

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON SEPTEMBER 2, 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 26, 2003 were submitted and on motion and vote stand approved as submitted.

Committee reports were given this date.

Melissa O'Rourke, County Attorney, met with the Board this date to review certain provisions of Iowa Code Chapter 341A regarding Civil Service for Deputy County Sheriffs. She stated that the County Civil Service Commission shall be comprised of two members appointed by the County Board of Supervisors and one member appointed by the County Attorney. She reviewed some of the duties of the County Civil Service Commission.

Melissa O'Rourke, County Attorney, stated that the appointment of Michael Jacobsma of Orange City by District Court Judge James Scott would remain valid until December 31, 2003, since the appointment was made prior to new legislative changes that affected the composition of the appointing parties. She also stated that the County Civil Service Commission would appoint a personnel director upon convening their first organizational meeting.

Melissa O'Rourke, County Attorney, also reported that the County Attorney's office has reviewed 201 trial information cases from January 1, 2003 to the present.

Paul Clousing, Sioux Center Assistant City Administrator; and Brian K. Van Engen, Sioux Center City Attorney, met with the Board this date to review and request a Chairman's signature on a waiver and a proposed resolution pertaining to a proposed annexation to the City of Sioux Center.

Motion by Beernink and support by Bouma to approve and authorize the Chairman to sign a Waiver and the following Sioux Center Annexation Resolution:

RESOLUTION NO. 2003-17

A RESOLUTION PURSUANT TO IOWA CODE 368.7(1)(b) STATING THE POSITION OF THE SIOUX COUNTY BOARD OF SUPERVISORS REGARDING THE APPLICATION TO ANNEX CERTAIN REAL PROPERTY TO THE CITY OF SIOUX CENTER.

WHEREAS, the City of Sioux Center has made application to annex certain real property to the City of Sioux Center, such property being legally described as:

The Southwest Quarter (SW¹/₄) of Section Twenty-Eight (28), Township Ninety-Six (96) North, Range Forty-Five (45) West of the 5th P.M.,

AND

That part of the West Half of the Northwest Quarter (W¹/₂ NW¹/₄) of Section Twenty-Eight (28), Township Ninety-Six (96) North, Range Forty-Five (45) West of the 5th P.M., designated as Parcel No. 4 as shown by Plat of Survey recorded in the 1981 File - Case No. 1137, subject to public highway.

AND

That part of the Southwest Quarter of the Northwest Quarter (SW¹/₄ NW¹/₄) of Section Twenty-Eight (28), Township Ninety-Six (96) North, Range Forty-Five (45) West of the 5th P.M. described as commencing at the southwest corner of said NW¹/₄, thence East on the South boundary of said NW¹/₄ a distance of 933.75 feet, thence North parallel with the West boundary of said NW¹/₄ a distance of 20 feet, thence West and parallel with the South boundary of said NW¹/₄ a distance of 933.75 feet, thence South 20 feet to the point of beginning.

and

WHEREAS, the City of Sioux Center has notified the Sioux County Board of Supervisors of its plan to annex the above described real property, and

WHEREAS, newly enacted Iowa Code Section 368.7(1)(b) provides that the Board of Supervisors may indicate by resolution whether or not it supports the application or whether it takes no position in support of or against the application, and

WHEREAS, the Board of Supervisors has no opposition to the annexation of this territory by the Incorporated City of Sioux Center, but does not wish to take any position with regard to the annexation, and

WHEREAS, the Board of Supervisors has been informed that the City of Sioux Center began the annexation process prior to the enactment of Iowa Code Section 368.7(1)(b).

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

1. The Board of Supervisors takes no position with regard to the application for annexation which has been submitted by the City of Sioux Center in regard to the above referenced real property.

2. The Board of Supervisors authorizes the Chairman to execute the attached Waiver of Requirements of Iowa Code Section 368.7(1)(b).

Dated this 2nd day of September, 2003.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

Carried, unanimous in favor.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign Contract Law Enforcement Extension Agreements with the following cities in Sioux County for fiscal year 2004:

CITIES
Boyden
Granville
Hospers
Hull
Matlock
Maurice

Carried, unanimous in favor.

Motion by Beernink and supported by Smith to approve and authorize the Chairman to sign a Certification of Cost Allocation Plan to claim indirect costs applicable to social services administration from the Iowa Department of Human Services in an amount of \$9,962.00 for fiscal year 2004. Carried, unanimous in favor.

Shane Walter, County Community Services Director, met with the Board this date to review a revised General Assistance Ordinance No. 3.

Motion by Bouma and supported by Smith to approve in concept a revised General Assistance Ordinance No.3 as recommended by Shane Walter, County Community Services Director, and instruct Dennis Lange, County Auditor, to proceed with the proper ordinance notice, hearing and publication requirements. Carried, unanimous in favor.

Anita Van Bruggen, County Recorder; and Micah Van Maanen, County Information Technology Director, met with the Board this date to review the current policy in effect for purchasing County Recorder's Data. The County Recorder is currently charging \$.05 for each Paper Clip image or index document. That pricing policy has been in existence for many years.

The following persons were in attendance for the aforementioned discussion on the current policy in effect for purchasing County Recorder's Data:

Darwin Koele, Representative for Sioux Abstract Company of Orange City
Robert Hagey, County Treasurer

Motion by Bouma and supported by De Haan to instruct Anita Van Bruggen, County Recorder; and Micah Van Maanen, County Information Technology Director, to further investigate the current policy in effect for purchasing County Recorder's Data and return to the Board with an updated recommendation. Carried, unanimous in favor.

Doug Julius, County Engineer, met with the Board this date to request approval and a Chairman's signature on a Permit Application.

Motion by De Haan and supported by Beernink to approve and authorize the Chairman to sign a Permit Agreement with Hickory Tech for a road right-of-way crossing located in Section 14 of Garfield Township. Carried, unanimous in favor.

Doug Julius, County Engineer, reported on a settlement proposal for both Sioux and Plymouth Counties in an amount of \$137,500.00 each from David Schmidt, insurance adjuster, to settle a claim arising from a collapsed bridge located on the Sioux/Plymouth county line that was damaged by Winter Brothers Construction Company of Sioux Falls, South Dakota. Sioux and

Plymouth Counties would both have to approve the settlement proposal before it would become effective.

The consensus of the Board pertaining to the aforementioned matter was to accept the settlement proposal in an amount of \$137,500.00 from David Schmidt, insurance adjuster, to settle a claim arising from a collapsed bridge located on the Sioux/Plymouth county line that was damaged by Winter Brothers Construction Company of Sioux Falls, South Dakota, contingent upon Plymouth County's acceptance of the same settlement proposal; and final review and approval by Melissa O'Rourke, County Attorney.

The Chairman adjourned the meeting until Friday, September 12, 2003.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor