
ADDENDUM A:

ENACTING ORDINANCE &

DOCUMENTATION

ORDINANCE ADOPTING THE 2004 SAC COUNTY CODE OF ORDINANCES

Section I. PURPOSE. The purpose of this Ordinance is to enable the Sac County, Iowa Board of Supervisors to comply with the provisions of Section 332.302(9) of the Iowa Code.

Section II. ADOPTION. The Sac County Board of Supervisors hereby adopts the 2004 Sac County Code of Ordinances pursuant to published notice and following a public hearing on Oct 19, 2004 (date), so required by Sections 332.302(9) and 331.305 of the Iowa Code.

Section III. CONTENT. All ordinances or parts thereof in force on the date of publication of this Ordinance and not contained in the 2004 Sac County Code of Ordinances are hereby repealed except as herein provided.

That the repeal provided for in the preceding paragraph of this Ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of this Ordinance; nor shall any repeal affect any ordinance or resolution promising or guaranteeing the payment of money by the County or authoring the issuance of any bonds of said County or any payment of money by the County or authorizing the issuance of any bonds of said County or any evidence of said County's indebtedness or any contract or obligation assumed by resolutions of the Board of Supervisors not in conflict or inconsistent with the provisions of the Sac County Code of Ordinances.

Nor shall it affect any other right or franchise conferred by any ordinance or resolution of the Board of Supervisors on any other person or corporation; nor shall it affect any other ordinance naming, establishing, relocating and vacating any street or public way, whether temporary or permanent; nor shall it affect any ordinance levying and imposing taxes; nor shall it affect any ordinance establishing building lines, establishing and changing grades, or dedicating property for public use; nor shall it affect any ordinance establishing or regulating zoning; nor shall it affect any prosecution, suit, or other proceedings pending or any judgement rendered on or before or prior to the effective date of this Ordinance.

The 2004 Sac County Code of Ordinances shall include this adopting Ordinance and the Auditor's certification of its adoption and passage.

If the 2004 Code of Ordinances includes any ordinance which has adopted by reference the provisions of any statewide or nationally recognized standard code pursuant to the provisions of Section 331.302(11) of the Iowa Code, the Auditor shall keep on file, with the official copy of the Code of Ordinances, a copy of such standard code.

Section 4. FORMAT. The 2004 Sac County Code of Ordinances shall be compiled in a loose-leaf format.

Section 5. OFFICIAL COPY. The Auditor shall be responsible for the compilation, organization, and maintenance of the official 2004 Sac County Code of Ordinances and shall keep the official copy on file in the office of the Auditor.

Section 6. PUBLIC COPIES. Additional copies of the 2004 Sac County Code of Ordinances shall be kept in the office of the Auditor and shall be available for public inspection and for sale for cost to the public. A copy of the 2004 Sac County Code of Ordinances shall also be kept on file in the Auditor's office for public inspection.

Section 7. ADDITIONAL ORDINANCES. All ordinances, except as hereinafter provided, adopted after the effective date of this Ordinance shall be in the form of an amendment to or an addition to the 2004 Sac County Code of Ordinances. This section does not apply to street ordinances, bond ordinances, zoning ordinances, naming streets, and vacating streets and roadways.

Section 8. EFFECTIVE DATE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED BY THE SAC COUNTY BOARD OF SUPERVISORS.

1ST READING: Oct 19, 2004

Roll Call:

Bensley: Aye Nay
Hecht: Aye Nay
Stock: Aye Nay

attest:

Rick Hecht

Rick Hecht, Chair

James W. Dowling

James W. Dowling, Auditor

2ND READING: Oct 26, 2004

Roll Call:

Bensley: Aye Nay
Hecht: Aye Nay
Stock: Aye Nay

attest:

Rick Hecht

Rick Hecht, Chair

James W. Dowling

James W. Dowling, Auditor

3RD, FINAL READING: Nov. 23, 2004

Roll Call:

Bensley: Aye Nay
Hecht: Aye Nay
Stock: Aye Nay

attest:

Rick Hecht

Rick Hecht, Chair

James W. Dowling

James W. Dowling, Auditor

PUBLICATION DATE (DATE EFFECTIVE): November 30, 2004

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PASSED AND APPROVED BY THE SAC COUNTY BOARD OF SUPERVISORS.

1ST READING: Oct 19, 2004

Roll Call:
Bentley: Aye Nay
Hecht: Aye Nay
Stock: Aye Nay

Rick Hecht
Rick Hecht, Chair
attest: James W. Dowling
James W. Dowling, Auditor

2ND READING: Oct 26, 2004

Roll Call:
Bentley: Aye Nay
Hecht: Aye Nay
Stock: Aye Nay

Rick Hecht
Rick Hecht, Chair
attest: James W. Dowling
James W. Dowling, Auditor

3RD, FINAL READING: Nov. 23, 2004

Roll Call:
Bentley: Aye Nay
Hecht: Aye Nay
Stock: Aye Nay

Rick Hecht
Rick Hecht, Chair
attest: James W. Dowling
James W. Dowling, Auditor

PUBLICATION DATE (DATE EFFECTIVE): November 30, 2004

PROOF OF PUBLICATION

The Sac Sun

Sac City, Iowa 11/30, 2004

STATE OF IOWA

Sac County, ss.

I, Dale Wegner, publisher of the Sac Sun, a weekly newspaper published at Sac City, Iowa, being duly sworn on oath say that the notice hereto attached was published in said newspaper for 1 consecutive week(s), the last publication being November 30, 2004

Signed: Dale P. Wegner

I, Dale Wegner, do hereby state that I certify, under penalty of perjury, and pursuant to the laws of the State of Iowa, that the preceding is true and correct as I verily believe.

11/30, 2004

Publication

Fee:

\$ 53.70

October 19, 2004
Board Room
10:00 AM

The Sac County Board of Supervisors met in regular session with all members present, Rick Hecht, Chairman, presiding. The minutes of the previous meeting were approved as submitted.

It was moved by Stock and seconded by Bensley to approve the agenda as posted. Ayes all, motion carried.

Kirby Smail from Trileaf Corp, presented an update on the contaminated soil cleanup project at the former Schultz property. An accelerated cleanup program could be implemented upon approval from the Dept of Natural Resources. Mr. Smail will contact the proper authorities to arrange a teleconference with the board of supervisors to discuss implementation of the accelerated cleanup.

Dawn Villhauer-Murley, Sac County CPC, met with the board via teleconference, to discuss Sac County mental health waiver slots. Sac County is using 40 of the 43 allocated waivers for mental health treatment services. It was suggested by Ms. Villhauer-Murley that the number of waiver slots be increased to 45. It was moved by Stock and seconded by Bensley to increase the number of waiver slots from 43 to 45. Ayes all, motion carried.

Chuck Bettin, E911 Coordinator, Sheriff Ken McClure and Chief Deputy Keith Flink, offered a proposal to replace the equipment in the communications center. Sac County had been awarded a grant for \$107,122.75 for equipment replacement. Sheriff McClure suggested that the communications center be relocated to the northwest corner of the jail building and the jailers office be relocated to the current communications center to allow maximum space for the new equipment as well as for safety measures. Chuck Bettin informed the board that his 911 board had voted to update the E911 equipment and to contribute E911 funds to help pay for the project.

The board of supervisors discussed options on financing the project including general obligation bonds or a debt service levy.

It was moved by Bensley and seconded by Stock to call for a public hearing on financing the communications center upgrade for Tuesday, November 16, 2004, at 10:30 AM. Ayes all, motion carried.

As advertised, the Board of Supervisors opened the public hearing on the proposed code of ordinances for Sac County. Joe Behrens of Region XII Council of Governments was present to answer questions regarding the ordinances. The County Attorney, County Sheriff and the County Engineer were also present. No one from the general public was present.

The group discussed language in the ordinances specific to law enforcement and secondary roads.

It was moved by Bensley and seconded by Stock to close the public hearing at 11:43 AM. Ayes all, motion carried.

It was moved by Stock and seconded by Bensley to adopt the County Ordinance 04-1019 approving the first reading of the proposed Code of Ordinances for Sac County. Ayes all, motion carried.

The second reading is scheduled for Tuesday, October 26, 2004, at 11:00 AM.

It was moved by Stock and seconded by Bensley to approve the claims as listed on the claims register in the Auditor's office. Ayes all, motion carried.

The board acknowledged receipt of a letter from Chief Judge of the 2nd Judicial District, Ronald Schechtman, advising the board that the Clerk of the District Court would no longer be responsible for locating hospital beds for placement for respondents who are the subject of

hospitalization proceedings. The board will visit this topic with Dawn Villhauer-Murley, CPC, next week at the regular board meeting.

Sheriff Ken McClure requested permission from the board to fill the vacant deputy position in the Sheriff's office. Sheriff McClure pointed out that with the additional revenue from law enforcement contracts with certain cities in Sac County, revenue from citations written on county ordinances and the reduction of overtime and compensatory time, the added cost of the sixth deputy's salary would be very minimal.

It was moved by Stock and seconded by Bensley to authorize the Sheriff to fill the position of deputy in the Sheriff's office effective January 1, 2005. Ayes all, motion carried.

The engineer updated the board on activities of the county road crews and the current status of maintenance and construction projects.

With there being no further business, on motion, the meeting was adjourned.

Secretary S/ James W. Dowling Chairman _____, Date _____

October 26, 2004
Board Room
10:00 AM

The Sac County Board of Supervisors met in regular session with all members present, Rick Hecht, Chairman, presiding. The minutes of the last meeting were approved as submitted.

It was moved by Bensley and seconded by Stock to amend the agenda to consider a grant application for substance abuse funding and an easement for a water line in county road right of way. Ayes all, motion carried.

It was moved by Bensley and seconded by Stock to approve the agenda as amended. Ayes all, motion carried.

It was moved by Stock and seconded by Bensley to direct the chair to sign a memorandum of understanding between the Iowa Dept of Public Health and the Sac County Board of Supervisors to provide certain substance abuse prevention and services through a grant. Ayes all, motion carried.

It was moved by Bensley and seconded by Stock to authorize the county treasurer cancel certain outstanding warrants as listed and filed in the Auditor's office. Ayes all, motion carried.

As advertised, the board opened the public hearing for the second reading of the proposed code of ordinances for Sac County. There was no one from the general public to oppose or support the ordinances.

It was moved by Bensley and seconded by Stock to close the public hearing. Ayes all, motion carried.

It was moved by Stock and seconded by Bensley to approve ordinance numbered 04-1019 approving the code of ordinances with the changes that were approved at the first hearing. Ayes all, motion carried.

The county engineer updated the board on activities of the county road crews and the status of current maintenance and construction projects. Ayes all, motion carried.

With there being no further business, on motion, the meeting was adjourned.

Secretary S/ James W. Dowling Chairman _____, Date _____

November 23, 2004
Board Room
10:00 AM

The Sac County Board of Supervisors met in regular session with all members present, Rick Hecht, Chairman, presiding. The minutes of the last meeting were approved as submitted.

It was moved by Bensley and seconded by Stock to approve the agenda as posted. Ayes all, motion carried.

Chairman Hecht administered the oath of office to Ryan Renze as a county reserve peace officer.

It was moved by Bensley and seconded by Stock to approve a tile inspection on DD 20-119 subject to the approval of the Calhoun County Board of Supervisors in the amount of \$800.00. Ayes all, motion carried.

It was moved by Stock and seconded by Bensley to approve the removal of two beaver dams on DD 81 at an estimated cost of \$300.00 each. Ayes all, motion carried.

It was moved by Stock and seconded by Bensley to approve repairs to DD 57, Main Open Ditch, in the amount of \$300.00, located in Section One of Viola Twp. Ayes all, motion carried.

It was moved by Bensley and seconded by Stock to approve repairs to DD 68 in the amount of \$350.00 located in Section 22, Eden Twp. Ayes all, motion carried.

It was moved by Bensley and seconded by Stock to approve the third and final reading of the Code of Ordinances for Sac County and cause notice of said approval to be published. Ayes: Hecht, Bensley and Stock, nays none, motion carried.

The county engineer updated the board on activities of the county road crews and the status of current maintenance and construction projects.

It was moved by Bensley and seconded by Stock to approve an application for a tile crossing in the county road right of way between Sections 1 & 2, Jackson Twp. Ayes all, motion carried.

It was moved by Stock and seconded by Bensley to award a contract for bridge project BROS CO81(48)—8J-81 to Cunningham – Reis Company of Van Meter, Iowa in the amount of \$223,522.00. Ayes all, motion carried. This project is 80% federal funded and 20% local funded.

With there being no further business, on motion, the meeting was adjourned.

Secretary S/ James W. Dowling Chairman _____, Date _____
