

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON MAY 1, 2007

07-05-01 1 The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:00 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Dennis Wright, Mark Sybesma, John Degen and Arlyn Kleinwolterink. Vernon Beernink was absent.

07-05-01 2 Minutes of the meeting held on April 17, 2007, were submitted and the Chairman declared them approved.

07-05-01 3 Committee Reports

- Sybesma: A meeting on the Regional Airport was held in Kansas City. Brochures explaining the project were distributed.
- Wright: Alcohol & Drug Abuse Center has some concern about alternative services provided by an agency in Sioux County. Wright also attended the YES Center meeting.
- Degen: The Boyden Pit area will be dedicated at 1:00 p.m. on Friday May 4, 2007.
- Sybesma: Reported that the Emergency Management Commission will meet next Tuesday to discuss personnel changes in that office.

07-05-01 4 Coleman McAllister, County Attorney, introduced Micah Schruers, part-time assistant County Attorney. Schruers will handle misdemeanor cases until a full-time assistant County Attorney is hired. Motion by Wright and supported by Degen to adopt a Resolution to hire a temporary part-time assistant County Attorney. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Wright, Yes; and Sybesma, Yes.

RESOLUTION No. 2007-15

**RESOLUTION APPROVING AND AUTHORIZING THE
APPOINTMENT OF A TEMPORARY, PART-TIME
ASSISTANT SIOUX COUNTY ATTORNEY**

Pursuant to Iowa Code Section 331.903 and at the request of Coleman J. McAllister as Sioux County Attorney, the Sioux County Board of Supervisors hereby approves the County Attorney's appointment of Micah Schreurs as a temporary, part-time, Assistant Sioux County Attorney, effective May 1, 2007.

PASSED AND APPROVED this 1st day of May, 2007.

/s/ Mark Sybesma
Chairperson of the Board of Supervisors

ATTEST: /s/ Lois Huitink
County Auditor

- McAllister reported that Jerry Weber, Creighton Law School Student, will join his staff as Assistant County Attorney after graduation from law school and passing the Iowa Bar Examination.
- Fine collection has begun. McAllister expressed appreciation to Deb Fischer from the Clerk of District Court Office for her help in the fine collection process.
- Statistics of Court Filings for the year were given to the Board members.
- Today is Law Day USA. McAllister quoted from US Code, Title 36, Section 164: "It is set aside as a day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to the United States of America; of their rededication to the ideals of equality and justice under law in their relations with each other as well as with other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life."
- Motion by Degen and supported by Wright to instruct Lois Huitink, County Auditor, to proceed with newspaper publication for public hearings to be held on a proposed County Ordinance relating to allowing Sioux County and each City in Sioux County to bid on and purchase abandoned property on Tax Sale. Motion carried, unanimous in favor.

07-05-01 5 Anita Van Bruggen, County Recorder, informed the Board that she be investigating the purchase of a new copy machine for her office.

07-05-01 6 Deb Fischer, Clerk of Courts Office, asked for the Chairman's signature on a letter of recommendation which would endorse an Electronic Document Management System pilot project in Plymouth County. Motion by Wright and supported by Degen to send a letter of support for designating Plymouth County as a pilot project for the EDMS program. Motion carried, unanimous in favor.

07-05-01 7 Shane Walter, Zoning Administrator, requested that the Board sign a Resolution Endorsing a Moratorium on Billboards until October 1, 2007 or a Revised Zoning Ordinance is in place. Motion by Kleinwolterink and supported by Degen to endorse a moratorium on billboards. Roll Call on Vote: Wright, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma Yes.

RESOLUTION No. 2007-14

WHEREAS, a request has been made by the Sioux County Planning & Zoning Commission to impose a moratorium on the placement of billboards anywhere within Sioux County, through October 1, 2007, or until such time as a new Zoning Ordinance has been approved.

DESCRIPTION

The moratorium will be effective throughout Sioux County, Iowa, to include all parcels.

WHEREAS, the above described action is taken to safeguard suitable area for agricultural and commercial use and residential development. This action was taken due to the ambiguous nature of the section of Ordinance dealing with placement of signs and billboards in conjunction with principal; permitted nonagricultural uses, subject to certain regulations (Article 18 Section 1

through Section 6). It is further determined that continued placement of said billboards may conflict with the Sioux County Comprehensive Land Use Plan, and,

WHEREAS, said placement of billboards may have a detrimental effect on properties adjacent to the site, and may have a major effect on the majority of the property owners in the area of the billboard, and,

WHEREAS, the Sioux County Planning and Zoning Commission has recommended approval of the proposed zoning moratorium,

THEREFORE, it is hereby resolved by the Sioux County Board of Supervisors, that the moratorium on the placement of billboards on any parcel within the County, through October 1st, 2007, or until such time as a new Zoning Ordinance is approved, shall be effective on publication of this resolution.

RESOLVED, this 1st day of May, 2007

/s/ Mark Sybesma, Chairman,
Sioux County Board of Supervisors

ATTEST: /s/ Lois Huitink
Sioux County Auditor

07-05-01 8 10:00 a.m. A Public Hearing was opened by the Chairman regarding a construction permit application by Jerrod Lynott. The permit is for the construction of two swine finishing barns with below-building concrete pits 191' x 101' x 8' deep located in the SE SE 1/4 of Section 34 of Logan Township. Present for this discussion was Jerrod Lynott. No written or verbal comments were received. The Public Hearing was closed. Motion by Degen and supported by Kleinwolverink to send a favorable letter of recommendation to the Iowa Department of Natural Resources for this construction permit. Motion carried, unanimous in favor.

07-05-01 9 Doug Julius, County Engineer, requested approval of a weed control resolution for 2007. Motion by Kleinwolverink and supported by Wright to sign a Weed Control Resolution for 2007. Roll call on Vote; Kleinwolverink, Yes; Degen, Yes; Wright, Yes and Sybesma, Yes.

RESOLUTION No. 2007-12

WEED CONTROL RESOLUTION

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA:

That pursuant to provisions of Chapter 317, Code of Iowa, it is hereby ordered

- 1) That each owner and each person in the possession or control of any land shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in this Chapter, at such times in each year and in such manner as shall prevent said weeds from blooming bearing seeds or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut, burned or otherwise destroyed on or before the following dates and as often thereafter as necessary to prevent seed production:

Group 1: July 1 for Leafy Spurge; Marijuana Plants; Perennial Pepper-grass; Buckthorn (Rhamnus, not to include Rhamnus Frangula); Sour Dock Perennial, Smooth Dock Perennial and Sheep Sorrel Perennial.

Group 2: July 1, for Canada Thistle; Russian Knapweed; Buckhorn; Perennial and Wild Mustard Annual.

Group 3: July 15 for European Morning Glory or Field Bindweed; Wild Carrot Biennial, also known as Queen Anne's Lace; Poison Hemlock and Multiflora Rose.

Group 4: July 15 for Horse Nettle; Perennial Sow Thistle; Quack Gras; Butterprint Annual; Cocklebur; Bull Thistle; Wild Sunflower Annual; Teasel Biennial; Puncture Vine Annual; Shattercane Annual and all other species of thistles belonging in genera of Cirsium and Carduus.

- 2) That each owner and each person in the possession or control of land including right of way in Sioux County infested with any noxious weeds listed above shall adopt a program of weed destruction described by the Weed Commissioner which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.
- 3) That if the owners or persons in possession or control of any land including right of way in Sioux County fail to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including cost of serving notice and other costs, if any, to be assessed against the real estate.
- 4) Sioux County has discontinued the Annual Spot Spraying Program of noxious weeds and other weed types growing in Sioux County Secondary Road ditches. It will be the responsibility of each owner and each person in the possession or control of land to destroy said weeds in Sioux County Secondary Road Ditches.
- 5) That the County Auditor be and is hereby directed to cause notice of the making and entering the foregoing order by one publication in each of the official newspapers of the County.

BE IT FURTHER RESOLVED that Sioux County be designated as a weed control unit.

BY ORDER OF THE SIOUX COUNTY BOARD OF SUPERVISORS

Signed and dated this 1st day of May, 2007.

/s/ Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Lois Huitink
Sioux County Auditor

07-05-01 10 Motion by Wright and supported by Degen to hold a Public Hearing on May 15, 2007 at 10:00 a.m. for a proposed paving project located on approximately one half mile of 330th Street west of IA Hwy 75 near Hull, Iowa. Motion carried, unanimous in favor.

07-05-01 11 Doug Julius, County Engineer, distributed bids and requested that the Board accept the low bid on Bridge Replacement Project BROS-C084 (123)—8J-84 in Capel Township

Dixon Construction Co.

\$217,955.06

Elk Horn Construction CO.	\$223,559.88
Godbersen-Smith Construction Co. & Subsid.	\$226,592.54
Graves Construction Co., Inc.	\$242,961.58

Motion by Wright and supported by Degen to accept the low bid by Dixon Construction Co. on the BROS-C084 (123)—8J-84 bridge project. Motion carried, unanimous in favor.

07-05-01 12 Motion by Kleinwolterink and supported by Wright to approve and authorize the Chairman to sign the following documents:

- Contracts and Contractor’s Bonds with Kooiker, Inc., of Le Mars, for Project No. L-6-2006—73-84 CULV in an amount of \$73,399.95
- Contracts and Contractor’s Bonds with Kooiker, Inc. of Le Mars, for Project No. L-8-2007--73-84-CULV in an amount of \$40,789.00.
- Contracts and Contractor’s Bonds with Kooiker, Inc. of Le Mars, for Project No. L-10-20007-73-84-CULV in an amount of \$57,198.00
- Contracts and Contractor’s Bonds with Dixon Construction of Correctionville, for Project No. BROS-C084 (123)—8J-84 in an amount of \$217,955.06.

Motion carried, unanimous in favor.

07-05-01 13 Julius reported that he needs to replace the flail mower at the Sioux Center Shop and recommended the purchase of a Diamond DRF-90C from Diamond Mowers Inc. from Sioux Falls, S.D. Motion by Kleinwolterink and supported by Wright to allow the County Engineer to purchase the industrial type mower on the County Engineer’s recommendation. Motion carried, unanimous in favor.

07-05-01 14 Motion by Wright and supported by Kleinwolterink the approve the following permit agreements:

- Southern Sioux Rural Water – Crossing Kennedy Avenue 80’ south of 500th Street with a 2.5 “ PVC waterline in Section 36 of Nassau Township. The gravel road will be bored.
- Rock Valley Rural Water – 8’ waterline along the East side of Fig Avenue in Section 6 of Plato Township.
- Rock Valley Rural Water – bore under county roads in various locations in Rock and Plato Townships.
- Mouser Digging & Pump – 2” water line crossing ¾ mile east of intersection of 510th Street & Kiwi Avenue in Section 32 of East Orange Township.

Motion carried, unanimous in favor.

07-05-01 15 10:15 a.m. A Public Hearing was opened by the Chairman regarding a construction permit application by Darin Green. The permit is for the construction of one cattle finishing barn with concrete floor located in the SE 1/4 of NE 1/4 of Section 13, Sheridan Township. Present for this discussion was Darin Green. The Public Hearing was closed. Motion by Wright and supported by Kleinwolterink to send a favorable letter of

recommendation to the Iowa Department of Natural Resources for this construction permit.
Motion carried, unanimous in favor.

07-05-01 16 Supervisor Arlyn Kleinwolterink left the meeting at 10:30 a.m.

07-04-10- 1 Cheryl McGrory, Director of the YES (Youth Emergency Services) Center, provided the Board with information on that facility. Appreciation was expressed to Cheryl on behalf of the citizens of Sioux County for the services the YES Center provides.

07-04-10- 2 Claims as submitted by the Auditor were approved.

07-04-10- 3 The Chairman adjourned the meeting at 11:00 a.m. until Tuesday, May 15, 2007.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor