

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON OCTOBER 2, 2012

- 12-10-02 1** The Board of Supervisors of Sioux County, Iowa, met on October 2, 2012, at 9:00 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Al Bloemendaal, John Degen, Arlyn Kleinwolterink, Mark Sybesma and Dennis Wright.
- 12-10-02 2** Minutes of the meeting held on September 18, 2012, were submitted and the Chairman declared them approved.
- 12-10-02 3** Coleman McAllister, Sioux County Attorney requested that the Board approve the designation of Doug Julius as the title VI contact for Sioux County and the Iowa Department of Transportation. This designation is necessary in order for Sioux County to use federal funds. Motion by Wright and supported by Bloemendaal to designate the County Engineer, Doug Julius at the title VI contact for Sioux County. Motion carried, unanimous in favor.
- 12-10-02 4** Motion by Degen and supported by Kleinwolterink to approve and authorize the Chairman to sign a contract with Interstate Mechanical Corporation for Phase 2 of the HVAC Renovation Project subject to review by the County Attorney. Motion carried, unanimous in favor.
- 12-10-02 5** Motion by Kleinwolterink and supported by Bloemendaal to approve a Resolution to allow a 14 day waiver to start construction on facility # 67440, for VP Pork II, LLC. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2012-41
Sioux County Board of Supervisors
October 2, 2012

APPROVAL OF WAIVER OF SIOUX COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.

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

Section 1. The Sioux County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that Mark Van Peurse (VP Pork II, LLC) has been issued a draft permit for confinement feeding operation facility ID # 67440.

Section 2. The Sioux County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on August 21, 2012.

Section 3. The Sioux County Board of Supervisors hereby waives its' right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4. The Sioux County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5. The Sioux County Board of Supervisors authorizes the Chairman of the Board to notify the DNR of this waiver.

Section 6. This resolution shall take effect immediately.

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

Attest: /s/Lois Huitink
Sioux County Auditor

12-10-02 6 Motion by Wright and supported by Degen to approve a Waiver of Separation Distance for a Manure Storage Structure for Ryan Bomgaars (75' from ROW, 400th St. and 38' from ROW, Dipper Ave.), subject to review by the Sioux County Engineer. Motion carried, unanimous in favor.

12-10-02 7 Doug Julius, Sioux County Engineer,

- Permit agreements –
 - a) **Premier Communications** – Run fiber optic cable crossing the intersection of 2nd Street SW in Orange City and Ironwood Avenue in Section 31 of Holland Township.
 - b) **Premier Communication** – Run fiber optic cable in Sherman Township sections 28 and 33, from intersection of 490th Street and Harrison Avenue going South 2 miles on the West shoulder of Harrison Avenue to the Plymouth County line.
 - c) **Roger Oolman** – Run water line across Ibex Avenue between sections 25 and 26 of West Branch Township.

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

- Requested Board approval and the Chairman's signature on two "Certification as to Completion of Work and Final Acceptance" documents. The first project was L-8-2009—73-84-CULV, consisting of twin structural plate pipe arch culvert located on Larch Avenue and L9-08PAV—73-84, consisting of PCC Pavement on 390th Street. Motion by Bloemendaal and supported by Wright to approve and authorize the chairman to sign the aforementioned documents. Motion carried, unanimous in favor.
- Distributed a map showing roads that need to have rumble strips recut.
- Reviewed quotes that were received on grader blades. Sioux City Foundry Co submitted low bids for maintainer blades for a total of \$34,537.60.
- General Information – blading, spot graveling, and roadside mowing projects continue
- Courthouse project – the West side of the Courthouse drainage project is completed. It is anticipated that the South side will be completed by Friday.

12-10-02 8 COMMITTEE REPORTS:

- **Bloemendaal** – a) Attended a Regional Airport Board Meeting. That board is closing on some parcels of land along the runway. Financial report: a balance \$920,000 is in the airport fund. The Airport Board discussed who will own the terminal and hangers etc. upon completion of the project. Stated that the Federal Aviation Administration is very supportive on the acquisition of land. b) Reported that they toured the Head Start Office at a meeting of Mid-Sioux. Dick Sievers reported a positive fund balance at the end of September. c) Went to a Rides meeting in Spencer. That Agency is researching ways to be more efficient.
- **Sybesma** – Attended an ISAC meeting at which that Board approved the legislative priorities for the coming year.
- **Kleinwolverink** – a) Attended a farewell event for Dennis Sassman. b) Reported that clean up in the subbasement of the Courthouse was done last Saturday. c) Attended a Workforce development meeting. c) Investigated a storage facility in Granville in which the County Treasurer has some books stored. The Treasurer will determine which of those books need to be kept and if there are some that can be eliminated from the shelves. d) Told the Supervisors that crops harvested at the county farm averaged: for corn: 168 bu. an acre; for beans 41.5 bu. per acre.
- **Degen** –Reported that the culverts are in at the Big Sioux Recreation Area and work is now being done on the road.
- **Wright** – a) Attended a Compass Point meeting. That agency is doing well financially. CFO Diane Phillips is going to retire so a replacement will need to be hired. b) Went to a Rock Valley City council meeting concerning a proposed bike trail for that city. Doug Julius, County Engineer was also in attendance at this meeting.
- **Wright and Sybesma** and Shane Walter, County Community Services Director met with representatives from Cherokee, Plymouth, and Woodbury Counties to investigate forming a mental health region with those counties.

12-10-02 9 Motion by Wright and supported by Bloemendaal to approve a resolution to sign a Letter of intent to form a mental health region with Cherokee, Plymouth and Woodbury Counties. Roll Call on Vote: Kleinwolverink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2012-40

A RESOLUTION OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY LETTER OF INTENT FOR REGION

WHEREAS, The Iowa Legislature has passed and the Iowa Governor has signed SF2315, an Act relating to the Redesign of Publicly Funded Mental Health and Disability Services' and

WHEREAS, SF2315 expresses the intent of the Legislature that Mental Health and Disability Services shall be provided by counties operating together as Regions; and

WHEREAS, the Sioux County Board of Supervisors finds it is in the public's best interest to make informed decisions regarding entrance into a Region based on sound planning while adhering to the following guiding principles: 1. Assuring the provision of adequate services, 2. Maintaining local control, and 3. Protecting local tax payers; and

WHEREAS, Cherokee, Plymouth, Sioux, and Woodbury Counties (the "Counties") have begun planning for the development and delivery of Mental Health and Disability Services through a Regional Structure;

NOW, THEREFORE, in consideration of the promises and mutual covenants set forth herein, the above Counties agree to use best efforts in jointly developing a Region under the following terms;

BE IT RESOLVED that Sioux County commits to participate in the planning and development of this Region, which includes Cherokee, Plymouth, Sioux, and Woodbury Counties (the "Region").

BE IT FURTHER RESOLVED that the Counties have determined that the Region complies with the requirements in Iowa code Section 331.438B (3), as enacted by SF2315.

BE IT FURTHER RESOLVED that Sioux County hereby authorizes the county CPC and any members of the Board of Supervisors to attend and participate in all planning meetings throughout the planning process.

BE IT FURTHER RESOLVED that Sioux County agrees to negotiate in good faith with the Counties to enter into a 28E agreement acceptable to the Counties.

BE IT FURTHER RESOLVED that Sioux County understands that this is an exclusive letter of intent for planning purposes and the County will not at any time during the effectiveness of this letter of intent, solicit, or further discuss or enter into any agreement with any other counties or entities concerning forming a region under SF2315.

BE IT FURTHER RESOLVED that this letter of intent shall be effective upon its execution by the Board of Supervisors for each of the Counties.

BE IT FURTHER RESOLVED that upon effectiveness, this Letter of Intent shall accompany our formal request to form a region, which will be submitted to the Department of Human services as soon as is practical.

BE IT FURTHER RESOLVED that after effectiveness, this Letter of Intent shall remain in effect until any of the following occur:

- The Department of Human Services rejects this Letter of Intent;
- Any one of the counties provides a resolution from its Board of Supervisors to all the other counties that are party to this letter of intent, that it has determined it is no longer in its best interest to commit to the planning and participation in this Region; or
- The Counties execute and enter into an effective 28E Agreement to finalize the formation of a Region.

BE IT FURTHER RESOLVED that this letter of intent may be amended by mutual agreement of the Counties, provided that such amendment shall be incorporated in a written Addendum hereto executed by the Boards of Supervisors of each County.

PASSED AND ADOPTED this 2nd day of October, 2012.

/s/ Mark Sybesma

Chairperson, Sioux County Board of Supervisors

ATTEST: /s/ Lois Huitink, Sioux County Auditor

12-10-02 10 Claims submitted by the Auditor were approved for payment.

12-10-02 11 The Chairman adjourned the meeting at 10:15 a.m. The next meeting will be held on October 16, 2012, beginning at 9:00 a.m.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor