

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON JULY 8, 2003

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 July 1, 2003 were read and on motion and vote stand approved as read.

Committee reports were given this date.

Melissa O'Rourke, County Attorney, met with the Board this date to report that a law enforcement legislative update meeting will be held for area state and local law enforcement personnel in Sioux Center on July 9, 2003.

Motion by Bouma and supported by Beernink to approve and authorize the Chairman to sign a collective bargaining services agreement with Harvey F. Wiltsey of Bellevue, Nebraska to provide all services connected with collective bargaining with the Secondary Roads and Sheriff's Office Unions in an amount of \$12,600.00 for fiscal year 2004. If two year collective bargaining agreements with the Secondary Roads and Sheriff's Office Unions are negotiated, the collective bargaining agreement with Harvey F. Wiltsey of Bellevue, Nebraska will be in an amount of \$6,000.00 for fiscal year 2005. Carried, unanimous in favor.

Robert Hagey, County Treasurer, met with the Board this date to report on a proposal submitted by John Van Gorp of Sheldon to request a compromise settlement and assignment of tax sale certificates pertaining to three railroad parcels located in the SW1/4 in Section 10 of Grant Township. He reported that John Van Gorp of Sheldon offered an amount of \$1,167.00 as a compromise settlement for the tax sale assignments instead of the \$1,407.00 due. The compromise amount reflects the total taxes due, one-half of the accrued interest on the three tax sale certificates,

an assignment fee to transfer ownership of the certificates from Sioux County to the Trust, the Treasurer's Deed fee and the recording fee to the County Recorder.

Motion by Beernink and supported by De Haan to approve a compromise settlement with John Van Gorp in an amount of \$1,167.00 and assign to him tax sale certificates pertaining to three parcels located in the SW1/4 in Section 10 of Grant Township according to Section 445.16, Code of Iowa. Carried, unanimous in favor.

Motion by De Haan and supported by Smith to accept the county officers' quarterly reports showing fees and fines collected for the period ending June 30, 2003 as follows:

<u>Quarterly</u>	
County Recorder	\$ 88,557.71
County Sheriff	107,109.06

Carried, unanimous in favor.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign a letter of recommendation addressed to Leesa McNeil, District Court Administrator, encouraging the appointment of Deb Fischer to the office of Clerk of Court for Sioux and Plymouth Counties, subject to the Chairman verifying with Deb Fischer some of the information contained in the letter of recommendation. Carried, unanimous in favor.

As this was the date and 10:00 o'clock a.m. the time set for the hearing on the second and final consideration on County Ordinance No. 15 establishing a School Local Option Sales and Services Tax in Sioux County, said hearing was held according to law. No comments were received in writing or presented orally against said proposed ordinance.

The Chairman closed the hearing.

Motion by De Haan and supported by Bouma to approve the second and final consideration County Ordinance No. 15; approve and authorize the Chairman to sign County Ordinance No. 15;

and instruct the County Auditor to publish the following County Ordinance No. 15 to become effective upon publication:

ORDINANCE NO. 15

An ordinance establishing a School Local Option Sales and Services tax applicable to transactions within the school districts of Boyden Hull, George, MOC-Floyd Valley, Remsen-Union, Rock Valley, Sheldon, Sioux Center, West Lyon and West Sioux where the tax was approved in Sioux County.

Be It Enacted by the Board of Supervisors of Sioux County, Iowa:

Section 1. School Local Option Sales and Services Tax. There is imposed a local option sales and services tax applicable to transactions within Sioux County.

The rate of the tax shall be one percent upon the gross receipts taxed under Chapter 422E – School Local Option Tax, Division IV, of the Iowa Code in the school districts of Boyden Hull, George, MOC-Floyd Valley, Remsen-Union, Rock Valley, Sheldon, Sioux Center, West Lyon and West Sioux in Sioux County.

The school local sales services tax is imposed on transactions occurring on or after January 1, 2004 and ending December 31, 2013 within Sioux County. All persons required to collect state gross receipts taxes shall collect the tax. However, the tax shall not be imposed on the gross receipts from the sale of motor fuel or special fuel as defined in Chapter 324 of the Iowa Code, on the gross receipts from the rental of rooms, apartments, or sleeping quarters which are taxed under chapter 422A of the Iowa Code during the period the hotel and motel tax is imposed, on the gross receipts from the sale of a lottery ticket or share in a lottery game conducted pursuant to chapter 99E of the Iowa code, and on the sale or rental of tangible personal property described in section 422.45, subsections 26 and 27 of the Iowa code.

All applicable provisions of the appropriate sections of Chapter 422, Division IV, of the Iowa Code are adopted by reference.

Section 2. Effective Date. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the Board of Supervisors on this 8th day of July, 2003.

/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.

Doug Julius, County Engineer, met with the Board this date to request approval and a Chairman's signature on various documents. He also updated the Board on various secondary road projects within Sioux County.

Motion by Beernink and supported by Bouma to approve and authorize the Chairman to sign the following documents:

Contracts and Contractor's Bonds with Kooiker, Inc. of Le Mars for Project No. BROS-C084(104)--8J-84 in an amount of \$72,179.19.

Permit Agreement with Hickory Tech for a road right-of-way crossing located in Section 30 of Center Township.

Permit Agreement with North West REC of Orange City for a road right-of-way crossings located in Sections 13 and 23 of West Branch Township.

Carried, unanimous in favor.

Doug Julius, County Engineer, also reported on an Iowa Department of Transportation transfer of jurisdiction estimate in an amount of \$87,000.00 for transferring jurisdiction of portions of road to Sioux County that were connected with the Hiway 60 project that lies north and south of the City of Hospers.

Motion by Bouma and supported by Smith to approve Certificate for Payment No. 11 to Hoogendoorn Construction, Inc. of Canton, South Dakota in an amount of \$327,139.15 for the new Sioux County Public Safety Center. Carried, unanimous in favor.

Del Walinga, County Chief Deputy Sheriff, met with the Board this date to review the kitchen equipment bids for the new Sioux County Public Safety Center. He stated that the person who prepared the specifications for the kitchen equipment commented that Federal Supply Company of Waukegan, Illinois had the best price per product on 96% of the items quoted. The specification preparer designated the kitchen equipment into the institutional and non-institutional categories. He also recommended that Sioux County accept the low bid from Federal Supply for the purchase of non-institutional kitchen equipment and bid out the institutional kitchen equipment to other vendors.

Motion by Beernink and supported by Smith to approve the low bid from Federal Supply Company of Waukegan, Illinois in an approximate amount of \$21,700.00 for the purchase of only the non-institutional kitchen equipment, subject to Federal Supply Company agreeing to said arrangement. Carried, unanimous in favor.

The Board acknowledged receipt of correspondence received from Jim Schwiesow, County Sheriff, expressing displeasure with the County Board of Supervisors' decision on a compensation matter for Dan Altena, County Deputy Sheriff.

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

The Chairman adjourned the meeting until Tuesday, July 22, 2003.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor