

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON MAY 24, 2011

11-05-24 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 Al Bloemendaal, John Degen, Arlyn Kleinwolterink, Mark Sybesma and Dennis Wright.

11-05-24 2 Minutes of the meeting held on May 10, 2011, were submitted and the Chairman declared them approved.

11-05-24 3 Nate Huizenga, County Emergency Management Director

- Requested a signature on a Grant for the Sioux County Firefighter Association The Grant for \$10,000 was issued by the Sioux County Community Foundation. The grant will be used to provide one hand held radio for every firefighting jurisdiction in the county. Motion by Degen and supported by Kleinwolterink to approve and authorize the chairman to sign a Sioux County Community Foundation Grant Recipient Agreement. Motion carried, unanimous in favor.
- Reported that the generator from the former Hope Haven Residential Training Center is now in Maurice, assisting that Fire Department.
- Requested, on behalf of Sheriff Dan Altena that a concrete approach to garage at the HH/RTC be removed. This would allow two additional vehicles to be stored inside. Kleinwolterink will investigate the matter.

11-05-24 4 Ethan Vaas, Agropur Foods addressed the board about economic development in the County. Vass stated that employers find that filling job openings is a challenge. Unemployment is low in Sioux County. Agropur Foods from Hull hopes to double output in the next few years. Vaas asked the Board: "How do we entice people to move to Sioux County?"

11-05-24 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 Randy Kats, proposing the expansion of a swine confinement feeding operation in Section 11 of Rock Township, the Chairman opened said hearing according to law. Shane Walter, Sioux County Zoning Administrator reviewed the application with the Board. No comments either written or oral were received. No one was present for this discussion. The Chairman closed the hearing. Motion by Wright and supported by Bloemendaal to recommend approval of the aforementioned permit to the Department of Natural Resources. Motion carried, unanimous in favor.

11-05-24 6 Shane Walter, Sioux County Community Services Director

- Requested that the Board sign a resolution for 14 day waiver to begin construction for Porky Pine Farms Inc. Motion by Degen and supported by Kleinwolterink to sign a resolution allowing for a waiver to begin construction to Porky Pine Farms, Inc. Roll call on vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2011-16

Sioux County Board of Supervisors

APPROVAL OF WAIVER OF SIOUX COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.

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

Section 1. The Sioux County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that Josh Hooyer (Porky Pine Farms Inc.) has been issued a draft permit for the construction of a confined animal feeding operation building in the SW ¼ of the SE ¼ of Section 2, T94N, R46W of Reading Township in unincorporated Sioux County.

Section 2. The Sioux County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on May 24, 2011.

Section 3. The Sioux County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4. The Sioux County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5. The Sioux County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

Section 6. This resolution shall take effect immediately.

Signed and dated this 24th day of May, 2011.

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

- Motion by Wright and supported by Bloemendaal to sign an Iowa Department of Human Services Community Mental Health Center Affiliation Agreement. Motion carried, unanimous in favor.
- Presented draft letters for the Boards approval to the Seasons Center for Community Mental Health and the Greater Sioux Community Health Center regarding providing outpatient mental health care to patients at the Greater Sioux Community Health Center in Sioux Center. Motion by Wright and supported by Degen to approve a letter signed by the Chairman of the Board with the intent to begin discussion with Seasons Center for Community Mental Health and the Greater Sioux Community Health Center. Motion carried, unanimous in favor.

11-05-24 7 Jeff Peters, CEO Williams and Company met with the Board to submit a three year contract with that Company to audit Sioux County's books. The base contract fees will

be \$25,250 for FY 2011, \$26,000 for FY 2012 and \$26,800 for Fy2013. Motion by Kleinwolterink and supported by Degen to approve a three year contract with Williams and Company. Motion carried, unanimous in favor.

11-05-24 8 Motion by Bloemendaal and supported by Wright to approve a resolution certifying the results of Special NCC Election held on April 5, 2011.

RESOLUTION NO. 2011-15

WHEREAS, the School Board of Northwest Iowa Community College, Iowa, heretofore did legally call a special election to be held on Tuesday, April 5, 2011, and ordered submitted thereat to the registered voters of said District, the following special measure proposition:

“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 purposes, including construction of new buildings, expansion and/or renovation of Building C, Building D, and student support areas, upgrading heating, cooling, electrical and mechanical equipment, and construction and expansion of advanced technology, contract indebtedness therefore, and issue its school bonds in an amount not exceeding \$13,400,000 for those purposes?”

and

WHEREAS, legal, sufficient and timely notice of the submission of the proposition at the election and of the date and hours of the election, and of the voting precinct or precincts thereof, with their corresponding polling place or places, was duly published and a correct and complete copy of said proposition was posted at each polling place or places during the day of election throughout the hours thereof, all in strict compliance with the orders of the Board of Supervisors:

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SIOUX, IN THE STATE OF IOWA, AS FOLLOWS:

Section 1. That it is hereby found, determined and declared:

First - That said election was held and conducted in each of the voting precincts or precinct of said District at the respective polling place or places, pursuant to due notice, and in strict compliance with law, and that said proposition and the vote thereon complies strictly with law.

Second - That at said election, on the proposition above set out, there were cast 4,474 ballots, of which 2,680 votes were cast "YES" and 1,794 votes were cast "NO" and 0 ballots were cast blank or defectively marked, the vote by precinct or precincts being as set forth and abstracted in the official tally lists.

That the total number of persons voting in the precinct or precincts at said election on said date, as is shown by the election Abstracts was 4,474.

Third - Neither the above proposition nor any proposal incorporating any portion thereof, was submitted to the registered voters of such Districts within the six months preceding the date of the election canvassed hereby.

Section 2. That said proposition and the results of the vote thereon, shall be entered at large in the minutes book, all in conformity with Chapter 50, and in particular Section 50.24 of the Code of Iowa.

Section 3. That a copy of this Resolution, the Abstract of Votes and the original tally lists, are hereby delivered to the Commissioner of Elections for filing as required by law.

PASSED AND APPROVED, this 24th day of May, 2011.

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

ATTEST: /s/Lois Huitink
Sioux County Auditor and Commissioner of Elections

11-05-24 9 Chairman Sybesma reported that the board toured a facility at Dordt College yesterday that uses geothermal cooling for that building. Two options for replacing the aging air conditioning system at the Courthouse are being considered. The second option would use geothermal wells and ice banks to cool the building. Wells would cost about \$150,000 to install. Approximately 40 6” wells would need to be dug. Ice banks would be approximately \$40,000. Wright expressed concern about the cost of the project. BOTH Wright and Bloemendaal cautioned that an increase in the levy rate to pay for the project would be unacceptable to them. Drilling a test well would be an initial start to the project. Savings, efficiency, noise control, and air quality all play a role in the final decision. Motion by Kleinwolterink and supported by Bloemendaal to commit to drilling a test well to determine the suitability of the substrata for the project. Motion carried, unanimous in favor. Jon Buiter, EDA was present for this discussion.

11-05-24 10 Doug Julius, Sioux County Engineer – General Matters

- Asked for approval of three permit agreements:
 - 1) Mid American Energy – Run Electrical line starting 700’ North of 300th Street on Garfield Avenue, relocating 1,300’ of line to the east side of Garfield Avenue between Sections 13 and 14 in Plato Township.
 - 2) Rural Electric Cooperative – Set poles in the County Right of Way in Section 25 of Lynn Township to provide electricity to a hog building.
 - 3) Southern Sioux Rural Water – Bore a 1 ½” water line under 430th street approximately ¾ miles west of Jackson Avenue between sections 22 and 29 of Holland Township.

Motion by Bloemendaal and supported by Wright to approve the aforementioned permit agreements. Motion carried, unanimous in favor.

- Doug Julius, Sioux County Engineer requested that the Board approve a weed control resolution for 2011. Motion by Degen and supported by Kleinwolterink to approve the 2011 Weed Control Resolution as submitted by the County Engineer. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION No. 2011-12

WEED CONTROL RESOLUTION

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

That pursuant to provisions of Chapter 317, Code of Iowa, it is hereby ordered

1) That each owner and each person in the possession or control of any land shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in this Chapter, at such times in each year and in such manner as shall prevent said weeds from blooming bearing seeds or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut, burned or otherwise destroyed on or before the following dates and as often thereafter as necessary to prevent seed production:

Group 1: July 1 for Leafy Spurge; Marijuana Plants; Perennial Pepper-grass; Buckthorn (Rhamnus, not to include Rhamnus Frangula); Sour Dock Perennial, Smooth Dock Perennial and Sheep Sorrel Perennial.

Group 2: July 1, for Canada Thistle; Russian Knapweed; Buckhorn; Perennial and Wild Mustard Annual.

Group 3: July 15 for European Morning Glory or Field Bindweed; Wild Carrot Biennial, also known as Queen Anne's Lace; Poison Hemlock and Multiflora Rose.

Group 4: July 15 for Horse Nettle; Perennial Sow Thistle; Quack Grass; Butterprint Annual; Cocklebur; Bull Thistle; Wild Sunflower Annual; Teasel Biennial; Puncture Vine Annual; Shattercane Annual and all other species of thistles belonging in genera of Cirsium and Carduus.

2) That each owner and each person in the possession or control of land including right of way in Sioux County infested with any noxious weeds listed above shall adopt a program of weed destruction described by the Weed Commissioner which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.

3) That if the owners or persons in possession or control of any land including right of way in Sioux County fail to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including cost of serving notice and other costs, if any, to be assessed against the real estate.

4) **Sioux County has discontinued the Annual Spot Spraying Program of noxious weeds and other weed types growing in Sioux County Secondary Road ditches. It will be the responsibility of each owner and each person in the possession or control of land to destroy said weeds in Sioux County Secondary Road Ditches.**

5) That the County Auditor be and is hereby directed to cause notice of the making and entering the foregoing order by one publication in each of the official newspapers of the County.

BE IT FURTHER RESOLVED that Sioux County be designated as a weed control unit.

BY ORDER OF THE SIOUX COUNTY BOARD OF SUPERVISORS

Signed and dated this 24th day of May, 2011.

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

ATTEST: Lois Huitink
Sioux County Auditor

- Gave an overview to the Board on 2011 Construction projects.

11-05-24 11 COMMITTEE REPORTS:

- **Wright** – 1) Attended a **YES** board meeting. Usage at the Center has gone up 2) Iowa Workforce Development sponsored a meeting with Human Resource directors from local businesses to come together to try to find ways to work together to bring more

workers into this area for employment. Supervisors Bloemendaal and Kleinwolterink also attended this meeting.

- **Wright and Bloemendaal** - Attended the presentation of grants ceremony held by the **Sioux County Community Foundation**.

- **Bloemendaal** – 1) Attended an open house at the new ambulance facility in Sioux center. He remarked that he was impressed with the high tech capabilities incorporated in that location. 2) Reported that at a **RIDES** meeting it was noted that the purchase of new software will enable them to better schedule pickup and delivery. Also stated that **RIDES** will be selling 8 buses. 3) Attended a Northwest Iowa Planning and Development Commission Board meeting on May 19. 4) Participated in a Webinar presentation which provided information on Iowa USDA Rural Development and grant application details.

- **Degen** – 1) Reported that at a **County EMS** meeting some discussion was held on the ambulance replacement /renovation County contribution. At the meeting it was requested that language be changed in the document from only funding chassis purchase to include funding updated equipment. 2) Reported that the **Sioux County Conservation Board** received a grant from the Sioux County Foundation.

- **Sybesma** –Affirmed that **Northwest Iowa Development** has been helpful in bringing business to various communities in Sioux County.

- **Kleinwolterink** – Reported that he and Rob Klocke resolved a rental issue with two parcels of County owned land near Rock Valley. He also attended a meeting at the **Cherokee Mental Health Center**.

11-05-24 12 The Central Service Cost Allocation Plan for FY 2010 was received. It is estimated that the County will receive \$25,693 in reimbursement from the Department of Human services for indirect costs that the county has incurred for the local DHS office. Motion by Degen and supported by Kleinwolterink to approve and authorize the chairman to sign the Certification of Cost Allocation Plan as provided by Cost Advisory Services Inc. Motion Carried, unanimous in favor.

11-05-24 13 Lois Huitink, County Auditor, stated that Kevin McMahan, Chairman of the Sioux County Democratic Party has appointed himself to serve as the Democratic person to serve on a three member Temporary Sioux County Redistricting Commission. Motion by Wright and supported by Bloemendaal to appoint the following two republican persons to serve on the Temporary County Redistricting Commission: Mark Sybesma and Loren Bouma. Motion carried, unanimous in favor.

11-05-24 14 Claims submitted by the Sioux County Auditor were approved.

11-05-24 15 The Chairman adjourned the meeting at 11:30 a.m. until 9:00 a.m. Tuesday, May 31, 2011.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor