

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON JULY 11, 2006

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 the meeting held on June 27, 2006, were submitted and the Chairman declared them approved.

Anita Van Bruggen, County Recorder, presented quarterly and annual reports from her office to the Board. The reports were received for information.

Melissa O'Rourke, County Attorney, recommended that the Board decline to accept the host position created by the withdrawal of Clay County from the 28-E Agreement for Child Support Recovery. Motion by Bouma and supported by Degen to decline to accept the host position created by the withdrawal of Clay County and authorize the Sioux County Attorney to draft a letter giving notice of its intention to withdraw from the 28E Agreement by unanimous consent of all seven county participants, upon notification of the withdrawal of Clay County as Host County. Motion carried, unanimous in favor.

Revisions have been made to the Law Enforcement Mutual Aid Agreement which was previously approved by the Board of Supervisors. Motion by Beernink and supported by De Haan to sign the revised Law Enforcement Mutual Aid Agreement. Motion carried, unanimous in favor.

Lois Huitink, County Auditor, requested that the Board approve a Deputy Auditor and two special clerks for her office. Motion by Beernink and supported by De Haan to approve one Deputy, Linda Feikema, in the Auditor's office and two special clerks. Lisa Rowenhorst is appointed the Assistant to the County Commissioner of Elections and Kimberlee Vegter is appointed the County's Budget Director. Motion carried, unanimous in favor.

A letter was received by the Treasurer's Office requested that an additional Deputy be certified in that office, bringing that total to three. Motion Bouma and supported by De Haan to certify two deputies in that office at 80%, and that the Driver's License clerk be set at 77% of the Treasurer's salary. Motion carried, unanimous in favor.

Dayton Vogel, Creative Living Center, distributed the report for accredited services for FY06. He also presented the Board with a check for \$7,500.00 for collections exceeding the amount anticipated for FY06. The Chairman commended Vogel and Creative Living Center for the work done on behalf of the citizens of Sioux County.

Shane Walter, Community Services Director, requested that the Board approve an amendment to the Decategorization Service Contract, allowing the county to spend all available dollars. Motion by Bouma and supported by Degen to approve the contract amendment. Motion carried, unanimous in favor.

Walter requested the Chairman's signature on an agreement to be the Fiscal Agent for Northwest Iowa Community Empowerment. Motion by Beernink and supported by Degen to authorize the Chairman to sign an agreement to be the Fiscal Agent for Northwest Iowa Community Empowerment. Motion carried, unanimous in favor.

Walter reported that Juvenile Justice will no longer be using the Department of Human Services building for office space.

Dan Altena, County Sheriff, requested the Chairman's signature on the Byrne Grant Certification. Present for the discussion was Randy Waterman, Deputy Sheriff. Motion by Beernink and supported by Degen to approve and authorize the Chairman to sign the Byrne Grant Certification. Motion Carried, unanimous in favor

Motion by De Haan and supported by Beernink to increase Work Release rates at the Jail from \$25 to \$35.

Altena submitted his quarterly report. It was received for information.

Douglas Julius, County Engineer, requested signatures on the following agreements:

Motion by De Haan and supported by Degen to sign the following permits:

- **Maple Leaf Environmental Management Inc.** – Irrigation pipe in Sections 23, 24, 25 and 26 in East Orange Township
- **Shep Ysselstein** – manure irrigation line - west edge of S ½ of Section 27 in Sioux Township.

Motion carried, unanimous in favor.

Mark Van Roekel requested that the county sign a waiver which would allow him to build a new 2400 head hog confinement approximately 30 feet from the road right of way, in section 3 of Holland Township. Motion by Beernink and supported by Degen to grant the aforementioned variance to Mark Van Roekel. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Degen, Yes; De Haan; Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

Julius distributed a letter that will be presented tomorrow evening at a meeting in Sioux Falls regarding the bridge connecting Sioux County, Iowa and Lincoln County, South Dakota.

Motion by Degen and supported by De Haan to approve the following Security Information Policy for Sioux County.

1. For the protection of the county employees, visitors to county facilities, persons in county care, custody or control, and for the protection of county property, the Sioux County Board of Supervisors hereby adopts this Security Information Policy, pursuant to Iowa Code section 22.7(52)(2006). This policy is effective as of July 1, 2006.

2. The Board of Supervisors has determined that certain confidential information developed and maintained by the county concerning security procedures and emergency preparedness, if disclosed, could reasonably be expected to jeopardize such employees, visitors, persons, or property.

3. The following information shall be kept confidential unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information:

- a) Information directly related to vulnerability assessments;

- b) Information contained in records relating to security measures such as security and response plans, security codes and combinations, passwords, restricted area passes, keys, and security or response procedures;
- c) Emergency response protocols;
- d) Architectural, engineering or construction diagrams; and
- e) Information contained in records that if disclosed would significantly increase the vulnerability of critical physical systems or infrastructures of the county to attack.

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Degen, Yes; De Haan; Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

Board Member Beernink introduced the following Resolution entitled “RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON PROPOSED AMENDMENT NO. 1 TO THE URBAN RENEWAL DISTRICT 1 URBAN RENEWAL PLAN FOR SIOUX COUNTY, IOWA” and moved that the same be adopted. Board Member Degen seconded the motion to adopt. The roll was called and the vote was Bouma, Yes; Beernink, Yes; Degen, Yes; De Haan; Yes; and Sybesma, Yes. Motion carried, unanimous in favor. Whereupon, the Chairman declared the Resolution duly adopted as follows:

RESOLUTION NO. 2006-16

RESOLUTION SETTING DATES OF A CONSULTATION
AND A PUBLIC HEARING ON PROPOSED AMENDMENT
NO. 1 TO THE URBAN RENEWAL DISTRICT 1 URBAN
RENEWAL PLAN FOR SIOUX COUNTY, 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 Urban Renewal Plan (the "Plan") for the Urban Renewal District 1 Urban Renewal Plan Area (the "Urban Renewal District 1 Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Sioux County; and

WHEREAS, the Urban Renewal District 1 Urban Renewal Area currently includes and consists of:

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.

WHEREAS, this Area is within two miles of the City of Sioux Center, Iowa, 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 is required; and

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

WHEREAS, County staff has caused there to be prepared a form of Amendment No. 1 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 set forth and include within the Plan additional land, as follows:

The Southwest Quarter of Section 36 in Plato Township, Sioux County, Iowa.

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Amendment No. 1 to the 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 of Supervisors 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; 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 to the Urban Renewal District 1 Urban Renewal 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 to the Urban Renewal District 1 Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having a 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 urban renewal plan and shall outline the general scope of the urban renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Amendment No. 1 to the Urban Renewal District 1 Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 25th day of July, 2006, in the Board of Supervisors' Room, Courthouse, Orange City, Sioux County, Iowa at 10:00 o'clock A.M., and the Designated Representative, Mark Sybesma is hereby appointed to serve the County for purposes of conducting said 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 said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of the proposed Amendment No. 1 to the Urban Renewal District 1 Urban Renewal Plan, said notice to be in substantially the following form:

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

Sioux County, Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 10:00 o'clock A.M. on July 25, 2006, in the Board of Supervisors' Room, Courthouse, Orange City, Iowa concerning a proposed Amendment No. 1 to the Urban Renewal District 1 Urban Renewal 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 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 Urban Renewal Area, and the duration of any bond issuance included in said Plan.

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 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. 1 to the Urban Renewal District 1 Urban Renewal 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, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 11th day of July, 2006.

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

Section 3. That a public hearing shall be held on the proposed Amendment No. 1 to the Urban Renewal District 1 Urban Renewal Plan before the Board of Supervisors at its meeting which commences at 9:30 o'clock A.M. on August 29, 2006, 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 Sioux County Capital-Democrat", once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said 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 THE PROPOSED AMENDMENT NO. 1 TO THE URBAN
RENEWAL DISTRICT 1 URBAN RENEWAL PLAN FOR
SIOUX COUNTY, IOWA**

The Board of Supervisors of Sioux County, Iowa, will hold a public hearing before itself at its meeting which commences at 9:30 o'clock A.M. on August 29, 2006 in the Board of Supervisors' Room, Courthouse, Orange City, Iowa to consider adoption of proposed Amendment No. 1 to the Urban Renewal District 1 Urban Renewal Plan (the "Plan") concerning an area in Sioux County, Iowa legally described as follows:

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.

which land is included as part of the Urban Renewal District 1 Urban Renewal Plan area (the "Urban Renewal District 1 Urban Renewal Area").

A copy of Amendment No. 1 to the Plan is on file for public inspection in the office of the County Auditor, Courthouse, Orange City, Iowa.

Sioux County, Iowa is the local public agency which, if such Amendment No. 1 to the Plan is approved, shall undertake the urban renewal activities described in such Plan and Amendment.

The general scope of the urban renewal activities under consideration in the Plan is to assist qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further development of the Urban Renewal Area, the Plan 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 install, construct and reconstruct streets, parking facilities, open space areas and other substantial public improvements, and may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Plan 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 Plan initially proposes specific public infrastructure or site improvements to be undertaken by the County, but provides that the Plan may be amended from time to time to respond to development opportunities.

The proposed Amendment No. 1 to the Plan would set forth and include within the Plan additional land, as follows:

The Southwest Quarter of Section 36 in Plato Township, Sioux County, Iowa.

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

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

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

Dated this 11th day of July, 2006.

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

Section 5. That the proposed Amendment No. 1 to the Urban Renewal District 1 Urban Renewal Area, now before this Board, for the Urban Renewal District 1 Urban Renewal Area described herein is hereby officially declared to be the proposed Amendment No. 1 to the Plan referred to in said notices for purposes of such consultation and hearing and that a copy of said Amendment No. 1 to the Plan shall be placed on file in the office of the County Auditor.

Section 6. That the proposed Amendment No. 1 to the Urban Renewal District 1 Urban Renewal 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 30 days of the date hereof.

PASSED AND APPROVED this 11th day of July, 2006.

/s/ Mark Sybesma
Chairperson, Board of Supervisors

ATTEST: /s/ Lois Huitink
County Auditor

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

The Chairman adjourned the meeting until Tuesday, July 25, 2006.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor