

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON SEPTEMBER 26, 2011

11-09-26 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 Al Bloemendaal, Arlyn Kleinwolverink, Mark Sybesma and Dennis Wright. Supervisor John Degen was not present at this meeting.

11-09-26 2 Minutes of the meeting held on September 16, 2011, were submitted and the Chairman declared them approved.

11-09-26 3 As this was the date and 9:00 a.m. the time set for a public hearing to approve a Voting Precinct Ordinance for Primary and General Elections, said meeting was opened by the Chairman. No public comment either written or oral was given at this meeting. The Chairman closed the public hearing. Motion by Kleinwolverink and supported by Wright to approve Ordinance No. 23 establishing voting precincts for Sioux County to be effective upon publication. Roll call on vote: Kleinwolverink, Yes; Wright, Yes; Bloemendaal, Yes; and Sybesma, Yes. Motion carried, unanimous in favor, one member absent.

ORDINANCE NO. 23

AN ORDINANCE ESTABLISHING VOTING PRECINCTS FOR SIOUX COUNTY, IOWA

BE IT ORDAINED by the Board of Supervisors of Sioux County, Iowa, that Sioux County Ordinance Number 17 is hereby repealed in its entirety and the following be substituted in its place:

SECTION 1. PURPOSE. The purpose of this ordinance is to change established voting precincts for Sioux County, Iowa as a result of the 2010 federal decennial census per Section 49.8(6), Code of Iowa based upon the County Election Commissioner's recommendation and the County Board of Supervisors decision that finds that the change will affect a substantial savings in election costs.

SECTION 2. DEFINITIONS. For use in this ordinance, the following terms or words shall be interpreted or defined as follows:

1. "Voting Precinct" or "Precinct" shall mean a county or municipal subdivision for casting and counting votes in elections.
2. "Township" shall mean a civil and political subdivision of the county, six miles on each side.

SECTION 3. GENERAL PROVISIONS. Precincts established as provided by Section 49.8(6), Code of Iowa, shall be used for all elections, except where temporary merger of established precincts is specifically permitted by law for certain elections and no political subdivision shall concurrently maintain different sets of precincts for use in different types of elections.

a. No precinct shall have a total population in excess of three thousand five hundred, as shown by the most recent federal decennial census.

b. Each precinct is contained wholly within an existing legislative district.

c. Precincts shall be composed of contiguous territory within a single county. The boundaries of all precincts shall follow the boundaries of areas for which official population figures are available from the most recent federal decennial census.

d. All election districts shall be drawn to standards of Chapter 49.

SECTION 4. BOUNDARIES OF VOTING PRECINCTS.

PRECINCTS

BOUNDARIES

- | | |
|---|---|
| 1. Alton, Nassau, East Orange
Population-1,968 | City of Alton, Nassau Township (All sections EXCEPT part of 3 and 4-9)
City of Granville, East Orange Township |
| 2. Floyd, Lynn
Population-1,401 | City of Hospers, Floyd Township
Lynn Township |
| 3. Grant, Sheridan
Population-1,708 | City of Boyden, Sheridan Township
City of Matlock, Grant Township
City of Sheldon within Sioux County |
| 4. Hawarden, Buncombe, Logan,
Washington & Eagle South
Population-3,128 | City of Hawarden, Buncombe Township
City of Chatsworth, Logan Township
Eagle Township South 1/2
Washington Township |
| 5. Lincoln
Population-2,698 | City of Hull, Lincoln Township |
| 6. Orange City No. 1, Holland West
Population-3,300 | 1/2 of City of Orange City (See City of Orange City Precinct Resolution)
Holland Township West 1/2 |
| 7. Orange City No. 2, Holland East &
Nassau
Population-3,345 | 1/2 of City of Orange City (See City of Orange City Precinct Resolution)
Holland Township East 1/2
Nassau Township (Part of Section 3 & Sections 4-9) |
| 8. Plato, Garfield, Settlers,
Sioux & Eagle North
Population-1,506 | Plato Township, Garfield Township, Settlers Township,
Sioux Township and Eagle Township North 1/2 |
| 9. Reading, Center South
Population-1,032 | City of Ireton, Reading Township
Center Township South 1/2 |
| 10. Rock Valley East
Population- 1,783 | 1/2 of City of Rock Valley (See City of Rock Valley Precinct Resolution) |
| 11. Rock Valley West,
Rock
Population-2,265 | 1/2 of City of Rock Valley (See City of Rock Valley Precinct Resolution)
Rock Township |
| 12. Sherman
Population-642 | City of Maurice, Sherman Township |
| 13. Sioux Center North, Capel &
Welcome
Population-2,204 | (See City of Sioux Center Precinct Resolution)
Capel Township
Welcome Township |
| 14. Sioux Center Central
Population-3,192 | (See City of Sioux Center Precinct Resolution) |
| 15. Sioux Center South,
Population-2,795 | Sioux Center South, |
| 16. West Branch, Center North
Population-737 | West Branch Township
Center Township North |

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as required by law.

Adopted and signed this 26th day of September, 2011.

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

11-09-26 4 Lisa Rowenhorst, Sioux County Election Administrator met with the Board to present results of the Merged Area IV School Election held on September 13, 2011. Motion by Bloemendaal and supported by Kleinwolterink to approve the following canvass of regular Merged Area IV School Election returns for the election held on September 13, 2011:

NORTHWEST IOWA COMMUNITY COLLEGE

Director District II

James R. Kennedy 433 Elected

Director District III

Loretta Berkland 461 Elected

Scattering 31

Director District V

Chad Hamill 460 Elected

Scattering 3

Director District VI

Leroy Van Kekerix 88 Elected

Scattering

Motion carried, unanimous in favor, one member absent.

11-09-26 1 Coleman McAllister, Sioux County Attorney

- Requested that the Board approve a storm sewer easement resolution for the Sioux County Conservation Board. Motion by Wright and supported by Bloemendaal to sign Resolution No. 2011-88 to execute a storm sewer easement. Roll Call on Vote: Wright, Yes; Bloemendaal, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor, one member absent.

RESOLUTION NO. 2011-28

**RESOLUTION OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA,
FOR AUTHORIZATION TO EXECUTE A STORM SEWER EASEMENT**

WHEREAS, the Board is desirous of granting a Storm Sewer Easement between Michael Ames Clark as Trustee of the Michael Ames Clark Revocable Trust No. 1 and Bradley Dean Maassen as Trustee of the Bradley Dean Maassen Revocable Trust No. 1, and Sioux County, Iowa, which defines the rights, responsibilities, and liabilities of the Parties regarding the proposed storm sewer outlet from Pondsides Addition in Rock Valley, Iowa, into the Sioux County property known as Winterfeld Pond; and

WHEREAS, an instrument entitled Storm Sewer Easement with an attached acquisition plat reflecting the proposed easement area 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 Storm Sewer Easement has been presented and considered and the same is hereby approved.
2. The Chairman is hereby authorized and ordered to execute said Storm Sewer Easement 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 Michael Ames Clark as Trustee of the Michael Ames Clark Revocable Trust No. 1 and Bradley Dean Maassen as Trustee of the Bradley Dean Maassen Revocable Trust No. 1.

PASSED AND APPROVED this 26th day of September, 2011.

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

ATTEST: /s/ Lois Huitink, Sioux County Auditor

- Introduced Beverly Clark and Lindsey Heitritter, asking for the Board's approval to hire them. Motion by Kleinwolterink and supported by Bloemendaal to approve hiring Beverly Clark and Lindsey Heitritter to work in the County Attorney's Office. Motion carried unanimous in favor, one member absent.
- Informed the Supervisors that Judge Neary issued a continuance for hearing the case regarding the Sandy Hollow shooting range.

11-09-26 2 Randy Jacobsma, Sioux County Treasurer asked the Board to abate taxes on five parcels of property.

- Three of the properties are owned by the Sioux County Conservation Board. Motion by Bloemendaal and supported by Wright to abate taxes on property owned by the Sioux County Conservation Board. Motion carried unanimous in favor, one member absent.
- A parcel of property in Maurice was corrected as a result of a survey that was done. It is now exempt from taxation. Motion by Kleinwolterink and supported by

Wright to abate taxes on property owned by the City of Maurice. Motion carried unanimous in favor, one member absent.

- The final request for abatement was on a parcel owned by the City of Sioux Center. This is now an exempt property. Motion by Bloemendaal and supported by Kleinwolterink to abate taxes on a parcel of property owned by the City of Sioux Center. Motion carried unanimous in favor, one member absent.

Motion by Bloemendaal and supported by Kleinwolterink to sign Resolution 2011-29 abating taxes on the parcels listed therein. Roll call on vote: Kleinwolterink, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor, one member absent.

RESOLUTION No. 2011-29
SIoux COUNTY BOARD OF SUPERVISORS
Date: September 26, 2011
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 Year	Current Tax	Tax	Reason
Sioux County District 570 – West Sioux Center	1517176003	2010	\$ 64.00	\$ 64.00	County Owned Property Exempt For 2011
Sioux County District 570 – West Sioux Center	1517126003	2010	\$ 238.00	\$ 238.00	County Owned Property Exempt For 2011
Sioux County District 250 – MOC-FV(FV) Holland	1736301002	2010	\$ 88.00	\$ 88.00	County Owned Property Exempt For 2011
Sioux Center, City Of District 130 – Sioux Center	1616153006 Event Center	2010	\$ 2,774.00	\$ 2,774.00	City of Sioux Center Request Exempt For 2011
Maurice, City Of District 100 – Maurice	2217228006	2010	\$ 648.60	\$ 648.60	City of Maurice Request Exempt For 2011

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 September 26, 2011.

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

11-09-26 3 Shane Walter, Sioux County Community Services Director

- Attended a meeting with the Mental Health Consortium. The Consortium consists of 9 counties in the northwest corner of Iowa. A lengthy meeting was held with mental health providers. Walter reported that there will be regionalization because of likely legislation in the upcoming year. The counties in the Northwest Iowa Consortium work together with the providers to negotiate rates in this region, which may prove to be a model for other regions in Iowa.
- As this was the date and 10:00 a.m. the time set for a public hearing for the construction of a new deep pit 2,400 head swine finishing barn in Section 3 of Reading Township, said hearing was held according to law. The plan was submitted by Gerald R. Postma. The Chairman opened the meeting. Gerald Postma was present for this discussion. Shane Walter, Zoning Administrator stated that this plan meets matrix requirements. No public comments, either written or oral, were received. The Chairman closed the public hearing. Motion by Kleinwolterink and supported by Wright to forward the request to the DNR with a favorable recommendation. Motion carried, unanimous in favor, one member absent.
- A waiver for the 14 day waiting period before construction begins was requested by Gerald Postma for the aforementioned construction project. Motion by Bloemendaal and supported by Kleinwolterink to approve a waiver for the 14 day waiting period to begin construction pending approval by the DNR. Motion carried, unanimous in favor, one member absent.

11-09-26 4 Micah Van Maanen, Sioux County IT Director told the Board that the wireless network is complete, and that the project came in \$4,000.00 under budget. Because of the upgrade, video updates are faster at the Sheriff's department. The Attorney's Office is pleased with the speed of the network. Van Maanen also informed the Board that the virtual server project is progressing well and is nearly 90% complete.

11-09-26 5 Doug Julius, Sioux County Engineer

- Asked for the approval of two permit agreements:
 1. WesTel Systems – Run fiber optic from Hwy 10 northeast on Kennedy in Section 35 of Holland Township.
 2. Bar K Cattle LLC - Run water line and electrical wire in conduit under 270th Street in Section 4 of Settlers Township.

Motion by Wright and supported by Kleinwolterink to approve the aforementioned permit agreements. Motion carried, unanimous in favor.

- Requested the Chairman's signature on two "Certification as to Completion of Work" documents. Projects certified were: L-4-2011—73-84-CULV, a twin pipe arch culvert located on 360th Street in Capel Township and L-4-2010—73-84-CULV a triple pipe arch culvert located on 380th Street in Lynn Township.
- Presented an update on 2011 construction projects. Noted that a bridge in Washington Township is closed because of a problem with its superstructure. A high voltage electric line goes over the bridge, making repairs very difficult. Julius said that he may consider making this a level B low maintenance road.

- Requested Board approval for the purchase of a new Wheel loader. Motion by Bloemendaal and supported by Wright to approve the replacement of a 936E Wheel Loader with a 2011 938H Wheel Loader at a cost of \$147,460.00 Motion carried, unanimous in favor, with one member absent. This piece of equipment will go to the Hawarden Shop.

11-09-26 6 COMMITTEE REPORTS:

- **Kleinwolterink** – Building Committee Report: Worked with Russ Krull about adding a security entrance to the north door of the Courthouse. Attended a RWIB (Regional Workforce Investment Board) meeting.
- **Bloemendaal** – Went to Spencer to attend a RIDES meeting. That agency reported having positive fund balances. Attended a NW Iowa Planning meeting – nothing to report. Attended a shooting demonstration at Sandy Hollow.
- **Wright** – Attended a Mental Health consortium meeting.
- **Sybesma** – Attended a Legislative Policy meeting. Sybesma reported that Mental Health redesign and road use tax issues appear to be the hot topics for the upcoming legislative session.

11-09-26 7 Claims as submitted by the Auditor were approved for payment.

11-09-26 8 The Chairman adjourned the meeting at 10:45 a.m. until 9:00 a.m. October 4, 2011.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor