

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON MAY 30, 2006

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:30 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Loren Bouma, Vernon Beernink, Mark Sybesma, John Degen and Stanley L. De Haan.

Minutes of the meeting held on May 16, 2006, were submitted and the Chairman declared them approved.

Melissa O'Rourke, County Attorney, requested a copy of the 28E Agreement with ISAC for processing unemployment claims. She reported that the Zoning Board and the Board of Adjustment approved an application for a special exception for building a residence on an agriculturally zones parcel of property.

Committee Reports:

Chairman Mark Sybesma reported that at the Regional Airport meeting a vote was passed to request \$10,000 from each entity participating in the project. This money would be payable after July 1. Environmental studies have been conducted regarding the location of the airport. Land owners in the proposed area have been contacted. Federal Funding for the airport project will be available.

A copy of the 28E Hazmat Agreement was distributed by Vern Beernink. Sioux County has spent \$220,000 to date on the Hazmat project. Twelve Iowa counties, half of Union County, South Dakota, and half of Dakota County, South Dakota are included in this regional group. Additional funding has been requested, discussion was deferred to a later date.

Motion by Beernink and supported by De Haan to withdraw from a 28E Agreement with ISAC to administer unemployment claims for Sioux County. Motion carried, unanimous in favor.

Jim Raymond, Zoning Administrator, reviewed an agreement with Northwest Iowa Planning to update a comprehensive development plan, subdivision regulation plan and zoning

ordinance. The time of completion of these plans is not to exceed 24 months and would cost \$14,000 for all three plans. A recommendation was made by the Planning and Zoning Board and the Board of Adjustment to approve hiring Northwest Iowa Planning and Development to provide a comprehensive development plan, subdivision plan and an updated zoning ordinance for Sioux County. Motion by Beernink and supported by Degen to approve and authorize the Chairman to sign Resolution 2006-12 to engage Northwest Iowa Planning and Development Commission to update the County's Comprehensive Development Plan, Zoning Ordinance, and Subdivision Regulations.

RESOLUTION No. 2006-12

A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA TO REQUEST THE ASSISTANCE OF THE STAFF OF THE NORTHWEST IOWA PLANNING AND DEVELOPMENT COMMISSION.

WHEREAS, Sioux County, Iowa has agreed to the Intergovernmental Cooperation Agreement creating the Northwest Iowa Planning and Development Commission (hereinafter called the Planning Agency) and is a member in good standing; and

WHEREAS, the County wishes to engage the Planning Agency to provide certain technical and professional services in connection with the . . .

Updating of the County's Comprehensive Development Plan, Zoning Ordinance, and Subdivision Regulations

WHEREAS, Article III.E of the Intergovernmental Cooperation Agreement gives the Planning Agency the responsibilities outlined in Chapters 28H and 28I, Code of Iowa;

NOW THEREFORE, it is hereby resolved by the Board of Supervisors of Sioux County that the Planning Agency be requested to provide staff assistance in the above mentioned project; and

THAT, the Board of Supervisors understands and will comply with Policy Council guidelines regarding the assessments of costs of the Planning Agency staff assistance.

Passed, approved and adopted this 30th day of May, 2006.

/s/ Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Lois Huitink
Sioux County Deputy Auditor

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Motion carried, unanimous in favor.

Motion by Bouma and supported by Degen to approve and authorize the Chairman to sign the following County Department Appropriation Resolution for Fiscal Year 2006.

RESOLUTION 2006-09

WHEREAS, it is unlawful for a Department Head to authorize the expenditure of a sum for a Department larger than the amount which has been appropriated for that Department by the Board; and

WHEREAS, proposed expenditures for the Treasurer, Data Processing and Nurses Departments will cause these departments to exceed the amounts budgeted for the fiscal year 2005-2006; and

WHEREAS, it is deemed necessary to increase the appropriations for the Treasurer, Data Processing and Nurses Departments to not be in violation of Iowa Code Section 331.437; and

THEREFORE, BE IT RESOLVED by the Board of Supervisors that the appropriations for the following Departments be changed as follows:

Treasurer Department be increased from \$466,499 to \$478,624

Data Processing Department be increased from \$213,253 to \$218,253

Nurses Department be increased from \$213,000 to \$218,000

Board of Supervisors Department be decreased from \$315,050 to \$305,925

Auditor Department be decreased from \$778,240 to \$775,240

General Services Department be decreased from \$504,100 to \$499,100

Veteran's Affairs Department be decreased from \$33,798 to \$28,798

The above and foregoing Resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on May 30, 2006.

/s/ Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Lois Huitink
Deputy Sioux County Auditor

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes.
Motion carried, unanimous in favor.

Robert Hagey, County Treasurer, requested that the Board Abate Taxes on the following parcels of Property:

| <u>Owner</u> | <u>Parcel</u> | <u>Year</u> | <u>Taxes</u> | <u>Reason</u> |
|-------------------|---------------|-------------|--------------|---------------|
| ORANGE CITY (110) | | | | |

| | | | | |
|-------------------------------|---------------|------|-----------|--------------------------------|
| Popken, Tracy | 36BB6514FBR2N | 2005 | \$ 138.00 | MH Removed by court owner |
| Popken, Tracy | 521211663 | 2005 | 94.00 | MH Removed by court owner |
| Siege, Steve | HF2572 | 2004 | 74.00 | MH junked 10/12/04 |
| ROCK VALLEY (120) | | | | |
| Munson, Leslie | A067841 | 2005 | 92.00 | MH removed |
| Tiedeman, Sanya | 003203760105 | 2003 | 10.00 | Shed removed |
| MOC-FV SHERMAN (340) | | | | |
| Moir, Lynn | 016091280020 | 2004 | 76.00 | MH burned May, 2003 |
| SHELDON SHERIDAN (450) | | | | |
| Kruse, Ronald | 005021269010 | 2004 | 8.00 | MH removed Taxes Prorated/Paid |

Respectfully submitted,

/s/ Robert Hagey
Sioux County Treasurer

Motion by De Haan and supported by Bouma to abate taxes presented by the Sioux County Treasurer. Motion carried, unanimous in favor.

Be it remembered on this 30th day of May, 2006, that the Board of Supervisors of Sioux County, Iowa, met in session for the purpose of amending the current operating budget adopted on March 8, 2005. There was present a quorum as required by law. Thereupon, the Board of Supervisors found that a notice of time and place of hearing had been published during the week of May 14, 2006, and that affidavits of publication thereupon were on file with the County Auditor according to law. Thereafter and on said day, the amendment was taken up and considered.

No one appeared at this public hearing to object to the proposed service area amendment and no objections were received in writing. Motion by Bouma and supported by Degen to approve the following Service Area Amendment to the fiscal year 2006 budget.

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Motion carried, unanimous in favor.

| | | |
|-------------------------------------|--|--------------------------------|
| COUNTY NAME: SIOUX | RECORD OF HEARING AND DETERMINATION ON THE AMENDMENT TO COUNTY BUDGET | COUNTY NO: 84 |
|-------------------------------------|--|--------------------------------|

Date budget amendment was adopted:
May 30, 2006

For Fiscal Year Ending:
6/30/2006

The County Board of Supervisors met on the date specified immediately above to adopt an amendment to the current County budget as summarized below. The amendment was adopted after compliance with the public notice, public hearing, and public meeting provisions as required by law.

| Iowa Department of Management Form 653 A-R Sheet 2 of 2 (revised 10/20/03) | | Total Budget as Certified or Last Amended | Adopted Current Amendment | Total Budget After Current Amendment |
|--|----|---|---------------------------------|--|
| REVENUES & OTHER FINANCING SOURCES | | | | |
| Taxes Levied on Property | 1 | 6,772,318 | | 6,772,318 |
| Less: Uncollected Delinquent Taxes - Levy Year | 2 | 9,500 | | 9,500 |
| Less: Credits to Taxpayers | 3 | 189,700 | | 189,700 |
| Net Current Property Taxes | 4 | 6,573,118 | | 6,573,118 |
| Delinquent Property Tax Revenue | 5 | 9,500 | | 9,500 |
| Penalties, Interest & Costs on Taxes | 6 | 23,500 | | 23,500 |
| Other County Taxes/TIF Tax Revenues | 7 | 994,159 | | 994,159 |
| Intergovernmental | 8 | 7,156,972 | | 7,156,972 |
| Licenses & Permits | 9 | 3,250 | | 3,250 |
| Charges for Service | 10 | 621,285 | | 621,285 |
| Use of Money & Property | 11 | 266,940 | | 266,940 |
| Miscellaneous | 12 | 137,100 | | 137,100 |
| Subtotal Revenues | 13 | 15,785,824 | | 15,785,824 |
| Other Financing Sources: | | | | |
| General Long-Term Debt Proceeds | 14 | | | |
| Operating Transfers In | 15 | 1,390,430 | | 1,390,430 |
| Proceeds of Fixed Asset Sales | 16 | 1,700 | | 1,700 |
| Total Revenues & Other Sources | 17 | 17,177,954 | | 17,177,954 |
| EXPENDITURES & OTHER FINANCING USES | | | | |
| Operating: | | | | |
| Public Safety & Legal Services | 18 | 3,141,475 | 35,000 | 3,176,475 |
| Physical Health & Social Services | 19 | 1,126,842 | | 1,126,842 |
| Mental Health, MR & DD | 20 | 2,553,289 | | 2,553,289 |
| County Environment & Education | 21 | 697,742 | | 697,742 |
| Roads & Transportation | 22 | 4,802,975 | | 4,802,975 |
| Government Services to Residents | 23 | 957,177 | | 957,177 |
| Administration | 24 | 1,738,805 | | 1,738,805 |
| Nonprogram Current | 25 | 47,750 | | 47,750 |
| Debt Service | 26 | 474,142 | | 474,142 |
| Capital Projects | 27 | 3,401,200 | | 3,401,200 |
| Subtotal Expenditures | 28 | 18,941,397 | 35,000 | 18,976,397 |
| Other Financing Uses: | | | | |
| Operating Transfers Out | 29 | 1,390,430 | | 1,390,430 |
| Total Expenditures & Other Uses | 30 | 20,331,827 | 35,000 | 20,366,827 |
| Excess of Revenues & Other Sources over (under) Expenditures & Other Uses | 31 | (3,153,873) | (35,000) | (3,188,873) |
| Beginning Fund Balance - July 1, | 32 | 5,033,527 | | 5,033,527 |
| Increase (Decrease) in Reserves (GAAP Budgeting) | 33 | | | |
| Fund Balance - Reserved | 34 | 300,000 | | 300,000 |
| Fund Balance - Unreserved/Designated | 35 | | | |
| Fund Balance - Unreserved/Undesignated | 36 | 1,579,654 | (35,000) | 1,544,654 |
| Total Ending Fund Balance - June 30, | 37 | 1,879,654 | (35,000) | 1,844,654 |

Date original budget adopted:
03/08/05

Date(s) current budget was subsequently amended:

The below-signed certify that proof of publication of the hearing notice and proposed amendment is on file for each official County newspaper, that all public hearing notices were published not less than 10, nor more than 20 days prior to the public hearing, and that adopted expenditures do not exceed published amounts for any of the 10 individual expenditure classes, or in total.

Board Chairperson (signature)

County Auditor (signature)

Douglas Julius, County Engineer requested that the Board approve and authorize the Chairman to sign the following Weed Resolution for 2006:

RESOLUTION No. 2006-10

WEED CONTROL RESOLUTION

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

That pursuant to provisions of Chapter 317, Code of Iowa, it is hereby ordered

- 1) That each owner and each person in the possession or control of any noxious weeds thereon, as defined in this Chapter, at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed on or before the following dates and as often thereafter as necessary to prevent seed production:

Group 1. July 1 for Leafy Spurge; Marijuana Plants; Perennial Pepper-grass; Buckthorn (Rhamnus, not to include Rhamnus Frangula); Sour Dock Perennial, Smooth Dock Perennial and Sheep Sorrel Perennial.

Group 2. July 1, for Canada Thistle; Russian Knapweed; Buckhorn; Perennial and Wild Mustard Annual.

Group 3. July 15 for European Morning Glory or Field Bindweed; Wild Carrot Biennial, also known as Queen Anne's Lace; Poison Hemlock and Multiflora Rose.

Group 4. July 15 for Horse Nettle; Perennial Sow Thistle; Quack Gras; Butterprint Annual; Cocklebur; Bull Thistle; Wild Sunflower Annual; Teasel Biennial; Puncture Vine Annual; Shattercane Annual and all other species of thistles belonging in genera of Cirsium and Carduus.

- 2) That each owner and each person in the possession or control of land including right of way in Sioux County infested with any noxious weeds listed above shall adopt a program of weed destruction described by the Weed Commissioner which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.
- 3) That if the owners or persons in possession or control of any land including right of way in Sioux County fail to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including cost of serving notice and other costs, if any, to be assessed against the real estate.
- 4) Sioux County has discontinued the Annual Spot Spraying Program of noxious weeds and other weed types growing in Sioux County Secondary Road ditches. It will be the responsibility of each owner and each person in the possession or control of land to destroy said weeds in Sioux County Secondary Road Ditches.
- 5) That the County Auditor be and is hereby directed to cause notice of the making and entering the foregoing order by one publication in each of the official newspapers of the County.

BE IT FURTHER RESOLVED that Sioux County be designated as a weed control unit.

BY ORDER OF THE SIOUX COUNTY BOARD OF SUPERVISORS

Signed and dated this 30th day of May, 2006.

/s/ Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: /s/ Lois Huitink
Sioux County Deputy Auditor

Motion by Degen and supported by De Haan to approve Weed Resolution #2006-10.

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Motion carried, unanimous in favor.

Douglas Julius, County Engineer, opened bids for Concrete Pipe Culverts: Project L-URD1-06—73-84-PIPE CULV:

Tabulation of Bidders and respective bids were as follows:

| <u>Bidder</u> | <u>Address</u> | <u>Bid</u> |
|----------------------------|----------------|---------------|
| Kooiker, Inc. | Le Mars, IA | \$ 176,221.40 |
| Midwest Contracting | Marshall, MN | \$ 157,045.00 |
| Peterson Contractors, Inc. | Reinbeck, IA | \$ 217,613.00 |

The low bid was by Midwest Contracting. Motion by De Haan and supported by Beernink to accept the low bid, subject to review by the County Engineer. Motion carried, unanimous in favor.

Motion by Bouma and supported by Degen to approve and authorize the Chairman to sign an authorization of transfer of funds from Sioux County's Farm to Market account to the Iowa DOT account for the following projects:

BRS-C084(119)—60-84
FM-C084(119)—55-84
FM-C084(116)—55-84
STPS-C084(117)—SE-84

Motion carried, unanimous in favor.

Motion by Degen and supported by De Haan to approve and authorize the Chairman to sign the following permits:

- **Southern Sioux Rural Water** – Place 2" water line crossing 440th street in Sections

- 29 and 32 of Eagle Township.
- **HTC Communications** – Place telephone cable in north shoulder of road in the SE ¼ of SE ¼ corner of section 18 of Lynn Township
 - **NW REC** – Set Utility poles in county Right-of-way along south side of the SW ¼ of Section 1 of Reading Township
 - **NW REC** - Set Utility poles in county Right-of-way along eastside of SE ¼, SE ¼ of Section 21, Northwest corner Section 27 and Northwest Corner of Section 28 of Floyd Township.

Motion carried, unanimous in favor.

Nancy Dykstra, Public Health Director, reported on the Board of Health Meeting and Development Commission Meeting held on May 11 at noon. August 15th will be the next time that the Board of Health meets. The Annual Report will be given at that time as well as discussion putting in place local public health standards. Many counties hire an Environmental Health Officer.

Dykstra requested the Chairman's signature on the Public Service Health Grant and the Subcontractor Contract on behalf of Community Health Partners. Motion by Bouma and supported by Beernink to approve and authorize the Chairman's signature on the aforementioned grant applications. Motion passed, unanimous in favor.

Shane Walter, County Community Services Director, presented to the Board a Lease Contract with targeted Case Management for space in the Department of Human Services Building. Motion by Bouma and supported by Beernink to sign a three year lease agreement with Targeted Case Management for space in the Department of Human Services Building. Motion carried, unanimous in favor.

Motion by De Haan and supported by Bouma to approve and authorize the Chairman to sign a resolution offering condolences to the family of Marine LCpl. William J. Leusink.

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Degen, Yes; and De Haan, Yes. Motion carried, unanimous in favor.

RESOLUTION No. 2006-11

SIOUX COUNTY BOARD OF SUPERVISORS

May 30, 2006

**OFFERING CONDOLENCES TO THE FAMILY OF
MARINE LCpl. WILLIAM J. LEUSINK**

WHEREAS, the Sioux County Board of Supervisors and all the citizens of Sioux County support our troops fighting for freedom and democracy in Operation Iraqi Freedom; and

WHEREAS, the Sioux County Board of Supervisors express their deepest sympathies to the family of LCpl. William J. Leusink, Maurice, Iowa for his ultimate sacrifice in service to our country; and

WHEREAS, all Americans are indebted to Marine LCpl. Leusink and his family, and

WHEREAS, the citizens of Sioux County are steadfast in our support of all the brave men and women who are serving our country,

BE IT RESOLVED BY the Sioux County Board of Supervisors as follows:

- Section 1. That the Board of Supervisors wants to offer their sincere appreciation and support of our troops and their families, and extends their condolences to LCpl. Leusink's family;
- Section 2. In honor of the memory of William Leusink, the County Courthouse flag will be flown at half mast from Tuesday, May 30, 2006 through Monday, June 5, 2006.
- Section 3. This resolution shall take effect immediately.

Signed and dated this 30th day of May, 2006.

/s/ Mark Sybesma, Chairman
Sioux County Board of Supervisors

/s/ Shane Walter, Director
Veteran's Affairs Commission

ATTEST: /s/ Lois Huitink
Sioux County Deputy Auditor

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

The Chairman adjourned the meeting until Tuesday, June 13, 2006.

Mark Sybesma, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Lois Huitink
Sioux County Deputy Auditor