

**MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**

**MEETING HELD ON JUNE 30, 2009**

**09-06-30 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 Kleinwolterink.

**09-06-30 2** Minutes of the meeting held on June 16, 2009, were submitted and the Chairman declared them approved.

**09-06-30 3** Coleman McAllister, County Attorney requested that Deb Fischer, Judicial Clerk make a report to the Board. Fischer reported that the Iowa State Judicial System has announced that two counties, Plymouth and Sioux will be uncoupled as of July 1. They have accepted the resignation of Charlene Peterson from the position of Sioux County Clerk of District Court. An application process has been opened to the judicial employees of the third district to fill that position. Motion by Degen and supported by Wright to instruct the County Attorney to prepare a letter of support for the appointment of Deb Fischer to the position of Sioux County District Clerk. Motion carried, unanimous in favor.

**09-06-30 4** Marty Guthmiller, President of Community Health Partners of Sioux County expressed appreciation for the relationship that the public health system has had with the Sioux County Board of Supervisors. Guthmiller presented an agreement with a proposed 4% increase for each of the next three fiscal years, in the amount of support the County provides for Community Health Partners.

Fiscal Year	Amount
2009/2010	\$ 167,336.00
2010/2011	\$174,029.00
2011/2012	\$180,990.00

Also submitted for Board approval was a lease agreement for a term of three years.

Fiscal Year	Amount per month
2009/2010	\$1,600.00
2010/2011	\$1,708.33
2011/2012	\$1,833.33

Motion by Wright and supported by Kleinwolterink to sign a contract with Community Health Partners to oversee home health, public health, homemaker services and other vital health services within the County and to sign a Commercial Lease Agreement with Community Health Partners for a portion of the Sioux County Public Health Building. Motion carried, unanimous in favor.

**09-06-30 5** Motion by Wright and supported by Bloemendaal to approve the renewal of a liquor license for the Rock Valley Golf Club. Motion carried, unanimous in favor.

**09-06-30 6** Sybesma reported that he attended a meeting on June 18 with the Northwest Iowa Regional Housing Trust Fund. \$115,000 is available for low income housing repair in Sioux County. \$22,000 will need to have a local match. The Board will work with cities in the

County to achieve the local match. Those qualifying for this program would need to earn less than 80% of median income (\$61,000 family of four). Motion by Bloemendaal and supported by Degen to sign a resolution and letter of support for the Northwest Iowa Regional Housing Trust Fund. Roll Call on Vote: Wright, Yes; Bloemendaal Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor

**09-06-30 7** As this was the date and 10:00 a.m. the time set for a Public Hearing to approve the sale of Sioux County owned parcels of property, the Chairman opened said hearing. Linda Feikema, Deputy County Auditor reported that bids were received for five properties owned by the county. No comments were received from the public. The Chairman closed the Public Hearing. Motion by Kleinwolterink and supported by Degen to approve the sale of Sioux County property. Roll Call on Vote: Wright, Yes; Bloemendaal Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

### **RESOLUTION NO. 2009-21**

#### **APPROVING AND ENTERING INTO FIVE SEPARATE PURCHASE AGREEMENTS FOR THE SALE OF SIOUX COUNTY'S LEGAL INTEREST IN FIVE SEPARATE PARCELS OF REAL ESTATE**

**WHEREAS**, Sioux County, has legal title or a legal property interest in five separate parcels of real property located in Sioux County, legally described as follows:

#### **PARCEL #1**

Lot Six (6) in Auditor's Subdivision of Block Six (6) in Schoep's Addition to North Sioux Center.

#### **PARCEL #2**

Lot Nine (9) in Auditor's Subdivision of Block Six (6) in Schoep's Addition to North Sioux Center.

#### **PARCEL #3**

Lots 1, 2, and 3 of Block 3, Calliope Addition to the City of Hawarden, Iowa.

#### **PARCEL #4**

A portion of Block 2, Calliope Addition to the City of Hawarden, Iowa more particularly described as: Beginning at the southwest property corner of Block 2, Calliope, now a part of the Town of Hawarden; thence running north along the West property line of Block 2 for a distance of 190 feet; thence running in a Southeasterly direction (S18° 32' E) for a distance of 114.5 feet; thence running in a southeasterly direction on a curve with a radius of 117.8 feet to the south property line of said Block 2; thence west along the south property line of Block 2 back to the point of beginning.

#### **PARCEL #5**

A portion of Section 16, Township 96 North, Range 47 West of the 5<sup>th</sup> P.M. more particularly described as: Commencing at the Southeast corner of the Southwest Quarter (SW1/4) of Section 16, Garfield Township; thence running 244.8 feet west along the section line to the point of beginning; thence running west along the section line for 220 feet; thence deflecting 90 degrees to the right and running north 198 feet; thence deflection 90 degrees right and running east 200 feet; thence deflection 90 degrees right and running south 198 feet to the point of beginning. Area included equals 1 acre.

**WHEREAS**, As concerning **Parcel #1**, Sioux County has negotiated and reduced to writing a proposed Purchase Agreement with Alberto Camarena and Maria Camarena, as joint tenants with full rights of survivorship, whereby Sioux County would dispose of its interest in the above legally described property by selling its interests in the property to Alberto Camarena and Maria Camarena for \$1.00.

**WHEREAS**, As concerning **Parcel #2**, Sioux County has negotiated and reduced to writing a proposed Purchase Agreement with Tyler and Cindy Brower, as joint tenants with full rights of survivorship, whereby Sioux County would dispose of its interest in the above legally described property by selling its interests in the property to Tyler and Cindy Brower for \$1.00.

**WHEREAS**, As concerning **Parcel #3**, Sioux County has negotiated and reduced to writing a proposed Purchase Agreement with the City of Hawarden, whereby Sioux County would dispose of its interest in the above legally described property by selling its interests in the property to the City of Hawarden for \$1.00.

**WHEREAS**, As concerning **Parcel #4**, Sioux County has negotiated and reduced to writing a proposed Purchase Agreement with Larry Bursell, whereby Sioux County would dispose of its interest in the above legally described property by selling its interests in the property to Larry Bursell for \$1.00.

**WHEREAS**, As concerning **Parcel #5**, Sioux County has negotiated and reduced to writing a proposed Purchase Agreement with Hulstein Land, L.L.C., whereby Sioux County would dispose of its interest in the above legally described property by selling its interests in the property to Hulstein Land, L.L.C. for \$500.00.

**WHEREAS**, the Board, by prior resolution (2009 – 18), as required by Iowa Code Section 331.361, described the five proposed property dispositions and purchase agreements set forth above; set a public hearing on the proposed property dispositions; timely published notice of the time and place of the public hearing on the proposed property dispositions; and the Board conducted a public hearing on June 30, 2009 to solicit public comment and input on the proposed property dispositions prior to finally acting on such proposals.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Sioux County that the five proposed property dispositions and purchase agreements, as described above, are in the best interests of the citizens of Sioux County and all parties concerned; that the proposed property dispositions and purchase agreements as drafted, advertised, heard, and discussed be adopted; that the above described property conveyances be approved and authorized by the Board. The Chairman of the Board of Supervisors is hereby authorized to execute and deliver documents and pay any related costs necessary to follow through with the disposal of Sioux County's property interest in the above five legally described properties. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

**PASSED AND APPROVED** this 30th day of June, 2009.

/s/Mark Sybesma  
Chairman, Board of Supervisors

ATTEST: /s/Lois Huitink, Sioux County Auditor

**09-06-30 8** As this was the date and 10:15 a.m. the time set for the final Public Hearing to approve an amendment to the Sioux County Zoning Ordinance to provide language for wind

generator development/lot of record/conditions and use, the Chairman opened said hearing. Shane Walter, Zoning Administrator reported that the proposed amendment would strike references to lot of record and amend the construction of new homes to one home per quarter section. No one was present for this discussion. Plans for wind generator construction would need to meet requirements set forth in the Sioux County Zoning Ordinance. No comments written or oral were received from the public. The Chairman closed the Public Hearing. Motion by Bloemendaal and supported by Degen to approve the amendment as proposed. Motion carried, unanimous in favor.

**09-06-30 9** As this was the date and 10:30 a.m. the time set for a Public Hearing to approve a construction permit by Glenn Rozeboom to expand a storage basin in Plato Township Section 11, the Chairman opened said hearing. Shane Walter, Zoning Administrator reported that Mr. Rozeboom wants to add some features to a current operation. No one was present for this discussion was. A letter received from John and Viola Riggle expressed strong disapproval for this project, because of its' impact on air quality in Sioux County. The Chairman closed the Public Hearing. Motion by Bloemendaal and supported by Kleinwolterink to forward the request and letter to the Iowa DNR. Motion carried, unanimous in favor.

**09-06-30 10** Committee Reports:

- Wright attended a Compass Pointe meeting.
  - The budget for 2009/2010 has been approved with a \$40,000 deficit.
  - The board has been working on the bylaws.
  - Offices may be moved to the Senior Citizens Center.
- Wright reported that an Iowa State Association of Counties district meeting was held last week.
- Degen
  - a) Informed the Board that a leak in the air conditioning system above the courtroom has been repaired and will continue to be monitored.
  - b) Reported that there will be an Emergency Management dive training session conducted in July.
- Bloemendaal
  - a) Mid Sioux Opportunity Meeting– Plans are being implemented to discontinue their clothing distribution center.
  - b) Northwest Iowa Planning & Development - RIDES is constructing a new vehicle storage center in Sheldon. Hugh Lively has been checking on progress of the construction on a weekly basis.
  - c) Greater Siouxland Community Health Center – agreed to go through a new grant writing agency. The agency is providing services to approximately 1/3 of anticipated clients.
- Kleinwolterink
  - a) Panic buttons are to be installed in the DHS basement this week.

b) Vacation of the Hope Haven building is progressing. Interest has been expressed for use of the building by the Sheriff's Department and also by area Fire Departments.

- Sybesma gave an update on the Regional Airport. A meeting will be held in Kansas City in August with the Federal Aviation Administration.

**09-06-30 11** Shane Walter, Mental Health Administrator requested the Chairman's signature on a Memorandum of Understanding with the Iowa Department of Public Health to provide substance abuse money for County use. Motion by Wright and supported by Degen to approve and authorize the Chairman to sign a Memorandum of Understanding with the Iowa Department of Public Health. Motion carried, unanimous in favor

**09-06-30 12** Doug Julius, County Engineer

- Motion by Wright and supported by Kleinwolterink to approve and authorize the Chairman to sign the following permit agreements:
  - Rock Valley Rural Water – water line from Section 16 to Section 9 in Rock Township at 2601 290<sup>th</sup> Street.
  - Rock Valley Rural Water – water line from Section 11 to Section 12 in Garfield Township at 3467 Dogwood Avenue.
  - Paul Dykshorn – Run PVC pipe 3,320 from NE corner of Section 16 in Center Township.

Motion carried, unanimous in favor.

- Reported that a new motor grader has arrived and that a flatbed trailer has been ordered.
- Reviewed the status of ongoing construction projects.
- Hudson Bridge Report: The last pier is in the water. Half of the 20% owed on this project has been paid. The project should be completed in October. Additional costs will be incurred for the approach on the Sioux County side of the river.

**09-06-30 13** Claims as submitted by the County Auditor were approved.

**09-06-30 14** The Chairman adjourned the meeting at 10:58 a.m. until Tuesday, July 7, 2009, at 9:00 a.m.

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Mark Sybesma, Chairman  
Sioux County Board of Supervisors

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