

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON JANUARY 2, 2004

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

Motion by Bouma and supported by Beernink to appoint Mark Sybesma, County Supervisor, as Chairman of the Board of Supervisors for calendar year 2004. Carried, unanimous in favor.

Mark Sybesma, Chairman of Board, presided over the remainder of the meeting.

Motion by De Haan and supported by Smith to appoint Vernon Beernink, County Supervisor, as Vice-Chairman of the Board of Supervisors for calendar year 2004. Carried, unanimous in favor.

Mark Sybesma, Chairman of Board, appointed the following committees for calendar year 2004:

Residential Training Center:
De Haan, Chairman; and Sybesma

County Farm:
Sybesma, Chairman; and De Haan

County Buildings and Grounds:
Smith, Chairman; and Beernink

County Personnel and Policy:
Sybesma, Chairman; and De Haan

County Communications:
Bouma, Beernink and Smith, Alternate

Civil Defense and Enhanced Services:
Beernink, Chairman; and Sybesma, Alternate

Plains Area Mental Health Center Board Liaison:
Bouma, Chairman; and De Haan, Alternate

Sanitary Landfill:
Smith, Chairman; and Bouma, Alternate

MH/MR/DD/BI Planning Council (Cluster Board):
Bouma and De Haan

REAP, Conservation Board Liaison and Northwest Prairie RC & D:
Sybesma, Chairman; and Bouma, Alternate

County Decategorization Board and Empowerment Board:
Sybesma, Chairman; and Bouma, Alternate

Northwest Iowa Alcoholism and Drug Abuse Treatment Unit Board:
Bouma and Sybesma

Mid-Sioux Opportunity:
Beernink, Chairman; and De Haan

Regional Transit Authority:
Beernink, Chairman; and De Haan

Third Judicial District Department of Correctional Services:
Smith, Chairman; and Bouma, Alternate

County Emergency Medical Services Board:
De Haan, Chairman; and Smith, Alternate

Northwest Iowa Mental Health Consortium Board:
Bouma, Chairman; and Beernink, Alternate

Work Force Development:
De Haan, Chairman; and Beernink, Alternate

Cherokee Mental Health Institute – Advisory Committee:
De Haan, Chairman; Bouma, Alternate

Northwest Iowa Planning and Development Commission:
Beernink, Chairman; and De Haan, Alternate

Department of Human Services Service Area Advisory Board:
Mark Sybesma

(YES) Youth Emergency Services Board:
Bouma, Chairman; and Beernink, Alternate

Mark Sybesma, Chairman of Board, reported that he and Stanley L. De Haan, County Supervisor, have completed job evaluation surveys of county officials appointed by the County Board of Supervisors. He stated that some weaknesses were addressed and will be reassessed at the

next time the job evaluations are performed.

The following appointed county officials were evaluated:

Doug Julius, County Engineer

Micah Van Maanen, County Information Technology Director

Shane Walter, County Community Services Director

Mark Feldhacker, County Veterans Affairs Director

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator

The completed job evaluation surveys were given to Dennis Lange, County Auditor, to be sealed in an envelope and kept in a secure location for three years and then destroyed.

Motion by Bouma and supported by Beernink to appoint Doug Julius as County Engineer for calendar year 2004. Carried, unanimous in favor.

Motion by Beernink and supported by De Haan to appoint Doug Julius as County Weed Commissioner for calendar year 2004. Carried, unanimous in favor.

Motion by De Haan and supported by Bouma to appoint Mark Dunlop as County Emergency Management Services Director and County Zoning Administrator for calendar year 2004. Carried, unanimous in favor.

Motion by Bouma and supported by Beernink to appoint Shane Walter as County Community Services Director for calendar year 2004. Carried, unanimous in favor.

Motion by Beernink and supported by Smith to appoint Carl Moss to the County Planning and Zoning Commission for a five year term ending December 31, 2008. Carried, unanimous in favor.

Motion by De Haan and supported by Beernink to appoint Del Beyer to the County Zoning Board of Planning Adjustment for a five year term ending December 31, 2008. Carried, unanimous in favor.

Motion by De Haan and supported by Bouma to appoint Dr. Lee Kamstra and Barb Top to the County Board of Health for three year terms ending December 31, 2006. Carried, unanimous in favor.

Motion by Smith and supported by Beernink to appoint John Degen to the County Conservation Board for a five year term ending December 31, 2008. Carried, unanimous in favor.

Melissa O'Rourke, County Attorney, met with the Board this date to review recently issued memorandums to Dennis Lange, County Auditor; and the Sioux County Civil Service Commission pertaining to the following subject matters:

Hiring of Deputies by the County Sheriff
Records of the County Board of Supervisors pertaining to the establishment of a Reserve Peace Officer Force
Certification of Payroll for Reserve Officers
Request for an Iowa Attorney General's opinion on various issues pertaining to the hiring, certification and payroll for County Deputy Sheriffs

Melissa O'Rourke, County Attorney, also updated the Board on the status of various District Court cases.

Dennis Lange, County Auditor, reported that a recent new hire in the County Sheriff's Department has not been paid for hours that were listed as deputy or reserve peace officer based upon review of memorandums issued by Melissa O'Rourke, County Attorney.

Dwayne Alons, State Representative; and Kenneth Veenstra, State Senator, met this the Board this date to discuss the various state budget cuts that have been passed along to local governmental entities in Sioux County. The Board expressed displeasure with the Iowa State Legislature for trying to balance the state budget at the cost of local governmental entities. The Board stated that the state budget cuts that have been passed along to local governmental entities in Sioux County have had a huge impact on their budgets. The Board stated that the only alternative would be to raise property taxes to offset decreases in state revenues. Also, the large decrease in rural taxable valuation will also create a shift in payment of property tax by classification of property. The following persons were in attendance for the aforementioned discussion:

John Doorenbos, Boyden Mayor
Dennis Walstra, Sioux Center Mayor
Duane Feekes, Orange City Administrator
Daryl Beltman, Orange City Mayor

Harold Schiebout, Sioux Center Administrator
Robert Hagey, County Treasurer
Lois Huitink, County Deputy Auditor
Shane Walter, County Community Services Director
Dave Mulder, Candidate for State Senate Seat No. 2
Jerry Klemme, Candidate for County Supervisor District No. 1
Chris Myres, Representative for City of Hawarden

Mark Dunlop, County Emergency Management Director and Zoning Administrator, met with the Board this date to request approval and a Chairman's signature on a Construction Evaluation Resolution.

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

RESOLUTION NO. 2004-01

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) (2003), sets out the procedure if a board of supervisors establishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2004 and January 31, 2005 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

/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.

Motion by Beernink and supported by Smith to approve and authorize the Chairman to sign the following Corrective Dedication of Plat Resolution for the Prairie Lanes Addition:

RESOLUTION NO. 2004-02

Whereas, a request was filed by the Hollander Family Investment Company for the subdivision of the following described real estate, to-wit:

That part of the W1/2 SE1/4 of Section 26, Township 97 North, Range 43 West of the 5th P. M., in Sioux County, Iowa, more particularly described as follows: Commencing at the Southwest corner of said W1/2 SE1/4; thence North 00° 07' 38" East along the West line of said W1/2 for 45.6 feet to a point on the North right-of-way line of U.S. Highway No. 18; thence South 88° 18' 06" East along said North right-of-way line for 418.00 feet to the Point of Beginning; thence North 00° 07' 38" East for 500.00 feet; thence South 88° 18' 06" East for 650.00 feet; thence South 00° 04' 31" West for 250.00 feet; thence, South 88° 18' 06" East for 240.00 feet; thence South 00° 10' 45" West for 250.00 feet to a point on the North right-of-way line of U.S. Highway No. 18; thence North 88° 18' 06" West along said North right-of-way line for 890.00 feet to the point of beginning.

Whereas, the Hollander Family Investment Company has filed preliminary and final plats with the County Zoning Administrator, and said plats have been duly reviewed by the Sioux County Planning and Zoning Commission and the City of Sheldon as required by the Sioux County Subdivision Regulations, and

Whereas, the Sioux County Planning and Zoning Commission has recommended approval of said final plat establishing six (6) residential lots with a (R-2) Single Family Residential Zoning Classification.

Whereas, the recommendations of the Sioux County Planning and Zoning Commission have been met and incorporated into said final plat, and

Whereas, the original Board of Supervisors' Resolution 98-21 approving said plat contained numerous typographical errors in the legal description of the above described premises, and

Whereas, the Board of Supervisors must enact a resolution approving the plat of the real estate as correctly described above.

Therefore, be it resolved by the Sioux County Board of Supervisors,

That a Variance is hereby granted from the minimum right of Way requirements, from 66 feet to 55 feet, for the private roadway easement on the lots of said subdivision, and that a covenant shall be attached to all deeds, contracts, or other instruments conveying an interest in any lot(s) of said Prairie Lanes Addition, to notify all holders of such instruments that the private roadway is not subject to dedication to Sioux County and not eligible for maintenance by the Court Secondary Road Department, and

That the property within the boundaries of said subdivision is hereby changed from an Agricultural District to a (R-2) Residential District, and that said change shall be an amendment to the Sioux County Zoning Map, and,

That the Final Plat of the Prairie Lanes Addition as herein correctly described, including variance, covenants, and zoning classification change, is hereby accepted and approved.

Resolved this 2nd day of January, 2004, by the Sioux County Board of Supervisors.

/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.

Motion by Bouma and supported by Smith to approve and authorize the Chairman to sign the following Change Order No. 9 submitted by Hoogendoorn Construction of Canton, South Dakota pertaining to the new Sioux County Public Safety Complex:

Item No. 1: Per RFP #42, deduct the VCRs.
Deduct: \$ 289.00

Item No. 2: Per RFP #43, additional concrete work in half circle at the north and west corner of the building.
ADD: \$2,327.00

Item No. 3 Per Revised RFP #44, additional floor coating in Rooms 111,112,165, 181 & 196.
ADD: \$1,884.00

Item No. 4: Per RFP #45, install mailbox and concrete pad for radio tower.
ADD: \$ 682.00

Item No. 5: Per RFP #49, install disconnect switch for pump controller.
ADD: \$ 682.00

Item No. 6: Per RFP #50, install exit light above Door 111A.
ADD: \$ 407.00

Item No. 7: Per RFP #51, add hood for dishwasher.
ADD: \$ 440.00

Item No. 8: Add to change heaters in sally port so they are higher than door for ambulance clearance.
ADD: \$364.00

TOTAL ADD: \$6,497.00

Carried, unanimous in favor.

Dennis Lange, County Auditor, reported that the following five newspapers have filed written applications to become one of the three official county newspapers for calendar year 2004, and that a contest does exist for the selection of said official newspapers:

Capital-Democrat
Hawarden Independent/Ireton Examiner
Index Reporter
Sioux Center News
Siouxland Press

Motion by De Haan and supported by Bouma to declare that a contest does exist for the selection of the three official county newspapers; and to instruct Dennis Lange, County Auditor, to notify the five official county newspaper applicants that they are to deposit with the County Auditor, in a sealed envelope, a statement, verified by the applicant, showing the names of the applicant's bona fide yearly subscribers living within the county and the place at which each such subscriber receives such newspaper, and the manner of its delivery. The Board will determine the bona fide yearly subscribers of each official county newspaper applicant at 9:30 o'clock a.m. on January 13, 2004. Carried, unanimous in favor.

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

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

Agreement for Federal-Aid Bridge Replacement and Rehabilitation Program Project for Sioux County Project BROS-C084(62)--8J-84.

Agreement for Federal-Aid Bridge Replacement and Rehabilitation Program Project for Sioux County Project BROS-C084(109)--8J-84.

Iowa Department of Transportation Contract Construction Progress Voucher for County Project BROS-C084(101)--5F-84.

Iowa Department of Transportation Contract Construction Progress Voucher for County Project BROS-C084(102)--60-84.

Carried, unanimous in favor.

Doug Julius, County Engineer, also met with the Board this date to review a quote from Ziegler Company of Des Moines for a new 140H Caterpillar motor grader less trade-in of a 1985 140G Caterpillar motor grader in a net amount of \$160,500.00.

Motion by De Haan and supported by Beernink to approve and authorize Doug Julius, County Engineer, to purchase a new 140H Caterpillar motor grader less trade-in of a 1985 140G Caterpillar motor grader in a net amount of \$160,500.00 from Ziegler Company of Des Moines.

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, January 13, 2004.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor