

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON AUGUST 26, 2003

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, Bernard L. Smith and Stanley L. De Haan.

Minutes of August 12, 2003 were submitted and on motion and vote stand approved as submitted.

Melissa O'Rourke, County Attorney, met with the Board this date. Information was given regarding the guilty plea to the second degree murder charge entered by Christine Van Oort yesterday. Reasons were given for seeking a just outcome to this case, not just a conviction.

Shane Walter, County Community Services Director, met with the Board this date.

Motion by Beernink and supported by De Haan that the Chairman of the Board sign an amendment to the Contract for the Iowa Department of Human Services and the Sioux County Board of Supervisors. The contract is for Family Specific Wrap Around Services for the Sioux Cluster. This amendment changes the option to renew this Contract from six one year extensions to five one year extensions. Carried, unanimous in favor.

A committee report was given by Loren Bouma regarding the ADTU (Alcohol and Drug Treatment Unit). He noted that concerns regarding financial reporting and computer hardware and software have lead to an evaluation of the management of the ADIU. Also noted was the excellent service provided by this organization.

Motion by Bouma and supported by Beernink to approve Change Order No. 8 with Hoogendoorn Construction of Canton, South Dakota in a net total amount of \$21,323.00 as follows:

Item No. 1: Per RFP #37, add two area drains and piping to the culvert between the two driveways.
ADD: \$3,474.00

Item No. 2: Per RFP #38, modify the height of the Mechanical Room 173 and 188 masonry walls

and delete the painting of these rooms.

DEDUCT: \$1,636.00

Item No. 3: Per RFP #39, cut in 4" x 25" light kits and install 1/2" secure-tem wire glass in Door #148A and 107A.

ADD: \$1,480.00

Item No. 4: Per RFP #40, add 60 data cables and jacks and 12 voice jacks.

ADD: \$9,630.00

Item No. 5: Per RFP #41, add non-slip epoxy floor finish:

A. Day Room & Exercise Floors \$5,352.00

B. Mezzanine & Stairs 1,810.00

C. Bases 1,213.00

ADD: \$8,375.00

TOTAL ADD: \$21,323.00

Carried, unanimous in favor.

Motion by De Haan and supported by Bouma to approve a Second Deputy position in the County Auditor's office and to approve the appointment of current employee Linda Feikema, Real Estate and Platting Clerk as the Second Deputy as submitted by Dennis Lange, County Auditor effective September 1, 2003 per Section 331.903(1), Code of Iowa. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

As this was the date and 10:00 o'clock a.m. the time set for consideration and review of an Iowa Department of Natural Resources dairy construction permit application on a proposed feeding operation structure and an unformed manure storage structure that was filed with the Sioux County Auditor by Jim Stoutjesdyk of Magrath, Alberta Canada, representative for the Rolling Spur Cattle Company located in the NW1/4 of Section 23 of Rock Township, said consideration and review was held according to law.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, met with the Board this date and reviewed the contents of the aforementioned Iowa Department of Natural Resources dairy construction permit application submitted by Jim Stoutjesdyk of Magrath, Alberta Canada, representative for the Rolling Spur Cattle Company.

The following persons were in attendance for the consideration and review of said Iowa Department of Natural Resources dairy construction permit application:

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|--------------------------------------|-------------|
| Judy Van Driel | Rock Valley |
| Dianne De Wit | Rock Valley |
| Roger Smith | Rock Valley |
| Dorothy Smith | Rock Valley |
| Marcia Landegent | Rock Valley |
| Tom Van Maanen (City of Rock Valley) | Rock Valley |
| Evan Blom | Rock Valley |
| Marv Rozeboom | Rock Valley |
| Rheba Rozeboom | Rock Valley |
| Douglas Smith | Sioux City |

The following persons verbally expressed opposition to the proposed Iowa Department of Natural Resources dairy construction permit application:

Diane De Wit, Roger Smith, Dorothy Smith, Marcia Landegent, Tom Van Maanen (for the City of Rock Valley), Marv Rozeboom, Rheba Rozeboom and Douglas Smith verbally expressed opposition to the Iowa Department of Natural Resources dairy construction permit application.

Reasons given for opposition to the proposed Iowa Department of Natural Resources dairy construction permit application were: The proximity of 70 homes, the impact the dairy would have on the quality of the soil, air and water in the surrounding area, and the narrow margin by which it passed the Master Matrix plan.

No one verbally expressed support for the proposed Iowa Department of Natural Resources dairy construction permit application.

Written comments were received by the Sioux County Auditor's office expressing opposition to the proposed Iowa Department of Natural Resources dairy construction permit application as follows:

David Meylink, Rock Valley

Harold Schneider, Rock Valley
Dave and Dianne De Wit, Rock Valley
Robert Smith, Rock Valley representing JFK Trust
Marv and Rheba Rozeboom, Rock Valley
Ted Driesen, Rock Valley
Roger and Dorothy Smith, Rock Valley

The Chairman closed the comment period.

The consensus of the Board was to instruct Mark Dunlop, County Emergency Management Director and Zoning Administrator, to draft a letter, to be reviewed by Melissa O'Rourke, County Attorney, recommending that the application for the construction permit application submitted by Jim Stoutjesdyk be denied. The Chairman of the Board will then sign the letter, and the letter and all public comments pertaining to the dairy construction permit application submitted by Jim Stoutjesdyk of Magrath, Alberta, Canada, representative for the Rolling Spur Cattle Company, will be forwarded to the Iowa Department of Natural Resources.

As this was the date and 10:30 o'clock a.m. the time set for consideration and review of an Iowa Department of Natural Resources swine confinement feeding operation construction permit application that was filed with the Sioux County Auditor by Jim Dekkers of Ireton and located in the SW1/4 of the NW1/4 of Section 23 of Center Township, said consideration and review was held according to law.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, met with the Board this date and reviewed the contents of the aforementioned Iowa Department of Natural Resources swine confinement feeding operating construction permit application submitted by Jim Dekkers of Ireton.

No one was in attendance for the consideration and review of said Iowa Department of Natural Resources swine confinement feeding operation permit application:

No written comments were received by the Sioux County Auditor's office.

The Chairman closed the comment period.

Motion by De Haan and supported by Smith to have the Chairman sign a recommendation for approval to the Iowa Department of Natural Resources pertaining to the swine confinement feeding operation construction permit application submitted by Jim Dekkers of Ireton.

Carried, unanimous in favor.

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

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

Certificate as to Completion of Work and Final Acceptance by Board of Supervisors with PAK Construction of Hawarden in an amount of \$39,202.40 for Project No. L-4-2003—73-84-CULV on 370th Street approximately 3 miles north of Hospers.

Certificate as to Completion of Work and Final Acceptance by Board of Supervisors with PAK Construction of Hawarden in an amount of \$36,592.76 for Project No. L-2-2005—73-84-GR on Jay Avenue from Hwy #10 north 1 mile.

Permit Agreement between the City of Hawarden and Sioux County to construct underground electrical lines 150' south of intersection of 3rd Street & Birch Avenue

Carried, unanimous in favor.

Quotes were received for the following pieces of equipment:

TAILGATE SANDER

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| Trans Iowa Equipment | Clear Lake, Iowa | \$3,230.00 |
| Steffen | Sioux City, Iowa | \$3,964.00 |

ONE WAY SNOW PLOW

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|---------------------------------|------------------------|------------|
| Trans Iowa Equipment | Little Falls Model 312 | \$4,900.00 |
| Clear Lake, Iowa | Fall Series 40 Hitch | \$1,000.00 |
| Steffen | Henderson FOE Series | \$6,995.00 |
| Sioux City, Iowa | 30-54-10- | |
| Tri State Truck & Trailer, Inc. | OWFA 30-60-12 | \$4,146.00 |
| Sioux Falls, SD | | |

Motion by De Haan and supported by Beernink to approve the purchase of two Swenson Tailgate Sanders for a purchase price of \$6,460.00, and two Little Falls Model 312 Snow Plows with Falls Series 40 hitches from Trans Iowa Equipment of Clear Lake Iowa for a purchase price of \$11,800. Carried, unanimous in favor.

Motion by Beernink and supported by Bouma to go into closed session according to Section 21.5(1c), Code of Iowa upon the recommendation of Melissa O'Rourke, County Attorney, to discuss strategy with 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; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

Coleman McAllister, Assistant County Attorney, was also presented for the aforementioned closed session.

Motion by Beernink and supported by Bouma to go out of closed session according to Section 21.5(1c), Code of Iowa. Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

The Chairman adjourned the meeting until Tuesday, September 2, 2003.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: Lois Huitink
Sioux County Deputy Auditor