

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON AUGUST 26, 1997

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:30 o'clock A.M. with Chairman Loren Bouma presiding. Members present were William Vander Maten, Loren Bouma, Bernard L. Smith and Hubert Schuller. Vernon Beernink was absent.

The minutes of August 12, 1997, were read and on motion and vote stand approved as read.

Committee reports were given this date.

Mark Schouten, County Attorney, met with the Board this date to report on a proposed Promissory Note between Sioux County and the Sioux County Communications Board. The Sioux County Communications Board would promise to pay to Sioux County the sum of \$81,181.00 payable annually in the amount of \$16,236.20 plus accrued interest at a comparable rate established by Robert Hagey, County Treasurer, continuing annually thereafter until September 1, 2002, until paid in full with accrued interest. These monies will be used to pay the remainder owing on a statement from Electronic Specialties, Inc., Algona, for the purchase of a new communications system.

Mark Schouten, County Attorney, also reported that Sioux County has been awarded a grant in an approximate amount of \$22,000.00 to help fund a full-time victim witness coordinator position. The grant requires a 25% local county match and also the assistance of volunteers.

Dennis Sassman, Community Services Director, met with the Board this date.

Motion by Schuller and supported by Smith to go into executive session upon the recommendation of Mark Schouten, County Attorney, according to Section 21.5(1c & 1g), 1997 Iowa Code, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, and to avoid disclosure of specific law enforcement, such as current or proposed investigations, inspection or auditing techniques or

schedules, which if disclosed would enable law violators to avoid detection. Mark Schouten, County Attorney; and Jeff Peters, CPA for Williams & Company, Le Mars, were present for the executive session. Roll Call on Vote: Vander Maten, Yes; Beernink, Absent; Bouma, Yes; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor with one member absent.

Motion by Schuller and supported by Smith to go out of executive session according to Section 21.5(1c & 1g), 1997 Iowa Code. Roll Call on Vote: Vander Maten, Yes; Beernink, Absent; Bouma, Yes; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor with one member absent.

As this was the date and 10:00 o'clock A.M. the time set for the hearing on a proposal requesting the creation of an agricultural area which was received and filed on August 11, 1997. The proposal includes real estate owned by Lynn F. Nuebel, MaDonna A. Nuebel, Mary J. Barry and Gerald Barry.

Roger Ruhland, Le Mars, appeared at the public hearing. No comments were received in writing or presented orally against said proposed agricultural area.

The Chairman closed the hearing.

Motion by Schuller and supported by Smith to accept the petition and proposal as filed on August 11, 1997, and approve the creation of the agricultural area by the following persons:

Lynn F. Nuebel
MaDonna A. Nuebel
Mary J. Barry
Gerald Barry

The entire petition and proposal, encompassing boundary description and title report are on file in the County Auditor's Office for further reference. Roll Call on Vote: Vander Maten, Yes; Beernink, Absent; Bouma, Yes; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor with one member absent.

Motion by Schuller and supported by Vander Maten to approve and authorize the Chairman to sign the following Law Enforcement Extension Agreements for fiscal year 1997-98:

<u>City</u>	<u>Amount</u>
Alton	\$66,611.58
Granville	10,900.00
Hospers	44,250.08
Hull	115,793.34

Carried, unanimous in favor with one member absent.

Motion by Vander Maten and supported by Schuller to approve and authorize the Chairman to sign the following Department Appropriation Resolution for Fiscal Year 1997-98:

RESOLUTION NO. 97-15

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 the department by the Board; and

WHEREAS, proposed expenditures for the Non-Departmental Department will cause this department to exceed the amount appropriated for the fiscal year 1997-98; and

WHEREAS, it is deemed necessary to increase the appropriations for the Non-Departmental Department to not be in violation of Section 331.437, 1997 Iowa Code; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the appropriation for the Non-Department is increased from \$63,000.00 to \$126,000.00.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on August 26, 1997.

/s/ Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange
Sioux County Auditor

Roll Call on Vote: Vander Maten, Yes; Beernink, Absent; Bouma, Yes; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor with one member absent.

Robert Hagey, County Treasurer, met with the Board this date to report on the new format being used for the current tax statements, and on how the Federal Drivers Privacy Act will impact the County Treasurer's Office by requiring certain motor vehicle registration information to be kept confidential at the request of the applicant.

Doug Julius, County Engineer, met with the Board this date.

Motion by Vander Maten and supported by Schuller to approve and authorize the Chairman to sign the following documents:

Permit Agreement with East Plains Telecom, Inc., Baltic, South Dakota, for a road right-of-way crossing in Sections 15 and 16 in Garfield Township.

Permit Agreement with MidAmerican Energy, Rock Valley, for a road right-of-way crossing in Sections 28 and 33 in Garfield Township.

Carried, unanimous in favor with one member absent.

Motion by Vander Maten and supported by Smith to approve and authorize Dennis Lange, County Auditor, to proceed with publication of a Summary and Notice of Public Hearing on Proposed County Ordinance No. 11 which would adopt Sioux County Hazardous Waste and Hazardous Substance Regulations. Carried, unanimous in favor with one member absent.

Loren Bouma, Chairman of Board, reported on correspondence received from Dan Struve, Chairman of O'Brien County Board of Supervisors, which states that they have entered into a contract with the DLR Group to do a feasibility study of their existing jail facilities. He also wanted to know if there were other counties interested in exploring the concept of building a regional jail.

The consensus of the Board pertaining to the aforementioned correspondence received from the O'Brien County Board of Supervisors was to at least explore the concept of building a regional jail.

Phylliss Kroon, County Assessor, met with the Board this date to report on the method used to assess hog confinements.

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

The Chairman adjourned the meeting until Friday, September 12, 1997.

Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor