

#4

JULY 26, 2016 — TWENTYEIGHT MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, July 26, 2016 at 4:30 p.m. Board members present were Monson, Ung, Clausen, and Taylor; Smith was absent. Staff members present were Dennis Butler, Budget/Tax Analyst, Karen James, Executive Secretary/Public Bidder, Ed Gilliland, Human Resources Director and Patrick Gill, Auditor/Clerk to the Board.

1. The meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.
2. There were no citizen concerns.
3. Motion by Monson second by Clausen to approve the Agenda for July 26, 2016. Carried 4-0. Copy filed.
4. Motion by Clausen second by Taylor to approve the minutes of the July 19, 2016 Board meeting. Carried 4-0. Copy filed.
5. Motion by Monson second by Ung to approve the claims totaling \$605,289.77. Carried 4-0. Copy filed.
6. Motion by Clausen second by Monson to approve the appointment of McKenzie Stoos, Clerk II, County Treasurer Dept., effective 8-01-16, \$15.64/hour. Job Vacancy Posted 6-15-16. Entry Level Salary: \$15.64/hour.; and the reclassification of Brigid Delaney, Civilian Jailer, County Sheriff Dept., effective 8-01-16, \$24.12/hour, 11.5%=\$2.51/hour. Per CWA Civilian Officers Contract agreement, from Senior Class to Master Class. Carried 4-0. Copy filed.
7. Motion by Monson second by Clausen to receive for signatures a Resolution thanking and commending Bernard Ketelsen for his years of service to Woodbury County. Carried 4-0.

WOODBURY COUNTY, IOWA
RESOLUTION #12,405
A RESOLUTION THANKING AND COMMENDING
BERNARD KETELSEN
FOR HIS SERVICE TO WOODBURY COUNTY

WHEREAS, Bernard Ketelsen has capably served Woodbury County as an employee of the Woodbury County Conservation Department for 44 years from July 15, 1972 to August 31, 2016; and

WHEREAS, the service given by Bernard Ketelsen as a Woodbury County employee, has been characterized by his dedication to the best interests of the citizens of Woodbury County; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA that the undersigned members of this Board thanks and commends Bernard Ketelsen for his years of service to Woodbury County; and

BE IT FURTHER RESOLVED that it is the wish of all those signing below that the future hold only the best for this very deserving person, Bernard Ketelsen.

BE IT SO RESOLVED this 26th day of July, 2016.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

- 8a. A public hearing was held at 4:40 p.m. for issuance of Urban Renewal Tax Increment Revenue Bond.
Motion by Monson second by Taylor to close the public hearing. Carried 4-0.
- 8b. Motion by Monson second by Clausen to approve and authorize the Chairperson to sign a Resolution authorizing the sale and issuance of a \$1,710,000 Urban Renewal Tax Increment Revenue Bond, Series 2016, pledging to the payment of the Bond funds and portions of taxes created pursuant to the authority of Subsection 2 of Section

403.19 of the Code of Iowa and providing for the securing of the Bond, all for urban renewal purposes of Woodbury County, Iowa. Carried 4-0.

RESOLUTION #12,406

RESOLUTION AUTHORIZING THE SALE AND ISSUANCE OF A \$1,710,000 URBAN RENEWAL TAX INCREMENT REVENUE BOND, SERIES 2016, PLEDGING TO THE PAYMENT OF THE BOND FUNDS AND PORTIONS OF TAXES CREATED PURSUANT TO THE AUTHORITY OF SUBSECTION 2 OF SECTION 403.19 OF THE CODE OF IOWA AND PROVIDING FOR THE SECURING OF THE BOND, ALL FOR URBAN RENEWAL PURPOSES OF WOODBURY COUNTY, IOWA

WHEREAS, the Board of Supervisors (the "Board") of Woodbury County, Iowa (the "County") has taken action to create the Grow Woodbury County Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the Board has adopted an Ordinance for the division of taxes levied on taxable property in the Urban Renewal Area which establishes 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 of and interest on Bonds or notes issued 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, pursuant to Section 403.9 of the Code of Iowa, the Board has heretofore proposed to issue an Urban Renewal Tax Increment Revenue Bond in a principal amount not to exceed \$1,710,000 (the "Bond"), for the purpose of paying the cost, to that extent, of planning, undertaking, and carrying out projects within the Urban Renewal Area, consisting of financing certain road improvements, including Dogwood Trail in the City of Sergeant Bluff (the "Projects"), and the County has published a notice of such proposal and has held a hearing thereon and has otherwise complied with statutory requirements for issuing the Bond; and

WHEREAS, a proposal has been received from The Security National Bank of Sioux City for the purchase of the Bond; and

WHEREAS, it is now necessary and advisable that the Bond be issued pursuant to the provisions of Section 403.9(1) of the Code of Iowa, payable solely from the income and proceeds of the Urban Renewal Tax Revenue Fund;

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

Section 1. The proposal from The Security National Bank of Sioux City (the "Purchaser") for the purchase of the Bond is hereby approved.

Section 2. Pursuant to and as authorized by the Constitution and laws of the State of Iowa, and particularly Section 403.9 of the Code of Iowa, the Bond is hereby authorized to be issued to the Purchaser, in the principal amount of \$1,710,000, to be dated August 15, 2016. The Bond shall bear interest, shall be payable as to principal and interest, and shall have such other terms as are incorporated in the form of the Bond set out in Section 3 hereof. The Bond shall be fully registered as to principal and interest in the name of the holder on the books of the County, and after such registration, payment of the principal thereof and interest thereon shall be made only to the Registered Holder. Upon the request in writing of such Registered Holder personally or by its attorney in fact the Bond may be transferred to a designated transferee.

The County Treasurer is hereby designated as the registrar and paying agent for the Bond and may be hereinafter referred to as the "Registrar" or the "Paying Agent".

The County reserves the right to prepay principal of the Bond in whole or in part at any time prior to and in inverse order of maturity on terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the prepayment date.

The Bond shall be executed on behalf of the County with the official or facsimile signature of the Chairperson and attested by the official or facsimile signature of the County Auditor and shall be a fully registered Bond without interest coupons. In case any officer whose signature appears on the Bond shall cease to be such officer before

the delivery of the Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

Section 3. The Bond shall be in substantially the following form:

(FORM OF BOND)
 UNITED STATES OF AMERICA
 STATE OF IOWA WOODBURY COUNTY
 URBAN RENEWAL TAX INCREMENT REVENUE BOND, SERIES 2016

\$1,710,000

MATURITY DATE
 June 1, 2023

BOND DATE
 August 15, 2016

Woodbury County (the "County"), in the State of Iowa, for value received, promises to pay in the manner herein provided, to

The Security National Bank of Sioux City
 Sioux City, Iowa

(the "Purchaser") or registered assigns, the principal sum of ONE MILLION SEVEN HUNDRED TEN THOUSAND DOLLARS (\$1,710,000), together with interest on the outstanding principal hereof from the date of this Bond, or from the most recent payment date on which interest has been paid, except as provisions hereinafter set forth with respect to prepayment prior to maturity may be or become applicable hereto.

Both principal of and interest on this Bond are payable to the registered owner appearing on the registration books of the County maintained by the County Treasurer (herein referred to as the "Registrar" or the "Paying Agent") at the close of business on the fifteenth day of the month next preceding the payment date in lawful money of the United States of America by check or draft mailed to the registered owner at the address shown on such registration books, provided, however, that the final installment of principal and interest shall be payable only upon presentation and surrender of this Bond to the Paying Agent.

Interest on this Bond is payable semiannually on June 1 and December 1 of each year, commencing June 1, 2017. Principal of this Bond is payable on June 1 in each of the years, in the respective principal installments and bears interest, at the respective rates, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2019	\$210,000	1.50%
2020	\$375,000	1.60%
2021	\$375,000	1.80%
2022	\$375,000	2.00%
2023	\$375,000	2.20%

The County reserves the right to prepay principal of this Bond in whole or in part at any time prior to and in inverse order of maturity on terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the prepayment date.

This Bond is issued by the County pursuant to and in strict compliance with the provisions of Section 403.9 of the Code of Iowa, and all of the laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the Board of Supervisors of the County duly passed on July 26, 2016 (the "Resolution"), which

resolution authorized the issuance of this Bond, and to which resolution reference is hereby made for a more complete statement as to the source of payment of this Bond and the rights of the holders of this Bond.

This Bond is issued for the purpose of planning, undertaking, and carrying out projects in the Grow Woodbury County Urban Renewal Area, consisting of financing certain road improvements, including Dogwood Trail in the City of Sergeant Bluff (the "Projects"). This Bond is not a general obligation of the County, but this Bond is payable solely from the income and proceeds of the Urban Renewal Tax Revenue Fund referred to in the Resolution and the portion of taxes to be paid into such Fund, referred to and authorized in Subsection 2 of Section 403.19 of the Code of Iowa.

This Bond shall be fully registered as to principal and interest in the name of the holder on the books of the County, and after such registration, payment of the principal and interest thereof shall be made only to such holder. This Bond is transferable by the holder hereof in person or by its attorney duly authorized in writing at the office of the Registrar, but only in the manner and subject to the limitations provided in the Resolution. The County may deem and treat the holder hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the County shall not be affected by any other notice to the contrary.

This Bond has been issued by the County in connection with the urban renewal projects described in the Resolution, which are urban renewal projects as defined in Chapter 403 of the Code of Iowa.

AND IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions, and things required to exist, happen and be performed precedent to and in the issuance of this Bond have existed, have happened, and have been performed in due time, form and manner, as required by law, and that the issuance of this Bond does not exceed or violate any constitutional or statutory limitation or provision.

IN TESTIMONY WHEREOF, Woodbury County, by its Board of Supervisors has caused this Bond to be executed by the duly authorized facsimile signature of its Chairperson and attested by the duly authorized facsimile signature of its County Auditor as of the 15th day of August, 2016.

