

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON DECEMBER 2, 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, Bernard L. Smith and Hubert Schuller.

The minutes of November 25, 1997, were read and on motion and vote stand approved as read.

Committee reports were given this date.

Motion by Vander Maten and supported by Schuller to increase the mileage rate paid to county officials and employees to 28 cents per mile effective July 1, 1998. Carried, unanimous in favor.

Motion by Beernink and supported by Schuller to approve and authorize the Chairman to sign the following County Department Appropriation Resolution:

RESOLUTION NO. 97-22

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year 1997-98 in accordance with Section 331.434(6), 1997 Iowa Code. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Sioux County, Iowa, as follows:

SECTION 1. The amounts itemized by fund and by department or office on the attached schedule are hereby appropriated at 50% of total expenditures for each department from the resources of each fund so itemized, to the department or office listed in the first column on the same line of the attached schedule.

SECTION 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized funds.

SECTION 3. In accordance with Section 331.437, 1997 Iowa Code, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditures of money for a purpose in excess of the amounts appropriated pursuant to this resolution.

SECTION 4. If at any time during the 1997-98 budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund total appropriations, he or she shall immediately so inform the Board and recommend appropriate corrective action.

SECTION 5. The auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The auditor shall report the status of such accounts to the applicable departments and officers monthly during the 1997-98 budget year.

SECTION 6. All appropriations authorized pursuant to this resolution lapse at the close of business on June 30, 1998.

The above and foregoing resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on December 2, 1997.

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

ATTEST: /s/ Dennis Lange
Sioux County Auditor

(Exhibit)

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

Mark Schouten, County Attorney, met with the Board this date to report on the allegations contained in a lawsuit involving Jan Cain, Plaintiff, vs. Sioux County Board of Health and Sioux County Board of Supervisors.

Motion by Smith and supported by Beernink to go into executive session upon the recommendation of Mark Schouten, County Attorney, according to Section 21.5(1c), 1997 Iowa Code, to discuss strategy with counsel in matters that are presently 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. 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 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 10:00 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 November 6, 1997, said hearing was held after the Board was informed that notice had been published according to law. The proposal includes real estate owned by Donald L. Bouma, Linda A. Bouma, Karen Musselman, a/k/a Karen Mueselman, and Lance Musselman.

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

The Chairman closed the hearing.

Motion by Schuller and supported by Beernink to accept the petition and proposal as filed on November 6, 1997, and approve the creation of the agricultural area by the following persons as petitioned by the following persons:

Donald L. Bouma

Linda A. Bouma
Karen Musselman, a/k/a Karen Mueselman
Lance Musselman

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.

Nancy Dykstra, Director of Home Resources, Inc.; and Interim Administrator of Public Health-Home Care Agency of Sioux County, met with the Board this date to update them on the transition which involves Home Health Resources, Inc. providing the management for the Public Health-Home Care Agency of Sioux County through June 30, 1998.

Mark Schouten, County Attorney, was present for the aforementioned transition update.

Robert Hagey, County Treasurer; and Phylliss Kroon, County Assessor, met with the Board this date to explain the procedure used for the taxation and assessment of livestock confinement pits. Phylliss Kroon, County Assessor, reported that livestock confinement pits and/or slurry are exempt from taxation if an application for an exempt status is filed with the Iowa Department of Natural Resources and returned to the County Assessor's office by February 1 of that year. She also reported that applications for exempt status filing are mailed to all eligible parties. She stated that the livestock pit owned by Hoogendoorn Farms, Ltd. was erroneously assessed as a deep pit and should have been assessed as a shallow pit, and was subject to taxation for tax years 1995 and 1996 since an exempt status form was not filed timely.

Motion by Smith and supported by Schuller to approve a tax refund for Hoogendoorn Farms, Ltd. in a total amount of \$1,650.00 for tax year 1995 and 1996 on parcel number 000002321510020. Carried, unanimous in favor.

William Vander Maten, County Supervisor, left the meeting at this time.

Robert Hagey, County Treasurer, reported that the thirteen member study commission appointed by Governor Branstad on which he serves on voted to recommend to the legislature the expansion to allow another 42 counties to issue driver licenses. He stated that if the

recommendation is approved by the legislature, counties may submit applications to become one of the 42 additional counties that would be allowed to issue driver licenses.

Robert Hagey, County Treasurer, also reported on delinquent grain taxes in an amount of \$172.00 including penalty that remains unpaid on the old McNally Grain Company property that was previously owned by Phil Den Herder. Phil Den Herder had failed to file the proper grain documents with the Iowa Department of Revenue and Finance to report that there was no grain to report. The property has since been purchased by the Farmers Coop Society of Sioux Center with the delinquent tax showing as a lien against said property. At this point, there has been no written request from Farmers Coop Society of Sioux Center to have the delinquent grain taxes abated by the Board.

The Chairman adjourned the meeting until Tuesday, December 16, 1997.

Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor