

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON NOVEMBER 19, 2013

- 13-11-19 1** The Board of Supervisors of Sioux County, Iowa, met on November 19, 2013, 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.
- 13-11-19 2** Minutes of the meetings held on November 12, 2013, were submitted and the Chairman declared them approved.
- 13-11-19 3** Coleman McAllister, Sioux County Attorney – As this was the date and time set for a Public Hearing to discuss a proposed Zoning Ordinance amendment and an amendment to the 2007 Comprehensive Land Use Development Plan, said hearing was opened by the Chairman. McAllister stated that the purpose of the changes is to identify additional criteria surrounding conservation managed property. A proposed amendment to the county use plan will amend the zoning map to restrict growth in areas surrounding Conservation owned property. Revised criteria will take of the environmentally sensitive area around the parks. It will also take into consideration the safety of the public and the property owners in those areas. Additional setbacks may be required by the Board of Adjustment. The Chairman asked for further comment, there being none, he closed the public hearing. McAllister told the board that if they wish to pass the ordinance today, they must vote, pursuant to Iowa Code Section 331.302 (6) (b) to suspend the second reading and then vote on the proposed ordinance. This requires a recorded vote of no less than the majority of supervisors. Motion by Degen and supported by Kleinwolterink to suspend the second reading of the ordinance. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

SIOUX COUNTY ORDINANCE NO. 24

An ordinance amending Ordinance No. 1 of the existing County Code, Sioux County, Iowa

Be it enacted by the Board of Supervisors of Sioux County, Iowa:

SECTION 1:

Title of Proposed County Ordinance No. 1 to be Amended: The Sioux County Zoning Ordinance.

SECTION 2:

Purpose of Proposed Amendment to County Ordinance No. 1: To adopt additional development criteria to be employed by the Board of Adjustment in reviewing proposed conditional use permit applications for applications involving property that impacts county or state-owned parks, nature, or recreational areas.

SECTION 3:

Adoption of Amendment to Ordinance No. 1: Section 27.4 of the Sioux County Zoning Ordinance (County Ordinance No. 1) is hereby amended and the following language is hereby adopted to add an additional development criteria for consideration in the review of proposed conditional use permit applications for applications involving property which impacts county or state-owned parks, nature, or recreational areas as set forth below:

5. County or State-Owned Environmentally Sensitive Areas: Sioux County, acting through the Sioux County Conservation Board, owns and/or manages certain county parks and recreation areas and also manages certain state-owned property for conservation and recreation purposes. These conservation areas are environmentally sensitive and constitute a locally significant natural resource that Sioux County desires to preserve and protect for future recreational opportunities. As such, any proposed development should be carefully evaluated as to whether such development will have an undue adverse impact on these environmentally sensitive areas. Such evaluation should specifically take into account the light, sound, or other human activities associated with more intense land uses that could be intrusive or detrimental to the county-owned environmentally sensitive conservation areas including identifying any safety concerns for homeowners, the public, and/or livestock. The Board should also weigh the impact of the limitations on the discharging of firearms contained in Iowa Code Section 481A.123 should such proposed development abut public hunting areas.

Should a proposed development be approved, the Board of Adjustment may also consider imposing restrictions on building activities on the development site to prohibit those activities that adversely affect these environmentally sensitive areas. In particular, where property to be developed abuts a conservation area, the board should consider imposing more restrictive property set back requirements, limitations upon the clearing of vegetation or trees, or the establishment of a conservation buffer zone along the property line.

SECTION 4:

Code of Ordinances: Copies of the Code as adopted herein shall be on file and available for public inspection in the office of the Sioux County Auditor.

SECTION 5:

When Effective: This ordinance shall be effective after its final passage, approval, and publication as provided by law.

Passed and adopted this 19th day of November, 2013.

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

ATTEST: /s/Lois Huitink, Sioux County Auditor

13-11-19 4 Motion by Degen and supported by Wright to support a resolution adopting amendments to the 2007 Sioux County Comprehensive Land Use Plan. Roll Call on Vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION NO. 2013-30

ADOPTING AMENDMENTS TO THE 2007 SIOUX COUNTY COMPREHENSIVE LAND USE PLAN

WHEREAS, acting pursuant to Iowa Code Section 335.5, Sioux County previously adopted a comprehensive land use development plan in 2007;

WHEREAS, Iowa Code Section 335.5(4)(c) further provides that the Board of Supervisors may amend a previously adopted comprehensive land use plan at any time;

WHEREAS, Sioux County desires to amend the future land development maps adopted as part of the comprehensive land use development plan previously adopted by the Board of Supervisors in 2007;

WHEREAS, the Board, having set a public hearing on the proposed amendment to the 2007 comprehensive land use development plan; having timely published notice of the time and place of the public hearing on the proposed amendment to the 2007 comprehensive land use development plan; and after soliciting and considering public comment and input on the proposed amendment to the 2007 comprehensive land use development plan, is ready to finally act on such proposal.

NOW, THEREFORE, BE IT RESOLVED that the Sioux County Board of Supervisors hereby amends the previously adopted comprehensive land use development plan in accord with the attached future land development map which is incorporated herein by this reference. A copy of the amendment to the 2007 comprehensive land use development plan and the amended future land development map is available for public review at the office of the Sioux County Zoning Administrator, Courthouse, Orange City, Iowa.

PASSED AND APPROVED this 19th day of November, 2013.

/s/Mark Sybesma
Chairman, Board of Supervisors

ATTEST: /s/Lois Huitink, Sioux County Auditor

Members of the Conservation Board present, Gordon Pottebaum, Don Brommer, and Robert Klocke, expressed appreciation to the county attorney for his help in preparing documents necessary for the changes noted above.

13-11-19 5 Shane Walter, Sioux County Community Services Director,

- Will attend a Regional Health Board meeting this afternoon.
- Reported that the Veteran's Day open house was successful, with approximately 50 people in attendance. He noted that the Prairie Winds Event center provided excellent service for this event, and will utilize their services again next year.

13-11-19 6 Doug Julius, Sioux County Engineer bought blades for motor graders. Group #1 (Flame Hardened Flat Blades) will cost \$18,069.50. Group #2 (Thru Hardened/Heat Treated Curved Blades) will cost \$18,549.00.

13-11-19 7 Nick Tagesen, Director Elderbridge (formerly Northwest Aging) met with the Board to ask for County Matching Funding for Fiscal Year 2014-2015. Elderbridge provides services that allow senior citizens to remain in their homes. Services provided include meals, rides and various homemaker services.

13-11-19 8 COMMITTEE REPORTS:

- **Sybesma** – Went to an Airport Board Meeting. Discussion focused on future financing needs. A possible way to fund the runway would be to make the area an Urban Renewal District, and then issue bonds for approximately \$3,000,000. In the

short term the County may be asked to loan the Regional Airport Board \$800,000 to finance ongoing expenses. Sybesma and **Bloemendaal** attended this meeting. Bloemendaal reported that all the land for the project is purchased.

- **Wright** – Reported on the ISAC Fall School of Instruction meeting which was also attended by **Bloemendaal, Kleinwolterink, Sybesma and Wright**. Property tax reform was one of the topics on the Agenda. Also, changes to provisions for Mental Health Regions were discussed. The Affordable Care Act and its' impact to Counties was another session that the supervisors attended. Courthouse Security was also a topic of interest. Wright was elected to another term as Secretary/Treasurer of the ISACS (Iowa State Association of County Supervisors) Board.

13-11-19 9 The meeting was adjourned at 10:10 a.m. The next meeting will be held on November 26, 2013, beginning at 9:00 a.m.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor