

MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS

MEETING HELD ON AUGUST 22, 2000

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:30 o'clock a.m. with Chairman Loren Bouma presiding. Members present were William Vander Maten, Vernon Beernink, Loren Bouma, Bernard L. Smith and Stanley L. De Haan.

Minutes were approved as read.

Committee reports were given this date.

Mark Zellmer, Decategorization Project Coordinator, met with the Board this date to review decategorization activities. He requested approval and a Chairman's signature on a School Ready Children Grant for the Northwest Iowa Community Empowerment Area in a total amount of \$241,227.00 with Sioux County serving as the fiscal agent.

Dennis Sassman, County Community Services Director; and Shane Walter, County Central Point of Coordination Administrator, were also present for the aforementioned decategorization discussion.

Motion by Beernink and supported by De Haan to approve and authorize the Chairman to sign a School Ready Children Grant for the Northwest Iowa Community Empowerment Area in a total amount of \$241,227.00 with Sioux County serving as the fiscal agent. Carried, unanimous in favor.

Motion by Vander Maten and supported by De Haan to approve and authorize the Chairman to sign the following Prairie View Corridor Resolution:

RESOLUTION NO. 2000-23

RESOLUTION NAMING

WHEREAS, the State of Iowa and the State of Minnesota have had a proud heritage of being an integral part of the Great American Prairie, recognizing it's fertile soil and natural beauty as a major asset of this area, and

WHEREAS, the State of Iowa and this community recognize the importance of maintaining and growing the economic health of this area by working collectively with their neighbors in developing and marketing their area, and

WHEREAS, the County of Sioux desires to demonstrate their desire to participate in a collective endeavor of designating their portion of State Highway 60.

NOW, THEREFORE, BE IT RESOLVED, BY THE Sioux County Board of Supervisors that approval is hereby given for designation and appropriate signage of State Highway 60 as:

THE PRAIRE VIEW CORRIDOR

INTRODUCED and adopted this 22nd day of August, 2000.

/s/ Loren Bouma, Chairman
County Board of Supervisors

Attest: /s/ Dennis Lange
Sioux County Auditor

Roll Call on Vote: Vander Maten, Yes; Beernink, Yes; Bouma, Yes; Smith Yes; and De Haan, Yes. Carried, unanimous in favor.

On this date at 10:00 o'clock a.m. Melissa O'Rourke, former Assistant County Attorney, met with the Board this date to discuss an employment matter in which her position as Assistant County Attorney was terminated by Mark Schouten, County Attorney. She provided and reviewed a 22 page narrative as a written outline of complaints regarding her employment conditions and the adverse actions taken against her by Mark Schouten, County Attorney, to include her involuntary termination which Mark Schouten, County Attorney, states occurred on August 16, 2000 at 4:00 o'clock p.m.

Melissa O'Rourke, former Assistant County Attorney, concluded her remarks with stating that according to the Policies adopted by the Sioux County Board of

Supervisors, they have the power to review her complaints and make a “final and binding” decision. She requested the Board to take the following actions:

1. Restore me to my employment as the Assistant Sioux County Attorney, to include the raise that the Board voted for me on June 27, 2000, retroactive to July 1, 2000.
2. Immediately direct the County Attorney to cease and desist from making false and defamatory statements about me. Further the Board should send a letter to all law enforcement operating in Sioux County, stating that the August 18, 2000 Memorandum from County Attorney Mark Schouten contained false statements, and informing law enforcement that the Board is restoring me to my employment with Sioux County.
3. Direct the County Attorney to cease his abuse treatment of me, and carefully monitor his evaluations of me as an employee in an objective, measurable manner.
4. Any other relief that the Board feels is appropriate

If in the alternative, if the Board declines to restore me to my employment as the Assistant Sioux County Attorney, I request the following:

1. Payment to me for the 332.75 hours of “comp time” for which I have not been compensated, based on a \$24.03 hourly rate of pay for a total of \$7,996.00.
2. Payment to me for six (6) months severance pay in the amount of \$27,169.00, which is based on the rate of pay that the Board of supervisors approved on June 27, 2000.
3. Payment to me for two (2) weeks of vacation pay in the amount of \$2,090.00, which is based on the rate of pay that the Board of Supervisors approved on June 27, 2000.
4. Immediately direct the County Attorney to cease and desist from making false and defamatory statements about me. Further, the Board should send a letter to all law enforcement operating in Sioux County, stating that the August 18, 2000 Memorandum from County Attorney Mark Schouten contained false statements, and informing law enforcement that the Board has reach a settlement agreement with me regarding my claims related to my involuntary termination of employment.
5. Further direct the County Attorney to make no further comment whatsoever to any person or organization, in writing or verbally, about my employment or the termination of the same.
6. Any other relief that the Board feels is appropriate.

The following persons were in attendance for the aforementioned employment termination matter presentation by Melissa O’Rourke, former Assistant County Attorney:

Joseph Skoda, Rock Valley
Heather Kuipers, Sioux Center News
Russ Mitchell, Northwest Iowa Review
Mark Sybesma, Hull
Alex Boerner, Northwest Iowa Review
John Slegers, KDCR

Dietrik Vanderhill, Capital-Democrat
Bob Hulstein, Capital-Democrat
Randy Cauthron, Index Reporter
Paul Moos, Rock Valley
Deb Fischer, Deputy Clerk of Court
Randy Waterman, County Deputy Sheriff
Kathy Sybesma, Sioux Center
Paul Adkins, Sioux Center Police Department
Steve Hilt, Iowa State Patrol
Rachel Te Grootenhuis, County Attorney's Office
Harley Kleinwolterink, Superintendent of Buildings & Grounds
Gordon Abels, Orange City Police Department
Dann De Vries, Orange City Police Department
Dan Pluim, Orange City Attorney
Jim Schwiesow, County Sheriff
Darwin Koele, Orange City

Randy Waterman, County Deputy Sheriff, stated that he had a good working relationship with Melissa O'Rourke, former Assistant County Attorney, after a short initial learning curve.

Cathy Sybesma, Professional in Human Resources, submitted a two page letter to the Board in support of Melissa O'Rourke, former Assistant County Attorney, and addressed her working relationship in the Sioux County Attorney's Office as a former employee.

The Board took a recess at this time and reconvened after lunch.

Mark Schouten, County Attorney, submitted and read a letter that stated there were valid and compelling reasons for his termination of Melissa O'Rourke, former Assistant County Attorney. He stated that untrue things were said about him and his office and that he could not respond with specifics at this time.

Carrie Schouten and some members of the news members were present for the aforementioned statement made by Mark Schouten, County Attorney.

No action was taken by the Board regarding the aforementioned employment termination matter and took the matter under advisement.

The Board discussed correspondence received from Susan Didier and Randy Waterman, representatives for Sioux County Cares, requesting them to prepare a letter to the editor voicing support and encouraging public attendance at events where Milton Creagh will be speaking on drug and alcohol abuse problems and other related crimes that plague our citizens. Milton Creagh will be in Sioux County from September 18 through September 22, 2000. The Board instructed Dennis Lange, County Auditor, to prepare an editorial for Board review and mailing.

Jim Schwiesow, County Sheriff, met with the Board this date to report on the brief escape of two inmates from the Sioux County Jail. He reported that Bob Brummel, County Jail Administrator, was attacked and injured during the incident. He had received a blast of fire extinguisher in his eyes and facial area. Jim Schwiesow, County Sheriff, also received a blast of fire extinguisher chemicals in the facial are from the assailants. The two inmates were apprehended a short while later due to a very responsive citizenry and local law enforcement.

Jim Schwiesow, County Sheriff, also requested Board approval of the appointment of Shaun Christopher Olson as a County Deputy Sheriff effective September 1, 2000.

Motion by Vander Maten and supported by De Haan to approve upon the recommendation of Jim Schwiesow, County Sheriff, the appointment of Shaun Christopher Olson as a County Deputy Sheriff effective September 1, 2000. Carried, unanimous in favor.

Jim Schwiesow, County Sheriff, also updated the Board on the following topics:

A bid in an amount of \$3,200.00 was received to repair water leaks in the County Jail Building.

Negotiations are continuing with the City of Boyden to provide County Contract Law Enforcement.

Surveillance equipment will be acquired through a grant from the Governor's Alliance on Substance Abuse.

Doug Julius, County Engineer, met with the Board this date to request approval and a Chairman's signature on a Highway Authority/Railroad Agreement between Sioux County and the Union Pacific Railroad Company. He also reported on a quote received for a pup trailer.

Motion by Beernink and supported by Smith to approve and authorize the Chairman to sign a Highway Authority/Railroad Agreement between Sioux County and the Union Pacific Railroad Company to cover construction and cost participation in the installation of railroad/highway crossing signals in conjunction with the Master Agreement between the RAILROAD and the STATE OF IOWA for a local Sioux County Road Project No. STP-RR00(76)--2C-00. Carried, unanimous in favor.

The consensus of the Board pertaining to the proposed purchase of a pup trailer was to instruct Doug Julius, County Engineer, to prepare specifications on a pup trailer and have a bid letting.

The Board approved claims as presented by the County Auditor from all departments this date.

The Chairman adjourned the meeting until Tuesday, September 5, 2000.

Loren Bouma, Chairman
Sioux County Board of Supervisors

ATTEST: Dennis Lange
Sioux County Auditor