

## **MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**

### **MEETING HELD ON NOVEMBER 6, 2006**

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 10:00 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Vernon Beernink, Mark Sybesma, John Degen and Stanley L. De Haan. Supervisor Loren Bouma was not present for this meeting.

Minutes of the meeting held on October 31, 2006, were submitted and the Chairman declared them approved.

Board Member Beernink introduced the following Resolution entitled "RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON PROPOSED AMENDMENT NO. 1 TO THE URBAN RENEWAL DISTRICT 1 PLAN FOR SIOUX COUNTY, IOWA," and moved that the same be adopted. Board Member Degen seconded the motion to adopt. Roll call on Vote: Beernink, Yes; Degen, Yes; De Haan, Yes; and Sybesma, Yes.

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

#### **RESOLUTION NO. 2006-33**

#### **RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON PROPOSED AMENDMENT NO. 1 TO THE URBAN RENEWAL DISTRICT 1 PLAN FOR SIOUX COUNTY, IOWA**

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 (the "Plan") for the Urban Renewal District 1 Plan Area (the "Urban Renewal District 1 Area") described therein, which Plan is on file in the office of the Recorder of Sioux County; and

WHEREAS, the Urban Renewal District 1 Area currently includes and consists of:

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 3 NW 3), and the West Half of the Southwest Quarter (W 2 SW 3), 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, Iowa, 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 area includes land classified as agricultural land and written permission of the current owners is required; and

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

WHEREAS, County staff has caused there to be prepared a form of Amendment No. 1 to the Plan, a copy of which has been placed on file for public inspection 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.

and

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Amendment No. 1 to the 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 of such Amendment, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Board within thirty (30) days of its receipt of such proposed Amendment; and

WHEREAS, the Iowa statutes further require the Board of Supervisors to notify all affected taxing entities of the consideration being given to the proposed Amendment to the Urban Renewal District 1 Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the County shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the Board of Supervisors to hold a public hearing on the proposed Amendment to the Urban Renewal District 1 Plan subsequent to notice thereof by publication in a newspaper having a general circulation within the County, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the urban renewal plan and shall outline the general scope of the urban renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Amendment No. 1 to the Urban Renewal District 1 Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 14th day of November, 2006, in the Board of Supervisors' Room, Courthouse, Orange City, Sioux County, Iowa at 10:00 o'clock A.M., and the Designated Representative, Vernon Beernink, is hereby appointed to serve the County for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the County Auditor is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of the proposed Amendment No. 1 to the Urban Renewal District 1 Plan, said notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN  
SIOUX COUNTY, IOWA AND ALL AFFECTED TAXING  
ENTITIES CONCERNING THE PROPOSED AMENDMENT  
NO.1 TO THE URBAN RENEWAL DISTRICT 1 PLAN FOR  
SIOUX COUNTY, IOWA

Sioux County, Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 10:00 o'clock A.M. on November 16, 2006, in the Board of Supervisors' Room, Courthouse, Orange City, Iowa concerning a proposed Amendment No. 1 to the Urban Renewal District 1 Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in said Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Designated Representative of Sioux County shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 1 to the Urban Renewal District 1 Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the Board of Supervisors of Sioux County, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Section 3. That a public hearing shall be held on the proposed Amendment No. 1 to the Urban Renewal District 1 Plan before the Board of Supervisors at its meeting which commences at 10:00 o'clock A.M. on November 28, 2006, in the Board of Supervisors' Room, Courthouse, Orange City, Iowa.

Section 4. That the County Auditor is authorized and directed to publish notice of this public hearing in "The Sioux Center News", once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF THE PROPOSED AMENDMENT NO. 1 TO THE URBAN  
RENEWAL DISTRICT 1 PLAN FOR SIOUX COUNTY, IOWA

The Board of Supervisors of Sioux County, Iowa, will hold a public hearing before itself at its meeting which commences at 10:00 o'clock A.M. on November 28, 2006, in the Board of Supervisors' Room, Courthouse, Orange City, Iowa to consider adoption of proposed Amendment No. 1 to the Urban Renewal District 1 Plan (the "Plan") concerning an area in Sioux County, Iowa.

A copy of Amendment No. 1 to the Plan is on file for public inspection in the office of the County Auditor, Courthouse, Orange City, Iowa.

Sioux County, Iowa is the local public agency which, if such Amendment No. 1 to the Plan is approved, shall undertake the urban renewal activities described in such Plan and Amendment.

The general scope of the urban renewal activities under consideration in the Plan is to assist qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The County also may install, construct and reconstruct streets, parking facilities, open space areas and other substantial public improvements, and may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Plan provides that the County may issue bonds or use available funds for such purposes and that tax increment reimbursement of such costs will be sought if and to the extent incurred by the County. The Plan initially proposes specific public infrastructure or site improvements to be undertaken by the County, but provides that the Plan may be amended from time to time to respond to development opportunities.

The proposed Amendment No. 1 to the Plan would 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. All other provisions of the Plan would remain in full force and effect.

This Notice is given by order of the Board of Supervisors of Sioux County, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

Section 5. That the proposed Amendment No. 1 to the Urban Renewal District 1 Area, now before this Board, for the Urban Renewal District 1 Area described herein is hereby officially declared to be the proposed Amendment No. 1 to the Plan referred to in said notices for purposes of such consultation and hearing and that a copy of said Amendment No. 1 to the Plan shall be placed on file in the office of the County Auditor.

Section 6. That the proposed Amendment No. 1 to the Urban Renewal District 1 Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the General Plan for the development of the County as a whole, with such recommendation to be submitted in writing to this Board within 30 days of the date hereof.

PASSED AND APPROVED this 6th day of November 2006.

/s/ Mark Sybesma  
Chairperson, Board of Supervisors

ATTEST: /s/ Lois Huitink  
County Auditor

Dan Altena, County Sheriff met with the Board to discuss general matters pertaining to the Sheriff's Department. There are currently 18 federal prisoners incarcerated at the Public Safety Center. The Civil Service Test for Deputy Sheriff Officers will be given on December 1, 2006. Altena hopes to fill a vacant position by February 1, 2007. He noted that a third replacement Patrol Vehicle will be ordered.

Doug Julius, County Engineer requested Board approval and the Chairman's signature on the following permit:

- **Mid American Energy** – Replace 7 poles with 10 poles and add a phase, crossing Kennedy to the East 1/2 mile on the West side of Kennedy South of 290th Street in Sections 13 & 14 of Sheridan Township

Motion by De Haan and supported by Degen to approve and authorize the chairman to sign to aforementioned agreement. Motion carried, unanimous in favor.

The Chairman adjourned the meeting at 10:35 a.m. until Tuesday, November 14, 2006.

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Mark Sybesma, Chairman  
Sioux County Board of Supervisors

ATTEST: \_\_\_\_\_  
Lois Huitink  
Sioux County Auditor