

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON JUNE 17, 2003

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

Minutes of June 3, 2003 were read and on motion and vote stand approved as read.

Committee reports were given this date.

Dennis Lange, County Auditor, reported on the canvass of election returns for the Special County Local Option School Infrastructure Sales and Services Tax Election held on June 10, 2003.

Motion by Beernink and supported by De Haan to approve the canvass of election returns for the Special Local Option School Infrastructure Sales and Services Tax Election held on June 10, 2003 as follows:

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED?

“Shall the County of Sioux, State of Iowa, be authorized to impose a 1 (maximum one percent) percent local sales and services tax for school infrastructure projects for 10 (maximum ten) years, beginning on 1-1-2004 and ending on 12-31-2013 to be used for infrastructure purposes and needs of school districts in Sioux County including construction, reconstruction, repair, purchasing, or remodeling of schoolhouses, stadiums, gyms, field houses and bus garages and the procurement of schoolhouse construction sites, the making of site improvements, the payment or retirement of outstanding bonds previously issued for school infrastructure purposes and the payment or retirement of new bonds issued for school infrastructure purposes issued under Iowa Code Section 422E.4 (2003 Code of Iowa)?”

YES 1,775 NO 1,471

The public measure was approved due to the required majority vote passage requirement.

Carried, unanimous in favor.

Motion by Bouma and supported by Smith to approve and authorize the Chairman to sign the following Department Amendment Resolution for Fiscal Year 2003:

RESOLUTION NO. 2003-10

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 Nursing Department will cause this department to exceed the amount budgeted for the fiscal year 2002-2003; and

WHEREAS, it is deemed necessary to increase the appropriations for the Nursing Department to not be in violation of section 331.437, 2003 Iowa Code; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the appropriation for the Nursing Department be increased from \$220,000 to \$233,000 and the appropriation for the Juvenile Probation Department be decreased from \$56,925 to \$48,925 and the Veteran's Affairs Department be decreased from \$31,078 to \$26,078.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on June 17, 2003.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

Carried, unanimous in favor.

Motion by De Haan and supported by Smith to approve and authorize the Chairman to sign the following Interfund Operating Transfer Resolution for Fiscal Year 2003:

RESOLUTION NO. 2003-11

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

\$766,921 from Rural Basic Fund to Secondary Road Fund

WHEREAS, said operating transfers are made in accordance with Section 331.432, 2003 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 June 17, 2003: \$766,921 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 these inter-fund operating transfers, accompanied by a copy of this resolution and the record of its adoption.

Signed and dated this 17th day of June, 2003.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

Carried, unanimous in favor.

Motion by Beernink and supported by Smith to approve the following Department
Appropriation Resolution for fiscal year 2004:

RESOLUTION NO. 2003-12

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year 2004 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 50% of total expenditures for each department from the resources of each fund so itemized, to the department or office listed in the last column on the same line of the attached schedule.

SECTION 2. Subject of 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 2004 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 2004 budget year.

SECTION 6. All appropriations authorized pursuant to this resolution lapse at the close of business on June 30, 2004.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on June 17, 2003.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

Carried, unanimous in favor.

Chairman Mark Sybesma reported that Gary Blythe, Orange City Assistant Administrator and Director of Economic Development, may meet with the Board to request monetary assistance with conducting a regional workforce study.

Robert Hagey, County Treasurer, met with the Board this date to report on the tax sale held on June 16, 2003. He stated that there remains an amount of \$753.00 in unpaid property taxes. He also stated that three parcels were sold to Sioux County at the Public Bidder Sale for a total amount of \$3,440.00.

Robert Hagey, County Treasurer, also reported that the following checks issued by the Sioux County Treasurer's Office will be credited to the County General Fund as unclaimed fees according to Section 331.554(6), Code of Iowa:

<u>Check No.</u>	<u>Date Issued</u>	<u>Name</u>	<u>Reason Issued</u>	<u>Amount</u>
4530	09-09-99	Dirk Motor Co.	Refund on title	\$ 14.00
4728	01-24-00	Linda Kruger	Refund of postage	7.00
4797	03-06-00	Terry Techen	Refund on transfer	17.40
4810	03-14-00	David Recker	Refund of taxes	2.00
4859	03-31-00	Ted Vanden Brink	Refund of taxes	5.00
4885	04-10-00	Don Lamfers	Refund of taxes	1.00
4887	04-10-00	Jane Vander Berg	Refund of taxes	51.00
5297	10-11-00	ATI Title Co.	Refund of taxes	177.00
5437	03-22-01	DL Peterson Trust	Refund of MV fees	<u>10.00</u>
		Total unclaimed fees		\$284.40

Melissa O'Rourke, County Attorney, met with the Board this date to review information received from the Occupational Outlook Handbook 2002-03 Edition pertaining to average salaries paid to paralegals and legal assistants in the United States. She requested that County Attorney Office legal assistants Ann Juhl and Laurie Bolluyt be paid at an hourly rate of \$13.50 for fiscal year 2004. She stated that those amounts were included in the County Attorney's Office budget for fiscal year 2004.

The consensus of the Board pertaining to the aforementioned salary request from Melissa O'Rourke, County Attorney, was to deny it. The Board felt that Sioux County was paying a fair and competitive wage which also includes an excellent benefits package. They will remain at an earlier Board approved hourly rate of \$12.98 for fiscal year 2004.

Robert Hagey, County Treasurer, was present for the aforementioned County Attorney office pay matter.

Shane Walter, County Community Services Director, met with the Board this date to request approval and a Chairman's signature on various documents.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign an agreement with Plains Area Mental Health Center to deliver mental health services to Sioux County residents for fiscal year 2004. Carried, unanimous in favor.

Motion by Beernink and supported by Bouma to approve and authorize the Chairman to sign the following documents:

Letter of Agreement with the Iowa Department of Human Services in an amount of \$2,000.00 for fiscal year 2004.

Compliance Assurance Agreement for Northwest Iowa Community Empowerment for fiscal year 2004.

Fiscal Agent Agreement for Northwest Iowa Community Empowerment for fiscal year 2004.

Carried, unanimous in favor.

Jim Schwiesow, County Sheriff, met with the Board this date to report that submitted bids for kitchen equipment from a letting held on June 3, 2003 for the new Sioux County Public Safety Center are still being reviewed by the company that prepared the original specifications. The Board will make a final decision on the bids at a later date.

Jim Schwiesow, County Sheriff, also reviewed his request for additional new computers for the new Sioux County Public Safety Center.

The consensus of the Board was to instruct Jim Schwiesow, County Sheriff, to meet with Micah Van Maanen, County Information Technology Director, and a Board Committee to determine the number of new and used computers to be placed in the new Sioux County Public Safety Center.

Jim Schwiesow, County Sheriff, also reported on the following county deputy sheriff certificates of appointment and revocation certified to Dennis Lange, County Auditor, on June 6, 2003:

Certificate of Appointment of Del D. Walinga as Chief Deputy Sheriff at a salary of 85 per cent of the annual base salary of the County Sheriff effective June 15, 2003.

Certificate of Appointment of Randy Waterman as Second Deputy Sheriff at a salary of 82.5 per cent of the annual base salary of the County Sheriff effective June 15, 2003.

Revocation of Appointment of Dan Altena as Chief Deputy Sheriff effective June 15, 2003. On the effective date of revocation Deputy Dan Altena will not be classified as exempt under the Fair Labor Standards Act as amended and his salary shall be on a level with the other non-exempt Sioux County Deputy Sheriffs.

There was a discussion on what guidelines should be used and who had jurisdiction on determining the new pay rate for Deputy Dan Altena effective June 15, 2003 since he is now considered as a non-exempt employee under the Fair Labor Standards Act as amended.

The County Board of Supervisors had a potential liability concern if Deputy Dan Altena's salary was decreased.

Jim Schwiesow, County Sheriff, assured the Board that he had discussed the pay matter with Melissa O'Rourke, County Attorney, and stated that any pay adjustment for Deputy Dan Altena would not pose any liability problem.

The consensus of the Board was to further investigate the pay matter for Deputy Dan Altena by contacting Harvey Wiltsey, County Labor Negotiator and Melissa O'Rourke, County Attorney before making a final decision.

Shane Walter, County Community Services Director, reported that additional office space will be necessary to accommodate a third social worker position in the Sioux County Department of Human Services Building.

The consensus of the Board was to have a Board Committee investigate the aforementioned office space matter.

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

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

Contracts and Contractor's Bonds with Graves Construction of Melvin for Project No. BROS-CO84(103)--8J-84 in a total amount of \$231,531.52.
Permit Agreement with the City of Alton for a road right-of-way crossing in Section 3 of Nassau Township.

Carried, unanimous in favor.

Doug Julius, County Engineer, updated the Board on the current weed spraying program and problem weed areas.

The consensus of the Board was to instruct Doug Julius, County Engineer, to identify problem weed areas and mail letters to the respective landowners requesting them to correct the problem.

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

The Chairman adjourned the meeting until Tuesday, July 1, 2003.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor