

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON AUGUST 24, 2004

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:30 o'clock a.m. with Chairman Sybesma presiding. Members present were Loren Bouma, Vernon Beernink, Mark Sybesma, Bernard L. Smith and Stanley L. De Haan.

Minutes of August 16, 2004 were on motion and vote stand approved as submitted.

Committee reports were given this date.

Harold Schiebout, Sioux Center Administrator; Dennis Walstra, Sioux Center Mayor; Duane Feekes, Orange City Administrator; and Daryl Beltman, Orange City Mayor, met with the Board this date to discuss a proposed Regional Airport 28E agreement and request a Chairman's signature on the proposed Regional Airport 28E Agreement.

The following persons were also present for the aforementioned discussion on the proposed Regional Airport 28E agreement issue:

Marc Van Peurse, Orange City
Marion Van Peurse, Maurice
Jon Van Peurse, Maurice
Alida Scholten, Maurice
Marvin Scholten, Sr., Maurice
Ronda Noteboom, Maurice
Brad Noteboom, Maurice
Virgil Kiel, Maurice
Melissa O'Rourke, County Attorney

Marc Van Peurse of Orange City expressed the following comments pertaining to the proposed Regional Airport 28E agreement:

Stated that the location or area for the regional airport was not specified in the original draft of the proposed Regional Airport 28E agreement.

Wondered how a commitment of \$55,000.00 per year for twenty years could be approved by the Board of Supervisors without going through a bond issue.

Stated that public was uninformed about the Regional Airport issue.

Mark Sybesma, Chairman of Board stated that the \$55,000.00 will come from the County General Fund and will be budgeted each year as a line item in the Sioux County budget on which a public hearing is held each year. He further stated that the project is not subject to a bond election.

Mark Sybesma, Chairman of Board stated that the public has been informed through the local media about the Regional Airport matter. He also stated that a Regional Airport may draw more companies to locate in Sioux County which would have a huge economic development impact.

Bernard L. Smith, County Supervisor, pointed out that all of the cities in Sioux County will have a right to use the Regional Airport.

Motion by Beernink and supported by Smith to approve and authorize the Chairman of the Board to sign an Agreement Pursuant to Chapter 28E, Iowa Between the City of Sioux Center, Iowa and City of Orange City, Iowa and Sioux County, Iowa for the Joint Acquisition, Construction, Equipping, Use, Expansion and Operation of an Airport Facility. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Smith, Yes; and De Haan, No. Motion carried.

Melissa O'Rourke, County Attorney, reported on a drug court case being prosecuted by the County Attorney's office.

Motion by De Haan and supported by Bouma to provide CBM Food Service of Sioux Falls , South Dakota for the Sioux County Public Safety Complex, with a one hundred twenty day written notice to terminate the food service contract between Sioux County, Iowa and CBM Food Service of Sioux Falls, South Dakota with the intent to start an early negotiation process with CBM Food Service of Sioux Falls, South Dakota or another provider. Carried, unanimous in favor.

As this was the date and 10:00 o'clock a.m. the time set for hearing on an Iowa Department of Natural Resources swine confinement operation construction permit application submitted by Marc and Jon Van Peurseem of Maurice for an expansion of an existing swine facility located in the NE1/4 of Section 9 in Sherman Township, said hearing was held according to law.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator; and Mark Van Peurseem and Jon Van Peurseem of Maurice met with the Board this date to review the contents of the aforementioned Iowa Department of Natural Resources Construction Permit Application.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, reported that a letter was received by Brad and Ronda Noteboom of Maurice expressing objections was received by the Sioux County Auditor. Their main complaint was the odor that has and will affect their standard of living, lifestyle and property value.

The Chairman closed the hearing.

Motion by Bouma and supported by Beernink to forward written comments submitted by Brad and Ronda Noteboom of Maurice to the Iowa Department of Natural Resources pertaining to the swine confinement operation construction permit application submitted by Marc and Jon Van Peurseem of Maurice for an expansion of an existing swine facility located in the NE1/4 of Section 9 in Sherman Township. Motion failed.

Motion by Smith and supported by Bouma to forward written comments submitted by Brad and Ronda Noteboom of Maurice to the Iowa Department of Natural Resources pertaining to the swine confinement operation construction permit application submitted by Marc and Jon Van Peurseem of Maurice for an expansion of an existing swine facility located in the NE1/4 of Section 9 in Sherman Township with the recommendation that the swine confinement operation construction permit application not be approved. Carried, unanimous in favor.

The following persons were in attendance for the aforementioned swine confinement operation construction permit application matter:

Marc Van Peurseem, Orange City
Marion Van Peurseem, Maurice
Jon Van Peurseem, Maurice
Alida Scholten, Maurice
Marvin Scholten, Sr., Maurice

Ronda Noteboom, Maurice
Brad Noteboom, Maurice
Virgil Kiel, Maurice
Melissa O'Rourke, County Attorney

As this was the date and 10:15 o'clock a.m. the time set for hearing on an Iowa Department of Natural Resources construction permit application submitted by Joel Schuiteman of Sioux Center for construction of a manure storage structure located in the S1/2 of NE1/4 of Section 3 of West Branch Township, said hearing was held according to law.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator; and Joel and Karen Schuiteman reviewed the contents of the aforementioned Iowa Department of Natural Resources Construction Permit Application.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, stated that he received no written or oral objections.

The Chairman closed the hearing.

Motion by Beernink and supported by De Haan to forward a favorable letter of recommendation to the Iowa Department of Natural Resources for a construction permit application submitted by Joel Schuiteman of Sioux Center and located in the S1/2 of NE1/4 of Section 3 in West Branch Township for a manure storage structure. Carried, unanimous in favor.

As this was the date and 10:30 o'clock a.m. the time set for hearing on an Iowa Department of Natural Resources dairy operation construction permit application for the Vander Waal Brothers of Hull for construction of a dairy operation located in the NE1/4 of Section 2 in Lincoln Township, said hearing was held according to law.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, reviewed the contents of the aforementioned Iowa Department of Natural Resources Construction Permit Application.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, stated that he received no written or oral objections.

The Chairman closed the hearing.

Motion by Bouma and supported by De Haan to forward a favorable letter of recommendation to the Iowa Department of Natural Resources for a construction permit application for construction on of a dairy operation submitted by the Vander Waal Brothers of Hull and located in the NE1/4 of Section 2 of Lincoln Township, said hearing was held according to law.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, reviewed the contents of the aforementioned Iowa Department of Natural Resources Construction Permit Application.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, stated that he received no written or oral objections.

The Chairman closed the hearing.

Motion by Bouma and supported by De Haan to forward a favorable letter of recommendation to the Iowa Department of Natural Resources for a construction permit application submitted by the Vander Waal Brothers of Hull and located in the NE1/4 of Section 2 in Lincoln Township for construction of a dairy structure. Carried, unanimous in favor.

Don Heidner, Technician for Electronic Specialities of Algona, met with the Board this date to explain the problems associated with the installation of a new communications repeater system. He said at times EMT and fire department personnel could not communicate with the dispatcher. Upon further investigation, it was discovered that there was a large amount of radio interference from another frequency. It turned out that the new radio frequency that the new repeater receives data on is also used as a control channel for a digital radio system by the State of South Dakota near Stickney. He contacted the State of South Dakota and they agreed to broadcast on another frequency. He admits there still appears to be a problem but that they are working on it.

Dave Van Holland, Sioux Center EMT/Fire fighter of Sioux Center, was present and explained some of the problems and frustrations pertaining to pager calls going into the County Communications Center. He stated that some pager calls went through and some did not.

Don Heidner, Technician for Electronic Specialities of Algona, will make some soft ware changes so the proper voice channel will automatically be selected after receiving paging tones.

The Board instructed Mark Dunlop, County Emergency Management Director and Zoning Administrator, to meet with the Board at their next meeting to be held on September 7, 2004 to give them an update on the county communications equipment matter.

Rick Kiers, EMS/Fire fighter of Hull, was also present for the aforementioned communications equipment matter.

Doug Julius, County Engineer, met with the Board this date to request approval and a Chairman's signature on various documents.

Motion by Smith and supported by De Haan to approve and authorize the Chairman to sign the following documents:

Permit Agreement with Hickory Tech for a road right-of-way crossing located in Section 2 of Sioux Township.

Permit Agreement with North West REC for a road right-of-way crossing located in Section 35 of Sherman Township.

Carried, unanimous in favor.

Doug Julius, County Engineer, updated the Board on various Secondary Road projects.

Motion by Beernink and Bouma to approve and authorize the Chairman to sign the following Road Use Tax Allocation Resolution:

RESOLUTION NO. 2004-20

**Resolution of support
for a method of Secondary Road and Farm-to-Market Road Use Tax allocation
as proposed by the Secondary Road Fund Distribution Advisory Committee
per Section 312.3C of the Code of Iowa.**

Whereas, the former method of determining inter-county allocations of Secondary Roads and Farm-to-Market Road Use Tax revenues, known as the Quadrennial Needs Study, was discontinued by SF 2192, 2002 Iowa Acts, and,

Whereas, the Secondary Road Fund Distribution Advisory Committee, pursuant to the mandate of Iowa Code Section 312.3C, has developed and recommended a new method known as the “Factor Breakdown Method”, and,

Whereas, after due study, **Sioux** County has determined that the proposed method will provide a base level of funding for all counties, and will allow for the allocation of funds to shift as population, system size, and traffic change, and,

Whereas, the proposed method has been endorsed by the Executive Boards of the Iowa County Engineers Association and the Iowa State Association of County Supervisors,

Now Therefore, Be it Resolved that **Sioux** County, Iowa hereby endorses the adoption of the Factor Breakdown Method by the Legislature as presented by the Secondary Road Fund Distribution Advisory Committee, to become effective in FY 2007 and be phased in over a five year period.

Signed and dated this 24th day of August, 2004.

Recommended: /s/ Douglas G. Julius, P.E.

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Smith, Yes; and De Haan, Yes.

Carried, unanimous in favor.

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

The Chairman adjourned the meeting until Tuesday, September 7, 2004.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor