

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON FEBRUARY 10, 2009

- 09-02-10 1** 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 Dennis Wright, Al Bloemendaal, Mark Sybesma, John Degen and Arlyn Kleinwolterink.
- 09-02-10 2** Minutes of the meeting held on February 3, 2009, were submitted and the Chairman declared them approved.
- 09-02-10 3** Deb Fischer, representative of the Sioux County Clerk of District Court's office expressed appreciation to the Board for improvements made on the second floor of the Courthouse. Fisher reported that a State wide Electronic Document System is tentatively scheduled to be implemented in October starting with Lyon County. Also reported was that because of State mandated furloughs, the Clerk of Courts Office will be closed on February 16, 2009.
- 09-02-10 4** Coleman McAllister, County Attorney informed the Board that reorganization of the Iowa Court system is likely to happen if budget constraints continue to be a concern.
- 09-02-10 5** Motion by Wright and supported by Degen to approve a 4% increase for appointed officials and clerical employees for FY 2009/2010. Motion carried unanimous in favor. Motion by Kleinwolterink and supported by Bloemendaal to approve the recommendation of the Compensation Board of a 3.5% increase for all elected officials except the sheriff for FY 2009/2010. The sheriff is to receive a 4.5% increase. In addition to those increases, the Chairman of the Board is to receive a \$2,000 stipend. Motion carried, unanimous in favor.
- 09-02-10 6** Motion by Bloemendaal and supported by Wright to approve a resolution to amend County Urban Renewal District #1. Roll call on Vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION NO. 2009-06

RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING AMENDMENT NO. 1 TO THE URBAN RENEWAL DISTRICT 1 PLAN THEREFOR

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 of Sioux County, Iowa (the "Plan") for the Urban Renewal Area 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.

WHEREAS, this Area is within two miles 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 includes land classified as agricultural land and written permission of the current owners has been obtained; and

WHEREAS, a proposed Amendment No. 1 to the Plan has been prepared, which proposed Amendment is on file 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

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

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Amendment No. 1 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 of Supervisors approval thereof; and

WHEREAS, adoption of Amendment No. 1 has been approved by the Planning and Zoning Commission for the County as being in conformity with the general plan for development of the County as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on November 6, 2006, this Board directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 1 to the Urban Renewal District 1 Plan and the division of revenue described therein, and that notice of said consultation and a copy of the proposed Amendment No. 1 to the Urban Renewal District 1 Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the Board of Supervisors and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Designated Representative filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by said resolution this Board also set a public hearing on the adoption of Amendment No. 1 to the Urban Renewal District 1 Plan for this meeting of the Board, and due and proper notice of said public hearing was given, as provided by law, by timely publication in the "The Sioux County Capital-Democrat", which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with said notice, all persons or organizations desiring to be heard on said proposed Amendment No. 1 to the Urban Renewal District 1 Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Board in connection therewith and said public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the Plan and Amendment No. 1 thereto concerning the area of Sioux County, Iowa described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Board for this area.

Section 2. This Board further finds:

a. Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal District 1 into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b. The Plan and Amendment No. 1 to the Urban Renewal District 1 Plan of Sioux County, Iowa, conform to the general plan for the development of the County as a whole; and

c. Although acquisition is not expected, as to any areas of open land included within the Urban Renewal District 1 to be acquired by the County:

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this Board of Supervisors hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the County; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

A. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

B. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

C. That the provision of public improvements related to housing and residential development will encourage housing and residential

development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

D. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected, and with reference to those portions thereof which are to be developed for non-residential uses, the Board of Supervisors hereby determines that such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal District 1, as amended, is an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this County.

Section 4. That Amendment No. 1 to the Urban Renewal District 1 Plan of Sioux County, Iowa be and the same is hereby approved and adopted as "Amendment No. 1 to the Urban Renewal District 1 Plan for Sioux County, Iowa"; Amendment No. 1 to the Urban Renewal District 1 Plan of Sioux County, Iowa, is hereby in all respects approved; and the County Auditor is hereby directed to file a certified copy of said Amendment No. 1 with the proceedings of this meeting.

Section 5. That the Plan, as so amended, for the Urban Renewal District 1 shall be in full force and effect from the date of this Resolution until the later of the date of termination set forth in the Plan as so amended, or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said proposed Amendment No. 1 to the Urban Renewal District 1 Plan shall be forthwith certified by the County Auditor, along with a copy of this Resolution, to the Recorder for Sioux County, State of Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 1 thereto, as well as Resolution No. 2006-33 previously adopted by this Board of Supervisors be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 10th day of February, 2009.

/s/ Mark Sybesma
Chairperson, Board of Supervisors

ATTEST: /s/ Lois Huitink,
County Auditor

09-02-10 7 As this is the date and 10:00 o'clock a.m. the time set for a Public Hearing to approve a zoning reclassification to a property on B-40, changing its classification from single family residential to multi-family residential, the Chairman opened said hearing. Gregg Hooyer was present for this discussion. No comments were received from the public. The Chairman closed the Public Hearing. Motion by Bloemendaal and supported Wright by to approve a resolution amending the Sioux County Zoning Map to reflect changes in zoning classification. Roll call on vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma Yes. Motion carried, unanimous in favor.

RESOLUTION NO 2009-05

WHEREAS, a petition has been received from Gregg W. Hooyer, of rural Sioux Center, Iowa, 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 a Single Family Residential District (RS) to a Multiple Family Residential District (RM)

PROPERTY DESCRIPTION

A tract of Land in West Branch Township (T95N-R45W), West of the 5th Prime Meridian, and subject to Water Line Easement, Sioux County, Iowa, containing approximately 1.66 Acres, comprising the West 295.04 feet of the East 590.08 feet of the South 295.04 feet of the Southeast Quarter of the Southeast Quarter (SE1/4,SE1/4) of Section Two (2).

WHEREAS, said property is located in an area currently bordered by Residential and Agricultural use and said classification is compatible with the 2007 Sioux County Comprehensive 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 Planning and 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 a Single Family Residential District to a Multiple Family Residential District, and that said change shall be effective on publication of this resolution.

RESOLVED, this 10th day of February, 2009

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

ATTEST: /s/ Lois Huitink,
Sioux County Auditor

09-02-10 8 Dayton Vogel and Stanton Visser, Administrators for Creative Living Center P.C. presented a budget request for FY 2009/2010. The request is for \$101,770.00 which is the same amount requested in the current Fiscal Year. Vogel explained the services provided by Creative Living Center. Appreciation was given to Shane Walter for his efforts to provide mental health services to those that need them in Sioux County. The Chairman stated that the Board appreciates the quality of services that the Creative Living Center provides.

09-02-10 9 Supervisor Wright noted that he and Shane Walter, Community Services Director attended a Mental Health Consortium Meeting last Friday.

09-02-10 10 Micah Van Maanen, IT Director presented a contract with ImageTek for document imaging of books in the Auditor's office. The books include Board of Supervisors Minute Books, Transfer Books and Election Result Books. Imaging would safeguard these historical documents in case of disaster. Motion by Kleinwolverink and supported by Bloemendaal to approve and authorize the Chairman to sign a contract with ImageTek to image the aforementioned documents at a cost of \$14,542.00. Motion carried, unanimous in favor.

09-02-10 11 Motion by Kleinwolterink and supported by Degen to approve a resolution allowing the transfer of \$788,866.50 from the Rural Basic Fund to the Secondary Road Fund. Roll call Vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2009-04

SECONDARY ROAD FUND TRANSFER

WHEREAS, it is desired to make the following inter-fund operating transfer:

\$788,866.50 from the Rural Basic Fund to the Secondary Road Fund,

WHEREAS, said operating transfer is made in accordance with Section 331.432 Iowa Code,

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

Section 1. The following inter-fund operating transfer is to be made effective February 10, 2009.

\$788,866.50 from the Rural Basic Fund to the Secondary Road Fund

Section 2. The County Auditor is directed to correct her books accordingly and to notify the County Treasurer of these inter-fund operating transfers, accompanied by a copy of this resolution and the record of its adoption.

Signed and dated this 10th day of February, 2009.

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

09-02-10 12 Doug Julius, County Engineer reported that the stockpiling of gravel is complete. 62,000 tons of gravel were moved.

09-02-10 13 Claims as submitted by the County Auditor were approved.

09-02-10 14 Organizational Budget Requests were reviewed.

09-02-10 15 Motion by Degen and supported by Bloemendaal to approve the following proposed property tax levy rates for Fiscal Year 2010 and to instruct the County Auditor to proceed with publication of the County budget for a public hearing to be held at 10:00 o'clock a.m. on March 3, 2009. Motion carried, unanimous in favor.

<u>Fund</u>	<u>Levy Rate</u>
General Basic	3.50000
General Supplemental	.17817
MH-DD Services	.91525
Debt Service	.44328
Rural Basic	<u>2.81861</u>
Total	7.85531

The property tax rates for the General Basic, General Supplemental, MH-DD Services and Rural Basic Funds were calculated using the following 2008 taxable valuations:

Rural	584,497,888
Urban	538,020,291
Total	1,122,518,179

The property tax rate for the Debt Service Fund was calculated by using the following 2008 taxable valuation:

Countywide	1,319,795,422
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09-02-10 16 The Chairman adjourned the meeting at 11:55 a.m. until Tuesday, February 17, 2009.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor