resolution providing for the sale and issuance of General Obligation Urban Renewal County Road Improvement Bonds, Series 2021. Carried 4-0.

**RESOLUTION #13,220**  
**PROVIDING FOR THE SALE AND ISSUANCE OF GENERAL OBLIGATION URBAN RENEWAL COUNTY ROAD IMPROVEMENT BONDS, SERIES 2021**

WHEREAS, Chapters 331 and 403 of the Code of Iowa authorize counties to enter into loan agreements and issue general obligation bonds for the purpose of paying the cost of planning, undertaking and carrying out certain types of urban renewal projects under the authority of Chapter 403, provided notice is published, including notice of the right to petition for an election; and

WHEREAS, the Board of Supervisors (the "Board") of Woodbury County, Iowa (the "County") has established the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area"), based on a finding of the need for economic development in the County and has amended the urban renewal plan for the Urban Renewal Area to designate an urban renewal project consisting of improvements to County gravel roads in order to assist economic development (the "Urban Renewal Project"); and

WHEREAS, the Board has proposed to enter into a loan agreement (the "General Obligation Urban Renewal County Road Improvement Loan Agreement") and issue general obligation bonds in a principal amount not to exceed \$10,000,000, pursuant to the provisions of Section 331.402, Subsection 331.441(2)(b)(14), Section 331.442, Section 331.443 and Chapter 403 of the Code of Iowa, for the purpose of paying the costs of the Urban Renewal Project; and

WHEREAS, notice of the proposed action has been published, including the right to petition for an election, and a hearing has been held, and no petition has been filed asking that the question of entering into the Urban Renewal County Road Improvement Loan Agreement and issuing the Bonds be submitted to the registered voters of the County; and

WHEREAS, the Board has expressed its intent to enter into the Urban Renewal County Road Improvement Loan Agreement and to issue the Bonds; and

WHEREAS, on July 27, 2021, the Board approved a Bond Purchase Agreement with Piper Sandler & Co. (the "Purchaser") for the sale of the County's \$8,820,000 General Obligation Urban Renewal County Road Improvement Bonds, Series 2021 (the "Bonds"); and

WHEREAS, it is necessary to take action for the approval of the Loan Agreement and to authorize the issuance of the Bonds;

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

Section 1. The County shall enter into the Loan Agreement with the Purchaser in substantially the form as has been placed on file with the Board, providing for a loan to the County in the principal amount of \$8,820,000.

The Chairperson of the Board and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 2. The Bonds are hereby authorized to be issued in evidence of the obligation of the County under the Loan Agreement, in the total aggregate principal amount of \$8,820,000, to be dated August 24, 2021, in the denomination of \$5,000 each, or any integral multiple thereof, maturing annually on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates as follows:

<u>Year</u>	<u>Principa l Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principa l Amount</u>	<u>Interest Rate Per Annum</u>
2023	\$520,000	4.00%	2028	\$920,000	4.00%
2024	\$790,000	4.00%	2029	\$960,000	4.00%
2025	\$820,000	4.00%	2030	\$995,000	3.00%
2026	\$850,000	4.00%	2031	\$1,025,000	3.00%
2027	\$885,000	4.00%	2032	\$1,055,000	3.00%

Section 3. BOKF, N.A., Lincoln, NE is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Registrar" or the "Paying Agent". The County shall enter into an agreement (the "Registrar/Paying Agent Agreement") with the Registrar, in substantially the form as has been placed on file with the Board; the Chairperson and County Auditor are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the County; and the Registrar/Paying Agent Agreement is hereby approved.

The County reserves the right to prepay part or all of the principal of the Bonds maturing in each of the years 2030, 2031 and 2032, prior to and in any order of maturity on June 1, 2029, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2022. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson of the Board and attested with the official manual or facsimile signature of the County Auditor, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 4. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the County determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the County will discontinue the book-entry system with DTC. If the County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the County will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and

deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interest in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 5. The Bonds shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF IOWA

WOODBURY COUNTY

GENERAL OBLIGATION URBAN RENEWAL COUNTY ROAD IMPROVEMENT BOND, SERIES 2021

No. _____				\$ _____
	RATE	MATURITY DATE	BOND DATE	CUSIP
	_____ %	June 1, _____	August 24, 2021	_____

Woodbury County (the "County"), Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.  
New York, NY

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of BOKF, N.A., Lincoln, NE (hereinafter referred to as the "Registrar" or the "Paying Agent"), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2022, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become

applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Urban Renewal County Road Improvement Bonds, Series 2021 (the "Bonds"), issued in the aggregate principal amount of \$8,820,000 by the County to evidence its obligation under a certain Loan Agreement, dated as of August 24, 2021 (the "Loan Agreement"), entered into by the County for the purpose of financing construction of improvements to certain County roads.

The Bonds are issued pursuant to and in strict compliance with the provisions of Sections 331.402, 331.441 and 403.9 of the Code of Iowa, 2021, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the County Board of Supervisors authorizing and approving the Loan Agreement and providing for the issuance and

securing the payment of the Bonds (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The County reserves the right to prepay part or all of the principal of the Bonds maturing in each of the years 2030, 2031 and 2032, prior to and in any order of maturity on June 1, 2029, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Woodbury County, Iowa, by its Board of Supervisors, has caused this Bond to be executed with the duly authorized facsimile signature of its Chairperson and attested with the duly authorized facsimile signature of its County Auditor, all as of August 24, 2021.

WOODBURY COUNTY, IOWA

By (DO NOT SIGN)

Chairperson, Board of Supervisors

Attest:

(DO NOT SIGN)

County Auditor

Registration Date: (Registration Date)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

BOKF, N.A.

Lincoln, NE

Registrar

By (Authorized Signature)

Authorized Officer

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

UTMA \_\_\_\_\_

(Custodian)

As Custodian for \_\_\_\_\_

(Minor)

under Uniform Transfers to Minors Act

\_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

\_\_\_\_\_  
(Please print or type name and address of Assignee)

\_\_\_\_\_  
PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint \_\_\_\_\_, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: \_\_\_\_\_

Signature guaranteed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 6. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration, authentication and delivery to or upon the direction of the Purchaser, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement and the sale of the Bonds is hereby ratified and confirmed in all respects.

Section 7. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years:

- For collection in the fiscal year beginning July 1, 2022, sufficient to produce the net annual sum of \$1,089,850;
- For collection in the fiscal year beginning July 1, 2023, sufficient to produce the net annual sum of \$1,091,250;
- For collection in the fiscal year beginning July 1, 2024, sufficient to produce the net annual sum of \$1,089,650;
- For collection in the fiscal year beginning July 1, 2025, sufficient to produce the net annual sum of \$1,086,850;
- For collection in the fiscal year beginning July 1, 2026, sufficient to produce the net annual sum of \$1,087,850;
- For collection in the fiscal year beginning July 1, 2027, sufficient to produce the net annual sum of \$1,087,450;
- For collection in the fiscal year beginning July 1, 2028, sufficient to produce the net annual sum of \$1,090,650;
- For collection in the fiscal year beginning July 1, 2029, sufficient to produce the net annual sum of \$1,087,250;
- For collection in the fiscal year beginning July 1, 2030, sufficient to produce the net annual sum of \$1,087,400;

For collection in the fiscal year beginning July 1, 2031,  
sufficient to produce the net annual sum of \$1,086,650.

Section 8. A certified copy of this resolution shall be filed with the County Auditor, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the County which may lawfully be applied for such purpose, including incremental property tax revenues, may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 7 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the County's budget.

Section 9. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current available funds of the County in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 10. It is the intention of the County that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

Section 11. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Bonds, the County will execute and deliver a Continuing Disclosure Certificate pursuant to which the County will undertake to comply with the Rule. The County covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 12. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 13. This resolution shall be in full force and effect immediately upon its approval and adoption, as provided by law.

Passed and approved August 10, 2021.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 13b. Motion by Monson second by De Witt to approve the proposal from The Baker Group to furnish assistance with filing of the ARPA funds. Carried 4-0. Copy filed.

14. The Board heard reports on committee meetings.

15. There were no citizen concerns.

16. Board concerns were heard.

The Board adjourned the regular meeting until August 17, 2021.

Meeting sign in sheet. Copy filed.