

**MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**  
**MEETING HELD ON OCTOBER 27, 2009**

**09-10-27 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.

**09-10-27 2** Minutes of the meeting held on October 20, 2009, were submitted and the Chairman declared them approved.

**09-10-27 3** The board discussed the need for an Environmental Health Specialist and the duties of that position as suggested by Kim Westerholm, Director of Children and Family Services. A possible contract would be for 10 hour a week at approx \$30.00 an hour. The board will consider this matter at a later date.

**09-10-27 4** Coleman McAllister, Sioux County Attorney – General Matters –

- There is concern by the public and law enforcement officials that the recent State Budget cuts may affect the Drug Courts. Two Probation officer positions may be eliminated. Currently there is one Probation officer for adults and one Probation officer for juveniles.

**09-10-27 5** Shane Walter, Community Services Director – General Matters -

- Informed the board that the adoption of the FEMA Flood Insurance Program will be reviewed at the November 12, 2009 Planning and Zoning Commission Meeting. The adoption of this ordinance would enable property owners in Sioux County that are in a Flood plain the ability to purchase affordable flood insurance.
- Commented that Plymouth County has contacted Walters inquiring if he was available to do HIPPA training in their county. The board feels that Walters should decline but could share information that he has available and finds useful.

**09-10-27 6** Randy Jacobsma, Sioux County Treasurer – General Matters

- Jacobsma passed out a report of the Fiscal Year 2009 list of receipts that comprise the miscellaneous receipt category. He also reported that Property tax collections are behind last year's collection at this time, but expects them to improve with time.

**09-10-27 7** Board Member Wright introduced the following proposed Resolution entitled "RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 2 TO THE Urban Renewal District 1 PLAN IN Sioux County, STATE OF IOWA", and moved that the same be adopted. Board Member Bloemendaal seconded the motion to adopt. The roll was called and the vote was, Kleinwolterink, Aye, Degen, Aye; Bloemendaal, Aye; Wright, Aye; and Sybesma, Aye. Motion carried, unanimous in favor.

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION NO. 2009-28

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 2 TO THE URBAN RENEWAL DISTRICT 1 PLAN IN SIOUX COUNTY, STATE OF IOWA

WHEREAS, by Resolution No. 2004-27 adopted October 26, 2004, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal District 1 Plan (the "Plan") for the Urban Renewal District 1 Plan Area (the "Urban Renewal District 1") described therein, which Plan is on file in the office of the Recorder of Sioux County; and

WHEREAS, by Resolution No. 2009-6, adopted February 10, 2009, this Board of Supervisors approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

ORIGINAL AREA

Sections 26 and 35, in Township 96 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and Sections 1 and 2, 11 and 12, 13 and 14, all in Township 95 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and Sections 6 and 7, in Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, the Southwest Quarter of the Northwest Quarter (SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ), and the West Half of the Southwest Quarter (W  $\frac{1}{2}$  SW  $\frac{1}{4}$ ), all in Section 5, Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, the West Half of Section 8, Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa; and, all of the right-of-way for roads and highways adjacent to the above described property; and, the right-of-ways for roads and highways located between Section 25 and 26, and 35 and 36, all in Township 97 North, Range 46 West of the 5th P.M., Sioux County, Iowa; and, the right-of-ways for roads and highways located between Sections 1 and 2, 11 and 12, 13 and 14, 23 and 24, all in Township 96 North, Range 46 West of the 5th P.M., Sioux County, Iowa.

AMENDMENT NO. 1 AREA

The Southwest Quarter of Section 36 in Plato Township

and

All of Section 5 in Township 96 North, Range 45 West; and all of the right-of-way for roads and highways located between Section 36, Township 97 North, Range 46 West and Section 1, Township 96 North, Range 46 West; and all the right-of-way for roads and highways located between Section 31, Township 97 North, Range 45 West and Section 6, Township 96 North, Range 45 West; and all of the right-of-way for roads and highways between Section 32, Township 97 North, Range 45 West and Section 5, Township 96 North, Range 45 West; all of the 5th P.M., Sioux County, Iowa.

WHEREAS, this Area is within two miles and partially inside the corporate limits of the City of Sioux Center and the County has entered into a joint agreement with said City to allow the County to operate within the Area; and

WHEREAS, the proposed urban renewal area includes land classified as agricultural land and written permission of the current owners will be obtained; and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the Amendment;

WHEREAS, County staff has caused there to be prepared a form of Amendment No. 2 to the Plan, a copy of which has been placed on file for public inspection in the office of the County Auditor and which is incorporated herein by reference, the purpose of which is to add additional land; and

WHEREAS, this proposed Amendment No. 2 to the Urban Renewal Area adds land, as follows:

The South Half (S1/2) of Section 30, Township 96 North, Range 45 West, Except the East 160 feet of the South 400 feet of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4); the West Half of the Southwest Quarter (W1/2 SW ¼) of Section 29, Township 96 North, Range 45 West; the South Half (S1/2) of Section 25, Township 96 North, Range 46 West; and all the right-of way for 380th Street along the southern boundary of Section 25 in Township 96 North, Range 46 West; all the right-of-way for 380th Street along the southern boundary of Section 30 and along the southern boundary of Section 29, all in Township 96 North, Range 45 West of the 5th P.M., Sioux County, Iowa.

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Amendment No. 2 to the Urban Renewal District 1 Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the General Plan for development of the County as a whole prior to Board approval of such Amendment, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Board within thirty (30) days of its receipt of such proposed Amendment No. 2 to the Urban Renewal District 1 Plan; and

WHEREAS, the Iowa statutes further require the Board of Supervisors to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 2 to the Urban Renewal District 1 Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the County shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the Board of Supervisors to hold a public hearing on the proposed Amendment No. 2 to the Urban Renewal District 1 Plan subsequent to notice thereof by publication in a newspaper having general circulation within the County, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, STATE OF IOWA:

Section 1. That the consultation on the proposed Amendment No. 2 to the Urban Renewal District 1 Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 10<sup>th</sup> day of November, 2009, in the Board of Supervisors' Room, Courthouse, Orange City, Iowa, at 9:45 o'clock A.M., and the Designated Representative is hereby appointed to serve the County for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the County Auditor is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Amendment No. 2 to the Urban Renewal District 1 Plan , the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN SIOUX COUNTY, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT NO. 2 TO THE URBAN RENEWAL DISTRICT 1 PLAN FOR SIOUX COUNTY, STATE OF IOWA

Sioux County, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1A) of the Code of Iowa, as amended, commencing at 9:45 o'clock A.M. on November 10, 2009, in the Board of Supervisors' Room, Courthouse, Orange City, Iowa concerning a proposed Amendment No. 2 to the Urban Renewal District 1 Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Designated Representative of Sioux County, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 2 to the Urban Renewal District 1 Plan , addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the Board of Supervisors of Sioux County, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 27th day of October, 2009.

/s/ Lois Huitink

County Auditor, Sioux County, State of Iowa

Section 3. That a public hearing shall be held on the proposed Amendment No. 2 to the Urban Renewal District 1 Plan before the Board of Supervisors at its meeting which commences at 10:00 o'clock A.M. on December 8, 2009, in the Board of Supervisors' Room, Courthouse, Orange City, Iowa.

Section 4. That the County Auditor is authorized and directed to publish notice of this public hearing in the "The Sioux County Capital-Democrat", once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED AMENDMENT NO. 2 TO THE URBAN RENEWAL DISTRICT 1 PLAN FOR AN URBAN RENEWAL AREA IN SIOUX COUNTY, STATE OF IOWA

The Board of Supervisors of Sioux County, State of Iowa, will hold a public hearing before itself at its meeting which commences at 10:00 o'clock A.M. on December 8, 2009 in the Board of Supervisors' Room, Courthouse, Orange City, Iowa, to consider adoption of a proposed Amendment No. 2 to the Urban

Renewal District 1 Plan (the "Amendment") concerning an Urban Renewal Area in Sioux County, State of Iowa.

A copy of the Amendment is on file for public inspection in the office of the County Auditor, Courthouse, Orange City, Iowa.

The general scope of the urban renewal activities under consideration in the Amendment is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The County also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including the grading and paving of 380th Street from Garfield Avenue (County highway K42) east approximately  $2\frac{3}{4}$  miles. The County also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Amendment provides that the County may issue bonds or use available funds for such purposes and that tax increment reimbursement of such costs will be sought if and to the extent incurred by the County. The Amendment initially proposes specific public infrastructure or site improvements to be undertaken by the County, but provides that the Amendment may be amended from time to time to respond to development opportunities.

The proposed Amendment No. 2 to the Urban Renewal Area adds land, as follows:

The South Half (S1/2) of Section 30, Township 96 North, Range 45 West, Except the East 160 feet of the South 400 feet of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4); the West Half of the Southwest Quarter (W1/2 SW  $\frac{1}{4}$ ) of Section 29, Township 96 North, Range 45 West; the South Half (S1/2) of Section 25, Township 96 North, Range 46 West; and all the right-of way for 380th Street along the southern boundary of Section 25 in Township 96 North, Range 46 West; all the right-of-way for 380th Street along the southern boundary of Section 30 and along the southern boundary of Section 29, all in Township 96 North, Range 45 West of the 5th P.M., Sioux County, Iowa.

All other provisions of the Plan would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the Board of Supervisors of Sioux County, State of Iowa, as provided by Section 403.5 of the City Code of Iowa.

Dated this 27<sup>th</sup> day of October, 2009

/s/ Lois Huitink  
County Auditor, Sioux County, State of Iowa

Section 5. That the proposed Amendment No. 2 to the Urban Renewal District 1 Plan, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 2 to the Urban Renewal District 1 Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the County Auditor.

Section 6. That the proposed Amendment No. 2 to the Urban Renewal District 1 Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the

General Plan for the development of the County as a whole, with such recommendation to be submitted in writing to this Board within thirty (30) days of the date hereof.

PASSED AND APPROVED this 27<sup>th</sup> day of October, 2009.

/s/ Mark Sybesma  
Chairperson, Board of Supervisors

ATTEST:

/s/ Lois Huitink  
County Auditor

**09-10-27 8** Committee Reports:

- **Bloemendaal** – Attended Meeting at Greater Siouxland Community Health Center. The number of new patients continues to grow each month. The board is provided with a monthly breakdown of patients showing if they are first time patients and the methods of payment for the account.

**09-10-27 9** **Doug Julius**, Sioux County Engineer –General Matters -

- Submitted the following agreements to be signed:
  - Premier Communications- Right of Way Permit for communications cable starting on the intersection of Goldfinch Ave and 430<sup>th</sup> Street going East 1000 Feet along the North shoulder line of 430<sup>th</sup> Street.
  - Certificate of Completion of Work and Final Acceptance by the Board of Supervisors Project No. L-3-2006—73-84-CULV.

Motion by Wright and supported by Kleinwolterink to approve and authorize the chairman to sign the aforementioned agreements. Motion carried, unanimous in favor.

Motion by Degen and supported by Bloemendaal to approve the purchase of three Kenworth T-800 Tandem Trucks subject to availability of the Caterpillar C13 Diesel Engine and adaptability of front frame extension. Motion carried, unanimous in favor.

Reviewed ongoing construction projects in the County

**09-10-27 10** Claims as submitted by the County Auditor were approved.

**09-10-27 11** The Chairman adjourned the meeting at 9:50 a.m. until Thursday, November 5, 2009, at 1:00 p.m.

Mark Sybesma, Chairman  
Sioux County Board of Supervisors

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