

**JULY 21, 2020, THIRTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, July 21, 2020 at 4:30 p.m. Board members present were Pottebaum, Radig, De Witt, Ung, and Wright. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget/Tax Analyst, Melissa Thomas, HR 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 Ung to approve the agenda for July 21, 2020, Carried 5-0. Copy Filed.

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

3. To approve minutes of the July 14, 2020 meeting. Copy filed.
4. To approve the claims totaling \$578,430.01. Copy filed.
5. To approve the reclassification of Joshua Widman, Asst. County Attorney, County Attorney Dept., effective 07-26-20, \$103,450/year, 6.7%=\$6,557/year. Per Wage Plan comparability with AFSCME Asst. County Attorney Contract, from Step 11 to Step 12.; and the reclassification of Matthew Verzani, Asst. County Attorney, County Attorney Dept., effective 07-27-20, \$93,633/year, 3.6%=\$3,263/year. Per AFSCME Asst. County Attorney Contract agreement, from Step 9 to Step 10. Copy filed.
6. To approve the lifting of tax suspension for Frank/Aletha Moffatt, 2300 41<sup>st</sup> St., parcel #894710402007. Copy filed.
7. To approve the revised 2020 Committee Assignments. Copy filed.

Carried 5-0.

8. Motion by Ung second by Pottebaum to approve the request of funds payable to Siouxland Initiative for additional air service provided to the Sioux City Airport. Carried 5-0. Copy filed.
- 9a. Motion by Radig second by Pottebaum to approve the Conflict Waiver. Carried 5-0. Copy filed.
- 9b. Motion by Radig second by De Witt to approve and authorize the Chairperson to sign a Resolution approving a 28E Agreement with the Woodbury County Law Enforcement Center Authority concerning the payment of costs for certain architectural services. Carried 5-0.

**RESOLUTION #13,037**  
**A RESOLUTION APPROVING A 28E AGREEMENT WITH**  
**THE WOODBURY COUNTY LAW ENFORCEMENT CENTER**  
**AUTHORITY CONCERNING THE PAYMENT OF COSTS**  
**FOR CERTAIN ARCHITECTURAL SERVICES**

WHEREAS, the Woodbury County Law Enforcement Center Authority (the "Authority") was created pursuant to Iowa Code Section 346.27, by its incorporating units, Woodbury County, Iowa (the "County") and Sioux City, Iowa, for purposes of constructing and owning a new law enforcement center ("Project"); and

WHEREAS, the Authority intends to finance the entire cost of the Project, including architectural fees for the design, by issuing revenue bonds; and

WHEREAS, certain design fees for the Project will become due prior to the issuance of said bonds; and

WHEREAS, the Board of Supervisors for the County and the Board of Commissioners of the Authority have determined it to be in the best interests of their respective constituencies and incorporating units to cooperate in the payment of the design fees for the Project; and

WHEREAS, the parties desire to enter into a contract under Chapter 28E in order to define their respective rights and obligations in connection with payment associated with certain design fees for the Project.

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

The Board Chair is hereby authorized and directed to execute the proposed 28E Agreement with the Authority and such 28E Agreement shall be filed with the Iowa Secretary of State pursuant to Iowa Code § 28E.8.

PASSED AND APPROVED this 21st day of July, 2020.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Pottebaum to pay a claim for Goldberg Group Architects for \$152,898.75. Carried 5-0.

- 10a. Motion by De Witt second by Radig to approve the contract with Habitat Restoration Services, LLC for additional easement to assist in improving a level C road to level A status. Carried 5-0. Copy filed.
- 10b. Motion by Radig second by Ung to award the bid for PCC Crushing 2020 to Schmillen Construction for \$177,654.00. Carried 5-0. Copy filed.
- 10c. Motion by De Witt second by Ung to award the bid for Pavement Markings 2020 to Iowa Plains Signing for \$171,960.00. Carried 5-0. Copy filed.
- 11a. A public hearing was held at 4:45 p.m. for the proposal to enter into a lease agreement with the Woodbury County Law Enforcement Center Authority. The Chairperson called on anyone wishing to be heard.  
  
Motion by Ung second by De Witt to close the public hearing. Carried 5-0.
- 11b. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution approving and authorizing execution of a lease agreement with the Woodbury County Law Enforcement Center Authority. Carried 5-0.

**RESOLUTION #13,038**  
**RESOLUTION APPROVING AND AUTHORIZING**  
**EXECUTION OF A LEASE AGREEMENT WITH THE**  
**WOODBURY COUNTY LAW ENFORCEMENT CENTER**  
**AUTHORITY**

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, (the "County") should provide for the authorization of a Lease Agreement with the Woodbury County Law Enforcement Center Authority (the "Authority") for the purpose of construction and operation of a new law enforcement center facility as hereinafter described; and

WHEREAS, Iowa Code Section 346.27 provides that the Authority shall have and exercise certain public and essential governmental powers and functions including the right to lease all or any part of a building to an incorporating unit upon rental terms agreed upon between the Authority and the incorporating unit; and

WHEREAS, the Authority and County have negotiated the form of a proposed Lease Agreement (the "Lease") by and between the Authority and the County, which would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease and would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease; and

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to approve and authorize execution of the Lease and has considered the extent of objections received from residents or property owners as to said proposed Lease; and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That the performance by the County of its obligations under the Lease, under the terms set forth in the Lease, be and is hereby declared to be an appropriate and necessary undertaking of the County pursuant to Section 346.27, Code of Iowa.

Section 2. That the form and content of the Lease, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Chairperson and the County Auditor be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Lease for and on behalf of the County in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Lease, the Chairperson and the County Auditor are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Lease as executed.

PASSED AND APPROVED this 21<sup>st</sup> day of July, 2020.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 12a. An update on Rural Comprehensive Planning Project by David Gleiser, Community & Economic Development. Copy filed.
- 12b. An update on financial support to Moville, Salix, and Sergeant Bluff for planning and design related services by David Gleiser, Community & Economic Development. Copy filed.
- 12c. An update on Rural Workforce Housing Project by David Gleiser, Community & Economic Development. Copy filed.
- 13. The Board heard reports on committee meetings.
- 14. There were no citizen concerns.
- 15. Board concerns were heard.

The Board adjourned the regular meeting until July 28, 2020.

Meeting sign in sheet. Copy filed.