



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(JUNE 25) (WEEK 26 OF 2024)**

Live streaming at:  
<https://www.youtube.com/user/woodburycountyiowa>

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

Daniel A. Bittinger II  
389-4405  
[dbittinger@woodburycountyiowa.gov](mailto:dbittinger@woodburycountyiowa.gov)

Mark E. Nelson  
540-1259  
[mnelson@woodburycountyiowa.gov](mailto:mnelson@woodburycountyiowa.gov)

Keith W. Radig  
560-6542  
[kradig@woodburycountyiowa.gov](mailto:kradig@woodburycountyiowa.gov)

Jeremy J. Taylor  
259-7910  
[jtaylor@woodburycountyiowa.gov](mailto:jtaylor@woodburycountyiowa.gov)

Matthew A. Ung  
490-7852  
[matthewung@woodburycountyiowa.gov](mailto:matthewung@woodburycountyiowa.gov)

You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held June 25, 2024, at **4:30 p.m.** in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. Members of the public wishing to speak on an item must follow the participation rules adopted by the Board of Supervisors.

1. Please silence cell phones and other devices while in the Boardroom.
2. The Chair may recognize speakers on agenda items after initial discussion by the Board.
3. Speakers will approach the microphone one at a time and give their name and address before their statement.
4. Speakers will limit their remarks to three minutes on any one item and address their remarks to the Board.
5. At the beginning of discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action. The Chair may also request delegates provide statements on behalf of multiple speakers.
6. Any concerns or questions which do not relate to a scheduled item on the agenda will be heard under the item "Citizen Concerns." Please note the Board is legally prohibited from taking action on or engaging in deliberation on concerns not listed on the agenda, and in such cases the Chair will request further discussion take place after properly noticed.
7. Public comment by electronic or telephonic means is prohibited except for a particular agenda item when approved by the Chair 24 hours before a meeting or by a majority of the board during a meeting for a subsequent meeting.

---

---

## **AGENDA**

**4:30 p.m.** Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

1. Approval of the agenda Action

### **Consent Agenda**

**Items 2 through 6 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.**

2. Approval of the minutes of the June 18, 2024 meeting
3. Approval of claims
4. Board Administration – Karen James
  - a. Approval of resolution for a tax suspension for C.V.
  - b. Approval of lifting tax suspensions for petitioners who failed to re-certify their income or income does not qualify for continued tax suspension

5. Woodbury Soil & Water Conservation District  
Approval of 28E Agreement between Woodbury County, Iowa, and the Woodbury Soil & Water Conservation District for funding and management of a watershed inspection and maintenance program in Woodbury County, Iowa
6. Secondary Roads – Mark Nahra  
Approval of utility permit for placement of new electric line in county rights of way for MidAmerican Energy

### **End Consent Agenda**

7. Secondary Roads – Mark Nahra
  - a. Authorize the Chairman to sign letter to U.S. Senators Grassley and Ernst seeking support for I-29 Southbridge interchange project Action
  - b. Approval of contract for gravel production at the Little Sioux Gravel Pit with Bedrock for \$406,250.00 Action
8. Board Administration – Dennis Butler
  - a. Approval of resolution to consider and approve a 28E Agreement between Woodbury County, Iowa, and the Woodbury County Law Enforcement Center Authority granting the Authority a forgivable loan for the payment of certain costs and expenses related to the Law Enforcement Center Action
  - b. Authorize Chairman to sign 28E Agreement between Woodbury County, Iowa and the Woodbury County Law Enforcement Center Authority Action
9. Reports on Committee Meetings Information
10. Citizen Concerns Information
11. Board Concerns Information

## **ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- MON., JUN 24 6:00 p.m.** Zoning Commission Meeting, Courthouse Basement Boardroom
- WED., JUN 26 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., JUN 27 10:00 a.m.** Siouxland Regional Transit System - Hybrid
- 11:15 a.m.** Western Iowa Community Improvement Regional Housing Trust Fund, 6401 Gordon Drive
- FRI., JUN 28 9:00 a.m.** Hungry Canyons Alliance Meeting, Community Building in Charter Oak, Iowa
- MON., JUL 1 6:00 p.m.** Board of Adjustment meeting, Courthouse Basement Boardroom
- WED., JUL 3 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., JUL 10 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 10:00 a.m.** STARComm Board Meeting, The Security Institute, WIT Campus
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 6:30 p.m.** 911 Service Board Meeting, Public Safety Center, Climbing Hill
- THU., JUL 11 12:00 p.m.** SIMPCO Board of Directors, 6401 Gordon Drive
- 4:00 p.m.** Conservation Board Meeting, Dorothy Pecaut Nature Center, Stone Park
- WED., JUL 17 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- THU., JUL 18 10:00 a.m.** StarComm, Security Institute, WIT
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., JUL 19 12:00 p.m.** Siouxland Human Investment Partnership Board Meeting, 2540 Glenn Ave.
- MON., JUL 22 6:00 p.m.** Zoning Commission Meeting, Courthouse Basement Boardroom
- WED., JUL 24 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., JUL 25 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 6401 Gordon

**Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.**

*Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.*

**JUNE 18, 2024, TWENTY-FIFTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, June 18, 2024, at 3:00 p.m. Board members present were Ung, Nelson (by phone), Bittinger II, Taylor, and Radig. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, Human Resources Director, Dennis Butler, Budget and Finance Director, and Patrick Gill, Auditor/Clerk to the Board.

Motion by Ung second by Radig to go into closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll-call vote; Nelson was absent.

Motion by Ung second by Taylor to go out of closed session per Iowa Code Section 21.5(1)(c). Carried 4-0 on a roll-call vote; Nelson was absent.

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

1. Motion by Ung second by Radig to approve the agenda for June 18, 2024. Carried 5-0. Copy filed.

Motion by Ung second by Bittinger to approve the following items by consent:

2. To approve minutes of the June 11, 2024, meeting. Copy filed.

3. To approve the claims totaling \$776,224.40. Copy filed.

4. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale date for parcel #894824477010, 3101 Edmunds Ave.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,760  
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 13 (Thirteen), 14 (Fourteen), 15 (Fifteen), 16 (Sixteen) and 17 (Seventeen) in Block 8 (Eight) of Highland Park Addition to City of Sioux City, Woodbury County, Iowa (3101 Edmunds 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 **2<sup>nd</sup> Day of July, 2024 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 **2<sup>nd</sup> Day of July, 2024**, 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 \$308.00** 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 18<sup>th</sup> Day of June, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 5. To approve the lifting of tax suspension for Dennis Trizila, parcel #894723385011, 3520 Parkview Blvd. Copy filed.
- 6. To approve the reclassification of Timothy McCormick, District Foreman, Secondary Roads Dept., effective 6-24-24, \$81,186.04/year, \$3,122.54/bi-weekly, 2%=\$1,712.88/yr. Per Wage Plan Matrix – 4 Year Salary Increase; the reclassification of Michael Andresen, District Foreman, Secondary Roads Dept., effective 06-24-24, \$82,899.18/year, \$3,188.43/bi-weekly, 2%=\$1,713.14/yr. Per Wage Plan Matix – 5 Year Salary Increase.; and the appointment of Nicole Carson, Youth Worker PT, Juvenile Detention Dept., effective 6-19-24, \$21.41/hour. Job Vacancy Posted on 5/6/24. Entry Level Salary: \$21.41/hour. Copy filed.
- 7. To approve the appointment of Bibi Jauron to the Community Action Agency Board of Directors to complete a three year term ending March 2025. Copy filed.
- 8. To approve and authorize the Chairperson to sign a Resolution setting the public hearing and sale of parcels along Sioux Avenue in Correctionville.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,761  
NOTICE OF PROPERTY SALE**

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

THE SOUTHEASTERLY 1/2 OF LOT 13, ALL OF LOTS 14, 15, 16, AND THE NORTHWESTERLY 2.0 FEET OF LOT 17, BLOCK 18, THE RAILROAD ADDITION TO CORRECTIONVILLE. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

**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 **16<sup>th</sup> Day of July, 2024 at 4:40 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 to the **City of Correctionville only per Code of Iowa 331.361(2)** on the **16<sup>th</sup> Day of July, 2024**, immediately following the closing of the public hearing.
- 3. That said Board proposes to sell the said real estate to the **City of Correctionville only for a total of \$15,000 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 18<sup>th</sup> Day of June, 2024.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Carried 5-0.

- 9. Motion by Ung second by Radig to approve to postpone the Salix Drainage District review meeting to August 20, 2024. Carried 5-0. Copy filed.
- 10a. Motion by Radig second by Ung to approve to discontinue recurring services for Advanced Scheduling. Carried 5-0. Copy filed.
- 10b. Motion by Ung second by Bittinger to approve to discontinue recurring services for Tyler Socrata Open Finance. Carried 5-0. Copy filed.
- 11a. A public hearing was held at 4:40 p.m. on the Zoning Ordinance Map Amendment (Rezone) from Agricultural Preservation (AP) to Agricultural Estates (AE) on a portion of parcel #874705200001 owned by the Maxys Family Farm LLC & the Brian and Bonnie Ivener Trust. The Chairperson called on anyone wishing to be heard.  
  
Dolf Ivener updated the Board on the amendment request.  
  
Motion by Taylor second by Ung to close the public hearing. Carried 5-0.
- 11b. Motion by Ung second by Bittinger to approve the 2<sup>nd</sup> Reading of the Zoning Ordinance Map Amendment (Rezone). Carried 5-0.
- 11c. Motion by Ung second by Bittinger to waive the 3<sup>rd</sup> Reading of the Zoning Ordinance Map Amendment (Rezone). Carried 5-0.
- 11d. Motion by Ung second by Bittinger to adopt Ordinance #78, Zoning Ordinance Map Amendment from AP to AE on a portion of parcel #874705200001. Carried 5-0.
- 11e. Motion by Ung second by Radig to receive the final report and the Zoning Commission’s recommendation from their 5/29/24 meeting to approve the final plat of Husen 2<sup>nd</sup> Addition, a minor subdivision to Woodbury County, Iowa and to require a pavement agreement for 220<sup>th</sup> St. Carried 5-0. Copy filed.
- 11f. Motion by Radig second by Ung to approve and authorize the Chairperson to sign a Resolution accepting Husen 2<sup>nd</sup> Addition, a minor subdivision to Woodbury County. Carried 5-0.

**BOARD OF SUPERVISORS  
RESOLUTION #13,762  
ACCEPTING AND APPROVING THE HUSEN 2<sup>ND</sup> ADDITION  
A MINOR SUBDIVISION  
WOODBURY COUNTY, IOWA**

WHEREAS, THE OWNER AND PROPRIETORS DID ON THE **29TH** DAY OF **MAY 2024** FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS HUSEN 2ND ADDITION, 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 THE PLAT OF HUSEN 2ND ADDITION, 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 OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 18TH DAY OF JUNE, 2024.  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

12a. Motion by Taylor second by Ung to receive for signatures an Appropriation Resolution for FY 2025. Carried 5-0.

**WOODBURY COUNTY, IOWA  
 APPROPRIATION RESOLUTION  
 FOR FISCAL YEAR 2025  
 RESOLUTION #13,763**

**Whereas**, it is desired to make appropriations for each Service Area and Program Activity of County Government for the Fiscal Year 2025, beginning July 1, 2024, and

**Now**, therefore, be it resolved by the Woodbury County Board of Supervisors that the amounts detailed by Service Area on the Adopted FY 2025 Woodbury County Budget Summary Form 638-R constitute the authorization to make expenditures from the County's funds beginning July 1, 2024 and continuing until June 30, 2025, and

**Futhermore**, this Appropriation Resolution extends the spending authority of each County Program Activity to the amount appropriated to it as follows:

<b>Fund/Dept</b>		<b>Fund/Dept</b>		<b>Fund/Dept</b>		<b>Fund/Dept</b>	
<b><u>Division</u></b>	<b><u>Amount</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>	<b><u>Division</u></b>	<b><u>Amount</u></b>
0001-0030	700,000	0001-1000	1,948,287	0001-1002	50,864	0001-1010	736,859
0001-1013	24,157	0001-1040	676,321	0001-1050	11,000,453	0001-1060	2,267,589
0001-1061	125,821	0001-1100	2,714,436	0001-1104	229,895	0001-1110	251,000
0001-1540	728,347	0001-1610	637,424	0001-3040	3,021,352	0001-3100	108,000
0001-3101	26,950	0001-3110	75,000	0001-3200	278,248	0001-3210	32,800
0001-6100	701,752	0001-6110	1,333,139	0001-6120	373,476	0001-6123	63,600
0001-8100	1,254,027	0001-8110	830,205	0001-9000	458,374	0001-9001	433,068
0001-9010	452,899	0001-9020	639,262	0001-9030	462,545	0001-9031	14,735
0001-9032	4,000	0001-9033	70,000	0001-9101	731,006	001-9102	262,358
0001-9103	517,391	0001-9104	2,500	0001-9105	18,616	0001-9106	10,000
0001-9108	596,263	0001-9109	11,229	0001-9110	1,624,102	0001-9113	1,068,423
0002-1200	718,127	0002-1201	366,084	0002-1210	212,849	0002-1231	106,480
0002-1400	29,750	0002-1430	399,733	0002-1431	369,934	0002-1500	60,500
0002-1520	1,075,437	0002-1620	375,000	0002-3300	2,159,720	0002-3310	100,000
0002-8000	450,483	0002-8002	208,513	0002-9200	1,400,000	0003-9000	48,708
0006-9040	304,747	0008-1050	218,223	0009-1050	522,690	0011-0030	464,000
0011-1000	1,244,614	0011-1005	5,833	0011-6000	39,000	0011-6010	110,752
0011-6020	205,277	0011-6200	9,527	0011-6320	184,532	0011-8020	5,000
0020-0200	1,625,000	0020-7000	17,700	0020-7001	4,500	0020-7010	1,138,873

0020-7011	14,000	0020-7012	13,500	0020-7013	98,000	0020-7014	90,000
0020-7100	100,000	0020-7101	210,000	0020-7110	30,000	0020-7111	4,344,271
0020-7112	33,000	0020-7113	1,150,000	0020-7130	295,000	0020-7200	1,252,000
0020-7210	460,000	0020-7211	1,351,500	0020-7212	107,000	0020-7220	8,000
0020-7221	1,000	0020-7222	150,000	0020-7230	6,000	0020-7231	100,000
0020-7232	20,000	0023-6100	50,000	0024-8111	203,155	0025-0200	6,000,000
0031-9001	236,684	0040-0802	40,000	0057-6100	5,000	0057-6121	3,500
0057-6122	89,028	0061-6400	275,140	0067-6100	204,000	0074-1100	175,405
0078-1060	67,467	0080-1060	1,065	0083-1100	171,810	2000-0100	2,854,940
2000-0110	426,471	2000-0120	4,020,353				

**Accordingly**, until such time as a Service Area is identified as progressing to a spending level challenging its appropriation, a budget amendment per 331.435 will not be implemented,

**However**, should a Program Activity approach a spending level challenging its appropriation level, and the Service Area continues balanced, the Board of Supervisors will be requested to increase the Program's spending authority by resolving to permit such, and,

**Additionally**, the Board of Supervisors may be requested to decrease a Program's appropriation by 10% or \$5,000, whichever is greater, to appropriate a like amount to a Program Activity requesting same: 331.434 sub 6 will govern actions in this regard.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County on June 18, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 12b. Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from Conservation Reserve Fund to General Basic Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,764**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Conservation Reserve Fund to the General Basic Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Conservation Reserve Fund revenues to the General Basic Fund to reimburse the Browns Lake Project.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Conservation Reserve Fund to the General Basic Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 134,400.



The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from General Supplemental to General Basic Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,765**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Supplemental to the General Basic Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to fund the appropriations for the matching FICA, IPERS, Health Insurance, Life Insurance and LTD costs expended from the General Basic Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Supplemental Fund to the General Basic Fund for the fiscal year beginning July 1, 2025, shall not exceed the sum of \$ 7,582,379.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from Gaming Revenue Fund to General Supplemental Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,766**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Gaming Revenue Fund to the General Supplemental Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenues to the General Supplemental Fund for tax reduction,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenue Fund to the General Basic Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 300,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from General Basic Fund to General Supplemental Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS**  
**RESOLUTION #13,767**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Basic Fund to the General Supplemental Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move General Basic Fund revenues to the General Supplemental Fund for for tax reduction,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Basic Fund to the General Supplemental Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 200,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024.

WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from General Basic Fund to General Supplemental Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,768**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Basic Fund to the General Supplemental Fund during the Fiscal Year 2024-25 budget, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move General Basic revenues to the General Supplemental Services Fund for tax reduction

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Basic Fund to the General Supplemental Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 1,000,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from Local Option Sales Tax Fund to Rural Basic Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,769**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Local Option Sales Tax Fund to the Rural Basic Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Local Option Sales Tax Fund revenues to the Rural Basic Fund for the funding of the Soil Conservation,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Local Option Sales Tax Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 39,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from Rural Basic Services Fund to Secondary Roads Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,770**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Services Fund to the Secondary Roads Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move the taxes, levied on the township valuations, to the Secondary Roads Fund to pay their share of the expenses of the Secondary Roads Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Services Fund to the Secondary Roads Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 1,732,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024, the vote being as follows:  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from Tax Increment Fund to Debt Service Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,771**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Tax Increment Fund to the Debt Service Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Tax Increment Fund revenues to the Debt Service Fund to pay FY 2025 principal and interest for the 2017 Tax Increment G.O. .

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Tax Increment Fund to the Debt Service Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 789,650.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from Gaming Revenues Fund to Debt Service Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,772**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Tax Increment Fund to the Debt Service Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Tax Increment Fund revenues to the Debt Service Fund to pay FY 2025 principal and interest for the 2017 Tax Increment G.O. .

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Tax Increment Fund to the Debt Service Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 789,650.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from L.O.S.T. Fund to Debt Service Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,773**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the L.O.S.T. Fund to the Debt Service Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move L.O.S.T. to the Debt Service fund to reduce taxation.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the L.O.S.T. Fund to the Debt Service Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 250,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from Secondary Road Fund to Debt Service Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS**  
**RESOLUTION #13,774**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Secondary Road Fund to the Debt Service Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Secondary Road revenues to the Debt Service Fund to pay FY 2024 principal and interest for the FY 2022 Secondary Gravel Project,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Secondary Road Tax Fund to the Debt Service Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 300,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from General Basic Fund to Debt Service Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,775**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Basic Fund to the Debt Service Fund during the Fiscal Year 2024-25 budget, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move General Basic revenues to the Debt Service Fund to reduce tax.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Basic Fund to the Debt Service Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 872,310.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

Motion by Radig second by Ung to receive for signatures a Resolution for Interfund Operating Transfers from Rural Basic Services Fund to County Library Fund. Carried 5-0.

**RESOLUTION FOR INTERFUND OPERATING TRANSFERS  
RESOLUTION #13,776**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Services Fund to the County Library Fund during the Fiscal Year 2024-25 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move the taxes, levied on the township valuations, to the County Library Fund to pay the their share of the expenses of the County Library.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Services Fund to the County Library Fund for the fiscal year beginning July 1, 2024, shall not exceed the sum of \$ 93,608.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 18th, 2024  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

13. Reports on committee meetings were heard.
14. Chad Sheehan, Woodbury County Sheriff, presented disaster services training opportunities.
15. Board concerns were heard.

The Board adjourned the regular meeting until June 25, 2024.

Meeting sign in sheet. Copy filed.



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/19/2024 Weekly Agenda Date: 6/25/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Karen James - Admin. Assistant

**WORDING FOR AGENDA ITEM:**

Approval of resolution for a tax suspension for C.V.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

C.V. is requesting a tax suspension.

**BACKGROUND:**

C.V. was approved for a tax suspension on March 7, 2023. Annual tax suspension re-certify letters went out to C.V. starting in December 2023. C.V. failed to re-certify the income by the deadline of March 1. Board lifted the tax suspension on March 19, 2024

**FINANCIAL IMPACT:**

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Consider this request for a tax suspension for C.V. If the Board approves this request, the suspension resolution requires the chairman's signature.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the resolution for a tax suspension for C.V.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: \_\_\_\_\_ Weekly Agenda Date: \_\_\_\_\_

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** \_\_\_\_\_

**WORDING FOR AGENDA ITEM:**

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

**BACKGROUND:**

**FINANCIAL IMPACT:**

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

**ACTION REQUIRED / PROPOSED MOTION:**



**Woodbury**  
*Soil and Water Conservation District*

204 1<sup>st</sup> St Ste 225  
Sergeant Bluff, IA 51054

Phone (712) 943-6727 ex3

April 18, 2024

Karen James, Administrative Coordinator  
Woodbury County Board of Supervisors  
Woodbury County Courthouse  
620 Douglas St Room 104  
Sioux City, IA 51101

Re: 28E Agreement

Dear Ms. James:

We would appreciate it if you would have Matthew Ung sign the enclosed 28E Agreements at the next Board of Supervisors meeting and then return one back to us.

If you have any questions or concerns, please contact us.

Sincerely,

Kristi Kranz  
Secretary

**RECEIVED**

**APR 22 2024**

WOODBURY COUNTY  
BOARD OF SUPERVISORS

An Equal Opportunity Provider & Employer

=====

**COMMISSIONERS:**

*Lane Tabke*

*Kelly Ingenthron*

*Gary Walters*

*Jason Yockey*

*Ted Bromander*

Preparer: Eric M Dirth, Assistant Attorney General, Phone: 515-281-8153  
IOWA DEPARTMENT of JUSTICE, State Capital Complex, Des Moines, IA 50319  
Return to: Woodbury County SWCD, Pioneer Mall Professional Center, 204 First St., Ste 225, Sergeant  
Bluff, IA 51054

**28E AGREEMENT**  
**BETWEEN WOODBURY COUNTY, IOWA, and the WOODBURY SOIL AND**  
**WATER CONSERVATION DISTRICT for FUNDING AND MANAGEMENT of a**  
**WATERSHED INSPECTION and MAINTENANCE PROGRAM in WOODBURY**  
**COUNTY, STATE OF IOWA**

This Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between: Woodbury County, Iowa (hereinafter “County”), located at 620 Douglas Street, Rm. 104, Sioux City, Iowa 51101 and the Woodbury Soil and Water Conservation District (hereinafter “SWCD”), located at 204 First Street, Ste 225, Sergeant Bluff, Iowa 51054. This Agreement is entered into pursuant to Chapter 28E of the Code of Iowa.

**1) PURPOSE**

This Agreement is entered into between the County and the SWCD for the purpose of providing the terms under which the Parties agree to fund and manage a watershed inspection and maintenance program in Woodbury County as sponsors of the Little Sioux River Flood Protection Project. This project involves approximately 460 grade stabilization control structures which have been constructed with federal funds and local contributions since 1949. The Parties do not intend to create a separate legal entity under this Agreement.

**2) TERM**

This Agreement shall begin on July 1, 2024, and terminate on June 30, 2025. The Agreement may be extended by the written agreement of all parties on terms stated therein.

3) **ADMINISTRATION**

This Agreement shall be administered by the SWCD. All administrative decisions concerning this Agreement shall be undertaken pursuant to the terms outlined below.

4) **HOLDING OF PROPERTY UNDER THIS AGREEMENT**

All real and personal property used or acquired under the terms of this Agreement shall be held in the name of the SWCD.

5) **COUNTY RESPONSIBILITIES**

The County shall provide the SWCD with funds in the amount of Thirty-nine Thousand Dollars (\$39,000.00), payable in installments of Thirteen Thousand Dollars (\$13,000.00), due July 1, 2023; Thirteen Thousand Dollars (\$13,000.00), due January 1, 2024, and Thirteen Thousand Dollars (\$13,000.00) due June 1, 2024. Payments shall be sent to the SWCD office at 204 First Street, Ste 225, Sergeant Bluff, IA 51054. The funds provided to the SWCD by the County shall be used by the SWCD to employ individuals to inspect and maintain the watershed structures described in paragraph 1 of this Agreement. The individuals employed by the SWCD will record the condition of, and maintenance work performed on, each structure. Other related duties will be performed by the individuals employed by the SWCD, as outlined in a position description prepared for the position by the SWCD.

6) **SWCD RESPONSIBILITIES**

The SWCD shall employ individuals to inspect and maintain the watershed structures described in paragraph 1 of this Agreement to the extent that funding is available. The individuals employed by the SWCD will record the condition of, and maintenance work performed on, each structure. The SWCD shall supervise the individuals employed as employees of the SWCD and shall indemnify and hold harmless the County for any negligence on the part of the individuals employed by the SWCD to the extent allowable by Code Chapter 669. The individuals employed by the SWCD may represent the SWCD in performing all types of watershed work.

7) **FINANCING**

The SWCD shall pay all costs associated with the administration of this Agreement, except as provided in paragraph 5 of this Agreement.

8) **AMENDMENT**

This Agreement may be amended from time to time by written agreement of the

Parties. All amendments shall be in writing, signed by both Parties, and electronically filed with the Secretary of State as required by Iowa Code section 28E.8 (2018).

9) **TERMINATION**

Either party may terminate this Agreement at any time with 120 days written notice to the other party. Upon termination of this Agreement, the Parties agree to use their best efforts to wrap up all operations undertaken pursuant to this Agreement. In the event of a conflict as to the distribution of any real or personal property, such conflict shall be resolved between the parties by arbitration paid for equally between the disputing parties.

10) **NOTICES**

Whenever notices and correspondence are to be given under this Agreement, the notices shall be given by personal delivery to the other party, or sent by mail, postage prepaid, to the other party as follows:

To the County

Woodbury County  
Board of Supervisors  
620 Douglas St Rm 104  
Sioux City, IA 51101

To the SWCD

Woodbury SWCD  
204 First Street, Ste 225  
Sergeant Bluff, IA 51054

11) **APPLICABLE LAW**

This Agreement is to be governed by the laws of the State of Iowa.

12) **FILING**

It is agreed that the County will electronically file this Agreement with the Secretary of State as required by Iowa Code section 28E.8 (2021).

**IN WITNESS WHEREOF**, and in consideration of the mutual covenants set forth herein and for other good and valuable consideration, the receipt, adequacy, and legal sufficiency of which are hereby acknowledged, the parties have entered into this 28E Agreement and have caused their duly authorized representatives to execute this 28E Agreement.

**WOODBURY COUNTY**

BY: \_\_\_\_\_  
Matthew Ung, Chairperson  
Woodbury County Board of Supervisors

DATE: \_\_\_\_\_

STATE OF IOWA, WOODBURY COUNTY: This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2024, by Matthew Ung, as Chairperson of the Woodbury County Board of Supervisors.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF IOWA

**WOODBURY SOIL AND WATER CONSERVATION DISTRICT**

BY: \_\_\_\_\_  
Lane Tabke, Chairperson  
Woodbury Soil and Water Conservation District

DATE: 4/16/24

STATE OF IOWA, WOODBURY COUNTY: This instrument was acknowledged before me on the 16 day of April, 2024, by Lane Tabke, as Chairperson of the Woodbury Soil and Water Conservation District.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF IOWA



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/20/2024 Weekly Agenda Date: 6/25/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Consideration of utility permit for placement of new electric line in county rights of way

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

MidAmerican Energy has applied for a permit to install new overhead and underground electrical service along Deer Run Trail.

**BACKGROUND:**

Work in county ROW requires a permit approved by the Board of Supervisors per section 318.8 of the Code of Iowa. The county engineer has reviewed the location and recommends that the work be allowed.

**FINANCIAL IMPACT:**

No financial impact to the county.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Recommend approval of the permit for MidAmerican Energy

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the underground utility permit for MidAmerican Energy and to direct the chair to sign the permit.



PERMIT FOR USE OF COUNTY ROAD/HIGHWAY RIGHT-OF-WAY FOR OVERHEAD AND/OR BURIED UTILITIES ACCOMMODATION

REQUEST BY APPLICANT:

Name MID AMERICAN ENERGY Highway DEER RUN TRL  
 Address 2563 DEER RUN TRL. Township WEST FORK  
 City of HORNICK  
 Office Phone 712-233-4821 Local Phone 712-301-3342 Section: E 1/4 of 1/4 Sec 17  
 Type of Utility Installation OVERHEAD & UNDERGROUND ELEC. T 87 N, R 45 W Section: 17  
 Plans Prepared By CODY PALMETER Copy Enclosed  Yes  No  
 Map Showing Location Enclosed  Yes  No  
 Utility Location is  cross right-of-way  parallel to right-of-way  
 overhead  underground  
 Proposed Method of Installation  
 tunnel  suspend on poles  cased  
 jack & bore  suspend on towers  trench  
 open cut  plow

Estimated Starting Date 7-1-24 Estimated Restoration Date 7-26-24

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions listed on the reverse side hereof, and special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof. Applicant is to complete in triplicate and send all copies including plans and maps to Woodbury County Engineer, 759 E. Frontage Road, Merville, IA 51039. One executed copy will be returned to the Applicant. Ph: 712-873-3215

By Cody Palmer Title ELECTRIC DISTRIBUTION DESIGN TECH.  
 (Signature of Authorized Utility Representative) Date 6-26-24

PERMIT APPROVAL BY PERMITTING AUTHORITY

The forgoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated herein and on the reverse side hereof and all attachments hereto.

By \_\_\_\_\_ Title \_\_\_\_\_  
 (Signature of Woodbury County Board Chairman)

Date \_\_\_\_\_

By \_\_\_\_\_ Title \_\_\_\_\_  
 (Signature of Woodbury County Engineer)

Date \_\_\_\_\_

Other Special Provisions:

Permit Provisions and Conditions of Issuance


- The County and/or the County Board of Supervisors will not be charged with any responsibility for damages to the Applicant's property occasioned by any construction or maintenance operations on said county roads, including new or additional right-of-way acquired in connection therewith, subsequent to the building of the Applicant's facilities. The Board will endeavor to give the Applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way that is likely to expose, cover up, or disturb any facilities belonging to the Applicant, in order that the Applicant may arrange to protect the facilities. The Board will inform contractors, and others working on the job of the location of the facilities so that reasonable care may be taken to avoid damaging the facilities, however the County and the Board of Supervisors will assume no responsibility for failure to give such notice.





Length: 374 feet  
 Area: 0.345 acres

874517200006



TREIBER DANE (Dead)  
 2563 DEER RUN TRL  
 Acres: 2.04  
 Value: \$124,640

[View: Parcel Report](#) | [Soil Report](#) | [Pictometry Imagery](#) | [Google Maps](#)



122.9

Deer Run Trl

251.1

Alternate IDn/a  
 Class R  
 Acreage 2.04

Owner Address TREIBER DANE  
 2563 DEER RUN TRL  
 HORNICK, IA 51026-8051

TRL

0035  
 WESTFORK TOWNSHIP AN IRREG TCT BEING PT OF SW NE & PT OF NW SE OF 17-87-45 DESCRIBED AS COM ATE 1/4 COR OF SEC 17 THNC S 779.20 FT, THNC NWLY 1051.59 F  
 NW 565.07 FT TO POB; THNC NW 363.53 FT, THNC NWLY 34.19 FT, THNC NE 25  
 (Note: Not to be used on legal documents)



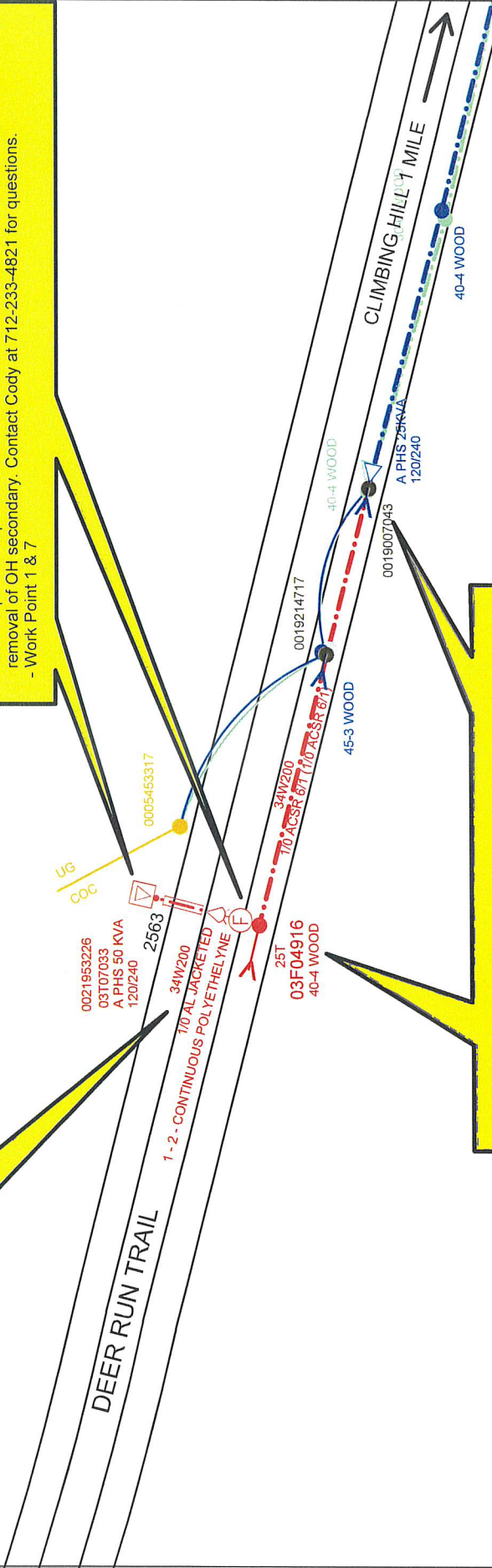
**Work Request has Crew and Contractor work.**

**\*\* STEP 2 \*\***

- Boring contractor to bore in approx. 150' of 1/0 UG single phase primary in 2" conduit from new 40' pole at end of line to proposed transformer location marked with white stake.
- Leave coil of cable at pole for crew.
- Set new fiberglass transformer basement at staked location.
- Maintain minimum 48" below lowest point of grade- Work Point 4, 5, & 7

**\*\* STEP 3 \*\***

- MEC Crew to build single phase riser on pole and label per map.
- Set new 50 KVA, 120/240 V, pad mount transformer on basement and label per map.
- Make all primary terminations.
- **DO NOT ENERGIZE PRIMARY AT THIS TIME**
- Follow up work request will be made for conversion of service to house that will include removal of OH secondary. Contact Cody at 712-233-4821 for questions.
- Work Point 1 & 7



**\*\* STEP 1 \*\***

- MEC Crew to extend single OH primary down road ditch approximately 250' on 40' poles with tangent and dead-end framing.
- Install new down guy on end of line.
- Do not tie in OH primary at this time.
- OH secondary has to stay energized to feed house.
- Work Point 1, 2, 3, & 6

<b>WDA AMERICAN ENERGY COMPANY</b> Cust: Dame Treiber Addr: 2563 DEER RUN TRL- HORNICK, IA City: SIOUX CITY Crew HQ: MOV Job Desc: Primary Extension to Improve Reliability to 2563 Deer Run Trail.		WMS_REV 3465782-1 Date: 6/20/2024 Scale: 1 IN = X FT Designer: CODY S PARMETER
X = 935271 Y = 867170		NOTE: This drawing reflects utilities in place at the time of its preparation and is subject to change. It is subject to change at any time without notice. For current facility information, please contact MidAmerican Energy Company. Resolving from any authorized or unauthorized use of, or reliance upon, this drawing for any purpose.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/20/2024 Weekly Agenda Date: 6/25/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, Woodbury County Engineer

**WORDING FOR AGENDA ITEM:**

Consider approval of a letter to Iowa Senators seeking support for Interchange project

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Woodbury County has filed a grant application for funding for a new interchange with I-29. The board is considering a letter to invite Iowa Senators to view the site.

**BACKGROUND:**

Woodbury County filed applications for Rural and INFRA program grant funding to assist with the cost of the new interchange at mile point 138 south of the rest areas. The county board of supervisors is inviting Iowa's US Senators to view the site to assist the county in obtaining federal funds for the project.

**FINANCIAL IMPACT:**

The county has requested \$12.9 million from either the Rural or INFRA program toward the cost of the interchange project. These programs were created as part of the Bipartisan Infrastructure Law.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Recommend that the Board direct the chair to sign the letter to invite Iowa's US Senators to visit the site.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to direct the board to sign the letter to Iowa's US Senators.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 06/20/2024 Weekly Agenda Date: 06/25/2024

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, County Engineer

**WORDING FOR AGENDA ITEM:**

Approve contract for gravel excavation and processing at Railroad Pit.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The county engineer's office has negotiated a price for the excavation and processing of gravel at the Railroad Pit north of Correctionville.

**BACKGROUND:**

This project is for the production of maintenance gravel.

**FINANCIAL IMPACT:**

The project is paid for with local Woodbury County secondary roads funds.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

I recommend that the Board approve the contract with Bedrock Gravel.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the contract for gravel production at the Little Sioux Gravel Pit with Bedrock for \$406,250.00



WOODBURY COUNTY, IOWA

CONTRACT

Kind of Work Gravel Crushing  
Project No. Maintenance Gravel Railroad Pit 2024 County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Matthew Ung, Daniel Bittinger II, Mark Nelson, Keith Radig, and Jeremy Taylor, Contracting Authority, and Bedrock Gravel, Schleswig, IA, Contractor.

WITNESSETH: That the Contractor, for and in consideration of \_\_\_\_\_  
Four Hundred Six Thousand Two Hundred Fifty and 00/100 \_\_\_\_\_ (\$406,250.00)

payable as set forth in the specifications constituting a part of this contract, hereby agrees to construct in accordance with the plans and specifications therefore, and in the locations designated in the notice to bidders, the various items of work as follows:

Item No.	Item	Quantity	Unit Price	Amount
1.	Gravel-Excavate, Crush, and Stockpile	65,000 Ton	\$6.25	\$406,250.00

The Standard Specifications of the Iowa Department of Transportation, Highway Division for Highway and Bridge Construction, Series 2015 and all applicable current Supplemental Specifications to date and Special Provisions shall apply to all work.

Attachments 1 through 3 inclusive form a part of this contract as if fully contained herein.

Said specifications and plans are hereby made part of and the basis of this agreement and a true copy of said plans and specifications are now on file in the office of the County Engineer under the date of June 17, 2024

That in consideration of the foregoing, the Contracting Authority hereby agrees to pay the Contractor, promptly and according to the requirements of the specifications the amounts set forth, subject to the conditions as set forth in the specifications.

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. Maintenance Gravel Railroad Pit 2024

in Woodbury County, Iowa, the within contract, the contractor's bond, and the general and detailed plans are and constitute the basis of contract between the parties hereto.

That it is further understood and agreed by the parties of this contract that the above work shall be commenced and completed on or before:

Approximate Starting Date	Specified Starting Date	Late Start Date	Number of Working Days
		October 1, 2024	90

That time is the essence of this contract and that said contract contains all of the terms and conditions agreed upon by the parties hereto.

It is further understood that the Contractor consents to the jurisdiction of the courts of Iowa to hear, determine, and render judgment as to any controversy arising hereunder.

IN WITNESS WHEREOF the parties hereto have set their hands for the purposes herein expressed to this and three other instruments of like tenor, as the

19<sup>th</sup> day of June, 2024

Approved: Bedrock Gravel Inc  
By Chad Mohr  
Contractor: Contractor Name

By \_\_\_\_\_  
Contracting Authority: Woodbury County Board Chair

Date 6-19-24

Date \_\_\_\_\_



# Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039  
Tel. phone: (712) 279-6474 • (712) 873-3215 • Fax: (712) 873-3215

RR Pit Production  
6/17/2024

## MAINTENANCE GRAVEL-RR PIT PRODUCTION 2024

ITEM NO.	DESCRIPTION	QUANTITIES	UNIT PRICE	TOTALS
1.	Gravel – Crush Gravel and Stockpile at RR Pit	65,000 Tons	$\$6 \frac{25}{100}$ /Ton	\$ 406,250 <sup>00</sup>
TOTAL	Gravel Produced at Pit	65,000 Tons		
				CONTRACT TOTAL \$ <u>406,250<sup>00</sup></u>

Quotations are due to County Engineer by June 20, 2024.  
759 East Frontage Road  
Merville, Iowa 51039

Late start date for the project is October 1, 2024

Signed:  Date: 6-19-24

Printed Name: Chad Mohr

Representing: Bedrock Gravel Inc

Address: 1108 Hwy 59 S  
Schleswig, IA 51461



RR Pit Production  
6/17/2024

Maintenance Gravel-RR Pit Production

SPECIAL PROVISIONS

MAINTENANCE GRAVEL

1. Raw material is piled on site. Contractor to crush and stockpile material meeting County gradation from the stockpile material.

Gravel produced by the Contractor shall be crushed pit run material. The gravel shall be a uniformly graded product complying with the following gradation specification.

<u>Sieve</u>	<u>Percent Passing</u>
1"	100%
3/4"	75-92%
#4	45-62%
#8	30-45%
#30	10-30%

The Contractor will present the county with certified gradations at 1500 ton production intervals from the stockpiles utilized. The County will also be taking random quality assurance samples during gravel production. When the County inspector arrives on site, the Contractor will cooperate with the County staff member in obtaining a sample. The County will split the sample and retain both halves. County maintenance staff assisting in stockpiling gravel will also be observing the quality of the material being delivered to stockpiles.

If the quality assurance sample does not meet gradation requirements, the County will immediately notify the Contractor to take steps to return the material to County specifications. The County will obtain a second quality assurance sample after at least 300 tons has been processed and run a second sample. If the material still does not meet the specified gradation, the County Engineer, at his option, may order deliveries to cease until production returns to specified gradations as shown by Contractor's quality control samples and the County's quality assurance samples.

A price adjustment will be assessed for non-complying material. After the failure of the first quality assurance sample to meet gradation requirements, the Contractor will have 300 tons to make corrections. If when a second sample is taken, it still fails to meet specifications, a 5% price deduction will be assessed for the next 300 tons or until the gradation comes back within limits. This price adjustment will be on all material produced and delivered to County stockpiles after the first sample is taken and will be assessed on a minimum of 300 tons of gravel until the next sample is taken by the County. If the follow-up sample meets gradation requirements, payment will resume at bid price for the material. After one sample has failed to meet gradation, and any subsequent samples taken during the total run of production fails to meet County gradation requirements, a 10% price deduction from the bid price per ton will be assessed as defined above.



2. The Contractor shall hold harmless and indemnify Woodbury County, Iowa and its officers and employees from any and all claims, demands, actions, fines, and judgments for damages arising out of or in connection with any activity of the Contractor or any of the Contractor's agents or employees under this contract or upon the premises to which this contract applies. **A certificate of insurance listing Woodbury County as an additional insured shall be provided by the successful bidder. A performance bond may be required if determined necessary by the County Engineer.**

3. The Contractor shall abide by and enforce the rules and regulations of the Federal Occupational Safety and Health Act (OSHA), as amended; and the Federal Mine Safety and Health Act (MSHA) of 1977, as amended; and shall comply with all other Federal, State, and County laws and regulations and shall hold the County and the public harmless of any penalties and fines that may be assessed against Woodbury County and/or the public resulting from the Contractor's operations and/or any other of his activities relative thereto. The haul road within the pit and the access road to the pit shall be considered an integral part of the pit and shall be built and maintained by the Contractor to meet the above referenced laws and regulations. Any penalties and/or fines assessed to Woodbury County relative to the Contractor's operations shall be reimbursed in full to the County by the Contractor prior to final settlement of the contract. An access road is defined as an ingress or egress roadway between the pit and an official County roadway normally used by the traveling public.

4. The Contractor shall bear the full costs of any litigation or other proceedings brought against Woodbury County, Iowa or any of its officers or employees which involves an alleged injury to any employee(s) or agent of the Contractor or to any other person who has been authorized by the Contractor to be upon the premises covered by this contract prior to completion of the project, except employees of Woodbury County.

5. The Contractor is allowed 40 working days to complete the gravel stockpile. **A \$400 per day penalty will be assessed for each working day beyond the allotted working days.**

6. The Contractor can expect to bleed up to 10% by weight in fine sand from material as supplied by Woodbury County to make County gradation requirements. If the bleed sand in the pile as measured at the end of the project exceeds 10% of the tonnage produced, the County will pay the difference between the tonnage in the bleed pile less 10% of the tonnage of gravel produced at \$1.00 per ton. This contract is for 65,000 ton, if raw material remains after reaching 65,000 ton the contractor may with the permission of the County Engineer process additional material up to 75,000 ton.

**It is expected that the Contractor will utilize a primary crusher and a secondary crusher to ensure all materials are used as efficiently as possible.**

**ITEMS TO INCLUDE ON AGENDA FOR \_\_\_\_\_, 2024**

**WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY**

- Resolution to consider and approve a 28E Agreement between Woodbury County, Iowa and the Woodbury County Law Enforcement Center Authority granting the Authority a forgivable loan for the payment of certain costs and expenses related to the Law Enforcement Center.

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

\_\_\_\_\_, 2024

The Board of Commissioners of the Woodbury County Law Enforcement Center Authority, met in \_\_\_\_\_ session, in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at \_\_\_\_\_ o'clock \_\_\_\_\_.M., on the above date. There were present the following named Commissioners:

\_\_\_\_\_

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

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

\* \* \* \* \*

Commissioner \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION APPROVING A 28E AGREEMENT WITH THE WOODBURY COUNTY BOARD OF SUPERVISORS GRANTING THE AUTHORITY A FORGIVALBE LOAN FOR THE PAYMENT OF CERTAIN COSTS AND EXPENSES RELATED TO THE LAW ENFORCEMENT CENTER" and moved that it be adopted. Commissioner \_\_\_\_\_ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: \_\_\_\_\_

\_\_\_\_\_

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

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION APPROVING A 28E AGREEMENT WITH THE  
WOODBURY COUNTY BOARD OF SUPERVISORS  
GRANTING THE AUTHORITY A FORGIVALBE LOAN FOR  
THE PAYMENT OF CERTAIN COSTS AND EXPENSES  
RELATED TO THE LAW ENFORCEMENT CENTER

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 has been and will be incurring the below-noted expenses relating to the Project that are the subject of this Agreement:

- (1) Legal fees, costs and expenses;
- (2) Expert fees and expenses;
- (3) Project engineering consultant's fees and expenses; and
- (4) Baker Group fees and expenses for construction management services; and
- (5) Goldberg Group Architects, PC's Reimbursable Expenses (as such term is defined under the Agreement between the Authority and such architect); 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 granting of a forgivable loan from the County to the Authority for the Project in the amount of \$400,000; and

WHEREAS, the parties desire to enter into a contract and loan agreement under Chapter 28E in order to define their respective rights and obligations in connection with said loan.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY:

Section 1. The Board Chairperson and Secretary are hereby authorized and directed to execute the proposed 28E Agreement with the County in substantially the form presented to this meeting, but with such changes therein as the official executing the 28E Agreement shall approve, such approval to be conclusively evidenced by the execution thereof.

Section 2. Such 28E Agreement shall be filed with the Iowa Secretary of State pursuant to Iowa Code Section 28E.8.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chairperson, Woodbury County Law  
Enforcement Center Authority Board of  
Commissioners

ATTEST:

\_\_\_\_\_  
Secretary, Woodbury County Law Enforcement  
Center Authority Board of Commissioners

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WOODBURY )

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

WITNESS my hand and the seal of the Board of Commissioners hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Secretary, Woodbury County Law Enforcement  
Center Authority Board of Commissioners

28E AGREEMENT BETWEEN WOODBURY COUNTY, IOWA AND  
THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY  
FOR THE FUNDING OF CERTAIN EXPENSES RELATED TO THE WOODBURY  
COUNTY LAW ENFORCEMENT CENTER

This 28E Agreement for the funding of certain expenses for the Woodbury County Law Enforcement Center ("Agreement") is made and entered into pursuant to the provisions of Iowa Code Chapter 28E as of this \_\_\_\_\_ of \_\_\_\_\_, 2024, by and between WOODBURY COUNTY, IOWA, a political subdivision, organized and existing under and by virtue of the laws and Constitution of the State of Iowa ("County") and the WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY, a body corporate, organized and existing under and by virtue of Iowa Code Section 346.27 ("Authority"). The County and the Authority are herein referred to as the "Parties" to this Agreement.

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

WHEREAS, the Authority has been and will be incurring the below-noted expenses relating to the Project that are the subject of this Agreement ("28E Agreement Expenses"):

- (1) Legal fees, costs and expenses;
- (2) Expert fees and expenses;
- (3) Project engineering consultant's fees and expenses; and
- (4) Baker Group fees and expenses for construction management services; and
- (5) Goldberg Group Architects, PC's Reimbursable Expenses (as such term is defined under the Agreement between the Authority and such architect); and

WHEREAS, the Board of Supervisors of 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 granting of a forgivable loan from the County to the Authority for the 28E Agreement Expenses in the amount of \$400,000; and

WHEREAS, the Parties desire to enter into a contract and loan agreement under Chapter 28E in order to define their respective rights and obligations in connection with said loan.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the County and the Authority hereby agree as follows:

Section 1. Purpose. The purpose of this Agreement is to provide for the joint exercise of the respective powers of the Parties in connection with entering into a forgivable loan in the amount of \$400,000 to be used for the Authority's payment of 28E Agreement Expenses on the Project, which is a public improvement project of mutual benefit to the constituents and incorporating units of both Parties.

Section 2. Agreement. In order to effectuate the purpose hereof, the Parties agree as follows:

A. County's Obligations. The County shall lend to the Authority \$400,000. The loan shall be made in cash from such funds as may be legally available including cash on hand and such other funds as the Board of Supervisors may at its sole discretion determine and provide. The proceeds of the loan shall be placed in an interest-bearing account in the name of the Authority in an institution selected by the Woodbury County Treasurer and approved by the Board of Supervisors.

B. Authority's Obligations. The Authority shall use the loan proceeds from the County for the sole purpose of paying 28E Agreement Expenses. Following final completion of the Project and the final resolution and conclusion of all legal matters and proceedings related to the Authority's claims against the design and construction parties relating to their design and construction work on the Project (collectively, "Legal Proceedings"), the Authority shall repay the County for the loan payment to the extent it obtains monies from the Legal Proceedings. In the event the Authority obtains insufficient monies from the Legal Proceedings to repay the loan in full, the Authority's loan repayment obligations to the County shall be forgiven and discharged, without further action from the County, in regard to any remaining balance of the loan. At the completion of the Project and final resolution and conclusion of the Legal Proceedings, and after the Authority has paid the 28E Agreement Expenses and repaid the \$400,000 loan in full, the Authority shall remit to the County any remaining monies it obtained from the Legal Proceedings in excess of \$400,000.

Section 3. Agreement - Method of Approval. The Parties shall approve this Agreement by resolution adopted by action of their respective governing body, which resolution shall authorize the Chairperson and County Auditor of the County and the Chairperson and Secretary of the Authority to execute this Agreement.

Section 4. Agreement - Filing with Secretary of State. When this Agreement has been executed by the Parties, it shall be electronically filed with the Secretary of State of the State of Iowa in accordance with the provisions of Iowa Code Section 28E.8.

Section 5. Duration. This Agreement shall be in effect as of the date of the filing of the Agreement with the Secretary of State and shall continue indefinitely until the terms herein are satisfied in full. This Agreement may be amended as necessary to effect its purpose in accordance with Iowa law.

Section 6. No Entity. No separate entity is created hereby.

Section 7. Designated Administrator. The parties agree that Dennis Butler shall be designated as the sole administrator of this Agreement for purposes of the filing requirements outlined by Iowa Code Section 28E.8. Each party shall otherwise separately administer its own activities.

Section 8. Notices. Any notice, demand or other communication under this Agreement shall be made in writing as follows:



If to the County:

Woodbury County Board of Supervisors  
Attn: Chairperson, Board of Supervisors  
Woodbury County Courthouse  
620 Douglas Street, Room 104  
Sioux City, IA 51101

If to the Authority:

Woodbury County Law Enforcement Center Authority  
Attn: Chairperson, Board of Commissioners  
Woodbury County Courthouse  
620 Douglas Street, Room 104  
Sioux City, IA 51101

Section 9. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Iowa now or hereinafter applicable hereto.

Section 10. Entire Agreement. This Agreement contains the entire Agreement between the parties hereto and may not be changed except by an amendment in writing signed by the parties hereto.

IN WITNESS WHEREOF, the County has caused this Agreement to be duly executed in its name and behalf by the Chairperson of the Board of Supervisors and its seal to be hereunto duly affixed and attested by its Auditor, and the Authority has caused this Agreement to be duly executed in its name and behalf by its Chairperson and attested by its Board Secretary, all on or as of the day first above written.

*[Remainder of page intentionally left blank; Signature pages follow.]*

(SEAL)

WOODBURY COUNTY, IOWA

\_\_\_\_\_  
Chairperson

ATTEST:

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

STATE OF IOWA                    )  
  ) SS  
COUNTY OF WOODBURY        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me a Notary Public in and for said State, personally appeared the Chairperson of the Board of Supervisors of Woodbury County and the Woodbury County Auditor, to me personally known, who being duly sworn, did say that they are the Chair and Auditor, respectively, of Woodbury County, Iowa, an Iowa county created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said County, and that said instrument was signed and sealed on behalf of said County by authority and resolution of its Board of Supervisors, and said Chairperson and Auditor acknowledged said instrument to be the free act and deed of said County by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

(SEAL)

WOODBURY COUNTY LAW  
ENFORCMENT CENTER  
AUTHORITY

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Secretary

STATE OF IOWA                    )  
  ) SS  
COUNTY OF WOODBURY        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me a Notary Public in and for said State, personally appeared the Chairperson of the Board of Commissioners of the Woodbury County Law Enforcement Center Authority and the Board Secretary, to me personally known, who being duly sworn, did say that they are the Chair and Secretary, respectively, of said Board, created and existing under Iowa Code Section 346.27, and that the seal affixed to the foregoing instrument is the seal of said Authority, and that said instrument was signed and sealed on behalf of said Authority by authority and resolution of its Board of Commissioner, and said Chair and Secretary acknowledged said instrument to be the free act and deed of said Authority by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

[ATTACH RESOLUTION OF WOODBURY COUNTY BOARD OF SUPERVISORS APPROVING AGREEMENT]

[ATTACH RESOLUTION OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER  
AUTHORITY BOARD OF COMMISSIONERS APPROVING AGREEMENT]