

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON MARCH 3, 2009

- 09-03-03 1** The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:30 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Dennis Wright, Al Bloemendaal, Mark Sybesma, John Degen and Arlyn Kleinwolverink.
- 09-03-03 2** Minutes of the meeting held on February 24, 2009, were submitted and the Chairman declared them approved.
- 09-03-03 3** Coleman McAllister, County Attorney gave an update on Judicial Branch budget cuts. Seven additional furlough days are planned before the end of this fiscal year. McAllister stated that juvenile court officers have also been affected and that budget cuts impact at risk kids in the community. Deb Fischer, lead clerk from the Clerk of Courts office was present for this discussion.
- 09-03-03 4** As this was the date and 9:45 o'clock A.M. the time set for hearing on the second and final consideration on the proposed County Ordinance No. 19 which amends Ordinance No. 16, providing that the general property taxes levied and collected each year on all property located within the amended Urban Renewal District 1 of the County of Sioux, State of Iowa, by and for the benefit of the State of Iowa, County of Sioux, Sioux Center Community School District, and other taxing districts be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness including bonds issued or to be issued incurred by said county in connection with the amended Urban Renewal District 1 redevelopment project, said hearing was held after the Board was informed that notice had been published according to law. No comments were received for or against said change. The Chairman closed the hearing.
- 09-03-03 5** Motion by Wright and supported by Kleinwolverink to approve the second and final consideration of proposed County Ordinance No. 19 and to instruct the County Auditor to proceed with the publication of said ordinance as follows:

ORDINANCE NO 19

AN ORDINANCE AMENDING ORDINANCE NO. 16, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED URBAN RENEWAL DISTRICT 1 OF THE COUNTY OF SIOUX, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, COUNTY OF SIOUX, SIOUX CENTER COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID COUNTY IN CONNECTION WITH THE AMENDED URBAN RENEWAL DISTRICT 1 REDEVELOPMENT PROJECT

WHEREAS, the Board of Supervisors of Sioux County, State of Iowa has heretofore, in Ordinance No. 16, provided for the division of taxes within the Urban Renewal District 1 Project Area, pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, additional territory now has been added to the Urban Renewal District 1 Urban Renewal Project Area; and

WHEREAS, indebtedness has been incurred by the County, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the amended Urban Renewal District 1 Project Area, and the continuing needs of redevelopment within the amended Urban Renewal District 1 Project Area are such as to require the continued application of the incremental tax resources of the amended Urban Renewal District 1 Project Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SIOUX, STATE OF IOWA, THAT:

Ordinance Number 16 is hereby amended to read as follows:

Section 1: For purposes of this Ordinance, the following terms shall have the following meanings:

Original Project Area shall mean that portion of Sioux County, Iowa described in the Urban Renewal Plan for the Urban Renewal District 1 approved by Resolution No. 2004-27 on October 26, 2004, which Original Project Area includes the lots and parcels located within the area legally described as follows:

Sections 26 and 35, in Township 96 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and Sections 1 and 2, 11 and 12, 13 and 14, all in Township 95 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and Sections 6 and 7, in Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, the Southwest Quarter of the Northwest Quarter (SW 1/4 NW A), and the West Half of the Southwest Quarter (W 1/2 SW 1/4), all in Section 5, Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, the West Half of Section 8, Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, all of the right-of-way for roads and highways adjacent to the above described property; and, the right-of-ways for roads and highways located between Section 25 and 26, and 35 and 36, all in Township 97 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and, the right-of-ways for roads and highways located between Sections 1 and 2, 11 and 12, 13 and 14, 23 and 24, all in Township 96 North, Range 46 West of the 5th P.M., Sioux County, Iowa

(a) Amendment No. 1 Area shall mean that portion of Sioux County, Iowa described in Amendment No. 1 to the Urban Renewal Plan for the Urban Renewal District 1 approved by Resolution No. 2009-06 on February 10, 2009, which Amendment No. 1 Area includes the lots and parcels located within the area legally described as follows:

The Southwest Quarter of Section 36 in Plato Township and

All of Section 5 in Township 96 North, Range 45 West; and all of the right-of-way for roads and highways located between Section 36, Township 97 North, Range 46 West and Section 1, Township 96 North, Range 46 West; and all the right-of-way for roads and highways located between Section 31, Township 97 North, Range 45 West and Section 6, Township 96 North, Range 45 West; and all of

the right-of-way for roads and highways between Section 32, Township 97 North, Range 45 West and Section 5, Township 96 North, Range 45 West; all of the 5th P.M., Sioux County, Iowa.

c) Amended Project Area shall mean that portion of Sioux County, Iowa included within the Original Project Area and the Amendment No. 1 Area, which Amended Project Area includes the lots and parcels located within the area legally described as follows:

ORIGINAL AREA

Sections 26 and 35, in Township 96 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and Sections 1 and 2, 11 and 12, 13 and 14, all in Township 95 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and Sections 6 and 7, in Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, the Southwest Quarter of the Northwest Quarter (SW NW ¹/₄), and the West Half of the Southwest Quarter (W ¹/₂ SW ¹/₄), all in Section 5, Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, the West Half of Section 8, Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, all of the right-of-way for roads and highways adjacent to the above described property; and, the right-of-ways for roads and highways located between Section 25 and 26, and 35 and 36, all in Township 97 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and, the right-of-ways for roads and highways located between Sections 1 and 2, 11 and 12, 13 and 14, 23 and 24, all in Township 96 North, Range 46 West of the 5th P.M., Sioux County, Iowa.

AMENDMENT NO. 1 AREA

The Southwest Quarter of Section 36 in Plato Township and All of Section 5 in Township 96 North, Range 45 West; and all of the right-of-way for roads and highways located between Section 36, Township 97 North, Range 46 West and Section 1, Township 96 North, Range 46 West; and all the right-of-way for roads and highways located between Section 31, Township 97 North, Range 45 West and Section 6, Township 96 North, Range 45 West; and all of the right-of-way for roads and highways between Section 32, Township 97 North, Range 45 West and Section 5, Township 96 North, Range 45 West; all of the 5th P.M., Sioux County, Iowa.

Section 2: The taxes levied on the taxable property in the Amended Project Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, County of Sioux, Sioux Center Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 3: As to the Original Project Area, that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts taxing property in the Original Project Area upon the total sum of the assessed value of the taxable property in the Original Project Area as shown on the assessment roll as of January 1, 2003 (being the first day of the calendar year preceding the calendar year in which the County first certified to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue) shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. The taxes so determined shall be referred herein as the "base period taxes" for such area.

As to Amendment No. 1 Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2008, being the assessment roll applicable to property in such area as of January 1 of the calendar year preceding the effective date of this Ordinance.

Section 4: That portion of the taxes each year in excess of the base period taxes for the Amended Project Area, determined for each sub-area thereof as provided in Section 3 of this Ordinance,

shall be allocated to and when collected be paid into the special tax increment fund previously established by the County to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by Sioux County, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the Amended Project Area pursuant to the Urban Renewal Plan, as amended, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, but only to the extent authorized in Section 403.19(2), and taxes for payment of bonds and interest of each taxing district shall be collected against all taxable property within the Amended Project Area without any limitation as hereinabove provided.

Section 5: Unless or until the total assessed valuation of the taxable property in the areas of the Amended Project Area exceeds the total assessed value of the taxable property in said areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Amended Project Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 6: At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of Sioux County referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended Project Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Original Project Area under the provisions of Section 403.19 of the Code of Iowa, as authorized in Ordinance No. 16, and to fully implement the provisions of Section 403.19 of the Code of Iowa with respect to the division of taxes from property within the Amendment No. 1 Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Amended Project Area and the territory contained therein.

Section 8: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Roll call on vote: Kleinwolverink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes and Sybesma Yes. Motion carried, unanimous in favor.

09-03-03 6 Benj Van Donge, representing the Sioux County Fireman's Association presented a request for a letter of support for a grant for traffic safety materials. Current regulations require reflective vests for every responder. Approximately 215 vests need to be purchased. Also required at each accident scene are a minimum of 10 traffic cones and signs warning of an emergency scene ahead. Jason Vore was present for this discussion. Motion by Degen and supported by Bloemendaal to provide a letter of support in this effort. Motion carried, unanimous in favor. Sybesma thanked the Fireman's Association on behalf of the taxpayers.

09-03-03 7 As this was the date and 10:00 o'clock a.m. the time appointed for a Public Hearing on the FY 2009/2010 proposed County Budget, the Chairman opened said public hearing. No one was present from the public to make comments either for or against the proposed budget. Bloemendaal noted a call he received regarding wage increases. The Public Hearing was closed. Motion by Kleinwolverink and supported by Wright to approve

the budget as submitted. Roll call on vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes and Sybesma Yes. Motion carried, unanimous in favor.

Form 638 - R
(Sheet 2 of 2)

ADOPTION OF BUDGET & CERTIFICATION OF TAXES
Fiscal Year July 1, 2009 - June 30, 2010

Iowa Department of Management
02/12/2009

Budget Basis: CASH

County Name : SIOUX
County Number: 84
Date Budget Adopted: 03/03/09
(format: XX/XX/09)

At the meeting of the Board of Supervisors of this County, held after the public hearing as required by law, on the date specified above and to the right, the proposed budget for July 1, 2009 through June 30, 2010 was adopted as summarized and attached hereto, and tax levies, as itemized below, were approved for all taxable property of this County.

There is attached a Long-Term Debt Schedule (Form 703) for the debt service needs, if any.

Maximum MH-DD Services Fund Levy Dollars (Information Only):

1M MH-DD Services Fund Base Year Net Expenditures	<u>1,950,543</u>
2M Less Mental Health Property Tax Relief Allocation	<u>923,155</u>
3M Equal Maximum MH-DD Services Fund Levy Dollars	<u>1,027,388</u>

Note: Utility Tax Replacements are estimated by subtracting the amounts produced in Column T from the amounts entered in Column P. The software performs this calculation and places the budget-year estimated Utility Tax Replacement amounts on line 11 of the Revenues Detail sheet.

Certification of MH-DD Services Fund Levy Dollars Before and After Application of Property Tax Relief Allocation:

4M MH-DD Services Fund Levy Dollars Before Application of Property Tax Relief Allocation	<u>1,950,543</u>
5M Less Mental Health Property Tax Relief Allocation	<u>923,155</u>
6M Equals Actual MH-DD Services Fund Levy Dollars	<u>1,027,388</u>

	(P) UTILITY REPLACEMENT AND PROPERTY TAX DOLLARS	(Q) VALUATION WITH GAS & ELEC UTILITIES	(R) LEVY RATE	(S) VALUATION WITHOUT GAS & ELEC UTILITIES	(T) PROPERTY TAXES LEVIED
A. Countywide Levies:	1	1,122,518,179		1,098,046,531	
General Basic	2	3,928,813	3.50000		3,843,163
+ Cemetery (Pioneer - 331.424B)	3		0.00000		0
= Total for General Basic	4	3,928,813			3,843,163
General Supplemental	5	200,000	0.17817		195,639
MH-DD Services Fund (from '6M' certification above)	6	1,027,388	0.91525		1,004,987
Debt Service (from Form 703 col. 1 Countywide total)	7	585,042	0.44328	1,295,323,774	574,191
Voted Emergency Medical Services (Countywide)	8		0.00000		0
Other (specify)	9		0.00000		0
Subtotal Countywide (A)	10	5,741,243	5.03670		5,617,980
B. All Rural Services Only Levies:	11	584,497,888		568,283,279	
Rural Services Basic	12	1,647,472	2.81861		1,601,769
Rural Services Supplemental	13		0.00000		0
Unified Law Enforcement	14		0.00000		0
Other (specify)	15		0.00000		0
Other (specify)	16		0.00000		0
Subtotal All Rural Services Only (B)	17	1,647,472	2.81861		1,601,769
Subtotal Countywide/All Rural Services (A + B)	18	7,388,715	7.85531		7,219,749
C. Special District Levies:					
Flood & Erosion	19		0.00000		0
Voted Emergency Medical Services (partial county)	20		0.00000		0
Other (specify)	21	0	0.00000		0
Other (specify)	22		0.00000		0
Other (specify)	23		0.00000		0
Township ES Levies (Summary from Form 638-RE)	24	0		0	0
Subtotal Special Districts (C)	25	0			0
GRAND TOTAL (A + B + C)	26	7,388,715			7,219,749

Compensation Schedule for July 1, 2009 -- June 30, 2010:

Elected Official:	Annual Salary:
Attorney	<u>99,379</u>
Auditor	<u>59,272</u>
Recorder	<u>58,166</u>
Treasurer	<u>58,166</u>
Sheriff	<u>72,668</u>
Supervisors	<u>31,442</u>
Supervisor Chair, if different	<u>33,442</u>

Number of Official County Newspapers: 3

- Names of Official County Newspapers:
- 1 Capital-Democrat
 - 2 Sioux Center News
 - 3 Siouxland Press
 - 4 _____
 - 5 _____
 - 6 _____

At the beginning of the following statements certify "Yes" if true or "No" if false. Yes = statutory Compliance, No = Non-compliance.

YES The prescribed Budget Public Hearing Notice and Proposed Budget Estimate (Form 630) was lawfully published in all official newspapers, with said publication(s) being individually evidenced by verified and filed proof(s) of publication.

YES All budget hearing notices were published not less than 10 days, nor more than 20 days, prior to the budget hearing.

YES Adopted property taxes do not exceed published amounts.

YES Adopted expenditures do not exceed published amounts for any of the 10 individual expenditure classes, or in total.

YES This budget was certified on or before March 16, 2009.

Board Chairperson (signature)

auditor@siouxcounty.org :Internet Address
(01/24/2009)

County Auditor (signature)

Telephone: 712 737-2216
(entry format: XXX XXX-XXXX)

09-03-03 8 Pat Lange met with the Board to discuss the DHS Case Management Contract which needs to be renewed at the end of this fiscal year. Lange reported that the Case Management staff has grown to meet the needs of the County. The agency manages cases

from Sioux County, the State of Iowa and some other surrounding counties. Motion by Bloemendaal and supported by Degen to approve and authorize the Chairman to sign a three year contract with the Department of Human Services for targeted case management. Motion carried, unanimous in favor.

09-03-03 9 Shane Walter, Zoning Administrator reported that the Zoning Board will be meeting on scheduled times, rather than on an as needed basis.

09-03-03 10 Doug Julius County Engineer – General Matters

- Reported that the Hudson Bridge is back into the March letting.
- Noted that on Tuesday, March 10, 2009 at 10:00 a.m. there will be a letting on the Garfield Avenue road project.

09-03-03 11 Committee Reports:

- Kleinwolterink reported that the building committee has:
 - Ordered signage for the doors at the Department of Human Services Building,
 - Placed a gutter on the northwest corner of the Courthouse on a trial basis,
 - Begun investigating adding trim work in the Courtroom and
 - Asked several vendors to present bids for landscaping around the Courthouse.

09-03-03 12 The Chairman adjourned the meeting at 10:50 a.m. until Tuesday, March 10, 2009.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor