

**MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**  
**MEETING HELD ON MAY 26, 2009**

**09-05-26 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, Al Bloemendaal, Mark Sybesma, John Degen and Arlyn Kleinwolverink.

**09-05-26 2** Minutes of the meeting held on May 12, 2009, were submitted and the Chairman declared them approved.

**09-05-26 3** Coleman McAllister, County Attorney – General Matters

Motion by Degen and supported by Kleinwolverink to adopt a resolution setting the date for a Public Hearing regarding the exchange of County owned property with LG Everist, Inc. Roll Call on Vote: Kleinwolverink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

**RESOLUTION NO. 2009-15**

**SETTING PUBLIC HEARING ON PROPOSED EXCHANGE AGREEMENT WITH L.G.  
EVERIST, INC., AN IOWA CORPORATION**

**(South Pit Property)**

**WHEREAS**, Sioux County, acting through the Sioux County Conservation Department, has acquired or will acquire legal title to certain real property located in Hawarden, formerly owned by the City of Hawarden and formerly operated as the Hawarden Airport, legally described as follows:

A tract of Land in the Northeast Quarter (NE1/4) of Section Twenty-two (22), Township Ninety-five (95) North Range Forty-eight (48) West of the 5th P.M., Sioux County, Iowa, and more particularly described as follows: Commencing at the Southeast Corner of the Northeast Quarter (NE1/4), of Section Twenty-two (22), Township Ninety-five (95) North, Range Forty-eight (48) West of the 5th P.M.; thence S 88° 23'30" W along the South line of the Northeast Quarter (NE1/4) of said Section Twenty-two (22) for 60.02 Feet to the point of Beginning; thence continuing S 88° 23'30" W along the said South line of the Northeast Quarter (NE1/4) of Section Twenty-two (22) for 876.18 Feet; thence N 12 08' 10" WI along the Easterly line of the C.M.ST.P. and P. Railroad for 2687.16 Feet; thence N 88° 27' 35" E along the North line of the said Northeast Quarter (NE1/4) of Section Twenty-two, (22) for 467.98 Feet; thence S 12° 08' 10" E for 1848.36 Feet; thence N 88° 23' 30" for 584.62 Feet; thence S 00° 00' 00" E along the West line of State Highway No. 10 for 824.51 Feet to the Point of Beginning, containing 37.766 Acres more or less.

AND

That part of the East Half (E1/2) Northeast Quarter (NE1/4) of Section Twenty-Two (22), Township Ninety-Five (95) North, Range Forty-Eight (48) West of the 5th P.M., described as commencing at the Northeast corner of the Northeast Quarter (NE1/4) of said Section Twenty-Two (22), thence South 00 Degrees 00 Minutes 00 Seconds West, along the East line of said Northeast Quarter (NE1/4), 1232.51 feet, thence South 89 Degrees 24 Minutes 30 Seconds West, 60.00 feet to the point of beginning, said point also being on the West line of Iowa State Highway No. 10, thence South 00 Degrees 00 Minutes 00 Seconds West, along the West line of Iowa State Highway No. 10, 585.70 feet, thence South 88 Degrees 23 Minutes 30 Seconds West, 584.62 feet, thence North 12 Degrees 08 Minutes 10 Seconds West, 609.43 feet, thence North 89 Degrees 24 Minutes 30 Seconds East, 712.50 feet to the point of beginning, containing 8.82 acres, more or less.

**WHEREAS**, Sioux County has further negotiated and reduced to writing a proposed Exchange Agreement with L.G. Everist, Inc., an Iowa corporation, whereby Sioux County would dispose of its interest in the above legally described property by transferring ownership to L.G. Everist, Inc., in return for Sioux County receiving other real property located near Hawarden, Iowa, consisting of approximately 274 acres, commonly known as the South Pit Area, for use as a public park.

**WHEREAS**, as more particularly described above, the Board is desirous of describing and setting forth the proposed property exchange with L. G. Everist prior to disposing of the County's interest in the real property as required by Iowa Code Section 333.361; setting a public hearing on the proposed property exchange; publishing notice of the time and place of the public hearing on the proposed property exchange; and soliciting public comment and input on the proposed property exchange prior to finally acting on such proposal.

**NOW, THEREFORE, BE IT RESOLVED** that the Sioux County Board of Supervisors will hold a public hearing to discuss the proposed Exchange Agreement with L.G. Everist and the proposed real estate transfer set out therein, and to discuss whether or not to pass and approve the Exchange Agreement. Such public hearing will be held on June 16, 2009, at 9:30 a.m. in the Sioux County Courthouse at 210 Central Avenue SW, Orange City, Iowa.

**PASSED AND APPROVED** this 26th day of May, 2009.

/s/ Mark Sybesma  
Chairman, Board of Supervisors

ATTEST: /s/Lois Huitink, Sioux County Auditor

**09-05-26 4** A letter of engagement was received which would authorize Williams & Company to provide auditing services for the year ending June 30, 2009. Motion by Wright and supported by Degen to approve and authorize the Chairman to sign a letter of engagement with Williams & Company. Motion carried unanimous in favor.

**09-05-26 5** **Note: The following item was not on the agenda – no action was taken:** Shane Water, Community Services Director advised the Board that Hope Haven RTC is set to close at the end of May. He reported that Hope Haven has been losing money on this facility. The Board will consider funding a portion of the loss that Hope Haven has experienced by closing the facility. The Board named Aaron Haverdink as the coordinator for assuring that necessary steps are taken to close the RTC building. He will work with the Sheriff and Engineer. Walter informed that Board that approximately \$100,000.00 more will need to be spent next fiscal year for the waiver homes.

**09-05-26 6** Dan Altena, County Sheriff met with the Board to request that the Board approve and the Chairman sign Contract Law Contracts for Fiscal Year 2009-2010. The following cities have contracted with the County to provide law enforcement: Hull, Boyden, Maurice, Granville, Hoppers and Chatsworth. Motion by Wright and supported by Degen to approve and authorize the Chairman to sign Contract Law Contracts for FY 2009-2010.

**09-05-26 7** Committee Reports:

- Wright – Attended a **YES Board meeting**: the number of YES Center clientele has been low. Attended a **Compass Pointe** meeting with Supervisor Sybesma: The

bylaws for Compass Pointe are being re-written. There will be another meeting June 9. A deficit is projected for next fiscal year.

- Bloemendaal attended a **Mid Sioux Meeting**: The focus there is on the stimulus money to be used on weatherization of homes. Mid Sioux is hiring contractors and evaluators to assess the need. Attended a **RIDES** meeting: RIDES has begun replacing vehicles and have begun construction of a new vehicle storage building in Sheldon. Attended a **NW IA Planning & Development meeting**.
- **Degen attended a meeting with Alpha Wireless** at Oak Grove: A five year plan for upgrading the communications system for the County was reviewed.
- Kleinwolterink –
  - Attended a meeting of **Northwest Iowa Landfill**: A job description is being prepared for the position of manager with the intention of filling that position by November 1, 2009.
  - Sold the remainder of the corn crop from last year.
  - Read a contract that was signed at the ASCS office to authorize the distribution of CRP payments to the public school system.

**09-05-26 8** Doug Julius, County Engineer

- Requested signatures on a title sheet for grading project L-4-2007—73-84-GR northwest of Hull.
- Provided an update on paving projects.
- Informed the Board that a request has been received from the Sandbulte family for the closure of a road for approximately a half hour on July 4 for a fireworks display. The Sioux Center Fire Department will supervise the fireworks.

**09-05-26 9** Claims as submitted by the County Auditor were approved.

**09-05-26 10** The Chairman adjourned the meeting at 10:40 a.m. until Tuesday, June 2, 2009, at 9:00 a.m.

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Mark Sybesma, Chairman  
Sioux County Board of Supervisors

ATTEST: \_\_\_\_\_  
Lois Huitink  
Sioux County Auditor