

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON JANUARY 3, 2005

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:45 o'clock a.m. with Dennis Lange, County Auditor, presiding as Temporary Chairman until a new Chairman was appointed. Members present were Loren Bouma, Vernon Beernink, Mark Sybesma, John Degen and Stanley L. De Haan.

Oaths of office were administered to John Degen, County Supervisor; Mark Sybesma, County Supervisor; Vernon Beernink, County Supervisor; Dan Altena, County Sheriff; and Dennis Lange, County Auditor by Judge James Scott at 9:30 o'clock a.m. in the courtroom prior to the County Board of Supervisors meeting.

Motion by Bouma and supported by Beernink to appoint Mark Sybesma, County Supervisor, as Chairman of the Board of Supervisors for calendar year 2005. Carried, unanimous in favor.

Mark Sybesma, Chairman of Board, presided over the remainder of the meeting.

Motion by De Haan and supported by Degen to appoint Vernon Beernink, County Supervisor, as Vice-Chairman of the Board of Supervisors for calendar year 2005. Carried, unanimous in favor.

Mark Sybesma, Chairman of Board, appointed the following committees for calendar year 2005:

Residential Training Center:
De Haan, Chairman; and Sybesma

County Farm:
Sybesma, Chairman; and De Haan

County Buildings and Grounds:
Beernink, Chairman; and Degen

County Personnel and Policy:
Sybesma, Chairman; and De Haan

County Communications:
Bouma, Beernink and Degen, Alternate

Civil Defense and Enhanced Services:
Beernink, Chairman; and Degen, Alternate

Creative Living Center:
Bouma, Chairman; and De Haan, Alternate

Sanitary Landfill:
Degen, Chairman; and Bouma, Alternate

MH/MR/DD/BI Planning Council (Cluster Board):
Bouma and De Haan

REAP, Conservation Board Liaison and Northwest Prairie RC & D:
Sybesma, Chairman; and Bouma, Alternate

County Decategorization Board and Empowerment Board:
Sybesma, Chairman; and Bouma, Alternate

Northwest Iowa Alcoholism and Drug Abuse Treatment Unit Board:
Bouma and Sybesma

Mid-Sioux Opportunity:
Beernink, Chairman; and De Haan

Regional Transit Authority:
Beernink, Chairman; and De Haan

Third Judicial District Department of Correctional Services:
Sybesma, Chairman; and Bouma, Alternate

County Emergency Medical Services Board:
Degen, Chairman; and De Haan, Alternate

Northwest Iowa Mental Health Consortium Board:
Bouma, Chairman; and Beernink, Alternate

Work Force Development:
De Haan, Chairman; and Beernink, Alternate

Cherokee Mental Health Institute – Advisory Committee:
De Haan, Chairman; Bouma, Alternate

Northwest Iowa Planning and Development Commission:
Beernink, Chairman; and De Haan, Alternate

Department of Human Services Service Area Advisory Board:
Mark Sybesma

(YES) Youth Emergency Services Board:
Bouma, Chairman; and Beernink, Alternate

Regional Airport Board:
Beernink and Sybesma, Doug Julius, Alternate

Motion by De Haan and supported by Bouma to appoint Doug Julius as County Engineer for calendar year 2005. Carried, unanimous in favor.

Motion by De Haan and supported by Bouma to appoint Doug Julius as County Weed Commissioner for calendar year 2005. Carried, unanimous in favor.

Motion by Beernink and supported by De Haan to appoint Mark Dunlop as County Emergency Management Services Coordinator and County Zoning Administrator for calendar year 2005. Carried, unanimous in favor.

Motion by Degen and supported by Beernink to appoint Shane Walter as County Community Services Director for calendar year 2005. Carried, unanimous in favor.

Motion by De Haan and supported by Beernink to appoint Micah Van Maanen as County Information Technology Director for calendar year 2005. Carried, unanimous in favor.

Motion by De Haan and supported by Beernink to appoint Bill Feldhacker as County Veterans Affairs Director for calendar year 2005. Carried, unanimous in favor.

Melissa O'Rourke, County Attorney, met with the Board this date to report that she could not issue an opinion on a proposed Quit Claim Deed from Sioux County to

Douglas A. Winterfeld and Daniel A. Winterfeld and stated that she or Coleman McAllister, Assistant County Attorney, have not reviewed the abstract and considered the real estate matter a private transaction. She advised the Board to wait to make a decision on the real estate matter until they hear from Loren Veldhuizen, attorney for Klay, Veldhuizen, Bindner, De Jong & Jacobsma; Darwin Koele, representative for Sioux Abstract Company; and Linda Feikema, County Deputy Auditor.

Mark Dunlop, County Emergency Management Services Coordinator and Zoning Administrator, was present for the aforementioned proposed real estate transaction involving Sioux County and a private party who wanted immediate answers on zoning issues pertaining to the real estate matter. He stated that immediate answers on zoning issues could not be made at this time.

Motion by Bouma and supported by Beernink to appoint R.A. Jongewaard as County Medical Examiner for a two year term expiring December 31, 2006. Carried, unanimous in favor.

Motion by Bouma and supported by Beernink to appoint Ernest Moss, Ronald Boote and Terry Kooima to the County Planning and Zoning Commission for five year terms ending December 31, 2009. Carried, unanimous in favor.

Motion by Bouma and supported by De Haan to appoint John Miller to the County Zoning Board of Planning Adjustment for a five year term ending December 31, 2009. Carried, unanimous in favor.

Motion by Beernink and supported by Degen to appoint Ron Damstra to the County Board of Health for a three year term ending December 31, 2007. Carried, unanimous in favor.

Motion by De Haan and supported by Degen to appoint Gordon Pottebaum to the County Conservation Board for a five year term ending December 31, 2009. Carried, unanimous in favor.

Motion by Degen and supported by Bouma to appoint Jerry Jensen to the County Conservation Board for an unexpired term ending December 31, 2008. Carried, unanimous in favor.

Motion by De Haan and supported by Degen to declare that a contest does exist for the selection of the three official county newspapers; and to instruct Dennis Lange, County Auditor, to notify the five official county newspaper applicants that they are to deposit with the County Auditor, in a sealed envelope, a statement, verified by the applicant, showing the names of the applicant's bona fide yearly subscribers living within the county and the place at which each such subscriber receives such newspaper, and the manner of its delivery. The Board will determine the bona fide yearly subscribers of each official county newspaper applicant at 9:45 o'clock a.m. on January 11, 2005. Carried, unanimous in favor.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign the following County Representative to Regional Housing Authority Resolution:

RESOLUTION NO. 2005-01

RESOLUTION DECLARING THE NEED FOR A HOUSING

AUTHORITY IN SIOUX COUNTY, IOWA

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

That the Board of Supervisors of Sioux County, Iowa hereby determine, find, and declare that:

1. Unsanitary and/or unsafe inhabited dwelling accommodations exist in Sioux County, Iowa; and
2. There is a shortage of safe and/or sanitary swelling accommodations in Sioux County, Iowa available to persons of low income or rentals they can afford; and
3. There is need for a housing authority to function in Sioux County, Iowa; and
4. That Sioux County, Iowa will join with other counties and municipalities similarly situated for the purpose of creating a multi-county housing authority that can command the resources necessary to develop housing in Sioux County, Iowa and other counties and municipalities similarly situated; and
5. That the Board of Supervisors of Sioux County, Iowa, shall join together with other counties and municipalities to create the Northwest Iowa Regional Housing Authority. Such authority may exercise any power, privilege of authority authorized by the Iowa Constitution or statute or charter, including the development and management of housing in Sioux County, Iowa and similarly situated Counties and Municipalities; and
6. The shortage of safe and sanitary dwelling accommodations in Sioux County, Iowa at rent which persons of low income can afford, compels that this resolution become effective without delay, I and therefore, the same shall take effect and be in force immediately upon its adoption.

WHEREAS, a resolution has been passed and adopted entitled “Resolution Approving and Authorizing of a Certain Joint Exercise of Powers Agreement for the Purpose of Creating a Multi-County Housing Authority.”

NOW, THEREFORE, Pursuant to the provisions of Chapter 28E, Code of Iowa, and by virtue of our office as Board of Supervisors, we hereby appoint the one (1) person hereinafter named to serve as Representative of the Northwest Iowa Regional Housing Authority, representing Sioux County, Iowa and to serve for the number of years appearing after his/her name respectively, from the 3rd day of January,

2005.	<u>Mark Sybesma</u>	<u>Three</u>
	Name of Representative	Number of Years

IN WITNESS WHEREOF, I have hereunto signed my name as Chairperson of Sioux County, Iowa Board of Supervisors and caused the official corporate seal of Sioux County, Iowa To be attached hereto this 3rd day of January, 2005.

/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; Degen, Yes; and De Haan, Yes. Carried, unanimous in favor.

Shane Walter, County Community Services Director, met with the Board this date to report on the Monthly MH/DD Service Expenditure Report covering the period from July 1 to December 31, 2004.

Mark Dunlop, County Emergency Management Services Coordinator and Zoning Administrator, met with the Board this date to request approval and a Chairman's signature on an ambulance agreement with the City of Rock Valley and a matrix construction evaluation resolution.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign an Ambulance Agreement with the City of Rock Valley in an amount of \$38,500. The amount of \$38,500.00 is considered Sioux County's contribution toward the total purchase of said ambulance. Carried, unanimous in favor.

Motion by De Haan and supported by Degen to approve and authorize the Chairman to sign the following Matrix Construction Evaluation Resolution:

RESOLUTION NO. 2005-02

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors establishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to

approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2005 and January 31, 2006 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

/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; Degen, Yes; and De Haan, Yes. Carried, unanimous in favor.

Rob Klocke, Executive Director of the County Conservation Board, met with the Board this date to report that the County Conservation Board has planned to build two cabins at Oak Grove Park. He stated that the total proposed cost for the two cabins would be approximately \$30,000.00. He stated that an amount of \$40,000.00 is being budgeted for fiscal year 2006 and will be paid out of the REAP Account. He also reported on a potential land acquisition near the Boyden Pit.

Loren Veldhuizen, attorney for Klay, Veldhuizen, Bindner, De Jong & Jacobsma, met with the Board this date to report that a private owner adjacent to county blacktop

B30 who needs a Quit Claim Deed not to acquire anything new but to clarify where the boundary line between private property and Sioux County road right-of-way is. He stated that Darwin Koele, representative for Sioux Abstract Company, came up with a better legal description to describe the property boundary lines in question. He further stated that the financing agency Farm Credit Services of America reaffirmed that a Quit Claim Deed from Sioux County to Douglas A. Winterfeld and Daniel A. Winterfeld would clarify the boundary line between private property and Sioux County road right-of-way.

Motion by Beernink and supported by Bouma to approve and authorize the Chairman to sign a Quit Claim Deed to Douglas A. Winterfeld and Daniel Winterfeld pertaining to the following described property:

The East Half of the Northwest Quarter (E1/2NW1/4) of Section Seventeen (17), Township Ninety-six (96) North, Range Forty-seven (47) West of the 5th P.M., subject to public highway, EXCEPT the following two tracts:

Tract 1. That part of the East Half of the Northwest Quarter (E1/2NW1/4 of Section Seventeen (17), Township Ninety-six (96) North, Range Forty-seven (47) West of the 5th P.M., conveyed to Sioux County, Iowa, by Deed recorded in Book 45 – Page 14;

Tract 2. That part of the East Half of the Northwest Quarter (E1/2NW1/4 of Section Seventeen (17), Township Ninety-six (96) North, Range Forty-seven (47) West of the 5th P.M., conveyed to Sioux County, Iowa, by Deed recorded in Book 51 – Page 537.

Carried, unanimous in favor.

The following persons were present for the aforementioned real matter:

Darwin Koele, representative for Sioux Abstract Company
Melissa O'Rourke, County Attorney
Linda Feikema, County Deputy Auditor
Mark Dunlop, County Emergency Management Services Coordinator and Zoning Administrator
Doug Julius, County Engineer
Ken Oldenkamp, Technician in County Engineer's Office

Doug Julius, County Engineer, met with the Board this date to request approval

and a Chairman's signature on various documents.

Motion by Degen and supported by De Haan to approve and authorize the Chairman to sign an Iowa Department of Transportation Agreement for Federal-Aid Surface Transportation Program Project for Project No. STP-S-C084(114)--5E-84.

Carried, unanimous in favor.

Motion by De Haan and supported by Degen to approve and authorize the Chairman to sign Sioux County Plans for bridge deck overlay Project No. SBRM-0130(601)--8F-84. Carried, unanimous in favor.

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

The Chairman adjourned the meeting until Tuesday, January 11, 2005.

Mark Sybesma, Chairman

Sioux County Board of Supervisors

ATTEST: Dennis Lange

Sioux County Auditor