

May 9, 2017, EIGHTEENTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, May 9, 2017 at 4:30 p.m. Board members present were Ung, De Witt, Radig, Pottebaum, and Taylor. Staff members present were Dennis Butler, Budget/Tax Analyst, Karen James, Board Administrative Assistant, Ed Gilliland, Human Resources Director, Abigail Sills, Assistant County Attorney and Patrick Gill, Auditor/Clerk to the Board.

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

- 1. Citizen concerns.
- 2. Motion by Taylor second by Radig to approve the Agenda for May 9, 2017. Carried 5-0. Copy filed.
- 3a. Information on County earns national achievement award for cost-saving LED retrofit. Copy filed.
- 3b. Information on CAASA Denim Day (\$225 raised) Special thanks to Chris Garthright-Chwirka. Copy filed.
- 4. Presentation of Award Certificates to Karla Polley and Dawn Norton. Copy filed.
- 5a. A public hearing was held at 4:35 p.m. for the sale of parcel #196305, 1329 Jennings St., Sioux City, IA. The Chairperson called on anyone wishing to be heard.

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

Motion by Ung second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to Margarita Carrasco and Gildardo Yanez, 909 14<sup>th</sup> St., Sioux City, for real estate parcel #196305, 1329 Jennings St., Sioux City, IA, for \$222.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD  
OF SUPERVISORS OF WOODBURY COUNTY, IOWA  
RESOLUTION #12,528**

**BE IT RESOLVED** by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

**By Margarita Carrasco and Gildardo Yanez in the sum of Two Hundred Twenty-Two Dollars & 00/100 (\$222.00)-----dollars.**

For the following described real estate, To Wit:

**Parcel #196305**

**All that part of Lot 2 in Block 1 Healy’s Addition to Sioux City, described as follows: Beginning at a point 47.8 feet North of the Southeast corner of said Lot 2 thence North 44 feet; thence West 100 feet to a point which is 90.2 feet North of the South line of said Lot 2; thence south 44 feet; thence East 100 feet to the place of beginning, in the County Woodbury, State of Iowa (1329 Jennings Street)**

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

**BE IT RESOLVED** that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

**BE IT RESOLVED** that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to

previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

**BE IT FURTHER RESOLVED** that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

**SO DATED** this 9<sup>th</sup> Day of May, 2017.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

5b. A public hearing was held at 4:37 p.m. for the sale of parcel #196320, 1331 Jennings St., Sioux City, IA. The Chairperson called on anyone wishing to be heard.

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

Motion by Ung second by De Witt to approve and authorize the Chairperson to sign a Resolution for the sale of this parcel to Margarita Carrasco and Gildardo Yanez, 909 14<sup>th</sup> St., Sioux City, for real estate parcel #19320, 1331 Jennings St., Sioux City, IA, for \$229.00 plus recording fees. Carried 5-0.

**RESOLUTION OF THE BOARD  
OF SUPERVISORS OF WOODBURY COUNTY, IOWA  
RESOLUTION #12,529**

**BE IT RESOLVED** by the Board of Supervisors of Woodbury County, Iowa, that the offer at public auction of:

**By Margarita Carrasco and Gildardo Yanez** in the sum of **Two Hundred Twenty-Nine Dollars & 00/100 (\$229.00)**-----dollars.

For the following described real estate, To Wit:

**Parcel #196320**

**All that part of Lot 2 in block 1 Healy's Addition to Sioux City, described as follows: Beginning at the Northeast corner of said Lot 2; thence South 47.5 feet; thence in a Westerly direction to a point 100 feet West of the East line, and 49.3 feet South of the North line of said Lot 2; thence North 49.3 feet to the North line of said Lot 2; thence East 100 feet along said North line to the place of beginning, in the County of Woodbury, State of Iowa (1331 Jennings Street)**

Now and included in and forming a part of the City of Sioux City, Iowa, the same is hereby accepted: said Amount being a sum LESS than the amount of the general taxes, interests, costs and penalties against the said Real Estate.

**BE IT RESOLVED** that payment is due by close of business on the day of passage of this resolution or this sale is null and void and this resolution shall be rescinded.

**BE IT RESOLVED** that per Code of Iowa Section 569.8(3 & 4), a parcel the County holds by tax deed shall not be assessed or taxed until transferred and upon transfer of a parcel so acquired gives the purchaser free title as to previously levied or set taxes. Therefore, the County Treasurer is requested to abate any taxes previously levied or set on this parcel(s).

**BE IT FURTHER RESOLVED** that the Chairman of this Board be and he is hereby authorized to execute a Quit Claim Deed for the said premises to the said purchaser.

**SO DATED** this 9<sup>th</sup> Day of May, 2017.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

6a. A public hearing was held at 4:37 p.m. to approve 2017 Urban Renewal Plan Amendment 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.

Motion by Taylor second by Ung to approve and authorize the Chairperson to sign a Resolution to approve 2017 Urban Renewal Plan Amendment for the Grow Woodbury County Urban Renewal Area. Carried 5-0.

**RESOLUTION #12,530**  
**A RESOLUTION TO APPROVE 2017 URBAN RENEWAL PLAN AMENDMENT FOR THE GROW WOODBURY COUNTY URBAN RENEWAL AREA**

WHEREAS, the Board of Supervisors of Woodbury County, Iowa (the "County") has created the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area") and has approved an urban renewal plan for the Urban Renewal Area; and

WHEREAS, Chapter 403 of the Code of Iowa requires that, before a county approves any new urban renewal project, or adds property to an urban renewal area, a county must amend the existing urban renewal plan to include that new project or new property; and

WHEREAS, an amendment to the urban renewal plan for the Urban Renewal Area (the "2017 Amendment") has been prepared, which (1) describes certain property to be added to the Urban Renewal Area including 246.39 acres located at 2445 Port Neal Road, Sergeant Bluff, Iowa; and (2) describes a new urban renewal project consisting of an agreement between the County and GELITA USA, Inc. which involves the construction by the company of a collagen peptide processing facility and the commitment of the County to make economic development tax increment payments to the company in an amount not exceeding \$499,612; and

WHEREAS, notice of a public hearing by the Board on the proposed 2017 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; and

WHEREAS, copies of the 2017 Amendment, notice of public hearing and notice of a consultation meeting with respect to the 2017 Amendment were sent to each School District affected by the 2017 Amendment; the consultation meeting was held and no additional comments were submitted; and

WHEREAS, the Woodbury County Zoning Commission has reviewed the 2017 Amendment and has reported that it conforms to, or is consistent with, the County's 2005 General Development Plan;

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

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist as legally described on Exhibit A to the 2017 Amendment.

Section 2. The area identified in Section 1 hereof is hereby declared to be part of the Grow Woodbury County Urban Renewal Area, in conformance with the requirements of Chapter 403 of the Code of Iowa.

Section 3. The development of this area is necessary in the interest of the public health, safety or welfare of the residents of Woodbury County.

Section 4. It is hereby determined by this Board as follows:  
A. The 2017 Amendment conforms to the general plan of the County.  
B. County participation in the agreement with GELITA USA, Inc. described in the 2017 Amendment is necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

Section 5. The 2017 Amendment, in the form attached to this Resolution and made a part hereof, is hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved May 9, 2017.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

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

- 7. To approve minutes of the April 18, 2017 meeting. Copy filed.
- 8. To approve the claims totaling \$2,039,843.34. Copy filed.
- 9. To receive the Auditor's Quarterly Report. Copy filed.
- 10a. To receive the Commission of Veteran Affairs Quarterly Report. Copy filed.
- 10b. To approve the appointment of Emily D. Clayton to the Commission of Veteran Affairs. Copy filed.
- 11. To approve set a public hearing for fiscal year 2017 budget amendment for May 30, 2017 at 4:45 p.m. Copy filed.
- 12. To approve and authorize the Chairperson to sign a Resolution for approving petition for suspension of taxes for David Butcher, 105 E. Main St., Lawton, IA parcel #894532402006.

**WOODBURY COUNTY, IOWA  
RESOLUTION #12,531  
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

**WHEREAS**, David Butcher, is the titleholder of property located at 105 East Main Street, Lawton, Woodbury County, Iowa, and legally described as follows:

**Parcel #894532402006**

**LAWTON CITY OF LOTS 12 & 13 BLK 1**

**WHEREAS**, David Butcher, is the titleholder of the aforementioned property have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2009 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 9th day of May, 2017.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 13a. To approve and authorize the Chairperson to sign a Resolution setting the public hearing date and sale date of parcel #894726103009, 3101 13<sup>th</sup> St., Sioux City.

**RESOLUTION #12,532  
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 6, 7, 8, 9, and vacated East/West alley lying between Lots 4, 5, 6 and Lots 7, 8, and 9, Block 6, Long View Addition to Sioux City, Woodbury County, Iowa (3101 13<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 **23<sup>rd</sup> Day of May, 2017 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 **23<sup>rd</sup> Day of May, 2017**, 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 \$131.00** plus recording fees.

Dated this 9<sup>th</sup> Day of May, 2017.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 13b. To approve and authorize the Chairperson to sign a Resolution setting the public hearing date and sale date of parcel #894720181022, 1104 W. 23<sup>rd</sup> St., Sioux City.

**RESOLUTION #12,533**  
**NOTICE OF PROPERTY SALE**

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

**Lot 7, Block 3, North Smiths Villa 2<sup>nd</sup> Addition, Sioux City, in the County of Woodbury and State of Iowa (1104 W. 23<sup>rd</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 **23<sup>rd</sup> Day of May, 2017 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 **23<sup>rd</sup> Day of May, 2017**, 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 \$169.00** plus recording fees.

Dated this 9<sup>th</sup> Day of May, 2017.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 14a. To approve and authorize the Chairperson to sign a Resolution adopting and levying special assessment in the Little Sioux Inter-County Drainage District of Monona, Woodbury and Harrison Counties, Iowa.

**RESOLUTION #12,534**

**RESOLUTION ADOPTING AND LEVYING SPECIAL ASSESSMENT IN  
THE LITTLE SIOUX INTER-COUNTY DRAINAGE DISTRICT OF MONONA,  
WOODBURY AND HARRISON COUNTIES, IOWA**

WHEREAS, the Board of Trustees of the Little Sioux Inter-County Drainage District, in session on the 1st day of March, 2017, requested that the Board of Supervisors levy a special assessment of Sixty-five (65%) Percent of the Original Assessment on all tracts of land, lots, public roads, and railroads in the Little Sioux Inter-County Drainage District to procure funds from which to pay the costs and expenses of repair and maintenance incurred.

NOW, THEREFORE, BE IT RESOLVED by the Joint Board of Supervisors of Monona, Woodbury and Harrison Counties, Iowa, acting as a Drainage Board for the Little Sioux Inter-County Drainage District, that there be and is hereby levied upon all tracts of land, lots, public roads, and railroads in the Little Sioux Inter-County Drainage District of Monona, Woodbury and Harrison Counties, Iowa, a special assessment in the amount of Sixty-five (65%) Percent of the Original Assessment, and the Auditors of Monona, Woodbury and Harrison Counties, Iowa, be directed and ordered to spread such levy upon said lands, to be collected under \$468.55 in semi-annual installments in the same manner as general property taxes are collected pursuant to \$445.36 in the year 2017-2018.

PASSED and APPROVED this 9th day of May, 2017  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 14b. To approve and authorize the Chairperson to sign a Resolution adopting and levying special assessment in the McCandless Inter-County Drainage District of Monona and Woodbury Counties, Iowa.

**RESOLUTION #12,535  
RESOLUTION ADOPTING AND LEVYING SPECIAL ASSESSMENT IN  
THE MCCANDLESS INTER-COUNTY DRAINAGE DISTRICT OF MONONA  
AND WOODBURY COUNTIES, IOWA**

WHEREAS, the Board of Trustees of the McCandless Inter-County Drainage District, in session on the 20th day of March, 2017, requested that the Board of Supervisors levy a special assessment of Eighty Five Percent (85%) of the Original Assessment on all tracts of land, lots, public roads, and railroads in the McCandless Inter-County Drainage District to procure funds from which to pay the costs and expenses of repair and maintenance incurred.

NOW, THEREFORE, BE IT RESOLVED by the Joint Board of Supervisors of Monona and Woodbury Counties, Iowa, acting as a Drainage Board for the McCandless Inter-County Drainage District, that there be and is hereby levied upon all tracts of land, lots, public roads, and railroads in the McCandless Inter-County Drainage District of Monona and Woodbury Counties, Iowa, a special assessment in the amount of Eighty Five Percent (85%) of the Original Assessment, and the Auditors of Monona and Woodbury Counties, Iowa, be directed and ordered to spread such levy upon said lands, to be collected under \$468.55 in semi-annual installments in the same manner as general property taxes are collected pursuant to \$445.36 in the year 2017-2018.

PASSED and APPROVED this 9th day of May, 2017  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 14c. To approve and authorize the Chairperson to sign a Resolution adopting and levying special assessment in the Sandhill-Lakeport Inter-County Drainage District of Monona and Woodbury Counties, Iowa.

**RESOLUTION #12,536  
RESOLUTION ADOPTING AND LEVYING SPECIAL ASSESSMENT IN  
THE SANDHILL-LAKEPORT INTER-COUNTY DRAINAGE DISTRICT OF MONONA AND  
WOODBURY COUNTIES, IOWA**

WHEREAS, the Board of Trustees of the Sandhill-Lakeport Inter-County Drainage District, in session on the 22nd day of March, 2017, requested that the Board of Supervisors levy a special assessment of Fifty Percent (50%) of

the Original Assessment on all tracts of land, lots, public roads, and railroads in the Sandhill-Lakeport Inter-County Drainage District to procure funds from which to pay the costs and expenses of repair and maintenance incurred.

NOW, THEREFORE, BE IT RESOLVED by the Joint Board of Supervisors of Monona and Woodbury Counties, Iowa, acting as a Drainage Board for the Sandhill-Lakeport Inter-County Drainage District, that there be and is hereby levied upon all tracts of land, lots, public roads, and railroads in the Sandhill-Lakeport Inter-County Drainage District of Monona and Woodbury Counties, Iowa, a special assessment in the amount of Fifty Percent (50%) of the Original Assessment, and the Auditors of Monona and Woodbury Counties, Iowa, be directed and ordered to spread such levy upon said lands, to be collected under \$468.55 in semi-annual installments in the same manner as general property taxes are collected pursuant to \$445.36 in the year 2017-2018.

PASSED and APPROVED this 9th day of May, 2017  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 14d. To approve and authorize the Chairperson to sign a Resolution adopting and levying special assessment in the Woodbury-Monona Lateral 2 Drainage District of Woodbury County, Iowa.

**RESOLUTION #12,537**  
**RESOLUTION ADOPTING AND LEVYING SPECIAL ASSESSMENT IN**  
**THE WOODBURY-MONONA LATERAL 2 DRAINAGE DISTRICT OF**  
**WOODBURY COUNTY, IOWA**

**WHEREAS**, the Board of Trustees of the Little Sioux Inter-County Drainage District, Trustees of the Woodbury Monona Lateral 2 Drainage District, in session on the 1st day of March, 2017, requested that the Board of Supervisors levy a special assessment of Two Hundred Fifty Percent (250%) on all tracts of land, lots, public roads, and railroads in the Woodbury-Monona Lateral 2 Drainage District to procure funds from which to pay the costs and expenses of repair and maintenance incurred.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Woodbury County, Iowa, acting as a Drainage Board for the Woodbury-Monona Lateral 2 Drainage District, that there be and is hereby levied upon all tracts of land, lots, public roads, and railroads in the Woodbury-Monona Lateral 2 Drainage District of Woodbury County, Iowa, a special assessment in the amount of Two Hundred Fifty Percent (250%), and the Auditor of Woodbury County, Iowa, be directed and ordered to spread such levy upon said lands, to be collected under \$468.55 in semi-annual installments in the same manner as general property taxes are collected pursuant to \$445.36 in the year 2017-2018.

PASSED and APPROVED this 9th day of May, 2017  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Cop filed.

- 15. To appoint Karen Bennar as Merville Township Clerk and David Bennar as Merville Township Trustee. Copy filed.
- 16a. To approve the separation of William Peterson, Sheriff Reserve Officer, County Sheriff Dept., effective 04-24-17. Resignation.; the reclassification of Blake Stahlecker, Civilian Jailer, County Sheriff Dept., effective 04-29-17, \$21.61/hour, 15%=\$2.88/hr. Per CWA Civilian Officers Contract agreement, from Class 2 to Senior Class due to 4 years employment and Bachelor's Degree.; the separation of Fernando Claren, Sheriff Reserve Officer, County Sheriff Dept., effective 04-30-17. Resignation.; the separation of Skylar Pickering, Sheriff Reserve Officer, County Sheriff Dept., effective 04-30-17. Resignation.; the separation of Hediberto Ponce, Sheriff Reserve Officer, County Sheriff Dept., effective 04-30-17. Resignation.; the separation of Michael Schaefer, Sheriff Reserve Officer, County Sheriff Dept., effective 04-30-17. Resignation.; the separation of Adam Watts, Sheriff Reserve Officer, County Sheriff Dept., effective 04-30-17. Resignation.; the separation of Angelea Murray, Clerk II, County Sheriff Dept., effective 05-03-17. Resignation.; the separation of Ariel Hudson, Civilian Jailer, County Sheriff Dept., effective 05-04-17. Resignation.; the appointment of Deborah McDermott, Motor Vehicle Clerk II, County Treasurer Dept., effective 05-11-17, \$15.64/hour. Job Vacancy Posted 3-22-17. Entry Level Salary: \$15.64/hour.; the promotion of Michael Wingert, % Deputy-Major, County Sheriff Dept., effective 05-15-17, \$85,028/year, 2%=\$2,001/year. Promotion to 85% Deputy-Major.; the reclassification of Jacklyn Fox, Asst. County Attorney, County Attorney Dept.,

effective 05-23-17, \$70,346/year, 4%=\$2,955/yr. Per AFSCME Asst. County Attorney Contract agreement, from Step 5 to Step 6.; the reclassification of Jake Lewis, P/T Youth Worker, Juvenile Detention Dept., effective 05-23-17, \$18.68/hour, 4%=\$.71/hr. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 1 to Grade 1/Step 2.; and the separation of Sheila Grasz, Motor Vehicle Clerk II, County Treasurer Dept., effective 06-30-17. Retirement. Copy filed.

- 16b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for % Deputy-Major, County Sheriff Dept., 85% of Sheriff's Salary: \$85,028/year.; Deputy Sheriff, County Sheriff Dept., CWA Deputy Sheriff: \$22.40/hour.; and Civilian Jailer, County Sheriff Dept., CWA Civilian Officer: \$18.00/hour. Copy filed.
- 16c. To approve the request of Sheila Grasz to remain on the supplemental health insurance plan. Copy filed.
- 17. To approve and authorize the Chairperson to sign a Resolution to approve the final plat for Whiskey Acres Addition subdivision conditioned upon the recording of the paving agreement and the outlet A agreement.

**RESOLUTION #12,538  
RESOLUTION ACCEPTING AND APPROVING WHISKEY ACRES, A MINOR  
SUBDIVISION TO WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNERS AND PROPRIETORS DID ON

THE 3<sup>rd</sup> DAY OF April 2017, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS WHISKEY ACRES, 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; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE 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 WHISKEY ACRES, 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 9<sup>th</sup> DAY OF May 2017  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Carried 5-0.

- 18. Motion by Radig second by Taylor to approve the abatement on past due and future property taxes for registered to War Veterans Association building. Carried 5-0. Copy filed.

- 6b. A public hearing was held to approve 2017 Urban Renewal Plan Amendment for the Grow Woodbury County Urban Renewal Area.

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

Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution approving development agreement with GELITA USA, Inc., authorizing tax increment payments and pledging certain tax increment revenues to the payment of the agreement. Carried 5-0.



**RESOLUTION #12,539**  
**APPROVING DEVELOPMENT AGREEMENT WITH GELITA USA, INC., AUTHORIZING TAX  
INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE  
PAYMENT OF THE AGREEMENT**

WHEREAS, the Board of Supervisors of 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 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 (the "Urban Renewal Tax Revenue Fund"), 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 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, an agreement between the County and GELITA USA, Inc. (the "Company") has been prepared (the "Agreement"), pursuant to which the Company would construct a collagen peptide processing facility in the Urban Renewal Area (the "GELITA Project") and the County would provide tax increment payments in a total amount not exceeding \$499,612; and

WHEREAS, pursuant to Section 403.6 of the Code of Iowa, the Agreement also provides that all valuation added to the Company's property during the construction of the GELITA Project will be exempt from property taxation for a period of not to exceed two years; and

WHEREAS, this Board, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement, and has otherwise complied with statutory requirements for the approval of the Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa ("Chapter 15A") declares that economic development is a public purpose for which a County may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a Board of Supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, the Board must consider any or all of a series of factors;

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

Section 1. Pursuant to the factors listed in Chapter 15A, the Board hereby finds that:

- (a) The GELITA Project will add diversity and generate new opportunities for the Woodbury County and Iowa economies;
- (b) The GELITA Project will generate public gains and benefits, particularly in the creation and retention of jobs, which are warranted in comparison to the amount of the proposed property tax incentives.

Section 2. This Board further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the property tax payments and the construction period valuation exemption to the Company.

Section 3. The Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Agreement on behalf of the County, in substantially the form and content in which the Agreement has been presented to this Board, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 4. As provided and required by Chapter 403 of the Code of Iowa, the County's obligations under the Agreement shall be payable solely from a subfund which is hereby established, into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF SECTION EIGHTEEN (18), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SEVEN (47) WEST OF THE 5<sup>TH</sup> P.M., WOODBURY COUNTY, IOWA, THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION EIGHTEEN (18), 1,344.6 FEET, THENCE WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) OF SAID SECTION EIGHTEEN (18), FOR 1,133 FEET TO THE WEST RIGHT OF WAY LINE OF THE CHICAGO AND NORTH WESTERN RAILROAD, THENCE SOUTHEASTERLY AND SOUTH ALONG THE WEST LINE OF THE CHICAGO AND NORTH WESTERN RAILROAD THRU THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) OF SAID SECTION EIGHTEEN (18) AND THE EAST HALF (E  $\frac{1}{2}$ ) OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SECTION NINETEEN (19), SAID TOWNSHIP AND RANGE, TO A POINT 800 FEET SOUTH AND 611 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION NINETEEN (19), THENCE SOUTHWESTERLY PARALLEL TO AND APPROXIMATELY 10 FEET EASTERLY AND SOUTHERLY FROM THE HIGH BANK OF THE OLD LAKE SHORE TO A POINT 1,841 FEET WEST AND 200 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SAID SECTION NINETEEN (19), THENCE WEST PARALLEL TO AND 200 FEET NORTH FROM THE SOUTH LINE OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SAID SECTION NINETEEN (19), 865.7 FEET TO A POINT 200 FEET NORTH FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SAID SECTION NINETEEN (19), THENCE NORTH ALONG THE WEST LINE OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SAID SECTION NINETEEN (19) AND SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF SECTION EIGHTEEN (18), SAID TOWNSHIP AND RANGE, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF SAID SECTION EIGHTEEN (18), THENCE EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF SAID SECTION EIGHTEEN (18) TO THE POINT OF BEGINNING. THE RIGHT OF WAY OF THE CHICAGO AND NORTH WESTERN RAILROAD IS EXCLUDED FROM THE ABOVE DESCRIBED TRACT.

EXCEPT

BEGINNING AT A POINT 800 FEET SOUTH AND 611 FEET WEST OF THE NORTHEAST CORNER OF SECTION 19, TOWNSHIP 87 NORTH, RANGE 47, WEST OF THE 5<sup>TH</sup> P.M., WOODBURY COUNTY, IOWA; THENCE SOUTHWESTERLY PARALLEL TO AND APPROXIMATELY 10 FEET EASTERLY AND SOUTHERLY FROM THE HIGH BANK OF THE OLD LAKE SHORE TO A POINT 1,841 FEET WEST AND 200 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SECTION 19; THENCE WEST PARALLEL TO AND 200 FEET NORTH FROM THE SOUTH LINE OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SECTION 19, 865.7 FEET TO A POINT 200 FEET NORTH FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SECTION 19; THENCE NORTH ALONG THE WEST LINE OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SECTION 19 TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF SECTION 19; THENCE SOUTHEASTERLY ON A STRAIGHT LINE TO THE POINT OF BEGINNING.

AND EXCEPT

THE WEST 150 FEET OF THE NORTH 75 FEET OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF SECTION 18, TOWNSHIP 87 NORTH, RANGE 47 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, TOGETHER WITH A NON-EXCLUSIVE RIGHT IN PERPETUITY OF INGRESS TO AND EGRESS FROM SAID PREMISES OVER A PRESENTLY EXISTING ROAD OR A FUTURE SUBSTITUTED ROAD ACROSS ADJACENT LANDS OF THE GRANTOR. PARCEL BEING 0.26 ACRES.

ALSO INCLUDES

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ ) OF SECTION EIGHTEEN (SEC. 18), TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE FORTY-SEVEN WEST (R47W) OF THE 5<sup>TH</sup> P.M., WOODBURY COUNTY, IOWA, LYING EAST OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SEC. 18; THENCE SOUTH 79°56'36" WEST ON THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SEC. 18, FOR A DISTANCE OF 521.99 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID RAILROAD RIGHT-OF-WAY; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY, ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2292.38 FEET FOR A DISTANCE OF 1373.05 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 21°12'31" WEST WITH A DISTANCE OF 1352.62 FEET TO THE INTERSECTION OF THE NORTH LINE OF THE SE ¼, SE ¼ OF SAID SEC. 18; THENCE NORTH 80°08'11" EAST ON SAID NORTH LINE FOR A DISTANCE OF 1018.36 FEET TO THE NORTHEAST CORNER OF THE SE ¼, SE ¼ OF SAID SEC. 18; THENCE SOUTH 00°00'00" WEST ON THE EAST LINE OF THE SE ¼ OF SAID SEC. 18 FOR A DISTANCE OF 1344.30 FEET TO THE POINT OF BEGINNING, CONTAINING 21.31 ACRES, 1.02 OF WHICH ARE RESERVED AS PUBLIC RIGHT-OF-WAY FOR PORT NEAL ROAD. ALSO SUBJECT TO ANY EASEMENTS OF RECORD.

THE EAST LINE OF THE SE ¼ OF SAID SEC. 18 IS ASSUMED TO BEAR SOUTH 00°00'00" WEST TO CONFORM TO PREVIOUS SURVEY BY OTHERS.

AND INCLUDES

THE E ½ OF THE SW ¼ OF SECTION 18, TOWNSHIP 87 NORTH, RANGE 47, WEST OF THE 5<sup>TH</sup> P.M.

AND ALL OF PORT NEAL ROAD RIGHT OF WAY BEGINNING AT THE NE CORNER OF THE SE ¼ OF 18-87-47 THENCE SOUTH TO A POINT THAT IS 200 FEET NORTH OF THE SE CORNER OF THE NE ¼ OF 19-87-47.

(the "GELITA Subfund").

Section 5. The County hereby pledges to the payment of the Agreement the GELITA Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Woodbury County to evidence the continuing pledging of the GELITA Subfund and the portion of taxes to be paid into such Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed and approved this 9th day of May, 2017.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 19a. Presentation of the Woodbury County Police Week Proclamation May 15-21, 2017. Copy filed.
- 19b. Information on Iowa Code Section 356.7 room and board fee dispersal with the 60/40 split between the Sheriff's Office and Woodbury County. Copy filed.
- 20. Motion by Ung second by Radig to recommend, in a spirit of cooperation and collaboration, that the Sioux City Council reduce redundancies and save taxpayers money by discussing and voting by July 1 on the issue of dissolving the city assessor with the intent of merging with the County. Carried 4-1; Pottebaum opposed. Copy filed.
- 21a. A public hearing was held for the first reading of a Zoning Ordinance #44 Re: A Zoning Ordinance Mapping Amendment for re-zoning Lots 1-5 and Outlot A of Whiskey Acres Addition to AE (Agricultural Estates).

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

Motion by Radig second by Pottebaum to approve the first reading of a Zoning Ordinance #44, Re: A Zoning Ordinance Mapping Amendment for re-zoning Lots 1-5 and Outlot A of Whiskey Acres Addition to AE (Agricultural Estates). Carried 5-0. Copy filed.

- 21b. A public hearing was held for the first reading of a Zoning Ordinance #44 Re: A Zoning Ordinance Mapping Amendment for re-zoning Lots 1 of R.J. Addition to LI (Light Industrial).  
  
Motion by Taylor second by Ung to close the public hearing. Carried 5-0.  
  
Motion by Radig second by Taylor to approve the first reading of Zoning Ordinance #44, Re: A Zoning Ordinance Mapping Amendment for re-zoning Lot 1 of R.J. Addition to LI (Light Industrial). Carried 5-0. Copy filed.
- 21c. A public hearing was held for the first reading of a Zoning Ordinance #44 Re: A Zoning Ordinance Mapping Amendment for re-zoning Lots 2 of R.J. Addition.  
  
Motion by Taylor second by Ung to close the public hearing. Carried 5-0.  
  
Motion by Radig second by Taylor to approve the first reading of Zoning Ordinance #44, Re: A Zoning Ordinance Mapping Amendment for Lot 2 of R.J. Addition. Carried 5-0. Copy filed.
- 22a. Motion by Taylor second by Radig to approve Siouxland District Health Boiler Project change order #1 (AIA G701/cMa) with Plains Boiler Service for \$2,470.00. Carried 5-0. Copy filed.
- 22b. Motion by Radig second by Taylor to approve Resource Consulting Engineers proposal in the amount of \$5,250.00. Carried 5-0. Copy filed.
- 22c. Motion by Radig second by De Witt to approve Resource Consulting Engineers quote for Equipment Documentation, Controls, and Energy Rebate Assistance for \$12,000.00. Carried 5-0. Copy filed.
- 23a. Motion by Radig second by Ung to award the bridge project #BRS-CO97(1.12)—60-97 to Christensen Brothers, Inc., Cherokee, IA, for \$952,298.15. Carried 5-0. Copy filed.
- 23b. Motion by Radig second by De Witt to award the bridge project #BROS-CO97(1.29)—5F-97 to Godbersen-Smith, Inc., Ida Grove, IA, for \$399,363.90. Carried 5-0. Copy filed.
- 23c. Motion by Radig second by Taylor to award the HMA rehabilitation and resurfacing project #FM-CO97(1.31)—55-97 to Henningsen Construction, Inc., Altantic, IA, for \$1,716,561.71. Carried 5-0. Copy filed.
- 23d. Receive quotes for two new motor graders for Secondary Roads Dept. The quotes are as follows:
 

Murphy Tractor, Sioux City, IA	\$242,400.00
Murphy Tractor, Sioux City, IA	\$252,900.00
Ziegler Equipment, Sioux City, IA	\$252,563.49
Ziegler Equipment, Sioux City, IA	\$291,563.49
Ziegler Equipment, Sioux City, IA	\$279,063.31
Ziegler Equipment, Sioux City, IA	\$318,063.31

Motion by Ung second by Taylor to receive the quotes and direct the County Engineer to evaluate the quotes and return with a recommendation for award. Carried 5-0. Copy filed.
- 23e. Motion by Ung second by Radig to approve the FY2017 Woodbury County Secondary Roads Dept. Amendment #1. Carried 5-0. Copy filed.
- 23f. Motion by Taylor second by Ung to use the sealcoat option to rehabilitate the existing sealcoat portion of 220<sup>th</sup> St. Carried 5-0. Copy filed.
- 24. The Chairperson reported on the day-to-day activities.
- 25. Reports on Committee meetings.

26. Jeremy Bach reported a concern of the potential for increased traffic on 220<sup>th</sup> St due to bridge construction. The area is the 1600 feet of gravel that will not be sealcoated. He would like to have dust control in the area during the bridge closure.
27. Board member concerns.

The Board adjourned the regular meeting until May 16, 2017.

Meeting sign in sheet. Copy filed.