

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS
MEETING HELD ON FEBRUARY 9, 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-via Zoom, John Degen, and Carl Vande Weerd.
- 2) Minutes of the meeting held on February 2, 2021 were submitted and the Chairman declared them approved.
- 3) Motion by Vande Weerd and supported by Bloemendaal to approve the claims for February 9, 2021 as submitted by the County Auditor. Motion carried unanimously.
- 4) As this was the date, February 9, 2021, and time, 9:00 a.m. for a public hearing regarding a road vacation, the Chairman opened the public hearing. Ryan Dokter, Sioux County Auditor, displayed a map of the area of the road vacation and that this area is no longer maintained by the County. No written or oral comments were received from the public. The Chairman closed the public hearing. 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.

RESOLUTION NO. 2021-06
RESOLUTION APPROVING THE VACATION AND CLOSURE
OF A PORTION OF 385th STREET AND ITS SUBSEQUENT DISPOSAL
TO COREY N. DIEKEVERS AND BILLIE N. DIEKEVERS.

WHEREAS, the Board of Supervisors of Sioux County, Iowa (the "Board"), previously proposed to vacate, in Resolution 2021-05, a portion of 385th Street in said County, which is legally described as follows:

All of 385th Street located within Parcel E of the South Half (S1/2) of Section 34, Township 96 North, Range 43 West of the 5th P.M., Sioux County, Iowa, which roadway is more particularly described in Detail A of said Parcel E, all of which are shown by the Plat of Survey recorded as Instrument No. 2020-07085 in the office of the Sioux County Recorder.

WHEREAS, the above-described portion of the above-described street is not needed for public use and thus its maintenance at public expense is no longer justified. Moreover, the vacation of this portion of the street will not deny the owners of any property abutting said street reasonable access to their property.

WHEREAS, the above-described portion of the above-described street, once vacated, should be conveyed to Corey N. Diekevers and Billie N. Diekevers ("Diekevers") for the sum of one dollar (\$1.00). Said sale and conveyance will be subject to the following condition: That Diekevers be required to pay all legal fees and other costs associated with the vacation and disposal of the above-described portion of 385th Street.

WHEREAS, a public hearing was held on February 9, 2021, at 9:00 a.m. in the Sioux County Courthouse at 210 Central Avenue SW, Orange City, Iowa, at which time there were no objections to the vacation, closure, or conveyance of the above-described real estate. Notice of the public hearing was published and mailed in conformance with sections 306.11, 306.12, 306.13, 331.305, and 331.361 of the Iowa Code (2019).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, that the portion of 385th Street described above is hereby vacated and closed.

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, that the Chairman of the Board and the Sioux County Auditor are hereby authorized and directed to execute and deliver a special warranty deed (and all other documents that may be necessary to effectuate this resolution) regarding the above-described portion of the above-described street to Corey N. Diekevers and Billie N. Diekevers in accordance with the terms set forth in this resolution.

PASSED, APPROVED, AND ADOPTED this 9th day of February, 2021.

ATTEST: /s/Ryan Dokter, County Auditor
/s/Jerry Muilenburg
Chairman, Board of Supervisors

- 5) Motion by Bloemendaal and supported by Vande Weerd to approve the resolution transferring funds from the rural and general basic funds to the secondary road fund. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**RESOLUTION 2021-09
SECONDARY ROAD FUND TRANSFER**

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

\$1,265,689 from the Rural Basic Fund to the Secondary Road Fund, and
\$134,415 from the General Basic Fund to the Secondary Road 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 February 9, 2021.

\$1,265,689 from the Rural Basic Fund to the Secondary Road Fund and
\$134,415 from the General Basic Fund to the Secondary Road 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 9th day of February, 2021.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

- 6) Ryan Dokter Sioux County Auditor,
- Displayed a map of an area in the City of Hawarden that the County owns and wishes to sell to the adjacent landowner. A public hearing is necessary in order to proceed with the sale. Motion by Degen and supported by Bloemendaal to approve the following resolution setting a date and time for a public hearing on the sale of the property. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**RESOLUTION NO. 2021-10
SETTING PUBLIC HEARING ON PROPOSED
SALE OF COUNTY'S INTEREST IN CERTAIN REAL PROPERTY**

WHEREAS, Sioux County has an interest in certain real property legally described as follows:

The North Fourteen feet (N14') of the West Forty-Five feet (W45') of Lot Three (3), Block Six (6) Bellevue Second Addition, Hawarden Iowa.

WHEREAS, Sioux County is desirous of disposing of its interest in the above legally described property by transferring ownership to Rigoberto Arce Diaz and Myriam Anahi Becerra Diaz.

WHEREAS, as more particularly described above, the Board is desirous of describing and setting forth the proposed land transaction prior to disposing of the County's interest in the real property as required by Iowa Code Section 331.361; setting a public hearing on the proposed property sale in accordance with Iowa Code Section 331.305; publishing notice of the time and place of the public hearing on the proposed property sale; and soliciting public comment and input on the proposed property sale prior to finally acting on such proposal.

NOW, THEREFORE, BE IT RESOLVED that the Sioux County Board of Supervisors will hold a public hearing to discuss the proposed property disposition and the proposed real estate transfer to effectuate such real estate transfer, and to discuss whether or not to pass and approve the proposed property disposition. Such public hearing shall be held on **February 23, 2021, at 9:00 a.m.** in the Sioux County Courthouse at 210 Central Avenue SW, Orange City, Iowa.

PASSED AND APPROVED this 9th day of February, 2021.

/s/Jerry Muilenburg
Chairman, Board of Supervisors

ATTEST: /s/Ryan Dokter, Sioux County Auditor

7) Committee Reports:

- **Degen**– 1) Reported on the recent Conservation Board meeting. The Conservation Board wishes to do a partial pay down of the nature center bond and is working with the County Auditor on the procedure for that. Plans have been made for spring programs and some video advertising will be done. 2) Reported that painting in the second-floor stairwell in the courthouse will happen later in February. 3) Updated the Board on bounties for beavers and likely will not pursue implementing a bounty as local trappers are willing to address the issue.
- **Sybesma & Vande Weerd** – Reported on a recent Sioux Rivers. The process for setting up a new access center for the Region is currently on hold. The building the Region was interested in purchasing was sold to another party.

8) Motion by Vande Weerd and supported by Bloemendaal to adjourn the meeting. Motion carried and the meeting was adjourned at 9:26 a.m. until Tuesday, February 23, 2021.

Jerry Muilenburg, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Ryan Dokter
Sioux County Auditor