

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON MARCH 8, 2005

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, John Degen and Stanley L. De Haan.

Minutes of Tuesday, March 1, 2005 were on motion and vote stand approved as submitted.

Committee reports were given this date.

Motion by Beernink and supported by Degen to approve and authorize the Chairman to sign the following Inter-fund Operating Transfer Resolution:

RESOLUTION 2005-07

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

\$678,893 from the Rural Basic Fund to the Secondary Road Fund,

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

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 March 8, 2005.

\$678,893 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 8th day of March, 2005.

/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; Degen, Yes; and De Haan, Yes. Carried, unanimous in favor.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign the following Inter-fund Operating Transfer Resolution:

RESOLUTION 2005-08

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

\$100,000 from the General Basic Fund to the General Supplemental Fund,

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

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 March 8, 2005.

\$100,000 from the General Basic Fund to the General Supplemental Fund

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

Signed and dated this 8th day of March, 2005.

/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; Degen, Yes; and De Haan, Yes. Carried, unanimous in favor.

Motion by De Haan and supported by Degen to approve the following Northwest Iowa Area Solid Waste Agency Resolution:

RESOLUTION NO. 2005-09

**RESOLUTION OF MEMBER COUNTY ADOPTING
FIRST AMENDMENT TO
SECOND AMENDED AND SUBSTITUTED
INTERGOVERNMENTAL AGREEMENT CREATING THE
NORTHWEST IOWA AREA SOLID WASTE AGENCY**

WHEREAS, the Executive Committee and the Full Board of the Agency have approved an amendment to the Second Amended and Substituted Intergovernmental Agreement Creating the Northwest Iowa Area Solid Waste Agency, (as filed in the office of the Secretary of State of Iowa on July 21, 1992; and in the various counties thereafter), as follows:

- A. That reference to the City of Spencer and Clay County, Iowa, as Members be deleted from the Second Amended and Substituted Intergovernmental Agreement Creating the Northwest Iowa Area Solid Waste Agency as Members, since these two entities withdrew from the Agency as of the 30th day of June, 2002, and stopped waste delivery on July 1, 2003; that because of the withdrawal of the City of Spencer and Clay County, Iowa, these two entities should be listed as former members; that the City of Spencer and Clay County, Iowa, shall be referred to as “Former Member” and “Former Members”.

- B. The Cities of Chatsworth, Iowa, and Gillette Grove, Iowa, are not listed as members under the preamble of the Second Amended and Substituted Intergovernmental Agreement Creating the Northwest Iowa Area Solid Waste Agency.

That the cities of Chatsworth, Iowa, and Gillette Grove, Iowa, have been members of the Agency, however they have been unnamed or undesignated members, since both were included in membership under the

unincorporated areas of their respective counties, Sioux County and Clay County.

The cities of Chatsworth, Iowa, and Gillette Grove, Iowa, are both incorporated and should be listed as member cities.

That the preamble of the Second Amended and Substituted Intergovernmental Agreement Creating the Northwest Iowa Area Solid Waste Agency be stricken, and the following paragraph is substituted in lieu thereof:

The City of Ashton, Iowa; the City of Harris, Iowa; the City of Melvin, Iowa; the City of Ocheyedan, Iowa; the City of Sibley; the City of Archer, Iowa; the City of Calumet, Iowa; the City of Hartley, Iowa; the City of Paullina, Iowa; the City of Primghar, Iowa; the City of Sanborn, Iowa; the City of Sheldon, Iowa; the City of Sutherland, Iowa; the City of Alton, Iowa; the City of Boyden, Iowa; **the City of Chatsworth**; the City of Granville, Iowa; the City of Hawarden, Iowa; the City of Hospers, Iowa; the City of Hull, Iowa; the City of Ireton, Iowa; the City of Matlock, Iowa; the City of Maurice, Iowa; the City of Orange City, Iowa; the City of Rock Valley, Iowa; the City of Sioux Center, Iowa; **the City of Gillette Grove**; the City of Dickens, Iowa; the City of Everly, Iowa; the City of Fostoria, Iowa; the City of Greenville, Iowa; the City of Peterson, Iowa; the City of Rossie, Iowa; the City of Royal, Iowa; the City of Webb, Iowa; the City of Alford, Iowa; the City of Doon, Iowa; the City of George, Iowa; the City of Inwood, Iowa; the City of Larchwood, Iowa; the City of Lester, Iowa; the City of Little Rock, Iowa; the City of Rock Rapids, Iowa; Osceola County, Iowa; O'Brien County, Iowa; Sioux County, Iowa; and Lyon County, Iowa, hereafter referred to as "member", "members", or "as member of the Agency" in the singular.

The City of Spencer and Clay County, Iowa, shall be referred to as "former member" or "former members". (Items shown in bold are merely to show changes.)

WHEREAS, the undersigned member approves the proposed First Amendment to the Second Amended and Substituted Intergovernmental Agreement Creating the Northwest Iowa Area Solid Waste Agency and states that it should be adopted in its entirety.

NOW, THEREFORE, BE IT RESOLVED:

1. That this member of the Agency hereby adopts and agrees to be bound by the Second Amended and Substituted Intergovernmental Agreement Creating the Northwest Iowa Area Solid Waste Agency and by the First Amendment thereto. A copy of the First Amendment has been presented to this body and by this reference is made a part hereof.

2. That the Chairperson of the Board of Supervisors and the County Auditor are hereby authorized to sign the First Amendment on behalf of this member of the Agency, and to perform any further acts necessary to cause this member of the Agency to be obligated thereunder.

PASSED and APPROVED this 8th day of March, 2005.

/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; Degen, Yes; and De Haan, Yes. Carried, unanimous in favor.

Mark Sybesma, Chairman of County Board of Supervisors, appointed John Degen, County Supervisor, as a member to the County Foundation Board.

Melissa O'Rourke, County Attorney, met with the Board this date to request approval and a Chairman's signature on Certificates of Assurance pertaining to the Victims of Crime Act and Violence against Woman Act grant applications. They addressed environmental and smoke free issues.

Motion by Beernink and supported by Degen to approve and authorize the Chairman to sign Certificates of Assurance pertaining to the Victims of Crime Act and Violence against Woman Act grant applications. They addressed environmental and smoke free issues. Carried, unanimous in favor.

Melissa O'Rourke, County Attorney, also reviewed the contents pertaining to a Revised Contract with Mid-Continental Restoration Company, Inc. to perform exterior building repair work on the Sioux County Court House in a total amount not to exceed \$25,980.00. She pointed out the following issues:

She stated that Paragraph 9 on Page 2 does not definitely define the commencement or ending date of the project.

She pointed out that after 10 calendar days from the commencement of the project, Mid-Continental Restoration reserves the right to invoice the owner for all start up costs such as material purchases, equipment purchases and mobilization costs. The invoice for start-up costs will be payable to Mid-Continental Restoration Company, Inc. within 14 calendar days.

She stated that the definition of start up costs is very vague.

She pointed out that the language contained in Paragraph 5 of Exhibit "A" states that any installation dates given in advance are estimated and are subject to prior orders with Mid-Continental Restoration Company, Inc.

She also reported on the contents of a Real Estate Contract between Iowa State Bank, Hull, Iowa, an Iowa corporation "Sellers" and Sioux County, Iowa, an Iowa municipal corporation "Buyers" for the purchase of Lots 1 and 2, EXCEPT the East 50 feet thereof, Block 42, South Addition, in the Incorporated City of Orange City in a total purchase price of \$150,000.

Harley Kleinwolterink, Superintendent of Buildings and Grounds; and John Lambert, Custodian, were present for the discussion on the Revised Contract with Mid-

Continental Restoration Company, Inc. to perform exterior building repair work on the Sioux County Court House.

Motion by Beernink and supported by Bouma to approve and authorize the Chairman to sign a Revised Contract with Mid-Continental Restoration to perform exterior building repair work on the Sioux County Court House in a total amount not to exceed \$25,980.00. Carried, unanimous in favor.

Be it remembered that on the 8th day of March, 2005 at 10:00 o'clock a.m., the Board of Supervisors of Sioux County, met in session for the purpose of hearing upon the budget estimate for fiscal year 2006, and as filed with the Board. There was a quorum as required by law.

Thereupon, the Board investigated and found that the notice and place of county budget hearing has according to law and as directed by the Board been published during the week of February 21, 2005 in the three official newspapers in said county, and that Affidavits of Publication thereof were on file with the County Auditor. Thereafter, and on said day the expenditures were taken up and considered and taxpayers heard for and against same as follows:

No one personally appeared to object to the county budget estimate for fiscal year 2006.

Lois Huitink, Deputy Auditor, was present to explain a change in valuation pertaining to a building being taken out of a tax incremental finance district and being classified as regular valuation that can now be taxed.

Dennis Lange, County Auditor, received no written comments either for or against said budget estimate for fiscal year 2006.

The Chairman closed the county budget hearing.

Motion by Beernink and supported by De Haan to adopt and authorize the Chairman to sign the Sioux County Budget Summary which also includes the county compensation board recommendations for fiscal year 2006 as follows:

Iowa Department of Management
Form 638 - R
(Sheet 1 of 2)

ADOPTED SIOUX **COUNTY BUDGET SUMMARY**

County Number: 84
03/08/05 0

		General (A)	Special Revenue (B)	Capital Projects (C)	Debt Service (D)	Permanent (E)	TOTALS			
							Budget 2005/2006 (F)	Re-estimated 2004/2005 (G)	Actual 2003/2004 (H)	
REVENUES & OTHER FINANCING SOURCES										
Taxes Levied on Property	1	4,105,222	2,456,002		211,094		6,772,318	5,392,731	5,554,694	1
Less: Uncollected Delinquent Taxes - Levy Year	2	5,000	4,500		0		9,500	19,000	14,000	2
Less: Credits to Taxpayers	3	71,500	118,200		0		189,700	243,200	259,355	3
Net Current Property Taxes	4	4,028,722	2,333,302		211,102		6,573,118	5,130,531	5,281,339	4
Delinquent Property Tax Revenue	5	5,000	4,500		0		9,500	19,000	7,500	5
Penalties, Interest & Costs on Taxes	6	23,500					23,500	31,000	31,000	6

Other County Taxes/TIF Tax Revenues	7	110,210	879,036	0	4,913	0	994,159	1,131,587	1,117,877	7
Intergovernmental	8	1,905,465	5,251,507	0	0	0	7,156,972	7,521,242	6,952,365	8
Licenses & Permits	9	0	3,250	0	0	0	3,250	2,500	2,250	9
Charges for Service	10	524,285	97,000	0	0	0	621,285	611,115	532,820	10
Use of Money & Property	11	255,290	11,650	0	0	0	266,940	348,263	171,542	11
Miscellaneous	12	84,400	52,700	0	0	0	137,100	244,085	242,195	12
Subtotal Revenues	13	6,937,872	8,632,945	0	216,007	0	15,785,824	15,039,323	14,338,888	13
Other Financing Sources:										
General Long-Term Debt Proceeds	14	0	0	0	0	0	0	0	0	14
Operating Transfers In	15	0	1,355,430	0	0	35,000	1,390,430	2,248,812	2,543,332	15
Proceeds of Fixed Asset Sales	16	1,700	0	0	0	0	1,700	1,150	4,150	16
Total Revenues & Other Sources	17	6,938,572	9,988,375	0	216,007	35,000	17,177,954	17,289,285	16,886,370	17
EXPENDITURES & OTHER FINANCING USES										
Operating:										
Public Safety and Legal Services	18	2,543,204	598,271			0	3,141,475	3,169,510	2,909,446	18
Physical Health and Social Services	19	1,126,842	0			0	1,126,842	1,254,826	913,675	19
Mental Health, MR & DD	20	0	2,553,289			0	2,553,289	2,523,204	2,479,816	20
County Environment and Education	21	417,864	279,878			0	697,742	633,421	627,877	21
Roads & Transportation	22	55,000	4,747,975			0	4,802,975	4,209,475	4,164,505	22
Government Services to Residents	23	942,977	14,200			0	957,177	593,121	624,700	23
Administration	24	1,687,805	0			51,000	1,738,805	1,694,188	1,573,967	24
Nonprogram Current	25	47,750	0			0	47,750	50,750	51,250	25
Debt Service	26	0	0			474,142	474,142	473,816	473,042	26
Capital Projects	27	0	3,401,200	0		0	3,401,200	2,231,175	2,899,664	27
Subtotal Expenditures	28	6,821,442	11,594,813	0	474,142	51,000	18,941,397	16,833,486	16,717,942	28
Other Financing Uses:										
Operating Transfers Out	29	35,000	1,355,430	0	0	0	1,390,430	2,248,812	2,543,332	29
Total Expenditures & Other Uses	30	6,856,442	12,950,243	0	474,142	51,000	20,331,827	19,082,298	19,261,274	30
Excess of Revenues & Other Sources over (under) Expenditures & Other Uses	31	82,130	(2,961,868)	0	(258,135)	(16,000)	(3,153,873)	(1,793,013)	(2,374,904)	31
Beginning Fund Balance - July 1,	32	812,167	3,727,235	0	480,000	14,125	5,033,527	6,826,540	9,201,444	32
Increase (Decrease) in Reserves (GAAP Budgeting)	33	0	0	0	0	0	0	0	0	33
Fund Balance - Reserved	34	0	300,000	0	0	0	300,000	248,000	586,295	34
Fund Balance - Unreserved/Designated	35	0	0	0	0	0	0	0	0	35
Fund Balance - Unreserved/Undesignated	36	894,297	465,367	0	221,865	(1,875)	1,579,654	4,785,527	6,240,245	36
Total Ending Fund Balance - June 30,	37	894,297	765,367	0	221,865	(1,875)	1,879,654	5,033,527	6,826,540	37

This line and the next line reserved for notes:

<u>Funds</u>	<u>Tax Levies</u>	<u>Tax Rates</u>
General Basic	\$3,304,024	\$3.50000
General Supplemental	801,198	.84872
MH-DD Services	1,001,355	1.06075
Debt Service	211,094	.19998
Rural Basic	<u>1,454,647</u>	<u>2.81861</u>
Totals	\$6,772,318	\$8.42806

The property tax rates for the General Basic, General Supplemental, MH-DD Services and Rural Basic Funds were calculated using the following 2004 taxable valuations:

Rural	\$ 516,086,810
Urban	<u>427,920,105</u>
Total	\$ 944,006,915

The property tax rate for the Debt Service Fund was calculated by using the following 2004 taxable valuation:

Countywide \$1,055,577,188

Compensation schedule for July 1, 2005 to June 30, 2006:

Elected Official:	Annual Salary:
Attorney	\$85,360
Auditor	50,910
Recorder	47,720
Treasurer	49,960
Sheriff	61,790
Supervisors	27,110
Supervisor Chair	28,110

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Carried, unanimous in favor.

Shane Walter, County Community Services Director, met with the Board this date to report on a Monthly MH/DD Service Expenditure Report covering the period from July 1, 2005 to February 28, 2005.

A public hearing was held at 10:30 o'clock a.m. on a proposal to purchase the former First Federal Bank building located in Orange City and now owned by Iowa State Bank for additional county office space in an amount of \$150,000. The following persons were present for said public hearing:

Robert Hagey, County Treasurer
Lois Huitink, County Deputy Auditor
Deb Fischer, Judicial Clerk III
Charlene Peterson, Clerk of District Court for Plymouth and Sioux Counties
Linda Feikema, County Deputy Auditor
Anita Van Bruggen, County Recorder
Joan Schreier, Clerk in Auditors Office
Lisa Rowenhorst, Elections/Accounting Clerk in Auditors Office
Harley Kleinwolterink, Superintendent of Buildings and Grounds
John Lambert, Custodian
Bob Hulstein, Representative for Pluim Publishing
Melissa O'Rourke, County Attorney

The main purpose for purchasing the former First Federal Bank building was to move the County Treasurers office to that building to free up space in the Court House for the Clerk of District Court office.

There were various space proposals presented both orally and in writing by the aforementioned persons present as to how to utilize that additional space.

No final decision was made on the space issue.

There was written correspondence received from Ed Grotenhuis, representative for Area Services, Inc., stating that he was in favor of the proposal to purchase the former First Federal Building in an amount of \$150,000. He also recommended that the Board of Supervisors pave the lot of the old Sioux County Jail and reserve it for county employee parking.

No one personally appeared to object to the former First Federal Building purchase.

The Chairman closed the public hearing.

Motion by De Haan and supported by Bouma to approve the purchase of the former First Federal Building in Orange City from Iowa State Bank in an amount of \$150,000.

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Carried, unanimous in favor.

Dan Altena, County Sheriff, met with the Board this date to request approval on the appointments of two County Deputy Sheriffs. He also introduced Waylon Pollema as one of the new County Deputy Sheriffs.

Motion by Bouma and supported by De Haan to approve the appointments of Waylon Pollema and Nathan Kelderman as County Deputy Sheriffs at 65% of the County Sheriff's annual base salary. Waylon Pollema's employment date will be March 15, 2005. Nathan Kelderman's employment date will be May 1, 2005. Carried, unanimous in favor.

A public hearing was held at 11:00 o'clock a.m. on the following hard surfacing road project:

Project No. L-7-2006--73-84-PAVE

The hard surfacing of 280th Street from the Intersection of A54B Boulevard and 280th Street near Fairview, South Dakota thence east approximately 0.45 miles on 280th Street all in Settlers Township or located near Inspirational Hills Camp and Retreat Center on 280th Street from A54B Boulevard east 0.45 miles.

Doug Julius, County Engineer, was present for the aforementioned public hearing and reviewed the hard surfacing road project. He also stated that a public hearing needed to be held on the proposed hard surfacing project since it did not meet the 50 point requirement as established by the Iowa Department of Transportation.

No one personally appeared to object to the proposed hard surfacing road project and no written objections were received by the County Auditor.

The Chairman closed the public hearing.

Motion by Degen and supported by Bouma to approve the following hard surfacing road project:

Project No. L-7-2006--73-84-PAVE

The hard surfacing of 280th Street from the Intersection of A54B Boulevard and 280th Street near Fairview, South Dakota thence east approximately 0.45 miles on 280th Street all in Settlers Township or located near Inspirational Hills Camp and Retreat Center on 280th Street from A54B Boulevard east 0.45 miles.

Carried, unanimous in favor.

Doug Julius, County Engineer, requested approval and a Chairman's signature on various documents.

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

Permit Agreement with North West REC for road right-of-way crossings located in Sections 21, 22, 23 of West Branch Township.

Permit Agreement with Southern Sioux County Rural Water for road right-of-way crossings located in Sections 17 and 18 in Sherman Township.

Carried, unanimous in favor.

Doug Julius, County Engineer, opened the following bids for the purchase of one new twenty ton tilt bed trailer:

<u>Company</u>	<u>Amount</u>
RMS Road Machinery, Sioux City	\$21,995
Trail-EZE, Mitchell, SD	15,978
Ziegler, Inc., Sioux City	18,235

Less trade-in amounts were also quoted.

Motion by Beernink and supported by Degen to approve the purchase of one new twenty ton tilt bed trailer from Trail-EZE of Mitchell, South Dakota, in an amount of \$15,978 with an option to sell trade-in prior to delivery. Carried, unanimous in favor.

Doug Julius, County Engineer, also reviewed the 5th year of a five year Construction Program (FY 2010).

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

The Chairman adjourned the meeting until Tuesday, March 22, 2005.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor