

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON FEBRUARY 8, 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 February 1, 2022 were submitted. Motion by Bloemendaal and supported by Degen to approve the minutes as submitted. Motion carried unanimously.
- 3) As this was the date, February 8, 2022, and time, 9:00 a.m., the Chairman opened a public hearing regarding setting a date and time for a sale for property disposition. Sioux County Treasurer, Dan Zomermaand, reviewed the properties in question. No written or oral comments were received from the public. The Chairman closed the public hearing. 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 NO. 07

RESOLUTION OF THE SIOUX COUNTY BOARD OF SUPERVISORS SETTING SALE FOR PROPERTY DISPOSITION

WHEREAS, the county has an interest in certain real estate 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°-21' E; thence S1°-33'E 693.6 feet; thence N88°-27'E 400.0 feet; thence N1°-33'W 500.7 feet; thence N38°-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 ¼) of the Northwest Quarter (NW ¼) 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 property pursuant to Code of Iowa Section 331.361;

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

THEREFORE, BE IT RESOLVED by the Sioux County Board of Supervisors: That after public hearing pursuant to Code of Iowa Section 331.361(2) the Board of Supervisors sets May 17, 2022 at 9:00 a.m. as the date and time for sale of the property. The auction will take place in the Board Room at 210 Central Ave SW, Orange City, IA 51041. The County Auditor shall publish notice of the sale and copy of this resolution in accordance with Code of Iowa Section 331.305.

PASSED AND APPROVED this 8th day of February, 2022.

/s/Jerry Muilenburg
Chair, Board of Supervisors

ATTEST: /s/Ryan Dokter, Sioux County Auditor

4) Dan Zomermaand, Sioux County Treasurer,

- Requested Board approval of the following resolution for the abatement of taxes. Motion by Vande Weerd and supported by Degen 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. 2022-08
SIOUX COUNTY BOARD OF SUPERVISORS
Date: February 8, 2022
ABATEMENT OF TAXES

Whereas, The Sioux County Board of Supervisors have concluded that the following parcels have no merit in collecting taxes and move that the taxes be abated based on reasons noted:

Owner	Parcel	Payable Year	Original Tax	Current Tax	Reason
West Sioux Buncombe - 560 Unknown Owner	1315226001	2008-09 2009-10 2010-11 2011-12	\$6.00 \$6.00 \$6.00 \$8.00	\$223.00	Parcel has no value. Amount deemed uncollectable.
Rock Valley Rock – 400 Sioux County, Iowa	0319176009	2020-21	\$19.00	\$26.00	Parcel owned by Sioux County - Exempt
Boyden Hull Lincoln – 170 Sioux County, Iowa	0409151005	2021-22	\$6.00	\$7.00	Parcel owned by Sioux County - Exempt
Sioux Center Agland – 135 Iowa, State of	1028152002	2021-22	\$16.00	\$17.00	Parcel owned by the State

					of Iowa - Exempt
MOC-FV Nassau – 320 Pyramid Network Services	2301151901	2021-22	\$6290.00	\$6479.00	Parcel belongs to the State of Iowa and should not be taxed per Ross Simmelink

Whereas, The Board of Supervisors of Sioux County has the authority to abate taxes based on The Iowa Code. [Sec.445.63]

Whereas, The Board of Supervisors can also abate taxes when the Treasurer determines that it is impractical to pursue the collection of taxes through the tax sale or personal judgment remedies.

Whereas, The Board of Supervisors shall abate, by resolution, the amount due, and direct the Treasurer to strike the amount due from the county system. Iowa Code [Sec. 445.16]

BE IT RESOLVED BY the Sioux County Board of Supervisors as follows:

The Board of Supervisors has decided that these taxes cannot be collected and direct the Treasurer to strike the amount due from the county system on each parcel noted above.

The above and foregoing Resolution was adopted by the Board of Supervisors of Sioux County, Iowa, on February 8, 2022.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

- Requested Board approval of the following resolution for the suspension of property taxes. Motion by Sybesma and supported by Degen 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. 2022-09
SIOUX COUNTY BOARD OF SUPERVISORS
Date: February 8, 2022
PROPERTY TAX SUSPENSION**

Whereas, The Director of Human Services has verified the eligibility for property tax suspension of the following individual(s),

Name	Address	Parcel	Legal	Year Payable
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130- Sioux Center Koops, Gloria J	119 2 nd Ave NE Sioux Center, IA 51250	1604160014	L4 Blk 1 Aud Subd Reisma's Reserve NSC	2021-2022
	1005 Ave N Hawarden, IA 51023	1335458009	LS11&12 Aud Subd Blk 13 Van Orman's Add	2021-2022
050- Hawarden Finch, Brenda				

THEREFORE, the Sioux County Board of Supervisors does on this 8th day of February, 2022, direct the Sioux County Treasurer to suspend taxes on the aforementioned parcels of property.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

5) Motion by Vande Weerd and supported by Bloemendaal to approve the claims for February 8, 2022, as presented by the County Auditor. Motion carried unanimously.

6) Joel Sikkema, Sioux County Engineer,

- Requested Board signatures on the following project title sheets: LFM-3-2021—73-84 (Fairview bridge deck overlay), L-2-2019—73-84 (structural plate in Capel Township), and L-1-2024—73-84 (Jay Avenue grading), as well as obtaining the County Auditor's signature for a notice to bidders on the aforementioned projects as well as the County Home demolition project. Motion by Bloemendaal and supported by Vande Weerd to sign the title sheets and the County Auditor to sign the notice to bidders. Motion carried unanimously.
- Requested Board approval of a permit agreement with the City of Sioux Center for street lights in section 10 of West Branch Township. Motion by Sybesma and supported by Degen to approve the permit agreement as presented. Motion carried unanimously.
- Requested Board approval of a 28E agreement with the Iowa DNR. This 28E agreement is needed as the Board passed Ordinance No. 30 for private well permits and this 28E allows the county to issue the private well permits. Motion by Sybesma and supported by Vande Weerd to approve the 28E agreement. Motion carried unanimously.
- Updated the Board on secondary road activities. Private haulers for gravel are currently hauling from the Chatsworth Pit to Alton and next week will haul from the Groth Pit to Boyden and Sioux Center stockpiles. Gravel road blading is taking place on washboards as the weather allows.

7) Shane Walter, Sioux County Zoning Director,

- Requested Board approval of the new Zoning Fee Schedule. The change in fee is for non-profit organizations to \$1/\$1,000 of construction value. Motion by Sybesma and supported by Degen to approve the amended Zoning Fee Schedule. Motion carried unanimously.

- Reported that an update has been implemented for the Juvenile Probation FY23 budget, increasing the overall budget from \$70,000 to \$85,000. This is due to the recent increase in Sioux County juveniles receiving services.
- 8) Chairman Muilenburg initiated discussion on office space for the Treasurer's Office and potential relocation of the Treasurer's Office, Public Health, and DHS. Present for this discussion were Micah Van Maanen, Jackie Covey, Dan Zomermaand, and Shane Walter.

Zomermaand stated that the better of the two options for his office would be the space occupied currently by Public Health currently. He is still waiting on some cost estimates for a remodel of that space.

Walter explained the idea of potentially moving Public Health to a new location, possibly the old hospital, renovating the space currently in use by Public Health and then move the Treasurer's Office there. From there, look at what modifications are needed to relocate DHS to the old Treasurer's Office and free up the space occupied by DHS for county use. DHS does not have a great need for space and the County must provide space for DHS, but the County decides which space is available to them.

Covey stated they have 9 employees and they have a need for a conference room area for Public Health.

Van Maanen stated that architects may not consider technology needs when proposing plans and his office needs to be included in the discussion for these projects.

Muilenburg noted that the gravel lot north of city hall is owned by the county and we may want to consider paving that lot for public use as more county offices are in close proximity to one another.

- 9) Ryan Dokter, Sioux County Auditor,
- Reported that following the February 1, 2022 Board meeting, the organizational funding requests were updated in the FY23 budget and updated the expenses for the ARPA fund as more internal applications have been received. Dokter also noted that some fund balances are projected to be overdrawn, but this will not actually be the case as we are budgeting high on expenses due to the timing of when funds are spent, whether some occur in FY22 or FY23.
 - Reviewed the Legislative Services Agency (LSA) memo and proposed redistricting map for Sioux County. According to the map the proposed districts are as follows: District 1. Precincts 1 (Alton, Nassau), 2 (Buncombe, Eagle West, Garfield, Hawarden, Logan, Washington West), 6 (Ireton, Center, Eagle East, Reading, Washington East), and 7 (Maurice, Sherman). District 2. Precincts 8 (Orange City No. 1 Holland SW), 9 (Orange City No. 2 Holland SE) and 17 (West Branch). District 3. Precincts 14 (Sioux Center No. 2), 15 (Sioux Center No. 3), and 16 (Sioux Center No. 4). District 4. Precincts 10 (Plato, Rock, Settlers, Sioux), 11 (Rock Valley No. 1), 12 (Rock Valley No. 2), and 13 (Sioux Center No. 1, Welcome). District 5. Precincts 3 (Capel, Grant, Lynn, Sheridan), 4 (East Orange, Floyd, Holland North 1/2,) and 5 (Hull, Lincoln).

Motion by Vande Weerd to accept the redistricting plan as presented in the resolution. Chairman Muilenburg accepted the motion and called for a vote on the proposed

resolution. Roll call on vote: Sybesma, No; Degen, No; Bloemendaal, No; Vande Weerd, Yes; Muilenburg, Yes. Motion failed 3 opposed, 2 in favor.

Motion by Bloemendaal and supported by Sybesma to reject the LSA's proposed redistricting plan based on the following reason, the public had no opportunity for input on the supervisor plan and certain areas of population fit better in other areas than this plan gives. Discussion: Sybesma requested Code of Iowa language which requires two supervisors living in the same supervisor district to run for re-election. Voice vote on motion to reject the LSA's plan: Sybesma Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, No; Muilenburg, No. Motion carried, 3 in favor, 2 opposed. Dokter will send the reasons listed for rejection to the Secretary of State's Office.

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

**RESOLUTION 2022-10
SECONDARY ROAD FUND TRANSFER**

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

\$1,315,929 from the Rural Basic Fund to the Secondary Road Fund, and
\$139,466.50 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 8, 2022.

\$1,315,929 from the Rural Basic Fund to the Secondary Road Fund and
\$139,466.50 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 8th day of February, 2022.

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

ATTEST: /s/Ryan Dokter
Sioux County Auditor

11) Committee Reports:

- **Degen** – Reported the recent Conservation Board meeting. They reviewed plans for the upcoming year which include doing some electrical work at Sandy Hollow and Oak Grove. Reported that there was good turnout for an owl viewing.
- **Vande Weerd & Muilenburg** – Reported on the recent ARPA committee meeting. The committee reviewed applications and reported that the deadline for submitting applications for funding is March 1, 2022. The Board of Supervisors will have final input on funding the applications.

- **Vande Weerd & Sybesma** – Reported that they are making contacts for forming a new board for the Youth Fair project.

12) Motion by Bloemendaal and supported by Vande Weerd to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 10:25 a.m. until Tuesday, February 22, 2022.

Jerry Muilenburg, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Ryan Dokter
Sioux County Auditor