

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON JUNE 18, 2019

- 1) The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:00 a.m. with Chairman Mark Sybesma presiding. Members present were John Degen, Jerry Muilenburg, Carl Vande Weerd, and Mark Sybesma. Supervisor Al Bloemendaal was absent.
- 2) Minutes of the meeting held on June 4, 2019 were submitted and the Chairman declared them approved.
- 3) Claims were approved for June 18, 2019 as submitted by the County Auditor.
- 4) Tom Kunstle, Sioux County Attorney,
 - Requested Chairman Sybesma's signature on the Economic Development Assistance Contract between Readifuels-Iowa, Sioux County, and the Iowa Economic Development Authority for Contract Number: 19-HQJP-021.
 - Presented a lease agreement for Board consideration between the Sioux Rivers Mental Health and Disabilities Services Region and Sioux County for vehicles owned by the Region. This lease agreement would make the Region liable for the three vehicles owned by the Region, as the vehicles are required to be titled by the County. Motion by Degen and supported by Muilenburg to approve the lease agreement. Motion carried, one member absent.
 - Reported that a trial is scheduled for July 9, 10, and 11.
- 5) Motion by Vande Weerd and supported by Degen to approve the following liquor license renewals: Sfumato Pizza located at 4995 Carnes Drive, Alton, IA, 51003 and the Rock Valley Gun Club located at 2378 310th St, Rock Valley, IA, 51247. Motion carried, one member absent.
- 6) Ryan Dokter Sioux County Auditor,
 - Requested Board approval of the FY2020 Appropriations Resolution. Motion by Muilenburg and supported by Vande Weerd to approve the appropriations at 100%. Roll Call on Vote: Muilenburg, Yes; Vande Weerd, Yes; Degen, Yes; Sybesma, Yes. Motion carried, one member absent.

RESOLUTION 2019-22

WHEREAS, it is desired to make appropriations for each of the different offices and departments for fiscal year 2020 in accordance with Section 331.434(6), Code of Iowa,

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Sioux County, Iowa as follows:

SECTION 1. The amounts itemized by fund and by department or office on the attached schedule are hereby appropriated at 100% of total expenditures for each department, as listed in the last column on the same line of the attached schedule.

SECTION 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized funds.

SECTION 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditures of money for a purpose in excess of the amounts appropriated pursuant to this resolution.

SECTION 4. If at any time during the fiscal year 2020 budget year the Auditor shall ascertain that the available resources of a department for that year will be less than said department total appropriations, he shall immediately so inform the Board and recommend appropriate corrective action.

SECTION 5. The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers monthly during fiscal year 2020 budget year.

SECTION 6. All appropriations authorized pursuant to this Resolution lapse at the close of business on June 30, 2020.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on June 18, 2019.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

- Requested Board approval a 28E agreement to share the cost of the mental health advocate with the counties in the Northwest Iowa Care Connections Mental Health Region and to designate Abby Wallin as the Mental Health Advocate. Due to the transition of Woodbury to the Rolling Hills Mental Health Region, the Sioux Rivers Region will be losing the current Mental Health Advocate who resides in Woodbury County. Motion by Vande Weerd and supported by Muilenburg to sign the 28E agreement and to designate Abby Wallin as the Mental Health Advocate. Motion carried, one member absent. The 28E agreement is on file in the Community Services office in the Courthouse.
- 7) As this was the date, June 18, 2019, and time 9:15 a.m. for a public hearing, the Chairman opened the public hearing. Suzanne Haverdink, Sioux County Zoning Clerk presented the following information: Name of Applicant: Jonathan Vander Waal Location of the operation: Section 16, Capel Township, Sioux County, Iowa. Type of confinement feeding operation structure proposed: One new 1400 head deep pit swine nursery confinement building at an existing swine/poultry confinement facility. Animal Unit Capacity of the confinement operation after construction: 1661 animal units. (2460 head of nursery swine, 1050 head of finishing swine and 99,500 chickens averaging 3 pounds or more.) No oral or written comments were received and the Chairman closed the public hearing. Motion by Degen and supported by Muilenburg to send a favorable opinion to the Iowa DNR for this application. Motion carried, one member absent.
- 8) As this was the date, June 18, 2019, and time 9:15 a.m. for a public hearing, the Chairman opened the public hearing. Suzanne Haverdink, Sioux County Zoning Clerk presented the following information: Name of Applicant: Green Cattle Company LLC. Location of the operation: Section 13, Sheridan Township, Sioux County, Iowa. Type of confinement feeding operation structure proposed: One new 1200 head deep pit beef cattle confinement building at an existing beef cattle confinement/open lot facility. Animal Unit Capacity of the confinement portion of the operation after construction: 2400 animal units. (2400 head of beef cattle). No

oral or written comments were received and the Chairman closed the public hearing. Motion by Vande Weerd and supported by Degen to send a favorable opinion to the Iowa DNR for this application. Motion carried, one member absent.

- 9) Suzanne Haverdink, Sioux County Zoning Clerk, presented a Waiver of Separation Distance for the construction of a hog confinement for Marlin Hoogland. The prescribed separation distance is 100 feet, but Hoogland would like to construct the hog confinement in line with a current hog confinement, which is at approximately 65 feet of separation distance. Motion by Degen and supported by Vande Weerd to approve the Waiver of Separation Distance. Motion carried, 3 for and 1 against, one member absent.

WAIVER OF SEPERATION DISTANCE

This Waiver of Separation Distance (hereinafter referred to as "Waiver") is granted by Sioux County, Iowa, to Marlin Hoogland.

1. Marlin Hoogland proposes to construct a 1400 Head Mature Hog Confinement, as an expansion to an existing 1200 Hog confinement, for a total of two buildings on land located in the Northeast ¼ of Northwest ¼ (NE ¼, NW ¼) of Section 12, Township 94 North, Range 46 West.
2. Sioux County owns and maintains a public thoroughfare commonly known as 470th Street, a level A maintenance blacktop road. This thoroughfare lies adjacent to the above-described property.
3. Mr. Hoogland proposes to construct the above described Hog Confinement on parcel #2113126005, in Reading Township, Sioux County, Iowa.
4. The proposed building will be constructed in line with the existing structure, which is within the prescribed 100' feet separation distance to the nearest public thoroughfare, commonly known as 470th Street, a level A maintenance road, which separation distance is identified by Iowa Code 455B.162 and summarized in Table 6 of 567 – Chapter 65.
5. The separation required from thoroughfares specified by Iowa Code 455B.162 and summarized in Table 6 of 567 – Chapter 65, does not apply to confinement feeding operations constructed before the effective date of the separation distance prior to January 1, 1999. Any existing buildings are not required to meet the 100 foot thoroughfare separation distance. However, any confinement facilities constructed after this date are in fact subject to this separation distance requirement.
6. Sioux County, Iowa, agrees and acknowledges that the Planning & Zoning office has been provided the opportunity to review plans for the proposed confinement facility structure and has been provided all requested information about the above-proposed building project.
7. Sioux County, Iowa, does have a zoning set-back for agricultural property and variances are available.

Pursuant to Iowa Code 459.205(2), Sioux County, Iowa, hereby waives the 100 foot minimum thoroughfare separation distance requirements for construction of a confinement facility at the above-named location for separation distance requirements from the Sioux County thoroughfare commonly known as 470th Street, a level A maintenance road, provided that no portion of the building shall be closer to the public thoroughfare than the 65 feet prescribed by the Planning & Zoning Administrator, and as per secondary road directive.

Sioux County, Iowa, grants this specific waiver based upon the particular facts of this situation, including the fact that it is adjacent to a level A level maintenance road and there are no additional

structures proposed at this location, beyond the pre-existing confinement set back at approximately 65 feet from the thoroughfare.

AGREED AND ACCEPTED this 18th day of June, 2019, by the Sioux County Board of Supervisors, Chairman Mark Sybesma.

10) Committee Reports:

- **Muilenburg** – Reported on the Landfill meeting from last week. The health insurance for the agency will be switching to a health savings account and a 3 year contract has been signed with the Engineer for the agency.
- **Degen** – 1) Reported repairs we done to the communication tower and planning for a new tower continues. 2) Construction on the nature center is coming along nicely. 3) The process will begin for getting bids for replacing the boilers in the courthouse. Head Custodian, Dennis Vander Wel, will begin work on this. 4) Updates to lighting in the building Public Health uses will take place over the coming weeks. 5) The claim from Krull Construction was paid for \$14,465 for the north steps of the courthouse.
- **Sybesma** – 1) Attend a Third Judicial meeting in Sheldon. A new director for the Sheldon office was hired. The director did a presentation on the Third Judicial District for those in attendance. 2) Reported on the Regional Airport Board meeting. The cash flow for the 15 year projection looks positive and the proceeds from the sale of the Orange City and Sioux Center airports will go to the agency, once those properties are sold.

11) Loren Van Regenmorter and Doug Winterfeld made a request to pave part of Eagle Avenue, beginning at B40 north to their scale. They reported they have many trucks who use the scale and distributed a report of the people and companies that use the scale regularly.

Doug Julius, Sioux County Engineer, shared a presentation on the process of paving a gravel road and the estimated costs, which would be approximately \$938,629.51. The costs are based on state averages. The distance for paving is approximately 4,000 feet. A point system is used to determine assessment costs to the landowners, and the preliminary points would total 40, which is 10 points short of the needed 50 points for the County to cover the entire cost. 10 points is equal to a 20% assessment to the landowners. Van Regenmorter and Winterfeld were open to paying the 20% assessment.

If the County were to proceed, the road would need to get included in the 5 year construction plan and it would be about 3 years before the project would be completed entirely.

Julius reported that in the near term, fabric and tiling would be installed in the road to help improve the road.

12) Doug Julius, Sioux County Engineer,

- Opened bids for Project M-42-2019 at 10:00 a.m. on June 18, 2019 for an asphalt patching project on Garfield Avenue between B30 and B40.

<u>Contractor</u>	<u>Total Bid</u>
Cedar Falls Construction	\$208,185.16
Midwest Coatings	\$242,330.36

Motion by Vande Weerd and supported by Degen to accept the low bid from Cedar Falls Construction, pending the review of the bid from the Engineer. Motion carried, one member absent.

- Requested Board consideration for a permit application from the City of Orange City to bore under Ironwood Avenue, in Sections 5 and 6 of Nassau Township, for a 10” PVC force main for the waste water plant. Motion by Muilenburg and supported by Vande Weerd to approve the permit application. Motion carried, one member absent.
- Requested Board approval of an amendment to the FY2020 Secondary Road Construction Program. This is for projects STBG-SWAP-84—F6-84(FY2023-B40), STBG-SWAP-84—F6-84(FY2023-K64), and STBG-SWAP-84—F6-84(FY2022-L14). Motion by Muilenburg and supported by Degen to approve the amendment. Motion carried, one member absent.
- Requested Board signatures for a Certificate of Appreciation for Brenda Van Peurseem who is retiring after 34 years and 10 months of service.
- Updated the Board on secondary road activities.
- Distributed the 2019/2020 Construction Map and the 5 Year Construction Map.
- Reported that in 2018, 140,000 tons of gravel was applied to roads. The material cost was approximately \$870,000 and the total cost of material, equipment, and labor, was approximately \$1,345,000.
- Informed the Board that the Iowa DOT has four parcels for sale, two in the Hospers area and two in the Sheldon area. The Iowa DOT purchased those in conjunction with the Highway 60 project. Julius has no interest in these parcels for County purposes.
- Applicants for the open position at the Sioux Center shop are currently being screened.

13) The Chairman adjourned the meeting at 10:25 a.m. until 9:00 a.m. Friday, June 28, 2019.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Ryan Dokter
Sioux County Auditor