

**FEBRUARY 15, 2022, SEVENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, February 15, 2022 at 4:30 p.m. Board members present were Taylor, Ung, Radig, Wright, and De Witt. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget Tax/Analyst, Joshua Widman, Assistant County Attorney, Melissa Thomas, Human Services Director, 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 Radig second by Taylor to approve the agenda for February 15, 2022. Carried 5-0. Copy filed.

Motion by Taylor second by Radig to approve the following items by consent:

3. To approve minutes of the February 8, 2022 meeting. Copy filed.
4. To approve the claims totaling \$265,640.56. Copy filed.
- 5a. To approve the canvass of the Little Sioux Intercounty Drainage Trustee Election. Copy filed.
- 5b. To approve the canvass of the Sandhill-Lakeport Drainage District Trustee Election. Copy filed.
- 5c. To approve the canvass of the McCandless Intercounty Drainage District Trustee Election. Copy filed.
- 6a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894730278008, 1825 W 4<sup>th</sup> St.

**RESOLUTION #13,391  
NOTICE OF PROPERTY SALE**

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

**All of Lot Eight (8) except the North Sixty-Two Feet (N 62') thereof, in Block Two (2) of Hornick's Addition to Sioux City, Woodbury County, Iowa  
(1825 W. 4<sup>th</sup> 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 **1<sup>st</sup> Day of March, 2022 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 **1<sup>st</sup> Day of March, 2022**, 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 \$190.00** 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 15<sup>th</sup> Day of February, 2022.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 6b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894720384016, 1309 W 14<sup>th</sup> St.

**RESOLUTION #13,392**  
**NOTICE OF PROPERTY SALE**

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

**West 35 feet East 110 feet South ½ Lot 5 Block 36, West 35 feet East 110 feet Lot 6 Block 36 of North Sioux City Addition, City of Sioux City, Woodbury County, Iowa (1309 W 14<sup>th</sup> 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 **1<sup>st</sup> Day of March, 2022 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 at a public auction to be held on the **1<sup>st</sup> Day of March, 2022**, 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 \$250.00** 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 15<sup>th</sup> Day of February, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 6c. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date of parcel #894735116006, 3200 Leech Ave.

**RESOLUTION #13,393**  
**NOTICE OF PROPERTY SALE**

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

**Lots Eight (8), Nine (9), Ten (10), and Eleven (11) in Block Three (3) of Hedges Table Addition, City of Sioux City, Woodbury County, Iowa (3200 Leech Ave.)**

**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 **1<sup>st</sup> Day of March, 2022 at 4:39 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 **1<sup>st</sup> Day of March, 2022**, 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 \$300.00** 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 15<sup>th</sup> Day of February, 2022.  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

- 7a. To approve the reclassification of Devan Amick, Civilian Jailer, County Sheriff Dept., effective 02-21-22, \$21.88/hour, 4%=\$.86/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.; and the reclassification of Dustin Johnson, Clerk II, County Treasurer Dept., effective 02-21-22, \$22.80/hour, 10.5%=\$2.20/hour. Per AFSCME Courthouse Contract agreement, from Grade 3/Step 4 to Grade 3/Step 5. Copy filed.
- 7b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for (3) Temporary Engineering Aides, Secondary Roads Dept. Wage Plan: \$16.00-\$18.00/hour.; and (5) Temporary Summer Laborers, Secondary Roads Dept. Wage Plan: \$15.00-\$17.00/hour. Copy filed.
- 8. To approve the underground utility permit for the Iowa DOT. Copy filed.

Carried 5-0.

- 9a. A public hearing was held at 4:35 p.m. to amend the urban renewal plan for the Grow Woodbury County Urban Renewal Area. The Chairperson called on anyone wishing to be heard.

Motion by Taylor second by Radig to close the public hearing. Carried 5-0.

- 9b. Motion by Taylor second by De Witt to approve and authorize the Chairperson to sign a Resolution to Approve Urban Renewal Plan Amendment for the Grow Woodbury County Urban Renewal Area. Carried 5-0.

