

## **MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**

### **MEETING HELD ON JANUARY 29, 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, Bernard L. Smith and Stanley L. De Haan.

Minutes of January 15, 2002 were read and on motion and vote stand approved as read and amended.

Committee reports were given this date.

Mark Schouten, County Attorney, met with the Board this date to review the contents of a Community Economic Betterment Account (CEBA) Loan Agreement and Promissory Note in connection with a Community Economic Betterment Account (CEBA) award approved by the Iowa Department of Economic Development to Jabacin Technologies, Inc. in a total amount of \$78,000.00.

Motion by Beernink and supported by Sybesma to approve and authorize the Chairman to sign the Community Economic Betterment Account (CEBA) Loan Agreement in connection with a Community Economic Betterment Account (CEBA) award approved by the Iowa Department of Economic Development to Jabacin Technologies, Inc. in a total amount of \$78,000.00. Roll Call on Vote: Sybesma, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

Motion by Sybesma and supported by De Haan to approve the smaller federal cell standards for the new County Public Safety Complex instead of the larger cell standards as required by the State of Iowa upon receipt of a signed variance by appropriate State of Iowa

officials. Roll Call on Vote: Sybesma, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and De Haan, Yes. Carried, unanimous in favor.

Jim De Muth, Executive Director for Plains Area Mental Health Center; and Stanton Visser, Psychotherapist for Plains Area Mental Health Center, met with the Board this date to submit and discuss a budget request in an amount of \$115,752.00 for fiscal year 2003.

As this was the date and 10:15 o'clock a.m. the time set for consideration and review of a dairy construction permit application to the Iowa Department of Natural Resources and received by the Sioux County Auditor from Middendorp Dairy, said consideration and review was held according to law.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, was present to explain the contents of the dairy construction permit application.

Dennis Lange, County Auditor, reported that no written or oral comments were received for or against said proposal.

Motion by Beernink and supported by Sybesma to not forward any comments to the Iowa Department of Natural Resources on the aforementioned construction permit application. Carried, unanimous in favor.

Donald Jacobsma, Mark Schuiteman, Ardith Lein and Dennis Hulshof, representatives for the Sioux County Youth Fair Board, met with the Board this date to submit and review an income/expense statement for the Sioux County Youth Fair covering the period from October 1, 2000 through September 30, 2001. There budget request was an amount of \$15,000.00 for fiscal year 2003.

Ali Child, Marketing Representative for Wellmark-Blue Cross/Blue Shield, met with the Board this date to review Sioux County's health insurance package which is with the Iowa State

Association of Counties group health insurance program including a partial self-funding plan with Wellmark-Blue Cross/Blue Shield.

Motion by De Haan and supported by Smith to select Plan 5, Alliance Select 500 health insurance plan as offered by the Iowa State Association of Counties and a Partial Self Funded Plan with Wellmark-Blue Cross/ Blue Shield as Sioux County's health insurance package for Sioux County employees effective July 1, 2002. Carried, unanimous in favor.

Robert Hagey, County Treasurer, met with the Board this date to review the Semi-annual Settlement of the Board of Supervisors of Sioux County, Iowa, for the period from July 1, 2001 to December 31, 2001.

Motion by De Haan and supported by Beernink to accept the Semi-annual Settlement of the Board of Supervisors of Sioux County, Iowa, for the period from July 1, 2001 to December 31, 2001 inclusive as shown below:

**(EXHIBIT)**





Carried, unanimous in favor.

Robert Hagey, County Treasurer, also reported on an annual report for the Sioux County Economic Development Revolving Loan Fund for calendar year 2001.

Motion by Smith and supported by De Haan to continue the Sioux County Economic Development Revolving Loan Fund program for calendar year 2002. Carried, unanimous in favor.

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

Motion by Sybesma and supported by Beernink to approve and authorize the Chairman to sign an Iowa Department of Natural Resources Grant Agreement with Sioux County to assist with costs pertaining to well abandonment, well testing and well rehabilitation for fiscal year 2003.

Carried, unanimous in favor.

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

Iowa Department of Transportation Agreement for Federal-Aid Highway Bridge Replacement and Rehabilitation (HBRR) Program Project for Sioux County Project No. BROS-CO84(82)--5F-84.

Iowa Department of Transportation Agreement for Federal-Aid Highway Bridge Replacement and Rehabilitation (HBRR) Program Project for Sioux County Project No. BROS-CO84(97)--8J-84.

Detour Agreement with the Iowa Department of Transportation for the use of Sioux County Secondary Roads due to the closing of U.S. Highway 18 to allow placement of a bridge over the Rock River approximately 1.25 miles west of Rock Valley.

Detour Agreement with the Iowa Department of Transportation for the use of Sioux County Secondary Roads due to the closing of Iowa Highway 60 for to the replacement of Illinois-Milwaukee Line Railroad.

Iowa Department of Transportation Contract Construction Progress Voucher for Rohlin Construction Company of Estherville for FM-CO84(92)--55-84.

Carried, unanimous in favor.

The consensus of the Board pertaining to a written request received from Dennis Henrich of Le Mars demanding Sioux County to pay the Margaret A. Henrich Estate the amount of \$3,150.00 plus one-half the landfill fees to cleanup Sioux County owned abandoned gravel pits located in Section 20 of Sherman Township was to deny said request. Sioux County will also proceed with hearing and auction proceedings to dispose of two Sioux County owned gravel pits if anyone would guarantee an amount of \$125.00 to cover publication costs.

Shane Walter, County Mental Health Services Administrator, met with the Board this date to approve and authorize the Chairman to sign a grant extension naming Sioux County as fiscal agent for the Benefits for Beginners program though empowerment.

Motion by Sybesma and supported by Beernink to approve and authorize the Chairman to sign a grant extension naming Sioux County as fiscal agent for the Benefits for Beginners program though empowerment. Carried, unanimous in favor.

Motion by Smith and supported by De Haan to approve and authorize the Chairman to sign the following Iowa Municipalities Workers' Compensation Association Resolution:

#### **RESOLUTION NO. 2002-02**

WHEREAS, the Iowa Municipalities Workers' Compensation Association, a Chapter 28E association, has been established as a group self-insurance program, for the purpose of providing coverage for workers' compensation and related employer liability to Iowa cities, counties, 28E entities and a political subdivision and,

WHEREAS, the county of Sioux County desires to become a member of the Association, a self-insured group, in order to obtain coverage for workers' compensation and related employer liability.

NOW, THEREFORE, BE IT RESOLVED that the county of Sioux County hereby adopts the Agreement of the Iowa Municipalities Workers' Compensation Association, and authorizes and directs the Chair of the County Board of Supervisors and the County Auditor to execute the documents necessary for the county to become a member of the Association.

Passed this 29<sup>th</sup> day of January, 2002.

I hereby certify that this Resolution was properly adopted on the above date.

/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, Yes; and De Haan, Yes.

Carried, unanimous in favor.

Board Member Sybesma introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$6,000,000 GENERAL OBLIGATION BONDS", and moved its adoption. Board Member De Haan seconded the motion to adopt. The roll was called and the vote was,

AYES: Mark Sybesma, Vernon Beernink, Loren Bouma, Bernard L. Smith and Stanley L. De Haan

NAYS: None

ABSENT: None

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION APPROVING ELECTRONIC BIDDING  
PROCEDURES OF \$6,000,000 GENERAL OBLIGATION  
BONDS

WHEREAS, the Board of Supervisors of Sioux County, State of Iowa, on January 29, 2002, fixed a sale date on \$6,000,000 General Obligation Bonds, which sale date was fixed for February 12, 2002; and

WHEREAS, the Board deems it in the best interests of the County and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication; and

WHEREAS, the Board has received information from its Financial Consultant recommending the procedure hereinafter described for electronic internet bidding so as to provide for the integrity of the competitive bidding process and to facilitate the delivery of bids by interested parties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SIOUX, IN THE STATE OF IOWA:

Section 1. That the Parity Competitive Bidding System described in the Notice of Sale is hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That all electronic bidding shall be submitted in substantial conformity with Chapter 554D of the Iowa Code.

Section 3. That the Notice of Bond Sale to be used is set out as follows:

One publication required)

NOTICE OF BOND SALE

Time, Place and Manner of Bidding: Bids for the sale of bonds of the County of Sioux, State of Iowa, will be received at the office of the County Treasurer in the Sioux County Courthouse in the City of Orange City, Iowa (the "Issuer") at 11:00 o'clock A.M., on the 12<sup>th</sup> day of February, 2002. The bids will then be publicly opened and referred for action to the meeting of the Board of Supervisors in conformity with the TERMS OF OFFERING.

The Bonds. The bonds to be offered are the following:

GENERAL OBLIGATION BONDS, in the principal amount of \$6,000,000, to be dated March 1, 2002 (the "Bonds").

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the County Treasurer of the County of Sioux, State of Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the County Treasurer of the County of Sioux, State of Iowa. The bids must be submitted through the Parity Competitive Bidding System.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the County Treasurer of the County of Sioux, State of Iowa. Electronic facsimile bids will be sealed and treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Board of Supervisors' Room, Courthouse, at a meeting of the Board on the above date at 12:00 o'clock Noon.

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the County Treasurer, Robert R. Hagey, Courthouse, 210 Central Avenue SW, Orange City, Iowa, 51041: Telephone (712) 737-2222; or to the Financial Consultant, Rex Ramsay, U.S. Bancorp Piper Jaffray Inc., 700 Walnut Street, Suite 1300, Des Moines, Iowa, 50309: Telephone (515) 247-2356.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accord with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: Said bonds will be sold subject to the opinion of Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the Board of Supervisors of Sioux County, Iowa.

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Treasurer of Sioux County, Iowa

(End of Notice)

Section 4. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

PASSED AND APPROVED this 29<sup>th</sup> day of January, 2002.

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

ATTEST: /s/ Dennis Lange  
Sioux County Auditor

Motion by Beernink and supported by De Haan to appoint George Rehder of Hawarden and Volney Rolston of Sheldon to serve on the County Compensation Board as representatives

for the County Board of Supervisors. The appointments will be for four year terms expiring on June 30, 2005. Carried, unanimous in favor.

Jan Vander Zwaag, Deputy Auditor; and Lois Huitink, Real Estate/Accounting Clerk, met with the Board this date to review proposed county department and organizational budget requests for fiscal year 2003.

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

The Chairman adjourned the meeting until Tuesday, February 5, 2002.

Loren Bouma, Chairman  
Sioux County Board of Supervisors

ATTEST: Dennis Lange  
Sioux County Auditor