

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON JULY 14, 2020

- 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 John Degen, Jerry Muilenburg, Carl Vande Weerd, Al Bloemendaal and Mark Sybesma.
- 2) Minutes of the meetings held on June 30, 2020 were submitted and the Chairman declared them approved.
- 3) Motion by Vande Weerd and supported by Bloemendaal to approve the claims as submitted by the County Auditor for July 14, 2020. Motion carried unanimously.
- 4) Tom Kunstle, Sioux County Attorney,
 - Updated the Board on State legislation that would prohibit counties from banning firearms and dangerous weapons unless they [1] “screen persons for firearms or other dangerous weapons and [2] ...provides armed security personnel inside the building...” Requested Board approval for the following “Resolution to Repeal Resolution 2015-09” banning the same. Motion by Vande Weerd and supported by Sybesma 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. 2020-33

WHEREAS, Sioux County owns certain property in Sioux County, Iowa; including the Sioux County Courthouse; the Sioux County Treasurer’s Office; the Sioux County Engineer’s Office, and County’s social services building (hereinafter “prohibited buildings”); and

WHEREAS, other county policies and regulations provide for the safety of Sioux County employees and the general public; and

WHEREAS, in Sioux County Resolution 2015-09, the Sioux County Board of Supervisors prohibited any firearm, explosive, or other dangerous weapons, as defined by Iowa Code Section 702.7, from prohibited buildings with notable exceptions.

WHEREAS, the Iowa Legislature has amended Iowa Code Section 724.28(2) and (4) by adding the following:

2. A political subdivision of the state shall not enact an ordinance, motion, resolution, policy, or amendment regulating the ownership, possession, legal transfer, lawful transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons when the ownership, possession, transfer, transportation, or modification is otherwise lawful under the laws of this state. An ordinance regulating firearms, firearms attachments, or other weapons in violation of this section existing on or after April 5, 1990, is void.

4. A political subdivision of the state may restrict the carrying, possession, or transportation of firearms or other dangerous weapons in the buildings or physical structures located on property under the political subdivision's control if adequate arrangements are made by the political subdivision to screen persons for firearms or other dangerous weapons and the political subdivision provides armed security personnel inside the building or physical structure where the restriction is to be in effect.

WHEREAS the Sioux County Board of Supervisors desires the prohibited buildings to be safe for employees and the general public but must also be in compliance with state law.

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

1. Sioux County Resolution 2015-09 is hereby repealed effective immediately.
2. Signs prohibiting firearms or other dangerous weapons shall be removed at any entrances of prohibited buildings.

PASSED AND APPROVED this 14th day of July, 2020.

/s/Jerry Muilenburg
Chairman, Board of Supervisors

ATTEST: /s/Linda Wynia, Sioux County Deputy Auditor

- Kunstle also reported that Sioux County's fine collection for FY20 was about \$256,122.00, which was a decrease of approximately \$46,000 from FY19. Probable factors for the decrease include the COVID19 pandemic and less citations issued.
- On July 9, the Iowa Supreme Court released an order that when Court resumes in person, face masks or shields are mandated to reduce COVID19 exposure. The judge has the ability to enforce this policy as necessary.

5) Ryan Dokter, Sioux County Auditor,

- Presented the Bond Counsel Engagement Approval from Ahlers and Cooney P.C. to contract their services as bond counsel in refinancing the 2012A GO Bond. Motion by Degen and supported by Vande Weerd to approve the bond counsel engagement agreement. Motion carried unanimously.
- Presented the following Resolution Setting July 28 for Public Hearing Regarding Refunding of Series 2012A GO Bond. Motion by Sybesma and supported by Degen to approve the following resolution. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion Carried unanimously.

2020-32

RESOLUTION FIXING DATE FOR A MEETING ON THE
AUTHORIZATION OF A LOAN AGREEMENT AND THE
ISSUANCE OF NOT TO EXCEED \$2,480,000 GENERAL
OBLIGATION REFUNDING CAPITAL LOAN NOTES OF SIOUX
COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY
PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE
THEREOF

WHEREAS, it is deemed necessary and advisable that Sioux County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Refunding Capital Loan Notes, to the amount of not to exceed \$2,480,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and
WHEREAS, before a Loan Agreement may be authorized and General Obligation Refunding

Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

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

Section 1. That this Board meet in the Board of Supervisors' Room, County Courthouse, 210 Central Avenue Southwest, Orange City, Iowa, at 9:00 A.M., on the 28th day of July, 2020, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$2,480,000 General Obligation Refunding Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of the settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of the County including refunding of the County's General Obligation Refunding Capital Loan Notes, Series 2012A, dated June 15, 2012.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Refunding Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$2,480,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: July 22, 2020)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$2,480,000 GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Sioux County, State of Iowa, will hold a public hearing on the 28th day of July, 2020, at 9:00 A.M., in the Board of Supervisors' Room, County Courthouse, 210 Central Avenue Southwest, Orange City, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$2,480,000 General Obligation Refunding Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of the settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of the County including refunding of the County's General Obligation Refunding Capital Loan Notes, Series 2012A, dated June 15, 2012. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. Due to public health concerns and guidance, in accordance with Iowa Code Sections 21.4(1)(b) and 21.8, this meeting of the Sioux County Board of Supervisors may be conducted telephonically, as holding the meeting in person may be impossible or impractical.

The public may access the meeting telephonically in the manner specified

below: To join this meeting via the teleconference, access:

Telephone access: (712) 775-7031

Access Code: 922147535

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Sioux County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 14th day of July, 2020.

/s/Ryan Dokter

County Auditor, Sioux County, State of Iowa

(End of Notice)

PASSED AND APPROVED this 14th day of July, 2020.

/s/Jerry Muilenburg, Chairperson

ATTEST: /s/Linda Wynia, Deputy County Auditor

- 6) As this was the date and 9:15 a.m. the time set for a Public Hearing to consider a construction permit application, said hearing was opened by the Chairman. Shane Walter, Sioux County Zoning Director, presented the following information: Name of Applicant: James Vander Waal Location of the operation: Section 2, Lincoln Township, Sioux County, Iowa Type of confinement feeding operation structure proposed: Increasing dairy cattle numbers in existing free stall confinement building and constructing two new 260 head bed pack dairy heifer barns at an existing dairy confinement/open lot facility. Animal Unit Capacity of the confinement operation after construction: 2770 animal units (1600 head of mature dairy cattle and 530 head of immature dairy cattle). No written or oral comments were received. The Chairman closed the Public Hearing. Motion by Vande Weerd to approve the permit application with a favorable opinion to the Iowa DNR, motion supported by Sybesma. Motion carried unanimously.
- 7) Shane Walter, Sioux County Zoning Director,
 - Recommended that Teresa Van Sloten and Justin Boersma be appointed to the Board of Adjustment. Motion by Degen and supported by Sybesma to approve. Motion Carried unanimously.
 - Reported the CARES Act is providing federal funds through the State of Iowa for COVID relief efforts to the mental health regions. The Sioux Rivers Region is set to receive approximately \$1,000,000 in COVID relief funds. However, due to certain restrictions, it will be difficult to expend the money before the imposed December 30, 2020 deadline.

- 8) Dan Dykstra, Hospers City Mayor, was present to recommend the Board appoint Alyssa Utecht to the Hospers Library Board as a Trustee (Appointee has a Granville address). Motion by Sybesma and supported by Degen to appoint. Motion carried unanimously.
- 9) Motion by Sybesma and supported by Vande Weerd to approve the liquor license renewal for Sfumato Pizza, located at 4995 Carnes Dr, Alton. Motion carried unanimously.
- 10) Jessica Kooiker, Sioux County Recorder, presented the Recorder Quarterly report for information.

11) Committee Reports:

- **Sybesma** – Reported that Corey Kempers, Assistant to the Sioux County Medical Examiner, requested the Board apply for the Coverdale Forensic Medical Grant to assist in covering the expenses for Forensic Medicine classes. Motion by Vande Weerd and supported by Bloemendaal for the Board to apply for the said grant. Motion carried unanimously.
- **Vande Weerd** – Reported on the recent fishing clinic at the Rivers Bend Campground in Rock Valley. The event was successful and was well attended.
- **Degen** – Reported that Conservation programs are starting again for summer and are going well.

12) Doug Julius, Sioux County Engineer,

- Presented a 28E agreement from Lyon County for the purpose of utilizing Julius as acting Engineer for three bridge projects. Motion by Bloemendaal and supported by Degen to approve the 28E agreement. Motion carried unanimously.
- Updated the Board on secondary road activities.
- Reported that 100,000 ton of gravel crushing is taking place at the Groth Pit. There is 40,000 ton of gravel crushing that will take place at Van Woudenberg Pit and will move from Van Woudenberg Pit to Van De Stroet Pit to crush 50,000 ton of gravel.
- Shared a video that demonstrated how secondary roads employees and contractors have to work around inconsiderate drivers in construction zones that are normally closed during construction time.
- Reported that asphalt construction on the B46 and K30 blacktops is complete and shoulder work should begin next week.
- Reported the culvert project by Ireton and bridge project by Boyden should start in August.

- 13) Motion by Bloemendaal and supported by Muilenburg to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 10:02 a.m. until Tuesday, July 28, 2020.

Jerry Muilenburg, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Linda Wynia
Sioux County Deputy Auditor