**RESOLUTION #13,394**  
**A RESOLUTION TO APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE GROW**  
**WOODBURY COUNTY URBAN RENEWAL AREA**

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa (the "Urban Renewal Law"), a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, the Board of Supervisors of Woodbury County, Iowa (the "Board"), by prior resolution established the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives to be undertaken therein; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which would facilitate the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to Ag Processing Inc. (the "Cooperative") in connection with the expansion of a soybean processing facility for use in the Cooperative's business operations in the Urban Renewal Area,; and

WHEREAS, notice of a public hearing by the Board of Supervisors of Woodbury County, Iowa, on the proposed Amendment was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing on February 15, 2022; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to the Westwood Community School District; the consultation meeting was held on the 28 day of January, 2022; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

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

Section 1. The Amendment, attached hereto and made a part hereof, is hereby in all respects approved.

Section 2. It is hereby determined by this Board of Supervisors as follows:

- A. The Projects proposed under the Amendment conform to the general plan for the development of the County;
- B. The Projects proposed under the Amendment are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.
- C. It is not anticipated that families will be displaced as a result of the County's undertakings under the Amendment. Should such issues arise with future projects, then the County will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved February 15, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

9c. Motion by Taylor second by Radig to approve and authorize the Chairperson to sign a Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development with Ag Processing Inc., Including Tax Increment Payments. Carried 5-0.

**RESOLUTION #13,395**  
**RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH AG PROCESSING INC., INCLUDING TAX INCREMENT PAYMENTS**

WHEREAS, Woodbury County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an urban renewal plan for the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this Board of Supervisors has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the County for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the County proposes to enter into a certain development agreement (the "Development Agreement") with Ag Processing Inc. (the "Cooperative") in connection with the expansion of a soybean processing facility for use

in the Cooperative's business operations on certain real property (the "Property") situated at 2753 Port Neal Circle, Sergeant Bluff, Iowa in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Cooperative including certain incremental property tax payments in an amount not to exceed \$1,000,000 (the "Payments") under the authority of Section 403.9(1) of the Code of Iowa;

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement and the TIF Payments, pursuant to Section 403.9 of the Code of Iowa;

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

Section 1. This Board of Supervisors shall meet on March 1, 2022, at 4:45 o'clock p.m., at the Courthouse Basement, Sioux City, Iowa, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the Payments.

Section 2. The County Auditor is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four (4) days and not more than twenty (20) days before the date of said meeting in a legal newspaper of general circulation in the Woodbury County. Said notice shall be in substantially the following form:

**NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH AG PROCESSING INC. AND AUTHORIZATION OF TAX INCREMENT PAYMENTS**

The Board of Supervisors of Woodbury County, Iowa (the "County"), will meet at the Courthouse basement, in Sioux City, Iowa, on March 1, 2022, at 4:45 o'clock p.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement (the "Agreement") between the County and Ag Processing Inc. (the "Cooperative"), in connection with the expansion of a soybean processing facility for use in the Cooperative's business operations on certain real property (the "Property") situated at 2753 Port Neal Circle, Sergeant Bluff, Iowa in the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area").

The Agreement will provide for certain financial incentives in the form of incremental property tax payments to the Cooperative in a total amount not exceeding \$1,000,000 as authorized by Section 403.9 of the Code of Iowa.

The commitment of the County to make incremental property tax payments to the Cooperative under the Agreement will not be a general obligation of the County, but such payments will be payable solely and only from incremental property tax revenues generated within the Urban Renewal Area. Some or all of the payments under the Agreement may be subject to annual appropriation by the Board of Supervisors.

At the meeting, the Board of Supervisors will receive oral or written objections from any resident or property owner of the County. Thereafter, the Board may, at the meeting or at an adjournment thereof, take additional action to approve the Agreement or may abandon the proposal.

This notice is given by order of the Board of Supervisors of Woodbury County, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 15, 2022.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

9d. A public hearing was held at 4:37 p.m. on proposed Zoning Ordinance Text Amendment to Sub-Sections 2.01.4 and 2.01.5. The Chairperson called on anyone wishing to be heard.

Motion by Taylor second by De Witt to close the public hearing. Carried 5-0.

