

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

### **MEETING HELD ON JULY 26, 2005**

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

Minutes of Tuesday, July 19, 2005, on motion and vote stand approved as submitted.

Committee reports were given this date.

Melissa O'Rourke, County Attorney, reported on the following matters:

- Reported that a death that occurred in Sheldon during RAGBRI.
- The Lease agreement with Hope Haven RTC may need to be updated. Asked the Board to give direction.
- Civil Service Commission certified 5 names to the County Sheriff at their meeting on Monday. Advised the Board that there will be a vacancy on the Civil Service Commission in 2006.
- Reported on various ongoing Court cases.

Motion by Beernink and supported by Degen to go into executive session according to Section 21.5(c), Code of Iowa, to discuss strategy with legal counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Roll call on Vote: Bouma, Yes; Beernink, Yes; De Haan, Yes; Degen, Yes; Sybesma, Yes. Motion carried, Unanimous in favor.

Motion by Bouma and supported by Beernink to go out of executive session according to Section 21.5(c), Code of Iowa.

Roll call on Vote: Bouma, Yes; Beernink, Yes; De Haan, Yes; Degen, Yes; Sybesma, Yes. Motion carried, Unanimous in favor.

The Board decided to deny a request to participate in pending litigation and directed the County Attorney to reply with a letter stating that decision.

As this was the date and 10:00 a.m. the time set for a public hearing regarding approval of an ordinance changing Precincts in Sioux County for voting in Primary and General Elections, the hearing was held as prescribed by law. Present for this hearing was Election Clerk, Lisa Rowenhorst. Chairman closed the public hearing. Motion by Degen and supported by De Haan to approve Ordinance #17 Establishing Voting Precincts for Sioux County, Iowa.

Roll call on Vote: Bouma, Yes; Beernink, Yes; De Haan, Yes; Degen, Yes; Sybesma, Yes. Motion carried, Unanimous in favor.

## **ORDINANCE NO. 17**

### **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 13 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 2000 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 effect 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.

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| 1. Alton, Nassau Precinct<br>Population – 1,432                            | City of Alton; and Nassau Township   |
| 2. Capel, Sheridan Precinct<br>Population – 1,590                          | City of Boyden; and Capel and Sheridan Townships   |
| 3. Eagle, Center Precinct<br>Population – 676                              | Eagle and Center Townships   |
| 4. East Orange Precinct<br>Population – 599                                | City of Granville and East Orange Township   |
| 5. Floyd, Lynn Precinct<br>Population – 1,469                              | City of Hospers; Floyd and Lynn Townships  |
| 6. Grant Precinct<br>Population – 532                                      | Cities of Matlock and of Sheldon; and Grant Township   |
| 7. Hawarden, Buncombe, Logan,<br>Washington Precinct<br>Population – 2,962 | Cities of Chatsworth and Hawarden; and<br>Buncombe, Logan and Washington Townships   |
| 8. Holland, West Branch (S1/2) Precinct<br><br>Population - 819            | Holland Township; and West Branch (S1/2) Township<br>(Sections 25-36) (Commencing at the intersection of<br>Goldfinch and 420 <sup>th</sup> St., thence due east a distance of 6<br>miles to the intersection of Indian and 420 <sup>th</sup> Street,<br>thence south a distance of 3 miles to the intersection of<br>Indian and 450 <sup>th</sup> Street, thence due west a distance of 6<br>miles to the intersection of Goldfinch and 450 <sup>th</sup> Street,<br>thence due north 3 miles to the point of beginning). |
| 9. Lincoln Precinct<br>Population – 2,495                                  | City of Hull and Lincoln Township  |

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| 10. Orange City No.1 Precinct<br>Population – 2,501                           | Orange City No. 1 (Described in City of Orange City Ordinance)  |
| 11. Orange City No. 2 Precinct<br>Population – 3,096                          | Orange City No. 2 (Described in City of Orange City Ordinance)  |
| 12. Plato, Garfield, Settlers, Sioux (S1/2) Precinct<br><br>Population –1,135 | Plato, Garfield and Settlers Townships; and south ½ of Sioux Township (Commencing at the intersection of Cherry and 300 <sup>th</sup> Street, thence due east a distance of 6 miles to the intersection of Dove and 300 <sup>th</sup> Street, thence due south a distance of 3 miles to the intersection of Dove and 330 <sup>th</sup> Street, thence due west a distance of 6 miles to the intersection of Cherry and 330 <sup>th</sup> Street, thence due north a distance of 3 miles to the point of beginning). |
| 13. Reading Precinct<br>Population – 862                                      | Cities of Ireton and Maurice; and Reading and Sherman Townships   |
| 14. Rock, Sioux (N1/2) Precinct<br><br>Population – 1,046                     | Rock Township; and north ½ of Sioux Township (Commencing at the intersection of Cherry and 270 <sup>th</sup> Street, thence due east a distance of 6 miles to the intersection of Dove and 270 <sup>th</sup> Street, thence due south a distance of 3 miles to the intersection of Dove and 300 <sup>th</sup> Street, thence due west a distance of 6 miles to the intersection of Cherry and 300 <sup>th</sup> Street, thence due north a distance of 3 miles to the point of beginning).                          |
| 15. Rock Valley Precinct<br>Population – 2,702                                | City of Rock Valley   |
| 16. Sherman Precinct<br>Population -618                                       | City of Maurice and Sherman Township  |
| 17. Sioux Center No.1, West Branch (N1/2) Precinct                            | Sioux Center #1 (Described in City of Sioux Center Ordinance); and West Branch (Sections 1-18) (Commencing at the intersection of Gold finch and 390 <sup>th</sup> Street, thence due east a distance of 6 miles to the intersection of Indian and 390 <sup>th</sup> Street, thence due south a distance of 3 miles to  |

the intersection of Indian and 420<sup>th</sup> Street, thence due west a distance of 6 miles to the intersection of Goldfinch and 420<sup>th</sup> Street, thence due north 3 miles to the point of beginning).

Population – 3,052  
18. Sioux Center No. 2 Precinct  
Population – 3,309

Sioux Center #2 (See City of Sioux Center Ordinance

19. Welcome Township  
Population – 694

Welcome Township

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 July, 2005.

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

/s/ATTEST: Lois Huitink  
Sioux County Deputy Auditor

Rob Klocke, County Conservation Director presented information to the Board regarding several matters.

- An RC&D (Recreation, Conservation and Development) Meeting will be held on August 8, 2005. Klocke stated that Sioux County has never been approved for grant monies, and because some of the grant money is no longer available it is doubtful that any grant money will be received in the future. Sioux Rivers RC&D has agreed to absorb Lyon and Sioux Counties into their group. Klocke's recommendation is to join with Sioux Rivers RC&D. Plymouth, Woodbury, Monona and Cherokee counties are currently involved in this group. The Board is open to joining the Sioux Rivers Group.
- The Conservation Board is the recipient of a Healthy Community Initiative Grant in the amount of \$2500.00. The funding will be used for the purchase of four canoes.
- A \$135,000 Wet Lands Grant has been received from the Iowa Department of Transportation, to be used by the Conservation Board to restore or create a minimum of 7.0 acres of wetland on property located in Section 10 and 15 or Rock Township (T97N, R46W) in Sioux County north of the city of Rock Valley. Total Cost of the project is anticipated to be \$200,000. Additional grants will be applied for to help make up the difference between the total cost of the project and the Wet Lands Grant.

Jerry Jensen, new member of the Conservation Board, was introduced to the Board of Supervisors. Other Members of the Conservation board present for this discussion were Dave Meilink, and Don Brommer.

A request by Dan Altena, County Sheriff, made at the July 12, 2005 meeting to set the hourly wage for part-time employees at the jail was discussed. The recommendation was that Reserve Deputies be paid \$15.00 per hour, Part-time Jail employees, \$12.00 per hour and Part-time Communications employees, \$12.00 per hour. Motion by Beernink and supported by Bouma to pay part-time employees of the Sheriff's department at the above noted rates of pay. Motion carried, unanimous in favor.

Doug Julius, County Engineer, requested that the Chairman of the Board sign various permit agreements and the FY 2006 Grants to Counties Well Program Application.

Motion by Bouma and supported Degan to approve and authorize the Chairman to sign the following documents:

- FY 2006 Grants to Counties Well Program Application.
- PERMIT AGREEMENTS:
  - Southern Sioux Rural Water – Bored Water Line between Sections 16 & 21 of Sherman Township.
  - Vern Van Beek – Drill Forced Main line in Section 4 of Sioux Township.

Motion passed, unanimous in favor.

Julius reported on ongoing construction projects in the County.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign a Class C Liquor License Application including Sunday Sales and Outdoor Service Area for the Rock Valley Golf Course effective August, 2005. Motion carried unanimous in favor.

The Board approved payment of claims as presented by the County Auditor from all departments this date.

The Chairman adjourned the meeting until Tuesday, August 9, 2005.

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Mark Sybesma, Chairman  
Sioux County Board of Supervisors

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ATTEST: Lois Huitink  
Sioux County Deputy Auditor