

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON MAY 29, 2007

07-05-29 1 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 Dennis Wright, Vernon Beernink, Mark Sybesma, John Degen and Arlyn Kleinwolterink.

07-05-29 2 Minutes of the meeting held on May 15, 2007, were submitted and the Chairman declared them approved.

07-05-29 3 Coleman McAllister, County Attorney

- Reported that he will be attending the Annual County Attorneys Conference.
- Noted that the threshold for fine collections for Fiscal Year 2007 has been met. On past due fines the County now receives 68% of fines collected.
- Reported that the Courtroom sound system has been fixed.
- A revised Comprehensive Use Plan will be discussed at a Public Hearing during the Planning & Zoning Commission meeting to be held on June 21, 2007.

07-05-29 4 Motion by Wright and supported by Beernink to Appoint Curtis Horstman, D.O. as Medical Examiner to Fill a Vacancy (term expires 12/31/2008). Motion carried unanimous in favor.

07-05-29 5 Motion by Kleinwolterink and supported by Degen to approve and authorize the chairman to sign a resolution appointing Darryl Turnwall as a representative to the Orange City City Development Committee. Roll Call on Vote: Wright, Yes; Beernink, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

Resolution No. 2007-19

Appointment of Member to the Orange City City Development Committee

WHEREAS, Iowa Code section 368.14 provides that if an involuntary petition is not dismissed, the City Development Board shall direct the appointment of local representatives to serve with board members as a committee to consider the proposal. From a territory to be annexed to or severed from a city, one representative appointed by the county board of supervisors. If there are no registered voters residing in an area to be annexed to or severed from a city, the county board of supervisors shall appoint as local representative an individual owning property in the territory whether or not the individual is a registered voter or appoint a designee of such individual. If the territory is in more than one county, the board shall direct the appointment of a local representative from each county involved by its board of supervisors.

WHEREAS, the State of Iowa City Development Board examined a petition filed by the City of Orange City, and found no reason to dismiss it under the provisions of Section 368.12 Code of Iowa,

Therefore We, the Board of Supervisors of Sioux County, hereby appoint Darryl Turnwall to serve as a Local Representative to the Orange City City Development Committee in Case No. A07-01.

Passed and approved this 29th day of May, 2007

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

07-05-29 6 A second Public Hearing was opened by the Chairman regarding on Proposed Ordinance No. 18 allowing Sioux County and Cities within Sioux County to bid on tax sale properties. No comments were received in writing and no one appeared in person to express themselves, either for or against said proposal. A third hearing and reading of the Ordinance were waived.

Motion by Degen and supported by Beernink to approve the second and final consideration of proposed Sioux County Ordinance No. 18 and to instruct the County Auditor to proceed with publication of said ordinance as follows:

ORDINANCE No. 18

AUTHORIZING THE COUNTY TREASURER TO SEPARATELY OFFER AND SELL AT THE ANNUAL TAX SALE DELINQUENT TAXES ON PARCELS THAT ARE ABANDONED PROPERTY AND ARE ASSESSED AS RESIDENTIAL PROPERTY OR AS COMMERCIAL MULTIFAMILY HOUSING PROPERTY AND THAT ARE, OR ARE LIKELY TO BECOME, A PUBLIC NUISANCE.

WHEREAS, Iowa Code § 446.19B, provides that the board of supervisors of a county may adopt an ordinance authorizing the county treasurer to separately offer and sell at the annual tax sale delinquent taxes on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and that are, or are likely to become, a public nuisance; and

WHEREAS, the board of supervisors has determined that it is in the best interest of Sioux County that such an ordinance be adopted.

NOW, THEREFORE, BE IT ENACTED BY THE SIOUX COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

1. On or before May 15, the county or city may file with the county treasurer a verified statement containing a listing of parcels and a declaration that each parcel is abandoned property, each parcel is assessed as residential property or as commercial multifamily housing property, each parcel is, or is likely to become, a public nuisance, and that each parcel is suitable for use as housing following rehabilitation.
2. The verified statement shall be published at the same time and in the same manner as the notice of the annual tax sale and the requirements in Iowa Code § 446.9(2) for publication of notice of the annual tax sale also apply to publication of the verified statement.
3. On the day of the regular tax sale, or any continuance or adjournment of the tax sale, the treasurer shall separately offer and sell those parcels listed in a verified statement timely received and properly published and which remain liable to the sale for delinquent taxes. This sale shall be known as the "public nuisance tax sale". Notwithstanding any provision to the contrary, the percentage interest that may be purchased in a parcel offered for sale under this ordinance shall not be less than one hundred percent.

4. To be eligible to bid on parcels under this ordinance, a prospective bidder shall enter into a rehabilitation agreement with the county, or with the city if the property is located within a city, to demonstrate the intent to rehabilitate the property for use as housing if the property is not redeemed.
5. If after issuance of tax sale deed to the holder of a certificate of purchase at the public nuisance tax sale, the tax sale deed holder determines that a building, structure, or other improvement located on the parcel cannot be rehabilitated for habitation, the tax sale deed holder may request approval from the board of supervisors or the city council if the property is located within a city, to remove, dismantle, or demolish the building, structure, or other improvement.
6. When a parcel is offered at public nuisance tax sale and no bid is received, or if the bid received is less than the total amount due, the county treasurer shall bid for the parcel a sum equal to the total amount due. Money shall not be paid by the county or city for the purchase, but each of the tax-levying and tax-certifying bodies having any interest in the taxes shall be charged with the total amount due the tax-levying or tax-certifying body as its just share of the purchase price.
7. The tax sale certificate holder may assign the tax sale certificate obtained pursuant to this ordinance.
8. For the purposes of this ordinance, "abandoned property" means that a building has remained vacant and has been in violation of the housing code of the city in which the property is located or the housing code applicable in the county in which the property is located if outside the limits of a city for a period of six consecutive months and "public nuisance" means a building that is a menace to the public health, welfare, or safety, or that is structurally unsafe, unsanitary, or not provided with adequate safe egress, or that constitutes a fire hazard, or is otherwise dangerous to human life, or that in relation to the existing use constitutes a hazard to the public health, welfare, or safety by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Effective Date: This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed, approved and adopted this 15th day of May, 2007.

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

07-05-29 7 Motion by Wright and supported by Kleinwolterink to approve Resolution 2007-17 noting that Sioux County chooses to use Option A as the method by which the county intends to comply with the paper audit trail bill. Roll Call on Vote: Wright, Yes; Beernink, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

Resolution 2007-17

Whereas, Iowa Code section 52.7, subsection 1, paragraph "1", as amended by 2007 Iowa Acts, Senate File 369, requires voting systems to provide a paper record for review by the voter, and

Whereas, 2007 Iowa Acts House File 911, section 1, subsection 13, requires the county board of supervisors to submit to the office of secretary of state a resolution adopted by the board declaring the

method by which the county intends to comply with section 52.7, subsection 1, paragraph "1", 2007 Iowa Acts, Senate File 369, by June 15, 2007,

Therefore We, the Board of Supervisors of Sioux County hereby resolve that we intend to comply with section 52.7, subsection 1, paragraph "1", 2007 Iowa Acts, Senate File 369 as follows: [select one]

- Option A. Sioux County's primary voting system is an optical scan system with direct recording electronic voting machines (DRE) for accessibility and the county intends to add paper record printer attachments that are compatible with the county's current DRE voting machines. Full re-imbursement funds are available from the state for this option.
- Option B. Sioux County's primary voting system is an optical scan system with direct recording electronic voting machines (DRE) for accessibility and the county intends to acquire ballot-marking devices to replace the DREs. Only partial re-imbursement funds are available from the state for this option.

Attest: PASSED AND APPROVED this 29th day of May, 2007.

/s/ Mark Sybesma
Chairman of the Board of Supervisors

ATTEST: /s/ Lois Huitink
County Auditor

07-05-29 8 Shane Walter, County Community Services Director

- Motion by Kleinwolterink and supported by Beernink to adopt a Resolution providing for an increase in the burial allowance given for qualified indigent persons. Roll call on vote: Kleinwolterink, Yes; Degen, Yes; Beernink, Yes; Wright, Yes; and Sybesma, Yes.

RESOLUTION No. 2007-18
SIoux COUNTY INDIGENT BURIALS RESOLUTION

WHEREAS, Sioux County desires to provide burial assistance for qualified indigent persons where there are no other means to pay the cost and can only do so by providing limited benefits thereto:

BE IT THEREFORE HEREBY RESOLVED THAT: Effective the 28th day of May, 2007 the Sioux County Board of Supervisors adopts the following requirements and restrictions regarding burial assistance for indigent persons who meet the Sioux County General Assistance eligibility requirements except for those persons described in the below Requirements & Restrictions section, item "8".

A. PROFESSIONAL SERVICES AND USE OF FUNERAL HOME

Regular Service	\$1500.00
Cremation	\$1500.00
All other Services	\$1500.00

Funeral director will provide transfer of deceased from place of death within a 75 mile radius of funeral home; embalming and other preparation of deceased; arrangements with the family; use of staff for one day visitation services and funeral service and transfer and supervision of staff at cemetery or crematory; use of funeral coach; use of facilities for visitation and use of funeral home facilities for funeral services or additional staff time for relocation and conducting the funeral service at another location; use of register book; acknowledgment stationary; temporary grave marker and memorial services folders.

B.	SIMPLE CASKET	Included	
C.	RIGID CONTAINER (OUTER BURIAL CONTAINER)	Included	
D.	CEMETARY CHARGES (Open/close grave)	not to exceed	\$250.00
E.	GRAVE SPACE	not to exceed	\$250.00
F.	Mileage to provide transfer of deceased from place of death beyond a 75 mile radius of funeral home at the rate of \$1.00 per mile, one-way, beyond said radius.		
	MAXIMUM ALLOWANCE FOR COUNTY FUNERAL (except for mileage payment outlined in "F", if applicable) \$2,000.00		

REQUIREMENTS & RESTRICTIONS

1. Prior to the assumption of burial indebtedness by Sioux County, and as mandatory prerequisite thereto, the funeral home which provides and/or arranges the services must notify the General Assistance Director, acknowledge the above and foregoing requirements and restrictions, acquire approval from the Director and agree to accept County payment in part, with the family of deceased responsible for no more than \$1,000, for a total payment for said services of \$3,000. This payment shall be considered full and complete satisfaction of any and all burial expenses. The cemetery will be paid directly for the plot and cemetery services (opening and closing the grave). In the event the Director is not available, approval is required from a member of the Board of Supervisors. The family/representative of the deceased must meet with the Director and complete a General Assistance Application. If eligible, the family/representative must agree to accept the above and foregoing requirements and restrictions prior to assumption of indebtedness. If the deceased or family/representatives have an existing contract/agreement with the Funeral Home, the application will be denied and/or revoked.
2. Sioux County will only pay the actual invoice cost not to exceed the above limits. The funeral home must attach the original invoices along with the funeral home statement of charges. If the invoice costs exceed the above limits, those amounts will be deducted from the invoice and the county will pay the balance. The statement of charges must be received within 60 days after the provision of service.
3. Any funds from the Veterans Administration, Social Security, insurance proceeds, checking/savings, memorials, personal funds or any other funds from any other source up to \$1,000 will be applied by the family/representatives to the above charges and the balance of the charges will be paid by the County. In the event that any funds of the deceased become available after the county has paid the expenses, the funeral director shall promptly reimburse the county upon receipt of said funds in the amount of the funds received above \$1,000.
4. There may not be any contribution/additional funds beyond the \$1,000 allowed, to upgrade county burial or burial merchandise by the family/representatives of the deceased. If contributions are made above that amount for an upgrade, the application for assistance will be denied and/or revoked. Honorariums such as minister, musician, hairdresser, or barber may be paid by the family/representatives or any others wishing to do so. In addition, the family/representatives of the deceased will be responsible for transportation charges to a cemetery outside a radius of 25 miles from the funeral home if so chosen.
5. In the event of cremation, the County payment will be the same as that allowed for regular services as outlined above, and will include the professional services and use of funeral home for cremation, crematory charges and cremation Permit.
6. Financial eligibility of the deceased person's household as defined in the General Assistance Ordinance must meet the General Assistance guidelines. If those guidelines are met and if the deceased

is survived by responsible relatives that include parents, grandparents, children, and grandchildren; the county will consider the financial ability of said relatives. Ineligibility will result if there is at least one responsible relative listed above whose gross monthly income is at or above 100% of the Federal Poverty Guidelines and is deemed able to pay. Responsible relatives shall have the responsibility of providing the Director any information bearing upon eligibility, including but not limited to, federal/state income tax information, verified statement(s) of income, etc. All income types will be considered. This information shall be provided by all responsible relatives to the Director by the end of the next working day during business hours after application is made. Failure to do so will result in denial unless an exception is granted. The Funeral Home may proceed with the funeral before this timeline is exceeded, however; the family/representative and Funeral Home must agree that if assistance is not granted after review of financial information from responsible relatives then the family/representatives will be responsible for all funeral costs.

7. The maximum that will be paid for burial of non-resident indigent transients is \$250.00, as stated in Chapter 252.27 in the Code of Iowa.

Approved by the Sioux County Board of Supervisors on this 29th day of May, 2007

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

Attest: /s/ Lois Huitink
Sioux County Auditor

- Requested signature on a DHS Intergovernmental Contract. Motion by Wright and supported by Degen to approve and authorize the chairman to sign a DHS Intergovernmental Contract. Motion carried, unanimous in favor.
- Encouraged publication of changes to the Zoning Code so that citizens will be properly informed.

07-05-29 9 Motion by Beernink and supported by Wright not to suspend taxes in a case brought to the Board by County Treasurer, Randy Feenstra. Motion carried, unanimous in favor.

07-05-29 10 Doug Julius, County Engineer met with the Board regarding the following matters:

- Requested that the Board approve and the Chairman sign a permit agreement. Motion by Wright and supported by Beernink to approve the following permit agreement:
 - Northwest REC – Underground cable in Sections 20 and 29 of Sheridan Township.Motion carried, unanimous in favor.
- Requested the chairman's signature on a DOT voucher for inspection fees.
- Distributed information on Bridge contracts.

07-05-29 11 Committee Reports

- Beernink reported that 19% of residents in the five county area are WIC participants.
- Sybesma and Wright attended an Alcohol Drug Treatment Unit meeting.
- Wright reported that he attended a YES Center meeting.
- Sybesma reported that the Personnel Committee is interviewing persons for the GIS/IT position.
- Kleinwolterink reported that the Hope Haven Residential Training Center building has water problems caused by small holes in the copper pipes.

07-05-29 12 Claims as submitted by the Auditor were approved.

07-05-29 13 The Chairman adjourned the meeting at 11:20 a.m. until Tuesday, June 12, 2007.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor