

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON JUNE 14, 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, Mark Sybesma, John Degen, Al Bloemendaal, and Carl Vande Weerd via Zoom.
- 2) Minutes of the meetings held on May 31, 2022 and June 9 were submitted. Motion by Bloemendaal and supported by Degen to approve the minutes as submitted. Motion carried unanimously.
- 3) Kalyn Decker, Sioux County Elections Administrator, presented the election results for the Primary Election held on June 7, 2022. Decker reported 20.42% voter turnout for this election; 4,743 total votes were cast. Decker reported that an Administrative Recount was performed on June 9 to correct a discrepancy of the tabulators having run 8 more ballots than voters checked in. This error was due to ballot jamming issues and was present for other counties with the same tabulators. The recount confirmed what the Auditor’s Office staff had suspected with the tabulator issue. The post-election audit was conducted on the Orange City No.1/Holland SW precinct and the audit matched the machine perfectly. Motion by Sybesma and supported by Degen to approve the canvass of the Primary Election returns and authorize the Board to sign Abstracts of Election in accordance with section 43.49, Code of Iowa, for the Primary Election held on June 7, 2022. Motion carried unanimously.

United States Senator	PARTY	VOTES
Jim Carlin	Republican	980
Chuck Grassley	Republican	3,300
Scattering	Republican	5

Abby Finkenauer	Democratic	105
Michael Franken	Democratic	269
Glenn Hurst	Democratic	19
Scattering	Democratic	1

United States Representative (4th District)

Randy Feenstra	Republican	4,064
Scattering	Republican	41

Ryan Melton	Democratic	337
Scattering	Democratic	3

Governor

Kim Reynolds	Republican	4,158
Scattering	Republican	10

Deidre DeJear	Democratic	349
Scattering	Democratic	1

Secretary of State

Paul D. Pate	Republican	3,765
Scattering	Republican	3
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Joel Miller	Democratic	214
Eric Van Lancker	Democratic	133
Scattering	Democratic	1
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Auditor of State		
Todd Halbur	Republican	1,767
Mary Ann Hanusa	Republican	1,596
Scattering	Republican	4
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Rob Sand	Democratic	341
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Treasurer of State		
Roby Smith	Republican	3,507
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Michael L. Fitzgerald	Democratic	334
Scattering	Democratic	1
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Secretary of Agriculture		
Mike Naig	Republican	3,753
Scattering	Republican	6
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John Norwood	Democratic	330
Scattering	Democratic	1
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Attorney General		
Brenna Bird	Republican	3,490
Scattering	Republican	2
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Tom Miller	Democratic	346
Scattering	Democratic	2
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State Representative (003rd District)		
Thomas Jeneary	Republican	1,216
Scattering	Republican	2
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State Representative (003rd District)		
Scattering	Democratic	10
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State Representative (004th District)		
Skyler Wheeler	Republican	1,645
Kendal Zylstra	Republican	1,240
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State Representative (004th District)			
Scattering	Democratic		9
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Board of Supervisors (2nd District)			
Jerry Muilenburg	Republican		564
Scattering	Republican		1
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Board of Supervisors (2nd District)			
Scattering	Democratic		1
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Board of Supervisors (3rd District)			
Dan Altena	Republican		853
Scattering	Republican		11
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Board of Supervisors (3rd District)			
John D. Skilbred (Write-In)	Democratic		1
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Board of Supervisors (4th District)			
Carl Vande Weerd	Republican		959
Scattering	Republican		2
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Board of Supervisors (4th District)			
Mark McGill (Write-In)	Democratic		1
Scattering	Democratic		1
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Board of Supervisors (5th District)			
Craig Hoftyzer	Republican		938
Scattering	Republican		1
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Board of Supervisors (5th District)			
Richard Dykstra (Write-In)	Democratic		1
Scattering	Democratic		1
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County Treasurer			
Daniel D. Zomermaand	Republican		3,794
Scattering	Republican		1
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County Treasurer			
Scattering	Democratic		9
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County Recorder			
Jessica Kooiker	Republican		3,789

Scattering	Republican	3
County Recorder		
Scattering	Democratic	6

County Attorney		
Thomas Kunstle	Republican	3,646
Scattering	Republican	12

County Attorney		
Scattering	Democratic	7

Write-in votes can be obtained by contacting the Auditor's Office.

The following received enough votes for their names to be placed on the General Election Ballot to be held on November 8, 2022:

Sioux County Board of Supervisors District #2:	Jerry Muilenburg, Republican
Sioux County Board of Supervisors District #3:	Dan Altena, Republican
Sioux County Board of Supervisors District #3:	John D. Skilbred, Democratic – pending receipt of affidavit of candidacy
Sioux County Board of Supervisors District #4:	Carl Vande Weerd, Republican
Sioux County Board of Supervisors District #4:	Mark McGill, Democratic – pending receipt of affidavit of candidacy
Sioux County Board of Supervisors District #5:	Craig Hoftyzer, Republican
Sioux County Board of Supervisors District #5:	Richard Dykstra, Democratic – pending receipt of affidavit of candidacy
Sioux County Treasurer:	Daniel D. Zomermaand, Republican
Sioux County Recorder:	Jessica Kooiker, Republican
Sioux County Attorney:	Thomas Kunstle, Republican

Offices for which no candidates were nominated: Democratic Sioux County Board of Supervisors District #2, Democratic County Treasurer, Democratic County Recorder, and Democratic County Attorney.

Motion carried unanimously.

- 4) Motion by Bloemendaal and supported by Degen to approve the claims for June 14, 2022, as presented by the County Auditor. Motion carried unanimously.
- 5) Chairman Muilenburg began discussion on the following resolution to set a public hearing date for a property disposition proposal. Motion by Sybesma and supported by Bloemendaal 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 2022-35
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:

The North 360 feet of the East 300 feet of the NW1/4 of the NW1/4 of Section 2 in Township 94 North, Range 45 West of the 5th P.M.

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 331.361(2) is hereby set for the 28th day of June, 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 14th day of June, 2022.

/s/Jerry Muilenburg
Chairman, Board of Supervisors

- 6) Motion by Bloemendaal and supported by Degen to approve the liquor license renewal for the Triple Box, LLC located at 4758 Ironwood Ave, Orange City, IA 51041. Motion carried unanimously.
- 7) Committee Reports:
 - **Vande Weerd**–1) Reported on a Sioux Rivers meeting from last week. The budget for the Region cannot be amended at this point and will meet again next week to explore other options for reducing the fund balance. 2) Received an agreement from the City of Sioux Center regarding the purchase of the old Sioux Center Airport. The County Attorney will need to review the agreement before getting Board approval.
 - **Sybesma** – Reported on a Third Judicial meeting. The agency has some staff shortages and a high work load.
 - **Muilenburg** – Reported on a Landfill meeting from last week. The liner is down for the new cell. The agency had complaints about trash blowing around from the strong winds over the last few months. Temporary fences have been installed to catch more debris and passed a policy allowing the manager to close the landfill when there is a high wind warning.
 - **Degen & Vande Weerd** – Reported on a meeting with Sheriff staff regarding the bays of the old Westside Motors property. The space will work well for their needs and will plan to move into the space throughout the month of June.
- 8) Joyce Murphy, Real Estate Clerk/Office Manager – Sioux County Assessor, began discussion regarding the postage machine leases for both the courthouse and Treasurer’s Office. Two quotes were obtained for 5-year lease agreements. The lower quote was received on June 13 and there has not been adequate time to review the quote. Motion by Sybesma and supported by Degen to accept the lower quote contingent upon the review of Joyce Murphy and obtaining referrals from other agencies about the company’s service. Motion carried unanimously.
- 9) As this was the date, June 14, 2022 and time, 9:30 a.m. for a public hearing regarding Ordinance No. 20, the Chairman opened the public hearing. Sioux County Zoning Director, Shane Walter, reviewed the main points of Ordinance No. 20 which deals with the floodplain. Walter reported

that the Planning and Zoning Commission approved the changes to the ordinance and needs formal approval from the Board. No written or oral comments were received. The Chairman closed the public hearing. Motion by Sybesma and supported by Bloemendaal to waive the second and third readings of the ordinance and approve Ordinance No. 20 as presented. Roll call on vote: Sybesma, Yes; Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried unanimously.

Title of Proposed County Ordinance No.20: Floodplain Management Ordinance

Purpose of Proposed County Ordinance No.20: An ordinance to meet the minimum requirements for acceptance in the National Flood Insurance Program for Counties which have a detailed Flood Insurance Study (FIS) issued by the Federal Emergency Management Agency (FEMA).

Summary of Proposed County Ordinance No. 20: This ordinance is a special-purpose ordinance established under authority of Chapter 33 of the Iowa Code, which establishes zoning districts for the flood hazard areas within unincorporated Sioux County as identified by FIS and regulates development only in those floodplain zones, and establishes floodplain management criteria are set forth in Section 60.3(d) of the rules and regulations as published in the October 1, 1994, Federal Register. A full copy of the ordinance can be found at <https://siouxcountya.gov/departments/supervisors/ordinances/> .

10) Joel Sikkema, Sioux County Engineer,

- Presented a permit application agreement for Board consideration from the Iowa Communications Network (ICN) for a new segment of fiber optic cable in section 12 of West Branch Township. Motion by Bloemendaal and supported by Degen to approve the permit application agreement as presented. Motion carried unanimously.
- Updated the Board on the progress of the following projects: LFM-3-2021—73-84 (Fairview Bridge), LFM-2-2022—7X-84 (Box culvert south of Carmel), and L-2-2019—73-84 (Structural plate culvert).
- Updated the Board on secondary road activities which include blading, graveling, and ditch cleaning.
- Reported that upcoming projects will include some crack sealing in the southwest part of the county and asphalt patch work.

11) Supervisor Sybesma left the meeting at 9:58 a.m.

12) Beverly Heronemus, Office Manager/Paralegal – Sioux County Attorney’s Office, introduced Dawn Wilson as the new Assistant County Attorney, and requested Board approval of the following resolution. Motion by Bloemendaal and supported by Degen to approve the resolution authorizing the appointment of assistant county attorney. Roll call on vote: Degen, Yes; Bloemendaal, Yes; Vande Weerd, Yes; Muilenburg, Yes. Motion carried, one member absent.

RESOLUTION NO. 2022-36

RESOLUTION OF THE SIOUX COUNTY BOARD OF SUPERVISORS APPROVING AND
AUTHORIZING THE APPOINTMENT OF ASSISTANT COUNTY ATTORNEY

WHEREAS, at the request of Thomas G. Kunstle, Sioux County Attorney, and pursuant to Iowa Code section 331.903, the Sioux County Board of Supervisors hereby approves the County Attorney’s

appointment of Dawn R. Wilson as Assistant Sioux County Attorney. Such appointment shall be effective retroactively upon June 1, 2022.

PASSED AND APPROVED this 14th day of June, 2022.

/s/Jerry Muilenburg
Chairman, Board of Supervisors

ATTEST: /s/Ryan Dokter, Sioux County Auditor

13) Motion by Bloemendaal and supported by Degen to adjourn the meeting. Motion carried, one member absent and the meeting was adjourned at 10:07 a.m. until Tuesday, June 28, 2022.

Jerry Muilenburg, Chairman
Sioux County Board of Supervisors

ATTEST: _____
Ryan Dokter
Sioux County Auditor