

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON MAY 6, 2014

14-05-06 1 The Board of Supervisors of Sioux County, Iowa, met on May 6, 2014, at 9:00 a.m. with Chairman Mark Sybesma presiding. Members present were Al Bloemendaal, John Degen, Arlyn Kleinwolterink, Mark Sybesma, and Dennis Wright.

14-05-06 2 The minutes of the meeting held on April 22 were submitted, and the Chairman declared them approved.

14-05-06 3 As this was the date and 9:00 the time set for a public hearing on the proposed Sioux County Regional Airport Urban Renewal Plan, the chairman opened said hearing. Virg Kiel was present for this discussion and presented questions about any anticipated amendments and the cost of the project. Shane Walter, Sioux County Zoning Administrator addressed how the Building Restriction Zone (BRZ) is measured? He stated that all measurements are taken at the end of the runway.

Motion by Bloemendaal and supported by Wright that a resolution determining an area of the County to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the County; designating such area as appropriate for urban renewal projects; and adopting the Sioux County Regional Airport Urban Renewal Plan be approved.

Motion by Bloemendaal and supported by Wright. Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION NO. 2014-14

RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE SIOUX COUNTY REGIONAL AIRPORT URBAN RENEWAL PLAN

WHEREAS, this Board has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

WHEREAS, a proposed Sioux County Regional Airport Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Sioux County Regional Airport Urban Renewal Area ("Area" or "Urban Renewal Area") described below has been prepared, which proposed Plan is on file in the office of the County Auditor and which is incorporated herein by reference; and

WHEREAS, this proposed Sioux County Regional Airport Urban Renewal Area includes and consists of:

ORIGINAL URBAN RENEWAL AREA

A PART OF THE NORTHEAST 1/4 AND A PART OF THE SOUTHEAST 1/4 AND A PART OF THE SOUTHWEST 1/4 OF SECTION 4 AND A PART OF THE NORTHEAST 1/4 AND A PART OF THE SOUTHEAST 1/4 AND A PART OF THE NORTHWEST 1/4 OF SECTION 9, ALL IN TOWNSHIP 94 NORTH, RANGE 45 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF SIOUX COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 4; THENCE NORTH 01° 34' 55" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF SECTION 4, A DISTANCE OF 684.00 FEET; THENCE WEST, 556.00 FEET; THENCE SOUTH, 234.00 FEET; THENCE EAST, 202.00 FEET; THENCE SOUTH, 450.00 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SECTION 4; THENCE NORTH 88° 30' 22" WEST ALONG SAID SOUTH LINE, 979.29 FEET TO THE SOUTHWEST CORNER OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SOUTHWEST 1/4 OF SECTION 4; THENCE NORTH 01° 44' 23" EAST ALONG THE WEST LINE OF SAID WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, A DISTANCE OF 883.21 FEET; THENCE NORTH 84° 30' 44" WEST, 1283.34 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 75; THENCE NORTH 01° 53' 51" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 991.94 FEET; THENCE SOUTH 84° 30' 44" EAST, 1280.61 FEET TO THE WEST LINE OF SAID WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4; THENCE NORTH 01° 44' 23" EAST ALONG SAID WEST LINE, 771.55 FEET TO THE NORTHWEST CORNER OF SAID WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4; THENCE SOUTH 88° 29' 00" EAST ALONG THE NORTH LINE NORTHEAST 1/4 OF SAID SOUTHWEST 1/4 OF SECTION 4, A DISTANCE OF 1326.00 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4 OF SECTION 4; THENCE NORTH 01° 34' 55" EAST ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 4, A DISTANCE OF 2772.73 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF SECTION 4; THENCE SOUTH 88° 03' 03" EAST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 4, A DISTANCE OF 1417.61 FEET; THENCE SOUTH 06° 52' 45" EAST, 1119.45 FEET; THENCE SOUTH 03° 40' 51" EAST, 2325.55 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 4; THENCE SOUTH 88° 29' 18" EAST ALONG SAID NORTH LINE, 857.54 FEET TO THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 4; THENCE SOUTH 01° 12' 29" WEST ALONG SAID EAST LINE, 1379.50 FEET; THENCE NORTH 84° 30' 44" WEST, 745.99 FEET; THENCE SOUTH 03° 55' 55" EAST, 659.44 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 4; THENCE CONTINUING SOUTH INTO SECTION 9, SOUTH 03° 55' 55" EAST, 3331.82 FEET; THENCE SOUTH 12° 12' 41" EAST, 619.45 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF A FORMER RAILROAD; THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 5146.90 FEET, WHOSE ARC LENGTH IS 665.56 FEET AND WHOSE CHORD BEARS SOUTH 77° 00' 09" WEST, 665.10 FEET; THENCE SOUTH 81° 23' 19" WEST CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, 460.83 FEET TO THE EAST LINE OF SOUTHWEST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 9; THENCE NORTH 01° 19' 09" EAST ALONG SAID EAST LINE, 195.27 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9; THENCE NORTH 88° 20' 42" WEST ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, A DISTANCE OF 597.51 FEET; THENCE NORTH 04° 51' 00" EAST, 515.50 FEET; THENCE NORTH 03° 12' 43" WEST, 2801.65 FEET; THENCE NORTH 88° 29' 34" WEST, 562.36 FEET; THENCE NORTH 01° 20' 31" EAST, 662.19 FEET TO THE NORTH LINE OF SAID NORTHWEST 1/4 OF SECTION 9; THENCE SOUTH 88° 30' 22" EAST ALONG SAID NORTH LINE, 16.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 491.64 ACRES (21415932 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PARCEL NUMBERS:

22-04-201-002	22-04-226-005	22-04-251-001
22-04-276-003	22-04-301-004	22-04-326-003
22-04-351-005	22-04-376-004	22-04-401-001
22-04-426-004	22-04-451-001	22-04-476-003
22-09-126-006	22-09-201-005	22-09-226-004
22-09-251-003	22-09-276-003	22-09-401-003
22-09-426-003	22-09-476-001	

AND

RIGHT-OF-WAY DESCRIPTION:

THE NORTH 33.00 FEET OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 94 NORTH, RANGE 45 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF SIOUX COUNTY, IOWA. (EXCEPT THE EAST 16.45 FEET)

AND

THE SOUTH 33.00 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 94 NORTH, RANGE 45 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF SIOUX COUNTY, IOWA.

AND

THE SOUTH 33.00 FEET OF THE EAST 354.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 94 NORTH, RANGE 45 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF SIOUX COUNTY, IOWA.

WHEREAS, this Area is within two miles of the City of Maurice and, consequently, the County has entered into a joint agreement with said City to allow the County to operate within the Area; and

WHEREAS, the proposed Urban Renewal Area includes land classified as agricultural land and, consequently, written permission of the current owners has been obtained; and

WHEREAS, it is desirable that the Urban Renewal Area be redeveloped as described in the proposed Sioux County Regional Airport Urban Renewal Plan to be known hereafter as the "Sioux County Regional Airport Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Sioux County Regional Airport Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the County as a whole, prior to Board of Supervisors approval thereof; and

WHEREAS, creation of the Sioux County Regional Airport Urban Renewal Area and adoption of the Sioux County Regional Airport Urban Renewal Plan therefore has been approved by the Planning and Zoning Commission for the County as being in conformity with the general plan for development of the County as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on April 8, 2014, this Board also set a public hearing on the adoption of the proposed Sioux County Regional Airport Urban Renewal Plan for this meeting of the Board, and due and proper notice of the public hearing was given, as provided by law, by timely

publication in the Capital Democrat, Siouxland Press and Sioux Center News, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Sioux County Regional Airport Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Board in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the proposed "Sioux County Regional Airport Urban Renewal Plan" for the area of Sioux County, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Sioux County Regional Airport Urban Renewal Area"), be and the same are hereby adopted and approved as the findings of this Board for this area.

Section 2. This Board further finds:

A. Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Sioux County Regional Airport Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. The Urban Renewal Plan conforms to the general plan for the development of the County as a whole; and

C. Acquisition by the County is not immediately expected, however, as to any areas of open land to be acquired by the County included within the Sioux County Regional Airport Urban Renewal Area:

1. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this Board of Supervisors hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the County; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

A. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

B. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

C. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

D. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

2. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

Section 3. That the Sioux County Regional Airport Urban Renewal Area is an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this County.

Section 4. That the Sioux County Regional Airport Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "Sioux County Regional Airport Urban Renewal Plan for the Sioux County Regional Airport Urban Renewal Area"; the Sioux County Regional Airport Urban Renewal Plan for such area is hereby in all respects approved; and the County Auditor is hereby directed to file a certified copy of the Sioux County Regional Airport Urban Renewal Plan with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original Sioux County Regional Airport Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Board amends or repeals the Plan. Said Sioux County Regional Airport Urban Renewal Plan shall be forthwith certified by the County Auditor, along with a copy of this Resolution, to the Recorder for Polk County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 6th day of May, 2014.

/s/ Mark Sybesma
Chairperson, Board of Supervisors

ATTEST: /s/ Lois Huitink, County Auditor

14-05-06 4 Walter brought to the attention of the Board that a typographical error was made in Resolution 2014-13. Let the minutes reflect that there was a correction made to the following paragraph in Resolution 2014-13:

WHEREAS, the above described property is an area suitable for heavy industrial airport development due to its proximity to the cities of Sioux Center and Orange City, US Highway 75 and US Highway 10, and,

14-05-06 5 Thomas Kunstle, Sioux County Attorney,

- Has been working on condemnation proceedings. He will meet with the judge to determine those who will serve on the commission, and a date will be set for the hearing to take place. The meeting will likely be in June. Kunstle noted that the owners of the property have been difficult to get in contract with.
- Reported that he and the Assessor are investigating the assessment on property owned by Hy-Vee in Sioux Center.

14-05-06 6 Anita Van Bruggen, Sioux County Recorder, presented the Recorder's Quarterly report for January through March, 2014. The total amount collect by the Record for that time period was \$103,175,118.69. The report was received for information.

14-05-06 7 Shane Walter, Sioux County Community Services Director -

- 1) As this was the date and 9:45 a.m. the time for a public hearing to approve an application for the proposed construction of a new concrete manure storage tank by Lyle Mars, Holland Township, Section 11, the Chairman opened said hearing. Present for this discussion were, Lyle Mars, owner, and Jeff Koops, Environmental Resource Specialist of Farmers Co-op Society. The Matrix score was 450 points. A letter was received from Randy and Rhonda Van Kalsbeek, who are concerned with the large number of hog confinements in a small area. There being no further comments from the public the Chairman closed the hearing. Motion by Kleinwolterink and supported by Degen to forward a letter recommending approval for the construction of the aforementioned building. Motion carried, unanimous in favor.
- 2) Met with Sioux Rivers Regional Mental Health Board. The 28-E agreement was finalized. Walter will meet with Kunstle to file the agreement with the State.
- 3) Met with the mental health coordinator yesterday. They worked on some things that need to be changed in regard to regionalization. HIPAA, in relation to the mental health region, will be a bigger issue than previously thought. Risk assessments will need to be updated. The region will need to have its own policies and procedures.
- 4) Attended a Regional Health meeting. Discussed mold problems, particularly in rental property in Sioux County.

14-05-06 8 Chairman Sybesma reported that the Supervisors were happy with the results of the Budget appeal. The Appeal Board stated that a correction needs to be made to the beginning balance for Fiscal Year 2013. Lois Huitink, County Auditor reported that the correction referenced in their decision has been made.

14-05-06 9 After discussion it was decided to defer a decision on the 2014/2015 Salary resolution.

14-05-06 10 Doug Julius, Sioux County Engineer

- a. Motion by Kleinwolterink and supported by Degen to award contracts to Graves Construction Company Incorporated of Spencer Iowa for construction of a 90' x 30' Concrete Slab Bridge located on Indian Avenue approximately 1 ¾ miles north of Highway 10 West of Section 30, Holland Township.

Motion carried, unanimous in favor.

- Motion by Wright and supported by Bloemendaal to approve a resolution authorizing the Board to execute an agreement for the use of county roads as detour. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION NO. 2014-16

RESOLUTION OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, FOR
AUTHORIZATION TO EXECUTE AN AGREEMENT FOR USE OF COUNTY ROADS AS
DETOUR

WHEREAS, the Board is desirous of entering into an Agreement which defines the rights, responsibilities, and liabilities of Sioux County, Iowa and the City of Rock Valley, Iowa regarding the use and maintenance of county roads as a detour during the US HWY 18 Project Construction in Rock Valley.

WHEREAS, an instrument entitled Agreement for Use of County Roads as Detours has been presented to the Board of Supervisors; and,

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, AS FOLLOWS:

1. That the terms and conditions of the proposed Agreement between Sioux County, Iowa and City of Rock Valley, Iowa for using county roads as a detour during US HWY 18 Project construction in Rock Valley has been presented and considered and the same is hereby approved.
2. The Chairman is hereby authorized and ordered to execute said Agreement and the County Auditor to attest to the same as is necessary to carry out the purposes of this Resolution.
3. The Chairman and Secretary for the Board of Supervisors are hereby directed to certify this Resolution and provide a certified copy of the same to the City of Rock Valley, Iowa.

PASSED AND APPROVED this 6th day of May 2014.

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

ATTEST: /s/ Lois Huitink, Sioux County Auditor

- b. Motion by Wright and supported by Bloemendaal to sign an agreement with the City of Rock Valley to use a portion of County Roads K18 and B30 as a detour from approximately April 1, 2014 to October 1, 2014. Motion carried, unanimous in favor.
- c. Motion by Degen and supported by Wright to approve permit agreements for Rock Valley for Rural Water to bore waterline within Sioux County right-of-way and under roads in the following locations. 200' North of 360th on Elmwood Avenue in Plato Township, 100' West of Buchanan on 280th street in Settlers township and 1400' West of Cleveland Avenue on 340th Street in Garfield Township. Motion carried, unanimous in favor.
- d. Reported that Bockmann Inc. would complete an asbestos survey of the Old Sioux County Home for a cost not to exceed \$4,350.00.
- e. Distributed a list detailing costs of moving gravel in the County for 2013. 130,049 tons of gravel were placed on roadways at a total cost of 1,220,035.69.
- f. A dust control application has been implemented for suppliers/owners to sign prior to application of dust control on gravel roads.

- g. Reported that the cost of a load of dirt to be used for driveways will increase to \$60.00. This increase will go into effect on June 1, 2014. Previously the cost was \$40.00.
- h. Gravel crushing is going on in the Groth pit currently. When crushing is done at the Groth pit they will move to the Fairway pit. Both pits are very rocky. After completion at the Fairway pit they will proceed to the Keehn pit.

COMMITTEE REPORTS:

- **Wright** – Attended the Sioux Rivers Regional Mental Health Board meeting.
- **Bloemendaal** – a) Went to a 4-H Extension banquet on the March 15. Also in attendance at this event were supervisors Kleinwolterink, Sybesma and Wright. b) On March 24 Bloemendaal went to a Northwest Iowa Planning meeting in Spencer. At this meeting a health care presentation was given. A way for small companies to join together to help with health care costs was discussed. c) Attended a RIDES meeting, also on March 24. d) Went to a Mid Sioux Meeting and reported that because sequestration is done, their federal funding is up again. Bloemendaal reminded the Board members that there would be a meeting of Sioux County Trails tonight in Sioux Center.
- **Degen** – Reported that he met with Sheriff Dan Altena and Lieutenant Nate Huizenga in regard to the salary of the County’s Chief Communications officer. The Sheriff is looking into increasing that pay to the same rate as the jail sergeant, because he does all of the scheduling for the Communications Department.
- **Kleinwolterink** – Went to a meeting at the Cherokee Mental Health facility.
- **Sybesma** – Attended a Northwest Iowa Housing Trust Fund meeting.

14-05-06 11 Mark Bohner, Iowa Project Aware told the Board about a project which will involve cleaning up the Big Sioux River. Volunteers will spend 6 days beginning in Sioux Falls, SD and ending in Westfield, IA. They will pick up all the trash that they can. Recyclers from Plymouth and Sioux Counties will be onsite to haul away the debris. The DNR helps Iowa Project Aware organize this effort.

14-05-06 12 Mike Hoffman, representing Western Iowa Tourism told the Board that activities promoted by Western Iowa Tourism involve all areas of the County, not just Orange City. He then asked for funding, at the same level as had been approved in the past. The Board agreed to fund \$500.00 for Western Iowa Tourism in Fiscal Year 2014/2015.

14-05-06 13 Claims as submitted by the Auditor’s office were approved for payment.

14-05-06 14 The Chairman adjourned the meeting at 11:00 a.m. until 9:00 a.m. Tuesday, May 20, 2014.

 Mark Sybesma, Chairman
 Sioux County Board of Supervisors

ATTEST: _____
 Lois Huitink
 Sioux County Auditor