WOODBURY COUNTY, IOWA

By (DO NOT SIGN)
Chairperson, Board of Supervisors
Attest:

(DO NOT SIGN)
County Auditor

Registration Date: _____

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is the Bond described in the within-mentioned Resolution.

WOODBURY COUNTY TREASURER

By _____ (Authorized Signature)
ASSIGNMENT

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

(please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER

IDENTIFYING NUMBER OF ASSIGNEE

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

Dated: _____

Signature guaranteed:

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

Section 4. The Bond shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Purchaser. The Chairperson, the County Auditor and the County Treasurer are hereby authorized to execute and deliver such additional documentation as they, with the advice of bond counsel, deem necessary to carry out the purposes of this resolution and to facilitate the issuance of the Bond.

Section 5. As provided and required by Chapter 403 of the Code of Iowa, the Bond shall not be a general obligation of the County, but shall be a special, limited obligation, the principal and interest of which shall be payable solely and only from the income and proceeds of the Urban Renewal Tax Revenue Fund, referred to in the preamble of this Resolution, and the County hereby pledges such Fund to the payment of the Bond, as well as the portion of taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Fund.

Section 6. The Bond shall not be subject to the provisions of any other law relating to the authorization, issuance or sale of Bonds except Section 403.9 of the Code of Iowa. The Bond issued pursuant to this resolution is declared to be issued for an essential public and governmental purpose.

Section 7. The Bond shall recite in substance that it has been issued by the County in connection with an urban renewal project as defined in Chapter 403 of the Code of Iowa and in any suit, action or proceeding involving the validity or enforceability of any bond issued hereunder or the security therefor, such bond shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located and carried out in accordance with the provisions of Chapter 403 of the Code of Iowa.

Section 8. The proceeds of the Bond shall be expended for purposes which are consistent with the urban renewal plan for the Urban Renewal Area.

Section 9. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor to evidence the continuing pledging of the Urban Renewal Tax Revenue Fund and the portion of taxes to be paid into such Fund, and, pursuant to Section 403.19 of the Code of Iowa, the Board hereby certifies to the County Auditor that the Bond qualifies for payment from such Fund and directs the Auditor to allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

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

The County hereby designates the Bond as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 11. All resolutions and orders or parts thereof in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 12. This resolution shall be in full force and effect immediately upon its adoption and approval as provided by law.

Passed and approved July 26, 2016.
WOODBURY COUNTY BOARD OF SUPERVISORS
Copy filed.

9a. Motion by Monson second by Clausen to receive the Auditor's Quarterly Report for April 1, 2016 through June 30, 2016. Carried 4-0. Copy filed.

9b. Motion by Ung second by Monson to receive the Auditor's report of a petition requesting an election of trustees for the Upper Wolf Creek Drainage District. Carried 4-0. Copy filed.

Motion by Taylor second by Monson to order an election to be held September 10, 2016 at the Anthon Golf Course for trustees of the Upper Wolf Creek Drainage District and to appoint Marty Heck, Ann Hardy and Jay Malin as election judges and Barb Benson and Vernon Heck as election clerks. Carried 4-0. Copy filed.

9c. Information presented by Patrick Gill, County Auditor, on the consideration of an amendment to the Board of Supervisors Bylaws. Copy filed.

10a. Bids were received for project #L-B(L212)—73-97. The bids are as follows:

Dixon Construction Co., Correctionville, IA	\$238,096.50
Graves Construction Co., Spencer, IA	\$296,684.07

Motion by Monson second by Ung to receive the bids and to direct the County Engineer to evaluate the bids and return with a recommendation for award. Carried 4-0. Copy filed.

10b. Motion by Monson second by Ung to approve the contract and bond for pavement marking with Vogel Traffic Services for \$50,302.00. Carried 4-0. Copy filed.

10c. Motion by Monson second by Taylor to approve the preconstruction agreement #2016-C-227 with Iowa DOT. Carried 4-0. Copy filed.

11a. Motion by Monson second by Taylor to approve the LEC Entrance Project Change Order #1. Carried 4-0. Copy filed.

11b. Information was presented to the Board on the expansion of the Law Enforcement Center and the closure of Prairie Hills. Copy filed.

11c. Information was presented on Courthouse Courtrooms #201, #207, and Judge's Chambers windows and the discovery of original courthouse historical items. Copy filed.

12. There was a discussion of the desire of the Department of Human Services to rent a large classroom on the 4th floor of Trosper-Hoyt for targeted Case Management. Copy filed.

13. Motion by Taylor second by Ung to authorize Mark Monson and Matthew Ung, to act as the two designated liaisons from the Woodbury County Board of Supervisors to engage in "informal mediation" pursuant to the motion made at the July 18, 2016 Sioux Rivers Regional MHDS meeting. Carried 3-1: Clausen opposed. Copy filed.

14. The Chairperson reported on day to day activities.

15. The Board members reported on their committee meetings.
16. There were no citizen concerns.
17. Board members offered concerns and comments.

The Board adjourned the regular meeting until August 2, 2016.

Meeting sign in sheet. Copy filed.