

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON DECEMBER 16, 1997

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 William Vander Maten, Vernon Beernink, Loren Bouma, and Bernard L. Smith. Hubert Schuller was absent for the first part of the meeting.

The minutes of December 2, 1997, were read and on motion and vote stand approved as read.

Committee reports were given this date.

Mark Schouten, County Attorney, met with the Board this date to demonstrate a warrant document assembly program.

Mark Schouten, County Attorney, reported that the County Board of Supervisors will have depositions taken on February 24 and 25, 1998, pertaining to the Jan Cain, Plaintiff, vs. Sioux County Board of Health and Sioux County Board of Supervisors, Defendants, if the dates are agreeable to the County Board of Supervisors.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, met with the Board this date to review an Application for Anhydrous Ammonia Storage Installation that was submitted by Tri-State Ag. Corporation, Hull.

The Board reviewed the aforementioned Application for Anhydrous Ammonia Storage Installation and chose not to make any comments. The Iowa Department of Agriculture will make the final determination and enforces all regulations pertaining to anhydrous ammonia installation facilities.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, also reported that the Sioux Falls Fire Department will also offer hazardous material response services. The consensus of the Board was to instruct him to explore their rates for hazardous material response services.

Hubert Schuller, County Supervisor, arrived at the meeting at this time.

Mary Negaard, Executive Director of the Foster Grandparent Program, met with the Board this date to submit and discuss a budget request in an amount of \$8,000.00 for fiscal year 1998-99.

Motion by Smith and supported by Beernink to approve and authorize the Chairman to sign a one year Cash Lease with Gregory P. Lynott and Denise R. Lynott, Hawarden, in a total amount of \$3,500.00 commencing on March 1, 1998, on the following described real estate:

The East 1/2 of the Southeast 1/4 of Section 28, Township 95 North, Range 48 West of the 5th P.M., Union County, South Dakota, except the Southwest 1/4 of the Southeast 1/4 of said Section 28-95-48,

with the stipulation that County Supervisors, William Vander Maten and Vernon Beernink, personally inspect the aforementioned real estate prior to establishing a fair per acre rent for the next Cash Lease. Carried, unanimous in favor.

Motion by Schuller and supported by Beernink to sign a letter of support on behalf of Mid-Sioux Opportunity, Inc., that is addressed to the Joint Homeless Assistance Grant Review Committee of the Department of Education. The program would provide rent and utility assistance in a five county area. Carried, unanimous in favor.

As this was the date and 10:30 o'clock A.M. the time set for hearing on the intention to sell Sioux County owned property, said hearing was held after the Board was informed that the notice of hearing had been published according to law.

The following persons were present for the hearing:

John Jongma, Hawarden,
Carlo Jensen, Hawarden
John Koerselman, Sioux Center

No comments against the sale of said property were received in writing or presented orally. The Chairman declared the hearing closed.

Motion by Beernink and supported by Smith to approve and authorize the Chairman to sign the following Sioux County Property Sale Authorization Resolution:

RESOLUTION NO. 97-23

WHEREAS, the Board of Supervisors of Sioux County, Iowa, has held a hearing after duly published notice, on the 16th day of December, 1997, at 10:30 o'clock A.M. in the Board of Supervisors' Room of the Sioux County Court House in Orange City, on a proposal to sell by public auction the following described real estate:

A strip of land two rods wide along the south side of the SE1/4 of Section 22, Township 94 North, Range 48 West of the 5th P.M. and a strip of land two rods wide along the north side of the NE1/4 of Section 27, Township 94 North, Range 48 West of the 5th P.M.

WHEREAS, the Board has determined that the same is not needed for county purposes and that it would be in the best interest of the county that same should be sold,
NOW, THEREFORE, BE IT RESOLVED that Sioux County, by its Board of Supervisors, shall sell the foregoing real estate to Carlo Jensen, Hawarden; and BDJ, Inc., Sioux Center, contingent upon Carlo Jensen signing an easement unto Sioux County for road purposes. Sioux County will convey title by Quit Claim Deeds.

Dated and signed this 16th day of December, 1997.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor.

Motion by Smith and supported by Beernink to authorize the Chairman to sign Quit Claim Deeds conveying the aforementioned Sioux County owned property as follows:

Commencing at the NE corner of Section 27, Township 94 North, Range 48 West of the 5th P.M., thence West on the section line a distance of 50.0 feet to the point of beginning. Thence West on the section line a distance of 718.0 feet, thence South 33.0 feet, thence East 718.0 feet, thence North 33 feet to the point of beginning, containing .54 acres and also a parcel commencing at the SE corner of Section 22, Township 94 North, Range 48 West of the 5th P.M., thence West on the section line a distance of 50.0 feet to the point of beginning. Thence West on the section line a distance of 718.0 feet, thence North 33.0 feet, thence East 718 feet, thence South 33.0 feet to the point of beginning, containing .54 acres for a combined acreage of 1.08 acres.

Carlo A. Jensen, Hawarden - \$500.00

Commencing at the NE corner of Section 27, Township 94 North, Range 48 West of the 5th P.M., thence West on the section line a distance of 768.0 feet to the point of beginning. Thence West on the section line a distance of 1872.0 feet, thence South 33.0 feet, thence East 1872.0 feet, thence North 33 feet to the point of beginning, containing 1.42 acres and also a parcel commencing at the SE corner of Section 22, Township 94 North, Range 48 West of the 5th P.M., thence West on the section line a distance of 768.0 feet to the point of beginning. Thence West on the section line a distance of 1872.0 feet, thence North 33.0 feet, thence East 1872.0 feet, thence South 33.0 feet to the point of beginning, containing 1.42 acres for a combined acreage of 2.84 acres - BDJ, Inc., Sioux Center - \$200.00

Carried, unanimous in favor.

Motion by Vander Maten and supported by Schuller to approve and authorize the Chairman to sign a Management Agreement with the Iowa Department of Natural Resources for the Rock Sioux Access which is described as Government Lot One (1) in Section One (1), Township Ninety-Five (95) North, Range Forty-Eight (48) West of the 5th P.M., containing Thirty (30) acres according to the plat of the original government survey, subject to public highways. Carried, unanimous in favor.

Doug Julius, County Engineer, met with the Board this date to report that a Smoothness Award was awarded to the Sioux County Engineering Office and Rohlin Construction Company, Estherville by the Iowa Asphalt Paving Association for secondary road paving of Project No. FM-84(74)--55-84.

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

Permit Agreement with MFS Network Technologies Corporation of the State of Delaware for numerous road right-of-way crossings in Buncombe, Center, Eagle, Welcome and West Branch Townships.

Sioux County Plans for Project Numbers FM-84(75)--55-84 - Div. I, STP-S-84()--5E-84 - Div. II, STP-S-84()--5E-84 - Div. III, L-13-99--73-84 - Div. IV, and L-7-99--73-84 - Div. V.

Permit Agreement with MFS Network Technologies Corporation of the State of Delaware for road right-of-way crossings in Sections 31, 35, 36 in Buncombe Township.

Carried, unanimous in favor.

Motion by Beernink and supported by Smith to approve the purchase by Doug Julius, County Engineer, of a new 140H Caterpillar motorgrader less trade of one 1982 140G motorgrader for an approximate net purchase price of \$131,950.00, with the stipulation that the greatest trade-in value for the 1982 140G Caterpillar be obtained. Carried, unanimous in favor.

Doug Julius, County Engineer, also showed a video entitled Stressing Our Future which dealt with the stress put on hard surfaced roads by farm equipment including grain carts, wagons and liquid manure tanks.

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 23, 1997.

Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor