

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON MAY 1, 2012

- 12-05-01 1** The Board of Supervisors of Sioux County, Iowa, met on May 1, 2012, at 9:30 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Al Bloemendaal, John Degen, Arlyn Kleinwolterink, Mark Sybesma and Dennis Wright.
- 12-05-01 2** Minutes of the meeting held on April 17, 2012, were submitted and the Chairman declared them approved.
- 12-05-01 3** Coleman McAllister, Sioux County Attorney requested that the Board sign a purchase agreement with Greg Lynott et al for property adjoining the Big Sioux Recreation Area. Motion by Degen and supported by Kleinwolterink to approve the purchase of real estate for use by the Sioux County Conservation Board. Roll call on vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION NO 2012-18

APPROVING AND ENTERING INTO A REAL ESTATE PURCHASE AGREEMENT WITH GREG LYNOTT ET AL.

WHEREAS, Sioux County, acting through the Sioux County Conservation Board has negotiated a real estate purchase agreement to purchase the following legally described property from Greg Lynott, Denise Lynott, Michael E. Lynott, Robert E. Lynott, III, Margaret Lynott, James Lynott, Cindy Lynott, James P. McCarthy, Gloria M. McCarthy, Virginia R. McCarthy Sederstrom, Trustee, Mary Ellen O'Harrow, Gordon O'Harrow, Mildred E. Kamm, Robert Kamm, Edward McCarthy, Jr., John K. McCarthy, Loretto M. Terry, Lee A. Terry, Patricie R. Bottjen, Craig Bottjen and John P. Lynott, to wit:

That part of Government Lot Three (3) in Section Three (3); and that part of Government Lots One (1) and Two (2) in Section Four (4); all in Township Ninety-Four (94) North, Range Forty-Eight (48) West of the 5th P.M., designated Parcel E as shown by Plat of Survey recorded in the 2011 File-Card No. 5593, subject to public highway.

WHEREAS, Sioux County desires to purchase the above legally described property in order to utilize the property for conservation purposes and for such other public purposes as otherwise contemplated by the Sioux County Conservation Board

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Sioux County that the proposed property purchase agreement is in the best interests of the citizens of Sioux County and all parties concerned; that the proposed property purchase contemplated by the real estate purchase agreement therein as drafted, heard, and discussed be adopted; that Sioux County accept the conveyance of the above describe property from the parties listed above, and that the above described property conveyance as contemplated in the purchase agreement be approved and authorized by the Board. The Board further agrees to accept the transfer of legal title to the real property described above to be managed and utilized by Sioux County for public purposes. The Chairman of the Board of Supervisors is hereby authorized to execute and deliver documents and pay any related costs necessary to follow through with the approved transfer proposal in acquiring title to the real property described above. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

PASSED AND APPROVED this 1st day of May, 2012.

/s/Mark Sybesma
Chairman, Board of Supervisors

ATTEST: /s/ Lois Huitink, Sioux County Auditor

12-05-01 4 Motion by Wright and supported by Bloemendaal to set May 15, 2012, as the date and 10:00 a.m. as the time for a Public Hearing to allow the Board to refund the 2008 General Obligation Bonds. Roll call on vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION NO 2012-19

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,750,000 GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES, SERIES 2012A, OF SIOUX COUNTY, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Sioux County, State of Iowa, should provide for the authorization of a Loan Agreement and the issuance of General Obligation Refunding Capital Loan Notes, Series 2012A, to the amount of not to exceed \$3,750,000, as authorized by Sections 331.402 and 331.443, Code of Iowa, as amended, for the purpose of providing funds to pay costs of carrying out an essential county purpose project as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Refunding Capital Loan Notes, Series 2012A, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action;

HOW THEREFORE BE IT RESOLVED BY THE BOARD OF SIOUX COUNTY, STATE OF IOWA;

Section 1. That this Board meet in the Board of Supervisors' Room, County Courthouse, 210 Central Avenue Southwest, Orange City, Iowa, at 10:00 o'clock A.M. on the 15th day of May 2012, for the purpose of taking action on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$3,750,000 General Obligation Refunding Capital Loan Notes, Series 2012A, to evidence the obligations of the County thereunder for an essential county purpose, the proceeds of which will be used to pay costs of refunding existing general obligation indebtedness of the County.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Refunding Capital Loan Notes, Series 2012A, evidencing the County's obligations to a principal amount of not to exceed \$3,750,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and Acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least one weekly, and having general circulation the County, the publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of Notes.

