

**MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**  
**MEETING HELD ON MAY 18, 2021**

- 1) The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:00 a.m. with Chairman Jerry Muilenburg presiding. Members present were Jerry Muilenburg, Al Bloemendaal, Mark Sybesma, John Degen, and Carl Vande Weerd.
- 2) Minutes of the meeting held on May 4, 2021 were submitted and the Chairman declared them approved.
- 3) As this was the date, May 18, 2021 and time, 9:00 a.m. for a public hearing for Sioux County Budget Amendment #4, the Chairman opened the public hearing. Sioux County Auditor, Ryan Dokter stated the amendment includes \$10,000 for rural sign expense for the Zoning Department, \$10,000 for part-time salaries for the Conservation Department, \$30,000 for capital projects to complete the cabin at the Big Sioux Rec Area, and \$830,178 to correct the accounting for the nature center bond payment to be paid out of debt service, rather than the land acquisition fund. No oral or written comments were received from the public. The Chairman closed the public hearing. Motion by Degen and supported by Sybesma to approve the following resolution adopting budget amendment #4. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**RESOLUTION 2021-25**  
**Approval of FY 2020/2021 Budget Amendment #4**

WHEREAS, the Sioux County Board of Supervisors has considered the proposed FY 2020/2021 county budget amendment, and

WHEREAS, a public hearing concerning the proposed county budget amendment #4 was held on May 18, 2021,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Sioux County that the county budget amendment #4 for FY 2020/2021, as set forth in the budget summary, is hereby adopted and that the Sioux County Auditor is directed to file said budget and to establish accounting records in accordance with the attached schedules.

BE IT FURTHER RESOLVED that the Chairperson and the County Auditor be and are hereby authorized to sign the approved FY 2020/2021 county budget amendment #4.

Signed and dated this 18th day of May, 2021.

/s/Jerry Muilenburg, Chairman  
Sioux County Board of Supervisors

ATTEST: /s/Ryan Dokter  
Sioux County Auditor

- 4) Tom Kunstle, Sioux County Attorney,
  - Reported that County Auditor, Ryan Dokter, requested his opinion on whom holds the responsibility for preparing the county budget, and that the Code of Iowa is clear that the responsibility is the Board of Supervisors. However, the County Auditor has historically prepared the budget and Auditor Dokter questioned if additional compensation can be provided for those budget duties. A few other counties have

passed resolutions compensating their county auditors for those duties. Kunstle reported that Iowa Code 331.907 makes it clear that the Compensation Board makes recommendations to the County Board of Supervisors for increases to the compensation for elected officials and the Supervisors can accept or lower that recommendation. The Supervisors could create a Budget Director position and then hire an employee for that position if it so chooses. The other option in order to compensate the County Auditor for the budget duties would be to have the Compensation Board recommend a higher increase for the County Auditor when it meets again. Kunstle advises against following the same procedure other counties have taken to compensate for budget duties as it circumvents the Compensation Board.

Supervisor Sybesma questioned if the Supervisors could create a Budget Director position, then fill it with the County Auditor. Kunstle will do further research on this option.

- Reported that the court system is in lock step with the CDC recommendations regarding COVID-19, which are that if an individual is vaccinated for COVID-19, a mask is no longer required in court.
- Reported that he is monitoring census data to see if Sioux County had an increase of population to 35,000 or more. If the population eclipsed that mark, the County would be allowed a full-time district associate judge.

5) Dan Altena, Sioux County Sheriff,

- Reviewed drone videos taken by Emergency Management regarding the train derailment in Osceola County. This incident was a good opportunity to do some training with the county equipment in the event something like this happens here.
- Requested Board approval of law enforcement contracts with the cities in the county who do not have their own police force. Motion by Sybesma and supported by Bloemendaal to approve the law enforcement contracts as presented. Motion carried unanimously.
- Distributed the Sheriff Quarterly Report for the period covering January 1, 2021 to March 31, 2021 for information.
- Submitted a proposal to the Board for courthouse security. The Security Committee met in the last few months and from those discussions and working with his staff, determined that the best plan of action is to limit the access to the courthouse to one door only, the west door, set up the magnetometer to scan each person who enters the building, and to staff the magnetometer with a full-time deputy. This proposal would mean that an additional full-time deputy would need to be hired. The approximate cost of staffing this position would be around \$100,000 including benefits annually.

Consideration was given to hiring part-time security officers, but believes that a full-time deputy would do a much better job responding to incidents in the courthouse. Hiring part-time employees for this position would be difficult as they already struggle to fill part-time jailer positions.

Consideration was also given to situations courthouse staff face with highly emotional court cases, individuals with mental health issues, or people facing a loss of custody of their children.

The Board took no action on this request and will address this at a future meeting.

- 6) Dan Zomermaand, Sioux County Treasurer, requested approval of a 28E agreement with the City of Sioux Center for collection of delinquent parking tickets. Motion by Bloemendaal and supported by Vande Weerd to approve the 28E as presented. Motion carried unanimously.
- 7) Ryan Dokter, Sioux County Auditor,
  - Updated the Board on the American Rescue Plan.
  - Reported that he recently completed the request for the ARP funds and is awaiting further instruction.
  - Distributed a document that included basic guidance on the use of the ARP funds.
  - Reported that he is on a working group with county supervisors and county auditors in conjunction with ISAC to provide guidance to counties regarding the ARP funding and will provide further information to the Board as it becomes available.
  - Requested Board approval of the following resolution to transfer funds from the land acquisition fund to the debt service fund for the nature center bond. Motion by Sybesma and supported by Degen to approve the resolution as presented. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**RESOLUTION 2021-26  
CONSERVATION LAND ACQUISITION FUND TRANSFER TO DEBT SERVICE FUND**

WHEREAS, it is desired to make the following inter-fund operating transfer:

\$830,178.13 from the Conservation Land Acquisition Fund to the Debt Service Fund,

WHEREAS, said operating transfer is made in accordance with Section 331.432 Iowa Code,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Sioux County as follows:

Section 1. The following inter-fund operating transfer is to be made effective May 18, 2021.

\$830,178.13 from the Conservation Land Acquisition Fund to the Debt Service Fund.

Section 2. The County Auditor is directed to correct the books accordingly and to notify the County Treasurer of these inter-fund operating transfers, accompanied by a copy of this resolution and the record of its adoption.

Signed and dated this 18th day of May, 2021.

/s/Jerry Muilenburg, Chairman  
Sioux County Board of Supervisors

ATTEST: /s/Ryan Dokter  
Sioux County Auditor

- 8) Motion by Sybesma and supported by Vande Weerd to set the per diem rate for the Temporary Redistricting Commission to \$100 and the mileage will follow the County rate of \$.50/mile. Motion carried unanimously.
- 9) Motion by Sybesma and supported by Degen to approve the claims for May 18, 2021, as submitted by the County Auditor. Motion carried unanimously.

**10) Committee Reports:**

- **Muilenburg** – 1) Reported that the Landfill approved claims electronically and will have a meeting next month. 2) Reported that the Wellness Committee is planning an employee appreciation day for July 20 from 11:30 to 1:30 and requested the Board to grill burgers for that event.

**11) Doug Julius, Sioux County Engineer,**

- Requested Board approval of a contract with H & H Dirt for bridge replacement project L-5-2008—73-84-Br. Motion by Bloemendaal and supported by Vande Weerd to approve the contract. Motion carried unanimously.
- Requested Board approval of two permit agreements with Premier Communications. The first permit is for placing fiber in sections 14, 22, and 23 of Eagle Township to service a new home. The second permit is to update an existing line north and south of Orange City. Motion by Degen and supported by Sybesma to approve both permit agreements. Motion carried unanimously.
- Presented the following weed control resolution. Motion by Bloemendaal and supported by Vande Weerd to approve the resolution as presented. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**RESOLUTION No. 2021-27  
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 land shall cut, burn or otherwise destroy all 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 bearing seeds 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, burned 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 18th day of May, 2021

/s/Jerry Muilenburg, Chairman  
Sioux County Board of Supervisors

ATTEST: /s/Ryan Dokter  
Sioux County Auditor

- Distributed a certificate of appreciation for Board signatures for Doug Davelaar who is retiring after 44 years of service.
- Updated the Board on secondary road activities which include blading, graveling, edge righting, driveway work, sign work, and mowing.
- Reviewed the progress of construction projects using the 2021 Construction Map.
- Provided his opinion that the asbestos from the County Home should be mitigated prior any entity desiring to remove copper from the structure and that if an entity is allowed to remove copper, that this be written into the contract with the contractor who will demolish the building.
- Reported that the opening in Rock Valley has been filled and will start advertising for the opening in Hawarden.

- 12) Motion by Vande Weerd and supported by Sybesma to adjourn the meeting. Motion carried and the meeting was adjourned at 11:04 a.m. until Tuesday, June 1, 2021.

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Jerry Muilenburg, Chairman  
Sioux County Board of Supervisors

ATTEST: \_\_\_\_\_  
Ryan Dokter  
Sioux County Auditor