

**MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**  
**MEETING HELD ON JUNE 15, 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 June 1, 2021 were submitted and the Chairman declared them approved.
- 3) Chairman Muilenburg introduced the topic of the security proposal from the security committee which was to add an additional full-time deputy sheriff, limit access to the courthouse to the west door only, and have all who enter pass through the magnetometer. Present for this discussion were as follows: Sheriff Altena, Captain Van Voorst, Head Custodian Vander Wel, Recorder Kookier, and HR Director Rook.

Chairman Muilenburg stated that he would like to see all of the doors of the courthouse open again.

Supervisor Degen liked the idea of working up to full scale security eventually, but for now likes the idea of having deputies here on court and motion days.

Supervisor Sybesma reported that from the Sheriff logs he reviewed, a judge asks for law enforcement presence at the courthouse about every two weeks, so it appears there is already a lot of law enforcement presence on a regular basis and is not in favor of locking the courthouse down. He also stated that the courthouse is a public building and we should keep it open to the public.

Supervisor Vande Weerd believes that the deputies and the Orange City Police Department do a good job of getting to the courthouse when panic buttons are used.

Motion by Bloemendaal and supported by Vande Weerd to immediately re-open all the doors to the courthouse and return to pre-COVID security. Discussion: Sheriff Altena stated that he understands that this decision is a difficult one to make and assured the Board that county law enforcement will work just as hard as they have been to respond and keep the building secure. Deputies will continue to patrol the courthouse and Treasurer's office on a regular basis and will also continue to conduct employee training and educate employees for handling difficult situations with the public.

The Board voice voted and the motion carried unanimously.

- 4) Ryan Dokter, Sioux County Auditor,
  - Reported that the Special Chatsworth City Election costs totaled \$1,471.53 from May 25. The Board accepted the report for information.
  - Reported that the County received half of the roughly \$6.7 million in American Rescue Plan funding from the US Treasury about 3 weeks ago. Additional guidance from the US Treasury and NACo has been released over the last few weeks and recommended the County form a committee to determine how to utilize the funding. Motion by Sybesma and supported by Degen to include the following department heads or

designees on the committee for the American Rescue Plan Funding: Sheriff, Treasurer, Public Health, Supervisor Vande Weerd, Chairman Muilenburg, Auditor, Shane Walter, and Conservation. Motion carried unanimously. Additional employees may be added at a later date. Supervisor Vande Weerd stated that a potential use of funding could be the Lewis & Clark water line to Sioux Center and Hull.

- Reported that regarding the American Rescue Plan funding, the Auditor of State provided information that private non-profits may receive payments from the county as long as what the private non-profit uses the money for, meets the American Rescue Plan requirements. A written agreement should be in place before providing any funding and agencies must provide detailed reporting back to the county.
  - Reported that the Auditor of State provided an opinion on public funds being provided to private non-profits. The Constitution of the State of Iowa prohibits governmental bodies from making a gift to a private non-profit corporation. Dokter stated that in order for the county to continue to provide funding to these agencies, a contract for service or 28E agreement would need to be in place. Dokter also stated he is working with the County Attorney on developing contracts and identifying which agencies are designated as private non-profits and will communicate with those agencies as soon as possible.
- 5) Abby Rook, Sioux County HR Director, proposed that the Board pass the following resolution repealing resolution 99-13. The reasons for doing so are due to the fact that resolution 99-13 impractical and also the Employee Handbook does not match the resolution. Rook recommended the County follow FLSA laws regarding the use of comp time which allow the employee to keep comp time for a year, then be paid out the oldest comp time at the pay rate it was accrued. Very few employees will ever keep comp time that old. The Employee Handbook will also be updated in the coming months to better describe the policy. 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 2021-29  
REPEAL RESOLUTION 99-13**

WHEREAS, the Sioux County Board of Supervisors previously considered and adopted Resolution No. 99-13 wherein the Sioux County Board of Supervisors deemed it advisable to change the policy of awarding compensatory time to require prior approval for all overtime hours worked by non-exempt employees of Sioux County and to allow employees to choose whether overtime compensation is paid to them in cash or as compensatory time off,

WHEREAS, the Sioux County Board of Supervisors also deemed it advisable to limit accrued or banked compensatory overtime hours to no greater than 40 hours and to require that all compensatory time accrued be utilized within 30 days of the time the overtime work is performed. Any hours of overtime accrued in excess of 40 hours or banked for more than 30 days shall be paid in cash,

WHEREAS, the Sioux County Board of Supervisors desires to repeal Resolution No. 99-13 in full;

THEREFORE, BE IT RESOLVED that, effective immediately, Resolution No. 99-13 adopted by the Sioux County Board of Supervisors on July 6, 1999, is hereby repealed and shall be of no further legal effect. Sioux County will follow the Fair Labor Standards Act requirements moving forward. In addition, to the extent any prior resolutions or motions conflict with this resolution or the Fair Labor Standards Act, they are likewise repealed, but only to the extent that they conflict with this resolution or the Fair Labor Standards Act.

Adopted and signed this 15th day of June, 2021.

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

ATTEST: /s/Ryan Dokter  
Sioux County Auditor

- 6) Motion by Degen and supported by Vande Weerd to approve the claims for June 15, 2021, as submitted by the County Auditor. Motion carried unanimously.
- 7) Shane Walter, Sioux Rivers Mental Health CEO,
  - Presented a vehicle lease agreement between Sioux County and Sioux Rivers Mental Health. A new vehicle was purchased for the Mental Health Region, which is licensed and insured by Sioux County as per the recommendation from the insurance carrier, ICAP. Motion by Sybesma and supported by Vande Weerd to approve the lease agreement. Motion carried unanimously.
  - Reported that there is a Sioux Rivers Mental Health meeting this afternoon to discuss selling the crisis center in Sioux City. Renovation of this facility will be needed as the State is mandating subacute services. Walter also provided general updates from the Mental Health Region.
- 8) Doug Julius, Sioux County Engineer,
  - Requested Board approval of two permit agreements with NIPCO Electric, the first permit is located along Indian Avenue south of Orange City to the county line for an overhead electric line rebuild, and the second is located along 380<sup>th</sup> Street approximately a mile west of Sioux Center in section 31 of Welcome Township and section 36 of Plato Township. Motion by Sybesma and supported by Degen to approve the permit agreements as presented. Motion carried unanimously.
  - Requested Board signatures on Title Sheet for the culvert project L-2-2019—73-84; the Board signed the Title Sheet. The letting for this project is set for July 14.
  - Requested Board approval of the IDOT Detour Agreement for the highway 10 project, which will divert traffic onto county roads B46 and K22. Motion by Bloemendaal and supported by Vande Weerd to approve the agreement. Motion carried unanimously.
  - Requested Board approval of the Certificate as to Completion of Work and Final Acceptance for project L-1-2024—73-84. Motion by Sybesma and supported by Bloemendaal to approved the certificate. Motion carried unanimously.
  - Updated the Board on secondary road activities.
  - Updated the Board on the status of construction projects in the county using the 2021 Construction Map.
- 9) Joel Sikkema, Sioux County Assistant Engineer,
  - Updated the Board on the county home, regarding the asbestos inspection. The inspection report showed asbestos was in floor tile and the wrap around pipes. The estimated cost for the abatement are below the budgeted amount. Motion by Sybesma and supported by Degen to allow the Engineer to obtain bids to abate the asbestos. Motion carried unanimously.

- Regarding the removal of other materials from the structure, the asbestos will need to be removed first and following that, decisions can be made on those materials.
- Chairman Muilenburg asked for an update regarding the proposed bike trail on County property. Sikkema reported that the plans had been reviewed and feedback on those plans will be provided to the Trails committee to discuss the findings.

10) Motion by Sybesma and supported by Degen to go into closed session per the Code of Iowa 21.5(1)(C) to discuss strategy with counsel regarding litigation. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

11) Motion by Bloemendaal and supported by Sybesma to exit closed session and return to regular session.

12) Motion by Sybesma and supported by Vande Weerd to approve the negotiated ICAP tentative agreement in the Te Slaa matter. Motion carried unanimously.

13) Dan Altena, Sioux County Sheriff, updated the Board on two open positions for deputy sheriff. Civil service testing was conducted in May and received a certified list of 8 applicants, two of which were hired.

14) Committee Reports:

- **Sybesma** – 1) Reported on the Third Judicial meeting. There are 114 sex offenders in prison currently and there are 97 out of prison, under supervision. The agency will have an open house July 14 and believes the agency is being run well. 2) Reported on the SRFDC meeting through ISAC and the DOT. This was a special meeting to redo a process that required the use of 2019 traffic data.
- **Degen** – Reported on the recent Conservation Board meeting. The parks and programs are seeing very high attendance/participation.
- **Vande Weerd** – Attended a recent Sioux Rivers Mental Health Advisory Board meeting.
- **Muilenburg** – Reported on the recent Landfill meeting. The agency approved fuel contracts with Ag Partners and also approved the purchase of a new bulldozer.

15) Motion by Degen and supported by Bloemendaal to adjourn the meeting. Motion carried and the meeting was adjourned at 10:46 a.m. until Tuesday, June 29, 2021.

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Jerry Muilenburg, Chairman  
Sioux County Board of Supervisors

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