

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

### **MEETING HELD ON JULY 12, 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 21, 2005 were on motion and vote stand approved as submitted.

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

- Civil Service Commission administered the Civil Service Testing yesterday. Promotional testing was given to six employees. Tests were also given to entrance level candidates. Next Monday, July 18 the commission will review the test results and certify a list to the Sheriff.
- Requested the chairman's signature on an agreement granting permission to use the Courthouse property to produce a children's film.
- Reviewed several cases where taxpayers are protesting the assessment on their real estate property.
- Distributed a news release regarding the Supreme Court decision regarding displays of the Ten Commandments in Public Buildings.
- Presented a request from the City of Rock Valley to approve execution of Resolution regarding the 300<sup>th</sup> Street project. This area will be zoned for commercial use.

Motion by Bouma and supported by Degen to approve execution of Resolution Regarding the 300<sup>th</sup> Street project in Rock Valley.

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

### **RESOLUTION NO. 2005-23**

RESOLUTION RE EXECUTION OF THE APPLICATION OF ANNEXATION OF THE 300<sup>TH</sup> STREET PROJECT TO THE CITY OF ROCK VALLEY, IOWA

At the meeting of the Sioux County Board of Supervisors, held in Orange City, Iowa, on the 12<sup>th</sup> day of July, 2005, the following Resolution was proposed and unanimously adopted:

WHEREAS, Sioux County currently holds title to real estate lying in what is referred to by the City Council of Rock Valley, Iowa, as the "300<sup>TH</sup> STREET PROJECT"; and,

WHEREAS, in accordance with Iowa Code Section 368.7 it is necessary for the Sioux County Board of Supervisors as titleholder of such real estate, to join in the voluntary annexation proceedings which includes submitting an Application for Voluntary Annexation to the City Council of Rock Valley, Iowa, to approve; and,

WHEREAS, the Chairman of the Board of Supervisors needs authority to execute such Application for purposes of voluntary annexation; and,

WHEREAS, the proposed Application for Annexation of the 300<sup>th</sup> Street Project has been presented to the Board of Supervisors for approval as to content.

THEREFORE, BE IT RESOLVED that the Application for Annexation of the 300<sup>th</sup> Street Project to the City of Rock Valley, Iowa, presented to the Sioux County Board of Supervisors is hereby approved as to content and form.

BE IT FURTHER RESOLVED, that the Chairman of the Sioux County Board of Supervisors is hereby authorized to execute the said Application for Annexation.

BE IT FURTHER RESOLVED, that the Chairman is hereby authorized to execute any additional documents necessary to annex the 300<sup>th</sup> Street Project to the City of Rock Valley, Iowa.

Passed and adopted on the day and date first above written.

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

ATTEST: /s/ Lois Huitink  
Sioux County Deputy Auditor

Anita Van Bruggen presented her Annual Report to the Board. Van Bruggen reported that more money was received in FY 2005, however more of these funds needed to be sent to the State of Iowa. Motion by Bouma and supported by De Haan to receive the Recorder's Annual report.

County Treasurer, Robert Hagey also submitted his annual report. He noted that the General Fund has experienced a substantial decrease in the past few months. Motion by De Haan and supported by Degen to receive the Treasurer's Annual report.

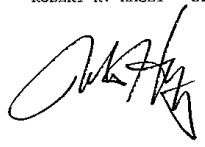
SEMI-ANNUAL REPORT OF ROBERT R. HAGEY - SIOUX COUNTY  
 FOR THE PERIOD FROM 01-01-05 THROUGH 06-30-05 INCLUSIVE  
 STATEMENT OF ACCOUNTS BY FUNDS

FUNDS	BALANCE	RECEIPTS	DISBURSEMENTS	TRANSFERS	END BALANCE	OUTST. WARR.
GENERAL BASIC FUND	1,578,480.88	3,196,409.54	3,081,176.83	575,000.00-	1,118,713.59	195,616.93
GENERAL SUPPLEMENTAL	54,192.06	18,019.00	155,511.28	200,000.00	116,699.78	3,036.27
MH-DD SERVICES FUND	962,478.10	1,029,788.59	1,182,543.98	.00	809,722.71	3,703.79
RURAL SERVICES BASIC FUND	1,361,077.77	986,709.63	382,464.29	1,357,786.00-	607,537.11	3,474.36
SECONDARY ROAD FUND	3,752,856.73	2,105,363.95	1,803,030.19	1,357,786.00	5,412,976.49	729,250.24
GENERAL REVENUE SHARING FUND	120,945.12	1,885.72	.00	.00	122,830.84	.00
REAP FUND	62,005.86	14,789.26	.00	.00	76,795.12	.00
RECORDS MANAGEMENT FUND	22,499.09	3,963.92	490.00	.00	25,973.01	.00
CONSERVATION RESERVE FUND	114,742.62	16,481.57	.00	.00	131,224.19	.00
RECORDER ELECTRONIC TRANS FEE	18,060.82	134.53	17,315.00	.00	880.35	.00
PUBLIC SAFETY CAPITAL PROJECT	144,375.10	1,736.27	52,433.11	93,527.96-	150.30	.00
PUBLIC SAFETY DEBT SERVICE	339,086.82	.00	344,283.13	460,527.96	463,331.65	.00
EMERGENCY MANAGEMENT SERVICES	27,633.34	80,938.73	69,739.62	.00	38,832.45	3,843.02
E-911 SURCHARGE FUND	38,495.87	53,606.09	49,367.97	.00	42,733.99	872.96
PUBLIC SAFETY AGENCY	99,462.50	119,303.50	135,641.19	.00	83,124.81	6,865.73
COUNTY ASSESSOR AGENCY	92,996.07	121,190.06	122,851.81	.00	91,334.32	7,155.56
SPECIAL APPRAISERS FUND	42,399.19	19,096.79	32,383.08	.00	29,112.90	.00
AGRICULTURAL EXTENSION	1,492.80	73,770.36	73,351.76	.00	1,911.40	.00
SCHOOLS	131,995.66	6,491,110.63	6,449,958.50	.00	173,147.79	.00
TRUANCY REDUCTION FUND	341.54	185.25	.00	.00	526.79	.00
AREA SCHOOLS	5,215.38	302,267.33	300,804.98	.00	6,677.73	.00
CORPORATIONS (CITIES)	74,840.99	4,139,643.96	4,150,874.48	.00	63,610.47	.00
SPECIAL PROJECTS	1,009.00	47,643.00	40,241.00	.00	8,411.00	.00
TOWNSHIPS	2,524.43	107,244.00	106,345.05	.00	3,423.38	.00
ECONOMIC DEVELOPMENT AGENCY	964,928.08	134,890.28	307,419.25	.00	792,399.11	.00
DISPOSAL AGENCY	29,734.49	.00	.00	.00	29,734.49	.00
DANGS FUND	35.70	1,764.01	1,753.95	.00	45.76	.00
TAX REDEMPTIONS	.00	43,353.00	43,353.00	.00	.00	.00
MOTOR VEHICLE TRUST	489,035.30	1,975,292.30	2,099,114.70	.00	365,212.90	.00
USE TAX TRUST	244,450.23	1,597,908.42	1,558,500.94	.00	283,857.71	.00
PROPERTY TAX AGENCY FUND	2,879.50	28,660.97	.00	.00	31,540.47	.00
RECORDER E-COMMERCE	.00	3,566.00	2,826.00	.00	740.00	.00
PARTIAL SELF FUNDING INSURANCE	20,168.58	25,712.63	21,608.32	.00	24,272.89	955.87
<b>TOTALS</b>	<b>10,800,439.62</b>	<b>22,742,429.29</b>	<b>22,585,383.41</b>	<b>.00</b>	<b>10,957,485.50</b>	<b>954,774.73</b>

	RECEIPTS	DISBURSEMENTS	TRANSFERS
BALANCE ON HAND	10,800,439.62	ORDERS PAID	11,121,575.77
PROPERTY TAX - CURRENT	12,770,936.16	TREASURER'S CHECKS	4,012,967.84
PROPERTY TAX - DELINQUENT	920.00	WARRANTS PAID GL	6,133,207.93
PENALTIES & INTEREST	26,061.00	ELECTRONIC/A.C.H.	1,317,631.87
MOBILE HOMES	19,879.00	ENDING BALANCE	10,957,485.50
FAMILY FARM TAX CREDIT	150,566.42		
HOMESTEAD TAX CREDIT	487,265.43		
ELDERLY TAX CREDIT	81,883.00		
SPECIAL ASSESSMENT TAX CR	47,643.00		
MISC RECEIPTS	8,854,055.78		
SPECIAL ASSESSMENTS FEES	44.00		
UR-UTILITY TAX	303,175.50		
<b>TOTAL RECEIPTS</b>	<b>33,542,868.91</b>	<b>TOTAL DISBURSEMENTS</b>	<b>33,542,868.91</b>
		<b>TOTAL TRANSFERS</b>	<b>.00</b>

I HEREBY CERTIFY THE ABOVE REPORT TO BE A TRUE AND ACCURATE ACCOUNT OF TRANSACTIONS DURING THE PERIOD THEREIN SPECIFIED.  
 ROBERT R. HAGEY - SIOUX COUNTY



Hagey reported on the cost of remodeling the First Federal Building. The total estimated remodeling cost is \$44,250.

Floor Coverings	\$ 2,750.00
Walls	1,500.00
Signage	980.00
Exterior Signage	3,520.00
Cabinetry	27,000.00
General Construction	3,500.00
Contingency	5,000.00
	\$ 44,250.00

Estimated remodeling costs were received for information and added to the agenda for July 19, 2005.

Hagey presented the board with license plates bearing the name of the County Treasurer with NACTFO as the plate number to commemorate his year of service as the president of NACTFO.

Dan Altena, County Sheriff, presented information regarding Federal Prisoner Housing Room & Board which is being held at \$55.00. The terms of the contract, when Sioux County received the Federal funding, was that we would be able to recoup the costs associated with housing Federal prisoners. Altena will review the contract.

Altena requested that the Board approve a Jail room and board proposal. Work release is currently at \$25.00, and would remain there. Regular room and board would be increased to \$35.00 a day per prisoner. The proposal will be deferred to the July 19 meeting of the Board of Supervisors.

Discussion was held regarding the loss of some Federal Grant moneys to the Drug Task Force. For the current Fiscal year revenue that was lost due to the loss of this grant should be recouped through higher charges for room and board.

Part time reserve officers, part time jailers and part time communications operators are not covered by the Union contract. The Board sets these rates of pay. Altena requested that the rates for reserve officers remain at \$15.00 per hour and that the jailers and the part time communication operators be set at \$12.00 per hour. The Board also heard a request to increase

the wage of Roger Oldenkamp, maintenance engineer. Wages for the part time employees will be reviewed at the next meeting.

Motion by Beernink and supported by Bouma to accept the following Sheriff's quarterly report showing fees for the period ending June 30, 2005 of \$172,077. Motion carried, unanimous in favor.

Shane Walter, General Relief Director met with the Board this date. Motion by Bouma and supported by Bouma to approve being a Fiscal Agent for Empowerment funds for Sioux County, and also Fiscal Agent for Healthy families NW Iowa. Motion carried unanimous in favor.

Walter presented the Monthly MH/DD Expenditure report to the Board. Consumers have been added for this year, so this will affect the fund balance for FY 2006.

Ross Simmelink, County Assessor, presented a report "What's happening in the Sioux County Assessors' Office" to the board. Also given to the Board was a history of valuation increases in Sioux County from 1999 to 2005. Simmelink reviewed assessed values for various types of property in Sioux County. Increases are anticipated in the coming years.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign a Class C Liquor License Application including Sunday Sales and Outdoor Service Area for the Rock Valley Gun Club effective August 17, 2005. Motion carried, unanimous in favor.

Doug Julius, County Weed Commissioner requested that the Board approve and authorize the Chairman to sign a Weed Control Resolution for 2005.

Motion by Beernink and supported by Degen to approve and authorize the Chairman to sign the following Weed Control Resolution:

**RESOLUTION NO.24**

**WEED CONTROL RESOLUTION**

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA:

That pursuant to provisions of Chapter 317, Code of Iowa, it is hereby ordered

- 1) That each owner and each person in the possession or control of any noxious weeds thereon, as defined in this Chapter, at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed on or before the following dates and as often thereafter as necessary to prevent seed production:

Group 1. August 1 for Leafy Spurge; Marijuana Plants; Perennial Pepper-grass; Buckthorn (Rhamnus, not to include Rhamnus Frangula); Sour Dock Perennial, Smooth Dock Perennial and Sheep Sorrel Perennial.

Group 2. August 1 for Canada Thistle; Russian Knapweed; Buckhorn; Perennial and Wild Mustard Annual.

Group 3. August 15 for European Morning Glory or Field Bindweed; Wild Carrot Biennial, also known as Queen Anne's Lace; Poison Hemlock and Multiflora Rose.

Group 4. August 15 for Horse Nettle; Perennial Sow Thistle; Quack Gras; Butterprint Annual; Cocklebur; Bull Thistle; Wild Sunflower Annual; Teasel Biennial; Puncture Vine Annual; Shattercane Annual and all other species of thistles belonging in genera of Cirsium and Carduus.

- 2) That each owner and each person in the possession or control of land including right of way in Sioux County infested with any noxious weeds listed above shall adopt a program of weed destruction described by the Weed Commissioner which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.
- 3) That if the owners or persons in possession or control of any land including right of way in Sioux County fail to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including cost of serving notice and other costs, if any, to be assessed against the real estate.
- 4) Sioux County will not be spraying noxious weeds growing in secondary road ditches. It will be the responsibility of adjacent property owners, tenants or persons in possession of property adjacent to secondary road ditches to destroy said weeds in secondary road ditches.
- 5) That the County Auditor be and is hereby directed to cause notice of the making and entering the foregoing order by one publication in each of the official newspapers of the County.

BE IT FURTHER RESOLVED that Sioux County be designated as a weed control unit.  
**BY ORDER OF THE SIOUX COUNTY BOARD OF SUPERVISORS**

Signed and dated this 12<sup>th</sup> day of July, 2005.

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

ATTEST: /s/ Lois Huitink  
Sioux County Deputy Auditor

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

Motion carried, unanimous in favor.

Motion by Bouma and supported by Beernink to go into executive session according to Section 21.5(c), Code of Iowa, To discuss strategy with legal counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Motion carried, unanimous in favor.

Melissa O'Rourke, County Attorney, Ross Simmelink, County Assessor, 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 21.5(c), Code of Iowa. 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, requested that the Chairman of the Board sign various permit agreements

- Hickory Tech - SW corner of Section 16 in Lincoln Township – Underground Telephone Cable
- Hickory Tech – NE corner of Dipper Ave and 420<sup>th</sup> St North approximately 1300' – Underground Telephone Cable
- NW REC - NW corner of Sec 19 in Plato Township – set poles outside the fence line on County right-of-way
- GEOTEK Engineering & Testing – 10 soil borings

Motion by Beernink, and supported by De Haan by De Haan to authorize the Chairman to sign the aforementioned permit agreements. Motion carried, unanimous in favor.

Mouw Motor Company from Sioux Center has offered to furnish another truck at the same cost as the one previously priced. This truck would replace one of the remaining 1987 trucks. Julius recommended locking in the price now for January delivery. Julius will do some further research on this matter. Motion by Beernink and supported by Degen to approve in

concept that, pending further research by the County Engineer, another truck be purchased at the current bid price. Motion carried, unanimous in favor.

Julius updated the Board regarding various ongoing projects in Sioux County.

L-12-204 – Culvert Project Completed

L-9-205 – Project Nearing Completion

L-15-208 – Friday the surface should be complete-except for shoulders

FM-84-206 – Completed except for shoulders

FM-84-107 – Final lift to be put on next week

FM-84-113 & 114 will be started soon

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 19, 2005.

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Mark Sybesma, Chairman  
Sioux County Board of Supervisors

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ATTEST: Lois Huitink  
Sioux County Deputy Auditor