

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

### **MEETING HELD ON MARCH 24, 1998**

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, Bernard L. Smith and Hubert Schuller.

The minutes of March 10, 1998, were read and on motion and vote stand approved as read.

Committee reports were given this date.

As this was the date and 9:30 o'clock A.M. the time set for receiving and hearing comments on two dairy confinement permit applications being submitted to the Iowa Department of Natural Resources, said hearing was held. Mark Dunlop, County Emergency Management Services Director and Zoning Administrator; and Dave Harmelink and Harry Vander Pol, President and Vice-president of Newkirk Dairy L.L.P., respectively, met with the Board this date to review the contents of a dairy confinement permit application being submitted by Newkirk Dairy L.L.P. to the Iowa Department of Natural Resources. No comments were received in writing or presented orally against said dairy confinement permit application.

Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, also reviewed the contents of a dairy confinement permit application being submitted by Ysselstein Dairy, Inc. to the Iowa Department of Natural Resources. No comments were received in writing or presented orally against said dairy confinement permit application.

The Chairman closed the hearing.

The consensus of the Board was not to forward any comments to the Iowa Department of Natural Resources on the two aforementioned dairy confinement permit applications.

Dwayne Alons, Hull, met with the Board this date to introduce himself as a candidate for State Representative Fifth District.

As this was the date and 10:00 o'clock A.M. the time set for receiving and hearing

comments on whether Sioux County should enter into a contract with a private, non-profit management services organization, Home Health Resources, Inc., “MSO”, to take over the public health functions currently being provided by Sioux County Public Health and Home Care, said hearing was held.

Marty Guthmiller, President of Home Health Resources, Inc., “MSO”, reviewed the contents of a proposed Community Health Agreement with the Sioux County Board of Health to provide home health, public health services, and homemaker services to residents of Sioux County.

The following persons were also in attendance for the public hearing:

Lloyd De Jong, Orange City  
Nancy Dykstra, Hull  
Phyllis Moes, Sioux Center  
LaVonne Miller, Sheldon  
Cindy Pottebaum, Alton  
Randy Van Roekel, Orange City  
Jeri Hass, Orange City  
Stuart Katz, Hawarden  
Stanton Visser, Rock Valley  
Deb Vander Plas, Ireton  
Chris Thomas, Rock Valley

Stuart Katz, Hawarden Community Hospital Administrator, commented on paragraphs three and twelve of the proposed Community Health Agreement between Home Health Resources, Inc. (“MSO”) and the Sioux County Board of Health.

Loren Bouma, Chairman of Board, reported that he had received a phone call from a party who was receiving health care services who was wondering how the proposed Community Health Agreement would affect said services.

Marty Guthmiller, President of Home Health Resources, Inc. (“MSO”), reported that a series of informational meetings could be held to indoctrinate persons who are currently receiving health care services as to how the proposed Community Health Agreement would affect them. He also reported that the Home Health Resources, Inc. (“MSO”) name may be

changed to Home Health Resources, Inc. (“MSO”) d/b/a Community Health Partners if approval is given.

No comments were received in writing or presented orally against said Community Health Agreement.

The Chairman closed the hearing.

Motion by Beernink and supported by Smith to recommend that the Sioux County Board of Health sign a Community Health Agreement with Home Health Resources, Inc. (“MSO”) d/b/a Community Health Partners to provide home health, public health services, and homemaker services to Sioux County residents for fiscal year 1998-99. Carried, unanimous in favor.

As this was the date and 10:00 o’clock A.M. the time set for consultation with health care providers concerning the allocation of single county contract grant monies from the Iowa Department of Public Health for fiscal year 1998-99, said consultation was held. The same group of persons present for the aforementioned proposed hearing on the Community Health Agreement was also present for this consultation meeting.

Nancy Dykstra, Director of Home Health Resources, Inc. (“MSO”); and Interim Administrator of Public Health-Home Care Agency of Sioux County, reported that the Board must decide on the distribution of Sioux County’s allocation of single contract grant monies from the Iowa Department of Public Health. She stated that there may be a reduction in the amount appropriated for Senior Health.

Motion by Beernink and supported by Smith to distribute Sioux County’s entire allocation of the single county contract grant monies from the Iowa Department of Public Health to the Sioux County Board of Health for fiscal year 1998-99. The single county contract grant monies will be distributed in the categories and approximate amounts as follows:

Home Care Aide/Chore	\$70,961.00
Public Health Nursing	23,743.00
Senior Health	23,265.00 (May Be Less)

Carried, unanimous in favor.

Motion by Schuller and supported by Vander Maten to approve and authorize the Chairman to sign a revised certificate appointing the required number of real estate owners in townships, real estate owners in cities, real estate brokers and bankers in Sioux County to serve on the Condemnation Board for Eminent Domain in compliance with Section 6B.4, 1997 Iowa Code, as shown on file in the County Auditor's Office. Carried, unanimous in favor.

Motion by Schuller and supported by Beernink to approve and authorize the Chairman to sign a letter of support in an amount of \$2,500.00 for Mid-Sioux Opportunity, Inc. to assist them with applying and obtaining a Family Development and Self Sufficiency Grant. The amount of \$2,500.00 would be payable contingent upon the award of an approved grant. Carried, unanimous in favor.

Motion by Smith and supported by Beernink to approve and authorize the Chairman to sign applications for a Class C Liquor License, Sunday Sales Privilege, and Outdoor Service Area for the Sandy Hollow Golf Association with an effective date of April 1, 1998. Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and Schuller, No. Carried.

Motion by Vander Maten and supported by Smith to go into executive session according to Section 21.5(1c), 1997 Iowa Code, with Mark Schouten, County Attorney; and Dave Van Engelenhoven, representative for Van Engelenhoven Agency, Inc., to discuss strategy with counsel in matters that are currently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. The subject matter dealt with the insurance coverage decision made by Continental Western Insurance Company pertaining to the District Court Case, Jan Cain, Plaintiff, vs. Sioux County Board of Health and Sioux County Board of Supervisors, Defendants. Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor.

Motion by Vander Maten and supported by Smith to go out of executive session according to Section 21.5(1c), 1997 Iowa Code. Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor.

As this was the date and 11:00 o'clock A.M. the time set for the hearing on a proposal requesting the creation of an agricultural area which was received and filed on February 26, 1998, said hearing was held after the Board was informed that notice had been published according to law. The proposal includes real estate owned by Clarence N. Bomgaars (Deceased), Dorothy Bomgaars, David C. Bomgaars, Anita R. Bomgaars, Roger D. Bomgaars, and Minerva R. Bomgaars.

No one appeared at the public hearing and no comments were received in writing or presented orally against said proposed agricultural area.

The Chairman closed the hearing.

Motion by Beernink and supported by Schuller to accept the petition and proposal as filed on February 26, 1998, and approve the creation of the agricultural area by the following persons:

Clarence N. Bomgaars (Deceased)  
Dorothy Bomgaars  
David C. Bomgaars  
Anita R. Bomgaars  
Roger D. Bomgaars  
Minerva R. Bomgaars

The entire petition and proposal, encompassing boundary description and title report are on file in the County Auditor's office for further reference. Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Yes; Smith, Yes; and Schuller, Yes. Carried, unanimous in favor.

Doug Julius, County Engineer, met with the Board this date to review a proposed Five Year Secondary Road Construction Program for fiscal year 1998-99. A final decision on the Five Year Secondary Road Construction Program will be made by the Board at the next scheduled meeting.

Motion by Smith and supported by Beernink to approve and authorize the Chairman to

sign the following documents:

Title Sheets for Sioux County Project Numbers L-1-98--3-84, L-9-98--3-84, and L-10-98--73-84. Iowa Department of Transportation Agreement for Federal-Aid Highway Bridge Replacement and Rehabilitation (HBRR) Program Project for Project No. BRS-84(67)--60-84 with Agreement No. 98-HBRR-058.

Carried, unanimous in favor.

Motion by Smith and supported by Beernink to approve and authorize Doug Julius, County Engineer, to commence proceedings to vacate an old roadway not used for road purposes that would revert back to the adjacent property owner Richard Dunn, Hawarden. The property is described as follows:

Commencing at the S.E. corner of Section 34, Township 95 North, Range 48 West of the 5th P.M. (Buncombe Township), thence west 2,130.1 feet, thence north 62.0 feet to the point of beginning (S.W. corner post of yard fence), thence North 62 degrees 17 minutes west 222.7 feet, thence north 48 degrees 2 minutes west 280.2 feet, thence south 37 degrees 33 minutes west 101.8 feet, thence south 54 degrees 9 minutes east 278.7 feet, thence south 0 degrees 7 minutes east 49.7 feet, thence north 89 degrees 32 minutes east 241.2 feet to the point of beginning, containing 0.88 acres.

Carried, unanimous in favor.

Doug Julius, County Engineer, opened the following bids for the purchase of either one or two tandem trucks:

<u>Company</u>	<u>Net Purchase Price</u>
Mouw Motor Co., Sioux Center	\$ 62,848.00 - One 125,696.00 - Two
Northwest Implement, Orange City	62,123.00 - One 124,246.00 - Two

The Board instructed Doug Julius, County Engineer, to review the bids before submitting a final recommendation to the Board.

As this was the date and 11:30 o'clock A.M. the time set for hearing on input into the proposed Sioux County Mental Health/Developmentally Disabled Services Management Plan, said hearing was held.

Dennis Sassman, Community Services Director, was present and reviewed the contents

of the proposed Sioux County Mental Health/Developmentally Disabled Services Management Plan.

No comments were received in writing or presented orally against said plan.

The Chairman closed the hearing.

Motion by Schuller and supported by Vander Maten to approve the proposed Sioux County Mental Health/Developmentally Disabled Services Management Plan with minor language changes to be submitted to the Iowa Department of Human Services. Carried, unanimous in favor.

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

The Chairman adjourned the meeting until Tuesday, March 31, 1998.

Loren Bouma, Chairman  
Sioux County Board of Supervisors

ATTEST: Dennis Lange  
Sioux County Auditor