

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON JUNE 29, 2010

10-06 29 1 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 Al Bloemendaal, John Degen, Arlyn Kleinwolterink, Mark Sybesma and Dennis Wright.

10-06 29 2 Minutes of the meeting held on June 15, 2010, were submitted and the Chairman declared them approved.

10-06 29 3 Coleman McAllister, Sioux County Attorney

10-06 29 4 Informed the Board that a number of area municipalities including Plymouth County, Dickinson County and the City of LeMars have initiated lawsuits regarding alleged concrete price fixing by a local contractor. McAllister recommended that the Board take action by filing its own lawsuit. A hearing date has already been set for July 9 in federal court at which time lead counsel will be appointed by the Court and the suit will likely become certified as a class action suit, so McAllister reported that there may be some benefit to the County in initiating suit immediately before the July 9 court date. McAllister requested that the Board enter into a contingent fee contract with the law firm that is representing Dickinson County, Plymouth County and the City of Le Mars, subject to the review of the terms and conditions of the fee agreement by McAllister. Motion by Wright and supported by Bloemendaal to authorize the filing of the lawsuit seeking recovery of damages related to alleged price fixing and to enter into the contingent fee agreement with Wolf, Haldenstein, Adler, Freeman & Herz LLC of Chicago, Illinois and Murphy, Collins & Bixenman, P.L.C. of LeMars, Iowa, contingent upon review of the contingent fee agreement by McAllister. Motion carried, unanimous in favor.

- Presented an update on progress in regard to litigation in a case involving clean-up of a refuse pit owned by Alan Kramer. The amount of the bond in the case was reduced to \$175,000 by Judge Ackerman.

10-06 29 5 Motion by Kleinwolterink and supported by Degen to approve an Appropriation Resolution for FY 2010/2011 appropriating 50% of the amount budgeted by departments. Roll call on vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes, and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2010-14

WHEREAS, it is desired to make appropriations for each of the different offices and departments for fiscal year 2011 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, as listed in the last 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 any time during the fiscal year 2011 budget year the Auditor shall ascertain that the available resources of a department for that year will be less than said department 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 2011 budget year.

SECTION 6. All appropriations authorized pursuant to this Resolution lapse at the close of business on June 30, 2011.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on June 29, 2010.

DEPARTMENTS Name	GENERAL FUND		SPECIAL REVENUE FUNDS				All Capital Proj.	All Debt Svc	All Expendable Trusts	Total Budgeted 2010/2011	50% APPROP. 6/29/2010	YTD Approp.
	General Basic	General Supplemental	MH-DD Services	Rural Svcs Basic	Secondary Roads	Other						
Board of Supervisors	348,825	11,000							359,825	179,913	179,913	
Auditor	316,964	219,204							536,168	268,084	268,084	
Treasurer	524,755	23,703							548,458	274,229	274,229	
Attorney	443,185	20,770				500			464,455	232,228	232,228	
Sheriff	2,450,369	152,624		345,285		5,000			2,953,278	1,476,639	1,476,639	
Recorder	199,776	10,000				10,000			219,776	109,888	109,888	
County Engineer					9,270,250				9,270,250	4,635,125	4,635,125	
Veterans Affairs	43,275								43,275	21,638	21,638	
Conservation Board	529,634	22,197				110,000			661,831	330,916	330,916	
Nurse	270,113								270,113	135,057	135,057	
Social Services	1,028,978	10,592							1,039,570	519,785	519,785	
Medical Examiner	35,500								35,500	17,750	17,750	
District Court		10,000							10,000	5,000	5,000	
Libraries				201,676					201,676	100,838	100,838	
E911								216,700	216,700	108,350	108,350	
Communications								458,705	458,705	229,353	229,353	
General Services	533,208	8,500						82,000	623,708	311,854	311,854	
Data Processing	352,499	6,500							358,999	179,500	179,500	
Physical Planning		5,100		130,800					135,900	67,950	67,950	
Mental Health Admin.		57,116	2,753,912						2,811,028	1,405,514	1,405,514	
Juvenile Probation		42,000							42,000	21,000	21,000	
Joint Disaster Services								172,274	172,274	86,137	86,137	
Nondepartmental	577,294	261,500		1,296,758		5,000,000			7,135,552	3,567,776	3,567,776	
Assessor Special Appraiser								355,150	355,150	177,575	177,575	
Public Safety Center								487,972	487,972	243,986	243,986	
UR Road Project								394,993	394,993	197,497	197,497	
TOTALS	7,654,375	860,806	2,753,912	1,974,519	9,270,250	5,125,500	0	882,965	1,284,829	29,807,156	14,903,578	14,903,578

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

10-06 29 6 Motion by Wright and supported by Bloemendaal to approve a resolution to amend the Fiscal Year 2009/2010 Budget. This amendment moves appropriations from the Auditor's department to the Treasurer's department and from Welfare Service's department to the Nurse's department. Roll call on vote: Wright, Yes; Bloemendaal, Yes; Degen, Yes; Kleinwolterink, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

RESOLUTION 2010-15

RESOLUTION TO AMEND TREASURER, NURSE, AUDITOR & GENERAL WELFARE SERVICES 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 Treasurer and Nurse Departments will cause this Department to exceed the amount budgeted for the fiscal year 2009-2010; and

WHEREAS, it is deemed necessary to increase the appropriations for the Treasurer and Nurse 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:

Treasurer Department be increased from \$544,086 to \$548,086

Nurse Department be increased from \$283,420 to \$289,420

Auditor Department be decreased from \$529,357 to \$525,357

General Welfare Services be decreased from \$76,590 to \$70,590

The above and foregoing Resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on June 29, 2010.

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

10-06 29 7 The Chairman officially recognized the attendance of O'Brien County Supervisors, Rich Haack and John Haack. Also in attendance was Loren Bouma, former Sioux County Supervisor.

10-06 29 8 Discussion was held regarding the approval of a resolution designating Sioux County as a recovery zone pursuant to the American Recovery and Reinvestment Tax Act of 2009. No decision regarding this resolution was made.

10-06 29 9 Motion by Kleinwolterink and supported by Degen, to appoint Dr. Jonathan Grossmann of Orange City as County Medical Examiner to fill a vacancy left by the resignation of Dr. Curtis Horstman, and to appoint Dr. Jason Koelewyn of Sioux Center to the new position of Deputy Medical Examiner. Motion carried, unanimous in favor. The term for the position of Medical Examiner expires on December 31, 2010, and the term for the position of Deputy Medical Examiner expires on December 31, 2011.

10-06 29 10 Motion by Bloemendaal and supported by Wright to approve and authorize the Chairman to sign NW Early Childhood Contracts. Motion carried, unanimous in favor.

10-06 29 11 Motion by Degen and supported by Bloemendaal to approve and authorize the Chairman to sign a letter of engagement with Williams & Company to audit the County's 2010 Fiscal Year reports. Motion carried, unanimous in favor.

10-06 29 12 The Chairman amended the agenda to include Darrell Geib, Federal Representative for Sioux River Resource Conservation & Development, who was initially scheduled to appear at the meeting on July 13. Geib requested approval of and the Chairman's signature on an area expansion agreement. Motion by Wright and supported by Bloemendaal to join the Sioux River RC&D. Motion carried, unanimous in favor.

10-06 29 13 Micah Van Maanen, Sioux County IT Director informed the Board that estimates for computer storage, which was previously approved, have come in at less than anticipated so Van Maanen requested that the Board allow him to add Server Virtualization to the project. Motion by Kleinwolterink and supported by Degen to authorize the IT Director to add Server Virtualization to his request for computer storage for Fiscal Year 2011.

10-06 29 14 Motion by Wright and supported by Degen to approve the Rock Valley Golf Club Liquor Permit. Motion carried, unanimous in favor.

10-06 29 15 Doug Julius, Sioux County Engineer

- Presented the annual road closure resolution for Board approval. Motion by Degen and supported by Kleinwolterink to approve the annual road closure resolution. Roll Call on Vote: Kleinwolterink, Yes; Degen, Yes; Bloemendaal, Yes; Wright, Yes; and Sybesma, Yes. Motion carried, unanimous in favor.

Road Closure Resolution 2010-16

-CONSTRUCTION-

We hereby authorize the following roads to be closed for Construction during the 2010-2011 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.

<u>Road</u>	<u>Date Closed</u>	<u>County Engineer's Signature</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

ATTEST: /s/ Lois Huitink
Sioux County Auditor

- Presented a contract for signature. Motion by Wright and supported by Bloemendaal to authorize the Chairman to sign a contract with Wayne T. Hansen, Corp for crushing, weighing and stockpiling gravel. Motion carried, unanimous in favor.
- Requested Board approval on two permit agreements:
 1. Southern Sioux Rural Water – Bore a 2 inch PVC water line under 470th Street between Sections 10 and 15 of Sherman Township.
 2. Northwest Rural Electric Cooperative – Set poles just outside the fence line in County Right of Way in Section 1 of Eagle Township and Sections 35 and 36 of Garfield Township.

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

- Presented a project update for Sioux County for this year's bridge repairs, paving jobs and grading projects.

10-06 29 16 COMMITTEE REPORTS

- **Kleinwolterink** – Presented a claim from the Building Committee for the purchase of tulip bulbs for the Courtyard.
- **Degen** –
 - A Ribbon cutting ceremony at the Ranschau Conservation area will be held on July 7.
 - An award ceremony was held last night in which a purple heart was awarded to Glenn Gregg for his service in WWII. Letters from Senator Tom Harkin, Senator Chuck Grassley, Representative Steve King and Governor Chet Culver were read.
- **Bloemendaal** –
 - RIDES Spencer – the budget for Fiscal Year 2011 was approved. Employees were given a 2% wage increase.
 - NW IA Planning & Development – the budget was approved and a cost of living increase was given to employees. Most funding for this program comes from grants. Per capita cost for this program was increased 2 cents per capita for FY 2011 and an additional cent per year until the increase reaches a total of 5 cents.

- Greater Siouxland Community Health Center Board – the patient load continues to increase. Midwifery has been an issue because of liability coverage by local physicians. The Center is still working to secure federal funding.
- Community Action Agency– reported on a program which helps parents serve as teachers for 1-3 year olds.
- **Wright** –
 - SYNERGY CENTER for inpatient alcohol recovery – new facility is not complete, but will likely be ready for occupancy in September.
 - YES Board – an audit was done of Juvenile Detention Center Funds. Noted that Central Iowa Detention Center expenditures were questioned. The YES Center is working to resolve accounting issues.
- **Sybesma** – is working with Plymouth County Supervisor, Jim Heinrich regarding additional costs incurred with the move of Department of Human Services offices to Sioux County.

10-06 29 17 Claims as submitted by the County Auditor were reviewed with the understanding that they will be paid tomorrow, June 30, 2010. All claims received prior to noon today will be formally approved at the next board meeting to be held on July 13, 2010.

10-06 29 18 The Chairman adjourned the meeting at 11:40 a.m. until 9:00 a.m. Tuesday, July 13, 2010.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Auditor