

**MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**  
**MEETING HELD ON DECEMBER 8, 2009**

- 09-12-08 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 John Degen, Dennis Wright, Al Bloemendaal, Mark Sybesma and Arlyn Kleinwolterink.
- 09-12-08 2** Minutes of the meeting held on December 1, 2009, were submitted and the Chairman declared them approved.
- 09-12-08 3** Coleman McAllister, Sioux County Attorney reported that he is preparing loan documents for a loan the County would be giving to the Regional Airport Board to serve as a pass through for future funding.
- 09-12-08 4** Motion by Bloemendall and supported by Wright to approve a Resolution increasing the budget appropriation for 2009/2010 to 100%. Roll call on vote; Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes and Sybesma, Yes. Motion carried, unanimous in favor.

**RESOLUTION 2009-31**

WHEREAS, it is desired to make appropriations for each of the different offices and departments for fiscal year 2010 in accordance with Section 331.434(6), Code of Iowa,

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

SECTION 1. The amounts itemized by fund and by department or office on the attached schedule are hereby appropriated at 100% of total expenditures for each department, as listed in the last column on the same line of the attached schedule.

SECTION 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized funds.

SECTION 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditures of money for a purpose in excess of the amounts appropriated pursuant to this resolution.

SECTION 4. If at any time during the fiscal year 2010 budget year the Auditor shall ascertain that the available resources of a department for that year will be less than said department total appropriations, he or she shall immediately so inform the Board and recommend appropriate corrective action.

SECTION 5. The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers monthly during fiscal year 2010 budget year.

SECTION 6. All appropriations authorized pursuant to this Resolution lapse at the close of business on June 30, 2010.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on December 8, 2009.

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

ATTEST: /s/ Linda Feikema  
Sioux County Deputy Auditor

**09-12-08 5** Shane Walter, Community Services Director

- Informed the board that he is working on a solution with DHS as they are asking for a rental reduction on the Building they occupy that is owned by Sioux County. The property manager has asked that the County reduce rent because of State budget cuts. The general feeling of the board is to not reduce the rate because they are already at a reduced rate, but urged Walters to continue discussing the options with them.
- Reported that closing of one MHI facility is emanate but Walters feels that the facility in Cherokee will probably not be considered for closing.
- Walters distributed the MH/DD Service Expenditure Report for November 2009 and stated that there are no big deficits in any area.

**09-12-08 6** As this was the date and 9:30 a.m. the time set for a Public Hearing regarding Disposition of Property for the Establishment of Operation of a Well Site, the Chairman opened said Public Hearing. No comments were received and no one was present for the hearing. The Chairman closed the Public Hearing.

Motion by Degen and supported by Kleinwolverink to approve the resolution to execute the Grant of Easement Agreement with the City of Hawarden. Roll call on vote; Kleinwolverink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes and Sybesma, Yes. Motion carried, unanimous in favor.

**RESOLUTION NO 2009-32**

**APPROVING AND ENTERING INTO AN EASEMENT AGREEMENT WITH THE CITY OF HAWARDEN  
FOR THE ESTABLISHMENT AND OPERATION OF A WELL SITE**

**(BIG SIOUX RECREATIONAL AREA)**

**WHEREAS**, Sioux County, acting through the Sioux County Conservation Department, owns certain real property located near Hawarden, Iowa, which real property is currently maintained and operated by the Sioux County Conservation Board as a public park, known as the Big Sioux Recreation Area

**WHEREAS**, Sioux County has negotiated and reduced to writing a proposed Grant of Easement Agreement with the City of Hawarden whereby Sioux County would grant to the City of Hawarden, for \$1.00, the right to construct, access, operate, maintain, inspect, repair, replace, and protect a public drinking water supply well under, across, upon and above the following legally described property:

A Utility Easement thru Lots Seven (7), Eight (8) and Nine (9) of the Auditor's Plat of part of the North Half (N ½) of the Northeast Quarter (NE 1/4), and Government Lot One (1), all in Section Three (3), Township Ninety-Four (94) North, Range Forty-Eight (48) West of the 5th P.M., Sioux County, Iowa described as follows: Commencing from the Northwest corner of the Northeast Quarter (NE 1/4) of said Section Three (3); thence South 89°59'28" East, along the North line of Section Three (3), 359.68 Feet; thence South 00°00'32" West 20.92 Feet to the point of

beginning; thence 5 Feet either side of a centerline running North 89°59'28" West 148.95 Feet; thence South 79°56'14" West 347.08 to the center of the proposed well site; including a circular area about said center of well site, with a radius of 200 Feet, containing 97,509 square Feet or 2.24 acres.

**WHEREAS**, the Board of Supervisors has reviewed the proposed easement agreement and accompanying documents and found that it is in the best interests of the citizens of Sioux County that they be executed and Sioux County, Iowa be bound by the terms contained therein.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Sioux County that the proposed Grant of Easement Agreement with the City of Hawarden is in the best interests of the citizens of Sioux County and all parties concerned; that the proposed Grant of Easement Agreement with the City of Hawarden therein as drafted, advertised, heard, and discussed be adopted. The Chairman of the Board of Supervisors is hereby authorized to execute the Grant of Easement Agreement with the City of Hawarden and deliver such documents and pay any related costs necessary to follow through with the obligations contained therein. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

**PASSED AND APPROVED** this 8th day of December, 2009.

/s/Mark Sybesma  
Chairman, Board of Supervisors

ATTEST:/s/Linda Feikema, Sioux County Deputy Auditor

**09-12-08 7** As this was the date and 10:00 a.m. the time set for a Public Hearing regarding the second amendment to Sioux County Urban Renewal Area #1, the Chairman opened said Public Hearing. No comments were received and no one was present for the hearing. When all correspondence from agricultural property owners with property in the amended area has been received, the legal description will be finalized and a corresponding resolution will be signed. The Chairman closed the Public Hearing. The matter will be discussed and placed on the table at a future date.

**09-12-08 8** Martin W. Guthmiller, Chief Executive Officer Orange City Area Health System requested a letter of support and funding for application to Vision Iowa for an Event Center in Orange City. Guthmiller reported that \$2,500,000 of the Approved General Bond Public Measure that was passed on November 3, 2009 will be allocated for an Event Center. The Event Center will hold 300 to 400 people and will include an outside area for weddings. Motion made by Kleinwolverink and Supported by Wright to give \$5000 each year for three years. Motion carried, unanimous in favor.

**09-12-08 9** Committee Reports:

- **Wright** –Attended Compass Point Meeting-The Bylaws are still at the Attorneys being reviewed. They are still experiencing budget cuts as there are more requests for services from non-paying clients. Compass Point will be moving into Senior Citizens building in Spencer without any remodeling.
- **Kleinwolverink** – Stated that the septic tank has been buried at the Old Hope Haven Campus. County crops are harvested and have been sold except for 3000 Bushels of corn that will be kept in storage for sale at a later date.

- **Sybesma** – Attended a Third Judicial District Meeting-Budget cuts were reported and expected to get worse. However, they are building \$5,300,000 addition to their building in Sioux City.  
Empowerment Committee is also seeing budget cuts of \$87,000.  
City of Boyden's application for Vision Iowa Grant has been denied and the Board may consider funding the project as previously agreed in spite of the denial of Vision Iowa Funds.

**09-12-08 10** Claims as submitted by the County Auditor were approved.

**09-12-08 11** The Chairman adjourned the meeting at 10:25 a.m. until Tuesday, December 15, 2009, at 9:00 a.m.

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Mark Sybesma, Chairman  
Sioux County Board of Supervisors

ATTEST: \_\_\_\_\_  
Linda Feikema  
Sioux County Deputy Auditor