

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON APRIL 28, 1998

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, Vernon Beernink, Loren Bouma, Bernard L. Smith and Hubert Schuller.

The minutes of April 14, 1998, were read and on motion and vote stand approved as read. Committee reports were given this date.

Dennis Sassman, Community Services Director, met with the Board this date to report on correspondence received from Arnie Koele, Chief Financial Officer of Village Northwest Unlimited, pertaining to a request to increase the per diem rate charged to Sioux County for B-51 services from \$30.70 to \$35.70.

The consensus of the Board pertaining to the written request from Village Northwest Unlimited to increase the per diem rate charged to Sioux County for B-51 services from \$30.70 to \$35.70 was not to allow said increase, but instead abide by the rates to be established by the Iowa Department of Human Services for said services.

Motion by Schuller and supported by Beernink to approve and authorize the Chairman to sign an Iowa Department of Human Services Community Mental Health Center Affiliation agreement stating that Sioux County will contract with Plains Area Mental Health Center for the delivery of mental health services for fiscal year 1999. Carried, unanimous in favor.

Mark Schouten, County Attorney, met with the Board this date to report that Mike Jacobs, attorney for Rawlings, Nieland, Probasco, Killinger, Ellwanger, Jacobs & Mohrhauser, has been retained by Continental Western Insurance Company to defend Sioux County in the District Court Case, Jan Cain, Plaintiff, vs. Sioux County Board of Health and Sioux County Board of Supervisors. He stated that depositions have been scheduled for July 22 and 23, 1998.

Mark Schouten, County Attorney, also reported on correspondence received from Leesa McNeil, District Court Administrator, requesting the Board to make available office

accommodations for a Juvenile Court Services office in the Sioux County Court House.

Loren Bouma, Chairman of Board, reported that the architect's estimate for remodeling the County Department of Human Services/Public Health Facility to accommodate staff for the full-time County Attorney's office and Home Health Resources, Inc. ("MSO") d/b/a Community Health Partners is an amount of \$167,545.00.

The Board left the meeting at this time to view various possible office spaces within the Court House that may be used to accommodate the County Attorney's office and a Juvenile Court Services office. Mark Schouten, County Attorney, would assess and review the possible office areas and report back to the Board.

As this was the date and 10:00 o'clock A.M. the time set for hearing on the second and final consideration on the proposed amendment to County General Relief Ordinance No. 3 which would allow payment up to \$1,500.00 for approved funeral expenses or a greater amount as determined by the County Board of Supervisors, said hearing was held according to law. No comments were received in writing or presented orally against said change.

The Chairman closed the hearing.

Motion by Beernink and supported by Vander Maten to approve and authorize the Chairman to sign the following County General Relief Ordinance No. 3 Amendment
Authorization Resolution:

RESOLUTION NO. 98-09

An Ordinance Amending Sioux County General Relief Ordinance, Ordinance No. 3, By Raising the Eligibility Limits and Allowable Payments for Burial Funding

Be it ordained by the Board of Supervisors of Sioux County, Iowa as follows:

Section 1. Section IV(F)(1) of the Sioux County General Relief Ordinance, is hereby repealed and the following section enacted in its place:

1. Eligibility for burial benefits will exist when the deceased person's estate does not have at least \$1,500, which can be applied toward total funeral expenses.

Section 2. Section IV(F)(2) of the Sioux County General Relief Ordinance, is hereby repealed and the following section enacted in its place:

2. Upon showing of total funeral expenses, the Director shall approve payment for an amount not to exceed \$1,500 or a greater amount as later determined by the Sioux County Board of Supervisors by resolution.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 5. This ordinance shall be in effect from and after its final passage, approval, and publication as required by law.

Signed and dated this 28th day of April, 1998.

/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 Schuller, Yes. Carried, unanimous in favor.

Loren Bouma, Chairman of Board, left the meeting at this time and Vernon Beernink, Vice-Chairman of Board, presided over the remainder of the meeting.

As this was the date and 10:30 o'clock A.M. the time set for hearing on the proposal to vacate and close the following portion of secondary road in Sioux County, to wit:

Commencing at the SE corner of Section 34, Township 95 North, Range 48 West of the 5th P.M. (Buncombe Township), thence west 2,130.1 feet, thence north 62.0 feet to the point of beginning, thence north 62 degrees 17 minutes west 222.7 feet, thence north 48 degrees 2 minutes west 280.2 feet, thence south 37 degrees 33 minutes west 101.8 feet, thence south 54 degrees 9 minutes east 278.7 feet, thence south 0 degrees 7 minutes east 49.7 feet, thence north 89 degrees 32 minutes east 241.2 feet to the point of beginning, containing 0.88 acres.

said hearing was held after the Board was informed that notice had been published according to

law.

The following persons were present for the hearing:

Richard Dunn, Hawarden
Patricia Dunn, Hawarden
Leonard Van Muyden, Hawarden

Dennis Lange, County Auditor, reported that Doug Julius, County Engineer, had received telephone inquiries from Karen Longhorn, Robert Lynott and L. G. Everist, Inc., about the proposed road vacation. They expressed no objections to said proposed road vacation.

The Vice-Chairman declared the hearing closed.

Motion by Smith and supported by Vander Maten to approve and authorize the Vice-Chairman to sign the following Road Closure Resolution:

RESOLUTION NO. 98-10

WHEREAS, this being the date and time set for hearing on the proposed vacation and closure of the portion of Sioux County secondary road described as follows:

Commencing at the SE corner of Section 34, Township 95 North, Range 48 West of the 5th P.M. (Buncombe Township), thence west 2,130.1 feet, thence north 62.0 feet to the point of beginning, thence north 62 degrees 17 minutes west 222.7 feet, thence north 48 degrees 2 minutes west 280.2 feet, thence south 37 degrees 33 minutes west 101.8 feet, thence south 54 degrees 9 minutes east 278.7 feet, thence south 0 degrees 7 minutes east 49.7 feet, thence north 89 degrees 32 minutes east 241.2 feet to the point of beginning, containing 0.88 acres.

WHEREAS, no objections have been received, either in writing or by persons present.

NOW, THEREFORE, IT IS RESOLVED by the Sioux County Board of Supervisors that the above described road is hereby ordered vacated and closed.

Signed this 28th day of April, 1998.

/s/ Vernon Beernink, Vice-Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

As this was the date and 10:45 o'clock A.M. the time set for hearing on the intention to sell Sioux County owned property, said hearing was held after the Board was informed that the notice of hearing had been published according to law.

The following persons were present for the hearing:

Richard Dunn, Hawarden
Patricia Dunn, Hawarden
Leonard Van Muyden, Hawarden

No comments against the sale of said property were received in writing or presented orally.

The Vice-Chairman declared the hearing closed.

Motion by Smith and supported by Vander Maten to approve and authorize the Vice-Chairman to sign the following Sioux County Property Sale Authorization Resolution:

RESOLUTION NO. 98-11

WHEREAS, the Board of Supervisors of Sioux County, Iowa, has held a hearing, after duly published notice, on the 28th day of April, 1998, at 10:45 o'clock A.M. in the Board of Supervisors' room of the Sioux County Court House in Orange City, on a proposal to sell by public auction the following described real estate:

Commencing at the SE corner of Section 34, Township 95 North, Range 48 West of the 5th P.M. (Buncombe Township), thence west 2,130.1 feet, thence north 62.0 feet to the point of beginning, thence north 62 degrees 17 minutes west 222.7 feet, thence north 48 degrees 2 minutes west 280.2 feet, thence south 37 degrees 33 minutes west 101.8 feet, thence south 54 degrees 9 minutes east 278.7 feet, thence south 0 degrees 7 minutes east 49.7 feet, thence north 89 degrees 32 minutes east 241.2 feet to the point of beginning, containing 0.88 acres.

WHEREAS, the Board has determined that the same is not needed for county purposes and that it would be in the best interest of the county that same should be sold,

WHEREAS, THEREFORE, BE IT RESOLVED that Sioux County, by its Board of Supervisors, shall sell the foregoing real estate to the highest bidder, Richard and Patricia Dunn, Hawarden, for an amount of \$125.00.

Dated and signed this 28th day of April, 1998.

/s/ Vernon Beernink, Vice-Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

The Board approved and authorized the Vice-Chairman to sign a Quit Claim Deed conveying the Sioux County owned property as follows:

Commencing at the SE corner of Section 34, Township 95 North, Range 48 West of the 5th P.M. (Buncombe Township), thence west 2,130.1 feet, thence north 62.0 feet to the point of beginning, thence north 62 degrees 17 minutes west 222.7 feet, thence north 48 degrees 2 minutes west 280.2 feet, thence south 37 degrees 33 minutes west 101.8 feet, thence south 54 degrees 9 minutes east 278.7 feet, thence south 0 degrees 7 minutes east 49.7 feet, thence north 89 degrees 32 minutes east 241.2 feet to the point of beginning, containing 0.88 acres.

Richard and Patricia Dunn, Hawarden - \$125.00

Robert Hagey, County Treasurer, met with the Board this date to report on the contents of House File 2424 which allows forty-two additional counties, with the exception of those counties where the Iowa Department of Transportation has permanent stations, the opportunity to assume the responsibilities for all activities associated with issuing driver's licenses. He stated that initial participation by a county in county issuance requires prior approval in writing by the County Treasurer and the Board of Supervisors by May 31, 1998. He also stated that Sioux County could retain an approximate amount of \$37,500.00 in driver's licensing fees.

The consensus of the Board pertaining to the aforementioned driver's license issue was to instruct Robert Hagey, County Treasurer, to prepare county cost estimates for assuming the

responsibilities for all activities associated with issuing driver's licenses in Sioux County before making a final decision on approving an initial participation agreement.

Motion by Vander Maten and supported by Schuller to approve and authorize the Vice-Chairman to sign a Permit Agreement with Heartland Telecommunications of Iowa for a road right-of-way crossing in Section 13 of Washington Township. Carried, unanimous in favor with one member absent.

Motion by Schuller and supported by Smith to go into executive session according to Section 20.17(3), 1997 Iowa Code, to discuss proposed labor negotiations with Harvey Wiltsey, Labor Negotiator for Sioux County. Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Absent; 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 20.17(3), 1997 Iowa Code. Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Absent; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor with one member absent.

Motion by Vander Maten and supported by Smith to approve a two year contract as negotiated between the Sioux County Board of Supervisors and Secondary Road Union #1774 for fiscal years 1999 and 2000. The contract includes a 42 cents per hour increase in wages for each year and a change in medical insurance coverage to the Wellmark Alliance Select plan. Carried, unanimous in favor with one member absent.

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

The Chairman adjourned the meeting until Tuesday, May 12, 1998.

Loren Bouma, Chairman
Sioux County Board of Supervisors

Vernon Beernink, Vice-Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor