

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON NOVEMBER 26, 2002

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:30 o'clock a.m. with Chairman Loren Bouma presiding. Members present were Mark Sybesma, Vernon Beernink, Loren Bouma and Stanley L. De Haan. Bernard L. Smith was absent.

Minutes of November 12, 2002 were read and on motion and vote stand approved as read.

Committee reports were given this date.

Coleman McAllister, Assistant County Attorney, met with the Board this date to report that the County Board of Supervisors determines the number of deputies each elected official shall have. He also reported on the contents of a proposed contract with the U. S. Marshall's office. The contract will provide an amount of \$375,000.00 for construction and operation costs for the new County Public Safety Center and County Sheriff's department. The contract also states that Sioux County will make available fifteen beds for federal inmates for ten years in the new County Public Safety Center at a daily rate to be determined by the U. S. Marshall's office.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, met with the Board this date to update them on a Comprehensive Countywide Emergency Plan for the State of Iowa. He also reported on the number of confinement and manure management plans that have been filed in Sioux County and the state regulations pertaining to said confinement and manure management plans. He also reported on county zoning issues and regulations.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, also reported that the County Board of Supervisors has fourteen days after November 18, 2002 to demand a hearing on a draft construction permit issued to the Charles Van Veldhuizen Dairy.

Charles Van Veldhuizen of Rock Valley was present for the aforementioned discussion and requested that the Board waive the fourteen day demand for hearing period for the Charles Van Veldhuizen Dairy.

The consensus of the Board was to allow the full fourteen day demand for hearing period to expire and then allow the Iowa Department of Natural Resources to issue a bona fide permit to the Charles Van Veldhuizen Dairy.

As this was the date and 10:00 o'clock a.m., the time set for hearing and first consideration on proposed Sioux County Ordinance No. 14 readopting the existing County Code, said hearing was held after the Board was informed that notice had been published according to law. No comments were received in writing and no one appeared in person to express themselves, either for or against said proposal.

The Chairman closed the hearing.

Motion by Sybesma and supported by De Haan to approve the first consideration of proposed Sioux County Ordinance No. 14 and to proceed with a second and final consideration on December 3, 2002. Roll Call on Vote: Sybesma, Yes; Beernink, Yes; Bouma, Yes; Smith, Absent; and De Haan, Yes. Carried, unanimous in favor with one member absent.

Jim Schwiesow, County Sheriff; and Dan Altena, County Deputy Sheriff, met with the Board this date to request approval and a Chairman's signature on a proposed contract with the U.S. Marshall's office contract that will provide an amount of \$375,000.00 for construction and operation costs for the new County Public Safety Center and County Sheriff's department. The contract also states that Sioux County will make available fifteen beds for federal inmates for ten years in the new County Public Safety Center at a daily rate to be determined by the U.S. Marshall's office.

Coleman McAllister, Assistant County Attorney, was present for the aforementioned matter and reported on the contents of a proposed contract with the U.S. Marshall's office.

Motion by Beernink and supported by Sybesma to approve and authorize the Chairman to sign a contract with the U.S. Marshall's office that will provide an amount of \$375,000.00 for construction and operation costs for the new County Public Safety Center and County Sheriff's department. The contract also states that Sioux County will make available fifteen beds for federal inmates for ten years in the new County Public Safety Center at a daily rate to be determined by the U.S. Marshall's office. Carried, unanimous in favor with one member absent.

Doug Julius, County Engineer, met with the Board this date to request approval and a Chairman's signature on various documents. He also reviewed the pavement marking maintenance and construction program for calendar year 2002.

Motion by De Haan and supported by Beernink to approve and authorize the Chairman to sign the following Joint Sioux County/Hawarden Speed Limit Resolution:

RESOLUTION NO. 2002-25

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285 of the Code of Iowa to determine that the Speed Limit on any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS: Sioux County and the City of Hawarden, Iowa have concurrent jurisdiction over the extension of Buchanan Avenue (K18) on the East Corporate Limits (ECL) of Hawarden, Iowa and east line of Section 2, T94N, R48W (Logan Twp.), and

WHEREAS: The City of Hawarden, Iowa has requested that a reasonable and proper Speed Limit be established for the safety of pedestrians, residents, children, and the traveling public

NOW, THEREFORE, BE IT RESOLVED by the Sioux County Board of Supervisors and the City of Hawarden, Iowa that a Speed Limit be established and the appropriate signs be furnished and maintained by the City of Hawarden, Iowa and be erected by Sioux County, Iowa at the following location.

- 1) On Buchanan Avenue (K18) on the East Corporate Limits (ECL) of Hawarden, IA from the intersection of Buchanan Avenue (K18) and IA Hwy #10 south approximately 1230 feet, 25 MPH from that point south approximately 1230 feet, 35 MPH from that point south approximately 1230 feet, 45 MPH.

Passed and Approved this 26th day of November, 2002.

/s/ Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange
Sioux County Auditor

/s/ Ricard R. Porter, Mayor
City of Hawarden

ATTEST: /s/ Craig M. Coffey
Hawarden City Clerk

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

Carried, unanimous in favor with one member absent.

Motion by De Haan and supported by Sybesma to approve and authorize the Chairman to sign the following Joint Sioux County/Hawarden Speed Limit Resolution:

RESOLUTION NO. 2002-26

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285 of the Code of Iowa to determine that the Speed Limit on any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS: Sioux County and the City of Hawarden, Iowa have concurrent jurisdiction over the road lying on the East Corporate Line (ECL) of Hawarden, Iowa along the west side of Section 36, T95N, R48W (Buncombe Twp), and

WHEREAS: The City of Hawarden, Iowa has requested that a reasonable and proper Speed Limit be established for the safety of pedestrians, children, and the traveling public near and around the High School and residential areas

NOW, THEREFORE, BE IT RESOLVED by the Sioux County Board of Supervisors and the City of Hawarden, Iowa that a Speed Limit be established and the appropriate signs be furnished and maintained by the City of Hawarden, Iowa and be erected by Sioux County, Iowa at the following locations.

- 1) On Buchanan Avenue (K18) on the East Corporate Line (ECL) of Hawarden, Iowa from the intersection of Iowa Hwy 10 and Buchanan Avenue north to 13th Street approximately 975 feet, 25 M.P.H. from that point north to 16th Street approximately 1725 feet, 35 M.P.H. from that point north to 23rd Street (440th Street) approximately 2455 feet, 45 M.P.H.
- 2) On 440th Street (23rd Street) from the intersection of Buchanan Avenue and 440th Street (23rd Street) on the East Corporate Line (ECL) of Hawarden, Iowa west to Avenue "L" in Hawarden, Iowa approximately 2960 feet, 45 M.P.H. from that point west to Avenue "E" (IA Hwy #10) in Hawarden, Iowa approximately 2100 feet, 35 M.P.H.

Passed and Approved this 26th day of November, 2002.

/s/ Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange

Sioux County Auditor

/s/ Ricard R. Porter, Mayer
City of Hawarden

ATTEST: /s/ Craig M. Coffey
Hawarden City Clerk

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

Carried, unanimous in favor with one member absent.

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

Permit Agreement with Hickory Tech for road right-of-way crossings in Sections 12 and 13 of Eagle Township.

Grants to Counties Well Program Application Form with the Iowa Department of Public Health in a total amount of \$12,518.00 for fiscal year 2004.

Contract with Hagedorn & Avery Construction Company of Spirit Lake to crush, weigh and stockpile 40,000 ton of gravel at the Chatsworth Pit in a total amount of \$55,600.00.

Carried, unanimous in favor with one member absent.

Motion by Sybesma and supported by De Haan to appoint the following persons to the Sioux County Judicial Magistrate Appointing Commission for six year terms ending December 31, 2008:

Harold Van Wettering, Hospers
Ardene Ver Hoef, Sioux Center
Bob Bonderson, Hawarden

Carried, unanimous in favor with one member absent.

Motion by Sybesma and supported Beernink to approve and authorize the Chairman to sign two U.S. Department of Agriculture Conservation Reserve Program Contracts for operators Peter I. Noteboom Revocable Trust of Orange City and LuVerne R. Vanderham of Beaverton, Oregon. Carried, unanimous in favor with one member absent.

Motion by De Haan and supported by Beernink to approve and authorize the Chairman to sign the following Dedication and Plat of Schuiteman Addition Resolution:

RESOLUTION NO. 2002-27

**RESOLUTION OF THE COUNTY OF SIOUX, IOWA TO APPROVE DEDICATION AND
PLAT OF SCHUITEMAN ADDITION, SIOUX COUNTY, IOWA**

At a meeting of the Board of Supervisors of Sioux County, Iowa, held on the 26th day of November, 2002, the following Resolution was proposed and adopted:

WHEREAS, the proposed Dedication and Plat of Schuiteman Addition, Sioux County, Iowa, has been submitted by Jay P. Schuiteman and Alissa J. Schuiteman to the County for review and,

WHEREAS, the County has found the Dedication and Plat conforms with the requirements of Chapter 354 of the Iowa Code and the County zoning ordinance; and

WHEREAS, it is in the best interest of the County to approve the Dedication and Plat,

THEREFORE, IT IS RESOLVED that the County of Sioux, Iowa, hereby approves and accepts the Dedication and Plat designated as Schuiteman Addition, Sioux County, Iowa, pursuant to the provision of Iowa Code chapter 354. The Chairman of the Board of Supervisors and the County Auditor are hereby directed to furnish Dan W. Plum of Rensink, Plum and Vogel, PO Box 345, 103 3rd Street NE, Orange City, Iowa 51041, a certified copy of this Resolution as required by Iowa law.

Passed and adopted this 26th day of November, 2002.

/s/ Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange
Sioux County Auditor

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

Carried, unanimous in favor with one member absent.

Motion by Beernink and supported by Sybesma to approve and authorize the Chairman to sign a Second Amendment to Lease Agreement with the Iowa Department of Human Services for space occupied in the County Department of Human Services/Public Health Facility for case management.

Carried, unanimous in favor with one member absent.

The Board approved payment of claims as presented by the County Auditor from all departments this date.

The Chairman adjourned the meeting until Tuesday, December 3, 2002.

Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor