

## **MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**

### **MEETING HELD ON JUNE 21, 2005**

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 Loren Bouma, Vernon Beernink, Mark Sybesma, John Degen and Stanley L. De Haan.

Minutes of Tuesday, June 7, 2005 were on motion and vote stand approved as submitted.

Motion by Degen, and supported by Bouma to authorize the Chairman to sign a Notice of Public Hearing on Proposed County Ordinance No. 17, to change voting precincts. Motion carried, unanimous in favor.

Melissa O'Rourke, County Attorney, reported on the following matters:

- Motion by De Haan, supported by Bouma that upon review by the County Attorney, a release will be signed by her, to hold the county harmless in the Prairie Pirates Production to be filmed in the Courthouse in July. Motion carried, unanimous in favor.
- A letter was distributed by the County Attorney regarding improper extrajudicial statements. In part it reads "A criminal charge is merely an accusation and the defendant is presumed innocent until and unless proven guilty." County officials were cautioned to refrain from speaking or writing about pending judicial matters.
- Reported that a letter was distributed by the Iowa County Attorneys Association. Counties stating that Counties are not clients of ISAC (Iowa Association of Counties), but of the County Attorney. A letter was distributed cautioning county officials regarding contacting David Vestal, legal council for ISAC, instead of requesting information from the County Attorney.
- Requested that the Board schedule an executive session during their July 12 meeting.

Motion by De Haan and supported by Degen to sign a resolution transferring the balance remaining in the Public Safety Capital Project Fund to the Public Safety Debt Service Fund.

Roll call on Vote: Bouma, Yes; Beernink, Yes; De Haan, Yes; Degen, Yes; Sybesma, Yes. Motion carried, Unanimous in favor.

### **RESOLUTION 2005-20**

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

\$93,527.96 from the Public Safety Center Capital Project Fund to the Public Safety Debt Service 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 June 21, 2005.

\$93,527.96 from the Public Safety Center Capital Project Fund to the Public Safety Debt Service Fund,

Section 2. The County Auditor is directed to correct his 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 21<sup>st</sup> day of June, 2005.

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

ATTEST: /s/ Lois Huitink  
Sioux County Deputy Auditor

Shane Walter, Community Relief Director, requested that the chairman sign contracts regarding the Healthy Families Program in Sioux, Lyon and Plymouth counties. Motion by Bouma, and supported by De Haan to direct the Chairman to sign the NW IA Community Empowerment/Healthy Family Contracts for 2006.

Walter, County Veteran's Affairs director, reported that he spent last week in Texas becoming accredited as a National Director for Veteran's Affairs. This accreditation gives Walter access to Nation information that we have not been able to do before. He now has power of attorney over applications submitted on behalf of Veterans. The Board expressed appreciation for the efforts that are being made by the Veteran's Affairs department.

Walter noted that The Residential Training Center will begin charging fees for service starting July 1, rather than a block grant.

Chris Myres, Communication director and Paul Olson, representing the West Sioux School District requested that the Board sign a Revised TIF Resolution to add five years to an existing Tax Increment Financing Area in the City of Hawarden. Motion by Degen and supported by De Haan to sign a resolution approving the Request of the City of Hawarden to allow the City to use incremental property tax revenues for five additional fiscal years.

Roll call on Vote: Bouma, Yes; Beernink, Yes; De Haan, Yes; Degen, Yes; Sybesma, Yes. Motion carried, Unanimous in favor.

### **RESOLUTION 2005-21**

WHEREAS, the City of Hawarden, Iowa (the "City") is in the process of expanding the Hawarden Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa to add and include the real property described on Exhibit A hereto (the "Property"); and

WHEREAS, development needs with respect to the Property will require that the City use future incremental property tax revenues produced from the Property to pay the cost of certain public improvements related to the development of residential housing (the "Project"); and

WHEREAS, Section 403.22 of the Code of Iowa prohibits cities from committing future incremental property tax revenues for this type of project for more than ten years without the express approval of any affected county, school district and community college; and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Sioux County approve this resolution in order to allow the City to use incremental property tax revenues from the Property for five additional fiscal years beyond the ten year limit imposed by law;

NOW, THEREFORE, it is resolved by the Board of Supervisors of Sioux County, Iowa, as follows:

Section 1. Pursuant to Section 403.22 of the Code of Iowa, this Board hereby approves the use by the City of Hawarden, of future incremental property tax revenues produced with respect to the Property, for a total period of up to fifteen fiscal years, beginning with the second fiscal year after the year in which the City first certified debt with respect to the Property to the Sioux County Auditor.

Section 2. The County Auditor is hereby directed to forward an executed copy of this Resolution to the City Council of the City of Hawarden.

Passed and approved the 21st day of June, 2005.

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

ATTEST: /s/ Lois Huitink  
Sioux County Deputy Auditor

Myers also noted that dry creek was filled in and a bridge was removed with County help, and thanked the Board for their cooperation.

Pam Hein, Alton Economic Development Director, extended an invitation to the Board to attend the grand opening of the NW Agronomy facility on Tuesday, June 28, 2005. She also requested that the Chairman make some remarks on behalf of the Board during the dedication. The Agronomy facility is the largest fertilizer production center in the state of Iowa.

Hein also informed the Board that construction will begin on a truck and pet wash later this fall. She updated the Board on the several plans for promotion of the City of Alton. The slogan that will be used is: "A Town on the Right Track."

Robert Hagey, County Treasurer, distributed a summary of the tax sale, held on June 20, 2005. One hundred Fifty-five parcels were offered at the Tax Sale, totaling \$80,882.00, including taxes, penalty and costs.

Another issue that Hagey addressed was staff time in the Treasurer's office. Currently the office has two employees that are each working 30 hours a week. Hagey stated that it has been difficult to schedule employees to cover all of the work shifts. Motion by Beernink, and supported by Bouma, to increase Cynthia Reed's hours to full time, and reduce the hours that Beth Wassenaar works to 20 hours per week. Motion carried, unanimous in favor.

Motion by Bouma, and supported by Beernink to approve a three year agreement with Williams & Company to perform the annual audit. Motion carried, unanimous in favor.

Doug Julius, County Engineer met with the board this date. He requested that the Chairman sign a contract with Kooiker Inc. of Hull for the following culvert projects as presented at the last meeting:

Project No. L-5-2004-73-84-CULV

Project No. L-4-2005-73-84 CULV

Project No. 1-2-2006-73-84-CULV

Motion by Degen and supported by Beernink to direct the Chairman to sign the aforementioned contracts with Kooiker Inc. Motion carried, unanimous in favor.

Doug Julius, County Engineer, requested that the Chairman of the Board sign a permit agreement with Frontier Communications for cable in Sections 5 & 6 of Nassau Township

Motion by De Haan, and supported Bouma to approve and authorize the Chairman to sign the aforementioned document. Motion passed, unanimous in favor.

Motion by Degen, and supported by De Haan to approve the following Road Closure Resolution for 2005/2006.

Roll call on Vote: Bouma, Yes; Beernink, Yes; De Haan, Yes; Degen, Yes; Sybesma, Yes. Motion carried, Unanimous in favor.

## **RESOLUTION 2005 – 22**

### **-CONSTRUCTION-**

We hereby authorize the following roads to be closed for Construction during the 2005-2006 season. The actual date of closure to be determined by the County Engineer and shall be so noted in his office copy of the Resolution.

Road	Date Closed	County Engineer's Signature

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

ATTEST: /s/ Lois Huitink  
Sioux County Deputy Auditor

Doug Julius, County Engineer –Opened quotes for new Dump Boxes, Hydraulic Hoist & Hydraulic Systems

COMPANY	AMOUNT OF BID
Northern Truck Equipment	21,794 (1) 43,588 (2) (Steel)
Northern Truck Equipment	26,943 (1) 53,886 (2) (Aluminum)
Steffen	23,516 (1) 47,032 (2) (Steel)
Steffen	26,302 (1) 52,604 (2) (Aluminum)
Drake Equip	21,216 (1) 42,252 (2) (Steel)
Drake Equip	23,977 (1) 47,954 (2) (Aluminum)

Motion by Bouma, and supported Beernink that pending verification of specifications by the County Engineer, two aluminum boxes be purchased from Drake Equipment. Motion carried unanimous in favor.

Julius requested that the Board of Supervisors give consideration to replacing the Caterpillar 936 wheel loader at the District #5 Shop at Rock Valley, Iowa with a Caterpillar 938GII wheel loader. The 938 wheel loader will be the “back-up: loader at the Keehn Pit and assist with loading gravel during stockpiling. The 936 loader will be moved to the Orange City shop. Julius recommended that the board purchase a used Model 938GII with a 3<sup>rd</sup> valve from Ziegler CAT Inc. for \$131,675.00. Motion by Bouma, and supported by De Haan to purchase

the recommended loader subject to inspection by the County Engineer. Motion carried, unanimous in favor.

Motion by Bouma and supported by Beernink to go into executive session according to Section 20.17(3), Code of Iowa, to discuss collective bargaining matters with Harvey Wiltsey, Labor Negotiator for Sioux County. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Motion carried, unanimous in favor.

Doug Julius, County Engineer, and Lois Huitink, County Deputy Auditor, were present for the aforementioned executive session.

Motion by Bouma and supported by Beernink to go out of executive session according to Section 20.17(3), Code of Iowa. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Motion 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 Tuesday, July 12, 2005.

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Mark Sybesma, Chairman  
Sioux County Board of Supervisors

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ATTEST: Lois Huitink  
Sioux County Deputy Auditor