

**BOARD OF SUPERVISORS MEETING
FIRST MEETING, 2005 SESSION (1)
JANUARY 3, 2005**

The Buena Vista County Board of Supervisors met for the first meeting of the 2005 session on Monday, January 3, 2005 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Prior to the beginning of today's meeting, Supervisors Crampton and Gustafson completed the count of cash in the Treasurer's office.

Julie Smith met with the Board and tendered her resignation as **HIPAA Compliance Officer**, as well as county employee, due to accepting other employment. In addition to replacing Smith, the Board will also need to appoint a Security Officer. The next deadline is April 15, 2005 for security compliance. Smith recommended Patti Maymon as Security Officer due to her IT knowledge and experience, but made no recommendation for her own replacement. The officer will be responsible for all departments. Prior to Smith's departure, she will provide written recommendations and a schedule of tasks needing to be done.

Motion by Lanphere to approve the **minutes** of the 12/28/2004 meeting. Ayes—Burnside, Crampton, Gustafson, Lanphere, and Vail. Nays-none. Abstentions-none. Carried.

Motion by Burnside to **adjourn** the 2004 session sine die. Ayes—Burnside, Crampton, Gustafson, Lanphere, and Vail. Nays-none. Abstentions-none. Carried.

The Board assembled in the District Courtroom where Judge John Duffy administered the **oath of office** to those officials elected in the 2004 General Election including Supervisors Crampton and Burnside and Auditor Strawn and Sheriff Eddy.

Deputy Sheriff Don McClure informed the Board that the **IRS allowable mileage rate** has increased to 40.5 cents.

The first order of business for the 2005 session was election of the Chairman. The Auditor called for nominations for **Chairman of the Board of Supervisors**. Motion by Crampton to nominate Burnside. Motion by Gustafson to nominate Lanphere, however, Lanphere declined the nomination. The Auditor asked for any further nominations. There being none, motion by Vail that nominations cease and a unanimous ballot be cast. The vote on Burnside for chairman was Ayes—Burnside, Crampton, Gustafson, Lanphere, Vail. Nays—none. Carried.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Chairman Burnside called for nominations for **Vice-Chair**. Motion by Vail to nominate Lanphere for Vice-Chair. Motion by Crampton that nominations cease and that a unanimous ballot be cast. Carried.

Supervisors' Committee, Commission & Board Appointments

Motion by Vail to appoint the following persons as delegates and representatives to the committees, commissions and boards as noted for 2005:

Burnside-delegate, Vail-alternate, to the **Upper Des Moines Opportunity, Inc. Board**.

Crampton-delegate, Gustafson-alternate, to the **NW Iowa Planning and Development Commission**.

Vail as Buena Vista County **Equal Employment Opportunity Officer**.

Burnside to the **Local Emergency Management Commission** (Chapter 29C.9).

Burnside-delegate to the **Buena Vista Solid Waste Commission**.

Lloyd Galbraith to the **Western Iowa Tourism Council**.

Crampton-representative and Vail-alternate to the 28E **Buena Vista County Communications Commission**.

Kathy Bach, Jon Ites, and Karen Strawn to the Buena Vista County **Deferred Compensation Board**.

Gary Armstrong as the Buena Vista County **Drainage Attorney**.

Crampton-representative to the **Local Community Empowerment Area Board**, with Gustafson as alternate, and with Rhonda Christensen as the citizen representative.

Bill Lanphere to the **DHS Service Area Advisory Board**, with the vacancy (previously filled by Lorene Carpenter) to be filled at a later time.

Lanphere-representative, Gustafson-alternate, to the **Administrative Board of Directors of the 3rd Judicial District Department of Correctional Services**.

Gustafson-representative and Crampton-alternate to the **Synergy** Board.

Crampton-delegate, Gustafson-alternate, to the **Regional Transit Board**.

Lanphere-delegate, Gustafson-alternate, for the **Regional Investment Board (formerly Iowa Workforce Development Board-Region 5)**.

Crampton as the Board's representative, Gustafson-alternate, for all county **labor negotiations**.

Jon Ites, Chuck Eddy, Kim Johnson, and Vail, with the other board members as alternates for Vail, to the **Weather Committee**.

Jon Ites, Vail, and Karen Strawn as members of the **Personnel Committee**.

Burnside-delegate, Lanphere-alternate to the **Drainage District #181 and #274 Interim Boards**.

Vail-delegate to the **Drainage District #14-42, #22 and #150 Interim Boards**.

Crampton, Lanphere and Gustafson to the **County Care Facility Committee**.

Vail-representative of the Board for **Whitney Pit Farm and South Hayes Pit Farm** for leases and Jon Ites for grain sales at the South Hayes Pit.

Vail-Board's representative, and Phil Driver-at large representative, to the **Iowa Lakes RC&D Board**.

Burnside to the **Gingerbread House Board**.

Chuck Eddy, Dewyne Stucynski and Vail to the **Courthouse/Judicial Security Committee**.

Kathy Bach, Karen Strawn, Dewyne Stucynski, and Gustafson to the **Buena Vista County Courthouse Committee**.

Burnside to the **U.S. 20 Corridor Task Force**.

Vail-representative, Crampton-alternate, to the **Buena Vista E-911 Service Board**.

Karen Strawn-**ADA Coordinator**.

To the County **Safety Committee** (including the Right-to-Know program): Lanphere with Gustafson as the alternate, Chuck Eddy, Tom French (as Jon Ites' designee), Karen Strawn, Ron Reckamp, Norm Lund, Diane Anderson, Dewyne Stucynski, Kim Johnson, Shirley Johnson, Diane Christiansen and Bob Christensen, with Mike Raner as Safety Coordinator.

Dewyne Stucynski as the **Lock-out/Tag-out Program** Coordinator for the Courthouse, DHS Annex, and E. Richland Annex.

Jon Ites as the primary contact person, and Shirley Johnson as the secondary contact person for **Drug and Alcohol Testing Alliance**.

Jon Ites, technical representative, Steve Wolf-alternate, to the **ISTEA Technical Committee**, Vail to the **ISTEA Enhancement Committee**.

Vail to the **B.V. Co. REAP Committee**.

Vail-representative, Crampton-alternate, to the **NW IA Juvenile Detention Center (YES)**.

Marc Bertness-representative, to the **Regional Housing Authority** until 12/31/2005.

The Chairman-representative, the Vice-Chairman-alternate, to the Board of Directors of the **Storm Lake Area Development Corporation**.

Lanphere and Gustafson to the Board of Trustees of the **Economic Development Revolving Loan Fund**.

Planning & Zoning Commission members: Mark Bertness, Roger Peterson, Vic Hansen, Arvid Baughman, Dennis Gutz and Bob Rebhuhn, Jim Anderson, and Brian Drzycmski.

Zoning Board of Adjustment members with terms as follows: Bob Stoughton-6/21/05, John Massop-6/21/06, Greg Sundblad 6/21/07, Bruce Engelmenn-6/21/08, and Cynthia Smith-6/21/09.

Marc Bertness & Bob Rebhuhn to the **County-wide Comprehensive Plan Board**.

Becki Drahota, Ron Haraldson and Bill Lanphere to the **Judicial Magistrate Appointing Commission** for 6-yr terms expiring 12/31/2008.

Crampton-representative, Lanphere-alternate, to the **S.H.I.E.L.D. Board**.

Vail-representative, Crampton-alternate, to the **Region III Local Emergency Planning Council**.

Burnside, Crampton, Jon Ites, Kim Johnson and Marc Bertness to the **Jt. City/County Hwy 71 Bypass Zoning Committee**.

Tami Mills-Thomas and Kara Napierala-Case Managers, Dawn Mentzer-CPC, Sue Morrow-MH Community Based Services representative, and Jim Gustafson-BofS representative, Brent Mangold-family representative, Cindy Wiemold-MR Community Based Services representative, John Winkelman-

Howard Center-MR Community Based Services representative, and Veronica Kosky to the **Targeted Case Management Advisory Board**.

Charleen Anderson-MH Advocate; Dorie Pedersen, John Winkelman, Sue Morrow, Brent Mangold, Cindy Wiemold-providers; Jim Gustafson-Supervisor; Tonya Miller-consumer, Kathy Nichols-consumer; Tami Mills-Thomas & Kara Napierala-Case Managers; Dawn Mentzer-CPC; all to the **Managed Care Planning Council**.

Dawn Mentzer to the **Representative Council of the Seasons Center**.

Charlene Anderson to the **Cherokee MHI Advisory Council**.

Crampton to the ISAC Board: **Supervisors/Engineers Design Guide Committee**.

Don Diehl to the **Civil Service Commission**, term expiring 12/31/05.

Gustafson and Lanphere to the **Lake Improvements Commission**.

(The) County Auditor, and in her absence the Deputy Auditor, as Custodian of Supervisors' records.

The motion carried.

Citizens' Committee, Commission & Board Appointments

Motion by Lanphere to appoint the following persons to the committees, commissions, and boards as noted for 2005:

Arnie Hicks for a 5-yr term expiring 12/31/09 to the Buena Vista County **Conservation Board**

Dr. David Crippin, **County Medical Examiner**, and Tim Speers- BVRMC EMT, and Deputy Doug Simons, Ken McClure, Sac County Sheriff, and independent EMT's Greg Ebersole & Bob Christensen, as **Deputy Medical Examiners** (Chapter 331.801). Terms expire 12-31-05.

Rich Haldin, Lloyd Galbraith and Ray Kurtz to the **Veterans Affairs Commission** for the 2005 year, or until their terms expire (Chapter 250).

Gustafson to the **ISAC County Case Management Services Board**.

To the **Buena Vista County Eminent Domain Compensation Commission** (Chapter 6B.4): Farmers-Dale Bodholdt, Don Diehl, Rolf Mosbo, Steve McKenna, Nick Ackerman, Becky Dirx, Kevin Cone; Realtors-J.D. Lehr, Margie Robinson, Darwin Johnson, Bob Hall, Joe Aube, Dick Schmidt, Clark Fort; for Cities: Edward Groth, Nola Jensen, Jim Haraldson, Nancy Sadusky, Virginia Moffitt, Jeff Elbert, Norris Olney, Jr.; for their Occupation-Mark Rehnstrom, Tim Brown, Harry Schaller, Marvel Olsen, Ronnie Brown, Brian Drzycimski, Ronald Haraldson.

Crampton and Lanphere, with Gustafson as alternate, to the **Northwest Iowa Alcohol and Drug Treatment Unit Board**, and Gustafson & Lanphere, with Crampton-alternate, and Charlene Anderson as the citizens' representative, to the **Seasons Center Board of Directors**.

Local Board of Health-members with 3-yr. terms as follows: Dr. Scott Wulfekuhler-12/31/07, Jackie Bertness & Brenda Halverson-12/31/05, Bill Lanphere and Jon McKenna-12/31/06.

Ed McKenna to the **Region 5 Workforce Advisory Board**.

Norm Lund, **Weed Commissioner** and Dave Wiley, Assistant Weed Commissioner (Chapter 317.3).

Mike Raner as Buena Vista County **Safety Coordinator**.

Kim Johnson as Buena Vista County **Zoning Administrator**.

The vote on this motion carried.

Mileage Rate and Meal Reimbursement

Motion by Gustafson to pay mileage to employees (including deputy medical examiners) at the rate of 32 cents per mile for each mile traveled by private vehicle (not for county owned vehicles) for county business in 2005. Carried.

Motion by Crampton to set the mileage reimbursement rate for **sheriff's service fees** at the current IRS rate (\$.405/mile on 1/1/05). Carried.

Motion by Vail that the policy for meal cost reimbursement to employees, and to others serving on boards and in other appointive positions, shall be: meals eaten out of county during approved schools or meetings may be reimbursed at their actual cost to a maximum of \$20.00 per diem. (Reimbursements for meals, when no overnight stay is involved, will show on the employee's W-2). No reimbursement will be made for tips or alcoholic beverages. To receive reimbursement, receipts must be submitted. If the per diem is exceeded due to a meal/meeting, that fact shall be noted on the reimbursement claim. Carried.

Insurance Coverage including Blanket Bond

Motion by Gustafson to continue the following insurance coverage from the Olson, Eaton, Svendsen Agency for the remainder of FY'05: tort liability, auto, property, computer equipment, E & O, umbrella, data processing, inland marine, contractor's equipment, crime, CCF boiler, law enforcement professional, medical professional, worker's compensation, and blanket bond. Carried.

Depository Resolution-Elected Officers

Motion by Gustafson that the Depository Banks currently being used by the Treasurer, Recorder, Auditor & Sheriff continue to be used during 2005 in the amounts stated below, and, that the appropriate elected official be and is hereby authorized to deposit the designated office funds in amounts, not to exceed in the aggregate, named for said bank:

Treasurer:

Citizen's First National Bank, Storm Lake	\$5,000,000.00
Central Bank, Storm Lake	\$5,000,000.00
Security Trust & Savings Bank, Storm Lake	\$8,500,000.00
First Federal Savings Bank of the Midwest, Storm Lake	\$5,000,000.00
Community State Bank of Albert City	\$1,000,000.00
Community State Bank of Marathon	\$1,000,000.00
Heritage Bank, N.A., Alta	\$1,000,000.00
First Community Bank, Newell	\$1,000,000.00
First National Bank, Rembrandt	\$1,000,000.00
First State Bank, Sioux Rapids	\$1,000,000.00

Recorder:

Security Trust & Savings Bank, Storm Lake	\$100,000.00
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Auditor:

Citizens First National Bank, Storm Lake	\$10,000.00
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Sheriff:

Central Bank, Storm Lake
Citizen's First National Bank, Storm Lake

\$100,000.00
\$25,000.00

The vote on this motion carried.

Depository Resolution-Payroll Deposits

Motion by Lanphere that the 2005 Federal Depository Bank shall be Security Trust and Savings Bank, Storm Lake, with the payroll deposits to be made by wire transfer. Carried.

Resolution to Research Drainage and other Assessments

Motion by Crampton that the County Drainage Attorney is hereby directed to research drainage and other assessments due and payable on parcels of Buena Vista County property prior to putting them on the list of properties for scavenger auction. Carried.

Resolution on Interest Rates for Drainage

Motion by Gustafson to establish 5% as the rate of interest to be paid during 2005 on all stamped warrants, and charged on Improvement Certificates and Drainage District waivers, effective this date (for Buena Vista County drainage districts only). Carried.

Resolutions of Appointment

Motion by Lanphere that Jon L. Ites be re-appointed Buena Vista County Engineer for 2005 with his salary according to his employment contract (Chapter 309.17). Carried.

Motion by Gustafson to adopt Resolution 2005-01-03a, and to authorize all Board members to sign. Carried.

Resolution 2005-01-03a – Regarding Farm to Market Construction Projects

BE IT RESOLVED, by the Board of Supervisors of Buena Vista County, Iowa, that Jon L. Ites, the County Engineer of Buena Vista County, be and is hereby designated, authorized and empowered, on behalf of the County Board of Supervisors of said County to execute the Certification of Completion of Work and Final Acceptance thereof, in accordance with plans, and specifications in connection with all Farm-to-Market and federal or state aid construction projects in this county, and to authorize all of the board members to sign. (Chapter 309.17).

Authority to Close Roads & Detour Traffic

Motion by Lanphere to authorize County Engineer Jon L. Ites to close any and all county roads, on which construction is proposed, in order to facilitate construction, and for the duration of the construction, and to close any county road for necessary maintenance, repair, and to mark all detours as necessary, without requiring any further authorization, and furthermore, to be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Buena Vista County Secondary roads in accordance with Chapter 321E Code of Iowa. Carried.

Holiday, Vacation, and Sick Leave Policy

Motion by Vail that the Buena Vista County Employee Handbook with the effective date of April 6, 1999, and amended 5/25/99, 7/06/99, 1/19/00 & 6/22/04 along with the various Departmental Rules, Job Descriptions, be declared the governing policy for all Buena Vista County employees under the jurisdiction of the Board of Supervisors for Buena Vista County, and that the Medical History, Physical Examination, and County Work Release forms be used in conjunction with the Handbook. Carried.

Resolutions on Wage Schedules

Motion by Gustafson that the following wage schedules, adopted as shown, shall be in effect for 2005: Current full & part-time Courthouse Clerks 6/11/96, 'New-hire' courthouse clerks 10/14/03, Sheriff's deputies 4/23/91 (as amended (1/13/98), (and paying on-call time to deputies at the hourly rate based on 10% of the 85% deputy's salary), Jailers-12/30/94, Secondary Road employees 2/14/95, amended 2/11/97 and 10/14/03, matrons 2/29/00, all subject to future amendment. Carried.

Motion by Vail that election workers be paid \$7.25/hr. and chairpersons \$7.75/hr. effective this date. Carried.

Beaver Control Resolutions for Drainage Districts & Non-Drainage District Areas

Motion by Gustafson that the beaver control policy (payment of \$35 per beaver tail for beavers trapped in drainage districts), as adopted January 1, 1986, and, the beaver control program for the non-drainage district areas of the county (\$35/beaver tail); the program requiring that the claimant possess a fur-bearer's license as required by law, and to limit the payout for the program to \$1000 in each fiscal year shall be in effect for 2005. Carried.

Official Newspapers

Having received a request for official newspaper designation from each, motion by Vail to designate the following as official newspapers for legal publications for 2005: Storm Lake Pilot-Tribune, The Times, and Buena Vista County Journal. Carried.

Motion by Gustafson to direct the Auditor to publish all motions of the Board, any actions resulting in a consensus of the Board, on a quarterly basis - the list of claims paid from the minutes of the Board meetings, and annually - the list of salaries paid. Carried.

Pre-Screening Agencies Appointed

Motion by Lanphere to designate NW IA ADTU as the agency providing pre-screening services to persons, prior to admission to Synergy, and, to designate the Seasons Center as the agency providing pre-screening services to persons, prior to admission to Cherokee MHI. Carried.

Fence Removal & Replacement Policy & Right-of-Way Purchases

Motion by Gustafson to adopt Resolution 2005-01-03b re: fence removal & replacement & right-of-way purchases. Carried.

RESOLUTION 2005-01-03b

In compliance with Administrative Code guidelines and in order to set a standard policy on right-of-way and associated costs, the Buena Vista County Board of Supervisors hereby adopts the following:

- Right-of-Way purchases with a total land cost of less than \$2,500.00. The County will offer 5 times the current assessed value.
- Dirt borrow purchases for use on construction projects. The County will offer 4 times the current assessed value.
- Fence costs shall follow these guidelines:

Removal of fencing by rod:	\$6.00 for barb	\$8.00 for woven
Replacement of fencing by rod:	\$6.00 for barb	\$8.00 for woven
Plus new material costs.		

- The property owner shall have 18 months after completion of project to receive payment for replacement of fencing.

The vote on this resolution was carried.

Motion by Crampton to approve and to authorize the Chairman to sign a Resolution declaring the need for a housing authority in Buena Vista County, Iowa. Carried.

RESOLUTION NO. 2005-1-03c
DECLARING THE NEED FOR A HOUSING AUTHORITY
IN BUENA VISTA COUNTY, IOWA.

BE IT RESOLVED by the Board of Supervisors of the County of Buena Vista County, Iowa,

That the Board of Supervisors of the County of Buena Vista, Iowa, hereby determines, finds, and declares that:

1. Unsanitary and/or unsafe inhabited dwelling accommodations exist in Buena Vista County, Iowa;
2. There is a shortage of safe and/or sanitary dwelling accommodations in Buena Vista County, Iowa, available to persons of low income or rentals they can afford; and
3. There is need for a housing authority to function in Buena Vista County, Iowa; and
4. That Buena Vista County, Iowa, will join with other counties and municipalities similarly situated for purpose of creating a multi-county housing authority that can command the resources necessary to develop housing in Buena Vista County, Iowa, and other counties and municipalities similarly situated; and
5. The County Board of Supervisors of Buena Vista County, Iowa, shall join together with other counties and municipalities to create the Northwest Iowa Regional Housing Authority. Such Authority may exercise any power, privilege of authority, authorized by the Iowa Constitution or statute or charter, including the development and management of housing in Buena Vista County, Iowa and similarly situated Counties and Municipalities; and
6. The shortage of safe and sanitary dwelling accommodations in Buena Vista County, Iowa, at rent which persons of low income can afford, compels that this resolution become effective without delay; and, therefore, the same shall take effect and be in force immediately upon its adoption.

WHEREAS, a resolution has been passed and adopted entitled "Resolution Approving and Authorizing the Execution of a Certain Joint Exercise of Powers Agreement for the purpose of Creating a Multi-County Housing Authority."

NOW, THEREFORE, Pursuant to the provision of Chapter 28E. Code of Iowa, and by virtue of our office as Board of Supervisors, we hereby appoint the one (1) person hereinafter named to serve as Representative of the Northwest Iowa Regional Housing Authority, representing Buena Vista County, Iowa, and to serve for the number of years appearing after his name, respectively, from the 2nd day of January, 2005 – December 31, 2005. Name of Representative: Marc Bertness. Number of years: 1 (until 12/31/05).

Passed and approved January 3, 2005.

/s/ Lorna Burnside, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Motion by Vail to direct the auditor to send letters to the City Councils of Albert City, Lakeside, Marathon and Sioux Rapids regarding costs for **law enforcement contracts** for FY'06. Carried.

Engineer Ivan Droessler provided an update on the **DD #1** project which was 87% complete in October. The contractor had pulled out because the spoil was so wet. He was late getting back in, but has gotten all of the spoil knocked down. Final shaping, chiseling, and picking up rock and debris will be done in the spring. There are also some culvert issues to address. Droessler recommended that since the contract is substantially complete, that the Board accept it so that the contractor will not be penalized with liquidated damages. Motion by Lanphere to accept as substantially complete the contract with L. A. Carlson Contracting, Inc. for the DD #1 Main Open Ditch project, and to withhold the 10% retainage. Carried. Letters will be sent to see if there will be any claims for crop damage.

Drainage Watchman Matt Voge and Engineer Ivan Droessler were present for a review of the tree clearing projects in the county. 2004 work has been completed except for 1 contractor. Voge will follow up on this. In **Lateral 3 of DD #34**, Henry Bolte, who is located west of Albert City, has expressed concern about whether the banks would slough off now that the tree roots have been dug out. Gustafson asked what kind of maintenance program should we be starting to prevent the sloughing. Droessler explained that grubbing is done on larger trees since chemical treatment isn't effective on the larger stumps. If stumps and roots are left in, then the slopes can't be pulled up. Natural vegetation stabilizes the bank, so as soon as possible, seeding should be done.

Motion by Vail to authorize Voge to prepare for **2005 tree clearing projects**. Carried.

After brief discussion of the arrangement with Lawn Manicurists during this past season, motion by Vail to proceed with having Lawn Manicurists provide chemical treatment of weeds/brush/trees in the **drainage districts** on a time and materials basis for summer 2005. Carried.

Some concerns have been received regarding the outlet from **DD#67**. Motion by Vail to appoint Engineer Ivan Droessler to proceed with an investigation of DD #67. Carried. Ites will research the easements for the tile outlet in question, right of entry. (A copy of the easements for access for cleanout and maintenance of the outlet were provided to the Board.)

Storm Lake City Clerk Patti Moore met with the Board to review the proposed **Property Tax Reform Proposal** which was a product of ISAC and Iowa League of Municipalities.

Following discussion of a request to pay mileage, over and above the cost of **indigent burial expense**, it was the consensus of the Board not to pay the mileage to Sliefert's Funeral Home.

There being no further business, motion by Lanphere to adjourn at 12:00 noon until Tuesday, January 11 at 8:30 a.m. for a regular meeting.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

Buena Vista County Wages 2004

Andersen, Gordon 310.45; Anderson, Amanda 5,017.88; Anderson, Ardyce 45; Anderson, Bob 30; Anderson, Charleen 5,367.44; Anderson, Diane 55,028.68; Anderson, Travis 9,909.97; Armstrong, Carolyn 24,325.87; Assmann, Jean 18,631.67; Bach, Kathleen 38,386.98; Bailey, Daniel 36,098.51; Bailey, Taesa 3,394.35; Bartley, Josefina 20,885.47; Bellows, Carl 67.5; Binder, Charlotte 183.75; Bodholdt, Judith 182.5; Bogue, Pamela 38,228.82; Bolte, Mary 33,991.49; Brees, Jeffrey 917; Briest,

Diane 42,601.79; Briley, Kimberly 28,790.10; Brock, Sandra 29,244.80; Brown, Tracy 29,736.11; Burnside, Lorna 20,288.03; Buske, Ronald 36,042.77; Cameron, Thomas 45; Carnine, Kim 39,125.28; Cavanaugh, Thomas 60; Cavanaugh, Timothy 41,629.69; Chindlund, Ann 15,599.41; Christensen, Robert 51,305.98; Christiansen, Daniel 124; Christiansen, Diane 15,472.28; Christiansen, Gary 36,750.61; Christiansen, Michael 1; Conley, Bonnie 3,070.29; Cougill, Sheila 27,372.43; Crampton, Herbert 20,612.47; Croker, Kathryn 38,165.22; Cross, Pat 1; Curry, James 37,360.04; Danielson, Lloyd 30; Danielson, Robert 49,296.91; Day, Christine 32,798.63; Demuth, Marty 45,569.30; Devine, Tollie 4,663.74; Dowdy, Edward 34,652.53; Ebersole, Greg 1,825.00; Eddy, Charles 51,036.66; Ehlers, Daniel 90; Ehlers, Kevin 26.25; Ehlers, Luke 1; Eldred, Christian 1; Elston, Kory 45,431.36; Engel, Marvin 1; Evans, Kay 15,207.22; Fales, Stephanie 132.28; Fassler, David 36,095.18; Fassler, Jo Lee 14,417.28; Fibelstad, E. Marie 6,006.04; Flanigan, Thomas 36,734.60; Foell, James 37.5; Fondroy, Richard 157.5; French, Thomas 44,884.84; Galvin, Terrill 35,794.97; Glienke, Martin 75; Gouldin, Cheryl 34,295.77; Graesing, Dennis 36,957.45; Guerra, Paula 22,973.38; Gustafson, Jim 20,288.03; Gutz, Dennis 45; Haahr, Leon 523.74; Haberman, Judy 29,296.65; Halverson, Wayne 37,984.88; Hammen, Susan 25,989.95; Havens, Philip 44,858.19; Hawkins, Cecelia 2,019.29; Heinsohn Hinners, Sharon 8,067.06; Henderson, Earl 3,932.68; Henrich, Barbara 25,878.00; Hepola, Carole 18,128.30; Heuton, Timothy 37.5; Hillmer, Verne 201.4; Hoferman, Clinton 8,810.28; Hoffard, Mark 35,212.49; Holliday, Dennis 35,960.74; Hornor, Duane 45; Hotovec, Richard 37,069.54; Hoyt, Sandra 30,036.43; Huegerich, Lori 35,687.24; Imming, Matthew 1; Ites, Jon 74,034.64; Jackson, Donald 22.5; Jacobs, Preston 39,395.81; Johnson, Curtis 35,446.67; Johnson, Kimberly 31,076.76; Johnson, Shirley 33,268.20; Johnson, Steven 4,024.80; Jorgensen, Arden 45; Kennedy, Susan 30,759.15; Kimble, Rick 42,260.83; Kirkholm, Mark 1,037.50; Koeppe, Brenda 29,557.84; Konradi, Thomas 24,763.55; Kuhrts, Roger 105; Lanphere, William 20,316.05; Larsen, Kristine 32,219.54; Launderville, Gary 47,960.59; Laursen, Chris 309.9; Lorenzen, Roger 1; Lullmann, Kevin 34,990.43; Lund, Norman 6,665.38; Lyon, Cheryl 26,394.80; Mack, Scott 31,177.25; Madsen, Leigh 28,836.42; Mandernach, Eugene 37,659.77; Martin, Joan 30,722.92; Mason, Ashley 485.64; Mason, Mona 22,744.63; Massop, John 22.5; Maymon, Patti 22,624.31; Mc Clure, Kenneth 1,862.50; Mc Donald, Carol 27,788.88; Mc Kinney, Kevin 56; Mc Shane, Jerry 27,410.87; McClure, Donald 46,768.35; McGowan, Bruce 36,926.89; Mentzer, Dawn 38,460.67; Meusburger, Lisa 21,398.97; Meyer, Rebecca 21,279.78; Miller, H 90; Mills-Thomas, Tami 29,158.02; Mortensen, Dave 26.25; Mortensen, Ray 26.25; Napierala, Kara 27,443.32; Nelson, Bernard 101.25; Noll, Richard 26.25; Noll, Richard 36,619.75; O'bannon, Shari 38,381.31; Oatman, John 135; Ohrtman, Mary 32,959.78; Olney, Norris 60; Ortiz, Julian 656.7; Otto, Garland 37,348.16; Overmohle, Michael 37,150.88; Patton, David 38,981.68; Peters, Marilyn 31,710.00; Petersen, Mervin 170.8; Peterson, James 30; Peterson, Leonard 112.5; Pickhinke, Neil 9,073.07; Ploeger, David 36,347.64; Reckamp, Ronald 38,656.11; Reese, Darwin 26,326.27; Rehnstrom, Craig 45; Rice, Richard 60; Rittscher, Larry 3.75; Roberts, James 270; Robinson, Daniel 160; Roder, Lisa 6,512.00; Ryherd, Charles 303.75; Saathoff, Charissa 30,802.79; Sanden, Summer 16,225.29; Seward, Cynthia 28,354.50; Sexton, Michael 37,024.01; Simons, Douglas 53,155.02; Simons, Douglas 25; Small, Larry 47,995.85; Small, Wencil 18.75; Smith, Julie 33,415.02; Snyder, Kelly 46,222.75; Speers, Dawn 177.12; Speers, Ronald 1; Speers, Timothy 3,707.36; Stern, Bernice 16,061.89; Strawn, Karen 38,386.98; Struve, Thomas 26.25; Stucynski, Dewyne 32,936.86; Taber, Max 52.5; Temple, James 35,178.01; Updyke, Hope 11,248.70; Vail, Richard 20,292.15; Van Hooser, Carol 30,155.75; Van Hooser, Mark 46,144.67; Vangrootheest Estate, Theodore 30,272.93; Venegas, Ericka 2,354.13; Warkentin, Luke 35,067.74; Watts, James 52.5; Weber, Anthony 35,156.07; Weiland, Cory 9,040.00; Weiland, Mary 30,709.45; Wesselink, David 22.5; White, Linda 20,876.16; White, Michael 595; White, Ronald 36,195.18; Wiley, David 6,743.53; Wise, Amy 15,446.39; Wogahn, Ruth 13,483.93; Wolf, Steven 50,271.32; Zabloudil, Linda 25,989.93

**BOARD OF SUPERVISORS MEETING
SECOND MEETING, 2005 SESSION (2)
JANUARY 11, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 11, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other

members present: Crampton, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

8:30 a.m.—The time having arrived for the public hearing on the Drey subdivision plat, the Chairman opened the hearing with Zoning Director Kim Johnson and Drey present. Johnson reviewed changes which have been finalized. The Zoning Commission has recommended approval and no objections have been received. Motion by Vail to close the public hearing. Carried. Motion by Crampton to approve and to authorize the Chairman to sign Resolution 2005-01-11-A approving the Drey subdivision plat, the final plat, and the Road Association Agreement. Carried.

RESOLUTION 2005-01-11-A

WHEREAS Randy Drey has presented a final plat (of survey) on the following described property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (SW¼ NW FRAC.¼) OF SECTION 30, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Northwest Fractional Quarter (NW Frac.¼) of said Section 30; Thence on a assumed bearing of North 00°00'00" East, along the West line of said Northwest Fractional Quarter (NW Frac.¼), 340.00 feet; Thence South 89°48'46" East, 798.00 feet; Thence South 00°00'00" West, 340.00 feet to the South line of said Northwest Fractional Quarter (NW Frac.¼); Thence North 89°48'46" West, along said South line, 798.00 feet to the Point of Beginning.

Hereafter known as Drey Subdivision of Lot A in Section 30, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 6.23 Acres and is subject to all easements of record.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that: A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (SW¼ NW FRAC.¼) OF SECTION 30, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Northwest Fractional Quarter (NW Frac.¼) of said Section 30; Thence on a assumed bearing of North 00°00'00" East, along the West line of said Northwest Fractional Quarter (NW Frac.¼), 340.00 feet; Thence South 89°48'46" East, 798.00 feet; Thence South 00°00'00" West, 340.00 feet to the South line of said Northwest Fractional Quarter (NW Frac.¼); Thence North 89°48'46" West, along said South line, 798.00 feet to the Point of Beginning.

Hereafter known as Drey Subdivision of Lot A in Section 30, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (SW¼ NW FRAC.¼) OF SECTION 30, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Northwest Fractional Quarter (NW Frac.¼) of said Section 30; Thence on a assumed bearing of North 00°00'00" East, along the West line of said Northwest Fractional Quarter (NW Frac.¼), 340.00 feet; Thence South 89°48'46" East, 798.00 feet; Thence South 00°00'00" West, 340.00 feet to the South line of said Northwest Fractional Quarter (NW Frac.¼); Thence North 89°48'46" West, along said South line, 798.00 feet to the Point of Beginning.

Hereafter known as Drey Subdivision of Lot A in Section 30, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 11th day of January, 2005.

/s/ Herb Crampton, Chair Board of Supervisors

Attest: /s/ Karen M. Strawn, Auditor

Motion by Vail to set the date and time for public hearings on two **subdivision requests** as follows: January 18 at 9:30 a.m. for a parcel in Section 29, Hayes Township, requested by Lucille Dannenberg, and, January 18 at 9:35 a.m. for a parcel in Section 31, Barnes Township, requested by Grant Mangold. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2005-01-11-B** regarding construction evaluation for confinement feeding operations. Carried.

**RESOLUTION # 2005-01-11-B
CONSTRUCTION EVALUATION RESOLUTION**

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2005 and January 31, 2006 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

/s/ Herb Crampton, Chair, Board of Supervisors

ATTEST: /s/ Karen M. Strawn, County Auditor

County Attorney Phil Havens discussed the request of Bill Lanphere, property owner in Casino Beach, to take some type of action regarding the **White Cap Road** which is on the north side of Block 3, Casino Beach. Since the actual road as it exists includes 16' of width owned by Lanphere and Dale Wordekemper, there is potentially some liability to the landowners. In 1995 the county vacated an alley on the south side with the land reverting to the landowners, and quit claimed the county's interest to the property. Over time the road on the north side has become a 32' wide road but is platted as 16'. The discrepancy needs to be resolved. Lanphere is represented by John Murray (also present), and Dan Connell represents Dale Wordekemper. Connell has suggested that the process begin with the County providing a statement of its position which would then provide a basis to begin a discussion to resolve the issues. Havens is asking for the Board's guidance. Lanphere is concerned about the liability on the southern portion of that road: do the landowners have liability - possibly. Future disputes could be possible, so the County has some interest in getting it resolved. If the owners granted a permanent easement to the 16', this would probably satisfy the County's concern. Lanphere suggested putting the current legal and factual situation in writing and getting that to Connell before a meeting is scheduled. Havens believes we have an easement by 'prescription' (adverse possession). The County does have the incentive to avoid future disputes, and the landowners have the incentive to avoid liability. Gustafson asked if there is a need to have the road surveyed. Havens believes that may be helpful. Engineer Jon Ites noted that there isn't a need to move the road since "by prescription" means that you get what you've been using. Havens suggested that if the County wants to proceed, one or two members should be appointed to work with him and Jon to formulate a position. Vail volunteered. Murray would like to start with a letter stating the county's position.

Mark Shea Community Relations Director, and Dannelle Lovetinsky, Business Affairs Director for **Gingerbread House**, requested that the Board consider making unspent budgeted funds available to GBH in areas other than the Child Care Assistance Sliding Fee Program. In the last several years not all of the \$10,000 budgeted has been spent. It could be used for staff salaries, training or incentives, facility upkeep & maintenance, or a specific project or program chosen by the County. Or the program could be expanded to assist families not currently qualifying for the assistance. Gustafson stated that the funding comes from the General Fund, so it does affect the county, what isn't spent supports the General Fund balance. Tyson has donated about \$3,500 – including software which manages the accounting, and also is used to track the children (check-in and check-out) – which provides for better security and monitors staffing needs. The Board thanked them for their presentation.

Engineer Jon Ites presented the box culvert project ½ m east of Walmart on gravel road for final acceptance. The project came in at .5% or \$253 under the bid price. Motion by Crampton to approve final acceptance on **project # L-C-626**, and to authorize the Chairman to sign. Carried.

Motion by Vail to approve that the county engineer be authorized to advertise locally for sale of **excess equipment**. Carried.

Geo-Tek, an environmental company, has requested approval to dig up more area around the old **Brown Oil Co.** in Albert City. A trench was dug a couple years ago but they need to go back in and expand the area.

Motion by Lanphere to approve and to authorize all Members to sign plans for **project #STP-S-CO11(39)—5E-11** which is for concrete overlay of C-49 between old and new Hwy 71 for April letting. Carried.

Ites is interested in **boom truck** to be used for the brush control program. He requested approval to look for a used one since there would be significant cost savings over a new truck. This specific equipment is not itemized in the budget, but there are sufficient funds available. The boom truck is needed for the safety of the employees. Gustafson is opposed. Crampton stated that the truck would be helpful in locations that are hard to reach. Both Vail and the Chair felt that Ites should go ahead.

Ites circulated a sample plan for replacement of the culvert into **Sturchler Pit**.

Motion by Crampton to set a letting date of Feb. 22 at 10:00 a.m. for **project #L-C-518** (culvert replacement in Section 18, Newell Township). Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the form of contract, performance bond and certificate of insurance for Schoon Construction for **project # L-C-604—73-(11)** (pre-cast concrete culvert in Nokomis Township) for the bid price of \$71,854. Carried. Schoon has requested approval to take the structure out now and install the new one in March or April. Since it is currently fenced off on both ends, there was no objection.

After receiving approval for a design waiver from Iowa DNR and the Army Corps of Engineers, a supplemental agreement to complete the final design is needed with Calhoun-Burns for the Hartje bridge one mile south of Hwy 3 on M50, then just on the east side of the intersection on the gravel road. Motion by Vail to approve and to authorize the Chair to sign the supplemental agreement with Calhoun-Burns on **project # BROS-CO11(59)--8F-11** with a not to exceed amount of \$8,930. Carried.

Ites presented a review of historical tax askings and levies for the **Secondary Road Fund**. The resources which will be available are needed to complete the FY'06 secondary road budget. Ites did not request a particular funding level but presented a range of percentages and corresponding dollar amounts. Motion by Gustafson to fund at the 80% (of the maximum for Secondary Roads) level for both General and Rural Basic levies which would be a \$67,000 decrease from the current year. Ayes-Gustafson, nays-Crampton, Lanphere, Vail and Burnside. The motion was defeated. Motion by Vail to maintain the current funding percentage in both the General and Rural Funds (87.5% of maximum for Secondary Roads) which would provide an increase of \$31,000. Gustafson stated that the Secondary Road Fund doesn't need a raise. Ayes-Crampton, Vail, Burnside, nays-Gustafson, Lanphere. Carried.

Env Health/Zoning Director Kim Johnson presented several variations of her budget for the Board's consideration (staffing as is, with 3 fulltime & no part-time employees, eliminating the food program, splitting Environmental Health from Zoning). Gustafson asked if the office could be closed a half day a week – we have to do something to reduce costs. One of the costs is the need to train new staff each time there is turnover. Also, finding a part-time employee who can operate the auger to do the perc tests for septic systems presents a challenge. Presumably there would be less turnover with a fulltime employee. Instead of using the auger, soil sample analysis would be another method of checking on a septic field, but would require different equipment. Using hydraulic equipment would make it much easier to perform the test, and, would cut down the number of required trips to the site, saving time and expense. Both Vail and Gustafson want Johnson to check on the cost of equipment for soil analysis. The discussion moved to filling the part-time vacancy, or changing the new part-time position to full-time. Crampton would like to see 3 full time. Johnson expects legislative activity and changes in administrative rules to impact how and what her department does. For example, time of transfer inspection requirements for septic tank adequacy are needed. A fee to cover the cost for this activity could be imposed. Gustafson is opposed to the 3rd fulltime position due to cost of health insurance. Johnson suggested putting zoning expense in the rural basic fund. Motion by Gustafson, due to the cost of employee health insurance and the county's hiring freeze, that the EnvHealth/Zoning Department, stay with 2 part time employees. Ayes-Gustafson, nays-Crampton, Vail, Burnside, abstain-Lanphere. The motion was defeated. Motion by Crampton, for budgeting purposes and pending Board of Health approval, that the EnvHealth/Zoning Department change to 3 fulltime positions. Ayes- Crampton, Lanphere, Vail, Burnside. Nay-Gustafson. The motion carried.

Wellmark Account Representative Ali Child presented a utilization review of the **employee health insurance** program and final rates for the upcoming year.

Assessor Kathy Croker discussed the resolution that the Board approved in December regarding the property tax exemption for the Albert City **ethanol plant**. She explained that as the use of the land changes, the class will change resulting in a change in value. The resulting tax on the land will be higher. The property tax exemption granted will be for the improvement only (construction).

Motion by Vail to approve the minutes of the 1/3 meeting, and the following reports: Dec Sheriff's fees, budget reports, fund balances; also reviewed were: employee's pharmacy annual report and NWIPDC Policy Council 11/18 minutes. Carried.

Following review of County Attorney Phil Haven's opinion regarding the actions of the Compensation Board for FY'04, '05 and '06, motion by Vail to restore the differential between the Chair and Supervisor Members' salaries to the intended \$500 for the current fiscal year. Ayes—Gustafson, Lanphere, Vail, Burnside, nays-none, abstain-Crampton. The motion carried.

The Board took up the discussion of reducing voting precincts, which can be done only once between the decennial censuses. The most recently drawn plan joins Lee and Poland precincts, however, it was the consensus of the Board that these should remain separate. Regarding merging Lakeside with Hayes-Maple Valley, several Lakeside residents will be asked to meet with the Board to discuss that possibility.

Due to an inadequate published notice, motion by Vail to set a new date and time of public hearing to establish the Right-of-way for DD #1 Main Open Ditch as February 8, 2005 at 6:30 p.m. at the Allee Building in Newell, and to direct the Auditor to so publish and provide notice by mail to the affected parties. Carried.

Regarding the continuation of the County's HIPAA program, the Chair requested that Supervisors Lanphere and Gustafson investigate the options available and their relative cost. In strictly wages and benefits alone, the cost to the county has been approximately \$16,500 per year.

Motion by Gustafson to appoint Steve Wolf to the Safety Committee replacing Gene Mandernach who has retired. Carried.

There being no further business, motion by Burnside to adjourn at 3:00 p.m. until Tuesday, January 18 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRD MEETING, 2005 SESSION (3)
JANUARY 18, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, January 18, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Architect Glen Huntington met with the Board to discuss a re-design of the entrance ramp on the east side of the courthouse. He suggested 2 options, one requiring city approval for the re-location of the sidewalk. He also briefly discussed a lift on the outside of the building, but suggested that it be considered only after the jail & sheriffs' locations have been determined. The consensus of the Board

was that the option which includes the re-location of the sidewalk, is the preferred option with an estimated cost of \$27,500 plus roof/cover. Huntington has initiated a review of this option with the city.

Engineer Jon Ites discussed **personnel** matters with the Board. Motion by Crampton to hire Marie Fibelstad to fill in part time in the Engineer's office effective Jan 24th and at her current rate of pay. Carried. Motion by Vail to approve that the applications taken for the recent filled mechanic's position be used to re-fill that position which will become vacant Feb 2. Carried.

9:30—The time having arrived for the public hearing on the **subdivision request** of Lucille Dannenberg, Zoning Director Kim Johnson reviewed the request and reported that the Zoning Commission has recommended approval with no stipulations. There being no objections, motion by Vail to close the public hearing. Carried. Motion by Gustafson to approve and to authorize the Chairman to sign Resolution 2005-01-18A approving the minor subdivision request of Lucille Dannenberg, for a parcel in Section 29, Hayes Township. Carried.

RESOLUTION 2005-01-18-A

WHEREAS Lucille Dannenberg has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION: LOT A

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼ SE ¼) OF SECTION 29, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 29; Thence on an assumed bearing of South 00°00'00" West, along the East line of said Southeast Quarter (SE¼), 910.38 feet to the Point of Beginning. Thence continuing South 00°00'00" West, along said East line, 80.00 feet; Thence South 89°19'47" West, 731.00 feet; Thence North 00°00'00" East, 62.00 feet; Thence North 89°25'01" East, 343.76 feet; Thence North 00°09'59" East, 17.76 feet; Thence North 89°12'59" East, 387.20 feet to the Point of Beginning.

Hereafter known as Lot A of Section 29, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 1.19 acres and is subject to easements of record.

WHEREAS, the final plats meet with the approval of the Zoning Commission subject to the following if any: none.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

LOT A

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼ SE¼) OF SECTION 29, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 29; Thence on an assumed bearing of South 00°00'00" West, along the East line of said Southeast Quarter (SE¼), 910.38 feet to the Point of Beginning. Thence continuing South 00°00'00" West, along said East line, 80.00 feet; Thence South 89°19'47" West, 731.00 feet; Thence North 00°00'00" East, 62.00 feet; Thence North 89°25'01" East, 343.76 feet; Thence North 00°09'59" East, 17.76 feet; Thence North 89°12'59" East, 387.20 feet to the Point of Beginning.

Hereafter known as Lot A of Section 29, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

LOT A

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼SE¼) OF SECTION 29, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 29; Thence on an assumed bearing of South 00°00'00" West, along the East line of said Southeast Quarter (SE¼), 910.38 feet to the Point of Beginning. Thence continuing South 00°00'00" West, along said East line, 80.00 feet; Thence South 89°19'47" West, 731.00 feet; Thence North 00°00'00" East, 62.00 feet; Thence North 89°25'01" East, 343.76 feet; Thence North 00°09'59" East, 17.76 feet; Thence North 89°12'59" East, 387.20 feet to the Point of Beginning.

Hereafter known as Lot A of Section 29, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 18th day of January, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors

Attest: /s/ Karen M. Strawn, Auditor

9:35—The time having arrived for the public hearing on the subdivision request of Grant Mangold, Zoning Director Kim Johnson reviewed the request and reported that the Zoning Commission has recommended approval with no stipulations. There being no objections, motion by Crampton to close the public hearing. Carried. Motion by Vail to approve and to authorize the Chairman to sign Resolution 2005-01-18B approving the minor subdivision request of Grant Mangold, for a parcel in Section 31, Barnes Township. Carried.

RESOLUTION 2005-01-18-B

WHEREAS Grant D. Mangold and Diane E. Mangold have presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST FRACTIONAL QUARTER (SW¼SW FRAC¼) OF SECTION 31, TOWNSHIP 93 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of the Southwest Quarter of the Southwest Fractional Quarter (SW¼SW Frac¼) of said Section 31; Thence on an assumed bearing of North 00°36'06" East, along the East line of said Southwest Quarter of the Southwest Fractional Quarter (SW¼ SW Frac¼), 839.69 feet; Thence North 89°04'32" West, 194.87 feet; Thence South 01°50'38" West, 64.66 feet; Thence South 35°43'19" East, 250.09 feet; Thence South 23°04'45" East, 45.16 feet; Thence South 00°36'06" West, 533.62 feet to the South line of said Southwest Quarter of the Southwest Fractional Quarter (SW¼SW Frac ¼); Thence North 90°00'00" East, along said South line, 30.00 feet to the Point of Beginning.

Hereafter known as Lot B of Section 31, Township 93 North, Range 37 West of the 5th P.M. Buena Vista County, Iowa. Tract contains 1.26 Acres and is subject to all easements of record.

WHEREAS, the final plats meet with the approval of the Zoning Commission subject to the following if any: none.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST FRACTIONAL QUARTER (SW¼ SW FRAC¼) OF SECTION 31, TOWNSHIP 93 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of the Southwest Quarter of the Southwest Fractional Quarter (SW¼ SW Frac¼) of said Section 31; Thence on an assumed bearing of North 00°36'06" East, along the East line of said Southwest Quarter of the Southwest Fractional Quarter (SW¼SW Frac¼), 839.69 feet; Thence North 89°04'32" West, 194.87 feet; Thence South 01°50'38" West, 64.66 feet; Thence South 35°43'19" East, 250.09 feet; Thence South 23°04'45" East, 45.16 feet; Thence South 00°36'06" West, 533.62 feet to the South line of said Southwest Quarter of the Southwest Fractional Quarter (SW¼ SW Frac ¼); Thence North 90°00'00" East, along said South line, 30.00 feet to the Point of Beginning.

Hereafter known as Lot B of Section 31, Township 93 North, Range 37 West of the 5th P.M. Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST FRACTIONAL QUARTER (SW¼ SW FRAC¼) OF SECTION 31, TOWNSHIP 93 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of the Southwest Quarter of the Southwest Fractional Quarter (SW¼SW Frac¼) of said Section 31; Thence on an assumed bearing of North 00°36'06" East, along the East line of said Southwest Quarter of the Southwest Fractional Quarter (SW¼SW Frac¼), 839.69 feet; Thence North 89°04'32" West, 194.87 feet; Thence South 01°50'38" West, 64.66 feet; Thence South 35°43'19" East, 250.09 feet; Thence South 23°04'45" East, 45.16 feet; Thence South 00°36'06" West, 533.62 feet to the South line of said Southwest Quarter of the Southwest Fractional Quarter (SW¼SW Frac¼); Thence North 90°00'00" East, along said South line, 30.00 feet to the Point of Beginning.

Hereafter known as Lot B of Section 31, Township 93 North, Range 37 West of the 5th P.M. Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 18th day of January, 2005.

**/s/ Lorna Burnside, Chair, Board of Supervisors
Auditor**

Attest: /s/ Karen M. Strawn, County

Community Services Director Dawn Mentzer reported the selection of a case manager for her department. Motion by Gustafson to approve the **employment** of Shawna Kalous as a case manager in the Community Services Department effective 2/1/05 at \$13.46 per hour. Carried. The Chair and Vice-Chair have toured the E. Richland Annex and noted that both Public Health and Community Services are crowded, and that the necessary confidentiality is breached due to the lack of private office space. The meeting room could be converted to office space, but it is used by those departments and others. Moving the Naturalist to another location is a possibility. However, if Community Services moved to a new location, the cost of a different facility could be built into the case management cost report. A small portion of the cost would be a county (mental health fund) responsibility. The Board will look for a solution.

Motion by Gustafson to approve the minutes of the 1/11 meeting as corrected. Carried.

Sheriff Chuck Eddy discussed law enforcement contracts with the smaller towns in the county. Letters have been sent to the cities currently contracting (Albert City, Lakeside, Marathon, & Sioux Rapids) notifying them of proposed wage increases which would increase the cost of their contracts. Lanphere believes that the other towns (Linn Grove, Rembrandt, and Truesdale) which don't currently provide for their own law enforcement, should be contacted on the subject of contracting with the county. He suggested that a couple board members meet with their mayors and councils. Eddy suggested that an 'hourly rate' basis might be best suited for those towns – which is the method used for Lakeside and Marathon. Eddy also asked the Board's consideration of a policy which would allow personal use of cell phones paid for by the county, by paying a monthly fee. They often receive messages to call home or make other personal calls, when the county's cell phone is the most expedient phone for responding. They would prefer to pay a monthly fee for the personal use to avoid any impropriety. Eddy also advised the Board that the jail is currently full.

Dale and Bev Wordekemper were present to ask if the Board had any questions of them about the White Cap Road situation. Wordekempers are not asking for any compensation, but would like to have the road located where it is supposed to be. They have had a survey done which confirms where their property lines are. They also noted that some of the traffic coming around the corner goes pretty fast. A stop sign might be a good idea. Their concern was to clear up any confusion there might be over their interest in the matter. Gustafson asked again if our road should be surveyed. Lanphere stated that he is not against the survey, but he and Crampton will go out and look at it first before making arrangements for a survey.

Regarding a HIPAA Compliance/Privacy Officer, the auditor provided the results of a survey of District 3 counties asking about their HIPAA programs.

Assessor Kathy Croker reported on her conversation with Bond Counsel Bob Josten regarding the resolution providing incentives for the ethanol plant. When the County is notified that US BioEnergy's application with IDED is approved, then the Board would need to contact Josten to draw up a development agreement between the Company and the County.

Croker also mentioned that she has received a "letter of intent" from MidAmerican Energy regarding the new wind towers. The company wants to enter into an agreement regarding "wind energy conversion" per the county ordinance.

There being no further business, motion by Vail to adjourn at 10:10 a.m. until Tuesday, January 25 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FOURTH MEETING, 2005 SESSION (4)
JANUARY 25, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 25, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Motion by Vail to approve the minutes of the 1/18 meeting as printed. Carried.

General Relief Director Paula Guerra discussed the current indigent burial expense and grave opening allowances. Motion by Vail to increase the amount paid for indigent burials to \$1,225, a 4% increase, effective July 1, 2005. Ayes all. Carried.

Treasurer Kathy Bach presented the semi-annual financial report, and reviewed ending balances and investments. Also discussed was ending fund balances and reserves. Bach asked the Board if they would consider taking legal action on two delinquent properties which are buildings on leased land. They are currently uncollectible, and legal action is the only method available for 'cleaning them up'.

Engineer Jon Ites reviewed the area which Geotek Engineering & Testing Services has requested approval to excavate in the ROW along N-14, straight west of the location of a former gas station. The company proposes to dig up to the edge of the paved surface to determine the extent of the contamination plume. Ites recommended approval with the company to be responsible for signing and safety precautions. The county would not be relieved of liability, but the company would also be responsible. Motion by Crampton to approve the request of Geotek Engineering & Testing Services to excavate the right-of-way along N-14 adjacent to the former Brown Oil Co. in Albert City as per plan, and to approve the company's certificate of insurance, with the company to be responsible for signing and safety precautions. Carried.

The Hanover Historical Society has requested approval for the placement of 'attraction' guide signs in two locations. Motion by Lanphere to approve the request of the Hanover Historical Society for placement of guide signs along C-63 and M-27, the signs to be provided by the Society with installation by the secondary road department. Carried.

Ites informed the Board of the resignation of Tony Weber effective 2/4/05. He will advertise for an EO1-truckdriver position.

The annual OSHA 300A report for 2004 has been complete with 2 reportable incidents resulting in days away from work, and 1 reportable with no time away. Motion by Gustafson to authorize all Board members to sign a letter to Secondary Road Department employees commending them on their safe work practices. Carried.

It was the consensus of the Board to approve that Ites attend a class on 'hot mix asphalt recycling and repair' which will qualify for his continuing education requirements. Part of the program is to conduct a training session after completing the program.

It was noted that an earlier request regarding a cleanout in DD67 was from landowner Gary Balder, not the developers of the ethanol plant.

Motion by Gustafson to authorize all board members to sign the 'check plans' prepared by Calhoun Burns for project #BROS-CO11-(59)—8J-11 (1 mile south of Hwy 3 on M-50). Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the 28E agreement with the City of Rembrandt to formalize the maintenance agreement regarding the farm-to-market extension; the agreement will return part of the farm-to-market funds to Rembrandt. Carried.

Motion by Vail to amend today's agenda by adding the following: add deputy medical examiner, clarify a benefit in the employee health insurance booklet, and to approve the direct deposit of certain fees into the Conservation Land Acquisition Trust fund. Carried.

Motion by Lanphere to add Mark Kirkholm to the list of **deputy medical examiners** appointed for 2005. Carried.

Motion by Gustafson to note the error and clarify the **employee health insurance** benefit language on the back of the 1st page in the "Your Benefits" section of the (old) Wellmark Benefits Enrollment Guide regarding Outpatient Hospital Services under the \$1,000 deductible plan; the language should be '10% Coinsurance after deductible' for Select Providers, confirming that the deductible is not waived. Carried.

Motion by Gustafson to direct that the following money generated by the Conservation department be deposited directly into the **Conservation Land Acquisition Trust Fund** when deposited with the County Treasurer: all Conservation land rent; camping, heater, shelter house, and ski rental fees; daycamp registrations; donations; boat titles; sale of outdoor guidebooks; equipment rental fees, and patronage. Carried.

The Chair requested discussion of **employee wage increases** for FY'06. Crampton stated that the Board had cut back pretty strongly last year, so he believes the Board needs to do something, but he didn't know how much. Gustafson noted that the board had been "crucified on health insurance" in past years which was the reason that smaller increases had been approved. Lanphere commented that counties statewide seem to be 'all over the board'. Gustafson stated that he wanted to consider employee wage increases first this year before making other budget decisions. Motion by Gustafson to approve a 4% increase for the elected officials (which cuts the Compensation Board's recommendation of 6% by 1/3). He noted that the increase should be more but 'we still have to consider the departmental budgets too'. The Chair commented that the board understood last year that it would have to 'make up' last year. Crampton has been thinking of about 4.5%. Lanphere was thinking 3%. Vail stated that he could live with 4%, which is not to say employees aren't worth more than that. Lanphere offered, then withdrew a motion to table Gustafson's motion in order to consider how the increases would be applied for employees whose wages were based on elected officials. The vote on the motion as made was: Crampton-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Burnside-aye. The motion carried. Elected Officials' salaries for FY'06 will be: Attorney - \$47,765, Auditor & Recorder & Treasurer - \$40,874, Sheriff - \$54,316, Supervisors - \$21,603, plus \$500 for the Chair.

Motion by Lanphere that for an employee to be **eligible for the annual (July 1st) wage/salary increases**, the (new) employee must have commenced employment, or if promoted to a new pay grade, prior to the preceding January 1st. After discussion over how this would apply in different circumstances, Lanphere withdrew the motion.

Motion by Gustafson that a 3% **wage increase** plus a 1% incentive be approved for all other employees, with the 1% incentive administered by the Department Heads through the evaluation process; the 1% incentive for the department head will be approved by the Board of Supervisors after evaluation; this 4% plus 1% incentive to be effective 7/1/05. Lanphere commented that the idea sounded good, but he didn't know exactly how it would work out. The vote on the motion was: Crampton-aye, Gustafson-aye, Lanphere-aye, Vail-nay, Burnside-aye. This motion carried. (In the secondary road department, the 3%+1% formula is to be given based on each employee's current wage, not an equal number of cents for each employee.)

Crampton informed the Board that Buena Vista County has been asked to appoint a minority representative to the **NWIPDC Policy Council**. Because Buena Vista County has a high minority population, a minority representative is necessary for grant applications.

Motion by Crampton to approve the following **reports**: Treasurer's semi-annual, Farm-to-Market quarterly report, 12/13/04 Conservation Board minutes, 1/11/05 Board of Health minutes, 2004 OSHA 300A report, and change order #3 for DD #1. Ayes-Crampton, Lanphere, Vail, Burnside. Carried. (Gustafson was temporarily unavailable.)

Motion by Vail to approve and to authorize the Chairman to sign a claim in the amount of \$125 to the Clay County Secondary Roads for a tile repair in **Jt. DD # 14-42 Lateral 178**. Ayes-Crampton, Lanphere, Vail, Burnside. Carried.

No action was taken on Sac County's request to set an **interest rate on joint drains** pending a review of the minutes.

The Board discussed the 28E agreement for the **Buena Vista County Communications Commission**. Currently the entire cost is borne by the county. In other counties there is cost share between the county and the larger town(s). Discussion of any changes for future years should be done soon, with no changes for FY'06.

Another person will need to be found for appointment to the **NW Iowa Regional Housing Authority** as Marc Bertness has declined to serve.

There being no further business, motion by Vail to adjourn at 12:10 p.m. until Tuesday, February 1 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTH MEETING, 2005 SESSION (5)
FEBRUARY 1, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 1, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Motion by Crampton to amend today's **agenda** by adding "appointment of a representative to NWIPDC Policy Council". Carried.

Motion by Crampton to appoint Barry Thongvanh, Storm Lake, as Buena Vista County's non-elected, at-large representative to the **NWIAPDC Planning Council**. Carried.

County Attorney Phil Havens, Attorney Dan Connell representing Dale and Bev Wordekemper, who were also present, and Engineer Jon Ites were present for discussion of **White Cap Road**. Havens briefly reviewed the issue and suggested that in addition to establishing the platted location, addressing the need to establish a curve to accommodate equipment such as fire trucks and snow removal equipment needs to be done. Connell stated that Wordekempers had suggested a survey to fix the boundary lines as originally platted, and to put the road where it should be, but nothing has happened in that regard. The people on the north side of White Cap Road have encroached. Connell asked if anyone had gone out to view the road since the last meeting. Crampton, with Lanphere were out and did some preliminary measuring. Lanphere said that he is willing to give easement or to quit claim 17' plus 3' for utility easement. The meandering in the area of the road curve is a separate issue. Connell suggested

starting with the survey. Wordekemper noted that there are trees, poles, bushes, etc. encroaching on the north side of the road. Ites stated that more than 32' width is needed where the road turns to provide a sufficient turning radius for equipment. Havens believes that knowing what is needed for a turning radius prior to the survey is important. Motion by Gustafson to have the county engineer survey White Cap Road (the platted alley) all the way to the west boundary. Carried. Ites will get at it as soon as weather permits.

Motion by Gustafson to approve and to authorize the Chair to sign final payment to Highway Services, a division of Penhall Co., Minnesota, on project #FM-CO11(70)—55-11 (Radio Road dowel retro-fit). Carried. Ites noted that the bid on the project was \$106,315.20, with the final bill being \$103,876.80.

Ites reported that a newly filed bill in the Iowa House (HF96) proposes dramatic changes in the Road Use Tax funding formula. The new formula would substitute need and area with population as the basis for funding. He suggested sending letters to our legislators and to Representative Dan Huseman.

Lakeside City Councilmember Burt Bonebrake and Lakeside residents Rose Mills, Katie Berry and Marty Rowley (who have all served as poll workers) were present to hear the Board's plan for making changes to the current precincts. One change under consideration is the merger of Hayes-Maple Valley with Lakeside. The Lakeside residents felt that it would be a hardship for the elderly to go to the airport, although there are currently few who don't get in their car and drive to Lakeside City Hall - the current polling place. There are very few other locations in Lakeside other than the marina and the postal station. Lanphere believes that a combined 'Lakeside-Hayes-Maple Valley' precinct could be accommodated at the airport which is currently used by Hayes-Maple Valley. Bonebrake will put this issue on the Lakeside City Council's 2/8 agenda to get more input. The Auditor will check on the postal station and the marina as other possible polling places.

The Chair announced that a counter offer on "spec" building (for proposed use as the county jail) has been received from the SLADC Executive Board - \$435,000 for the building and land. Burnside suggested sitting down with them again. Crampton asked if there was anything the Board might want to do first. Lanphere commented that since we made an offer, we're in agreement that the building would work. The Sheriff has stated that it will work. To build a new building the size of the Concordia building with a 5" concrete floor and 5" of insulation would be \$378,000, and that doesn't include a lot to put it on. Gustafson again suggested investigating the Truesdale option - the building next to the old school. An additional building for office space could be added. He questioned whether a building located 'more in the county' would sell better amongst unincorporated area voters than one in Storm Lake. The "spec" building is logical, but larger than is needed. Crampton suggested holding off on a counter offer to take a look at Truesdale, and maybe others. Gustafson said that the county has received no offers to help from other organizations. The Chair stated that the bottom line is what makes it sell. Gustafson will talk to the owner of the Truesdale building. He noted that they have city water and will have city sewer. Lanphere will check on another option. Sheriff Eddy discussed the December jail inspection. Changes are needed in the shower areas prior to the next inspection. The plumbing has deteriorated greatly. Eddy will also check with surrounding counties on their jail concerns and check their interest in a regional jail.

EnvHealth/Zoning Director Kim Johnson requested interpretation on how the 7/1 wage increases are to be handled for her staff since both employees are based on clerk's wage schedule, and she is under the direction of both the Board of Supervisors and the Board of Health.

The Auditor reviewed preliminary budget numbers and requested input on several questions. A draft F'06 budget will be considered at the next meeting.

Motion by Crampton to approve the minutes of the 1/25 meeting as printed. Carried.

It is here noted that First Federal Savings Bank of the Midwest, Storm Lake, an official depository for the County Treasurer and approved for up to \$5,000,000.00, has changed its name to MetaBank.

There being no further business, motion by Vail to adjourn until Tuesday, February 8 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
SIXTH MEETING, 2005 SESSION (6)
FEBRUARY 8, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 8, 2005 at 8:30 A.M. in the Boardroom with Vice Chairman Lanphere presiding and with the following other members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Vail, and Lanphere. Nays: none. Abstentions: none.

Storm Lake City Administrator John Call and City Engineer Jim Winterton were present to discuss a project to improve the gravel portion of **Vestal St.** by paving, which the city is planning in the FY'08 budget. The city plans to make an application for TEA21 funds. Since a portion of the road is owned by the county, they are requesting that the county share the cost not covered by TEA21 funding. The county would have to fund the project from local funds since Farm-to-Market funds would not be available due to the federal classification of the road. The city council will be asked to approve the TEA21 application next week. County Engineer Jon Ites has some reservations due to requests from Marathon, Albert City and Newell which may set a precedent. The county will be applying for TEA21 funds for the E. Milwaukee project (from Radio Road to Hwy 71). Gustafson suggested that the E. Milwaukee might be delayed to put Vestal St. in, then asked if the city had the flexibility to delay Vestal St. to '09 or '10. The Board will consider their request. The city officials agreed that hard surfacing the road could affect residential growth.

Motion by Gustafson to approve the minutes of the 2/1 meeting as printed, and the following reports: Jan fees – Clerk of Court, 2nd Qtr FY'05 fees – Recorder, Jan monthly operation report – Spectra lagoon by Mangold Environmental, DIA audit – Storm Lake DHS office, Jan budget reports, 1/13/2005 DD #181 minutes. Carried.

Motion by Vail to approve the following claims for payment:

- **Jt. DD #16-30-92 MOD** - Richards Construction for \$300.00 for beaver dam removal;
- **Jt. DD #16-30-92 MOD** – Kuehl & Payer for \$36.96 – 2005 chemical program;
- **Jt. DD 19-26 MOD** – Kuehl & Payer for \$68.83 for Watchman duties;
- **Jt. DD #64-105** – Kuehl & Payer for \$40.80 for Watchman duties & clerical;

Carried.

Motion by Crampton to approve and to authorize the Vice Chair to sign Change Order #3, and partial payment vouchers in the amount of \$16,934.15 to L. A. Carlson for the **DD #1 Main Open Ditch** repairs project. Carried.

Motion by Gustafson to approve the transfer of \$11,230.12 from General Basic (0001) to Conservation Land Acquisition Trust Fund (0027), this amount being the total of boat titles, patronage,

land rent, camping fees, shelter house fees and donations deposited to date in FY'05, and which in the future will be deposited directly into Fund 0027. Carried.

Engineer Jon Ites presented a rough drawing of the road and adjoining properties on **White Cap Road**. Attorney Dan Connell, speaking for Dale Wordekemper, stated that his client, contrary to media reports, is willing to give 16'. But, he would like to see that road re-located as it was platted. If he and Lanphere give 16' and re-locate the road as dedicated, there would be enough room for an adequate turning radius. Lanphere, speaking from the county's point of view, stated that with knowledge that the road is where it is, that having gotten 16' from the vacated alley on the south and giving 16', should be enough. Connell disagreed – owners on the north side of the road are benefiting by the county not enforcing the plat. Lanphere re-stated that the owners on the south side of the road knew when they bought their properties, where the road was. Crampton asked Wordekemper what results he wanted, with the response being that he wanted the county to move the road to the platted location. He is not willing to give up more land when those owners on the north are benefiting by taking more than they are entitled to, and giving nothing. If the corner where the road turns were to be used as it was platted, there would be no effect to Wordekemper's property. Ites was asked how this would be handled in other parts of the county – would the platted road be enforced? Ites noted that there are as many as 50 locations where there are encroachments of one type or another; the particular circumstances at each location determine the approach. In determining whether to send a notice, he looks at whether there is a safety issue or not. The Chair stated that having heard from the Engineer and Wordekemper, it is now time for the county to make a statement; he will abstain. The choices appear to be to accept a deed of 16' from the south side owners (Wordekemper and Lanphere), or to let it go to court for the judge to decide. Vail suggested that the information be presented to the County Attorney first before making any decisions. The consensus of the Board was to agree.

Having heard that the County plans to submit an application for enhancement dollars for a north to south **bike trail** through the county, the DOT planner in Sioux City has indicated that the DOT has changed their planned route as previously publicized, from following Hwy 71 to going through Linn Grove and proceeding along all county roads. He has not seen a map yet, but will pursue the information. Also, the proposal is for the trail to be on the actual roadway meeting opposing traffic, not on a separate path.

In order to have several good choices of candidates for the **mechanic's** position, Ites may have to advertise the position. The county's wage offer may not be high enough to attract a good candidate. Gustafson restated that he won't vote for employing a 3rd mechanic. Applications will be accepted through 2/18 for **Equipment Operator 1** position.

Motion by Gustafson to approve and to authorize the Chairman to sign the utility permit application from Iowa Telecom, Grinnell, to place 25 pr copper telephone cable along the roadway from Section 17, Coon Township north and then west between Sections 7 & 18, Coon Township for a hog facility, with the work to be done in the spring. Carried.

A telephone conference regarding the stamped warrant interest rate in joint **drainage districts** was initiated by the Sac County Board of Supervisors. The current rate is 9%, and a lower rate should be considered. Previously, an assessment on Jt. DD #274 had a rate of 5% on waivers, so the rate for stamped warrants has also been set at 5%. After discussion, 7% was agreed upon and the boards decided to take action in their individual sessions since Calhoun County is also involved in some of the drains and is not a party to today's conference. Also discussed was the varying rates paid for beaver trapped in the joint drains. Sac County will contact Calhoun County. The call was terminated.

Motion by Vail to set the rate for stamped warrants in the following joint drainage districts at 7%, and the bounty for beavers trapped in the joint drains at \$35: **Jt. DD's #19-26 Main, MOD & Lat 4; #41-43 reg & sub 1; #64-105; #156; and #199.** Carried.

Motion by Crampton to approve the following **drainage claims** for payment:

- Jt. DD #64-105 – Kuehl & Payer for \$123.76 for Watchman duties;

- Jt. DD #64-105 – Marty Mauer Tiling for \$400 for main tile repair in Sac Co.
- Jt. DD #16-30-92 MOD – Kuehl & Payer for \$68.75 for Watchman duties. Carried.

The board noted receipt of a copy of a letter addressed to the Conservation Board by Larry Sangl regarding his development of an RV park adjacent to the Linn Grove Dam. He requests approval to access the property through the county park.

Vail left the meeting. The board reviewed some FY'06 budget issues, and recent and new alternative locations for the jail and sheriff's offices. Following the lunch hour, the board spent additional time considering budget questions, and, reviewed the requests for funding from outside agencies.

There being no further business, motion by Crampton to adjourn until Tuesday, February 15 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
SEVENTH MEETING, 2005 SESSION (7)
FEBRUARY 15, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 15, 2005 at 8:30 A.M. in the Boardroom with Vice Chairman Lanphere presiding and with the following other members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Vail, and Lanphere. Nays: none. Abstentions: none.

Upon completion of the canvass of the special 2/8 Storm Lake bond issue election (\$3,500,000-swimming pool), and pursuant to Chapter 50.24 of the Code of Iowa, motion by Vail to declare the results as follows: Total voters: 2,085, Yes-1,544, No-541 resulting in 74% approval. Carried.

Motion by Gustafson to approve the minutes of the 2/8 meeting as printed. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign Resolution 2005-02-15-A authorizing the transfer of General Supplemental funds to General Basic for Central Services provided to the Court system. Carried.

RESOLUTION 2005-02-15-A

A Resolution authorizing the transfer of funds from the General Supplemental Fund to the General Basic Fund for the purpose of reimbursing the cost of Central Services.

WHEREAS, Chapter 331.423.1 of the 2003 Code of Iowa sets the maximum levy for the General Basic Fund at \$3.50 per thousand of taxable valuation; and,

WHEREAS, Chapter 331.424.1.g of the 2003 Code of Iowa authorizes the Board of Supervisors to levy a General Supplemental levy to the extent that the General Basic levy is insufficient to meet the county's needs, for the maintenance and operation of the courts, and

WHEREAS, the budget proposed for FY'06 will include a General Basic levy of \$3.50/thousand of taxable valuation; and

WHEREAS, Buena Vista County has approved a Central Services Cost Allocation Plan prepared by Maximus for FY'2003 (the most recently completed) which allocates \$55,491.79 as the cost of Central Services provided for District Court services during FY'03;

NOW, THEREFORE BE IT RESOLVED by the Buena Vista County Board of Supervisors that pursuant to Iowa Code Section 331.424.1g, the Auditor is hereby directed to transfer \$55,491.79 from the General Supplemental Fund to the General Basic Fund during the current fiscal year.

AND IT IS FURTHER RESOLVED by the Buena Vista County Board of Supervisors that until rescinded, the Auditor is directed to transfer in each fiscal year, the amount of Central Services expense allocated to the District Court in the certified Cost Allocation Plan so determined in the Cost Allocation Plan certified for the fiscal year two years prior to the year the transfer is made.

PASSED AND APPROVED, by the Buena Vista County Board of Supervisors this 8th day of February, 2005.

/s/ Bill Lanphere, Vice Chair, Board of Supervisors

Attest: /s/Karen M. Strawn, Co. Auditor

The Board discussed the need for additional space for the Community Services Department due to the increase in staff. There is an available suite of offices in the Wyatt Yon Building, 541 Cayuga St. Motion by Gustafson to rent space for the **Community Services Department** in the Wyatt Yon Building for a period of 5 years at \$1000/mo beginning April 1; included in the rent are lawn mowing and maintenance, but not minor sewer work; a portion of the rent expense will be reimbursed through case management fees. It was noted that the building has good proximity to the courthouse, and, both Community Services and Public Health are growing. This move also triggers reconfiguration of space needs for other departments. The Vice-Chair will recommend appointing a task force to evaluate those areas. Carried.

Tod Hudspeth, Administrator of BV Regional Medical Center, and Renee Seagren, UDMO, presented their findings on their trip to Mexico to study the **Mexican medical health delivery system**. The knowledge they gained will be used to improve services.

Architect Glen Huntington reviewed a new concept for re-design of the handicapped accessible ramp to the courthouse. This design avoids the ramp covering the entire distance from the building to the street. The Board was pleased with this concept. Huntington provided costs for several materials which could be used for the cover – galvanized steel, colored metal, Plexiglas, and vinyl. Gustafson prefers the vinyl option and would cover just the east-west portion of the ramp. Motion by Crampton to have Huntington proceed to prepare plans using the newest **courthouse ramp** design with the vinyl cover over the east-west portion of the ramp and also over the current steps; the estimated cost is about \$52,000. Carried.

Treasurer Kathy Bach presented a request for compromise on the penalty and interest on a delinquent tax parcel located in Albert City which is 14 years delinquent. The property has gone to tax sale with no bidder, so county holds the tax sale certificate. Back taxes plus the current taxes total \$1,510. Interest and costs total an additional \$3,239. The property at one time had above ground gas tanks on it, which have been removed. Motion by Vail to abate a portion of the penalties and costs for a total settlement of \$2,549 on **delinquent tax parcel** #0000035990. Carried.

Sheriff Chuck Eddy and Deputy Doug Simons discussed the current **law enforcement contract** with the city of Sioux Rapids. They have met with the mayor; the city would like to reduce their law enforcement expense. Eddy has suggested that the Board of Supervisors and the City Council should

meet to negotiate a new contract. The sample agreement Eddy left with them is for approximately \$50,620. The city would like to lower the price to \$35,000. The city receives 24 hour coverage, has a deputy living there, is patrolled several times/day, papers are served, and the deputies run the radar and issue speeding tickets. 90 calls were logged last month. The population of Sioux Rapids is 720. Eddy has received no complaints during the 3 yrs. of the contract. Eddy also advised the Board that he is meeting with Truesdale regarding a contract. The meeting with Sioux Rapids is scheduled for Wednesday, February 23rd at 6:30 p.m. in Sioux Rapids.

Recorder Shari O'Bannon reported on the frequency of out-of-state requests (mortgage companies) for copies of recorded information (all recorded documents on a disk, monthly). A Recorder's fee policy needs to be set for these requests. The fee to local abstractors is 10 cents per image. The information is provided on disk each day. When the CLRIS project is up and running there will be an access charge to see and print information, with the county to receive 50 cents per page. Until the portal is up and running there will be requests, and also until all of the previously recorded documents are loaded as well. Motion by Gustafson to set a **Recorder's fee** of 20cents / page (image) plus the cost of the disk and mailing expense, for Recorder's information. Carried. O'Bannon also requested a policy for the local abstractors' requests for an electronic copy of all the Recorder's imaged records, previously purchased on hard copy. Motion by Lanphere to set a **Recorder's fee** for local abstractors for historical information at 10 cents/page (image) plus the cost of the disk. Carried.

Terry Murray, County Action Chairman for the BV County Farm Bureau, addressed the Board saying that Farm Bureau knows that something needs to be done about the **jail**. They want to be sure it is the right thing. The local media had reported that the Board of Supervisors was looking for public input. Murray stated that if you go off-site, it has to be cheap to make up for the new cost of transporting prisoners to and from the courthouse. Farm Bureau encourages looking for more options, and investigating where there might be ground available. It was noted that some of the newspaper coverage, of options which have been considered, was incorrect.

11:30 a.m.--The time having arrived for a teleconference with the Pocahontas County Board of Supervisors, the Chairman placed the call and found Supervisors Ralph Christiansen, Paul Beneke, Vince Triggs, Wilbur Ekstrand, Jack DeWolf, and Auditor Margene Bunda present. The purpose of the teleconference was to take action on the Engineer's report on establishing ROW in Jt. DD #1, following the 2/8 public hearing on the report. Motion by DeWolf, second by Vail, that Crampton and Strawn, respectively, be appointed as Chair and Secretary for the meeting. The motion carried. The Chairman discussed the public hearing on creating the Right of Way record which held February 8th in the Newell. There were no written or verbal objections received on the report. Motion by Lanphere, second by Beneke, to approve and to adopt the Engineer's report and plat establishing the record of Right-of-Way for **Jt. DD #1**. Carried. Motion by Triggs, second by Vail, to adjourn. Carried.

Supervisor Crampton introduced a resolution (No. 2005-02-15-B - To fix a date for a public hearing on a **loan agreement**) hereinafter next set out and moved its adoption, seconded by Supervisor Vail; and after due consideration thereof by the Board, the Chairperson put the question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted: Ayes--Crampton, Gustafson, Lanphere, Vail; Nays--none. Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION NO. 2005-02-15-B

To fix a date for a public hearing on a **loan agreement**

WHEREAS, the Board of Supervisors of Buena Vista County (the "County"), proposes to enter into a loan agreement (the "Essential County Purpose Loan Agreement") in the principal amount of \$350,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purposes of paying the cost, to that extent, of acquiring voting equipment; acquiring computer equipment for County buildings, acquiring equipment for the County jail and constructing improvements at the County Courthouse, and it is necessary to fix a date of meeting of this Board at which it is proposed to take action to enter into the Essential County Purpose Loan Agreement and to give notice thereof as required by such law; and

WHEREAS, the Board of Supervisors also proposes to enter into a loan agreement (the "General County Purpose Loan Agreement") in the principal amount of \$50,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the general county purposes of paying the cost, to that amount, of acquiring a vehicle for the Public Health Department and a tractor for general County use, and, in lieu of calling an election therefore, the County desires to institute proceedings to enter into the Loan Agreement by causing a notice of such proposal to be published, including notice of the right to petition for an election; and

WHEREAS, it is necessary to fix a date of meeting of this Board at which it is proposed to take action to enter into Loan Agreements and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. This Board shall meet on the 14th day of March, 2005, at the Courthouse Public Meeting Room, Storm Lake, Iowa, at 10:00 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreements.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Essential County Purpose Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than four nor more than twenty days before the meeting, in a legal newspaper of general circulation in the County.

The notices shall be in substantially the following form:

**NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS TO ENTER INTO A ESSENTIAL COUNTY PURPOSE LOAN AGREEMENT IN THE
PRINCIPAL AMOUNT OF \$350,000**

The Board of Supervisors of Buena Vista County, Iowa, will meet on the 14th day of March, 2005, at the Courthouse Public Meeting Room, Storm Lake, Iowa, at 10:00 o'clock a.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") in the principal amount of \$350,000 for the purposes of paying the cost, to that extent, of acquiring voting equipment; acquiring computer equipment for County buildings acquiring equipment for the County jail and, constructing improvements at the County Courthouse .

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 331.402 of the Code of Iowa. The Loan Agreement will constitute a general obligation of the County

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the Board of Supervisors of Buena Vista County, Iowa.
Karen Strawn County Auditor

Section 3. The County Auditor is hereby directed to give notice of the proposed action on the General County Purpose Loan Agreement, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 10 nor more than 20 days before the meeting, in a legal newspaper of general circulation in the County, in substantially the following form:

**NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS TO ENTER INTO A GENERAL COUNTY PURPOSE LOAN AGREEMENT
IN THE PRINCIPAL AMOUNT OF \$50,000**

The Board of Supervisors of Buena Vista County, Iowa, will meet on the 14th day of March, 2005, at the Courthouse Public Meeting Room, Iowa, at 10:15 o'clock a.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") in the principal amount of \$50,000, for the purpose of paying the cost, to that extent, of acquiring a vehicle for the Public Health Department and a tractor for general County use.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 331.402 of the Code of Iowa. The Loan Agreement will constitute a general obligation of the County.

The maximum rate of interest which may be paid under the Loan Agreement is 7% per annum.

At any time before the aforementioned date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Loan Agreement be submitted to the registered voters of the County.

By order of the Board of Supervisors of Buena Vista County, Iowa.
Karen Strawn County Auditor

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved February 15, 2005.

/s/ Bill Lanphere, Vice-Chairperson, Board of Supervisors

Attest: /s/ Karen Strawn, Co Auditor

There being no further business, motion by Crampton to adjourn until Thursday, February 17 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
EIGHTH MEETING, 2005 SESSION (8)
FEBRUARY 17, 2005**

The Buena Vista County Board of Supervisors met in special session on Thursday, February 17, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Storm Lake Chamber of Commerce Managing Director Marilyn Monson invited the Board to attend the regional Western Iowa Tourism meeting to be held in Storm Lake on February 23rd at the municipal golf course. The guest speaker will be Nancy Landess, manager of the Iowa Tourism Department.

Lanphere reported on the meeting of the DHS Service Advisory Board; that the Iowa Dept of Human Services is planning to reduce services – they will target only those kids with physical abuse. A consulting firm has been employed to handle other cases. They will be looking to the counties to pay for the services needed by this group of kids, and probably also to provide office space.

Treasurer Kathy Bach provided additional information regarding the request to abate penalties and costs on a property in Albert City. The owner wants to quit claim the property to the city. The offer would bring in the taxes and take the delinquency off the books. Motion by Lanphere to abate the penalties and costs on delinquent tax parcel #0000035990 subject to payment in full of delinquent and current taxes (\$1,510) and subject to the owner quit claiming the property to the City of Albert City. Carried.

Emergency Management Director Bob Christensen discussed his request for a \$1,750 increase in funding over the current year. In the last couple years, there has been much more activity in the county. Over \$600,000 has been brought into the county from Homeland Security – providing equipment to cities, fire departments, etc. and the county, including the cameras in the courthouse. The cost for the Hazmat contract with the Sioux City Fire Department is the same. He noted that the cities have not increased their funding since a couple years ago. The county did not increase at that time. Cities pay \$100 minimum, or 30cents/capita, if that rate is over the \$100 minimum. Homeland Security funding is headed toward regionalization which may have some effect on dollars coming into the county. County dollars fund the agency; Homeland Security funds provide equipment and training. Motion by Vail to approve a \$1,750 increase in funding for Emergency Management for FY'06 for a total of \$40,000. Ayes—Crampton, Lanphere, Vail, Burnside. Nays—Gustafson. Carried.

The Board reviewed the draft budget and discussed changes including the mental health levy and the capital projects loan. Motion by Vail to approve the proposed FY'06 budget and to set March 14th at 10:30 a.m. as the date and time of public hearing in the 2nd Floor Public Meeting Room of the Courthouse. Carried.

There being no further business, the Chairman adjourned the meeting until Tuesday, February 22 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
NINTH MEETING, 2005 SESSION (9)
FEBRUARY 22, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 22, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Kari Stuckel, Ohio National Representative, discussed the county's deferred compensation program. She suggested a benefit fair to provide the opportunity for employees to ask questions and learn more about their benefits. Motion by Gustafson to approve and to authorize the Chairman to sign a letter regarding the county's deferred compensation program for distribution to employees. Carried. It was the consensus of the Board to proceed with arrangements for the benefits fair.

Wellmark Representatives Ali Child and Tom Fleming, and Keeli Thomas, Group Services Representative, met with the Board to answer questions and discuss the current employee health insurance program. Wellmark has several new programs including disease management, 'Blues-Enroll' for administration of employee enrollment, and health savings accounts.

10:00 a.m.—The time having arrived for the bid letting on project #L-C-518—73-11 bids were received from six companies including: Nelson & Rock Contracting, Inc.-Onawa, Gus Construction Co.-Casey, IA, Lund Construction-Eagle Grove, Richards Construction-Sac City, L.A. Carlson-Merrill, Schoon Construction-Cherokee. Motion by Lanphere to accept the bid of, and award the contract for project #L-C-518—73-11 (culvert replacement, Sec 18, Newell Twp.) to, Schoon Construction, Cherokee, in the total amount of \$42,349.28, pending verification of bid extensions. Carried. (Ites later confirmed the bid extensions were correct.)

Engineer Jon Ites provided a copy of the IDOT bike path map for the county. The route has shifted away from Hwy 71, but the state is still including the project in their funding plan. Ites has concerns over a portion of the route which has very high traffic count, and that the route is planned to be existing hard-surface, secondary roads.

Ites has prepared an application for TEA21 funds for the E Milwaukee blacktop and reconstruction project (from Radio Road to Hwy 71) with a total estimated cost of \$545,000 planned, for budget year FY'08. The project would be 60% TEA21 funds and 40% local funding. Motion by Vail to make application for TEA 21 funding in the amount of \$327,000 for the E Milwaukee blacktop and reconstruction project. Carried.

Ites informed the Board that secondary road employees would like the opportunity to again meet with the Board as they have been doing for a number of years.

Another location has been identified for a jail -- the bare ground north of the Luedke building. The Board asked for the engineer's comments for that site. Ites stated that the current use of the ground is for storage of pipe, inventory, etc. Re-locating the storage yard would eliminate the convenience and go back to the situation in place in prior years when the inventory was stored at the 'Hollywood' site (near the Knights of Columbus building on the north side of business Hwy 71) and away from secondary road activity.

Motion by Vail to approve today's payroll subject to future audit. Carried.

Motion by Lanphere to approve the minutes of the 2/15 & 2/17 meetings as printed, and the following reports: January ending fund balances, and 1/11 Conservation Board minutes. Carried.

General Relief Director Paula Guerra briefed the Board on how veterans & general relief clients are currently being served, and how the veterans' van is scheduled for trips. With Community Services moving to a new location, and Guerra's office staying, there are number of details to work out.

In addition to the media, present for a discussion of the jail project were a number of visitors including Gary Lalone-SLADC, from Farm Bureau-Vince Davis, Brent Jesse, Terry Murray and Frank Klahs, and Bill Strawn. Due to their interest in the project, both the Chairperson and Gustafson had invited Farm Bureau members to attend the meeting. Gustafson mentioned that recent discussions have included a site in Truesdale, and also constructing a building at the location of a city parking lot behind the -Connell law office building. The parking lot is not for sale, so this is not an option. He noted that the

county's Luedke building site is another option. The current use of the lot north of the building is for secondary road storage of pipe inventory. This use does not require sewer and water, so could be moved to a different location. The spec building does have room to expand, but is more than is needed for a jail and sheriff's office space. Since the building was erected for economic development, and with approval of the Awaysis project, there may not be an opportunity to sell the spec building for its original intended use – economic development. Lalone responded that SLADC was not concerned about selling the building for the jail and then having a company want to locate in Storm Lake. If the jail were in progress, another building could be constructed. Vince Davis: There is no way to know when counties might be reorganized, or what facilities might be needed. But, Farm Bureau would like to see all of the facts on the table before proceeding. Sioux County has a contract with the feds for 20 prisoners. With all of the other area jails going up, there may come a time when the feds will bid for the beds they need at the cheapest price. Plymouth County has looked at other buildings in LeMars. Retro-fitting an existing building was considered, but scrapped because it was not economical. To locate in a building on one end of town, an expense of \$300,000 or more would have been incurred to run a fiber-optics line to permit video-court. Farm Bureau believes the way to go is to get away from out-of-county housing and transportation of prisoners. Lalone: The city of Storm Lake has indicated it would take water and sewer to the spec building, but he doesn't know about fiber optic availability. Also, the spec building site has additional acres available for expansion if needed, and is not in a residential area. Strawn: The annual cost of not operating a jail of any kind and housing prisoners elsewhere is \$800,000, and, that neither INS nor Federal Marshals will contract with Buena Vista County because it is not a suitable location. LongLines has a major fiber cable on the south side of the railroad tracks. Vail: The County has discussed joint county facilities, but this wouldn't solve the transport issue. Davis: The law will have to change to allow for more tele-court activities if a regional jail is going to be an attractive solution. Lanphere: The County is still pursuing conversations with Cherokee, Clay, & Pocahontas Counties. Davis: Those counties don't want the transport costs. Gustafson: If a regional jail were built, it wouldn't be built in Storm Lake either. Strawn: There would still be a need for a small local facility for short-time inmates in order to make the regional concept work. Gustafson: Going out of town isn't maybe the best idea. If the spec building wasn't there and we had to go out and construct a building, would we build the size of the spec building? He guessed: probably not. Lalone: The relative cost for the spec building makes it affordable. You've had to go out to the Yon building for other space needs. Gustafson: The Board needs to make a decision here and go forward. Lanphere: The County will be reimbursed for a major portion of the Community Services office space in the Yon building. Davis: Some counties have used local option sales tax to fund jails. Burnside: The current local option formula is 40% for property tax relief in the Rural Fund, and 60% for Capital Projects in the Secondary Road fund. Since the jail is an all county project, rural taxpayers would probably prefer that local option revenues not be the source of funding the jail. Murray: The cost of closing the jail should be determined as well as the cost of servicing debt of \$5,000,000 along with the operation of the jail. In his experience, when you try to make things fit in an existing structure, you lose efficiency. There are some other things on the horizon that can be pursued. The Sheriff has stated that the county has some flexibility; the jail isn't in imminent danger of being closed by the State Jail Inspector. Tiedemann noted that the railroad is looking for office space. Klahs stated that he would like to see the jail process move slowly and the Board thinks carefully. Jail needs should be taken care of separately from courthouse needs. It is better to have a bond issue that will pass. Approval of the Awaysis project will no doubt have an impact on the jail project. There are advantages of the spec building, but he can also see that an examination of making space for non-jail activities has had an impact. Lalone: The spec building was originally for sale for \$572,000. It was offered to the county at \$465,300, or \$106,700 less. He asked how many dollars is the county spending now to transport and house prisoners elsewhere. With a new facility, the current cost of transportation and housing can be applied to the cost of the payment of a building. Vail wants to talk to the neighboring counties before taking any action. Klahs: Farm Bureau has toured the jail and has no question but that something is needed. They plan to tour LeMars and possibly some other sites. They can do some investigating to see who might be willing to sell land in a suitable area. The railroad ground in Truesdale, would sell probably pretty cheap for storage of secondary road inventory. The Luedke building could be added on to the east for engineer's office space. He urged taking the necessary time. Gustafson: We need to set a goal (timetable). The Chair thanked everyone for coming in and sharing their points of view.

Bill Strawn informed and invited the Board to tonight's Countywide **Community Foundation** meeting at 6:30 p.m. in the Public Meeting Room.

Engineer Iles informed the Board that he has two **Mechanic I** candidates with substantial experience who he believes would not take the position if offered, at the starting wage of \$3/hr under the base rate. He reported that the deadline for accepting applications for the **Equipment Operator 1** has passed.

Approval of **custodial agreements** for the DHS & ERA Annex was postponed until the next meeting.

Motion by Vail to approve a 31.5% levy on **Jt DD#19-26 MOD** due and payable September 1, 2005, delinquent October 1, 2005. Carried.

Motion by Gustafson to approve an increase in the **depository limit** for Security Bank to \$10,500,000.00. Carried.

There being no further business, motion by Lanphere to adjourn at 12:15 p.m. until Tuesday, March 1 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 2005 SESSION (10)
MARCH 1, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 1, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

CPC Dawn Mentzer discussed the 4% provider rate increase requested by Spectra Health Care. She recommended 3%, the same as granted to Genesis Development. Motion by Gustafson to approve a 3% rate increase for **Spectra Health Care** for FY'06. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the IDPH **substance abuse grant application** for FY'06 in the amount of \$3,061.75 or 25% of the FY'06 funding for NW IA ADTU (\$12,247). Carried.

Mentzer reported that the Chevy Lumina used by the **Case Management** Dept. is in need of quite a little work if it is to continue being used. It was the consensus of the Board to offer it for sale by sealed bid at the time a new vehicle is purchased.

Pat Schmitz Executive Director of **Plains Area Mental Health Center**, and Kim Kelleher, Cherokee branch manager, with Michelle Kelly representing management at BVRMC, introduced

themselves to the Board. Kelly explained that BVRMC had been looking to fill a need for more accessible counseling services; physicians and patients have stated that it was hard to access existing services in the area. PAMHC has opened a satellite office in BVRMC, primarily to provide counseling services, but others will be added as needed. A psychiatrist may be added at a later date. The services will begin with 1 half-day per week. In the future, BVRMC and PAMHC may jointly look into bringing a psychiatrist to the area.

Motion by Vail to approve the minutes of the 2/22 meeting as printed. Carried.

Motion by Crampton to approve and to authorize the Chair to sign a letter of support for the Countywide Community Foundation's Endow Iowa application. Carried.

Motion by Gustafson to approve the transfer of funds in the amount of \$1,001.00 from the Employee Health Insurance Fund #4151 to the Secondary Road Fund #0020, reimbursing the advance health insurance premiums for 2 former employees. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the underground utility permits submitted by Clay Regional Water to provide service at 17 locations between Rembrandt and Storm Lake. Carried.

Lanphere temporarily left the meeting.

Motion by Vail to approve the underground utility application submitted by Iowa Telecom, Grinnell, to install 25 pr copper lines on 650th Ave. east from 200th Ave. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

Ites reviewed a public notice from the US Army Corps of Engineers that application has been made to construct a 30.7 acre pond in Section 31, Hayes Township. The applicants are Henrietta Kestel, Jeff Kestel, and Wade Christiansen. The Board had no comments on the application.

It was noted that the time for publishing the annual "Do Not Spray" notice in the three official papers has arrived.

Ites has received a request by telephone from Union Pacific Railroad to put up stop signs at all crossings (hard surface, gravel and dirt). He will review the request once the follow-up letter is received. Requests are being sent to all counties.

Motion by Crampton to approve and to authorize the Chairman to sign the utility application submitted by Corn Belt Power to install 69kv overhead service to the following location: from the east corner of Section 14, Coon Township, then north in the west right-of-way 5 miles to the west quarter of Section 23, Fairfield Township. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

Lanphere returned.

Ites requested reconsideration of the 10/14/03 resolution changing the hiring wage for new secondary road employees from \$2 to \$3 dollars under the base rate for that position and moving over 2 years up to the base amount. He also requested approval to waive a part of the probationary period for an experienced employee. He will begin interviewing for the EO1 position later this week. Motion by Vail to return to the "2 years at \$2 under" policy for new secondary road employees and to authorize the engineer to waive up to 6 months or one year for the Mechanic I position. Ayes—Crampton, Lanphere, Vail, Burnside. Nay—Gustafson. Carried.

Environmental Health Director Kim Johnson advised the Board the addition of buildings to two existing hog confinement operations (Harlan Grau and Chris Richter). These locations will not require the

matrix process. She is expecting a construction application to be filed by New Fashion Pork for a location in Section 10 Poland, Township for 4,000 head, which will require the matrix process.

A letter from the Mayor and City Council of Sioux Rapids was received requesting that the price for their law enforcement contract be lowered to \$34,560 from the current \$50,570 letter. Sheriff Chuck Eddy has sent a letter to the Mayor and Council stating that he can't provide the required services for that price. Eddy will not be replacing the contract deputy who recently resigned. If the city decides to hire their own officer, he offered his and his department's assistance to help with training, testing, or as needed, and will provide assistance to their officer. A chart showing the revenue from each of the contract towns relative to population and valuation was reviewed. Lanphere believes the county should look at existing contracts, and set up meetings with the towns to review their contracts. Motion by Gustafson to not renew the Sioux Rapids law enforcement contract (July 1st 2005.) Ayes-Crampton, Gustafson, Lanphere, Burnside. Nays-none. Abstentions-Vail. Carried. No budget changes will be made for the current time.

Present for a discussion of the jail project were Farm Bureau members Terry Murray, Brent Jesse, and Frank Klahs, SLADC CEO Gary Lalone, Gene Lyster-Bargloff's, Sheriff Chuck Eddy, Deputy Don McClure, and Bill Strawn. Lanphere discussed his review of cost comparisons between new construction of a 25,000 sq.ft. building, the 'spec' building (40,000 sq.ft.), and new construction of a 40,000 sq.ft. building. Building costs (steel) are up 30% from 6 months ago. The Chair read a letter from Cal Johnson suggesting that the old Wal-Mart building be used to house courthouse offices and keep the jail and sheriff in the courthouse. However, it was noted that expanding the jail in the courthouse would require more staff since it would not be possible to arrange the space so a single jailer could monitor all of the cells. There would also be additional costs to bring the courthouse up to code if it were re-modeled for additional jail space (sprinklers, etc.). Also, the Wal-Mart building may not be for sale. The Chair stated that the Board has considered a lot of locations and towns, and has talked to a lot of people.

Gene Lyster, who built the original spec building 7 years ago, has prepared some figures about the current cost of construction. Using very reasonable rates for some of the inputs (materials, preparing specs, site prep, etc.), his figures show what the same building would cost today. Increases in steel costs make the big difference; there has been a dramatic increase, which is also true for wood construction. The cost for site prep and preparing specs would be higher. He estimated \$648,000 to replace the current spec building. The original was built for \$13.34/sq.ft. compared to \$16.20/sq. ft. for a new one including land, building and the prep. A 25,000 sq.ft. building new today would be \$481,850 or \$19.27/sq.ft. He doesn't see steel prices over the next 6 mos., backing off, but there won't necessarily be any further increases either. But it's a guessing game; there could be a moderate increase, for metal or any other type of structure. There is logic in using the spec building -- the costs were incurred 7 years ago. If you built a new 25,000 sq.ft. building, the Spec building gives you 15,000 sq.ft. free. The Chair thanked him for his work to provide the Board with the facts.

Brent Jesse questioned the cost of operation of too large a building; this needs to be considered. Strawn commented that the task force would have recommended pre-built cells which sit inside the building. Gustafson wondered if putting in a minimum number of maximum security cells, and the remainder being minimum security, would save expense. Strawn responded that the architect's plan only called for 4 male maximum security, and 2 female maximum security.

Klahs has now visited Plymouth, O'Brien and Sioux County jails. Two are concrete block buildings. Pods are 2 levels high with 1 main control area. They appear to be very efficient for staff requirements. Concrete or block buildings have very little steel in them; they are simply built, but he does not know the cost of concrete. The Sioux County jail has a steel roof. Klahs thinks all three were probably over built since none are currently full, more like 2/3's. Sioux is the only one with a contract with the Federal Marshals. O'Brien takes women for the Federal Marshals, but without a contract. Sioux-has had enough revenue for Federal Marshal prisoners to pay the jailers salaries. He thinks Buena Vista should look at 40 beds. In those jails with basements, cooling and heating systems, meeting space, and storage were put in the basement which was probably the cheapest part of the building.

Terry Murray commented that in the other counties they can expand by adding beds to existing cells. They didn't build excesses in the jail, but maybe in the training areas, media room, conference room, etc. Sheriff Eddy and Deputy McClure have been working to make the design efficient, particularly to avoid expansion of staff. Klahs-O'Brien has high utility bills, since they have little insulation. Primghar's was overall the most efficient, with the fewest frills. Build a jail, don't build a barn. Gene Lyster suggested that to accomplish the most for the least dollars, a steel building shouldn't be ruled out. A steel building will be cheaper than block wall with a masonry exterior. Lyster also commented that there has been lots of conscientious work put in on the planning, but there seems to be a disconnect between the Board regarding the purchase of the spec building. The Spec building is the most logical and practical for the reasons put forward. There seems to be animosity between county and city. We've got to work together. The Spec building provides the best opportunity to do the project. The dollars that separate the County and SLADC are irrelevant.

Unanswered questions: When does the search end, and when does a decision come? We have to move forward. Why does \$35,000 hold up the purchase? What do we do with the extra space in the Spec building? Do we sit there with the extra space for 15 years? How much will it cost to remodel the extra space into offices?

Brent Mangold discussed another problem with the RIDES program. He is concerned and feels that something needs to be done to change the system. Recently, a rider got on the bus at the bowling alley and rode for 1½ hours because the driver didn't know where to find Colonial Circle. This happened even though there were available resources for obtaining directions - two buses were running at the time. The Spencer manager was not helpful in sorting out the problem. Dickinson County Supervisor Wayne Northey, who is on the RTA Board with Crampton, has received a report of the problems. There is also a question about what is happening that we don't find out about. As people quit using RIDES services, costs will go up because of reduced usage. Crampton will try to arrange a meeting with the RTA Board members and the director, and to include other interested parties.

Julie Smith met with the Board about the HIPPA Officer position which is currently vacant. Motion by Vail to hire Smith as the County's HIPAA Officer beginning starting 3/7/05 at \$15.90/hr; until April 15, 2005; her work schedule will be up to 35 hours per week in order to meet the computer security deadline, and re-assessed at that time. Carried.

Gustafson left the meeting.

The Board discussed the need for establishing a timeline for the jail project. Setting an election date and working backwards may be an effective way to proceed.

There being no further business, motion by Crampton to adjourn at 1:55 p.m. until Tuesday, March 8 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
ELEVENTH MEETING, 2005 SESSION (11)
MARCH 8, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 8, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

8:30 a.m.--Weed Commissioner Norm Lund and Assistant Weed Commissioner Dave Wiley were present for the weed chemical bid opening. A bid of \$15.22/gal for Hidep, along with a \$500 cashiers check, was received from Van Diest, Webster City. A response was also received from VMS (Vegetation Management Services) of West Des Moines, stating that they opted not to submit a bid. Motion by Crampton to award the **bid for 600 gallons of Hidep** to Van Diest for \$15.22/gallon, with 400 gallon to be delivered by April 15, the remainder after July 1st; the cashier's check is to be returned after the first delivery is made. Carried. Also discussed was how few bids were received and whether or not a performance bond is required. Present for a discussion of weed department activities under the Conservation Board were Director Gary Christiansen and Board member Roger Meyer. The Conservation Board feels there is a need for a stronger paper trail documenting that the weed department is under the Conservation Board. Roadside activities need to be coordinated with the county engineer. Christiansen will check with Kevin Szcodronski, DNR, about REAP qualifying activity, and Burnside will check with the county attorney about bid lettings.

Dale and Bev Wordekemper were present for the discussion of White Cap Road. Lanphere reviewed the outcome of the last session: from Board's perspective, 1) the county could accept a quit claim deed for 16' from each, the Wordekempers and the Lanpheres, which doesn't satisfy the amount of area needed at the corner to build the corner; 2) Lanphere could sue so that court would then determine the boundaries. After consulting with the County Attorney, there is one additional option: 3) the county could do nothing. It is Lanphere's understanding that the County can't bring suit. If the matter should go to court, the judge would probably say either: 1) the road is where it is currently at [regardless of the platting] or, 2) Wordekempers and Lanpheres would be required to deed over the 16' to the County. Wordekemper responded that he will gladly quit claim the 16', and, he can understand the engineer's point of view. But, he doesn't see giving up any more land when the road isn't where it is supposed to be. Gustafson asked what has to be moved on the north side of the road; a couple sheds and lilac bushes. He noted that the road isn't straight and it does taper down into Wordekemper's property. Gustafson thinks we (the county) should move the road as far north as we can, not move the sheds, and remove the bushes. Wordekemper noted that after the 16' is quit claimed, the road is still on his property 21 feet. He would be willing to sell some additional area, but only after the road is moved and it is determined that more area is needed. Motion by Gustafson to move the west portion of **White Cap Road** (on the north side of Wordekemper's and Lanphere's property) to the north as far as possible according to the engineer's recommendation and make a square corner on the west. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—Lanphere. Carried. Wordekemper will wait to see what happens with moving the road, then, meet with his lawyer about quit claiming the 16'.

Engineer Jon Ites reviewed current **legislation** on road use tax. He reviewed an updated map prepared by the City of Storm Lake on the **drive and bike trails**. It is the city which has been working with the state. He hasn't yet received the comments that the IDOT received which caused the change from the original plan (to follow Hwy 71). He has received notice from **Corn Belt Power** that they have applied for a franchise. NRCS has announced that the **North Raccoon River Watershed** will be included in the Conservation Security Program (CSP) in 2005.

Motion by Vail to approve and to authorize the Chairman to sign, the contract, contractor's bond, and certificate of insurance with Schoon Construction in the amount of \$42,349.28 for **project # L-C-518-73-11** (culvert to Sturchler's Pit on the west side of Newell). Carried.

Motion by Crampton to approve and to authorize the Chairman to sign the **underground utility permit** submitted by Qwest, Omaha, to upgrade an existing copper cable service from a location at the intersection of Hwy 71 and C-49 east 1 mile, then 1 mile north to a group of 7 houses. Carried.

Motion by Vail to amend today's **agenda** by adding: approval of the Yon Building lease, and the Lake Creek liquor license application. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign a 5-year lease (4/1/2005-3/31/2010) for 541 Cayuga St & 302 E 5th St. (Yon Building). Carried.

Motion by Lanphere to approve the liquor license application of Lake Creek Country Club. Carried.

Craig Wells passed along his ideas about possible locations for the jail – Peters Trucking site, another site adjacent to Peters and close to National Guard Armory (which might be logical when homeland security is considered) owned by the city, and the city library since it is convenient and would substantially reduce the hassle of transporting prisoners back and forth. Regarding the spec building, he thought it would speak higher of our community to have a nice company in that building when people drive by on their way into town. The Chairman thanked him for his input.

The following were present for discussion of Lanphere's jail building cost comparisons. Emergency Management Director Bob Christensen, Deputy Doug Simons, Deputy Don McClure, SLADC CEO Gary Lalone, Bill Strawn and Farm Bureau members Frank Klahs, Terry Murray, Brent Jesse and President Jeff Sievers. Lanphere has revised his figures for the steel buildings, but doesn't have numbers for a different type of construction. The comparison puts the spec building at lowest cost. (Bill) Strawn informed the board that the architect is working on a concept to see what, and how many beds could be built for \$4,000,000 in a concrete block building since this is the figure that some Farm Bureau members have said they could support. Gustafson asked McClure how large a sallyport needs to be and does it need to have space for storage; (answer) large enough for at least 1 vehicle and space to move around, but it doesn't need to have space for 6 vehicles, nor for storage. Also, driving in and backing out would be preferable to a drive-thru. Christensen stated that in the next year Emergency Management will be obtaining through Homeland Security, three 10'x15' trailers to hold CERT (Citizen Emergency Response Team) supplies, and "pre-positioned assets". Secure storage will be needed.

Motion by Lanphere to accept SLADC's latest offer, and draft an intent agreement to purchase the spec building for \$435,000, recognizing SLADC's option to continue to market the building up to 45 days prior to the election date, and with the county to have the same 45 day option to withdraw the offer if a better option is found. Lanphere thinks the Board needs to start moving on the project and this motion forces some activity. Vail stated that all the motion does is agree on a price, and it allows both sides to back out. Crampton believes the motion provides the county a little protection. Jesse suggested waiting until more figures are received from the architect. Vail restated that the motion doesn't bind the county since there is the option to back out. The motion carried.

Judy McDonough, Director of Season's Center for the past 2 ½ years, and Dorie Pedersen, Director of Community Based Services, reviewed the services, staff, mission, and statistics about the center. Meth abuse is the cause of many of the problems they treat. The center is on more firm ground financially compared with 2-3 years ago.

Env Health Director Kim Johnson notified the Board that Chris Richter has filed an animal feeding operation construction application. Published notice is required stating the 30 day comment period. Opting to hold a public hearing, motion by Vail to set the date and time of public hearing on the Richter CAFO construction application as March 22 at 8:30 a.m. in the Boardroom. Carried.

The Board proceeded with a discussion of a timeline for the jail project. Bill Strawn presented an example schedule for a project provided by Architect Chris Schiltz. Lanphere suggested setting a bond issue election date in July, August, or September. The minimum time for calling an election is 32 days prior to the selected date. The Board agreed to discuss an election date and the architect's \$4,000,000/concrete block design on March 22. Motion by Gustafson to add the following terms to Lanphere's previous motion (accepting the \$435,000 proposal for the spec building): to make it subject to the spec building passing inspection by a structural engineer, to successful rezoning, and, to a successful bond issue. Carried. Strawn will arrange for the inspection by SEA Structural Engineers, Sioux Falls, South Dakota.

Lloyd Galbraith discussed his concerns about the re-location of the Community Services department. Veterans Relief and General Relief will not be moving with Community Services, but will remain in the E. Richland Annex. Currently, the Community Services secretary provides full coverage of the telephone for Veterans Relief and arrangement for the veterans van even though the veteran's relief secretary is in the office for only two 4-hour periods per week. Calls about the van come in at all times of the day, and even go to the CS Secretary at her home in the evenings and on weekends. The Iowa Code requires that the Veterans Relief office be open at least 4 hours/day, 5 days/week. Gustafson suggested that perhaps the Public Health secretary could take over those duties. Lanphere stated that covering the phone takes a large amount of time, and far more than board members knew. The public needs to know how to access the person they need. Further study is needed on how to staff Veterans Relief.

Motion by Vail to approve and to authorize the Chairman to sign the following drainage claims for joint drainage districts: Jt. DD #14-42 \$932.16 to BV County Secondary Roads; Jt DD #109 \$152.59 to BV County Secondary Roads; Jt DD #150 \$63.64 to BV County Secondary Roads. Carried.

Motion by Crampton to approve the minutes of the 3/1 meeting as printed, and the following reports: Feb budget reports, Feb Clerk's fines-fee-forfeitures, 2/15 Board of Health minutes, Feb operating report of Spectra Lagoon by Mangold, 2/10 Conservation Board minutes; also reviewed: 1/13 NWIPDC Policy Council minutes. Carried.

The Chairman and Lanphere reported on their meeting with secondary road employees. They had been presented with the following requests: increase the clothing allowance from \$125 to \$200/year, increase longevity pay (so many cents/hr) with more steps, and allow retiring employees to receive pay for a portion of their accumulated sick leave. They are happy with no changes to the health insurance program for this next year. They also requested that the Board look into an eye-glass plan. These items will be discussed at a later time.

There being no further business, motion by Gustafson to adjourn at 12:20 p.m. until Monday, March 14 at 8:30 a.m. for a special session for the FY'06 budget and related hearings.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWELFTH MEETING, 2005 SESSION (12)
MARCH 14, 2005**

The Buena Vista County Board of Supervisors met in special session on Monday, March 14, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Motion by Vail to amend today's agenda by adding "authorization for signature on DD #22 agreement". Carried. Motion by Gustafson to approve and to authorize Supervisor Vail to sign a wetlands agreement on behalf of the Board at today's Jt. DD #22 meeting in Spencer. Carried.

Environmental Health/Zoning Director Kim Johnson updated the Board on the activity in her department. The number of septic system permits applied for this year is way ahead of the average

number, 16 so far. This includes 9 new residences. The RFP for the **Comprehensive Plan** has been completed and sent out to about 20 planners. Motion by Vail to designate the Auditor and Auditor's staff to accept and acknowledge **Manure Management Plans** and **CAFO Construction Agreements** on behalf of the Board of Supervisors. Carried.

The Board acknowledged receipt of the construction application for New Fashion Pork (Jerry Williams), which requires the master matrix, and a public hearing. Public comments are due within 30 days of receipt (due in Des Moines not later than 4/9). Motion by Lanphere to set a **public hearing** on the New Fashion Pork construction application for March 29 at 1:00 p.m. in the public meeting room. Carried.

The Auditor reviewed the letter of recommendations from the county's audit firm on the **FY'04 financial audit**, and the MD&A (Management Discussion and Analysis) to be included in the completed audit.

Motion by Lanphere to approve the **minutes** of the 3/8 meeting as corrected. Carried.

The Board moved to the Public Meeting Room to continue the meeting. Present were 9 county personnel and 3 persons from the media. The Chairman announced the purpose of the first hearing – to receive public comment on the proposed \$350,000 **Capital Projects loan for essential purposes**. The specific uses planned were reviewed: \$112,000-voting equipment (\$113,000 additional from HAVA funds), \$32,675-computer, electronic equipment and microphones, \$2,500 for jail equipment, \$110,160 for computer software, \$52,000 for handicapped accessible ramp, and \$40,665 for courthouse remodeling. Following invitation to comment, no comments on the proposal were received. Motion by Vail to close this public hearing. Carried.

The Chairman announced that the second hearing is being held for the purpose of receiving public comment on the \$50,000 **Capital Projects loan for general purposes**. The purposes of the loan include \$20,000 for a replacement vehicle for Public Health, and \$30,000 for a tractor for use by Conservation. Following invitation to comment, no comments on the proposal were received. Motion by Gustafson to close this public hearing. Carried.

This being the time and place specified for taking action on the proposal to enter into a loan agreement, for the purpose of acquiring voting equipment, acquiring computer equipment for County buildings, acquiring equipment for the County jail and constructing improvements at the County Courthouse, the County Auditor announced that no written objections had been placed on file. Whereupon, the Chairperson called for any written or oral objections, and there were none.

This also being the time and place specified for taking action on the proposal to enter into a loan agreement for the purpose of acquiring a vehicle for the Public Health Department and a tractor for general County use, the County Auditor announced that no petition had been filed asking that the question of entering into such loan agreement be submitted to the registered voters of the County and that the Supervisors may proceed with the authorization of such loan agreement.

After due consideration and discussion, Supervisor Lanphere introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Vail. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted: Ayes—Crampton, Gustafson, Lanphere, Vail, Burnside. Nays—none. Whereupon, the Chairperson declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO. 2005-03-14 A

Authorizing Loan Agreements and providing for the levy of taxes to pay the same

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, Buena Vista County, Iowa (hereinafter referred to as the "County"), has heretofore proposed to contract indebtedness and enter into a loan agreement (the "Essential County Purpose Loan Agreement") in the principal amount of \$350,000,

for the purpose of paying the cost, to that extent, of acquiring voting equipment, acquiring computer equipment for County buildings, acquiring equipment for the County jail and constructing improvements at the County Courthouse, and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, the Board of Supervisors of the County has also heretofore proposed to contract indebtedness and enter into a loan agreement (the "General County Purpose Loan Agreement") in the principal amount of \$50,000, to provide funds to pay the cost, to that extent, of acquiring a vehicle for the Public Health Department and a tractor for County Conservation use and, in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and no petition has been filed with the County asking that the question of entering into such loan agreement be submitted to the registered voters of the County; and

WHEREAS, it is deemed necessary and advisable to provide for the levy and collection of taxes for the fiscal year beginning July 1, 2005, to pay the principal of and interest on notes to be issued in the future in evidence of the County's obligation under such loan agreements;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. The County hereby determines to enter into Loan Agreements with a lender to be selected (the "Lender") in the future, providing for a loan to the County in a principal amount not to exceed \$400,000, for the purpose or purposes set forth in the preamble hereof.

Section 2. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest as the same becomes due, there is hereby levied on all the taxable property in the County the following direct annual tax for collection in the following fiscal year, to-wit:

For collection in the fiscal year beginning July 1, 2005, sufficient
to produce the net annual sum of \$128,000;

provided, however, that at the time the Lender is selected, the actual tax levy amounts required to pay the principal of and interest in each subsequent year shall be determined, and this resolution shall be amended by resolution of the Board to provide for such actual and necessary tax levy amounts.

Section 3. A certified copy of this resolution shall be placed on file with the County Auditor, and said Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest hereby authorized and for no other purpose whatsoever.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED March 14, 2005.

/s/ Lorna Burnside
Chairperson, Board of Supervisors

Attest: /s/ Karen M. Strawn
County Auditor

The time having arrived for the hearing on the **FY'06 proposed county budget**, the Chairman opened the hearing and invited department heads to comment on their proposed activities for FY'06. The Chairman called for questions or comments from the public. There being no objections, motion by Vail to close the public hearing. Carried.

Motion by Crampton to approve the proposed **FY'06 Buena Vista County budget** as published, and to authorize the Chairman to sign the adoption and certification of taxes. Gustafson explained that he planned to vote nay on this motion due to a last minute change in one of the allocations. Ayes—Crampton, Lanphere, Vail, Burnside. Nays—Gustafson. The motion carried.

The Board returned to the boardroom for the remainder of the meeting.

Also discussed were the current custodial agreements for the ERA and DHS Annexes, 3/22 and 3/29 agendas, and monolith domes (for the jail).

There being no further business, motion by Crampton to adjourn at 11:15 a.m. until Tuesday, March 22 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTEENTH MEETING, 2005 SESSION (13)
MARCH 22, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 22, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, and Burnside. Nays: none. Abstentions: none.

Chris Richter-owner, Deb Witt-builder, and EnvHealth & Zoning Director Kim Johnson were present for the public hearing on Richter's plan to add to his existing CAFO site. Richter's existing buildings are older than the matrix rules, so he is not subject to that process. The new building will be closer to his home than the existing buildings, and approximately ½ mile from the creek, with a 500 foot distance required; he will meet all setbacks. Johnson found no problems with the proposal for a 960 head unit. Johnson confirmed that the hearing notice was published in the Pilot/Tribune. Gustafson asked about a manure management plan, noting that he receives complaints about manure spread on top of the ground. Richter aims to knife-in nearly all of the manure. There being no objections, motion by Crampton to close the public hearing. Carried. Motion by Lanphere to approve and to authorize the Chairman to sign Resolution 2005-03-22A recommending approval of the Chris Richter **CAFO construction application** to the Iowa Dept. of Natural Resources. Carried.

RESOLUTION 2005-03-22A

Recommending approval of the Chris Richter Construction Application
to the Iowa Dept. of Natural Resources.

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction application resolution to provide an opportunity for local input; and

WHEREAS, a construction application for an additional 51X144 finish hog building has been submitted by Chris Richter on March 4, 2005; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application, conducted a site evaluation with IDNR, and found:

Structure will be built closer to applicant's own dwelling,

New structure meets required setbacks or is a greater distance then current structures.

WHEREAS, the Board of Supervisors published a notice in the Storm Lake Pilot Tribune as required, and held a public hearing in the Supervisors' Meeting Room at the Courthouse on March 22, 2005, for the purpose of receiving public comment; with no response provided and

WHEREAS, the Board of Supervisors shall submit its recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends approval of the construction application of Chris Richter.

PASSED, APPROVED AND ADOPTED this 22nd day of March 2005.

/s/ Lorna Burnside Chairperson, Board of Supervisors

/s/ Karen Strawn, Auditor

Motion by Crampton to set a public hearing for the **CAFO construction application** submitted by Harlan Grau, for April 5, 2005, at 10:30 a.m. in the Public Meeting Room. Carried.

Marilyn Monson, Newell Children's Center Board Member, was present to inquire about applying for day care assistance under the General Relief program. Since there are funds set aside in the General Relief budget for day care assistance, which have up until now been used for Gingerbread House (an accredited daycare facility with 501c3 tax status) clients, Monson asked if the funds could also be used for the Newell Center since the funds are raised countywide. It was discussed that in-home daycare does not qualify. Motion by Gustafson to approve the use of **daycare assistance funds** in the General Relief budget for qualified individuals seeking services at an accredited, 501(c)(3) daycare facility (in the county) under the existing financial guidelines. Carried. Monson will be presenting a program at the Mid-States Community & Economic Development Conference on developing a quality child care facility in a rural community.

Monson advised that she would be providing a letter from the Buena Vista County Convention and Visitor's Bureau (BVCCVB) requesting and recommending that the county **bike trail** go through Linn Grove.

Community Services Director Dawn Mentzer presented a letter from Plains Area Mental Health Center (PAMHC) requesting funds for emergency services in the amount of \$7,000-\$8,000. Cherokee, Ida, and Plymouth Counties block grant to PAMHC. Currently they don't have statistics to back up the amount of their request. Mentzer suggested requesting that they document 6 months usage so that the amount of the request could be evaluated. Her calculations indicated that the \$7,000-\$8,000 may be excessive since they will only be providing therapy services four hrs/wk in Storm Lake. This may be excessive. She recommended that the doctors, in addition to BVRMC & PAMHC be made aware that services are available in Storm Lake from Season's MHC. The consensus of the board was that the county's budget is set for FY'06, but a funding request could be made for FY'07. Motion by Gustafson to respectfully decline the current request for funding for counseling and emergency services to be provided by **Plains Area Mental Health Center**. Carried.

Mentzer reminded the Board that they will need to designate someone to be responsible for finding bed space for **Mental Health commitments** since the Judicial Branch no longer allows the Clerk of Court to do so. Currently Mentzer has been doing this, but there may be some liability to the county if she does so. The commitment process can be lengthy, requires a lot of paperwork, plus finding the beds, and intervening with all the 'players' in the process.

Mentzer discussed the option of purchasing a small server for Community Services needs exclusively since they will be moving to a new building. Of the estimated \$7,000 cost, about \$5,500 is eligible for reimbursement. The server should have a 5-yr life. Motion by Gustafson to approve the **equipment purchase** of a server for \$7,000 including installation, from mental health funds for the Community Services Department; approximately \$5,500 will be reimbursed through state case management fees. Carried.

Engineer Jon Ites reported that the Mechanic I position has been accepted. Motion by Crampton to **employ** Lynn Dirks, Alta, as a Mechanic I in the Secondary Road Dept. effective March 28, 2005, at \$2 under that pay grade and 1 year's probation. Ayes—Crampton, Lanphere, Burnside. Nay-Gustafson. Carried.

The City of Alta has requested a speed study on 14th St. (590th St). After the county sets the speed, the City can post the same or lower, but can't post a higher speed. Motion by Lanphere to accept the Engineer's **Engineering and Traffic Investigation report**, and to approve and to authorize the Chair to sign **Resolution 2005-03-22 B** establishing the speed limit. Carried.

ENGINEERING AND TRAFFIC INVESTIGATION SPEED LIMIT - 14th Street, Alta, Iowa

Location: 590th Street (14th Street - Alta) from M-31 (West Highway) East 1.0 mile to 60th Avenue

Recommendation:

- From the Intersection of M-31 (West Highway) and 590th Street (14th Street – Alta) East to Lake Street – 35MPH
- From Lake Street East 540 Feet – 45MPH

/s/ Jon Ites, Buena Vista County Engineer

RESOLUTION 2005-03-22 B

WHEREAS a request has been received to sign the road on the south side of Alta for reduced speed, and

WHEREAS the County Engineer has completed the speed study and has reported his recommendations to the Board of Supervisors,

BE IT THEREFORE RESOLVED by the Buena Vista County Board of Supervisors that the following speeds be established at the following location, as recommended by the County Engineer:

Location: 590th Street (14th Street - Alta) from M31 (West Highway) East 1.0 mile to 60th Avenue

Recommendation:

- From the Intersection of M31 (West Highway) and 590th Street (14th Street – Alta) East to Lake Street – 35MPH
- From Lake Street East 540 Feet – 45MPH

ADOPTED this 22nd day of March, 2005, at Storm Lake, IA, by the Buena Vista Co. Board of Supervisors.

/s/ Lorna Burnside, Chairperson 3/22/05

Attest: /s/ Karen M. Strawn, Co. Auditor 3/22/05

Ites reported an extension of the IDOT application deadline for **bike trail** money. The Chair will provide the information to the City for their review.

Ites confirmed for tomorrow's **TEA21 Committee** meeting that the Board had not responded nor taken action to be a co-signer on the City of Storm Lake's application for their Milwaukee Ave. project. Nor, had the City taken action to be co-applicants with the County on the Vestal St. project.

Motion by Lanphere to approve the **minutes** of the 3/14 meeting as printed, and the following **report**: February fund balances. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the liquor license application of **Little Sioux Golf & Country Club**, Sioux Rapids, IA. Carried.

Motion by Crampton to amend today's **agenda** by adding approval for Chair's signature on US BioEnergy's IDED application, approval and authorization of an engineering study on the 'spec' building, and approval for Chair's signature on change order #4 and partial payment #6 on the DD #1 repair project. Carried.

Motion by Lanphere to approve and to authorize the Chair to sign **US BioEnergy's application** for financial assistance to the Iowa Dept. of Economic Development for the New Jobs and Income Program, and the Value Added Agricultural Products & Processes Financial Assistance Program. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign change order #4 and partial pay estimate #6 for the **DD #1 repair project**. Carried.

Present for the **jail discussion** were: Sheriff Chuck Eddy, Deputy Don McClure, Bill Strawn, Jeff Sievers, Frank Klahs, Brent Jesse, and Terry Murray. At the Board's request, Strawn had contacted the architect, Chris Schiltz of Koch Hazard Baltzer, Sioux Falls, SD, for additional cost estimates based on Farm Bureau's \$4,000,000 cost ceiling at the spec building, and for a concrete block building. The cost estimate for a 42-bed facility with Sheriff's office & Satellite Court Services was \$4,112,800 (in 2005) plus \$435,000 for the spec building, or \$108,280/bed. A concrete block, 28 bed facility with Sheriff's office and Satellite Court Services would be \$4,309,000 (2006 construction), plus \$45,000 for land, or \$155,500/bed. Utilizing prison labor to build either facility would reduce the cost of construction. The Board discussed a presentation by Bruce Cowans of Maximus, a jail project consultant. Sheriff Eddy has a concern regarding the spec building – how and where do you expand to keep the number of operations personnel the same? A major factor in controlling operations costs is avoiding the need to add employees when the number of beds is increased. Sheriff Eddy stated that the spec building doesn't allow for expansion. Also, Schiltz's plans so far are labor intensive for operations. Kullman Industries, which manufactures the Mark modular cell system, will take a client's building and then provide a price quote for their jail cell design. Gustafson would prefer having a portion of the building underground to save on operational expense. Eddy does not have a mental picture of what he wants, but "Even the old plans had some good ideas". Schiltz's design doesn't have an efficient visitation system nor a design to save personnel cost. Eddy believes we should build a structure that addresses current needs, but that also has the ability to have additional bed space added when needed; this would avoid building a new facility 20 years from now. He is currently speaking with a couple nearby counties which may be interested in contracting for some beds in our system. Our current population is about 16 with 2 females housed in another county. The Monolithic dome is built by a Texas company, doesn't allow for other related activities, i.e. emergency management, video courtroom, communications center. Gustafson stated that if Buena Vista County is growing, but surrounding counties aren't, we can't count on them for utilizing our space. Consultants say that for less than 10 prisoners, it isn't economical to build a facility. BV County's meal cost is about \$1.40/meal. Elsewhere, costs are as much as \$3.50/meal or more. Eddy and McClure would like to sit down with the architect to draw up what they want, and include the Mark system, whether the spec building or a new building is built. Klahs stated that there must be a reason for

concrete block being used in nearby counties. He believes a basement is needed, and that we need to build for today, expandable for tomorrow. Eddy thinks that even though concrete block is solid, the durability in a steel building is also there, steel is a good way to go for speed of construction and expandability. The Chair asked if we need a contract with the nearby counties in order to proceed. Eddy will call them today. Lanphere stated that if the court is going to expand here, we need to build with that in mind. It was noted that the BV County Courthouse had received a good grade on security due to efforts of the Sheriff's office, from a judge's point of view. Murray asked if we are in danger of having the jail shut down. Eddy answered that as long as we are pursuing a solution, no, but we could be forced to remodel which would be very costly. We are under order for shower repair by December, 2005. Inspections are annual. Gustafson suggested that Eddy should pick an architect he is comfortable with. Eddy stated that he was impressed with Rod Moore. Motion by Gustafson to have the Sheriff contact Architect Rod Moore to meet with the Board for a preliminary discussion as soon as possible. Carried.

Motion by Crampton to postpone action on the proposal for the **engineering study** on the 'spec' building for two weeks. Carried.

Motion by Gustafson that the Chair and Vice-Chair be appointed as ex-officio member and alternate of the **Countywide Community Foundation**. Carried.

An inquiry was received about the wording on FY'06 **secondary road employee wage increases**. No changes were made – the wage increase approved (3% plus 1% based on evaluation) will be based on each individual employee's hourly rate. The Chair reported on the benefit request submitted by secondary road employees and decided to take no action at this time.

There being no further business, motion by Gustafson to adjourn at 12:20 p.m. until Tuesday, March 29 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FOURTEENTH MEETING, 2005 SESSION (14)
MARCH 29, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 29, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Engineer Jon Ites reported on the selection of a candidate for the Equipment Operator 1 position. Motion by Vail to approve the **employment in the secondary road department** of Steve Botcher for the equipment operator 1 position effective April 11, at wage of \$2 under the paygrade with a 2 year probationary period. Carried. Steve Botcher

TEA21 funding was approved for **project #STP-S-CO11(67)** (E Milwaukee Ave from Radio Road to Hwy 71) for FY'08 in the amount of 60% or \$327,000.

Gustafson asked the Engineer if he had a plan for White Cap Road. Ites would like to make the changes at the time the road is re-surfaced and in conjunction with similar work in order to keep the cost down. Gustafson would like to see it done this year.

Jeff DeWall, Storm Lake Taxi, and Community Service Director Dawn Mentzer, discussed a proposal to allow use of a portion of the allocation to subsidize RIDES tickets for the Storm Lake Taxi. DeWall has been providing services to Spectra and Genesis clients at reduced rates since December 1, 2004. With the cost of fuel and other expenses going up, he must increase rates, but he doesn't want to cause hardship for the Spectra and Genesis clients. He is asking for a \$1.00 subsidy (for a 1 way ticket). An agreement exists between Genesis and RIDES, which needs to be reviewed by the county attorney. Motion by Crampton to approve a transportation subsidy for Genesis and Spectra clients with the Storm Lake Cab Company subject to an agreement to be prepared by the county attorney. Carried.

Mentzer updated the Board on the Community Services Department's moving arrangements. A new telephone system has been purchased, and secondary roads employees are moving furniture and equipment today.

Terry Johnson, Genesis Executive Director, and Cindy Wiemold, Storm Lake site director, updated the Board on current activities, and a financial view of Genesis since their acquisition of the BV Work Activity Center in 1997. Revenues, staff and economic impact to the community show growth each year. They have not seen as much of an increase in pop can redemptions as they had expected since the grocery stores are no longer accepting cans. In Greene County, Genesis has been operating the Greene County Care Facility. The Greene County Board of Supervisors have made the decision to close October 1, 2005.

Ben Larsen and Ryan Mandernach, Farmer's Cooperative, presented a request for a Revitalization Area incentive for his company to construct additional grain storage and receiving pit at Sulphur Springs. The incentive would be in the form of property tax abatement for a limited number of years. The benefit to the county would be an increase in the property tax base. Farmer's Coop has recently merged with Newell and they have 40+ facilities. They are looking to improve facilities in a number of locations. The proposed construction has an estimated valuation of \$500,000-750,000. Currently, no additional employees are expected, but in the future there may be. Construction is proposed to be completed in time for 2005's harvest so that they can avoid storing the grain on the ground. High volume air will be going into the bin, but in the future, drying capabilities may be added. The County is in the process of working with an attorney to investigate urban revitalization. Ites stated that the (platted) street vacation process takes about 60 days. Assessor Kathy Croker's research indicates that the urban revitalization plan must be in place before construction begins in order to qualify. The Board was receptive to the proposal, and will begin work on the plan.

Tim Oswald, Piper Jaffray, introduced himself to the Board and offered information and assistance to do an advance refunding on the outstanding general obligation bonds for BVRMC. The refunding would pay for itself and save approximately \$207,000 after fees over the remaining life of the bonds. A public hearing would be required to issue additional bonds to refund the 1997 issue. The estimated savings to the taxpayers may change from time to time, and if the amount of savings deteriorates, the County could simply choose not to do the refunding. The cost and uses of funds for issuance are approximately \$79,837. The county does not have a current bond rating, but Oswald recommends the rating on a long term issue. Moody's rating for the county in 1997 A1. The hospital bonds were sold with a non-call provision for the first 10 years. After that, there is no penalty. Motion by Gustafson, second by Lanphere, to authorize and direct Tim Oswald to proceed coordinating the potential sale of refinancing the 1997 bonds for BVRMC. Carried. Oswald suggested an agreement between Piper Jaffray and the County.

Reports on outside boards, committees and commissions: Lanphere reported on the HAVA meeting in Spencer on March 22 regarding voting equipment. Gustafson-Season's is looking at a 19% increase in health insurance for its employees which will mean an increase in cost to the counties. Otherwise, the Center is doing fairly well. Lanphere went to a Cherokee meeting on weapons of mass

destruction. There are 6-7 sites around the state with bomb teams. Denison is the closest location with a team, and they also have a robot which is used to dismantle a bomb. Chair-the BV County landfill will be closing since the state has decided all landfills without a rubber liner must close. This will mean that all of the oldest ones in the state will be closed. The landfill will need 4 feet of soil cover; the city's newest spoil site will be a good source of soil. After our site is closed, we will be sending garbage to Cherokee County for burial. The landfill commission was not able to find a location for a new site; for any location available for sale, adjacent owners object to having a landfill next door. Crampton reported from the last SHIELD meeting that the budget was approved; it is up a little but not much. Vail-the YES Center is still keeping many BV County juveniles.

Motion by Vail to approve the merger of precincts as proposed, to set the first reading of the ordinance to April 12, 2005, with the precincts to become effective January 1, 2006. Carried.

Motion by Lanphere to approve the minutes of the 3/22 meeting as amended. Carried.

Motion by Vail to approve and to authorize the Chair to sign the Jt. DD #22 Wetlands agreement. Carried.

Action on the DD #34 Lateral tree clearing agreement, and the Truesdale law enforcement agreement, were postponed until a later date.

Crampton left the meeting.

1:00 p.m.--The Board conducted a public hearing on the matrix evaluation of the New Fashion Pork (Williams) construction application. There being no objections, motion by Vail to close the public hearing and to approve and authorize the Chair to sign Resolution 2005-03-29-A recommending approval of the New Fashion Pork (Farm 157-Williams) CAFO Construction Application to the IDNR. Ayes-Gustafson, Lanphere, Vail, Burnside. Nays-none. Carried.

RESOLUTION 2005-03-29-A

Recommending approval of the New Fashion Pork (Farm 157-Williams)
Construction Application to the Iowa Dept. of Natural Resources.

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction applications to provide an opportunity for local input; and

WHEREAS, a construction application for an 332'x102' finish hog building has been submitted by New Fashion Pork (Farm 157- Williams) on March 9, 2005; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 450 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice in the Storm Lake Pilot Tribune and the Laurens Sun as required, and held public hearing in the Supervisors Meeting Room at the Courthouse on March 28, 2005, for the purpose of receiving public comment; with no response provided and

WHEREAS, the Board of Supervisors shall submit the recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends approval of the construction application of the New Fashion Pork (Farm 157-Williams) Construction Application.

PASSED, APPROVED AND ADOPTED this 28th day of March 2005.

/s/ Lorna Burnside Chairperson, Board of Supervisors /s/ Karen Strawn, Auditor

Following the earlier request from Farmer's Cooperative for an **economic development** incentive for construction of grain storage at their Sulphur Springs facility, the Board discussed how to proceed; the Board considered adopting an economic development plan for the county as well as instituting procedures to establish an urban revitalization area which was a part of the Farmer's Cooperative request. The auditor was directed to contact Attorney Bob Josten to request his assistance, and to arrange for a teleconference for April 5th, if possible.

Due to splitting **General Relief and Veterans Relief** out of the Community Services Department, the Board discussed providing 20 hr/week access to these services. Paula Guerra will continue to provide the services at the E Richland Annex, and will be available 20 hours per week, in addition to continuing to work 20 hr/wk for DHS. Recorder Shari O'Bannon discussed hiring someone part-time to replace the hours Guerra has spent in her department. She requested that Guerra stay in her office long enough to get someone hired, and through April for boat renewals. O'Bannon will advertise the position.

Also reviewed was the content of the ISAC "Olive Trees & 28E's" seminar. Ideas for developing organizations that collaborate to provide more efficient services was discussed.

There being no further business, motion by Vail to adjourn at 3:15 p.m. until Tuesday, April 5 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

BUENA VISTA COUNTY CLAIMS REPORT JANUARY THRU MARCH 2005

0001 GENERAL BASIC: Advanced Pest Technology 90.00; Ag Partners L.L.C. 2,001.85; Albert City Printing & D 80.63; Alliant Energy 1,329.10; Allied Document Solution 1,102.30; Alpha Wireless Communica 2,688.21; Alta Body Shop 25.00; Alta Community School Di 1,984.97; Alta Municipal Utilities 284.91; Altamirano, Francisco 578.32; Altamirano, Melinda 460.00; American Solutions For B 309.62; Amsterdam Printing & Lit 78.89; Anderson, Diane 345.13; Arch Wireless 89.34; Armstrong, Carolyn 513.92; Arnold Motor Supply 25.17; At & T 112.79; Auditor Of State 625.00; B & M Service Inc 407.64; B V County Health Dept 140.00; Bach, Donna M 43.50; Bach, Kathleen 359.36; Bailey, Taesa 277.20; Baudville 73.75; Bedels Drive-In Pharmacy 699.69; Bestest Inc 64.50; Bodholdt, Tony 52.64; Bogue, Pamela L 98.57; Bomgaars 422.34; Briggs Corporation 147.17; Buena Vista Co Journal 1,519.62; Buena Vista County Exten 303.30; Buena Vista Glass 279.59; Buena Vista Regional Med 1,448.25; Burnside, Lorna 324.55; Bv Stationery & Printing 1,500.95; Carpenter Uniform & Prom 233.88; Cdw Government Inc 2,171.12; Central Iowa Distributin 1,952.02; Chem-Pro Inc 90.00; Cherokee County Sheriff 3,802.00; Cherokee County Treasure 80.00; Chindlund, Ann 699.65; Christiansen, Diane 102.06; Clarion Hotel 126.26; Community Services Assoc 25.00; Concordia Lutheran Schoo 277.53; Conley, Bonnie 70.00; Continental Research Cor 306.00; Control System Specialis 1,313.58; Cook, Ginni 510.67; Country Inn-Ankeny 360.34; Crampton, Herb 309.43; Crawford Co Sheriff 64.55; Crime Prevention Resourc 94.00; Crippin, David 1,050.00; Culligan 245.00; Danielson, Rob 18.79; Dell Marketing Lp 1,092.80; Deluxe

Business Checks & 156.61; Demuth, Marty 5.35; Dental Distributors Inc 439.35; Department Of Veterans A 420.00; Des Moines Stamp Mfg Co 467.20; Dickinson County Sheriff 22.26; Douglas County Court 3.00; Durable Component Tech 110.00; Dust-Tex Service Inc 135.48; Ebersole, Greg L 35.00; Eddy, Chuck 29.34; Electronic Engineering 120.00; Fareway Store 2,146.46; Farmers Coop Company 44.00; Ferguson Enterprises Inc 99.50; Fidler Companies 1,289.32; First Coop Association 625.33; First Cooperative Associ 1,501.25; Fitzpatrick Auto Center 1,238.12; Franco, Lesly 217.50; Francotyp-Postalia Inc 370.80; Galbraith, Lloyd F 99.96; Garbage Hauling Service 390.75; Gingerbread House 723.08; Glen D Huntington Archt 3,016.00; Governing Magazine 16.00; Graham Tire Co 1,888.31; Greater Iowa Credit Unio 123.00; Grp & Associates 75.00; Guerra, Paula 62.12; Haberman, Judy 287.59; Haldin, Richard 113.40; Halverson, Brenda 109.60; Havens & Havens Law Firm 8,400.00; Heartland Inn Des Moines 71.69; Hepola, Carrie 260.96; Hicks, Arnie 67.68; Hildreth, Cindy 3,018.00; Hobart Sales And Service 226.20; Holiday Inn Conference 151.32; Holiday Inn Des Moines N 84.40; Hopkins Medical Products 389.50; Hoyt, Sandra K 301.60; Huegerich, Lori 10.38; Hultgrens-Gerlach Inc 458.18; Hunzelman Putzier & Co 4,643.76; Hy-Vee Food Store 176.72; Imagetek Inc 28.75; Iordanou, Christos 325.00; Iowa Apco 165.00; Iowa Assoc For Home Care 100.00; Iowa Auto Supply 15.96; Iowa Awwa Water Security 21.00; Iowa Central Community C 978.00; Iowa Communitis Pool Adm 3,560.50; Iowa County Records As 226.00; Iowa Death Investigators 40.00; Iowa Department Of Natur 250.00; Iowa Dept Public Safety 1,590.00; Iowa Lakes Electric Coop 592.21; Iowa Law Enforcement Aca 125.00; Iowa Natural Heritage Fo 225.00; Iowa Office Supply 3,184.09; Iowa Prison Industries 835.80; Iowa Public Health Assoc 320.00; Iowa State Assoc Of Coun 515.00; Iowa State Assoc Of Coun 200.00; Iowa State Assoc Of Coun 300.00; Iowa State Sheriffs & De 315.00; Iowa Telecom 454.86; Iscta 17.75; J Varenhorst Fabrics 8.00; Jacobs, John 600.00; James A Doherty Co Inc 289.78; Janitors Closet Ltd 132.96; Johnson, Kim 554.11; Julius Cleaners 1,558.80; Kirkholm, Mark 6.24; Koeppe, Brenda 92.80; Kummerfeldt Service 275.00; Kurtz, Ray 75.00; Lake Electric Supply 169.24; Lcm Pathologists P.C. 125.88; Lcn Closers 68.28; Linn County Public Healt 89.35; Lloyd, Chris 200.00; Lyon, Cheryl 39.79; Mainstay Systems Inc 228.00; Mangold Environ Testing 2,367.50; Maplewood East Apartment 159.00; Marandola Phd, Denise A 100.00; Marroquin, Emilia L 1,145.00; Mason, Mona 10.50; Mastercard 2,252.31; Maximus Inc 2,875.00; Maymon, Patti 155.37; McClure, Don 54.63; Mccrea Enterprises 3.00; Mckenna, Jon 20.00; Med-Pass Inc 112.39; Meeves, Denise 15.37; Merck & Co Inc 609.68; Meyer, Becky 27.52; Meyer, Rick 21.84; Meyer, Roger 3.76; Mid American Energy Comp 10,515.19; Mid States Organized Cri 100.00; Midwest Wireless 1,198.88; Mikes Lawn Service Inc 834.48; Mortenson, Joe 100.00; Napa Auto Parts 30.00; Natl Sheriff's Assoc 100.00; Navarro, Jessica A 245.00; Nelsons Premix & Vet 27.70; Newell American Legion 140.00; North Park Apartments 116.00; Northern Lights Distribu 5,446.31; Northwest Aging Assoc 2,000.00; Nw la Adu 6,850.08; Nw la Planning & Dev Com 3,500.00; O'bannon, Shari 89.68; O'brien Co Public Health 259.21; Office Systems Company 89.25; Ohrtman, Mary 592.55; Omb Police Supply 51.49; Omni Photo 438.17; Pagars Inc The Beeper Pe 47.85; Park Avenue Management 117.00; Parrott & Sons, Matt 391.55; Patc 150.00; Pathology Medical Servic 3,100.45; Patton, David 3,000.00; Petty Cash 78.31; Petty Cash Health Dept 74.57; Pilot Publishing 1,315.38; Pitney Bowes 1,257.00; Postmaster 1,140.00; Professional Electronics 38.50; Quest Diagnostics 220.80; Quill Corporation 105.12; Qwest 3,570.08; R & D Industries Inc 758.10; Rasmussen Ford Mercury I 840.51; Rebnord Technologies Inc 1,180.70; Ressler Drug Co 23.00; Roder, Lisa 173.44; Rogge, Renee A 10.50; Rust's Western Shed 10.00; Sac County Sheriff 1,650.00; Sammons, Jennifer 410.00; Sassman, Jean L 423.60; Schumacher Elevator Co 597.13; Secretary Of State 30.00; Security Plumbing Suppli 272.26; Security Trust & 17.73; Seiler Plumbing Heating 654.10; Share Corp 445.25; Sioux Central Comm Schoo 207.75; Sioux Rapids Auto & 175.79; Sioux Rapids E.M.T. Fund 850.50; Sioux Rapids, City Of 200.00; Sliefert-Asmus Funeral H 1,182.00; Smith, Julie 86.57; Spencer Municipal Hospit 1,750.00; Stanley, Earl E 35.00; Staples Credit Plan 37.43; Star Energy Llc 2,640.81; Stein, James 200.00; Storm Lake Area Developm 6,250.00; Storm Lake Hydraulics 878.08; Storm Lake Times 1,477.29; Storm Lake, City Of 1,557.05; Story County Sheriffs Of 38.60; Strawn, Karen 128.59; Stucynski, Dewyne 9.38; Sun Biomedical Labs Inc 105.70; Sunshine Services 144.50; Super Wash 45.00; Sweeney Court Reporting 108.58; Sweeney Court Reporting 444.34; Tiefenthaler, Stacey 48.70; Total Concept Salon 180.00; Training Resources 185.00; Treasurer Of State 1,530.00; Treasurer State Of Iowa 250.00; Trimark Central Billing 1,013.64; U S 20 Associationi 150.00; U S Postal Service 419.85; Ultimate Office 157.43; United States Postal Ser 1,000.00; Updyke, Hope 371.00; Upper Des Moines Oppty 3,095.25; Valdez, Ofelia 312.18; Van Hooser, Mark 151.35; Veit, Barb 4.87; Visa 1,813.30; Wal-Mart Business 15.42; Walmart Community 1,949.93; Wells Fargo Bank Minneso 142.50; West Central Pathology 14.76; Whelan-Bentley Inc 81.65; Wildeman, Wendy 358.50;

Williams, Jerry 400.00; Wogahn, Ruth 166.58; Women In Denim 150.00; Woodbury Co Sheriff 23.70; Woodbury County Board Of 100.00; Youngs 93.79 Zee Medical Inc 155.96

0002 GENERAL SUPPLEMENTAL: Auen, Pat 86.20; Bomgaars 36.88; Brewer, Anne 108.75; Cherokee County Sheriff 43.00; Clarinda Youth Corp 733.32; Coats, Jim 169.50; Cole, Mary 116.25; Crittenton Center, The 397.00; Election Systems & Softw 1,037.14; Emmetsburg Police Dept 27.00; Frederickson, Avonne 108.75; Frederiksen, Ferne 166.75; Galbraith, Jeanette 58.00; Galbraith, Lloyd F 67.60; Kaufman, Vivian 116.25; Kennedy, Dorothy J 21.75; Kennedy, Susan 151.67; Kirkpatrick, Dorothy 108.75; Mack Hansen Gadd Armstro 175.00; Maymon, Patti 33.32; Methodist Manor 45.00; Movall, Barb 23.25; Northrup, Carol 108.75; Nw Ia Adu 2,552.00; Nw Ia Youth Emergency Se 16,916.20; Olson Eaton Svendsen Inc 4,635.00; Pilot Publishing 203.50; Quirin, Charlene 108.75; Qwest 134.81; Rice, Monica 115.79; Rice, Richard 119.77; Richey, Susan L 108.75; Rogers, Dr Dan L 470.00; Sac County Sheriff 34.00; Shearer, Darlene 108.75; Sievers, Delores 210.25; Sievers, Roger D 61.68; Smith, Mary 178.25; Spencer Police Departmen 20.00; Stevens, Heidi 32.00; Storm Lake Times 248.44; Streck, Evelyn 28.20; Swanson, Sandy 108.75; Synergy Center 1,820.00; Urban, Marjorie 21.75; Veehoff, Mary 108.75; West Payment Center 2,200.70; Youth Shelter Care Of No 2,289.12

0010 Mh-Dd Services Fund: Anderson, Charleen 580.64; Buena Vista Co. Sheriff 125.00; Bv Stationery & Printing 147.31; Ccms 50.00; Cherokee County Sheriff 41.00; Cherokee Mental Health I 105.00; Community Services Assoc 25.00; County Case Management S 756.00; Dell Marketing Lp 863.80; Department Of Human Serv 54,170.99; Dept Of Human Services 2,055.68; Dept Of Human Services D 57,838.12; Dept Of Human Services-A 8,930.81; Emmet County Sheriff Off 24.90; Gannon Center - Communit 259.05; Genesis Development 16,582.36; Hilton Garden Inn 84.27; Ida Services Inc 2,188.16; Iowa Ribbon Service 32.00; Iowa State Assoc Of Coun 85.00; Kalous, Shawna 64.33; Mack Hansen Gadd Armstro 410.00; Mentzer, Dawn 154.39; Mid-Step Services Inc 819.90; Midwest Wireless 170.58; Napierala, Kara 18.42; Petty Cash 37.29; Pilot Publishing 95.50; Plymouth Life Inc 2,610.00; Qwest 360.13; R & D Industries Inc 65.00; Regional Transit Authori 1,365.00; Rem Developmental Servic 351.66; Richmond Center, The 401.64; Sac Sun 40.20; Seasons Center For Commu 37,014.06; Siouxland Mental Health 640.00; Spectra Health Care Inc 6,066.00; Star Energy Llc 333.29; Storm Lake Times 87.60; Treasurer State Of Iowa 9,564.45; Yon Family Trust, Lola K 1,000.00

0011 RURAL SERVICES: Anderson, Robert L 7.52; Bellows, Carl 1.50; Bertness, Marc 56.40; Binder, Charlotte 23.80; Buena Vista Co Journal 8.47; Bv Stationery & Printing 6.65; Cavanaugh, Tom 5.40; Cozo 115.00; Ehlers, Dan 18.56; Ehlers, Kevin 4.80; Fastenow, Jesse 6.40; Foell, Jim 10.88; Fondroy, Richard 30.60; Gutz, Dennis 5.25; Hatlen, Rodney 1.92; Heuton, Tim 1.80; Hill, Paul 4.50; Holmes, Robert 11.12; Hornor, Duane 2.25; Iowa Office Supply 43.11; Jackson, Don 7.04; Johnson, Kim 330.65; Jorgensen, Arden 1.50; Kracht, Douglas W 7.68; Lund, Norman J 92.94; Merten, David 15.48; Miller, Keith 5.12; Mortensen, Dave 5.40; Neary, Fred 3.20; Nelson, Bernard 21.30; Noll, Richard 3.60; Nothwehr, Wendell 3.20; Patterson, Kent 13.44; Peterson, Leonard 23.28; Peterson, Roger 7.20; Pilot Publishing 4.21; Qwest 80.02; Rebhuhn, Michael 5.40; Rice, Richard 3.52; Richardson, Bruce D 6.40; Rittscher, Larry 2.70; Rowley Recycle Ct, Harold 37,494.50; Ryherd, Chuck 18.00; Small Estate, Wencil 3.60; Storm Lake Times 35.70; Struve, Tom 1.92; Weed Conference 170.00; Wesselink, Dave 5.64

0020 SECONDARY ROADS: Ag Partners L.L.C. 1,489.31; Ag Partners Llc 482.46; Air Filter Cleaning Serv 553.47; Albert City, City Of 61.40; Alliant Energy 20,173.05; Alta Municipal Utilities 196.98; American Rental 469.41; Arnold Motor Supply 1,099.40; Aurelia Lumber Company 515.21; Bailey, Dan 178.69; Bargloff & Company 14.88; Barnes Group Inc 274.41; Baymont Inn & Suites 204.60; Beals Motor Rewind 39.50; Bodholdt Brothers 210.05; Bomgaars 957.15; Botine Electric 84.50; Brown Supply Co 252.38; Buena Vista Co Journal 70.04; Buena Vista Glass 4.00; Buena Vista Regional Med 30.00; Bv Stationery & Printing 200.34; C J Cooper & Associates 58.00; Calhoun-Burns & Assoc In 24,487.30; Cavanaugh, Tim 32.09; Century Fence Company 19,649.67; Color-Ize Inc 257.00; Corey Llc 2,350.00; Crysteel Truck Equip Inc 1,832.32; Cylinder Express 14.50; Demers, Robert F & Maril 4,850.00; Farm Implement Co 14.00; Ferguson Enterprises Inc 562.70; First Cooperative Associ 338.64; G&K Services 494.58; Garbage Hauling Service 195.75; Geisinger Family Farms L 3,300.00; Geisinger, Richard J 6,500.00; Graham Land Acquisition 17,057.73; Graham Tire Co 1,068.83; Graves Construction Co I 41,007.99; Herbst Construction Inc 3,560.00; Hiway Truck Equipment In 281.16; Holliday, Dennis 74.85; Hotovec, Rick 19.07; Hultgrens-Gerlach Inc 2,118.08; Hutchinson Salt Company 14,488.10; Iowa Auto

Supply 6.10; Iowa Dept Transportation 234.21; Iowa Distributing Co Inc 323.60; Iowa Lakes Electric Coop 1,174.25; Iowa League Of Cities 100.00; Iowa Office Supply 704.38; Iowa Petroleum Equipment 148.25; Iowa Prison Industries 935.20; Iowa State University 75.00; Iowa State University Ex 410.00; Ipers 3,957.54; Ites, Jon 19.26; J.F. McKenna Farms Inc 6,650.00; Jacobs, Preston 90.01; Janitors Closet Ltd 324.44; Jerry's Tree Service 950.00; Jim Hawk Truck Trailers 190.00; Kimball-Midwest 1,194.78; Kuehl & Payer Ltd 4,970.75; Lake Electric Supply 1,668.33; Larson Oil & Distributin 516.00; Lawson Products Inc 459.19; Linn Grove, City Of 77.85; Loren Fiedler Trucking 200.00; M & M Small Engine Repai 78.00; Marathon, City Of 206.36; Marks Welding & Machine 788.25; Martin Equipment Of Illi 426.94; Martin Marietta Material 4,033.05; Mccrea Enterprises 26.75; Meendering, Gerald E. & 4,450.00; Meteorlogix 1,428.00; Mickelson Tire Inc 938.55; Mid American Energy Comp 2,435.19; Mid-Iowa Sales Company 624.51; Midwest Contracting Llc 11,145.34; Midwest Wireless 458.54; Mooney, Patrick L And Ju 1,400.00; Napa Auto Parts 1,062.24; Nebraska Salt And Grain 15,758.38; Nelsons Premix & Vet 252.05; New Sioux City Iron Co 119.52; Newell, City Of 99.65; North Central Track Buil 12,000.00; North Lake Truck Repair 665.75; Northern Ia Construction 45,303.50; Nw Ia Planning & Dev Com 2,000.00; O'reilly Automotive Inc 176.84; Olsen Welding & Machine 4,157.30; Omni Photo 46.36; Pilot Publishing 44.38; Ploeger, David 128.35; Postmaster 60.00; Powerplan 111.09; Qwest 425.41; Rasmussen Ford Mercury I 28.42; Regions Interstate Billi 866.69; Rembrandt, City Of 1,505.48; Rons Automotive 191.00; Schmit, John 44.30; Schoon Construction Inc 3,225.00; Schuelke Auto Company 5.00; Security Trust & 1,350.00; Share Corp 747.01; Sioux City Truck And Tra 262.50; Sioux Lumber 67.72; Sioux Rapids, City Of 119.00; Slope Meter Inc 1,070.00; Society Of Land Surveyor 310.00; Stanton Electric Inc 4,007.96; Star Energy Llc 32,501.19; Storm Lake Hydraulics 633.68; Storm Lake Times 151.12; Storm Lake Truck & Trail 47.88; Storm Lake, City Of 312.84; Taylor Contracting Co In 40.44; Terracon Inc 258.00; Treasurer State Of Iowa 80.00; United Building Center 11,376.75; Visa 223.41; Vision Care Assoc Pc 66.00; Warkentin, Luke 125.00; Whelan-Bentley Inc 44.00; Ziegler Inc 7,087.26

0024 BVC RECORDERS RECORDS MGMT FUND: Imagetek Inc 8,387.55

0025 JAIL SECURITY FUND: Buena Vista Glass 443.00

0028 BVC RECORDERS E.T. FUND: Imagetek Inc 10,000.00

0029 CLAY REGIONAL WATER CDBG FUND: Clay Regional Water 65,016.00; Nw Ia Planning & Dev Com 2,783.00

0100 D.D. #1: Buena Vista Co Auditor 276.64; Buena Vista Co Journal 187.25; Carlson Contracting Inc, 17,294.15; Hudson Law Firm 320.00; Kuehl & Payer Ltd 24,395.28; Mack Hansen Gadd Armstro 1,200.06; Pocahontas County Audito 9.31;

0104 D.D. #3 & 3 Ext.: B V Co Secondary Road 1,371.49; Kuehl & Payer Ltd 31.36;

0112 D.D. #12: B V Co Secondary Road 1,051.06;

0116 D.D. #13 Sub 1: B V Co Secondary Road 143.42;

0158 D.D. #16: B V Co Secondary Road 910.04;

0168 D.D. #19: B V Co Secondary Road 134.63;

0176 D.D. #20: B V Co Secondary Road 1,590.06;

0178 D.D. #20 Sub 1: B V Co Secondary Road 284.62;

0180 D.D. #21: B V Co Secondary Road 108.92;

0200 D.D. #34: B V Co Secondary Road 19,847.93; Christian Bros Excavatin 32,000.00; Kuehl & Payer Ltd 2,191.00;

0250 D.D. #35: B V Co Secondary Road 1,740.04;
0262 D.D. #41: B V Co Secondary Road 330.50;
0264 D.D. #41-43: Kuehl & Payer Ltd 27.50;
0272 D.D. #46: B V Co Secondary Road 950.46;
0274 D.D. #47: B V Co Secondary Road 1,087.40;
0278 D.D. #49: B V Co Secondary Road 798.77;
0280 D.D. #49 Lat 2: B V Co Secondary Road 227.19;
0288 D.D. #49 Sub 1: B V Co Secondary Road 459.90;
0306 D.D. #58: B V Co Secondary Road 578.98;
0308 D.D. #59: B V Co Secondary Road 239.45;
0310 D.D. #60: B V Co Secondary Road 795.55;
0322 D.D. #65: B V Co Secondary Road 108.87;
0326 D.D. #67: Kuehl & Payer Ltd 1,480.18;
0342 D.D. #75: B V Co Secondary Road 125.23;
0350 D.D. #79: B V Co Secondary Road 1,660.40;
0356 D.D. #81: B V Co Secondary Road 123.02;
0368 D.D. #83: B V Co Secondary Road 5,532.94; Kuehl & Payer Ltd 34.72;
0404 D.D. #89: B V Co Secondary Road 509.31;
0412 D.D. #93: B V Co Secondary Road 139.61;
0414 D.D. #94: B V Co Secondary Road 566.49;
0428 D.D. #101: B V Co Secondary Road 1,124.74;
0430 D.D. #102: B V Co Secondary Road 2,648.18;
0432 D.D. #103: B V Co Secondary Road 461.37;
0438 D.D. #106: B V Co Secondary Road 1,515.42; Kuehl & Payer Ltd 34.72;
0440 D.D. #107: B V Co Secondary Road 523.75;
0442 D.D. #108 & 108 Ext.: B V Co Secondary Road 522.53;
0458 D.D. #116: B V Co Secondary Road 466.96;
0470 D.D. #123: B V Co Secondary Road 877.95;

0486 D.D. #128: B V Co Secondary Road 510.11;

0550 D.D. #157: B V Co Secondary Road 26.41;

0572 D.D. #170: B V Co Secondary Road 199.90;

0582 D.D. #175: B V Co Secondary Road 164.44;

0592 D.D. #180: B V Co Secondary Road 163.06;

0602 D.D. #183 Jt.: Kuehl & Payer Ltd 34.72;

0604 D.D. #184: Kuehl & Payer Ltd 34.72;

0608 D.D. #186: B V Co Secondary Road 346.71;

0612 D.D. #189 Reg.: B V Co Secondary Road 1,142.41;

0614 D.D. #190: B V Co Secondary Road 222.09;

0620 D.D. #193: B V Co Secondary Road 95.47;

0630 D.D. #202: B V Co Secondary Road 118.15;

0636 D.D. #205: Kuehl & Payer Ltd 34.72;

0644 D.D. #274 Main: Kuehl & Payer Ltd 59.92;

1500 CAPITAL PROJECTS: Gateway Companies Inc 2,018.00; Incode-Cms 1,170.00; Iowa Office Supply 6,540.64; Quill Corporation 74.99;

4000 DISASTER SERVICES: Alpha Wireless Communica 390.81; Alta, City Of 175.00; Automotive Service Cente 26.50; Bv Stationery & Printing 227.36; Coop Express 118.24; Hy-Vee Food Store 897.13; lawwa Region 3 7.00; Iowa Emergency Managemen 50.00; Iowa State Assoc Of Coun 70.00; Isu Extension-Bv County 130.00; L & L Service Inc 50.00; Mastercard 1,967.66; Midwest Wireless 139.92; Pilot Publishing 288.13; Qwest 127.64; Silk Screen Ink Ltd 60.00; Storm Lake Times 82.43

4010 E911 SURCHARGE FUND: Alpha Wireless Communica 4,993.75; Alta Municipal Utilities 449.46; Arnold Motor Supply 146.97; Cdw Government Inc 4,142.19; Electronic Engineering 100.00; Emergitech Inc 23,650.47; Emslrc 325.00; Iowa Nena 105.00; Iowa Prison Industries 90.82; Iowa Telecom 1,686.96; Livermore Telephone & Co 8,381.40; Logistic Systems Inc 2,490.00; Midwest Wireless 154.92; Missouri Apco 297.00; Motorola 4,052.25; Professional Electronics 108.00; Qwest 2,053.05; Roder, Lisa 74.82; Visa 745.45

4100 ASSESSMENT: Bv Stationery & Printing 137.49; Canon Financial Services 946.35; Carnine, Kim M. 95.92; Croker, Kathy 49.00; I.A.A.O. 350.00; Icit 25.00; Incode-Cms 93.00; Iowa State Associaton Of 515.00; Midwest Wireless 124.92; Northwest District Of As 250.00; Office Systems Company 187.92; Pilot Publishing 2.27; Postmaster 23.00; Qwest 262.94; R & D Industries Inc 1,691.97; Star Energy Llc 222.90; Storm Lake Times 60.71; Visa 418.94

4101 SPECIAL APPRAISER: Sidwell Company 5,271.00; Truemap Corporation 125.00; Vanguard Appraisals Inc 3,927.50

4150 3-COUNTY EMPOWERMENT AGENCY FUND: B V County Health Dept 12,331.23; Bedels Drive-In Pharmacy 102.72; Briest, Diane 828.56; Buena Vista Regional Med 19,650.00; Community Education

62.00; Crawford County Home Hea 13,641.24; Family Resource Center 3,421.00; Ferrell Gas 200.00; Frontier Communications 79.46; Glazebrook And Associate 213.41; Godfathers Pizza 83.70; Hy-Vee Food Store 38.98; Lingle, Kristine 925.00; Lutheran Services In low 25,958.31; Martinis Bar & Grill 53.43; Midwest Wireless 124.92; Odebolt Arthur Preschool 1,990.00; Orkin Pest Control 179.29; Postmaster 416.00; Prevent Child Abuse Iowa 1,450.00; Sac Community School Dis 1,990.00; Sac County Health Servc 16,915.68; Schaller Crestland Schoo 472.00; Storm Lake, City Of 100.00; Udmo Head Start 152.00; Upper Des Moines Oppty 12,203.26; Vartec Telecom Inc 22.83; Viking Office Products 282.17; Walmart Community 237.15; West Central Development 3,500.00;

4151 BV CO EMPLOYEE HEALTH FUND: B V County Health Dept 640.00; Group Services Inc 34,561.00; Midwest Benefit Consulta 411.12; Storm Lake Chamber Of Co 600.00; Walmart Community 291.82; Wellmark Blue Cross & BI 200,521.63;

4152 BV CO EMPLOYEE FLEX BENEFIT FUND: Flexible Benefits 7,810.90;

**BOARD OF SUPERVISORS MEETING
FIFTEENTH MEETING, 2005 SESSION (15)
APRIL 5, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 5, 2005 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Deputy Medical Examiner Tim Speers and Storm Lake Public Safety Officer Mark Prosser presented a **28E agreement** for use of a city vehicle. Now that the city has acquired a new mobile incident command vehicle, the city will make the former vehicle (from military surplus) available for use by the medical examiners, with the city to retain ownership, and the county to provide the insurance coverage. Speers recommended scrapping the van currently in use as it is no longer drivable and has no salvage value. Motion by Gustafson to authorize Speers to turn the plates in and to scrap the current medical examiner vehicle (1987 Dodge Caravan). Carried. Motion by Crampton to approve and to authorize the Chairman to sign a 28E agreement with the City of Storm Lake for use of a 1988 Chevrolet cube van by the **deputy medical examiners**, with the city retaining ownership, and the county to provide the insurance coverage and a location to store it. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign a cover letter, plus **custodial agreements** for the E. Richland Annex, and the DHS Annex for FY'06, with Cal & Cindy Hildreth. Carried.

Motion by Vail to approve the **minutes** of the 3/29 meeting as amended, and the following **reports**: 2/28/05 drainage fund financial report, 3/16 test results of Spectra lagoon by Mangold, 3/22 Board of Health minutes, March Sheriff's fees, March budget reports and expense summaries, March MOR report of Spectra lagoon by Mangold, FY'04 audit of NWIPDC, FY'03-04 audit of NW IA YES Center. Carried.

Drawings for the **handicapped accessible ramp**, which have been submitted to City of Storm Lake for approval, were reviewed.

Supervisor Vail introduced a resolution hereinafter next set out and moved its adoption, seconded by Supervisor Lanphere; and after due consideration thereof by the Board, the Chairperson put the

question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted: Ayes-Crampton, Gustafson, Lanphere, Vail, Burnside; Nays-none. Whereupon, the Chairperson declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO. 2005-04-05-A

Resolution to fix a date for a public hearing on a loan agreement

WHEREAS, Buena Vista County, Iowa (the "County"), proposes to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$4,700,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of paying the cost, to that extent, of the refunding the County's outstanding Hospital Facilities General Obligation Bonds, dated September 1, 1997; and

WHEREAS, it is necessary to fix a date of meeting of this Board at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. This Board shall meet on the 12th day of April, 2005, at the Buena Vista County Courthouse, Storm Lake, Iowa, at 11:30 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 4 nor more than 20 days before the meeting, in a legal newspaper of general circulation in the County.

The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,700,000

The Board of Supervisors of Buena Vista County, Iowa, will meet on the 12th day of April, 2005, at the Buena Vista County Courthouse, Storm Lake, Iowa, at 11:30 o'clock a.m. for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$4,700,000 for the purpose of paying the cost, to that extent, of refunding the County's outstanding Hospital Facilities General Obligation Bonds, dated September 1, 1997.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 331.402 of the Code of Iowa. The Loan Agreement will constitute a general obligation of the County.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the Board of Supervisors of Buena Vista County, Iowa.
Karen M. Strawn
County Auditor

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED April 5, 2005.

/s/ Lorna Burnside, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

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Landowner Dan McGuire has requested a tile outlet in **DD #34 Lateral 7**. A 20' outlet culvert will be needed. Motion by Vail to approve the outlet on the condition that the cost of the outlet culvert and the installation is borne by the landowner. The road crossing will be from the NE¼ of Section 11, Lincoln Township to SW¼ Section 2, Lincoln Twp. Carried.

Engineer Jon Ites has received a request from KICD for the **Great Tractor Ride** to go through Buena Vista County on June 10-11. The **marathon to Marathon** will be on June 11. The 2 events will have a joint route for a portion of the distance. Ites also reported: an additional 5 **wind turbines** will be installed in the southwest part of the county.

Motion by Vail to approve and to authorize the Chairman to sign (two) **utility construction permits** submitted by Iowa Lakes Electric, Estherville, IA, to re-locate overhead service and install 3-phase 7200/12420 volt underground power lines and cabinets at two locations: along 240th Ave., Sections 1,11,12,&14 in Coon Township, and, along 24th Ave, Sections 23,24,25 and 36, Fairfield Township. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign (two) **utility construction permits** submitted by Iowa Lakes Electric, Estherville, IA, to install single phase 7200 volt power lines and cabinets at two locations: along 490th St, Sections 5,8 in Elk Twp, and, along 190th Ave, Section 12, in Providence Township. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the **utility construction permit** submitted by Iowa Telecommunications Services, Grinnell, IA, to install 25 pr copper cable along 540th St., between Section 36 Fairfield Township & Section 1 Coon Township. Carried.

The time having arrived for the Public Hearing on a **CAFO construction application**, Environmental Health/Zoning Director Kim Johnson, and the applicant, Harlan Grau, were present. Johnson reviewed the points scored on the master matrix – passes with 530 points over the 440 minimum, with many credits not taken. There being no objection, motion by Vail to close the public hearing, and to approve and to authorize the Chairman to sign the resolution approving the CAFO construction application submitted by Harlan Grau. Carried.

RESOLUTION 2005-04-05-B

Recommending approval of the Harlan Grau Construction Application
to the Iowa Dept. of Natural Resources

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction applications to provide an opportunity for local input; and

WHEREAS, a construction application for an 102x192 finish hog building has been submitted by Harlan Grau on March 9, 2005; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 530 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice in the Buena Vista County Journal as required, and held public hearing in the Supervisors Meeting Room at the Courthouse on April 5, 2005, for the purpose of receiving public comment; with no response provided and

WHEREAS, the Board of Supervisors shall submit the recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends approval of the construction application of the Harlan Grau Construction Application.

PASSED, APPROVED AND ADOPTED this 5th day of April 2005.

/s/ Lorna Burnside Chairperson, Board of Supervisors Attest: /s/ Karen Strawn, Auditor

Motion by Vail to set April 19th at 9:00 a.m. in the Boardroom for a public hearing on the **subdivision request** of Lois Sievert for a parcel in Section 25, Brooke Township. Carried.

Lanphere left the meeting.

Present for the Board's meeting with Architect Rod Moore, were Sheriff Chuck Eddy, Deputy Don McClure, Farm Bureau members Frank Klahs and Terry Murray, and Ed O'Toole from SLADC. The purpose of the meeting was to have a preliminary discussion on what services Moore could provide on **jail development**. Moore has toured the jail and discussed the issues and what the Sheriff wants in a facility. He has looked at the spec building from the outside, and walked around it, but did not look inside. He found several concerns: Does the city use the Universal Building Code which will be under state fire marshal's fire code? There are requirements for interior finishing for an 'I-3' occupancy. Finishes must have A&B ratings. Insulation, if covered with heavy plastic which has a high smoke density factor, would have to be removed, or a sprinkler system installed. In the jail standards, 12 sq.ft. of daylight is required for dayrooms plus 2 sq.ft. for each prisoner, a door or a skylight would have to be cut into the building. The east edge of site is low and drains off that way, and work would need to be done on the south side. Additional work would be needed to provide for parking. To put the jail there would require putting a building within a building. When you design something to fit within an existing structure, you might affect staffing which is an ongoing cost. Over the lifetime of a building, only 10% of the total cost is the construction. The remaining 90% goes to operations. The critical factor is, 'how will the sheriff operate the jail?' Moore brought his drawings of the Plymouth facility which was designed to Sheriff Otterloos' standards. 10 different classes of prisoners can be housed there. The original cost was \$5.1 million, and with an additional \$35,000 would be a 98 bed facility. He believes that a basement is not suitable under the jail itself due to the weight. Two egress routes needed. A basement is good for expansion, but though it isn't cheap, it would be a little less than building on first floor. In Marshall County, the old CCF was turned into a 42-bed work relief, minimum security with offices. Along with the new 98 bed facility, the total cost was \$5.5 million. Mahaska County asked him to plan what he could for \$3 million on property that was ¼ of a city block. They built 42 beds. He assured that Board that he can meet the deadlines of a project, and would appear at public meetings to explain the proposed plans, prepare brochures and drawings, etc. The general public doesn't have any idea of all of codes (building, fire, jail, etc.) which have to be complied with. In answer to a question, the required cell size depends on which classification it will be used for. Multi-occupancy and single cells require day space, but dormitory space has day space included in it. Our jail is not in compliance with current standards, but we are 'grandfathered in'. Moore said that he understands that we are looking at 40 beds now, with room for expansion. Plymouth can expand three ways. Marshall has expansion possibilities. Planning for current needs, but providing for possible expansion is the way to go. He agrees that the crime rate is going

down, but there has been a sharp increase for space for juveniles and women. Moore recommends against 60 beds today, instead, 35-40 now with room with expansion. Also, you should not expect to make money on the jail. All of his facilities have been approved to hold juveniles 72 hours in segregated cells. Regarding building cells on site, he has looked at pre-built, and he believes you can build them out of block just as cheap. You don't have to work with the confines of the manufacturer's cell designs. In 'general population' areas the connecting walls don't have to be of the same strength as the walls to the corridor. He designs to meet the classification of the use. For maximum security you need all of the interior grout and the re-bar. Holding cells are more economical and are important, but they don't require as much security. The staff needs locker and shower areas, but the booking room doesn't need to be as large as Plymouth Co's. ADA accommodations are required, but there are ways to manage those costs. Designing spaces for multipurpose uses are cost effective; you can use the same room for AA meetings, clergy meeting space, courtroom, etc. Moore also looked at another site (bare ground). Gustafson asked if putting heating and cooling equipment in the basement is economical. The response was, yes, if it is insulated properly. However, HVAC equipment is cheapest when put on the roof. He likes to use a simple system that can be serviced by local people. Gustafson suggested that Moore start with a \$4 million limit and see what can be done for that amount. Moore will work with the Sheriff and McClure to see what they want. He will provide a written proposal for costs for the Board's consideration next week.

2:00 p.m.—The Board participated in a teleconference with Attorney Bob Josten for development of an **economic development incentives policy**, and an urban revitalization plan in response to the Farmer's Cooperative request. Josten will send some materials for the Board's consideration, and the Board will begin by making a list of elements they would like included in the economic development incentives.

There being no further business, motion by Gustafson to adjourn at 2:35 p.m. until Tuesday, April 12 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
SIXTEENTH MEETING, 2005 SESSION (16)
APRIL 12, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 12, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Lanphere.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Vail, and Burnside. Nays: none. Abstentions: none.

HIPAA Officer Julie Smith reported on her progress toward the HIPAA security deadline of April 15. The required policies will be complete by that date, and will ready for review by the county attorney's office. Smith expects that the HIPAA law will be an 'ever-evolving' law which will require continual activity, though at a much reduced pace. New employees will need to be trained; certain departments will require annual updated awareness training, etc. A Privacy/Security Officer must be named. She recommended that one person be appointed to perform those duties including in-services and policy updates, and appoint a committee of key department heads to keep the county up to date, and also using ISAC and other services to keep abreast of the issues.

Supervisors' reports on boards/committees/commissions: Crampton-RIDES will be adding a 1 month Super Saturday promotion where two can ride for the price of one. Also, dispatchers will be added for the Tuesday and Thursday BV Nite Shuttle and Saturday Taxi. Burnside-clay dirt from dredge spoil site will be used to close landfill which must be complete by October, 2006. A depth of 4 feet will be required – enough black dirt for prairie grass to grow. No trees will be planted, nor allowed to grow since their root systems would disturb the landfill.

The Auditor reported that HAVA voting equipment was demonstrated in Storm Lake. There are two systems which will meet the handicapped accessibility requirements of the HAVA law. A ballot marking device is available which will allow the voter to use the same ballot as other voters. A draft contract for the equipment has been received for review, but final cost figures are needed.

Supervisor Vail introduced a resolution hereinafter next set out (loan agreement for \$50,000 for costs related to construction of a county jail) and moved its adoption, seconded by Supervisor Crampton; and after due consideration thereof by the Board, the Chairperson put the question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted: Ayes—Crampton, Gustafson, Vail, Burnside. Nays--none. Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION NO. 2005-04-12-A

To fix a date for a public hearing on a loan agreement

WHEREAS, Buena Vista County (the "County"), proposes to enter into a loan agreement (the "Loan Agreement") in the principal amount of \$50,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of paying costs related to the construction of a county jail; and

WHEREAS, it is necessary to fix a date of meeting of this Board at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. This Board shall meet on the 19th day of April, 2005, at the Courthouse Boardroom, Storm Lake, Iowa, at 1 o'clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than four nor more than twenty days before the meeting, in a legal newspaper of general circulation in the County.

The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT
IN THE PRINCIPAL AMOUNT OF \$50,000

The Board of Supervisors of Buena Vista County, Iowa, will meet on the 19th day of April, 2005, at the Courthouse Boardroom, Storm Lake, Iowa, at 1 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") in the principal amount of \$50,000 for the purpose of paying costs related to the construction of a county jail.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 331.402 of the Code of Iowa. The Loan Agreement will constitute a general obligation of the County.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the Board of Supervisors of Buena Vista County, Iowa.
Karen Strawn County Auditor

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED April 12, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Engineer Jon Ites reviewed changes to the route for the **Great Tractor Ride** scheduled for June, and asked for a date when promotions for **secondary road employees** which would become effective 7/1 should be submitted. The Board will receive them at the end of May.

Ites reviewed the projects in the construction program for FY'06. He noted there may be changes after the legislature approves, amends, or defeats the SRFDAC bill. Motion by Crampton to approve and to authorize the Chair to sign the FY'06 DOT **budget and 5 year construction program**. Carried.

Recorder Shari O'Bannon requested approval to include promotional material in employee **pay envelopes**. Kiwanis plans to raffle chances on a playhouse as a fundraiser. Motion by Crampton to approve including Kiwanis raffle information in employee pay envelopes. Carried. Proceeds of the raffle go to the Children's Miracle Network.

Sheriff Chuck Eddy, Deputy Don McClure, Gary Lalone, Frank Klahs, and Terry Murray were present for the Board's consideration of a proposal submitted by Architect Rod Moore. The Chair noted that a proposal in the amount of \$6,500 has been received from Moore to provide for schematic design and master planning services for a **proposed jail**, and that a request from Architect Chris Schiltz has been received regarding the proposed action to consider a new proposal. If his work was unsatisfactory, Schiltz would like to understand so that he can provide better service in the future. The Chair requested that Eddy begin. He has talked to other sheriffs who have indicated that they have been totally satisfied with Moore's work. Vail asked if there were things that haven't been done. Eddy and McClure had mentioned several items to Schiltz that weren't ever incorporated in his drawings. Also, Moore has said he thought he could get a new jail built for the \$4,000,000 price. Crampton asked "Are we looking at a new building or the 'spec building'". Eddy replied that Moore could do it in the spec building, but the discussion was for new building that would accommodate the extra space needs in the basement-squad room, etc. Gustafson stated that he was in favor of a basement. McClure stated that Moore wasn't in favor of a basement, but it could be done. Moore is looking at 40 beds, but a specific number of square feet has not yet been estimated. He would design it to allow expansion within the same size building. Moore had not been in the spec building, but made his remarks based on general assumptions about a metal building. Vail noted that he wasn't here when Moore was talked about, and didn't know what the concerns were for going to another architect. [Eddy felt Schiltz's plans were labor intensive and didn't have an efficient visitation system, and, he wanted to be able to sit down with an architect and draw up what he wanted. Gustafson suggested that he choose an architect and contact him.] At the time the Task Force heard presentations from the planning companies which submitted an RFP, Moore's planner didn't get a proposal in and that is why Moore wasn't in the running when a planner was selected. Moore would be willing to look at the spec building, but he thought it would be more cost effective with the

standalone building. Lalone confirmed that the spec building does have plastic covered insulation. Until recently, the same insulation system was used in schools, banks, etc. The Chair noted for the record that the county went to SLADC to inquire about purchasing the building; SLADC didn't initiate the discussion to purchase. Lalone said that he would be happy to have an engineer in to look at the building. He felt that an architect would be more interested in a standalone facility, since his fee would be based on the shell of the spec building. He would be happy to continue to work with county. Gustafson commented that he was concerned that Schiltz didn't point out the insulation issue, didn't mention the need to cut holes in the building, or the need for the landscaping. These are items Gustafson felt Schiltz didn't point out but should have, and that is why he was not satisfied with him. Gustafson believes that it is time to make a decision on the spec building or a free-standing solution, but asked if the Board wants to check into the spec building further, or make a decision. The Chair commented that perhaps Fire Chief Mike Jones could check it, however, Moore referred to the building meeting state fire code. Crampton stated that if the Board accepts Moore's proposal, he would like Moore to check out the spec. building before looking at another alternative. The Chair asked if we know how big of a lot is needed if we go with a standalone, and stated that she too wants a decision to be made. Gustafson stated that it was a good thing the county had Moore here to tell us about the insulation that would have to be torn out, and that building inside another building would effect staffing. Vail noted that the county has been working on this for some time with all of the efforts aimed at finding the lowest cost solution possible. If the architect doesn't work with the Sheriff, we need to have someone who responds. It was noted that in Schiltz's last proposals, the bottom line on the freestanding building was less costly than the spec building when the cost of the spec building was added in. [Though the standalone was less costly, that facility was not an apples and apples comparison: The cost estimate for a 42-bed facility with Sheriff's office & Satellite Court Services was \$4,112,800 (in 2005) plus \$435,000 for the spec building, or \$108,280/bed. A concrete block, 28 bed facility with Sheriff's office and Satellite Court Services would be \$4,309,000 (2006 construction), plus \$45,000 for land, or \$155,500/bed.] It was noted that the county owns two lots to the north of the E. Richland Annex. Its estimated size is 1.6 acres. The Plymouth County jail was built on approximately 1 acre. Building there would save on the cost of the land. Crampton noted that the Sheriff not being comfortable with the architect would be an explanation for changing. Motion by Gustafson to proceed with a new building, a standalone structure. He believes we should do this first, and then decide on the architect, to get off dead center. The Chair would like to know if the spec building is not suitable for us. Gustafson doesn't like the idea of cutting holes in a building to let in light. The vote on the motion was Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Carried. Motion by Vail to engage the services of Rod Moore for schematic design and master planning services for the proposed BV Co Law Enforcement Center for a fee of \$6,500 plus out of pocket expenses. Carried. There was no opposition to looking into the space by the E. Richland Annex. The Sheriff will investigate those lots, and send a plat to Moore for his review.

This being the time and place specified for taking action on the proposal to enter into a loan agreement, the Auditor announced that no written objections had been placed on file. Whereupon, the Chairperson called for any written or oral objections, and there were none. Motion by Crampton to close the public hearing. Carried.

After due consideration and discussion, Supervisor Gustafson introduced the following resolution (to enter into a **loan agreement for re-financing G.O. Bonds**) and moved its adoption, seconded by Supervisor Crampton. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted: Ayes--Crampton, Gustafson, Vail, and Burnside. Nays--none. Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION NO. 2005-04-12-B

Taking additional action to enter into a Loan Agreement

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, Buena Vista County, Iowa (hereinafter referred to as the "County"), has heretofore proposed to contract indebtedness and enter into a loan agreement (the "Loan Agreement") in a principal amount of not to exceed \$4,700,000, for the purpose of paying the cost, to that extent, of **refunding the County's outstanding Hospital Facilities**

General Obligation Bonds, dated September 1, 1997, and has published notice of the proposed action and has held a hearing thereon;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. The Board hereby determines to enter into the Loan Agreement in the future, and determines that this Resolution constitutes the "additional action" required by Section 331.402 of the Code of Iowa.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

PASSED AND APPROVED April 12, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Tim Oswald, Piper Jaffray, was present to discuss the bid process for **re-financing \$4.7 million in G.O.Bonds for BVRMC**. The bid deadline will be 12:00 noon, April 29th. Motion by Crampton to approve and to invite Piper Jaffray & Co. to submit a bid to purchase the bonds at sealed bid. Carried. Motion by Vail to approve and to authorize the Chair to sign the authorization for the use of the *Parity* Internet bidding system to receive bids for the purchase of the proposed bonds. Carried. Motion by Gustafson, to approve and to authorize the Chair to sign a financial advisory agreement with Piper Jaffray & Co. for the re-financing. Carried.

General Relief Director Paula Guerra reviewed the rate charts for Gingerbread House and the **Newell Children's Center** which are different. A sliding scale for the Newell Center needs to be established because the rate schedule for the two providers is not the same. It was the consensus of the Board to subsidize at the same rate for Newell as for Gingerbread House, and, that services will be paid for after they are provided rather than before.

Motion by Crampton to approve the **minutes** of the 4/5 meeting as amended. Carried.

Motion by Vail to approve the 1st Reading of Ordinance 1.6 **Voting Precinct Ordinance** for Buena Vista County, to set April 19 at 1:15 p.m. for the 2nd Reading, and to set April 26 at 8:30 a.m. for a public hearing on the ordinance followed by its 3rd Reading. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the IDHS Community Mental Health Center Affiliation naming **Seasons Center** for FY'06. Carried.

Motion by Crampton to set a public hearing for April 26th at 8:45 a.m. on **rezoning request** of Layton Zylstra. Carried.

There being no further business, motion by Vail to adjourn at 2:05 p.m. until Tuesday, April 19 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
SEVENTEENTH MEETING, 2005 SESSION (17)
APRIL 19, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 19, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Lanphere.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Vail, and Burnside. Nays: none. Abstentions: none.

EnvHealth/Zoning Director Kim Johnson reviewed the Board's policy of publishing a notice of the date and time when manure management plans for new Animal Feeding Operations will be reviewed. There are three to be reviewed today. The plan submitted by Ray Conlin was published in BV Journal. She has received no comments, and no matrix or public hearing was required. It is for 960 head pork operation. The second, Shadow Farms LLC, is located in Section 10, Scott Township, and is owned by Glenn Taylor. No written comments have been received. The third is owned by Shadow Farms, operated as 'McMillan Finisher' with 996 head, is located in Section 20, Barnes Township. Tom Blomberg, Linn Grove, spoke to the lack of quality of life. The smell and the flies are horrible. He came back to Iowa and bought the family farm, which is a century farm – 125 years in the family, and has restored the farmhouse. To the east is a chicken factory; another hog confinement is to the east; this one is north of him. Taylor owns the property south of him, so he expects an operation in that direction also. Blomberg is concerned and wants to vent his objections even though he realizes the Board can't do anything about it. He is keeping track on the calendar each day it smells. The situation is not tolerable. If he were to sell, he couldn't get out of it what he put in.

Johnson advised the Board of the receipt of two additional manure management plans. The Board will review an MMP submitted by FMP LLC located in Section 11, Lincoln Township-Lindquist site, at 8:50 a.m., April 26, and a second one in Section 18, Coon Township-Gold 5 site submitted by Tom Witt at 8:55 a.m. on April 26.

9:00 a.m.—The time having arrived for the public hearing on the Lois Sievert minor subdivision request for a parcel in Section 25, Barnes Township, the Chair opened the hearing. Johnson advised that the Zoning Commission hadn't yet met, but notice was sent to members to notify her if there were objections, and there were none. Motion by Crampton to close the public hearing. Carried. Motion by Vail to approve and to authorize the Chairman to sign the resolution approving the minor subdivision request of Lois Seivert for a parcel in Section 25, Barnes Township. Carried.

RESOLUTION 2005-04-19-A
Approving Seivert subdivision request

WHEREAS Lois I. Seivert has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION: LOT A

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 25, TOWNSHIP 93 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Northwest Quarter (NW¼) of said Section 25; thence on a true bearing of North 88°50'36" West, along the North line of said Northwest Quarter (NW¼), 896.12 feet to the Point of Beginning; Thence continuing North 88° 50' 36" West, along said North line, 300.32 feet; Thence South 04° 45' 01" East, 250.34 feet; Thence North 89°44'33" East, 277.88 feet; Thence North 00°23'28" East, 242.17 feet to the Point of Beginning.

Hereafter known as Lot A of Section 25, Township 93 North, Range 38 West, of the 5th P.M., Buena Vista County, Iowa.

Tract contains 1.63 Acres and is subject to all easements of record.

WHEREAS, the final plat meets with the approval of the Zoning Commission subject to the following if any: none.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

DESCRIPTION: LOT A

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 25, TOWNSHIP 93 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Northwest Quarter (NW¼) of said Section 25; thence on a true bearing of North 88° 50' 36" West, along the North line of said Northwest Quarter (NW¼), 896.12 feet to the Point of Beginning; Thence continuing North 88°50'36" West, along said North line, 300.32 feet; Thence South 04°45'01" East, 250.34 feet; Thence North 89°44'33" East, 277.88 feet; Thence North 00°23'28" East, 242.17 feet to the Point of Beginning.

Hereafter known as Lot A of Section 25, Township 93 North, Range 38 West, of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

DESCRIPTION: LOT A

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 25, TOWNSHIP 93 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Northwest Quarter (NW¼) of said Section 25; thence on a true bearing of North 88°50'36" West, along the North line of said Northwest Quarter (NW¼), 896.12 feet to the Point of Beginning; Thence continuing North 88°50'36" West, along said North line, 300.32 feet; Thence South 04°45'01" East, 250.34 feet; Thence North 89°44'33" East, 277.88 feet; Thence North 00°23'28" East, 242.17 feet to the Point of Beginning.

Hereafter known as Lot A of Section 25, Township 93 North, Range 38 West, of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 19th day of April, 2005.

/s/ Lorna Burnside, Chair Board of Supervisors

/s/ Karen M. Strawn, County Auditor

Motion by Gustafson to set a public hearing for the **re-zoning request** of Farmer's Coop for a location in Sulphur Springs for May 3rd, at 8:30 a.m. Carried.

Engineer Jon Ites reported on current construction projects. He has received a proposal from Barga Inc. for **cracksealing**. Motion by Crampton to approve and to authorize the Engineer to sign the proposals from Barga, Inc., Mountain Lake, MN, to install rubberized crack sealing in two projects: 11 miles on M-54 from Hwy 7 to Hwy 3 in the amount of \$49,700, and, 7 miles on M-44 from Hwy 71 to Hwy 3 in the amount of \$10,241. These are estimates only; the work will be charged on the basis of material used. Carried.

Ites has located a used **boom truck** – a 1996 Kodiak with a 3116 Cat engine with 137,000 miles. It has a 1983 Lift-all boom on it. The equipment would be used for brush cutting, using a chainsaw from

the bucket and to install sign faces. It isn't needed to install new signs because the sign is raised when the pole is set. The item was budgeted for next year, but there are sufficient funds available in the current budget. The list price was \$23,500. Ites would buy only with a certification on the boom. He has confirmed a price, including the certification and other inspection, for a price of \$22,250. It would need to be inspected annually for \$200-\$300. Gustafson is not sure the department needs more equipment – he is not in favor of the purchase. The Chair commented that this equipment has been considered for the reason of employee safety. Motion by Crampton to purchase a used 1996 Kodiak truck with a certified boom for \$22,250. Ayes—Crampton, Vail, Burnside. Nay-Gustafson. Motion carried.

Motion by Gustafson to approve and to authorize the Chair to sign the **utility construction application** submitted by MidAmerican, Storm Lake to move nine 45' poles on 90th Ave for the concrete overlay project. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the **utility construction application** submitted by Clay Regional Water to bore under M-50 north of C-49 to allow installation of water pipe in the private right-of-way. Carried.

The Auditor reviewed the HAVA voting system County Compliance Plan. Motion by Vail to approve and to authorize the Chairman to sign the **HAVA voting system County Compliance Plan** to be submitted to the Iowa Secretary of State. Carried.

Treasurer Kathy Bach and Drainage Clerk Barb Henrich, reviewed the financial status of several **drainage districts** for which they recommend levies.

Bach discussed the Board's decision to pay **claims** the 14th and 21st of June only. She recommended paying also on the 28th to reduce the number of claims paid in July which need to be accrued to FY'05. It was the consensus of the Board to pay claims on 3 dates in June, the 14th, 21st and 28th.

Motion by Gustafson to approve the **minutes** of the 4/12 meeting as printed, and the following **reports**: Jan-Feb-Mar BV Co Communications Commission minutes, March Board of Health minutes, 4/1 test results of Spectra lagoon by Mangold Environmental, March Conservation Board minutes, and the March minutes of the NWIPDC Policy Council. Carried.

Motion by Crampton to approve and to authorize the Chairman to sign the **Accounting Policy for Special Law Enforcement Fund**. Carried.

Motion by Vail to approve the following for the BV Co. **Flexible Benefits Plan** for FY'06: Full-time employees may contribute up to \$2,500/yr for medical reimbursement, and \$5,000 for dependent care reimbursement; regular part-time employees working 20 hr/wk or more may contribute up to \$1,000 for medical reimbursement and \$5,000 for dependent care reimbursement; full-time and part-time employees become eligible upon completion of their 1 year probationary period. Carried.

11:15 a.m.--For the public hearing on the status of CDBG funds, Darren Bumgarner, NWIPDC, and Dale Brigham, Clay Regional Water, were present. Bumgarner read the following into the record:

**Buena Vista County Community Development Block Grant
(CDBG) Status Hearing Of Funded Activities**

This public hearing is being held to comply with the citizen participation requirements of Section 507 of the Housing and Community Development Act of 1987.

Buena Vista County was awarded Community Development Block Grant (CDBG) federal funds by the Iowa Department of Economic Development (IDED) in the amount of \$828,000 on February 28, 2003. The two subrecipients' of these CDBG funds are the City of Rembrandt and Clay Regional Water

(CRW). CDBG funds were awarded to the City of Rembrandt in the amount of \$204,096 to assist the City in the connection to CRW for its supply of potable water and in the amount of \$23,904 for the City making necessary water distribution improvements to its water system. CRW was awarded \$580,000 CDBG funds to assist in the expansion of its water distribution system to connect rural scattered users throughout a large portion of Buena Vista County.

General descriptions of accomplishments to date for this CDBG project are as follows: The Environmental Assessment/Section 106 was completed and the Iowa Department of Economic Development (IDED) released funds for this project on July 14, 2003. The City of Rembrandt connected to CRW on July 27, 2004. A booster station for CRW's system was completed and put into service on November 17, 2004. The erection of a 300,000 gallon elevated water tower to serve the users in Buena Vista County was completed December 6, 2004. CRW has constructed approximately 195 miles of pipe and connected 227 rural scattered users.

A summary of expenditures for the CDBG are as follows: Total expenditures for the CRW rural expansion in Buena Vista County is \$6,563,455.32, of which, CDBG has paid for \$580,000 of these expenditures. The connection fee for the City of Rembrandt to connect to CRW was \$342,000, of which, \$204,096 was paid by CDBG. Northwest Iowa Planning & Development Commission has been paid \$11,299 for administration of this CDBG project. The total funds paid by the CDBG to date are \$795,395. The total local matching funds paid by CRW is \$5,983,455.32 and by the City of Rembrandt is \$137,904.

A general description of remaining work to be completed for this CDBG project is as follows: Some construction cleanup remains around the booster station site. The 300,000 gallon elevated water tower needs to be painted. It is estimated the tower will be finished and put into service by May 17, 2005. CRW has approximately 45 miles of pipe to construct. There are currently 88 signed-up users that need to be connected to the system. The City of Rembrandt has contracted with Maguire Iron, Inc. to make the necessary improvements to the City's elevated water tower and these improvements will initiate this summer. The City of Rembrandt also needs to make some general improvements to its water distribution system and these improvements will initiate this summer. This CDBG project is currently on schedule to be completed by December 31, 2005.

The project budget for CRW to construct the rural water distribution system at the time of the CDBG award was \$5,126,410 and it is expected the budget for this portion of the CDBG will be over \$7,000,000 at project completion. The increased cost(s) can be contributed to a number of factors such as increases in the cost of materials and labor, sub-contracting, crop damage, construction interests and depreciation, which were not included or known at time of submitting the CDBG application.

To date the only known performance target to change is that a 300,000-gallon elevated water tower was constructed instead of a 400,000-gallon tower as originally proposed. The 300,000-gallon tower was chosen because this size and type of tower was more suitable for locating near the windmills.

Except as otherwise stated, the project's budget, performance targets, activity schedules, project scope, location, objectives or beneficiaries have not changed.

There being no written or oral objections to the report, motion by Vail to close the public hearing.

Carried.

Brigham reported on the remainder of the work to be done by Clay Regional Water. He also explained that after the application for funds was submitted, the price of fuel and pipe went up substantially which accounts for the total project cost. Brigham and Bumgarner thanked the Board for participating in the most recent grant application which would have been a joint project between Clay Regional Water and Cherokee Rural Water. There were only 2 projects funded in the state, not including this one.

Terry Bue and Henry DeMan, homeowners on Rose Lane, came to express their concerns and opposition to the proposed site for the jail north of the E. Richland Annex. A house fire last summer generated problems for the residents. Fire trucks and other equipment blocked the street and prevented people from getting to work, kids to school, etc. because there is no other way out – Rose Lane is a cul-de-sac. The homeowners would like to meet with the Board and keep up with the developments on the project. The Chair suggested waiting to meet with the homeowners until after the architect has determined whether the jail would fit on the property or not.

1:00 p.m. – This being the time and place specified for taking action on the proposal to enter into a loan agreement, the County Auditor announced that no written objections had been placed on file. Whereupon, the Chairperson called for any written or oral objections, and there were none. Whereupon, the Chairperson declared the hearing closed.

Supervisor Crampton introduced the resolution next hereinafter set out and moved that the resolution (to amend the capital projects loan for costs related to the construction of a jail) be adopted; seconded by Supervisor Vail. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted: Ayes—Crampton, Gustafson, Vail, Burnside. Nays--none. Whereupon, the Chairperson declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 2005-04-19-B

Resolution taking additional action with respect to a Loan Agreement
and amending Resolution No. 2005-03-14 adopted on March 14, 2005

WHEREAS, pursuant to Section 331.402 of the Code of Iowa, notice duly published, hearings held thereon and Resolution No. 2005-03-14 adopted by this Board on March 14, 2005 (the “Prelevy Resolution”), the Board of Supervisors of Buena Vista County, Iowa (the “County”), has heretofore authorized certain loan agreements (the “Original Loan Agreements”) in the total aggregate principal amount of \$400,000 for the purposes of acquiring voting equipment, acquiring computer equipment for County buildings, acquiring equipment for the County jail, constructing improvements at the County Courthouse, acquiring a vehicle for the Public Health Department and acquiring a tractor for general County use (the “Original Purposes”); and

WHEREAS, thereafter and pursuant to Section 331.402 of the Code of Iowa, the County proposed entering into another loan agreement (the “Additional Loan Agreement”) in the principal amount of \$50,000 for the purpose of paying costs related to the construction of a county jail (the “Additional Purpose”) and has published notice of such proposal and has held a hearing thereon; and

WHEREAS, the County has not yet entered into any of the Original Loan Agreements and desires to include the Additional Purpose in the Prelevy Resolution;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. The Board hereby determines that the County may enter into the Additional Loan Agreement to pay the cost of the Additional Purpose, and, the Prelevy Resolution is hereby amended to include the Additional Purposes in the Loan Agreements authorized therein and in the list of the Original Purposes set out in the preamble of the Prelevy Resolution.

Section 2. All resolutions or parts thereafter in conflict herewith are hereby repealed, to the

extent of such conflict.

PASSED AND APPROVED April 19, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors Attest: /s/ Karen M. Strawn, Co. Auditor

There being no written or oral objections, motion by Vail to approve the 2nd Reading of **Ordinance 1.6 Voting Precincts** for Buena Vista County, Iowa. Carried.

1:30 p.m.--This being the time and place fixed by the Board for the consideration of bids for the purchase of **General Obligation County Refunding Bonds** to be issued in evidence of the County's obligation under a certain loan agreement, the Chairperson announced that bids had been received and canvassed on behalf of the County at the time and place previously fixed therefor.

Whereupon, such bids were then placed on file and the substance of such bids was noted in the minutes, as follows:

Name and Address of Bidder	Final Bid
First Trust Portfolios L.P., Lisle, IL	\$1,142,186.17 3.66213%
Harris Trust & Savings Bank, Chicago, IL	\$1,162,771.73 3.724429%
UMB Ban N.A.	\$1,170,751.27 3.742666%
Duncan-Williams, Inc., Memphis, TN	\$1,202,487.53 3.840021

After due consideration and discussion, Supervisor Gustafson introduced the following resolution and moved its adoption, seconded by Supervisor Vail. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted: Ayes—Crampton, Gustafson, Vail, Burnside. Nays--none. Whereupon, the Chairperson declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO. 2005-04-19-C

Resolution authorizing and approving a Loan Agreement and providing for the issuance of General Obligation County Refunding Bonds and for the levy of taxes to pay the same and providing for the refunding of the County's outstanding Hospital Facilities General Obligation Bonds, dated September 1, 1997

WHEREAS, heretofore under date of September 1, 1997, the Board of Supervisors of Buena Vista County, Iowa (the "County") issued its \$6,000,000 Hospital Facilities General Obligation Bonds, pursuant to a resolution duly adopted by the Board of Supervisors (the "Board") on August 26, 1997 (hereinafter sometimes referred to as the "Series 1997 Bond Resolution"), which are currently outstanding in the aggregate principal amount of \$4,640,000 (the "Series 1997 Bonds"), and which are scheduled to mature on September 1 in each of the years, in the principal amounts and bear interest at the respective rates, as follows:

Year	Principal Amount	Interest Rate Per Annum	Year	Principal Amount	Interest Rate Per Annum
2005	\$265,000	5.00%	2012	\$365,000	5.10%
2006	\$275,000	5.00%	2013	\$385,000	5.10%
2007	\$290,000	5.00%	2014	\$405,000	5.125%
2008	\$300,000	5.00%	2015	\$430,000	5.125%
2009	\$315,000	5.00%	2016	\$450,000	5.125%
2010	\$335,000	5.00%	2017	\$475,000	5.125%
2011	\$350,000	5.00%			

provided, however, that the \$3,810,000 Series 1997 Bonds scheduled to mature on and after September 1, 2008 (the "Optional Series 1997 Bonds"), are redeemable at the option of the County prior to maturity in inverse order of maturity and by lot within a single maturity on September 1, 2007, upon terms of par and accrued interest; and

WHEREAS, pursuant to the provisions of Section 331.402(3) and 331.443 of the Code of Iowa, the County has heretofore proposed to contract indebtedness and enter into a loan agreement (the "Loan Agreement") to provide funds for the purpose of refunding the Series 1997 Bonds, and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, it is deemed advisable and necessary that the County enter into an agreement (the "Escrow Agreement") with Bankers Trust Company, N.A., Des Moines, Iowa (the "Escrow Agent") for the purpose of providing for the refunding of the Optional Series 1997 Bonds; and

WHEREAS, pursuant to the Escrow Agreement, a portion of the loan proceeds (the "Loan Proceeds", in addition to other legally available funds of the County, will be deposited and set aside into an escrow account (the "Escrow Account") with the Escrow Agent, a portion of which funds will be used concurrently with the issuance and delivery of the Bonds to purchase direct obligations of the United States of America (the "Government Obligations"), as provided in the Escrow Agreement, which Government Obligations and the interest thereon, together with the remaining cash on deposit in the Escrow Account, will be sufficient to pay and will be pledged solely and only for the payment of the interest on and principal of the Series 1997 Bonds as the same become due and for the prepayment of the principal thereof on September 1, 2007; and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of General Obligation County Refunding Bonds (the "Bonds") to be issued in evidence of the County's obligation under the Loan Agreement were received and canvassed on behalf of the County and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids received for the purchase of the Bonds, the bid of First Trust Portfolios, Lisle, IL, is the best, such bid proposing the lowest interest cost to the County;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. The bid referred to in the preamble hereof is hereby accepted, and the County hereby determines to enter into a loan agreement with the aforesaid bidder, as lender (hereinafter referred to as the "Lender"), in substantially the form which will be presented to the Board, providing for a loan to the County in the principal amount of \$ 4,525,000, for the purpose set forth in the preamble hereof.

The Chairperson of the Board and the County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 2. The Bonds, dated May 1, 2005, maturing on June 1 in each of the years in the principal amounts and bearing interest at the respective rates as follows:

Year	Principal Amount	Interest Rate Per Annum	Year	Principal Amount	Interest Rate Per Annum
2006	\$ <u>335,000</u>	<u>3.00</u> %	2012	\$ <u>380,000</u>	<u>3.375</u> %
2007	\$ <u>325,000</u>	<u>3.00</u> %	2013	\$ <u>385,000</u>	<u>3.40</u> %
2008	\$ <u>340,000</u>	<u>3.00</u> %	2014	\$ <u>400,000</u>	<u>3.50</u> %
2009	\$ <u>345,000</u>	<u>3.25</u> %	2015	\$ <u>415,000</u>	<u>3.625</u> %
2010	\$ <u>355,000</u>	<u>3.25</u> %	2016	\$ <u>430,000</u>	<u>3.75</u> %

2011 \$ 370,000 3.30 % 2017 \$ 445,000 3.80 %

are hereby awarded and authorized to be issued to the Lender in the aggregate principal amount of \$4,525,000, at the price specified in such bid, together with accrued interest.

Section 3. The form of agreement of sale of the Bonds to the Lender is hereby approved, and the Chairperson of the Board and County Auditor are hereby authorized to execute the same for and on behalf of the County.

The Escrow Agent is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Registrar" or the "Paying Agent" in such capacities.

The County reserves the right to prepay part or all of the Bonds maturing in each of the years 2011 to 2017, inclusive, prior to and in any order of maturity on June 1, 2010, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be mailed by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 nor more than 60 days prior to such redemption date. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

All of the interest on the Bonds shall be payable December 1, 2005, and semiannually thereafter on the first day of June and December in each year. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid by check or draft mailed to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson of the Board and attested with the official manual or facsimile signature of the County Auditor and shall have the County's seal impressed or printed thereon, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable without cost to the registered owner thereof only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 4. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the County determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the County will discontinue the book-entry system with DTC. If the County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the County will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interest in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 5. The Bonds shall be in substantially the following form:

(Form of Bond, on file in the Auditor's office)

Section 6. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration, authentication and delivery to the Lender, upon receipt of the Loan Proceeds, and all action heretofore taken in connection with the Loan Agreement and the sale of the Bonds is hereby ratified and confirmed in all respects.

The Optional Series 1997 Bonds are hereby called for redemption as of September 1, 2007 (the "Redemption Date"), and the Escrow Agent is hereby authorized and directed to take all actions necessary to redeem the Optional Series 1997 Bonds as of the Redemption Date, including mailing notice of such redemption as prescribed by the Series 1997 Bond Resolution.

Section 7. The Chairperson and County Auditor are hereby authorized and directed to execute the Escrow Agreement on behalf of the County, which is hereby approved and, simultaneously with the delivery of the Bonds, the Loan Proceeds in the amount set forth in the Escrow Agreement, together with other legally available funds of the County, shall be deposited into the Escrow Account, of which funds in the amount set forth in the Escrow Agreement shall be held as an initial cash balance, and of which funds in the amount set forth in the Escrow Agreement shall be invested in securities authorized under the Escrow Agreement, maturing on such dates and bearing interest at such rates as are required to provide funds sufficient, with cash retained in the Escrow Account, to pay the interest on and principal of the Series 1997 Bonds, as the same become due, to and including the Redemption Date and to redeem the Optional Series 1997 Bonds on the Redemption Date. Of the remaining Loan Proceeds, funds in the amount set forth in the Escrow Agreement shall be applied to pay issuance expenses, and funds in the amount set forth in the Escrow Agreement, together with accrued interest, shall be deposited into the sinking fund for the Bonds hereinafter referred to.

Section 8. As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there be and there is hereby ordered levied on all the taxable property in the County in each of the years while the Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there be and there is hereby levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years, to-wit: (tax collection schedule on file in the Auditor's office)

The amount necessary to pay principal of and interest on the Bonds to and including June 1, 2006, in the amount of \$500,699.90 shall be paid from the taxes previously levied pursuant to Section 3 of the Series 1997 Bond Resolution for collection in the fiscal year beginning July 1, 2005. That portion of Section 3 of the Series 1997 Bond Resolution which provides for the levy of taxes for collection in fiscal years beginning on and after July 1, 2006, is hereby repealed

Section 9. A certified copy of this resolution shall be filed with the County Auditor, and said Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the County as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current available funds of the County in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum

thus advanced. The County hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the County for the full and prompt payment of the principal of and interest on the Bonds.

Section 11. It is the intention of the County that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 12. Continuing Disclosure. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Bonds, the County will execute and deliver a Continuing Disclosure Certificate pursuant to which the County will undertake to comply with the Rule. The County covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Agreement.

Section 13. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved April 19, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

It was noted that the re-financing of the bonds will save taxpayers \$341,590.84.

There being no further business, motion by Vail to adjourn until Tuesday, April 26 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
EIGHTEENTH MEETING, 2005 SESSION (18)
APRIL 26, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 26, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

The Chair opened the public hearing on **Ordinance 1.6 Voting Precincts**. There were no interested persons present. The Auditor reported that a notice of hearing had been published, and that no written comments in favor or opposed, had been received. Motion by Crampton to close the public hearing. Carried. Motion by Vail to approve the 3rd and final reading of Ordinance 1.6 Voting Precincts, and to direct the Auditor to publish the Ordinance separate from the minutes of the meeting. Carried.

The Chair announced that a second letter with the proposed A/E fee (for the **proposed jail**) had been received from Architect Rod Moore, clearing up an error in the original proposal. The second letter, however, did not include the explanation of the fee schedule if the proposed building cost is above or below \$4,000,000. The Chair will contact Moore about the omission. Lanphere suggested waiting to sign the letter until the state jail inspector has a chance to examine the spec building. Gustafson stated that since the decision has already been made to go with a free standing building, there is no reason to have the state jail inspector view the spec building.

EnvHealth/Zoning Director Kim Johnson reported that notice was published as required for today's public hearing on a re-zoning request. The Zoning Commission has recommended approval of Layton Zylstra's **re-zoning request** for a parcel of land east of the airport from Ag 1 to Industrial 1 with the stipulations that no business operations would be permitted on the property, and, limited additional personal storage. Zylstra proposes to divide a building into 5 storage/hobby units for multiple owners with common ownership of the land the building is on. The re-zoning is required to divide up the building to allow for multiple owners. There being no written or oral objections, motion by Gustafson to close the public hearing. Carried. Motion by Gustafson to accept the recommendation of the Zoning Commission and approve the Zylstra re-zoning request from A1 to I1. Carried. Johnson, explaining that the zoning map will need to be amended, provided the first reading of Ordinance 6.1B. Motion by Crampton to approve the 1st Reading of Ordinance 6.1B, and to set the 2nd Reading for 8:45 a.m. on May 3rd. Carried.

With several interested persons present, the Chair opened the public hearing on the **Lindquist Manure Management Plan** for an operation located in Section 11, Lincoln Township. The project is for 2400 head of hogs. Rusty Kosky spoke in favor of the project -- pork production is good for the county's economy; it supports the farmer. He has taken care in locating projects for 20 years, and has a good reputation. Gustafson suggested notifying the neighbor to the southwest for good public relations. Deb Witt stated that everything being done is according to what the law requires. This will be a single building. There being no written or oral objections, motion by Crampton to close the public hearing. Carried.

The Chair opened the second public hearing, this one for the **Witt Manure Management Plan**. for a project in the SE¼ Section 18, Coon Township, named Gold 5. For this project the nearest neighbor helped to select the particular site. Tom Witt has spoken to all of the neighbors. The project is a finishing facility for 2400 head, a single building. Deb Witt spoke saying that pork production is good for Iowa and Buena Vista County. By adhering to all of the rules and laws, they are acting to protect the water, air, and the people of the county. This is the only county in this area which holds a Public Hearing for each MMP. She believes that the hearings help to erode the confidence that the public has in the rules that have been established. The pork facilities have provided over 100 jobs, and have helped rural residents stay

on the farm. The hearing process intimidates the local guy when he has come before the Board for a public hearing.

Gustafson noted that though he hasn't always been happy with what has been presented, he has okayed every one that came through. Last week the Board heard from someone living on a family farm who is feeling forced out because he is surrounded by smelly operations. And, even though a person follows all of the rules, the rules don't cover enough stuff.

Also mentioned was the inflammatory title of an article in a recent Pilot-Tribune issue, which works against the public view of hog facilities ("Animal Confinements Raise Stink for BV Supervisors"). Mike Tidemann responded that he reports on what he hears people say at the meetings.

Lanphere stated that the Board holds the public hearings to provide the public with the knowledge of what is going on, and to allow for airing any problems. This way neighbors have the opportunity to address the project. This is also an opportunity to point out that someone is doing a good job.

Rusty Kosky stated that in the past 25 years he has not been asked even once to provide input into an article, or to write an article.

The Chair commented that consumers now want less fat on the hog-a leaner cut of meat. The leaner hogs are most easily raised in a confinement setting. There being no further comment, motion by Vail to close the public hearing. Carried.

EnvHealth/Zoning Director Kim Johnson has received two construction applications which require a **matrix evaluation**. Motion by Crampton to set May 10 at 8:40 a.m. for a matrix evaluation on a CAFO construction application for Mangold Finisher Farm located in the SW¼, Section 32, Barnes Township. Carried. The project is for 4,800 head or 1920 animal units. Johnson meets next Wednesday for the DNR site review.

Motion by Vail to set May 10 at 9:40 a.m. for a **matrix evaluation** for the Pitts Finisher Farm CAFO construction application. Carried. The DNR site visit will follow the one at the Mangold site. The project is to be located in the NE¼ SE¼ Section 1, Elk Township.

CPC Dawn Mentzer discussed whether or not the VA/GR Services are to continue under **Community Services Department** umbrella, or whether they will be directly under the Board of Supervisors. While it may have been a logical arrangement when they were in the same building and the CS Secretary covered for the VA/GR Director when she wasn't in, this is no longer the case. It was the consensus of the Board that effective immediately, the VA/GR Director shall report to the Board. Lanphere will discuss issues regarding equipment for VA/GR with Diane Anderson. A used computer has been provided to VA/GR. It is making a noise but appears to be working. The VA/GR office will be staffed 20 hours/week. In her absence, an answering machine will pick up messages. Lanphere will also check with the Board of Health about handling emergencies.

Once the conference tables have been set up at the Yon Building, Mentzer offered that the meetings of the Zoning Board and Board of Adjustment could be held at the Yon Building. This could free up the meeting space at the ERA. Regarding parking, Crampton reported that neither the Prospect Hill/Western Iowa Synod parking lot, nor the Siefer Building parking area, offer a parking solution for Community Services. The case managers will continue to use the ERA parking lot for the county cars.

Ben Larsen and Bob Rohlfson, Farmer's Cooperative, were present for the Board's discussion of their **urban revitalization area** and 3 year/100% property tax abatement request. They are currently waiting on zoning issues before starting construction, and would prefer to have the Board's approval prior to starting. Assessor Kathy Croker has informed the Board that construction can begin prior to the completion of setting up the urban revitalization area. The Board has received no feedback from the news article. The Board confirmed that there is no commitment for additional employees with future

construction. Larsen pointed out though, that if there is no replacement of existing buildings, it would be a case of losing employees, not maintaining them. The Board discussed urban renewal and urban revitalization plans. Gustafson believes that the county should not hold them up while a countywide plan is developed. Motion by Gustafson to approve the request of Farmer's Cooperative for an urban revitalization plan for a location in Sulphur Springs which will provide a 3 year/100% abatement on the valuation added by the project, provided that the added value exceeds 10% of the existing property value. Ayes-Crampton, Gustafson, Lanphere, Burnside. Nays-Vail. Carried.

Don Reffer, Brush & Weed Control Specialists, discussed a brush control program for the 2005 season. He will provide before and after photos to show the effectiveness of the prior year programs. He discussed of chemicals, surfactants and method of application. He would like to do the work on a time and materials basis again. The Board confirmed that the treated ditches are looking good and they want to keep them clean. Motion by Gustafson to approve and to authorize the Chairman to sign the proposal of Brush & Weed Control Specialists to perform chemical brush control on a on time and materials basis for the following drainage districts: **DD#3, DD#34-Laterals #1, 2, 3, 4, & 6, DD#83, DD#106, DD#183, DD#184, DD#205 and DD#32** for an estimated cost of \$38,250. Carried.

Matt Voge, Kuehl & Payer Ltd., discussed tree clearing contracts for the 2005 season. Motion by Vail to approve and to authorize the Chairman to sign tree clearing contracts for the following drainage districts: **DD #34 MOD** – Nick Miller (contractor) for \$14,045.00; **Lateral #2** – Nick Miller (contractor) for \$14,970.00; **Lateral #6** – Steve Richards (contractor) for \$9,715.00; and **Lateral #9** – Nick Miller (contractor) for \$5,600.00. Carried.

Motion by Vail to approve the **minutes** of the 4/19 meeting as printed. Carried

Motion by Vail to set the date and time for Public Hearing on a **budget** amendment for FY'05 as May 24 at 9:30 a.m. Carried.

Motion by Lanphere to approve a request to change "**payday**" for all employees from Wednesday to Friday, which will permit full utilization of the new financial/payroll software, and save time by eliminating a duplication of data entry; also to authorize the Chairman to sign the amendment to the employee handbook for this change. Carried. The employee handbook will now read: "**Payday:** Employees of Buena Vista County are normally paid by the end of the working day every other Friday for work performed the previous two (2) week pay period. Payday may be delayed due to a holiday or other circumstances beyond the County's control."

Motion by Crampton to approve the sale by sealed bid, the following **excess equipment** in the auditor's office: Gateway notebook, HP3 printer, and two IBM typewriters, with all being in need of repair. Carried.

Jeff Sievers appeared before the Board on the subject of the **public hearings on the manure management plans**. He asked if hearings are necessary on the MMP's. It was explained that public hearing is to provide notice to the neighbors/community of the planned activity. Sievers believes that the Board should treat the producers well, not negatively. They are creating jobs, not asking for or receiving incentives like other companies. Businesses in town have a ribbon cutting, but farmers get a public hearing. He encouraged the Board to expedite the process. Farmers are taking offense at the way things are handled now. Vail noted that publishing notice of a hearing gives the public an opportunity to know what is happening. If the producers are good neighbors, then there won't be any problems in the first place.

There being no further business, motion by Crampton to adjourn at 12:00 noon until Tuesday, May 3rd at 8:30 a.m. in the Boardroom for a regular session.

**BOARD OF SUPERVISORS MEETING
NINETEENTH MEETING, 2005 SESSION (19)
MAY 3, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 3, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Craig Neulieb and Lyle Fast, Control Systems Specialists, updated the Board on the status of **Spectra physical plant equipment**. The hot water mixing valve on the domestic hot water heater can no longer be maintained; it is hard to repair and they can't find parts. This becomes a life safety issue. Also, the controls on the burners are the old, mechanical type that can't be cleaned. They need to be replaced with an electronic type. They would replace the burner oil control with new UL listed and up-to-date components. The cost to replace these parts would not exceed \$6,250 plus installation. Motion by Gustafson to authorize the Chairman to sign the proposal with Control Systems Specialists to proceed with the repairs for Spectra Health Care 'not to exceed' \$6,250 plus installation. Carried.

8:30 a.m.—The time having arrived for the public hearing on the **Farmer's Coop re-zoning request**, EnvHealth/Zoning Director Kim Johnson, Bob Rohlfen, and Les Juhl were present. Notice of the hearing was published as required. Rohlfen commented that their office needs to be re-zoned from residential to industrial. Johnson reported that the Zoning Commission had recommended favorably. There being no written or verbal objections, motion by Crampton to close the public hearing. Carried. Motion by Lanphere to accept and to approve the recommendation of the Zoning Commission to approve the re-zoning request of Farmer's Coop. Carried.

Motion by Vail to approve the 1st Reading of **Ordinance 6.1C**- amending the zoning map from the approval of the Farmer's Coop re-zoning request, and, to set the time and date for the 2nd Reading as May 10 at 8:30 a.m. Carried.

Motion by Crampton, to approve a **change in today's agenda** by adding "approval of Farmer's Cooperative subdivision request". Carried. Zoning Director Johnson reported that the Zoning Commission had also recommended approval of Farmer's Cooperative's **subdivision request** for a parcel in Sulphur Springs. Motion by Gustafson to accept the recommendation of the Zoning Commission, and to approve and to authorize the Chairman to sign Resolution 2005-05-03-B approving the subdivision request of Farmer's Cooperative for a parcel in Sulphur Springs. Carried.

RESOLUTION 2005-05-03-A

WHEREAS Farmers Cooperative Co. has presented a preliminary and final plat (of survey) on the following described properties:

DESCRIPTION LOT B

A TRACT OF LAND LOCATED IN PART OF LOT ONE (1) IN THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 9, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter (SE ¼) of said Section 9; Thence on a true bearing of North 00° 51' 50" West, along the West line of said Southeast Quarter (SE ¼) 838.92 feet to the Point of Beginning, said point being on the western extension of South line of Lots One through Six (1-6), in Block Five (5), in the unincorporated town of Sulphur Springs; Thence North 89° 31' 29" East, along said extended South line, 340.51 feet to the West line of vacated 2nd Street; Thence North 01° 10' 59" West, along said West line, 758.50 feet to a point located 100.00 feet normal distant southerly from the centerline of the Chicago Central and Pacific Railroad; Thence North 76° 53' 46" West, parallel to said centerline, 20.64 feet; Thence North 00° 27' 16" East, 51.00 feet to a point located 50.00 feet normal distant southerly from said centerline; Thence North 76° 53' 46" West, parallel to said centerline, 327.09 feet to the West line of said Southeast Quarter (SE ¼); Thence South 00° 51' 50" East, along said West line, 891.11 feet to the Point of Beginning. Hereafter known as Lot B, of Section 9, Township 90 North, Range 36 West of the 5th P.M., Buena Vista County Iowa. Tract contains 6.16 Acres and is subject to all easements of record.

AND

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE WEST HALF (W ½ SE ¼) OF SECTION 9, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY IOWA, ALSO WITHIN THE LIMITS OF THE UNINCORPORATED TOWN OF SULPHUR SPRINGS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter (SE ¼) of said Section 9; Thence on a true bearing of North 00° 51' 50" West, along the West line of said Southeast Quarter (SE ¼) 838.92 feet to the western extension of South line of Lots One through Six (1-6) in Block Five (5), in said unincorporated town of Sulphur Springs; Thence North 89° 31' 29" East, along said extended South line, 340.51 feet to the West line of vacated 2nd Street being also the Point of Beginning; Thence continuing North 89° 31' 29" East, along the South line of Lots One through Six (1-6) in Block Five (5), and its western extension, 376.44 feet to the West line of 1st Street; Thence North 01° 10' 34" West, along said West line, 667.21 feet to the North line of Spring Street; Thence North 76° 53' 46" West, along said North line, 388.52 feet to the West line of 2nd Street; Thence South 01° 10' 59" East, along said West line, 758.50 feet to the Point of Beginning. Hereafter known as Lot C, of Section 9, Township 90 North, Range 36 West of the 5th P.M., Buena Vista county Iowa. Tract contains 6.58 Acres and is subject to all easements of record.

WHEREAS, the final plat meets with the approval of the Zoning Commission subject to the following if any: none.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

DESCRIPTION LOT B

A TRACT OF LAND LOCATED IN PART OF LOT ONE (1) IN THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 9, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter (SE ¼) of said Section 9; Thence on a true bearing of North 00° 51' 50" West, along the West line of said Southeast Quarter (SE ¼) 838.92 feet to the Point of Beginning, said point being on the western extension of South line of Lots One through Six (1-6), in Block Five (5), in the unincorporated town of Sulphur Springs; Thence North 89° 31' 29" East, along said extended South line, 340.51 feet to the West line of vacated 2nd Street; Thence North 01° 10' 59" West, along said West line, 758.50 feet to a point located 100.00 feet normal distant southerly from the centerline of the Chicago Central and Pacific Railroad; Thence North 76° 53' 46" West, parallel to said centerline, 20.64 feet; Thence North 00° 27' 16" East, 51.00 feet to a point located 50.00 feet normal distant southerly from said centerline; Thence North 76° 53' 46" West, parallel to said centerline, 327.09 feet to the West line of said Southeast Quarter (SE ¼); Thence South 00° 51' 50" East, along said West line, 891.11 feet to the Point of Beginning. Hereafter known as Lot B, of Section 9, Township 90 North, Range 36 West of the 5th P.M., Buena Vista County Iowa.

AND

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE WEST HALF (W ½ SE ¼) OF SECTION 9, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY IOWA, ALSO WITHIN THE LIMITS OF THE UNINCORPORATED TOWN OF SULPHUR SPRINGS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter (SE ¼) of said Section 9; Thence on a true bearing of North 00° 51' 50" West, along the West line of said Southeast Quarter (SE ¼) 838.92 feet to the western extension of South line of Lots One through Six (1-6) in Block Five (5), in said unincorporated town of Sulphur Springs; Thence North 89° 31' 29" East, along said extended South line, 340.51 feet to the West line of vacated 2nd Street being also the Point of Beginning; Thence continuing North 89° 31' 29" East, along the South line of Lots One through Six (1-6) in Block Five (5), and its western extension, 376.44 feet to the West line of 1st Street; Thence North 01° 10' 34" West, along said West line, 667.21 feet to the North line of Spring Street; Thence North 76° 53' 46" West, along said North line, 388.52 feet to the West line of 2nd Street; Thence South 01° 10' 59" East, along said West line, 758.50 feet to the Point of Beginning. Hereafter known as Lot C, of Section 9, Township 90 North, Range 36 West of the 5th P.M., Buena Vista county Iowa.: are hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

DESCRIPTION LOT B

A TRACT OF LAND LOCATED IN PART OF LOT ONE (1) IN THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 9, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter (SE ¼) of said Section 9; Thence on a true bearing of North 00° 51' 50" West, along the West line of said Southeast Quarter (SE ¼) 838.92 feet to the Point of Beginning, said point being on the western extension of South line of Lots One through Six (1-6), in Block Five (5), in the unincorporated town of Sulphur Springs; Thence North 89° 31' 29" East, along said extended South line, 340.51 feet to the West line of vacated 2nd Street; Thence North 01° 10' 59" West, along said West line, 758.50 feet to a point located 100.00 feet normal distant southerly from the centerline of the Chicago Central and Pacific Railroad; Thence North 76° 53' 46" West, parallel to said centerline, 20.64 feet; Thence North 00° 27' 16" East, 51.00 feet to a point located 50.00 feet normal distant southerly from said centerline; Thence North 76° 53' 46" West, parallel to said centerline, 327.09 feet to the West line of said Southeast Quarter (SE ¼); Thence South 00° 51' 50" East, along said West line, 891.11 feet to the Point of Beginning. Hereafter known as Lot B, of Section 9, Township 90 North, Range 36 West of the 5th P.M., Buena Vista County Iowa.

AND

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE WEST HALF (W ½ SE ¼) OF SECTION 9, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY IOWA, ALSO WITHIN THE LIMITS OF THE UNINCORPORATED TOWN OF SULPHUR SPRINGS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter (SE ¼) of said Section 9; Thence on a true bearing of North 00° 51' 50" West, along the West line of said Southeast Quarter (SE ¼) 838.92 feet to the western extension of South line of Lots One through Six (1-6) in Block Five (5), in said unincorporated town of Sulphur Springs; Thence North 89° 31' 29" East, along said extended South line, 340.51 feet to the West line of vacated 2nd Street being also the Point of Beginning; Thence continuing North 89° 31' 29" East, along the South line of Lots One through Six (1-6) in Block Five (5), and its western extension, 376.44 feet to the West line of 1st Street; Thence North 01° 10' 34" West, along said West line, 667.21 feet to the North line of Spring Street; Thence North 76° 53' 46" West, along said North line, 388.52 feet to the West line of 2nd Street; Thence South 01° 10' 59" East, along said West line, 758.50 feet to the Point of Beginning. Hereafter known as Lot C, of Section 9, Township 90 North, Range 36 West of the 5th P.M., Buena Vista county Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 3rd day of May, 2005.

8:45 a.m.—The time having arrived for the 2nd Reading of **Ordinance 6.1B**-amending the zoning map for the Zylstra re-zoning request, Zoning Director Johnson was present. There being no written or verbal objections, motion by Lanphere to approve the 2nd Reading of Ordinance 6.1B, and to table the 3rd Reading until the survey is completed. Carried.

Motion by Crampton to set the public hearing for the **Master Matrix evaluation** of the Madison Finisher Farm operation (4800 head) owned by Colt Farms LLC, and located in Section 9, Lincoln Township as May 24th at 8:30 a.m. Carried.

Motion by Crampton to set a public hearing for the **Manure Management Plan** submitted for the MJS Grant operation (2400 head) owned by FMP L.C. for a location in Section 8, Grant Township as May 10th at 8:35 a.m. Carried.

Engineer Jon Ites presented bids received for two paving contracts. Motion by Vail to accept the low bid of Fred Carlson Company, LLC, in the amount of \$850,169.80 for PCC overlay-unbonded of C-49 **project # #STP-S-CO11(39)—5E-11**. Carried.

Motion by Gustafson to accept the low bid of Godbersen-Smith Construction Co., Ida Grove, in the amount of \$495,823.44 for PCC pavement of 90th Ave, **project #FM-CO11(66)—55-11**. Carried.

Motion by Vail to set a letting date of July 12 at 10:00 a.m. for the following FY'06 **projects: L-FM-651—73-11 and L-FM-652—73-11** being bridge deck overlay on two bridges in the NW ¼ of Section 21, Maple Valley Township; **project # L-B-621—73-11** for a precast deck slab bridge located in the NW¼ of Section 21 Maple Valley; **project #L-C-617—73-11** (box culvert replacement with RCP culvert in Section 17, Barnes Township) tied with **project #L-C-610—73-11** (RCB culvert replacement with concrete pipe arch culvert in NE¼ of Section 10, Washington Township). Carried.

Motion by Burnside to accept the low quote of Fort Dodge Asphalt in the amount of \$2,447/mile for 17.2 miles of **slurry leveling work**. Carried.

Motion by Lanphere to accept the **low bid** of Richards Construction, Sac City, for installation of 4 culverts in Section 29, Grant Township, in the amount of \$14,600 each for the west pair and \$14,814 for the east pair, a total of \$58,828. Carried.

Lanphere reported on a meeting that he and Crampton had attended on how to preserve wildlife and develop tourism around it. It was put on by the **Watchable Wildlife Foundation**. He felt that it was a very good meeting, and there were quite a few attendees from Buena Vista County who expressed interest.

Veterans Affairs/General Relief Director Paula Guerra was present to discuss the changes in her department organization. She will now report directly to the Board. Her equipment needs include a computer, printer and answering machine. The Board approved ordering the equipment. For her limited copy needs, she will pay Public Health to use their machine. Guerra discussed usage of veterans van. She is still in need of volunteers. For the county's \$210/mo contribution, the VA provides the van and takes care of tires, fuel, and insurance. She will get some publicity out about the new office hours.

The Auditor reported that a check in the amount of \$30,347 has been received from Cornhusker Casualty – a dividend on the FY'04 **worker's compensation** premium. Motion by Crampton to send a letter to employees thanking them for working safely, resulting in the significant dividend. Carried.

Wellmark Representative Tom Fleming presented a document for **employee health insurance** renewal FY'06.

Motion by Crampton to approve the 4/26 minutes as printed with the exception of the date of public hearing for the budget amendment, to reschedule the budget amendment hearing to 5/24 at 9:30 a.m., and to approve the following reports: March fund balances, 3rd Qtr FY'05 Recorder's fees, 4/14 Board of Health minutes, April budget reports, and the April Farm to Market fund report. Carried.

With CPC Dawn Mentzer and PH Administrator Diane Anderson, the Board discussed how the HIPAA duties could be handled, how much time they may take, and who might take them on. HIPAA regulations primarily affect Community Services, Public Health and the Auditor's office, with some impact also on the Jail. A lead person is probably needed. Contracting with someone outside the employment of the county would probably be costly. Compensation has to be a part of the solution. A new person will have to get themselves up to speed on the subject by reviewing the entire work product completed by Julie Smith. Mentzer and Anderson will check to see what other counties are doing.

The Board took up the discussion of Architect Rod Moore's proposal for services for the proposed jail. The language may not be sufficiently clear that the proposal is for preliminary schematic design and master planning services only, and not for the plans and specs for the jail. It was the Board's consensus to contact Moore at the end of today's business to clarify this information.

Motion by Vail to approve and to authorize the Chairman to sign a letter of request for a proposal of audit services for the county's FY'05 audit to Hunzelman Putzier. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign change order #5 in the amount of -\$8,498.53 for the DD #1 cleanout. Carried.

The Board took up the discussion of the petition signed by homeowners objecting to the proposed jail location, (adjacent to the E. Richland Annex). Present were homeowners Henry DeMan and Don Feltner, Farm Bureau members Terry Murray, Jeff Sievers, and Vince Davis, Sheriff Chuck Eddy, Deputy Don Feltner, and the media. The Chair began by reviewing her contact with the city. If the site next to the E. Richland Annex were to be considered for a jail site, the county would have to make application to the city's P & Z. A fee of \$185 is required. The P & Z's recommendation would go to the Board of Adjustment. In light of the fact that the Concordia site was opposed by 5 homeowners and the city turned it down, and that the Board has a petition in opposition to this site signed by 50 people, she would expect the same result. There would appear to be no point in making the application to the city.

Lanphere commented that other than the Central Business District, no matter what site is chosen, the county would have to go before the P&Z. He also stated that due to the petition, he is not interested in the site next to ERA.

Henry DeMan lives on Rose Lane. He believes that a jail next to ERA will devalue his property, but his biggest concern is safety.

The Sheriff answered by saying that when responding to a call from that location, they would go south and east in order to get out most quickly to Hwy 71 or other rural roads. And, with law enforcement there, residents should feel even safer. Regarding living so close to a jail, it could be a lot worse – a dump or a manufacturing site would be less agreeable and devalue their homes more than the jail. DeMan asked about closing down the area for a disaster or drill – they only have one way out. Eddy responded that they would not hold drills out there, so the only reason they would close down that section of town would be for a disaster or problem in that area.

Don Feltner said that he had visited with a realtor who believes that the properties she has in the MCS Addition will be harder to market with a jail located nearby.

Gustafson explained that most of the traffic flow would be on Ray and E Richland, not on E 4th St. The jail would not be noisy, it won't stink. The original concerns voiced by homeowners last week were based on the jail being built on the northern most lots facing E 4th St. Does it make a difference knowing

now that there are lots owned by the hospital and university in between the county's lot and the street with the homeowners? The county does need a jail and it has to go somewhere. The county is looking at this site because we already own it, which would save on the overall cost.

Feltner mentioned that when he bought his property, the MCS Addition was proposed to be a single-family residential area; then the apartments were added, but covenants were supposed to protect them. They now know that the covenants are worthless. If the county wants to plan for the ability to expand the jail, why wouldn't you go to the spec building since it is larger than what the current proposal is planned to be?

The Sheriff responded that if the jail goes into the spec building, plus all of the other uses that have been mentioned for the building (engineer, emergency management, and other ideas), the spec building would be full with no room to expand. Also the architect who was working on the spec building drew up a \$4,000,000 concept with estimated costs which didn't even include the \$435,000 cost of the spec building.

Lanphere suggested taking a straw vote (non-binding) to see whether the Board is interested in the ERA site or not.

Vail said that he would like to know what the major concern is - property values? With the bulk plant out there, why would having a jail make it worse? We have never had any prisoners escape from here.

The Chair commented that the jail is 'hidden' here. People come into the courthouse every day to take care of business with no concerns about their safety in a building that houses a jail. There shouldn't be any more of a problem anywhere. But the petition is sufficient for her to not be in favor of the ERA site.

Terry Murray asked the homeowners if moving the jail site 300' across E. Richland St. (where it was proposed to be in 2000) would make any difference. Feltner and DeMan indicated that would be better. Murray then asked if it was enough better to make it worth \$40-50,000 which would be the cost to buy a lot to put the jail on. The ERA site is already paid for.

Crampton spoke briefly about the Task Force's and then Board's efforts so far, saying that it has become somewhat frustrating to not be making much progress. When the jail is built, it will never say 'jail' on it. He likes the ERA site, but doesn't want to fight the people on it. It might even be helpful to locate there since the Public Health department makes frequent trips to the jail to provide services. So it might be advantageous to locate next door to Public Health.

The Chair asked if the Board wanted to go to the P & Z.

DeMan asked how law enforcement vehicles would enter the property, from the west or the east? The response was that since there are no drawings yet, it would be hard to know for sure, but maybe the west since Expansion Blvd. is paved.

Vail suggested that once the county finds out whether the jail would fit on the ERA site, then an evening meeting could be held so that homeowners could attend and the architect could answer their questions and concerns.

The Chair noted that the contract with the architect has to be worked out, and then he could determine if a jail would fit on the site. He has the ERA 'lot' information. An evening meeting with Moore present could be held.

Lanphere stated that he is not happy with Moore from what he has seen. There have been mistakes in his letters, and he didn't produce a bid when the Task Force sent out an RFP. If he doesn't get the paperwork right, how will he do with the rest of the project?

Motion by Gustafson to submit an application to the P&Z as soon as possible to get the timeline started (publication requirements, and approval by both P & Z and Board of Adjustment will take some time). The vote was ayes—Crampton, Gustafson, Vail, Burnside; nays-Lanphere. The motion carried.

The Board called Architect Rod Moore about his proposal for services and the possibility of him meeting with homeowners. He will try to come to Storm Lake on Tuesday, May 10th to view the site and begin formulating a plan.

EnvHealth/Zoning Director Kim Johnson reviewed a draft letter to be sent to **CAFO construction applicants** requesting owner information in order to comply with Question 20 on the master matrix. Motion by Lanphere to approve and to authorize Johnson to sign a letter to an applicant requesting the owner(s) name(s) for the purpose of evaluating whether or not the applicant has a history of administrative orders in the last 5 years. Carried.

Motion by Vail to approve changing Mindy Pyle's **employment status** from part-time to full-time status effective May 15. Carried.

Motion by Vail to sign the FY'06 grant application with the IA Dept of Public Health in the amount of \$17,129.00 for the **well program**. Carried.

The Chair informed the Board that an additional \$280,000 has been awarded to the **United Community Health Center**, beyond the \$650,000 Rural Health grant.

Vail left the meeting.

The Board reviewed next week's agenda.

There being no further business, motion by Gustafson to adjourn at 2:30 p.m. until Tuesday, May 10th at 8:30 a.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTIETH MEETING, 2005 SESSION (20)
MAY 10, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 10, 2005, at 8:00 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Motion by Gustafson to approve and to authorize the Chairman to sign the contract awarded last week to Godbersen-Smith, Ida Grove, and approve the contactor's bond and certificate of insurance for the paving **project #FM-CO11(66)—55-11**. Carried.

Grace Ivey, etal, were present for the signing of a **Proclamation** declaring Saturday, July 16th as "Relay for Life Day" in Buena Vista County. Motion by Crampton to approve and to authorize the Chairman to sign a Proclamation for Relay for Life Day in Buena Vista County. Carried.

Proclamation

In recognition and support of the American Cancer Society Relay for Life

WHEREAS, Relay For Life is the signature activity of the American Cancer Society and honors cancer survivors (anyone who has ever been diagnosed with cancer) and remembers those lost to the disease; and

WHEREAS, There are an estimated 9.6 million Americans with a history of cancer alive today; and

WHEREAS, This year alone, approximately 1,372,910 new cases of cancer will be diagnosed in the United States; including 15,910 Iowans, and

WHEREAS, Money raised during the American Cancer Society Relay For Life of Buena Vista County helps support research, education, advocacy and patient services; and

WHEREAS, Relay For Life helps fund more than \$100 million in cancer research each year; and

NOW THEREFORE, Be it resolved that WE, the COUNTY BOARD OF SUPERVISORS, do hereby proclaim Saturday, July 16th as "Relay For Life Day" in Buena Vista County and encourage citizens to participate in the Relay For Life of Buena Vista County at the Storm Lake High School Truck on Saturday, July 16th.

So proclaimed this 10th day of May, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors

Motion by Gustafson to approve the **minutes** of the 5/3 meeting as printed. Carried.

Motion by Vail to approve and to authorize the Chairman to sign, the **fireworks permit** application of Rembrandt, with the city to be responsible for safety and all liability. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the chemical brush control contracts with Chem-Trol, Kansas City, **for DD #16-30-92** (\$1,898.00) **and DD #19-26** (\$1,125.00), and with B & W Control Specialists, Algona, for DD #274 (\$330.00). Carried.

8:30 a.m. – The time having arrived for the 2nd Reading of **Ordinance 6.1C** amending the zoning map for the Farmer's Cooperative re-zoning request, no written objections were received. Motion by Lanphere to approve the 2nd Reading of Ordinance 6.1C amending the zoning map pursuant to the Farmer's Cooperative re-zoning request, and to set May 17th at 8:30 a.m. for the 3rd and Final Reading. Carried.

8:35 a.m. – The time having arrived for the public hearing on the MJS Grant Swine Operation **manure management plan**. Environmental Health/Zoning Director Kim Johnson briefly reviewed the

location and size of the project: 1 building with a deep pit, 2,400 head, located in Section 8, Grant Township. There being no objections, motion by Crampton to close the public hearing. Carried.

8:40 a.m.—The time having arrived for the master matrix evaluation of the Mangold CAFO Construction Application (Mike Blaser, owner), Environmental Health/Zoning Director Kim Johnson reviewed the scoring of this project. Motion by Vail to close the public hearing. Carried. Motion by Crampton to approve and to authorize the Chairman to sign Resolution 2005-05-10-A recommending approval of the Mangold Finisher Farm construction application. Ayes-Crampton, Lanphere, Vail, Burnside. Nays—Gustafson. The motion carried.

RESOLUTION 2005-05-10-A

Recommending approval of the Mangold Finisher Farm
Construction Application to the Iowa Dept. of Natural Resources.

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction applications to provide an opportunity for local input; and

WHEREAS, a construction application for two 51 x 376 feet finish hog buildings has been submitted by Sienna Farms LLC on April 19, 2005; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 440 points, and has verified all of the elements of the application for accuracy finding a change from submitted matrix on the first point; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice in the Pilot Tribune as required, and held public hearing in the Supervisors Meeting Room at the Courthouse on May 10, 2005, for the purpose of receiving public comment; with response provided and

WHEREAS, the Board of Supervisors shall submit the recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends approval of the construction application of the Mangold Finisher Farm Construction Application.

PASSED, APPROVED AND ADOPTED this 10th day of May, 2005.

/s/ Lorna Burnside Chairperson, Board of Supervisors

/s/ Karen Strawn, Auditor

9:40 a.m.—The time having arrived for the master matrix evaluation of the Pitts CAFO Construction Application (Mike Blaser, owner), Environmental Health/Zoning Director Kim Johnson reviewed the scoring of this project. Motion by Crampton to close the public hearing. Carried. Motion by Vail to approve and to authorize the Chairman to sign Resolution 2005-05-10-B recommending approval of the Pitts CAFO construction application. Ayes-Crampton, Gustafson, Lanphere, Vail, Burnside. Nays—none. The motion carried.

RESOLUTION 2005-05-10-B

Recommending approval of the Pitts Finisher Farm

Construction Application to the Iowa Dept. of Natural Resources.

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction applications to provide an opportunity for local input; and

WHEREAS, a construction application for two 51 x 376 feet finish hog buildings has been submitted by Sienna Farms LLC on April 19, 2005; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 440 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice in the Pilot Tribune as required, and held a public hearing in the Supervisors Meeting Room at the Courthouse on May 10, 2005, for the purpose of receiving public comment; with no response provided and

WHEREAS, the Board of Supervisors shall submit the recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends approval of the construction application of the Pitts Finisher Farm Construction Application.

PASSED, APPROVED AND ADOPTED this 10th day of May, 2005.

/s/ Lorna Burnside Chairperson, Board of Supervisors /s/ Karen M. Strawn, Auditor

Motion by Lanphere to amend today's agenda by adding "RESOLUTION 2005-05-10C". Carried.
Motion by Vail to approve and to authorize the Chairman to sign **RESOLUTION 2005-05-10C** (Re-identification of Ordinance numbers). Carried.

RESOLUTION 2005-05-10-C

Re-Identification of Ordinances Amending the Zoning Map

WHEREAS, Chapter 331.302 of the 2005 Code of Iowa authorizes the Board of Supervisors to exercise a power or perform a duty by adoption of an ordinance, and,

WHEREAS, the Buena Vista County Board of Supervisors has begun the process of adopting two ordinances, both amending the zoning map; and,

WHEREAS, the Board of Supervisors finds that the numbering system for these two ordinances is not in the proper form,

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby declares that the ordinance amending the zoning map for the Zylstra re-zoning request previously identified (in the 4/26/05, 5/3/05 Board minutes and corresponding agendas) as Ordinance 6.1B shall be properly identified as Ordinance 6.1A-3, and, that the ordinance amending the zoning map for the

Farmer's Cooperative re-zoning request previously identified (in the 5/3/05 and 5/10/05 Board minutes and corresponding agendas) as Ordinance 6.1C shall be properly identified as Ordinance 6.1A-4.

PASSED, APPROVED AND ADOPTED this 10th day of May, 2005.

/s/ Lorna Burnside Chairperson, Board of Supervisors

/s/ Karen Strawn, Auditor

Drainage Clerk Barb Henrich presented calculations recommending levies for several drainage districts. Motion by Vail to order levies as follows, due and payable September 1, 2005, delinquent October 1, 2005 with waivers allowed on parcels with assessments greater than \$100 on 40 acres: **DD #19-26 MOD**-31.5% (2 yr. waiver with interest at 7%); **DD #20**-12.5% (3 yr. waiver with interest at 5%); **DD #35**-59% (10 yr. waiver with interest at 5%); **DD #46**-20% (3 yr. waiver with interest at 5%); **DD #82**-7% (no waiver); **DD #14-42 MOD**-18% (no waiver); **DD #14-42 293 S**-31% (2 yr. waiver with interest at 9%). Carried.

The Chair asked for an amendment to the agenda to permit discussion of the P & Z application on the ERA site for the **proposed jail**. Motion by Lanphere to add discussion of the P & Z application to today's agenda. Carried. The Chair reported on a meeting yesterday with City Administrator John Call. Call's recommendation was to wait to take an application to the P & Z until more specific details on a building are known in order to be able to answer questions. Architect Rod Moore hasn't yet visited the ERA site, nor begun any concept drawings. The Board agreed that there won't be sufficient information to meet with homeowners and the architect on the 16th. However, the preliminary meeting with the architect is scheduled for 10:00 a.m. on the 16th in the E. Richland Annex Conference Room. After the architect has completed design drawings, the meeting with residents will be scheduled. Lanphere asked if it would be helpful to come to a consensus on some preliminary issues i.e. number of beds, whether or not the Communications Center, the Emergency Management office, and a courtroom should be included, whether the building should have a peaked or a flat roof, a sprinkler system, a \$4 million ceiling. Vail suggested that those ideas might best wait until the meeting with the architect so that his input can be considered.

Environmental Health/Zoning Director Kim Johnson reported that the DNR has given New Fashion Pork (Williams, the first one received in 2005) a draft permit on its **CAFO construction application** (located in Section 10, Poland Township, and that the timeline is running for the Board to make any further comment, objection or a demand for a hearing. The DNR had 60 days to make its decision. The Board had originally given its approval. Motion by Vail to approve and to authorize the Chairman to sign a letter addressed to the DNR stating that the Board of Supervisors does not wish to demand a hearing on the New Fashion Pork permit. Carried.

The Board took up discussion of the **space needs for the Emergency Management** and the Engineer. Emergency Management Director Bob Christensen discussed the need to find storage for a 16'-20' trailer, shelving for storage of generators, cords, and mass casualty event equipment, and possibly a fire safety trailer. This past week a fire safety course was put on for 350 3rd graders teaching proper procedures for fire safety. The Iowa State Elks Association has taken the fire safety trailers on as a major project with the Iowa Fireman's Association. The 30'-35' trailer will need to be housed somewhere. He hopes to have office space in the same building as the sheriff and could use more square footage, if it is available. Responding to a question, most grants fund equipment but not building (storage) needs. He hasn't pursued funding for a building at this point. He estimated a need for approximately 500 sq ft of non-heated storage, and commented easy access is as important as having the storage in the first place. He also mentioned that a number of dry hydrants have been installed around the county for use by fire departments. The hydrants allow water to be drawn from a nearby source rather than having to go back to town. He could utilize excess space if it is available.

Engineer Jon Ites has reduced his department's office space down as far as they can go. Drainage maps are stored across the hall. There is not enough room to house all of the specialized

cabinets in the department's current space. Lanphere asked if he had adequate operations space now. Ites answered that there are advantages to being in the courthouse. In the current courthouse, common areas such as entry space, restrooms, meeting rooms, and hall spaces are shared. In a separate building those spaces would have to be duplicated. He estimates that he utilizes 2,500-3,000 sq ft currently, without halls and restrooms. A full year produces about a 5-drawer file cabinet full of records. Some types of records such as 'plans' are better left in paper form rather than computerizing them since it is easier for farmers to read the paper plans. Also, scanning everything would be very costly in both equipment and time to do it, in addition to not being as usable in the computer. Ites also commented that a building for joint usage, such as was suggested for the spec building doesn't necessarily have advantages if the departments are dissimilar and don't operate at the same time. He didn't feel he had anything to gain in joint usage of that facility. Asked if county engineers are beginning to use GPS, he said that he hasn't started to yet. The equipment price needs to drop down from \$25,000 first. It is not yet required.

The Chair asked if it was the Board's intent to have a Supervisor on the United Community Health Center Board of Directors. There was no consensus either way.

It was noted that letters were being sent to organizations to inform them of the funding they will receive in FY'06.

There being no further business, motion by Vail to adjourn at 11:40 a.m. until Tuesday, May 17th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-FIRST MEETING, 2005 SESSION (21)
MAY 16, 2005**

The Buena Vista County Board of Supervisors met in special session on Monday, May 16, 2005, at 10:00 A.M. in the conference room of the E. Richland Annex with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Also present were Sheriff Chuck Eddy, Architect Rod Moore, Terry Murray and Frank Klahs from Farm Bureau, homeowners Henry and Chris DeMan, and the media.

The purpose of the meeting was to discuss the proposed jail and the proposed location for it. The primary site being considered, Lots 3 & 4, Block 2, MCS Addition, is owned by the county and has a total of 1.655 acres. Another available site, though not owned by the county, is located south and east of the E. Richland Annex on the south side of E. Richland St. and contains 5.72 acres. The county does not own that parcel. The E. Richland Annex site would not have so much room for later expansion.

Q – Would the appearance be the same, and the same plan used for either site? A – Moore will draw a single plan which could be used at either site, but the appearance could be designed to be less intrusive for the residential area. The outside design is a budget issue; for the architect and for the administrators, the function of the building is the most important. However, the city's P & Z will have an impact on the design. The facility he designed for Plymouth County reflected its location – out and away from everything else. It is plain – like a warehouse. Moore would use pre-cast panels; they are less costly than block-work which is labor intensive. As he mentioned at his first meeting with the Board, the cells that are considered minimum security don't require as many ties and grout as what must be designed for maximum security.

A 40-bed facility will require 27,000-30,000 square feet to allow the proper segregation. If the facility is to have a basement, a depth of at least 12 feet would be required for HVAC, beams, floor joists, etc. A basement would require two sets of steps for egress, and ADA requirements would make an elevator necessary for a cost of about \$38,000, \$50,000 with the elevator shaft. HVAC on the roof is the most cost effective, using systems that can be locally serviced, and parts be obtained.

Moore stated that a building can be built so that no one can tell it is a jail. Prisoners will not have windows to look out at people on the street. There are requirements for daylight, not windows. The building will be very secure; there will be a sallyport for every exit/entrance. The second door in the sallyport cannot be opened until both the first and the second doors 'read green – locked' at the same time. With direct supervision from the control room, prisoners know they are being 'watched', not just filmed by a camera.

Q – Could the Communications Center be built into the control room? This might be a cost savings for labor. A – 1 control room operator can visually supervise 60 beds, while another jailer can be cooking, cleaning, moving prisoners, etc. After lock down, 1 jailer in the control room is sufficient. Tama County has dispatchers in their control room. Moore stated that you can't build a jail with funds collected for housing prisoners for another jurisdiction, nor can you guarantee labor cost savings to put toward the jail cost. It should also be noted that design, configuration and classification control the costs. A jail may have only 80% of its beds filled, but be considered full due to the classifications required. A general rule of thumb for calculating the required number of beds is 1 bed per 1,000 residents. As you add in factors such as an interstate or busy highway, and other characteristics of a jurisdiction, the number increases.

The primary location being discussed today is adjacent to the E. Richland Annex. Q - What would the additional 'bells & whistles' to make the building acceptable in the neighborhood cost? A - \$30,000 was estimated, which would be similar to the amount it would cost to purchase a different site.

The Plymouth County Jail was designed by Moore. It has approximately 41,000 square feet; the basement is 7,000 sq ft. It has a capacity for 98 beds. The roof is flat with a small slope. The roof could be steel or EDPM (rubberized). A 16 mil rubberized, with no rock to create additional weight and the need for heavier roof beams, etc., can be fully adhered to the surface. ADPM with ballast (rocks) requires walkways so that the rock does not puncture the roof membrane. The walls of the jail are pre-cast, not block.

A primary concern is to develop a plan so that there is some idea what it will look like for those who have concerns. The ERA site, being smaller, is the more restrictive of the two sites. However, the same building design can be used for both sites. If \$3.5-\$4 million is the target price, it would be helpful to know what a basement would cost. Moore stated that a good drainage system would have to be built under the basement to make sure there wouldn't be problems with a wet basement. Building cells on site will be cheaper for a facility this size. When you get above 150 beds, then the pre-built cells become competitive in price. In a small facility, you lose design flexibility since you have to build to accept the pre-built product.

Other features the Board felt should be in the design included: an office for Emergency Management (with a storage facility elsewhere), an electronic courtroom, lawyer/client spaces, multi-use rooms i.e. 1 room for a conference room/training room/courtroom, a 2-car sallyport with additional space for storage (2 cars in a 3-car space), and bulk evidence storage.

Murray referred to the Sioux County jail where a sufficient number of beds were planned for work release, but inadequate planning for storage for that area has cost them the use of other types of space for the necessary storage. Also, ladders required by custodial staff weren't planned for, and the wash bay area in the sallyport can't be used since that is where the ladders are stored.

Klahs commented that in all of the jails he visited, all of the sheriffs liked their basements, and all wished they had planned better for storage.

Henry DeMan spoke again of his concern for excess traffic and safety issues. Children play in the area, and some of the residents walk to work. Mrs. DeMan asked if anyone present would want a jail built in their backyard. With 50 people having signed the petition opposing the location, why can't it be put someplace else. She doesn't care what it looks like; she doesn't want it in her backyard.

There being no further business, motion by Vail to adjourn at 11:35 a.m. until Tuesday, May 17th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-SECOND MEETING, 2005 SESSION (22)
MAY 17, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 17, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

There being no written or verbal objections received, motion by Vail to approve the 3rd and final reading of **Ordinance 6.1A-4** amending the zoning map for the Farmer's Cooperative re-zoning request, an area in Section 9, Providence Township. Carried. The ordinance becomes effective upon publication.

Environmental Health/Zoning Director Kim Johnson requested public hearing dates for a **CAFO construction application** and 2 **manure management plans** (MMP's). Motion by Vail to set the following public hearings: May 24th at 9:15 a.m. for the Kier Turkey Farm MMP (expansion in Section 6 - Newell Township); May 24th at 9:20 a.m. for the Gnewuch Turkey Finisher MMP (located in Section 26 Fairfield Township); and June 7 at 8:30 a.m. for the matrix evaluation of the New Fashion Pork CAFO construction application (located in Section 11 - Poland Township). Carried.

Community Services Director Dawn Mentzer discussed several ideas for a **HIPAA** Privacy Officer and the continuing education and training needs for county employees. Crampton reported that if NWIPDC decides to start a program, it's probably a long ways off. Of the options discussed, Mentzer recommended contracting with Julie Smith for about 2 days/month. The Chair will contact Smith.

Mentzer reported that she had received no bids on the car, so she will probably trade it in on the new one to be purchased for **Case Management**. She is making arrangements for a sign for their new building.

The Board placed a telephone call to the Pocahontas County Board of Supervisors for the purpose of meeting as a Joint Board of Trustees to approve change order #5 and partial payment #7 to L.A. Carlson for the **Jt. DD #1** cleanout project. Present in Pocahontas County were Supervisors Christiansen, DeWolfe, Benecke, Triggs and Ekstrand, and Auditor Margene Bunda. Motion by Vail, seconded by DeWolfe that Burnside serve as Chairman and Strawn as Secretary for the meeting. All-- ayes. Carried. Motion by Benecke, seconded by Vail to approve and to authorize the Chairman to sign change order #5 for DD #1; the contract total now stands at \$227,484.45. Carried. Motion by Gustafson,

seconded by Triggs to approve and to authorize the Chairman to sign application for partial payment #7 in the amount of \$7,244.99. Carried. Now that DD #1 is a joint district, Buena Vista County will provide copies of the minutes and records beginning with the petition for the current work to Pocahontas County. A suggestion was made that Jt. DD #1 hold an annual meeting in September when Jt. DD #181 meets. Strawn will check with Engineer Ivan Droessler to determine the timing on the final acceptance hearing so that the Trustees can order a levy for collection with 1st half taxes. There being no further business, motion by Vail to adjourn, seconded by Benecke. All-ayes. Carried

Engineer Jon Ites presented plans for construction projects. Motion by Crampton to approve the plans, and to authorize signatures for the July letting of the following FY'06 **projects: #L-FM-651—73-11 and L-FM-652—73-11** (bridge deck overlay on two bridges in the NW ¼ of Section 21, Maple Valley Township); **project # L-B-621—73-11** (precast deck slab bridge located in the NW¼ of Section 21 Maple Valley); **project #L-C-617—73-11** (box culvert replacement with RCP culvert in Section 17, Barnes Township) tied with **project #L-C-610—73-11** (RCB culvert replacement with concrete pipe arch culvert in NE¼ of Section 10, Washington Township). Carried.

Ites has received a letter from the city of Linn Grove requesting approval for temporary 'no parking' and signing of Weaver St. for their June 18 **Jamboree Days**. Motion by Crampton to approve the requested temporary parking and traffic controls as requested by the City of Linn Grove for June 18th; the city will coordinate with the County Sheriff for the traffic control signs. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the contracts (for installation of 4 **culverts** in Section 29, Grant Township) with Richards Construction, Sac City, for a total amount of \$58,828.00. Carried.

Ites presented a proposal for **outside engineering inspection and administration services** due to the number of projects under contract; the current staff is not large enough, and lacks sufficient concrete experience to perform the work. Motion by Gustafson to approve and to authorize the Engineer to sign Kuehl & Payer's proposal to provide inspection and administration services for project #FM-CO11-(66) (90th Ave.) in the amount of \$16,845, and project #STP-CO11(39) (C-49) in the amount of \$26,475. The proposals are estimates based on hourly usage. Carried.

Referring to an agenda item scheduled for later in the morning, Ites informed the Board that the drainage engineer has recommended surveying **DD #67** all the way to Jt. DD #181. Ites merely needs to have the north ¾ mile cleaned out to stop the damage to the tile in the roadway. Also, to date, only records research has been done. He recommends having the drainage engineer 'shoot some levels' to determine what and how much cleanout needs to be done. The district already has agreements allowing access.

Motion by Crampton to approve and to authorize the Chairman to sign the **utility construction permit** submitted by Iowa Lakes Electric Coop, Estherville, to install 3 phase underground power to a location in the SW¼ of Section 25, Fairfield Township. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the **utility construction permit** submitted by Iowa Telecom, Grinnell, to install 25 pair communication cable around the new culvert on the east side of Section 4, Newell Township. Carried.

Motion by Crampton to approve the **minutes** of the 5/10 meeting as amended and the 5/16 minutes as printed, and the following **reports**: April fund balances, April 12 minutes of BV Co Conservation Board, April Spectra lagoon operations by Mangold Environmental, April Clerk's fees, and Feb-April Safe-T Fund expenditure report by Group Services; also reviewed were April 14 minutes of NWIPDC Policy Council. Carried.

Motion by Lanphere to approve the following rates for **health and dental insurance** for FY'06: for Health Plan 1 - single premium=\$423.32, family portion of premium=\$323.74 for employer and

employee; for Health Plan 2 – single=\$415.32, family portion of premium=\$384.48 is the employer share, \$242.98 is the employee share; Dental single \$23.76, family portion of premium is \$15.20 for employer and employee. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the FY'06 **Regional Transit Authority (RIDES)** contract for the senior citizen program in the amount of \$1,300. Carried. Motion by Gustafson to approve and to authorize the Chairman to sign the FY'06 **Regional Transit Authority (RIDES)** for the nite taxi program in the amount of \$8.085. Carried. It was noted that the County has an agreement with Genesis Development to provide \$3,000 to buy down the cost of **RIDES tickets for Genesis** clients.

Motion by Gustafson to approve and to authorize the Chairman to sign a claim in the amount of \$291 to the Pocahontas County Secondary Roads for repair materials for **Jt. DD #183**. Carried.

Kuehl & Payer Engineer Ivan Droessler reported on his preliminary investigation of **DD #67**. This district is an open ditch, not a district facility, and outlets into an open ditch/natural stream, which outlets into the open ditch of DD #205, and then into DD #181. In 1990 a petition to improve the entire district was filed. Wetland determinations were needed, but some landowners objected and refused to make the request to NRCS. The action on the petition was halted for this reason. Now, the district can hire an outside firm to do the wetland determinations, however, there will no doubt still be owner objections to wetland mitigations. The District could perhaps use the old drainage agreements (allowing access over lands not in the district) to cleanout down to the outlet. The new ethanol plant is in DD #67. The district can prevent the ethanol plant from dumping extra water (from cooling towers) into the facility. Droessler proposed finding out what elevation is available from DD #67 to DD #181 by doing profile surveys up the channel, requesting NRCS to do a wetland assessment to find out how many acres are needed for mitigation, determining a cost, holding a hearing, and finding out what the people have to say. A certain amount of work is needed to move forward far enough to have something to present to the landowners. Engineer Jon Ites would like to see the first ¾ mile length be cleaned out first to get an outlet for the tile. Droessler has sent a copy of his report to Drainage Attorney Gary Armstrong. Droessler suggested asking Armstrong for a written opinion of the validity of the agreements to see if they are binding. Ites noted that the agreements have been used successfully twice. Tabling action on the Engineer's report pending an opinion from the attorney was discussed. Meanwhile, elevations could be done to see what the fall is. Motion by Vail to approve and to authorize a letter to Drainage Attorney Gary Armstrong requesting a written opinion on the legality of the drainage agreements. Carried.

Droessler also reported on his investigation of the petition for **DD #49**. It is apparent that the petitioner has farmed through the waterway on his property, but, there is probably a legitimate need for a cleanout. He recommended no action now until he completes his report with a cost estimate. A copy of the report with the cost estimate will go to the owner. The work to be done could be scheduled after harvest. It was the consensus of the Board to proceed in that fashion.

A recommendation to do tree counts in several drainage districts was submitted by Matt Voge of Kuehl & Payer Ltd. The consensus of the Board was to proceed with live tree counts in **DD #49, DD #83, DD #101, DD #106, DD #183, DD #184, and DD #205**. There are dead trees in some of the districts, but no action on those at this time.

Regarding a completion hearing for **Jt. DD #1**, Droessler suggested that he complete enough of his work so that the Trustees will be able to set a completion hearing date, allowing him to complete his work in the intervening time between setting the date and holding the hearing. He suggested a hearing date around the 1st of July. This will allow the Pocahontas and Buena Vista County Auditors to receive the information by the last week of July; a levy can then be made, assessments run, with collection to being with first ½ F'06 taxes. He will report back at the end of next week to tighten up the schedule.

The Board reviewed the bids received from local banks for the for the **\$450,000 Capital Projects loan** which ranged from 3.09% to 5.0%. Supervisor Vail introduced and moved the adoption of the resolution next hereinafter set out; seconded by Supervisor Lanphere. After due consideration, the

Chairperson put the question on the motion and the roll being called, the following named Supervisors voted: ayes—Crampton, Gustafson, Lanphere, Vail, Burnside; nays--none. Whereupon, the Chairperson declared the resolution duly adopted, as follows:

RESOLUTION NO. 2005-05-17

Providing for the issuance of a \$450,000
General Obligation County Purpose Loan Agreement Project Note

WHEREAS, pursuant to notice duly published and a hearing held thereon, the Board of Supervisors of Buena Vista County, Iowa, has heretofore determined to enter into a loan agreement (the "Loan Agreement") in an amount not to exceed \$450,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of paying the cost, to that extent, of constructing a new County jail, acquiring equipment for the County jail, constructing improvements at the County Courthouse, acquiring voting equipment, acquiring computer equipment for County buildings, acquiring a vehicle for the Public Health Department and acquiring a tractor for general County use (the "Project"); and

WHEREAS, pursuant to the provisions of Section 76.13 of the Code of Iowa, the County has authority to issue project notes in anticipation of the receipt of the proceeds from the Loan Agreement; and

WHEREAS, in order to pay authorized costs of the Project at this time it is necessary to issue a General Obligation County Purpose Loan Agreement Project Note in the maximum principal amount of \$450,000 (the "Project Note");

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. The Project Note is hereby authorized to be issued to First State Bank, Sioux Rapids, Iowa (the "Purchaser"), in anticipation of the receipt of and being payable from the proceeds of the Loan Agreement or from other sources to be received and expended in connection with the Project during the period thereof. The Project Note shall be signed by the Chairperson and attested by the County Auditor with the seal of the County affixed and delivered to the Purchaser and shall be dated as of the date of its delivery to the Purchaser, shall mature on June 30, 2006, and shall bear interest at the rate of 3.09% per annum payable at maturity, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto.

Section 2. Advances on the Project Note may be requested by either the County Auditor or County Treasurer in such amounts and at such times as are needed to pay costs of the Project, and the date and amount of each advance shall be entered by the Purchaser on Schedule I of the Project Note, and each advance shall bear interest from the date of such entry.

The County Auditor is hereby designated as the Registrar and Paying Agent for the Project Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent".

The County reserves the right to prepay principal of the Project Note in whole or in part on any date prior to maturity upon terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the redemption date. The County shall maintain as confidential the record of identity of owners of the Project Note, as provided by Section 22.7 of the Code of Iowa.

Section 3. The Project Note shall be in substantially the following form:

(Form of Note)

UNITED STATES OF AMERICA
STATE OF IOWA
BUENA VISTA COUNTY

GENERAL OBLIGATION COUNTY PURPOSE LOAN AGREEMENT
PROJECT NOTE

No. 1

MAXIMUM PRINCIPAL AMOUNT: \$450,000

Buena Vista County (the "County"), Iowa, for value received, promises to pay on the maturity date of this Note to First State Bank, Sioux Rapids, Iowa (the "Purchaser"), its successors or assigns, the principal sum of FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000), or so much as is advanced by the Purchaser hereunder and noted on Schedule I hereof, in lawful money of the United States of America upon presentation and surrender of this Note to the County Auditor, Storm Lake, Iowa (hereinafter referred to as the "Registrar" or the "Paying Agent"), on June 30, 2006, with interest thereon from the date of each advance until paid at the rate of 3.09% per annum, payable at maturity of this instrument, or upon prepayment of this instrument as hereinafter provided.

The Purchaser has made a commitment to make advances (the "Advances") to the County in an aggregate principal amount not to exceed \$450,000 under this Note. Each such Advance made by the Purchaser shall be entered by the Purchaser on Schedule I hereof and shall bear interest from the date of such entry.

This Note is issued by the County for the purpose of paying costs in connection with constructing a new County jail, acquiring equipment for the County jail, acquiring voting equipment, acquiring computer equipment for County buildings, constructing improvements at the County Courthouse, acquiring a vehicle for the Public Health Department and acquiring a tractor for general County use (the "Project") and is issued under authority of Section 76.13 of the Code of Iowa in anticipation of the receipt of and is payable from the proceeds of an authorized Loan Agreement (the "Loan Agreement") of the County or any other sources to be received and expended in connection with the Project during the period thereof.

A sufficient portion of the Loan Proceeds anticipated to be received under the Loan Agreement has been appropriated to the payment of this Note and may also be appropriated to the payment of other obligations issued to pay costs of the Project.

The County reserves the right to prepay principal of this Note, in whole or in part, at any time prior to maturity upon terms of par and accrued interest to the date of such prepayment. All principal of this Note so prepaid shall cease to bear interest on the prepayment date.

This Note shall be fully registered as to both principal and interest in the name of the owner on the records of the County kept for such purpose, after which no transfer shall be valid unless made on said records, and then only upon a written instrument of transfer satisfactory to the County, duly executed by the registered owner or its duly authorized attorney.

IN TESTIMONY WHEREOF, Buena Vista County, Iowa, by its Board of Supervisors, has caused this Note to be sealed with its official seal, to be executed by its Chairperson and attested by its County Auditor, all as of May 20, 2005.

BUENA VISTA COUNTY, IOWA

Attest:
(Signature)

County Auditor
(Seal)

By (Signature)

Chairperson, Board of Supervisors

SCHEDULE I

<u>Date of</u> <u>Advance</u> <u>or Payment</u>	<u>Amount</u> <u>Advanced</u>	<u>Balance</u>	<u>Signature of</u> <u>Authorized</u> <u>Officer of Lender</u>
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_____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	_____

Section 4. The loan proceeds (the "Loan Proceeds") anticipated to be received under the Loan Agreement are hereby appropriated to the payment of the Project Note and may also be appropriated to the payment of other obligations issued to pay costs of the Project.

Section 5. It is the intention of the County that interest on the Project Note be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Project Note will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Project Note as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved May 17, 2005.

/s/ Lorna Burnside, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, Co Auditor

Motion by Gustafson to approve and to authorize the Chairman to sign a letter to IDED requesting the amendment of the contract with the County regarding repair of **Rembrandt's water tower** for lead abatement. Carried.

The Board reviewed a request for use of the **public meeting room** for a legal seminar and agreed that if the seminar was sponsored by the Bar Association, rather than private law firm(s), the use was approved.

The Chairman reminded the Board that a goal of \$450 had been set for each county's Board of Supervisors for support of the **ISAC scholarships**. It was suggested that the ISAC Legislative Workshop would provide a good opportunity for the fundraising, and, also for support of Hwy 20.

Ites presented drawings of the **US Bio-Albert City** ethanol plant layout. Storm water discharge plans may need adjustment since pond is drawn over the top of the existing tile.

There being no further business, motion by Vail to adjourn at 12:05 p.m. until Tuesday, May 24th at 8:30 a.m. in the Boardroom for a special session.

 Karen M Strawn, Auditor

 Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-THIRD MEETING, 2005 SESSION (23)
MAY 24, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 24, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Motion by Crampton to approve the minutes of the 5/17 minutes as printed. Carried.

The Board reviewed the (#05-VAP-09 & #05-NJIP-08) agreements prepared by IDED for the US Bio-Albert City ethanol plant project, and directed the Auditor to request that Attorney Bob Josten review them prior to approval and signing.

8:30 a.m.--Environmental Health/Zoning Director Kim Johnson reviewed her matrix evaluation of the Colt Farms CAFO construction application for a location in Section 9, Lincoln Township. The application scored 515 points; approval requires 440 points. There being no objections, motion by Crampton to close the public hearing. Carried. Motion by Lanphere to approve and to authorize the Chairman to sign Resolution #2005-05-24 recommending approval of the application to DNR. Carried.

RESOLUTION 2005-05-24-A

Recommending approval of the Madison Finisher Farm
Construction Application to the Iowa Dept. of Natural Resources

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction application resolution to provide an opportunity for local input; and

WHEREAS, a construction application for two 51 x 376 feet finish hog buildings has been submitted by Colt Farms LLC on April 29, 2005; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 515 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice in the Pilot Tribune as required, and held public hearing in the Supervisors Meeting Room at the Courthouse on May 24, 2005, for the purpose of receiving public comment; with no response provided and

WHEREAS, the Board of Supervisors shall submit the recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends approval of the construction application of the Madison Finisher Farm Construction Application.

PASSED, APPROVED AND ADOPTED this 24th day of May, 2005.

/s/ Lorna Burnside Chairperson, Board of Supervisors /s/ Karen Strawn, Auditor

Johnson reported that the New Fashion Pork, Williams site, has received their **CAFO construction permit** and they will begin construction.

Motion by Vail to set 5/31 at 8:30 a.m. for a public hearing for the matrix evaluation for a **CAFO construction application** submitted by Greg Mattson to add to his site with new construction in Section 9, Elk Township. Carried.

Lanphere posed a question, in light of recent public comments, asking if the Board wanted to consider the policy of holding public hearings on **manure management plans**. He feels that the subject deserves discussion due to the public comment. It was noted that the process is not intended to be adversarial - no rocks are thrown; the paperwork is the same for all operations; it allows the public an opportunity to learn about new operations, and to comment if they wish; it allows the Supervisors to be more knowledgeable about what is going on in the county. It was the consensus of the Board to leave the policy unchanged.

Motion by Vail to approve and to authorize the Chairman to sign notice of termination of **COBRA access** to Delta Dental insurance for four former employees; the length of access has exceeded the maximum required. Carried.

Motion by Vail to approve and to authorize the Chairman to sign a proposal agreement with Hunzelman Putzier & Co. for the **financial audits** of the county for FY's '05, '06, and '07; the costs will not exceed \$19,900, \$20,500, and \$21,100 in each successive year. Carried.

9:15 a.m.--The Chair opened the public hearing on the Kier Turkey Farm **manure management plan**. The project is an expansion of an existing brooder turkey operation located in Section 6, Newell Township. There being no objections, motion by Gustafson to close the public hearing. Carried.

9:20 a.m.—The Chair opened the public hearing on the Gnewuch Turkey Finisher **manure management plan**. The project is located in Section 26, Fairfield Township. There being no objection to the project, motion by Gustafson to close the public hearing. Carried.

9:30 a.m.—The time having arrived for the public hearing on the 2nd amendment to the FY'05 county budget, the Chair opened the hearing. The auditor confirmed that the notice had been published as required, and, then reviewed the proposed changes to the budget. There being no objections, motion by Vail to close the public hearing. Carried. Motion by Crampton to approve and to authorize the Chairman to sign the FY'05 **budget amendment** as published, and to approve the following **appropriations**:

• decrease activity 0220	General Basic Fund (0001)	Dept. 23	\$20,000
• increase activity 3040	General Basic Fund (0001)	Dept. 23	\$20,000
• increase activity 7110	Secondary Road Fund (0020)	Dept. 20	\$50,000
• decrease activity 0220	Recorder's ET Fund (0029)	Dept. 07	\$30,000
• increase activity 8110	Recorder's ET Fund (0028)	Dept. 07	\$31,329
• increase activity 9100	Courthouse Security Fund (0025)	Dept. 42	\$22,000
• increase activity 9000	General Basic (0001)	Dept. 01	\$10,000
• increase activity 0010	General Basic (0001)	Dept. 40	\$3,500
• increase activity 0100	Capital Projects Debt Service (2010)	Dept. 93	\$27,000
• increase activity 0220	Capital Projects Loan (1520)	Dept. 02	\$225,000
• increase activity 0220	Capital Projects Loan (1520)	Dept. 01	\$50,000
• increase activity 0220	Capital Projects Loan (1520)	Dept. 52	\$62,310
• increase activity 0220	Capital Projects (1500)	Dept. 53	\$10,500

and the following **transfers**:

- from Rural Basic (0011) to Capital Projects (1500) (Innovation Fund for Zoning) \$3,664.00
- from Capital Projects Loan (1520) to General Basic (0001) (repay loan-Koch bill) \$7,082.57
- from Capital Project Loan (1520) to Capital Project Debt Serv (2010) (error) \$14,707.18
- from Local Option for Sec'y Rds (0019) to Sec'y Roads (0020) (retroactive) \$47,925.66 Carried.

Engineer Jon Ites presented contracts for approval. Motion by Lanphere to approve and to authorize the Chairman to sign the contracts, contractor's bond, and certificate of insurance with Fred Carlson LLC, Decorah, Iowa, for **project #STP-S-CO11(39)—5E-11**; the \$850,169.80 project is an unbonded PC overlay of C-49 from the end of the city's project to Hwy 71. Carried.

Motion by Burnside to accept the low bid submitted and award the contract to Dixon Construction, Correctionville, in the amount of \$183,532.58 for bridge **project #BROS-CO11(59)—8J-11**. The bid letting date was 5/17/05 for the bridge located on M-50, 1 mile south of Hwy 3. Carried.

Ites reported that a new Iowa **Drainage Manual** has now been completed through a project funded by the Highway Research Board. Copies will soon be available for Auditors, Drainage Attorneys and others who work with drainage. The manual is written in plain language, does not duplicate the law, and provides helpful FAQ's, forms, and examples.

A letter was received asking for information on the correct procedure to request stop signs at an intersection which was the location of a recent accident. Ites recommended a traffic study. Motion by Vail to direct the County Engineer to do a **traffic study** at the two following intersections: 560th St & 190th Ave., and, 570th St. and 190th Ave., and to authorize the Chair to sign a letter acknowledging the citizen's letter and reporting that the traffic study has been requested. Carried.

Ites recommended that the speed limit be re-visited on 210th St./Roger's Road on the east side of Newell north of the golf course. Any change would be done with the concurrence of City Council. Motion by Vail, pending by confirmation with the city, to adjust the **speed limit** on 210th St./Roger's Road. Carried.

Ites reported a drainage problem in **DD #116** south of Sioux Rapids and on both sides of Hwy 71 (SE¼NW¼ Section 24, Barnes Township). Tree roots have grown into the tile and clogged it again. The amount of work to be done is beyond what his department would normally do without Board approval. The cleanout/repair will not be cheap as it is deep. He recommends using a non-perforated tile. Ites will provide Vail with a rough estimate of cost and then Vail will investigate and talk to the landowners.

Ites provided a quick secondary road report on the status of several projects. He asked whether the Board would prefer to take bids or have him negotiate prices on the two pieces of **equipment** in the FY'05 budget – a motorgrader, tractor and mower, and also whether the Board wanted to look at a leased or a new motorgrader. Gustafson suggested that there be more mowing of the **road shoulders** and a reduction of chemical control of the **weeds**. Vail's comment was to look at a leased motorgrader.

Vail requested gravel for the **Lee Township Cemetery**.

Jail location: Lanphere believes that the Board should review the site adjacent to the E Richland Annex site. He is opposed to it because of the number of objecting homeowners. Gustafson reminded him of the motion on the books to expedite taking that location to the city P&Z. The Chair commented that the Board isn't going to be able to change all of the objections even if some of the people change their mind. Lanphere reviewed that the Concordia building was dropped with just 5 objectors. He believes that the ERA site is a lost cause. Gustafson stated that the ERA site is in a light industrial zone, not residential as was Concordia; he would like to see what the P&Z says. Lanphere would prefer to avoid having an application with the P&Z denied and then losing the election because of the negative publicity. He thinks that the location east of the annex on E Richland St., and the spec building, are good potential sites. To get a consensus, motion by Lanphere to drop E Richland annex site. Vail commented

that the problem with the annex site is that we still haven't found out whether it is a good choice for today's needs, and also for expansion. The site further east on E. Richland St. does have the space. Building a building to fit the shape of the narrow lot may provide adequate space for today, but the additional space needed for the future might be expensive in operations dollars if another jailer is needed due to the configuration. Applications to the P&Z and the Board of Adjustment are needed for both sites. Crampton reported that a couple of the homeowners have already gone to members of the P&Z. Gustafson wants to see how the Moore's building design fits on the lot. He believes that 3 acres of lawn to mow aren't needed. The Chair is not in favor of the annex site with all the objections to it; they're not likely to change their minds, and that is really a negative. The location of the annex site is great being adjacent to Public Health, but that doesn't change the objectors' opinions, so she believes the Board should go elsewhere. Gustafson stated that he won't spend another \$40,000-\$50,000 to buy a lot. It was asked if an application for the Board of Adjustment could be submitted before the P&Z decision is made. Lanphere stated that to stay on the timeline for a fall election, they need to be scheduled that way. Vince Davis from Farm Bureau asked about the city's procedure. The Chair responded that the city has a new procedure since the Concordia application – the county may be the first to use the new ordinance. Davis noted that the objectors have talked to P&Z, but they haven't yet seen drawings or pictures. People in the country don't want to spend another \$40,000-\$50,000 to buy another lot. Why does moving the site 300' feet make a difference; homeowners present at an earlier meeting said they wouldn't object to moving the building across the road. Lanphere stated that he could defend the ERA site but he doesn't think it is a practical choice due to the objections. Gustafson believes the Board needs to hear from the architect first, and Crampton agreed that he would like to hear that information first. He also believes that the Board of Adjustment needs to see what the building would look like because that could make a difference. When he appeared before them for the Concordia site, the board took homeowners' word. Lanphere withdrew his motion. Vail stated that without the facts and figures, all the Board can do is sit and wait. Moore will design for annex site, but if that doesn't work, the design could move to the other location. The May 10th motion on the books was to go to P&Z as soon as possible.

Motion by Gustafson to approve and to authorize the Chairman to sign the Truesdale **law enforcement agreement** for FY'06-09. Carried.

Motion by Lanphere to set a date of June 14th at 11:00 a.m. for the bid letting on the **courthouse handicap accessible ramp** and canopy. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the purchase contract for HAVA compliant **voting equipment, software and training** in the amount of \$201,295.00 from Election Systems and Software of Omaha, Nebraska. Carried. A shipping date isn't currently known, but it will not be later than the September school election.

Hear the Public: Kuehl & Payer Engineer Ivan Droessler introduced Grant Middendorf, a junior from Sioux Central High School, who is job shadowing him today. Droessler reported on his conversation with the engineer for the **US Bio-Albert City ethanol plant**. Plans for storm water basin have been revised. During the earthmoving process, the contractor found the evidence of the **DD #67** tile. They have narrowed up their storm water basin to move away from the tile line. The basin is still much larger than is required which is a minimum of a 25 year 24 hour rain. They have designed it with 6"+ of rain storage, down from over 7". They will have a minimum of 2.5 ft of soil cover over the tile where the waterway crosses it. The engineer will be sending a letter to the Board with the details and discussion of their proposed discharge rate. They are required to control the stored water to an equivalent design rate as for ag purposes. The outlet has been downsized to a 4" pipe to the drainage tile. A ½" drainage co-efficient line can be used to drain into the district. A portion of the area will have surface discharge. They will have the ability to control drainage out of the basin in times of heavy rains. Droessler recommended that the Board decide whether it wants a written agreement with US Bio-Albert City for DD #67. If yes, when the updated plans and the details of the proposed discharge rate are received, they should be delivered to Drainage Attorney Gary Armstrong. Droessler then recommended that the Board accept the revised plans. Motion by Vail to amend today's agenda by adding "Take action to accept revised storm water basin plans for US Bio-Albert City. Carried. Motion by Crampton to approve the revised storm water basin plans of US Bio-Albert City, to request that Armstrong prepare a drainage district agreement

for water discharge into the district, and to include the provision that US Bio-Albert City be responsible for the drainage engineer's and the drainage attorney's charges for their work in regard to the project as it relates to DD#67. Carried. The company will be making a request to discharge its tower cooling water into Lateral 2 of DD #34. DNR approval is required since the tower cooling water is considered an industrial discharge. An alternative to that plan is to discharge into DD #81 in Albert City. They can be assessed for industrial discharge.

Droessler discussed the Bil-Mar turkey barn site owned by Loren Gnewuch which was discussed earlier in the morning. Gnewuch doesn't have enough elevation for surface discharge. He would like to tile into Lateral 1 of DD #67. Droessler asked if an agreement with the district will be required to build it, or does the district just need documentation to show that the size of the pipe he installs is appropriate. Gnewuch is a landowner in the district, the purpose is agricultural, and the project would be in the district. Droessler recommended that verification of the tile size would be sufficient. It was the consensus of the Board to approve that verification of tile size would be adequate.

Droessler suggested that a timeframe be given to the drainage engineer for his review of the DD #67 agreements to keep the process moving. If survey work is needed, and the goal is to try to do it this summer, he suggested that a response be requested within 2 weeks, in time for the Board to discuss his recommendations on June 7.

Motion by Vail to approve and to authorize the Chair to sign the Memorandum of Understanding with the Iowa Dept. of Public Health for the substance abuse education, prevention, referral and post-treatment services for FY'06 in the amount of \$3,062. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the Wellmark health insurance renewal application for FY'06. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the agreement with Wellmark to renew and administer the employee flex benefit plan for FY'06. Carried.

There being no further business, motion by Gustafson to adjourn at 12:15 p.m. until Tuesday, May 31st at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-FOURTH MEETING, 2005 SESSION (24)
MAY 31, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 31, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

The Chair opened the public hearing on the manure management plan for the expansion of Gregg Mattson's swine operation located in Section 9, Elk Township. Environmental Health/Zoning

Director Kim Johnson explained that Mattson is adding a building at the site. Only a manure management plan is needed, not a matrix evaluation. There being no objections, motion by Vail to close the public hearing. Carried.

Motion by Vail to approve the minutes of the 5/24 meeting as printed, and the following reports: 5/17 Board of Health minutes. Carried.

Pursuant to IRS Notice 2005-42-Relaxation of the "Use-it-or-Lose-it" for Flexible Spending Accounts, motion by Vail to extend the grace period on the county's Flex Benefits plan by 2.5 months beginning with the current year (FY'05) for medical reimbursement and dependent care claims; claims may be filed for a fiscal year's contributions up to 14 ½ months after that plan year commences, instead of just the 12 months of the plan year. Carried.

Engineer Jon Ites informed the Board that updated plans for US Bio-Albert City's storm water basin and drainage procedures have been received. The Chair has delivered a copy to the Drainage Attorney for his use. He has also received notice that his FY'06 construction program meets criteria and has been approved by IDOT.

Upon recommendation by Ites, motion by Crampton to approve the following promotions effective July 2nd Kevin Lullman, Ed Dowdy and Luke Warkentin from Equipment Operator 1 to Equipment Operator 2. Carried. Ites noted that all road employees have been evaluated by at least 2 people.

Ites recommended a wage rate increase for his office manager from the base rate of an Equipment Operator 2 to the base rate of an Equipment Operator 3; she has in excess of 10 years experience. Gustafson stated that this change would not be fair to the rest of the office employees, even though she is a good employee. The change would put her rate in excess of the 80% deputies. Vail does not want to increase that rate any higher above deputies than it is now. Motion by Crampton to increase the hourly rate of the Engineer's office manager from the rate of the Equipment Operator 2 to the Equipment Operator 3 effective 7/1/05. Ayes—Crampton, Lanphere, Burnside. Nays—Gustafson, Vail. Motion carried.

Ites also recommended a FY'06 salary increase for the Maintenance Superintendent with consideration of the fact that the position pays no overtime. The consensus of the Board was to delay action on the recommendation.

Following a traffic study as requested by letter from Miranda Hazen, Ites presented his recommendations for stop signs for locations in Coon Township where hog buildings obscure the visibility. Motion by Gustafson to approve, and to authorize the Chair to sign, Resolution #2005-05-31-A adding stop signs for two locations in Coon Township, to become effective upon installation of the signs. Carried.

RESOLUTION NO. 2005-05-31-B

WHEREAS, the Board of Supervisors of Buena Vista County is vested with the power under Code of Iowa Chapter 321 Section 321.345 to "... designate any intersection as a stop intersection.....and erect like sign ..." and

WHEREAS, the County Engineer having reviewed certain intersections and has made recommendations;

NOW THEREFORE BE IT RESOLVED by the Buena Vista County Supervisors to establish the following as stop intersections and order the signing accordingly:

1. The intersection at the Northwest corner of Section 18, Coon Township be designated a through intersection from the North and South and West and a stop intersection on the road from the East.

2. The intersection at the Northwest corner of Section 19, Coon Township be designated a through intersection from the East and West and South and a stop intersection on the road from the North.

/s/ Lorna Burnside, Chair, Board of Supervisors

Attest: /s/ Karen M. Strawn, Buena Vista Co. Auditor

Lanphere left for a meeting of the Judicial Magistrate Appointing Commission.

Ites reported on his findings regarding his speed study on M-54 on the east side of Newell. Motion by Vail to approve and to authorize the Chair to sign **Resolution 2005-05-31-B** changing the speed limit along M-54. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

RESOLUTION 2005-05-31-B

WHEREAS the County Engineer has completed a speed study for the purpose of revising speed limits along 210th Ave/Roger Road on the east side of Newell, and

WHEREAS the County Engineer has reported his recommendations to the Board of Supervisors,

NOW THEREFORE BE IT RESOLVED by the Buena Vista County Board of Supervisors that the following speeds be established at the following locations, as recommended by the County Engineer:

Location: County Road M54 (210th Ave and Rogers Road) from IA Hwy 7 north to Chaney St. (East side of Section 20 and 17 Newell Twp.

Recommendation: From 1000 feet south of 3rd St to intersection with 3rd St. – 45 MPH.
From intersection with 3rd St. to intersection with Leroy Paulson Road – 35 MPH.
From intersection with Leroy Poulson Road to intersection with Jensen St. – 45 MPH.

Adopted this 31st day of May, 2005, at Storm Lake, Iowa, by the Buena Vista Co. Board of Supervisors.

/s/ Lorna Burnside, Chair, Board of Supervisors

Attest: /s/ Karen M. Strawn, County Auditor

Ites reported on his negotiations with Ziegler Caterpillar, Sioux City: the price for a new **motorgrader** is \$180,521 and a used (leased) unit with 92 hours on it is \$169,422 with trade-in of the grader currently used as back-up and stored at Rembrandt. Motion by Vail to accept the proposal of Ziegler Caterpillar, Sioux City, for a leased Caterpillar 140H motorgrader with lift group and wing for \$169,422 with trade-in. Ayes—Crampton, Vail, Burnside. Nays—Gustafson. Abstentions—none. Carried.

Pursuant to Chapter 50.24 of the 2005 Code of Iowa, and upon completion of the **canvass** of the May 24th Special Storm Lake School Election (Public Measure B for renewal of the 10 year PPEL-- combination of property tax & income surtax), motion by Crampton to declare the results as follows: total voters-361 or 5.81%, Yes-301, No-60; Public Measure B was approved. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign an agreement with Cost Advisory Services, Inc. for indirect **cost allocation report** services for FY'05-07. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

Motion by Gustafson to approve the following change in **appropriations**: increase activity 8110 fund 028 department 07 by \$3,550. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

It was noted that a petition for cleanout of the tile, and repair of a culvert along M-54, all in **DD #19-26 Jt.** has been received. A copy will be filed with Sac County.

Motion by Gustafson to approve and to authorize the Chairman to sign the FY'06 services agreement with the Season's Center. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

Upon completion and review of evaluations of the various appointed officials for **FY'06 wage increases** which become effective 7/1/05, motion by Gustafson to approve a 1% 'evaluation' increase (for a total of 4%) for the Veterans Services Officer. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried. Motion by Vail to approve a 1% 'evaluation' increase (for a total of 4%) for the Environmental Health/Zoning Director. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried. Motion by the Chair to approve a 1% 'evaluation' increase (for a total of 4%) for the Head Custodian. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried. Motion by Crampton to approve a 1% 'evaluation' increase (for a total of 4%) for the Community Services Director. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried. Motion by Vail to approve a 1% 'evaluation' increase (for a total of 4%) for the GR/VA Secretary. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

Due to yesterday's holiday, motion by Vail to tentatively approve today's payroll, subject to future audit. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—none. Abstentions—none. Carried.

There being no further business, motion by Vail to adjourn at 10:40 a.m. until Tuesday, June 7th at 8:30 a.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-FIFTH MEETING, 2005 SESSION (25)
JUNE 7, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 7, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Gustafson and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton, Vail.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Gustafson, Lanphere, and Burnside. Nays: none. Abstentions: none.

Environmental Health/Zoning Director Kim Johnson presented her matrix evaluation review on the Bill Watts-New Fashion Pork construction application for a location in Section 11, Poland Township. The project scored 455 points, with 440 being the minimum needed. Both Bill Watts, and Jay Moore-New Fashion Pork, were present for questions. Moore briefly described the safety committee and program used by New Fashion Pork. Motion by Lanphere to approve and to authorize the Chair to sign Resolution #2005-06-07-A approving the Bill Watts-New Fashion Pork construction application. Carried.

RESOLUTION 2005-06-07-A

Recommending approval of the New Fashion Pork Farm 169 (Watts)
Construction Application to the Iowa Dept. of Natural Resources.

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction applications to provide an opportunity for local input; and

WHEREAS, a construction application for an 102 X 332 feet finish hog building has been submitted by New Fashion Pork LLP on May 13, 2005; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 455 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice in the Pilot Tribune as required, and held a public hearing in the Supervisors Meeting Room at the Courthouse on May 24, 2005, for the purpose of receiving public comment; with no response provided and

WHEREAS, the Board of Supervisors shall submit the recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends approval of the construction application of the New Fashion Pork Farm 169-Watts Construction Application.

PASSED, APPROVED AND ADOPTED this 7th day of June, 2005.

/s/ Lorna Burnside Chairperson, Board of Supervisors /s/ Karen Strawn, Auditor

Johnson informed the Board that the DNR has notified the county that they intend to issue a permit for the Harlan Grau-Shoat Palace project, and that the County has 14 days in which to request a demand hearing. Motion by Gustafson to approve and to authorize the Chair to sign a letter notifying DNR that the Board does not wish to file a demand hearing request on the issuance of the Harlan Grau-New Fashion Pork construction permit for a location in Section 32, Coon Township. Carried.

Johnson has received notice that the grants-to-counties well program will require continuing education annually for persons administering the program.

A total of three responses have been received for the Comprehensive Plan RFP, all higher than the \$60,000 amount budgeted for the project. The proposals ranged from \$86,000 to \$113,000. The Committee has not yet seen or reviewed the proposals. The first task in the project will be to determine the current land use throughout the county.

Johnson requested public hearing dates for two applications. Motion by Lanphere to set June 21st at 8:30 a.m. for a public hearing on the re-zoning request of Craig Wells for a property East of Lakeside; the change is from A-1 to Industrial to allow the addition of a second accessory building. Carried. Motion by Burnside to set June 21st at 8:40 a.m. for a public hearing on the minor subdivision request of Allan Pedersen for a parcel located in Section 20, Scott Township. Carried.

Johnson advised the Board that she currently has 104 vacation hours to use with an anniversary date of June 29th. She may request approval for some vacation carryover.

Engineer Jon Ites reported that the new storage bin which Don's Farm Supply, Newell, plans to build on the west side of Newell, is outside the county's easement.

Ites has negotiated a price with Hultgren-Gerlach on a tractor/mower. The \$52,381 price would include delivery to the location where side and rear mowers (\$18,000) will be installed. Motion by Gustafson to approve the purchase of a John Deere 6615 tractor (\$52,381) from Hultgren-Gerlach with no trade-in, and, mowers (\$18,000) plus installation and delivery to Storm Lake from Diamond Mowers, Inc., Sioux Falls, for a total price of \$70,381. Carried.

Motion by Burnside to approve and to authorize the Chair to sign the following final pay estimates: to Midwest Contracting, Marshall, MN, on project #L-B-521—73-11 (the final total price is \$111,724.60 or approximately 5% over the original contract due to the need for additional backfill, and, to Midwest Contracting, Marshall, MN, on project #L-JB-300—73-11 (the final total price is \$137,090.05 or approximately 4% over the original contract, also due to the need for additional backfill.) Carried. These projects can now be submitted to NRCS for 55% reimbursement.

Ites requested vacation carryover of 5 days. His employment anniversary was the end of May. Motion by Lanphere to approve and to authorize the Chairman to sign, the carryover of 5 days of vacation (beyond the 5 days allowed by the employee handbook). Carried.

Season's Center Executive Director Judy McDonough was present to discuss the new services contract which takes effect July 1, 2005. In prior years the community mental health center received county funds on a 'block grant' basis. Counties now prefer to pay a fee for services. For all persons served with CPC approval, the county will pay based upon the client's ability to pay. Under the old contract the county paid an amount, whether the county used more or less services than it contracted for. But the county was receiving \$30,000-\$37,000 more services than it paid for. The new contract will cover a greater amount of fees for service. The Center is also required to provide core services such as emergency, consultation and education, intensive in-community services and medication management/indigent meds. These costs will be divided among participating counties based upon population. The indigent medication program accesses costly drugs for persons who do not have the means to pay for them. Part of the program is applying to pharmaceutical companies directly for indigent programs, and handling the paperwork which is intensive, and calls for frequent resource checking and renewal every 3 months or so. Persons who were previously confined in Mental Health Institutes for life, are now able to live in the community and are doing pretty well because they have access to drug therapy. It was also noted that the financial health of the Center has improved a great deal in the last two years.

Motion by Lanphere to approve and to authorize the Chair to sign the New Jobs & Income Program (NJIP) Agreement between US Bio-Albert City, LLC, the Iowa Department of Economic Development, and Buena Vista County. Carried.

Motion by Gustafson to approve the minutes of the 5/31 meeting as amended. Carried.

Gustafson suggested that the Board schedule a time to discuss economic development incentive policy. If the County receives additional incentive requests such as those from US Bio-Albert City and from Farmer's Cooperative, it would be helpful to have a policy in place.

Motion by Gustafson to set a public hearing for the Farmer's Cooperative Urban Revitalization Plan for July 12th at 8:30 a.m. in the Boardroom. Carried.

Several repair orders for the following drainage districts were reviewed: DD #1 MOD, DD #34 Lateral #2 Open Ditch, and DD #34 Later #4 Open Ditch. The Board requested that Drainage Watchman Matt Voge meet with them on these repairs.

The Chair reported that Julie Smith is interested in consulting with the County for HIPAA Privacy Officer services. She will be sending her proposal in the near future.

Drainage Attorney Gary Armstrong was present to address several issues. Regarding a claim against **DD #1** for removal of a fence, payment on estimate is permitted if the Board deems the estimate reasonable; only one estimate is needed; the law doesn't permit the cost to be charged back against the engineer.

Regarding the 1927 agreements for maintenance of **DD #67**, Armstrong has determined that the agreements run with the land and are still enforceable; so the Drainage District Trustees have an easement under which maintenance can be done, but an assessment for that maintenance can't be charged to those owners. However, if the work goes beyond maintenance and repair, and into an improvement, then the expense can be charged against those landowners.

Since the district has problems greater than just the blowout on the tile under the county road, Engineer Ivan Droessler noted that the Board could address all of the issues and annex the acres below **DD#67**. He suggested the Trustees could hold an informal hearing about the issues and the need to improve below the drainage district to gain an outlet. The Board of Trustees can order annexation; landowners do not have the right of remonstrance on this and can't stop annexation. The Trustees need to decide either to clean just the 3400' or move forward and address the whole thing. There will be a need for mitigation and its expense, and also Topeka Shiner issues. With the ethanol plant and resulting new jobs, if the town of Albert City grows, it will affect the drainage district. The Board agreed to clean out as much as possible this year and to work toward a more complete solution next year. This will include an informal hearing first to discuss annexation, and to determine support of the landowners in DD#67. In order to have some idea of the cost of an investigation for the project prior to an informal hearing, motion by Gustafson to request that Engineer Ivan Droessler prepare a cost estimate to do an elevation profile to provide an outlet into Jt. DD #181 and to suggest a timeframe. Carried. This will allow Engineer Ites to proceed this summer to do some preliminary cleanout to improve the road. Also, the informal hearing can be held in July-August, a time that will be more convenient for the landowners.

Since the Board has approved their revised storm water basin plans, an agreement between US Bio-Albert City and DD #67 is needed regarding their water discharge into the district. Droessler listed the items to be included: the Company should be bound to the rate of discharge in the revised plans, the Company should locate the tile throughout their property, the Company should provide an 'as built' drawing with the location of the tile, the Company shall not discharge additional surface water into DD67 without permission of the Board, there shall be no damage or disturbance of an existing drainage facility, and, any legal or engineering costs incurred shall be paid by US Bio-Albert City.

Droessler also briefly appraised Armstrong that there will be another agreement to be prepared in the future between **US Bio-Albert City** and DD #34 Lateral 2 (or an alternative location) to drain the water from the plant's cooling tower. Because of the nature of the plant, the water will be considered an industrial waste discharge and will require an NPDES permit.

Les Juhl was present to request that the Board vacate an alley and a street in Sulphur Springs on behalf of his client, Farmer's Cooperative. Also, Zoning Director Kim Johnson requested that the Board set a public hearing date for a request to rezone a Sulphur Springs parcel from residential to industrial. Motion by Gustafson to set a public hearing on the Farmer's Cooperative **re-zoning request** for June 21st at 8:45 a.m. in the Boardroom. Carried.

There being no further business, motion by Burnside to adjourn at 12:10 p.m. until Tuesday, June 14th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-SIXTH MEETING, 2005 SESSION (26)
JUNE 14, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 14, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

SLADC CEO Gary Lalone met with the Board to discuss development of a **county economic development incentive policy**. The Board described the recent request received from Farmer's Cooperative for a three year, 100% property tax abatement in an urban revitalization area; no additional employees are planned for the immediate future. There are other potential requests in the wings. The reason for a policy is to be equitable to those making requests; the Board may consider a graduated plan with different levels of incentives based on value, number of jobs, and impact on county infrastructure. Other counties will be surveyed to find out what they are doing. The Board would like to have the policy in place prior to receiving another request.

CPC Dawn Mentzer presented the projected case management rate for FY'06. The current rate is \$154.51, which will go up to \$234.65 in '06 due to an additional case manager's salary and benefits, higher weight towards case management in the salaries for the department head and secretary, rent, utilities, and car. Motion by Gustafson to sign the FY'06 projected **case management rate** in the amount of \$234.65/client/month. Carried.

Mentzer presented service contracts for approval. Motion by Vail to approve and to authorize the Chair to sign the '06 services agreement with **Ida Sheltered Industries**; the '05 rate will not increase for '06. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the '06 services agreement with **Genesis Development** with a 3% rate increase. Carried.

Motion by Vail to approve and to authorize the Chair to sign an agreement with the **Storm Lake Cab Company** for subsidized tickets for Genesis and Spectra clients commencing on the date of signing with automatic renewal on July 1st, 2005; the combined total for subsidized tickets from Storm Lake Cab Co. and RIDES will not exceed \$3,000. Carried.

Engineer Jon Ites presented IDOT's bill for reproducing project prints and proposals. Motion by the Chair to approve a claim in the amount of \$138.60 to be paid from the county's **Farm-to-Market fund** to IDOT for reproducing project prints and proposals. Carried.

Ites reviewed the process for vacating streets and alleys. Motion by Vail to set a hearing date of June 28 at 8:30 a.m. for **vacation of a street and an alley** in Sulphur Springs per request of Farmer's Cooperative. Carried. The Board determines the disposition of the vacated alley and street which can be held by the county, or sold or given away.

Ites presented final estimates on three projects. Motion by Lanphere to approve and to authorize the Chair to sign the final pay estimates on **project #s L-FMC-517—73-11** (\$67,698.85) & **L-FMC-520—73-11** (\$66,024.60), both completed by Minnowa Construction, Harmony, MN. Carried.

Motion by Vail to approve and to authorize the Chair to sign the final estimate on **project #L-C-512** (\$80,679.00, Whiskey Run Southwest of Sioux Rapids). Carried. This project will be reimbursed by NRCS in the amount of 55%, with the remainder split 50-50% with city of Sioux Rapids.

Ites reported that cleanout of the upper end of DD#67 can be accomplished as repair/maintenance by contracting for the tree removal, followed by a contract for the cleanout. Some of the tree removal may have to wait until this year's crops are out of the field. Motion by Lanphere to appoint Engineer Ivan Droessler to research contractors, do a formal count, and obtain quotes for tree removal for the upper end of **DD #67** which is covered by the 1927 landowner agreements. Carried. The Chair will meet with the landowners who hold the maintenance agreements.

Ites, responding to three work orders submitted by Matt Voge (Kuehl & Payer) on behalf of landowners, reported that historically the county has not done repairs on private tile. He has contacted Ivan Droessler about a request by Tom Hemmingsen for repairs to a private tile outlet as it relates to the **Jt. DD #1 Main Open Ditch project**. Richards Construction, contractor will make the repair and his bill will be submitted to Jt. DD #1.

Damaged tile outlet pipes located in Section 29 and 30 Lincoln Township in **DD #34 Lateral 4-MOD** are probably not district outlets. The landowner would be responsible for the cost, not the Drainage District. If a tile intake referred to is in the road right-of-way, the county is responsible.

Ites will investigate the ditch bank in Sections 15 & 22 of Fairfield Township in **DD #34 Lat 2**. The work order is for open ditch channel straightening. Ites believes that the request is actually for ditch banks that need to be pulled up. The county doesn't have equipment with a long enough reach to do the work. If the decision is made to pull the banks up, it may be necessary to hire an outside contractor.

Motion by Gustafson to approve and to authorize the chair to sign the **utility permit** submitted by Clay Regional Water to install a 3" main service to the Drey subdivision, north of Lake Creek County Club. Carried.

Motion by Lanphere to approve and to authorize the chair to sign the **utility permit** submitted by Peoples Telephone Co., Aurelia, to replace existing cable for ¾ mile from M-27 East on 510th St., in the roadway. Carried.

Ites requested that the Board consider a **wage adjustment** for the maintenance superintendent, noting that this is a salaried position with no consideration for overtime. He does put in more than 40 hours/wk a good share of the time. Ites provided information from adjoining counties for comparable positions. Gustafson commented that French does a good job. He believes that the Board has tried to do their best by giving 4% increases; the county can't really afford more. Vail said he has no issues with him, but the Board has given him more in other years; singling out employees causes problems in the ranks. Most of the road employees do a good job and he believes they are fairly compensated. The Chair has been happy with French's responses when she calls him. Gustafson stated that it creates problems to treat people differently. Motion by Lanphere to approve an increase of \$2,000 over and above the 4%, for Tom French. A roll call vote was requested. Gustafson-nay, Lanphere-nay, Vail-nay, Burnside-nay. The motion was defeated. Motion by Lanphere to approve an increase of \$1,000 over and above the 4% for Tom French. The vote was Gustafson-nay, Lanphere-aye, Vail-nay, Burnside-aye, a tie. The motion failed.

The time having arrived for a teleconference with the Sac County Board of Supervisors for a Jt. **DD #19-26** meeting, Sac County answered with the following present: Supervisors Rick Hecht, Dean Stock, Jack Bensley, and Auditor Jim Dowling. Motion by Vail, second by Bensley, that Burnside serve as Chair and Strawn as Clerk for the meeting. Carried. The purpose of the meeting was to acknowledge receipt by both counties of a petition for cleanout of Jt. DD #19-26 signed by Keith Movall, Tony Bodholdt and Dale Bodholdt. Motion by Hecht second by Gustafson, to appoint Engineer Ivan Droessler to investigate and make report to the Joint Board of Trustees of the conditions and need for an improvement. Carried. There being no further business, motion by Lanphere second by Stock to adjourn. Carried.

The Board inquired whether Sac County had a **county economic development incentive policy**. They do not, but suggested that they would want to have the flexibility to weigh each proposal submitted.

The time having arrived for a teleconference with the Pocahontas County Board of Supervisors for a **DD #1 Jt.** meeting, Pocahontas County answered with the following present: Vince Triggs, Ralph Christiansen, Jack DeWolfe, Paul Benecke, and Auditor Margene Bunda. Motion by Vail second by DeWolfe that Burnside serve as Chair and Strawn as Clerk for the meeting. Carried. The purpose of the meeting was to receive the Engineer's report on the completion of the cleanout project and to set a hearing date for the completion hearing. Motion by Benecke second by Gustafson to tentatively accept the Engineer's report on the Jt. DD #1 MOD cleanout and to set the hearing date and time for July 12 at 2:00 p.m. in the Buena Vista County Public Meeting Room. Carried. Motion by Gustafson second by Triggs to adjourn. Carried.

When asked, Pocahontas County reported that they do not have a **county economic development incentive policy** currently.

Architect Glen Huntington reported by telephone that the bid letting for the handicap accessible **courthouse ramp** scheduled for today will be delayed. He is concerned about the current price of steel. It is re-scheduled for 2:00 p.m. on June 21st.

Motion by Gustafson to approve the **minutes** of the 6/7 meeting as corrected, and the following **reports**: 3rd Qtr FY'05 veterans van ridership, 5/10 Conservation Board minutes, May Clerk's fees, budget reports, Spectra lagoon operations. Carried.

Motion by Vail to approve and to authorize the Chair to sign the **fireworks permit** submitted by Keith Biggins for a July 9, 2005 display, with Biggins to assume all responsibility for safety and liability. Carried.

Motion by Vail to approve the following **appropriations**:

- increase activity 9030 General Basic (0001) Dept. 98 \$3,500
- decrease activity 9000 General Basic (0001) Dept. 01 \$3,500 Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the **liquor license** application of Storm Lake Access & Marina. Carried.

Motion by Chair to approve and to authorize the Auditor to sign the **cigarette permit** submitted by Sparky's One Stop. Carried.

Motion by Lanphere to approve and to authorize the Chair to sign the HAVA County Voting System Allocation application for partial reimbursement of voting equipment. Carried.

The Auditor reviewed the premiums for FY'06 property and liability **insurance**. It was the consensus of the Board to decline Terrorism coverage.

There being no further business, motion by Gustafson to adjourn at 11:45 a.m. until Tuesday, June 21st at 8:30 a.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-SEVENTH MEETING, 2005 SESSION (27)
JUNE 21, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 21, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Lanphere, Vail, and Burnside; Nays--none. Abstentions: none.

Env Health/Zoning Director Kim Johnson reviewed the Craig Wells rezoning request for a parcel in Section 13, Hayes Township from A-1 to I-1 (to allow a second accessory building on the property). At the meeting of the Zoning Commission, neighbors had discussed potential issues about noise, commercial use and future activity. When asked how to assure that nothing more will happen in the future, Johnson responded that the zoning ordinance specifies which activities are permitted in the zone. The decision of the Commission was to recommend approval. Motion by Vail to close the public hearing. Carried. Motion by Gustafson to proceed with the ordinance adoption process to change the zoning map, and to set the first reading of Ordinance 6.1A-5 (amending the zoning map per request of Craig Wells) for June 28th at 8:40 a.m. in the Boardroom. Carried.

Johnson reviewed the Allan and Diane Pedersen minor subdivision request in Grant Township. The Zoning Commission has recommended approval to permit the sale off of a portion of the parcel. There being no objection, motion by Gustafson to close the public hearing. Carried. Motion by Gustafson to accept the recommendation of the Zoning Commission and to authorize the Chair to sign Resolution 2005-06-21-A approving the subdivision request of Allan and Diane Pedersen for a parcel in Section 20, Grant Township. Carried.

RESOLUTION 2005-06-21-A

WHEREAS Allan R Pedersen and Diane M. Pedersen have presented a preliminary and final plat (of survey) on the following described properties:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW ¼ SW ¼) OF SECTION 20, TOWNSHIP 92 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Southwest Quarter (SW ¼) of said Section 20; Thence on an assumed bearing of South 00°07'00" East, along the West line of said Southwest Quarter (SW ¼), 155.68 feet to the Point of Beginning. Thence continuing South 00°07'00" East, along said West Line, 760.75 feet; Thence South 89°27'43" East, 515.95 feet; Thence North 00°07'00" West, 759.04 feet; Thence North 89°16'22" West, 515.97 feet to the Point of Beginning.

Hereafter known as Lot A of Section 20, Township 92 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract Contains 9.00 Acres and is subject to all easements of records.

WHEREAS, the final plat meets with the approval of the Zoning Commission subject to the following if any: none.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa, Board of Supervisors that:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW ¼ SW ¼) OF SECTION 20, TOWNSHIP 92 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Southwest Quarter (SW ¼) of said Section 20; Thence on an assumed bearing of South 00°07'00" East, along the West line of said Southwest Quarter (SW ¼), 155.68 feet to the Point of Beginning. Thence continuing South 00°07'00" East, along said West Line, 760.75 feet; Thence South 89°27'43" East, 515.95 feet; Thence North 00°07'00" West, 759.04 feet; Thence North 89°16'22" West, 515.97 feet to the Point of Beginning.

Hereafter known as Lot A of Section 20, Township 92 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW ¼ SW ¼) OF SECTION 20, TOWNSHIP 92 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Southwest Quarter (SW ¼) of said Section 20; Thence on an assumed bearing of South 00°07'00" East, along the West line of said Southwest Quarter (SW ¼), 155.68 feet to the Point of Beginning. Thence continuing South 00°07'00" East, along said West Line, 760.75 feet; Thence South 89°27'43" East, 515.95 feet; Thence North 00°07'00" West, 759.04 feet; Thence North 89°16'22" West, 515.97 feet to the Point of Beginning.

Hereafter known as Lot A of Section 20, Township 92 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 21st day of June, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors-----Attest: /s/ Karen M. Strawn, Auditor

Johnson informed the Board that **Farmer's Cooperative** has purchased additional property in Sulphur Springs, and has made a **rezoning request** for that property from R-1 to I-1. The zoning Commission has recommended approval. There being no objection, motion by Vail to close the public hearing. Carried. Motion by Vail to proceed with the ordinance adoption process to change the zoning map, and to set the first reading of **Ordinance 6.1A-6** (amending the zoning map per Farmer's Cooperative request) for June 28th at 8:35 a.m. in the Boardroom. Carried.

Motion by Lanphere to approve the **minutes** of the 6/14 meeting as printed. Carried.

Having determined that the July 12th date does not provide sufficient time to properly notify Sulphur Springs property owners of the public hearing, motion by Gustafson to rescind the June 7th motion setting July 12th for a public hearing on an **urban revitalization plan** for Section 9, Providence Township. Carried.

The Board took up and considered the establishment of a proposed revitalization area and a proposed **revitalization plan** pursuant to Chapter 404, Code of Iowa. Whereupon, Supervisor Crampton moved the adoption of the resolution declaring necessity and providing for notice of hearing on proposed revitalization plan. The motion was seconded by Supervisor Vail, and passed by recorded vote as

follows: Ayes: Crampton, Gustafson, Lanphere, Vail, Burnside, Nays: none. Whereupon, the Chairperson declared the resolution adopted as follows:

RESOLUTION NO. 2005-06-21A

Resolution declaring necessity and providing
notice of hearing on proposed revitalization plan.

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the "Act") the Board of Supervisors of Buena Vista County (the "County") may designate an area of the County as a revitalization area, if that area meets the criteria of Section 1 of the Act; and

WHEREAS, pursuant to the provisions of the Act, before designating any area a revitalization area, the County must prepare a proposed plan for the designated revitalization area, hold certain public hearings thereon, and otherwise comply with the procedures set forth in the Act; and

WHEREAS, it has been proposed that a certain area within the County (hereinafter referred to as the "Farmers Coop Revitalization Area") be designated as a revitalization area pursuant to the Act, such Farmers Coop Revitalization Area being legally described and having such boundaries as set forth in the notice appearing as part of this resolution in Section 5 hereof; and

WHEREAS, a proposed plan (the "Proposed Plan") for the Farmers Coop Revitalization Area has been prepared and presented to the Board of Supervisors for consideration in accordance with the provisions of the Act, said Proposed Plan being in a form and having the contents as set forth in Exhibit A attached hereto and by this reference made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. It is hereby found and determined:

- (a) The Farmers Coop Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa.
- (b) The economic development of the Farmers Coop Revitalization Area is necessary in the interest of the public welfare of the residents of the County and the Farmers Coop Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act.
- (c) The Proposed Plan attached hereto as Exhibit A has been prepared in accordance with the provisions of the Act.

Section 2. This Board will meet at 9 o'clock a.m., on the 26th day of July, 2005, at the Buena Vista Co. Courthouse Boardroom, Storm Lake, Iowa, at which time and place it will conduct a public hearing on the Proposed Plan and the designation of the Farmers Coop Revitalization Area as a revitalization area pursuant to the Act.

Section 3. The County Auditor is hereby directed to give notice of such hearing by publication once, in a newspaper published at least once weekly and having general circulation in the County, not less than four nor more than twenty days before the date on which the hearing will be held. In addition, the County Auditor is hereby directed to send notice of such hearing by ordinary mail to the last known address of the owners of record of real property located within the Farmers Coop Revitalization Area, such notice to be mailed by the thirtieth day prior to the date set for the hearing.

Section 4. As authorized by the Act, this Board hereby waives the mailing of notice to the "occupants" of addresses located within the Farmers Coop Revitalization Area, due to the finding of the Board that published notice will be sufficient to apprise such persons of the hearing.

Section 5. Such notice shall be in the form substantially, as follows:

**NOTICE OF PUBLIC HEARING ON THE DESIGNATION OF
THE FARMERS COOP REVITALIZATION AREA
AND THE ADOPTION OF A PLAN FOR SUCH REVITALIZATION AREA**

NOTICE IS HEREBY GIVEN: That there is now on file for public inspection in the office of the County Auditor of Buena Vista County, Iowa, a Proposed Revitalization Plan for the redevelopment of a proposed revitalization area (designated the "Farmers Coop Revitalization Area") within the County described as follows:

Section 9 of Providence Township, Buena Vista County, Iowa, legally described as Section 9, Township 90 North, Range 36 West of the 5th P.M.

The Board of Supervisors will meet at 9 o'clock a.m., on the 26th day of July, 2005, at the Buena Vista Co. Courthouse Boardroom, Storm Lake, Iowa, at which time a hearing will be held pursuant to the provisions of Chapter 404, Code of Iowa (the "Act") on the proposal to adopt the Proposed Revitalization Plan and the proposal to establish the above described area as a revitalization area. At such public hearing all owners of record of real property, tenants, and all "occupants" of county addresses within the described area, and any other person having an interest in the matter may appear and be heard for or against the adoption of the Proposed Revitalization Plan or the establishment of the Farmers Coop Revitalization Area.

Once an area has been designated as a revitalization area pursuant to the Act, property on which certain improvements have been made will become eligible for certain property tax exemptions under the Act.

Published by order of the Board of Supervisors of Buena Vista County, Iowa.

Karen Strawn, County Auditor

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and Approved June 21, 2005.

/s/ Lorna Burnside, Chairperson-----Attest: /s/ Karen M. Strawn, County Auditor

Treasurer Kathy Bach discussed a proposal by Bill Dettmann to clean-up the delinquent taxes on a parcel in Albert City, and sign a quit claim deed over to the City. The County holds the tax sale certificate since there have been no interested public bidders. The property at one time had above ground gas tanks on it, which have been removed. Motion by Gustafson to accept a check for \$1,510.00 (current taxes, and back taxes from 1990 to 2003) from Bill Dettmann, and to abate all costs and interests contingent upon Dettmann signing a quit claim deed on the property (parcel ##0000035990). Carried.

Bach reported that last week, 195 parcels were published for the delinquent tax sale held yesterday. There were 44 active bidders who each paid \$25 to register as bidders. As the tax sale began, 146 parcels remained. 104 went to private bidders who paid \$888,696.42. The County took 9 parcels with the remainder being on for the first time. They will carryover to the next year.

Head Custodian Dewyne Stucynski discussed the status of his research to provide the required fuel spill prevention/containment system for the diesel fuel which powers the courthouse generator in times of power outages. Only the Jail and Communications Center are on the current generator. A bid from Iowa Petroleum for the fuel containment is about \$9,000 for changing out the existing system without pulling up the concrete. Replacing the generator would eliminate the need for the upgrade and change-out. A new generator could be installed outside with the tank below it, but all above ground. A determination of what systems are critical and which need to be up and running during a power outage in order to select the appropriate size generator. Stucynski will check on the timeframe the Board has for making a decision. Gustafson prefers to wait until we have final direction on the jail. In the last 2 years, we have had no occasion where there was a need to run the generator.

Engineer Ivan Droessler reviewed the re-classification process used for Jt. DD #1. The enlarged district uses the same base cost as the original schedule since the recent work was a clean-out, not an improvement. To raise the funds needed for the clean-out and re-classification of the Main Open Ditch and Laterals 1 and 2, the levy will be so many times the assessment for each parcel. Motion by Vail to accept the Commission's Jt. DD #1 Re-classification report. Carried. Motion by Gustafson to set a date of August 2 at 7:00 p.m. at Newell gym for the Reclassification hearing and, to direct the Drainage Attorney to prepare the proper notice. Carried.

Engineer Jon Ites will negotiate with the landowner regarding the removal of dead trees on property for which the County has a roadway easement. The Board discussed delaying for 10 days to 2 weeks, the shoulder/ditch mowing schedule to protect wildlife. Weather makes a difference from one year to the next as to when is too early/late enough in the season to begin mowing.

Motion by Burnside to approve and to authorize the Chair to sign the contracts, contractor's bond and the form of insurance for Dixon Construction, Correctionville for project #BROS-CO11(59)—8J-11 (concrete slab bridge off of M-50 on Hwy 3) in the amount of \$183,532.58. Carried.

Motion by Vail to approve and to authorize the Auditor to transfer \$46,500 from the General Basic Fund (0001) to the Capital Projects Fund (1500) for the Sheriff's new vehicles. Carried. The Board discussed purchasing vehicles which will burn E-85, if possible.

Attorney Bob Josten is working on the US Bio-Albert City development agreement to formalize the property tax exemption approved for the project. If the County is not bound by the IDEED agreement, Lanphere suggested that a penalty formula of twice the percentage of the number of jobs short, for the percent of exemption. For instance, if the company falls 10% short of the 42 jobs, the penalty would be a 20% loss of the total exemption.

Resolution 2005-06-21-C: Motion by Gustafson to approve and to authorize the Chair to sign an easement for Clay Regional Water to cross the following county owned property under the management of the Conservation Board, with that Board having reviewed the request and given their approval: The Northwest Quarter of the Northwest Quarter (NW¼ NW¼) of Section Nine (9), Township Ninety-three (93) North, Range Thirty-eight (38) West of the 5th P.M. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign FY'06 service agreements with Plymouth Life, Primghar, (rate set by the Consortium), REM of Atlantic with no increase, and Spectra Health Care, Storm Lake, a 3% increase. Carried.

Gustafson left the meeting.

Motion by Vail to add a run-out period of 45 days to the Flexible Benefits Plan for medical/dependent care reimbursement, effective immediately for the current plan year. Carried. The result of today's motion and the June 7 motion is that the Flex Benefit year is July 1st to June 30th, with a grace period of 2.5 months (until September 15th) during which claims incurred can be reimbursed from the prior year's plan, and with a run-out period (final claims submission period) for the prior year being 45

days, or and October 31st deadline; these changes begin with the July 1, 2004, through June 30, 2005, plan year.

The consensus of the Board was to approve the request of Engineer Jon Ites to purchase safety jackets with reflective materials for secondary road employees at a cost of \$55-58/jacket.

The time having arrived for bid opening on the canopied courthouse handicap accessible ramp project, Architect Glen Huntington opened two bids: Paul Park Co.--\$84,541.00 with a 7/18 start date, and 90 day completion period; Taylor Contracting--\$89,940.00 with a 9/1 start date and 60 days completion period. The architect's estimate had been approximately \$54,000. Options of taking the canopy out of the project, changing canopy materials, installing an outside elevator were discussed. Motion by Vail to have Huntington meet with the Paul Park Co. to negotiate more canopy options. Carried.

Motion by Vail to approve today's special run of claims; the Board's audit was delayed due to implementation of new software. Carried.

There being no further business, motion by Vail to adjourn at 3:15 p.m. until Tuesday, June 28th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-EIGHTH MEETING, 2005 SESSION (28)
JUNE 28, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 28, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Deputy Auditor Sue Kennedy as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Lanphere, Vail, and Burnside; Nays--none. Abstentions: none.

The Chair opened the public hearing on the vacation of an alley and part of a street in Sulphur Springs. The notice of hearing was published as required, and was sent to adjoining property owners and utility companies by certified mail. Les Juhl and Chris Eldred were present for the discussion. No written objections on the proposal have been received. There being no objections, motion by Crampton to close the public hearing. Carried. Motion by Gustafson to approve and to authorize the Chair to sign Resolution 2005-06-28(A) vacating an alley and part of a street in Sulphur Springs, and to revert the property back to the adjacent property owners. Carried.

RESOLUTION 2005-06-28-A

WHEREAS, This being the date and time set for the hearing on the proposed vacation of the alley in Block 3 in the Village of Sulphur Springs, and also for the North portion of First Street (between Blocks 3 & 4) and lying West of Lots 15 through 19, for an approximate length of 285.5 ft. also in the Village of Sulphur Springs, and,

WHEREAS, No objections have been received, either in writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Buena Vista County Board of Supervisors that the subject alley and street be ordered vacated; and

BE IT FURTHER RESOLVED that the property revert to the property owners.

PASSED AND APPROVED this 28th day of June, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors-----Attest: /s/ Susan Kennedy, Deputy Auditor

Upon completion of the reading of the ordinance, and there being no objections, motion by Vail to approve the 1st Reading of **Ordinance 6.1A-6** amending the zoning map for the Farmer's Coop re-zoning request for a parcel in Sulphur Springs, and, to set the date and time of the 2nd reading as July 5th at 8:35 a.m. Carried.

Upon completion of the reading of the ordinance, and there being no objections, motion by Gustafson to approve the 1st Reading of **Ordinance 6.1A-5** amending the zoning map for the Craig Wells re-zoning request for a parcel in Section 13, Hayes Township, and, to set the date and time of the 2nd reading as July 5th at 8:30 a.m. Carried.

Motion by Crampton to approve and to authorize the Chair to sign a letter notifying DNR that the Board does not wish to file a demand hearing request on the issuance of the Pitts Finisher Farm **construction permit** for a location in Section 1, Elk Township. Carried.

Motion by Crampton to approve and to authorize the Chair to sign a letter notifying DNR that the Board does not wish to file a demand hearing request on the issuance of the Mangold Finisher Farm **construction permit** for a location in Section 32, Barnes Township. Carried.

Empowerment Coordinator Diane Briest was present to discuss the Empowerment and De-Cat programs, and to discuss the fee to be charged to the Empowerment Board for the accounting services provided by Buena Vista County. Motion by Vail to set the FY'06 fee for providing accounting services and acting as fiscal agent for the 3-County Empowerment Board, in the amount of \$4,800.00 based on the 2003 Cost Allocation Plan. Carried.

Nurse Administrator Diane Anderson discussed the need to adopt a regulation ("Notification & Surveillance of **Reportable Communicable & Infectious Diseases**, Poisonings & Conditions"). Motion by Lanphere to adopt the "Notification & Surveillance of Reportable Communicable & Infectious Diseases, Poisonings & Conditions" regulation. Carried.

Engineer Jon Ites presented quotes for diesel fuel from Star Energy, Manson, First Co-op Association, Cherokee, and Galva Holstein Ag, LLC, Holstein. Motion by Gustafson to accept the quote, and to award the contract for the FY'06 **season's diesel supply** for all sites, to First Co-op Association, Cherokee. Carried.

Motion by Vail to approve the **minutes** of the June 21st meeting as printed, and the following **reports**: May 12 NWIPDC Policy Council minutes. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the **beer, liquor** & Sunday Sales license and **cigarette** permit renewals for Pronto Market, Storm Lake. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the **beer, liquor** & Sunday Sales license renewals for Sparky's One Stop, Storm Lake. Carried.

Motion by Vail to approve and to authorize the Chair to sign the Amendment to the Buena Vista County **Flexible Benefits Plan**. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the **fireworks permit** submitted by Justin and Molly Vail for a July 2, 2005 display, with Vails to assume all responsibility for safety and liability. Ayes-Burnside, Crampton, Gustafson, Lanphere, abstain-Vail. Carried.

The Board moved to the upstairs Public Meeting Room for their meeting with Architect Rod Moore. Mr. Moore presented his schematic drawing of the proposed BV County **Law Enforcement Center**. The design is for 46 beds, expandable for an additional 16 beds. He will be meeting with the Sheriff's Department to finalize the plans, and will return to the Board in three weeks or less to present the final details, including elevations.

The Board returned to the boardroom for the continuation of their meeting.

Motion by Burnside to amend today's **agenda** for a fireworks permit request for Robert Skog, Albert City. Carried.

Motion by Vail to approve and to authorize the Chair to sign the **fireworks permit** submitted by Robert Skog for a July 2, 2005 display, with Skog to assume all responsibility for safety and liability. Carried.

Architect Glen Huntington met with the Board to discuss two other options for the Courthouse handicap accessible ramp project. Motion by Gustafson to award the bid and select Option 1 for the **Courthouse handicap accessible ramp** changing the canopy steel frame from galvanized steel to painted steel, changing handrails from aluminum to galvanized steel, and changing the canopy from fabric to metal - shingles or standard metal roofing, for the modified bid amount of \$62,856.00, submitted by Paul Park Construction. Carried.

David & Ellen Degner, Francis Svuba, Russell Smith, and Mr. & Mrs. Merlin Smith, were present to discuss drainage problems, regarding **Drainage District #35**. Degner would like a study done. Engineer Jon Ites informed them of their option to petition the Board, as Trustees of Drainage District #35, for an improvement study. The Board would then appoint an engineer to investigate.

There being no further business, motion by Gustafson to adjourn at 12:30 p.m. until Tuesday, July 5th at 8:30 a.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-NINTH MEETING, 2005 SESSION (29)
JULY 5, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 5, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Lanphere, Vail, and Burnside; Nays--none. Abstentions: none.

Environmental Health/Zoning Director Kim Johnson reported that initial comments regarding the Craig Wells rezoning request appear to have been satisfied, as no additional comments have been received. Following discussion, motion by Crampton to approve the 2nd Reading of **Ordinance 6.1A-5** amending the zoning map for the Craig Wells rezoning request, and to set July 12 at 8:30 a.m. for the 3rd and Final Reading of the ordinance. Carried.

Johnson reviewed the letter from DNR giving provisional approval to the Madison Finisher Farm construction application and advising the Board of Supervisors of its right to demand a hearing on the decision. Motion by Lanphere to notify DNR that the Board of Supervisors will not demand a hearing on the **Madison Finisher Farm construction application**; the location for the new building will be in Section 9, Lincoln Township. Carried.

Motion by Vail to approve the 2nd Reading of **Ordinance 6.1A-6** amending the zoning map for the Farmer's Coop rezoning request, and to set July 12 at 8:35 a.m. for the 3rd and Final Reading of the ordinance. Carried.

Engineer Jon Ites reminded the Board that the **Whitney Pit farm lease** is up this year, and the automatic renewal clause will kick in if notice is not provided by August 1. The Buena Vista County lease is not on the same schedule as is the Clay County lease.

Motion by Vail to approve the **underground utility permit** of Shelly Barker, Alta, to cross 590th St. in order to have a field tile drain installed. Carried.

Motion by Vail to approve and to authorize the Chair to sign the following **underground utility permits** submitted by Iowa Telecom, Grinnell, IA:

- to install 50 pr copper and 24 fiber cabling on 450th St. from Hwy 71 for 1 mile, then South and East into Rembrandt along 120th Ave and 475th St.;
- to install 100 pr copper cable crossing 510th St. between Sections 14 & 23, Fairfield Township to the new ethanol plant site;
- to install 195' of 5 pr cable on 570th St, in Section 18, Coon Township;
- to install 60' of 5 pr copper cable on the west right-of-way line to the Rembrandt Industries Pullet Facility in Section 26, Barnes Township. Carried.

Ites reported on current projects and work in progress.

The Board discussed how and where to provide handicap access to the courthouse during the construction of the **handicap accessible ramp**. The architect for the project will be consulted to determine the best option which meets whatever the requirements are for the construction period.

Motion by Gustafson to approve the **minutes** of the 6/28 meeting as corrected, and the 4th Qtr **report** of Sheriff's fees. Carried.

Lanphere and the Chair reported on their visit to the Iowa State University **drainage project** in Gilmore City where a variety of methods are being tested to determine how quickly water and nutrients/chemicals escape the land they are applied upon.

Motion by Crampton to approve and to authorize the Auditor to sign the **Fiscal Agent agreement** for the Buena Vista, Crawford, Sac Counties Community Empowerment Board for FY'06, with the fee to be \$4,800. Carried.

Motion by Gustafson to approve and to authorize the **transfer** of \$6,889.56 (\$4299.41 from General Basic and \$2,590.15 from General Supplemental) to the Conservation Land Acquisition Trust Fund, this being the remaining balance of the 'activity 6100' Conservation budget. Carried.

Motion by Gustafson to approve the **cigarette permit** application submitted by Little Sioux Golf & Country Club, Sioux Rapids, and to authorize the Auditor to sign permit #G0063. Carried.

Motion by Vail to receive the drainage petition for repairs signed by David Degner Sr., etal, for **DD #35** and to appoint Ivan Droessler of Kuehl & Payer, Ltd as drainage engineer to investigate the petition, and further, to direct the engineer to review the 1955 study as part of his investigation. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the 'Request for Payment/Activity Status Report #16 for the Clay Regional **Rural Water Project**. Carried.

The Board acknowledged receipt of a letter from Gale Hansen regarding damages to the Hansen property during the cleanout/repair of **DD #1**. The letter will be placed on file for the July 12th DD #1 completion hearing, and a copy sent to Engineer Ivan Droessler.

The Board discussed Lanphere's review of the terms of the proposed new lease of the county care facility building by **Spectra Health Care, Inc.** Motion by Lanphere to tentatively approve the lease terms for the care facility building subject to approval by Sue Morrow. Carried.

Crampton reported that Communications Center Supervisor Mark VanHooser was checking on the electrical damage to the tower from a **lightning strike** during the weekend storm (June 24th). A claim has been submitted to the insurance carrier.

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2005-07-05-A**, (with attachment A) which appropriates funds for expenditure by the county departments during FY'06. Carried.

RESOLUTION 2005-07-05-A

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year commencing July 1, 2005, in accordance with section 331.434 (Sec 6) 2005 Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. The amounts itemized by department or office on the certified County Budget for 2005-06 are hereby appropriated at 100% to the department or office listed in the 2005-06 budget.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from county funds effective July 1, 2005.

Section 3. In accordance with section 331.437 Code of Iowa, no department or officer shall expend, or contract to expend, any money, or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose in excess of the amounts appropriated pursuant to their resolution.

Section 4. If at any time during the 2005-06 budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriation she shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amount charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers monthly during the 2005-06 budget year. The Auditor shall also provide a summary report of all departments to the Board monthly.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2006.

PASSED AND APPROVED, July 5, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Motion by Vail to approve and to authorize the Chairman to sign **Resolution 2005-07-05-B**, authorizing interfund operating transfers from the general and rural funds to the secondary road and capital projects funds, and local option sales tax funds to the secondary road fund as detailed in the FY'06 budget. Carried.

RESOLUTION 2005-07-05-B

WHEREAS, it is desired to transfer monies from the General Basic Fund (0001) to the Secondary Road Fund (0020) and the Capital Projects Fund (1500); and to transfer from the Rural Services Basic Fund to the Secondary Road Fund; and to transfer from the L.O.S.T. for Secondary Roads Fund (0019) to the Secondary Road Fund (0020); and

WHEREAS, said operating transfers are in accordance with section 331.432, 2003 Code of Iowa,

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Buena Vista County, Iowa as follows:

Section 1. The sum of \$103,865 is ordered transferred from the General Basic Fund to the Secondary Road Fund with one-half the amount (\$51,932.50) transferred no earlier than July 1, 2005, and the last one-half transferred no earlier than January 1, 2006.

The sum of \$77,000 (General Basic levy) is ordered transferred from the General Basic Fund to the Capital Projects Fund at appropriate times during the FY'06 as needed to meet the obligations of the fund.

The sum of \$1,045,712 (Rural Basic levy) is ordered transferred from the Rural Services Basic Fund to the Secondary Road Fund (levy) with one-half the amount (\$522,856.00) transferred no earlier than July 1, 2005 and the last one-half transferred no earlier than January 1, 2006.

The sum of \$355,157.53 (70% of the 11 out of 13 receipts for FY2005 in L.O.S.T. receipts, fund 0019) is ordered transferred to the Secondary Road fund (0020) no earlier than July 1, 2005.

Section 2. The total maximum transfer from the General Basic Fund to the Secondary Road Fund shall not exceed \$103,865 (levy) and the total maximum transfer from the Rural Basic Fund to the Secondary Road Fund shall not exceed \$1,045,712 (levy) all for the fiscal year beginning July 1, 2005.

Section 3. The Auditor is directed to correct her books accordingly and to notify the Treasurer and Engineer of these operating transfers, accompanying the notification with a copy of this resolution and the record of its adoption.

PASSED AND APPROVED, July 5th, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Following discussion of the reduction of state appropriations for credits and exemptions on property taxes payable in FY'06, motion by Crampton to approve and to authorize the Chairman to sign **Resolution 2005-07-05-C** regarding the administration of the reduced property tax credit/exemption reimbursements. Carried.

RESOLUTION 2005-07-05-C

WHEREAS, the State of Iowa has appropriated moneys for fiscal year July 1, 2005 through June 30, 2006, which moneys are insufficient to fund the certain local property tax credits/exemptions fully, and,

WHEREAS, Iowa Code Section 25B.7 allows local governments to extend to the taxpayers only those portions of the property tax credits/exemptions that are estimated by the Iowa Department of Revenue and Finance to be funded by the state appropriation, and

WHEREAS, the Iowa Department of Revenue and Finance has estimated the percentages of funding for the affected property tax credits/exemptions for FY'06 as follows: Homestead credit 78%, Low-income-Elderly-Disabled Credit 100%, Military Exemption 100%,

NOW, THEREFORE BE IT RESOLVED by the Buena Vista County Board of Supervisors that pursuant to Iowa Code Section 25B.7 the property tax credits/exemptions in Buena Vista County for fiscal year July 1, 2005 through June 30, 2006 shall be extended to taxpayers as follows:

Homestead Credit - 78%, Military Exemption - 100%, Low-Income/Elderly/Disabled Credit - 100%

PASSED, APPROVED AND ADOPTED this 5th day of July, 2005.

/s/ Lorna Burnside, Chair Board of Supervisors Attest: /s/ Karen M. Strawn, Auditor

Motion by Vail to authorize the Interim Board Member (Burnside) to sign work orders for **DD#181** as follows:

- Ditch bank repair in Big Cedar Main Open Ditch, Section 1, Cedar Township, Pocahontas County for an estimated \$600.00;
- Ditch bank and surface pipe repair in the Big Cedar Main Open Ditch, Section 33, Cedar Township, Pocahontas County for an estimated \$2,200.00. Carried.

There being no further business, motion by Gustafson to adjourn at 10:25 a.m. until Tuesday, July 12th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTIETH MEETING, 2005 SESSION (30)
JULY 12, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 12, 2005, at 8:30 A.M. in the Boardroom with Vice-Chairman Lanphere presiding and with the following other

members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Vail, and Lanphere; Nays--none. Abstentions: none.

Motion by Vail to approve the 3rd and Final Reading of **Ordinance 6.1A-5** amending the zoning map for the Craig Wells rezoning request for a parcel in Hayes Township, to authorize the Vice Chair to sign, and to direct the Auditor to have the ordinance published pursuant to Chapter 331.302.7 of the 2005 Code of Iowa. Carried.

Motion by Crampton to approve the **claims** list dated 7/12/05 and to authorize the Chair to sign. Carried.

Motion by Gustafson to approve the 3rd and Final Reading of **Ordinance 6.1A-6** changing the zoning map for the Farmer's Cooperative re-zoning request for a parcel in Providence Township, to authorize the Vice Chair to sign, and to direct the Auditor to have the ordinance published pursuant to Chapter 331.302.7 of the 2005 Code of Iowa. Carried.

Environmental Health/Zoning Director Kim Johnson presented two CAFO construction applications, neither of which requires the matrix evaluation. Motion by Gustafson to set the date and time of public hearing on the **CAFO construction application** for "Turf Grant", located in Section 5, Grant Township, (a Pro-Pork site) as July 19th at 8:45 a.m. in the Boardroom. Carried.

Motion by Crampton to set the date and time of public hearing on the **CAFO construction application** submitted by Dennis Gerke for July 19th at 8:50 a.m. (expansion of an existing grow-finisher operation); the location is in Section 9, Newell Township, (a Nutra-tech site). Carried.

Motion by Vail to approve Johnson's request for **vacation carryover** beyond her employment anniversary date, of 5 days vacation days. Carried.

The Board briefly discussed construction of a wooden ramp to be used during construction of the new handicap accessible **courthouse ramp**. Crampton and Lanphere will meet with the contractor, Paul Park Co.

Motion by Gustafson to approve and to authorize the Vice Chair to sign the **HAVA Voting System Funding Allocation Agreement**; Buena Vista County will receive \$115,200 in federal/state funds to help offset the total cost. Carried.

Motion by Vail to approve and to authorize the Vice Chair to initial the following claims for **Jt. DD #181**, all payable to Sac County for drainage clerk expense: Open Ditch-Big Cedar for \$731.24, Branch 976 for \$8.92, and Branch 1128 for \$8.92; the approved claims are to be forwarded to Pocahontas County for approval. Carried.

Motion by Crampton to approve and to authorize the Vice Chair to initial the following claims: for **Jt. DD #16-30-92**, payable to Kuehl & Payer for watchman duties, in the amount of \$41.44, for **Jt. #76-133** payable to Kuehl & Payer for professional services, in the amount of \$355.50, and **Jt. DD #19-26**, payable to Kuehl & Payer for watchman duties, in the amount of \$35.84, the claims to be forwarded to the Payee County for payment. Carried.

Motion by Gustafson to approve the form of contract for the **season's diesel fuel supply** contract with First Co-op Association, Cherokee, and to authorize the Engineer Jon Ites to sign. Carried.

Motion by Gustafson to accept the quote of Hallett Materials, Lakeview, in the amount of \$2.85/ton for producing 75,000 ton of material for maintenance **gravel** hauling late fall or early next spring

and for the M-44 and McKay stockpiles, to authorize the Engineer to sign, and to reject the quote for 10,000 ton from the Hosteng Pit with the Engineer to try and negotiate the price of \$2.95/ton. Carried.

Motion by Crampton to approve and to authorize the Vice-Chair to sign the "Federal Aid Agreement for County Highway Bridge Replacement and Rehabilitation" for project #BROS-CO11(65)—8J-11 (DOT project #3-05-HBRRS-037) for a bridge over the Raccoon River located north of C-49, for next spring's construction. Carried.

The City of Albert City has requested approval to place informational destination signs for their business district, library and museum. It was the consensus of the Board to approve, with the city to pay for the 'white on green' signs, and secondary road to install them.

Ites has received a phone call from David Degner asking permission to enter a neighbor's land to repair a private tile line. Ites responded that Degner needs to make a formal, written request as required by the Board of Supervisors. The repair would be all at Degner's expense including any damages.

Motion by Gustafson to approve the minutes of the 7/5 meeting as printed, and the following reports: June minutes – BV Co. Conservation Board, June fees – Clerk of Court, June 21 minutes – Board of Health, June monitoring report on Spectra lagoon, FY'05 report of Environmental activity. Carried.

Motion by Vail to approve and to authorize the Vice Chair to sign Resolution 2005-07-12 which amends Resolution 2005-07-05B. Carried.

RESOLUTION 2005-07-12

WHEREAS, the Buena Vista County FY'06 budget provides for a transfer of \$77,000 from the General Basic Fund to the Capital Projects Fund to fund certain purchases; and

WHEREAS, the Buena Vista County Board of Supervisors, has authorized the transfer of said amount in Resolution 2005-07-05B; and

WHEREAS, the County's annual financial audit Manager recommends that the budgeted items planned for payment from that source should be paid from the General Fund,

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Buena Vista County, Iowa as follows:

The following paragraph in Section 1 of Resolution 2005-07-05-B is hereby stricken,

"The sum of \$77,000 (General Basic levy) is ordered transferred from the General Basic Fund to the Capital Projects Fund at appropriate times during the FY'06 as needed to meet the obligations of the fund."; and

BE IT FURTHER RESOLVED, that departments are hereby authorized to expend funds for said Capital Projects from the General Fund.

PASSED AND APPROVED, July 12th, 2005.

/s/ Bill Lanphere, Vice-Chair, Board of Supervisors.....Attest: /s/ Karen M. Strawn, County Auditor

Motion by Vail to approve and to direct the Auditor to transfer \$46,500 from the Capital Projects Fund (1500) to the General Basic Fund (the amount being for FY'06 Sheriff's car purchases and having been transferred from GB to CP prior to the end of FY'05; this transfer complies with the recommendations of the county's annual financial audit Manager. Carried.

10:00 a.m. The time having arrived for the bid letting, the Engineer reported on the number of bids received for the following projects: five for #L-FM-651—73-11 and L-FM-652—73-11, five for # L-B-621—73-11, and three for #L-C-617—73-11; #L-C-610—73-11. Motion by Gustafson, to accept the low bid of Midwest Contracting, Marshall, MN for **projects #L-FM-651—73-11 and #L-FM-652—73-11** in the amount of \$74,595.00, which was 17% under the engineer's estimate. Carried.

Motion by Crampton to accept the low bid of Merryman Bridge Construction, Algona, for **project #L-B-621—73-11** in the amount of \$120,029.45, which was less than 1% over the Engineer's estimate. Carried.

Due to the low bid for projects #L-FM-651—73-11 and #L-FM-652—73-11 being 30% over the engineer's estimate, ltes recommended contacting DOT to compare similar projects and price across the state. Motion by Vail to table accepting a bid on **projects #L-FM-651—73-11 and #L-FM-652—73-11** until July 26th. Carried.

The Board reviewed updated **jail** concept drawings.

Motion by Gustafson to approve and to authorize the Vice-Chair to sign the services agreement for FY'06 with **Mid-Step Services**, which approve a 4% rate increase. Carried.

The Board took up the discussion of the **paydate change**. Changes in the process due to acquisition of new software, along with the pre-existing tight schedule created by offering direct deposit, have made a Wednesday paydate impossible without overtime in the Engineer's and Auditor's offices. The Board reviewed the extra time required for the current payroll cycle, which was more complex than a routine one due to having to enter both FY'05 and '06 pay rates. For some employees, making banking arrangements for the change were not as significant a problem as having too short of a time to make the changes. Gustafson suggested there should be some option between Wednesday and Friday. To give employees more advance warning of the new payday and time to make any necessary changes, motion by Crampton, to approve Wednesday for both July paydays, thereafter to change payday to Friday, to authorize the overtime required for preparation of the July payroll, and to continue with the Monday noon deadline for submission of timesheets. Gustafson feels that there should be some compromise between Wednesday and Friday. Ayes—Crampton, Vail, Lanphere. Nay—Gustafson. Motion carried.

The Board recessed until 2:00 p.m. for a Jt. DD #1 Completion Hearing in the public meeting room, after which the Board adjourned until Tuesday, July 19th at 8:30 a.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-FIRST MEETING, 2005 SESSION (31)
JULY 19, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 19, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Lanphere.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Vail, and Burnside; nays--none. Abstentions: none.

Head Custodian Dewyne Stucynski reported that the condensing unit for the **courtroom air conditioner** went out and has been replaced. One of the evergreens on the southeast side of the courthouse is dying. He recommended removal; the Board agreed. The American Medical Association, the Cancer Association, BV County Public Health Nurse, and local doctors have all warned that secondhand smoke causes cancer. Each time someone walks through a cloud of smoke to enter the building, they breathe in secondhand smoke. He recommended limiting smoking to outside the northwest set of doors on the courtyard side of the building (across from the flagpole), and ban smoking at the East, South and West doors. Stucynski reminded the Board that the employee break room must be kept locked due to the contents of the first-aid box.

The DNR has provided notice that they have given final approval and have issued a **CAFO building permit** to Colt Farms - Madison site, located in Section 9, Lincoln Township (Bob Rebhuhn).

The Chair opened the public hearing on the Turf Grant **CAFO construction application** for a site located in Section 5, Grant Township, owner is Turf LLLP-ProPork. Environmental Health/Zoning Director Kim Johnson reviewed the application which did not require a matrix evaluation because it is a small operation. Nathan Kier with Pro-Pork stated that the company plans to own the land, but hasn't yet purchased the site from Doug Rebhuhn. Barb Veit lives .3 mile north, and Myron Franzmeier lives across the road. In discussion it was noted that the proposed location may be a wet area. Moving the location to the west would make it further from Veit and Franzmeier. Motion by Vail to close the public hearing. Carried.

The Chair opened the public hearing on the Dennis Gerke **CAFO construction application** located in Section 9, Newell Township. This is an expansion of the existing site. There were no interested persons present. Environmental Health/Zoning Director Kim Johnson reviewed the application which did not require a matrix evaluation. The operation will be close to the town of Newell, but will be closer to Gerke's home. There being no objections, motion by Gustafson to close the public hearing. Carried.

Johnson presented notice from the DNR that the New Fashion Pork-Watts application has been given preliminary approval, and the Board may demand a hearing, if it so chooses. Motion by Crampton to authorize the Chair to sign a letter to DNR advising that the Board does not wish to exercise its right to demand a hearing on the **CAFO construction permit** for the New Fashion Pork-Watts application for a location in Section 11, Poland Township. Carried.

The **Comprehensive Plan Board** heard three proposals to do the County's Comprehensive Plan. Due to the size of the Board and the members' schedules, communication is proceeding by e-mail. Of the 12, only 6 members have responded with their comments and recommendations. Johnson will contact the remaining members to get their votes so that a decision can be made next week.

The time having arrived for the teleconference with the Pocahontas County Board of Supervisors regarding **Jt. DD #1**, the call was placed and the following persons were found to be present in the Pocahontas County Boardroom: Supervisors Ralph Christiansen, Paul Benecke, Jack DeWolfe, Wilbur Ekstrand, and Vince Triggs, and Auditor Margene Bunda. The purpose of the call was to reschedule the public hearing for the Jt. DD #1 Reclassification due to the insufficiency of the notice published in the BV Journal. Motion by Vail, second by Benecke, to appoint Burnside as Chair and Strawn as Clerk for the meeting. Ayes—all. Carried. Both of the auditors have notified the newspapers that re-publishing the notice would be necessary. Motion by Vail, second by Triggs, to set the new date for the Jt. DD #1 Reclassification hearing as August 9th, 2005, at 7:00 p.m. in the Allee Building in Newell. Ayes—all. Carried. The notice with the new hearing date will also be mailed to all landowners. Motion by Benecke, second by Gustafson, to adjourn. Carried.

Engineer Jon Ites reported that DOT personnel don't think the County is likely to get lower bids if the 2 bridge overlay projects on C-65 are re-bid. They recommend awarding the contracts to the low bidder. Motion by Gustafson to accept the low bid of Christensen Bros, Cherokee, in the amount of \$78,201.55 for **projects #L-FM-651—73-11 and #L-FM-652—73-11**. Carried.

Motion by Crampton to approve and to authorize Paul Park Co. to proceed with the construction of a temporary **courthouse ramp** at the courtyard doors (across from the flagpole) doors, for use during construction of the new handicap accessible courthouse ramp, for a cost of \$2,598.00, with the contractor to keep the lumber after the project is completed. Carried. Signs will be placed on the west and east sides of the building designating the location of temporary handicap access, and, a temporary handicap parking sign will be placed on the west side.

Motion by Vail to approve the following **transfers** to correct errors: \$1,314.89 from the employee health fund (4151) to the flex benefit fund (4152) for June, and, \$5,050.75 from the employee health fund (4151) to the flex benefit fund (4152) for July. Carried.

Motion by Burnside to approve and to authorize the Chair to sign the **DD #67** agreement with US Bio-Albert City. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the FY'06 **S.H.I.E.L.D. agreement** for safety training and coordination services. Carried.

Motion by Gustafson to approve the work order for **DD #16-30-92 Jt.** in the approximate amount of \$1,000 for a location in Section 3, Douglas Township, Sac County. Carried.

A telephone call was placed to the Sac County Board of Supervisors regarding **Jt. DD #76-133** to take joint action on the Engineer's report. Following the teleconference, the Buena Vista County meeting resumed.

Strawn reported having received notice just last week that the Jt. DD #181 Board had ordered a levy last fall for collection this coming September. Minutes of that meeting have not yet been received. Due to the amount of drainage work to be processed prior to running taxes, Strawn recommended that the Board cancel their action of June 10, 2005, in which levies were ordered as follows: DD #20, DD #35, DD #46 and DD #82. Motion by Vail to cancel the following levies approved in the motion of June 10, 2005: **DD #20-12.5%**; **DD #35-59%**; **DD #46-20%**; DD #82-7%. Carried.

The meeting was moved to the public meeting room for a presentation of **law enforcement center** concept drawings from Rod Moore, Architect. Also present were Sheriff Chuck Eddy, Deputy Don McClure, and Farm Bureau members Vince Davis, Jeff Sievers, Frank Klahs, and Terry Murray, and the media. The new drawings reflect the changes requested by Eddy and McClure to accommodate efficient work flow, and to provide all of the necessary work spaces. The proposed building sits 15' south of the north line of the 2 lots adjacent to the E. Richland Annex. On the north side, a dense row of trees would be planted to buffer the view to property owners on the north. The two entrances to the property would both be on the east side allowing entrance at one, with drive through to exit at the other. All of the specs for the building comply with the requirements in the city building code (setbacks, height, etc.). By locating the building close to the north lot line, there is sufficient area for a row of parking spaces on the south side, in addition to the parking on the east side. Moore offered 5 concepts for the east facing entrance to the building including various roof lines for the entrance and a number of material variations to offer color and texture contrast on the precast panels. Walls are concrete block with an R-20 insulation factor; ceilings will be up to R-33. The drawings and specs are now ready to submit with an application to the city's P & Z Board for consideration of a zoning change to permit this type of use in the industrial zone. Asked what the price tag was, Moore responded that he is hoping to be at \$4,000,000 or less. Soil tests and site preparation costs have not been done yet. He would plan for tiling around and under the building. Equipment will include a generator for a source of backup electricity. Moore asked the Board to make their selection for the design of the front of the building for preparation of the drawings to be submitted to the P&Z.

Motion by Vail to approve the minutes of the 7/12 meeting as printed. Carried.

Motion by Crampton to approve the minutes of the July 12th Jt. DD #1 completion hearing. Ayes-Crampton, Gustafson, Vail, nays-none, abstain-Burnside due to not being in attendance at the hearing. Carried.

Two bids were received for the used computer from the Veterans Services Officer's office. Motion by Crampton to accept the bid from Clint Hoferman in the amount of \$201 for the used computer in the Veterans Services office. Carried.

There being no further business, the meeting adjourned until Tuesday, July 26th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-SECOND MEETING, 2005 SESSION (32)
JULY 26, 2005**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 26, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Lanphere

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Vail, and Burnside; nays--none. Abstentions: none.

CPC/Community Services Director Dawn Mentzer reviewed the '05 Case Management Program evaluation. The number of persons served in FY'05 increased over FY'04. Also present were Case Managers Tami Mills-Thomas, Kara Napierala, and Shawna Kalous. Motion by Vail to approve and to authorize the Chair to sign the '05 Case Management evaluation. Carried. Motion by Crampton to approve and to authorize the Chair to sign the '05 final report for substance abuse funding reimbursement from the Iowa Dept. of Public Health. Carried.

The Chairperson announced that this was the time and place set for hearing upon the designation of the Farmers Coop Revitalization Area and the Proposed Plan for the area. All written objections, statements, and evidence heretofore filed were reported to the Board, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto: There were no persons present to state objections, nor were any written objections filed.

There being no further objections, comments, or evidence offered, the Chairperson announced the hearing closed. After further considering all objections, comments, and evidence regarding the designation of the Farmers Coop Revitalization Area and the Proposed Plan therefore, it was moved by Supervisor Gustafson and seconded by Supervisor Crampton that Resolution No. 2005-07-26-A, the same being a resolution adopting the proposed plan for Farmers Coop Revitalization Area, be adopted. Whereupon, the Chairperson put the question upon the motion and the roll being called, the following

named Supervisors voted: ayes—Crampton, Gustafson, Vail, Burnside; nays--none. Whereupon, the Chairperson declared the resolution adopted, as follows:

RESOLUTION NO. 2005-07-26-A

A Resolution Adopting the Proposed Plan for Farmers Coop Revitalization Area

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the “Act”) before designating any area a revitalization area, a County must prepare a Proposed Plan for such revitalization area; and

WHEREAS, pursuant to the provisions of the Act, the Board of Supervisors of Buena Vista County prepared a Proposed Plan for the Farmers Coop Revitalization Area and held a public hearing thereon, as required by the Act,

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. The Proposed Plan for the Farmers Coop Revitalization Area is hereby adopted.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED July 26, 2005.

/s/ Lorna Burnside, Chairperson -----Attest: /s/ Karen M. Strawn, Auditor

Supervisor Burnside introduced an ordinance entitled: “An Ordinance designating an area of Buena Vista County, Iowa, as the Farmers Coop Revitalization Area”. It was moved by Supervisor Burnside and seconded by Supervisor Vail that the ordinance be adopted. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted: ayes—Crampton, Gustafson, Vail, Burnside; nays—none. Whereupon, the Chairperson declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Supervisor Vail and seconded by Supervisor Gustafson, that the statutory rule requiring said ordinance to be considered and voted on for passage at two Board meetings prior to the meeting at which it is to be finally considered be suspended and that said ordinance be regarded as having been considered and voted on for passage at two prior Board meetings. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted: ayes—Crampton, Gustafson, Vail, Burnside; nays--none. Whereupon, the Chairperson declared the motion duly carried.

It was moved by Supervisor Crampton and seconded by Supervisor Vail that the ordinance entitled: “An Ordinance designating an area of Buena Vista County, Iowa, as the Farmers Coop Revitalization Area,” is now put upon its final consideration and adoption. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted: ayes—Crampton, Gustafson, Vail, Burnside; nays--none. Whereupon, the Chairperson declared said ordinance duly adopted and signed approval to said ordinance as follows:

ORDINANCE NO. 6.9

An Ordinance Designating an Area of Buena Vista County, Iowa,
as the Farmers Coop Revitalization Area.

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the "Act"), the governing body of a county may, by ordinance, designate an area of the county as a revitalization area upon the completion of procedures specified in the Act; and

WHEREAS, pursuant to the provisions of the Act, the Board of Supervisors of Buena Vista County, Iowa, has by resolution determined, with respect to an area within the County, hereinafter described in Section 1 and known as Farmers Coop Revitalization Area:

(a) The Farmers Coop Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa;

(b) The economic development of the Farmers Coop Revitalization Area is necessary in the interest of the public welfare of the residents of the County and Farmers Coop Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act; and

WHEREAS, pursuant to the provisions of the Act, the County prepared a Proposed Plan for the Farmers Coop Revitalization Area and held a public hearing on the Proposed Plan for the area; and

WHEREAS, pursuant to the provisions of the Act, the County has adopted the Proposed Plan for the area;

NOW, THEREFORE, Be It Enacted by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. In accordance with the Act and in consideration of the recitations set out in the preamble hereof, the area with a legal description as follows:

Section 9 of Providence Township, Buena Vista County, Iowa, legally described as
Section 9, Township 90 North, Range 36 West of the 5th P.M.

is hereby designated as a revitalization area under the Act, which shall be known as the Farmers Coop Revitalization Area.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. 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 4. This ordinance shall be in effect after its final passage, approval and publication, as provided by law.

PASSED AND APPROVED July 26, 2005.

/s/ Lorna Burnside, Chairperson -----Attest: /s/ Karen M. Strawn, Auditor

Treasurer Kathy Bach presented her semi-annual report for the end of FY'05.

Engineer Jon Ites reported that the bridge evaluations done by Calhoun-Burns for bridge load postings have been completed. 18 are rated for only 1 ton or less. Motion by Vail to approve and to authorize the Chair to sign Resolution 2005-07-26-B approving the Calhoun-Burns recommendations for load postings on bridges. Carried. Ites noted that honey-wagons and gravity wagons previously had an exemption for certain times of the year, but that exemption is no longer valid.

RESOLUTION 2005-07-26-B

BE IT THEREFORE RESOLVED by the Buena Vista County Board of Supervisors that the following posted weight limits be established at the following locations, as recommended by the County Engineer:

Bridge #	FHWA	Location	Posted Limits
Nokomis 135	85391	NE 17 Nokomis on 560 th St.	26,34,40
Nokomis 136	85415	N 28 Nokomis on 580 th St.	26,38,40
Fairfield 139	85461	NW 10 Fairfield on 490 th St.	26,38,40
Fairfield 142	85500	NW 27 Fairfield at the Int of 520 th St. & 220 th Ave.	21,31,40
Fairfield 143	85515	NW 32 Fairfield on 200 th Ave.	24,35,40
Lincoln 150	85630	NE 17 Lincoln on 550 th St.	17,24,25
Lincoln 151	85640	SW 17 Lincoln on 150 th Ave.	25,37,40
Lincoln 152	85650	N 18 Lincoln on 500 th St.	8T
Lincoln 156	85720	NW 29 Lincoln on 140 th Ave.	21,31,39
Scott 160	85745	NE 11 Scott on 490 th St.	26,38,40
Scott 161	85791	NW 12 Scott on 120 th Ave.	26,38,40
Scott 165	85841	SE 25 Scott on 120 th Ave.	26,38,40
Elk 173	85970	SW 13 Elk on 60 th Ave.	15,20,20
Elk 180	86050	N 25 Elk on 520 th St.	26,35,40
Elk 174	85980	SW 13 Elk on 60 th Ave.	15,24,28
Lee 197	86285	NW 34 Lee on 470 th St.	24,35,40
Lee 195	86260	NW 34 Lee on 470 th St.	10T
Lee 198	86290	NW 35 Lee on 470 th St.	20,30,36
Brooke 209	86440	Thru 10 Brooke on County Park Rd.	24,35,40
Brooke 212	86550	NW 36 Brooke on 470 th St.	10,15,15
Newell 80	84380	NW 36 Newell on 240 th Ave	16,25,29
Providence 6	84400	NW 6 Providence on 600 th St.	10T
Providence 81	84410	NW 2 Providence on 170 th Ave.	23,38,40
Providence 5	84450	N 12 Providence on 610 th St.	5T

Providence 86	84510	NE 26 Providence on 640 th St.	23,34,40
Providence 16	84550	N 32 Providence on 650 th St.	23,35,40
Grant 117	85060	NW 3 Grant on 580 th St.	3T
Grant 104	84850	NW 3 Grant on 540 th St.	18,28,31
Grant 114	84981	SW 17 Grant on 140 th Ave.	25,37,40
Grant 108	84910	SW 1 Grant on 180 th Ave.	20,30,30
Grant 110	84940	NE 15 Grant on 560 th St.	12T
Grant 115	85010	SW 20 Grant on 140 th Ave	15,25,25
Maple Valley 95	84700	SW 15 Maple Valley on 40 th Ave.	12T
Maple Valley 96	84711	N 18 Maple Valley on 20 th St.	26,38,40
Hayes 90	84601	NW 30 Hayes on 70 th Ave.	22,33,40
Hayes 91	84630	NE 31 Hayes on 650 th St.	26,38,40
Hayes 92	84641	W 31 Hayes on 80 th Ave.	21,30,38
Barnes 203	86351	SW 18 Barnes on 70 th Ave.	26,38,40
Barnes 204	86360	NW 19 Barnes on 450 th St.	21,38,40
Barnes 206	86380	N 19 Barnes on 450 th St.	24,35,40
Barnes 207	86385	NE 23 Barnes on 450 th St.	23,34,40
Barnes 207B	86421	NW 32 Barnes on 470 th St.	23,34,40

Bridges showing 3 postings limits are based on Type 4, 5 & 6 truck configurations. This motion carried.

Adopted this 26th day of July, 2005, at Storm Lake, Iowa, by the Buena Vista County Board of Supervisors.

/s/ Lorna Burnside, Chairperson, 7-26-2005

Attest: /s/ Karen M. Strawn, Co. Auditor, 7-26-2005

Motion by Crampton to accept the proposal of Kuehl & Payer in the total amount of \$107,570 (\$19,730-survey, \$75,400-design, \$12,360-ROW) to provide survey, design and right-of-way services for C-65 re-construction in 2007 (**project #STP-S-CO11(62)—5E-11**). Carried.

Motion by Vail to approve and to authorize the Chair to sign the contracts, contractors bond and certificate of insurance for **project #'s L-C-610 and L-C-617** in the total amount of \$74,595 with Midwest Contracting, Marshall, MN. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the contract, contractors bond and certificate of insurance for **project #L-B-621—73-11** in the total amount of \$120,029.34 with Merryman Construction, Algona, IA. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the **underground utility permits** submitted by Clay Regional Water, Spencer, as follows:

- to install 2.5" PVC waterline to Dana Benna in the ROW along 500th St, on the north side of Section 25, Washington Township;
- to install 2" PVC waterline to Fred Ulven in the ROW along 100th Ave (M-44) on the west side of Section 4, Washington Township;
- to install 2.5" PVC waterline to several residences in the ROW along 60th Ave on the west side of Section 1, Nokomis Township. -----Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the **underground utility permits** submitted by Iowa Telecom of Grinnell, IA, as follows:

- to install 5 pr copper cable in the ditch and roadway on the west side of Section 20, Barnes Township to provide service to a hog facility for Jim Kutschet (Glenn Taylor, owner);
- to install 25 pr copper cable in the ditch and bored under 100th Ave between Sections 9 & 10, Scott Township, beginning at the intersection of 500th St. and 100th Ave.-----Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the **invoice approval list** for 7/26/05. Carried.

Gustafson discussed the timing of the **mowing of the ditches** along Business 71. Pheasants nest in the grass and weeds. The county has a warranty deed on Business 71, but all other roads are covered by state law. If mowing is put off until the last week of June, there would be a smaller chance that pheasants would be harmed. The growth does help to keep snow off the road in the winter. For the preservation of pheasants and pheasant eggs, motion by Gustafson to delay mowing of the road ditches along Business 71 until the last 7 days of June, and in case of duress such as drought, then the date may be advanced, if approved by the Board of Supervisors. Carried.

Motion by Gustafson to approve two claims for **Jt. DD #16-30-92**; for the Main Open Ditch - \$3.20 to Kuehl & Payer for watchman duties, and for the Moore Branch - \$56.00 to Kuehl & Payer for watchman duties. Carried.

Motion by Vail to add the Buena Vista County Board of Supervisors' approval to that of the Clay and Palo Alto Boards of Supervisors accepting the proposals from B & W Control Specialists for chemical weed control in **Jt. DD #22** in the amounts of \$6,500 and \$1,500, and to authorize the Chair to sign. Carried.

The Board recessed temporarily for a teleconference with the Sac County Board of Supervisors regarding the Engineer's report on **Jt. DD #76-133**, and the September 13th hearing date. Upon completion of the telephone call, the Board resumed their meeting.

Zoning Director Kim Johnson reported that the members of the Countywide **Comprehensive Plan** Board had completed their evaluations of the three comprehensive plan proposals received from JEO Consulting of Wahoo, NE (and an office in Carroll), Snyder & Associates, Ankeny in association with Kuehl & Payer, Storm Lake, and PlanScape Partners of Minneapolis, MN and Clear Lake, IA. The CCPB selected JEO Consulting's proposal for \$86,645. Motion by Gustafson to authorize Johnson to negotiate

with JEO on the number of meetings and other considerations for a price not to exceed \$80,000, the amount of the Innovation Fund grant. Carried.

Motion by Vail to set a public hearing for 10:30 a.m. on August 2nd for a CAFO manure management plan submitted by General Swine Properties-Conlin site for a location in Section 26, Fairfield Township. Carried.

Motion by Vail to set a public hearing date on a minor subdivision request for a location in Section 7, Grant Township as 10:40 a.m. on August 2nd. Carried.

Johnson informed the Board of a situation where a parcel was surveyed and designated Lot D, the survey was recorded, but the property was never transferred. Now, another lot (Lot E) which encompasses Lot D has been surveyed. Currently the county has no provisions for vacating a lot. To avoid future issues, County Attorney Phil Havens suggested that the owner go through the subdivision process, or sign an agreement that Lot D will never be sold as it is because it would have no road access. Vail agreed that the county should have something in writing.

Johnson encouraged one or more board members to consider attending a "Small Community Sewer Systems Workshop" on August 23rd in Pocahontas.

Recorder Shari O'Bannon discussed SF403 which specifies what can be charged for copies of public records. The currently approved rates need to be reviewed and changes made to be in compliance with the new law. She will check with ISAC's attorney, Dave Vestal, and with other members of the Recorder's affiliate. She advised the Board that the new law will cut the Recorder's revenue.

Motion by Burnside to approve the minutes of the 7/19 meeting and the following reports: July 13 Board of Health minutes, 4th Qtr Farm to Market Fund report, and the Treasurer's FY'05 year end semi-annual report. Carried.

Motion by Vail to second the motion made by Clay County Supervisor Brockshus to accept the Jt. DD #14-42 proposal from Christian Brothers Excavating for tree removal in the amount of \$10,900, and to authorize the Chair to sign. Carried.

No action was taken on the proposal from B&W Control Specialists for the chemical weed treatment schedule for Jt. DD #181 Big Cedar Main Open Ditch. This type of work is normally approved at the annual meeting in September

Motion by Gustafson to appoint Public Health Nurse Administrator Sally Bonnesen to the Safety Committee replacing Diane Anderson. Carried.

There being no further business, motion by Gustafson to adjourn the meeting at 11:55 a.m. until Tuesday, August 2nd at 8:30 a.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-THIRD MEETING, 2005 SESSION (33)
AUGUST 2, 2005**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 2, 2005, at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Lanphere, Vail, and Burnside; nays--none. Abstentions: none.

Deputy Secretary of State Charles Krogmeier presented a check in the amount of \$115,200 to the Board of Supervisors. This amount represents 100% of the **HAVA funds** Buena Vista County was eligible to receive for the purchase of new **voting equipment**. The Board was pleased to receive the funds, and happy to be 'early in line' and ahead of the last minute rush to meet the January 1, 2006 deadline. Krogmeier reviewed the progress of the Secretary of State's office toward total HAVA compliance including the 'I-Voters' statewide voter registration program and polling place accessibility grant opportunities.

County Attorney Phil Havens introduced Lori Kolpin to the Board as the new Assistant County Attorney replacing Rick Kimble who is the new Magistrate for Buena Vista County. Kolpin is one of several attorneys who have served as a court-appointed juvenile attorney in this county, and she has worked as an assistant county attorney in several nearby counties. Motion by Vail to approve the employment of Lori Kolpin as a full time **Assistant County Attorney** at a annual salary of \$43,000, effective 8/1/05. Carried. Kolpin's office will be located in the Storm Lake Police Department.

Motion by Gustafson to send a letter of thanks to Senators Grassley and Harkin, and Representative King for their support for the approval of \$500,000 in additional funds for the **Storm Lake dredging project**; the letter will be sent by e-mail so that it arrives promptly, with a paper copy to their main Iowa offices. Carried. Due to extensive postal mail examination, letters to their Washington offices take up to 45 days for delivery.

Engineer Jon Ites reported that the county portion of the C-49 project is now in progress, and concrete has been poured on 90th Avenue. Motion by Crampton to approve and to authorize the Chair to sign the contracts, contractors bonds and certificate of insurance with Christensen Brothers, Cherokee, for **project #L-FM-651 & #L-FM-652** (C-65 bridge overlays) for a total of \$78,201.55. Carried.

Motion by Vail to approve and to authorize the Chair to sign the **underground utility construction permit** submitted by Qwest to install copper telephone/data cable along C-49 from Hwy 71 west to the Storm Lake corporate limits. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the **underground utility construction permit** submitted by Clay Regional Water to install a 2" service line to Leonard Peterson at 177- 590th St., Section 35, Grant Township. Carried.

Genesis Development Executive Director Terry Johnson and Storm Lake Site Director Cindy Wiemold updated the Board on their agency's activity. Employee turnover can be a continuous issue since providers are frequently at the low end of the pay range for persons in certain professions; employees leave when they are able to improve their wage. Restoration of the home of several residents after substantial fire damage is proceeding well, with additional home staff supports in place during the rebuilding. Due to more reliance on the Storm Lake taxi, there have been fewer customer service issues with RTA. The taxi service is working out well. A change in the funding flow for Genesis clients using RTA may cause additional changes. For Title IX eligible clients, billing by RTA will be directly to Title IX. Genesis will be reviewing how their RTA billings change once the new program is in place.

Motion by Gustafson to approve the **minutes** of the 7/26 meeting as printed, and the following **report**: 4th Qtr FY'05 Recorder's fees. Carried.

Zoning Director Kim Johnson reported that the survey and legal description have been completed for property owned by Layton Zylstra adjacent to the Storm Lake Airport. Motion by Vail to amend today's agenda to add the 3rd Reading of **Ordinance 6.1A-3** amending the county's zoning ordinance. Carried. Upon completion of its review, motion by Crampton to approve the 3rd and Final Reading of Ordinance 6.1A-3, which amends the county's zoning map, and, to authorize the Chair to sign the Ordinance which becomes effective upon publication as required by law. Carried.

Due to a change in the proposed location of the facility, motion by Gustafson to set a second public hearing date and time for the Turf Grant **manure management plan** as August 15th at 2:00 p.m.; the new location is in the SW¼ SE¼ of Section 5, Grant Township. Carried.

Motion by Vail to approve and to authorize the Chair to sign the a contract with Richards Construction for tree clearing and grubbing in **DD #34, Lateral 4** in the amount of \$15,000; the work is to be completed by 12/31/05. Carried.

The Chair opened the public hearing on the **manure management plan** submitted by General Swine Properties for a 2400 head CAFO in the NW¼ SW¼ Section 26, Fairfield Township. Cherilynn Krichau was present representing Chad Hall. The Hall family owns several operations under the Swine Properties name. Krichau reported that the Halls have talked to the neighbors. There being no persons present with objections to the proposed operation, nor any written objections received, motion by Crampton to close the public hearing. Carried.

Mark Rosdail was present with Johnson for the public hearing on his **subdivision request** for a parcel in Section 7, Grant Township. Rosdail owns 3 acres in the SE¼ NE¼, and has moved in a house, added on to it, added a garage, septic system and rural water. He now wants to sell off the south half of the lot with the house on it, and retain the other half. He has no near term plans to build or develop the half of the lot he will retain. A survey and new legal description are currently being completed to divide the property. At their 8/1 meeting, the Zoning Commission had concerns about a divided lot meeting the Comprehensive Plan. The parcel is on a gravel road; if developed it would be the 4th house on that road and on a small lot. This is in conflict with the preservation of agricultural land concept used in the current Comp Plan. The Zoning Commission recommended disapproval. In discussing the lot Pat Trammel put a house on, Trammel's property was the first division. Trammel's request was approved, but the house was on a bigger lot, and was only the second house. Gustafson commented that the Board needs to encourage building in the country to re-populate the rural area. The Chair doesn't like the size of 25 acres specified in the Comp Plan for new residential properties. The Board would like to know the size of the subdivided lot. The subdivision request could be approved but with the provision that no building be permitted on the empty lot until after the Comp Plan is done. Vail wants see the plat before taking action. Motion by Lanphere to table action on the Rosdail subdivision request until the additional information is received. Carried.

The Board suspended their meeting temporarily for a **Jt. DD #76-133** teleconference with the Sac County Board of Supervisors.

Treasurer Kathy Bach presented several properties for approval of their disposition as follows: Motion by Vail to **abate the DD #34 drainage assessments** in the amount of \$5 each and to issue certificates of adjustment on receipt #'s 624820 and 624823, as the assessments are uncollectible from IDRF. Carried.

Motion by Gustafson to **abate the tax sale certificate** on a mobile home, VIN #BU4158F, which was sold on tax sale in 1999; even though there was a tax lien on it, the Alta mobile home court owners had the mobile home moved out. Carried.

Bach reported that a 'lost' \$59.00 money order dated April, 2004, ended up in the county's possession from the Cherokee County Clerk of Court. No one in either county has been able to determine what it was for, and the person named on the money order cannot be found. She recommended that the Board declare the money order to be 'unclaimed property' so that it can be

deposited into the county's General Fund and then listed by the State Treasurer. Motion by Lanphere to designate the \$59 money order dated April, 2004, as unclaimed property, pursuant to Chapter 556, 2005 Code of Iowa. Carried.

The State Auditor's office is conducting a driver license time and task audit on Wednesday to document the amount of time spent on services not supported by fees. The results of the audit will be used to justify the increase from \$5 to \$7 of certain fees. The higher fees have been collected but are in limbo until a decision is made. The DOT has requested an Addendum to the Memorandum of Agreement on the matter. Motion by Crampton to approve and to authorize the Chair to sign the Addendum to the Memorandum of Agreement between IDOT and Buena Vista County amending Section VI – FINANCING allowing the County to retain fees; the addendum also requires the County Attorney's signature for approval as to form. Carried.

The county's application for a variance from the Storm Lake Planning & Zoning Commission for the proposed law enforcement center site on Ray St. adjacent to the E. Richland Annex is scheduled to be heard at 7:00 p.m. on Monday, August 15th at 7:00 p.m. The Board made plans to hold an informational meeting for the homeowners on Rose Lane and Tulip Lane on Monday, August 8th at 5:30 p.m at the E. Richland Annex.

There being no further business, motion by Vail to adjourn the meeting at 11:40 a.m. until Tuesday, August 9th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-FOURTH MEETING, 2005 SESSION (34)
AUGUST 8, 2005**

The Buena Vista County Board of Supervisors met for an informational session on Monday, August 8, 2005, at 5:30 P.M. at the E. Richland Annex with Burnside, Crampton, Gustafson, and Lanphere present, and with Auditor Karen Strawn as clerk for the meeting. The purpose of the meeting was to provide residents in the Rose and Tulip Lane area the opportunity to see the concept drawings for the law enforcement center which is proposed to be built on Ray St. adjacent to the E. Richland Annex which is owned by the county, and to hear their responses. Others attending included Sheriff Eddy and Deputies McClure and Simons, media, Sharon Eddy, Steve Neuroth, County Attorney Phil Havens, Chris DeMan, Don Feltner, Howard Diischer, Carolyn Gessner, Dan & Kris Konradi, Norm and Joan Lund, Ron and Terry Bue, Mike and Kelly Keenan.

Lanphere began with an overview of the reasons for the new law enforcement center including capacity, flexibility for different classes of prisoners, exportation costs (travel, housing/meals, deputy time, etc.), and courthouse space needs. He explained that there have been no jail breaks out of the current jail, nor any exterior disturbances. The concept drawings prepared by Architect Rod Moore were examined, noting that there is room for expansion in the future, if needed. The drawings aren't the final versions, but they represent what can be done on the site, and how all of the needs can be accommodated.

Responding to a question about why a vote was taken to go to the E. Richland Annex site before having the meeting for the homeowners, Gustafson responded that the Board could not do much before appearing before the P&Z since they would have to give approval first to locate there. There are no plans set in concrete yet. The architect was asked to proceed with drawings to determine whether the lot was

large enough to hold a building of the size needed. The lot (actually two lots) is 1.66 acres, and the building would occupy approximately ½ acre.

Lanphere explained that the Board would like to hear the primary reason(s) that property owners object to the location. The response was that the greatest concern is about the many children living in the area, and lots of people walking – locating the law enforcement center next to the E. Richland Annex will cause an increase in traffic which will create a safety issue. All of the coming and going of law enforcement center employees and sheriff's deputies, plus persons coming to visit prisoners, and deliveries for the kitchen and facility will be a significant increase in traffic. Homeowners are convinced that some of that traffic will be on the gravel, instead of E. Richland because the drivers will prefer gravel to mixing with the semi traffic near Sara Lee. Already, some of the nurses going to and from the E. Richland Annex use the gravel road. There is a school bus stop for the children on Rose and Tulip Lanes. Also mentioned was the extra money that the Board would spend at that location, over what would be needed at a location further east on E. Richland Annex. On a larger lot, a basement wouldn't be needed, and therefore no elevator. Some of the ERA site cost would be for tree landscaping on the north line of the lot to obscure the building from the residential area's view, and exterior design for a more aesthetically pleasing building. Also, if the ERA site needs to be built up for proper drainage, there would be additional site prep costs, and, this could cause excess drainage to the residential area which already has some problems due to being low. Even though prisoners will be brought to the jail, and transported to and from the courthouse in a vehicle inside the sallyport, when released the prisoners will be walking out the front door and will be amongst the pedestrian traffic of the residential area. There was a concern that if there were an ammonia leak at Sara Lee, deputies would be first evacuating the jail, rather than the residential area. Sheriff Eddy responded that deputies would indeed evacuate the prisoners, but city police officers are responsible for the residential area and the businesses, not sheriff's deputies; locating the jail there shouldn't have an effect in that type of emergency.

Reverend Jack Barber was introduced and asked to comment on the location of his home across the street from the courthouse, and what impact the jail has on his concern for safety and disturbance issues. He responded that he had lived at 621 Cayuga approximately 5 years during which time he has seen no problems. Prisoners come and go, day and night. He has had no concerns. Cars do not come screaming into or out of the courthouse lot.

Other questions: How much would it cost to buy the lot further east on E. Richland St. – the estimate was about \$50,000, which is about the same as the cost of the elevator. Why aren't other lots being considered? Crampton responded that the Board has looked closely at 6-7 other sites. Would kids be attracted to the site of "the jail", an attractive nuisance? The jail will not be good for real estate sales in that area. This should be a consideration since there have been more new houses built in that area than anywhere else in Storm Lake. Is the spec building out due to the comments of the architect about the insulation? Is there still a possibility of a regional jail? Consultants over and over recommend that a county build only for its own needs; it is not sound thinking to bank on other counties helping to pay for your jail by housing their prisoners here.

Final comments included: If you try to locate the jail adjacent to the E Richland Annex, you can count on 50 no votes, but if it is located somewhere else, you will have 50 yes votes, and help to promote the ballot issue. 'I wouldn't move into a neighborhood where a sex offender lived, or where a coke house was located, and I don't want a jail in the neighborhood where I live.' Dakota City is talking about a \$7 million price tag for a 170 bed jail. Why would we get only 46 beds for \$4 million? Sheriff Eddy responded that standards in Nebraska and South Dakota are different from Iowa standards.

Gustafson talked about how the Supervisors have been trying to watch costs, and that the result of Farm Bureau taking an active part in the discussions has helped move the process to a lower cost facility. 'We're all taxpayers.' He hates to see the split – rural vs. urban. The Board works in other areas (such as mental health), all for the good of the community. This is more than a building, it is the community.

With final comments being on issues not directly related to the location of the jail, Lanphere thanked those in attendance for participating, and closed the meeting at 6:40 p.m.

**BOARD OF SUPERVISORS MEETING
THIRTY-FIFTH MEETING, 2005 SESSION (35)
AUGUST 9, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, August 9th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Lanphere, and Burnside; nays--none. Abstentions: none.

Motion by Gustafson to approve and to authorize the Chair to sign the claims approval list for August 9, 2005. Carried.

Community Services Director Dawn Mentzer informed the Board that Case Manager Shawna Kalous has given her 2 week notice to take a position in Calhoun County with DHS as a case manager. Mentzer was given approval to advertise to fill the vacancy.

Kuehl & Payer Engineer Ivan Droessler introduced Brian Blomme who is replacing Matt Voge as the drainage district watchman. Blomme will work out of the Storm Lake office. Droessler reviewed corrections that have been made to the Jt. DD #1 Assessment Schedule for the Main Open Ditch.

Engineer Jon Ites informed the Board that the pre-construction conference on project #BROS-CO11(59)—8J-11 for the bridge located on M-50, 1 mile south of Hwy 3 in Section 3, Grant Township, will be held a 1:00 p.m. today. Dixon Construction, Correctionville, is the contractor.

Ites would like to replace the crack sealing distributor because the old one is in poor shape and not cost-effective to repair. The old one has a 300 gallon capacity; new ones are 225, 250, 600 gallons or larger. 300 gallons doesn't run a full day, so he recommended the 600. The James W. Bell Co., of Fort Dodge has an Etnyre model for \$27,675 with the government discount. The 250 gallon size would be about \$6,000 less. Motion by Gustafson to purchase a 600 gallon Etnyre crack sealing distributor for \$27,675 from James W. Bell Co., Fort Dodge. Carried.

Two quotes were received for a 1 ton SRW pickup with standard box: from Rasmussen Ford for a Ford F350 Crew pickup -- \$30,660 less \$11,705 for trade-in = \$18,955; from Fitzpatrick Auto for a Chevrolet 250HD Crew pickup -- \$28,055 less \$7,800 trade-in = \$20,255.00. Motion by Crampton to accept the quote of Rasmussen Ford for a Ford F350 Crew 1 ton pickup for \$18,955 with trade-in. Ayes—Crampton, Lanphere, Burnside. Nay-Gustafson. The motion carried.

Three quotes were received for a regular cab ¾ ton SRW pickup with standard box with no trade-in: Rasmussen Ford for a Ford F250 pickup -- \$16,768, Fitzpatrick Auto for a Chevrolet 250 pickup -- \$18,753, and Schuelke Auto for a Dodge Ram 2500 pickup -- \$22,949. Motion by Lanphere to purchase a Ford F250 ¾ ton pickup from Rasmussen Ford for \$16,768 with no trade-in. Aye—Crampton, Lanphere, Burnside. Nay—Gustafson. The motion carried. Gustafson objected to the additional vehicle that was not included in the current year's budget. Ites responded, however, that the boom truck which was originally planned for the current year was purchased last year, with one of the pickups in last year's budget delayed in order to get the boom truck. Even moving the FY'05 pickup to the FY'06 budget, there will be \$20,000 in unspent equipment funds in FY'06.

Secondary Road report: 90th Avenue is now paved, with the limestone going down this week. Traffic will be allowed in about a week. The seeding will still need to be done. The road width is 24'. The contractor expects to begin paving C-49 during the week of August 22nd. Gustafson asked why a bonus is paid if the concrete is thicker than the plans call for. Ites responded that the bonus is paid due to the IDOT policy which allows a bonus when the concrete thickness is greater. The contractor for Lietz bridge

started yesterday; the pipe which was used to allow for temporary crossing will be removed and salvaged for use elsewhere.

The Board acknowledged receipt of a letter from Jerry Gosch letter requesting consideration to place a **stop sign** at the intersection of 140th Ave. and 580th St. in Grant Township, stopping the east-bound traffic. The engineer will investigate.

Motion by Lanphere to approve the appointment of Tom Blomberg and Alyssa Rusk as members of the **Linn Grove Library Board** representing the rural area. Carried.

Motion by Burnside to approve the **minutes** of the 8/2 meeting as printed, and the following **reports**: July Clerk's fees, Ag Extension annual report. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the contract, contractor's bond and certificate of insurance submitted by Paul Park Co. for the **courthouse ramp re-construction** project. Carried.

It was noted that the number assigned to the **Ordinance** enacting the Farmer's Cooperative Urban Revitalization Area was published as 6.8 and should have been identified as 6.9.

Motion by Lanphere to retro-actively (to April 26, 2005) approve the contract with Nick Miller Construction in the amount of \$13,895.00 for tree clearing and grubbing in **DD #34, Lateral 7**; the contract was omitted from the list of contracts approved that day. Carried.

There being no further business, motion by Gustafson to adjourn the meeting at 10:40 a.m. until Monday, August 15th at 1:45 a.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-SIXTH MEETING, 2005 SESSION (36)
AUGUST 15, 2005**

The Buena Vista County Board of Supervisors met in special session at 1:45 p.m. on Monday, August 15th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes--Crampton, Gustafson, Lanphere, and Burnside; nays--none. Abstentions: none.

Mark Rosdail was present with a copy of the survey which applies to the parcel of ground he has requested permission to subdivide. Zoning Director Kim Johnson reviewed the plat and the decision of the Board of Adjustment which did approve the lot size as long as nothing more than a 3 bedroom or smaller house be allowed; there is not sufficient area for a septic system to serve more than the 3 bedroom house. Lanphere asked about how this proposal will fit in the new Comp Plan; since work on the Plan has not been started, there was no answer. Rosdail wants approval to subdivide so that he can retain that asset after selling the house he has renovated. Motion by Gustafson to approve and to authorize the Chair to sign Resolution 2005-08-15 approving the Rosdail **subdivision request**. Carried.

RESOLUTION 2005-08-15-A

WHEREAS Shepard Company has presented a preliminary and final plat (of survey) on the following described properties:

DESCRIPTION: LOT 1 OF LOT A

The South two hundred fifty-five feet (S. 255") of Lot A of Section 7, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County appearing of record as Document # 021249 in the Buena Vista County Recorders office. Tract contains 1.43 Acres and is subject to all easements of record, and

DESCRIPTION: LOT 2 OF LOT A

A of Section 7, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County appearing of record as Document # 021249 in the Buena Vista County Recorders office, except the South two hundred fifty-five feet (S. 255') thereof. Tract contains 1.57 Acres and is subject to all easements of record.

WHEREAS, the final plat does not meet with the approval of the Zoning Commission.

WHEREAS, the final plat meets with the approval of the Board of Adjustment subject only to the following if any: when developed the house can have no more then three bedrooms. This will allow for a septic system and drainfield to be placed on the property in accordance with Iowa Administrative code 567 Chapter 69.

WHEREAS, the final plat meets with the approval of the Board subject only to the following if any: when developed the house can have no more then three bedrooms. This will allow for a septic system and drainfield to be placed on the property in accordance with Iowa Administrative code 567 Chapter 69.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

DESCRIPTION: LOT 1 OF LOT A

The South two hundred fifty-five feet (S. 255") of Lot A of Section 7, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County appearing of record as Document # 021249 in the Buena Vista County Recorders office, and

DESCRIPTION: LOT 2 OF LOT A

A of Section 7, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County appearing of record as Document # 021249 in the Buena Vista County Recorders office, except the South two hundred fifty-five feet (S. 255') thereof.

are hereby accepted subject to the following if any: when developed the house can have no more then three bedrooms. This will allow for a septic system and drainfield to be placed on the property in accordance with Iowa Administrative code 567 Chapter 69.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

DESCRIPTION: LOT 1 OF LOT A

The South two hundred fifty-five feet (S. 255") of Lot A of Section 7, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County appearing of record as Document # 021249 in the Buena Vista County Recorders office, and

DESCRIPTION: LOT 2 OF LOT A

A of Section 7, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County appearing of record as Document # 021249 in the Buena Vista County Recorders office, except the South two hundred fifty-five feet (S. 255') thereof,

and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 15th day of August, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors.....Attest: /s/ Karen M. Strawn,
Auditor

2:00 p.m.—The second hearing was held for the **Turf Grant MMP** for a different parcel in Section 5, Grant Township. There are a number of hog operations in the area, as well as a cluster of homes. Mr. and Mrs. Kevin Piercy were present; Piercy's would prefer not to smell the hog odor. They believe that the owners/operators of the hog operations should locate the facility next to where they live, not away from their home. They were not contacted about the proposed location. Mark Rosdail believes that there was a significant negative impact on his home from the hog operations. He was not contacted about this new project. Don Demers and Larry Schulz are also opposed to the location. Gustafson asked Nathan Kier, representing the owner, if they might re-consider the location. It was the consensus of the Board to ask that the location be re-considered.

Engineer Jon Ites presented a proposal from Becker Gravel Co. of Stratford, IA, for **gravel crushing and stockpiling** 300,000 ton of gravel at the Goldsmith Pit. Pocahontas County, has contacted Ites asking to work with BV County so that they can cost effectively access their pit which is adjacent to Goldsmith. Lanphere asked how long this amount of gravel can be expected to last. Ites believes it may last up to 10 years if some of the gravel is used in asphalt. Motion by Lanphere to accept the proposal of Becker Gravel Co., Stratford, IA, to move approximately 25,000 ton of existing gravel for \$.75/ton, pump the pit for \$50,000, and process and stockpile up to 300,000 ton of gravel at the Goldsmith Pit at Marathon for \$2.15/ton, with the project to begin September 1st. Carried. Arrangements with Pocahontas County will be negotiated later.

Motion by Gustafson to accept the proposal from Becker Gravel Co. to crush 75,000 ton of **gravel** (crush and stockpile) at the Hayes Pit for \$2.16/ton, by a deadline of June 1, 2006; the price includes pumping the pit. Carried.

Motion by Crampton to authorize the Engineer Ites to perform a **traffic investigation** at the intersection of 580th St. and 140th Ave., a location where a stop sign has been requested. Carried.

The Board briefly discussed progress on the **courthouse ramp** reconstruction. Delivery of the steel for the railing, curbs and canopy will not be for an estimated 6 weeks. Temporary railing and curbs will be installed. Engineer Ites suggested that there may be a need for a partition wall between parking space and the fuel tank.

Architect Rod Moore dropped in for a brief discussion of the **Storm Lake P&Z** hearing process for tonight's meeting.

Ravin and Sunil Patel owners of the Budget Inn, Storm Lake, asked about their FY'05-06 **taxes** which went up significantly from last year. They were referred to the Treasurer.

Motion by Crampton to set the following date and times for **public hearing**: for the 4-County Pork MMP (NE¼SE¼ Section 35, Newell Township), a Nutratech facility for 2400 head, on August 30th at 8:30 a.m.; and for the Christiansen Turkey Site MMP (NE¼SE¼ Section 22, Newell Township) on August 30th at 8:35 a.m. Carried.

Motion by Lanphere to approve **Resolution 2005-08-15** regarding eminent domain and the protection of private property rights. Carried.

RESOLUTION

Regarding the protection of private property rights of Buena Vista County residents.

WHEREAS, the Constitution of the United States of America, in Article 5 of the Bill of Rights, and the Iowa Constitution in Article I, Section 18, expressly provide for the protection of the private property rights of its citizens; and

WHEREAS, the power of eminent domain has been reserved to the local, state and federal governments for the sole purpose of acquiring private property through the use of condemnation proceedings when said private properties are needed for public purposes; and

WHEREAS, the United States Supreme Court recently handed down a decision upholding what they maintain is a local government's ability to take private property for various private "public good" projects such as economic development, or increased tax revenues for the local government itself; and

WHEREAS, this decision by the Supreme Court has put at risk the very right of private individuals to be free from government interference in their right to own and keep their private property; and

WHEREAS, the Supreme Court action is contrary to and contravenes the constitutional protection against such indiscriminate and willful actions by a governmental body upon the rights of it's citizens; and

NOW, THEREFORE, we the Buena Vista County Board of Supervisors unanimously support and recognize the original concept of the rights of eminent domain shall be used only as a last resort to acquire private property for a public project, and that such public project can be demonstrated to be necessary to accomplish the general welfare of the citizens of said jurisdiction.

FURTHER, this board deems any departure from the original principles of eminent domain to be an assault on one of our basic foundations of liberty and as an assault on the rights of private property ownership.

PASSED AND APPROVED this 15th day of August, 2005.

/s/ Lorna Burnside, Chair.....Attest: /s/ Karen M. Strawn, County Auditor

Motion by Lanphere to approve the minutes of the 8/8 meeting as corrected, and the minutes of the 8/9 meeting as printed. Carried.

There being no further business, the meeting adjourned at 4:20 p.m. until Monday, August 22nd at 1:30 p.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-SEVENTH MEETING, 2005 SESSION (37)
AUGUST 22, 2005**

The Buena Vista County Board of Supervisors met in special session at 1:30 p.m. on Monday, August 22nd in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Participating by telephone was Vail. Also present were: Sheriff Eddy, Deputy McClure, Frank DeMan, Frank Klahs, Jon Ites, Terry Murray, Jeff Sievers, and the media. The purpose of the meeting was to discuss the vote of the Storm Lake P & Z on the county's application.

The Chair began the discussion by stating that Alta, Albert City, and Newell have all asked if the Board might consider building the proposed jail in their towns. Crampton asked where the county stands with the city following the recommendation of the Storm Lake P & Z against locating the jail adjacent to the E. Richland Annex. Lanphere stated that because of what was stated when the first application was filed, the city has scheduled a hearing with the Board of Adjustment, and has published the notice of hearing, which is scheduled for August 31st at 4:30 p.m. The BofA fee has not been paid, but is due to be paid tomorrow. The county could just pay the fee, but not appear. Q-do we actively pursue BofA? Gustafson has spent a lot of time thinking about whether or not to continue to pursue this site. He thinks it important enough to take this site to the BofA. This property is in the industrial area, there isn't an odor issue, a noise issue, or trucks, and there is no basis for the objection to this site. He wants to continue to pursue this site. Previously, the Luedke site and the spec building site were considered. Of the two, he favored the Luedke site. He thinks the ERA site is the right site to pursue to completion. Lanphere stated that he didn't agree with all of Gustafson's points, but he does agree that that county should pursue the ERA site to the BofA. He noted that there were other sites the board looked at besides those the media covered. Crampton stated that the county has paid the fee, and should proceed with the BofA. Vail agreed: "continue with the BofA". The Board agreed their presentation to the BofA would be the same, but without the appearance of the architect.

Lanphere asked if the Board wanted to look at other locations so that we can proceed with an election before the end of the year. In answer to when the election might be held, Strawn stated that the only dates not available between now and the end of the year are school election day and city election day. Also, the minimum interval between setting the date by resolution and the date of election is 32 days. Gustafson doesn't want to look at other sites until this one is finished. Lanphere suggested that the Board have weekly jail meetings from this point forward; they can be on Tuesday afternoons, or on a different date, but should be separate from the regular meeting. There was not objection to the suggestion. Since any other location would have to be purchased, Lanphere also suggested that he would want to have the board go into closed session for the discussion of price. Even the Luedke site, already owned by the county, would have to be purchased from Secondary Roads since it was purchased by Secondary Road funds, which limits how the property can be used; it must be for road purposes. Gustafson doesn't see a need for a closed session except for discussion of an offer. Crampton noted that the motion to make a specific offer must be done in open session.

The Chair asked the board for any other subjects for discussion; there were none. The Chair asked if there were any questions from the Board or the audience. Frank Klahs asked if the county could swap the ERA site for the Luedke site. Lanphere answered that in the past, time and money was spent to put the pipe/culvert storage yard adjacent to the Luedke building so that the pipe/culverts could be easily loaded and unloaded with the equipment stored at the Luedke site. That arrangement means that the equipment only travels on the yard, not on the city street. The cost to bring water and sewer to that site for Secondary Roads needs was about \$55,000. The needs of a jail would be substantially greater and the cost could be \$55,000 to \$80,000.

Terry Murray is interested in same question asked by Klahs, but further commented that he would prefer that the county not have to divert funds to purchase property. He wondered what would be done with the Hudson St. site if in the future the shop is moved to Radio Road.

There being no further questions, motion by Crampton to adjourn at 2:00 p.m. until Tuesday, August 23rd at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-EIGHTH MEETING, 2005 SESSION (38)
AUGUST 23, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, August 23rd in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Gustafson who attended a small community wastewater meeting in Pocahontas with the Environmental Health Director.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

Nathan Kier and Doug Rebhuhn were present to address the Board about locating hog operations. Kier reviewed: The Turf Grant project was originally proposed for a location in the NE¼ of Section 5, Grant Township. After the public hearing, at which objections were made to the location and with encouragement from the board to seek another site, a second site was identified and a second public hearing was held for the new location in the SE¼ SW¼ of Section 5. Several objections were made at the second hearing, and the Board asked that the location be re-considered. Rebhuhn stated that he would like to address the other side of the issue. The Turf Grant project has now been reviewed twice. He (Rebhuhn) would like to sell the land. He is in the hog business too. He is concerned with neighbors stopping progress and a little concerned about how things are going with mega farmers farming thousands of acres and being large enough to do what they want with their land. Then at the opposite end, a person can buy 3 acres, build a house and then sell it. He (Rebhuhn) wants to sell 3-5 acres for a hog building; he's following all of the laws and regulations, and he can't do it. The newer tunnel vent buildings are a great improvement and much more effective. He asked, "Where is the level-playing field? If Kiers decide not to go ahead because of objections, then I've lost \$20,000. Rosdail is able to sell his acres and make a profit but I can't. What is the answer? Should I object to the subdivision location?" Lanphere commented that Clay Regional Water plays a part in encouraging residences in the rural area. He is interested in looking at cluster housing and cluster confinements. Rebhuhn, "We're trying to do the right thing. Our first option was in the NE¼, the second in the SW¼. We've tried to be on the good side, we moved it, and we talked to the coalition. I live by mine. My hog building is 300' from my house". The Board recognized Kier and Rebhuhn for going the extra mile; and, they understand the ideas Rebhuhn voiced: if it is fair for one person to sell 3 acres for a house, why isn't it fair for another person to sell 3 acres for a hog facility? Motion by Lanphere to support the location for the Turf Grant facility as proposed in the SE¼SW¼, Section 5, Grant Township, and to acknowledge that Kier and Rebhuhn have gone to great lengths to resolve differences. Carried.

Becky Meyer, EnvHealth/Zoning Inspector, discussed the William Conlin subdivision request and reported that the Zoning Commission had recommended approval. Motion by Crampton to approve and to authorize the Chair to sign Resolution 2005-08-23-A approving the William Conlin subdivision request for a location in Section 26, Fairfield Township. Carried.

RESOLUTION 2005-08-23-A

WHEREAS William D. Conlin and Jill S. Conlin have presented a preliminary and final plat (of survey) on the following described properties:

Description: Lot 1 of Lot B

THE NORTH FOUR HUNDRED THIRTY-FIVE AND SIX TENTHS FEET (N.435.6) OF THE WEST FIVE HUNDRED FEET (W.500') OF LOT B OF SECTION 26, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY IOWA. SAID LOT B APPEARS OF RECORD AS DOCUMENT #030217 IN THE OFFICE OF BUENA VISTA COUNTY, RECORDER. HEREAFTER KNOWN AS LOT 1 OF LOT B OF SECTION 26, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA

VISTA COUNTY, IOWA. TRACT CONTAINS 5.00 ACRES AND IS SUBJECT TO ALL EASEMENTS OF RECORD.

WHEREAS, the final plat meets with the approval of the Zoning Commission subject to the following if any: none.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

Description: Lot 1 of Lot B

THE NORTH FOUR HUNDRED THIRTY-FIVE AND SIX TENTHS FEET (N.435.6) OF THE WEST FIVE HUNDRED FEET (W.500') OF LOT B OF SECTION 26, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY IOWA. SAID LOT B APPEARS OF RECORD AS DOCUMENT #030217 IN THE OFFICE OF BUENA VISTA COUNTY, RECORDER. HEREAFTER KNOWN AS LOT 1 OF LOT B OF SECTION 26, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA: is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

Description: Lot 1 of Lot B

THE NORTH FOUR HUNDRED THIRTY-FIVE AND SIX TENTHS FEET (N.435.6) OF THE WEST FIVE HUNDRED FEET (W.500') OF LOT B OF SECTION 26, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY IOWA. SAID LOT B APPEARS OF RECORD AS DOCUMENT #030217 IN THE OFFICE OF BUENA VISTA COUNTY, RECORDER. HEREAFTER KNOWN AS LOT 1 OF LOT B OF SECTION 26, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 23rd day of August, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors...../s/ Karen M. Strawn,
Auditor

Engineer Jon Ites reviewed a request from Shelley Barker regarding an adequate outlet for the water that accumulates on her Alta property during heavy rains. The recommendation of Steve Rupp, Lundell Construction Co., was to install a 12" pipe across the blacktop. The blacktop is a joint, city/county road, and so the City of Alta also needs to be consulted on the matter before the county makes a decision.

Motion by Lanphere to approve and to authorize the purchase of 17,000 ton of gravel from Hallett Materials from the Wernimont Pit for \$2.25/ton, to be used in the north central part of the county. Carried.

Motion by Crampton to approve and to authorize the purchase of 36,000 ton of maintenance gravel for \$2.85/ton from Hallett Materials from the Hallett Holstein pit near Sac City for the stockpile at Newell and for spreading in the Newell area. Carried.

Motion by Vail to approve and to authorize the Chair to sign the final pay estimate for asphalt project #FM-CO11(56)—55-11 (M-50 resurfacing) to Fred Carlson LLC, Decorah, in the amount of \$451,246.86, or 9.2% over the contract price of \$413,286.54. Carried.

Motion by Crampton to approve and to authorize the Chair to sign the final pay estimate for asphalt project #L-R-911—73-11 (Sulphur Springs road) to Fred Carlson Co., LLC, Decorah, in the amount of \$78,360.95, or 8.9% over the contract of \$71,977.05. Carried.

Motion by Vail to approve and to authorize the Chair to sign the final pay estimate on asphalt **project #L-C-604—73-11** submitted by Schoon Construction, Cherokee, for the pre-cast concrete box culvert on the north side of Section 4, Nokomis Township. Carried. The contract was in the amount of \$71,854.14, with the final estimate of \$83,612.15. The additional 16.4% was due to granular bedding and granular backfill for the considerable hole under the facility due to washout. Ites also reported that an executed agreement had finally come back on the project, which will provide reimbursement of 55% of the cost from NRCS, subject to final approval of the project. Charles Slocum from NRCS will inspect the projects prior to issuing reimbursement.

Ites informed the board that the Iowa Environmental Protection Commission has approved rules to clarify that “ordinary travel” on unpaved public roads includes routine traffic and road maintenance activities; road maintenance activities include scarifying, compacting, transporting road maintenance surfacing material, and scraping the unpaved public road surface. This issue has been commonly referred to as “**fugitive dust**”.

A thank you has been received from the Newell Day Care Center for an old **computer** which was donated to them.

Motion by Vail to approve and to authorize the Chair to sign the **underground utility permit** submitted by Iowa Telecom, Grinnell, IA, to install 25 pair copper telephone cable along 70th Ave. on the west side of Section 6, Scott Township and under county road M-36 to the new hog house in Section 1, Elk Township. Carried.

Motion by Lanphere to approve and to authorize the Chair to sign the **underground utility permit** submitted by Alta Municipal Utilities to bury electric cable along 570th St., between 55th and 60th Ave. to provide service for a new house. Carried.

Ites reported that vandals are again taking **stop signs**; 7 signs are gone, with the posts having been taken down or broken over and left behind.

Motion by Vail to approve and to authorize the Chair to sign a work order for tree removal for **DD#67** for an estimated cost of \$14,500; the work will be performed by Richards Construction. Carried.

Motion by Vail to approve and to authorize the Chair to sign a work order for **Jt. DD #76-133** for a tile repair in Section 6, Douglas Township to be made by Marty Mauer Construction for an approximate cost of \$13,600 to \$15,000. Carried.

Motion by Crampton to approve drainage district claims as follows: **Jt. DD #16-30-92** to Kuehl & Payer in the amounts of \$157.28 and \$67.61; **Jt. DD #19-26** to Kuehl & Payer in the amounts of \$2,115.67 and \$23.06; and **Jt. DD #76-133** to Kuehl & Payer in the amounts of \$2,722.05 and \$1,467.30. Carried.

Motion by Lanphere to approve and to authorize the Chair to sign an agreement with Julie Smith as an independent contractor to provide services as **HIPAA coordination services** to the county, on a part-time basis beginning September 12, 2005. Carried.

Deputy Treasurer Joan Martin discussed the request by the property owners of the Budget Host motel for a **reduction of the taxes**. Taxes on commercial property in Storm Lake have increased due to a shift in the balance amongst the different classes of property. The result is a sizable increase in taxes for FY'05-06. The owners have asked to make partial payments with the interest abated. It was the consensus of the board that approving such a request would set a precedent. Martin reported that the 1/1/05 assessment on the property for FY'06-07 taxes has been lowered. In the past, only one request has been considered when a payment plan was approved due to a medical misfortune.

Motion by Crampton to approve the minutes of the 8/15 and 8/22 meetings as printed, the following report: July operations report for Spectra lagoon, and to approve and to authorize the Chair to sign the claims authorization list dated 8/23/05. Carried. Also reviewed were: the L.O.S.T. tax projection for '06, executed copy of the NRCS Project agreement for culvert in Section 4 Nokomis Twp.

It was noted that Nokomis Township Clerk Chuck Ryherd has resigned his office and moved to Sioux City. Nokomis Township Trustees have appointed Jim Black to the vacancy. The Clerk's term will expire in 2006.

The board reviewed the statement of values for the county's property/casualty insurance policy. Building values were increased 1.5% since the last adjustment which was made in 2003. Property is insured at replacement value with 90% coinsurance. The consensus of the board was to insure only those buildings/structures where the remaining value is not minor nor insignificant after deducting the deductible and the 10% county co-insurance.

There being no further questions, the meeting adjourned at 12:20 p.m. until Tuesday, August 30th at 8:30 a.m. in the Boardroom for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-NINTH MEETING, 2005 SESSION (39)
AUGUST 30, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, August 30th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

The time having arrived for the public hearing on the 4 County Pork manure management plan, the Chair opened the hearing with no interested persons present. EnvHealth/Zoning Director Kim Johnson reviewed the MMP for the operation which is located in the SE¼, Section 35, Newell Township. It is a 2,400 head Nutratech site. There were no objectors present, and no comments, questions or objections have been received. The Chair closed the public hearing.

Lanphere has spoken to the Storm Lake Code Enforcement Officer regarding a sidewalk on the south end of the east-most handicap parking place near the courthouse ramp. Crampton will contact the architect, Glen Huntington about it.

The time having arrived for the public hearing on the manure management plan for the Dale Christiansen Turkey operation located south of the railroad tracks on the east side of Section 22, the Chair opened the hearing with Christiansen and Deb & Kaj Overgaard present. The operation will house 34,500 birds in 3 buildings. (Five buildings would be just under the matrix). Deb Overgaard stated that she and her husband are building a house facing the SE about ½ mile away from the site. A fresh air exchange will be needed due to their location and typical wind direction. If the site goes in, the odor, water contamination, and view of the manure will devalue their home and ruin their savings and

retirement plans. There are other confinements around them. There are 4 other acreages ½ to 1 mile away. Overgaards aren't new to the area – they've been there 24 years. They don't want to have to pay with their health for Dale's gain. Overgaard's found out about the project through the published legal notice. The Chair commented that the Board can't do anything legally. Gustafson doesn't agree with locating so many so close together; he wishes there was more communication with the neighbors. He would like some scientific data to know the extent of how the neighbors will be affected by these projects.

Kaj Overgaard stated he is financially dependent on the farming community, and they are friends with Christiansen, but he feels compelled to speak up so that the Board knows what the issues are. Gustafson noted that 'we need people in the country, and we need the livestock, so we need a plan', but he doesn't know what the answer is. We're losing the contract owners too. Kai suggested that maybe a person could be bonded when he puts up a facility. The money could be set aside until after the project is in operation to see if there are problems. If there were, then the money would be available to clean up. Johnson noted that hog facility structures are changing and the air quality is improving, but the odor hasn't been eliminated yet.

Christiansen spoke about his neighbors and friends. This project is where he makes his living since he is a small farmer. He has to diversify his income base. When he first started looking into this with Sara Lee, he was concerned about and asked about the impact on the neighbors, though he didn't go right out and talk to them. Turkeys don't have the same impact that hogs do. When he met with Kuehl and Payer for evaluation of the site, he was concerned about the impact on the neighbors; the engineers felt it would be a non-issue. His buildings will be 2800 feet from Overgaard's site, with 1875 feet being the minimum. There are trees that will act as a buffer, and Overgaards will see just the tops of the buildings. During his planning process his first question was what happens to the neighbors. His plan is to finish out small turkeys. His operation will have 34,500 birds; 55,555 birds would trigger the matrix. Johnson informed the Board that a subdivision of this site is forthcoming. Vail noted that it is difficult to achieve the balance between farming opportunities and quality of life. There being no solution to offer, motion by Gustafson to close the public hearing. Carried. The Chair thanked the Overgaards and Christiansen for coming in to discuss their points of view.

Community Services Director Dawn Mentzer reported that the legislature appropriated funds for **children's mental health waivers** for juveniles with serious mental health conditions. The cap is on the number of juveniles, not dollars. Targeted case management will be required. Mentzer has investigated what needs to be done for the county to provide the service. She has found that it is not practical or cost effective to provide the program; another case manager would need to be hired and trained, and she doesn't have the background to supervise this service. Mentzer recommended that the county contract with DHS for the services. The county currently has 2 eligible juveniles. Motion by Lanphere to approve and to authorize the Chair to sign Resolution 2005-08-30-A appointing DHS to provide targeted case management services for juveniles. Carried.

Resolution 2005-08-30-A

Designation Regarding Targeted Case Management

WHEREAS, Buena Vista County currently provides directly or contracts for the provision of Targeted Case Management (TCM) services for certain populations of county residents; and

WHEREAS, the State Medicaid Plan requires that every county adopt a resolution designating the TCM provided for county residents who are on the Children's Mental Health Waiver; and

WHEREAS, in order to have TCM services provided to county residents in a timely fashion, it is crucial that each county make this designation as soon as possible; and

WHEREAS, the Board of Supervisors has fully considered all of the options available, including designating the county's existing TCM provider, designating another county and designating the Iowa Department of Human Services;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors hereby designates the Iowa Department of Human Services as its TCM provider for county residents who are on the Children's Mental Health Waiver.

PASSED, APPROVED AND ADOPTED this 30th day of August, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors...../s/ Karen M. Strawn,
Auditor

Mentzer has received a contract from Spencer Municipal Hospital to provide **MH services** listed in Iowa Code Chapter 135B. Currently, our designated facility is Cherokee MHI. If no beds are available, she contacts the other MHI's first, and last - a private hospital. Under the current Management Plan, she has concerns that a contract with SMH would make it easier to send patients there first instead of CMHI, and recommends holding off on the contract until Management Plan is updated. SMH costs are substantially higher than the MHI's. The Board concurred with her recommendation to wait.

Gayla Voss addressed the Board regarding the **Jt. DD #1 drainage assessment**. Her father owns land in Section 2 Newell Township; he had private tile installed taking the water in a different direction – it doesn't drain into Jt. DD #1. Engineer Ivan Droessler stated that this land is on the DD boundary and not all the acres are being assessed in Jt. DD #1. The majority of that land does go elsewhere (east and northeast), but some of it does go west to Jt. DD #1. He suggested that if she can find documentation of the tiling to provide a basis for re-consideration, she should submit it. Mrs. Voss stated that the land has been double-taxed – in Jt. DD #1, Jt. DD #181 and DD #35. Droessler agreed that the land is included in more than one district, but it receives benefits from each one. Voss may be able to find tiling records for a part of it. Treasurer Kathy Bach commented that since the publication of the re-classification schedule didn't indicate what percent the levy was going to be, only the assessment value for each parcel, owners weren't alerted to the need to attend the hearing.

Arden Jorgensen also addressed the Board about the **Jt. DD #1 drainage assessment**. He believes his assessment was excessive. His land is in Section 7, Newell Township, at the top end of Lateral 2. Droessler explained that his land has wet soils, the proximity to the facility is high, the soil is the type that needs the drainage, his land uses the entire length of the facility, and the ground is low ground (no natural drainage), all of which add up to the highest assessment. His neighbors are similarly assessed.

Droessler reported that landowner Richard Larsen has asked about which facility his acres in Sections 8 & 17 drain to – Lateral 2 or Lateral 1. He was assessed in 2, but the water goes to Lateral 1. He did some tiling which drains into Lateral 1, and will provide the documentation. He asked to have the schedule changed. Droessler has responded that those lands can be re-classified to Lat 1 after the fact (the re-classification hearing was held August 9th), but the assessments everyone else pays can't be changed. The change will reduce the sinking fund for Lateral 2 from \$10,200 to \$5,555.41. The Trustees can make the change if they feel there is merit. The change can be made; it would be a permanent change for future levies. The funds from the current levy will all go into DD 1, and future expenditures will be assessed to the 3 different facilities. All current stamped warrants will be paid from DD #1, but after all stamped warrants are redeemed, the reserve funds will then be prorated to the 3 facilities based on their share of the original schedule. Droessler recommended approving Larsen's request upon receipt of the documentation. Motion by Gustafson to recommend to the Joint Board of Trustees to amend the reclassification schedule of Laterals 1 & 2 of **Jt. DD #1** pursuant to Richard Larsen's request, and to direct the engineer to proceed with the calculations of the amended schedules. Carried.

Motion by Vail to approve and to authorize the Chair to sign the NCRS reimbursement requests for the following **project #'s: L-JB-300-73-11, L-C-512-73-11, L-B-521-73-11, and L-C-604-73-11.** Carried.

Motion by Lanphere to re-locate the road in the SE corner of Section 26, Lee Township which will reduce the cost by avoiding replacement of a bridge and to approve right-of-way expense of \$3,000/acre for 3.42 acres. Carried.

A request has been received from Christensen Brothers to adjust working days on project #L-FM-651 & #L-FM-652 as follows: start date from Sept. 12 to Sept. 26, and end date from Sept. 30 to Oct 7. The Board suggested asking if Christensen Brothers would modify the price.

Motion by Crampton to approve and to authorize the Chair to sign the underground utility permit submitted by IPL (Alliant Energy) to install a 1" plastic natural gas line under 510th St. (C-63) to provide service to a new house. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the underground utility permit submitted by Cherokee Rural Water to install a 2½ PVC waterline under 80th Ave. south of 520th St. between Section 18 and 17, Hayes Township. Carried.

Ites gave a secondary road report and noted that he has received an inquiry about purchasing the 'IH crawler' which the Board acquired with the dredge which was purchased from the McCook Lake Isaac Walton League. Gustafson stated that he is alarmed about rising fuel costs and asked the engineer to consider going to four 10-hour days. Ites responded that he and the Maintenance Superintendent have been reviewing winter operations to see where adjustments can be made. They are also looking at doing more brush control and tearing a building down rather than activities that require equipment operation. Gustafson would like to see what neighboring counties are saving with their 4-day work week.

The Board acknowledged receipt of a notice of voluntary annexation into the city of Storm Lake for property owned by Bill Patton west of Pronto on the west side of the city.

In a brief review of the presentation before the Storm Lake Board of Adjustment, Lanphere informed the Board that Jim Bauer has purchased BVRMC's lot which is adjacent to the county's vacant lots – the proposed jail building site. Bauer will be constructing 3 storage buildings on the property which lies between the residential area and the proposed jail site. This function will likely increase traffic in the area. The residential area will have its view of the jail blocked by the storage facilities. Lanphere will present ownership plats and aerial photos to the Board of Adjustment. The Chair mentioned having received three calls from Newell inviting the jail to be built there. Calls are still being received from Alta and Albert City. Gustafson mentioned that Truesdale could still be an option with the rural water and the new sewer system which is scheduled to be built there. Lanphere asked if there would be room south of Spectra facility; the sewer system would be an issue.

Motion by Vail to approve the transfer of \$521.39 from the Employee Health Fund to the Mental Health Fund to reimburse the employer and employee portions of the health insurance premium deducted for one employee who resigned. Carried.

Following a discussion of the cost for \$1,000, \$2,500, and \$5,000 deductibles on property/casualty coverage, the consensus of the Board was to leave the deductible at \$1,000.

Motion by Burnside to approve the minutes of the 8/23 meeting as amended. Carried.

Lanphere introduced the topic of designating locations for either clusters of residential sites and/or clusters of animal confinement building sites in the rural area. He asked whether the board should review this topic for consideration in the Comp Plan to either promote or discourage clusters. Zoning Director Kim Johnson commented that the Comprehensive Planning process will include public input. Discussion: There are lots of choices, and different people want different things i.e. to live on a gravel road or not, to live near neighbors or not, etc. The number of acres for residential site can be stated in the Comp Plan to assure enough room for a septic system. There are advantages and disadvantages in all choices. The County has no control over animal building sites. We can ask for some cooperation, but

that's all we can ask. Ninety-nine percent of the animal feeding operations are not on a rural water system. A good system will attract homebuilders. These days a farmer needs 1,000 acres or perhaps 3-4,000 acres to make crop farming profitable. Clustering livestock sites might not be a good idea because the manure would have to be hauled quite a distance.

A brief review of the FY'05 ending fund balance with the 'target ending fund balance' which was developed several years ago, indicated that FY'05 was right on target with the target. Lanphere mentioned that he would like to set aside (designate) funds for an equipment replacement fund. No action was taken.

There being no further business, motion by Gustafson to adjourn the meeting at 11:40 a.m. until Tuesday, September 6th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTIETH MEETING, 2005 SESSION (40)
SEPTEMBER 6, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, September 6th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail, and Burnside. Nays: none. Abstentions: none.

EnvHealth/Zoning Director Kim Johnson has completed the process of revising the scope of services for the Comprehensive Plan contract. Motion by Gustafson to approve and to authorize the Chair to sign the contract with JEO Consulting Group, Inc., Wahoo, NE, in the amount of \$80,000 for the countywide Comprehensive Plan. Carried. Gustafson would like to see a good neighbor policy, and tax incentives for residences in the rural area in the Comp Plan. Johnson confirmed that a building permit could be required, without fees, to track new construction. The Board also discussed rural wastewater systems, leech fields, 'time of transfer', and junkyards.

Motion by Gustafson to approve and to authorize the Chair to sign the claims of today's date. Carried.

Motion by Vail to approve today's payroll subject to audit. Carried.

Motion by Crampton to recess today's meeting at 10:30 a.m. until 1:00 p.m. for the jail discussion, due to a funeral. Carried.

The time having arrived for a teleconference regarding Jt. DD #1, Pocahontas County reported Benecke, Christiansen, DeWolf, Ekstrand, Triggs, and Auditor Bunda present. Motion by Vail, second by DeWolf to appoint Burnside as Chair, and Strawn as Secretary for the meeting. Carried. Engineer Ivan Droessler reviewed the request received last week from Richard Larsen to amend the classification schedules of Lateral 2 and Lateral 1. Larsen had private tile installed several years ago causing water on his land to drain into Lateral 1 instead of Lateral 2. Larsen acknowledged that the appropriate time to

bring this to the attention of the Jt. Board of Trustees was at the August 9th re-classification hearing which he did not attend. Droessler informed him that the purpose of the hearing is to take these requests. Requests received after the fact are much more difficult to correct. However, due to the request not being over a district boundary, but within the district, Droessler has recommended approval of the request; the MOD schedule will not change. Larsen has provided documentation from the tiler showing where the water runs. Putting these acres in Lateral 1 will only make a difference in the size of the sinking fund for Lateral 2 after the stamped warrants are redeemed; but, it will make a significant difference to the landowner. Droessler reviewed the changes and resulting dollar differences. The assessment decrease in Lateral 2 will be \$286.73. The assessment increase in Lateral 1 will be \$60.94. Bunda asked whether allowing this change would open the door for others to request changes since it is a modification to the schedule. Why set a hearing with a deadline? Droessler stated that he brought this to the joint board only because it is not an outside boundary issue. To the best of his knowledge, the boundary between Lat 1 and 2 was determined properly. The landowner brought evidence to the contrary. If the evidence had been brought to the hearing, it would have been changed then. If there was no proof, he would have recommended no change. He doesn't believe changing one allows the door to be open to those who are just complaining about the size of the levy. This is a physical correction since physical tile lines exist taking water to Lat 1. Bunda reviewed advice from Attorney Jim Hudson – if 2005 Iowa Code Chapter 468.65 is violated and landowners become aware of it, it could lead to litigation which would lead to a new re-classification and all new costs. The landowner is responsible for the notices he receives. Droessler restated that he believes this fits under obvious error in Chapter 468.65.4. Gustafson asked whether the landowner has the option to go to court. Droessler responded that he doesn't have the window since he didn't file at hearing; however, you can always try taking something to court. The joint board requested that Droessler seek a legal opinion. change does not remove acres from the district. Bunda commented that in doing it outside of the hearing, not all landowners have opportunity to hear and consider the impact of the request. Motion by Christiansen to continue the discussion until Droessler consults Attorney Jim Hudson, seconded by Gustafson. Carried. After seeking Hudson's opinion, the matter could be taken up following the Jt. DD 181 meeting on Sept. 19th. Motion by Christiansen, second by Vail to adjourn. Carried. Droessler will request a written opinion from Hudson, and consult with BV County Drainage Attorney Gary Armstrong.

Burnside left for a funeral and Lanphere assumed the Chair.

Recorder Shari O'Bannon discussed the 28E agreement regarding the **Recorders CLRIS project** which was sent out by the Iowa County Records Association. Motion by Gustafson to amend today's agenda by adding approval of the Iowa Land Records 28E Agreement at 1:00 p.m. Ayes—Crampton, Gustafson, Vail, and Lanphere. Nays—none. Carried.

1:00 p.m.-Burnside returned and the meeting resumed. Motion by Gustafson, second by Lanphere, to approve and to authorize the Chair to sign the **28E agreement** with the Iowa County Records Association concerning the County Land Record Information System (CLRIS), pursuant to HF882 approved by the Legislature in 2005. Carried.

The Board took up discussion of the **proposed law enforcement center**. The only dates not available for a bond election in 2005 are September 13 and November 8. Since the dollar amount is needed for the bond issue question, there are a number of tasks to be completed prior to holding the election. Absentee ballot request forms could be published in the newspapers so that snowbirds would know how to obtain a ballot if the election is to be held after they go south. Lanphere roughed out a 10 week time frame to complete all that is necessary prior to Election Day. The architect should be consulted to find out his timeline to provide the remaining information needed for the election question. Gustafson is not interested in considering the first architect. Lanphere thinks we should check in with the first architect to see where we stand with him. A telephone call was placed to Attorney Bob Josten confirming that the county does not have to take bids for an architect.

Motion by Gustafson to hire Moore & Associates as the **architect** for the proposed law enforcement center through completion of the project. Ayes—Crampton, Gustafson, Vail, Burnside. Nays—Lanphere. The motion carried. A copy of the decision or minutes of the Board of Adjustment

hearing was requested from the city. A meeting with Architect Rod Moore was scheduled for Thursday, September 8th at 10:00 a.m. The Chair will make a contact about media that could be used to inform the voters about the building and the bond issue.

The Board discussed selling excess equipment from the list purchased from the McCook Isaac Walton League of South Dakota. A request to purchase one of the items has been received. During the recess, Gustafson and Lanphere compiled the following list of items to be sold: an old marine radio, pickup, dozer, flat bed trailer, boat trailer, 2 boats (1 with a motor) and a Kaiser truck. The items can be seen at 433 Vilas Road. The (city) building is open 7 a.m. to 3 p.m.

Motion by Vail to approve the minutes of the 8/30 meeting as printed and the following reports: July BV County Conservation Board minutes, June 23 NWIPDC Policy Council minutes, and August Sheriff's fees. Carried.

There being no further business, motion by Gustafson to adjourn the meeting at 3:17 p.m. until Thursday, September 8th at 10:00 a.m. in the Boardroom for a special session with Architect Rod Moore.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-SECOND MEETING, 2005 SESSION (42)
SEPTEMBER 13, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, September 13th in the Boardroom with Vice-Chairman Lanphere presiding and with the following other members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, and Vail. Nays: none. Abstentions: none.

CPC Dawn Mentzer reported that she has selected a candidate for the case manager position. Motion by Gustafson to employ Sally Thompson as a case manager in the Community Services Department at \$13.47/hr effective 9/19/05. Carried.

Gayla Voss submitted documentation (this morning, by fax) for the Board's consideration regarding her belief that her land in Section 2, Newell Township, should not be assessed in Jt. DD #1. The information will be sent to Engineer Ivan Droessler for review.

Zoning Director Kim Johnson requested a date and time for a public hearing. Motion by Vail to set a public hearing for September 20th at 8:30 a.m. on the minor subdivision request submitted by Don Parrish and Steve Salts for a location off N. River Road north of Sioux Rapids. Carried.

Motion by Vail to approve and to authorize Chairman Lanphere to sign an agreement with Terracon to perform soil borings on the proposed law enforcement center site. Carried.

9:15 a.m.—The time having arrived for a teleconference with Pocahontas County for Jt. DD #1, the call was received with the following present in Pocahontas County: Beneke, Christiansen, DeWolf, Ekstrand, Triggs, and Auditor Bunda. Motion by DeWolf, second by Vail, that Lanphere serve as Chair and Strawn as Secretary for the meeting. Ayes—all. The purpose of the meeting was to consider a

resolution to re-classify 7 parcels in Jt. DD #1 as requested by Richard Larsen. A copy of the paperwork received from Gayla Voss was faxed to Pocahontas County; however, no action will be taken until Engineer Ivan Droessler reviews the information. Voss believes that her land should not be assessed in two drainage districts.

Strawn reported that the Engineer had consulted with Attorney Jim Hudson regarding the procedure to be used for the Larsen request. Chapter 468.65.4 of the 2005 Code of Iowa prescribes how errors are to be corrected after a reclassification has been approved. All affected property owners shall be given the usual notice and time to respond unless all sign a waiver of notice. Both Richard Larsen and Chris Eldred have signed and submitted waivers of notice. The procedure is to determine if the documentation submitted supports the request to reclassify, to appoint Benefit Commissioners, to order a reclassification of the parcels, and because waivers of notice have been signed, to set the date of hearing for the re-classification. Motion by Gustafson, second by Christiansen, to approve and to authorize the Chair sign "Resolution of the Trustees of Joint Drainage District No. 1 Partial Reclassification". The vote on this motion was: Crampton-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Beneke-aye, Christiansen-aye, DeWolf-aye, Ekstrand-aye, and Triggs-aye. Motion carried.

**RESOLUTION OF THE TRUSTEES OF
JOINT DRAINAGE DISTRICT NO. 1
PARTIAL RECLASSIFICATION**

WHEREAS, Richard Larsen has requested consideration to reclassify his land in Sections 8 & 17, Newell Township, due to errors and

WHEREAS, Larsen has provided documentation of private tile having been installed to drain his water into Lateral 1 instead of Lateral 2, and

WHEREAS, the Joint Board of Trustees for Jt. DD #1 finds that the documentation does in fact support Larsen's request to re-classify certain parcels,

NOW THEREFORE BE IT RESOLVED by the Joint Boards of Supervisors of Buena Vista and Pocahontas Counties, Iowa, acting as Trustees of Jt. Drainage District No. 1, as follows:

1. Engineer Ivan Droessler, Marlowe Feldman and Elmer Bals, are hereby appointed as Benefit Commissioners for Jt. DD #1;
2. The Jt. DD #1 Benefit Commission is directed to re-classify the following lands and report on or before 11:30 a.m. on September 19, 2005 in the Boardroom of the Sac County Courthouse:

Owner			Parcel	
ID	Sect-Twp-Range	Parcel Desc.		
Richard N. & Pauline M. Larsen	1608300002	8-90-35	NE SW	
Richard N. & Pauline M. Larsen	1608300004	8-90-35	SE SW	
Richard N. & Pauline M. Larsen	1608400004	8-90-35	SW SE	
Richard N. & Pauline M. Larsen	1617126001	17-90-35	Pt NE NW	
Richard N. & Pauline M. Larsen	1617126002	17-90-35	Pt NE NW	
Richard N. & Pauline M. Larsen	1617201001	17-90-35	NW NE	
Chris M. & Darice Eldred	1617126003	17-90-35	Parcel in NE NW	

3. Anticipating that the owners of said lands intend to sign a statement waiving their notice (pursuant to Iowa Code Chapter 468.18) of hearing, the hearing on the Benefit Commission's report of said re-classification is hereby set for 11:30 a.m. on September 19, 2005 in the Boardroom of the Sac County Courthouse (pursuant to Iowa Code Chapter 468.65 (4)).

PASSED AND APPROVED by the Trustees present at said meeting, they being Crampton, Gustafson, Lanphere, Vail, Beneke, Christiansen, De-Wolf, Ekstrand and Triggs on this 13th day of September, 2005.

/s/ Bill Lanphere, Chairperson, Joint Board of Trustees...../s/ Karen M. Strawn, Secretary to Joint Boards

The Joint Boards discussed the cost of the partial reclassification. Mr. Larsen has agreed to pay the extra amount of the cost over and above the amount that would have been incurred if the error had been brought before the Joint Boards during the Reclassification Hearing on August 9. This amount is estimated to be \$1,300.00. At the hearing on September 19th, if the partial reclassification is approved, the Joint Boards will adopt a resolution assessing the \$1,300 cost to Mr. Larsen.

There being no further business, motion by Gustafson, second by DeWolf, to adjourn. Carried.

Work is progressing on the courthouse handicap access ramp. Steel for the canopy has been delivered and is being installed this week. Steel for the handrails will be delayed another 6 weeks. A temporary wooden railing will be installed.

The Board reviewed July budget reports and fund balances. The county's bonding attorney, Bob Josten, has requested information for wording of the ballot issue. Following discussion, it was the consensus of the Board, to set the amount to be bonded the same as the project cost of the proposed law enforcement center.

The Chair reviewed a situation regarding the placement of a wetland in the flight path southwest of the Storm Lake Airport in Section 31, Hayes Township. Wetlands are set up to encourage wildlife and birds. However, birds can be a hazard for aircraft. Since agriculture can't be regulated, the county has no voice in the matter. If there had been communication between NRCS and the FAA, the wetland location would not have been approved.

Motion by Crampton to approve the minutes of the 9/8 meeting as printed. Carried.

Motion by Vail to declare the following 'excess equipment' and to advertise the items for sale by sealed bid; the bid deadline will be 4:30 p.m., October 10th. Carried. *1948 TD9 International dozer, *1968 Kaiser 6-wheel drive truck, *1984 Ford F150 '4x4' pickup – salvage, *2-way Marine Radio system, *Two (2) john boats (16' and 17'), *One (1) Johnson 30 hp motor – stuck, *One (1) Shore Station boat trailer, One (1) tandem axle utility trailer (12'x 6.5') with side rails & tool box, *1990 Sudenga Salt/Grain Auger-Model 450, *1968 Ford 4400 Utility Tractor, gas engine, with loader and bucket, rollover protection, 3 point hitch, 2186 hours, *Two (2) Unisys LP800/1200 printers in sound enclosures.

Motion by Vail to approve and to direct that warrant #200427, issued 7-12-05 for \$246.10, be voided and re-issued to R&D Industries; the original was lost. Carried.

Motion by Gustafson to appoint Public Health Nurse Administrator Sally Bonnesen to the Safety Committee. Carried.

Motion by Crampton to approve and to authorize the transfer of \$20,433.70 from the General Basic Fund (0001) to the Capital Projects Fund (1500). Carried.

There being no further business, motion by Vail to adjourn the meeting at 11:30 a.m. until Friday, September 16th at 1:00 p.m. in the Boardroom to canvass today's Regular School Election.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-THIRD MEETING, 2005 SESSION (43)
SEPTEMBER 16, 2005**

The Buena Vista County Board of Supervisors met in special session at 1:00 p.m. on Friday, September 16th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, and Burnside. Nays: none. Abstentions: none.

Pursuant to Chapter 50.24 of the 2005 Code of Iowa, motion by Crampton to declare the results of the **canvass** of the Regular School Election held September 13, as follows:

Albert City-Truesdale School District: total voters - 47

For School Board Director - elect 1

Jared F. Hays	47	elected
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Alta Community School District: total voters - 48

For School Board Director - elect

Valerie Rosenthal	34	elected
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David Turnquist	44	elected
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Scattering	1	
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Newell-Fonda School District: total voters - 27

For School Board Director, District 1 - elect 1

Roger L. Sarchet	27	elected
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Sioux Central School District: total voters - 63

For School Board Director, District 5 - elect 1

Dan Dodge	60	elected
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Scattering	3	
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Storm Lake School District: total voters - 78

For School Board Director - elect 1

Leslie Cutler	78	elected
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Iowa Central Community College:

For Director, District 2 – elect 1

John E. Hodges 67

Iowa Lakes Community College:

For Director, District 5 – elect 1

Howard Kyle 18

Scattering 1 Carried.

The Board took up the discussion of how to provide information to the voter on the **law enforcement center** bond issue. It may be possible to find a BVU student interested in working on the project; 1st semester classes are pretty well set up, so a class project is not an option. The student would have access to the necessary equipment. Other opportunities in the community may also be available. The Chair will attempt to contact a student who may be interested. Lanphere, who has watched the Scott County video used last fall for their bond issue, suggested a rough outline of what could be included. Jail Task Force members have been invited to the meeting on the 20th. Information on the current plan will be reviewed with them at that time.

The Chair delivered an invitation from Vicki Roberts asking the Board to meet with the **BV County Fair Board** and the County Engineer at the fairgrounds at 4pm on 9/20.

There being no further business, motion by Crampton to adjourn the meeting at 2:55 p.m. until Tuesday, September 20th at 8:30 a.m. in the Boardroom for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-FOURTH MEETING, 2005 SESSION (44)
SEPTEMBER 20, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, September 20th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

The Chair opened the public hearing on the **minor subdivision request** submitted by Don Parrish for an area in Lee Township. There were no interested persons present. Zoning Director Kim Johnson reviewed the request. There being no objections, motion by Crampton to close the public hearing. Carried. Motion by Lanphere to approve and to authorize the Chair to sign Resolution 2005-09-20-A approving the minor subdivision request of Donald L. and Rachel M. Parrish. Crampton-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Burnside-aye. Carried.

RESOLUTION 2005-09-20-A

WHEREAS Donald L Parrish and Rachel M Parrish have presented a preliminary and final plat (of survey) on the following described properties:

Description: Lot 1 of Lot A

A PART OF LOT A AS IT APPEARS OF RECORD AS DOCUMENT # 981046 IN THE OFFICE OF THE BUENA VISTA COUNTY RECORDER AND BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NW¼ NW FRAC.¼) OF SECTION 6, TOWNSHIP 93 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of said Lot A; Thence on a previously recorded bearing of South 81°42'02" West, along the South line of said Lot A, 417.83 feet; Thence North 12°06'24" East, 183.35 feet; Thence North 14°15'23" West, 142.55 feet; Thence North 01°28'07" East, 103.15 feet to the North line of said Lot A; Thence North 90°00'00" East, along said North line, 408.87 feet to the East line of said Lot A; Thence South 00°14'53" West, along said East line, 360.26 feet to the Point of Beginning. Hereafter known as Lot 1 of Lot A of Section 6, Township 93 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa. TRACT CONTAINS 3.55 ACRES AND IS SUBJECT TO ALL EASEMENTS OF RECORD.

WHEREAS, the final plats meet with the approval of the Board subject only to the following if any: none.

THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

Description: Lot 1 of Lot A

A PART OF LOT A AS IT APPEARS OF RECORD AS DOCUMENT # 981046 IN THE OFFICE OF THE BUENA VISTA COUNTY RECORDER AND BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NW¼ NW FRAC.¼) OF SECTION 6, TOWNSHIP 93 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of said Lot A; Thence on a previously recorded bearing of South 81°42'02" West, along the South line of said Lot A, 417.83 feet; Thence North 12°06'24" East, 183.35 feet; Thence North 14° 15' 23" West, 142.55 feet; Thence North 01° 28' 07" East, 103.15 feet to the North line of said Lot A; Thence North 90°00'00" East, along said North line, 408.87 feet to the East line of said Lot A; Thence South 00°14'53" West, along said East line, 360.26 feet to the Point of Beginning. Hereafter known as Lot 1 of Lot A of Section 6, Township 93 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

Description: Lot 1 of Lot A

A PART OF LOT A AS IT APPEARS OF RECORD AS DOCUMENT # 981046 IN THE OFFICE OF THE BUENA VISTA COUNTY RECORDER AND BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NW¼ NW FRAC.¼) OF SECTION 6, TOWNSHIP 93 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of said Lot A; Thence on a previously recorded bearing of South 81°42'02" West, along the South line of said Lot A, 417.83 feet; Thence North 12°06' 4" East, 183.35 feet; Thence North 14°15'23" West, 142.55 feet; Thence North 01°28'07" East, 103.15 feet to the North line of said Lot A; Thence North 90°00'00" East, along said North line, 408.87 feet to the East line of said Lot A; Thence South 00°14'53" West, along said East line, 360.26 feet to the Point of Beginning. Hereafter known as Lot 1 of Lot A of Section 6, Township 93 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 20th day of September, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors...../s/ Karen M. Strawn, Auditor

Motion by Vail to set a **public hearing** on the MMP filed for Navigator Farms, LLC, in the W½ NW corner of Section 24, Lee Township for September 27th at 8:30 a.m. Carried.

Motion by Gustafson to approve and authorize the Chair to sign today's **claims** list. Carried.

Motion by Gustafson to direct the auditor to pay **payroll claims** as approved by the department heads, with the Board to review the payroll claims listing when the list is available. Carried.

Motion by Gustafson to approve the **minutes** of the 9/13 and 9/16 meetings as printed, and the following **reports**: August Conservation Board minutes, FY2004 cost allocation report. Carried.

Motion by Vail to approve and to authorize the Chair to sign the FY2004 actual **Cost Allocation Plan** prepared by Maximus. Carried.

Motion by Vail to approve the following claims for **Jt. DD #1**: Mack, Hansen, Gadd, Armstrong & Brown for legal fees-\$378; Hudson Law Firm for legal fees-\$427; Pocahontas County Auditor-reimbursement for clerk's duties re: annexation/reclassification-\$299.67. Carried.

John Torbert, Exec. Director of the **Iowa Drainage District Association** was present to review the activities of the prior year. He had attended a Clean Water Conference where hypoxia (a depletion of oxygen in the Gulf of Mexico due to the Mississippi is too nutrient rich) was discussed. Hurricane Katrina has altered the water biology in the Gulf for the current time, but that is only temporary. The pressure will be back on the Cornbelt states to do something. The Task Force has been looking for voluntary standards to get a handle on nitrogen, but in 10 years there have been only isolated successes; overall there has been no impact on the water quality. This issue has a lot of steam and a lot of people watching it. From the conference he also learned that an EPA study has issued a preliminary report saying that all of the concern about nitrogen is misplaced; the principal culprit is phosphorus. With all the time, money and resources in nitrogen, people are understandably angry with the EPA. There will be scientific evidence for both conclusions, so there may be a dual blow on agriculture. One other issue from this past year was the allowance for a County Treasurer to add a fee of up to \$4/parcel for processing drainage assessments. Only one county has taken advantage of this law. There will likely be more on this in the next legislature.

Engineer Jon Ites filed his "Buena Vista County Highway Engineer FY2005 **annual report**" with the Board. Approximately \$520,000 in projects contracted in FY'05 was held over to be finished in FY'06. Ites requested the Board's consideration in requesting a property tax exemption on a parcel in Truesdale purchased by the county for a stockpile site. No cropping is done there.

Having approved Christensen Brothers' request for an adjustment in working days on **projects #L-FM-651 & #L-FM-652**, the Board requested that the contractor consider cost adjustments by the contractor. Christensen Brothers will accept a reduction in price of \$100 for each day of delay from the start date, in addition to the \$500/day penalty for late completion.

Ites reported on his investigation of the request from Jerry Gosch to place a **stop sign** at the intersection of 140th Ave. and 580th St. in Grant Township, stopping the east-bound traffic. Using the DOT's 2003 traffic count and the Sheriff's accident report (there were none); he finds that there is limited need for a stop sign at the location. Motion by Gustafson to concur with the Engineer's recommendation

to not place a stop sign at the intersection of 140th Ave. and 580th St. and to authorize the Chair to sign a letter to Gosch notifying him of the decision. Carried.

Motion by Lanphere to approve and to authorize the Chair to sign the underground utility permit submitted by Iowa Telecom, Grinnell, IA, to install 25 pr telephone cable by boring under 480th St. between Section 5, Scott Township, and Section 32, Barnes Township. Carried.

A letter was received from the Lakeside City Clerk regarding the jake brake ordinance being adopted by the city. The jake brake ban would affect traffic on the 'Lakeside blacktop' which is a county road and not in the city limits. The Board will consult with the County Attorney on the matter.

Motion by Vail to direct the auditor to draft a letter to Gayla Voss notifying her that her Jt. DD #1 assessment will stand since she is receiving a benefit in Jt. DD #1, and explaining that she is also assessed in another district, and, to authorize the Chair to sign the letter. Carried.

Jail Task Force members Storm Lake Police Chief Mark Prosser and Newell Police Chief Wayne Westergaard, Interim Storm Lake City Administrator and City Clerk Patti Moore, Sheriff Chuck Eddy, Deputy Don McClure, and Sandy Johnson were present for the discussion of the proposed law enforcement center and bond election. The newest drawings reflecting the Storm Lake Board of Adjustment's request to front the building on Expansion Blvd were reviewed. Also viewed was a Scott County video used for their bond election in Nov. 2004. The Chair explained that the Board was considering a video; it could be helpful for educating voters. It could be shown on TV and at meetings of organizations, etc. The project cost information is expected from the architect today or tomorrow, which would allow the election to take place on city election day – November 8. Friday would be the deadline for adopting a resolution setting an election date of Nov. 8th. Prosser asked if there was sufficient time to market the information to the voters. Moore stated there was potential that the county would not be able to meet with all groups due to the short time. Regarding the scheduling of the bond issue on city election day, she said the city is always favorable to saving money. Lanphere explained the need to hold the election as soon as possible so that bids can be requested to get the best prices before materials increase in cost. Presentation materials need to be ready no later than mid-October. Prosser noted that the Scott County video lacked information on what the alternative would be if the bond issue failed. Also, each taxpayer needs to know how the levy will affect them. Gustafson asked if the video would be better than having the Sheriff making presentations. For the time needed and effort required, a video may not do us much good with such a short time frame. A video does allow a voter to see the problems; you can't get people to take a tour. Johnson suggested that a PowerPoint presentation with someone speaking, and using real photos of the jail issues could be effective. The Sheriff won't be able to make all of the presentations, and the PowerPoint could be used by anyone speaking on the subject. Johnson also commented that the presentation should inform voters what measures the county is using to reduce incarceration – i.e. bracelets, etc. Prosser cautioned having persons who appear to have a vested interest (persons on uniform) in the outcome making the presentations. This makes a citizen committee valuable. The Chair asked those who could, to meet again with the Board on Friday at 1:00 p.m. Eddy will begin work on the PowerPoint presentation. Lanphere suggested the Board needs to meet more frequently to develop presentation materials and a plan informing the public. Boardmembers will make contacts around the county to solicit volunteers who might consider being on a citizen's committee. The auditor will contact John Geist of Ruan Securities for information on taxpayer impact after the architect provides the project cost.

There being no further business, motion by Gustafson to adjourn the meeting at 12:20 p.m. until 4:00 p.m. at the Fairgrounds for a meeting with the Fair Board.

4:00 p.m. -- Supervisors Crampton, Gustafson, Lanphere and Vail, and Auditor Strawn met informally with 12 members of the BV County Fair Board and Lee & Becky Meyer at the fairgrounds in Alta. Following an accident at a raceway in Mount Vernon, Illinois, and a resulting lawsuit, insurance companies are requiring more safety precautions when writing insurance coverage for raceway facilities. In Alta, better protection for the audience is needed. There are a couple possible solutions. At a cost of about \$17,500 for concrete, plus a fence, an effective barrier could be placed between the track and the

grandstand. Backfill would be needed to reduce the washout of the dirt resulting from rain running off the concrete in front of the grandstand. The concrete barrier is required for new racetracks. The other option, which would bring it up to current specs, would be to increase the height of the existing steel and post barrier to 3 feet high, plus a new fence, cable and catch fence. Materials would be about \$3,500; the Meyers would be willing to donate the equipment and labor to install this solution, but they would ask for an extension of their contract for the raceway. The Fair Board is concerned that if the steel and post barrier is selected, in a year or so, that solution would no longer be adequate, and the funds expended to build it would be lost. On the first option, the concrete work could be completed this fall, with the cable and fence next year. The Fair Board is asking for whatever assistance the county can provide. The Board members agreed to discuss this subject further at their meeting next Tuesday, September 27th at 9:00 a.m.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-FIFTH MEETING, 2005 SESSION (45)
SEPTEMBER 23, 2005**

The Buena Vista County Board of Supervisors met in special session at 1:00 p.m. on Friday, September 23rd in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Also present were Sheriff Chuck Eddy, Engineer Jon Ites, Henry DeMan, Terry Murray and the media.

Board members reviewed the project cost information provided by the architect for the proposed law enforcement center. [**Law enforcement center** \$4,486,515; alternate 1-outside cover for jail expansion \$286,074; alternate 2-engineer \$195,875.] In response to questions, the architect provided the following additional information: paving, landscaping and outdoor lighting were included in the estimate, but moving the communications center was not. Also, the outside dimensions of alternate #2 yield about 1,800 sq ft. Financing costs and legal expense must also be added. Lanphere suggested including an amount for contingencies, over and above the amount allowed by the architect, plus an amount to move the communications center, or an additional \$403,000, for a **bond issue** total of \$4,982,515.

Gustafson feels that it is important to show the taxpayers that the county is trying by using funds from other locations. He would consider using other funds for certain items such as the video court system, office furniture, phone system, fiber optics, insurance, a total of \$167,800. He would use available money from the capital projects loan, 911 funds, General Basic and General Supplemental ending balances.

Estimates for financing costs were provided by Ruan Securities at two levels: \$77,000 for a \$4.5 million issue, and \$83,000 for a \$4.9 million issue. The estimated debt service levy at the lower amount is about \$.48/thous, and would be about \$.52/thous at the higher amount.

Motion by Lanphere to request bond issue approval for \$4,900,000. The vote was: Crampton-aye, Gustafson-nay, Lanphere-aye, Vail-nay, Burnside-nay. The motion failed.

Motion by Gustafson to request bond issue approval for \$4,500,000. The vote was: Crampton-nay, Gustafson-aye, Lanphere-nay, Vail-nay, Burnside-nay. The motion failed.

Motion by Crampton to request bond issue approval for \$4,750,000. Crampton-aye, Gustafson-nay, Lanphere-nay, Vail-aye, Lanphere doesn't want to go forward with only 3-2 approval. Burnside feels 5-0 would be best. Vail stated that knowing the right amount is difficult when there are so many unknowns. Burnside-nay. The motion failed.

Motion by Lanphere to request bond issue approval for \$4,800,000. Crampton-aye, Gustafson-nay, Lanphere-aye, Vail-aye, Burnside-aye. The motion carried.

Supervisor Lanphere introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Crampton, and after due consideration thereof by the Board of Supervisors, the Chairperson put the question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted: Crampton-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Burnside-aye. Whereupon, the Chairperson declared the motion duly carried and the resolution adopted in substantially the following form:

RESOLUTION NO. 2005-09-23

Resolution calling an election on the proposition of entering into a loan agreement.

WHEREAS, it is deemed necessary and advisable that Buena Vista County, Iowa (hereinafter sometimes referred to as the "County"), enter into a loan agreement for the purpose of financing the construction of a county law enforcement center (hereinafter referred to as the "Project"); and

WHEREAS, pursuant to Section 331.402 of the Code of Iowa, before the County may enter into a loan agreement and borrow money for such purpose, the County must hold a special election upon such proposition and receive a favorable vote from at least 60% of the total votes cast at such special election;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, as follows:

Section 1. A special county election is hereby called and ordered to be held in and for the County, on Tuesday, the 8th day of November, 2005, at which there will be submitted to the voters of the County the following proposition:

Shall the County of Buena Vista, State of Iowa, be authorized to construct, furnish and equip a county law enforcement center on Expansion Blvd, Storm Lake, Iowa, at a total cost not exceeding \$4,800,000 and enter into a loan agreement in an amount not exceeding \$4,800,000 for that purpose?

Section 2. All of the foregoing matters are adopted and resolved by this Board, and the County Auditor is hereby authorized and directed to issue a proclamation and notice of the aforementioned proposition and of the time and place of the election and to take all other actions necessary pursuant to state law to conduct the election.

Passed and Approved September 23, 2005.

/s/ Lorna Burnside, Chairperson, Board of Supervisors.....Attest: /s/ Karen M. Strawn, County Auditor

The Board discussed information that should be available to the voters prior to the election including the 5-year cost of housing juveniles outside of the county, the 5-year cost of housing adult prisoners out of county, the estimated cost of deputy time moving prisoners in and out of county, as well as the cost of lost deputy time for other duties. Also, important is the cost of repairs, improvements, and replacements which would be required if the bond issue fails. The cost of bringing the existing jail up to code would be substantial, plus prisoners would have to be housed out of county for the work to be done.

Motion by Gustafson to approve the minutes of the 9/20 meeting as corrected. Carried.

There being no further business, motion by Gustafson to adjourn the meeting at 2:20 p.m. until 8:30 p.m. on Tuesday, September 27 for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-SIXTH MEETING, 2005 SESSION (46)
SEPTEMBER 27, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, September 27th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

8:30 a.m.—the time having arrived for the public hearing on a manure management plan, the Chair opened the hearing with EnvHealth/Zoning Director Kim Johnson and Loren Lantz, Iowa Select, present. Johnson reviewed the plan which was submitted for the Marathon Finisher Farm, owned by Navigator Farms LLC, and located in Section 24, Lee Township. The facility will house 996 animal units which is below the matrix. There being no objections, motion by Vail to close the public hearing. Carried.

8:40 a.m.—The Chair opened the public hearing for the minor subdivision request of Thomas Shea for property located in Section 22, Newell Township. Dale Christiansen has purchased the 10.42 acres for a turkey facility; the manure management plan was approved previously. Johnson stated that the Zoning Commission did not meet, but of four members, 3 approved, 1 did not because of the objection of the neighbors. The Chair reported that Christiansen has since met with the Overgaard's and the issues have been worked out. Motion by Gustafson to close the public hearing. Carried. Motion by Vail to approve resolution 2005-09-27-A approving the subdivision of a parcel in Section 22, Newell Township. Carried.

RESOLUTION 2005-09-27-A

WHEREAS the Thomas Edwin Shea Trust has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION: LOT B

THE EAST EIGHT HUNDRED EIGHTY FEET (E. 880') OF THE SOUTH FIVE HUNDRED SIXTEEN FEET (S. 516') OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE¼ NE¼) OF SECTION 22, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

Hereafter known as Lot B of Section 22, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa. Tract Contains 10.42 Acres and is subject to all easements of records.

WHEREAS, the final plat meets with the approval of the Zoning Commission subject only to the following if any: none.

WHEREAS, the final plat meets with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

DESCRIPTION: LOT B

THE EAST EIGHT HUNDRED EIGHTY FEET (E. 880') OF THE SOUTH FIVE HUNDRED SIXTEEN FEET (S. 516') OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE¼ NE¼) OF SECTION 22, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

Hereafter known as Lot B of Section 22, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

DESCRIPTION: LOT B

THE EAST EIGHT HUNDRED EIGHTY FEET (E. 880') OF THE SOUTH FIVE HUNDRED SIXTEEN FEET (S. 516') OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE¼ NE¼) OF SECTION 22, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

Hereafter known as Lot B of Section 22, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

/s/ Lorna Burnside, Chair, Board of Supervisors.....Auditor: /s/ Karen M. Strawn, Auditor

Johnson reported that a meeting has been set up between Clay Regional Water, the city of Truesdale and the DNR to discuss the site for the Truesdale Wastewater project to be funded by a USDA loan (\$384,000) and a CDBG grant (\$91,000).

Due to an omission in the original April, 2005, quote letter, Lateral #8 in DD #34 was not included among the laterals to be sprayed by B&W Control Specialists during the current year. The lateral was on the map to be sprayed, but omitted from the list. The work has been completed. Motion by Crampton to approve and to authorize the Chair to sign the approval for B&W Control Specialists to spray DD #34-Lateral #8 during the 2005 spray season. Carried.

Motion by Crampton to approve the minutes of the 9/23 meeting as corrected. Carried.

The following members of the BV County Fair Board were present to request financial assistance in upgrading the catch fence at BV Raceway: President Vicki Roberts, Secretary/Manager Mary Weiland, Treasurer Anna Mae Rotert-Flink, and Raceway Chair, Vince McGee. Also present were Lee and Becky Meyer, Promoters. The catch fence needs to be replaced this fall for safety. The insurance company has indicated that there are 2 options - concrete or metal. The Meyer's have proposed providing the labor and equipment to install a steel guard rail and fencing, with the Fair Board providing the materials, if their contract were to be extended 3 years for a total of 5 years. The Fair Board would have to vote on the extension, but those present don't have an objection to doing so. The Meyer's proposal would incorporate some used materials.

The Fair Board would prefer to put up a concrete barrier because they believe that option will be less likely than steel to need upgrading down the road, but it is a lot more expensive. The insurance company will not guarantee the specs for any time period.

The Fair Board is currently paying off a building loan and doesn't have many funds. So, they are asking for help to pay for the catch fence. The Fair Board also needs to repair the grandstand building. Costs to repair it are not currently known, but they are arranging to get an estimate on the project. The cost of providing premiums has been higher due to more 4-H participation. BV County Extension does not contribute toward the cost of ribbons, trophies or premiums. The county provided \$15,000 last fiscal year to the Fair Board, and \$17,500 was approved for the current year.

Gustafson asked if Meyers would be willing to put some money in on the concrete option. The Meyers did put in the west fence a couple years ago at their cost. Vail commented that racers prefer a steel guard rail; it is more 'forgiving' than concrete.

Lanphere stated that it would seem if the Meyers are willing to gamble a \$7,000 contribution of labor and equipment that a steel fence will be adequate for 5 more contract years, and with the other demands on the fair board, then the choice is a 'no brainer'.

In discussing other revenues, the Fair Board reported that Ag Partners (formerly Cargill) provides \$1,500/year to pile corn. They also pay the electric bill in the winter so they can use the raceway lights for loading the grain, gravel for the roads, and they will soon re-surface the paved area at the east end of the fairgrounds. This year 1st Coop will also be renting an area on the west end for grain storage, and they will help with rodent control. The Fair Board would appreciate any help the county can provide. They will be working on a grant to re-do the grandstand.

Gustafson commented that DOT gets by with the steel guard rails for heavier vehicles at higher speeds. Vail's biggest concern with the guard rail is the erosion just outside the fence. There isn't any place for the water to go. Gustafson would support adding \$3,500 to the current year's budget and let the fair board decide how to use it. The Supervisors commented that the maintenance of the raceway and the fairgrounds has been great. Motion by Gustafson to commit to amending the current year's budget by \$3,500 for an additional allocation to the Fair Board. Motion by Lanphere to amend Gustafson's motion by raising the amount to \$5,000. Gustafson commented that he is concerned, and he cautioned about amending by too much. The vote on the amendment was: Crampton-aye, Gustafson-nay, Lanphere-aye, Vail-nay, Burnside-nay. The amendment failed. The vote on the motion as proposed was: Crampton-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Burnside-aye. Carried.

Present for discussion on development of information on the **proposed law enforcement center** were Deputy Don McClure and Sandy Johnson. Lanphere presented a basic outline of facts he would like included in the information provided to the public. Gustafson suggested putting pictures in the newspaper. All materials developed will include the same information (PowerPoint, handouts, storyboard, flyers, editorials, local access cable channel), but all media types are needed to reach all groups of voters. Johnson suggested a Q&A sheet to be distributed at presentations. Gustafson suggested this type of material could be included as a mailer in the newspapers. McClure reviewed current occupancy of the jail, and discussed the time and frequency of transports. Processing time at the YES Center is under ½ hour; at Sac County it takes 45-60 minutes; Cherokee County 30-90 minutes. Processing time to pick up prisoners takes somewhat less time. Other non-emergency law enforcement activity such as routine work and investigations are put on hold for transports. This information is needed but needs to be brief. Lanphere suggested holding open house type meetings in each community, utilizing community people to assist. The Sheriff, Deputy McClure, Johnson and Lanphere will work on it. With the limited time, some presentations may be conducted simultaneously if there is more than a single laptop/projector available. Each presentation should have a boardmember present. An inquiry has been made to identify the organizations which may want presentations.

John Geist, Ruan Securities, stopped in to answer any questions the Board may have had about the **financing** information provided by his company. He suggested that the architect's contingency amount might be a little low considering the likely change in cost of buildings materials. Hopefully by the time of construction, those prices will stabilize. In bond issues he has assisted with in other counties, it has been important to make the materials understandable and answer the following questions: why are we proposing the project? What are our other options, and what do they cost? It is important to let the

voter know that we can't be precise about costs since we are 'chasing a moving target' with material prices. Interest rates are still pretty good, but the difference from low to high is not so drastic anymore. He also explained that bonds can be issued either before or after the costs are known. If done first, any leftover funds would be applied against the debt payment. Interim financing (short-term loan during construction) would allow the county to borrow the exact amount needed. Approval of a bond issue isn't a new request in this county; we have been working on the need to replace the jail since 1999.

There being no further business, motion by Lanphere to adjourn the meeting at 11:45 a.m. until 8:30 a.m. on Tuesday, October 4th for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**Buena Vista County Claims Report
APRIL THRU JUNE 17, 2005**

0001 GENERAL BASIC: ACS State Health Care/LL 423.00; AEA 267 1,400.00; Ag Partners L.L.C. 1,654.61; Albert City Printing & D 80.63; Alexander Hamilton Insti 29.95; Alliant Energy 893.14; Allied Document Solution 1,485.46; Alpha Wireless Communica 532.69; Alta Community School Di 2,423.80; Alta Fire Department 545.00; Alta Municipal Utilities 279.80; Altamirano, Francisco 536.56; Altamirano, Melinda 418.28; Anderson, Diane 912.04; Anderson, Valerie 110.00; Aphsa 115.00; Arch Wireless 89.34; Armstrong, Carolyn 495.10; Arnold Motor Supply 10.13; Arrowwood Resort And Con 217.35; Assmann, Jean 207.04; Aventis Pasteur 232.99; B & M Service Inc 736.15; B V Co Secondary Road 145.51; B V Co Soil Conservation 875.00; Bach, Donna M 340.75; Bach, Kathleen 37.77; Bailey, Taesa 558.40; Barker Company Inc, Bob 1,094.87; Bedels Drive-In Pharmacy 2,639.74; Bertness, Jacki 66.50; Binning Outdoors 2,580.80; Bli Lighting Specialists 399.00; Bogue, Pamela L 172.45; Bomgaars 429.58; Briggs Corporation 695.79; Buena Vista Co Journal 1,732.93; Buena Vista County Fair 7,500.00; Buena Vista County Regio 41.25; Buena Vista Regional Med 640.75; Burnside, Lorna 124.80; Business Forms & Sys Co 1,048.21; Business Telephone Co In 110.00; Bv Stationery & Printing 2,349.13; C & G Distributors Llc 53.83; Calendars 94.13; Carlson, James 60.00; Carpenter Uniform & Prom 397.42; Cdw Government Inc 478.79; Cedar Rapids Five Season 281.43; Cede & Co 59,230.00; Cellular One 1,079.40; Central Bank 22.15; Central Business Forms 84.25; Central Iowa Distributin 2,263.56; Central Region Idia 60.00; Chem-Pro Inc 90.00; Cherokee Co Public Healt 2,146.93; Cherokee County Sheriff 7,680.00; Chindlund, Ann 685.68; Christiansen, Diane 124.44; Cms Holdings Inc 31,649.58; Color-Ize Inc 212.40; Commercial Sign & Design 195.25; Community Health Partner 3,185.00; Control System Specialis 9,084.39; Cook, Ginni 867.94; Crippin, David 900.00; Cross Auto & Towing 90.00; Culligan 358.55; Dahl's Machine Shop Inc 98.40; Datamaxx Applied Technol 1,516.86; Dave's Repair 135.68; Dell Marketing Lp 2,972.81; Dels Garden Center Inc 72.00; Demuth, Marty 47.41; Dental Distributors Inc 1,115.37; Department Of Veterans A 630.00; Des Moines Stamp Mfg Co 48.00; Dickinson Co Public Heal 1,429.07; Dorsey & Whitney Llp 1,305.50; Drey, Jean 283.20; Dust-Tex Service Inc 158.06; Eddy, Chuck 10.24; Electronic Engineering 120.00; Emerald Systems Inc 8,200.00; Esri Inc 1,200.00; Fareway Store 2,515.43; Farmers Coop Company 105.46; Ferguson Enterprises Inc 40.55; Fidar Companies 1,726.38; First Cooperative Associ 2,149.33; Fitzpatrick Auto Center 60.15; Floyd Valley Community 926.32; Four Points Sheraton 554.26; Francotyp-Postalia Inc 7.75; Fratzke & Jensen Funeral 2,300.00; Galbraith, Lloyd F 207.04; Gale White Contruction I 200.00; Galls Inc 150.98; Garbage Hauling Service 394.50; Geisinger, Harold 55.84; General Security Service 117.60; Gingerbread House 1,818.21; Glen D Huntington Archit 4,615.00; Golden Nugget Hotel And 701.52; Gouldin, Cheryl 12.95; Graham Tire Co 3,318.18; Grainger Inc., W. W. 104.00; Grows Garbage Service 200.00; Grp & Associates 50.00; Guerra, Paula 39.68; Gustafson, Jim 590.15; Haberman, Judy 860.25; Haldin Construction 250.00; Haldin, Richard 111.00; Hammen, Kayla 30.00; Hansen, Summer 96.29; Havens & Havens Law Firm 5,600.00; Havens, Philip E 2,800.00; Heartland Inn 96.30; Heartland Inn Des Moines 561.75; Heinrich Envelope Llc 742.15; Hepola, Carrie 508.33; Hildreth, Cindy 2,012.00; Hillyard Inc 166.85; Hobart Sales And Service 655.90; Hoberman, Arlo

15.65; Hoferman, Clinton 263.78; Holiday Inn Conference 519.70; Holiday Inn Des Moines N 262.46; Hopkins Medical Products 564.60; Hultgrens-Gerlach Inc 22.50; Hunzelman Putzier & Co 2,297.66; Hy-Vee 9.80; Hy-Vee Food Store 607.88; Ia-Iaai 20.00; Iaccb 600.00; Iaccva 40.00; Icit 125.00; Icube 25.00; Ida County Public Health 1,862.00; Ieha 20.00; Imagetek Inc 115.00; Incode-Cms 712.52; Independent Business Sys 145.61; Ingenix Inc 150.90; International Assoc Of C 400.00; Iowa County Attorneys As 417.00; Iowa Crime Prevention As 25.00; Iowa Department Of Natur 75.00; Iowa Dept Public Safety 1,590.00; Iowa Foundation For Medi 70.00; Iowa Lakes Electric Coop 922.45; Iowa Law Enforcement Aca 350.00; Iowa Office Supply 4,801.88; Iowa Prison Industries 1,611.30; Iowa Public Health Assoc 100.00; Iowa State Assoc Of Coun 280.00; Iowa Telecom 216.50; Iowa Workforce Developme 15.00; Isu Extension Distributi 142.93; Jacks Uniforms & Equipme 1,715.77; Jacobs, John 600.00; Johnson, Cindy 147.03; Johnson, Hali 25.00; Julius Cleaners 1,672.42; Kennedy, Susan 134.40; Kimble, Rick 273.54; Kleen, Twyla 162.00; Koeppe, Brenda 14.20; Kramer, Robert 60.00; Kuehl, Arlene 48.00; Kurtz, Ray 75.00; Lake Animal Hospital 20.00; Lake Electric Supply 258.76; Lanphere, Bill 729.89; Laurens Sun, The 17.10; Logistic Systems Inc 770.00; Long Lines Internet 1,274.52; Lyon County Health Servi 1,670.83; M Y Supply Inc 15.25; Madsen, Leigh 121.60; Mainstay Systems Inc 228.00; Mangold Environ Testing 714.00; Mangold, Bill 80.00; Marathon 1st Responders 1,499.60; Marks Welding & Machine 159.75; Martin, Joan Reiling 134.40; Mastercard 3,238.31; Maymon, Patti 272.50; Mccrea Enterprises 130.00; Med-Pass Inc 98.88; Media Systems Supplies I 246.14; Medline Industries Inc 15.14; Mercy Medical Center 558.88; Metabank 30.00; Meyer, Becky 28.53; Meyer, Ronovan 200.00; Mid American Energy Comp 9,949.69; Midwest Wireless 1,062.48; Mikes Lawn Service Inc 297.70; Murray & Murray Plc 32.98; Nada Appraisal Guides 60.00; Napa Auto Parts 10.49; National Educational Ser 639.89; Nelsons Premix & Vet 19.80; Nepple Electric Inc 49.73; Nepple, Tammy 422.20; Newell Ambulance Service 882.60; Newell American Legion 180.00; Newell Children's Center 135.77; Newell Fire Dept 300.00; Newell Fonda Community S 296.75; Newell, City Of 116.06; Nomad Travel Agency 860.00; Northern Lights Distribu 5,443.51; Northwest Aging Assoc 1,500.00; Northwest District Of As 125.00; Nw Ia Adu 6,850.08; O'bannon, Shari 54.40; O'brien Co Public Health 828.65; O'reilly Automotive Inc 7.99; Office Systems Company 1,845.72; Ohrtman, Mary 728.26; Omb Police Supply 2,257.11; Omni Photo 973.77; Osceola Community Health 998.40; Pagers Inc The Beeper Pe 95.70; Parrott & Sons, Matt 252.82; Pathology Medical Servic 1,350.00; Patton, David 3,000.00; Peters, Marilyn 10.59; Petty Cash 79.00; Petty Cash Health Dept 57.09; Pilot Publishing 1,371.70; Pitney Bowes 1,257.00; Pitney Bowes Inc 451.88; Polk & Co, R. L. 315.00; Postmaster 1,205.00; Prairie Lakes Aea 25.00; Professional Electronics 48.50; Psa 200.00; Pyle, Mindy 306.93; Qualification Targets In 116.84; Qwest 5,254.90; R & D Industries Inc 610.64; Ram Systems Ltd 5,760.00; Rasmussen Ford Mercury I 862.88; Rebnord Technologies Inc 1,802.93; Reese, Lou 50.00; Regional Transit Authori 5,024.00; Reis, Hanna 135.00; Ressler Drug Co 49.99; Rides 637.50; Rj Thomas Mfg Co Inc 344.00; Robertson, Jake 455.00; Sac County Sheriff 385.00; Schumacher Elevator Co 608.61; Scott Refrigeration & Ai 1,420.75; Secretary Of State 105.00; Security Trust & 17.73; Share Corp 215.00; Shea, Belinda 67.65; Sievers, Scott 200.00; Silk Screen Ink Ltd 277.90; Sioux Rapids Ambulance 475.00; Sioux Rapids Auto & 46.31; Sioux Rapids, City Of 93.90; Sioux Sales Co 230.46; Sioux Valley Medical Ass 91.00; Sirchie Finger Print Lab 80.73; Sliefert-Asmus Funeral H 1,182.00; Smith, Julie 144.00; Smith, Mark 200.00; Snyder, Kelly 8.00; Speers, Tim 145.16; Sports Rehabilitation & 1,184.00; Stanley Real Estate 200.00; Staples Credit Plan 99.23; Star Energy Llc 3,139.69; Stern, Bernice 38.40; Storm Lake Access Marina 24.52; Storm Lake Area Developm 6,250.00; Storm Lake Cemetery 250.00; Storm Lake Times 1,755.57; Storm Lake, City Of 1,586.15; Strawn, Karen 617.62; Stucynski, Dewyne 136.32; Sunshine Services 147.75; Temple Aluminum Foundry 523.81; Tiefenthaler, Stacey 1,270.77; Training Resources 375.00; Treasurer State Of Iowa 160.00; Ultimate Office 45.90; United Building Center 71.75; United States Postal Ser 1,000.00; Unmc-Rhen 30.00; Updyke, Hope 203.68; Upper Des Moines Opportu 50.00; Upper Des Moines Oppty 3,095.25; Vail, Richard A. 131.84; Valdez, Ofelia 463.12; Valley Pharmacy 76.41; Veehoff Key & Lock 4.50; Veit, Barb 16.91; Visa 3,323.54; Walmart Community 391.67; Wede's Lock Service 15.00; Weiland, Mary 123.84; Wells Fargo Bank Minneso 142.50; Westview Mobile Home Par 390.00; Wilson, Patrick J 228.00; Winkler Drilling Inc 200.00; Wogahn, Ruth 178.14; Youth & Shelter Services 85.00; Youth And Family Consult 460.00; Zee Medical Inc 198.70

0002 GENERAL SUPPLEMENTAL: Baker, Elnora R 72.50; Brewer, Anne 72.50; Buena Vista Co Journal 38.55; Buena Vista Co. Sheriff 49.00; Bv Co/Mun Disaster Serv 19,625.00; Clay County Sheriff Depa 18.50; Cole, Mary 72.50; Crawford Co Sheriff 16.85; Crittenton Center, The 79.40; Dickinson County

Sheriff 23.62; Election Systems & Softw 313.66; Emmet County Sheriff Off 23.50; Frederiksen, Ferne 72.50; Fudge, Roxana 77.50; Heartland Inn Des Moines 149.80; Holiday Inn Conference 139.10; Ida County Sheriff's Off 47.00; Kennedy, Susan 29.13; Kirkpatrick, Dorothy 72.50; Linn Grove Library 7.89; Long Lines Internet 38.63; Mack Hansen Gadd Armstro 50.00; Methodist Manor 45.00; Monona County Sheriff's 16.00; Nw Ia Adtu 2,550.00; Nw Ia Youth Emergency Se 17,400.00; Parrott & Sons, Matt 276.69; Pilot Publishing 224.56; Postmaster 325.00; Quirin, Charlene 72.50; Qwest 206.45; Rice, Monica 76.02; Rice, Richard 81.02; Sac County Sheriff 20.00; Secretary Of State 31.07; Sievers, Delores 108.76; Sievers, Roger D 52.68; Simons, Clyde A 77.50; Smith, Mary 72.50; Smith, Norma 76.98; Stephens, Myrtle 77.50; Storm Lake Times 38.32; Thorson, Lee 20.00; Veehoff, Mary 72.50; Wedeking, Martin 77.50; West Payment Center 1,913.80; Woodbury Co Sheriff 26.05; Youth Shelter Care Of No 2,530.08;

0010 MH-DD: Services Fund: Alliant Energy 78.19; B V Co Secondary Road 58.70; Buena Vista Co. Sheriff 285.00; Bv Stationery & Printing 228.15; Council Against Domestic 1,687.50; County Case Management S 1,176.00; Day-Timers Inc 21.85; Dell Marketing Lp 3,731.78; Department Of Human Serv 86,082.67; Dept Of Human Services 3,097.60; Dept Of Human Services D 81,888.47; Dept Of Human Services-A 12,636.21; Four Points Sheraton 128.61; Genesis Development 16,773.32; Holton Custom Signs 94.02; Ida Services Inc 2,256.54; Iowa Ribbon Service 48.10; Iowa State Assoc Of Coun 15.00; Mack Hansen Gadd Armstro 810.00; Mentzer, Dawn 248.32; Mid American Energy Comp 105.56; Mid-Step Services Inc 1,257.18; Midwest Wireless 175.13; Ncc 200.00; Office Systems Company 108.00; Petty Cash 51.61; Plymouth Life Inc 2,668.00; Postmaster 398.00; Prairiewave 182.06; Professional Electronics 1,678.45; Qwest 582.84; Rebnord Technologies Inc 1,653.90; Regional Transit Authori 2,100.00; Rem Developmental Servic 825.04; Richmond Center, The 5.82; Schall, James A 75.00; Seasons Center For Commu 37,427.33; Spectra Health Care 2,089.40; Spectra Health Care Inc 4,111.40; Star Energy Llc 351.08; Treasurer State Of Iowa 5,665.96; Wal-Mart Business 271.39; Yon Family Trust, Lola K 2,000.00

0011 RURAL SERVICES: Albert City Corp 2,325.00; Alta Corp 2,325.00; Buena Vista Co Journal 50.30; Buena Vista Regional Med 30.00; Danielson, Lloyd 2.56; Esri Inc 1,200.00; Iowa Dept Of Ag & Land S 47.00; Iowa Office Supply 98.21; Linn Grove Corp 2,325.00; Local Government Innovat 4,243.00; Lund, Norman J 226.20; Marathon Corp 2,325.00; Newell Corp 2,325.00; Pilot Publishing 58.65; Quality Inn & Suites 75.55; Qwest 136.28; Rembrandt Corp 2,325.00; Rowley Recycle Ct, Harold 37,494.50; Sioux Rapids Corp 2,325.00; Star Energy Llc 97.28; Storm Lake Corp 6,975.00; Storm Lake Times 45.36; Van Diest Supply Company 6,088.00

0020 SECONDARY ROADS: Ag Partners L.L.C. 2,479.57; Ag Partners Llc 862.47; Air Filter Cleaning Serv 224.37; Albert City, City Of 61.40; All About Computers Inc 330.00; Alliant Energy 3,138.97; Alta Municipal Utilities 180.56; Arnold Motor Supply 893.69; Bailey, Dan 66.12; Barco Municipal Products 4,741.75; Barga Inc 65,291.60; Baymont Ames 94.50; Baymont Inn & Suites 204.60; Beck Excavating Inc 77,967.63; Bedels Inc 1,550.00; Bodholdt Brothers 299.08; Bomgaars 4,392.64; Bongarde 43.46; Bright, Jon K 1,200.00; Brown Supply Co 810.16; Buena Vista Co Journal 106.74; Buena Vista Regional Med 60.00; Buske, Ron 22.08; Bv Stationery & Printing 234.21; C J Cooper & Associates 60.00; Cavanaugh, Tim 292.91; Ccp Industries Inc 867.08; Century Fence Company 24,342.48; Christen, Joan M 6,100.00; Crysteel Truck Equip Inc 461.62; Curry, Jim 127.37; Cylinder Express 43.50; Dirks, Lynn 137.98; Dowdy, Ed 319.74; Farm Implement Co 42.00; Farmers Coop Company 12.00; Farmers Cooperative Co 44.00; Fassler, David B 318.76; First Cooperative Associ 879.99; Fitzpatrick Auto Center 278.86; Flanigan, Tom 25.99; Fleet Services 15.44; Fred Carlson Company Llc 390.91; French, Tom 181.55; G&K Services 543.80; Galvin, Terrill Lynn 205.04; Garbage Hauling Service 199.50; Graesing, Dennis 180.90; Graham Land Acquisition 8,870.92; Graham Tire Co 726.36; Graves Construction Co I 47,733.04; Gustafson, Steve P & Jan 3,650.00; Halverson, Wayne 215.38; Hartje, Lora 250.00; Hoft, Luella A 1,800.00; Hotovec, Rick 43.75; Hultgrens-Gerlach Inc 63.98; Ia Dept Of Natural Resou 300.00; Industrial Bearing Suppl 240.53; Interstate Battery Systm 251.80; Iowa Auto Supply 490.14; Iowa Dept Transportation 4,681.36; Iowa Lakes Electric Coop 36.00; Iowa Office Supply 230.00; Iowa Petroleum Equipment 115.10; Iowa Prison Industries 4,420.60; Ites, Jon 79.75; Jacobs, Preston 199.90; Jim Hawk Truck Trailers 123.90; John Thomas Inc 144.95; Johnson Propane Inc 209.95; Johnson, Curt 309.12; Johnson, Shirley 42.60; Johnston Autostores 831.71; Kimball-Midwest 1,931.82; Knapp, Jean & Jamie 25.00; Kooiker Inc 37,050.00; Kryger Glass Company 683.96; Kuehl & Payer Ltd 1,233.74; L & M

Electronics Inc 182.25; Lab Safety Supply Inc 270.96; Lake Electric Supply 145.93; Lake View Concrete Produ 5,780.40; Larson Oil & Distributin 4,094.55; Linn Grove, City Of 77.85; Long Lines Internet 293.69; Luft & Son Inc 85.00; Lullmann, Kevin 25.94; Lullmann, Kevin L & Bren 2,050.00; Lundell Construction Co 2,541.02; Marathon, City Of 185.26; Martin Marietta Material 8,659.30; Mc Gowan, Bruce 125.00; McGee, Barbara Ann & Don 2,183.00; Mid American Energy Comp 1,659.84; Mid-Iowa Sales Company 413.67; Midwest Contracting Llc 10,458.83; Midwest Wireless 646.49; Mikes Lawn Service Inc 720.00; Minnowa Construction Inc 129,711.74; Mrci 833.50; Napa Auto Parts 199.93; Nebraska Salt And Grain 6,542.63; Nelsons Premix & Vet 690.22; Neo Tek Enterprises 194.95; New Sioux City Iron Co 524.60; Newell, City Of 97.55; Noll, Richard 200.00; North Lake Truck Repair 1,763.76; Nw Ia Planning & Dev Com 1,200.00; Olsen Welding & Machine 819.17; Omni Photo 9.81; Overmohle, Mike 125.00; Pilot Publishing 58.00; Ploeger, David 196.65; Postmaster 120.00; Potts, Burton F & Margar 2,184.00; Potts, Verlin F & Rhonda 2,183.00; Qwest 648.96; Reckamp, Ron 71.82; Regions Interstate Billi 336.60; Rembrandt, City Of 878.94; Rons Automotive 30.00; Safety X-Treme 4,355.00; Schmit, John 22.75; Schoon Construction Inc 104,509.56; Share Corp 1,156.93; Sioux City Truck And Tra 467.23; Sioux Lumber 111.56; Sioux Rapids, City Of 114.00; Stanton Electric Inc 67.75; Star Energy Llc 35,062.66; Steffen 23,791.45; Storm Lake Hydraulics 759.95; Storm Lake Times 90.32; Storm Lake, City Of 307.28; Stull, Carolyn A & Lonny 1,950.00; Stull, Lonny 25.00; Stull, Terry A & Margare 9,310.00; Temple, Jim 125.00; Topps Manufacturing Llc 370.00; Trans-Iowa Equipment Inc 609.98; Trimark Central Billing 795.00; Tuma Tiling & Backhoe 1,513.50; U S Postal Service 210.85; United Building Center 683.83; Vegetation Management Su 1,720.20; Vetter Equipment Co 1,974.05; Visa 370.88; Vision Care Assoc Pc 446.00; Warkentin, Luke 35.70; White, Ron 240.63; Wolf, Steven 125.00; Ziegler Inc 6,711.54

0023 RESOURCE ENHANCEMENT: Ustafson Realty Trust 21,348.69

0025 JAIL SECURITY FUND: Bomgaars 87.63; Mastercard 337.56

0027 CONSERVATION LAND ACQUISITION: Gustafson Realty Trust 21,348.69

0028 BVC RECORDERS E.T. FUND: Imagetek Inc 1,400.00; Iowa County Recorders As 4,800.00; R & D Industries Inc 602.63

0100 D.D. #1: B V Co Secondary Road 750.52; Carlson Contracting Inc, 7,244.99; Kuehl & Payer Ltd 14,932.41

0104 D.D. #3 & 3 EXT.: Robertson, Jake 245.00

0196 D.D. #32: Kuehl & Payer Ltd 28.00

0200 D.D. #34: Kuehl & Payer Ltd 1,241.56; Robertson, Jake 210.00

0278 D.D. #49: Kuehl & Payer Ltd 115.20

0284 D.D. #49 Lat 2 Upper Main (C): Kuehl & Payer Ltd 4,641.95

0326 D.D. #67: Kuehl & Payer Ltd 910.45

0368 D.D. #83: Kuehl & Payer Ltd 42.00

0428 D.D. #101: Kuehl & Payer Ltd 42.00

0438 D.D. #106: Kuehl & Payer Ltd 42.00

0604 D.D. #184: Kuehl & Payer Ltd 70.00

0626 D.D. #199 Jt.: B V Co Secondary Road 95.24

0636 D.D. #205: Kuehl & Payer Ltd 70.00

0644 D.D. #274 Main: Snyder, Nicholas 315.00

1500 CAPITAL PROJECTS: Cdw Government Inc 1,258.30; Hewlett-Packard Company 3,413.00; Jacks Uniforms & Equipme 785.99; Omb Police Supply 1,541.98; R & D Industries Inc 927.70; Smith & Wesson 1,635.20

1520 CAPITAL PROJECTS-DEBT SERVICE: Election Systems & Softw 34,089.00; Incode-Cms 32,889.12; Storm Lake, City Of 185.00

2000 RECYCLING G.O. BOND FUND: Bankers Trust 189,223.75

2004 HOSPITAL BONDS & INTEREST: Cusip 305.00

2010 DEBT SERVICE-CAPITAL PROJ LOAN: Security Trust & 67,020.57

4000 DISASTER SERVICES: Andersen, Richard A 650.00; Brew City 44.13; Calhoun County Extension 487.20; Christensen, Robert E. 18.99; Firehouse 70.00; Godfathers Pizza 232.48; Hy-Vee Food Store 29.97; Iowa Public Health Assoc 60.00; Isu Extension-Bv County 850.00; Long Lines Internet 38.63; M Y Supply Inc 126.00; Mastercard 1,515.32; Midwest Wireless 160.57; Qwest 194.46; Ricks Food Center 171.45; Silk Screen Ink Ltd 104.00; Sioux City, City Of 7,654.13; Subway 174.15; Williams, Dennis 400.00

4010 E911 SURCHARGE FUND: Alpha Wireless Communica 580.00; Alta Municipal Utilities 449.46; Apco International Inc 760.00; Assmann, Jean 108.60; B V Co Secondary Road 324.50; Cdw Government Inc 126.97; Cloud Cartographics Inc 2,000.00; Cougill, Sheila 100.16; Dell Marketing Lp 3,569.88; Iowa Prison Industries 76.46; Iowa Telecom 1,857.60; Meteorlogix 544.44; Mid American Specialties 425.73; Midwest Wireless 103.28; Pilot Publishing 55.00; Professional Electronics 14.70; Qwest 2,125.44; Visa 1,456.88

4100 ASSESSMENT: Buena Vista County 3,273.00; Bv Stationery & Printing 459.11; Canon Financial Services 946.35; Carnine, Kim M. 20.16; Inst Of Ia Cert Assessor 200.00; Iowa Office Supply 208.52; Long Lines Internet 309.04; Midwest Wireless 125.54; Northwest District Of As 250.00; Office Systems Company 397.69; Omni Photo 43.88; Pilot Publishing 2.92; Postmaster 69.00; Qwest 418.18; R & D Industries Inc 266.08; Secretary Of State 25.00; Star Energy Llc 130.31; Van Hooser, Carol 89.94; Visa 137.54

4101 SPECIAL APPRAISER: Esri Inc 1,500.00; R & D Industries Inc 2,545.34; Sidwell Company 3,015.00; Vanguard Appraisals Inc 4,247.50

4150 3-COUNTY EMPOWERMENT AGENCY FUND: Ac-T Preschool 1,300.00; B V County Health Dept 12,518.81; Binning, Stephanie 800.00; Briest, Diane 969.51; Brookes Publishing Co 51.00; Brown, Hope 800.00; Buena Vista Regional Med 19,650.00; Channing L Bete Company 190.46; Childrens Imagination St 7,600.00; Community Opportunties I 1,800.00; Crawford County Home Hea 14,356.71; Denison Community Presch 1,900.00; Family Resource Center 2,127.00; Fineran, Wendie 800.00; Flynn, Missy 800.00; Fredericksen, Cathy 800.00; Frontier Communications 79.66; Gingerbread House 2,025.00; Godfathers Pizza 159.56; Hermstad, Linda 875.00; Hy-Vee Food Store 101.55; Immanuel Lutheran Pre Sc 1,875.00; Johnson, Christina 800.00; Kids World 7,625.00; Lutheran Services In low 22,479.92; Midwest Wireless 83.28; Miller, Kathy 800.00; Mohr, Stephanie 800.00; Naberhaus, Janice 800.00; Newell Children's Center 2,057.08; Newell Pride & Joy Presc 1,950.85; Nielsen, Candi 875.00; Page, Denise 800.00; Peterson, Tonya 875.00; Sac City Public Library 9,578.04; Sac County Health Servic 9,274.06; Schaller Crestland Trans 1,900.00; Sioux Central Child Care 1,900.00; Siouxland Human Investme 100.00; Slcsd Be Four Kindergart 2,900.00; St Johns Lutheran Presch 1,400.00; Udmo Head Start 3,075.00; Upper Des Moines Oppty 5,513.30; Ute Elementary Preschool 1,900.00; Vartec Telecom Inc 24.47; Vauble, Laura 800.00; Viking Office Products 384.21; Walmart Community 94.88; Wee Care

Preschool 1,400.00; Wlva Begindergarten 1,900.00; Wycoff, Elaine 800.00; Zion Lutheran Pre School 1,900.00

4151 BV CO EMPLOYEE HEALTH FUND: American Cancer Society 100.00; Group Services Inc 16,335.75; Midwest Benefit Consulta 273.28; Wellmark Blue Cross & BI 125,889.29

4152 BV CO EMPLOYEE FLEX BENEFIT FUND: Flexible Benefits 4,209.36

**Buena Vista County Claims Report
June 20, 2000 thru 9/30/2005**

A Rifkin Co 2,309.91; Abels, Gordon 60.00; Abels. Dolores A 14.50; Ace Sign Displays Inc 10.00; Admin Wage Assignment 698.46; Aflac 3,322.39; Ag Partners L.L.C. 5,313.98; Agler, Charles 14.50; Agri-Mart 88.61; Air Filter Cleaning Service 157.58; Albert & Elsie Hartje Trust 315.00; Albert City, City Of 61.40; Alexander Hamilton Institut 29.95; Alliant Energy 3,166.74; Allied Document Solutions 1,576.45; Alpha Wireless Communicatio 11,927.79; Als Corner Oil Company 200.00; Als Liquors Inc 119.94; Alta Action Team 1,260.00; Alta Body Shop 46.00; Alta Municipal Utilities 924.48; Alta Used Cars 9,000.00; Altamirano, Francisco 537.84; Altamirano, Melinda 490.00; American Legion Post 394 45.00; American Red Cross 42.00; American Solutions For Busi 861.01; Americinn Motel & Suites 65.89; Anderson, Ardyce 14.50; Anderson, Charleen 625.28; Anderson, Diane 187.82; Anderson, Linda Lu 20.00; Anderson, Raymond 14.50; Anderson, Shell 140.00; Apt Us&C 155.00; Arch Wireless 99.43; Armstrong, Carolyn 501.22; Arnold Motor Supply 1,730.39; Asap Software 1,042.11; Audio Therapy 225.00; Automotive Service Center 20.50; B & M Service Inc 2,400.37; B & W Control Specialists 1,950.00; B V Co Secondary Road 1,438.09; B V County Health Dept 12,401.23; B V Regional Med Ctr Ambula 1,582.67; Bach, Kathleen 79.80; Bailey, Taesa 570.00; Baker, Elnora R 87.00; Bals, Elmer 253.73; Bankers Trust 100.00; Bargloff & Company 51.30; Barnes Group Inc 170.59; Baymont Ames 108.65; Beck Excavating Inc 2,411.37; Bedels Drive-In Pharmacy 1,281.53; Beeson, Rayma 14.50; Bli Lighting Specialists 410.88; Bodholdt, Tony 87.04; Bogue, Pamela L 209.44; Bomgaars 1,145.19; Bongarde Holdings Inc 57.95; Bonnesen, Sally 95.62; Botcher, Steven 139.04; Botine Electric 100.40; Bramic Creative Business Pr 438.00; Brewer, Anne 87.00; Briest, Diane 828.07; Briggs Corporation 249.90; Brown Supply Co 1,707.76; Buckendahl, Harvey 60.00; Buena Vista Co Auditor 1,501.29; Buena Vista Co Journal 5,752.66; Buena Vista Co Treasurer 19,975.00; Buena Vista Co. Sheriff 533.48; Buena Vista County Regional 74.25; Buena Vista Regional Medica 20,906.55; Burnside, Lorna 110.08; Business Telephone Co Inc 35.32; BV Cnty Emp. Flex 2,524.58; BV Co Employee Health Fund 71,087.07; BV Co Trumpeter Swan Restor 1,000.00; BV Stationery & Printing 9,311.98; BVrmc, Fitness & Health Cen 60.63; C J Cooper & Associates Inc 60.00; Calhoun-Burns & Assoc Inc 1,343.00; Canon Financial Services 946.35; Carlson Contracting Inc, L. 22,748.45; Carnine, Kim M. 183.87; Carter, Keith 87.00; Ccms 285.00; Cdw Government Inc 12,698.65; Central Iowa Distributing I 1,873.08; Cfsph 60.00; Chem-Trol Inc 2,911.80; Cherokee Co Public Health 1,353.07; Cherokee County Sheriff 2,752.00; Chindlund, Ann 816.24; Christen Trust, Joan M 774.00; Christensen, Robert E. 129.25; Christian Bros Excavating L 2,395.20; Christiansen, Diane 306.38; Christiansen, Gary 105.00; Christy, Donna 14.50; Chronicle Times 185.00; Cit/Teltronics Inc 1,950.00; Citizens 1st Nat'l Bank 3,781.66; Citizens Community, Credit 2,733.18; Clausen, Debra A 14.50; Clay County Ema 73.54; Clay County Sheriff Departm 175.48; Clay Regional Water 2,380.00; Cole, Mary 87.00; Collection Services Center 1,135.80; Color-Ize Inc 369.31; Comm Spec 185.55; Commercial Sign & Design 40.13; Community Health Partners 315.00; Computer Reporting Inc 73.00; Consec Health Ins Co 400.10; Continental Research Corpor 391.00; Control System Specialists 11,319.71; Cook, Ginni 198.20; Correctional Services Corpo 6,626.16; Cougill, Sheila 8.59; Country Inn & Suites 221.49; County Case Management Serv 1,626.00; Cover One 654.50; Crampton, Herb 163.20; Crawford Co Sheriff 225.75; Crawford County Home Health 4,547.08; Crippin, David 1,500.00; Crittenton Center, The 596.70; Crysteel Truck Equip Inc 434.13; Culligan 452.90; D & K Implement 83.82; Dahl's Machine Shop Inc 1,504.76; Data Business Equipment Inc 245.00; Datatronics Inc 2,398.02; Delta Dental Plan Of Iowa 4,172.40; Deluxe Business Checks & So 121.19; Demuth, Marty 11.75; Dental Distributors Inc 209.70; Department Of Human Service 25,278.75; Department Of Veterans Affa 630.00; Depository Trust & Clearing 39.82; Dept Of Human Services 4,623.40; Dept Of Human

Services Dhs-06,881.36; Dept Of Human Services-Adul 16,526.20; Des Moines Stamp Mfg Co 28.75; Diamond Mowers Inc 18,000.00; Dickinson Co Public Health 1,763.59; Dickinson County Cpc 144.00; Dixon Construction Co 15,180.50; Dmacc 75.00; Dobson, Lois 14.50; Donahoo, Wanda 14.50; Dorsey & Whitney Llp 6,480.84; Driver, Aurlette 87.00; Dust-Tex Service Inc 138.12; Ebersole, Greg L 24.48; Ed M Feld Equip Co Inc 308.00; Eddie, Mary 87.00; Election Systems & Software 04,709.10; Electronic Engineering 247.00; Ellingson, Joann 14.50; Emergitech Inc 15,287.00; Emmet County Sheriff Office 23.50; Equity Contracting Inc 10,427.12; Erickson's Maytag 489.00; Esri Inc 1,905.41; Evers, Valita 20.00; Faith, Hope & Charity Inc 210.00; Family Resource Center 13,261.00; Fareway Store 1,683.29; Farm Implement Co 7.00; Farmers Cooperative Co 78.38; Farmers Cooperative Co 595.95; Farmers Coop-Sulphur Spring 200.00; Fassler, Jolee 13.76; Fastenow, Peg 91.48; Feldman, Marlowe 273.09; Feldman, Myrna 14.50; Fellows, Mary L 72.50; Felton Concrete 2,400.00; Ferguson Enterprises Inc 110.56; Fidar Companies 1,638.25; First Coop Association 565.99; First Cooperative Assoc 200.00; First Cooperative Associati 16,793.77; Fitchett, Frances 14.50; Fitzpatrick Auto Center Inc 13,127.22; Flanagan, Tom 149.80; Fleet Services 17.33; Flexible Benefits 10,823.02; Floyd Valley Community 2,094.29; Foley Family Farm 240.00; Forsyth Law Office 100.00; Fort Dearborn Life Ins Comp 275.28; Fort Dodge Asphalt Co 42,199.00; Fp Mailing Solutions 15.50; Francis, Phyllis 89.56; Franzmeier, Karen J Hauge 87.00; Fred Carlson Company Llc 2,350.84; Frederickson, Avonne 14.50; Frederiksen, Ferne 87.00; Friday, Susan 272.89; Frontier Communications 79.56; Fudge, Roxana 92.00; G&K Services 531.58; Galbraith, Jeanette 14.50; Galbraith, Lloyd F 212.80; Galls Inc 1,124.92; Garbage Hauling Service 594.00; Gateway Companies Inc 8,820.01; General Security Service 329.50; Genesis Development 15,569.71; Gibbons, Leona 87.00; Gibson, Sherise 14.50; Gingerbread House 1,954.08; Glen D Huntington Architect 2,612.00; Gouldin, Cheryl 3.80; Governors Homeland Sec 250.00; Graesing, Jud 100.00; Graham Tire Co 1,838.36; Grainger Inc., W. W. 723.50; Group Services Inc 18,077.75; Grp & Associates 101.00; Guerra, Paula 39.59; Gustafson, Jim 150.08; Haberman, Judy 739.97; Haldin, Richard 123.00; Hallett Materials 39,956.45; Hansen, Kathryn 14.50; Hanson Products 60.00; Harold Rowley Recycle Cente 37,494.50; Hartford Life Ins Co 450.00; Havens & Havens Law Firm 9,400.00; Havens, Philip E 176.00; Health Education Center 8.00; Hello Direct Inc 250.00; Hemmingsen, Tom 583.75; Hepola, Carrie 507.93; Hewlett-Packard Company 12,919.00; Hicks, Arnie 67.84; Hildreth, Cindy 4,048.47; Hillyard Inc 60.26; Hiway Truck Equipment Inc 32.00; Hoferman, Margie 103.20; Holiday Inn Conference 533.51; Holiday Inn Express 63.13; Holliday, Dennis 125.00; Holmstrom, Shirley 600.00; Holton Custom Signs 945.00; Hopkins Medical Products 128.60; Hotovec, Rick 36.00; Hotsy Equipment Company 151.95; Howard Center Inc 150.00; Huddleston, Matthew 40.00; Hudson Law Firm 320.00; Hulsebus, Joan 117.60; Hultgrens-Gerlach Inc 52,759.56; Huntington, Shirley 93.40; Hunzelman Putzier & Co 6,877.70; Huseman, Tom 20.00; Hy-Vee #1636 31.81; Hy-Vee Food Store 34.99; Iaccva 50.00; Icea 40.00; Icea Service Bureau 135.00; Iceoo 125.00; Icisf Inc 65.00; Icit 50.00; Icube 200.00; Ida County Sheriff's Office 3,509.00; Ida Services Inc 1,470.17; Incode-Cms 24,011.66; Ing Life Ins & Annuities 13.00; Ing Life Ins & Annuity 285.00; Interstate Battery Systm 215.90; Iowa Auto Supply 974.37; Iowa Central Community Coll 20.00; Iowa Chapter Of Apco 180.00; Iowa Communitis Pool Admin 2,502.09; Iowa County Attorneys Assoc 340.00; Iowa County Records Assoc 50.00; Iowa Dept Of Ag & Land Stew 52.00; Iowa Dept Of Natural Resour 250.00; Iowa Dept Public Safety 1,581.00; Iowa Dept Transportation 6,108.71; Iowa Drainage Dist Assoc 5,600.00; Iowa Emergency Number Assoc 130.00; Iowa Environmental Health A 30.00; Iowa Feeders Supply 1,529.28; Iowa Lakes Community Colleg 70.00; Iowa Lakes Electric Coop 1,380.73; Iowa Office Supply 28,696.29; Iowa Petroleum Equipment Co 45.88; Iowa Prison Industries 1,267.15; Iowa Ribbon Service 87.10; Iowa State Assoc Of Countie 4,595.00; Iowa State Associaton Of 550.00; Iowa State University 111.81; Iowa State University 220.00; Iowa Telecom 341.28; Iowa Telecom 1,951.19; Iowa Water Well Association 60.00; Ipef-Lecc 60.00; Ipers 31,331.23; Ipers, Assessor's Office 16,556.58; Isac 224.75; Isaca 87.00; Isu Extension-BV County 408.02; Ites, Jon 10.87; Jackson, Karna 14.50; Jacobs, John 600.00; James A Doherty Co Inc 291.00; Janitors Closet Ltd 382.58; Jerry's Tree Service 300.00; Jester Insurance Services I 675.00; Jim Hawk Truck Trailers 1,034.46; Johnson, Cindy 345.84; Jones Nursery 25.00; Julius Cleaners 1,148.89; Kaufman, Vivian 14.50; Kennedy, Dorothy J 14.50; Kennedy, Susan 69.44; Kessler Landscaping 650.00; Kimball-Midwest 909.49; Kimble, Rick 296.75; Kirkholm, Mark 30.08; Kirkpatrick, Dorothy 87.00; Klahs, Frank 200.00; Kleavland Bros 200.00; Kracht, Janice 88.92; Krebs, Judy 94.56; Krueger, Jodi K 666.25; Kruse, Frederica 14.50; Kryger Glass Company 164.46; Kuehl & Payer Ltd 56,750.73; Kuhn, Henry 14.50; Kuhn, Sandra L 14.50; Kurtz, Ray 75.00; L & H Engineers & Surveyors 637.00; L & M Electronics Inc 69.90; Laca Equipment Inc 1,581.00; Lake Electric Supply 43.08; Lake View Concrete Products

26,368.34; Landsness, Phyllis 14.50; Larson Oil & Distributin 3,890.00; Larson, Jane 25.38; Lawson Products Inc 18.61; Lee County Sheriff's Office 16.00; Leimer, Lois 14.50; Les & Carolyn's 153.62; Lester, Dixie 14.50; Lewis, Connie 14.50; Lexis Nexis 125.00; Lickiss, Charlene 6.30; Lietz, Deanna 14.50; Lindgren, Paul G 670.00; Linn Grove, City Of 77.85; Logistic Systems Inc 6,682.00; Long Lines Internet 496.78; Lopez, Lidia 220.00; Loring Hospital 643.58; Loving, Verna 14.50; Lullmann, Kevin 208.60; Lund, Norman J 380.91; Lundell Construction Co Inc 14,586.69; Lutheran Services In Iowa I 22,249.98; Lyon County Health Services 1,598.13; M & M Small Engine Repair 954.27; M.D.Products Inc 798.07; Mack Hansen Gadd Armstrong 2,758.00; Mackay Jr, Archie 125.00; Madsen, Leigh 35.20; Mainstay Systems Inc 237.00; Mangold Environ Testing 708.50; Marathon, City Of 165.53; Mark's Welding & Machine 262.50; Marshall & Swift 566.90; Marshall, Connie 72.50; Marshall, Rich 200.00; Martin Equipment Of Illinois 336.65; Martin Marietta Materials 3,175.29; Martin, Joan Reiling 67.20; Martins Flag Co 251.81; Mason, Mona 9.64; Mastercard 3,315.00; Maximus Inc 2,875.00; Maymon, Patti 190.73; McClure, Don 5.66; Mccrea Enterprises 69.00; Mcgowan, Betty 14.50; Mckenna, Jon 200.00; Mechura Electric 193.18; Medline Industries Inc 173.42; Med-Pass Inc 106.12; Meeves, Denise 6.40; Melanders 149.99; Mentzer, Dawn 19.98; Merck & Co Inc 580.80; Merryman Bridge Constructio 13,049.79; Methodist Manor 45.00; Meusburger, Lisa 125.74; Meyer, Rick 40.32; Meyer, Roger 27.52; Mid American Energy 14,498.57; Mid American Energy Company 47.24; Mid American Specialties 525.34; Middendorff Well Company In 1,598.51; Mid-Iowa Sales Company 110.65; Mid-Step Services Inc 1,206.00; Midwest Benefit Consultants 134.44; Midwest Wireless 2,846.22; Midwestern Mechanical Inc 83.87; Mikes Lawn Service Inc 78.50; Mills, Rose 14.50; Mills-Thomas, Tami 77.68; Minnowa Construction Inc 4,011.71; Mitchell, Kathleen 87.00; Mocic 420.00; Monson, Paul 215.00; Mooney, Patrick L And Julia 162.40; Moore & Associates P.C. 6,311.19; Movall, Barb 14.50; Movall, Wanette 99.68; Mph Industries Inc 319.84; Mueller, Nancy 87.00; Mueller, Ron 14.50; Murphy Tractor & Equipment 1,485.41; Murray & Murray Plc 120.00; Nactfo 60.00; Napa Auto Parts 884.51; Napierala, Kara 70.08; National Automobile Dealers 108.00; Nationwide Retirement 2,918.00; Natl Inst Of Business Mgmt 143.00; Nelsons Premix & Vet 219.60; Nepple Electric Inc 37.50; Nesheim, Walter 400.00; New Sioux City Iron Co 33.03; Newell American Legion 70.00; Newell Children's Center 114.95; Newell, City Of 97.55; Newman Traffic Signs 122.17; Nielsen, Tammy 150.00; Noble, Alice 14.50; Noll, Richard 125.00; Norman Just Trucking 32,414.64; North Lake Truck Repair 690.72; Northern Lights Distributin 3,869.84; Northrup, Carol 14.50; Nothwehr, Carlene 124.00; Nuelieb, Marge 15.00; Nw Ia Adtu 9,912.08; Nw Ia Planning & Dev Com 11,249.60; Nw Ia Youth Emergency Servi 26,700.00; Oasis Car Wash 250.00; Oatman, John 18.56; O'bannon, Shari 155.52; O'brien Co Public Health 843.56; O'brien, Nella B 14.50; O'brien, Robert J 14.50; Office Systems Company 653.05; Ohio National 2,397.50; Ohrtman, Mary 827.66; Olsen Welding & Machine 854.29; Olson Eaton Svendsen Inc 02,352.00; Omb Police Supply 1,330.98; Omni Photo 413.14; One Stop Shop 64.64; Osceola Community Health Se 2,246.40; Overhead Door Co Of Webster 162.18; Pagers Inc The Beeper Peopl 47.85; Pantoja, Maria 210.00; Pathology Medical Services 2,175.00; Patten, Mark 200.00; Patton, David 5,675.14; Paul Park Company 18,342.60; Peck, Ron 100.00; Perrigo, Beverly 14.50; Peterson Rentals 200.00; Petty Cash 121.75; Petty Cash Health Dept 56.47; Pilot Tribune 2,019.91; Pitney Bowes Inc 1,257.00; Ploeger, David 24.70; Plymouth County Sheriff 43.22; Plymouth Life Inc 870.00; Pocahontas Co Sheriff 62.35; Polk County Sheriff's Offic 59.72; Portable Computer Systems I 14,029.50; Postmaster 2,701.00; Pottawattamie County Sherif 33.00; Powerplan 467.20; Prairiewave 114.60; Prevention Partners 118.70; Pro Cooperative 2,584.00; Pro Elect 1,138.29; Professional Pride Inc 219.45; Quill Corporation 1,823.58; Quirin, Charlene 14.50; Qwest 8,379.90; Qwest 254.53; Qwest 1,329.27; Qwest Corporation 317.52; R & D Industries Inc 4,359.12; Radke, Margaret 14.50; Rasmussen Ford Mercury Inc 2,735.12; Rassler, Rebecca 111.20; Rebnord Technologies Inc 11,668.81; Record Democrat 178.60; Regional Transit Authority 1,995.00; Regions Interstate Billing 99.56; Rehnstrom, Mary 14.50; Reiling, Carolyn 14.50; Rem Developmental Services 730.36; Rembrandt, City Of 758.17; Rescare Inc 779.66; Ressler Drug Co 146.00; Ressler Drug Co 108.15; Rex's Electric 3,270.73; Rice, Monica 14.50; Rice, Richard 14.50; Rice, Susan 25.38; Richards Construction Co In 800.00; Richardson, Betty Jean 14.50; Richey, Susan L 72.50; Richmond Center, The 200.32; Rittscher, Gale 14.50; Rogge, Renee A 146.00; Rohlfen, Phyllis 93.40; Rohlin Construction Co Inc 6,802.00; Russell's Ready Mix 1,063.76; Saathoff, Charissa 61.32; Sac City Drug 27.95; Sac Co Auditor 50.55; Sac County Health Services 12,058.82; Sac County Sheriff 3,951.30; Sac Sun 46.20; Salton, June 14.50; Sangl, Barb 87.00; Sangl, Larry 14.50; Sanofi Pasteur Inc 1,497.87; Sassman, Jean L 139.20; Schettler, Fran 14.50; Schmit, John 69.25; Schmitt, Kay 14.50; Schomaker, Lois 14.50; Schoon Construction Inc 24,481.43; Schumacher Elevator Co 608.61; Schumann, Mavis 14.50; Schurke, Sherri

225.00; Scott Refrigeration & Air C 1,060.00; Seasons Center For Communit 37,650.42; Secretary Of State 90.00; Security Trust &, Savings B06,321.22; Select Portfolio Servicing 344.85; Seward, Cindy 27.65; Sexton, Ruth 87.00; Share Corp 1,675.62; Shearer, Darlene 14.50; Sidwell Company 2,719.00; Sievers, Delores 300.88; Sievers, Roger D 474.20; Signs And Shapes Internatio 264.00; Silk Screen Ink Ltd 2,278.84; Simons, Clyde A 14.50; Simons, Douglas 26.24; Simplexgrinnell Lp 877.00; Sioux City Foundry Co 1,687.01; Sioux City Truck And Traile 551.20; Sioux Lumber 56.30; Sioux Rapids Auto & 219.90; Sioux Rapids Fire Dept 3,123.17; Sioux Rapids, City Of 277.36; Sioux Sales Co 123.25; Siouxland Mental Health Cen 345.00; Siouxland Reporting Service 264.80; Sirchie Finger Print Labora 363.33; Small, Larry M. Jr 4.80; Smith, Julie 170.00; Smith, Mary 87.00; Smith, Norma 14.50; Snyder, Delores 90.84; Sorenson, Janice 14.50; Specialty Underwriters Llc 789.00; Spectra Health Care Inc 6,326.04; Speers, Tim 36.13; Spencer Municipal Hospital 1,750.00; Sports Rehabilitation & 1,077.32; St Paul Travelers 2,094.00; Stan's Lube Center 22.95; Stanton Electric Inc 42.16; Star Energy Llc 25,123.60; Stauber, Linda 87.00; Steffen 91.65; Stephens, Myrtle 92.00; Stoney Creek Inn 152.64; Storm Lake Access & Marina 122.49; Storm Lake Area Development 6,250.00; Storm Lake Cab 340.00; Storm Lake Hydraulics 1,167.48; Storm Lake Mls 90.00; Storm Lake Police Departmen 33.78; Storm Lake Times 1,613.10; Storm Lake, City Of 2,726.98; Story County Sheriffs Offic 33.00; Strait, Shirley 14.50; Strawn, Karen 1,050.14; Stucynski, Dewyne 127.28; Subway 73.68; Sundblad, Mary 87.00; Sunshine Services 147.75; Supercircuits Inc 3,532.70; Swanson, Sandie 14.50; The Pride Group 1,984.00; Theeler, Fay 14.50; Thompson, Clair 2,300.00; Thorson, Lee 20.00; Tht Designs 318.80; Tiefenthaler, Stacey 136.55; Training Resources 50.00; Trans-Iowa Equipment Inc 1,087.09; Treasurer State Of Iowa 866.56; Treasurer State Of Iowa 1,625.00; Treasurer State Of Iowa 407.00; Treasurer-State Of Iowa, Io 16,309.00; Trimark Central Billing 339.00; Truemap Corporation 50.00; Tscherter, Estella 14.50; Tyson Foods Inc 19.50; U S Postal Service 8,097.00; U S Postal Service 630.70; Uni Roadside Program 180.00; Uniform Den, Inc 213.38; United Building Center 62.66; United States Postal Servic 2,000.00; Updyke, Hope 358.72; Upper Des Moines Oppty 8,252.61; Urban, Marjorie 14.50; Urban, Melva 34.44; Us Bio Albert City 200.00; Valdez, Ofelia 540.00; Van Diest Supply Company 3,044.00; Van Hooser, Mark 298.20; Vanguard Appraisals Inc 11,415.00; Van's Automotive 194.80; Vartec Telecom Inc 45.50; Veehoff, Mary 92.00; Veit, Barb 4.94; Vetter Equipment Co 791.27; Viking Office Products 587.54; Vinyl Products Mfg Inc 149.40; Visa 6,373.08; Vision Care Assoc Pc 573.00; Vista Estates Inc 200.00; Vogel Traffic Services Inc 23,129.50; Wal-Mart Business 18.74; Walmart Community 2,525.88; Walsh, Ruth 92.44; Wassom Jr., Rob 11.99; Weber, Margaret 14.50; Webster County Sheriff 41.50; Wedeking, Martin 92.00; Wede's Lock Service 122.50; Weigart, Darlene 14.50; Weiland, Mary 7.25; Wellmark Blue Cross & Blue 69,272.81; Wellmark Blue Cross Blue Sh 1,210.00; Wellmark Inc 2,415.00; Wells Fargo Bank Minnesota 122.50; Wessendorf, Grace 108.64; Wessman, Arlene 14.50; West Payment Center 2,177.95; Westel Systems 152.25; Western Iowa Tourism Region 250.00; Westview Mobile Home Park 780.00; Wetherell Sand & Gravel 957.00; Whelan-Bentley Inc 75.30; White, Martha E 14.50; White, Mike 37.00; Wiley, David 317.33; Wilkens, Lucille 120.16; Williams Water Works 105.00; Wilson & Pechacek 7,007.51; Wilson, Patrick J 228.00; Wiltse, Al 200.00; Winterboer, Jonathan 254.00; Wise, Darlene 104.80; Wittmaack, Myrtle M 14.50; Wogahn, Ruth 213.94; Woodbury Co Auditor/Recorder 1,382.81; Woodbury Co Sheriff 140.72; Wright, Elaine 14.50; Xerox Corp 282.00; Yocum Oil Company Inc 4,740.00; Yon Family Trust, Lola Kels 4,000.00; Youth Shelter Care Of North 5,180.64; Yungbluth, Avis 15.00; Zee Medical Inc 588.45; Ziegler Inc 95,536.51

**BOARD OF SUPERVISORS MEETING
FORTY-SEVENTH MEETING, 2005 SESSION (47)
OCTOBER 4, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, October 4th in the Boardroom with Chairman Burnside presiding and with the following other members present: Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.
Absent: Crampton.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Engineer Ivan Droessler was present to discuss a partial cleanout of Lateral 2 in **DD #49**. Lateral 2 is an open ditch constructed in the 1980's. A petition was filed by Roger Baker last year for a cleanout. There is some sediment accumulation. The spraying project has been relatively effective in killing the joint grass. The upper Lateral 2 schedule totals \$58,500, and the engineer's estimate for the cleanout is \$6,842.50 which is under the threshold at which the Board is required to hold a public hearing. Droessler recommended the partial cleanout of the open ditch and getting bids out so the work can be done yet this year. He will provide a copy of his findings to Attorney Jim Hudson for the interests of the petitioner. Motion by Vail to proceed with the partial cleanout/repair. Carried. Letters to the contractors will require that they be willing to enter into a contract with the Trustees. Motion by Gustafson to include provisions for liquidated damages at \$100/day and stamped warrants at 5% interest. Carried.

Frank and Alyce Falkner met with the Board to discuss their **DD #1 Jt.** assessments in the Main Open Ditch and in Lateral 2. They believe their assessments are too high. Engineer Droessler explained the assessments, how the land was classified, and reviewed the map showing that some of their land has water drained to it from private tile. Apparently, statements for the Main Open Ditch were lost, as the Falkner's did not receive them.

Engineer Jon Ites has received a report which scores **railroad crossings** on the basis of need for eligibility for improvement. The system is used to determine which might qualify for funding. For BV County, Radio Road is the highest rated but not high enough to qualify. He would like to resubmit C-65 and C-29 for STP funding in 2007 and 2009 respectively.

Motion by Vail to approve and to authorize the Chair to sign the **underground utility permit** submitted by Clay Regional Water for installation of a water main in the ditch for a location in the SW¼ Section 1, Nokomis Township to serve several residences. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the **underground utility permit** submitted by Iowa Telecom, Grinnell, IA, to install a 25 pair copper telephone cable on the west side of Section 16 and south side of Section 9, Lincoln Township, to serve a hog facility on a Class B road. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign approval of today's **claims, minutes** of the 9/27 meeting as printed, and the following **reports**: 1st Qtr FY'06 sheriff's fees, August budget reports, and August department summary. Carried.

Motion by Lanphere to approve 1 week of **vacation carryover** for Judy Haberman, Public Health. Carried.

An **accidental death benefit policy** is purchased by the county for fulltime employees who take health insurance. Motion by Vail that the county will pay the full premium cost of the \$20,000 accidental death benefit for part-time employees who are eligible and taking the health insurance benefit. Carried.

Sheriff Eddy reviewed the PowerPoint for the proposed **law enforcement center** bond issue presentation. Suggestions were made for additional information. Board members questioned whether it would be even feasible to continue operation of the existing jail if the bond issue fails. We would have to reduce the number of prisoners currently being housed here, which means even more outside housing costs. How to determine the housing costs at the YES Center which would be eliminated by having space in the new facility, and the costs of transporting back and forth, were also discussed. Supervisors are making contacts where the presentation can be shown. Costs for newspaper advertising were considered, as well as information sheets for distribution at meetings.

There being no further business, motion by Gustafson to adjourn the meeting at 12:45 p.m. until 8:30 a.m. on Tuesday, October 11 for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-EIGHTH MEETING, 2005 SESSION (48)
OCTOBER 11, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, October 11th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Proposed law enforcement center Architect Rod Moore discussed the differences between using a construction manager (CM) vs. a general contractor (GC). A CM assists with the bidding process, is on site to manage all phases of construction, works with suppliers, coordinates materials for delivery and installation and manages the payment process which is speedier than with the GC. He is the Board's eyes on site, fulltime. The CM also meets weekly with the Supervisors. Regarding supervision, an architect is often available just once a month for pay vouchers. Moore wants to be on site on his projects to see concrete pours and blockwork.

Moore recommended that if the Board wants to use a CM, it should get them on board right away. A CM can save money on the project. By breaking the project down into component parts, the mark-up for materials and supplies included in the GC's bill is eliminated. CM's will sometimes save as much as twice their fee. He also will push for deadlines to keep the project moving. A CM needs to be given the responsibility to run the job. This law enforcement center project is large enough to make the cost savings pay for the CM cost. The CM will qualify the bidders, the low bidders will be awarded, and the CM will pay.

Moore would be willing to assist the Board with the selection of a CM. To evaluate the savings a CM can accomplish, would be to compare the bids he gets with the architect's original estimate. Vail asked if Moore could recommend a CM. The County has received notice of interest from John Hansen, Midwest Construction. The County will want someone who will do a good job, is detail-oriented, and who will work diligently to assure prime contracts with the best pricing. The Board should communicate with the CM, not the bid winners. The architect and CM should complement each other during the project; they may be adversarial at times, but they must communicate throughout. Contracts will define the relationships between the Board, the architect, the CM and prime contractors. Their cost should be 3-5% of project total. Moore believes a project of this size needs on-site supervision. If the bond issue passes, the bid date would be the end of March or first of April. Bidders will have 30 days to return bids. The plans will be finished in February. Currently, contractors are looking to line up work. Hansen and a CM of Moore's recommendation will be interviewed on October 25th. Interviews will be by invitation only.

Courthouse handicap ramp Architect Glen Huntington discussed the courthouse door at the top of the ramp. The door scheduled to be installed this week will be set to respond to just 5# of pressure. ADA requires a 5# pull, and what we have can be adjusted to that requirement. Other options would include a power assist or an electric opener which is activated with a pushbutton. An electric opener is

not required with this wide of a door and with 18" clearance on the open side. The plans can be changed to install something different. Custodian Dewyne Stucynski expects we will receive complaints if an electric door is not installed. The door will be aluminum and with glass, will be heavy. The 90 day construction time in the contract is over, but the steel and galvanized materials are not yet in. Huntington recommended waiving the contract time. Wooden hand rails will go up this week. Lanphere reported a suggestion to leave the inside wood ramp because it allows access to the wildlife exhibit. The consensus was to try the 5# pull first, to see what happens while Huntington researches pricing for the power assist and electric doors. It was noted that the city never put up the handicap parking signs on west side of the building, and there has been no response regarding the request to add an additional handicap parking space on the north side of the east drive. Steel posts between parking and fuel storage containment are also being considered.

Engineer Jon Ites reported that there will be a meeting on purple loosestrife which will include Iowa & Minnesota officials, to be held south of Ledges State Park at Boone on October 18, a board meeting date. If little Storm Lake is dredged, the weed will spread. The purpose of the meeting is to discuss how to manage this plant. There is a chemical treatment available, but the most effective may be burning. The Board should find someone to represent the county at the meeting (from LPA either Gary Lalone or Kim Proctor Watershed Coordinator).

The IDOT is reopening the application process for recreational trails. The first deadline is 1/2/06, then 10/2/06. \$700,000 is available statewide for projects. The applicant needs to be a non-profit organization. Ites reporting that the County will be receiving a petition for a bike trail for the airport blacktop. This could be source for some of the funding. Ites advises against laying bike trails alongside of the road for safety reasons. Many drivers don't know that the law says they should go across the centerline to go around a biker.

The City of Storm Lake would like to purchase up to 700 ton of gravel. Production prices have gone up. In the past the city has also paid a 75 cent royalty and done their own hauling. Motion by Gustafson to approve the sale of up to 700 ton of gravel to the City of Storm Lake at the new updated production cost plus a 75 cent royalty. Carried.

A letter of thanks was received from Conservation regarding the rock around the swan pond.

The request for approval of a road crossing received from Shelly Barker was turned down by the City of Alta. The road is a joint jurisdiction road, with the other half being the county's. Ites will ask the Drainage Attorney if we have liability if we participate. The estimated cost is \$2,400. The county would be responsible for ½ of the cost on our ½ of the road. The utility permit was previously granted by the Board.

The chair asked the engineer to check on the county policy for paying for roadway lighting. The Albert City Lions and City are paying the lights at Hwy 10 and one other place. They are wondering if the county could pay the intersection lighting bill.

Seventy bids were reviewed for 11 items declared to be excess equipment. Motion by Vail to award bids as follows:

- 1948 TD9 dozer \$3,011.00 to Steve Bolton
- 1968 Kaiser 6-wheel truck \$700.00 to Cory Weiland
- 1984 Ford F150 pickup \$79.00 to Kevin Weier
- 2-way Marine radio system \$25.00 to Nick Snyder
- 16' john boat \$201.00 to Gary Christiansen
- 17' john boat \$275.51 to Bob White
- Johnson 30 hp motor \$350.00 to Gary Christiansen
- Shore Line boat trailer \$151.00 to Gary Christiansen
- Tandem axle utility trailer \$500.00 to Nathan Snyder (all above, purchased with dredge)

- 1990 Sudenga auger \$266.00 to Aurelia Implement
- 1968 Ford utility tractor \$3,660.00 to Aurelia Implement Carried.

Attorney Dan Connell addressed the Board on behalf of Dale & Bev Wordekemper to check on the status of moving **White Cap Road** in Casino Beach, deeding some land on the north side of their lot, and the sealcoating of White Cap road. Laird Cruzen is preparing to sell a lot out and has staked it and Connell suggested that the board look at it. Wordekempers would like to see this resolved so they only pay on what they own and eliminate any liability for the road which currently crosses the north end of their property. What will the finished product look like? A legal description will need to be prepared before a deed can be issued. Engineer Jon Ites needs to know how much is being deeded to the County before he can design the road. Dale Wordekemper noted that the people on the north side of the street are the ones who are going to benefit. He wants to see what the road will look like before he signs a deed – how will the new road treat the owners on the north who have buildings, trees, etc. right up to the property line? Gustafson asked Ites if we will know where the road will be, before the road is done. Ites needs to know first where we are going to build the road in order to prepare the design; he can't build the road on 16'. How much will Wordekempers deed over? Ites commented that the sealcoaters probably won't get here till next year. The property needs to be deeded over this year in order to get the road completed before the sealcoaters come. Wordekemper wants to be sure Ites is using all of the north 16' before he gives him any more to build the road. Gustafson and Lanphere asked Ites to come up with a plan to see what it will look like. Once the plan is done, Wordekempers can look at it to consider deeding the property.

Sheriff Eddy asked Lanphere and Crampton if they would serve on a 'marketing committee' to finalize advertising arrangements for the (**law enforcement center**) bond issue. It was the consensus of the Board to allow the committee to make decisions as necessary to place the ads.

EnvironHealth/Zoning Director Kim Johnson will be publishing an ad to inform the public about future meetings on the **Comprehensive Plans** for the unincorporated area and all of the towns except Storm Lake and Newell. The ad will try to engage the public in meetings to plan for the future of the county.

Johnson briefly discussed the proposed **DNR administrative rules** on water quality. If approved, the rules could have a major negative impact on small communities. The effort is to raise the water quality with the expenditure of \$1,000,000,000 in 491 communities. Improvements in Alta could cost residents \$35/mo for 20 years. In Albert City, the cost would be \$75/mo for 20 years. With fuel costs increasing, along with this type of charge, residents will find it is cheaper to live in the same community they work in and therefore the small communities will shrink even more. We need to urge legislators to find other alternatives that will not contribute to this trend. Right now, ammonia is the problem, but only 5% of the ammonia in the system is from cities. Many towns may unincorporate to avoid these costs.

Motion by Gustafson to approve and to authorize the Chair to sign over **tax sale certificate** #040112 on parcel #16-17-251-013 owned by Cheryl and Davyd Krog to the City of Newell. Carried. The City will begin legal proceedings to take deed to the property, and will request abatement of taxes and special assessments after taking the deed.

Motion by Crampton to approve the **minutes** of the 10/4 meeting as printed. Carried.

Motion by Crampton to increase the contract amount with Nick Miller Construction for tree removal in **DD #34 Lateral 7** from \$13,895.00 to \$15,000.00; 2 additional trees are to be removed. Carried.

There being no further business, motion by Crampton to adjourn the meeting at 12:15 p.m. until 8:30 a.m. on Tuesday, October 18 for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-NINTH MEETING, 2005 SESSION (49)
OCTOBER 18, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, October 18th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Deputy Treasurer Joan Martin presented a request for assignment of a tax sale certificate for a parcel located in Sioux Rapids. Motion by Gustafson, as approved by Ass't County Attorney Dave Patton, that the Public Bidder **Tax Sale Cert. #050204** held by Buena Vista County be assigned to the person of James C. Haraldson for the Assignment Fee of \$100.00; in addition, the assignment of this certificate shall include the redemption value of the certificate as of October 18th, 2005, not as redemption, but as compensation to the taxing authorities involved that would otherwise lose these tax dollars; at this time the redemption value is \$91.00; finally, the total cost for James C. Haraldson would then be \$191.00 for the assignment and purchase of Tax Sale Cert #050204. Carried.

Motion by Crampton to approve and to authorize the Chair to sign today's list of **claims** as printed. Carried.

Motion by Vail to accept the second high bid of \$337 from Steve Marshall for the tandem axle trailer (**excess equipment**), which was declined by the original high bidder, and, to accept \$10 bids for each of the two printers (for which no bids were received by the deadline). Carried.

Motion by Crampton to accept an offer of \$50 each (from Command Central, Sequoia Pacific) for the 19 **Optech III-P Eagles**, which have been replaced. Carried.

Gustafson and Lanphere left the meeting to attend to a personnel matter.

Motion by Burnside to appoint Dick Vail and Phil Driver to the **Iowa Lakes RC&D** effective 1/1/06 for the 2006 year, and to authorize the Chair to sign notice of the appointments. Ayes—Crampton, Vail, Burnside. Nays-none. Carried.

Motion by Vail to approve the **minutes** of the 10/11 meeting as amended. Ayes—Crampton, Vail, Burnside. Nays-none.

Gustafson and Lanphere returned to the meeting.

The Board reviewed the wording of a poster on the **proposed law enforcement center**. Information on a number of issues which need to be stressed including: what costs of repairs and renovation which would be necessary if the bond issue fails, the cost of outside housing of all prisoners during the period of repair and renovation, the source of the funds for the repairs and renovations if debt service dollars aren't available, issues of staff safety and security in the current facility.

Motion by Crampton to approve the following reports: Sept. fees-BV Co Clerk of Court, Sept 28 minutes-BV Co Board of Health, Sept 14 minutes-BV Co Conservation Board, 1st Qtr-Farm to Market Fund status, 1st Qtr FY'06-Pharmacy Drug Card Report-BV Employee Health program, Sept '05 monitoring report-Spectra lagoon-Mangold Environmental, Sept 8 minutes-NWIPDC Policy Council. Carried.

No action was taken on the proposal submitted by Richards Construction tree and brush removal in **DD #184**. The Chair will ask Kuehl & Payer where feedback has been received from the landowners.

The Board reviewed three bids for a cleanout project in **DD #49**, all being considerably higher than the engineer's estimate for the work. The lowest bid was 59.6% higher than the engineer's estimate. The auditor will prepare a letter to the petitioner and his attorney advising them of the costs and seeking additional input from the petitioner.

There being no further business, motion by Vail to adjourn the meeting at 11:35 a.m. until 8:30 a.m. on Tuesday, October 25 for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTIETH MEETING, 2005 SESSION (50)
OCTOBER 25, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, October 25th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

The Board updated the status of several informational activities for the **proposed law enforcement center**.

Public Health Nurse Administrator Sally Bonneson made 2 requests: the addition of a wall to provide proper privacy for one office, and, to rent office space to Jean Drey, Tri-County Health. Rent could be in the form of a payment, or in trade for grant writing services. Lanphere and the Chair will work with her on allocating space in the E. Richland Annex.

CPC Dawn Mentzer reported on the selection of a candidate for the open case management position. Motion by Crampton to **employ** Annette Jordan as a Case Manager in the Community Services Department effective 10/31 at \$13.47/hr. Carried.

Veterans Services Officer Clint Hoferman discussed problems with a **used computer**.

Engineer Jon Ites discussed completion of the 'Lietz bridge'. Motion by Gustafson to accept as complete, and to authorize the Chair to sign a final pay estimate to contractor Merryman Bridge Construction of Algona, IA, on **project # L-B-621—73-11**; the contract amount was \$120,029.45, with the final cost being \$119,760.97. Carried.

Ites presented an updated fee schedule for installation of 911 addressing and signing. There were no objections.

Motion by Vail to approve the new fee schedule for materials (gravel, sand, salt) effective 10/25/05. Carried.

Ites reviewed the 3rd Qtr 2005 farm-to-market fund report.

Ites discussed the replacement of aerial maps from Sidwell Mapping. The amount budgeted is approximately \$1,000 less than the cost, in part due to ordering a single set of the maps and the cost of new binders. No other department is interested in the printed version of the maps since all work is done with the electronic version. Paper copies are easier for the public to work with when they make requests for services. He will check whether any outside agencies may also be interested since the cost comes down with the purchase of additional copies.

Ites reported a yield of 185 bu/ac corn at the Hayes Pit. The Board approved the sale to the Newell Coop at Sulphur Springs.

Motion by Vail to approve the utility permit submitted by Iowa Lakes Electric, Estherville, to install a 7200v line to a new home on N. River Road in Section 6, Lee Township. Carried.

Motion by Gustafson to approve the utility permit submitted by Iowa Lakes Electric, Estherville, to install overhead, single phase lines on the west ROW on the east side of Section 35, Newell Township, to provide service to a livestock facility. Carried.

Jim Gertsma, soil scientist with NRCS, discussed doing a new soil survey for the county. The previous one is outdated and inaccurate. Once completed, the information could be accessed on a home computer. The survey would be useful to landowners, farm managers, assessors, etc. and anyone dealing with issues such as water quality. The total cost to the county would be \$159,574 spread over 4 or 5 years.

Architect Rod Moore reviewed sample questions for candidates for construction manager who will be interviewed later in the day. The Board discussed how they would proceed with the candidates.

Pursuant to the recommendation of the county's financial auditor, motion by Vail to approve a corrective transfer of \$3,815 from Fund 1500 to Fund 0011. Carried.

Motion by Crampton to accept and to authorize the Chair to sign the quote from Richards Construction for removal of trees in DD #184. Carried.

Three construction managers were interviewed: Peterson Construction of Webster City, IA, Jim Nord, Next, Inc. of Sioux Falls, SD, and Midwest Construction, Houghton, IA. No selection was made; a decision will not be made until after the election, if the bond issue is approved.

There being no further business, motion by Vail to adjourn the meeting at 5:00 p.m. until 8:30 a.m. on Tuesday, November 1 for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FIRST MEETING, 2005 SESSION (51)
NOVEMBER 1, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, November 1st in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Motion by Gustafson to approved the minutes of the 10/25 meeting as printed. Carried.

Motion by Vail to approve and to authorize the auditor to transfer \$1,042.78 from the employee health insurance fund to the mental health fund, which represents the employer's and employee's share of health insurance premiums for one person no longer employed; and, to recognize the March 1, 2005 approval to transfer \$1,001.00 from Employee Health to Secondary Roads for 2 persons no longer employed. Carried.

Motion by Lanphere to approve and authorize the Chair to sign today's claims, and the following reports -- October minutes of the BV Co Conservation Board. Carried.

Due to the timing of the Fall ISAC meeting, motion by Vail to postpone the next regular meeting from 11/14, to Wednesday, 11/15 from 8:00 to 10:00 a.m. Carried.

The Board reviewed the remaining law enforcement center presentations and advertising. A campaign financial report is due for the "Committee For New Jail", and will be mailed today.

Supervisors Gustafson and Lanphere reported on the "Iowa Lakes Corridor of Opportunity" meeting held Friday in Spencer. Currently, most economic development grants are available only to regional organizations. Single counties are not likely to be eligible, so need to associate with a minimum of two other counties.

There being no further business, motion by Crampton to adjourn the meeting at 11:00 a.m. until 8:30 a.m. on Tuesday, November 8 for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SECOND MEETING, 2005 SESSION (52)
NOVEMBER 8, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, November 8th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Motion by Vail to approve the minutes of the 11/1 meeting as printed, and the following reports: Oct Clerk's fees, Oct Board of Health minutes, Oct monitoring report on Spectra lagoon; also reviewed: Oct NWPIDC Policy Council minutes. Carried.

Motion by Vail to accept the quote of Reutzel Excavating, Inc. in the amount \$10,919.40 for the cleanout project in DD #49 Lateral 2 and to send a letter to the owner regarding farming practices. Carried.

A letter was received from the attorney for the Spencer Hospital regarding the bills for 2 persons admitted from BV County. Assistant County Attorney Dave Patton is responding with the information that neither person has legal settlement in BV County.

A work order for DD #34 MOD for removal of a beaver dam in Section 35, Poland Township was discussed. Engineer Ites will investigate it for the possibility of the road department making this repair; otherwise, the Board will reconsider it next week.

Motion by Crampton to approve and to authorize the Chair to sign a work order for DD #16-30-92 in the approximate amount of \$600.00 to repair a tile in Section 14, Douglas Township, Sac County. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the NPDES permit for the Spectra lagoon. Carried.

Motion by Lanphere to increase the authorized depository amount for the Sheriff at Central Bank Storm Lake, from \$100,000 to \$250,000. Carried.

Engineer Jon Ites gave his road report, and informed the Board that the NRCS reimbursement on project #L-C-604, Section 4, Nokomis Township in the amount of \$44,459.25 has been received.

Motion by Vail to approve and to authorize the Chair to sign the underground utility permit submitted by Iowa Telecom of Grinnell to install a 25 pr telephone cable between Sections 25 and 26, Fairfield Township, to provide service for a new turkey building. Carried.

Ites has received a complaint from Donna Donaldson, Section 20, Poland Township, who reports loss of water in her well after the county pumped the Goldsmith Pit. The Board suggested that Ites talk to Craig Middendorf or another person who works with water wells. Vail will assist in getting the problem resolved.

Sandy Johnson reviewed the list of those who assisted with getting the information out on the law enforcement center. Motion by Gustafson to thank Johnson for her work on the committee, and to reimburse her for her mileage for the many trips into Storm Lake and other communities. Carried.

There being no further business, the Chair adjourned the meeting at 10:25 a.m. until 8:30 a.m. on Wednesday, November 16 for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FOURTH MEETING, 2005 SESSION (54)
NOVEMBER 16, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Wednesday, November 16th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting. (This meeting was postponed from Tuesday, November 15th due to its conflict with a meeting which a quorum of the Board was attending in Des Moines.)

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Community Services Director Dawn Mentzer introduced new case manager Annette Jordan, and, discussed establishing an attorney fee for **MH commitment** proceedings. Motion by Lanphere to set a fee of \$150 for attorney representation in a MH commitment hearing. Carried.

Motion by Crampton to approve the **minutes** of the 11/8 meeting as printed. Carried.

Vail reported on the investigation of the complaint from Donna Donaldson about water problems as a result of pumping the **Goldsmith Pit**. The source of the problem cannot be determined with certainty.

Architect Rod Moore discussed a list of items needed to begin the **law enforcement center** project. He requested a resolution for notice to proceed with contract documents. Moore suggested that if the Board employs a construction manager, a CM should be onsite not less than 2-3 days per week. He believes the project is large enough to justify one, and that the county should benefit from one. He provided a copy of a standard AIA Construction Manager agreement for review. The consensus of the Board was to use an onsite full or part-time construction manager. A site survey needs to be done as soon as possible. This includes the legal description and other items; Kuehl & Payer could perform this work. A review of project dates should be done after a CM is on board. The project will include five stages: schematic drawings, design development (design of the systems), bid phase (distribution of plans, bid opening, contract awards) contract documents, and construction. After review, the Board asked Moore to include the following as alternates: 1) completion of the roof and exterior wall of the expansion space with plumbing rough-ins and no beds, 2) completion of the 16-bed expansion area including beds, completion of the space for the Communications Center and 'move in' (as opposed to leaving space for future move). Motion by Gustafson to authorize Moore & Associates to proceed with project drawings for the law enforcement center. Carried.

Dan Hegarty, MidAmerican Energy, offered the services of his company and their engineering associate's firm, to work with the architect to offer design recommendations for energy efficient systems in the law enforcement center. In addition to saving on energy costs for the operation, MidAmerican offers rebate incentives to help with paying for the energy efficient systems which are somewhat more costly.

Environmental Health Director Kim Johnson discussed the new program "Informed Dining" announced by Iowa Department of Inspections and Appeals to post the results of eating establishment inspections on the web. Since Buena Vista County subcontracts with the State of Iowa to do the inspections, those reports will also be posted.

Johnson also reviewed maps prepared by JEO Consulting for the **Comprehensive Plan**. The maps will be used at the community meetings which will be scheduled for the 2nd week in January.

Motion by Vail to approve and to authorize the Chair to sign today's **claims** approval list. Carried.

After a brief discussion of **construction managers**, the consensus was to check references, and depending upon the results, to consider interviewing 1 or 2 more.

Upon completion of the **canvass** of 11/8/05 Municipal / Special Bond Election, and pursuant to Chapter 50.24 of the 2005 Code of Iowa, motion by Vail to declare the results as follows: (*=write-ins & less than 2% of ballots cast) (countywide turnout: 3,915-32.6%)

Albert City: total voters- 333 (42% turnout)

for Mayor	Phillip C. Chada	5	
	Carl N. Erickson Jr.	218	elected
	Abe Falkena	33	
	<u>Nathan S. Pencook</u>	4	
for Councilperson-elect 2	H. LeRoy Kraai	140	
	Keith Moe	141	elected
	<u>Dale J. Skog</u>	218	elected

Alta: total voters- 536 (35% turnout)

for Mayor	Thomas G. French	252	elected
	Chris Grienke Ledoux	198	
	<u>Scattering*</u>	7*	
for Councilperson-elect 2	Pam Henderson	323	elected
	Bruce McGowan	184	
	Brian Walsh	312	elected
	<u>Scattering*</u>	9*	
for Park Board-elect 1	Doug Marks	2	
	Tony Weiland	4	
	Jerry Buckendahl	4	elected-by draw
	<u>Scattering*</u>	37*	

Lakeside: total voters- 100 (32.3% turnout)

for Mayor	Gene Mandernach	92	elected
	<u>Scattering*</u>	7	
for Councilperson-elect 3	Russell Chrischilles	42	
	Dennis Fisher	72	elected
	Kathleen Pomrenke	84	elected
	Warren F. Wilson	76	elected
	<u>Scattering*</u>	8	

Linn Grove: total voters- 100 (40.2% turnout)

for Mayor	John E. Smith	61	elected
	Amy Jessen	2	
	<u>Scattering*</u>	4	
for Councilperson-elect 5	Robert L. Cox	31	
	Ronda Ellis	43	elected
	Arnie B. Hicks	47	elected
	Denise Jurgensen	40	elected
	John C. Nelson	57	elected
	Robert L. Wadsley	37	
	Marlin Weier	54	elected
	Jim Brauhn	14	
	<u>Scattering*</u>	7	

Marathon: total voters- 101 (30.1% turnout)

for Mayor	Dana C. Snow	66	elected
	<u>Linda Connor</u>	1*	
for Councilperson-elect 2	Julie Renslow	26	
	Tony Rydstrom	51	elected
	Kathy R. Schulz	37	elected

	Grace Weaver	22	
<u>Newell: total voters- 241 (31.8% turnout)</u>			
for Mayor	Dick Christiansen	171	elected
	<u>Scattering*</u>	8	
for Councilperson-elect 3	Ethel Crowley	99	elected
	Shirley Henrich	183	elected
	Jim Martindale	162	elected
	Steve Samelson	90	
	<u>Scattering*</u>	11	
for Park Board	Polly Wolterman	12	
	Bob Jensen	3	
	<u>Scattering*</u>	20	
<u>Rembrandt: total voters- 54 (27% turnout)</u>			
for Councilperson-elect 3	Doyle Engebretson	39	elected
	Neal E. Sennert	34	elected
	Richard King (w-i)	13	elected
	Damon Hickman	2	
	Sheila Edwards	2	
	<u>Scattering*</u>	3	
<u>Sioux Rapids: total voters- 245 (36.5% turnout)</u>			
for Mayor	Nathan Leidahl	120	elected
	Pam Moffitt	67	
	Ken Schau (w-i)	21	
	<u>Scattering*</u>	3	
for Councilperson-elect 2	Michelle Haldin	12	
	Scott Haldin	57	
	Brenda Schealler	71	
	Valerie Small	59	
	Allen Sorenson	74	elected
	Candy Thompson	17	
	James Wise	127	elected
	<u>Scattering*</u>	3*	
for Council-to fill vacancy-elect 1 (all write-ins)	Valerie Small	14	elected
	Scott Haldin	13	
	Janet Johnson	8	
	James Wise	8	
	Brenda Schealler	9	
	Michelle Haldin	5	
	Paige Patten	4	
	Tracy White	8	
	Candy Thompson	3	
	<u>Scattering*</u>	16	
<u>Storm Lake: total voters- 1492 (30% turnout)</u>			
for Mayor	Jon Kruse	836	elected
	Willard Christensen (w-i)	535	
	<u>Scattering*</u>	34	
for Councilperson-elect 2	Jim Treat	1,162	elected
	Dennis Vaudt	1,147	elected
	<u>Scattering*</u>	85	
<u>Truesdale: total voters- 117 (26.7% turnout)</u>			

for Mayor	Stanley Buchholz	24	elected
	Jim Weiland	1	
	<u>Bill White</u>	1	
for Councilperson-elect 5	Linda Weiland Anderson	22	elected
	Tina Barrickman	17	elected
	Rachel Jacobs	18	elected
	Barry J. Meyer	22	elected
	James Weiland	20	elected
	<u>Scattering*</u>	14	

Buena Vista County: total voters (% turnout)

Public Measurer 'L' - \$4,800,000 G. O.	Yes	2,767 - 72%
Bond, \$4,800,000 law enforcement center	No	1,076 - 28%

and to direct the commissioner to prepare abstracts accordingly. Carried.

There being no further business, the Chair adjourned the meeting until 8:30 a.m. on Tuesday, November 22 for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FIFTH MEETING, 2005 SESSION (55)
NOVEMBER 22, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, November 22nd in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Tracey Achenbach, from Homeward, Inc. was present to invite Buena Vista County to be a part of a **Housing Trust Fund**. Homeward, Inc. is a non-profit housing agency started by four rural electric cooperatives. They are trying to set up a Housing Trust Fund to be ready for the possibility of funding from the Iowa Finance Authority in FY'2007. Achenbach serves on a committee which will propose using a portion of the state's real estate transfer tax for all counties to start HTF. The current effort is intended to provide evidence that rural counties, not just metro counties have an interest in housing and funding of the Iowa Finance Authority for this purpose. Counties which express and interest would have representation on the committee which would determine the types of projects to work on (rental/owned new or rehabbed).

Motion by Crampton to approve the **minutes** of the 11/15 & 11/16 meetings as printed, and the following **reports**: October Recorder's fees and the 2005 Weed Commissioner's report. Carried.

Motion by Vail to approve and to authorize the Chair to sign the contract with Reutzel Excavating, Inc., Burt, IA in the amount of \$10,919.40 for the cleanout project of **DD #49, Lateral 2**. Carried.

Richard Janssen & Patricia Amadeo of CPMI, Des Moines, presented their construction manager services for the law enforcement center project.

Engineer Jon Ites delivered a copy of the soil survey on the site for the law enforcement center project. The survey indicates there could be an issue at 14' due to groundwater which has implications for a partial basement.

Ites reported an increasing number of sign vandalism incidents (north of Alta, and near Rembrandt and Truesdale). Posts are being broken off or taken out of the ground.

The most recent test results on the Hudson St. LUST (leaking underground storage tank) site were positive for the county. The cost of the quarterly inspection is \$3,450.

The consensus of the Board was to approve the drainage attorney contacting Shelley Barker's attorney regarding her request on a drainage matter.

Ites presented snow maintenance agreements for several towns and noted that each town has received the new fee schedules for salt/sand. Motion by Vail to approve and to authorize the Chair to sign snow maintenance agreements with the cities of Rembrandt, Linn Grove, Truesdale, and Lakeside. Carried.

Motion by Crampton to approve and to authorize the Chair to sign a certificate of completion and final acceptance on two bridge overlay projects #L-FM-651 and #L-FM-652. Carried.

Motion by Lanphere to approve and to authorize the Chair to sign the pay voucher on re-surfacing project #FM-CO11—49-55—11 (the original approval having been lost). Carried.

Motion by Vail to approve and to authorize the Chair to sign the certificate of completion and final acceptance on project #FM-CO11-(66)-55-11 (90th Avenue). Carried.

Motion by Gustafson to approve final payments on project #'s L-C-610 and L-C-617. Carried.

Motion by Crampton to approve and to authorize the Chair to sign utility construction permits submitted by Iowa TeleCom, Grinnell for the following:

- installation of 25 pair copper telephone cable in the roadway along the west shoulder along Hwy 7 between Sections 23/27, Newell Township, to provide service to the turkey buildings owned by Dale Christiansen;
- installation of 100 pair copper telephone cable in the west ditch along M-54 between Sections 28/29, Coon Township to upgrade the service;
- installation of 25 pair copper telephone cable in the roadway along the west shoulder between Sections 23/24 of Lee Township to provide service to Josh Tapp. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the utility construction permit submitted by Clay Regional Water to install 1½" PVC between Section 10/11, Washington Township for service to Roger Anderson. Carried.

Motion by Gustafson to approve the request of the Albert City Lions Club to take over payment of the intersection lighting at Hwy 10 and N-14. Carried.

The Board held a teleconference with Attorney Bob Josten to discuss the issue of a construction manager for the law enforcement center. Josten indicated that either the architect or a CM, or even the

County Engineer could represent the county during the construction. The Board needs to determine who will take the liability for the project.

Dirk Westercamp, Woodruff Construction, discussed the construction manager services his firm can provide for the law enforcement center. Woodruff offers both design and build services.

The Board will check references before making their decision on a construction manager for the law enforcement center project.

There being no further business, the Chair adjourned the meeting until Tuesday, November 29 for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SIXTH MEETING, 2005 SESSION (56)
NOVEMBER 29, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, November 29th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Motion by Lanphere to approve and to authorize the Chair to sign today's claims approval list. Carried.

Motion by Lanphere to amend today's agenda by adding 'approval of tree count projects for DD #34' at 9:45 a.m. Carried.

The appointment with RTA Executive Director Rose Lee was cancelled due to illness.

Engineer Jon Ites presented a map of the locations of vehicular crashes on BV County roads involving drivers 60 years of age and older between 1995 and 2004.

Ites reported that project audits by IDOT are currently delayed 6-8 months. District 3 IDOT will be meeting to discuss the matter and to work on ways to speed up the process.

Ites reported that the cost of a city building permit for the law enforcement center would be about \$14,000, plus \$1,000 for an outside plan review.

Motion by Gustafson to approve the minutes of the 11/22 meeting as printed. Carried.

Motion by Vail to approve and to authorize the Chair to sign Resolution #2005-11-29 approving BV County's participation in the Homeward, Inc. Housing Trust Fund. Carried.

RESOLUTION #2005-11-29

**BUENA VISTA COUNTY BOARD OF SUPERVISORS APPROVES PARTICIPATION
IN THE HOMEWARD, INC. HOUSING TRUST FUND**

WHEREAS, in accordance with Iowa Code section 16.181, Iowa housing trust funds are held within and require certification by the Iowa Finance Authority (IFA); and

WHEREAS, as the holder of the housing trust funds, IFA has created an Allocation Plan that outlines the requirements to be certified as a housing trust fund; and

WHEREAS, the County Board of Supervisors understands there is no IFA funding allocation for housing trust funds established in 2005; and

WHEREAS, Homeward, Inc. proposes to establish a housing trust fund in 2005 to include several counties in its service area; and

WHEREAS, the County Board of Supervisors understands that participation in Homeward's Housing Trust Fund will not require a financial contribution by the County; and

WHEREAS, the County Board of Supervisors recognizes that a separate board, which will include representation from their county, will be responsible for coordinating the local housing programs conducted in the Homeward, Inc. Housing Trust Fund; and

WHEREAS, the County Board of Supervisors understands that IFA requires housing trust funds be re-certified annually and at such time Homeward, Inc. will give the county an opportunity to reconsider their decision to be included in the Homeward Housing Trust Fund.

THEREFORE, be it resolved that the Buena Vista County Board of Supervisors approves participation in the Homeward, Inc. Housing Trust Fund.

Dated this 29th day of November, 2005.

BUENA VISTA COUNTY BOARD OF SUPERVISORS

/s/ Lorna Burnside, Chair

ATTEST: /s/ Karen M. Strawn, Auditor

Motion by Lanphere to recommend approval to the Board of Health of a PH employee's request to receive a payout of her **accrued vacation** over two months to allow for payroll deduction of the employee's share of the health insurance premium. Carried.

Engineer Ivan Droessler and Drainage Watchman Brian Blomme were present for a discussion of tree count work in **DD #34**. Droessler presented a report on tree removal in DD #34 over the last several years. He would like to see the Board try to clear trees down to Hwy 3 which is below all of the laterals. The standard is to try to keep 70' either side of the centerline clean to allow for district work including maintenance using equipment. 70' either side is the outside point of the ROW. Lateral 2 will be the biggest challenge since it has never been touched. There are some trees left on Lateral 4, Lateral 7 and the MOD. The current tree count was done in 2001 and needs to be updated. Motion by Gustafson to approve and to direct Kuehl & Payer to perform tree counts on Laterals 2, 4, and 7 of DD #34 and to go 2 years out on the MOD. Carried. Droessler suggests that all contracts should be based on tree counts in order to substantiate proposals.

DD#67 needs to be cleaned out, and a survey will be needed to start the process. Droessler recommended the survey and estimated the cost at \$5,000. Motion by Vail to approve and to

authorize Kuehl and Payer to proceed with a survey on DD #67 in Section 1, Coon Township. Carried. Droessler and Blomme will return in Jan-Feb, 2006, with a proposed spray schedule for 2006 and the tree removal in DD #34.

Regarding the value of a new county soils survey, if LIDAR photos are taken, those photos would make it possible to perform a DD #34 re-classification (which is needed) without going into the field. Most of the work could be done by computer, saving a substantial cost in the re-classification process. Reclassification by the traditional method usually cost from \$5-6 per acre. With LIDAR photos, the cost would be in the \$3-4 range. If the LIDAR photos were made available free to the drainage district, the cost could be under \$3/acre.

Motion by Gustafson to set a public hearing on the minor subdivision request from Gary Grundmeier for a parcel in Section 24, Maple Valley Township (O'Bannon site) as 8:30 a.m. on December 6, 2005 in the Boardroom. Carried.

The Chair left the meeting for a funeral, and Vice-Chair Lanphere assumed the Chair.

Motion by Gustafson to approve the following reports: Sept & Oct fund balances, Nov monitoring report of Spectra lagoon by Mangold Environmental, annual Conservation report, Terracon soil survey of the law enforcement center site. Ayes—Crampton, Gustafson, Vail and Lanphere. Nays—none. Carried.

Weed Commissioner Norm Lund reported on the test results on the weed spray complaint filed by Bob Rust, Sioux Rapids. The report dated 11/17/05 shows that testing has been completed for the three substances used by the weed department, and none of the three compounds were detected.

Emergency Management Coordinator Bob Christensen proposed the possibility of obtaining a Homeland Security grant for a large generator for the new law enforcement center in exchange for space to house a pickup, trailers, 2 ATVs and supplies. None of the equipment is temperature sensitive, but some supplies could be. Buildings (storage space) are not on the eligible list for HS funding. Equipment obtained for BV County would be available to the region. Counties in this region are communicating about the grant applications so that not everyone applies for the same items. He is also looking into a tower antenna & radio equip for the new facility. Gustafson is concerned about spending grant dollars to acquire equipment that will sit in storage and not be used.

The Board reviewed the FY'07 Budget calendar, and noted that several Compensation Board Member terms expired June 30th. The Attorney, Treasurer and Supervisors will need to appoint or reappoint representatives.

Following discussion, it was the consensus of the Board to proceed with a fulltime construction manager for the law enforcement center project, and to request fee proposals from 2 of the CM's they have interviewed. The proposals will be requested by or before noon on Friday, December 2.

Burnside returned to the meeting and assumed the Chair.

BV County Fair Board Manager/Secretary Vickie Roberts presented a request of \$75,000 for FY'07. They were budgeted to receive \$15,000 in the current year, and have been approved for an additional \$3,500 for the new guard rail. She also asked for assistance in finding out what differentiates a 'county fair' from a 4-H fair. She reported that most of the new guard rail is up.

SLADC Exec. Director Gary Lalone & Finance Manager Ed O'Toole presented a list of the SLADC activities during the prior year, their financial report and their request of \$42,000 for FY'07. SLADC is receiving \$28,750 in the current year.

On behalf of the BVCCVB, Storm Lake Chamber of Commerce Managing Director Marilyn Monson requested \$250 for ½ of the Western Iowa Tourism dues, of which the Chamber contributes the other \$250.00. This is the same amount as in many prior years. She is trying to encourage all

attractions/historical societies to join Western Iowa Tourism individually so that they can qualify to apply for WIT grants, and by attending WIT meetings, to bring the enthusiasm back to their group. It is important for them to plan not just how to get visitors to their attractions, but how to get them to come back again. Monson also requested \$375 for mileage and subsistence for BVCCVB members to attend WIT meetings. Also discussed was the progress made on the Drive CD project for self-guided tours of BV County attractions, and the flyer marketing materials.

On behalf of the Newell Historical Society/Allee Mansion, Monson delivered a \$1,000 request for FY'07. In the current year they are receiving \$575.

NW Aging Executive Director Cynthia Beauman reviewed the activities of her agency, the status of other funding, and legislative priorities, and made a request for \$10,842 which is \$2.60 for each BV County senior over 60 years of age. A new program that is being well received is "Project Lifesaver" which utilizes a wrist or ankle bracelet with a transmitter to keep track of elderly or other persons in jeopardy of wandering away and becoming lost. She is working on a full day conference for next spring that will focus on how to make and keep older drivers safer on the road.

UDMO Exec. Director Larry Rohret and Storm Lake Site Administrator Joan Spooner were present and requested \$19,715. \$14,250 was appropriated for the current year. They are seeing an increase of needs in Buena Vista County.

Julie Schulenberg, **CADA** Counselor, with Sara Monroy-Huddleston from the Storm Lake site, discussed upcoming changes in their agency. On July 31, 2006, CADA (BV, Cherokee, Ida, & Sac Counties) will be merging with Centers Against Abuse and Sexual Assault (CAASA) in Spencer (Clay, Dickinson, Palo Alto & Emmet Counties). The move will cut overhead administrator expense – an action that will likely be mandatory in another year or so. Jan Alfred (CAASA) will be the Director. Sally Dobson, current CADA Director will move on to other employment with DHS. CADA's request for FY'07 is \$4,500. They are receiving \$3,875 in the current year.

It was noted that Architect and Construction Manager contracts have been sent to Bob Josten for his review.

There being no further business, the Chair adjourned the meeting at 4:25 p.m. until Wednesday, November 30, at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SEVENTH MEETING, 2005 SESSION (57)
NOVEMBER 30, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Wednesday, November 30th in the Boardroom with Vice-Chairman Lanphere presiding and with the following other members present: Crampton, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside due to another appointment.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, and Vail. Nays: none. Abstentions: none.

BV County Librarians Cathy Jensen-Albert City, Sue Pedersen-Alta, Patria Jenson-Linn Grove (President), Bette Jolliffe-Marathon, Caroline Boettcher-Newell, Joleen Anderson-Rembrandt, Martha Landsness-Sioux Rapids and Susan Stone-Storm Lake, from the BV County Library Association were present to request an increase in funding to \$71,670 over the current year (\$54,250). They stressed the importance of county funding in their budget and discussed the importance of the computers and internet service that all of the libraries provide. The Iowa Code has a minimum levy requirement of 6¾ cents for both cities and counties. The maximum is 27 cents.

SCS State Secretary Manager Colleen Schwanz, and Commissioners Bob Donahoo and Dwight Young were present requesting \$3,000, an increase from the \$2,000 appropriated in the current year. The funds are used for their environmental mini-course for 6th graders. Their new District Conservationist is Chris Hogge.

Sioux Rapids Area Historical Society, represented by President Avis Yungbluth, is requesting \$1,000 for FY'07 to be used for maintenance of the Sioux Rapids Theatre Museum. This year they will receive \$575.

Albert City Historical Society President Dick Aronson requested \$1,000 for general purpose expenses. They have a depot, an early 1900's house, a building constructed in 1983-84, a country schoolhouse, a 2-story 1998 building, and 2 storage garages.

Gustafson left the meeting for an appointment.

Arlin Hinkeldey, President of the **Hanover Historical Society**, requested \$1,000 for FY'07, up from the current \$575. His group was able to purchase the blacksmith shop on the corner, completing the little village.

Marge Neulieb and Margaret Weber appeared on behalf of the **BV Historical Society**. Their front display project for next year will be a collection of miniature brass tools and equipment made by Walt Becker.

Dean Maiden of the **Marathon Historical Society** discussed the difficulty in finding volunteers to help with the LMNO Railroad. He requested \$1,000 for FY'07 and is receiving \$575 this year.

On behalf of the **BV Council on Aging**, Marv Molitor made a request for \$3,500. They do not currently receive funding.

Cindy Johnson from the Storm Lake office of **NW IA ADTU**, made a request for \$17,349, or 85 cents per capita. They are to receive \$12,247 this year.

There being no further business, the Chair adjourned the meeting at 3:15 p.m. until Tuesday, December 6 for a special session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SEVENTH MEETING, 2005 SESSION (58)
DECEMBER 6, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, December 6th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere and Burnside. Nays: none. Abstentions: none.

8:30 a.m.—The time having arrived for the public hearing on the minor subdivision request of Gary Grundmeier, the Chair opened the hearing with Zoning Director Kim Johnson present. Johnson reviewed the map of the subject property and the details of the request which is to add on to the parcel with the house. Their being no objections, motion by Gustafson to close the public hearing. Carried. Motion by Lanphere to approve and to authorize the Chair to sign Resolution 2005-12-06 approving the subdivision of the property located in Section 24, Maple Valley Township. Carried.

RESOLUTION 2005-12-06-A

WHEREAS Gary D. Grundmeier has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION LOT A

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW¼ NW¼) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast Corner of the Northwest Quarter (NW¼) of said Section 24; Thence on a recorded bearing and distance of North 90° 00' 00" West, along the North line of said Northwest Quarter (NW¼), 1838.48 feet; Thence on a recorded bearing and distance of South 00°00'00" West, 165.00 feet to an iron pin purported to monument this position, being also the Point of Beginning. Thence South 00°00'00" West, 163.29 feet; Thence North 90°00'00" East, 201.88 feet; Thence North 00°00'00" East, 163.29 feet; Thence South 90°00'00" West, 201.88 feet to the Point of Beginning. Hereafter known as Lot A of Section 24, Township 90 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 0.76 Acres and is subject to all easements of record.

WHEREAS, the final plat meets with the approval of the Board subject only to the following if any: none.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that:

DESCRIPTION LOT A

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW¼ NW¼) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast Corner of the Northwest Quarter (NW¼) of said Section 24; Thence on a recorded bearing and distance of North 90°00'00" West, along the North line of said Northwest Quarter (NW¼), 1838.48 feet; Thence on a recorded bearing and distance of South 00°00'00" West, 165.00 feet to an iron pin purported to monument this position, being also the Point of Beginning. Thence South 00° 00' 00" West, 163.29 feet; Thence North 90°00'00" East, 201.88 feet; Thence North 00°00'00" East, 163.29 feet; Thence South 90°00'00" West, 201.88 feet to the Point of Beginning. Hereafter known as Lot A of Section 24, Township 90 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa is hereby accepted subject to the following if any: none.

BE IT FURTHER RESOLVED that this Resolution shall be affixed to the final plat of:

DESCRIPTION LOT A

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW¼ NW¼) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast Corner of the Northwest Quarter (NW¼) of said Section 24; Thence on a recorded bearing and distance of North 90° 00' 00" West, along the North line of said Northwest Quarter (NW¼), 1838.48 feet; Thence on a recorded bearing and distance of South 00°00'00" West, 165.00 feet to an iron pin purported to monument this position, being also the Point of Beginning. Thence South 00°00'00" West, 163.29 feet; Thence North 90°00'00" East, 201.88 feet; Thence North 00°00'00" East, 163.29 feet; Thence South 90°00'00" West, 201.88 feet to the Point of Beginning.

Hereafter known as Lot A of Section 24, Township 90 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa; and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 6th day of December, 2005.

/s/ Lorna Burnside, Chair, Board of Supervisors

/s/ Karen M. Strawn, Auditor

The Board discussed legislation that is likely to be considered in the next Iowa session regarding a **property tax limitation**. Buena Vista County is not experiencing the kind of residential growth that other counties are; Buena Vista County would see no increase while other counties with valuation growth would see growth in property tax revenues by the same limitation.

Community Services Director Dawn Mentzer discussed correspondence over a bill for two persons who received services from **Spencer Municipal Hospital**. Neither person has legal settlement in Buena Vista County.

Motion by Gustafson to approve and to authorize the Chair to sign a services contract with the **Gannon Center for Community Mental Health**, Dubuque, IA, for FY'06. Carried.

Mentzer reviewed her annual report on the MH **Case Management Program**. Since 2001, the case management budget has grown (addition of 1 case manager, benefits, vehicle, rent, etc.), and the number of units provided has also gone up. The project cost per hour is \$234.65, up from \$180.88 in 2001. These costs are reimbursed to the county.

Motion by Crampton to approve the **minutes** of the 11/29 meeting as printed, and the annual Case Management Program report. Carried.

Motion by Crampton to amend the agenda by adding appointment of a city representative to the **NWIPDC** Policy Council, and to add approval of a work order for Jt. DD #16-30-92. Carried. Motion by Crampton to appoint Patti Moore as the city representative from Buena Vista County to the NWIPDC Policy Council. Carried.

Motion by Lanphere to approve a 'winter shutdown' for Reutzel Excavating, the contractor on the partial cleanout/repair project in **DD #49**, and to assess no liquidated damages during this period. Carried.

Motion by Gustafson to approve a work order for a proposed tile repair in Section 14, Douglas Twp, Sac County in **DD #16-30-92 Jt.** for an estimated \$600.00. Carried.

Janice Danielson presented a request for FY'07 funding for the **BV Genealogical Society** in the amount of \$500. The group would like to purchase microfilm rolls of vital statistics information.

The Board reviewed the fee proposals submitted by Midwest Construction and CPMI for construction manager on the **law enforcement center project**. Their fees were \$238,500 and \$234,212

respectively. Midwest did not estimate the cost of reimbursable expenses. CPMI's estimate was \$15,675. The Board discussed a full time vs. part time onsite project director, and reviewed the proposed contracts provided by each. Motion by Crampton to select Midwest Construction as construction manager for the law enforcement center project, and to negotiate with the firm as to whether the on-site manager will be full time or part-time. Carried.

There being no further business, the Chair adjourned the meeting until Tuesday, December 13th for a regular session.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SEVENTH MEETING, 2005 SESSION (59)
DECEMBER 13, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, December 13th in the Boardroom with Chairman Burnside presiding and with the following other members present: Crampton, Gustafson, Lanphere and Vail, and with Deputy Auditor Sue Kennedy as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Crampton, Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Motion by Crampton, second by Lanphere to approve and to authorize the Chair to sign **Resolution 2005-12-13A** authorizing a contract for architectural services for the law enforcement center. Carried.

RESOLUTION 2005-12-13A

Authorizing a Contract for Architectural Services for a Law Enforcement Center

WHEREAS, it is the desire of the Buena Vista County Board of Supervisors to contract with Moore & Associates, P.C. for architectural services for a law enforcement center, and

WHEREAS, the Buena Vista County Board of Supervisors has reviewed and recommended approval of the attached contract which has been reviewed by Bond Counsel;

NOW, THEREFORE, BE IT RESOLVED that the Buena Vista County Board of Supervisors does hereby approve the attached contract with Moore & Associates, P.C; and

BE IT FURTHER RESOLVED, that the Chair of the Buena Vista County Board of Supervisors is authorized and directed to execute a contract between the County and Moore & Associates, P.C. in the amount of 6.5% of the total construction cost for the law enforcement center with credit for the \$5,500.00 previously paid.

Passed and Approved this 13th day of December, 2005, at Storm Lake, Iowa.

/s/ Lorna Burnside, Chair.....Attest: /s/ Sue Kennedy, Deputy Auditor

Motion by Vail, second by Lanphere to approve and to authorize the Chair to sign **Resolution 2005-12-13B** authorizing a contract for construction management services for the law enforcement center. Carried.

RESOLUTION 2005-12-13B

Authorizing a Contract for Construction Management Services for a Law Enforcement Center

WHEREAS, it is the desire of the Buena Vista County Board of Supervisors to contract with Midwest Construction Consultants for design and construction phase services for a law enforcement center, and

WHEREAS, the Buena Vista County Board of Supervisors has reviewed and recommended approval of the attached contract which has been reviewed by Bond Counsel;

NOW, THEREFORE, BE IT RESOLVED that the Buena Vista County Board of Supervisors does hereby approve the attached contract with Midwest Construction Consultants; and

BE IT FURTHER RESOLVED, that the Chair of the Buena Vista County Board of Supervisors is authorized and directed to execute a contract between the County and Midwest Construction Consultants in the amount of \$145,000.

Passed and Approved this 13th day of December, 2005, at Storm Lake, Iowa.

/s/ Lorna Burnside, Chair.....Attest: /s/ Sue Kennedy, Deputy Auditor

Motion by Lanphere to approve the **minutes** of the 12/6 meeting as printed.

Motion by Vail to approve and to authorize the Chair to sign the **claims approval list** for this date. Carried.

Motion by Vail to approve and to authorize the Chair to sign claims to the Clay Co. Drainage fund for **Jt. DD #22 MOD** - \$6,271.15 and \$736.50 for brush control. Carried.

Engineer Jon Ites reported on the **Hudson St. LUST site**. Now a reclassification is possible.

Motion by Crampton to approve and authorize the engineer to sign the final design agreement for **project #BROS-4395(601)—8J-11**. Carried.

Motion by Gustafson to authorize the Chair and Auditor to sign the Federal aid funding agreement for the C-65 re-surfacing **project #STP-S-CO11(62)—5E-11**. Carried.

Motion by Vail authorizing the Chair to sign the final payment on **project # FM-CO11(80)—55-11**, the C-49 project. Carried.

Motion by Vail to approve the request from Shelley Barker for payment of ½ the cost of the 12" pipe, on the county's portion of the road, to provide a **drainage outlet** for her property at 1302 Main St., Alta contingent on the City of Alta paying their portion of the bill; prior to completion of the work there was an inadequate tile outlet for the water that accumulates on her Alta property during heavy rains. Carried.

Motion by Gustafson to approve the following reports: Nov Clerk's fees, Nov & Dec Board of Health minutes, Nov monitoring report of Spectra lagoon by Mangold Environmental, Oct & Nov Conservation Board minutes. Carried. Also reviewed: BVRMC financial statements for 2005 & 2004, and 2004 Tourism-IDED.

Env/Health Zoning Director Kim Johnson informed the Board about a request to place a siren on the south side of the lake. Currently, this requires a zoning compliance permit with a variance for height, plus a fee. Motion by Vail to require the permit, but to waive the fee for installation of a tornado siren in Hayes Township, south of the lake. Carried.

There being no further business, motion by Vail to adjourn the meeting at 10:45 a.m. until Tuesday, December 20th for a special session. Carried.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
SIXTIETH MEETING, 2005 SESSION (60)
DECEMBER 20, 2005**

The Buena Vista County Board of Supervisors met in special session at 8:30 a.m. on Tuesday, December 20th in the Boardroom with Chairman Burnside presiding and with the following other members present: Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton and Lanphere.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Gustafson, Vail and Burnside. Nays: none. Abstentions: none.

Rose Lee, Executive Director of Rides (regional transit authority), presented her FY2005 annual report and requested funds in the amount of \$7,961 for FY'07 for capital improvement funds, and \$1,300 for the Storm Lake Sr. Citizens' program, the same amounts as for the current year.

Treasurer Kathy Bach brought a request from Rick Faine before the Board for assignment of a tax sale certificate for a 1966 Great Lakes mobile home. The MH is currently vacant. Faine would proceed to take title and attempt to either get it occupied or move it out. He offered \$250 for the delinquent tax, without penalty or interest. Motion by Gustafson to accept the \$250 offer from Rick Faine and additionally, to approve and to authorize the Chair to sign tax sale certificate # BVPB 03-100 over to him (MH title #11-W114143). Carried.

Engineer Jon Ites reported that funding for improvements to the 2 railroad crossings on M-27 and M-50 has been turned down again this year.

Motion by Vail to approve and to authorize the Chair to sign the final pay estimates to Richards Construction, Sac City, for structure replacements at 4 sites in Section 29 Grant Twp. Carried.

Motion by Gustafson to approve the minutes of the 12/13 meeting as printed. Carried.

Motion by Gustafson to approve and to authorize the Chair to sign the change order in the total amount of +\$8,268.00 to Paul Park Co. for the Courthouse accessible entrance project; changes include installation of automatic door opener, gutters and downspouts, also repair of cement steps at

south and west entrances, construction and installation of temporary ramp at the main entrance, and additional sidewalk on the south end of the ramp. Carried.

Motion by Vail to approve a transfer of \$36.81 from the Recorder's E.T. fund (0028) to the Recorder's Record Preservation fund (0024) to close fund 0028, this amount being interest on the account and credited after the remaining funds were transferred to the state. Carried.

Motion by Vail to approve and to authorize the Chair to sign the claim to the Clay County Revolving Drainage District fund for removal of trees in DD #14-42 Jt. MOD in the total amount of \$10,900; the contractor was Christian Bros., Sioux Rapids. Carried.

Motion by Gustafson to approve the transfer of \$459,816.88 from fund 0019-L.O.S.T. for Secondary Roads to fund 0020-Secondary Roads, the amount being 70% of the L.O.S.T. receipts for FY'05. Carried.

A meeting with John Hansen, LEC (law enforcement center) construction manager, will be scheduled for Tuesday, December 27th to go over a number of design issues.

There being no further business, the meeting adjourned at 10:15 a.m. until Tuesday, December 27th for a regular session. Carried.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

**BOARD OF SUPERVISORS MEETING
SIXTIETH MEETING, 2005 SESSION (61)
DECEMBER 27, 2005**

The Buena Vista County Board of Supervisors met in regular session at 8:30 a.m. on Tuesday, December 27th in the Boardroom with Chairman Burnside presiding and with the following other members present: Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Gustafson, Lanphere, Vail and Burnside. Nays: none. Abstentions: none.

Motion by Gustafson to approve the minutes of the 12/20 meeting as printed and to approve and to authorize the Chair to sign the claims approval list dated today. Carried.

Motion by Lanphere to re-appoint J.C. Eaton and Stan Sievers as the representatives for the Board of Supervisors on the County Compensation Board, their terms to expire 6/30/2009. Carried. It was noted that Cal Johnson-Treasurer's representative and Tom Daniels-Attorney's representative, have been re-appointed for terms expiring 6/30/2009.

Motion by Lanphere to approve reimbursement of \$99.00 to Burnside, this being the 12/12 meeting expense (meals) for an off-premises planning session for current and future space and storage needs for the various county departments, and \$36.00 to Burnside, this being the meeting expense (meals) for the contract discussion on 12/8 with John and Steve Hansen regarding full time vs. part time LEC construction manager. Carried.

John & Steve Hansen, Midwest Construction Consultants, reviewed a preliminary **LEC budget** which acknowledges construction costs as well as professional fees, bonding expense, etc.

With Architect Rod Moore, Hansen proceeded with a review of the plans, making suggestions for greater efficiency. A re-design of the law enforcement end of the building could move necessary functional spaces to 1st floor and eliminate an elevator to the basement, duplicated restrooms, and stairwell areas on both floors. These basement costs can then be re-directed to other purposes. The geotechnical engineering study performed by Terracon has identified groundwater at 14'. A basement would require a sump pump, and would require deep footings for the building, and a deep shaft for the elevator. The estimated /sq ft cost of the basement is \$137.25. The total project cost approved by voters comes in at \$119/sq ft. After thorough discussion of the costs for a basement level, and how the needed spaces could fit on 1st floor, it was the consensus of the Board to have the architect and CM move forward on an **LEC design without a basement**.

Motion by the Chair to approve **full time on-site supervision** for the LEC project. Carried.

A shared building was discussed for Sheriff's storage, emergency management storage, and a **garage facility** for vehicles used by departments housed in the E. Richland Annex. Also discussed were the design of the paved parking and driveways, roof design, emergency management and communications center requirements, transition and training, the completed topographic survey of the site, and the necessary building permits. Hansen will contact the city regarding the building permit fee(s).

There being no further business, the meeting adjourned at 12:50 p.m. until Tuesday, January 3rd for the 2006 organizational session. Carried.

Karen M Strawn, Auditor

Lorna Burnside, Chairperson

BUENA VISTA COUNTY WAGES 2005

Andersen, Gordon 472.93; Anderson, Amanda 8,372.22; Anderson, Bob 30.00; Anderson, Charleen 7,820.99; Anderson, Diane 35,220.51; Anderson, Travis 11,372.19; Archer, Jennifer 54.00; Armstrong, Carolyn 24,927.36; Assmann, Jean 24,978.66; Bach, Donna 986.25; Bach, Kathleen 40,087.98; Bailey, Daniel 36,949.71; Bailey, Taesa 13,414.39; Bartley, Josefina 22,789.48; Bellows, Carl 67.50; Binder, Charlotte 176.25; Bodholdt, Judith 448.00; Bogue, Pamela 38,885.05; Bolte, Mary 35,280.16; Bonnesen, Sally 29,967.55; Botcher, Steven 21,562.28; Briest, Diane 44,219.95; Briley, Kimberly 30,270.41; Brock, Sandra 29,877.65; Brown, Tracy 31,391.58; Burnside, Lorna 21,687.43; Buske, Ronald 37,675.09; Calderon-amides, Mindy 5,459.10; Carnine, Kim 41,055.96; Cavanaugh, Thomas 45.00; Cavanaugh, Timothy 41,638.18; Chindlund, Ann 14,944.44; Christensen, Robert 54,110.00; Christiansen, Daniel 340.00; Christiansen, Diane 18,053.12; Christiansen, Gary 38,347.27; Christiansen, Michael 1.00; Cougill, Sheila 28,428.85; Crampton, Herbert 21,353.89; Croker, Kathryn 48,300.98; Curry, James 37,687.43; Danielson, Lloyd 30.00; Danielson, Robert 50,149.50; Day, Christine 32,899.85; Demuth, Marty 47,924.24; Dirks, Lynn 24,029.49; Dowdy, Edward 36,662.23; Ebersole, Greg 3,115.59; Eddy, Charles 53,271.55; Ehlers, Daniel 60.00; Ehlers, Kevin 26.25; Ehlers, Luke 1.00; Eldred, Christian 1.00; Elston, Kory 48,001.73; Engel, Marvin 1.00; Evans, Kay 15,738.57; Fassler, David 37,517.79; Fassler, Jo lee 14,521.04; Fastenow, Jesse 30.00; Fibelstad, E. 6,867.15; Flanigan, Thomas 37,508.44; Foell, James 30.00; Fondroy, Richard 172.50; French, Thomas 46,874.10; Galvin, Terrill 37,214.44; Glienke, Martin 90.00; Gouldin, Cheryl 30,950.87; Graesing, Dennis 38,087.39; Guerra, Paula 23,533.23; Gustafson, Jim 21,187.61; Gutz, Dennis 45.00; Haahr, Leon 1,394.52; Haberman, Judy 30,014.77; Halverson, Wayne 39,092.00; Hammen, Susan 26,621.60; Hansen, Summer 12,093.05; Hatlen, Rodney 18.75; Havens, Philip 46,846.71; Heinsohn-Hinners, Sharon 669.59; Henderson, Earl 3,832.96; Henrich, Barbara

26,621.62; Hepola, Carole 20,276.24; Heuton, Timothy 37.50; Hill, Paul 52.50; Hillmer, Verne 488.32; Hoferman, Clinton 9,182.18; Hoffard, Mark 35,626.55; Hollenberg, Kimberly 849.06; Holliday, Dennis 37,126.58; Holmes, Robert 90.00; Hornor, Duane 45.00; Hotovec, Richard 36,294.76; Hoyt, Sandra 30,829.63; Huegerich, Lori 7,894.35; Imming, Matthew 1.00; Ites, Jon 77,291.28; Jackson, Donald 30.00; Jacobs, Preston 40,664.07; Johnson, Curtis 36,947.56; Johnson, Kimberly 32,463.48; Johnson, Shirley 34,828.98; Jordan, Annette 3,657.19; Jorgensen, Arden 45.00; Kalous, Shawna 15,119.99 Kennedy, Susan 32,092.22; Kimble, Rick 28,945.72; Kirkholm, Mark 525.00; Koeppe, Brenda 31,077.66; Kolpin, Lori 17,200.04; Konradi, Thomas 26,797.40; Kracht, Douglas 60.00; Kuhrts, Roger 52.50; Lanphere, William 21,213.60; Larsen, Kristine 32,963.87; Launderville, Gary 50,721.25; Laursen, Chris 581.23; Lorenzen, Roger 1.00; Lullmann, Kevin 36,688.09; Lund, Norman 6,272.30; Lyon, Cheryl 9,183.35; Mack, Scott 32,312.84; Madsen, Leigh 30,086.79; Mandernach, Eugene 3,856.55; Martin, Joan 32,092.55; Mason, Mona 23,547.57; Maymon, Patti 24,881.70; Mc Clure, Kenneth 512.50; Mc Donald, Carol 28,594.23; Mc Kinney, Kevin 210.00; Mc Shane, Jerry 28,131.24; McClure, Donald 47,234.34; McClure, Janet 111.55; McGowan, Bruce 38,282.16; McLaughlin, Scott 1,462.67; Mentzer, Dawn 40,200.65; Merten, David 90.00; Meusburger, Lisa 22,079.60; Meyer, Rebecca 23,277.66; Miller, H 45.00; Mills-Thomas, Tami 30,012.65; Mortensen, Dave 95.63; Mortensen, Ray 41.25; Napierala, Kara 24,660.56; Neary, Fred 22.50; Nelson, Bernard 93.75; Nierling, Tammi 966.76; Noll, Richard 37,921.49; Nothwehr, Wendell 15.00; Oatman, John 60.00; O'bannon, Shari 40,260.26; Ohrtman, Mary 33,763.34; Olney, Norris 60.00; Ortiz, Julian 811.25; Otto, Garland 37,915.60; Overmohle, Michael 36,606.20 ; Patterson, Kent 15.00; Patton, David 40,708.94; Paulsen, Nancy 4,873.46; Peters, Marilyn 32,444.16; Petersen, Mervin 423.04; Peterson, James 30.00; Peterson, Leonard 90.00; Pickhinke, Neil 3,486.24; Ploeger, David 39,057.72; Pyle, Mindy 16,105.96; Ramos, Annabell 752.50; Reckamp, Ronald 38,960.70; Reese, Darwin 28,487.43; Rice, Richard 90.00; Richardson, Bruce 75.00; Rittscher, Larry 3.75; Roberts, James 262.50; Robinson, Daniel 400.00; Roder, Lisa 21,595.65; Ryherd, Charles 648.75; Ryherd, Joelle 5,678.00; Saathoff, Charissa 32,692.60; Seward, Cynthia 28,571.89; Sexton, Michael 37,461.61; Simons, Douglas 53,901.72; Small, Larry 50,141.30; Small, Wencil 18.75; Smith, Julie 7,558.75; Snyder, Kelly 48,369.61; Speers, Ronald 1.00; Speers, Timothy 3,881.40; Stern, Bernice 17,227.20; Stille, H 67.50; Strawn, Karen 40,087.98; Struve, Thomas 18.75; Stucynski, Dewyne 34,037.77; Stull, Terry 135.00; Taber, Max 52.50; Temple, James 35,802.14; Thompson, Sally 2,725.07; Updyke, Hope 5,250.18; Vail, Richard 21,378.97; Van Hooser, Carol 31,651.71; Van Hooser, Mark 48,104.94; Venegas, Ericka 120.55; Warkentin, Luke 36,673.24; Watts, James 52.50; Weber, Anthony 5,628.78; Weiland, Cory 115.00; Weiland, Mary 32,080.47; Wesselink, David 30.00 ; White, Linda 21,411.20; White, Michael 6,475.68; White, Ronald 38,375.24; Wiley, David 7,643.79; Wogahn, Ruth 14,316.90; Wolf, Steven 52,499.08; Wood, Michelle 6,033.31; Zabloudil, Linda 26,791.64; Zadow, Marilyn 12,889.80

BUENA VISTA COUNTY OCT - DEC 2005 CLAIMS

Admin Wage Assignment 150.00; Advanced Pest Technology 162.00; Aflac 7,535.21; Ag Partners L.L.C. 5,869.74; Agler, Charles 108.75; Agri-Mart 460.01; Air Filter Cleaning Service 487.68; Albert City Corp 2,712.50; Albert City Historical Soci 575.00; Albert City Printing & Desi 86.88; Albert City, City Of 61.40; Alexander Hamilton Institut 29.95; Alliant Energy 10,224.02; Allied Document Solutions 2,148.54; Almendarez, Rolando 200.00; Alpha Wireless Communicatio 12,983.11; Alta Action Team 880.00; Alta Body Shop 10.00; Alta Community School Distr 300.00; Alta Corp 2,712.50; Alta Municipal Utilities 1,233.01; Alta, City Of 100.00; Altamirano, Francisco 747.48; Altamirano, Melinda 813.46; American Legion Post 394 45.00; American Red Cross 18.00; Anderson, Charleen 429.44; Anderson, Diane 1,241.56; Anderson, Linda Lu 20.00; Anderson, Raymond 108.75; Apco International Inc 455.00; Arch Wireless 89.41; Armstrong, Carolyn 482.02; Arnold Motor Supply 849.09; Arnolds Park/Okoboji, Fire 173.50; Asap Software 891.32; At & T 68.59; Automotive Service Center 20.50; B & M Service Inc 1,311.08; B & W Control Specialists 32,191.25; B V Co Secondary Road 2,541.74; B V Co Soil Conservation 1,000.00; B V County Health Dept 14,371.83; Bach, Kathleen 189.89; Bailey, Dan 125.00; Bailey, Taesa 554.42; Baker, Elnora R 108.75; Bals, Elmer 64.08; Bankers Trust 89,223.03; Barker Company Inc, Bob 37.23; Barnes Group Inc 586.59; Bartholomew, James 20.00; Bartley, Josie 142.76; Baymont Ames 69.50; Becker Gravel Company 19,038.93; Bedels Drive-In Pharmacy 2,630.89; Bilderback, Brandy 57.75; Bodholdt Brothers 396.00; Bogue, Pamela L 122.76; Bomgaars 1,834.65; Bonnesen, Sally 250.80; Boone County Sheriff 30.60; Brewer, Anne 116.00; Briest, Diane 676.13; Briggs Corporation 69.66; Buena Vista Regional Med C 41.25; Buena Vista Co Auditor 75.00; Buena Vista Co

Journal 1,780.52; Buena Vista Co Wellness 500.00; Buena Vista Co. Sheriff 438.60; Buena Vista County Fair 8,625.00; Buena Vista Glass 20.00; Buena Vista Regional Med Ct 50.00; Buena Vista Regional Medica 28,045.00; Burnside, Lorna 339.80; Business Telephone Co Inc 34.78; Buske, Ron 119.75; Bv Cnty Emp. Flex 8,130.90; Bv Co Employee Health Fund 17,660.88; Bv Co Historical Society 575.00; Bv Co/Mun Disaster Serv 20,024.00; Bv County Weed Dept 4,171.76; Bv Stationery & Printing 1,510.82; Bvrnc, Fitness & Health Cen 261.68; C J Cooper & Associates Inc 95.00; Calhoun County Extension 508.20; Calhoun-Burns & Assoc Inc 170.00; Canon Financial Services 946.35; Carnine, Kim M. 188.48; Carroll County Sheriff 60.00; Carter, Keith 108.75; Casey's General Store 53.94; Ccms 320.00; Ccp Industries Inc 753.37; Cdw Government Inc 1,053.82; Central Iowa Distributing I 3,119.78; Cherokee Co Public Health 1,000.00; Cherokee County Comm Servic 141.80; Cherokee County Sheriff 7,581.00; Chindlund, Ann 687.87; Christen Trust, Joan M 193.50; Christensen Brothers Inc 62,019.87; Christensen, Robert E. 92.12; Christiansen, Diane 656.21; Citizens 1st Nat'l Bank 8,044.25; Citizens 1st Nat'l Bank 1,030.04; Citizens Community, Credit 8,246.36; Clausen, Debra A 127.31; Clay County Auditor 1,770.68; Cloyed, Jessica J. 2,502.00; Cole, Mary 108.75; Collection Services Center 1,811.48; Community Health Partners 1,659.22; Consec Health Ins Co 1,200.30; Control System Specialists 2,564.50; Cook, Ginni 1,299.51; Correctional Services Corpo 2,162.86; Council Against Domestic Ab 1,937.50; County Case Management Serv 1,260.00; Crampton, Herb 408.44; Crawford Co Sheriff 22.12; Crawford County Home Health 19,093.72; Crippin, David 600.00; Cross Auto & Towing 501.70; Cruz, Nancy 65.60; Cst Partnership 200.00; Culligan 235.55; Cylinder Express 33.00; D & G Farms 41.00; Dahl's Machine Shop Inc 125.26; Danmar Products Inc 153.01; Dash Medical Gloves Inc 39.80; Datamaxx Applied Technologi 500.00; Dave's Commercial Painting 7,600.00; Day, Christine M 124.00; Dd #14-42 Jt Mod 1,961.67; Dell Marketing Lp 1,681.20; Delta Dental Plan Of Iowa 13,245.04; Dental Distributors Inc 361.47; Department Of Human Service 90,155.97; Department Of Veterans Affa 630.00; Dept Of Administrative Serv 60.00; Dept Of Human Services 9,036.43; Dept Of Human Services Dhs- 88,708.97; Dept Of Human Services-Adul 17,988.78; Des Moines Stamp Mfg Co 460.65; Devereaux, Lauren 50.00; Diamond Mowers Inc 342.31; Dickinson Co Public Health 646.08; Dirks, Lynn 125.00; Discover Platinum Card 969.89; Dixon Construction Co 60,842.95; Douglas, Daniel E Dds 194.00; Drey, Jean 90.00; Drey, Tasha 45.00; Driver, Aurlette 112.38; Dust-Tex Service Inc 164.18; Ebersole, Greg L 170.24; Ed. Roehr Safety Products 245.71; Eddie, Mary 108.75; Election Systems & Software 4,389.18; Electronic Engineering 100.00; Electronic Engineering 50.00; Environmental Resource Serv 3,350.00; Evers, Valita 20.00; Fairprint Graphic Solutions 109.10; Fareway Store 3,469.67; Farm Implement Co 50.16; Fassler, Jolee 39.99; Fastenal Company 2.52; Fastenow, Peg 110.35; Federal Signal Corp 65.00; Feldman, Marlowe 64.08; Feldman, Myrna 108.75; Fellows, Mary L 108.75; Ferguson Enterprises Inc 267.02; Fidler Companies 1,314.25; First Cooperative Associati 75,660.01; Fis Des Moines West 176.96; Fitchett, Frances 110.35; Fitzpatrick Auto Center Inc 17,284.75; Fleet Services 46.09; Flexible Benefits 11,562.57; Floyd Valley Community 1,143.93; Force America 152.45; Fort Dearborn Life Ins Comp 399.92; Four Points Sheraton 761.84; Francis, Phyllis 110.03; Franzmeier, Karen J Hauge 108.75; Frederiksen, Ferne 108.75; Frontier Communications 73.74; Fudge, Roxana 116.25; G Neil Corporation 322.00; G&K Services 552.76; Galbraith, Jeanette 118.99; Galbraith, Lloyd F 351.16; Gannon Center 66.00; Garbage Hauling Service 594.00; Gateway Companies Inc 2,213.00; Geisinger, Harold 38.40; Genesis Development 16,622.28; Georgiades, Jami 142.50; Geyer, Keith 3,600.00; Gibbons, Leona 108.75; Gingerbread House 2,490.28; Glen D Huntington Architect 800.00; Godfathers Pizza 163.32; Gouldin, Cheryl 25.00; Governing Magazine 16.00; Graham Tire Co 3,930.95; Grainger Inc., W. W. 1,092.42; Greene County Sheriff 16.50; Group Services Inc 27,121.25; Grp & Associates 78.00; Gustafson, Jim 442.00; Haberman, Judy 656.12; Haldin, Richard 113.40; Hallett Materials 87,882.53; Hanover Historical Society 575.00; Harold Rowley Recycle Cente 37,494.50; Harrington, Randy 200.00; Hartford Life Ins Co 770.00; Havens & Havens Law Firm 8,670.00; Health Enhancement Systems 462.08; Heartland Inn - Airport 224.70; Henrich, Steven 200.00; Hepola, Carrie 1,230.63; Hercules Hard Wire & Cable 158.79; Hertz Farm Management 200.00; Hewlett-Packard Company 5,219.00; Hildreth, Cindy 3,138.00; Hillyard Inc 162.75; Hoferman, Clinton 117.42; Hoferman, Margie 127.45; Holiday Inn 51.45; Holiday Inn Conference 74.90; Hollenberg, Kimberly 76.00; Hotovec, Rick 198.96; Howe Septic Tank, Jr Jim 900.00; Hoyt, Sandra K 133.20; Hoyt, Sandy 214.39; Hudson Law Firm 507.00; Hulsebus, Joan 157.35; Hultgrens-Gerlach Inc 738.54; Hunzelman Putzier & Co 9,520.63; Hutchinson Salt Company Inc 8,731.59; Hy-Vee Food Store 455.88; Ia Dept Of Public Safety 150.00; Iaccva 20.00; Iacme 700.00; I-Alpha 25.00; Icceen 85.00; Icceen 105.00; Ida County Public Health 1,638.00; Ida County Sheriff's Office 1,450.00; Ida Services Inc 3,008.72; Idals 60.00; Imagetek Inc 57.50; Incode 300.00; Incode-Cms Division 606.31; Industrial Supply Solutions

9,676.00; Info Usa Marketing Inc 505.00; Ing Life Ins & Annuities 39.00; Ing Life Ins & Annuity 665.00; Inst Of Ia Cert Assessor 525.00; Interstate Battery Systm 445.75; Intoximeters 936.00; Ios Office Solutions 7,180.21; Ios Office Solutions 614.46; Iowa Auto Supply 205.11; Iowa Comm On Volunteer Serv 300.00; Iowa County Attorneys Assoc 270.00; Iowa County Recorders Assoc 2,321.21; Iowa Department Of Natural 100.00; Iowa Dept Of Ag & Land Stew 40.00; Iowa Dept Of Natural Resour 450.00; Iowa Dept Public Safety 1,581.00; Iowa Dept Transportation 23,394.63; Iowa Division Of Criminal I 26.00; Iowa Feeders Supply 708.00; Iowa Good Roads Assoc 80.00; Iowa Hoist & Crane Inc 2,396.13; Iowa Lakes Electric Coop 1,137.93; Iowa Law Enforcement Academ 125.00; Iowa Petroleum Equipment Co 2,449.07; Iowa Prison Industries 832.41; Iowa Public Health Associat 100.00; Iowa Ribbon Service 250.94; Iowa State Assoc Of Countie 720.00; Iowa State Sheriffs & Deput 510.00; Iowa State University 575.00; Iowa State University Exten 860.00; Iowa Telecom 949.36; Iowa Telecom 1,255.72; Iowa Workforce Development 125.00; Ipers 08,669.81; Ipers, Assessor's Office 3,468.76; Isac 674.25; Isaca 150.00; Iscta 325.00; Isu Extension-Bv County 685.00; Ites, Jon 9.37; Jacks Uniforms & Equipment 405.13; Jackson, Karna 135.45; Jacobs, John 600.00; James A Doherty Co Inc 117.50; James W Bell Co Inc 28,125.00; Jefferson County Sheriff 108.79; Jeo Consulting Group Inc 4,289.00; Jim Hawk Truck Trailers 36.05; Jimmy Jay's Productions 87.75; Johnson, Cindy 89.76; Johnson, George 600.00; Johnson, Sandy 29.00; Johnson, Shirley 94.72; Jordan, Annette 50.83; Julius Cleaners 2,344.06; Kaufman, Vivian 124.00; Kennedy, Susan 263.04; Kimball-Midwest 1,058.66; Kirkholm, Mark 48.00; Kirkpatrick, Dorothy 108.75; Kracht, Janice 110.99; Krueger, Jodi K 490.75; Kryger Glass Company 135.67; Kuehl & Payer Ltd 25,210.13; Kurtz, Ray 75.00; L & M Electronics Inc 186.35; Lake Electric Supply 506.34; Lake View Concrete Products 19,000.12; Lakeshore Family Restaurant 117.33; Lanphere, Bill 906.41; Larson Oil & Distributin 1,895.57; Larson Printing Co 385.65; Laurens Sun, The 296.51; Layton Truck & Equipment Co 189.00; Leimer, Lois 110.67; Les & Carolyn's 170.58; Lexis Nexis 500.00; Lickiss, Charlene 6.30; Lietz, Deanna 137.37; Lietz, Philip L 2,571.81; Linn County Sheriff's Dept 20.50; Linn Grove Corp 2,712.50; Linn Grove, City Of 77.85; Long Lines Internet 68.85; Loring Hospital 492.41; Lullmann, Kevin 80.21; Lund, Norman J 190.24; Lundell Construction Co Inc 1,417.00; Lundell Construction Co Inc 4,865.00; Lutheran Services In Iowa I 25,420.43; Lyon County Health Services 1,231.04; M & M Small Engine Repair 38.00; M Y Supply Inc 832.50; M. Lee Smith Publishers Llc 197.00; Mack Hansen Gadd Armstrong 1,209.00; Madsen, Leigh 117.86; Mainstay Systems Inc 237.00; Mangold Environ Testing 975.00; Marathon Corp 2,712.50; Marathon Historical Soc 575.00; Marathon, City Of 17,620.57; Marcus News & Peterson Patr 259.87; Marion County Sheriff 12.61; Marriott Des Moines Downtow 181.85; Marshall, Connie 119.63; Martin Equipment Of Illinois 179.77; Martin Marietta Materials 1,727.65; Mason, Mona 9.88; Mastercard 3,392.34; Mccrea Enterprises 81.00; Mcdonald, Carol 25.00; Mcgowan, Betty 21.75; Mcshane, Jerry 149.79; Mcsorley, David L 2,825.33; Med-Pass Inc 133.22; Meeves, Denise 48.32; Mental Health Institute 80.00; Mentzer, Dawn 40.20; Merryman Bridge Constructio 6,711.18; Meteorlogix 3,740.73; Methodist Manor 45.00; Meusbarger, Lisa 105.59; Mickelson Tire Inc 3,889.51; Mid American Energy 13,425.14; Mid American Energy Company 2,552.53; Mid-Iowa Sales Company 129.06; Mid-Step Services Inc 1,147.39; Midwest Contracting Llc 76,228.01; Midwest Lock & Security 14.00; Midwest Wireless 2,980.56; Mikes Lawn Service Inc 185.30; Mills, Buck 50.00; Mills, Rose 108.75; Mills-Thomas, Tami 56.24; Mitchell, Kathleen 108.75; Moore & Associates P.C. 33,786.92; Movall, Barb 31.00; Movall, Wanette 123.93; Mueller, Nancy 108.75; Municipal Pipe Tool Co Inc 1,805.02; Mwro-Animals In Crisis Task 50.00; Naccho 55.00; Napa Auto Parts 1,036.59; National Academy Of Emd 45.00; National Association Of Cou 427.00; National Emergency Number A 95.00; Nationwide Retirement 6,342.00; Natl Public Safety Info Bur 125.10; Nebraska Salt And Grain Co 14,712.73; Nehring, Ron 119.51; Nelsons Premix & Vet 342.48; Nepple Electric Inc 656.17; Nepple, Lexi 125.00; Nepple, Tammy 871.87; New Sioux City Iron Co 197.11; Newell Coop Elevator 45.00; Newell Corp 2,712.50; Newell Fonda Community Scho 736.54; Newell Historical Society 575.00; Newell, City Of 318.22; Norlab Inc 189.60; North Lake Truck Repair 2,332.28; North Park Apartments 152.00; Northern Lights Distributin 8,410.94; Northrup, Carol 112.38; Northwest Aging Assoc 1,750.00; Northwest District Of Asses 150.00; Nothwehr, Carlene 145.37; Nw Ia Adtu 9,945.04; Nw Ia Planning & Dev Com 2,800.00; Nw Ia Youth Emergency Servi 40,216.81; O'bannon, Shari 218.41; O'brien Co Public Health 975.90; O'brien County 32.00; O'brien County Sheriff 490.00; Office Systems Company 393.89; Ohio National 6,027.50; Ohrtman, Mary 512.24; Olsen Welding & Machine 364.37; Olson Eaton Svendsen Inc 04,384.00; Omb Police Supply 3,878.99; Omni Photo 110.80; One Pig 883.06; One Stop Shop 15.74; O'reilly Auto Parts 30.05; Osceola Community Health Se 1,255.20; Pages Storm Lake Bakery 22.45; Patc 50.00; Pathology Medical Services 6,048.95; Patton, David 3,079.98; Paul Park Company 37,008.20;

Peterson Rentals 200.00; Petty Cash 142.15; Petty Cash Health Dept 52.38; Pickhinke, Gary 890.17; Pilot Tribune 2,928.39; Pitney Bowes 1,659.67; Plains Area Mental Health C 617.66; Plymouth County Sheriff 417.00; Pocahontas Co Sheriff 42.90; Pocahontas County Auditor 328.89; Pollution Control Systems I 172.00; Portable Computer Systems I 13,051.00; Postmaster 916.00; Powerplan 1,485.41; Prairiewave Communications 159.80; Priority Dispatch 117.00; Pro Cooperative 748.00; Pro Elect 288.69; Quill Corporation 559.64; Qwest 6,420.07; Qwest 410.91; Qwest 5,309.13; Qwest 369.29; R & D Industries Inc 4,123.18; Radar Road Tec 240.00; Ramada Inn Of Clive 196.00; Rasmussen Ford Mercury Inc 36,579.71; Rassler, Rebecca 135.45; Ray's Plumbing & Heating 545.06; Rebnord Technologies Inc 175.00; Reckamp, Ron 125.00; Regional Transit Authority 4,610.50; Regions Interstate Billing 69.45; Rehnstrom, Mary 127.13; Reis, Hanna 50.00; Rem Developmental Services 635.68; Rembrandt Corp 2,712.50; Rembrandt, City Of 93.00; Rescare Inc 1,670.70; Ressler Drug Co 99.37; Rice, Monica 112.27; Rice, Richard 121.37; Richards Construction Co In 70,054.00; Richards, Terry 105.00; Richardson, Betty Jean 110.67; Richey, Susan L 113.23; Rides 650.00; Rohlin Construction Co Inc 2,292.00; Rons Automotive 13.95; Rust's Western Shed 3.50; Ryherd, Chuck 6.40; Saathoff, Charissa 536.06; Sac City Drug 42.90; Sac County Health Services 12,639.36; Sac County Sheriff 7,198.40; Sac Sun 30.80; Saengchaupheng, James 200.00; Sangl, Barb 112.38; Sanofi Pasteur Inc 7,641.05; Sassman, Jean L 119.52; Schall, James A 175.00; Schmit, John 1,590.00; Schumacher Elevator Co 608.61; Scott County Sheriff 20.50; Seasons Center For Communit 39,659.12; Secretary Of State 11.80; Security Trust 29,252.52; Security Trust &, Savings B22,081.46; Seiler Plumbing Heating Inc 2,389.42; Sexton, Mike 325.00; Share Corp 2,319.28; Sheraton West Des Moines Ho 158.36; Sievers, Delores 358.88; Sievers, Roger D 438.48; Silk Screen Ink Ltd 1,879.40; Simons, Douglas 42.99; Sioux City Truck And Traile 1,303.70; Sioux City, City Of 7,654.13; Sioux County Sheriff 3,190.00; Sioux County Sheriff's Offi 19.00; Sioux Lumber 120.33; Sioux Rapids Auto & 167.02; Sioux Rapids Corp 2,712.50; Sioux Rapids Historical Soc 575.00; Sioux Rapids, City Of 190.52; Siouxland Mental Health Cen 360.00; Skog, Nick 70.00; Sleezer, Bonnie 116.43; Sliefert-Asmus Funeral Home 1,225.00; Smith, Julie 1,270.00; Smith, Norma 127.13; Snyder, Delores 108.75; Snyder's Auto Body 1,276.68; Solution Tree 902.67; Sparky's One Stop 25.00; Spectra Health Care Inc 4,616.43; Speers, Tim 7.19; Spencer Building Supply Inc 390.00; Spencer Daily Reporter 516.75; Spencer Municipal Hospital 360.00; Spencer Police Department 41.44; Sports Rehabilitation & 1,792.46; St. Johns United Church 45.00; Staples Credit Plan 165.98; Star Energy Llc 11,329.85; Stauber, Linda 108.75; Steffen 51.93; Stephens, Myrtle 120.13; Sterling Solutions Inc 450.00; Stief, Jackie 118.49; Storm Lake Access & Marina 500.00; Storm Lake Area Development 7,187.50; Storm Lake Cab 410.00; Storm Lake Cemetery 200.00; Storm Lake Corp 8,137.50; Storm Lake Genealogical Soc 300.00; Storm Lake Hydraulics 924.32; Storm Lake Mls 90.00; Storm Lake Times 2,862.75; Storm Lake, City Of 2,061.53; Strait, Shirley 29.00; Strawn, Karen 384.69; Stucynski, Dewyne 169.91; Stull, Lonny 2,004.96; Sundblad, Mary 119.63; Sunshine Services 154.25; Sunshine Services Inc 551.85; Swanson, Sandie 112.38; Taylor, Glen A. 10,360.00; Temple, Jim 200.00; Terracon Inc 6,884.00; The Hotel At Gateway Center 175.48; The Pride Group 2,912.00; Thompson, Sally 10.01; Tiefenthaler, Stacey 1,719.84; Training Resources 225.00; Treasurer Of State 10.00; Treasurer State Of Iowa 3,191.07; Treasurer State Of Iowa 1,427.00; Treasurer-State Of Iowa, Io 38,959.00; Trimark Central Billing 130.00; Trimark Physicians Group 171.00; Trimark Physicians Group 583.00; Trimester Inc 596.00; U S 20 Associationi 150.00; U S Postal Service 210.85; U S Postal Service 210.85; U.S. Charmade Accessories 38.00; United Building Center 144.91; United Counties Boards Of R 120.00; United Methodist Church 25.00; Up & Down Doors 165.00; Updyke, Hope 189.24; Upper Des Moines Oppty 15,426.94; Ups 84.10; Vail, Richard A. 6.25; Valley Pharmacy 256.44; Van Diest Supply Company 5,152.00; Van Hooser, Mark 99.20; Vanguard Appraisals Inc 1,750.00; Vartec Telecom Inc 47.33; Veehoff Key & Lock 47.50; Vetter Equipment Co 96.75; Viking Office Products 204.12; Visa 4,456.81; Vmh Community & Home Care 1,990.00; Vogel Traffic Services Inc 14,145.50; Wahltek Inc 1,916.00; Walmart Community 1,445.10; Warkentin, Luke 30.00; Wassom Jr., Rob 160.47; Watch Guard Video 10,170.00; Wedeking, Martin 116.00; Wede's Lock Service 58.00; Weiland, Mary 105.31; Wellmark Blue Cross & Blue 14,528.44; Wellmark Blue Cross And Blu 250.00; Wells Fargo Bank Minnesota 112.50; Wessendorf, Grace 132.89; West Des Moines Marriott 628.88; West Payment Center 2,880.67; Westview Park Management 140.00; Wetherell Sand & Gravel 279.00; White, Mike 3.11; White, Ron 78.02; Wiley, David 23.25; Wilkens, Lucille 144.41; Williams, Dennis 400.00; Wilson & Pechacek 4,913.60; Wilson, Patrick J 152.00; Winterboer, John 4,700.00; Wise, Darlene 145.73; Wogahn, Ruth 264.11; Wolf, Steven 127.43; Woodbury Co Sheriff 47.81; Yon Family Trust, Lola Kels 3,000.00; Youth Services, Internation 5,076.10; Zadow, Marilyn 13.65; Zapata, Asuzena 180.00; Zee Medical Inc 292.95; Ziegler Inc 7,329.83