

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

## **MEETING HELD ON MAY 25, 2004**

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

Minutes of May 11, 2004 were submitted and on motion and vote stand approved as submitted.

Committee reports were given this date.

Motion by Beernink and supported by Bouma to approve and authorize the Chairman to sign the following Interfund Operating Transfer Resolution for Fiscal Year 2004:

### **RESOLUTION NO. 2004-11**

WHEREAS, it is desired to make the following inter-fund operating transfer:

\$790,416 from the Rural Basic Fund to the Secondary Road Fund

WHEREAS, said operating transfer is made in accordance with Section 331.432, Code of Iowa,

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

Section 1. The following inter-fund operating transfer is to be made effective May 25, 2004.

\$790,416 from the Rural Basic Fund to the Secondary Road Fund

Section 2. The County Auditor is directed to correct his books accordingly and to notify the County Treasurer of these inter-fund operating transfers, accompanied by a copy of this resolution and the record of its adoption.

Signed and dated this 25th day of May, 2004.

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

/s/ Dennis Lange  
Sioux County Auditor

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

Carried, unanimous in favor

Melissa O'Rourke, County Attorney, met with the Board this date to report on the following subject matters:

She stated that the Sioux County Civil Service Commission will be meeting on June 2, 2004 to set a date for civil service testing.

She met with the Sioux County Board of Review to advise them on issues pertaining to a request from the Sioux Center Hospital for a property tax exemption for Franken Manor and Crown Pointe Independent and Assisted Living. She stated that the Sioux County Board of Review denied the property tax exemption request.

She just received a proposed agreement between the City of Boyden, Lyon & Sioux Rural Water System, Inc. and Sioux County pertaining to the Boyden well field located on property owned by Sioux County which is managed by the Sioux County Conservation Board. She will advise the Board at a later date.

She is awaiting direction from the Board pertaining to a dispute regarding the termination of Troy Peterson's cleaning contract at the Sioux County Public Safety Center. Correspondence received from Troy Peterson's attorney Keith Thompson from the Wolff Whorley De Hoogh & Thompson law firm is providing a deadline of June 4, 2004 for the County Board of Supervisors to respond to an offer of settlement.

Gary Blythe, Orange City Assistant City Administrator/Economic Development Director, met with the Board this date to request approval and a Chairman's signature on a Submission of a New Capital Investment Program Application Resolution:

Motion by De Haan and supported by Bouma to approve and authorize the Chairman to sign a Submission of a New Capital Investment Program Application Resolution:

#### **RESOLUTION NO. 2004-12**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, TO APPROVE THE SUBMISSION OF A NEW CAPITAL INVESTMENT PROGRAM APPLICATION TO THE STATE OF IOWA ON BEHALF OF MED-TEC, INC. AND TO AUTHORIZE THE CHAIRMAN TO EXECUTE AND SIGN SAID APPLICATION AND RELATED CORRESPONDENCE AND DESIGNATING DENNIS LANGE AS THE CONTACT PERSON.

WHEREAS: The Board of Supervisors of Sioux County has decided it to be in the best interest of the County to submit a New Capital Investment application on behalf of Med-Tec, Inc. to the Iowa Department of Economic Development; and

WHEREAS: The Board of Supervisors of Sioux County believes that the approval of this application will result in the diversification of the county's industrial base;

WHEREAS: The Board of Supervisors of Sioux County believes that the approval of this application will result in the creation of quality job opportunities, the expansion of the property base and other numerous economic benefits to the county and its residents;

NOW, THEREFORE , BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, that the submittal of a New Capital Investment Program application on behalf of Med-Tec, Inc. is authorized, that Board Chairman Mark Sybesma is authorized to execute said application and related correspondence, and that Dennis Lange will be the designated contact person for said application.

PASSED AND APPROVED this 25<sup>th</sup> day of May, 2004.

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

ATTEST: /s/ Dennis Lange  
Sioux County Auditor

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

Carried, unanimous in favor.

Pam Hein, Alton Economic Development Director; and Gary Blythe, Orange City Assistant City Administrator/Economic Development Director, met with the Board this date to present a power point presentation to update them on the activity on a Iowa Department of Economic Development Fund Grant which is being used to prepare a master plan for annexation, zoning, land use, conservation, transportation, infrastructure and marketing of development within a five-mile radius of Alton and Orange City.

The following persons were present for the aforementioned power point presentation:

Ross Simmelink, County Assessor  
Anita Van Bruggen, County Recorder  
Robert Hagey, County Treasurer  
Mark Dunlop, County Emergency Management Services Director and Zoning Administrator

Be it remembered on this 25th day of May, 2004, that the Board of Supervisors of Sioux County, Iowa, met in session for the purpose of amending the current operating budget adopted on March 11, 2003. There was present a quorum as required by law. Thereupon, the Board of Supervisors found that a notice of time and place of hearing had been published during the week of May 11, 2004, and that affidavits of publication thereupon were on file with the County Auditor according to law. Thereafter and on said day, the amendments were taken up and considered and taxpayers heard for and against said amendments as follows:

Lois Huitink, County Deputy Auditor; and Shane Walter, County Community Services Director, met with the Board this date to explain the reasons for the service area amendment.

No one appeared at this public hearing to object to the proposed service area amendment and no objections were received in writing.

Thereafter, the Board took up the amendment to the budget for final consideration.

The Chairman closed the hearing.

Motion by Bouma and supported by Beernink to approve the following Service Area Amendment to the fiscal year 2004 County Budget:

The below signed certify that proof of publication of the hearing notice and proposed amendments are on file for each official County newspaper, that all public hearing notices were published not less than 10, nor more than 20 days prior to the public hearing, and that adopted expenditures do not exceed published amounts for any of the 12 individual expenditure classes, or in total.

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

/s/ Dennis Lange  
Sioux County Auditor

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

Carried, unanimous in favor.

Motion by Beernink and supported by De Haan to approve and authorize the Chairman to sign the following Department Appropriation Resolution:

**RESOLUTION NO. 2004-13**

WHEREAS, it is unlawful for a department head to authorize the expenditure of a sum for a Department larger than the amount which has been appropriated for that department by the Board; and

WHEREAS, proposed expenditures for the County Empowerment and County Nurse Departments will cause these departments to exceed the amounts budgeted for the fiscal year 2003-2004; and

WHEREAS, it is deemed necessary to increase the appropriations for the County Empowerment and County Nurse Departments to not be in violation of Section 331.437, 2003 Iowa Code; and

THEREFORE, BE IT RESOLVED by the Board of Supervisors that the appropriation for the County Empowerment Department be increased from \$436,308 to \$636,308 and the appropriation for the County Nurse Department be increased from \$213,260 to \$263,260.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on May 25, 2004.

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

ATTEST: /s/ Dennis Lange  
Sioux County Auditor

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

Carried, unanimous in favor.

Nancy Dykstra, Executive Director of Community Health Partners of Sioux County, met with the Board this date to report on the last County Board of Health meeting held on May 7, 2004.

She also reported on the following topics:

Will be surveying on behalf of the Iowa Department of Public Health West Nile virus statistics. Sioux County will be a site for a bio-terrorism drill on August 2 and 3, 2004.

Two staff members are being credentialed for HIV and sexually transmitted disease testing.

Are working with Mid-Sioux Opportunity of Remsen to study the feasibility of a community health center to be either based in Sioux County or have a satellite office in Sioux County.

The Board discussed the contents of a preliminary draft of a proposed 28E agreement between Sioux County, City of Orange City, and the City of Sioux Center for the joint acquisition, construction, equipping, use and operation of an airport authority. No decision was made.

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

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

Permit Agreement with Hickory Tech for road right-of-way crossings located in Sections 7 and 18 of Sioux Township.

Permit Agreement with Hickory Tech for road right-of-way crossings located in Sections 29 and 30 in Rock Township.

Permit Agreement with Mutual Telephone Company of Sioux Center for road right-of-way crossings located in Sections 5, 6, 7, 8, and 29 of Sherman Township.

Permit Agreement with Mutual Telephone Company of Sioux Center for various road right-of-way crossings.

Permit Agreement with WesTel Systems of Remsen for road right-of-way crossings located in Sections 1, 2, 5, 6, 31, 35, and 36 of Holland Township.

Permit Agreement with Southern Sioux County Rural Water of Ireton for a road right-of-way crossing located in Section 28 of Nassau Township.

Motion by Bouma and supported by Beerink to approve and authorize the Chairman to sign a contract with Wayne T. Hansen Corporation of Algona to crush, weigh and stockpile 200,000 ton of gravel at the Keehn Pit in a total amount of \$230,000.00. Carried, unanimous in favor.

Motion by Smith and supported by De Haan to approve and authorize the Chairman to sign a well plugging agreement with the Iowa Department of Public Health in a total amount of \$13,130.00. Carried, unanimous in favor.

Motion by Bouma and supported by Smith to approve and authorize the Chairman to sign a contract with Henderson Grading and Excavating for excavation, removal and installation of corrugated pipe and mobilization in a total amount \$13,288.85. Carried, unanimous in favor.

Motion by Smith and supported by De Haan to participate in a septic tank program with the Iowa Department of Public Health to provide low interest money to assist individuals with septic tank replacement or upgrading. Carried, unanimous in favor.

Doug Julius, County Engineer, reported on letting results received from the Iowa Department of Transportation for Sioux County Project Number BROS-C084(109)--8J-84 as follows:

| <u>Contractor</u>             | <u>Amount</u> |
|-------------------------------|---------------|
| Graves Construction Co., Inc. | \$243,291.71  |
| Duininck, Bros., Inc.         | 248,315.40    |
| Dixon Construction Co.        | 262,312.10    |

Motion by Beernink and supported by Smith to approve and authorize Doug Julius, County Engineer, to purchase two aluminum dump boxes from Northern Truck Equipment Company in Sioux Falls, South Dakota in a total amount of \$47,550.00. Carried, unanimous in favor.

Doug Julius, County Engineer, recommended that the Board consider contract spraying of leafy spurge in the western part of Sioux County and spot spraying by the Secondary Road crew in the eastern part of Sioux County in the fall.

It was the consensus of the Board to concur with the recommendation of Doug Julius, County Engineer to contract spray leafy spurge in the western part of Sioux County and have the Secondary Road spot spray leafy spurge in the eastern part of Sioux County.

The Board discussed the disposal of the old Sioux County Jail building. It was pointed out that Jim Schwiesow, County Sheriff is soliciting bids from companies that may be interested in bidding on

the Ludowici French Style red clay tile roof. Once the outcome of tile roof bid is determined, the Board plans to solicit bids from contractors for the demolition of the old Sioux County Jail Building. Anyone interested in purchasing items contained in the old Sioux County Jail Building would contact the successful demolition contractor.

The Board and Dennis Lange, County Auditor discussed an e-mail received from the Secretary of State's office requesting written correspondence from all lever voting machine counties as to each county's decision on whether to participate in a lease purchase agreement of voting equipment.

The consensus of the Board and Dennis Lange, County Auditor, was to not participate in the lease purchase agreement of voting equipment through the Secretary of State's office. We felt that due to time constraints and an inadequate learning curve for precinct election officials and the public, Sioux County must decline at this point in time.

Motion by Beernink and supported by Smith to go into executive session according to Section 20.17(3), Code of Iowa, to discuss collective bargaining matters with Harvey Wiltsey, Labor Negotiator for Sioux County. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

Melissa O'Rourke, County Attorney; and Doug Julius, County Engineer, were present for the aforementioned executive session.

Motion by Beernink and supported by Smith to go out of executive session according to Section 20.17(3), Code of Iowa. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

Motion by De Haan and supported by Bouma to approve and authorize the Chairman to sign an Iowa State Association of Counties Wellmark/Blue Cross-Blue Shield Insurance Plan 8 as the health insurance plan to be offered to all eligible county employees for fiscal year 2005 and a required Confirmation of Medicare Secondary Payer Status document. 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, June 1, 2004.

Mark Sybesma, Chairman  
Sioux County Board of Supervisors

ATTEST: Dennis Lange  
Sioux County Auditor