

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON MAY 20, 2014

14-05-20 1 The Board of Supervisors of Sioux County, Iowa, met on May 20, 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.

14-05-20 2 The minutes of the meeting held on May 6 were submitted, and the Chairman declared them approved.

14-05-20 3 The agenda was amended to include an item to set the date and time for a public hearing to amend the 2013/2014 Budget to allow spending for the Conservation Board.

14-05-20 4 Thomas Kunstle, Sioux County Attorney,

- Negotiations are being done in regard to property adjacent to a road improvement project on 380th Street. Kunstle suggested that the Board approve a resolution to commence a public improvement project to construct 380th Street grade for pave project and authorize acquisition of agricultural land for the project by condemnation. Motion by Wright and supported by Bloemendaal to approve Resolution 2014-18 to authorize the acquisition of land by condemnation. Roll Call on Vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION NO. 2014-18

**COMMENCING A PUBLIC IMPROVEMENT PROJECT TO CONSTRUCT 380th STREET
GRADE FOR PAVE PROJECT AND AUTHORIZING ACQUISITION OF AGRICULTURAL
LAND FOR THE PROJECT BY CONDEMNATION**

WHEREAS, Sioux County has conducted a public hearing, after proper notice, and has considered all public input from interested citizens, after which Sioux County elects to authorize the commencement of a project for right-of-way maintenance, safety improvement, or upgrade of an existing secondary road, to-wit: Sioux County Project L-2-99—73-84-GR Grade for Pave Project on 380th Street. This shall be known as the 380th Street Grade for Pave Project.

WHEREAS, the 380th Street Grade for Pave Project now having been approved by the Sioux County Board of Supervisors, Sioux County will be required to acquire an interest in certain real property in order to facilitate the public improvements. Upon review of Sioux County Property records, it appears that agricultural land owned by the following identified persons may have to be acquired in whole or in part for the project, to-wit:

OWNER

LOCATION OF AFFECTED PROPERTY

Betty A. Wilhelmson Trust,
Betty A. Wilhelmson &
Judith K. Sickmeir

NE ¼, NW ¼, Section 31, Welcome Twp.
NW ¼, NW ¼, Section 32, Welcome Twp.
NE ¼, NW ¼, Section 32, Welcome Twp.

WHEREAS, Sioux County will attempt to purchase the required agricultural land by good faith negotiations; however, should such negotiations fail, Sioux County will proceed to condemn those properties which it is unable to purchase as otherwise authorized by Iowa law. The exact location of the

above-described public improvement is shown on a conceptual drawing of the project which is now on file in the office of the Sioux County Engineer and available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Sioux County that the proposed 380th Street Grade for Pave Project is in the best interests of the citizens of Sioux County and all parties concerned and should be approved. It is further resolved that Sioux County will attempt to purchase the required agricultural land needed for the project by good faith negotiations; however, should such negotiations fail, Sioux County is hereby authorized to condemn those properties needed to facilitate the project which it is unable to purchase as otherwise authorized by Iowa law. The Chairman of the Board of Supervisors and the Sioux County Engineer are hereby authorized to execute and deliver documents and pay any related costs necessary to follow through with acquiring, by purchase or condemnation, the necessary real estate necessary to facilitate the 380th Street Grade for Pave Project. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

PASSED AND APPROVED this 20th day of May, 2014.

/s/Mark Sybesma
Chairman, Board of Supervisors

ATTEST: /s/Lois Huitink, Sioux County Auditor

14-05-20 5 Shane Walter, Sioux County Community Services Director -

- 1) As this was the date and 9:15 a.m. the time for a public hearing to approve an application for the proposed increase in animal numbers only, to an existing dairy cattle confinement facility owned by Walt Vander Waal in Section 25, in Capel Township, said hearing was opened by the Chairman. No one was present for this hearing. The matrix score was 445 points. There being no comments from the public the Chairman closed the hearing. Motion by Bloemendaal and supported by Wright to forward a letter recommending approval for the increases to the number of cows and calves at the aforementioned location. Motion carried, unanimous in favor.
- 2) Some concern was expressed by the DNR about a Matrix application for Lyle Mars (Squeal Hill). The DNR is reviewing the application for accuracy.

14-05-20 6 Joyce Murphy, Civil Service Commission Secretary, informed the Board the Mike Vanden Bosch has resigned his position from that Board. An appointment to fill a vacancy will need to be made. The Commission would like to meet on June 5, 2014, however it may be postponed if the Board is unable to appoint another member before then.

14-05-20 7 Clarence Hoffman, ICAP Insurance Representative, updated the Board on activities at the Iowa Communities Assurance Pool.

14-05-20 8 Randy Jacobsma, Sioux County Treasurer

- Requested tax abatements on three properties owned by the city of Hawarden on Resolution. Motion by Degen and supported by Kleinwolterink to approve the abatement of property owned by the city of Hawarden. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION No. 2014-23
SIOUX COUNTY BOARD OF SUPERVISORS
Date: May 20, 2014
ABATEMENT OF TAXES

Whereas, The Sioux County Board of Supervisors have concluded that the following parcels have no merit in collecting taxes and move that the taxes be abated based on reasons noted:

Owner	Parcel	Original		Current		Reason
		Year	Tax	Tax	Tax	
CITY OF HAWARDEN	13-35-114-001	2010	2154.00	3095.00		Soo Motel property
		2011	2096.00	2634.00		
		2012	2094.00	2255.00		
CITY OF HAWARDEN	13-35-358-014	2012	192.00	211.00		Deeded to city for demolition
CITY OF HAWARDEN	13-34-231-003	2009	108.00			ON A COUNTY HELD SALE 12-0092 Huls property deeded to city
		2010	102.00	408.00		

District 050 – Hawarden

Whereas, The Board of Supervisors of Sioux County has the authority to abate taxes based on The Iowa Code, [Sec.445.63]

Whereas, The Board of Supervisors can also abate taxes when the Treasurer determines that it is impractical to pursue the collection of taxes through the tax sale or personal judgment remedies,

Whereas, The Board of Supervisors shall abate, by resolution, the amount due, and direct the Treasurer to strike the amount due from the county system, Iowa Code [Sec. 445.16]

BE IT RESOLVED BY the Sioux County Board of Supervisors as follows:

The Board of Supervisors has decided that these taxes should not be collected and direct the Treasurer to strike the amount due from the county system on each parcel noted above.

The above and foregoing Resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on May 20, 2014.

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

ATTEST: /s/Lois Huitink
Sioux County Auditor

- Requested tax abatements on a property owned by the Janet Van Bochove. A request for elderly/disabled credit was received after the deadline. Motion by Degen and supported by Kleinwolterink to approve the abatement of the aforementioned property. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION No. 2014-24
SIOUX COUNTY BOARD OF SUPERVISORS
Date: May 20, 2014

ABATEMENT OF TAXES

Whereas, The Sioux County Board of Supervisors have concluded that the following parcels have no merit in collecting taxes and move that the taxes be abated based on reasons noted:

Owner	Parcel	Year	Original Tax	Current Tax	Reason
Janet Van Bochove	13-35-114-001	2012	1536.00	559.00	Treasurer error – Elderly cre

District 050 – Hawarden

Whereas, The Board of Supervisors of Sioux County has the authority to abate taxes based on The Iowa Code, [Sec.445.63]

Whereas, The Board of Supervisors can also abate taxes when the Treasurer determines that it is impractical to pursue the collection of taxes through the tax sale or personal judgment remedies,

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

ATTEST: /s/Lois Huitink
Sioux County Auditor

- Gave an update on the driver’s license online renewal program update. About 3% of renewals have been done online since the program began.
- Noted that beginning on June 1, 2014 the Sioux County Treasurer’s office will require bills of sale on private transactions on sales of vehicles.

14-05-20 9 Doug Julius, Sioux County Engineer

- a. Motion by Bloemendaal and supported by Wright to approve the weed resolution for 2014. Roll Call on Vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION No. 2014-15

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 20th day of May, 2014

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

ATTEST: /s/Lois Huitink
Sioux County Auditor

- b. Motion by Kleinwolterink and supported by Degen to approve the following permit agreements:
 1. Northwest REC – Install underground cable in Garfield Township Section 8
 2. Northwest REC – Install underground cable in Plato Township Sections 30, 31, 32, 34, and 36

3. Northwest REC - Install underground cable in Garfield Township Sections 33, 34, and 35
- c. Motion carried, unanimous in favor. Julius shared that REC appreciates the cooperation given by Sioux County in regard to permit agreements.
- d. Updated the Board on ongoing activities currently in progress by the Secondary road crew.
- e. Reported that Contracts and Contractors Bonds were signed for project BROS- C084-(148) --8J-84 on Indian Avenue.
- f. Kooiker Construction moved equipment to begin work on culvert extensions during the past week.
- g. Reported that storm damage to the new roof on shop by Hawarden occurred on May 1.

14-05-20 10 COMMITTEE REPORTS:

- **Bloemendaal** – a) reported that the Sioux County Trails Council received a \$5,000 check from the Sioux County Community Foundation for route signage. b) Went to a NW Iowa Planning meeting. NW Iowa Planning agreed to a proposal to have agencies that have 28-e agreement with them to pool together for health insurance purposes. c) At a RIDES meeting, their fund balance was discussed. Some of the restricted Fund Balance was made unrestricted.
- **Degen** – Attended a chamber coffee with County Attorney Tom Kunstle and Assistant County Attorney, Andrea Glasgow.
- **Kleinwolterink** – a) Went to a Citizens advisory board meeting at Cherokee Mental Health. They have several for staff openings. b) Attended a closed session of NW Iowa Landfill. Litigation is in process.
- **Sybesma** – Reported that Union Negotiations for Secondary Road and the Sheriff's Department are still not finalized.
- **Wright** – a) Attended a YES Center meeting last week. Trackers will be eliminated from that program on July 1. On June 1 fees will be increased to \$225 for members (up from \$150) and 275 for non-members. b) A Northwest Iowa Development meeting was held in Rock Valley. An update was given on Hope Haven at that meeting.

14-05-20 11 Lois Huitink, Sioux County Auditor reported that it is necessary to amend service area six in the 2013/2014 Budget in order to fund additional expenditures incurred by the Conservation Department. Expenditures include road improvements at the Big Sioux Recreation Area, and opening the Sandy Hollow Recreation Area. Motion by Wright and supported by Bloemendaal to set the date (June 10, 2014) and the time (9:30 a.m.) for a public hearing to amend the 2013/2014 Sioux County Budget. Motion carried, unanimous in favor.

14-05-20 12 Auditor Huitink requested that the Board approve an operating transfer of \$992,960 from the Rural Basic Fund to the Secondary Road Fund. Motion by Kleinwolterink

and supported by Degen to approve the transfer of \$992,960 from the Rural Basic Fund to the Secondary Road Fund. Roll Call on Vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2014-17

SECONDARY ROAD FUND TRANSFER

WHEREAS, it is desired to make the following inter-fund operating transfer:

\$992,960.00 from the Rural Basic Fund to the Secondary Road Fund,

WHEREAS, said operating transfer is made in accordance with Section 331.432 Iowa Code,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Sioux County as follows:

Section 1. The following inter-fund operating transfer is to be made effective May 20, 2014.

\$992,960.00 from the Rural Basic Fund to the Secondary Road Fund

Section 2. The County Auditor is directed to correct her books accordingly and to notify the County Treasurer of these inter-fund operating transfers, accompanied by a copy of this resolution and the record of its adoption.

Signed and dated this 20th day of May, 2014.

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

ATTEST: /s/Lois Huitink
Sioux County Auditor

14-05-20 13 Motion by Degen and supported by Kleinwolterink to approve a one-time payment of \$1,000.00 to Dennis Vander Wel for additional work done in regard to the upgrade to geothermal heating and cooling of the Courthouse.

14-05-20 14 Claims as submitted by the Auditor's office were approved for payment.

14-05-20 15 The Chairman adjourned the meeting at 11:15 a.m. until 9:00 a.m. Tuesday, June 3, 2014.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor