

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON JANUARY 18, 2022

- 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 January 11, 2022 were submitted. Motion by Vande Weerd and supported by Bloemendaal to approve the minutes as submitted. Motion carried unanimously.
- 3) Jake Ketzner, on behalf of the Summit Carbon Pipe Line, discussed the proposed pipe line project in the State of Iowa and the proposed benefits of this project to farmers and the ethanol industry. Summit Carbon has not applied for permits from the Iowa Utilities Board but expects to submit those at the end of January 2022. If the permits are approved, construction would begin in 2023 and be operational in 2024. The company is committed to working with land owners for land restoration issues and for the location of the pipeline.

Supervisor Vande Weerd asked how this project qualifies as a public utility. Ketzner replied that this will be addressed through the application process and the goal is to seek voluntary easements and not have to go through eminent domain. Vande Weerd further stated that he is not against the project but is against eminent domain to be used in this fashion.

Chairman Muilenburg stated that the Board has been approached by rural water systems and phone companies that are concerned about their lines being affected by this project and asked if this project will be using an open cutting or boring the line in. Ketzner stated that both methods will be used in the process.

Jeff Altena with Siouxland Energy stated the need to make low carbon fuel as that is where the industry is heading and this project supports that initiative.

- 4) Dan Altena, Sioux County Sheriff,
 - Reviewed the Sheriff Quarterly Report with the Board. The Board received the report for information.
 - Reviewed the FY2023 Communications funding request in the amount of \$315,000 with the Board.
 - Reviewed the FY2023 Sheriff budget with the Board.
- 5) Dan Zomermaand, Sioux County Treasurer,
 - Requested Board approval of the following resolution to set a public hearing date for disposal of property. Motion by Bloemendaal and supported by Sybesma to approve the resolution as presented and set February 8, 2022 as the date for the public hearing. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

Resolution No 2022-04
Resolution of the Sioux County
Board of Supervisors Setting Hearing for
Property Disposition Proposal

WHEREAS, the county has an interest in certain real properties legally described as:

1. All that part of the 100 foot wide abandoned right of way of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company located in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 26, Township 97 North, Range 46 West, Sioux County, Iowa.
2. All that part of the 100 foot wide abandoned right of way of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company located in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 29, Township 97 North, Range 44 West, Sioux County, Iowa.
3. All that part of the 100 foot wide abandoned right of way of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company located in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 29, Township 97 North, Range 44 West, Sioux County, Iowa.
4. A parcel of land located in Lot Three (3), Block Eleven (11), Western Town Lot Company's First Addition to the City of Hawarden, Iowa, a/k/a PARCEL # 1902127004.
5. A parcel of land located in the NE $\frac{1}{4}$ of Section 33, T94N, R48W of the 5th P.M., Sioux County, Iowa, as shown on the Property Plat recorded in Book 1977, Page 2836 in the Sioux County Recorder's Office further described as follows:

Commencing at the NE corner of said Section 33; thence due west 1656.9 feet along the north line of the NE $\frac{1}{4}$ of said Section 33 to the point of beginning; thence continuing due west 70.0 feet along the north line of the NE $\frac{1}{4}$ of said Section 33; thence southerly 237.3 feet along a 5650.0 foot radius curve concave easterly having a long chord of 237.3 feet and bearing S0 $^{\circ}$ -21' E; thence S1 $^{\circ}$ -33'E 693.6 feet; thence N88 $^{\circ}$ -27'E 400.0 feet; thence N1 $^{\circ}$ -33'W 500.7 feet; thence N38 $^{\circ}$ -44 $\frac{1}{2}$ ' W 537.7 feet to the point of beginning.
Said parcel contains 6.93 acres, more or less.
6. One square acre of land in the Northwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-Six (36), Township Ninety-Four (94) North, Range Forty-Eight (48) West of the 5th P.M., as conveyed by Deed recorded in Book 35 Page 204, subject to public highways.

WHEREAS, the county is desirous of disposing of its interest in the above legally described properties pursuant to Code of Iowa Section 331.361;

WHEREAS, the county should sell the properties by holding a public sale and selling to the highest bidder;

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

That a public hearing pursuant to Code of Iowa Section 331.36 (2) is hereby set for the 8th day of February, 2022 to establish a date, time, and place for public sale of the properties. The County Auditor shall publish notice of the hearing and copy of this resolution in accordance with Code of Iowa Section 331.305.

PASSED AND APPROVED this 18th day of January, 2022.

/s/Jerry Muilenburg
Chairman, Board of Supervisors

ATTEST: /s/Ryan Dokter, Sioux County Auditor

- Reviewed the Treasurer Semi-Annual Report with the Board. The Board received the report for information.
 - Reviewed the FY2023 Treasurer budget with the Board.
- 6) Jessica Kooiker, Sioux County Recorder,
- Reviewed the Recorder Quarterly report with the Board. The Board received the report for information.
 - Reviewed the FY2023 Recorder Budget with the Board.
- 7) Tom Kunstle, Sioux County Attorney, requested Board approval for a legal assistant hired to replace an employee who left employment. Motion by Degen and supported by Sybesma to approve Kirbee Van De Berg as a legal assistant in the County Attorney’s office. Motion carried unanimously.
- 8) Chairman Muilenburg initiated discussion on a proposed letter to the Iowa Utilities Board regarding the Summit Carbon Pipe Line project. Motion by Vande Weerd and supported by Degen to modify the proposed language to state “we respectfully ask that you refrain from utilizing eminent domain in your pursuits”, and to approve the letter following that change. Discussion: Supervisor Bloemendaal stated that using eminent domain would have a negative impact on the ag community and that half of the corn grown locally is used for ethanol and benefits the county not only as ethanol but also feed for a lot of livestock. Voice vote: Sybesma, Yes; Degen, Yes; Bloemendaal, No; Vande Weerd, Yes; Muilenburg, Yes. Motion carried 4 in favor, one opposed.
- 9) Motion by Degen and supported by Bloemendaal to appoint Mark Sjoerdsma to the Judicial Magistrate Appointing Commission to fill a vacancy. Motion carried unanimously.
- 10) Joel Sikkema, Sioux County Engineer, reviewed the FY2023 Engineer budget with the Board.
- 11) Chairman Muilenburg introduced the agenda item for rescinding the Sioux County Vaccination, Testing, and Face Covering Policy. Due to the US Supreme Court ruling, this policy would no longer be needed. Motion by Vande Weerd and supported Sybesma to rescind the policy. Motion carried unanimously.
- 12) Motion by Sybesma and supported by Degen to approve the Actuarial Services Agreement between SilverStone Group, LLC and Sioux County for the GASB 75 report. Motion carried unanimously.
- 13) Motion by Vande Weerd and supported by Sybesma to approve the Sioux County Provider and Program Participation Agreement between Northwest Iowa Development and Sioux County for FY22. Motion carried unanimously.
- 14) Motion by Vande Weerd and supported by Degen to approve the lease agreement between Sioux Rivers Regional Mental Health and Disabilities Services and Sioux County for Regional vehicles. Motion carried unanimously.
- 15) Committee Reports:
- **Degen** – Attended the Communications, E-911 and EMS meetings. FY2023 budgets were discussed.

- **Bloemendaal**– Reported on the NACo Veteran’s Committee meeting held via telephone on January 13.
- **Muilenburg** – Attended a recent Landfill meeting which was the annual meeting and the annual report was reviewed.

16) Motion by Sybesma and supported by Degen to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 10:57 a.m. until Tuesday, January 25, 2022.

Jerry Muilenburg, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Ryan Dokter
Sioux County Auditor