

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON MAY 21, 2002

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 Mark Sybesma, Vernon Beernink, Loren Bouma, Bernard L. Smith and Stanley L. De Haan.

Minutes of May 7, 2002 were read and on motion and vote stand approved as read.

Committee reports were given this date.

Mark Schouten, County Attorney, met with the Board this date to report that the County Attorney's office has collected a total amount of \$175,393.22 in crime victim assistance monies from July 1, 1997 through April 30, 2002. He also reported that the County Attorney's office has collected a total amount of \$135,032.24 in fine collection receipts from July 1, 1996 through April 30, 2002.

David Honkomp, Agency Manager for the Northwest Iowa Area Solid Waste Agency, met with the Board this date to review a Subsequent Solid Waste Comprehensive Plan Update for the Northwest Iowa Area Solid Waste Agency as revised April, 2002.

Motion by Smith and supported by De Haan to approve a Subsequent Solid Waste Comprehensive Plan Update for the Northwest Iowa Area Solid Waste Agency as revised April, 2002. Carried, unanimous in favor.

Anita Van Bruggen, County Recorder, met with the Board this date to explain the rationale behind the County Recorder's department budget amendment for fiscal year 2002.

Motion by Beernink and supported by De Haan to approve the following County Department Amendment and Appropriation Resolution for fiscal year 2002:

RESOLUTION NO. 2002-08

WHEREAS, it is unlawful for a department head to authorize the expenditure of a sum for a Department larger than the amount which has been appropriated for that department by the Board; and

WHEREAS, proposed expenditures for the Recorder's and Treasurer's Departments will cause these departments to exceed the amount budgeted for the fiscal year 2001-2002; and

WHEREAS, it is deemed necessary to increase the appropriations for the Recorder's and Treasurer's Departments to not be in violation of section 331.437, Code of Iowa; and

THEREFORE, BE IT RESOLVED by the Board of Supervisors that the appropriation for the Recorder's Department be increased from \$143,955 to \$148,955 and the appropriation for the Treasurer's Department be increased from \$141,045 to \$146,045 and the Auditor's Department be decreased from \$110,380 to \$100,380.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on May 21, 2002.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

Shane Walter, County Community Services Director, met with the Board this date to report on the monthly MH/DD (Mental Health/Developmentally Disabled) expenditure report through April, 2002. He also reported that Randy Thomas from Lexington, Kentucky, will facilitate a meeting for Sioux County citizens to provide input in the development of a county specific needs assessment for children and youth ages 0-18 years. The meeting will be held on June 5, 2002 starting at 9:30 o'clock a.m. in the basement of Iowa State Bank in Orange City.

Motion by Smith and supported by Beernink to approve and authorize the Chairman to sign Draw Request #6 for Southern Sioux County Rural Water System in a total amount of \$165,460.00. Carried, unanimous in favor.

Motion by Sybesma and supported by Smith to approve and authorize the Chairman to sign the following Interfund Operating Fund Transfer Resolution:

RESOLUTION NO. 2002-09

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

\$673,849 from Rural Basic Fund to Secondary Road Fund

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

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 21, 2002:

\$673,849 from Rural Basic Fund to Secondary Road Fund

Section 2. The County Auditor is directed to correct his books accordingly and 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 21st day of May, 2002.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

Motion by Sybesma and supported by De Haan to approve and authorize the Chairman to sign the following County Department Appropriations Resolution for fiscal year 2003:

RESOLUTION NO. 2002-10

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year 2003 in accordance with Section 331.434(6), Code of Iowa,

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Sioux County, Iowa as follows:

SECTION 1. The amounts itemized by fund and by department or office on the attached schedule are hereby appropriated at 100% of total expenditures for each department from the resources of each fund so itemized, to the department or office listed in the first column on the same line of the attached schedule.

SECTION 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized funds.

SECTION 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditures of money for a purpose in excess of the amounts appropriated pursuant to this resolution.

SECTION 4. If at anytime during the fiscal year 2003 budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund total appropriations, he or she shall immediately so inform the Board and recommend appropriate corrective action.

SECTION 5. The auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The auditor shall report the status of such accounts to the applicable departments and officers monthly during fiscal year 2003 budget year.

SECTION 6. All appropriations authorized pursuant to this resolution lapse at the close of business on June 30, 2003.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on May 21, 2002.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

SIoux COUNTY EXPENDITURES SUMMARY BY DEPARTMENT AND FUND 2002-2003

Form 701B-R

| Fund/Department | Total Budgeted | Appropriated 21-May-02 | Appropriated | Appropriated Y-T-D |
|-----------------------------------|---------------------|---------------------------|--------------|-----------------------|
| GENERAL BASIC FUND: | | | | |
| BD OF SUPERVISORS 01 | 283,939.00 | 283,939.00 | | 283,939.00 |
| AUDITOR 02 | 262,515.00 | 262,515.00 | | 262,515.00 |
| TREASURER 03 | 309,696.00 | 309,696.00 | | 309,696.00 |
| COUNTY ATTORNEY 04 | 374,962.00 | 374,962.00 | | 374,962.00 |
| SHERIFF 05-06 | 1,460,203.00 | 1,460,203.00 | | 1,460,203.00 |
| RECORDER 07 | 152,150.00 | 152,150.00 | | 152,150.00 |
| VETERANS AFFAIRS 21 | 31,078.00 | 31,078.00 | | 31,078.00 |
| CONSERVATION BD 22 | 342,869.00 | 342,869.00 | | 342,869.00 |
| HEALTH BOARD 23 | 209,088.00 | 209,088.00 | | 209,088.00 |
| SOCIAL SERVICES 25 | 49,810.00 | 49,810.00 | | 49,810.00 |
| EMPLOWERMENT/DECAT 27 | 405,269.00 | 405,269.00 | | 405,269.00 |
| MEDICAL EXAMINER 28 | 23,000.00 | 23,000.00 | | 23,000.00 |
| GENERAL SERVICES 51 | 463,713.00 | 463,713.00 | | 463,713.00 |
| DATA PROCESSING 52 | 177,981.00 | 177,981.00 | | 177,981.00 |
| COUNTY GENERAL WELFARE SERVICES | 52,700.00 | 52,700.00 | | 52,700.00 |
| NON-DEPT 80/82/83/85/99 | 204,370.00 | 204,370.00 | | 204,370.00 |
| Total | 4,803,343.00 | 4,803,343.00 | 0.00 | 4,803,343.00 |
| GENERAL SUPPLEMENTAL FUND: | | | | |
| AUDITOR 02 | 103,101.00 | 103,101.00 | | 103,101.00 |

| | | | | |
|--------------------------------------|----------------------|----------------------|-------------|----------------------|
| DISTRICT COURT 31 | 13,600.00 | 13,600.00 | | 13,600.00 |
| MENTAL HEALTH 60/61 | 111,065.00 | 111,065.00 | | 111,065.00 |
| NON-DEPT 85 | 105,000.00 | 105,000.00 | | 105,000.00 |
| Total | 332,766.00 | 332,766.00 | 0.00 | 332,766.00 |
| MH-DD SERVICES FUND: | | | | |
| MENTAL HEALTH 60 | 2,451,704.00 | 2,451,704.00 | | 2,451,704.00 |
| | | | | |
| RURAL BASIC FUND: | | | | |
| SHERIFF INVESTIGATIONS-05/06 | 173,044.00 | 173,044.00 | | 173,044.00 |
| LIBRARIES 33 | 174,430.00 | 174,430.00 | | 174,430.00 |
| AMBULANCE36 | 35,000.00 | 35,000.00 | | 35,000.00 |
| PHYSICAL PLANNING 53 | 24,795.00 | 24,795.00 | | 24,795.00 |
| NON-DEPT 84-99 | 1,145,688.00 | 1,145,688.00 | | 1,145,688.00 |
| Total | 1,552,957.00 | 1,552,957.00 | 0.00 | 1,379,913.00 |
| | | | | |
| SECONDARY ROAD FUND: | 6,082,375.00 | 6,082,375.00 | | 6,082,375.00 |
| | | | | |
| PUBLIC SAFETY CAPITAL PROJECT | 6,000,000.00 | 6,000,000.00 | | 6,000,000.00 |
| | | | | |
| PUBLIC SAFETY DEBT SERVICE | 465,286.00 | 465,286.00 | | 465,286.00 |
| | | | | |
| REAP FUND: | 27,180.00 | 27,180.00 | | 27,180.00 |
| | | | | |
| REV SHARING FUND: | | | | |
| COMPUTER 52 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | |
| RECORDS MANAGEMENT FUND: | 6,000.00 | 6,000.00 | | 6,000.00 |
| | | | | |
| Total | 21,721,611.00 | 21,721,611.00 | 0.00 | 21,721,611.00 |
| NON-BUDGETARY FUNDS: | | | | |
| CONSERVATION RESERVE 22 (Fund 30) | 0.00 | 0.00 | | |
| E911 37 (Fund 53) | 112,360.00 | 112,360.00 | | 112,360.00 |
| PUBLIC SAFETY 37 (Fund 61) | 210,644.00 | 210,644.00 | | 210,644.00 |
| JOINT DISASTER 70 (Fund 60) | 148,494.00 | 148,494.00 | | 148,494.00 |
| ASSESSOR 90 (Fund 41) | 0.00 | 0.00 | | 0.00 |
| SPECIAL APPRAISERS (Fund 41) | 0.00 | 0.00 | | 0.00 |
| INSURANCE PSF (Fund 85) | 45,000.00 | 45,000.00 | 0.00 | 45,000.00 |
| Total Non-Budgetary | 516,498.00 | 516,498.00 | | 516,498.00 |
| | | | | |
| Grand Total to Appropriate | 22,238,109.00 | 22,238,109.00 | 0.00 | 22,238,109.00 |
| | | | | |

| | | | | |
|-----------------------------------|---------------|--|--|---------------|
| TRANSFERS: | | | | |
| Gen Basic to Gen Supp | 300,000.00 | | | 0.00 |
| Rural Basic to Sec Road | 1,533,843.00 | | | 0.00 |
| TOTAL | 1,833,843.00 | | | 0.00 |
| | | | | |
| Grand Total with Transfers | 24,071,952.00 | | | 22,238,109.00 |

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

Bernard L. Smith and Vernon Beernink, County Buildings and Grounds Committee members, reviewed bids for a roof replacement on the Sioux County Department of Human Services Building from the following roofing companies:

Best Way Roofing & Service, Hull
A-1 Roofing Company, Sheldon
Four Way Roofing & Insulation, Hospers
Unity Protective Coatings, Sioux Center

Motion by Beernink and supported by Smith to approve, upon the recommendation of the County Buildings and Grounds Committee, the bid from Best Way Roofing in a total amount of \$16,200.00 to install a new roof on the Sioux County Department of Human Services Building. Carried, unanimous in favor.

Be it remembered on this 21st day of May, 2002 that the Board of Supervisors of Sioux County, Iowa, met in session for the purpose of holding a public hearing on a proposal to enter into a lease-purchase agreement with General Motors Acceptance Corporation in a total amount of \$60,810.00. There was present a quorum as required by law. Thereupon, the Board of Supervisors found that a notice of time and place of hearing had been published during the week of May 6, 2002, and that affidavits of publication thereupon were on file with the County Auditor according to law. There was present a quorum as required by law.

Under the terms of the lease-purchase agreement, the County Sheriff proposes to lease three vehicles from General Motors Acceptance Corporation to be used as Sheriff's patrol vehicles. The

vehicles will be leased for a term of three years with interest on the principal amount accruing at the rate of 5.7%.

Jim Schwiesow, County Sheriff, was present to explain the details of the proposed lease-purchase agreement with General Motors Acceptance Corporation in a total amount of \$60,810.00.

Dan Altena, County Deputy Sheriff, was also present for the aforementioned lease-purchase agreement matter.

No one appeared at this public hearing to object to the proposed lease-purchase agreement.

The Chairman closed the hearing.

Motion by Sybesma and supported by Beernink to approve and authorize Jim Schwiesow, County Sheriff, to enter into a lease-purchase agreement with General Motors Acceptance Corporation in a total amount of \$60,810.00 for three vehicles to be used as Sheriff's patrol vehicles. Carried, unanimous in favor.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, met with the Board this date to report that he submitted a application for reimbursement of excess state wireless surcharge funds and received approximately \$51,000.00 in fiscal year 2002. He reported that a number of counties did not apply for the extra reimbursement of excess state wireless surcharge funds.

Jim Schwiesow, County Sheriff, reported on cost estimates compiled by Mike Staudenmeir, representative for Telephone Systems & Service, Inc. of Sioux Falls, South Dakota for providing telephone and communication services to the new Sioux County Public Safety Center. The cost estimates included the following items:

Moving Frontier communications Demarcation Point to the County Engineer's building
Inside cabling from County Jail building to County Engineer's building
Move existing phone system to the County Engineer's building
Fiber optic run from County Engineer's building to new County Public Safety Center
Termination of fiber optic cable (12 or 24 strand at 2 sites)
Fiber optic media converters to T-1 signal (4)
Phone equipment for new County Public Safety Center & upgrade to existing Court House system,

Network phone systems together

Equipment not included in estimate:

Voice & data cabling for new County Public Safety Center

Picture Tel / Poly comm. video conference

911 dispatch consoles

911 voice logger recording units

The Board instructed Mark Schouten, County Attorney, to investigate what constitutes a public improvement that would require compliance with public hearing and letting procedures pertaining to the aforementioned communication items for the new Sioux County Public Safety Complex.

The following persons were also present and participated in the aforementioned discussion on the cost estimates compiled by Mike Staudenmeir, representative for Telephone Systems & Service, Inc. of Sioux Falls, South Dakota for providing telephone and communication services to the new Sioux County Public Safety Center:

Dan Altena, County Deputy Sheriff

Micah Van Maanen, County Information Technology Director

Mark Schouten, County Attorney

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator

Jim Schwiesow, County Sheriff, also reported that he is working with the counties of Plymouth and O'Brien to form a tactical team comprised of six members from each county. He stated that a 28E agreement would need to be prepared and signed by all three counties.

As this was the date and 10:45 o'clock a.m. the time set for consideration and review of a construction permit application to the Iowa Department of Natural Resources for a confinement nursery/finishing operation and received by the Sioux County Auditor from Richard Schnept of Granville, said consideration and review was held according to law.

Richard Schnept of Granville was present to explain the contents of a construction permit application to the Iowa Department of Natural Resources for a confinement nursery/finishing operation.

Mark Dunlop, County Emergency Management Services Director, was also present for the aforementioned construction permit application matter and explained the current Iowa Department of Natural Resources manure management and confinement regulations.

Dennis Lange, County Auditor, reported that no written or oral comments were received for or against said proposal.

Motion by Sybesma and supported by De Haan to instruct Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, to prepare and forward correspondence signed by the Chairman of the County Board of Supervisors to the Iowa Department of Natural Resources stating that the County Board of Supervisors waives its right to comment on the construction permit application for Richard Schnept of Granville. Carried, unanimous in favor.

Motion by Sybesma and supported by Beernink to approve and authorize the Chairman to sign correspondence addressed to Reza Khosravi, Acting Supervisor for Animal Feeding Operation Section of the Iowa Department of Natural Resources, stating that the County Board of Supervisors does not intend to file a demand for hearing for the Van Middendorp confinement dairy operation located in the NE1/4 of the SE1/4 of Section 11 in Welcome Township. Carried, unanimous in favor.

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

Motion by Sybesma and supported by De Haan to approve and authorize the Chairman to sign the following Weed Control Resolution:

RESOLUTION NO. 2002-11

WEED CONTROL RESOLUTION

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA:

That pursuant to provisions of Chapter 317, Code of Iowa, it is hereby ordered

1) That each owner and each person in the possession or control of any noxious weeds thereon, as

defined in this Chapter, at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed on or before the following dates and as often thereafter as necessary to prevent seed production:

- Group 1. July 1 for Leafy Spurge; Marijuana Plants; Perennial Pepper-grass; Buckthorn (Rhamnus, not to include Rhamnus Frangula); Sour Dock Perennial, Smooth Dock Perennial and Sheep Sorrel Perennial.
- Group 2. July 1, for Canada Thistle; Russian Knapweed; Buckhorn; Perennial and Wild Mustard Annual.
- Group 3. July 15 for European Morning Glory or Field Bindweed; Wild Carrot Biennial, also known as Queen Anne's Lace; Poison Hemlock and Multiflora Rose.
- Group 4. July 15 for Horse Nettle; Perennial Sow Thistle; Quack Gras; Butterprint Annual; Cocklebur; Bull Thistle; Wild Sunflower Annual; Teasel Biennial; Puncture Vine Annual; Shattercane Annual and all other species of thistles belonging in genera of Cirsium and Carduus.

- 2) That each owner and each person in the possession or control of land including right of way in Sioux County infested with any noxious weeds listed above shall adopt a program of weed destruction described by the Weed Commissioner which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.
- 3) That if the owners or persons in possession or control of any land including right of way in Sioux County fail to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including cost of serving notice and other costs, if any, to be assessed against the real estate.
- 4) Sioux County will be spraying noxious weeds growing in designated secondary road ditches. It will be the responsibility of adjacent property owners to destroy said weeds in all remaining road ditches not sprayed by Sioux County.
- 5) That the County Auditor be and is hereby directed to cause notice of the making and entering the foregoing order by one publication in each of the official newspapers of the County.

BE IT FURTHER RESOLVED that Sioux County be designated as a weed control unit.

BY ORDER OF THE SIOUX COUNTY BOARD OF SUPERVISORS.

Signed and dated this 21st day of May, 2002.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

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

Permit Agreement with Southern Sioux Rural Water of Ireton for a road right-of-way crossing located in Section 5 of Eagle Township.

Permit Agreement with Craig Wegner of Hawarden for road right-of-way crossings located in Section 13 of Buncombe Township and Section 18 of Eagle Township.

Permit Agreement with City of Rock Valley for a road right-of-way crossing in Section 29 of Rock Township.

Contracts and Contractor's Bonds with Kooiker, Inc. of Le Mars in a total amount of \$65,561.73 for Project No. BROS-CO84(96)--8J-84.

Contracts and Contractor's Bonds with Kooiker, Inc. of Le Mars in a total amount of \$63,312.86 for Project No. BROS-CO84(98)--8J-84.

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 Thursday, May 30, 2002.

Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor