

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON MAY 4, 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 April 20, 2021 were submitted and the Chairman declared them approved.
- 3) Shane Walter, Sioux Rivers Mental Health Region CEO, updated the Board on the following:
 - Region is preparing to add Emmet County on July 1.
 - Funding for mental health services/program mandates continues to be a challenge, as those services can be expensive to provide.
 - The Region is working to sell the current access center in Sioux City and is evaluating options for crisis stabilization services.
 - The jail diversion program is working well in Sioux County as well as the mobile crisis services.
 - The Region has great staff, great providers and continues to work towards implementing the programs and services the Region is mandated to provide.
- 4) As this was the date, May 4, 2021 and time, 9:15 a.m. for a public hearing for Oolman Pork LLC, the Chairman opened the public hearing. Sioux County Zoning Director, Shane Walter presented the following: Name of Applicant: Oolman Pork LLC Location of the operation: Section 25, West Branch Township, Sioux County, Iowa. Type of confinement feeding operation structure proposed: One new concrete manure storage tank (180' diam x 12' deep) to provide additional storage at an existing adjacent swine confinement facility. Animal Unit Capacity of the confinement operation after construction: Unchanged at 1600 animal units. (4000 head of swine finishers). No oral or written comments were received from the public. The Chairman closed the public hearing. Motion by Sybesma and supported by Vande Weerd to send a favorable recommendation to the Iowa DNR. Motion carried unanimously.

As this was the date, May 4, 2021 and time, 9:15 a.m. for a public hearing for Mars Farm Inc., the Chairman opened the public hearing. Sioux County Zoning Director, Shane Walter presented the following: Name of Applicant: Mars Farms INC. Location of the operation: Section 14, Holland Township, Sioux County, Iowa. Type of confinement feeding operation structure proposed: One new concrete manure storage tank (180' diam x 12' deep) at an existing swine confinement/beef cattle open lot facility. Animal Unit Capacity of the confinement operation after construction: Unchanged at 3648 animal unites. (9120 head of swine finishers). No oral or written comments were received from the public. The Chairman closed the public hearing. Motion by Bloemendaal and supported by Sybesma to send a favorable recommendation to the Iowa DNR. Motion carried unanimously.

- 5) Chairman Muilenburg reported that the County Auditor informed him of an opinion from the Iowa Secretary of State's office regarding the Temporary Redistricting Commission, which prohibits the Board of Supervisors having more than one member on this Commission. Motion by Sybesma and supported by Bloemendaal to replace Supervisor Vande Weerd on the Temporary Redistricting Commission and appoint Anita Van Bruggen to the Commission.

Motion carried unanimously. The Temporary Redistricting is now composed of Kim Jongerius, Jerry Muilenburg, and Anita Van Bruggen.

- 6) Motion by Degen and supported by Vande Weerd to enter into a closed session per the Code of Iowa 21.5(1)(a) and 21.5(1)(i). Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg. Motion carried unanimously at 9:30 a.m.
- 7) Motion by Sybesma and supported by Degen to exit closed session. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg. Motion carried unanimously at 9:46 a.m.
- 8) Motion by Vande Weerd and supported by Degen to approve a tentative settlement agreement with former Deputy Nathan Kelderman. Motion carried unanimously.
- 9) Tom Kunstle, Sioux County Attorney,
 - Updated the Board regarding the Sioux County Trail's requests presented from April 20. Kunstle contacted Erin Reed who is the Executive Director for the Dickinson County Trails Board and received a sample easement agreement. The main questions are who will perform the maintenance of the trail, liability concerns and who will hold the easement agreements with the land owners. Kunstle will continue to work on the details with the Trails Committee.
 - Reported that he is serving on a task force regarding the modified court provisions in place due to the pandemic for what actions can/cannot be handled in the courtroom. This task force will make recommendations to the Iowa Supreme Court.
 - Supervisor Vande Weerd asked Kunstle about writing a disclaimer holding the County harmless if Justice For All were to be allowed to salvage copper and other metals from the County Home. The Board discussed this option and would like to have Kunstle look into this further before taking action.
- 10) Motion by Bloemendaal and supported by Sybesma to approve the claims for May 4, 2021, as submitted by the County Auditor. Motion carried unanimously.
- 11) Motion by Vande Weerd and supported by Bloemendaal to sign the Economic Development Assistance Contract with Ironwood 53 LLC and Whitetail Holdings LLC (Post Equipment), Sioux County, and the Iowa Economic Development Authority Contract Number 21-HQJP-024. Motion carried unanimously.
- 12) Motion by Sybesma and supported by Vande Weerd to approve the following resolution. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

RESOLUTION 2021-19
URBAN RENEWAL FUND TRANSFER

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

\$356,000 from the Urban Renewal Tax District #1 Fund to the Urban Renewal 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 4, 2021.

\$356,000 from the Urban Renewal Tax District #1 Fund to the Urban Renewal 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 4th day of May, 2021.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

13) Motion by Bloemendaal and supported by Vande Weerd to approve the following resolution.
Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**RESOLUTION 2021-20
SECONDARY ROAD FUND TRANSFER**

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

\$144,000.00 from the Urban Renewal Debt Service 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 May 4, 2021.

\$144,000.00 from the Urban Renewal Debt Service 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 4th day of May, 2021.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

14) Motion by Vande Weerd and supported by Bloemendaal to approve the following resolution.
Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**RESOLUTION 2021-21
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 May 4, 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 4th day of May, 2021.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

15) Motion by Bloemendaal and supported by Sybesma to approve the following resolution. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**RESOLUTION 2021-22
GENERAL SUPPLEMENTAL FUND TRANSFER**

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

\$675,000 from the General Basic Fund to the General Supplemental 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 4, 2021,

\$675,000 from the General Basic Fund to the General Supplemental 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 4th day of May, 2021.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

16) Motion by Bloemendaal 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 2021-23
COURTHOUSE CAPITAL IMPROVEMENTS FUND TRANSFER**

WHEREAS, the Sioux County Board of Supervisors created a fund, in accordance to GASB54 regulations, for the purpose of Courthouse infrastructure and renovation,

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

\$150,000 from the General Basic Fund to the Courthouse Capital Improvements 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 4, 2021.

\$150,000 from the General Basic Fund to the Courthouse Capital Improvements 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 4th day of May, 2021.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

17) Motion by Degen and supported by Vande Weerd to approve the following resolution. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

**2021-24
RESOLUTION AUTHORIZING THE PARTIAL REDEMPTION
OF OUTSTANDING GENERAL FUND CAPITAL LOAN
NOTES, SERIES 2019, OF SIOUX COUNTY, STATE OF IOWA,
DATED AUGUST 20, 2019, AND DIRECTING NOTICE BE
GIVEN**

WHEREAS, the County did by resolution dated August 6, 2019, authorize the issuance of \$1,850,000 General Fund Capital Loan Notes, Series 2019, (the "Notes") dated August 20, 2019; and

WHEREAS, the Notes are redeemable at any time upon giving notice in the manner provided in the resolution authorizing the issuance of the Notes; and

WHEREAS, it is deemed necessary and advisable that a portion of the Notes be so redeemed on June 1, 2021 and notice of redemption be given according to the terms of the resolution authorizing issuance of the Notes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF

SIOUX COUNTY, STATE OF IOWA:

Section 1. That outstanding General Fund Capital Loan Notes, dated August 20, 2019, in the principal amount of \$615,000, be and the same are hereby redeemed as of June 1, 2021.

Section 2. The Registrar and Paying Agent, UMB Bank, n.a., is hereby authorized and directed to cause notice of such redemption be given and to cause notice of redemption to be mailed to the registered owners of the Notes by registered mail.

Section 3. The County Treasurer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Notes to the date of redemption.

Section 4. That the form of such notice be substantially as follows:

NOTICE OF THE CALL OF NOTES FOR REDEMPTION TO THE HOLDERS OF THE FOLLOWING DESCRIBED NOTES:

Please take notice that the Notes described below have been called for redemption. Owners of the Notes should present their Notes for payment on the redemption date.

Issuer: Sioux County, State of Iowa

Original Issue Amount: \$1,850,000

Note Issue: General Fund Capital Loan Notes, Series 2019

Dated Date: August 20, 2019

Redemption Date: June 1, 2021

Redemption Price: Par, plus accrued interest

Notes Called for Partial Redemption

<u>Note Numbers</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturity June 1st</u>
No. 1	\$615,000	3.625%	2029

The above Notes should be presented to UMB Bank, n.a., West Des Moines, Iowa. This represents a partial call of the outstanding obligations. All interest will cease to accrue on the Redemption Date.

UMB BANK, N.A., West Des Moines, Iowa

(End of Notice)

PASSED AND APPROVED this 4th day of May, 2021.

/s/Jerry Muilenburg, Chairperson

ATTEST: /s/Ryan Dokter, County Auditor

18) Committee Reports:

- **Vande Weerd** – Reported on YES Board meeting he recently attended. The agency is doing well and the agency is doing a lot of transports. Vehicle replacement will be addressed by the agency. Drivers are needed in the Hull, Rock Valley, and Orange City areas.
- **Bloemendaal** – 1) Attended a special RIDES meeting to approve the new building in Spirit Lake. The approximate cost of the building will be \$926,000. 2) Attended a Mid-Sioux meeting via Zoom.
- **Vande Weerd & Sybesma** – Attended the recent Sioux Rivers Mental Health meeting. Shane Walter shared the details of that meeting in his report.

19) Doug Julius, Sioux County Engineer,

- Requested Board approval of the Contractor Bond for the culvert project L-1-2024—73-84-Culvert on Jay Avenue. Motion by Vande Weerd and supported by Bloemendaal to approve the Contractor Bond as presented. Motion carried unanimously.
- Updated the Board on secondary road activities which included the following: blading, graveling, edge righting, driveway work, sign work, detours for asphalt projects, and roadside mowing.
- Distributed the 2021 Construction Map and reviewed the status of the construction projects around the county.
- Distributed the 2021 Spring Line Painting Map for 34.3 miles of road to be painted.

20) Motion by Sybesma and supported by Degen to adjourn the meeting. Motion carried and the meeting was adjourned at 10:41 a.m. until Tuesday, May 18, 2021.

Jerry Muilenburg, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Ryan Dokter
Sioux County Auditor