- 9e. Motion by Taylor second by Radig to waive the third reading of Ordinance amending the text of the Woodbury County Zoning Ordinance to repeal and replace Sub-Sections 2.01.4 entitled "Planning and Zoning Commission" and 2.01.5 entitled "Board of Adjustment" with revised language pertaining to the establishment, appointment and membership, rules of procedure, and powers and duties of both the Planning and Zoning Commission and the Board of Adjustment and waive the 3<sup>rd</sup> reading and final approval. Carried 5-0. Copy filed.

Motion by Taylor second by Radig to approve the second and final reading of the ordinance and to adopt Ordinance #61 amending the text of the Woodbury County Zoning Ordinance to repeal and replace Sub-Sections 2.01.4 entitled "Planning and Zoning Commission" and 2.01.5 entitled "Board of Adjustment" with revised language pertaining to the establishment, appointment and membership, rules of procedure, and powers and duties of both the Planning and Zoning Commission and the Board of Adjustment and waive the 3<sup>rd</sup> reading and final approval. Carried 5-0. Copy filed.

10. Motion by Taylor second by Radig to activate Socrata Open Finance and place the link on the home page of the county website for public access. Carried 5-0. Copy filed.
11. Information was presented by John Lawson, City Assessor, about exemption applications for a historical property tax exemption under Iowa Code 427.16. Copy filed.
- 12a. Motion by Radig second by De Witt to approve the certificate of completion of the 2021 PCC Patching project with Ten Point Construction for \$54,552.00. Carried 5-0. Copy filed.
- 12b. Motion by Radig second by De Witt to approve the certificate of completion of the 2021 HMA Rout and Seal project with Sioux Commercial Sweeping for \$62,700.00. Carried 5-0. Copy filed.
- 12c. Motion by Radig second by De Witt to approve the plans for project #BRS-SWAP-CO97(146)—FF-67. Carried 5-0. Copy filed.
- 12d. Motion by De Witt second by Taylor to approve the plans for project #BRS-SWAP-CO97(148)—FE-97. Carried 5-0. Copy filed.
- 12e. Motion by Radig second by Taylor to approve the federal aid project agreement for projects #BRS-SWAP-CO97(148)—FE-97. Carried 5-0. Copy filed.
- 13a. Motion by Ung second by Taylor to authorize up to \$250,000 in State & Local Fiscal Recovery Funds to provide a one-time retention incentive of \$1,000.00 per full-time union employee. Carried 5-0. Copy filed.
- 13b. Motion by Ung second by Taylor to allocate \$1,291,264 from ARPA State & Local Fiscal Recovery Funds to Siouxland District Health Department, under the eligible use category of Public Health & Economic Impacts and the Public Health staff response to COVID-19. Carried 5-0. Copy filed.

Motion by Ung second by Taylor to reduce by \$1,291,264 the FY2023 county allocation to SDHD. Carried 5-0. Copy filed.

Motion by Ung second by Taylor to rescind the January 18, 2022 motion which was split proceeds of the sale of the county farm for FY 23 and FY 24, and to instead retain all proceeds in general basic revenues and with a restricted reserve account purposed for FY 24 budget review sessions. Carried 5-0. Copy filed.

- 13c. Motion by Taylor second by Ung to approve the use of Gaming Revenues, \$175,341, in the Rural Basic Fund to reduce the tax rate. Carried 5-0. Copy filed.

Motion by Radig second by Taylor to approve the use of LOST Revenues, \$100,000, in Rural Basic Fund to reduce the tax rate. Carried. Copy filed.

Motion by Radig second by Taylor to use ARPA Funds for FY 23 to fund Meals on Wheels at \$12,760, SIMPCO Housing at \$10,235, Sioux City Regional Convention Tourism at \$20,000 and Western Iowa Tourism at \$10,235. Carried 5-0.

Motion by Taylor second by Radig to set the public hearing for the maximum property tax dollars regarding the General Fund and Rural Fund to be held March 8, 2022 at 4:40 p.m. Carried 5-0.

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 February 22, 2022.

Meeting sign in sheet. Copy filed.