Section 4. The notice of the proposed action shall be in substantial the following form:

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, STATE OF IOWA ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,750,000 GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES, SERIES 2012A, (FOR AN ESSENTIAL COUNTY PURPOSE) AND THE PUBLIC HEARING ON THE AUTHORIZATION AND ISSUANCE THEROF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Sioux County, will hold a public hearing on the 15th day of May 2012, at 10:00 o'clock a.m. in the Board of Supervisors' Room, County Courthouse, 210 Central Avenue Southwest, Orange City, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$3,750,000 General Obligation Refunding Capital Loan Notes, Series 2012A, for an essential county purpose, in order to pay costs of refunding existing general obligation indebtedness of the County.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County, to the above action. After all objections have been received and considered, the Board will at this meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder or will abandon the proposal.

This Notice is given by order of the Board of Supervisors of Sioux County, State of Iowa, as provided by Sections 331.402 and 331.443 or the Code of Iowa, as amended.

Dated this 1st day of May 2012

/s/ Lois Huitink, County Auditor of Sioux County, State of Iowa

PASSED AND APPROVED this 1st day of May, 2012.

/s/ Mark Sybesma, Chairperson, Sioux County Board of Supervisors

ATTEST: /s/ Lois Huitink, County Auditor

12-05-01 5 Motion by Bloemendaal and supported by Wright to approve the transfer of \$100,000 from the General Basic Fund to the General Supplemental Fund. Roll call on vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2012-16

GENERAL SUPPLEMENTAL FUND TRANSFER

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 May 1, 2012.

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

Section 2. The County Auditor is directed to correct her 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 1st day of May, 2012.

/s/ Mark Sybesma, Chairman
Sioux County Board of Supervisors

Attest: /s/Lois Huitink
Sioux County Auditor

12-05-01 6 Motion by Kleinwolterink and supported by Degen to approve the transfer of \$840,957.00 from the Rural Basic Fund to the Secondary Road Fund. Roll call on vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2012-17

SECONDARY ROAD FUND TRANSFER

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

\$840,957.00 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 May 1, 2012.

\$840,957.00 from the Rural Basic Fund to the Secondary Road Fund

Section 2. The County Auditor is directed to correct her 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 1st day of May, 2012.

/s/ Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/Lois Huitink
Sioux County Auditor

12-05-01 7 Motion by Wright and supported by Bloemendaal to approve and authorize the Chairman to sign the Health Insurance Contract for FY 2012/2013. Motion carried, unanimous in favor.

12-05-01 8 COMMITTEE REPORTS:

- **Wright** – a) Attended a Compass Pointe meeting and reported that they had a profit of \$30,000 last month. b) Went to a Synergy meeting – because they now have the medical staff to provide detoxification, that service is being provided. c)

Attended an immigration program – The Welcome Iowa Program sponsored this event.

- **Kleinwolterink** – a) Attended a meeting with the Cherokee Mental Health Board. b) Reported that three supervisors, Sybesma, Wright and Kleinwolterink, attended a supper provided by the Foster Grandparent Program.
- **Degen** – Reported that Incident Command 300 was held in Hawarden last week. Ongoing training was provided to emergency responders in order to prepare them for various emergency situations.
- **Bloemendaal** – a) attended a meeting on immigration offered in Sioux Center's Te Pasko theatre. The meeting was hosted by the local CASA organization and a Welcome Iowa group from Des Moines area. After viewing a documentary depicting the experiences of the community of Shelbyville, Tennessee the group discussed some of the issues to have a better understanding of them. b) attended a Mid Sioux board meeting on the 25th at Remsen. Executive Director, Dick Sievers announced that their health insurance will go up 20% next year. Sievers also expects their operating budget will likely be reduced in the future and may require some cuts to some of the services being offered today. He reported that the good news is that the number of low-income families that qualify for assistance has declined in the last year or so. Their annual meeting is this Friday at the Western Iowa Tech Community College in Cherokee - board members are welcome (11.45) c) attended a Regional Transit Authority (RIDES) board meeting on the 26th in Spencer. Health insurance with them is also going up - 20.6%. Their finances are fine, as usual. They are in the process of determining the best option to upgrade the computers in each of their vehicles. Many of the vehicles computers will be upgraded with the "residual" stimulus they were awarded. d) attended a Northwest Iowa Planning & Development Commission board meeting, also in Spencer. Ted Kourosis, executive Director, expressed concern about losing up to two personnel in the Iowa Workforce/Promise Jobs arena. He is expecting more news on this to come out of Des Moines in the near future and is bracing for bad news for his employees, particularly Val Bonney. Steve Hallgren announced to the group of the grant awarded to Family Crisis Center of \$600,000.00.

12-05-01 9 Shane Walter, Sioux County Zoning Administrator – General Matters

- Requested the Board's approval and the Chairman's signature on a document that institutes a waiting list for services provided for Disability Services (Fund 0010). This motion was made (with reluctance) by Wright and supported by Bloemendaal to approve a declaration that dollars available in Sioux County for Disability Services have been fully encumbered for Fiscal Year 2012 and that a waiting list is instituted as of May 1, 2012. Motion carried, unanimous in favor.
- Distributed the Monthly MH/DD Expenditure Report for April. The projected ending fund balance for FY 2011/2012 is \$188.59.

12-05-01 10 As this was the date and 10:00 a.m. the time set for a second public hearing to approve the County Budget for Fiscal Year 2012/2013, said public hearing was opened by the Chairman. No comments either for or against approval of the budget were received at this meeting. The Chairman closed the public hearing. Motion by Kleinwolterink and supported by Degen to approve the 2012/2013 Sioux County Budget. Roll call on vote:

Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes.
Motion carried, unanimous in favor.

12-05-01 11 Doug Julius, Sioux County Engineer

- Requested approval of the following permit agreements –
 - a) **Mid-American Energy** – 1) Install a new overhead line to a hog confinement owned by John Phingsten in Section 14 of Capel Township. 2) Install electric line to a hog confinement owned by Rodney De Groot in Section 1 of Sherman Township and Section 6 of Nassau Township.
 - b) **Wes Tel** – Run fiber optic cable from existing fiber on 450th Street in the west Right-of-Way of Kingbird Avenue ½ mile north to the Verizon cell tower in Section 36 of Holland Township.
 - c) **City of Sioux Center** – Directional bore a water line between Sections 7 and 8 and sections 5 and 8 of West Branch Township and place water line in the ditch on the East side of Section 7 and on the North side of Section 8 of West Branch Township.

Motion by Bloemendaal and supported by Wright to approve the aforementioned permit agreements. Motion carried, unanimous in favor.

- Reported that contracts for two of the culvert projects that were let at the last Board Meeting were received and require the Chairman's signature. Contract for project L-3-2011—73-84-CULV and project L-5-2011—73-84-CULV with L.A. Carlson were submitted for approval. Motion by Kleinwolterink and supported by Degen to approve and authorize the Chairman to sign a culvert construction contract with L.A. Carlson Contracting, Inc. Motion carried, unanimous in favor
- Contracts and Contractor Bonds were received from Kooiker Inc. for project L-8-2009—73-84-CULV. Motion by Bloemendaal and supported by Wright to approve and authorize the Chairman to sign Contracts and Contractor Bond Agreements with Kooiker Inc. Motion carried, unanimous in favor.
- Reported that a new construction map will be distributed next week.
- Gave an update on the Courthouse project. Sod has been laid and he is waiting for a final punch list.

12-05-01 12 A teleconference call was held with Matthew Butler, representing Moody's and Jeff Heil and Michael Hart from Northland Securities. The call was in reference to a County request for a current bond rating from Moody's, in anticipation of refinancing General Obligation Bonds. Information on Sioux County's economy and tax base and well as financial information was provided to Mr. Butler.

12-05-01 13 Claims as submitted by the Auditor were approved for payment.

12-05-01 14 The Chairman adjourned the meeting at 11:15 a.m. The next meeting will be held on May 15, 2012, beginning at 9:00 a.m.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor