

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON FEBRUARY 21, 2012

12-02-21 1 The Board of Supervisors of Sioux County, Iowa, met on February 21, 2012, at 9:00 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Al Bloemendaal, John Degen, Arlyn Kleinwolterink, Mark Sybesma and Dennis Wright.

12-02-21 2 Minutes of the meeting held on February 14, 2012, were submitted and the Chairman declared them approved.

12-02-21 3 Lisa Rowenhorst, Sioux County Election Administrator presented the results of the Northwest Iowa Community College Special Election held on February 7, 2012, for the Board to canvass. Motion by Wright and supported by Bloemendaal to approve the canvass of results of the NCC Special Election held on February 7, 2012. Motion carried, unanimous in favor.

SPECIAL NCC SCHOOL ELECTION		
February 7, 2012		
"Shall the Board of Directors of Northwest Iowa Community College in the Counties of Cherokee, Clay, Dickinson, Lyon, O'Brien, Osceola, Plymouth and Sioux be authorized to erect, equip, renovate and expand buildings for Community College student learning purposes, including construction of new buildings, expansion and/or renovation of existing buildings and student support areas, upgrading mechanical and advanced technology systems, contract indebtedness therefore, and issue its school bonds in an amount not exceeding \$13,400,000 for those purposes?"		
County	YES	NO
Cherokee	111	23
Lyon	492	473
O'Brien	1464	666
Osceola	225	193
Sioux	1018	1414
Total Votes	3310	2769
	54.45%	45.55%
*60% Majority is required to pass		

12-02-21 4 Coleman McAllister, Sioux County Attorney

- Requested approval of a resolution confirming the date and time for the sale of County right-of-way to Natural Beauty Greenhouse. Motion by Kleinwolterink and supported by Degen to set March 6, 2012, as the date and 10:15 as the time for a public hearing to convey .275 acres of County owned property to Natural Beauty

Greenhouse. Roll call on vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION NO. 2012-06

Field Code Ch

SETTING PUBLIC HEARING ON PROPOSED SALE OF COUNTY'S INTEREST IN CERTAIN RIGHT OF WAY PROPERTY TO FLORAL PLANT GROWERS L.L.C.

WHEREAS, Sioux County has legal title to certain real property consisting of approximately 0.275 acres located adjacent to Jackson Avenue consisting of excess right of way easement legally described as follows:

A survey of excess right of way in the Southeast Quarter (SE 1/4) of Section 29 (Sec. 29) Township 97 North (T97N) Range 44 West(R44W) of the 5th Principal Meridian in Sioux County State of Iowa more particularly described as follows: Commencing at the SE corner of Section 29, T97N, R44W of the 5th Principal Meridian: thence N 00 00'17"E, 49.58 feet along the Easterly line of the SE ¼ of said Sec.; thence N88'42'18"W, 50.00 feet, to the point of beginning; thence continuing N88'42'18"W, 25.00 feet; thence N00'00'17"E 348.72 feet; thence S89'59'43"E, 15.00 feet; thence N00'00'17"E, 325.00 feet; thence S89'59'43"E 10.00 feet, to a point which is S00'00'17"W, 98.48 feet of the Southeasterly lot corner of address 3181 Jackson Ave. having a county P.I.N. Number of 05-29-476-010; thence S00'00'17"W 674.28 ft. to the point of beginning, containing 11,979.3 sq. ft. or 0.275 acres.

WHEREAS, Sioux County has further negotiated an agreement with Floral Plant Growers L.L.C. whereby Sioux County would dispose of its interest in the above legally described property by transferring ownership to Floral Plant Growers L.L.C. in return for Sioux County receiving \$3,354.20 in cash.

WHEREAS, as more particularly described above, the Board is desirous of describing and setting forth the proposed land transaction prior to disposing of the County's interest in the real property as required by Iowa Code Section 333.361; setting a public hearing on the proposed property sale; publishing notice of the time and place of the public hearing on the proposed property sale; and soliciting public comment and input on the proposed property sale prior to finally acting on such proposal.

NOW, THEREFORE, BE IT RESOLVED that the Sioux County Board of Supervisors will hold a public hearing to discuss the proposed property sale of the excess right of way easement to Floral Plant Growers L.L.C. and the proposed real estate transfer to effectuate such sale, and to discuss whether or not to pass and approve the proposed sale of the excess right of way easement to Floral Plant Growers L.L.C. Such public hearing will be held on March 6, 2012, at 10:15 a.m. in the Sioux County Courthouse at 210 Central Avenue SW, Orange City, Iowa.

PASSED AND APPROVED this 21st day of February, 2012.

/s/ Mark Sybesma
Chairman, Board of Supervisors

ATTEST: /s/Lois Huitink, Sioux County Auditor

- A letter was received by each of the Board Members from the Sioux Center City Council regarding the proposed Sandy Hollow Shooting Range. Board members determined a response was in order so, at the request of the Board, McAllister drafted a letter of response for the Board's consideration. Discussion was had about the contents of the response letter. Motion by Kleinwolterink and supported by Wright to send a responsive letter to the City of Sioux Center. Bloemendaal stated that he

would like to have more time to study any letter of response before signing it. He stated that the Planning and Zoning Board made a decision and that nothing has changed since that decision was made. Motion carried, four in favor, Bloemendaal against. The letter was signed by all Board members except Bloemendaal. The signed letter was given to Paul Clousing, Sioux Center City Manager, who was present for the discussion, with direction to deliver it to the Sioux Center City Council. The letter received from the Sioux Center City Council and the letter of reply are matters of public record.

- Discussion was held on bringing the Sandy Hollow matter back before the Board for the possibility of a vote next week. Auditor Huitink was instructed to place the item on the agenda for February 28, 2012.

12-02-21 5 As this was the date and 9:30 a.m. the time set for a public hearing on an Iowa Department of Natural Resources Construction Permit Application for Darrel Nyhof, proposing the construction of an addition to existing dairy freestall, new dairy freestall barn, new sand settling lane, and two cell earthen manure storage ponds, the Chairman opened said hearing according to law. Suzanne Haverdink, Sioux County Zoning Assistant reviewed the application with the Board. The construction is located in Section 36 of Welcome Township. Darrel Nyhof was present for this discussion. The Chairman closed the hearing. Motion by Bloemendaal and supported by Wright to recommend approval of the aforementioned permit to the Department of Natural Resources. Motion carried, unanimous in favor.

12-02-21 6 COMMITTEE REPORTS:

- Wright – Attended a NW Iowa Mental Health Consortium meeting. All mental health providers within the consortium are required to join the consortium and to file a CRIS report. This matter was passed on a split vote.

12-02-21 7 Doug Julius, Sioux County Engineer reported on general road matters.

12-02-21 8 Claims submitted by the County Auditor were approved as submitted.

12-02-21 9 The Chairman adjourned the meeting at 9:50 a.m. The next meeting will be held on February 28, 2012, beginning at 9:00 a.m.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor