

## **MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**

### **MEETING HELD ON APRIL 17, 2001**

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:30 o'clock a.m. with Chairman Loren Bouma presiding. Members present were Mark Sybesma, Vernon Beernink, Loren Bouma, Bernard L. Smith and Stanley L. De Haan.

Minutes of April 10, 2001 were read and on motion and vote stand approved as read.

Committee reports were given this date.

Jim Schwiesow, County Sheriff, presented Richard Knight, former County Deputy Sheriff, with a plaque and certificate of appreciation for his 13 years of dedicated service to the Sioux County Sheriff's Office and the citizens of Sioux County.

The following persons were also present for the plaque and certificate of appreciation award to Richard Knight, former County Deputy Sheriff:

Dan Altena, County Deputy Sheriff  
Del Walinga, County Deputy Sheriff  
Judy Plendl, Secretary

Mark Schouten, County Attorney, met with the Board this date update them on the Lawrence Vander Esch investigation case. He stated that a formal charging document might be filed in Sioux County District Court later this week. He also stated that the County Attorney's office is waiting for final information from the Iowa Division of Criminal Investigation police reports and then will ask the district court to set Monday, April 30, 2001 as the date for arraignment.

Shane Walter, County Mental Health Services Administrator, met with the Board this date to report that Governor Vilsack's expenditure reduction proposal would result in

a \$336,000.00 reduction in state dollars to Sioux County for mental health programs. He stated that Loren Bouma, Chairman of Board, and himself will be lobbying at the Capital Building in Des Moines on April 18 against said proposed mental health dollar cuts.

As this was the date and 10:00 o'clock a.m. the time set for consideration and hearing on a County Zoning Classification change from Agricultural to Highway Commercial for a 9.21 acre parcel located in the SE1/4SW1/4 of Section 26 in Sheridan Township, said hearing was held according to law. No written comments were received or presented orally against said change.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, was present for the hearing to review the application for Zoning Compliance Permit received from Boer & Sons, Inc. of Hull for a change in zoning classification. He stated that the Sioux County Planning and Zoning Commission has approved a favorable recommendation to the County Board of Supervisors. He also stated that he had received two letters in support of the zoning classification change.

The Chairman closed the hearing.

Motion by Sybesma and supported by De Haan to approve the first consideration of proposed zoning ordinance amendment; waive the second and final considerations due to the impending construction season; authorize the Chairman to sign the following resolution; and to proceed with final passage to be effective upon publication:

**RESOLUTION NO. 2001-07**

WHEREAS, a petition has been received from Darwin Boer, dba Boer & Sons, Inc., requesting an amendment to the Sioux County Zoning Ordinance and the Sioux County Zoning Map to change the Zoning Classification of the property described herein, from an Agricultural district to a Highway Commercial District,

PROPERTY DESCRIPTION

A 9.21 acre parcel described as part of the South 774 feet of the East 601.7 feet of the SE 1/4 of the SW 1/4 of Section 26, of Sheridan Township, Sioux County, Iowa, referred to as Parcel A.

WHEREAS, the above described property has highway access suitable for a truck, equipment storage and office building and is not in major conflict with the Sioux County Land Use Plan, and,

WHEREAS, said change does not appear to have a detrimental effect on other properties adjacent to this site, and no major effect on the majority of the property owners in the area, and,

WHEREAS, the Sioux County Zoning Commission has recommended approval of the proposed zoning classification change on the property described and shown on the area site plan attached to this petition.

THEREFORE, it is hereby resolved by the Sioux County Board of Supervisors, that the Zoning Classification of said property be changed from an Agricultural District to a Highway Commercial District, and that said change shall be effective on publication of this resolution.

RESOLVED this 17<sup>th</sup> day of April, 2001.

/s/ Loren Bouma, Chairman  
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange  
Sioux County Auditor

Roll Call on Vote: Sybesma, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

As this was the date and 10:15 o'clock a.m. the time set for consideration and hearing on a County Zoning Classification change from Agricultural to R-1 (Single Family Residential) for property located in the SE1/4 and E1/2SW1/4 of Section 21 in Rock Township, said hearing was held according to law. No written comments were received or presented orally against said change.

Mark Dunlop, County Emergency Management Services Director and Zoning Director, was present for the hearing to review the application for Zoning Compliance Permit received from Phil Gram of Rock Valley for a change in zoning classification. He stated that the Sioux County Planning and Zoning Commission has approved a favorable recommendation to the County Board of Supervisors.

Maureen McGill Hoogeveen, attorney for McGill & McGill; and Phil Grom of Rock Valley, were present for the zoning classification change hearing.

The Chairman closed the hearing.

Motion by Beernink and supported by Sybesma to approve the first consideration of proposed zoning ordinance amendment; waive the second and final considerations due to the impending construction season; authorize the Chairman to sign the following resolution; and to proceed with final passage to be effective upon publication:

#### **RESOLUTION NO. 2001-08**

WHEREAS, a petition has been received from Philip and Diane Grom, requesting an amendment to the Sioux County Zoning Ordinance and the Sioux County Zoning Map to change the Zoning Classification of the property described herein, from an Agricultural district to a R-1 (Single Family Residential) District,

#### **PROPERTY DESCRIPTION**

That part of Lot 12 in the Auditor's Replat of the SE  $\frac{1}{4}$  and E  $\frac{1}{2}$  SW  $\frac{1}{4}$ , North of Railroad, in Section 21, Township 97 North, Range 46 West of the 5<sup>th</sup> P.M., Rock Valley, Iowa, lying North of U.S. Highway 18 and lying East of the center line of the road conveyed to Sioux County, Iowa, by deed recorded in Book 50 – Page 193 (now known as Creek Boulevard), subject to public highways, EXCEPTING there from the following tracts:

- (a) Tract conveyed to Rock Valley Block and Tile, Inc., by deed recorded in Book 78 – Page 626

- (b) Tract conveyed to Edwin O. Niemeyer by deed recorded in Book 73 – Page 585.
- (c) Tract conveyed to Allen Richard Wallenburg and wife, by deed recorded in Book 80 – Page 251.
- (d) Tract conveyed to Allen Richard Wallenburg and wife, by deed recorded in the 1976 File – Card No. 1782.
- (e) The North 313.1 feet of the West 173 feet of the East 381.75 feet of Lot 12 in the Auditor’s Replat of the SE  $\frac{1}{4}$  and the E  $\frac{1}{2}$  SW  $\frac{1}{4}$ , North of Railroad, in Section 21, Township 97 North, Range 46 West of the 5<sup>th</sup> P.M., Rock Valley, Iowa, subject to public highway
- (f) That part of Lot 12 in the Auditor’s Replat of the SE  $\frac{1}{4}$  and E  $\frac{1}{2}$  SW  $\frac{1}{4}$ , North of Railroad, in Section 21, Township 97 North, range 46 West of the 5<sup>th</sup> P.M., Rock Valley, Iowa, designated as Parcel A as shown by Plat of Survey recorded in the 1995 File – Card No. 5111, subject to public highway.
- (g) That part of Lot 12 in the Auditor’s Replat of the SE  $\frac{1}{4}$  and the E  $\frac{1}{2}$  SW  $\frac{1}{4}$ , North of Railroad, in Section 21, Township 97 North, Range 46 West of the 5<sup>th</sup> P.M., Rock Valley, Iowa, designated Parcel B as shown by Plat of Survey recorded in the 1995 File – Card No. 5112.

WHEREAS, the above described property is suitable for replatting and sale of lots for housing and development purposes, and is not tillable and is currently abutting an existing residential development and is not in major conflict with the Sioux County Land Use Plan, and,

WHEREAS, said change does not appear to have a detrimental effect on other properties adjacent to this site, and no major effect on the majority of the property owners in the area, and,

WHEREAS, the Sioux County Zoning Commission has recommended approval of the proposed zoning classification change on the property described and shown on the area site plan attached to this petition.

THEREFORE, it is hereby resolved by the Sioux County Board of Supervisors, that the Zoning Classification of said property be changed from an Agricultural District to a R-1 (Single Family Residential) District, and that said change shall be effective on publication of this resolution.

RESOLVED, this 17<sup>th</sup> day of April, 2001.

/s/ Loren Bouma, Chairman  
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange  
Sioux County Auditor

Roll Call on Vote: Sybesma, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

Motion by Sybesma and supported by Beernink to approve the following

Subdivision and Plat of Grom Addition Resolution:

**RESOLUTION NO. 2001-09**

At the meeting of the Board of Supervisors of Sioux County, Iowa, held on the 17<sup>th</sup> day of April, 2001, the following Resolution was proposed and unanimously adopted:

WHEREAS, a proposed Subdivision and Plat of the Grom Addition to Sioux County, Iowa, as it appears on the accompanying Plat has been submitted to the County for review by Philip L. Grom and Diane L. Grom; and,

WHEREAS, the County has found that the Plat conforms with the requirements of Chapter 354 of the Iowa Code and the County's zoning ordinances; and,

WHEREAS, it is in the best interests of the public to approve the Plat.

THEREFORE, BE IT RESOLVED, that the County of Sioux County, Iowa, hereby approves and accepts the Subdivision and Plat designated as the GROM ADDITION, Sioux County, Iowa, as it appears on the accompanying Plat.

The Chairman of the Board of Supervisors and the County Auditor are hereby directed to furnish to Philip L. Grom and Diane L. Grom, c/o McGill & McGill, Attorneys at Law, 1403 Main Street, Rock Valley, Iowa 51247, a certified copy of this Resolution as required by Iowa law.

Passed and adopted on the day and date first above written.

/s/ Loren Bouma, Chairman  
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange

Sioux County Auditor

Roll Call on Vote: Sybesma, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

Vernon Beernink, County Supervisor, left the meeting at this time.

Doug Julius, County Engineer, met with the Board this date to request approval and a Chairman's signature on various documents.

Motion by Smith and supported by De Haan to approve and authorize the Chairman to sign Contracts and Contractor's Bonds with Graves Construction Company of Melvin for Project Numbers 84-CO84-84-093 and 84-CO84-060. Carried, unanimous in favor with one member absent.

Motion by Sybesma and supported by De Haan to approve and authorize the Chairman to sign the following documents:

Permit Agreement with Donald Johnson of Ireton for road right-of-way crossings in Sections 28 and 29 of Center Township.  
Iowa Department of Natural Resources Quarterly Reporting and Billing form for the Private Water Well-Grants to Counties Program for the quarter ending March 31, 2001.

Carried, unanimous in favor with one member absent.

Doug Julius, County Engineer, reviewed the following letting results from an Iowa Department of Transportation letting:

<u>Project No. 84-CO84-060</u>	
<u>Contractor</u>	<u>Amount</u>
Graves Construction Company, Inc.	\$323,897.92
Christensen Bros., Inc.	332,749.60
Godbersen-Smith Construction Company	336,616.55

<u>Project No. 84-CO84-093</u>	
<u>Contractor</u>	<u>Amount</u>
Graves Construction Company, Inc.	\$127,886.20
Kooiker, Inc.	139,752.50
Christensen Bros., Inc.	173,404.40

The Chairman adjourned the meeting until Tuesday, April 24, 2001.

Loren Bouma, Chairman  
Sioux County Board of Supervisors

ATTEST: Dennis Lange  
Sioux County Auditor