

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON JUNE 26, 2012

12-06-26 1 The Board of Supervisors of Sioux County, Iowa, met on June 26, 2012, at 9:00 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Al Bloemendaal, John Degen, Arlyn Kleinwolterink, Mark Sybesma and Dennis Wright.

12-06-26 2 Minutes of the meeting held on June 12, 2012, were submitted and the Chairman declared them approved.

12-06-26 3 Coleman McAllister, Sioux County Attorney

- Distributed a Third Judicial District report which detailed court filings in the district for 2011.
- Told the Board that a Supreme Court released a ruling yesterday which will affect a case in Sioux County. According to the ruling, a juvenile may not be sentenced to life in prison without parole. This may affect the case of John Mulder, who was a juvenile convicted of the murder of Jean Marie Homan in September 1978.

12-06-26 4 Shane Walter, Sioux County Community Services Director

- 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). A motion was made 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 2013 and that a waiting list for Disability Services be instituted as of July 1, 2012. Motion carried, unanimous in favor.
- As this was the date and 9:30 the time set for a Public Hearing Construction Permit, the Chairman opened said hearing. Nate Zuiderveen (Midwest Dairy Renovations) submitted a request to add a new earthen manure storage pond and concrete sand settling lane at an existing dairy in East Orange Township, Section 24. No written or oral comments were received. The proposal fulfilled matrix requirements. Hubert Schuller was present for this discussion in support of the proposed construction. There were no further comments. The Chairman closed the hearing. Motion by Kleinwolterink and supported by Degen to send a favorable letter of recommendation to the DNR. Motion carried, unanimous in favor.
- Recommended a Waiver of Separation of Distance from road right of way of a manure storage structure. This facility is located in Section 8 of Garfield Township and is owned by Jay Grevengoed. Motion by Degen and supported by Wright to approve a Waiver of Separation of Distance in the north ½ of the northeast ¼ in Garfield Township, Section 8. Motion carried, unanimous in favor.

12-06-26 5 Nate Huizenga, Sioux County Emergency Management Director

- Requested approval and the Chairman's signature on a Fiscal Sponsor Agreement grant with Community Organizations Active in Disaster (COAD).

- Informed the Board that funding has been received from the Sioux County Community Foundation for 12 handheld radios for the Sioux County Firefighters Association.

12-06-26 6 Doug Julius, Sioux County Engineer

- Requested approval of the following permit agreement –

Premier Communications - Run fiber optic on the northwest side of the intersection of Hickory Avenue and 370th Street in Sections 22, 23 and 26 of Welcome Township.

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

- Presented contracts and contractor bond agreements with Dixon Construction for Bridge Replacement Project BROS-CO84 (131)—5F-84 for \$408,025.75. Motion by Degen and supported by Kleinwolterink to approve and authorize the Chairman to sign the contract and contractor bonds for the aforementioned bridge project. Motion carried, unanimous in favor.
- Presented a 28-E Agreement between Sioux County and the City of Rock Valley for the paving of 300th Street. The County would have three years to pay for one half of the total project cost. Motion by Wright and supported by Bloemendaal to enter into a 28-E Agreement with the City of Rock Valley. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor. Tom Van Maanen, Rock Valley City Administrator was present for this discussion.

RESOLUTION NO. 2012-35

RESOLUTION OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, FOR AUTHORIZATION TO EXECUTE A 28E AGREEMENT BETWEEN SIOUX COUNTY, IOWA AND CITY OF ROCK VALLEY, IOWA FOR 300TH STREET PROJECT

WHEREAS, the Board is desirous of entering into a 28E Agreement which defines the rights, responsibilities, and liabilities of Sioux County, Iowa and the City of Rock Valley, Iowa regarding improvements and maintenance of 300th Street from the existing paved portion of 300th Street lying in the city limits to the West entrance of Rivers Bend Campground.

WHEREAS, an instrument entitled 28E Agreement Between Sioux County, Iowa and City of Rock Valley, Iowa for 300th Street Project has been presented to the Board of Supervisors; and,

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

- 1 . That the terms and conditions of the proposed 28E Agreement between Sioux County, Iowa and City of Rock Valley, Iowa for 300th Street Project has been presented and considered and the same is hereby approved.
- 2 . The Chairman is hereby authorized and ordered to execute said 28E Agreement and the County Auditor to attest to the same as is necessary to carry out the purposes of this Resolution.
- 3 . The Chairman and Secretary for the Board of Supervisors are hereby directed to certify this Resolution and provide a certified copy of the same to the City of Rock Valley, Iowa.

PASSED AND APPROVED this 26th day of June, 2012.

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

ATTEST: /s/ Lois Huitink, Sioux County Auditor

- Distributed a map and presented an update on various road construction projects for 2012.
- Asked the Board about investigating the presence of asbestos in the for County Home building. Julius will contact someone to determine the amount of asbestos in the building.

12-06-26 7 Lois Huitink, Sioux County Auditor

- Requested that the Board approve a resolution to amend several department budgets. The Nurse Department will need to be increased \$5,600 because of additional grant money received in Fiscal Year 2012. The Social Services Department will be decreased by that same amount. The Medical Examiner Department will be increased by \$3,200 because of the high case load. The Attorney's Department budget will be decreased by the same amount. There will be no net change in the total amount budgeted for 2012. Motion by Wright and supported by Bloemendaal supported by to approve Budget Amendment Resolution 2012-34 as submitted by the Auditor. Roll call on vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor

RESOLUTION 2012-34

RESOLUTION TO AMEND ATTORNEY, NURSE, SOCIAL SERVICES, MEDICAL EXAMINER DEPARTMENT BUDGETS

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 Nurse and Medical Examiner Departments will cause these Departments to exceed the amount budgeted for the fiscal year 2011-2012; and

WHEREAS, it is deemed necessary to increase the appropriations for the Nurse and Medical Examiner Departments to not be in violation of Iowa Code Section 331.437; and

THEREFORE, BE IT RESOLVED by the Board of Supervisors that the appropriation for the following Departments be changed as follows:

Nurse Department be increased from \$320,990 to \$326,590

Medical Examiner Department be increased from \$39,000 to \$42,200

Attorney Department be decreased from \$485,423 to 482,223

Social Services Department be decreased from \$82,335 to \$76,735

The above and foregoing Resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on June 26, 2012.

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

- Requested that the Board approve and authorize the Chairman to sign a letter of engagement with Williams and Company for auditing services for Fiscal Year 2011/2012. Motion by Kleinwolterink and supported by Degen to approve and authorize the Chairman to sign a letter of engagement with Williams and Company. Motion carried, unanimous in favor.

12-06-26 8 COMMITTEE REPORTS:

- **Degen** – Informed the Board that construction has started on the comfort station at the South Pit Recreation Area.
- **Wright** – a) Attended a Northwest Iowa Development meeting at which they discussed expansion in the six county area that NWID covers. b) Reported that at a District III ISAC meeting, discussion largely revolved around recent changes to providing Mental Health services.
- **Kleinwolterink** – Attended a Northwest Iowa Landfill Meeting and a Planning and Zoning meeting.
- **Bloemendaal** – a) Reported on a Northwest Iowa Planning and Development meeting. A draft version of the Transportation Improvement Program for 2013-2016 was distributed. The budget for 2013 was approved. b) Attended a Mid-Sioux Opportunity Board meeting at which they discussed the scale back on services. Outreach services will be provided from two offices beginning September 1. These offices will service all six member counties. The 2 offices will be located in Sioux Center and Cherokee. Some layoffs will occur due to office closings.
- **Sybesma** – a) Reported on an Empowerment Board meeting. Funding will remain at the same level as last year. b) Attended a NACO membership committee meeting.

12-06-26 9 Claims as submitted by the County Auditor were approved for payment.

12-06-26 10 The Chairman adjourned the meeting at 10:30 a.m. The next meeting will be held on July 10, 2012, beginning at 9:15 a.m.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor