

**MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**

**MEETING HELD ON MARCH 30, 1999**

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:00 o'clock A.M. with Chairman Loren Bouma presiding. Members present were William Vander Maten, Vernon Beernink, Loren Bouma, Bernard L. Smith, and Stanley L. De Haan.

Committee reports were given this date.

Dennis Lange, County Auditor, reported on the canvass of the Special Boyden-Hull Community School Bond Election returns for the election held on March 23, 1999.

Motion by Vander Maten and supported by Beernink to approve the following canvass of the Special West Sioux Community School Bond Election returns for the election held on March 23, 1999:

Public Measure A

SHALL THE FOLLOW PUBLIC MEASURE BE APPROVED?

“Shall the Board of Directors of the Boyden-Hull Community School District in the Counties of Sioux and Lyon, State of Iowa, be authorized to contract indebtedness and issue General Obligation Bonds in an amount not to exceed \$3,250,000 to provide funds to build and furnish additions to the Elementary and Junior-Senior High School Buildings and to improve, remodel, and repair the Elementary and Junior-Senior High School Buildings; and to build, construct, and improve transportation facilities?”

Yes – 756 votes      No – 238 votes

Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

Mark Schouten, County Attorney; and Mark Dunlop, County Emergency Management Director and Zoning Administrator, met with the Board this date to report on their responsibilities under House File 2494 pertaining to the issuance of a

construction permit to Orange City Dairy, LLP, by the Iowa Department of Natural Resources for a confinement dairy operation. The Board of Supervisors may contest the issuance of said construction permit within fourteen days after receipt of notice by Sioux County.

Motion by Beernink and supported by Vander Maten to approve and authorize the Chairman to sign the following County Budget Summary Revision Resolution:

**RESOLUTION NO. 99-9**

WHEREAS, the Sioux County Board of Supervisors had previously adopted the Sioux County Budget Summary on March 9, 1999 and certified it to the Iowa Department of Management, and  
WHEREAS, the Sioux County Board of Supervisors deems it necessary and appropriate to change the amounts budgeted in General Basic and Rural Basic Funds for investigation expenses in the County Sheriff's Department and the County Communications Transfer within Public Safety Service Area 1 on the Sioux County Budget Summary, and  
WHEREAS, the Rural Basic Fund is classified as a Special Revenue Fund on the Sioux County Budget Summary, and  
WHEREAS, the Iowa Department of Management recommends that the Sioux County Board of Supervisors adopt a county resolution divulging the change in General Basic and Rural Basic Fund expenditures as stated above,  
THEREFORE, BE IT RESOLVED that the amount for investigations in the Public Safety Service Area 1 on the Adopted County Budget Summary to be budgeted out of the General Basic Fund is increased by an amount of \$259,890.00 and the amount to be budgeted out of the Special Revenue Fund is decreased by an amount of \$259,890.00, and  
BE IT FURTHER RESOLVED that the amount for the County Communications Transfer in the Public Safety Service Area 1 on the County Budget Summary to be budgeted out of the General Fund is decreased by an amount of \$115,963.00 and the amount for the County Communications Transfer in the Special Revenue Fund is increased by an amount of \$115,963.00.

Approved and signed this 30<sup>th</sup> day of March, 1999.

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

ATTEST: /s/ Dennis Lange  
Sioux County Auditor

Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and De

Haan, Yes. Carried, unanimous in favor.

William Vander Maten, County Supervisor, further explained the concept of the Iowa Lakes Resource Conservation & Development Program in which Greg Marek, District Conservationalist, had earlier requested a budget amount of \$500.00 from Sioux County to help organize a four county Resource Conservation and Development Program Council.

Motion by Vander Maten and supported by Beernink to approve an amount of \$500.00 as seed money to help organize a four county Resource Conservation and Development Program Council. Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, No; Smith, No; and De Haan, No. Motion failed.

The Board of Supervisors discussed correspondence received from Wayne Farrand, Supervisor in the Wastewater Section of the Iowa Department of Natural Resources, which states that the Board of Supervisors may contest their decision to issue a construction permit to Orange City Dairy, LLP, confinement dairy operation. The construction permit authorizes Orange City Dairy, LLP, to construct a three-cell earthen manure storage basin, a concrete receiving pit, and four confinement buildings at the site. The demand for a hearing must be postmarked within fourteen (14) days following receipt of this letter and accompanied by a statement that provides all the reasons why the permit should not be issued according to the legal requirements of Chapter 455B, 1999 Iowa Code.

Char Ten Clay, representative for Orange City Hospital and Clinic/Landsmeer Ridge; Duane Feekes, Orange City Administrator; and Daryl Beltman, Orange City Councilmember, were present for the discussion on the construction permit issued to the

Orange City Dairy, LLP, confinement dairy operation. They expressed a concern about odor since the proposed construction site is within one mile of Landsmeer Ridge. They also wondered whether there should be more control of large confinement operations within a two mile radius of any city. At this time, they were not prepared whether to urge the County Board of Supervisors to file a formal appeal to the construction permit issued to Orange City Dairy, LLP, confinement dairy operation.

Jay Van Ravenswaay, representative for Orange City Dairy, LLP, confinement dairy operation; and Harry Vander Pol, representative for Vander Pol Excavating, were present for the discussion on the construction permit issued to the Orange City Dairy, LLP, confinement dairy operation. They stated that all state regulations were complied with. It was pointed out that Robert Wassenaar, Orange City, had approximately 1,000 head of cattle on his farm the last twenty-five years and no one complained.

Mark Schouten, County Attorney; and Mark Dunlop, County Emergency Management Director and Zoning Administrator, were present for the aforementioned discussion on the construction permit issued to the Orange City Dairy, LLP, confinement dairy operation. They will investigate whether there have been any Iowa Administrative Rules promulgated by the Iowa Department of Natural Resources that would have an impact on the Board's decision on whether to appeal said construction permit.

The consensus of the Board was to table a decision on whether to appeal a decision by the Iowa Department of Natural Resources to issue a construction permit to Orange City Dairy, LLP, confinement dairy operation until 10:00 o'clock A.M. on April 6, 1999. Mark Schouten, County Attorney, will have more legal advice for the Board of

Supervisors to consider before making a final decision. The City of Orange City will also have a better idea as to whether they want the Board of Supervisors to pursue an appeal.

The Board approved and authorized the Chairman to sign a cover letter addressed to the Iowa Department of Human Services that will be forwarded with the Sioux County Mental Health/Developmentally Disabled Services Plan.

Doug Julius, County Engineer, met with the Board this date to open the following bids for the purchase of three new pickups:

Purchase of Two Four-wheel Drive Pickups

<u>Company</u>	<u>Amount per Pickup</u>	
	<u>Standard</u>	<u>Extended Cab</u>
Rons Motor, Orange City	\$18,850	\$20,695
Mouw Motor Co., Sioux Center	19,278	21,194
Roetman Chevrolet, Inc., Hull	19,968	-
Hi-Way Chevrolet, Rock Valley	20,095	23,030

Purchase of One Two-wheel Drive Pickup

<u>Company</u>	<u>Extended Cab</u>
Rons Motor, Orange City	\$18,095
Mouw Motor Co., Sioux Center	18,547
Roetman Chevrolet, Inc., Hull	20,130
Hi-Way Chevrolet, Rock Valley	20,275

Motion by De Haan and supported by Beernink to accept the low bids from Rons Motor, Orange City, subject to final review by Doug Julius, County Engineer, for the purchase of three pickups as follows:

Purchase of Two Four-wheel Drive Pickups

<u>Company</u>	<u>Amount per Pickup</u>	
	<u>Standard</u>	
Rons Motor, Orange City	\$18,850	

Purchase of One Two-wheel Drive Pickup

<u>Company</u>	<u>Extended Cab</u>
Rons Motor, Orange City	\$18,095

Carried, unanimous in favor.

The Board approved and signed a Certificate of Appreciation for Harlan Mouw for his twelve years of outstanding service and contributions to Sioux County as a Secondary Road employee.

Motion by Smith and supported by Vander Maten to approve a quote from Hagedorn & Avery Construction, Spirit Lake, to pump, dip, crush, weigh, haul approximately one-fifth mile and stockpile 40,000 ton of gravel at the Chatsworth Pit for \$1.30 per ton. Carried, unanimous in favor.

Doug Julius, County Engineer, reviewed a proposed Five Year Secondary Road Construction Program for fiscal year 2000.

The Five Year Secondary Road Construction Program will be finalized by the Board at a meeting to be held on April 13, 1999.

The Chairman adjourned the meeting until April 6, 1999.

Loren Bouma, Chairman  
Sioux County Board of Supervisors

ATTEST: Dennis Lange  
Sioux County Auditor