

**MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**  
**MEETING HELD ON DECEMBER 21, 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, John Degen, Mark Sybesma and Carl Vande Weerd.
- 2) Minutes of the meeting held on December 14, 2021 were submitted. Motion by Vande Weerd and supported by Degen to approve the minutes as presented. Motion carried unanimously.
- 3) As this was the date December 21, 2021 and time, 9:00 a.m. for a public hearing regarding Ordinance No. 29, An Ordinance Establishing Voting Precincts for Sioux County, Iowa, the Chairman opened the public hearing. Sioux County Auditor, Ryan Dokter, described the precincts from the proposed maps and noted the changes to the precincts following the December 14, 2021 Board meeting. No other written or oral comments were received and the Chairman closed the public hearing.

Motion by Vande Weerd and supported by Degen to approve the following Ordinance No. 29. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

ORDINANCE NO. 29

**AN ORDINANCE ESTABLISHING VOTING PRECINCTS FOR SIOUX COUNTY, IOWA.**

BE IT ORDAINED by the Board of Supervisors of Sioux County, Iowa, that Sioux County Ordinance Number 23 is hereby repealed in its entirety and the following be substituted in its place:

SECTION 1. PURPOSE. The purpose of this ordinance is to establish voting precincts for Sioux County, Iowa as a result of the 2020 federal decennial census per Section 49.4, Code of Iowa.

SECTION 2. DEFINITIONS. For use in this ordinance, the following terms or words shall be interpreted or defined as follows:

1. "Voting Precinct" or "Precinct" shall mean a county or municipal subdivision for casting and counting votes in elections.
2. "Township" shall mean a civil and political subdivision of the county, six miles on each side.

SECTION 3. GENERAL PROVISIONS. Precincts established as provided by Section 49.4, Code of Iowa, shall be used for all elections, except where temporary merger of established precincts is specifically permitted by law for certain elections and no political subdivision shall concurrently maintain different sets of precincts for use in different types of elections.

- a. No precinct shall have a total population in excess of three thousand five hundred, as shown by the most recent federal decennial census.
- b. Each precinct is contained wholly within an existing legislative district.
- c. Precincts shall be composed of contiguous territory within a single county. The boundaries of all precincts shall follow the boundaries of areas for which official population figures are available from the most recent federal decennial census.
- d. All election districts shall be drawn to standards of Chapter 49.

SECTION 4. BOUNDARIES OF VOTING PRECINCTS.

1. Alton, Nassau Precinct  
Population – 1,594  
City of Alton in Nassau Township AND the following tracts of land in Holland Township:  
All of sections 35 and 36 and all those tracts of land located south of the centerline of County Highway B50 in sections 25 & 26 AND all of Nassau Township, except that part incorporated in the City of Orange City described in the City of Orange City Ordinance in sections 4, 5, & 6, AND excluding the incorporated and unincorporated tracts of land in census blocks 191670705003028 & 191670706011041
2. Buncombe, Eagle West, Garfield, Hawarden, Logan, Washington West Precinct  
Population – 3,435  
Cities of Chatsworth and Hawarden, Logan Township, Buncombe, Eagle West ½, Garfield, and Washington West ½ Townships
3. Capel, Grant, Lynn, Sheridan Precinct  
Population – 2,425  
City of Boyden, Sheridan Township, Cities of Matlock and Sheldon, Grant Township, Capel and Lynn Townships
4. East Orange, Floyd, Holland North ½ Precinct  
Population – 1,838  
City of Granville and East Orange Township, City of Hospers and Floyd Township, Holland Township North ½
5. Hull, Lincoln Precinct  
Population – 2,953  
City of Hull and Lincoln Township
6. Ireton, Center, Eagle East, Reading, Washington East Precinct  
Population – 1,480  
City of Ireton, Reading Township, Center, Eagle East ½, Washington East ½ Townships
7. Maurice, Sherman Precinct  
Population – 606  
City of Maurice, Sherman Township
8. Orange City No. 1 Holland SW Precinct  
Population – 3,231  
Orange City No. 1 (Described in City of Orange City Ordinance), Southern ½ of the Western ½ of unincorporated tracts of land of Holland Township
9. Orange City No. 2 Holland SE Precinct  
Population – 3,283  
Orange City No. 2 (Described in City of Orange City Ordinance), incorporated and unincorporated tracts of land of census blocks 191670705003028 & 191670706011041 of Nassau Township AND the Southern ½ of the Eastern ½ of unincorporated tracts of land of Holland Township, excluding the following tracts of land in Holland Township: All of sections 35 and 36 and all those tracts of land located south of the centerline of County Highway B50 in sections 25 & 26
10. Plato, Rock, Settlers, Sioux Precinct  
Population - 1,501  
Plato, Settlers, Sioux Townships, and the unincorporated tracts of land of Rock Township

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| 11. Rock Valley No. 1 Precinct<br>Population – 1,901          | City of Rock Valley No. 1 (Described in the City of Rock Valley Ordinance)  |
| 12. Rock Valley No. 2 Precinct<br>Population – 2,158          | City of Rock Valley No. 2 (Described in the City of Rock Valley Ordinance)  |
| 13. Sioux Center No.1, Welcome Precinct<br>Population – 1,624 | Sioux Center No. 1 (Described in City of Sioux Center Ordinance); and the unincorporated tracts of land of Welcome Township |
| 14. Sioux Center No. 2 Precinct<br>Population – 2,084         | Sioux Center No. 2 (Described in City of Sioux Center Ordinance)  |
| 15. Sioux Center No. 3 Precinct<br>Population – 2,459         | Sioux Center No. 3 (Described in City of Sioux Center Ordinance)  |
| 16. Sioux Center No. 4 Precinct<br>Population – 2,694         | Sioux Center No. 4 (Described in City of Sioux Center Ordinance)  |
| 17. West Branch Precinct<br>Population – 606                  | West Branch Township unincorporated tracts of land  |

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as required by law.

Adopted and signed this 21<sup>st</sup> day of December, 2021.

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

ATTEST: /s/Ryan Dokter  
Sioux County Auditor

- 4) Motion by Sybesma and supported by Degen to approve the amended agreement with the City of Orange City for the reprecincting process as unincorporated areas of cities over 2,000 will be combined to form a precinct for voting purposes. Motion carried unanimously. The amendment was needed to address an annexation that took place after January 1, 2020.
- 5) Motion by Vande Weerd and supported by Degen to approve the claims for December 21, 2021 as presented by the County Auditor. Motion carried unanimously.
- 6) Motion by Sybesma and supported by Vande Weerd to appoint Mike Hoekstra as a Capel Township Trustee to fill a vacancy. Motion carried unanimously.

- 7) Shelley Sindt, CEO of Elderbridge, attended the meeting via Zoom and updated the Board on the services and activities of the agency. The agency's funding request for FY23 was for \$22,724. The Board took no action on the funding request at this time.
- 8) Sunday Ford, Sioux County Conservation Naturalist, provided a report and statistics of the programs offered at the Nature Center and the use of the facility. On behalf of the Sioux County Conservation Foundation, Cal De Ruyter and Gordon Pottebaum reported on the fundraising activities to fund the gap for the Nature Center. De Ruyter reported that after the completion of the Nature Center, a \$1 million gap in funding existed and the Foundation was able to reduce that gap by \$650,000, by revisiting all of their donors. In August, the REC loan payments will begin, which entail \$90,000/year for 4 years. The Foundation is requesting \$350,000 in funding to clear up the remainder of the needed funding.

Supervisor Sybesma stated that this funding was supposed to be there and nothing further would be needed from the county, from what was told to the Board from the last time the Foundation met with the Board. He continued that the facility is nice to have and appreciates the efforts of the staff and volunteers.

Supervisor Vande Weerd stated that the Board will need to look at this funding as part of the overall budget process and will make a decision on funding at a later date.

The Board took no action on this funding request at this time.

- 9) Stephanie Henrich, Executive Director of CAASA, reported on the status of the agency and what services the agency offers. Henrich requested \$5,000 in funding for FY23 and reported that CAASA provides sexual assault services while the Family Crisis Centers provide domestic violence services. The Board took no action on this request at this time.

- 10) Tom Kunstle, Sioux County Attorney,

- Presented the following resolution for Board approval. Motion by Sybesma and supported by Vande Weerd 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. 39

#### RESOLUTION OF THE SIOUX COUNTY BOARD OF SUPERVISORS APPROVING NEW POSITION WITHIN THE COUNTY ATTORNEY OFFICE

WHEREAS, the County Attorney is responsible for a variety and numerous court prosecutions, court filings, court appearances, rendering legal advice, and other duties specifically outlined in Iowa Code section 331.756.

WHEREAS, Sioux County continues to grow in population; according to the 2020 U.S. Census data Sioux County has grown to a population of 35,872. Along with such growth comes an increasing workload upon the County Attorney Office.

WHEREAS, the County Attorney presented documentation demonstrating the Sioux County Attorney Office, with two attorneys and five support staff, is currently one of the lowest staffed offices in the State of Iowa compared to comparable County Attorney offices.

WHEREAS, Thomas G. Kunstle, Sioux County Attorney, requested the Sioux County Board of Supervisors, pursuant to Iowa Code section 331.903, to seek approval to create one new positions, an Assistant County Attorney position, within the County Attorney Office.

WHEREAS, the Sioux County Board of Supervisors motioned in favor of grating the County Attorney Office authority to create one new position on December 14, 2021.

THEREFORE, BE IT RESOLVED, by the Sioux County Board of Supervisors, pursuant to Iowa Code section 331.903, the Sioux County Attorney's Office is granted approval and the authority to create one new position, an Assistant County Attorney, within the County Attorney Office.

IT FURTHER RESEOLVED that such approval and authority to create one new position shall be effective upon passage of this Resolution. Such authority shall include, but not be limited to, increasing the current County Attorney Office budget as necessitated by said position, but in no event shall overall compensation increase by more than \$110,000 during the first year.

**PASSED AND APPROVED** this 21<sup>st</sup> day of December, 2021.

/s/Jerry Muilenburg  
Chairman, Board of Supervisors

ATTEST:

/s/Ryan Dokter, Sioux County Auditor

- Reported that the open legal assistant position in his office has been filled and the employee will start in January.

11) Jessie Huitink, Program Director of the Foster Grandparent Program, updated the Board on the status of the agency. Huitink requested funding in FY23 for \$7,500. The Board took no action on the request at this time.

12) Ann Holmes and Kurt Franje, discussed the services and objectives of Habitat For Humanity. A funding request for FY23 was submitted for \$5,000. The Board took no action on the funding request at this time.

13) Committee Reports:

- **Vande Weerd** – Reported on the YES Board meeting from last Friday. All of the beds are full and the agency is working to obtain two more vehicles for their transportation service.
- **Muilenburg** – Reported on the recent Board of Adjustment and Planning and Zoning meeting. A permit was approved for the Roorda Dairy for their commercial milk hauling and for the equipment being sold from their property.

14) Doug Julius, Sioux County Engineer,

- Requested Board approval of a permit agreement with Long Lines Communications to repair a fiber optic cable in sections 26 and 35 of Lynn Township. Motion by Sybesma and supported by Degen to approve the permit agreement as presented. Motion carried unanimously.
- Reported that information was received from the City of Sioux Center regarding a speed limit change on Harrison Avenue from 55 mph to 45 mph. A resolution making the change official will be presented at a future Board meeting.

- Reported that an updated 28E agreement is needed with the Iowa DNR in order for the County Engineer to issue permits for private well installation. The Board directed the Engineer to work on compiling the 28E agreement and present it for Board approval at a later date.
- Informed the Board that a determination of costs has been compiled for a shared road project with the City of Rock Valley. The county's cost was calculated at \$63,931.10 for repayment to the City of Rock Valley. Motion by Vande Weerd and supported by Bloemendaal to budget for this expense in the FY23 budget. Motion carried unanimously.
- Updated the Board on secondary road activity.

**15)** Joel Sikkema, Sioux County Assistant Engineer, reported that a waiver and release of liability has been completed regarding Justice For All salvaging material from the County Home.

**16)** Motion by Degen and supported by Bloemendaal to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 10:56 a.m. until Monday, January 3, 2022.

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Jerry Muilenburg, Chairman  
Sioux County Board of Supervisors

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