

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON APRIL 13, 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 April 6, 2004 were submitted and on motion and vote stand approved as submitted.

Committee reports were given this date.

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

The Iowa Department of Corrections is attempting to stabilize the prison population in the State of Iowa at 8,500 prisoners.

There has been a piece of proposed legislation introduced as part of a larger omnibus bill in the Iowa State Legislature to spend an amount of \$108,000 to study the effectiveness of using brain fingerprinting to identify individuals.

The Iowa Supreme Court of Iowa affirmed an earlier decision issued by the Iowa Court of Appeals pertaining to Orange City Municipal Hospital, Appellant, vs. Board of Review of Sioux County, Appellee. The Iowa Supreme Court of Iowa decision states that the Orange City Municipal Hospital qualified for the section 427.1(2), Code of Iowa exemption from property taxes on assisted-living facilities and independent-living facilities that it operates. Therefore, property taxes paid by the Orange City Municipal Hospital for tax years 1999, 2000, 2001 and first one-half 2002 will be refunded through future tax apportionment monies to governmental entities. The property will be exempt thereafter unless the use changes.

An amount of \$54,771.20 was paid to a law firm from Council Bluffs to defend the case on behalf of the Board of Review of Sioux County.

Reviewed a Memorandum addressed to Robert Hagey, County Treasurer, on the authority for Sioux County to waive interest on delinquent taxes. She stated that Sioux County does not have the authority to waive interest on delinquent taxes according to the Code of Iowa.

Reviewed the contents of correspondence addressed to the County Board of Supervisors that was received from Keith Thompson, attorney for Wolff, Whorley, De Hoogh & Thompson Attorneys at Law pertaining to a payment demand from Troy J. Peterson in an amount of \$17,500.00 from Sioux County. The correspondence states that the Sioux County Sheriff's Department made a unilateral decision to terminate an agreement with Troy J. Peterson who cleaned the Sioux County Public Safety Center.

Margaret Moir, former Interim Executive Director for Plains Area Mental Health Center, met with the Board this date to introduce Patrick Schmitz, new Executive Director for Plains Area Mental Health Center.

Motion by Beernink and supported by Bouma to accept the following County Officer's quarterly report showing fees for the period ending March 31, 2004:

Quarterly
County Recorder \$51,625.12

Carried, unanimous in favor.

Shane Walter, County Community Services Director, met with the Board this date to report on the Iowa Department of Human Services trend of transferring cases that do not qualify for targeted case management to counties to coordinate social work services.

The Board discussed establishing an urban renewal area west of Sioux Center and extending along a road way north to Hiway 18. Dennis Lange, County Auditor; and Lois Huitink, County Deputy Auditor, reported on some of the procedures and code requirements that the County Board of Supervisors need to comply with in establishing an urban renewal area in the unincorporated area of Sioux County.

The area for the proposed urban renewal district to be known at the West Sioux Center TIF is described as follows:

Sections 26 and 35, in Township 96 North, Range 46 West of the 5th P.M., Sioux County, Iowa.

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.

Sections 6 and 7, in Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa.

The Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4), and the West Half of the Southwest Quarter (W1/2 SW1/4), all in Section 5, Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa.

The West Half of Section 8, Township 95 North, Range 45 West of the 5th P.M., Sioux County, Iowa.

All the right-of-way for roads and highways adjacent to the above described property.

The right-of-ways for roads and highways located between Sections 25 & 26, and 35 & 36, all in Township 97 North, Range 46 West of the 5th P.M., Sioux County, Iowa.

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.

Motion by Beernink and supported by Smith to approve the following Sioux County Urban Renewal District Resolution:

RESOLUTION NO. 2004-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA DESIGNATING NECESSITY FOR THE SIOUX COUNTY URBAN RENEWAL PLAN.

WHEREAS, one or more blighted or "Economic Development Areas" exist within the proposed urban renewal district of the Sioux County Urban Renewal Plan; and

WHEREAS, the rehabilitation, conservation, redevelopment, development, or a combination thereof, of the proposed urban renewal district is necessary in the interest of the public health, safety, or welfare of the residents of Sioux County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Sioux County that the area, as described as the Sioux County Urban Renewal District, is designated as being of necessity for the establishment and benefits of the urban renewal legislation as provided by the State of Iowa, Iowa Code, Chapter 403.

/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, No.

Carried.

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 Bouma to approve and authorize the Chairman to sign the following documents:

Iowa Department of Transportation and Agreement for use of Highway Right of Way for Utilities Accommodation in 4 sections located in Grant and Sheridan Townships along Hiway 18.

Permit Application with Quest Communications for road right-of-way crossings located in Sections 6 and 12 in Lynn Township.

Permit Application with Orange City Communications of Orange City for a road right-of-way crossing in Section 29 in Holland Township.

Permit Application with Hickory Tech for road right-of-way crossings located in Sections 27 and 34 of Logan Township.

Permit Application with Vernon J. Raak of Sioux Center for a road right-of-way crossing located in Section 21 of Center Township.

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, April 20, 2004.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor