

Resolution of the Sac County
Board of Supervisors

The following resolution was offered by Sac County Supervisor
Stock:

WHEREAS, the County Board of Supervisors of Sac County has re-evaluated the purpose and scope of its ordinance concerning the use of all-terrain and off-road utility vehicles ("off-road utility vehicle ordinance"), which can be found in Title IV, Chapter 9 of the Sac County Code of Ordinances.

WHEREAS, to further the purpose of Sac County's off-road utility vehicle ordinance, it has been proposed that reciprocity be granted to off-road utility vehicles properly registered / licensed under like-ordinances enacted by other county and municipal jurisdictions.

WHEREAS, to accomplish the foregoing, it has been proposed that section three (4-9-3) of the aforementioned ordinance be amended to include the following language: "or is properly registered with another county or municipality".

WHEREAS, section 4-9-3 as amended would read as follows:

4-9-3 OPERATION ON ROADWAYS: If an All-Terrain or Off-Road Utility Vehicle is properly registered pursuant to Iowa Code Section 321I.3, ***or is properly registered with another county or municipality***, the same may be operated on any Sac County, Iowa, roadway, such operation limited to roadways lying outside the city limits of any incorporated city which does not have an ordinance or other regulation in effect allowing such operation, and such operation further limited to the hours from official sunrise to official sunset of the same day, as established by the National Weather Service.

THEREFORE BE IT RESOLVED that the amendment is hereby adopted and the off-road utility vehicle ordinance shall be amended accordingly.

Supervisor Drake seconded the foregoing resolution and it was declared adopted upon the following vote:

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The following resolution was offered by Sac County Supervisor
Stock:

WHEREAS, the County Board of Supervisors of Sac County has learned that Sac County's ordinance concerning the operation of all-terrain and off-road utility vehicle ordinance ("off-road utility vehicle ordinance"), and its ordinance concerning the use of engine and compression brakes ("Jake Brakes"), are both contained in Chapter 9 of Title IV of the Sac County Code of Ordinances.

WHEREAS, to alleviate confusion and to provide for the effective enforcement of the aforementioned ordinances, the entirety of Sac County's off-road utility vehicle ordinance should be moved to Chapter 10 of Title IV.

WHEREAS, if moved to Chapter 10, each section of the off-road utility vehicle ordinance would be preceded by 4-10. As an example, if moved to Chapter 10, section one of the off-road utility vehicle ordinance would read as follows:

4-10-1 PURPOSE: The purpose of this Resolution is to designate that portion of county highways upon which All- Terrain Vehicles and Utility Vehicles may be operated during a specified period, to specify said period, and to establish regulations regarding such operation.

THEREFORE BE IT RESOLVED that the amendment is hereby adopted and the off-road utility vehicle ordinance shall be moved to Chapter 10 of Title IV of the Sac County Code of Ordinances and the numbering of the sections of said ordinance shall conform with the example provided above.

Supervisor Drake seconded the foregoing resolution and it was declared adopted upon the following vote:

Ayes: Hecht, Drake, Stock

Nays: none

Abstentions: none

In doing research, regarding filing Resolution 24-0514, we found some Ordinances missing from the book. In the Ordinance book in the Auditor's office 4-8 was the last ordinance. November 18, 2014, two ordinance were approved both with the label of Chapter 9. This has been corrected with a Resolution however the original cannot be located with the date or a resolution number. We have looked in Minutes and on the saved Agenda's but are unable to recover this information. Kelsey at Secondary Roads thinks it may have been approved April 7th, 2015. A copy of the Resolution will be added to the resolution book.

May 28, 2024

Meeting Room

10:00 AM

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

It was moved by Wissler and seconded by Drake to approve the agenda as posted. Ayes all, Motion carried.

It was moved by Wissler and seconded by Drake to sign a letter of support for the Farm to River Partnership Water Quality Initiative Project and send it to the Iowa Department of Agriculture and Land Stewardship office in Des Moines. Ayes all, motion carried.

It was moved by Drake and seconded by Wissler to approve the contract with B&W Control Specialists for chemical treatment on various Sac County and Joint County Drainage Districts for 2024 in the amount of \$54,250. Ayes all, motion carried. The total amount will be distributed over the districts in Sac, Calhoun and Buena Vista Counties and assessed on a per acre basis.

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

It was moved by Drake and seconded by Wissler to officially designate an amendment in the Sac County Code of Ordinances moving the off-road utility vehicle ordinance to Chapter 10 of Title IV, Code of Ordinances. Ayes all, motion carried.

At 10:30 AM, the Chairman opened the public hearing to consider an amendment to the Current Sac County budget for fiscal year ending June 30, 2024. The amendment included an increase in revenues of \$557,031 and an increase in expenditures of \$896,072. There was no one present to support or object to the proposed amendment.

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

It was moved by Wissler and seconded by Drake to approve and adopt the amendment to the current budget. Ayes all, motion carried.

There was no report from the County Engineer.

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

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

*****24-0528

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The following resolution was offered by Sac County Supervisor
Drake:

WHEREAS, the County Board of Supervisors of Sac County has re-evaluated the purpose and scope of its ordinance concerning the use of engine and compression brakes ("Jake Brakes").

WHEREAS, to further the purpose of its Jake Brake ordinance and promote tranquility in the incorporated municipalities within Sac County, it has been proposed that the areas of prohibition defined in section 4 (4-9-4) should be expanded to apply to stretches of all public highways in Sac County, Iowa, that are within one (1) mile of any incorporated municipality in Sac County.

WHEREAS, section 4-9-4 as amended would read as follows:

4-9-4 AREAS OF PROHIBITION. The prohibition set forth herein shall apply to *stretches of all public highways in Sac County, Iowa, that are within one (1) mile of any incorporated municipality in Sac County.*

THEREFORE BE IT RESOLVED that the amendment is hereby adopted and the Jake Brake ordinance shall be amended accordingly.

Supervisor Stock seconded the foregoing resolution and it was declared adopted upon the following vote:

Ayes: Hecht, Drake, Stock

Nays: none

Abstentions: none

Signed: Rick Hecht

Rick Hecht, Chairman Sac County Board
of Supervisors