

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON MAY 29, 2018

- 1) The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:00 a.m. with Chairman Sybesma presiding. Members present were John Degen, Mark Sybesma, Arlyn Kleinwolterink, Dennis Wright and Al Bloemendaal.
- 2) Minutes of the meeting held on May 15, 2018, were submitted, and the Chairman declared them approved.
- 3) Claims were approved for May 29, 2018 as submitted by the County Auditor.
- 4) Ryan Dokter, Sioux County Auditor,
 - Presented a three-year commercial lease agreement for FY18/19, FY19/20, and FY20/21 between Sioux County and Community Health Partners for space in the Public Health Building, for \$1,900/month. Also presented a Sioux County Board of Health Community Health Agreement between Sioux County and Community Health Partners for County funding in FY18/19 totaling \$314,814.00 Motion by Wright and supported by Bloemendaal to approve both agreements. Motion carried unanimously.
 - Presented the following resolution for Board consideration. Motion by Wright and supported by Degen to approve the following resolution. Roll Call on Vote: Kleinwolterink; Yes, Degen; Yes, Wright; Yes, Bloemendaal; Yes, Sybesma; Yes. Motion carried unanimously.

**Resolution 2018-20
AGREEMENT
BY AND AMONG
THE CITY OF HULL,
THE COUNTY OF SIOUX
AND
BOYDEN-HULL COMMUNITY SCHOOL DISTRICT
May 2018**

WHEREAS, Iowa Code Section 403.22(5) provides that the division of revenue under Iowa Code Section 403.19 may continue for 10 fiscal years (beginning with the second fiscal year after the year of first certification of debt) for housing projects, unless the municipality undertaking the project has a population of under 15,000 and obtains approval from the governing bodies of all Affected Taxing Entities (County and School District) to extend the division of revenue for up to five (5) years; and

WHEREAS, the City of Hull has a population of under 15,000; and

WHEREAS, the City will assist Hull Industrial Development Corporation in development of a 38-lot housing subdivision in the Liberty Heights Residential Urban Renewal Area, by funding infrastructure improvement costs associated with the development; and

WHEREAS, sufficient incremental taxes may not be generated to allow the City to fully fund the projects during the 10 years statutorily allowed for the division of revenue under Section 403.22(5); and

WHEREAS, the City is requesting the Affected Taxing Entities to allow an extension of the ability of the City to collect Tax Increment in order to adequately fund the residential projects in the Liberty Heights Residential Urban Renewal Area for up to a total of 15 years.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1. Pursuant to Iowa Code Section 403.22(5), all Affected Taxing Entities have, by resolution of their governing bodies, approved the extension of the division of revenue under Iowa Code Section 403.19 in the Liberty Heights Residential Urban Renewal Area for the City of Hull, Iowa, for projects involving the provision of infrastructure improvements related to housing and residential development for a total of fifteen (15) fiscal years of division of revenue (beginning with the second fiscal year after the year of first certification of debt) in connection with the housing projects.

Section 2. The City will not request the Boyden-Hull Community School District to pass a resolution authorizing the capture of the instructional support program levy for any years that tax increment is collected. Accordingly, there will be no capture of instructional support program levy for any years that tax increment is collected.

Section 3. The undersigned officials affirm they are duly authorized to execute this Agreement on behalf of the party for which they are signing.

Section 4. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

COUNTY OF SIOUX, STATE OF IOWA

/s/Mark Sybesma, Chairperson, Board of Supervisors

ATTEST:

/s/Ryan Dokter, County Auditor

5) Committee Reports:

- **Kleinwolterink** – Attended a Workforce Development meeting in Spencer and there is still work being done on regionalizing counties.
- **Degen** – Reported that there have been preliminary discussions with an area business in regards to using the County Home to do product testing.
- **Bloemendaal** – 1) Attended a Northwest Iowa Planning meeting on May 17. 2) Reported on the RIDES meeting from May 17 and that there are some good candidates to fill the CFO opening the agency has. Also reported that a driver rodeo competition will take place in Okoboji on June 27. 3) Attended a MidSioux meeting on May 23 and worked with other members on a CSBG grant application. The application is asking for \$160,000 per year. Reported that 7,427 people were served by the agency last year, which is down from 8,000 the previous year.
- **Kleinwolterink & Wright**– Attended the Foster Grandparent Volunteer Recognition Banquet.
- **Sybesma & Bloemendaal** – Reported on the Sioux County Regional Airport Board meeting from May 21. Cedar Valley requested an extension on the deadline for pouring concrete due to the number of rain days. DGR Engineering turned down that request at this time. Work continues on the MALSR system installation and the fuel system.
- **Wright & Sybesma** – Attended a Sioux Rivers Mental Health meeting on May 22. Grants up to \$20,000 were awarded to providers who had applied for the funding. A total of \$200,000 was available.

6) As this was the date and 9:15 a.m., the time for a Public Hearing on a Budget Amendment to the Sioux County Budget, the Chairman opened the public hearing. Ryan Dokter, Sioux County Auditor, informed the Board that the following items have prompted the amendment: the pipeline inspection expense for the Dakota Access pipeline, which is a pass-through expense since there is offsetting revenue and due to the NCC Special Election, the Auditor

budget needed to be amended as this expense was not budgeted for. No public comments were heard. The Chairman closed the hearing. Motion by Kleinwolterink and supported by Degen to approve amendment and resolution for the FY2017/2018 Sioux County Budget. Roll Call on Vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2018-19

Approval of FY 2017/2018 Budget Amendment #3

WHEREAS, the Sioux County Board of Supervisors has considered the proposed FY 2017/2018 county budget amendment, and

WHEREAS, a public hearing concerning the proposed county budget amendment #3 was held on May 29, 2018,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Sioux County that the county budget amendment #3 for FY 2017/2018, as set forth in the budget summary, is hereby adopted and that the Sioux County Auditor is directed to file said budget and to establish accounting records in accordance with the attached schedules.

BE IT FURTHER RESOLVED that the Chairperson and the County Auditor be and are hereby authorized to sign the approved FY 2017/2018 county budget amendment #3.

Signed and dated this 29th day of May, 2018.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

7) Ryan Dokter, Sioux County Auditor, on behalf of Doug Julius, Sioux County Engineer, presented the following:

- Requested Board consideration of the following resolution. Motion by Degen and supported by Kleinwolterink to approve the following resolution. Roll Call on Vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2018-21

A RESOLUTION TO ADOPT THE PETITION OF THE SOUX COUNTY ENGINEER TO VACATE CERTAIN ROADWAYS

Whereas, the Sioux County Engineer has petitioned the Sioux County Board of Supervisors, for the closure of certain secondary roadway(s) in Sioux County, as set forth in the attached petition.

Whereas, the Sioux County Board of Supervisors, hereby agrees that the roadway described in the Petition should be closed and vacated back to the adjoining landowners.

Therefore, be it resolved that the Sioux County Engineer's Petition to vacate roadways is accepted by the Sioux County Board of Supervisors.

Further, hearing pursuant to Code of Iowa Section 306.11 is set for the 5th day of June, 2018 at 10:00 a.m.

Passed and adopted this 29th day of May, 2018.

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

Attested: /s/Ryan Dokter, Auditor

- Submitted the Petition to Vacate: Property description of Land Vacated to the Board for information.
- Motion by Wright and supported by Bloemendaal to approve the Notice Setting Time and Place of Hearing on Proposal to vacate and close a Portion of Secondary Road in Sioux County, Iowa. Motion carried unanimously.

**NOTICE SETTING TIME AND PLACE OF HEARING ON PROPOSAL
TO VACATE AND CLOSE A PORTION OF SECONDARY ROAD
IN SIOUX COUNTY, IOWA**

TO: All owners of property adjoining portions of the secondary road herein described, to all utility companies whose facilities adjoin the right of way of said described portion of said secondary road, and to all other persons interested in portions of secondary road described in this notice.

You and each of you are hereby notified that the Board of Supervisors of Sioux County, Iowa, on the 29th day of May, 2018, adopted a resolution to vacate and close the following portions of Secondary Right of Way in Sioux County, to wit:

A parcel of land described as being part of the Northeast Quarter of the Northeast Quarter of Section 5, Township 93 North, Range 45 West of the 5th P.M., Plymouth County, Iowa, further described as follows:

BEGINNING at the Northwest corner of the NE1/4 of the NE1/4 of said Section 5; thence N89°52'16"E on the North line of the NE1/4 of the NE1/4 of said Section 5, a distance of 92.67 feet; thence S22°04'44"E a distance of 35.38 feet; thence S89°52'16"W, a distance of 106.53 feet; thence N00°50'41"E, a distance of 33 feet to the POINT OF BEGINNING; contains 0.08 Acres, and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the North line of the NE1/4 of the NE1/4 of said Section 5 is assumed to bear N89°52'16"E;

AND

A parcel of land described as being part of the Northeast Quarter of the Northeast Quarter of Section 5, Township 93 North, Range 45 West of the 5th P.M., Plymouth County, Iowa, further described as follows:

Commencing at the Northwest corner of the NE1/4 of the NE1/4 of said Section 5; thence N89°52'16"E on the North line of the NE1/4 of the NE1/4 of said Section 5, a distance of 92.67 feet to the POINT OF BEGINNING; thence continuing N89°52'16"E on said North line, a distance of 620.52 feet; thence S00°07'44"E, a distance of 33 feet; then S89°52'16"W, a distance of 607.22 feet to a point on a common property line; then N22°04'44"W on said line, a distance of 35.58 feet to the POINT OF BEGINNING; contains 0.47 Acres, and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the North line of the NE1/4 of the NE1/4 of said Section 5 is assumed to bear N89°52'16"E;

AND

A parcel of land described as being part of the Southeast Quarter of the Southeast Quarter of Section 32, Township 94 North, Range 45 West of the 5th P.M., Sioux County, Iowa, further described as follows:

BEGINNING at the Southwest corner of the SE1/4 of the SE1/4 of said Section 32; thence N89°52'16"E on the South line of the SE1/4 of the SE1/4 of said Section 32, a distance of 713.19 feet; thence N01°46'15"E, a distance of 33.02 feet; thence S89°52'16"W, a distance of 713.95 feet; thence S 00°27'39"W, a distance of 33.00 feet to the POINT OF BEGINNING; contains 0.54 Acres, and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the South line of the SE1/4 of the SE1/4 of said Section 32 is assumed to bear N89°52'16"E.

It is proposed to vacate and close a portion of road right of way adjacent to the existing secondary road commonly known as 100th Street, Section 5, of Elgin Township, Plymouth County, Iowa and commonly known as 510th Street, Section 32, of Sherman Township, Sioux County, Iowa, for the reason that the same is no longer needed or usable as a public highway or public right of way, and that the vicinity of said right of way is adequately served by other existing highways, and that the best public interest will be promoted by vacating a portion of right of way as described above.

You are further notified that the Board of Supervisors of Plymouth and Sioux County, Iowa, have fixed a hearing on the proposal to close said road(s) for **10:00a.m. on the 5th day of June, 2018**; that the hearing will be held in the Board of Supervisors room, in the Plymouth County Courthouse, in Le Mars, Iowa; and that at said time all persons interested may appear and object and be heard. At or prior to said hearing any person owning land abutting said road(s) to be vacated shall have the right to file, in writing, a claim for damages with the Board of Supervisors of Sioux County, Iowa, will consider the same and make final decision with respect of said proposal to vacate and close said road and the claims of damages, if any, that you believe may result.

Dated at Orange City, Iowa, this 29th day of May, 2018.

BY ORDER OF THE BOARD OF SUPERVISORS
SIOUX COUNTY, IOWA.

/s/ Mark Sybesma, Chairman

/s/Sioux County Attorney's Office

- Submitted the bid tabulation for Project No. BRS-C084(159)—60-84 located on B30 north of Section 27, Welcome Township, which was let on May 15, 2018.

Christensen Bros., Inc	\$338,863.70
Graves Construction Co., Inc	\$382,174.25
Duininck Inc	\$711,349.75

Motion by Bloemendaal and supported by Wright to accept the low bid from Christensen Bros., Inc for \$338,863.70, be accepted and Contracts, Performance Bonds signed by Chairman. Motion carried unanimously.

- Requested Board consideration of the following permit applications, 1) Mid American Energy to place underground electric cable in Section 29 of Lynn Township, 2) Westel Systems to place buried fiber optic cable at various locations: Node 62, various locations in Holland, Floyd, and East Orange Townships, Node 63, various locations in Nassau and East Orange Townships, Node 64, various locations in Nassau and East Orange Townships, Node 65,

various locations in Nassau Township and Node 66, various locations in Nassau Township. Motion by Kleinwolterink and supported by Degen to approve the aforementioned permit agreements. Motion carried unanimously.

- The Board received for information a letter and map in regards to land for sale from the IDOT near Hospers.
- Updated the Board on various Secondary Road activities.
- Culvert letting will take place on June 12, 2018 at 10:00 a.m. for projects L-1-2017—73-84 and L-1-2018-73-84.
- Crushing has begun at the Groth Pit.

8) The Chairman adjourned the meeting at 9:55 a.m. until 9:00 a.m. Tuesday, June 12, 2018.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Ryan Dokter
Sioux County Auditor