

**BOARD OF SUPERVISORS MEETING
FIRST MEETING, 1994 SESSION (1)
JANUARY 3, 1994**

The Buena Vista County Board of Supervisors met for the first meeting of the 1994 session on Monday, January 3, 1994 at 9:00 A.M. in the Boardroom with Chairman Rehnstrom presiding and with the following other members present: Gustafson, Rehnstrom, Vail, and Voss, and with Auditor Karen Strawn as clerk for the meeting.

Motion by Burnside, second by Vail, to the minutes of the December 28, 1993 meeting. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

There being no further business to come before the Board, it was moved by Gustafson, second by Vail, that this meeting adjourn sine die. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Retiring Chairman Rehnstrom thanked the Boardmembers for their cooperation and assistance throughout 1993, with the Board returning the comments for Rehnstrom's leadership.

The first order of business for the 1994 session was election of a Chairperson. The Auditor called for nominations for **Chairperson of the Board of Supervisors.** Motion by Rehnstrom, second by Burnside, to nominate Vail. The Auditor asked if there were further nominations. Motion by Voss, second by Gustafson, that nominations cease. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried. The vote on the nomination of Vail for Chairperson was: ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Chairman Vail called for nominations for **Vice-Chair.** Motion by Burnside, second by Rehnstrom, to nominate Gustafson for Vice-Chair. The Chairman asked if there were any additional nominations. There were none, and the vote was: ayes--Burnside, Gustafson, Vail, Voss, nays--none. Carried.

Supervisors' Committee, Commission & Board Appointments

Motion by Rehnstrom, second by Burnside, to appoint the following persons as delegates and representatives to the committees, commissions and boards as noted for 1994:

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

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

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

Burnside to the **Disaster Services Board** (Chapter 29C.9).

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

Voss to the **Tourism Council.**

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

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

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

Rehnstrom and Voss to the **DHS Planning Council** (with Crawford, Ida, and Sac Counties).

Rehnstrom, Voss, and Betty Silverberg, to the **DHS Cluster Board** (with Crawford, Ida, and Sac Counties).

Rehnstrom and Voss as Supervisor Representatives, and Lynn Romo as an MI provider representative, and Bob Reis as the MR client/family representative to the **MH/MR/DD/BI Planning**

Council (with Crawford, Ida, and Sac Counties).

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

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

Rehnstrom-delegate, Gustafson-alternate, for the **Job Training Partnership Act Committee**.

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

Don Linnan, Chuck Eddy, Shari O'Bannon, and Rehnstrom, with the other boardmembers as alternates for Rehnstrom, to the **Weather Committee**.

Don Linnan-Chair, and Vail, and Karen Strawn as members of the **Personnel Committee**.

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

Vail and Don Linnan to the **DOT Engineers-Supervisors Committee**.

Vail-delegate to the **Drainage District #14-42 & #150 Interim Boards**.

Voss, Rehnstrom, and Gustafson to the **CF/SHP/CCF Committee**.

Vail to the **Iowa Lakes RC&D Board**.

Burnside to the **Gingerbread House Board**.

Chuck Eddy, Rollie Sievers and Vail to the **Courthouse Security Committee**.

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

Burnside to the **U.S. 20 Corridor Task Force and to the Highway 71 Task Force**.

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

Karen Strawn- **ADA Coordinator**.

to the County **Safety Committee**: Voss, Rehnstrom, Chuck Eddy, Don Linnan, Karen Strawn, Darel Burns, Brad Raveling, Karole Graen, Rollin Sievers, and Rich Herrig.

to the **"Right-to-Know" Committee**: Rollie Sievers, Karole Graen, Brad Raveling, Don Linnan and Voss.

to the **"Drugfree Workplace" Committee**: Don Linnan, Voss, Karen Strawn, Chuck Eddy and Dewayne Stucynski.

Don Linnan-County **Special Risk Coordinator**.

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

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

Merle Zillig-representative to the **Regional Housing Authority**.

Darel Burns and Burnside to the **Iowa Drainage Association**.

Vail-representative, Gustafson-alternate, to the Board of Directors of the **Storm Lake Area Development Corporation**.

Rehnstrom & Gustafson to the Governing Council, Vail to the Business Analysis Committee, Burnside to the Financial Analysis Committee, Corwin Ritchie to the Ex-Officio Legal Advisory Committee, all of the **Economic Development Revolving Loan Fund**.

Bruce Engelmann to the **Board of Adjustment** with his term to expire 6/21/98.

Voss-representative to the **S.H.I.E.L.D. Board.**

The vote on this motion was: Ayes--Burnside, Gustafson, Vail, Voss. Nays-- none. Carried.

Citizens' Committee, Commission & Board Appointments

Motion Voss, second by Gustafson, to appoint the following persons to the committees, commissions, and boards as noted for 1994:

Gary Meseck and Betty Silverberg to the **Buena Vista County Human Services Advisory Board** (Chapter 234.9).

Dr. David Crippin **County Medical Examiner**, Kevin Petersen and Al Lindgren, Tim Speers, EMTs, and Deputy Doug Simons, and SL Detective Mark Kirkholm as **Deputy Medical Examiners** (Chapter 331.801). Terms expire 12-31-94.

Rich Haldin, Virgil Jensen and Ray Kurtz to the **Veterans Affairs Commission** for the 1994 year, or until their terms expire (Chapter 250).

Gustafson to the **ISAC MH/MR/DD Community Services Work Group.**

for **ISAC Human Service Issues Contact Persons:** for MH/MR/DD-Gustafson, & GA Director Angela Olsen, for Juvenile & Family Assistance - Burnside and Auditor's staffperson, for Public Health & Education-Vail and Nurse Administrator Karole Graen.

to the **Buena Vista County Eminent Domain Compensation Commission** (Chapter 472.4): Farmers-Melvin Grundmeier, Willard Kracht, Merlin Bertness, Gene McLaughlin, Dale Bodholdt, Raymond Mueller, Dean Worthan, Realtors-Ron Frederick, J.D. Lehr, Sue Kleymann, James Eaton, John Lullman, Darwin Johnson, Eggert Thomsen, for Cities: Bill Fulcher, Edward Groth, Kevin Zadow, J. H. Spooner, John Gaffney, Ronald Haroldson, Donald W. Anderson, for their Occupation-Bob Magnuson, Raymond Bertness, Norris Olney, Cornelius Wabeke, George Schaller, John Hopkins, Elmer Knebel.

to the **Northwest Iowa Mental Health Center Board of Directors** and the **Northwest Iowa Alcohol and Drug Treatment Unit Board:** Yvonne Bertness, Gustafson, Vail, and Burnside as alternate.

Avonne Frederickson and Dr. Frank Hughes, to the **Local Board of Health** for 3-years term expiring 12-31-96.

Roger Meyer to the Buena Vista County **Conservation Board** for a 5-year term expiring 12/31/99.

Norm Lund, **Weed Commissioner** and Roger Sievers, **Assistant Weed Commissioner** (Chapter 317.3).

Randy Carlson as Buena Vista County **Safety Coordinator.**

Merle Zillig as Buena Vista County **Zoning Administrator.**

Anita Hallquist to the **Representative Council** of Northwest Iowa Mental Health Center.

The vote on this motion was: Ayes--Burnside, Gustafson, Vail, Voss. Nays-- none. Carried.

Mileage Rate and Meal Reimbursement

Motion by Voss, second by Rehnstrom, to pay mileage to employees at the rate of 24 cents per mile for each mile traveled by private vehicle (not for county owned vehicles) for county business for 1994. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, for 1994 to reimburse mileage for non- county employee deputy medical examiners at 24 cents per mile for both performance of medical examiner duties and for miles traveled to and from medical examiner meetings/schools. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, 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 \$9.00 for breakfast and lunch combined, and \$10.00 for dinner. No reimbursement will be made for alcoholic beverages. To receive reimbursement, receipts must be submitted. Ayes--Burnside, Gustafson, Vail, Voss. Nays-- none. Carried.

Insurance Coverage including Blanket Bond

Motion by Rehnstrom, second by Gustafson, to continue the following insurance coverage from Stille Pierce & Pertzborn for the remainder of FY '94: tort liability, auto, property, E & O, umbrella, inland marine, contractor's equipment, CCF boiler, law enforcement professional, medical professional, worker's compensation, and blanket bond. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Depository Resolution-Elected Officers

Motion by Voss, second by Burnside, that the Depository Banks currently being used by the Treasurer, Recorder, Auditor & Sheriff continue to be used during 1994 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
	Commercial Trust & Savings Bank, Storm Lake ...	\$5,000,000.00
	Security Trust & Savings Bank, Storm Lake	\$5,000,000.00
	First Federal Savings & Loan, Storm Lake	\$5,000,000.00
	Albert City Savings Bank, Albert City	\$500,000.00
	Citizens State Bank, Marathon	\$500,000.00
	Heritage Bank, N.A., Alta	\$750,000.00
	First National Bank, Newell	\$500,000.00
	First National Bank, Rembrandt	\$500,000.00
	First State Bank, Sioux Rapids	\$500,000.00
Recorder:		
	Security Trust & Savings Bank, Storm Lake	\$100,000.00
Auditor:		
	Citizens First National Bank, Storm Lake	\$10,000.00
Sheriff		
	Commercial Trust & Savings Bank, Storm Lake	\$100,000.00
	Citizens First National Bank, Storm Lake	\$25,000.00

The vote on this motion was: Ayes--Burnside, Gustafson, Vail, Voss. Nays-- none. Carried.

Depository Resolution-Payroll Deposits

Motion by Voss, second by Gustafson, that the 1994 Federal Depository Bank, being designated for 2 years at a time with this being the second year, shall be First Federal Savings and Loan, Storm Lake. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Resolution on Interest Rates for Drainage

Motion by Voss, second by Gustafson, to establish 9% as the rate to be paid during 1994 on all stamped warrants, Improvement Certificates, and Drainage District waivers, effective this date. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Resolution to Research Drainage and other Assessments

Motion by Gustafson, second by Rehnstrom, that the County 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. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Chemicals for Brush Control in Drainage Districts

Motion by Burnside, second by Rehnstrom, that the Buena Vista County Supervisors, acting as trustees for the various drainage districts, shall continue to make available in the districts where appropriate, chemicals for brush control, and that the owner, or his representative to whom these

chemicals are provided, will be required to show proper proof of license to apply such chemicals. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Dog Licence Resolution

Motion by Gustafson, second by Voss, to set a \$1.00 fee for dog licensing in the unincorporated areas of the county and in towns without licensing ordinances. (Chapter 331.381.14). Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Resolutions of Appointment

Motion by Rehnstrom, second by Burnside, that Donald D. Linnan be re- appointed Buena Vista County Engineer for 1994 until June 30, 1994, with his salary to continue at the current rate (Chapter 309.17). Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, that Darel D. Burns be re- appointed Drainage Engineer and Assistant County Engineer for 1994 until June 30, 1994, with his salary to continue at the current rate (Chapter 309.17). Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Rehnstrom, to appoint Warren Gregg to be the Professional Appraiser to be used in determining right-of-way value in accordance with Department of Transportation Instructional Memorandum #I.M.- 3.31. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Resolution regarding Farm to Market Construction Projects

Motion by Burnside, second by Gustafson, that Donald D. Linnan, County Engineer, is hereby designated, authorized and empowered, on behalf of the Board of the Board of Supervisors of said county to execute the Certificate of Completion of Work and Final Acceptance thereof, in accordance with the plans, and specifications therefore in connection with all Farm-to-Market construction projects in this county, and to authorize all of the boardmembers to sign. (Chapter 309.17). Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Acquisition of Right-of-Way Assurance Statement of 1994

Motion by Gustafson, second by Rehnstrom, that in order to comply with the provisions of the 1970 Uniform Relocation Assistance and Land Acquisition Policies Act, as amended by Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987, the Board of Supervisors of Buena Vista County furnishes the following assurances to the Iowa Department of Transportation: 1. It is the policy of Buena Vista County to acquire right- of-way in accord with Title III of said 1970 Act as amended by Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987 and applicable state laws. 2. It is the policy of Buena Vista County to provide relocation assistance benefits in accord with Title II of said 1970 Act, as amended by Title IV, and applicable state laws. 3. The above named county will contact the Iowa Department of Transportation for assistance as needed to assure compliance with applicable laws which are summarized in the instructions entitled "Uniform Manual, Real Property Acquisition and Relocation Assistance", and to authorize the Chairman to sign. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Fence Repair & Replacement Policy

Motion by Rehnstrom, second by Gustafson, that, Buena Vista County agrees to pay actual labor costs to remove any existing fence, and if requested, to blade dirt away before removal, that, if fence is rebuilt within 18 months of completion of road grading, the county will pay the actual cost of fence material that cannot be re-used and the labor to rebuild, that, the County will not participate in material costs, or added labor costs to replace a barb wire fence with a woven wire fence, and, that maximum labor payments are: \$6.50/rod to remove woven-wire and \$6.50/rod to replace woven wire fencing, and, \$4.50/rod to remove barb-wire and \$4.50/rod to replace barb-wire fencing. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Authority to Close Roads & Detour Traffic

Motion by Burnside, second by Voss, to authorize County Engineer Donald D. Linnan and Assistant County Engineer Darel D. Burns 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. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Holiday, Vacation, and Sick Leave Policy

Motion by Gustafson, second by Burnside, that the Buena Vista County Personnel Policy with the effective date of December 1, 1986, as amended December 30, 1986, and September 29, 1987, along with the various Departmental Rules and Job Descriptions currently in effect, 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 Personnel Policy. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Beaver Bounty Resolution for Drainage Districts

Motion by Rehnstrom, second by Voss, that the beaver bounty policy (payment of \$25 per beaver tail for beavers trapped in drainage districts), as adopted January 1, 1986, shall be in effect for 1994. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Resolutions on Wage Schedules

Motion by Rehnstrom, second by Gustafson, that the following wage schedules, adopted as shown, shall be in effect for 1994: Courthouse Clerks 4/18/89, Part-time Courthouse Clerks 2/12/91, Sheriff's deputies and Jailers- 4/23/91. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to set the hourly rate of pay for matrons and for election officials at \$4.65/hour, and at \$5.15/hour for election chairpersons. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Official Newspapers

Having received a request for official newspaper designation from each, motion by Burnside, second by Voss, to designate the following as official newspapers for legal publications for 1994: Storm Lake Pilot-Tribune, The Times, and Buena Vista County Journal. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to direct the Auditor to publish only the actions of the Board and the list of claims paid from the minutes of the Board meetings. Ayes--Burnside, Gustafson, Vail. Nays--Voss. Carried.

Pre-Screening Agencies Appointed

Motion by Gustafson, second by Burnside, to designate NW IA ADTU as the agency providing pre-screening services to persons, prior to admission to Synergy, and, to designate NW IA MHC as the agency providing pre-screening services to persons, prior to admission to Cherokee MHI. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

.....

Sally Dobson, **CADA** Director, met with the Board to discuss a FY'95 funding request in the amount of \$4,500, and to discuss the expanded programs and current projects of the agency.

Motion by Burnside, second by Gustafson, to approve and to appoint Patrick J. Hopkins, Attorney at Law, Des Moines, Iowa, to represent Buena Vista County in the **lawsuit** filed by Data Documents, Inc. vs. Iowa State County Treasurers Association, Inc., etal. on December 16, 1993 in Polk County District Court, with a copy received by Buena Vista County on December 28, 1993. Ayes-- Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

General Assistance Director Angela Olsen reviewed with the Board a general relief application which has been appealed. The appellant appeared before the Board to further discuss his circumstances. The Board requested additional information before making a decision.

Zoning Administrator Merle Zillig and Ken Hach, Zond Systems, discussed **zoning setback**

requirements regarding the wind generators proposed for the Alta area. The Board agreed upon a minimum of 65'. Also discussed were requirements for future special use permit hearings.

Motion by Voss, second by Burnside, to approve and to authorize the Chairman to sign the **underground construction** application of Bedel's Country Village, to install a cased 6" water main, to cross Radio Road to serve Bedel's Country Village, in a location more particularly described as: 95' South of the intersection of County Road C-49 and Radio Road. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Engineer Don Linnan requested that the Board examine sample raingear so that a decision, to purchase or not for use by secondary road employees, can be made. Linnan presented a model policy for a "Self-issuing, Single Trip **Moving Permit**" for use by companies such as Friesen of Iowa, and Wetherell. For a \$100 deposit with the County Treasurer, an approved company would receive 10 permits. As needed, the permit would be completed, 'faxed' to the county, and the company's \$100 deposit would be debited. No action was taken at this time.

The Engineer was directed to obtain quotes for a power-washer to be used to clean salt and other harsh chemicals from the secondary road **equipment** used and housed in the Northern part of the County.

Motion by Rehnstrom, second by Burnside, to approve and to authorize the Chairman to sign the **bridge inspection** proposal of Kuehl and Payer, Ltd. in an amount not to exceed \$16,650.00 for 142 structures with 20' or more openings, the inspection to include scour critical evaluation. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Carried.

Linnan reported that burning used oil from an above ground tank to heat secondary road facilities would not be permitted at the Hudson St. location as aboveground tanks are not permitted in areas zoned residential.

Supervisors Rehnstrom and Burnside volunteered to work with Linnan and Drainage Engineer Darel Burns to study and propose a policy to manage private **tiling outletting in the road ditches.**

There being no further business, the meeting adjourned at 3:00 p.m. to Tuesday, January 4, 1994 for the first departmental budget review session.

**BOARD OF SUPERVISORS MEETING
SECOND MEETING, 1994 SESSION (2)
JANUARY 4 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, January 4, 1994 at 9:00 A.M. in the Boardroom, with Vice Chairman Gustafson presiding and with the following other members present: Burnside, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Vail due to illness.

Jan. 4-Tuesday

Strawn introduced Jon Degner, Drake University student, who was interning in her office for the week.

The following Department Heads reviewed budgets: Treasurer Kathy Bach, Engineer Don Linnan, General Assistance Director Angela Olsen (including Veteran's Affairs, and Court Fines), HM/HHA Director Marilyn Monson, and Communications Center Supervisor Nancy Brady.

Engineer Linnan discussed construction projects for the DOT budget which requires a 5-year plan. Motion by Rehnstrom, second by Voss, to authorize the construction of the C-49 extension pavement with Farm-to-Market funds using Portland Cement Concrete Pavement material. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried.

(This meeting continued to Jan. 5.)

Jan. 5-Wednesday, Present: Vice-Chair Gustafson, Burnside, Rehnstrom, Voss. Absent: Vail due to illness.

Safety Coordinator Randy Carlson met briefly with the Board to present several items which need consideration and action by the Board -- Workplace Safety Plan and Statement, Hazardous Communication Written Program. At his suggestion, the Board set the protocol for adopting Safety

Policies and Programs. That protocol is: development by the Safety Committee, recommendation by the Committee to the Board of Supervisors, Supervisors to give final approval to policies and programs.

The following Department Heads reviewed budgets: Sheriff Chuck Eddy, Zoning Administrator Merle Zillig, Deputy Medical Examiner Kevin Peterson, Weed Commissioners Norm Lund and Roger Sievers, and Nurse Karole Graen.

(This meeting continued to Jan. 6.)

Jan. 6-Thurs. Present: Vice-Chair Gustafson, Burnside, Rehnstrom, Voss. Absent: Vail due to illness.

The following Department Heads reviewed budgets: Clerk of Court Donna McPherran, Engineer Don Linnan, DHS Area Administrator Lyle Fleshner, and Supervisors for Non-Departmental.

Pocahontas County Supervisors Dave Stoullil, Ralph Christiansen, Loren Thompson, Vince Triggs, and Chuck Mayo, and Buena Vista County Engineer Darel Burns met with the Board to discuss the possibility of sharing a Drainage Engineer. Burns will retire June 30, 1994. Pocahontas County currently uses all outside engineers. The Boards will need to enter into an agreement to establish a sharing arrangement for job description, hours, salary and fringe benefits, office space, vehicle, etc. One county would need to act as administrator of his salary from county funds, which would then be reimbursed by the appropriate drainage districts of both counties. Burns recommended hiring an engineer who is also a registered professional land surveyor to avoid the cost of outside survey work. Joint drains which include other counties might be left out of the agreement to be managed as they currently are. Buena Vista County has 187 drainage districts, and Pocahontas County currently has 176. The Joint Boards will meet again on Monday, January 24, in Pocahontas County.

(This meeting continued to Jan. 10.)

Jan. 10-Mon., Present: Vice-Chair Gustafson, Burnside, Rehnstrom, Voss. Absent: Vail due to illness.

The following Department Heads reviewed budgets: Sanitarian Ray Kurtz, Auditor Karen Strawn, and MH Director Anita Hallquist.

The Auditor was directed to advertise the availability of legislative information which the Board of Supervisors subscribes to.

At 12:10 p.m. the meeting adjourned until Tuesday, January 11, for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRD MEETING, 1994 SESSION (3)
JANUARY 11, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 11, 1994, at 9:00 a.m. in the Boardroom with Vice Chairman Gustafson presiding, and with the following other members present: Burnside, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Vail, due to illness.

Greg Anliker, Executive Director of **NW Aging**, and Boardmembers Ina Hansen, Marie Grote, and Virgil Wenell, met with the Board to present the NW Aging annual report and to request funding in the same amount as for the current year.

It was the consensus of the Board to purchase raingear for the **Secondary Road** Department from the IDOT.

Motion by Burnside, second by Voss, to allow individuals and/or companies, pre-approved by the Board of Supervisors, to self-issue single trip **moving permits** following the guidelines approved for said permits. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried. Engineer Linnan will develop a policy to comply with IDOT requirements.

Motion by Burnside, second by Voss, to set a **Public Hearing** for Tuesday, February 1, 1994 at 9:00 a.m. in the Boardroom for the 1st Reading of an amendment to Zoning **Ordinance** 6.1. Ayes--Burnside, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Voss, second by Rehnstrom, to set a **Public Hearing** for Tuesday, February 1, 1994 at 9:15 a.m. in the Boardroom for the purpose of considering the vacation of a portion of public highway

located in Brooke Township, Buena Vista County, Iowa, and the portion of the road to be vacated more particularly described as follows: all of said road lying East of the East line of the Southwest Quarter of the Southeast Quarter of Section 4, T-93N, R-38W of the 5th P.M. The vacation of the road shall include a vacation of the bridge located thereon to be followed by a sale of the bridge to the adjoining landowners. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried.

General Assistance Director Angela Olsen and 2 persons met with the Board for an **appeal** of decision regarding their request for assistance. The Board reviewed their financial information and medical bills. No decision was made at this time.

Motion by Burnside, second by Voss, to set a **Public Hearing** for Tuesday, February 1, 1994 at 11:00 a.m. in the Boardroom to consider the **Ag Area** Petition filed January 10, 1994 for land owned by the Arnold Williams Trust in Section 6 of Providence Township, Buena Vista County, Iowa. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried.

Sheriff Chuck Eddy, Chief Mark Prosser, Chief Julian Ortiz, Deputy Doug Simons, County Attorney Corwin Ritchie, Assistant County Attorney Phil Havens, and media, were present for a discussion on setting a fee for the 'permit to acquire a weapon'. Eddy explained that issuance of this type of permit creates the same amount of work as issuing a permit to carry a concealed weapon. He would like to charge a fee of \$5.00. There being no objections to the fee, motion by Rehnstrom, second by Voss, to establish a **fee** of \$5.00 for the issuance of a **permit to acquire a weapon**, effective February 1, 1994. Ayes-- Burnside, Rehnstrom, Voss. Nays--none. Carried.

The Vice Chairman opened the discussion on the merits of a Full-time versus a Part-time **County Attorney**. Sheriff Eddy reported a good working relationship between his department and the County Attorney's staff. He noted the value of the years of experience resident in the current personnel, and that the cost of replacing current personnel with similarly experienced full-time personnel would be cost-prohibitive. Chief Prosser also noted the value of the experience of the 3 attorneys. He further feels that the current arrangement provides access to 3 attorneys as though they were all full-time with clerical support for all three. Prosser also noted the large number of people and organizations which depend upon the County Attorney, over and above County Officials, including: local law enforcement, the judicial system, DNR, and DCI. Gustafson stated that his interest in considering the issue was due to the County Attorney's accessibility to the Board. Rehnstrom commented that if the issue is in the interest of the taxpayers, the Board should discuss it. However, he would not consider changing to a fulltime attorney unless the County Attorney's office was to be located in the Courthouse. This is not currently possible, because no unassigned space exists. Stating that communication is the most important consideration, Deputy Simons praised the excellent communication between law enforcement and the County Attorney's office, which has even improved with the addition of the second assistant. Chief Ortiz spoke favorably of the access he has with 3 attorneys available. Ritchie stated that if he is unavailable, the Board should first contact Havens, then Brown when consultation is required. The Vice-Chair thanked the participants in the discussion and stated that if the Board chooses to take action by resolution, it must be done prior to March 1st of this year.

Assistant County Attorney Phil Havens briefly discussed his progress on the **junkyard ordinance**. He will complete his revisions and schedule an appointment to meet again with the Board.

Motion by Rehnstrom, second by Burnside, to approve the minutes of the 1/3/94 meeting as corrected, the amount of the Treasurer's **depository** at Heritage Bank, Alta, being raised to \$750,000.00. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried. Motion by Burnside, second by Voss, to approve the minutes of the January 4 and continued budget review sessions. Ayes-- Burnside, Rehnstrom, Voss. Nays--none. Carried.

Conservation Director Gary Christiansen, and Boardmember Dwayne Kay discussed the \$25 paid to trappers for **beavers trapped in drainage districts** in the County. Beavers in tributaries which empty into drainage ditches are as much a problem as those trapped in the districts. It would be beneficial to the Drainage Districts to have more aggressive trapping throughout the County, which will only happen if the 'bounty' paid by the County covers all beavers trapped. There isn't sufficient incentive in the small amount that the pelts sell for. Extending the approved area beyond the drainage district boundaries, and requiring 2 signatures on the claim were suggested for an amended policy. The Board will consider the matter further with input from the Drainage Attorney.

MH Director Anita Hallquist presented funding requests for 2 persons. Motion by Voss, second by Rehnstrom, to approve payment for 1 person (D.D.1-11- 94) for 4 days per week at Sunshine Workers,

Inc. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried. It was the consensus of the Board to approve placement of 1 person (A.F.1/11/94) at the Humboldt Workshop.

MH **Case Manager** Mary Harmon and MR Case Manager Keri Dekkers each gave their quarterly reports on their 5 clients.

Dan Williams, **Child Support Recovery Unit**, discussed the expenses and revenues of the Unit for our 5-County area. In an effort to boost collections, he suggested hiring one additional person to assist with collections. Buena Vista County receives 2-4 hundred dollars more in incentives than what it pays out for the expenses of the Unit. No decision about the additional staff will be made until Williams has approached all of the Counties, and a budget is developed.

MH Director Anita Hallquist completed the review of the proposed FY'95 Mental Health budget.

Rehnstrom left the meeting.

Regarding the **General Assistance "Appeal of Decision"**, it was the consensus of the Board, after the clients establish repayment plans for the 25% portion of the bills, to pay from Buckingham Trust funds 75% of each of the medical bills presented, in a total amount of \$2,028.56.

Motion by Burnside, second by Voss, to approve the following **reports**: Oct and Nov Recorder's fees, Dec Medicaid Case Mgt., Clerk's fees, Communications Commission, Dec 21 Conservation, Dec 30 Treasurer's Cash Count, 2nd Qtr Sheriff's fees, Jan 3 Commications Comm. letter. Ayes--Burnside, Voss, nays-- none. Carried. Other reports reviewed: 2nd Qtr FY'94 Child Support Recovery Incentive, NW Aging annual report.

There being no further business, the meeting adjourned to Friday, **January** 14, 1994 at 9:00 a.m. for a special departmental budget review session.

**BOARD OF SUPERVISORS MEETING
FOURTH MEETING, 1994 SESSION (4)
JANUARY 14, 1994**

The Buena Vista County Board of Supervisors met in special session on Friday, January 14, 1994, at 8:45 A.M. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Gustafson, for a funeral. The primary purpose of this meeting was to complete departmental **budget** reviews.

Spectra Administrator Sue Morrow discussed Buena Vista County resident numbers and costs at the Storm Lake and Alta facilities. She reported that recent roof repair at the care facility building has solved problems in one area, but leaking has started in new location.

The following Department Heads reviewed budgets: Recorder Shari O'Bannon, Attorney Corwin Ritchie, Conservation Director Gary Christiansen (with Dwayne Kay and Diane Christiansen), Custodian Rollie Sievers, and Deputy Auditor Jean Chindlund with the Data Processing budget.

Present for the Buena Vista County **Library Association** were: Esther Haahr, Ruth Sexton, Kathy Jensen, Nola Josephson, Rose Peterson, Bob Brewer, Lucille Dannenberg, June Salton, Betty Pace and Carolyn Reiling. Their request was for a 3 cents per thousand increase in revenue.

The meeting recessed for lunch and for an **OSHA** fire safety and back injury protection class conducted by Safety Coordinator Randy Carlson.

HM/HHA Director Marilyn Monson presented budget reductions for her department.

Motion by Voss, second by Burnside, to adopt the following resolution:

RESOLUTION FOR AUTHORIZED SIGNATURE

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY THAT RICHARD VAIL, CHAIRMAN OF THE BOARD OF SUPERVISORS, is hereby authorized during calendar year 1994, to execute in behalf of THE **DRAINAGE DISTRICTS** IN BUENA VISTA COUNTY, applications or other

documents to be filed with the Iowa Emergency Management Division (EMD) for the purpose of obtaining Federal/State financial assistance under the Disaster Relief Act (PL 93-288, as amended) or otherwise available from the President's Disaster Relief Fund and the Code of Iowa, Chapter 29C.

Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried.

The Board took up a discussion of the personal use policies for county vehicles and other equipment. No motions were made regarding the individual departmental communications previously received. The Personnel Policy currently in effect states that: "The Personnel policies of Buena Vista County may vary somewhat between departments for the purpose of handling matters applicable to their specific department. Individual departmental rules which have been approved by the Board can allow for variations from the basic policy. A copy of the departmental rules as approved by the Board of Supervisors shall be filed in the office of the Auditor." Motion by Voss, second by Burnside, that department heads adopt vehicle and equipment personal use policies as a part of their departmental rules, and submit them to the Board of Supervisors for review and approval, and subsequent filing in the office of the County Auditor. Ayes--Burnside, Rehnstrom, Voss. Nay--none. Carried.

At 3:40 p.m. the meeting adjourned to Tuesday, January 25 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FIFTH MEETING, 1994 SESSION (5)
JANUARY 25, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 25, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Coordinator Ann Mackrill Wilson and Advisory Councilmember Beth Bauer reviewed the programs and benefits of Comm"Unity" Education, and presented a \$4,500 funding request. They also suggested 'partnering' in programs for which the County needs volunteers. The Board commended the organization for its programs, but noted that they cannot approve all of the worthwhile funding requests they receive.

Treasurer Kathy Bach presented the semi-annual report and answered questions regarding the Iowa Trust Funds. The balance left in the Trust is \$120,205.08, with \$49,000 expected to be returned in the near future.

Motion by Burnside, second by Voss, to approve and to authorize the Chairman to sign a FY'95 substance abuse grant application to the State of Iowa. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

MH Director Anita Hallquist reviewed year-to-date mental health expenditures, and noted that BV Work Activity Center rates may be going up. She reminded the Board of their resolution not to approve rate increases for MH/MR/DD/BI services for the duration of the property tax freeze. Hallquist also requested Board action on several MH/SA accounts.

Deputy Sheriff Don McClure discussed the growing need for medical services for jail prisoners. Requests for medical treatment cannot be ignored, but may not always be necessary. That determination must be made by medical personnel. The hospital and local doctors have expressed concern about absorbing costs for these services. Some recent expenditures paid from the General Assistance budget, do not fit the approved General Relief guidelines. Most prisoners do not qualify. Further investigation will be done regarding the budget need, and, a contract arrangement with medical personnel will be discussed.

NW IA ADTU Prevention Program Coordinator Mary Sloan presented the annual ADTU funding request, and introduced the Board to the many programs she coordinates. She offered her services with the "Getting Down to Business" available to County employees. Sloan requested a letter of support for ADTU's State of Iowa grant application. Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign a letter of support for NW IA ADTU's State of Iowa grant application for funding for substance abuse prevention and treatment. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

ISAC Case Management Coordinator Deb Westvold and MH Director Anita Hallquist presented a budgetary proposal for the County to establish a case management department. Currently, the County

contracts with NW IA MHC and DHS Case Management for these services. The Board will take up the matter on February 27.

The Chairman left the meeting to meet with the sign contractor regarding E911 signs.

1:15 p.m. -- The time having arrived for the Public Hearing on the Ag Area petition filed by J.F. McKenna, etal, Vice-Chairman Gustafson opened the hearing with 3 of the petitioners and no others present. The Chairman asked if written comments had been received. There were none. Noting that the petition is in order, and hearing no objections, motion by Rehnstrom, second by Voss, to close the public hearing. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried. Motion by Rehnstrom, second by Burnside, to approve the Ag Area Petition filed December 22, 1993 by J.F.McKenna, etal. for approximately 420 acres in Sections 19 and 20 Grant Township. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Green Thumb Area Supervisor Ardelle Staver discussed the programs available to the County from her organization. Wage expense for the employee while in training, is shared between Green Thumb and the employer. Eligibility for the program is based on age and income.

SCS Conservationist Jeff Kestel and Commissioner Arlin Hinkeldey presented their funding request of \$3,000 for the Conservation Education program.

NW IA MHC Managed Care Supervisor Joan Reed reviewed the 2nd Qtr FY'94 Managed Care report.

The Chairman rejoined the meeting.

Motion by Voss, second by Burnside, to approve and enter into, and to authorize the Chairman to sign, an agreement with the City of Albert City for the provision of contract law enforcement services to the City by the BV County Sheriff's Department. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board received the notice of a 10% increase in Blue Cross and Blue Shield rates for County employee health insurance.

The Auditor informed the Board, that the cost for the unanticipated special election for 5th District State Senator will cost approximately \$5,000.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign drainage claims for payment by other counties as follows: DD 14-42 293S-75 Jt. -- \$272.30 to BV Co. Secondary Roads for repairs; DD 14-42- 293S Jt. -- \$212.78 to BV Co. Secondary Roads for repairs; DD 18-42 Jt. -- \$161.84 to BV Co. Secondary Roads for repairs. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Gustafson, to approve the minutes of the 1/11 and 1/14 meetings as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Voss, to approve the following reports: Dec budget reports, Recorder's fees, 2nd Qtr Farm-to-Market Fund balance, Treasurer's semi-annual, Jan Conservation. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other Reports reviewed: Dec E911, Communications Commission.

There being no further business, the meeting adjourned at 4:25 p.m. to Thursday, January 27 for a special session.

**BOARD OF SUPERVISORS MEETING
SIXTH MEETING, 1994 SESSION (6)
JANUARY 27, 1994**

The Buena Vista County Board of Supervisors met in special session on Thursday, January 27, 1994 at 8:30 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Gustafson, second by Voss, that, effective June 30, 1994, Buena Vista County

terminate the agreement for MH, MR, DD, BI case management services for Buena Vista County clients, terminate the DHS Medicaid case management individual agreements, and implement Buena Vista County Case Management for all populations; and, direct the Auditor to notify NW IA MHC and DHS of this action. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nay--none. Carried.

The Board approved and signed a letter of thanks to Secondary Road employees for their safety-awareness in the performance of their job responsibilities. Safety-conscious work habits have led to few accidents and injuries, causing the County to be charged very favorable worker's compensation rates, with an additional discount for the low number of incidents.

Regarding Clay County's inquiry about locating a temporary asphalt plant at the Whitney Pit, the Board ruled that the special use permit already granted does allow a temporary asphalt paving &/or Portland cement paving plant in addition to resource extraction.

Drainage Engineer Darel Burns discussed a letter from Drainage Attorney Greg Schiller regarding the legality of expanding the County's beaver control policy. The Board directed the Attorney to draft a proposal, including proposed procedures, and a funding method for the Board's consideration.

Motion by Rehnstrom, second by Voss, to approve and to adopt the Buena Vista County Workplace Safety Statement and Policy effective this date. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nay--none. Carried.

There being no further business, the meeting adjourned at 11:15 a.m. to Tuesday, February 1 for a special session.

**BOARD OF SUPERVISORS MEETING
SEVENTH MEETING, 1994 SESSION (7)
FEBRUARY 1, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 1, 1994, at 9:00 A.M. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

9:15 -- The time having arrived for the Public Hearing on the vacation of a road and bridge in Brooke Township, Chairman Vail opened the hearing with 3 interested persons and the media present. Investigation of the use and need for the road indicates that if there are no objections, the road could be vacated thereby removing it from the inventory of roads to be maintained by the County. There were no objections from those present, and no written objections have been received. The Board reviewed the contract and bill of sale for the bridge located on the road. There being no further comments, Motion by Gustafson, second by Voss, to close the Public Hearing.

Motion by Voss, second by Burnside, to vacate the road, including the bridge located thereon, described as:

all of said road lying East of the East line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section Four (4), Township Ninety-Three (93) North, Range Thirty-Eight (38) West of the Fifth Principal Meridian, Buena Vista County, Iowa, to be effective upon completion of the signing of the contract and bill of sale and the filing of the requisite Powers of Attorney for Carl Molgaard relating to the sale of the bridge; to approve, and to authorize the Chairman to sign, the contract and bill of sale in consideration of the sum of \$1.00 for the bridge located on the road described above, to Peter Molgaard Trust, Laura Molgaard, James R. Rock and Margaret A. Rock; and upon completion, to direct the Auditor to place the land back on the tax rolls. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Administrator Kim Mittelstadt, Cindy Richardson, Helena Hansen, and Connie McClain, all from BV Work Activity Center, discussed the BVWAC request to the State of Iowa to amend the Purchase of Service rates for work activity and sheltered work. If approved, the social services block grant of federal and state monies would not be increased, and the County's 100% responsibility for service fees would occur earlier in the fiscal year. The County could consider reduction of services and/or client contribution on the fees. The projected increased cost to the County if service levels are not reduced is \$69,000.

11:00 a.m. -- The time having arrived for the Public Hearing on the Ag Area Petition filed by Arnold Williams for land in Section 6 of Providence Township, the Chairman opened the hearing with 1 person and media present. The Board reviewed the petition, and heard that it met the requirements of the

Code, and proper notice had been published. No objections were received and no written comments were reported received. Motion by Voss, second by Burnside, to close the hearing. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Voss, to approve the Ag Area Petition filed January 10, 1994 for land owned by the Arnold Williams Trust for approximately 328.61 acres in the South 1/2 of Section 6, Providence Township. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board took up the proposed Junkyard Ordinance and heard the concerns of Dennis Smith who asked if the ordinance needed to be more specific so as to disinclude the activity of restoration of cars. Assistant County Attorney Phil Havens pointed out the language which serves to define junkyard and the operations intended to be included. Smith also asked if containment of oil and other fluids should be addressed. All current laws and regulations of state and federal government regarding containment are referenced in the ordinance. Motion by Rehnstrom, second by Burnside, to approve the 1st Reading of the Junkyard Ordinance 5.7. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Owners and operators of land adjacent to C-49 West met with the Board to discuss their access needs to their land while the paving project is in progress. Meeting with the Board were Harold Geisinger Jr., Don Thayer, Bill Merten, Hank Biede and Arnold Hammer Jr. Gustafson and Linnan will meet with owners not present before preparing a plan.

Motion by Burnside, second by Voss, to set the Public Hearing date and time as February 22, 1994 at 1:15 p.m. in the Boardroom for the Ag Area Petition filed January by Mel Grundmeier, etal. for land in Sections 11 and 14 in Maple Valley Township. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Rehnstrom, second by Burnside, to approve the minutes of the 1/25 and 1/27 meetings as corrected. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board reviewed preliminary figures for the FY'95 budget. A number of changes were suggested, with the Auditor to provide the update for the Feb. 8 meeting.

At 3:30 p.m. the meeting adjourned to Tuesday, February 8 at 9:00 a.m. for a regular session.

**Joint City/County Meeting at the Courthouse
Monday, February 7, 1994**

Present:

- City:** Mayor Sandra Madsen, Tom Daniels, Mary Groher, Bob Ferguson, Dave Patton, Jon Kruse, Patti Moore, Paul Havens, Scott Olson, and Clarence Krepps.
- County:** Chairman Richard Vail, Lorna Burnside, Jim Gustafson, Bob Rehnstrom, Jack Voss, Merle Zillig, Karen Strawn.
- Media:** Mike Rolands, Joel Herman.
- Others:** Sheriff Chuck Eddy, Deputy Don McClure, Communications Center Supervisor Nancy Brady, Leigh Johnson, and Police Chief Mark Prosser.

The meeting was opened by Chairman Richard Vail. This night being the meeting time for the Democratic and Republican caucuses, Vail announced that the meeting would be adjourned in time to attend the caucuses.

Chief Prosser and Sheriff Eddy reviewed the current computer hardware and software used by law enforcement, its capabilities and its limitations. They proposed purchasing a new system, compatible with hardware currently in use. New software would be comprehensive and would tie dispatching, reporting, files, and jail management together. The new system would considerably expand the number of files which could be preserved for historical use. The new system will assist with preparation of new reports, but will not likely reduce the manpower required for the reporting. The company being considered to provide the system guarantees state and federal approval for use.

The proposal included a formula for sharing the cost based upon the usage by the various agencies. The City Council and Board of Supervisors are asked to consider the proposal, which if approved, could be funded with a loan rather than an outright purchase.

The County plans to continue with the C-49 West project, with the City paying back its share over

the original \$90,000, in installments over several years. The County reviewed the causes of the project delays--lengthy negotiations for right-of-way acquisition, and actual bids which were considerably higher than estimates. The City agreed to a joint meeting following the 3rd round of bids, and prior to letting. There was some discussion of using another material rather than concrete, but this was dismissed as more costly in the long run, requiring early and more frequent maintenance.

On the subject of **"islands"** (short lengths of county road bounded on all sides by city limits), Krepps stated that the process to eliminate these islands would be annexation, which can be costly, and that property owners may not be agreeable, so that annexations would have to be involuntary. The City has not updated its Comprehensive Plan, also costly, which should be done prior to annexation. The City was asked about **maintenance of their portions of corporate line roads**. Daniels stated that the City needs to address the equity of the County maintaining City roads (including C-63), and the County paying the City's share of paving of C-49 West.

On the subject of **zoning along Hwy 71 Bypass**, a subcommittee of Scott Olson, Merle Zillig, Burnside, Daniels, Voss, Patton, plus members of the City's Planning & Zoning Commission and the County's Board of Adjustment was appointed to develop a plan.

The **lift station on the Lakeside blacktop** needs to be completed by IBP, then the City will finish the drainage and the ditches. However, none of this can be completed until the temperature rises in the spring.

The City of **Truesdale** is pursuing funding approval to proceed with their **water project**. Storm Lake and the City of Truesdale have completed the agreement to provide the water.

The agenda having been completed, the meeting adjourned at 6:40 p.m.

**BOARD OF SUPERVISORS MEETING
EIGHTH MEETING, 1994 SESSION (8)
FEBRUARY 8, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 8, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Recorder Shari O'Bannon advised the Board of her concerns about security for her department.

Engineer Don Linnan requested review of the Secondary Road departmental rules regarding banking of overtime hours.

Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign, the "Self-issuing Single Trip **Permit** Policy", which includes a requirement for the 'mover' to be pre-approved by the Board of Supervisors to participate in the program. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays- -none. Carried.

A request to move snow on a portion of a **Level "B" road** was turned down pursuant to the Ordinance 4.3 which provides for a reduced level of maintenance including no snow removal on Level "B" roads. Also discussed were incidents of depositing snow on the travelled portion of the **road right-of-way** in violation of Ordinance 4.1. The Engineer was directed to have published a notice regarding the ordinances on snow clearing and Level B roads.

Architect Glen Huntington presented his report on replacement of the roof on the **County Care Facility building**. Five options were considered with the Board consensus being to proceed with a bid letting on the standing seam steel option.

General Assistance Director Angie Olsen presented the quarterly **Veteran's Affairs** report, and submitted a resolution of amendment to General Relief Guidelines. Motion by Rehnstrom, second by Burnside, to approve the following Resolution #2-8-94:

A Resolution to Implement the Following Rules to the Buena Vista County General Relief Rules:

- There will be no allowance for telephone, cable television, or garbage bills;
- Loss of employment shall not be a result of any action/actions of the applicant;

--Voluntary quit would make applicant ineligible for General Relief;
--General Relief can be granted no more than three (3) times in any one year to an applicant's household;

WHEREAS, The Buena Vista County Board of Supervisors has thoroughly discussed the implementation of these rules with the General Relief Services Officer, and

WHEREAS, in the judgement of the Buena Vista County Board of Supervisors such rules should be added to the General Relief Rules.

The vote on this resolution was: Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Auditor was directed to distribute copies of the **Workplace Safety Statement and Policy** to Department Heads with a memo instructing them to distribute the document to employees, and to obtain compliance signatures from each employee.

Motion by Burnside, second by Voss, to approve the following **late filings** for Homestead credit and Military Exemption: 1993 homestead on parcels #8823.10 and 10698.00, and 1993 military on parcel #8823.10. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Larry Dugan, Chairman of the Buena Vista County **Compensation Board**, presented the Comp. Board's recommendations for FY'95 salaries for elected officials - 3% for all officials, this being a cost of living increase. Boardmembers thanked the Comp. Board for their work. The Board took no action on the recommendations.

Motion by Rehnstrom, second by Voss, to set Feb. 22, 1994 at 1:15 p.m. in the Boardroom as the date time, and place for **Public Hearing** for **Ag Areas** as follows: in Section 30 Hayes Twp. and Sections 25 & 26 Maple Valley Twp. filed 1/20/94 by Grundmeier, etal; in Sections 15, 16, 21 & 22, Grant Twp. filed 2/7/94 as Grant Center; in Sections 3 & 10, Providence Twp. filed 2/7/94 by Williams, etal. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve the minutes of the 2/1/94 meeting as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

11:45 a.m.--The time having arrived for the 2nd reading of **Junkyard Ordinance 5.7**, the Chairman recognized Farm Bureau members Bill Chindlund, Doug Imming, and Marlyn Schumann, and invited them to comment on the ordinance. Chindlund expressed concern about over-regulation, including an excessive number of inspections, and felt that the ordinance was so broad as to include farmers. The Chairman reviewed the definitions of junkyard and junk dealer noting that farmers are not included. Regarding over-regulation, the Chairman pointed out that 3 persons to be effected by the ordinance had been invited to comment on the proposed ordinance, and that their comments had been satisfactorily incorporated into the current version. Inspections by the Sheriff and Zoning Administrator would be one time inspections at the time the permit is issued for operation. The Sanitarian's inspection would be more frequent. The Board thanked those present for their input.

Motion by Voss, second by Gustafson, to approve the 2nd Reading of Junkyard Ordinance 5.7 as proposed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Sandy Johnson, Loan Specialist for **FmHA, and Rural Development Administration**, introduced herself and the programs she represents, to the Board. Her agency has federal funding available for grants and loans to develop and improve communities and rural areas in a variety of ways.

George Tex, Sales Representative for Rexco, submitted a **proposal** for a **tractor-mower** for Secondary Roads. The Board took no action at this time.

The Board recessed to attend a Conference Board meeting in the 2nd Floor Public Meeting Room, and then reconvened in the Boardroom at 3:50 p.m.

Motion by Burnside, second by Voss, to approve the following **reports**: 2nd Qtr FY'95 Veterans' Affairs, Oct.-Dec. Spectra lagoon monitoring by Mangold, Jan. NWIPDC. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other reports reviewed: FY'95 billing rates for MHI's and Hospital/Schools.

There being no further business, the meeting adjourned at 4:15 p.m. to Friday, February 11, 1994 at 9:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
NINTH MEETING, 1994 SESSION (9)
FEBRUARY 11, 1994**

The Buena Vista County Board of Supervisors met in special session on Friday, February 11, 1994 at 9:00 A.M. in the Boardroom, with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

The purpose of the meeting was to review the FY'95 budget prior to hearing. Motion by Gustafson, second by Voss, to tentatively approve the FY'95 budget, which includes allowable growth and unusual needs dollars, and to set the date and time of Public Hearings for 2/21/94 and 2/28/94, both at 1:30 p.m. in the 2nd Floor Public Meeting Room. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Drainage Engineer Darel Burns discussed a proposal for a limited expansion of the existing beaver control policy.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign the following resolution:

2-11-1994 RESOLUTION PROVIDING FOR ACCESS TO EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR MAJOR WIDESPREAD FLOODING IN THE MIDWEST OF 1993 (P.L. 103-75)

WHEREAS, the nine counties of Lyon, Sioux, Osceola, O'Brien, Dickinson, Clay, Buena Vista, Emmet, and Palo Alto, Iowa have entered into a Chapter 28E Agreement of the State Code of Iowa, as amended, for the purpose of implementing the provisions of Chapter 28H of the State Code of Iowa, as amended; and

WHEREAS, the Iowa Department of Economic Development (IDED) wishes to contract with this duly recognized Chapter 28E multi-county region in order to implement Community Development Block Grant (CDBG) housing related activities provided through the Emergency Supplemental Appropriations for Relief from Major Widespread Flooding in the Midwest Act of 1993 (Public Law 103-75);

NOW, THEREFORE BE IT FURTHER RESOLVED that Buena Vista County, Iowa wishes to receive project services provided by the Act.

BE IT FURTHER RESOLVED, that the Buena Vista County Board of Supervisors has designated Cerro Gordo County to be the lead county to receive, administer and disburse CDBG funds for the State of Iowa, Department of Economic Development's Flood Recovery Program.

Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned at 11:45 a.m. until Monday, February 21, for a budget hearing.

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 1994 SESSION (10)
FEBRUARY 21, 1994**

The Buena Vista County Board of Supervisors met in special session on Monday, February 21, 1994 at 10:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

The Board reviewed the budget and comparison documents for the 1995 budget. Highlights include a 17% ending fund balance for all funds; a rural levy which is 2.9 cents lower than in FY'94; a lower debt service levy causing both urban and rural rates to go down from FY'94.

1:30 p.m.--The time having arrived for the Public Hearing on the FY'95 budget, the Chairman opened the hearing in the 2nd Floor Public Meeting Room with 3 interested persons, 13 County personnel, and 3 media present. Copies of the budget and comparative information was distributed. The Chairman

invited Board members and other County personnel to comment on County activities and the budget. Several questions were taken from the audience. The Chairman invited those present to return for the 2nd hearing to be held Feb. 28, 1994 at 1:30 p.m in the same room. Motion by Burnside, second by Voss, to close the Public Hearing.

There being no further business, the meeting adjourned to Tuesday, February 22 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
ELEVENTH MEETING, 1994 SESSION (11)
FEBRUARY 22, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 22, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Nurse Administrator Karole Graen reviewed Jan. and Feb Board of Health minutes.

Motion by Voss, second by Burnside, to amend today's agenda. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign the Class C and outdoor sales liquor license application of Little Sioux Golf & Country Club. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Deputy Doug Simons reported on the progress and upcoming activities of the Employee Benefit Committee.

Motion by Rehnstrom, second by Gustafson, to tentatively approve today's payroll, subject to audit at the next regular meeting. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve the minutes of the 2/7 Jt City/County meeting, and the 2/8 and 2/11 Board meetings. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Judge John Duffy, Court Administrator Leesa McNeil, and Clerk of District Court Donna McPherrren discussed Duffy's request for office space in the Courthouse. As a resident judge, Duffy will spend 3 weeks out of 4 in Buena Vista County. Judges' Chambers are already in use by other judges. For the present, Duffy will use a portion of the room currently assigned to the Juvenile Judge.

Mental Health Director Anita Hallquist presented the completed policies and procedures for case management. Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the County's application for case management accreditation. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. The Auditor was directed to obtain verification from the County's insurer that the County's workers compensation and general liability insurance policies cover the County's Case Management activity.

Jim and Tom Roberts met with the Board to discuss current activities in DD #67. Current beaver trapping and private assessment activity raises the question of responsibility and liability. The Roberts' inquired if the private activity was being accomplished with Board approval/authorization. The Board responded that no such authority has been given. The Board will take up the matter with the Drainage Attorney.

1:15 p.m. The time having arrived for the Public Hearing on four Ag Area petitions, the Chairman opened the hearing with 5 interested persons present. There being no objections from those present, or any received by mail, motion by Rehnstrom, second by Voss, to close the Public Hearing.

Motion by Rehnstrom, second by Voss, to approve the following Ag Area petitions:

- filed 2/7/94 by Steve Williams, etal. for approximately 359 acres in Sections 3 & 10, Providence Twp.;
- filed 1/17/94 by Mel Grundmeier, etal. for approximately 317 acres in Section 11 & 14, Maple Valley Twp.;
- filed 1/20/94 by Gary Grundmeier, etal. for approximately 650 acres in Sections 25 & 26 Maple Valley

- Twp. and Section 30, Hayes Twp., pending the filing of 3 additional 'original' signatures;
- filed 2/7/94 as Grant Center Agricultural Area for approximately 1,278 acres in Sections 15, 16, 21, and 22, Grant Twp.

Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Abstain--Burnside. Carried. The three additional required signatures were filed in the Auditor's office on this date: 2/22/94.

Motion by Burnside, second by Gustafson, to approve the 3rd Reading of the **Junkyard Ordinance 5.7.** Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Burnside, second by Voss, to approve the following **reports:** Jan Board of Health, Recorder's fees, Clerk's fees, budget reports, and 5 Feb Board of Health. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other reports reviewed: 4th Qtr 1993 Flo Crit financial, 1994 ASCS acreage bases for Pickhinke and Anderson farms, Jan Communications Commission, and E911 Service Board.

There being no further business, the meeting adjourned at 2:25 p.m. to Thursday, February 24 to canvass the 2/22/94 special election.

*****\

**BOARD OF SUPERVISORS MEETING
TWELFTH MEETING, 1994 SESSION (12)
FEBRUARY 24, 1994**

The Buena Vista County Board of Supervisors met in special session on Thursday, February 24, 1994, at 8:30 A.M. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Upon completion of the **Canvass** of the 2/22/95 special election to fill a vacancy for the 5th District Senator, and pursuant to 50.24 of the 1993 Code of Iowa, motion by Burnside, second by Gustafson, to declare the results as follows: Total Voters-2789; Mary Lou Freeman-1822; Donald L. Schossow-965; Scattering-2; and to direct the Auditor to forward the Canvass to the Secretary of State as required. Ayes--Burnside, Gustafson, Rehnstrom, and Voss. Nays-- none. Carried.

Engineer Don Linnan discussed the tractor-mower quote, and reviewed a 5-yr extended maintenance and construction program.

Motion by Voss, second by Burnside, to appoint Mark Bertness from the Zoning Commission to the Jt. City/County **Hwy 71 Bypass Zoning Committee.** Ayes- -Burnside, Gustafson, Rehnstrom, and Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the Class C and Sunday sales **liquor license** application of Pronto Market, of Storm Lake. Ayes--Burnside, Gustafson, Rehnstrom, and Voss. Nays--none. Carried.

At 11:10 p.m. the meeting adjourned to Monday, February 28 at 1:30 p.m. for the 2nd Public Hearing on the 1995 budget.

**BOARD OF SUPERVISORS MEETING
THIRTEENTH MEETING, 1994 SESSION (13)
FEBRUARY 28, 1994**

The Buena Vista County Board of Supervisors met in special session on Monday, February 28, 1994 at 1:00 P.M. in the Boardroom, with Chairman Vail presiding and with the following other members present: Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Burnside to speak at a ag conference.

1:30 p.m.--The time having arrived for the 2nd of 2 **Public Hearings** on the **FY 1995 budget,** the Chairman opened the hearing in the 2nd Floor Public Meeting Room with 14 interested persons, 3 media, and 15 County personnel present. The Chairman stated that much of the budget is spent on mandated services. Gustafson referred to the growth rate of mental health expenditures. Voss referred to expenditures such as the landfill assessment which has increased due to new, increasingly stringent agency administrative rules. Rehnstrom responded to a question about mental health expenditures with a comparison to Crawford County's proposed MH budget. Several questions were asked regarding the tax

asking, and ending fund balances with the group apparently unanimous in the opinion that the difference between the budgeted and actual ending fund balances creates more in reserves than they feel is needed by the County, and a portion of the tax asking would better serve the taxpayers in their pockets, instead of the county's. Additionally, since the FY'94 appeal of \$525,000 was predicated on the shortfall for exploding mental health costs, and funds tied up in the Iowa Trust, and those factors having changed, the Board should reduce the tax askings by all or a part of the \$525,000. The Board reiterated that reserve funds cover operations during the 3 months of the fiscal year prior to tax collections, and any unforeseen emergencies. Remarks having been concluded, motion by Rehnstrom, second by Voss, to close the Public Hearing. Ayes--Gustafson, Rehnstrom, Voss, Vail. Nays--none. Carried.

Upon reconvening in the Boardroom, the Chairman stated that action was needed upon the **Compensation Board's recommendations**. Motion by Rehnstrom, second by Voss, to cut the Compensation Board's recommendations by 100%. Discussion ensued. Gustafson-nay, Rehnstrom-aye, Voss-aye, Vail-nay. Defeated.

Motion by Gustafson, second by Rehnstrom, to cut the **Compensation Board's recommendations** by 50%. Discussion continued. Gustafson-aye, Rehnstrom-nay, Voss-nay, Vail-aye. Defeated.

Motion by Gustafson, second by Rehnstrom, to cut the **Compensation Board's recommendations** by 2/3's to 1% for all elected officials. Gustafson-aye, Rehnstrom-aye, Voss-aye, Vail-aye. Carried. Salaries for elected officials for FY'95 beginning July 1, 1994 shall be as follows: Attorney--\$30,630.00, Auditor, Recorder & Treasurer--\$28,130.00, Sheriff-\$35,735.00, Supervisors-\$16,474, with an additional \$500 for the Chairperson.

Motion by Rehnstrom, second by Gustafson, to approve and to adopt the **FY'95 budget** as proposed and published. Ayes--Gustafson, Rehnstrom, Voss, Vail. Nays--none. Carried.

Motion by Gustafson, second by Voss, to set the date and time for Public Hearing on an **amendment** to the **FY'94 budget** as March 8 at 11:15 a.m. in the Boardroom. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned at 5:30 p.m. until Tuesday, March 8, for a regular session.

**BOARD OF SUPERVISORS MEETING
FOURTEENTH MEETING, 1994 SESSION (14)
MARCH 8, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 8, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Gustafson and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Burnside and Rehnstrom.

Motion by Voss, second by Gustafson, to approve, and to authorize the Chairman to sign the Class C **liquor license** and outdoor sales applications for the Storm Lake Municipal Golf Course. Ayes--Gustafson, Voss, and Vail. Nays-- none. Carried.

Motion by Gustafson, second by Voss, to approve, and to authorize the Chairman to sign the Class C **beer license** application for the Casino Beach Marina. Ayes--Gustafson, Voss, and Vail. Nays--none. Carried.

Engineer Don Linnan discussed tractor/mower **quotes** and the purchasing options available to the County. Motion by Voss, second by Gustafson, to accept the following quotes: for a JD6300 tractor from Hultgren-Gerlach, Storm Lake, for a TM60C sidemount mower from Rexco Equipment, Inc. of Des Moines, and for a 268 Bush Hog mower from Poca Vista Farm Equipment Co., Albert City, in the total amount of \$41,466.40. Ayes--Gustafson, Voss, and Vail. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve Wetherell Excavating & Trucking, Inc. as a qualified **mover** permitted to participate in the County's **self-issuing moving permit** program. Ayes--Gustafson, Voss, and Vail. Nays-- none. Carried.

A **mental health** services client met with the Board to request county funding for MH services

over what had previously been approved. By consensus, the Board approved an increase of 1 day/week for 3 months at Sunshine Workers of Spencer (J.H.3-8-94).

MH Director Anita Hallquist presented a request for mental retardation services funding for 1 person. By consensus, the Board approved 8-10 hours for 1 month, and 4-5 hours for 2 months for job coaching through Sunshine Workers for 1 person (C.S.W.3-8-94).

Hallquist reported that Horizons Unlimited has expressed an objection to client contribution toward service cost. Hallquist will notify NW IA MHC of the dollars remaining in this FY budget for services provided by that facility.

The Buena Vista County Case Management department, to be implemented for FY'95, must have a 7-member Advisory Board appointed by the Board.

11:15--The time having arrived for the Public Hearing on the proposed FY'94 budget amendment, the Chairman opened the hearing with 2 media persons, and no others present. There being no written or oral objections to the amendment, motion by Gustafson, second by Voss, to close the Public Hearing. Ayes--Gustafson, Voss, and Vail. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve the following late filing: for 1993 Homestead credit on parcel #2336.00. Ayes--Gustafson, Voss, and Vail. Nays--none. Carried.

General Assistance Director Angela Olson reviewed a request for assistance with medical bills. The Board agreed to pay 1/2 of the BV Co. Hospital bill if the individual pays half (S.G.3-8-94).

Gingerbread House Administrator Betty Ohlund, Board Chair Dave Rotschafer, Anita Hallquist and Olson discussed a new sliding fee scale for persons applying for day care funding assistance. The new scale moves applicants to full rates more quickly, and increases the rates for the 2nd, 3rd, 4th, etc. children in the family.

Motion by Gustafson, second by Voss, to approve a Jt. DD 16-30-92 claim in the amount of \$268.50 to Sac City Surveying & Mapping for plans, landowner conferences, and meetings. Ayes--Gustafson, Voss, Vail. Nays--none. Carried.

Motion by Gustafson, second by Voss, to employ Deb Rink as a part-time Home Health Aide in the HM/HHA dept. effective March 8, 1994. Ayes-- Gustafson, Voss, Vail. Nays--none. Carried.

Motion by Voss, second by Gustafson, to approve the minutes of the 2/21, 2/22, 2/24, and 2/28 meetings as printed. Ayes--Gustafson, Voss, Vail. Nays-- none. Carried.

Motion by Burnside, second by Voss, to approve the following reports: Jan Medicaid Case Mgt., Feb budget reports, Recorder's fees, Conservation. Ayes-- Gustafson, Voss, Vail. Nays--none. Carried. Other reports reviewed: FY'92 & FY'93 Worker's Compensation dividend checks, Feb NWIPDC minutes.

There being no further business, the meeting recessed until 9:00 a.m. Wednesday, March 9, 1994 at 9:00 a.m. for an informal session to review proposed bills in the House and Senate of the Iowa legislature.

9:00 a.m.--Wednesday, March 9, 1994. Present: Vail, Burnside, Gustafson, and Voss. The Board reviewed legislation until adjournment at 11:45 a.m.

**BOARD OF SUPERVISORS MEETING
FIFTEENTH MEETING, 1994 SESSION (15)
MARCH 14, 1994**

The Buena Vista County Board of Supervisors met in special session on Monday, March 14, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, and Rehnstrom, and with Auditor Strawn as clerk for the meeting. Absent: Voss.

The Board reviewed a sample Family/Medical Leave Act policy. In addition to adopting a policy, and developing procedures, employees will need to be notified of the policy.

Engineer Don Linnan discussed the preparation of project plans for ISTEA funding which are

due 3/31.

Recognizing the weather conditions and potential damage to the rural road system during the spring, the Board directed the Auditor to have published a notice requesting cooperation from those using the roads so that an embargo will not be necessary.

In anticipation of the sale later this spring of the pasture and farm buildings at the County Farm site, the Board will have the parcel surveyed and appraised.

Treasurer Kathy Bach discussed with the Board the impact on the County of the elimination of property tax on machinery and equipment.

The Auditor will ask for updated proposals for appraisal of the Courthouse.

There being no further business, the meeting adjourned at 11:30 a.m. to Tuesday, March 22 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
SIXTEENTH MEETING, 1994 SESSION (16)
MARCH 22, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 22, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Treasurer Kathy Bach discussed replacement of the county's postage handling equipment. The Board approved the purchase from non-departmental funds.

GA Director Angela Olsen confirmed with the Board that an increase in funds for daycare funding during FY'94 was approved from the budgeted \$4,000 to \$6,500.

Motion by Burnside, second by Voss, to approve and to authorize the Chairman to sign, the Buena Vista County DOT budget and 5-year Construction Program as presented by Engineer Don Linnan, and to authorize the Chairman to sign. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Rehnstrom, to approve and to enter into a gravel contract with Hallett Materials - Western Division of Lake View, to crush and stockpile gravel at the Railroad Pit, with the work to be done in 1995, and to authorize the Chairman to sign. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve and to enter into a gravel contract with Becker Gravel Co., Stratford, to re-process approximately 80,000 tons of gravel at the Goldsmith Pit for \$1.50/ton, and to authorize the Chairman to sign. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Voss, to approve and to enter into a gravel contract with Becker Gravel Co., Stratford, to strip, de-water, and process 100,000 tons of gravel at \$1.65/ton at the South Hayes Pit, and to authorize the Chairman to sign. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

After consideration of the cost of sole and joint-purchasing (with Pocahontas County, who declined) of road marking equipment, it was the consensus of the Board to have Diamond-Vogel Paints proceed with painting road markings using oil-based paint, Diamond-Vogel being able to provide the service cheaper than the County.

Motion by Voss, second by Burnside, to pay accumulated overtime hours, and to pay overtime earned during April-June for Secondary Road Dept. employees. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

A request to post a slower speed limit on the road and bridge over the Little Sioux north of Linn Grove was turned down. Following discussion of the narrow width of the bridge, and the hazard of having pedestrian traffic, by consensus the Board agreed to post a "No Fishing From Bridge" sign.

Motion by Rehnstrom, second by Voss, to accept the **quote** of Kessler Landscaping, Storm Lake, for **seeding ditch banks**. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ron Neulieb, Control Systems Specialists, and Sue Morrow, **Spectra** Health Care Administrator, discussed the need for modifications in the boiler room of the care facility building. Neulieb estimated the cost of making all of the recommended changes at \$4,570.

Eldon Sundberg appealed to the Board for a **tax reduction** on his Storm Lake property due to an incorrect classification of the property. Assessor Ted Van Grootheest explained that the assessment roll, mailed to all taxpayers, provides for the time and manner to object/correct valuations and classifications. The time for the objection to the assessment roll has passed. The Board will request the County Attorney to review the appeal.

Darwin Lussman proposed his idea, to place a **Veterans' Memorial** statue honoring all veterans countywide, on the Courthouse grounds. The Board was favorable. Lussman will be working with the County Sesquicentennial Commission, and will meet with the Board again as the project develops.

Tom Wilebsky, Northdale Construction, and Neal Kuehl, Kuehl & Payer Engineering, discussed the completion of the IBP sewer line project along the **Lakeside blacktop**. The County has not given final approval to IBP for the completion of ditch and drainage work after the installation was completed. For that reason, IBP has not made final payment to Northdale Construction. The old sewer line which was disconnected and filled with concrete, had been serving not only IBP's needs, but was acting as a drain tile for property owned by Karlton Fullenworth. Fullenworth would like his drainage restored to pre-construction status. Northdale Construction has completed their contract with IBP and feels that they do not have responsibility for eliminating the water drainage access. A meeting will be arranged with Fullenworth, IBP, Northdale Construction, the Engineer, and the County, to negotiate an agreement.

Motion by Rehnstrom, second by Voss, to accept the low **quote** of Fort Dodge Asphalt for **slurry-leveling** on 25.7 miles of asphalt county road, and to authorize the Chairman to sign. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to set the time and date of Public Hearing on an **Ag Area** Petition filed March 15, 1994 by Stan Sievers, et al., as April 5, 1994 at 1:00 p.m. in the Boardroom. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to confirm the appointment made by **Grant Township** Trustees of Keith Miller as Grant Township Trustee, to fill the vacancy left by the death of Elmer Lullman (term expires 12/31/94). Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, to approve the minutes of the 3/8/94 minutes as corrected. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Burnside, second by Rehnstrom, to approve the minutes of the 3/14/94 minutes as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Rehnstrom, to approve as submitted, the **Departmental Rules** of the Secondary Road Department, Sheriff's Department, and the County Attorney, as they pertain to the **personal use of county equipment** (specifically vehicles and computer equipment). Ayes--Burnside, Gustafson, Rehnstrom. Nays--Voss. Carried.

For the purpose of professionally determining **insurance** coverages, the consensus of the Board was to proceed with an **appraisal** of the Courthouse and contents by American Appraisal Associates, Milwaukee, WI, at the cost estimate provided by the company, of \$2,700.00.

As recommended by MH Director Anita Hallquist, motion by Gustafson, second by Burnside, to approve and authorize the Chairman to sign admission and payment agreements for 1 person (E.G.3-22-94) at **Eastland Manor**, Jewell, IA at the rate of \$55/day. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Gustafson, to approve the following **reports**: Feb Clerk's fees, March Conservation, Medicaid Case Management. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other Reports reviewed: 3/8/94 minutes of Jt. DD #181 meeting, March Child Support Recovery Incentives.

There being no further business, the meeting adjourned at 4:35 p.m. to Tuesday, March 29 for a special session.

**BOARD OF SUPERVISORS MEETING
SEVENTEENTH MEETING, 1994 SESSION (17)
MARCH 29, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 29, 1994, at 9:00 A.M. in the Boardroom with Chairman Vail presiding, and with the following other members present: Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

Karlton Fullenworth met with the Board asking that they consider selling a small corner of the county farm pasture in order to even up the fenceline for the adjoining property which he farms. The sharp corner is difficult to farm around. The County Farm Committee will view the area and report back to the Board.

Upon the recommendation of Engineer Don Linnan, motion by Gustafson, second by Voss, to submit an application for Region III ISTEA Federal Aid Funding, to agree to pay 20% of the cost, and to authorize the Chairman to sign the application for the following projects:

- 1) Reconstruction of the west 2 miles of C-63 with a second stage asphalt resurfacing, Project #3-96 and #7-97;
- 2) Base widening and asphalt resurfacing on the old 'state stub' roads to Truesdale, Rembrandt, and Marathon, Project #5-96, #6-96, #7-96;
- 3) Asphalt resurfacing of M-36 from Iowa Hwy 3 north 5 miles and east one mile, Project #4-97;
- 4) Asphalt resurfacing of M-27 from Iowa Hwy 3 north 7.5 miles, Project #3- 98, STP-S-11(26);
- 5) Bridge replacement on M-50 on the east side of Section 16, Grant Township, Project #4-98;
- 6) Bridge replacement on M-54 on the east side of Section 29, Fairfield Township.

Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Linnan reminded the Board that a Joint County Public Hearing should be held with Sac County regarding a level-B road south of Section 34, Maple Valley Township, covered by the county-line road maintenance agreement.

Motion by Voss, second by Rehnstrom, to authorize the addition of the Storm Lake Cemetery Association Secretary/Treasurer to the County's blanket bond, with the Cemetery Association to be listed as the loss-payee. Ayes-- Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board reviewed job descriptions for the County Engineer and Maintenance Superintendent, with the final version to be considered at the 4/5 meeting.

At 11:40 a.m. the meeting adjourned to Tuesday, April 5 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
EIGHTEENTH MEETING, 1994 SESSION (18)
APRIL 5, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 5, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Due to concern for his children's safety, Steve Rice requested that the Board post a 'no-hunting' sign on a small parcel of timber area adjacent to his property north of Sioux Rapids, or sell the parcel to him so that he can post it. Before making a decision, the Board will view the area.

HM/HHA Director Marilyn Monson reviewed March Board of Health minutes. **Nurse** Administrator Karole Graen requested approval to provide space to a SE Asian **interpreter** who serves BV County 1 day/week. The consensus of the Board was to approve providing a 'home base' for the interpreter. Graen also gave a budget update for her department. The Board approved the use of the Board's car by the Nursing Department beginning April 12 until the new car is delivered, as the blue 1985 Chevrolet Caprice is no longer cost effective to repair.

Darwin Monson inquired about the Board's **policy** regarding placement of gas pipeline in road ROW. The alternative is placing the pipelin in private property. The Board may in the future consider a policy prohibiting the pipeline in the **ROW**.

Motion by Rehnstrom, second by Voss, to approve, and to authorize the Chairman to sign, the **underground construction application** of IES Utilities, Inc. to install a 4" natural gas pipeline along relocated 92nd Ave., Casino Beach, at a depth of 48", 6-8' from the east right-of-way line. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to approve, and to authorize the Chairman to sign, the **underground construction application** of Iowa Lakes Electric Cooperative to install a single-phase 7200 volt underground distribution line 600' South of the W 1/4 corner of Section 8-90-36 along the east and west ROW to 140th Ave. at a depth of 42" below the bottom of the ditch. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to approve, and to authorize the Chairman to sign, the **underground construction application** of James Renze to install a cased 1 1/4" plastic water pipe and four odd, triplex, underground electrical wire crossing a road at a location 240' west from the intersection of 100th Ave. and C-43, at a depth of 48" below the bottom of the road ditch. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The auditor was directed to have published the annual **encroachment** notice.

A request from Kuehl & Payer to use county **equipment** on a public project when their equipment is not working, was recommended by Engineer Don Linnan under a **reciprocal agreement**, if the County Attorney approves the agreement.

Loretta Crawford, fulltime Outpatient Therapist in Storm Lake for the **NW IA Mental Health Center**, reviewed her office structure, patient referral process, and some of the programs available including a domestic abuse intervention program.

MH Director Anita Hallquist reviewed year-to-date mental health expenditures. She will publish notice of an opening for a **Case Manager** in Cherokee, Clay, Pocahontas, and BV County newspapers, and in the Des Moines Register and Sioux City Journal, the position to begin June 1st.

Motion by Gustafson, second by Voss, to approve, and to authorize the Chairman to sign the following:

RESOLUTION # 1994-4-5

WHEREAS, this county is a member of County Case Management Services (CCMS) and has entered into a 28E agreement to that effect; and

WHEREAS, paragraph 12 of the 28E agreement may be amended if the amendment is approved by the member counties; and

WHEREAS, the Iowa Department of Human Services has requested that CCMS adopt the attached amendment to the 28E agreement, which specifically provides for record access, calls for the protection of confidential information, and requires notification in the consumer's file of record access; and

WHEREAS, the CCMS Board of Directors has unanimously approved this amendment;

THEREFORE BE IT RESOLVED that the Board of Supervisors hereby approves the attached amendment on behalf of this county.

The vote on this resolution was: ayes--Burnside, Gustafson, Rehnstrom, Voss; nays--none. Carried.

GA Director Angela Olsen presented the 3rd Qtr FY'94 Veterans Affairs report. She also updated the Board on a GA assistance request for medical bills which had been previously approved.

1:00 p.m.--The time having arrived for the public hearing on the Ag Area petition filed by Stan Sievers, et al., the Chairman opened the hearing with 7 interested persons present. The auditor reported that the notice of hearing had been published, that the petition met the requirements of the law, and that no written objections had been filed. There being no persons speaking in opposition, motion by Voss, second by Burnside, to close the public hearing.

Motion by Burnside, second by Rehnstrom, to approve the Ag Area Petition of Stan Sievers, et al. for approximately 1369 acres in Sections 18-19 of Coon Township, and Sections 12-14 of Grant Township. Ayes--all.

The consensus of the Board was to agree that the County would pay for the new law enforcement computer hardware and software, with the Cities reimbursing the County for their shares.

Custodian Rollie Sievers met briefly with the Board to discuss parking lot maintenance.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign the following claims to the Clay County Secondary Road Dept. for DD #14-42 Jt.: \$111.00 for tile repair, \$119.16 for tile repair, \$411.00 for tile investigation, \$582.40 for tile repair. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the following claims to the Clay County Secondary Road Dept. for DD #22 Jt.: \$1,157.00 for tile repair, \$242.30 for tile repair, \$146.00 for tile investigation, \$101.16 for tile repair, \$424.20 for tile repair, and \$75.00 for tile investigation. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Drainage Engineer Darel Burns reviewed the status of the Reclassification Commissioners' report on DD #83. Motion by Gustafson, second by Voss, to set the date of public hearing on the Reclassification Commissioner's report as May 18 at 9:00 a.m. in the 2nd Floor Public Meeting Room of the Courthouse. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

It is noted that an informal petition regarding Fox Run, adjacent to DD #83, and filed 4-5-94, has been received and referred to Drainage Attorney Greg Schiller.

An informal hearing was scheduled for May 18 at 10:30 a.m. in the 2nd Floor Public Meeting Room of the Courthouse to discuss with landowners in, and adjacent to, DD #67, the status of the wetland determination requests for land in DD #67.

An appraisal of the County Farm pasture has been received. The Board set the date of sale by auction as June 13 at the site.

The windmill on the South Hayes Pit property has been dismantled. Sealed bids will be accepted for the materials.

Replacement monitors, cameras, and jail sound system equipment, at an estimated cost of \$5,290, were approved by consensus.

Motion by Voss, second by Burnside, to approve the minutes of the 4/22 and 4/29 meetings as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Voss, second by Burnside, to approve the following reports: March Sheriff's fees, budget reports, Board of Health minutes. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other Reports reviewed: FY'93 audit by Hunzelman Putzier & Co. There being no further business, the meeting adjourned at 4:25 p.m. to Tuesday, April 12, 1994 at 9:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
NINETEENTH MEETING, 1994 SESSION (19)
APRIL 12, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 12, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Voss, second by Burnside, to adopt and to sign a **Proclamation** naming the week of April 17-22, 1994 as Buena Vista County Government Week. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Weed Commissioner Norm Lund discussed the need to obtain quotes for weed chemicals for the upcoming season. The Board will accept quotes until 1:00 p.m. on May 3 when quotes will be opened. The Auditor will publish the Notice - Quotes Requested.

Sprayer Bob Meseck asked who is to spray around the County's buildings in each of the towns in the County. The Board will review the question before taking action. Meseck also informed the Board that he is not licensed to spray the **Spectra lagoons** which requires a special license.

Motion by Burnside, second by Rehnstrom, to appoint Norm Lund to the Buena Vista County **Safety Committee**, effective immediately. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to notify Lynn Romo of her replacement as a provider representative on the **MH/MR/DD/BI Planning Council**, due to her resignation of employment with NW IA Mental Health Center, and to appoint Loretta Crawford as the replacement. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Larry Zubradt discussed the drainage into road ROW in the area where his property adjoins the County's **S Hayes Pit**, and, across the road where land is owned by Gary Pickhinke. The Board will review and consider his suggestion/request.

Drainage Attorney Greg Schiller discussed a proposed letter to landowners in **DD #67** regarding an informal meeting on May 18, 1994, at 10:30 a.m. The Chairman appointed Burnside to meet with Don Peterson to discuss the timeline required to receive responses back from the agencies involved in the permit process for work proposed to be done, and to request patience through the waiting period.

The Board delivered a copy of the **Fox Run petition**, filed 4/5/94 to the Drainage Attorney for his direction on the disposition of the petition.

Motion by Gustafson, second by Burnside, to approve, and to authorize the Chairman to sign the **job descriptions** for the County Engineer and the Maintenance Supervisor. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Voss, second by Burnside, to amend the Buena Vista County **Personnel Policy** by adding the following section:

6.10 Administrative Leave

At certain times there may be a need to place an employee on a paid **administrative leave** pending investigation of the circumstances causing the employee's absence. In those events, if an employee injury is involved, those days covered by Workers Compensation shall be used first. For the remainder of the leave period, following medical release to return to work from the employee's physician, a paid administrative leave shall be granted after a written recommendation from the Department Head is approved by the Board of Supervisors. During administrative leave, all other employee benefits accrue as usual.

The vote on this motion was: Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to authorize the Auditor to **transfer** \$15,000 from 079 E911 Surcharge Fund to 042 E911 Debt Service Fund. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned at 11:55 a.m. to Tuesday, April 19, at 9:00 a.m. for a regular session.

TWENTIETH MEETING, 1994 SESSION (20)
APRIL 19, 1994

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 19, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Secondary Road crew foremen Gene Mandernach, Jim Curry, Wayne Halverson, Brad Raveling, Garlan McGowan, and Charlie Rasch met with the Board to discuss the personnel changes planned for their department. The Maintenance Supervisor (a new position) will direct activities and report to the County Engineer. There will be no change to the foremen positions. The employees suggested equipment for the Maint. Supervisor - a truck with fuel tanks and a cellular phone. The equipment would assist with coordinating work.

Motion by Rehnstrom, second by Burnside, to approve the following **appropriation** changes pursuant to the FY'94 budget amendment: activity 6100- increase by \$24,050.00, and activity 0210-increase by \$216,450.00. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to adopt the following resolution: **1994-4-19**

RESOLUTION NAMING THE AMERICAN VETERANS MEMORIAL HIGHWAY

WHEREAS, the State of Iowa and this community has had its sons and daughters serve with courage and honor in the defense of the freedoms of the United States of America, and

WHEREAS, the sacrifice and pride of our American Veterans and their families are deserving of recognition, and

WHEREAS, the County of Buena Vista desires to participate by designation of State Highway No. 3,

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors that approval, is hereby given for designation and appropriate signing of Highway No. 3 as: THE AMERICAN VETERANS MEMORIAL HIGHWAY.

The vote on this resolution was: ayes--Burnside, Gustafson, Rehnstrom, Voss, nays--none. Carried.

Motion by Voss, second by Gustafson, to accept the "Corrective Action Design Report Review" dated 4/15/94 from the Department of Natural Resources for clean-up of LUST (**leaking underground storage tank**) site No. 7LTL70, and to proceed with clean-up as permitted. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

County Engineer Don Linnan referred a request from Clay County to the Board of Supervisors to split the property known as the **Whitney Pit**, for both gravel and work areas. Rehnstrom will work with Linnan to reach an agreement with Clay County.

At a site at **Casino Beach** (S. Mickelson), a sign has been removed and needs to be replaced, a ditch needs to be cleaned, and proper drainage for the run-off from a sump pump needs to be installed. The County will replace the sign, billing the owner of the property for the installation. To alleviate the drainage problem caused by the sump pump discharge, the Board agreed to grant the owner a permit to install a pipe through the road to discharge on the West side, all at the owner's expense.

At the relocated South Casino Road, the owner on the West side lost his access, so a **driveway** was built, and the cost is to be billed to the developers.

Motion by Burnside, second by Voss, to approve and to authorize the Chairman to sign a revised application for **federal funding** of road projects. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

At the NW corner of Section 6, Washington Township, the Board granted permission for the property owner to **tile** (for an **outlet**) West to the road right-of-way line and the County will, at County expense, take the tile across the road to outlet on the West side next to a culvert under the road. The outlet pipe on the tile is to be paid for by the property owner.

The engineer reported that a considerable number of rocks are being dropped in the road ditches, impeding the purpose of the ditches to drain the roadways. The Auditor was directed to publish notice prohibiting placement of rocks, or other materials, in the road ROW. Also, in the same notice, the public shall be advised that it is illegal to apply used crank case oil on the roads for dust control.

Motion by Gustafson, second by Voss, to award to the low bidder, Rohlin Construction of Estherville, the contract for the following named asphalt concrete resurfacing road projects: L-BV-7-95--73-11 and STP-S-11(29)--5E-11. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Rehnstrom, to approve the underground construction application, of Iowa Lakes Electric, to install transmission lines across the road between Sections 29 & 32, Providence Township, going north to south, at the corrected depth of 48". Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to appoint the following persons to the Case Management Advisory Board: the Buena Vista County Case Manager (person yet to be hired), Case Management Supervisor Anita Hallquist, Sue Morrow-representative of MH Community Based Agency, Ken Hayes-representative of MR/DD Community Based Agency, Pat Nelson-consumer advocate, Beulah Millard- consumer advocate, and Board of Supervisor representative-Jim Gustafson. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to approve, and to authorize the Chairman to sign a letter notifying NW IA Mental Health Center of the County's intent to provide its own Case Management services effective 7/1/94, and to withdraw as a case management purchaser from NW IA MHC. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve, and to authorize the Chairman to sign a letter notifying the Iowa Dept. of Human Services Case Management Supervisor of the County's intent to provide its own Case Management services effective 7/1/94, and to withdraw as a case management purchaser from DHS. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to approve the minutes of the 4/5 and 4/12 meetings as corrected. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays- -none. Carried.

Motion by Voss, second by Burnside to approve, and to authorize the Chairman to sign, the amended job descriptions for County Engineer and Maintenance Supervisor. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Rehnstrom, second by Gustafson, to approve and to authorize the Chairman to sign, an IRS 8038-G Tax-Exempt Governmental Obligations information return regarding the governmental lease-purchase master agreement for Buena Vista County Hospital. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Gustafson, second by Burnside, to approve the paid administrative leave for Deputy Joel Sivinski as recommended by the Sheriff. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to acknowledge receipt of the Fox Run petition filed by Don Post, and the 4/15/94 letter from Drainage Attorney Greg Schiller, and to notify Post that due to the inadequacy in form and substance of the petition, no action will or can be taken. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Gustafson, to approve the following reports: March Clerk's fees & surcharges, Medicaid Case Management, Jan-Mar Spectra Lagoon test results, 3rd Qtr FY'94 shared liquor license fees. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other Reports reviewed: Feb. Hwy 20 minutes, Mar NWIPDC minutes, Cert. of Insurance for Gary Reese Trucking.

There being no further business, the meeting adjourned at 2:00 p.m. to Tuesday, April 26 for a special session.

BOARD OF SUPERVISORS MEETING

TWENTY-FIRST MEETING, 1994 SESSION (21)
APRIL 26, 1994

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 26, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

The Chairman reported that John Ites, Dickinson County **Engineer**, has been offered, and has accepted the position of Buena Vista County Engineer, his employment to begin May 31 as Ass't Engineer, and, effective July 1st, he will begin as County Engineer.

Motion by Voss, second by Gustafson, to set the Public Hearing time and date as May 17, 1994 at 1:00 p.m. in the Boardroom for the **Ag Area** petition filed April 13, 1994 by John Landgraf, et al., to expand a previously established Ag Area in Section 8, Providence Township, the Landgraf petition consisting of approximately 256 acres in Section 17, Providence Township. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve, and to authorize the Chairman to sign the **underground construction application** of Cherokee Rural Water to install a 2" un-cased PVC water main road crossing at the following location: from the intersection of M-27 & C-49, 1 mile north on the south side of the gravel road, NW corner of Section 29, Nokomis Township, from the east ROW line to the west ROW of M-27, to be installed 6' below the bottom of the road ditch. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to approve, and to authorize the Chairman to sign the **underground construction application** of Midwest Power to install electric cable in the east road ditch of 92nd Ave. from 93rd Ave. south to the end of the public road, Casino Beach. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Water mains are located in the west ditch, with cable, phone and electric together in the east ditch.

Motion by Gustafson, second by Burnside, to approve, and to authorize the Chairman to sign the **underground construction application** of Midwest Power to install electric cable in a road crossing of Mallard Ave. in Bel Air Beach from the lot line between lots 18 & 19, Block 1 to the lot line between lots 7 & 8, Block 2. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

A letter from **SCS** acknowledges review and approval of the County's road construction program, and encourages the use of native prairie grass for seeding projects where possible.

Engineer Don Linnan presented **quotes** on two items. The Board approved purchase of: 300 white plastic break-away pipe for use on bridges, and a Hotsy hot water, high pressure washer.

The Board discussed future development of the **Secondary Road maintenance facilities** at the Richland Street site, the gradual reduction of facilities at the Hudson Street site, and the clean-up of (fuel) contaminated soil under a structure at the Hudson Street site so that a claim can be filed for funds from the LUST insurance program which the County has paid into for several years. The Engineer was directed to investigate the costs of providing sanitary sewer services to the Richland Street site, and the costs of removing and treating contaminated soil at the Hudson Street site.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign for re-submission, the amended **ISTEA project applications** for the west 2 miles of C-63, and on M-27, the 7.4 miles lying north of the Hwy 3 and M-27 intersection. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Gustafson reported that an agreement has been reached regarding resolution of the **Lakeside blacktop** ditch drainage problem. A written agreement will be prepared reflecting the participation and responsibilities, for installation of a facility at the site, of Northdale Construction, IBP, the City of Storm Lake, and Buena Vista County.

Upon receipt of a letter from County Attorney Corwin Ritchie, it was the consensus of the Board that since the Board has no authority under Section 445.60 of the 1993 Iowa Code to refund any of the taxes due from Eldon **Sundberg** for his Storm Lake property, classified in error as 'commercial', that no action can or will be taken by the Board upon Sundberg's request. Supervisor Rehnstrom will notify Sundberg.

The remainder of the day's meeting was spent working on the Family Medical Leave Act Policy.

There being no further business, the meeting adjourned at 11:50 a.m. to Tuesday, May 3, at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWENTY-SECOND MEETING, 1994 SESSION (22)
MAY 3, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 3, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Treasurer Kathy Bach recommended action on several tax statements due to being uncollectible. Motion by Voss, second by Burnside, to abate delinquent taxes on the following: last 1/2 1992 assessment on #12004.00 (Burr Oak property now owned by the County); 1990 assessment on #4109.20 (machinery & equipment owned by defunct company); drainage assessment levied 6/1/93 on #7768.00 (1 acre, Fairfield Local #850, owner is unknown); in a total amount of \$397.00. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

A certificate of completion for closure of the Courthouse underground fuel storage tank has been received and recorded.

Engineer Don Linnan requested that the Board establish a policy on who will be responsible for the repair and replacement of E911 signs, and, who will bear the financial responsibility. Linnan recommended microfilming the large plats, surveys, etc. in his office. He was directed to investigate vendors with equipment large enough to handle the large documents. Linnan also recommended hiring an outside engineer to do fieldwork and inspection on the C- 49 West project to provide continuity throughout construction.

Motion by Rehnstrom, second by Gustafson, to approve placement of a stop sign in the following described location: to stop southbound traffic on White Cap Road at the junction with W. Marina Road in the Casino Beach subdivision. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Voss and Linnan will inspect the seal-coating on a road at Stoney Point.

Joan Reed, Case Management Supervisor, and Exec. Director Jerry Fritsch, Northwest IA Mental Health Center, reviewed the quarterly report on managed care.

Sue Hoss, Child Support Recovery Unit, reviewed the net income to Buena Vista County during federal FY'93, an increase over last year. Motion by Burnside, second by Gustafson, to approve, and to authorize the Chairman to sign a contract with CSRU for FY'95. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to accept the low quote of Northern Iowa Construction Products, Sioux City, Iowa, for corrugated metal culvert pipe in the total amount of \$9,359.00. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Quotes for weed chemical were received from Agland, Alta, and Terra International, Inc., Merrill, Iowa. Motion by Burnside, second by Gustafson, to accept the low quote of Terra International, Inc. for 510 gal. Hidep for a total amount of \$7,767.30. Ayes--Burnside, Gustafson, Rehnstrom. Nays--Voss. Carried.

Motion by Burnside, second by Rehnstrom, to appoint Charlene Anderson to the Citizen's Advisory Board of NW IA Mental Health Center. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Marc Allen-Bond inquired about the policy for use of the law library by the public. The Chairman stated that the library is open to the public, but through the Clerk of Court. Persons should check with the Clerk, sign-in, and then sign-out upon leaving the library.

Regarding an **Ag Area** Petition, filed 4/28/94 by Donna Lee Bettis Cook, to attach to an existing, established Ag Area, the Board rejected the petition due to the fact that it does not meet the statutory requirements. The auditor was directed to consult with the County Attorney and return the document to the petitioner.

Motion by Burnside, second by Gustafson, to approve, and to authorize the Chairman to sign the Jt. **DD #274 MOD** claim to Thorpe's Lane Gravel & Fill, Inc. for \$228.00 for backhoe services. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to approve, and to authorize the interim boardmember to sign, Jt. **DD #181** work orders for sites: 94-1 in Pocahontas Co., 94-2 in Calhoun Co., and in Sec. 33, Cedar Twp., Pocahontas Co. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve, and to authorize the Chairman to sign, the **Class C liquor license** and outdoor sales area applications of Lake Creek Country Club. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, that due to an error in publication, the public hearing on the report of the Re-Classification Commission for **DD #83** be, and is hereby re-scheduled for June 21 at 9:00 A.M. in the 2nd Floor Public Meeting Room. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

By consensus, the informational meeting on **DD #67** was also re-scheduled by the Board to June 21 at 10:30 a.m. in the 2nd Floor Public Meeting Room.

The Board considered a request from **Conservation** for space to place a wildlife display in the lobby of the Courthouse. By consensus, the Board approved proceeding with 1 display case.

Jon Ites discussed his ideas for staffing needs in the **Engineer's** office, proposing an EIT to assist him, an Eng Tech II for drafting and design to begin the training process to develop design expertise, and a clerk (temporary position) to assist with clerical duties during the transition period. To provide continuity in the oversight process, he also recommended contracting with a local firm for services on the C-49 west project. By consensus, the Board authorized Ites to proceed with publicizing the EIT and Eng Tech II positions, and authorized Engineer Don Linnan to obtain a proposal from Kuehl & Payer for their services on the C-49 west project.

Motion by Gustafson, second by Burnside, to **employ** Jon Ites as an Assistant County Engineer effective 5/31/94 at an annual salary of \$45,280, and moving to County Engineer effective 7/1/94 at an annual salary of \$50,000.00. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Voss, second by Rehnstrom, that effective May 31, 1994, Jon Ites be appointed Buena Vista County's technical representative to the **ISTEA** Board, with Don Linnan as the alternate, Linnan's appointment expiring on June 30, 1994. Ayes- -Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Custodian Rollie Sievers recommended that safety belts be used when cleaning the outside of Courthouse windows. The Board directed him to proceed with installing the hardware and obtaining the belts.

Supervisors Rehnstrom and Voss agreed to interview the 6 applicants for the position of **Maintenance Supervisor**, in conjunction with Engineer Don Linnan, and Jon Ites.

Supervisor Rehnstrom left the meeting at 3:35 p.m.

The Board authorized the **Sheriff** to accept the low quote for a Chevrolet Blazer in an amount of \$13,561.85 with trade-in.

Motion by Burnside, second by Gustafson, to approve the Buena Vista County **Family Medical Leave Policy** and attachments 1-5. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to approve the minutes of the 4/19 and 4/26 meetings. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to approve the **employment** of Pam Johnson as a temporary (40 hours/week) clerk in the Engineer's Office effective 5/16/94 at \$5.36/hour. Ayes--Burnside,

Voss. Nays--Gustafson. Carried.

Motion by Voss, second by Burnside, to approve the following **reports**: Cert. of Insurance-Becker Gravel Co., Inc., March Recorder's fees, April Conservation, 4/27 Spectra lagoon-Mangold, April budget reports. Ayes-- Burnside, Gustafson, Voss. Nays--none. Carried. Other Reports reviewed: 3rd Qtr FY'94 Farm to Market road fund.

There being no further business, the meeting adjourned at 4:35 p.m. to Monday, May 9, 1994 at 10:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
TWENTY THIRD MEETING, 1994 SESSION (23)
MAY 9, 1994**

The Buena Vista County Board of Supervisors met in special session on Monday, May 9, 1994, at 10:30 A.M. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Burnside, second by Rehnstrom, to increase the **appropriation** for activity 3040 by \$40,691.00, pursuant to the FY'94 budget amendment. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to **transfer** \$155,000 from General Basic to Conservation Land Acquisition Trust, reduced by \$124,000 (the amount previously received on March 22, 1994 as an interfund loan from General Basic), with the net resulting transfer to be \$11,000, and with this transfer having the net effect of satisfying the interfund loan. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Gustafson, to approve the minutes of the 5/3/94 meeting as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

In preparation for the May 18th budget protest hearing, Engineer Don Linnan and Treasurer Kathy Bach presented some financial comparisons in support of the FY'95 proposed ending fund balance. The Chairman and the Auditor will prepare an opening statement, and the materials for the hearing.

At 12:10 p.m. the meeting adjourned to Tuesday, May 17 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWENTY-FOURTH MEETING, 1994 SESSION (24)
MAY 17, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May, 17, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Rehnstrom.

MH Director Anita Hallquist reported on the cost and number of units of mental health services provided, and the number of Buena Vista County clients served by several providers of mental health services.

Motion by Gustafson, second by Burnside, to approve an increase in per diem for one client (E.G. 5-17-94) under Resolution #1993-63 regarding the provision of mental health services, the resolution placing a freeze on per diems for the duration of the property tax freeze. Hallquist recommended that the increase be granted since continued placement at **East Lane Manor**, Jewell, which is less restrictive and lower cost than the state institution, will reduce the County's long-term cost. The vote on the motion was: ayes-- Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to approve, and to authorize the signing, of the agreement to continue placement through 12/31/94 for one person (D.P. 5-17-94) at the **North Iowa Transition Center**, Mason City, with no change in the service rate. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

It was the consensus of the Board to name Charlene Anderson, Buena Vista County Mental Health Advocate, as the alternate to Anita Hallquist for determining **legal settlement** at times when

Hallquist is unavailable.

The Board approved the purchase, from general funds, of a meter to be installed on the **Recorder's copier** so that the appropriate departments can be billed for their usage.

Assistant County Engineer Darel Burns presented quotes from Wetherell Construction for excavation and hauling of the contaminated soil in the amount of \$1,050; \$9,264 from Lang's Plumbing, Storm Lake, to re-route the utilities; and from ERS (Environmental Resource Services, Ames) to inspect and test for \$800, the contaminated soil from a leaking **underground storage tank** at the Hudson St. site, the tank having been previously removed. Motion by Voss, second by Gustafson, to accept the aforementioned quotes for clean-up at the Hudson St. site, and to approve that the project proceed as soon as possible. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to accept the proposal of Kuehl & Payer in the total amount of \$27,900, and to approve and authorize the signing of the agreement to provide engineering, inspection & testing, and administration of the **C-49 west** project [project # STP-S-11(28)--5E-11]. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Burns reported that the City of Storm Lake had agreed, subject to a small change in the language of the agreement, to accept the proposal for solving the drainage problem along the **Lakeside blacktop** which resulted from the installation of IBP's new sewer line by Northdale Construction. The wording change would hold the City harmless in the event of failure of the old sewer line. The City would abandon the line.

It was the consensus of the Board to accept the low quote of Andrew's Body Shop in the amount of \$994.80 for repair and repainting of the **Engineer's** car, another quote having been received from Fitzpatrick's in the amount of \$1,050.

Burns advised the Board that Pam Johnson had accepted a better position, and would not be working in the **Engineer's** office as previously planned.

Motion by Voss, second by Burnside, to accept the low **quote** from UBC, Storm Lake, for metal roofing of the Albert City maintenance shed at a cost of \$1,050. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

The Board noted the resignation of Fritz Benberg from the **Board of Review**.

Motion by Burnside, second by Voss, to authorize **Auditor** Strawn to serve as an authorized delegate to NACo. Ayes--Burnside, Gustafson, Voss. Nays-- none. Carried.

Motion by Burnside, second by Voss, to approve and to authorized the Chairman to sign an agreement with Blue Cross & Blue Shield to administer the County's **Flex Benefit** Plan for FY'95. Ayes--Burnside, Gustafson, Voss. Nays-- none. Carried.

1:00 p.m. -- The time having arrived for the Public Hearing on the Landgraf **Ag Area** Petition, it was noted that the notice of public hearing had not been published, and that a new date should be set. Motion by Gustafson, second by Voss, to reschedule the **Public Hearing** for the Landgraf, etal Ag Area Petition for May 31, 1994 at 1:00 p.m. in the Boardroom. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, to approve, and to authorize the Chairman to sign, an agreement with NW IA Planning & Development Commission for the provision of Workplace Safety & Compliance Program services **(SHIELD)** for FY'95. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Burnside, second by Voss, to approve the following **reports:** Jan-April E911 & Communication Commission, April Clerk's fees, Recorder's fees, 5/3 & 5/10 Spectra lagoon inspection-Mangold. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried. Other Reports reviewed included: FY'93 IA Dept. of Public Health Home Care Aide & Chore Services report, Flo Crittendon 1st Qtr 1994 financial report, May Yes Center minutes, 3rd Qtr SHIELD financial report.

Motion by Voss, second by Gustafson, to approve the minutes as amended. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to set the time and date of Public Hearing for action on the recommendation of the **Board of Adjustment** for a **Zoning** Request filed by Victor Hansen, as May 31, 1994 at 11:30 a.m. in the Boardroom. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

1:30 p.m. -- The time having arrived for the Joint County **Public Hearing** on Level B roads located on the border between Sac and Buena Vista Counties, the Chairman opened the hearing with the following persons present: Sac County--Supervisors Laura Foell, Russ Kroeger and Chairman Dale Schnirring, and Engineer Keith White. Buena Vista County--Vail, Burnside, Gustafson and Voss, Assistant County Engineer Darel Burns, and Auditor Strawn.

Burns explained that due to having approved a 'Maintenance Agreement' for the roads on the County line between Sac and Buena Vista County, which includes 2 **level B roads**, a Public Hearing for joint action was needed to establish the roads as level B under the Agreement. It was noted that no written objections or comments had been filed with either County. There being no objections, motion by Burnside, second by Kroeger, to close the Public Hearing. Ayes-- Foell, Kroeger, and Schnirring-**Sac Co.**, Burnside, Gustafson, Voss-BV County. Nays--none. Carried.

Motion by Foell, second by Voss, to designate the **road classification** of the following roads, located on the Sac/Buena Vista County line, as Level B: the road lying between Section 34 of Maple Valley Township, Buena Vista County and Section 3 of Eureka Township, Sac County; and the road lying between Section 35 of Providence Township, Buena Vista County and Section 2 of Delaware Township, Sac County. Ayes--Foell, Kroeger, Schnirring, Burnside, Gustafson, Voss. Nays--none. Carried. These roads have been previously designated as Level B, by the Sac County Board of Supervisors only, and are already signed Level B.

Marilyn Monson, representing the **Newell Historical Society**, met with the Board to discuss a bill from Secondary Roads for the installation of a driveway entrance to the Allee Mansion at the Allee Farm, Newell. After explaining the several conversations held prior to installation, with the Engineer, and, the ownership of another driveway which received work, motion by Gustafson, second by Burnside, to accept \$500 as payment in full of the Secondary Road bill to the Newell Historical Society. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned to Tuesday, May 24 for a special session.

**BOARD OF SUPERVISORS MEETING
TWENTY-FIFTH MEETING, 1994 SESSION (25)
MAY 24, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 24, 1994 at 8:30 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

The Board reviewed materials prepared for the State Appeal Board members, as requested by them at the 5/18 budget hearing.

Assistant County Engineer Darel Burns notified the Board of the **resignation** of Jerry Smith, **Secondary Road Equipment Operator 1**. Burns was directed to consult with Jon Ites and to proceed with advertising for the opening, using a closing date of June 10, 1994 for applications.

Approximately 16 applications have been received for the EIT and Engineering Technician **employment openings**, along with a number of student profiles provided by Engineering Schools. The Chairman will contact Ites to review applications and set up an interview schedule.

Motion by Burnside, second by Voss, to accept the low **bid** of \$510,741.14 from Fred Carlson Co., Inc., Decorah, Iowa, for the C-49 West (PCCP) paving project # STP-S-11(28)--5E-11, and to approve, and to authorize the Chairman to sign the contracts and contractor's bonds for same. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Voss, to approve and to authorize the Chairman, as Chairman of the Trustees of Drainage District #1, to sign an **easement** agreement, for use of **Drainage District #1** Right-of-Way during the DOT bridge replacement project (#FN-7-2(18)--21-11) on Highway 7 east of Newell at stations 538 and 48.5, the new 87 1/2' long, 34' wide bridge to replace a 1993 flood damaged

20' bridge. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Burnside, second by Voss, to adopt the following:

RESOLUTION 1994-5-24

Resolved, that Richard A. Vail be, and it is hereby authorized to, enter into a temporary easement agreement with the State of Iowa for Mutual Benefit under terms and conditions as set forth in the contract signed by Richard A. Vail, Chairman, and attested by Karen M. Strawn, County Auditor, relating to Iowa Department of Transportation and Buena Vista County, Project No. FN-7- 2(18)--21-11 , Parcel No. 3, and more particularly described in the copy of the contract. /s/ Members of the Board of Supervisors, acting as Trustees for Buena Vista County Drainage District #1. The vote on this resolution was: Ayes-- Burnside, Gustafson, Rehnstrom, Voss, Vail. Nays--none. Carried.

10:00 a.m. -- The time having arrived for the **Bid** Letting for the roof replacement on the **County Care Facility** building, the Chairman requested that Glen Huntington and Johnny Boyd, Architects, Huntington Ewing McKinney, Architects, P.C., open and tally the 2 bids received from Paul Park Co., Storm Lake, and Bargloff & Co., Inc., Storm Lake. Motion by Gustafson, second by Rehnstrom, to accept the low bid of Bargloff & Co., Inc. for a base price of \$90,398, and adding alternate #1 for brown colored roof panels at a total project cost of \$99,488, with a starting date of 9/1/94 and ending 10/15/94. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, to approve an increase in **fees** for **septic tank** and **well permits** from \$25 to \$35. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board recessed to the **Communications Center** to view the remodeling recommendations of the CC Supervisor. The changes are needed to accommodate the new law enforcement computer project, and to improve fire safety and confidentiality conditions in the Center. Upon reconvening in the Boardroom, it was the consensus of the Board to proceed immediately with the changes, as some of the computer equipment will be delivered in June.

Upon review of the proposed expense, the Board approved proceeding with the replacement of the Custodian's utility shed on the north side of the **Courthouse**.

To address the immediate **courthouse space** needs of Public Health and Judge Duffy, and long range projections, it was the consensus of the Board to **appoint** the following persons to a Courthouse Space Needs Committee: Supervisor Burnside, Courthouse Building Committee member Kathy Bach, Nurse Karole Graen, HM/HHA Director Marilyn Monson, 2 Public Health clients to be named by Graen and Monson, Board of Health Chairman Dr. Frank Hughes, Judge John Duffy, Janet Sievers, Roy Clough, Bill Lanphere, Clint Hoferman, and Bob Ellrich. Chairman Vail appointed Burnside Temporary Chair of the committee.

The Board reviewed the FY'94 cash flow spreadsheet, specifically the newly re-estimated **ending fund balance** of \$2,253,854 (all county funds). Using actual figures through 5/17/94, estimates were made for 1 additional claims paying day in May, and the month of June.

The Board considered several previous discussions regarding the need to set aside funds for future vehicle, computer, and building requirements, the purpose being to avoid major expenditures in a single year. **Funding depreciation** of vehicles and computer equipment each year would have the effect of evening out departmental equipment replacement requests over several years. The shortage of **Courthouse space** may also require an expenditure for remodeling or rental or purchase of another building space.

Also discussed was the effect of the State Appeal Board's decision on the County's FY'95 budget. An order to reduce the tax asking would prevent the County from doing long range planning using this funded depreciation tool for vehicles and equipment, and would reduce the options available to solve the space shortage problem.

Motion by Gustafson, second by Burnside, to make **transfers** from the General Basic Fund to a Capital Projects Fund, after confirmation of actual ending fund balance, on two conditions, that the FY'95 budget is upheld by the State Appeal Board, and that the actual FY'94 ending fund balance (all county funds) is no less than \$2,253,854, the transfers to be made to separate accounts as follows: \$75,000 for computer/electronic equipment, \$45,000 for vehicle replacement, and \$100,000 for building space, in a

total amount of \$220,000. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned at 12:15 p.m. to Tuesday, May 31, at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWENTY-SIXTH MEETING, 1994 SESSION (26)
MAY 31, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 31, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Case Managers Mary Harmon and Kari Dekkers updated the Board on the progress of their clients.

Assistant County Engineer Jon Ites, with Chairman Vail, will interview candidates for the **EIT** position this week. Motion by Gustafson, second by Burnside, to approve, and to authorize the Chairman to sign, the Engineer's Assistant-EIT **job description** as printed with 1 change - increase the minimum weight to be lifted to 50 pounds. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Engineer Don Linnan has obtained tenant signatures on tenant **agreements** for the 2 **box culverts** to be constructed. Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the tenant agreements for the following projects: L-BVC-9-94--73-11 and L-BVC-10-94--73- 11. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

A written request for reimbursement of the cost of installing an **intake,** which improved road drainage, for an area in the NW 1/4 Sec. 18-92-38, was denied. The County does not authorize installation after the fact, and therefore cannot reimburse the owner for the expense. Linnan will notify the owner.

Motion by Gustafson, second by Voss, to approve a 1% **raise** for employees of the Secondary Road, Weed, and Custodial Departments, effective 7/1/94. In discussion, Rehnstrom suggested a 2% increase for part-time employees as they receive no insurance benefits. The question was called with the following result: ayes--Gustafson, Voss, Vail; nays--Burnside, Rehnstrom. Carried. The auditor was directed to respond to letters from the Sheriff and County Attorney regarding salary increases for persons in their departments.

The Board heard a **general relief** appeal. It was the consensus of the Board to pay 60% of the medical bills if the client (who has no income) was able to secure a release of obligation for the remaining 40% from the providers.

General Assistance Director Angela Olsen reported on the status of **daycare funding** and the remainder of the GA budget for the current fiscal year.

Zoning Administrator Merle Zillig, and Chairman of the **Zoning** Commission Lowell Hansen appeared for the **Public Hearing** on the recommendation of the Planning & Zoning Commission regarding a zoning change. The Chairman opened the hearing with no additional persons present. Zillig reported that, following published public notice, and notification of neighbors by registered mail, the P & Z had held a public hearing to rezone from Agricultural to Commercial, a parcel in the NE 1/4, Section 6-92-37. Victor Hansen, owner, plans to operate a bodywork business. It was the recommendation of the P & Z Commission to approve the request. The Auditor noted that proper notice of today's hearing had been published. There being no written or verbal objections to the zoning change, motion by Rehnstrom, second by Gustafson, to close the public hearing, and to accept the recommendation of the P & Z Commission to approve a change from Agricultural to Commercial. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to approve, and to authorize the Chairman to sign a 3-year employment contract with Jon Ites as County **Engineer,** commencing 7/1/94 at an annual salary of \$50,000, increasing \$1,500 in each of the 2nd and 3rd years. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Gustafson, second by Burnside, to **employ** Dawn Wiseman as Buena Vista County

Case Manager in the Community Services Department effective 6/13/94 at an annual salary of \$21,500, subject to review in 6 months by the Case Management Supervisor. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays- -none. Carried.

Motion by Burnside, second by Gustafson, to **employ** Anita Hallquist part- time as **Case Management Supervisor**, at the rate of \$12/hour, effective 6/13/94. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to increase the hours of Angela Olsen from 20 hours per week to 40 hours per week with the addition of **Case Management** clerical duties, effective 6/20/94, subject to review in 6 months by the Case Management Supervisor. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

1:00 p.m.--The time having arrived for the **public hearing** on the **Ag Area** Petition filed by John Landgraf, et al., the Chairman opened the hearing with 1 interested person present. The auditor confirmed that proper notice of the hearing had been published, and that no written objections had been received. The Board confirmed that the petition meets Iowa Code requirements for adding on to an existing Ag Area, namely, the Sennert Ag Area approved 5/4/93. Motion by Gustafson, second by Rehnstrom, to close the hearing. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Gustafson, to approve the **Ag Area** Petition of John **Landgraf**, et al. to add on to the Sennert Ag Area established previously on 5/4/93, the Landgraf petition having been filed 4/13/94, being adjacent to the Sennert Ag Area, and containing approximately 280 acres. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ron Neulieb discussed his recommendations for ventilation changes in the boiler room of the **county care facility**. The proposal is to close a current floor level vent, to install 2 ceiling level vents for intake and exhaust, and to install ductwork and controls for a total of \$4,570. The Board authorized him to immediately proceed.

Upon the report of the Chairman regarding a meeting with the County Attorney, motion by Burnside, second by Voss, to **void warrant** #58487 issued 5/3/94 to Main Street Planning, St. Paul, MN, in the amount of \$11,817.50. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to approve and to authorize the Chairman to sign the **contract** with Bargloff & Co. for the **care facility roof**, and to approve the contractor's bond for same. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign a letter to **Cherokee MHI** Superintendent Dr. Tom Deiker which advises the institution that Buena Vista County hereby provides notice that it will decline to pay for services provided to voluntarily admitted persons with BV County legal settlement who have not been pre-screened by NW IA MHC. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to increase the **appropriation** of the Nurses' department, activity 3040 by \$40,691. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve the following **late filings**: 1993 Military exemption on parcel #'s 93227.10 and 6573.00; 1993 Homestead credit on parcel #'s 6573.00, 5085.10, 2005.00, 5624.00, 3677.00, and 6514.04. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to approve the minutes of the 5/17 and 5/25 meetings. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Gustafson, to authorize the Auditor to issue **paychecks** based on time sheets submitted for this pay period, but subject to audit at the next Board meeting. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

An **underground construction** application, approved by the Board on 4/26/94, for Midwest Power to install electric service at a location in Bel Air Beach, is here noted as having been returned and not used, thus void.

Motion by Voss, second by Burnside, to approve the following reports: April Board of Health minutes, 5/16 Conservation Board letter re: salaries, April Medicaid Case Management. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other Reports reviewed: 4/14/94 NWIPDC minutes, 4/14/94 Hwy 20 minutes .

There being no further business, the meeting adjourned at 2:00 p.m. to Monday, June 13, 1994 at 9:00 a.m. for the Canvass of the 1994 Primary Election.

**BOARD OF SUPERVISORS MEETING
 TWENTY-SEVENTH MEETING, 1992 SESSION (27)
 JUNE 13, 1994**

The Buena Vista County Board of Supervisors met in special session on Monday, June 13, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Vail, and with Auditor Strawn as clerk for the meeting.

Upon completion of the Canvass of the tally lists of the June 7, 1994 Primary Election held in Buena Vista County, pursuant to Chapter 50.24 of the Code of Iowa, motion by Voss, second by Burnside, to declare the results as follows (candidates receiving 5 votes or less are listed together as scattering), and to direct the Auditor to certify the results for National and State candidates to the State Commissioner of Elections, and the nominations for County and Township offices to the respective County Party Chairpersons.

TOTAL VOTERS: 4,047 (*=Nominated to General Election Ballot)

<u>OFFICE</u>	<u>REPUBLICAN</u>	<u>DEMOCRAT</u>
U.S.Represent-5th Dist	Brad Banks 920 Tom Latham 2081	Paul Dahl 28 Sheila McGuire 470 Mike Peterson 239
Governor	Terry Branstad 1134 Fred Grandy 2073 Scattering 1	Bonnie Campbell 546 Darold Powers 26 William Reichardt 157
Secretary of State	Paul Danny Pate 1885	Marilyn Monroe 216 Anne Pedersen 337
State Auditor	Richard Johnson 2023	Dan Gray 460
State Treasurer	Jay Irwin 1870	Mike Fitzgerald 538
Secretary of Agricult.	Tom Cory 1871	Dale Cochran 531
Attorney General	Joe Gunderson 1831	Tom Miller 562
State Senator--5th Dist	Mary Lou Freeman 2490 Scattering 2	--- ---
State Represent.-9th	Richard Waterbury 49 Dan Huseman 243	--- ---
State Represent.-10th	Russell J. Eddie 2327	--- ---
County Treasurer	--- ---	*Kathy Bach 613
County Recorder	*Kim Quirin 1934	*Shari O'Bannon 627
County Attorney	Scattering	1 *Douglas Hansen 414 Corwin Ritchie 360
Co. Supervisor-1st Dist	*Richard Vail 1907	*Brian Waldstein 488
Co. Supervisor-4th Dist	Doug Bruns 907 Michael Porter 854 Max Taber 881	*Michael Q. Smith 528

	Scattering			1	
Co. Supervisor-5th Dist	---	---	*Jim Gustafson	645	
Township Clerk (W=write-in)					
Barnes	---	---	*Bernard Nelson	19	
Brooke	*Douglas W Kracht	29	---	---	
Coon	---	---	*Carl R. Bellows	8	
				Scattering	1
Elk	*Gordon R Andersen	45	Scattering	1	
Fairfield	*James A Roberts	74	Scattering	1	
Grant	Scattering			1	*Leonard Peterson 2
Hayes	*Richard Rice	151	---	---	
	Scattering			2	
Lee	---	---	*Paul Madsen	6	
Lincoln	*Richard Fondroy	18	---	---	
Maple Valley	*Martin Glienke	50	---	---	
	Scattering			1	
Newell	*Dale Bodholdt	37	---	---	
Nokomis	*Barbara Nehring	63	---	---	
Poland	*Norris G Olney Jr	34	---	---	
Providence	*Joel Anderson	27	---	---	
Scott	*Charlotte Binder	39	---	---	
Washington	---	---	---	---	
Township Trustee - 4 year term					
Barnes	---	---	---	---	
Brooke	*Jesse G Fastenow	30	---	---	
Coon	*Duane Hornor	46	---	---	
Elk	---	---	---	---	
Fairfield	*Lloyd Danielson(W)	5	---	---	
	Scattering			1	
Grant	---	---	*H Keith Miller	2	
Hayes	Scattering			1	*John A Massop 34
				Scattering	1
Lee	*Gary Edwardson	35	---	---	
Lincoln	*Arland Bloom	15	---	---	
Maple Valley	*James Watts	38	---	---	
Newell	---	---	*Steve Kier	11	
Nokomis	*Darryl Frantz	70	---	---	
Poland	---	---	---	---	
Providence	Scattering			6	---
Scott	---	---	*Rodney Hatlen	3	
Washington	*H Dwayne Stille	57	---	---	
Township Trustee-to fill a vacancy					
Newell	*William Henrich	29	---	---	
Washington	*Harold Binder	56	Scattering	1	

The vote on this motion was, ayes--Burnside, Gustafson, Rehnstrom, Voss, nays-- none. Carried.

Assistant County Engineer Jon Ites updated the Board on the status of interviews for the several positions in the Engineer's office and the Secondary Road Department. He asked for clarification relative to duties, etc. on the Maintenance Supervisor position.

Zoning Administrator Merle Zillig discussed junkyards within the context of the Zoning Ordinance. The Board directed him to consult with Assistant County Attorney Phil Havens to draft the necessary changes.

There being no further business, the meeting adjourned at 3:30 p.m. to Tuesday, June 14 for a regular session.

JUNE 14, 1994

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 14, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Engineer Don Linnan reported on the rough draft of the agreement prepared by the County Attorney for the drainage project on the **Lakeside blacktop**.

Motion by Burnside, second by Voss, to approve the **underground construction** application of Iowa Lakes REC to install a crossing south of Sec. 32, Coon Twp. 1,450' west of the east corner, at a depth of 42". Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Linnan reported a request for setting a slower speed limit on C-63 along the area where there has been new development. A DOT **speed study** is required before a change can be made. Motion by Rehnstrom, second by Gustafson, to request that the IDOT conduct a speed study on the E 1/2 mile of C-63 as it approaches IA Hwy 110. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried. After the speed study is completed, the City of Storm Lake will be contacted, as the area is within the 2-mile perimeter of the corporate boundary.

An agreement is being prepared for the division of the **Whitney Pit** between Clay and Buena Vista Counties.

Motion by Rehnstrom, second by Burnside, that: On this date, June 14, 1994, the Board of Supervisors recognizes the **vacation** of a portion of public highway located in parts of Section Three (3), Four (4), Nine (9) and Ten (10) of Township Ninety-Three (93) North, Range Thirty-Eight (38) West of the Fifth Principal Meridian, Buena Vista County, Iowa. The portion of said road to be vacated is described as follows: "All of said road lying East of the East line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section Four (4), Township Ninety-Three (93) North, Range Thirty-Eight (38) West of the Fifth Principal Meridian, Buena Vista County, Iowa, to its intersect with the westerly right of way line of road through Section Ten (10) of aforesaid township known as the Little Sioux Valley Road." Said vacation of the road shall include vacation of the bridge located thereon. County Engineer Don Linnan confirmed that provisions set forth in the vacation hearing of February 1, 1994, have been met, to wit: signing of contract, power of attorney and bill of sale for bridge located on the vacated road. The Auditor is hereby directed to place the vacated land back on the tax rolls. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

An easement has been prepared, with an offer, to be extended to the owner whose property lies adjacent to the **Sec'y Road main shop** on Hudson St., in preparation of moving utilities to permit site clean-up.

Dave Madsen, Section 1, Scott Township, reported that rock had been placed in the road right-of-way. He feels that the rocks impede the flow of water in the ditch, causing his field to drain more slowly. The Board did not agree that the rocks were causing a problem, but did agree that the rocks should not be in the **road right-of-way**. The Board will notify the appropriate person.

Assistant County Engineer Jon Ites discussed how **drainage** matters would be handled beginning July 1, specifically noting that drainage clerk duties must be assigned.

Motion by Gustafson, second by Burnside, to **employ** Steven Petermeier as the EIT (Engineer in Training) in the Engineer's office effective June 20, 1994 at a salary of \$28,500, with \$750 increases following successful evaluations at 6 month and 1 year intervals, and with the 2-year evaluation to include the Board of Supervisors. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

General Assistance Director Angie Olsen reviewed the cases of 2 persons filing appeals. The consensus of the Board was: to pay 1 month's rent only for 1 person (L.A.6/14/94), and to request further information from the other (L.D. 6/14/94).

Case Management Supervisor Anita Hallquist introduced Case Manager Dawn Wiseman to the Board.

Motion by Voss, second by Burnside, to approve and to authorize the Chairman to sign, the Financial Statistical Report (due 7/1/94) for the case management **Purchase of Service** contract.

Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

A person requesting assistance from **Buckingham Estate** Funds did not appear for the appointment.

Motion by Rehnstrom, second by Gustafson, to approve and to authorize the Chairman to sign **job descriptions** for Engineering Technician 2, and Equipment Operator 1. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Communications Center Supervisor Nancy Brady presented the quote received from Jeff's Custom Carpentry for remodeling in the **Communications Center**. The work would be done in August. Motion by Burnside, second by Gustafson, to accept the quote of Jeff's Custom Carpentry in the amount of \$5,350.00 for the Comm Center remodeling project. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, pursuant to 1993 Code, Chapter 727.2, to approve and to authorize the Chairman to sign, the **fireworks** permit applications of Ronald Deiber, Alta, at the address of 4002 Hwy C49 for July 4, 1994, and of the Rembrandt Fire Department at G. Engebretson Ballfield, Rembrandt, for July 4, 1994, with the applicants assuming all responsibility for safety and liability. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign a **Quit Claim Deed** from Buena Vista County to H. Richard Pascoe, for a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 24, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, containing approximately .67 acres and being more particularly described as follows: Commencing at the Northwest (NW) corner of the Northwest Quarter (NW 1/4) of said Section 24; Thence on an assumed bearing of South 00 30' 33" West, along the West line of said Northwest Quarter (NW 1/4), 848.23 feet; Thence South 89 29' 27" East 409.00 feet; Thence North 00 00' 00" East, 40.00 feet; Thence North 89 27' 11" East, 443.26 feet; Thence North 00 39' 48" West, 136.79 feet; Thence South 89 17' 58" East, 261.92 feet; Thence South 00 31' 58" West, 149.51 feet; Thence South 89 58' 04" East, 704.04 feet to the Point of beginning; Thence 37 39' 03" East, 489.43 feet; Thence South 00 13' 22" West, 225.41 feet; Thence South 88 31' 25" West, 176.60 feet; Thence South 00 24' 48" West, 157.61 feet; Thence North 89 58' 04" West, 120.41 feet to the Point of Beginning. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board discussed the upcoming auction of the **County Farm pasture**, to be held July 11.

Motion by Voss, second by Burnside, to approve the following drainage claims: Mills Bros. & Sons Construction, Webb, for repair work in **Jt. DD #22 MOD**--\$350.00, and to Mills Bros. & Sons Construction, Webb, for repair work in **Jt. DD #14-42 MOD**--\$500.00. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays- -none. Carried.

1:00 P.M.--The time having arrived for the **bid letting** on two box culverts, bids were read from Christensen Brothers, Cherokee, Dixon Brothers, Correctionville, and Godberson Smith, Ida Grove. Motion by Voss, second by Gustafson, to accept, and to authorize the Chairman to sign, the low bid of Christensen Brothers, Cherokee for projects L-BV-C-09 & 10--94--73-11 in a total amount of \$137,197.80. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. The accepted bid was \$4,0732.60 or 2.8% under the Engineer's estimate.

Drainage Engineer Greg Schiller and Drainage Engineer Darel Burns discussed the upcoming June 21 drainage meetings on **DD #83** and **DD #67**. To date, no written objections have been received for DD #83 Public Hearing. Schiller will prepare an agenda and explanation of purpose to be distributed to those attending the DD #83 hearing. Three letters with questions on DD#67 will be reviewed and answers prepared for the meeting on June 21.

Motion by Burnside, second by Rehnstrom, to **establish Fund #78** -a trust and agency fund for the maintenance of the Newell Catholic Cemetery, deeded earlier to the Buena Vista County Conservation Board, and the money in fund #78 being those dollars turned over to the Conservation Board for that purpose. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve the minutes of the 5/31 meeting as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Burnside, second by Voss, to approve the following **reports**: 3rd Qtr FY'94 Child

Support Recovery Incentive payment, May budget reports, Clerk's fines and fees, Conservation. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried. Other Reports reviewed: June YES minutes.

Rehnstrom left the meeting.

Motion by Voss, second by Gustafson, to approve the following changes in appropriations: increase activity 0000 by \$1,150, increase activity 1000 by \$24,475, increase activity 1050 by \$15,000, increase activity 2320 by \$6,100, increase 0220 by \$70,000, and increase activity 9030 by \$403, all within the budget amendment of March 8, 1994. Ayes--Burnside, Gustafson, Voss. Nays-- none. Carried.

There being no further business, the meeting adjourned to Tuesday, June 21 for a special session.

**BOARD OF SUPERVISORS MEETING
TWENTY-NINTH MEETING, 1994 SESSION (29)
JUNE 21, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 21, 1994, at 8:30 A.M. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

With Drainage Attorney Greg Schiller and Drainage Engineer Darel Burns, the Board reviewed the agendas prepared by Schiller for today's drainage meetings.

9:00 a.m.--The time having arrived for the Public Hearing on the Reclassification Commissioner's Report on Drainage District #83, the Chairman opened the hearing in the 2nd Floor Public Meeting Room with the members of the Commission and 19 other interested persons present. Attorney Schiller reviewed the agenda and the purpose of the hearing, which was to hear objections to the report.

Engineer Burns reviewed the history of the district including events since work was done in the mid-80's. After completion of the work in 1986, a decision was made to re-classify. A Re-Classification Commission was appointed 3 times, with members of the first 2 Commissions declining their appointments. Burns then explained the process used to classify each parcel, taking into account the type of ground (swamp, wet, low, high), soil type, proximity to the facility, use of the parcel (crop ground as opposed to paved), and direct benefit and elevation factors. A numerical value is assigned to the variation of each factor considered. The total values of the factors for all parcels are added together to determine the total drainage units. The original cost of the drain, divided by the total units, multiplied by the units of an individual parcel, constitutes the assessment for that parcel.

Auditor Strawn read a written objection, which had been timely filed, by Clayton and Linda Peterson. Schiller answered the points included in their objection as follows: 1) That the assessment is excessive, is a statement rather than a question to be answered. 2) The criteria and methods of assessment were explained by the Engineer in opening remarks. 3) The methods used have been described, and, the Code does not require the commission to release its workpapers. Further, there is the 'legal presumption' that the assignment of benefits is fair, and the landowner must prove an error or inaccuracy. 4) The notice of hearing on repairs made was sent to owners, and was published, and, assessments levied now would be for work done in 1986-7. 5) Finding persons willing to serve on the Commission, plus performing Assistant County Engineer duties, and putting this drain's records on the computer have delayed the process leading to this hearing. 6) Answered previously. 7) Lands not included in the original classification in 1916 are to be included because this is precisely the purpose of the re-classification. For whatever reason, in 1916 not all lands receiving actual benefit of the facility were assigned an assessment. Re-classification will distribute the assessments amongst all parcels in the district.

The Chairman asked for oral objections or questions from the landowners. In answer to what was the cost of the work done: \$56,846.76. The drain has a deficit totalling \$64,491.21 plus interest.

With regard to a particular parcel, the water goes to another drain, so why is it included in the district? Burns answered that the boundaries of the district were not re-run by the Re-classification Commissioners. To remove this land, which was included in the original classification, the owner would have to petition the Board as Trustees of Drainage District #83. The Board does not have the power to take the parcel out. A petition previously prepared by Burns for this purpose, was never completed and filed.

In answer to why the bills for the work done were not paid in 1986, the bills were paid by stamped warrants at that time, but an assessment was not levied to redeem the stamped warrants, because the Board of Supervisors ordered a re-classification which would re-establish the assessment of all parcels in the district.

In 1916, some landowners objected to the tile installation, so construction was stopped short of the complete drainage facility with open ditch.

With another drainage meeting to begin at 10:30 a.m., the Chairman thanked those present for their attendance and questions, and called for action by the Board. Motion by Gustafson, second by Burnside, to approve the report of the Drainage District #83 Re-Classification Commission. Ayes--Burnside, Gustafson, Voss. Nays--none. Abstain--Rehnstrom. Carried. No levy was made at this time pending a determination of when state certified levies for FY'95 are to be received.

There being no further business for this public hearing, motion by Voss, second by Gustafson, to close the Public Hearing. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

10:30 a.m.--The time having arrived for an informal meeting on Drainage District #67, the Chairman opened the meeting in the 2nd Floor Public Meeting Room with 26 interested persons present. Drainage Attorney Schiller reviewed the purpose of the meeting, which was to bring all interested parties up-to-date on the status of a request for work to be done, and the road blocks which prevent moving forward.

Drainage Engineer Darel Burns reviewed the events leading to today's meeting. A request for work to be done was received by the Board. As Trustees for the district, the Board requested wetland determinations. However, only the landowner or tenant has the right to request the determination. At this point in time, not all landowners have made the necessary requests. If all requests were made, and determinations received, then the Trustees could make application to the Army Corps of Engineers, and order an engineering study. Those seeking the study would be required to file a bond in an amount approved by the Auditor, likely to be \$15,000-\$25,000. A letter agreeing to pay the expenses, the letter being from those making the request for the study, is not adequate.

There has been a discussion of several unrecorded easements giving the Drainage District permission to enter the land to do work. These old easements are no longer binding because the land in question is no longer owned by those named in the easements. Additionally, if the easements were extended, and the work done which was requested, the problem would only be moved further downstream.

Schiller and Burns responded to questions submitted in advance of the meeting (see documentation in permanent file).

Additional questions were asked by those present: Q-if no work is done, what would be the effect on existing tile. A-there would be continual deterioration. Q-There has been some information out that the EPA is relaxing the law somewhat, is this true? A-This apparently applies to protected streams only, and Drainage District #67 is not in that category. Q-Has there been any indication about whether permission might be given, once all wetland determinations are made? Knowing that answer, would allow (an) individuals to make a decision on whether to go further or not. A-No. Q-If the requested work is done, would another problem result? A-Yes, downstream for sure.

Dave Degner stated that the water which falls upon the land he farms is not the problem, but the water that moves over his land to get away causes the problem.

Bob Witzke stated that the problem is in Drainage District #67, but he is not in the district, yet he is being asked to permit work to be done. He would not be interested in annexation of his land to the existing district, but would consent to an easement to permit a cleanout if SCS approves so that there is no loss of benefits to him.

One owner stated that persons who declined to share in any work done in the past, should not be surprised that those who did, are not now anxious to participate.

Q-Is everyone willing to give easements under the same circumstances? A- probably, yes. Jim Roberts has been advised by an attorney that the old easements are enforceable. Burns stated that the existing easements are not inclusive enough in area to solve the problems.

The consensus of those present was that if further easements are secured, and if the Army Corps of Engineer approves the application, then an engineering study could be done. A bond would need to be filed, but at this point in time there is no way to know how large the bond would need to be. There are approximately 5,200 acres in the watershed, and only 4,300 in the district.

The Board asked if there was any one person who could be spokesperson and contact person for the whole group. The consensus of those present was that there should not be a single person named as the contact person. It is best to keep all persons up-to-date.

The Chairman thanked all those who had attended and took part in the discussion. The Board returned to the Boardroom for the remainder of the meeting.

MH Resource Director Anita Hallquist requested approval for placement of one person. Motion by Rehnstrom, second by Burnside, to approve, and to authorize the Chairman to sign the payment agreement for the non-federal share of the cost of residential services in a home and community based waiver home program at the **Howard Center Inc.**, Sac City, for one person (A.F. 6-21-94). Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The special meeting previously scheduled for June 27 to finish a number of secondary road topics will be re-scheduled after July 1st due to a conflict in schedules.

At 1:25 p.m. the meeting adjourned to Tuesday, June 28 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTIETH MEETING, 1994 SESSION (30)
JUNE 28, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 28, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside and Gustafson, and with Auditor Strawn as clerk for the meeting. Absent: Rehnstrom and Voss.

Motion by Gustafson, second by Burnside to **transfer** \$86,159.55 from the General Basic Fund to the Conservation Land Acquisition Trust Fund, these funds having been paid to the County by FEMA and the State of Iowa for repair of the Linn Grove Dam and other damage from the 1993 flood. (Together with \$124,000 transferred earlier, the combined total equals the total funds received to date.) Ayes--Burnside, Gustafson, Vail. Carried.

Recorder Shari O'Bannon discussed the addition of a counter to her photocopier to be used to bill the various departments and businesses which use the equipment. The Board approved the purchase to be paid from non- departmental funds.

Engineer Don Linnan reported that the agreement prepared for resolution of the **Lakeside blacktop** drainage problem has been approved by IBP, with the City of Storm Lake having added some language. The agreement will be prepared for final review.

RESOLUTION 6-28-94A

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the Easement, License Agreement, and Special Warranty Deed with Clay County for the purpose of dividing the **Whitney Pit** between Clay and Buena Vista Counties and permitting Clay County access to the Buena Vista County division, the Whitney Pit having previously been jointly owned. Ayes-- Burnside, Gustafson, Vail. Carried.

Linnan reviewed the status of a project to vacate an alley in **Casino Beach**. Dr. Bodo Treu and Mike Porter, owners of two parcels to be effected, will be notified and given until August 1st to reach an agreement over exchange of land between them. At that time, the Board will proceed with the vacation, with or without their agreement.

A report of an operator **farming in road right-of-way** in Fairfield Township will be investigated by Vail.

Iowa Lakes Electric has cut back brush which has fallen into **road right- of-way**. The Engineer

will send a letter requesting a clean-up of the brush.

Motion by Gustafson, second by Burnside, to approve the contractor's bond of Christensen Brothers, Inc. of Cherokee for culvert projects L-BV-C-9 & 10- 94--73-11, and to authorize the Chairman to sign said bonds and contracts for the projects. Ayes--Burnside, Gustafson, Vail. Carried. It was also noted that the Certificate of Insurance, with Buena Vista County named as an insured, has been received.

Treasurer Kathy Bach and Deputy Auditor Jean Chindlund discussed the upcoming Drainage District #83 levy, and the need for scheduling the work to be done around running taxes for FY95.

RESOLUTION 6-28-94B

Motion by Gustafson, second by Burnside, to approve the following resolution:

BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, that Jon L. Ites, the County Engineer of Buena Vista County, Iowa, be and is hereby designated, authorized and empowered, on behalf of the Board of Supervisors of said County to execute the Certificate of Completion of Work and Final Acceptance thereof, in accordance with the plans, and specifications therefore in connection with all Farm-to-Market construction projects in this county. (Chapter 309.17). Ayes--Burnside, Gustafson, Vail. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to approve, and to authorize the Chairman to sign, the [underground] application of IES Utilities, Inc., Cedar Rapids, to install above-ground, aerial electric distribution lines along N-14 approximately 1,300' from Main Street of Albert City to Cherry St., and approximately 700' along C-29 from the west edge of Albert City to the entrance gate of the sanitary sewer plant and then along the driveway of the sanitary sewer plant. Ayes--Burnside, Gustafson, Vail. Nays--none. Carried.

Linnan and Ites reviewed an IDOT agreement which establishes the specifications for those county roads which will adjoin the Hwy 71 bypass. Ites will contact IDOT and request modifications for several of the locations.

The Board approved applying to the City of Storm Lake for approval to install an above-ground waste oil storage tank at the Hudson St. shop location.

Ites requested direction from the Board on the administration of underground construction applications. The consensus of the Board was to authorize Ites to approve minor applications for below-ground installations and road crossings, etc. The Board will continue to administer those applications which involve longer distances.

Motion by Burnside, second by Gustafson, to [employ] promote Tom French to Maintenance Superintendent in the Secondary Road Department, effective July 5, 1994, at an annual salary of \$30,000, with a \$1,500 increase after 1 year, following favorable evaluation. Ayes--Burnside, Gustafson, Vail. Nays--none. Carried.

Supervisor Voss joined the meeting.

General Assistance Director Angie Olsen and a GA applicant discussed a request for assistance from the Buckingham Trust Fund for dental work for one child. By consensus, the Board agreed to provide up to \$900 for the work, to be paid upon receipt of the actual bills.

Insurance agent Tim Pierce met with the Board to go over the insurance coverage renewals for FY'95. Voss will review the coverages on passenger vehicles, and Ites will review the list of secondary road vehicles and equipment.

Drainage Engineer Darel Burns and Drainage Attorney Greg Schiller met with the Board to discuss the engineer's report on a drainage problem reported by Ken Boese in Drainage District #34. The Board directed Schiller to send a letter to Boese, Attorney Dan Connell, Boese' attorney, and to Elmer Hogrefe, owner of the land where the problem exists, to notify them of the Board's position: that Drainage District activities have in no way contributed to the problem, and that no action will be taken by the Board as trustees for the drainage district. However, the drainage district would cooperate to solve the problem if the individual property owners can reach agreement on how to solve the problem.

Schiller discussed the requirements for surety bond as it relates to a requested engineer's study relative to Drainage District #67.

The Chairman signed a letter to the Army Corps of Engineers requesting that they begin the review process of wetland determinations and applications for work to be done in Drainage District #67.

Motion by Burnside, second by Gustafson, to approve, and to authorize the Chairman to sign the fireworks permit application of Ed McKenna to shoot fireworks at Lake Creek Country Club on July 2 or July 3, 1994, with the applicant assuming all responsibility for liability and safety. Ayes-- Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve the following late filings: for 1993 Homestead credit on parcel #'s 6515.78, 9468.00, and 6410.00, for 1993 Military exemption on parcel #'s 9468.00 and 6515.78. Ayes-- Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to increase the appropriation of activity 1200 by \$214.00. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve the minutes of the 6/13, 6/14 and 6/21 meetings as corrected. Ayes--Burnside, Gustafson, Voss. Nays-- none. Carried.

Motion by Voss, second by Burnside, to approve the following reports: May Recorder's fees, June 14 budget reports. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried. Other reports reviewed included: Recorder's, Public Health & HM/HHA payroll change notices-eff 7/1/94, E911 letter dated 6/19/94 re: payroll change.

There being no further business, the meeting adjourned at 3:25 p.m. to Thursday, June 30, 1994 at 2:00 p.m. for end of year business.

**BOARD OF SUPERVISORS MEETING
THIRTY-FIRST MEETING, 1994 SESSION (31)
JUNE 30, 1994**

The Buena Vista County Board of Supervisors met in special session on Thursday, June 30, 1994 at 2:00 P.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Rehnstrom.

Engineer Jon Ites presented the final Lakeside blacktop agreement for approval. Motion by Burnside, second by Voss, to approve and to authorize the Chairman to sign, an agreement with the City of Storm Lake for resolution of the drainage problem on the Lakeside blacktop. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Burnside, second by Voss, to direct the Auditor to reduce departmental appropriations pursuant to the March 8, 1994 budget amendment, and to amend the following additional appropriations all in the FY'94 budget: increase 1000 by \$3,000 (see budget amendment); increase 2320 by \$10,539 (see budget amendment); decrease 4061 by \$4,300 in dept. 60; increase 4121 by \$2,000 in dept. 62; increase 4222 by \$2,300 in dept. 61; increase 4222 by \$9,969 in dept. 61 (see budget amendment); decrease 5000 by \$500 in dept. 56; increase 5000 by \$500 in dept. 55; decrease 5010 by \$1,000; increase 5020 by \$14,977 (\$577 see budget amendment); increase 5110 by \$1,000; decrease 5300 by \$14,400; increase 8020 by \$1,250; decrease 8100 by \$1,250; increase 9000 by \$2,100; increase 9010 by \$2,700; decrease 9020 by \$6,500; increase 9100 by \$1,700; increase 9210 by \$52,201 (see budget amendment); decrease 0000 by \$1,150; increase 0100 by \$10,000 (see budget amendment). Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

APPROPRIATIONS RESOLUTION

It was moved by Gustafson, second by Voss, that the following resolution be adopted: that WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year commencing July 1, 1994 in accordance with section 331.434 (Sec 6) 1993 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 1994-95 are hereby appropriated at 100% from the resources of each fund so itemized, to the department or office listed in the 1994-95 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 the itemized fund effective July 1, 1994.

Section 3. In accordance with section 331.437 1993 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 1994-95 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 1994-95 budget year.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 1995.

The above resolution was adopted, with the vote of the Buena Vista County Board of Supervisors on June 30, 1994 being as follows: Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

RESOLUTION FOR INTERFUND OPERATING TRANSFERS

It was moved by Gustafson, second by Voss, that the following resolution be adopted: WHEREAS, it is desired to transfer monies from the General Basic Fund to the General Supplemental Fund and to the Secondary Road Fund; and to transfer from the Rural Services Basic Fund to the Secondary Road Fund; and WHEREAS, said operating transfers are in accordance with section 331.432, 1993 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 \$593,077 is ordered transferred from the General Basic Fund to the General Supplemental Fund, with one-half the amount to be transferred no earlier than July 1, 1994 and the last one-half to be transferred no earlier than January 1, 1995. The sum of \$95,000 is ordered transferred from the General Basic Fund to the Secondary Road Fund with one-half the amount transferred no earlier than July 1, 1994 and the last one-half transferred no earlier than January 1, 1995. The sum of \$935,000 is ordered transferred from the Rural Services Basic Fund to the Secondary Road Fund with one-half the amount transferred no earlier than July 1, 1994 and the last one-half transferred no earlier than January 1, 1995.

Section 2. The total maximum transfer from the General Basic Fund to the Secondary Road Fund shall not exceed \$95,000 and the total maximum transfer from the Rural Basic Fund to the Secondary Road Fund shall not exceed \$935,000 all for the fiscal year beginning July 1, 1994.

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.

The above resolution was adopted, with the vote of the Buena Vista County Board of Supervisors on June 30, 1994 being as follows: Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, to approve, and to authorize the Auditor to pay the following **claims** on July 1, 1994: \$15,000-NW IA Mental Health Center-managed care-Mental Health Dept.; \$11,128.50-NW IA Mental Health Center-May services-Mental Health Dept.; \$11,992.00-Fitzpatrick's-vehicle- Sheriff; \$15,000-Citizen's bank-loan payment-E911. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Treasurer Kathy Bach reported receipt on 6/29/94 of \$78,015.84 from Iowa Trust Funds. 100% of Buena Vista County's share in the Iowa Trust (plus 2 cents) has now been recovered.

Motion by Voss, second by Gustafson, to order a levy of 400% on Drainage District #83, due and payable (levy date) September 1st, 1994 without interest, delinquent October 1, 1994 at 9% interest, with 10 year waivers allowed at 9% interest, the waiver signing deadline being August 31, 1994 with the first payment which is due September 30, 1995. The assessment will be used for indebtedness and repairs. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

The Chairman appointed Burnside and Gustafson to perform the FYE cash count in the offices of the Treasurer, Auditor, and Recorder.

Motion by Gustafson, second by Burnside, to obtain the following insurance coverages through Stille Pierce & Pertzborn for FY'95: property, with values of the courthouse and contents increased pursuant to the recently completed American Appraisal Associates report; contractor's equipment; communications equipment; commercial crime; business auto; general liability; worker's compensation; law enforcement professional; nurses professional; public officials errors and omissions; boiler & machinery; and commercial umbrella liability. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned at 3:45 p.m. to Tuesday, July 13, at 9:00 a.m. for a regular session .

**BOARD OF SUPERVISORS MEETING
THIRTY-SECOND MEETING, 1994 SESSION (32)
JULY 13, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 12, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign an application to the fire marshall for placement of a 1,000 gallon above-ground waste oil storage tank at the Hudson St. shop site. Ayes- -Burnside, Gustafson, Rehnstrom, Voss. Nays--None. Carried.

Engineer Jon Ites presented 2 quotes from ERS (Environmental Restoration Services) to: 1) remove the underground fuel storage tank; 2) fill to seal the underground fuel storage tank at the Hudson St. shop site. Filling the tank would permit the concrete pad above it to be salvaged. The consensus of the Board was to remove the underground tank.

By consensus, the Board approved the purchase by Secondary Road of 2 cellular phones to be used by the Engineer and the Maintenance Superintendent.

Ites presented for the Chairman's signature, a payment voucher to be submitted for payment from Farm-to-Market funds to Kuehl & Payer for engineering services on the C-49 west PCCP project - a partial payment.

IES Utilities, Inc. has notified the Engineer of a 4% rate increase which will effect all Secondary Road locations.

By consensus, the Board approved replacement of the Engineering Secretary's computer with a 486 or 'Pentium' due to the inadequate speed of the current equipment.

Ites expressed concerns about asphalt work planned in Sulphur Springs which would alter drainage and create a problem. Changes could be made to avoid the problem, but would need to be done on private property. He will visit with the manager of the property involved.

IDOT has responded favorably on 2 of the 3 changes requested by Ites to Hwy 71 Bypass intersection plans.

At the Casino Beach site where the County is working on plans to vacate an alley, Ites reports that a landowner is interested in purchasing some excess property.

The Board directed Ites to have an overhead door on one of the buildings at the Luedke site repaired/replaced as it is too small for the door opening.

Ites requested direction from the Board regarding the rubbish being dumped in the road ditches. Tires, white goods (appliances), and garbage are being dumped in the road right-of-way creating drainage and other problems. Burnside will inquire about the policy on accepting white goods at the Recycle Center. Ites will talk with the Sheriff about investigating these incidents.

A pipe crossing to help alleviate some of the drainage problems in Drainage District #83 was discussed.

Zoning Administrator Merle Zillig and Sanitarian Ray Kurtz met with the Board to discuss how the **Junkyard** and **Zoning Ordinances** work together. As currently written, a person would be required to pay up to a total of \$250 in application fees to start a new junkyard, with no assurance that the application would be approved.

Zillig suggested, and the Board approved, sending copies of the new junkyard ordinance and a cover letter to owners of existing junkyards advising them of their compliance responsibilities, and of requirements involved in increasing the size of their operations. Zillig also suggested building an inventory of current junkyard sites with size and building locations, to be used in the administration of the junkyard ordinance. The Board approved.

Regarding a letter from Bob Payer about changes to the Airport Tall Structures Ordinance for the Storm Lake Airport, Zillig agreed to contact Payer about what is being requested from the County, and about extension of the tall structure lines in the map of proposed changes, for the purpose of determining compliance for the area not mapped. Wind generator structures are planned for the nearby area.

Motion by Burnside, second by Rehnstrom, to approve the transfer of \$1,000 from the General Basic to Secondary Roads to correct the under-transfer in FY'93. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

A general assistance applicant was not present at the appointed time for her appeal. General Assistance Director Angela Olsen presented the documentation requested by the Board from a prior Buckingham Trust fund appeal. The Board approved payment of \$284 in medical bills for children of the applicant.

The June Board of Health minutes regarding raises was found to have conflicting statements regarding the raise for one person. The Auditor was directed to send a letter to the Board of Health requesting clarification, and was also directed to pay the wage at the lower amount until resolution of the problem by the Board of Health.

Jim Nelson, Buena Vista County Hospital Administrator, discussed the funding process for purchase of the Buena Vista Clinic by the Hospital. Motion by Burnside, second by Gustafson, to adopt the following resolution:

RESOLUTION 1994-7-12

BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, that the intent resolution adopted by the Board of Trustees of Buena Vista County Hospital (the "Hospital") relating to reimbursement from proceeds of tax-exempt bonds for funds to be advanced by the Hospital for acquisition and renovation of a clinic facility be and it is hereby approved and said resolution adopted on the 22nd day of June, 1994, by the Hospital's Board of Trustees is hereby incorporated in this resolution by reference and made as the resolution of this Board of Supervisors. The vote on this resolution was: ayes--Burnside, Gustafson, Rehnstrom, Voss; nays--none. Carried.

Case Manager Dawn Wiseman discussed her progress to date in meeting with her clients, and completing their intake paperwork.

MH Director Anita Hallquist requested approval for placement of one MR client. Motion by Burnside, second by Voss, to authorize the Chairman to sign placement and payment agreements for 1 person (K.F. 7-14-94) at East Lane Manor, Jewell, Iowa. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

By consensus, the Board gave approval for **Case Manager** Dawn Wiseman to attend the Case Management National Conference in Oakbridge, Illinois, later this fall.

The following members of the **Courthouse Space Needs Committee** were present for presentation and discussion of their recommendations to the Board of Supervisors: Burnside, Kathy Bach, Roy Clough, Judge John Duffy, Bill Lanphere and Marilyn Monson. Also present, in addition to the media, were Attorney Steve Hamilton and BV Co. Hospital Administrator Jim Nelson.

Burnside distributed copies of their report to Boardmembers and briefly noted that a total of 11 buildings were considered, of which 5 were toured, in the process of making their evaluation. In brief summary, the recommendations were for 3 buildings: an addition to the Courthouse, rent or buy the USDA building (which is ready for immediate occupancy), and, buy and remodel the Aalf's building.

Lanphere stated that although finding Judge Duffy office space in the Courthouse was the catalyst for the Committee's work, the long term space needs of all departments in the Courthouse were considered. Long term jail needs and storage space options were not studied, and the Committee did not make recommendations regarding space assignment. He suggested that if a Courthouse addition isn't an option, the USDA building should be purchased, but could be rented if an addition is approved. Lanphere said he was willing, if the Board of Supervisors were to request that the Committee meet further, if the Board finds additional issues for the Committee to study.

Duffy commented on the hard work and time put in by the Committee. He felt good about their recommendations and that the Committee had done a good job in their evaluation process. He thought that perhaps the Committee's top choice of the recommendations was the USDA building, but all members would, of course, prefer to keep as many of the county functions in the Courthouse as possible.

A Courthouse addition would not solve the immediate problem, and would require approval by voters. The Aalf's building, after an addition to the Courthouse, was probably the #3 choice. Duffy's final comment was that he appreciated the Board of Supervisors, and the Committee's work to benefit him and other Court personnel.

Hamilton stated that there are additional Court needs. The Clerk of Court needs additional space.

Jim Nelson inquired about the disposition of a letter from BV Co. Hospital Director of Nursing Candy Nees regarding discussions about merger of the Public Health and HM/HHA with the hospital's Home Care organization. Nelson stated that the hospital's nurses have been moved several times, just like Public Health, and like Public Health, the hospital is experiencing large growth in the request for those services. He mentioned that in 23 Iowa counties, Public Health has merged with county hospitals. A discussion would be to the benefit of both groups.

Burnside stated that she determined that the letter, which she received, was not appropriate for discussion by the Committee since that was not the charge of the Committee. She brought the letter to the Board of Supervisors, but neither media, nor anyone from the public was present at the meeting during discussion of the letter. Consequently, there was no media mention of the letter. The Board has not yet responded to the letter, but Burnside suggested that the topic should be discussed by the full boards: Board of Health, Board of Supervisors, and Board of Hospital Trustees.

Supervisor Gustafson suggested that in addition to discussion of Public Health and the hospital's Home Care services, the Vista Addiction and Recovery program should be discussed as it duplicates services provided by NW IA ADTU.

Burnside thanked the Committee members for their time and dedication. The involvement of people from the community has been beneficial. They will be a link to the public as the Board considers the recommendations. Chairman Vail thanked the Committee for their hard work. Roy Clough thanked Burnside for her leadership of the Committee.

Treasurer Kathy Bach reported the receipt of \$5,932.14 in interest on the **Iowa Trust** funds. As more court cases are settled, additional interest is expected. Bach also advised the Board of the lateness of certification of levies which will put pressure on her department to prepare to collect taxes. The Board approved her use of temporary help for the hand work of separating, stuffing and preparation of statements for mailing.

Motion by Burnside, second by Rehnstrom, to approve, and to authorize the Chairman to sign the following joint drainage district claims: **DD #64-105** to Sac City Surveying & Mapping for records and repairs-\$47.14; **DD #64-105** to Richard's Construction for tile repair -\$159.75; **DD #16-30-92** to ChemTrol

for open ditch spraying (80% due) -\$231.66; **DD #274 MTM** to BV Co. Secondary Roads for repair of tile \$125.50. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays- -none. Carried.

Motion by Gustafson, second by Voss, to authorize the Interim Boardmember to sign the Joint **Drainage District #181** work-orders for the following sites: 94-5 and 94-7. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Burnside will contact U.S. Senators and Representatives regarding the support of Lautenberg Amendment to S439 regarding **landfill flow control**.

Motion by Voss, second by Gustafson, to approve the following **late filings**: for 1994 Military Exemption on parcel #5080.00, and for 1994 Homestead Credit on parcels #9498.00, 9595.00, 6174.00, and 9804.50. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to approve the minutes of the 6/28/94 and 6/30/94 meetings. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve the following **reports**: May Medicaid Case Management, June Recorder's fees, Clerk's fees, June 6 Communications Commission, June 14 & 17 Conservation minutes, June 21 Board of Health (see above), 4th Qtr FY'94 Sheriff's fees, Clerk's fees. Ayes- -Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other Reports reviewed included: 7/8 YES Center minutes.

There being no further business, the meeting adjourned to Tuesday, July 19 for a special session.

**BOARD OF SUPERVISORS MEETING
THIRTY-THIRD MEETING, 1994 SESSION (33)
JULY 19, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 19, 1994 at 9:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

The Chairman reported an offer to buy a **Marathon** property from the County. The Board was favorable.

The recommendations of the **Courthouse Space Needs Committee** were discussed. Burnside reported that the terms quoted earlier for the "USDA" on Richland St. remain the same. The rental figure was updated for the entire building at \$2501/month. The Board left the boardroom to inspect the building once more.

Upon returning, Rehnstrom stated that the County should be looking at a short term solution to the 2nd floor space needs problem, and recommended renting the USDA building, then talking to the Board of Health and the BV Co. Hospital Board of Trustees.

The Chairman felt that all departments under the Board of Health including Public Health, HM/HHA and Sanitarian, should be moved to a new building, as well as the Naturalist. Renting leaves all other options open. Buying the USDA building would be a good buy at the price asked, only if it were known that the need was for at least 20 years.

Motion by Burnside, second by Voss, to rent the entire USDA building on a 3 year lease effective 8/1/94. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to authorize the Chairman to sign the 3-year lease for the USDA building. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The next **joint city/county meeting** has been set for August 15 at 5:30 p.m at City Hall.

The Board reviewed the billing for the Franchise **Election** conducted June 21, 1994 for Midwest Power in the city of Albert City.

There being no further business, the meeting adjourned at 11:00 a.m. to Tuesday, July 26, at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-FOURTH MEETING, 1994 SESSION (34)
JULY 26, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 26, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Nurse Administrator Karole Graen reviewed May and June Board of Health minutes. The Board of Supervisors approved a sign readable from the street for the new quarters for Public Health. Graen is checking into computer hook-ups, phone system, custodial services, parking lot lighting, etc. She confirmed that there is space for the Naturalist in the SW corner of the new building.

Engineer Jon Ites distributed a brochure on drug testing - the new law will effect employers having 50 or more employees with CDL.

Motion by Burnside, second by Voss, to authorize the Chairman to sign the underground construction application of GTE Midwest, Inc., to install copper telephone cable 36" (bored) under County Road M-54 at a location more specifically described as follows: 3 1/2 miles north from Newell between Sections 28 & 29-91-35, Newell Township. Ayes-Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

IDOT has submitted an agreement for the intersections on the Highway 71 bypass. Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign, intersection reconstruction agreement #CA-789 for 3 locations on the Hwy 71 bypass project NHS-71-7(15)--19-11. Ayes-Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ites reported from his annual conference that it is important to put into policy only those things that the County will be doing. Having a policy that is more strict, and not following it, creates 0more liability. Voss and Gustafson volunteered to work with Ites sometime in August on drafting changes to the snow policy.

The speed study requested for C-63 has been completed by IDOT. The recommendation was for 45 mph at a point 1600' west of the Hwy 110 intersection. The County could post a lower speed, but should not exceed DOT recommendations. Motion by Rehnstrom, second by Burnside, to reduce the speed, effective upon concurrence by the City of Storm Lake, as follows: at a point 1600' west of the Hwy 110 intersection, the speed to be reduced to 45 mph, and at a point just west of the west street into West Lake Estates, the speed to be further reduced to 35 mph (825' west of 110 intersection). Ayes-Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Equipment rental rates have been reviewed and found to be mostly adequate.

A price needs to be set on icing sand if the County decides to sell to towns. Rehnstrom suggested a policy of not selling icing sand, except in cases of emergency, to prevent reduction of inventory and needing to purchase for our own needs in the future. The Board agreed by consensus.

The City of Sioux Rapids is interested in an old backhoe. The Board agreed to sell it.

County policy has been to stockpile excess dirt from ditch-cleaning. Ites suggested giving the excess to adjoining landowners if they want it, since our stockpiles are adequate, and the cost of hauling could be avoided. The consensus of the Board was to change the policy to permit the landowner to have the dirt.

Ites suggested a written policy authorizing the County to do maintenance of a road after dust control has been applied by private landowners.

A problem with a bridge located on the north side of Linn Grove, has been reported. Ites will consult with a bridge specialist regarding the expansion joints.

The farm lease for the Whitney Pit needs to be re-negotiated. The consensus of the Board was to permit Clay County Engineer Roger Clark to negotiate the BV County portion, as well as the Clay County portion. Farming of the ground is maximized if both pieces are farmed by the same tenant.

Motion by Gustafson, second by Burnside, to begin the process of vacating the road lying through the center of Sec. 13-93-37, Barnes Township. Ayes- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

General Assistance Director Angela Olsen presented a request for dental services for 1 jail prisoner. The Board discussed paying for medical services for prisoners from the Sheriff's budget in the future, but agreed to grant this request.

Motion by Rehnstrom, second by Gustafson, to accept the offer of Dale Simpson in the amount of \$100, and to approve the sale of, and to authorize the Chairman to sign the deed for, the following described property: E 1/2 Lots 5 & 6, Block 7, City of Marathon. Ayes-Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

MH Director Anita Hallquist discussed current placement of 1 person (M.N. 7-26-94) at **Plymouth Life Inc.**, LeMars. The facility has increased the per diem. Hallquist recommended continued placement at that facility, including approval of the new rate. The Board agreed by consensus.

Hallquist reviewed total FY'94 MH expenditures. Strawn left the meeting, with Burnside taking the remainder of the minutes.

Cover letters from Jerry Culbertson and Dale Wordekemper with a petition from owners of **Casino Beach** property was received. Their request was, for an alley, which is proposed for vacation, to be vacated to property owners on both sides of the alley. A copy of the petition will be mailed to Mary Lanphere and Bodo Treu. The Board agreed that no action will be taken by the County unless some agreement is reached by property owners.

A separate request, to purchase one lot in the same Casino Beach area, from the County, was tabled pending investigation.

Voss left for another meeting.

DHS Area Administrator Lyle Fleshner discussed HF2430. New reporting (on an accrual basis) will be due October 1. Another protective services investigator will be added to the office September 9.

Following evaluation after 1 year's employment, motion by Gustafson, second by Rehnstrom, to **raise** the salary of Merle Zillig, Zoning Administrator to \$8.00/hour, retroactive to July 1. Ayes-Burnside, Gustafson, Rehnstrom. Nays--none. Carried.

Motion by Burnside, second by Rehnstrom, to approve and to authorize the Chairman to sign a letter of support for the application of **Lutheran Family Services** for certification as a provider of Supported Community Living services. Ayes-Burnside, Gustafson, Rehnstrom. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve the minutes of the 7/7 and 7/12 meetings as printed. Ayes-Burnside, Gustafson, Rehnstrom. Nays-- none. Carried.

Treasurer Kathy Bach gave her semi-annual report, reviewing the non-county funds, and those not available for general expenditure by the County. Deputy Auditor Sue Kennedy reviewed the ending fund balance and cash flow report for FY'94.

Motion by Rehnstrom, second by Gustafson, to approve the following **reports**: May & June Board of Health (clarification on wages for 1 person from June minutes still pending), June Medicaid Case Management, HHH Care site visit, Semi-annual Treasurer's report of funds, July Conservation. Ayes-Burnside, Gustafson, Rehnstrom. Nays--none. Carried. Other reports reviewed included: April-June monitoring reports of Spectra lagoon, annual GO Bond report (recycle center) Bankers Trust Co., Certificate of Insurance for Rohlin Construction Co., statement of liquor license fees shared 50% state/50% county.

At 3:50 p.m. the meeting adjourned to Tuesday, August 9 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-FIFTH MEETING, 1994 SESSION (35)
AUGUST 9, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 9, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Custodian Rollie Sievers discussed maintenance and custodial duties, supply purchasing, and mowing and snow removal for the building on Richland St. For FY'95, these expenses will be paid from the General Services budget.

The Board thanked **Engineer** Jon Ites for the assistance provided by his department in moving Public Health, HH/HHA and the Naturalist to their new building.

The **snow policy** committee has met once and will be meeting again next Tuesday. The new computer equipment for the Engineer's office has been delivered and is awaiting installation.

The **Whitney gravel Pit** lease has been re-negotiated. Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign a (joint with Clay County) 3-year lease with Jon Anderson and Rick Anderson, for the Whitney Pit at the rate of \$75/acre for the tillable acres. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Rehnstrom, to set the date and time of Public Hearing as September 20, 1994 at 1:00 p.m. in the Boardroom for the **closing and vacation** of a portion of the road running north and south through the center of Section 13, Barnes Township, described as follows: Commencing about forty rods south of the NW corner of the NE 1/4 of Section Thirteen (13) in Township 93 North, 37 West of the 5th P.M. on the half section line at the south right-of-way of the road running west and east, thence south on existing road forty feet in width to the north right-of-way of road on south line of aforesaid Section Thirteen. The intention being to close and vacate the road forty feet in width running north and south located approximately on the half section line of Section Thirteen. The public highway described above is presently marked and signed as 125th Avenue on the Buena Vista County 911 marking system. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Vail and Rehnstrom will attend the **ISTEA** public meeting scheduled to be held at the Courthouse on 8/11.

For the State of Iowa, Iowa State University is developing a statewide **pavement management system**. If the County is interested, using this system as a base, a county pavement management system can be developed to assist in long range planning. To keep the county's entire road system intact, timely repairs and maintenance can be scheduled according to the long range plan. Ites will investigate the cost for the program.

The Chairman signed payment estimates for **bridge projects** L-BVC-9-94--73- 11 and L-BVC-9-94--73-11, to be paid from local funds, and, to Kuehl & Payer for engineering services on the **C-49 West** project to be paid from farm-to- market funds.

Motion by Gustafson, second by Rehnstrom, to approve and to authorize the Chairman to sign the **underground construction permit** application of Iowa Lakes Electric for a service hookup in Section 8-91-37 in the SE 1/4 SE 1/4 along the east and west ROW to 90th Ave., the cable to be trenched at 42" approximately 1052' north of 560th St. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Ites advised the Board that repair is needed for a **bridge** on C-25 (west of M-50) which has exposed steel on both ends of the deck, at an estimated cost of \$7,000. Repairs are also needed on the bridge north of Linn Grove, estimated cost - \$15,000. The damage is due to the use of salt for ice-control.

A letter from Paul and Cheryl Anderson has been received, requesting that a **closed road**, south of Linn Grove, be put back in service for a school bus route. Ites will contact the Sioux Central Superintendent and inquire whether this is the only possible route.

The DNR has requested access to the Albert City **monitoring wells** on secondary road maintenance shop property to complete water sampling. The Board approved the request.

From the **Hudson St. site**, 250 tons of dirt have been hauled to the Luedke building site. Results of the soil testing are due in 10-14 days. The holes have been filled in, and approval has been received to

install an aboveground tank. The Board approved proceeding to take bids for the tank.

Site preparation of the Luedke building site includes drainage stabilization. The Board approved proceeding with the tiling.

Ites asked what the Board's personal property/equipment replacement policy is for property damaged or destroyed while on the job. The Board confirmed that there is a policy to provide a \$100 County contribution toward the purchase of safety glasses, but no policy for other items. Motion by Voss, second by Burnside, to pay 1/2 of the cost of safety lenses, up to \$100, for replacement of lenses for Secondary Road employee, Gene Pishek. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ites informed the Board that a Bel Air lake outlet twin pipe culvert is scheduled for replacement in FY'95. The preliminary design calls for a 102" X 62" reinforced concrete pipe arch (RCPA).

Burnside confirmed for Ites that for a fee, the landfill will accept furniture removed from County road ditch right of way by Secondary Road personnel. For rocks in the ditches, which are also a problem, Ites suggested establishing up to 3 sites where rocks could be deposited. When a sufficient quantity have accumulated, the rocks could be crushed for use by the County. No action was taken at this time.

The Auditor was directed to send a certified letter to Kenneth Miller regarding an illegally placed sign on County road ROW pursuant to a letter received from the IDOT.

Motion by Burnside, second by Gustafson, to make the following appointments: Engineer Ites to Deferred Compensation, Weather, Personnel, Drug-free Workplace, and Safety Committees, with Tom French as the Engineer's designee for the Safety Committee. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to appropriate the remaining 50% of the budget by department as detailed in the FY'95 budget adopted Feb. 28, 1994. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Gustafson, to adopt the following resolution:

RESOLUTION 1994-8-9

WHEREAS, the Northwest Iowa Regional Housing Authority is making application for funding of additional rent assistance under the Section 8 Certificate Housing Program through the Department of Housing and Urban Development, and

WHEREAS, and in accordance with Section 403A.5 of the Iowa Code which states

"A municipality of a 'Municipal Housing Agency' may not proceed with a housing project until a study or a report and recommendation on housing available within the community is made public by the municipality or agency and is included in its recommendations for a housing project. Recommendations must receive majority approval from the local governing body before proceeding on the housing project."

AND IN ACCORDANCE WITH Section 213(c) of the Housing and Community Development Act of 1974, which states in part that we must determine whether or not there is a need for such housing assistance, taking into consideration any applicable State or areawide housing assistance plan as well as generally available data with respect to population, poverty, housing overcrowding, housing vacancies and substandard housing. An application may be approved only if our determination is in the affirmative.

NOW, THEREFORE, be it resolved that Buena Vista County has determined there is a need for such additional assistance AND is aware of the project and the study or report on available housing that is required by said statute AND that majority approval of the proposed project within its jurisdiction is hereby granted.

This resolution is meant to serve as Buena Vista County's final notice to HUD of such approval; no additional comment shall be forthcoming from Buena Vista County.

In Testimony, Whereof, We have hereunto set our hands and seal of the Buena Vista County

Board of Supervisors this 9th day of August, 1994.

(s) Richard A. Vail, Lorna Burnside, Jim Gustafson, Bob Rehnstrom, Jack Voss.

The vote on this resolution was ayes--Burnside, Gustafson, Rehnstrom, Voss, nays--none. Carried.

MH Director Anita Hallquist reviewed the year-to-date MH spending report, and a letter advising the County of \$1,700 in additional state funding to be used towards the increase in **MH/MR service rates** approved by the State for FY'95. She recommended applying the increase to sheltered work/work activity until the funds are expended, with the Board concurring.

Regarding a claim received, the Board confirmed its policy not to pay for alcohol/substance abuse **detoxification** services.

The Board approved temporary, emergency placement at **Glenwood** of an 8 year old child, discharged from Faith Hope and Charity due to a bill in arrears. DHS is seeking a judgement against the mother to force payment of the \$5,000 bill, the mother having received child support payments from the father, and not having paid those funds to Faith Hope and Charity. [The Board was subsequently notified that an agreement was worked out, and the child was not discharged from Faith, Hope & Charity]

Motion by Rehnstrom, second by Voss, to authorize the retroactive **transfer**, July 29, 1994, of \$15,000 from the E911 Surcharge fund to the E911 Debt Service fund, and to authorize the transfer of \$10,000 from the General Basic fund to the Capital Projects fund for roof replacement and heating system repair for the County Care Facility buildings. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve minutes of the 7/19 & 26 meetings as corrected. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign the contract with the **Regional Transit Authority** for continuation of the **Nite Taxi** service for FY'95. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Nurse Administrator Karole Graen discussed additional arrangements for the new building which will be known as the **East Richland Annex.**

Motion by Voss, second by Burnside, effective 8/15/94, to **employ** in the Secondary Road Department, Tim Cavanaugh as an Equipment Operator/Technician, and Tony Weber as an Equipment Operator 1 both at the rate of \$9.12/hour, (\$2.00 under equipment operator) with incremental raises, and with a 2-year probationary period. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

GA Director Angela Olsen submitted her resignation effective 9/23/94. MH Director Anita Hallquist was directed to advertise for 2 part-time positions (General Assistance/Veteran's Relief and Case Management Clerical).

Olsen reviewed the 4th Qtr FY'94 **Veteran's** report.

Motion by Voss, second by Gustafson, to approve payment of \$100 from **general assistance** funds towards the bill from a gas utility for 1 person (D.L.8-9-94). Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to **appoint** Bob Reis as the client representative to the DHS Cluster Board. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. [This action was nullified by the information that Betty Silverberg already serves in this appointment]

Motion by Voss, second by Burnside, to approve the following **reports:** 4th Qtr FY'94 Veteran's Affairs, July Recorder's fees, Clerk's fees, 8/4 IFMC client report. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other Reports reviewed: NWIPDC June minutes, 4th Qtr FY'94 Farm-to-Market funds.

At 3:00 p.m., the meeting adjourned to Tuesday, August 16, 1994 for a special session.

BOARD OF SUPERVISORS MEETING

**THIRTY-SIXTH MEETING, 1994 SESSION (36)
AUGUST 16, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 16, 1994, at 8:30 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

The Board reviewed a bid proposal for custodial services for the East Richland Annex.

Assignment of former Public Health & HM/HHA space (on second floor) to the Court system was approved as recommended by the Courthouse Committee. The southwest room on the south side of the hall, and the northeast room on the north side of the hall, will be retained for county purposes.

Berniece Hostetler, NWIPDC planner, with Sandy Johnson, FmHA loan specialist, discussed the RDA Intermediary Relending program for business facilities and community development, to determine if the Board is interested in participating in the program. Boardmembers indicated they are not opposed to the concept, and agreed to meet at a later time with other counties.

Engineer Jon Ites distributed a draft of proposed changes to the snow policy.

Ites discussed future seal-coating repairs on subdivision roads, and the accounting required by existing seal-coat agreements.

Motion by Rehnstrom, second by Burnside, to accept, and to authorize the chairman to sign the proposal of the Dallas Company, Adel, Iowa, for repair of 2 bridges, one on M-54, one on C-25 in the total amount of \$22,025.09. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

For clarification of the intent of the minutes of 8/9/94 , motion by Burnside, second by Gustafson, to change the word 'safety' lenses to 'hardened' lenses. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

To improve safety, Ites proposed purchasing some right-of-way to make a 300 foot correction in two 20 mph curves south of the Whitney Pit in Brooke Township. The Board approved.

For the BV County Sesquicentennial Commission, Burnside asked for Board approval to place a Veterans' statue in the Courtyard.

Patti Moore met with the Board to state that she wished to have her signature removed from the petition regarding alley vacation at Casino Beach.

At 12:15 p.m., the meeting adjourned to Tuesday, August 23, 1994 for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-SEVENTH MEETING, 1994 SESSION (37)
AUGUST 23, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 23, 1994, at 9:00 a.m. in the Boardroom with Vice-Chairman Gustafson presiding, and with the following other members present: Burnside, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Burnside, second by Voss, to approve the minutes of the 8/9 and 8/16 meetings as corrected. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried.

Recorder Shari O'Bannon presented a proposal to the Board for the Wellness Committee to purchase from Wellness funds, a concrete table for the area outside (to the southwest) of the lobby on the concrete landing. The Board approved.

Marvin Grote inquired about the rural addressing which was done for E911.

Attorney Dan Connell, Pete and Nancy Erickson, and MH Director Anita Hallquist met with the Board to discuss a mental health account for Cherie Erickson. Private insurance denied the bill because of a delay in notifying the company of the charges. Connell presented information that Cherokee MHI had the private insurance company information from a prior admission, and should have billed the insurance company. Hallquist will request further information from MHI. Connell will get a release from Cherie

Erickson for Cherokee MHI's information.

Engineer Jon Ites advised the Board that to maintain insurance coverage, there is an upgrade to regulations regarding **Underground Storage Tank** Financial Responsibility program.

BROS funds are not available for the **bridge repairs** scheduled to be made from those funds, as the bridges do not meet the requirements--not considered structurally deficient or functionally obsolete.

The drainage problem on the **Lakeside blacktop** has not been solved. A revised agreement is pending.

Motion by Rehnstrom, second by Voss, to approve and to authorize the Chairman to sign the **underground construction** application of Iowa Lakes Cooperative to install a single phase service in Section 33-92-38 Elk Township, more fully described as in the SE 1/4 SE 1/4 of Section 33 along east and west ROW to 40th Ave., the crossing to be approximately 470' feet north of the intersection of 40th Ave. and 540th St., and trenched at 42". Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Rehnstrom, to approve and to authorize the Chairman to sign the **underground construction** application of Corn Belt Power Cooperative to install a 69kv overhead transmission line in the northwest corner of section 22-93-35, Poland Township along the south margin of sections 21, 20, 19 thence continuing west along sections 24, 23, 22, 21, 20 and terminating in the northeast corner of the NW 1/4 of Section 19-93-36. Ayes-- Burnside, Rehnstrom, Voss. Nays--none. Carried.

Doreen Loeffelholz, **Catholic Charities**, requested consideration of assignment to the office previously occupied by the Sanitarian.

General Assistance Director Angie Olsen discussed the amount to be allowed for **burial expense**. Motion by Burnside, second by Voss, to adopt the following resolution:

RESOLUTION 1994-8-23

A resolution to change the following section of the Buena Vista County General Relief Rules.

Appendix I; Section 9, D-1 Shall read as follows:

9. Burials

1. Resident of Buena Vista County:

Adult...\$850.00 plus opening & closing to a maximum of \$1,050.00.

Infant to one year..\$850.00 plus opening & closing to a maximum of \$1,050.00.

Child (Age 1-11)..\$850.00 plus opening & closing to a maximum of \$1,050.00.

Child (Age 11-17)..\$850 plus opening & closing to a maximum of \$1,050.00.

WHEREAS, The Buena Vista County Board of Supervisors has thoroughly discussed the changing of this section with the General Assistance Officer, and

WHEREAS, in the judgement of the Buena Vista County Board of Supervisors such section should be changed in the Buena Vista County General Relief Rules.

The vote on this resolution was: ayes--Burnside, Rehnstrom, Voss. nays--none. Carried.

The Board discussed beginning wages for 2 **Community Services** openings. They agreed to put the Case Management/Mental Health Secretary on the part-time courthouse clerical wage scale, and to approve a range of \$6.50-\$7.00 for the General Assistance/Veterans Affairs Clerk.

Joan Reed, NW IA MHC, gave the quarterly **managed care** report.

Custodian Rollie Sievers discussed removing the soft maples from the courtyard, to allow additional growth of the hard maples. The Board directed him to proceed in obtaining quotes. Sievers also discussed air conditioning for the Sheriff's office and jail, ADA signs for the Annex and for the East Richland Annex, repair of the Courthouse roof this fall, and rerouting the exhaust from the generator.

MH Director Anita Hallquist discussed y-t-d mental health expenditures, and, work activity/sheltered work services at BV Work Activity Center.

Nurse Administrator Karole Graen discussed ADA signing at the East Richland Annex, and reviewed the July and August Board of Health minutes.

Weed Commissioners Norm Lund and Roger Sievers discussed several areas where landowners are not compliant with weed eradication laws, and have fields with more weeds than crops. The Weed Commissioners will request that State Weed Commissioner Darrell Frey make an inspection to provide a recommendation.

Motion by Burnside, second by Rehnstrom, to approve and to authorize the Chairman to sign the agreement for Custodial services at the **East Richland Annex**. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Burnside, to approve and to authorize the Chairman to sign the 28E agreement with the Iowa Dept. of Public Health for **EMS training funds** for FY'95. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to **employ** Lisa Meusburger as the part-time Conservation Naturalist effective 8/17/94 at \$8,650.00 per year. Ayes-- Burnside, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Rehnstrom, to approve the following **reports**: 4/14/94 jail inspection, July budget reports, Medicaid case management, August Conservation (3), July & August Board of Health minutes. Ayes--Burnside, Rehnstrom, Voss. Nays--none. Carried. Other reports reviewed: USF&G; FY'94 retrospective premium report.

At 4:20 p.m., the meeting adjourned to Tuesday, August 30, 1994 for a special session.

**BOARD OF SUPERVISORS MEETING
THIRTY-EIGHTH MEETING, 1994 SESSION (38)
AUGUST 30, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 30, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

The Board received by certified mail a copy of a Petition to the **Public Employment Relations Board** filed August 19 by members of the Secondary Road Department for employees with Mechanic I & II and Equipment Operator I, II, III job titles. Motion by Voss, second by Burnside, to appoint Vail as the designated County representative to act on behalf of the Board in the matters regarding the petition and subsequent activities, and to approve and to authorize Vail to sign the 'stipulation of bargaining unit' as required with the following information: the Office Secretary is to be added to the excluded list, there are currently 19 employees under the named job titles, however, there are no employees currently under the job titles of Mechanic I or Equipment Operator III. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to **employ** Julie Bjork as the Case Management/Mental Health Secretary, part-time, in the Community Services department effective 8/31/94 at \$5.41/hour, to be reviewed in 6 months. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Gustafson, second by Rehnstrom, to **employ** Linda Mattson as the General Assistance/Veterans Affairs Clerk, part-time in the Community Services department, effective 9/1/94 at \$7.00/hour, to be reviewed in 6 months. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Electrical service has not yet been changed at the **County Farm** to the parcel of land to be retained, which has delayed the auction of the pasture. A few additional items will be included in the auction. The Board set the time for auction as September 19, 1994 at 10:00 a.m.

Rehnstrom reported on a tree damaged by snow thrown by secondary road equipment in the process of clearing the road. The County's insurance policy has a \$5,000 deductible. In the past the County has not had a policy to replace damaged trees. It was the consensus of the Board not to develop a policy to reimburse landowners for **damaged trees on private property**. The Auditor was directed to

notify the claimant of the Board's decision.

The Board reviewed the Code of **Ordinances**, other than the snow ordinance, and found, due to a change in the Iowa Code regulating the giving and receiving of gifts, that the 1.5 Gift Ordinance should be repealed, and, a reference in 2.2 Rural Addressing needs correction.

A request was received from Curtis Haraldson to use water in the artesian well/cistern on the north side of C-13. The Engineer will consult with the County Attorney regarding the issue of being a "**public supplier of water**".

Deputy Sheriff Don McClure discussed **medical care** for **jail** prisoners. In the past, acute care has been paid from the Jail budget, with medications and general care coming from General Assistance. By law, the medical needs of indigent prisoners must be attended to. It was the consensus of the Board that all of these expenses be paid from the jail budget, with the Board agreeing to amend the Jail budget by the necessary amount at a future time.

McClure also advised the Board of the resignation of a **jailer** and other factors causing additional staffing needs, with the Sheriff's staff also being taxed to the limit by current activity, and needing an increase. McClure requested an increase to 4.5 jailers, and proposed changes to the jailers wage schedule. The Board directed McClure to advertise for the jailer.

At 11:50 a.m., the meeting adjourned to Tuesday, September 6, 1994 for a regular session.

**BOARD OF SUPERVISORS MEETING
THIRTY-NINTH MEETING, 1994 SESSION (39)
SEPTEMBER 6, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 6, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, and Rehnstrom, and with Auditor Strawn as clerk for the meeting. Voss was delayed.

Treasurer Kathy Bach discussed her concerns in carrying cash to the bank, particularly at times of the month and year when she carries larger amounts. Stille Pierce & Pertzborn provided a quote of \$331 for \$20,000 cash coverage 'inside and outside'. Motion by Burnside, second by Gustafson, to purchase crime **insurance** coverage from Northwestern National for FY'95 at a premium of \$331.00. Ayes--Burnside, Gustafson, Rehnstrom. Nays--none. Carried.

MH Director Anita Hallquist introduced Linda Mattson who will replace Angela Olsen as the new **General Assistance Director** effective 9/23/94.

Motion by Rehnstrom, second by Gustafson, to approve the following **late filings** for Homestead credit: for 1993 Homestead on parcel #'s 5276.00, 2980.00; and, for 1994 Homestead on parcel #'s 5276.00, 2980.00, 10566.20, 5472.00, 4895.00, 3090.00, 6093.00, 10293.25, 2982.00, 2134.50. Ayes--Burnside, Gustafson, Rehnstrom. Nays--none. Carried. Motion by Gustafson, second by Burnside, upon recommendation of the Assessor to disallow the 1994 military exemption on parcel #4224.00, due to confirmation that the propertyowner is no longer a resident of the State of Iowa. Ayes--Burnside, Gustafson, Rehnstrom. Nays--none. Carried.

Voss arrived for the meeting.

Engineer Jon Ites discussed materials received from the Iowa Public Employee Relations Board regarding the petition filed by secondary road employees.

Motion by Rehnstrom, second by Burnside, to approve and to authorize the Chairman to sign the **underground construction** application of Iowa Lakes Electric Cooperative to install a 7200 volt single-phase underground distribution cable and to replace overhead line in the W 1/2 of Section 23-93-38, and in the W 1/2 section 14, SW 1/4 of Section 11, and various parts of sections 3 & 10-93-38, at a 42" depth, and to be plowed in private right-of-way wherever possible. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ites discussed the new **IDOT** organization chart and the responsibilities of the various departments.

The request of Curtis Haraldson to use water from County right-of-way needs to be reviewed by the County Attorney for possibility of liability if the County is viewed as a public supplier of water. The Board is generally in favor of granting the request only if the County has no liability in the matter.

The Board approved Ites' and Petermeier's attendance at the right-of-way and land acquisition schools in October.

At the intersection of M-54 and C-43, a drainage problem developed after the County made changes to the road. The Church located there has requested connecting to the County's tile in the adjacent road ditch. The consensus of the Board was to approve.

Today is the late-start date for the paving of C-49 west. A letter by Engineer Bob Payer has been sent notifying the contractor of the County's intent to hold to the 25 day deadline.

Regarding contact with Sioux Central Superintendent Lee Burns about the request for an alternate bus route, Ites reported that Burns did not recommend the need for this alternate bus route.

Ites notified landowner Steve Mummert of the County's knowledge of the unauthorized widening of his driveway, and the County's intent not to maintain the driveway.

With General Assistance Director Angie Olsen and Linda Mattson, the Board heard a general assistance appeal for a medical bill. It was the consensus of the Board to approve payment of the bill (L.A. 9-6-94).

Deputy Auditor Susan Kennedy reviewed a 4th Qtr FY'94 report on the financial condition of the various drainage districts.

From his office, Sheriff Chuck Eddy presented a jail and deputy report requesting an additional full-time jailer, an additional 1 or 2 deputies, and, an increase in the jailers' wage scale. Eddy noted that today was an example of the shortage of manpower, as he was covering the office to permit the secretary to act as matron on a transport. Jailer Steve Tjaden requested consideration on increasing the jailers' wage schedule, as adding another jailer will reduce the number of hours that current jailers work, causing a decrease in annual earnings with the loss of many overtime hours.

MH Director Anita Hallquist introduced Julie Bjork, the new secretary for mental health and case management. Case Manager Dawn Wiseman discussed the current status of her clients, including the fact that she is working toward placement of one client (D.P.) in waived services, at a savings of \$5-6,000/year.

Sheriff Eddy and Jail Administrator Don McClure discussed further with the Board, the jailers' wage schedule and jail staff size. Motion by Burnside, second by Gustafson, to increase the jail staff by 1 fulltime jailer. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Gustafson, second by Burnside, to increase the jailers' wage schedule by 5% for a new employee, with a 2% increase (to 52%) at the top end, and with the Sheriff to develop the increments in between, effective 9/17/94. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Voss, second by Burnside, to approve the employment of Andrea Dahlberg as a full-time jailer effective 9/19/94 at \$7.19/hour, according to the new jailer's wage schedule. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Burnside left for another meeting.

Motion by Rehnstrom, second by Gustafson, to approve today's payroll subject to audit at the next meeting. Ayes--Gustafson, Rehnstrom, Voss. Nays- -none. Carried.

Motion by Rehnstrom, second by Voss, to approve the following reports: August budget reports, and NWIPDC minutes. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

At 3:30 p.m., the meeting adjourned to Tuesday, September 16, 1994 for a special session to canvass the 1994 School Election.

SEPTEMBER 16, 1994

The Buena Vista County Board of Supervisors met in special session on Friday, September 16, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Gustafson, Vail, and Voss, and with Deputy Auditor Jean Chindlund as clerk for the meeting. Burnside arrived after a short delay.

Engineer Jon Ites discussed the **Secondary Road Annual Report** just completed for FY'94, which has been submitted to the DOT.

Ites distributed copies of the **snow policy** ordinance to the Board for their review prior to the next meeting. At that time a Public Hearing will be scheduled. Ites reviewed the costs of ice control using salt and sand mixtures.

In previous years, the Board has agreed to **snow removal agreements** with Rembrandt and Truesdale. Ites will send agreements to those cities for their signatures.

Due to illness in his department, Ites requested consideration of a **part- time employee** for the snow season.

The Board discussed retaining the services of Von Bokern & Associates to meet with the Board and the group of Secondary Road employees proposed to be included in an AFSCME **bargaining unit**. The consensus of the Board was to request the services for a one-time meeting, the purpose being to explore the changes that would take place if the election successfully establishes a bargaining unit.

The Board acknowledged receipt of an **Ag Area Petition** filed by Bruce Engelmann. A Public Hearing will be scheduled on the petition at the next meeting.

Following the completion of the **Canvass** of the **1994 Regular School Election**, and pursuant to Chapter 50.24 of the 1993 Code of Iowa, motion by Voss, second by Gustafson, to declare the results as follows:

Albert City-Truesdale, total voters: 70;

for School Board Director for a 3 year term
Jerry Nixon - 69 elected
James Peterson - 65 elected
for Director, District 3, Iowa Central Comm. College
Melvin Samuelson - 60

Alta, total voters: 293;

for School Board Director for a 3 year term -
Scott Sanders - 202 elected
Brian Walsh - 247 elected
Scattering - 1 (1 person)
for Director, District 3, Iowa Central Comm. College
Melvin Samuelson - 211
for 67 cents PPEL (including up to 20% income surtax) for 10 yrs.
Yes - 121
No - 167 defeated

Newell-Fonda, total voters: 316;

for School Board Director for a 3 year term - District 1
Roger Sarchet - 94
Melva Urban - 13
Peter Wenzel - 66
Steve Williams - 141 elected
for School Board Director for a 3 year term - District 2
Craig Seagren - 223 elected

Sioux Central, total voters: 444

for School Board Director for a 3 year term - District 2
Mary Dean - 350 elected
Scattering - 1 (1 person)

for School Board Director for a 3 year term - District 3

Gary Axdahl - 277 elected

Randy McKibben - 164

Storm Lake, total voters: 451;

for School Board Director for a 3 year term - elect 2

Jan Faine - 190

Jan Patton - 375 elected

Peter Steinfeld - 264 elected

Scattering - 3 (2 persons)

for Director, District 3, Iowa Central Comm. College

Melvin Samuelson - 330

The Auditor was directed to prepare abstracts and certificates of election as required. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned at 12:00 p.m. noon until Tuesday, September 20 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-FIRST MEETING, 1994 SESSION (41)
SEPTEMBER 20, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 20, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Engineer Jon Ites discussed the revisions to the snow policy. Motion by Voss, second by Gustafson, to set the date of Public Hearing and 1st Reading for re-codification of the County's Code of Ordinances, including revisions, as October 18, 1994 at 1:00 p.m. in the 2nd Floor Public Meeting Room of the Courthouse. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ites has received a hold-harmless agreement draft from James Gailey regarding a request from Curtis Haraldson for access to water in the County's right-of-way. Ites will ask the County Attorney to review the agreement.

Ites suggested September 30 or October 7 for the meeting to be conducted by Renee Von Bokern with the Board of Supervisors and Secondary Road employees. The Board selected September 30 at 10:00 a.m.

Motion by Voss, second by Burnside, to approve and to authorize the Chairman to sign the underground construction application of the City of Truesdale to install a water meter structure and a water transmission pipeline 5 1/2 feet deep in the road ditch along 120th Ave. and 545th St. from Spectra Care to Truesdale. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board reviewed the Engineer's recommendations for rates, fees, and prices. Motion by Rehnstrom, second by Voss, to approve and to authorize the Chairman to sign the Equipment Use Rates, Driveway/Field Entrance fees, and Sale of Ice Control Materials to Municipalities prices. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board noted that the proceeds of yesterday's county farm pasture auction were \$18,744.15 for the pasture, and \$4,132 for the other items (hog shed, grain bins, fan, wood, etc.), which included items added by Conservation (\$792.00) and by Sue Morrow (\$412.00).

MH Director Anita Hallquist reviewed the completed Case Management Statistical and Cost Report for FY'94, causing a \$6,000 reimbursement to the County from Unisys. The Chairman signed the documentation of training for Hallquist as required by Targeted Case Management standards.

BV Work Activity Center requested approval to spend supportive employment funds (from the County's MH/MR/DD/BI General Allocation funds) for a laptop computer. The Board approved.

Hallquist requested direction regarding her investigation of the admissions/discharges of a mental health patient and resulting charges. She will contact the attorney involved in the matter. Hallquist also reviewed several other mental health accounts requesting direction on their disposition.

Custodian Rollie Sievers discussed a proposal for removing the soft maple trees on the Courthouse south parking. Motion by Voss, second by Rehnstrom, to accept the proposal of Jerry's Tree Service, for removal of 8 soft maple trees on the Courthouse parking, in the amount of \$1,790.00, to be completed no later than December 1, 1994. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

1:00 P.M.--The time having arrived for the Public Hearing on the **vacation of a road** in Barnes Township, Chairman Vail opened the hearing with 4 interested persons (John & Kevin Ehlers, and George & Shirley Simons representing Mary Mogster), and the County Engineer. Ites explained that the purpose for the hearing is to consider the vacation of the dirt road which is used only for field access, and the closing of which, would not leave any propertyowner landlocked. It is not essential to the County system, nor is it a detriment, but does cause a maintenance problem. If vacated, a portion of the road could be farmed through, but due to expense, it would be impractical to recover the entire road area for farming purposes. The road cuts through two hills where it would be costly to level the road.

Those present noted that on the south end of the road, tile runs on both sides of the road in the ditches. The Simons would like to have both the road and the driveway taken out. If the road is vacated, Kevin Ehlers would like to maintain the driveway at his end, and have the road leveled off so that he can farm through.

Ites estimated 75-80% of the road can be leveled, but there is not enough material to level the entire length. There would be substantial cost in hauling in the necessary fill to do the remaining 20-25%. The Ehlers would not be opposed to providing some of the fill from their property. Ites estimated the additional cost to restore it to a 100% farmable condition, over the average cost of restoration, to be \$800-1,000. Voss asked if the Ehlers would be interested in participating in the extra cost of the restoration. Rehnstrom suggested leveling the road to the usual specs, then estimating the cost for further work, and finally, ask the Ehlers at that time whether they wish to have further work done.

The Ehlers and the Simons agreed that fencing would not be necessary to establish property lines. Staking would be sufficient.

The Engineer summarized by asking, how much does the County want to spend to eliminate 1 mile of dirt road from the County system in order to eliminate maintenance costs and put the land back on the tax rolls? (Costs include: preparing updated abstracts, cost of piping, etc.)

Motion by Burnside to close the Public Hearing, second by Rehnstrom. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to close and **vacate the road** described as follows: commencing about forty rods south of the Northwest corner of the Northeast Quarter (NE 1/4) of Section Thirteen (13) in Township 93 North, 37 West of the 5th P.M. on the half section line at the south right-of-way of the road running west and east, thence south on existing road forty feet in width to the north right-of-way of road on south line of aforesaid Section Thirteen, (the intention being to close and vacate the road forty feet in width running north and south located approximately on the half section line of said Section Thirteen), the public highway described above being presently marked and signed as 125th Avenue on the Buena Vista County 911 marking system; and in addition, the County will level the road to Engineer's estimates of County responsibility. Landowners will then be notified at the time of completion of the County's obligation. If landowners are willing to monetarily participate, the County will proceed with further leveling. The County will provide a driveway at the location selected by Kevin Ehlers, on the southwest side of Section 13. The vacation will become effective upon the transfer of property following the completion of the leveling. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Buena Vista County Ag Extension Director Rhonda Christensen invited Boardmembers to a meeting on long range planning for **fire protection**, being conducted by Extension on September 29.

Christensen also explained that Public Measure "E", on the November 8, 1994 General Election ballot, will request voters to approve an increase in the levy limit for **Ag Extension** purposes. If the referendum were to pass, the Ag Extension Council could request up to \$105,000 in the next budget year. This is not a request to levy an additional \$30,000, but would enable the Council to levy up to an additional \$30,000.

Motion by Rehnstrom, second by Gustafson, to set the date and time of Public Hearing for the **Ag**

Area Petition for approximately 400 acres in Scott and Washington Townships, filed September 12, 1994 by Bruce Engelmann, etal. as October 4, 1994 at 8:30 A.M. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to approve the **minutes** of the 8/23, 8/30, 9/6, and 9/16 meetings as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

By consensus, the Board agreed to the following changes in **Courthouse space assignments**: in the basement--the current coffee room and adjacent narrow storage area, plus the office space in the extreme southeast corner are assigned to the Sheriff; the office in the extreme southeast corner will be shared 2 days per month with the Veterans Service Officer, and will also be 'signed'--Civil Defense; the small office space on the east side of the hall, accessible only through the Engineer's storeroom, is assigned as storage space for the Recorder and Assessor; on second floor--in the west wing, the northwest room on the south side of the hall will again become the employees' coffee room. In addition, Catholic Charities will be provided the northwest office in the west portion of the East Richland Annex building.

The Auditor reported that Zoning Administrator Merle Zillig has asked the Storm Lake Zoning Administrator for additional information regarding the **Airport Tall Structure Ordinance**.

The Chairman reported on his conversation with the Clay County Engineer regarding tree and brush removal in **Jt. DD #22**. One proposal has been received, and another is being requested, before a decision will be made.

Motion by Rehnstrom, second by Voss, to approve the following **reports**: July E911 minutes, Aug Clerk's fees, Recorder's fees, Communications Commission minutes, & Medicaid Case Management, and September YES Board minutes. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

At 3:30 p.m. the meeting adjourned to Friday, September 30, 1994 for a special session with Secondary Road employees.

**BOARD OF SUPERVISORS MEETING
FORTY-SECOND MEETING, 1994 SESSION (42)
SEPTEMBER 30, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 30, 1994, at 8:30 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Burnside reported on **long-range planning**, both cost and person to do the facilitating. The Board approved contacting Alan Vandehaar to set up a session for November 22, 1994, prior to beginning the budget process.

The Board discussed changes to the **budget** planning process in terms of times, types and frequency of meetings. The consensus was to hold at least one night meeting.

Custodian Rollie Sievers requested adding a part-time employee in his department for 'occasional' employment. The consensus of the Board was to approve advertising for occasional part-time help. Sievers also recommended contacting a vendor about repairing the **Courthouse roof** in stages. The north half of the south wing should be repaired first to avoid interior damage next spring. The Board approved that he proceed.

Burnside left the meeting.

Motion by Voss, second by Rehnstrom, to set the date, time and place for the Public Hearing on the **Ag Area Petition** filed September 23 by Milo and Helen Christiansen, as October 18 at 1:30 p.m. in the Boardroom. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried. This petition includes approximately 234 acres in Section 16, Newell Township, and proposes to add on to a previously approved ag area.

Motion by Rehnstrom, second by Voss, to approve the following **late filings**: for 1993 & 1994 military exemptions on parcel #'s 3914.00, 5437.00; for 1993 & 1994 homestead credit on parcel #'s 3104.00, 5611.00; for 1994 homestead credit on parcel #'s 4297.00, 2810.00, 5739.00, 9353.50, 3369.00,

1051.00, 2066.00, 7438.00; and for 1994 military exemption on parcel #'s 1051.00, 7438.00. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign, the FY'96 grant applications for well plugging and well testing funds, and, to ratify the Board of Health approved increase in well testing fees from \$53.00, to \$63.90 for FY'96. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Engineer Jon Ites introduced to the Board Renee Von Bokern who was to participate in an informational meeting with secondary road employees at 10:00 a.m. regarding the their petition to form a collective bargaining unit. Ites also informed the Board that the election would be by 'mail ballot'. They are to be mailed from Des Moines on October 7, and must be returned by October 20 to be counted October 21.

There being no further business, the meeting adjourned at 9:55 a.m. until Tuesday, October 4, 1994 at 8:45 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-THIRD MEETING, 1994 SESSION (43)
OCTOBER 4, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 4, 1994, at 8:45 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

The Board met briefly in the Communications Center to discuss current staffing and training needs in the department with Supervisor Nancy Brady.

9:00 a.m.--The time having arrived for the Public Hearing on the Ag Area petition filed by Bruce Engelmann, the Chairman opened the hearing with no interested persons present. The Auditor reported that the notice of hearing had been published, that the petition meets the requirements of Chapter 352, and that no written objections to the establishment of the ag area had been filed. Motion by Gustafson, second by Rehnstrom to close the public hearing. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Gustafson, second by Rehnstrom, to approve the ag area petition filed by Bruce Engelmann, etal. on September 12, 1994 for approximately 390 acres in Section 33 Scott Township and Section 4 Washington Township. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Sheriff Chuck Eddy reported on the hiring process for the additional jailers. Also discussed was the potential access to federal funding for additional deputies. The consensus of the Board was to approve purchasing duress alarms for the court system.

The Board approved Custodian Rollie Sievers' recommendation to purchase tables for the 2 additional public meeting rooms.

Engineer Jon Ites reviewed the Sept. 30 road employee meeting with the Board.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign, the snow maintenance agreements with Rembrandt and Truesdale for the '94-95 snow season with the new rates. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Larry Zubradt asked about the dirt moved near the South Hayes Pit and the need for drainage. Ites will do some additional research and meet again with Zubradt and Rehnstrom.

Motion by Rehnstrom, second by Voss, to approve and to authorize the Chairman to sign, a corrected 'Prices for Sale of Ice Control Materials to Municipalities'. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Board set the date and time of bid letting for 2 vehicles (a crew cab, and, a 1/2 ton vehicle) as November 1 at 10:00 a.m.

The County Attorney has reviewed a proposed hold-harmless agreement for access to water on road right-of-way requested by Curtis Haroldson. His recommendations will be forwarded to Haroldson's

attorney. The engineer recommended a term of not to exceed 5 years.

The Board approved the sale of used bridge materials at Newell at 5 cents/pound.

Upon completion of the Canvass of the Special Franchise Elections conducted in the cities of Storm Lake and Lakeside on September 27, 1994, motion by Voss, second by Gustafson, to declare the results as follows:

for a 25-year Midwest Power franchise in the City of Lakeside there were 41 total voters, 36-Yes, 5-No, approved;

for a 25-year Midwest Power franchise in the City of Storm Lake there were 664 total voters, 614-Yes, 49-No, approved;

and, the Auditor was directed to prepare abstracts, all pursuant to Chapter 50.24, 1993 Code of Iowa. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Therapist Doreen Loeffelholz and Supervisor Audra Cole, Catholic Charities, discussed the work of their organization which began serving this county in Storm lake in the late seventies. 65% of the people served are Catholic, however, CC is open to anyone with a need. Loeffelholz serves approximately 30 cases/year (families or individuals) at this location which draws from Storm Lake and the surrounding area. CC has additional services such as an unwed mothers program, adoption services, and group support. Funding sources include United Way, the diocesan annual appeal, a sliding fee scale for participants, accessing private insurance when available, and in Storm Lake--Community Chest. They receive additional funds in the form of bequests from estates. Loeffelholz receives referrals from clients, attorneys, professionals, DHS, ministers, law enforcement, etc., and works with marital, family, spouse, and individual issues. She makes referrals to other resources in the area. Services are confidential. Catholic Charities has been assigned the northwest office in the East Richland Annex for use on Tuesdays.

Scott Volkert and Belinda Malpert Co-chairs of the Buena Vista Child Abuse Prevention Team discussed their newest program - PROP -Parents Reaching out to Parents. The program works with new mothers at the hospital, making visits to all new parents to offer support, advice, resources or whatever is needed. Trained volunteers will be available to maintain contact with those wanting the service, and who may not have other social or emotional supports. The CAT team has requested office space for PROP Coordinator Malpert.

The CAT team has funds available for office rent and they are willing and able to share the E Richland Annex space with Catholic Charities, who is also agreeable. The Board approved the joint assignment of the office. CAT and Catholic Charities will arrange for signs, and the Custodian will add a lock to the office door.

The large room in the west end of the E Richland Annex will now be available as a Public Meeting Room. Reservations for this room will be made in the Auditor's office to give the custodians access to the necessary information on room requirements.

Chairman Vail left the meeting to attend a funeral, with Vice-Chairman Gustafson presiding over the remainder of the meeting.

Motion by Rehnstrom, second by Voss, to approve the Jt. DD#22 claim to Palo Alto Co. Secondary Road in the amount of \$296.92 for repairs in Booth Twp., Palo Alto County. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ites reviewed a proposal for the maintenance and repair of E911 intersection signage. The consensus of the Board was to approve his proposal for submission to the E911 Service Board.

Motion by Voss, second by Rehnstrom, to accept the proposal of Calhoun- Bruns & Associates, West Des Moines, for preparing repair plans for the big river bridge at Linn Grove in the amount of \$2,100.00, and to authorize the engineer to sign. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to accept the proposal in the amount of \$4,620.00, from the Dallas Co., Adel, to re-seal the decks of two bridges in Elk Twp. located on M-27, and to authorize the

engineer to sign. Ayes-- Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ites reported that approximately 1000' of 16" **DD#198** tile located in Sections 16-17, Poland Township are broken, the damage apparently done during the installation last fall or this past spring, of a waterway designed by SCS. As trustees of DD #198, the Board directed the engineer to request that the Drainage Attorney advise the farmer by letter of the discovery of the broken tile, and request a response.

Ites reviewed the progress on the C-49 and C-63 **construction projects**, and noted that the culvert projects in Scott Twp. haven't yet been started.

The engineer discussed his plan for dispersing **snow clearing** information.

Motion by Voss, second by Rehnstrom, to approve, and to authorize the Chairman to sign, the certification statement of the FY'93 Buena Vista Countywide **Cost Allocation Plan** prepared by David M. Griffiths & Associates, Ltd., to be filed with the Iowa Department of Human Services for recovery of indirect costs. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to approve the minutes of the September 20 and 30 meetings as printed. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to approve the following **reports**: FY'93 Buena Vista Countywide Cost Allocation Plan, FY'94 Home Care Aide Revenue & Service annual report, Dept. of Correctional Services-3rd Judicial District annual report, Sept. Board of Health, Conservation, and Sheriff's fees. Ayes-- Gustafson, Rehnstrom, Voss. Nays--none. Carried.

At 3:30 p.m., the meeting adjourned to Tuesday, October 18, 1994 for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-FOURTH MEETING, 1994 SESSION (44)
OCTOBER 18, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 18, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Randy Braunschweig, Newell, requested that the Board of Supervisors approve the assignment to him of **tax sale certificate** #9407.1 for \$314.00, the amount being a compromise of the delinquent taxes due on the land which is located in Newell. Additional taxes are due on the building which is situated on the leased land. Braunschweig proposes to clean-up the property to eliminate the eyesore. The Board directed Deputy Treasurer Joan Martin to consult the County Attorney to determine what can and cannot be done.

Motion by Gustafson, second by Rehnstrom, to approve the minutes of the October 4th meeting as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Engineer Jon Ites requested that the warrant for the insurance premium for **underground storage tank insurance** be 'voided' as it was returned by the company (Iowa Underground Storage Tank Fund) to be re-submitted with additional paperwork, but was never received by the County. Motion by Jack, second by Burnside, to void warrant #62510 for \$1,100.00, and to re-issue the warrant. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to authorize the Chairman to sign the **pay estimate** on projects #'s L-BV-7-95--73-11 and STP-S-11(29)--5E-11. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign the **underground construction** application of Iowa Lakes Electric Cooperative to install a 3-phase 7200/12470 volt underground distribution line to replace overhead facilities due to Hwy 71 bypass at the following location: in T-90N, R-36W, Providence Twp., from the NE corner of NW 1/4 of section 7 north into section 6 into P.R.O.W. then west to the SW corner and then north approximately 6 miles, permit to be for crossing only. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Burnside, to approve and to authorize the Chairman to sign the **underground construction** application of Iowa Lakes Electric Cooperative to install a 3-phase,

7200/12470 volt underground distribution line to replace the existing, failing cable at a location described as being on the east side of Sections 22 and 27, the south side of Sections 19, 27, and 29, and the north side of Section 33, all in T-90N, R-35W, Newell Township. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to agree that if the Board of Supervisors vacates that portion of the road not used for road purposes at the following location: near the southwest corner of Section 6-90-36, Providence Township, the Board would maintain the right-of-easement for Midwest Power along the present location. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays- -none. Carried.

Ites reported, that by usage, 4-5 intersections on gravel roads have widened out into curves from their original design. The curves require several passes for snow removal. He requested a decision from the Board on whether or not to eliminate the curves.

The Board reviewed Drainage Attorney Greg Schiller's letter to the owner of land in Poland Township where an SCS-designed waterway has been installed, causing breakage of drainage tile in DD #198. Also reviewed was the response from the farm manager on behalf of the owner. It must be determined whether the tile line was the old line, or a newer one, prior to establishing whether the drainage district will need to repair the line, and who is responsible for the cost.

Architect Glen Huntington estimates completion of the CCF roof in 3-4 weeks. The boiler flue and water heater flue are rusted out and need to be replaced. A steel flue will not last. He is requesting a proposal for stainless steel flues. The consensus of the Board was to approve the additional projects for an amount not to exceed \$3,600 for the flues. Also, the exhaust pipe for the standby generator needs to be reattached.

Sheriff Chuck Eddy reported the hiring of a jailer, and requested approval to transfer vacation and sick leave benefits for the employee from his former department. Motion by Gustafson, second by Burnside, to employ Garland Otto as a full-time jailer at the \$7.17/hour effective 10/19/94, to establish his probationary period as a jailer at 1 year, the same as a new employee, and to approve the transfer of the sick and vacation leaves from the Communications Center to the Jail, subject to the approval of the County Attorney. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Eddy requested a \$6.00/hr. wage rate for part-time jailers. No action was taken at this time.

MH Director Anita Hallquist presented a report on the funding and staffing of BV Work Activity Center for the 1st Qtr FY'95. She also presented a general assistance application requesting assistance from the Buckingham Estate for dental work and glasses for 1 child. The Board denied the request.

Motion by Rehnstrom, second by Gustafson, to adopt the following resolution, and to authorize the Chairman to sign:

RESOLUTION 10-18-94

In the Matter of Establishing a Deferred Compensation Plan for the County of Buena Vista:

WHEREAS, the County has considered the establishment of a Deferred Compensation Plan to be made available to all eligible County employees, elected officials, and independent contractors pursuant to Section 457 of the Internal Revenue Code permitting such Plans; and

WHEREAS, certain tax benefits could accrue to employees, elected officials, and independent contractors participating in said Deferred Compensation Plans; and

WHEREAS, such benefits will act as incentives to County employees to voluntarily set aside and invest portions of their current income to meet their future financial requirements and supplement their County retirement and Social Security (if applicable); and

WHEREAS, the National Association of Counties has established a Master Deferred Compensation Program for its member Counties, permitting its member Counties and their employees to enjoy the advantages of this Program; and

WHEREAS, by adoption of the NACo Program, all regulatory, operational, administrative and fiduciary responsibilities are hereby assumed by NACo on behalf of County; and

WHEREAS, NACo, as Plan Administrator, agrees to hold harmless and indemnify the County, its appointed and elected officers and participating employees from any loss resulting from NACo or its Agent's failure to perform its duties and services pursuant to the NACo Program;

NOW, THEREFORE THE COUNTY BOARD OF SUPERVISORS DOES HEREBY RESOLVE AS FOLLOWS: The County Board of Supervisors, meeting in regular scheduled session, this 18th day of October, 1994, hereby adopts the National Association of Counties Deferred Compensation Program and hereby establishes the County of Buena Vista Deferred Compensation Plan for the voluntary participation of all eligible County employees, elected officials and independent contractors.

The County Auditor is hereby authorized to execute for the County, individual participation agreements with each said employee requesting same, and to act as the "Administrator" of the Plan representing the county, and to execute such agreements and contracts as are necessary to implement the program. It is implicitly understood that, other than the incidental expenses of collecting and disbursing of the employee's deferrals and other minor administrative matters, there is to be no cost to the County for the program.

The vote on the foregoing resolution was: ayes--Burnside, Gustafson, Rehnstrom, Voss, nays--none. Carried.

1:00 p.m.--With 2 interested persons present, and the time having arrived for the **1st Reading of Ordinance 1.1**, an ordinance to re-codify the Buena Vista County Code of Ordinances, and, the Public Hearing on new ordinances regarding Rural Addressing, Snow Policy, and Airport Tall Structures Zoning, the Chairman opened the hearing and called upon the Auditor to read Ordinance 1.1. The Auditor confirmed that notice of 1st Reading and Public Hearing notice were published as required. There were no comments, for or against, the proposed code of ordinances.

Motion by Voss, second by Burnside, to close the public hearing. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Voss, second by Burnside, to approve the 1st Reading of Ordinance 1.1. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

1:30 p.m.--The time having arrived for the Public Hearing on an **Ag Area** Petition filed by Milo Christiansen, etal. on September 23, 1994, to add approximately 234 acres to an existing ag area, Chairman Vail opened the hearing with 2 interested persons present. The auditor reported that notice of hearing had been published as required, that the petition meets the requirements of the law to add on to a previously approved ag area, and that no written comments had been received prior to the hearing. Motion by Gustafson, second by Voss, to close the public hearing. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Burnside, second by Voss, to approve the Ag Area Petition filed 9/23/94 by Milo Christiansen, etal. to add on to an existing ag area approved 7/6/93, the addition containing approximately 234 acres, and being located in Section 16, Newell Township. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Nurse Administrator Karole Graen reviewed Sept. Board of Health minutes.

Motion by Rehnstrom, second by Voss, to approve the following **reports**: Sept. Clerk's fines and fees, Recorder's fees, budget reports, 1st Qtr FY'95 Veteran's Affairs, NW IA Initiative Project (managed care). Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Also reviewed were NWIPDC Sept. minutes.

Motion by Rehnstrom, second by Gustafson, to approve and to authorize the Chairman to sign the credit sale contract with ConAgra, Peavey Company for 756.84 bushels of '94 **soybeans**. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Burnside, to approve **late filings** on the following parcels: for 1993 Homestead credit on #7147.00, 3086.00; for 1994 Homestead credit on 7147.00, 3086.00, 2520.00; and for 1994 Military Exemption on #2520.00. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

A security light is needed for the northeast corner of the **County Care Facility** property. The Chairman will talk to the new owner of the county farm pasture before a light is installed.

Motion by Voss, second by Burnside, to approve and to authorize the Chairman to sign the

contract for sale of the county farm pasture to Shane and Nancy Lenhart. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Eight members of the Employee Benefits Committee presented their report to the Board. Their goals were to research information on what is available from several companies, survey what the employees were interested in, survey what the remaining 98 counties are doing, and determine whether employees were interested in more option flexibility. Thanking the committee for their work, the Chairman suggested that the committee proceed to the next step - request proposals from several companies.

At 4:35 p.m., the meeting adjourned to Tuesday, November 1, 1994 for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-FIFTH MEETING, 1994 SESSION (45)
NOVEMBER 1, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 1, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Rehnstrom.

It was noted regarding a motion approved at the October 18, 1994 meeting, that the County Attorney has reviewed and approved the transfer of vacation and sick leave from the Communications Center to the Jail for Garland Otto.

Due to an error in the boundary description filed with the Milo Christiansen ag area petition, the Board will request a correction and conduct another hearing. Motion by Voss, second by Gustafson, to set the re-hearing on the Christiansen ag area petition as 8 a.m. on November 14. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Larry Dugan, Chairman of the BV Co. Compensation Board, presented his Board's recommendations on raises for elected county officials for FY'96. They were: 6% increases for each the Sheriff and Attorney, and 3% for Auditor, Recorder, Treasurer and Supervisors - a cost of living increase. The Board of Supervisors thanked him and his Board for their time and effort, and scheduled December 6 at 9:00 a.m. to meet with the elected officials on the recommendations. The Board will also meet with Secondary Road employees at 4:00 p.m. on November 29.

Engineer Jon Ites reviewed the status of the C-63 design project. Motion by Gustafson, second by Burnside, to approve amendment No. 1 to the Consulting Engineering Contract with Kuehl & Payer Ltd. for Design and Surveying Services on C-63, subject to review by the County Attorney, and to authorize all Boardmembers to sign. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

10:00 a.m.--The time having arrived for receiving quotes on equipment - 3 secondary road pickups, the engineer opened quotes from Rasmussen Ford, Storm Lake, and Fitzpatrick Chevrolet, Storm Lake. Motion by Burnside, second by Gustafson, to accept the following low quotes: from Rasmussen-Ford, a 4x2 1 ton for \$17,636.10, and a 4x2 1/2 ton for \$12,569.10; and from Fitzpatrick's Chevrolet a 4x4 3/4 ton for \$12,569.10, all without the diesel options. Ayes-- Burnside, Gustafson, Voss. Nays--none. Carried.

Deputy Assessor Kim Carnine presented family farm credit applications for FY 95-96. Three were recommended for disallowance due to not meeting applicaton requirements. Motion by Voss, second by Gustafson, to approve FY 95-96 family farm credit applications, with 3 exceptions (on parcel #'s 9848.50, 7925.00 &.20, and 9854.25, 9854.35, 10901.00, and to direct the auditor to notify the disallowed applicants as required by law. Ayes-- Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Burnside, second by Voss, to approve and to authorize the Chairman to sign the underground construction application of Iowa Lakes Electric Cooperative to install an underground distribution line along the south R.O.W. of the NW 1/4 Section 31, T-91N, R-35W, Coon Twp. a distance of approximately 1300' at a depth of 48 inches. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Veterans' Affairs Commissioners Virgil Jensen and Ray Kurtz, and VA Secretary Linda Mattson met with the Board to discuss their budget and to discuss proposing guidelines for the provision of assistance. The Commissioners would be responsible for adopting the guidelines.

Regarding a request from Curtis Haraldson, a satisfactory agreement has been reached for obtaining water from the county's road R.O.W. The County Attorney will provide a final review.

Motion by Burnside, second by Voss, to approve the following reports: Oct. Conservation minutes, HM/HHA job description, FY'94 annual Conservation report, 3rd Qtr 1994 Florence Crittendon Home. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried. Also reviewed was the 3rd Qtr 1994 Flo Crit financial report.

At a recent meeting Larry Zubradt expressed concern about drainage in an area near the South Hayes Pit. Voss will meet with Zubradt to notify him that a 24" pipe will be put in the road at a location to be determined by the engineer. Any further requests will need to be directed to the drainage district.

Motion by Burnside, second by Voss, to approve late filings on the following parcels: for 1993 Homestead Credit on #2927.00, and for 1994 Homestead Credit on #2927.00 and 120.00. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign, the work order for repair of a tile in Pocahontas Co. in Jt. DD #18-42. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to accept the tree removal proposal from Chemtrol, Des Moines, for Jt. DD #22. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve transfer of \$792 from the General Basic to the Conservation Land Acquisition Trust Fund, the amount being the proceeds from the sale of Conservation property at the county farm pasture motion. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Supervisors Vail and Voss left the meeting, Rehnstrom arrived, and Vice- Chair Gustafson chaired the remainder of the meeting.

Case Management Supervisor Anita Hallquist and Case Manager Dawn Wiseman reported on the activities of the Buena Vista County Targeted Case Management Advisory Board. The supervisors reviewed the proposed Organizational Plan for the Advisory Board which will need to be reviewed at the end of the year to evaluate case management services.

Motion by Burnside, second by Rehnstrom, to approve and to authorize the Chairman to sign Spectra Health Care Additional Services admission and payment agreements for 1 person (T.M. 11/1/94) at Spectra Learning Center. Ayes-- Burnside, Gustafson, Rehnstrom. Nays--none. Carried.

Wiseman reported on new referrals to case management services. Hallquist reported on delinquent mental health accounts.

Hallquist proposed requesting information from persons desiring voluntary admission at Cherokee MHI. The Board authorized Hallquist to discuss the issue with the Clerk of Court.

1:45 p.m.--With 1 interested persons present, and the time having arrived for the 2nd Reading of **Ordinance 1.1,** an ordinance to re-codify the Buena Vista County Code of Ordinances, the Chairman called upon the Auditor to read Ordinance 1.1. There were no comments, for or against, the proposed code of ordinances. Motion by Burnside, second by Rehnstrom, to approve the 2nd Reading of recodification Ordinance 1.1. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

SCS Director Jeff Kestel, and Renee Braun, Coordinator for the Storm Lake Watershed project, discussed the **USDA Americorps Program** which matches students who have received, or will receive, financial aid for schooling with organizations needing their expertise. Kestel suggested a joint proposal from Buena Vista County, BV Co. Soil & Water Conservation District, and the Storm Lake Preservation Association, requesting an Americorp position for the Storm Lake Water Quality Project. Activities proposed include doing some work on the Storm Lake watershed such as repairing brush, shrub and trees which act as buffer zones for the lake; work with livestock waste management using wetlands; develop a roadside management program with native grasses which may have long term positive effects on weed management; and, address and educate the public to eliminate inappropriate solid waste disposal. No funding was requested by Kestel from the County for the project. The proposal was favorably received by the Board, and the Chairman signed the proposal, with Kestel and Braun, to be sent to Jim Ayen, State Resource Conservationist.

Motion by Rehnstrom, second by Burnside, approve the minutes of the October 18th meeting as printed. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Burnside, to **void** the following **warrants**: #62595-\$55 to Lakeview Manor for rent which had already been paid, and #62968- \$40 to Iowa Central Community College-registration fee for a class which was cancelled, both from the General Basic fund. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

At 4:50 p.m., the meeting adjourned to Monday, November 14, 1994 to Canvass the General Election and to conduct the business of a regular session, moved up from November 15.

**BOARD OF SUPERVISORS MEETING
FORTY-SIXTH MEETING, 1994 SESSION (46)
NOVEMBER 15, 1994**

The Buena Vista County Board of Supervisors met in regular session on Monday, November 15, 1994 at 8:00 A.M. in the Boardroom with Chairman Vail presiding and with the following other members present: Burnside, Gustafson, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Rehnstrom.

Motion by Burnside, second by Gustafson, that due to a missed publication deadline, the **Public Hearing** on the re-filed **ag area** petition of Milo Christiansen (corrected boundary description filed) is set for Nov. 29 at 10:30 a.m. in the Boardroom. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to set the date and time of **Public Hearing** on the **Ag Area Petition** filed 11/3/94 by Russell James Eddie, etal. as Nov. 29 at 10:35 a.m. in the Boardroom. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

8:30 a.m.--The time having arrived for the **3rd Reading** of Ordinance 1.1 to re-codify the Buena Vista County Code of Ordinances, the Chairman noted that there were no interested persons present, and that no written comments had been received. Upon completion of the reading the ordinance, motion by Gustafson, second by Voss, to approve the 3rd Reading, and to adopt Ordinance 1.1 which re-codifies the county ordinances as the 1994 Buena Vista County Code of Ordinance, the ordinances becoming effective upon publication of Ordinance 1.1. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

BUENA VISTA COUNTY ORDINANCE NO. 1.1

Title: An ordinance compiling a Code of Ordinances by repealing the Gift Acceptance and Reporting Ordinance, Rural Addressing, Snow and Ice Removal Policy and Level of Service, and Airport Tall Structure Zoning, adopting a new Uniform Rural Address System 2.2, a new Snow and Ice Removal Policy and Level of Service 4.2, a new Airport Tall Structure Zoning 6.4 and, re- adopting the remaining existing Buena Vista County ordinances. Be it enacted by the Board of Supervisors of Buena Vista County, Iowa:

SECTION 1. Purpose. Iowa Code Section 331.302(9) requires that once every five years a county shall compile a Code of Ordinances. This Ordinance readopts ordinances already in effect, repeals the gift acceptance and reporting ordinance (1.5), the rural addressing ordinance (2.2), the snow and ice removal policy and level of service (4.2), and the airport tall structure zoning dated 2/25/81, adopts a new Rural Addressing 2.2, adopts a new Snow and Ice Removal Policy and Level of Service 4.2, adopts a new Airport Tall Structure Zoning 6.4, and compiles all such ordinances in a Code of Ordinances.

SECTION 2. Current Ordinances. The following ordinances have been previously adopted and published. They are identified by current ordinance number, and subject matter.

- (1) 1.6 - Voting Precincts
- (2) 2.1 - Local Option Sales Tax
- (3) 4.1 - Public Road Right-of-Way
- (4) 4.3 - Establishment of Area Service System B Road Classification
- (5) 5.2 - Groundwater Protection
- (6) 5.5 - Yardwaste Separation
- (7) 5.7 - Junkyards
- (8) 6.1 - Zoning
- (9) 6.5 - Wind Energy Assessment

SECTION 3. New Ordinance. The following ordinance which repeals 2.2, is added to the proposed 1994 Code of Ordinances to be designated as follows:

- (1) No. 2.2 Rural Addressing.

SECTION 4. New Ordinance. The following ordinance which repeals 4.2, is added to the proposed 1994 Code of Ordinances to be designated as follows:

(1) No. 4.2 Snow and Ice Removal Policy and Level of Service.

SECTION 5. New Ordinance. The following ordinance which repeals the Airport Tall Structure Zoning Ordinance dated 2/25/81, is added to the proposed 1994 Code of Ordinances to be designated as follows:

(1) No. 6.4 Airport Tall Structure Zoning.

SECTION 6. Repeal of Ordinance. Accepting and Reporting of Gifts Ordinance, previously designated 1.5, having been superceded by the 1993 Code of Iowa Amended, is hereby repealed.

SECTION 7. Adoption of Code of Ordinances. The ordinances under Section 2, Section 3, Section 4 and Section 5 herein are hereby readopted, and adopted respectively, and compiled as the Buena Vista County 1994 Code of Ordinances. Copies of The Code shall be on file and available for public inspection in the Office of the County Auditor.

SECTION 8. When Effective. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Secondary Road employees met with Engineer Jon Ites last week on snow removal schedules, policy and snow routes.

Motion by Gustafson, second by Voss, to adopt the following **Resolution:**

As per Buena Vista County Ordinance 4.3, the Board of Supervisors hereby establishes the hours of operation for snow and ice removal when conditions warrant and pursuant to the aforementioned Ordinance: Truck Mounted Snow Plows and Chemical Spreaders-5 AM to 5 PM; Motorgraders with Snow Removal Equipment-6 AM to 5 PM; Note: additional working hours during the work week, weekends and holidays will be at the discretion of the Engineer or his authorized representative.

The vote on this resolution was ayes--Burnside, Gustafson, Voss, nays--none. Carried.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign, and the Auditor to attest, a Hold Harmless **agreement** with Curtis & Phyllis Haroldson for access to and use of, a **water reservoir** located on county road right-of-way in Section 8, Barnes Township. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Rehnstrom joined the meeting.

Ites reported on completed paving projects and presented a payment estimate for the Chairman's signature.

Rod Henning, Caterpillar, met with the Board to discuss his company's current equipment programs. The current secondary road **equipment** budget includes replacing a 1970 motorgrader. Rehnstrom requested pricing. Quotes will be requested from John Deere and Caterpillar for November 21 at 2:00 p.m.

Voss reported that new unauthorized tree plantings have been put in the **Casino Beach alley** previously requested for vacation.

Motion by Gustafson, second by Voss, to approve a work order for 3 washouts in **Jt. 183** in Section 19, Dover Twp., Pocahontas County, and to authorize the Chairman to sign. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Gustafson, to approve the minutes of the Nov. 1 meeting as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Motion by Gustafson, second by Burnside, to approve payroll claims subject to audit. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Sheriff Chuck Eddy and Deputy Don McClure discussed the federal 'Cops Fast' program and the need for additional personnel. Eddy requested approval of two additional deputies, with 75% federal money, and approval of continued funding following the expiration of the federal program. The application for funding is due 12/31/94, with approval to be made in February, 1995. Motion by Rehnstrom, second by Burnside, to approve the submission of a 'Cops Fast' application for 2 additional deputies, and to authorize the Chairman to sign. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Berniece Hostetler, NWIPDC, discussed the Northwest Iowa **Intermediary Re-lending Program** for economic development. She requested a response from the Board regarding their interest in participating in the program. Motion by Burnside, second by Voss, to join in the NWIPDC application for the NW IA Intermediary Re-lending Program. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, subject to the availability of sufficient funds from non-county sources, to provide a letter of commitment for \$35,840 (from Buena Vista County and/or other entities within the county) to the NW IA Intermediary Re-lending Program. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Upon completion of the **Canvass** of the tally lists of the November 8, 1994 General Election, pursuant to Chapter 50.24 of the Code of Iowa, motion by Voss, second by Burnside, to declare the results as follows (candidates receiving 5 votes or less are listed together as scattering): *indicates elected or approved;

TOTAL VOTERS: 6,891

Shall the following **Judges** be retained in office: Yes No

For Supreme Court	- Marsha K. Ternus	2,044	684
For Court of Appeals	- Allen L. Donielson	1,961	700
For District Court	- Joseph J. Straub	2,000	725
For District Assoc.	- Cameron B. Arnold	1,892	726
	- W. B. MacDonald	1,987	691
	- Donavon D. Schaeffer	1,965	700
For Alt. Dist. Assoc.	- David C. Larson	1,956	687

Shall the following Public Measure be adopted: 4,260 ballots cast
'E'- Ag Extension Levy (up to 30 cents/thous) 2,682* 1,578

For the Office of **U.S.Representative-5th Dist:** 6,441 ballots cast

Tom Latham - R	3,886
Sheila McGuire - D	2,551
Scattering - 3 persons	4

For the Offices of **Governor & Lt. Governor:** 6,691 ballots cast

Terry E. Branstad & Joy Corning - R	4,149
Bonnie J. Campbell & Leonard L. Boswell - D	2,461
Richard O'Dell Hughes & Monica Davis - Nominated by Petition	34
Vernonica Wells Butler & Robert Stowe - Natural Law Party of Iowa	3
Carl E. Olsen & Brenda Carey - Libertarian	15
Michael Galati & Shirley E. Pena - Socialist Workers Campaign	6
Scattering -3 persons	23

For the Office of **Secretary of State:** 5,565 ballots cast

Paul Danny Pate - R	3,375
Anne Pedersen - D	2,170
Steven M. Druker - Natural Law Party of IA	20

For the Office of **Auditor of State:** 5,578 ballots cast

Richard D. Johnson - R	3,758
Dan Gray - D	1,820

For the Office of **Treasurer of State:** 5,768 ballots cast

Jay Irwin - R	2,902
Michael L. Fitzgerald - D	2,844
Elizabeth Koehler - Natural Law Party of IA	22

For the Office of **Secretary of Agriculture:** 5,764 ballots cast

Tom Cory - R	2,786
--------------	-------

Dale M. Cochran - D	2,921
Sue Atkinson - Nom. by Petition	37
Jim Schaefer - Natural Law Party of IA	20

For the **Office of Attorney General:** 5,993 ballots cast

Joe Gunderson - R	2,822
Tom Miller - D	3,158
Jay B. Marcus	13

For the **Office of State Senator--5th Dist:** 4,555 ballots cast

Mary Lou Freeman - R	4,554
Scattering	1

For the Office of **State Representative--9th District:** 448 ballots cast

Dan Huseman - R	448
-----------------	-----

For the Office of **State Representative--10th District:** 4,136 ballots cast

Russell J. Eddie - R	4,135
Scattering	1

For the Office of **County Supervisor--1st District:** 6,015 ballots cast

Richard A. Vail - R	3,510*
Brian J. Waldstein - D	2,505

For the Office of **County Supervisor--4th District:** 6,115 ballots cast

Doug Bruns - R	3,397*
Michael Q. Smith - D	2,211
Max L. Taber - Nominated by Petition	507

For the Office of **County Supervisor--5th District:** 3,397 ballots cast

Jim Gustafson - D	3,397*
-------------------	--------

For the Office of **County Treasurer:** 3,666 ballots cast

Kathy Bach - D	3,666*
----------------	--------

For the Office of **County Recorder:** 6,379 ballots cast

Kim Quirin - R	2,659
Shari L. O'Bannon - D	3,720*

For the Office of **County Attorney:** 6,416 ballots cast

Philip E. Havens - R	3,676*
Douglas R. Hansen - D	2,740

For the Office of **Regional Library Trustee:** 1,967 ballots cast

Ronald W. Ewing	1,967
-----------------	-------

For the Office of **County Hospital Trustee,** 3 to be elected: 8,062 ballots cast

Jim Benson	1,679*
Barbara Hartsock Doyen	1,394
Howard Hatlelid	1,625
Mike Sharar	1,680*
Robert M. Thompson	1,684*

For the Office of **Soil & Water Conservation Commissioner:** 2 ballots cast

Scattering - 2 persons	2
------------------------	---

For the Office of **Ag Extension Council,** to fill a vacancy: 2,618 ballots cast

Frank Halverson	2,618*
-----------------	--------

For the Office of **Ag Extension Council,** 5 to be elected: 11,474 ballots cast

Joni McKenna	2,556*
Candace L. Nees	2,212*
C. Dennis Requist	2,290*
Ralph H. Welch	2,369*

Township Officers:

	<u>Clerk</u>		<u>Trustee</u>		
Barnes	Bernard Nelson	137*	Kevin Ehlers	6*	
	Scattering	1			
Brooke	Douglas W. Kracht	49*	Jesse G Fastenow	54*	
Coon	Carl R. Bellows	58*	Duane Hornor	71*	
	Scattering	1			
Elk	Gordon R. Andersen	73*	Bernard Peterson	5*	
			Scattering-2 per.	2	
Fairfield	James A. Roberts	99*	Lloyd Danielson	95*	
Grant	Leonard Peterson	86*	H. Keith Miller	68*	
	Scattering-2 pers.	2			
Hayes	Richard Rice	150*	John A. Massop	138*	
	Scattering-1 pers.	2	Scattering-2 per	2	
Lee	Paul Madsen	71*	Gary Edwardson	92*	
			Scattering-1 per	2	
Lincoln	Richard Fondroy	62*	Arland C. Bloom	60*	
			Scattering	1	
Maple Valley	Martin Glienke	67*	James Watts	56*	
Newell	Dale Bodholdt	93*	Steve Kier	84*	Nokomis Barbara Nehring 110*
Darryl Frantz	118*				
			Scattering	1	
Poland	Norris G Olney Jr	74*	Donna Christy	2*	
			Scattering-2 per	2	
Providence	Joel Anderson	103*	Jim Selleck	4*	
			Scattering-4 per	5	
Scott	Charlotte Binder	98*	Rodney Hatlen	52*	
	Scattering	1	Scattering-2 per	3	
Washington	Gary Rosene	1*	H. Dwayne Stille	150*	
			Scattering-2 per	2	

Township Trustee- to fill a vacancy

Newell - William Henrich 66* Washington - Harold Binder 15*

The vote on the above motion was: ayes--Burnside, Gustafson, Rehnstrom, Voss; nays--none. Carried.

Motion by Burnside, second by Voss, to approve the following reports: Oct. Clerk's fines & surcharges. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Other Reports reviewed: 1st Qrt FY'94 Farm-to-Market Road fund; July-Sept. & Oct 31 & Nov 9 Mangold Environmental-Spectra Lagoon; Oct 13 minutes NWIPDC; Nov 4 minutes-Yes Center.

There being no further business, the meeting adjourned at 6:15 p.m. to November 21 at 10:00 a.m. for a joint DD #181 meeting with Calhoun, Pocahontas and Sac Counties.

**BOARD OF SUPERVISORS MEETING
FORTY-SEVENTH MEETING, 1994 SESSION (47)
NOVEMBER 21, 1994**

The Buena Vista County Board of Supervisors met in special session on Monday, November 21, 1994, at 2:00 p.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. The purpose of the meeting was to receive quotes on a new motorgrader.

Motorgrader **quotes** were received on a Caterpillar from Ziegler, Sioux City, for a lease program machine in the amount of \$130,994, and John Deere from Swaney Equipment Company, Fort Dodge, for a 1995 machine, in the amount of \$127,935.

The meeting was continued to Tuesday, November 22 at 8:30 a.m. for approval of claims, followed by a Long Range Planning/Goal Setting workshop with all department heads.

Tuesday, November 22, 1994, 8:30 a.m.--Claims were audited and allowed as follows:

There being no further business, the meeting adjourned to Tuesday, November 29, 1994 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FORTY-EIGHTH MEETING, 1994 SESSION (48)
NOVEMBER 29, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 29, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. Also present for the meeting was Supervisor-elect Doug Bruns.

Treasurer Kathy Bach reported that \$10,951.64 has been received in interest from the Iowa Trust bringing the total interest paid to \$16,883.78.

At the recommendation of the county's private auditors, Bach explained that the fees deposited into the Recorders Records Preservation Fund (028) had not been previously credited with interest, and should be. Motion by Voss, second by Burnside to transfer \$96.59 from the General Basic Fund to the Recorder's fund (028) representing interest earned retroactively to 7/1/93, the fund now totalling \$5,193.59 as of the end of November. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

The Buckingham Trust has a Certificate of Deposit which was renewed at an interest rate lower than the minimum established by the state. If the Board requests it, 1st Federal of the Midlands is willing to pay retroactively, the amount of interest that would have been earned. The Board requested the retroactive interest.

Due to the size of tax collections, and the time between the deposits and apportioning the collections to the various taxing authorities, an increase is needed in several of our depositories. Motion by Rehnstrom, second by Gustafson, to increase the depository limit on the following financial institutions as follows: Security Trust & Savings Bank-\$8,500,000; and \$1,000,000 each for the following: Albert City Savings Bank, Heritage Bank of Alta, First National Bank of Newell, First National Bank of Rembrandt, and First State Bank of Sioux Rapids. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Dusty Lussman visited with the Board about his proposed Veterans' Memorial, showing them the doll-sized model of the soldier who fought in the Battle of Buena Vista in the Mexican War and from which Buena Vista County got its name. He explained that the statue is a project of the Buena Vista County Sesquicentennial Commission, and the Commission is looking for a location on the Courthouse lawn.

Engineer Jon Ites distributed snow clearing maps.

To meet the new requirement of inspecting bridges every 6 months for scouring, as an update to the bi-annual bridge inspection, Ites recommended consulting Kuehl and Payer since they have the calculations from the most recent inspection, and because the report is due 12/28/94. The Board agreed to have him inquire about what the cost would be for Kuehl and Payer to make this inspection.

After review of the quotes received last week, Ites recommended purchase of a Caterpillar motorgrader from Ziegler. The Board discussed replacement schedules, the new-equipment line item in the budget, etc. Ites presented responses to his letters (suggesting the sharing of the new equipment, as required by law) from Palo Alto and Clay Counties declining the offer to share. Motion by Rehnstrom, second by Burnside, to purchase a lease-program Caterpillar motorgrader from Ziegler for \$126,494 (without V-plow), which includes a trade-in of a 1970 120G Caterpillar. Voss called for polling the Board. Burnside-aye, Gustafson-nay, Rehnstrom-aye, Voss-nay, Vail-aye. Carried.

Ites reported the pending retirement of Jerry McKeever, a 32 1/2 year Secondary Road employee, on 12/23/94.

The County's last underground storage tank, located at the Hudson Street site, has been removed, with the soil sample report received showing the soil to be free from contamination. Motion by Voss, second by Burnside, to accept the soil testing and site closure report of Environmental Resource Services, and to authorize payment from environmental restoration funds in Service Area 6. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve and authorize the Chairman to sign the **underground construction** application of Iowa Lakes Electric Cooperative to install, between Sections 6 and 7, Elk Township, a single-phase, 7,200 volt underground distribution line to upgrade service, more specifically located approximately 4,925' west of M-27. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

A letter received from **ICN** requests approval to excavate prior to the construction of the Hwy 71 bypass.

Ites will be attending the annual **drainage** seminar in Ames Friday. Motion by Voss, second by Burnside, to send Doug Bruns with Ites as the Board's representative at the meeting. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ites has received quotes from 2 vendors for **salvage steel** for use in setting a sale price for same. By consensus, the Board approved the sale of salvage bridge beams to Harlan Kies with an April 1, 1995 deadline for removal.

GeoTek has submitted a proposal for excavation for **LUST** at the Brown Oil site in Albert City, the property line running up against County road right-of-way. The Board requested a release from liability in advance of approval. Ites will consult the County Attorney for his recommendations.

Ites recommended adjusting the sign crew foreman's **payrate** to the same as all other foremen. The Board will address the change when other road salaries are considered.

Ites discussed the weekend snowstorm and the **snow removal** program. He had received several calls regarding the priority system. He noted that 80% of the county's roads are 1st priority, and that all first priority roads cannot be cleared one hour after crews go out.

10:30 a.m.--The Chairman opened the Public Hearing on the Milo Christiansen, etal. **Ag Area** Petition. The Chairman noted that this petition had been previously approved, but subsequently it was found that the boundary description originally filed was inaccurate. An amended boundary description was filed October 27, 1994. The Auditor confirmed that the amended petition now meets the requirements of the law, that the notice of public hearing had been published, and that no written comments on the petition had been filed. Hearing no objections to the petition, motion by Burnside, second by Voss, to close the public hearing, and to approve the Ag Area Petition to add-on to an existing ag area, originally filed by Milo Christiansen, etal. September 23, 1994 for approximately 240 acres in Section 16, T90, R35. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

10:35 a.m.--The Chairman opened the Public Hearing on Russell James Eddie, etal. **Ag Area** petition with no interested persons present. The auditor confirmed that the petition does meet the requirements of law, the notice of public hearing was properly published, and no written comments had been filed. There being no objections to the petition, motion by Gustafson, second by Rehnstrom, to close the public hearing, and to approve the Ag Area Petition filed 11/3/94 by Russell James Eddie, etal. for approximately 392.51 acres located in Sections 2 & 3, Washington Township. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Burnside, to set the date, time and place of Public Hearing on two **Ag Area Petitions** as: W. A. Olson, etal. Petition filed 11/18/94, containing approximately 1,853 acres Coon Township as Tuesday, December 20, 1994 at 9:00 a.m. in the Boardroom; and, Dale Bodholdt, etal. filed 11/16/94, containing approximately 404 acres in Newell and Providence Townships for Tuesday, December 20, 1994 at 9:15 a.m. in the Boardroom. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ron Newgard has inquired about purchasing a **delinquent tax** property in Marathon for \$100 on which the City of Marathon has agreed to release the lien for lawn maintenance. Motion by Burnside, second by Rehnstrom, to sell the following delinquent tax property (Certificate #1860) for \$100 to Ron Newgard: parcel #2563.00 S 60' of N 120' Lot 3 Aud S/D NW 1/4 SE 1/4 Section 21, T93, R35. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Dick Crawford, Racom Representative, introduced himself and his company to the Board. Racom markets General Electric wireless **communications equipment**.

The Board approved MH Director Anita Hallquist's request for snow tires for the **board car** due to the number of miles it is being driven by the Case Manager.

Joan Reed, NWIMHC **Managed Care** Supervisor, reviewed the admissions for 1st Qtr FY'95, and discussed the changes ahead in funding for mental health patients.

Nurse Administrator Karole Graen reviewed the Nursing Service annual report, and minutes of the Oct. & Nov. Board of Health meetings. Due to improving the rate of immunizations of children under 2-years by 26%, the county received a grant which was used for desks, chairs, computer, printer, and other non-wage type uses.

Since all of the rent for the **E Richland Annex** has to-date been paid from the Nursing budget, Graen requested that, beginning with the December payment, the Board direct that the Homemaker, Sanitarian and other appropriate departments be charged for this expense for the remainder of the year. The Board agreed.

Motion by Gustafson, second by Voss, to approve admission and payment agreements for 1 person (C.W. 11/29/94) for Phase 1 at the **Spectra Transition Center**. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Hallquist reported on a number of changes in the county's obligation for **mental health** costs. Attorney fees and advocate fees charged in mental health commitment cases can now be charged back to the patient. Also, the county is not required to pay for but 1 commitment per patient to a state institution, and the cost of the attorney fees in commitment cases which the county is obligated to pay, is limited to \$150.00. The county is not responsible for care provided to a mental health commitment patient in a private hospital.

Motion by Burnside, second by Gustafson, to approve and to authorize the Chairman to sign admission and payment agreements with **North Iowa Transition Center** for placement of 1 person (D.P.11/29/94) for a 6 month period. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign an agreement with IBP, Inc., the City of Storm Lake, and Karlton Fullenworth regarding the alleviation of drainage problems in the county road right-of-way on the **Lakeside blacktop**. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Chairman Larry Phillips, Past Chairman Phil Redenbaugh, and Vice Chairman Tom Fitzpatrick Jr., all of the **Storm Lake Area Development Corporation**, reviewed SLADC's 5-year marketing plan, and made their funding request for FY'96 in the amount \$25,000, or \$30,000, if the county feels it can return to the 1992 level of funding.

Pursuant to Chapter 50.24 of the 1993 Code of Iowa, and upon completion of the **canvass** of votes cast November 8, 1994 in Buena Vista, Calhoun, Ida, Pocahontas and Sac Counties for Regional Library Trustee, motion by Burnside, second by Voss to declare the results as follows: Ronald W. Ewing 9,478- elected; Scattering (3 persons)-4. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

4:00 p.m.--The time having arrived for a 'listening post' meeting with employees of the **Secondary Road** Department, the Board reconvened in the 2nd Floor Public Meeting Room of the Courthouse. 18 road employees attended the meeting. Chairman Vail opened the meeting by opening the discussion to any topic of concern to the employees. Employees asked questions and made statements individually, not as a single unit, as follows:

Q-What has been done so far regarding county employee wages? A-The Compensation Board has made its recommendations for the elected officials. The recommendations may be accepted, lowered, or rejected completely by the Board of Supervisors.

Q-Are Secondary Road salaries tied to Compensation Board recommendations. A-no.

Q-Are summer hours going to change? A-There has been some discussion of going to four 10-hour days. No action has been taken, no proposals have been made. No one can see the future and say that the hours will or will not change.

(To the employees): Q-What is the top priority for the road employees? A-potential cut in hours

and the percentage paid of the family health insurance premium.

Q-Why did the Sheriff (and Attorney) receive a higher raise recommendation than the Compensation Board than the other elected officials? A-According to the newspaper story, the CB recognized the increased workload.

S(statements by employees)-In the last 7-8 years county employee wages have been frozen twice, and very minimal increases were given at least 2 of those years. Inflation has been at 3-4% each year during that time. Wages have fallen behind. BV road employees have gone from the highest paid to nearly the lowest paid in the last 19 years in comparison to surrounding counties. BV Mechanics are the lowest paid.

Q(from the Board)-What is your request? A-minimum of 3% increase, should be 6-7%.

S-It is preferred to see increases given each year. It is important to treat employees fairly.

Q-Is a clothing allowance a possibility for an additional benefit? Mechanics in particular having a sizable clothing bill due to the hard wear from welding, etc. Steel-toed shoes aren't desirable because they are so cold in the winter, and are not very necessary in most of the positions. Glasses and safety wear were also mentioned.

S (Engineer)-BV County road employees are treated similarly to surrounding counties. Wages are not the lowest in BV, even though the participation on family health insurance is about the lowest.

S-Well maintained roads are the county's most visible public relations, and therefore are important in the public's perception of county government.

Q-How long will the Hudson St. shop still be in use, when will we be remodeling the Luedke building site? Would it be possible to run water to one of the shop sites? A-A definite timetable has not been established, but some of the plans have been drawn up. (No conclusive answer on the water).

S-The Board should consider quality when making a decision on motorgraders. The John Deere just does not hold up like the Caterpillar. S- Today the Board approved purchase of a Caterpillar.

Q(request)-How about the county paying 80% of the family health insurance premium, as a proposal?

S-Pocahontas County is saving money on health insurance by going to a higher deductible which lowers the premium, and then the County picking up all of the deductible up to the higher amount. Alta has self-funded the deductible and save alot of money.

Q-Would it be possible, in a situation where an employee without any paid leave available, for other employees to give away a day of their available paid leave? A-This was considered several years ago. Some investigation was done, and supervisors learned that it was not possible, and yet it was being done somewhere. Further investigation would need to be done.

Q-Could some of an employees unused sick leave be used for family member illnesses, or could retiring employees be paid for a portion of their unused sick leave? (State employees can, and can also use some for vacation days). County longevity be increased, and perhaps be paid on an hourly basis instead of monthly?

S-There are a number of places when farmers are dumping water from private tile into the road ditch. Can this be stopped? A-State law guarantees an outlet for the natural flow, but it is possible to regulate this activity to some degree.

S-Adding the Maintenance Supervisor position has been a positive change to the road program. Having utility locates done prior to performing work has been appreciated.

S-Utilities are installing their underground cable, etc. all over the place, in the ditch bottoms, banks, upper bank, etc. This creates real problems where needs to be done. Additionally, as cable wears out and is replaced, most of the dead cable is being left in. Employees find cable but don't know if it is a dead or live connection.

S-Road employees thanked the Board for holding the meeting.

The Board returned to the boardroom to complete the day's business.

Motion by Burnside, second by Rehnstrom, to authorize the transfer of \$11,000 from the General Basic to the Capital Projects fund for county care facility roof repair. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-none. Carried.

Motion by Rehnstrom, second by Gustafson, to approve the minutes of the 11/14 and 11/21/94 meetings as printed. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays-none. Carried.

Motion by Burnside, second by Voss, to approve the following reports: annual Weed Commissioner's report, Nursing Service annual report, Aug. & Sept. E911 minutes, Oct. Board of Health, Nov. budget reports, Board of Health. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned at 5:40 p.m., until Tuesday, December 6, 1994 for a special session.

**BOARD OF SUPERVISORS MEETING
FORTY-NINTH MEETING, 1994 SESSION (49)
DECEMBER 6, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 6, 1994, at 9:00 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, and Voss, Supervisor-elect Bruns, and with Auditor Strawn as clerk for the meeting. Absent: Rehnstrom.

Elected Officials Sheriff Chuck Eddy, Treasurer Kathy Bach, Recorder Shari O'Bannon, County Attorney-Elect Phil Havens and Auditor Strawn, met with the Board to discuss the recommendations of the County Compensation Board for Elected Officials' for FY'96. Comments from the officials included: the desire to compensate employees fairly (those whose raises depend upon elected officials). Good services for the public depend upon good employees. Turnover can be a problem if employees aren't fairly compensated. Training for new employees is costly when turnover occurs. Previous years' recommendations were reviewed. Longevity of employees (as opposed to frequent turnover) is an important factor in the quality of services provided. It is in the best interest of the county to encourage longevity. We have a considerable number of years of service in the total of all employees. The private sector can choose what activities they want to fund. The Code of Iowa mandates what we do, and increased activity cannot be declined based on budget restraints (i.e. prosecution and incarceration of person charged with breaking the laws of Iowa.)

The Board noted that we perhaps don't do a good enough job of keeping the public informed on what services the county provides and at what cost. The county does provide good services, and employees perform well. Voss asked where cuts would come from if funding was cut. Some of the mandated activities would have to be eliminated to be able to reduce staff, as this is about the only way to handle a reduction in funding. Some services have been added at no additional expense. Bruns suggested that he would like to see wage increases leveled off, and eliminate the ups and downs. He would like to look at where some services might be reduced or cut. Gustafson said he would support the increase, but he would like to see the department heads more involved in the long range planning process. Eddy stated that he appreciated the opportunity to take part in the planning process, and suggested the possibility of a wage 'plan'.

The Board agreed to a change in the FY'96 budget submission deadline to January 6, and will begin departmental budget reviews the week of January 16.

Bach asked about the progress on the Employee Benefits Committee recommendations. This will be pursued.

Buena Vista County Hospital Comptroller Jay Christensen reported to the Board that the obstetrical equipment previously proposed to be leased as part of the \$1,000,000 financing earlier approved by the Board of Supervisors, had been eliminated from that project. New financing documents are needed for the lower dollar amount with the appropriate Board of Supervisor approval. Motion by Burnside, second by Gustafson, to approve, and to authorize the Chairman to sign, the First Amendment to the Governmental Lease-Purchase Master Agreement dated 11-23-93, Supplement to the Master Lease dated 11-23-93, and the UCC financing statements, all for Buena Vista County Hospital.

Ayes--Burnside, Gustafson, Voss. Nays--none. Carried. The amount was reduced to \$500,000.

Upon completion of the Canvass of the Special Sioux Rapids City Election, motion by Burnside, second by Voss, to declare the results as follows: Total votes cast-144, Martha Landsness-23, Dennis McHugh-91-elected, Oscar Sundblad- 30; to direct the Auditor to prepare the abstract and certificate of election, as required by Chapter 50.24 of the 1994 Code of Iowa. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

Joanne DeYoung, Executive Director of NW IA ADTU, was present to make a request for the FY'96 budget. Statewide changes in the area of substance abuse, mandate implementation of case management (probably by the Dept. of Health) for non-Title XIX, dual diagnosis patients. County dollars are spent on education and prevention only. ADTU will be participating in the competitive grant application process for state funding. DeYoung requested \$14,974 or 75 cents/per capita, an increase of \$4,991.25 (up from 50 cents--24 cents for prevention, 26 cents for education) for FY'96. Gustafson, commenting on the state freeze on county property taxes, asked what would happen if some counties increase their per capita contribution rate and others don't. DeYoung answered that different rates are already being paid. Approximately \$60,000 state dollars were spent in Buena Vista County in FY'94 through ADTU.

Arne Waldstein, Chairman of the Buena Vista County Historical Society, appeared before the Board to request funding for FY'96. He will also submit a written report. The addition of the old Ford building has been a boon to the Historical Society, but it has added cost. The Genealogical Society is now separate again from the Historical Society. The Board of Supervisors inquired whether the proposed Sesquicentennial Commission's Veteran's Memorial might be placed on the ground west of the Gazebo on W 5th St. Waldstein said that the location could certainly be considered. Increased funding in the amount of \$2,000 is being requested for FY'96 to get the business portion of the society on its feet. They plan to move towards self-supporting their activities. During this time, a little additional funding is needed as they are doing more. This organization is incorporated with the State of Iowa as the official Buena Vista County organization.

Motion by Burnside, second by Voss, to approve support of the grant application of the Buena Vista County Sesquicentennial Commission for the proposed Veterans Memorial statue, funding to be applied for from Iowa Arts Council funds, and to agree to allow the Commission to place the statue on public property. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

The Board reviewed the long and short term goals supported by the supervisors and department heads at the 11/22/94 long-range planning meeting.

Treasurer Kathy Bach presented a proposal from the Iowa Trust to disband, as it no longer functions and is not needed. Any future interest payments would be distributed according to the court's schedule. Disbanding would eliminate any future expenses for the County. Motion by Gustafson, second by Burnside, that due to the County being unable to have a representative present at the 12/9/94 meeting, the County hereby authorizes David Lyons, Iowa Trust Receiver, to cast the County's vote by proxy at the 12/9 meeting to consider disbanding the Iowa Trust, subject to the advice the County Attorney, and to authorize the Vice Chair to sign a letter (to be faxed) for same. Ayes-- Burnside, Gustafson. Nays--Voss. Carried.

Motion by Burnside, second by Voss, to authorize Doug Bruns to attend, as a county representative with Burnside, the Iowa Drainage District Association meeting on 12/16 in Fort Dodge. Ayes--Burnside, Gustafson, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned to Tuesday, December 13, at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
FIFTIETH MEETING, 1994 SESSION (50)
DECEMBER 13, 1994**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 13, 1994, at 8:30 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Burnside, Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Gustafson, second by Burnside, to approve the minutes of the 11/29 meeting as printed, and the 12/6 meeting with an addition. Ayes-- Burnside, Gustafson, Rehnstrom, Voss.

Nays--none. Carried.

Motion by Rehnstrom, second by Gustafson, to approve the following **Jt.DD #22** claims, and to authorize the Chairman to sign: Palo Alto Secondary Roads- \$204.92,-labor and equipment, and, Palo Alto Secondary Roads-\$696.20-materials, equipment and labor. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Rehnstrom, second by Voss, to approve the following **transfers:** \$15,000 from the E911 Surcharge fund to the E911 Debt Service fund for the 1/1/95 loan payment, and \$8,718 from the General Basic fund to the Capital Projects-county care facility roof. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Coordinator Belinda Malpert and Joleen Brady from the BV County CAT Team, appeared before the Board to request funding in the amount of \$2,000 for the FY'96 **budget**. They discussed their PROP program, and the need to intervene early to prevent child abuse.

Engineer Jon Ites presented **pay estimates** for signature for projects in progress. Motion by Voss, second by Burnside, to approve and to authorize the Chairman to sign the pay estimate for project #L-BV-7-95--73-11 in the amount of \$1,709.63. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign the pay estimate for project #L-BV-C-94--9-73-11 in the amount of \$53,587.82. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Gustafson, second by Burnside, to approve and to authorize the Chairman to sign the pay estimate for project #L-BV-C-10-94--73-11 in the amount of \$805.56. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Rehnstrom, second by Gustafson, to approve and to authorize the Chairman to sign the pay estimate of Kuehl & Payer, Ltd. from Farm-to- Market funds of project #94534.00. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Ites suggested mounting half of a storage tank on the bed of **tandem trucks** to serve as a liner and avoid damage to the truck bed when hauling rip-rap. The Board approved.

Sioux Central School Superintendent Lee Burns has requested earlier start times for **snow removal**. The new snow removal ordinance provides standardization for snow removal. The consensus of the Board was that we adhere to the snow policy. Gustafson requested that there be some flexibility. Ites will take the given circumstances into consideration.

Ites informed the Board that the FY'94 ending fund balance in the Secondary Road fund, was higher than budgeted due to contract payments not being made in '94 as budgeted, but in '95 as the work was completed. There is a need to amend the **budget** to reflect this delay to show that the funds are obligated. Ites noted that there will be a vehicle available in the road department, if the weed department is interested.

The Board discussed the trees that have recently been planted in an alley at **Casino Beach**, which has been considered for vacation to certain property owners. The Board will consult the County Attorney, and send a letter to advise the property owners that the alley can't be acquired by adverse possession.

Buena Vista County **Natural Resources Conservation Service** (formerly known as Soil & Water Conservation) Commissioner Arlin Hinkeldey presented a \$3,000 request for FY'96 **budget**. The funds are spent on conservation education for Buena Vista County 6th graders.

Buena Vista County Fair Board President Tom Witt, and Secretary Wanette Movall, requested \$25,000 in the FY'96 **budget**. Of the funds provided by the County, \$5,000 is spent for 4-H premiums, the remainder going to improvements and debt reduction, none to the raceway. The racetrack is leased to an outside party with the Fair Board receiving a lease payment, and not the proceeds of the races. The Fair Board is working towards metering all of the electricity used so that rental rates and utility payments can be established appropriately. Grants may be available for buildings 50 years old or older. Gustafson requested that the Fair Board identify the specific projects and the amount of debt retirement proposed to be funded by county funds. Witt will also provide a copy of the Fair Board's long-range plan prepared last year, and a list of the Fair Board's members with their meeting schedule.

UDMO Executive Director Larry Rohret and local Director Joan Spooner requested \$19,715 in the FY'96 **budget**, the amount being the same as the current year. UDMO's new program is purchasing

multi-family housing for re-habbing to make it available to low-income individuals.

Motion by Gustafson, second by Rehnstrom, to appoint Supervisor Voss to an ISAC committee known as--**Supervisors-Engineers Design Guide Committee**. Ayes-- Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Burnside, second by Voss, to approve the following **reports:** Aug-Nov Communications Commission minutes, Oct. Recorder's fees, 11/29/94 Mangold Env. Testing of Spectra lagoon, 12/5/94 letter on new hires (Sarah Hansen, Rachel Fields) in the Communications Center, Nov. Clerk's fines, court costs, attorney fees, and fees. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Also reviewed were Nov. NWIPDC minutes.

Nola Jensen, City Attorney for **Albert City**, discussed a property in the city which needs to be cleaned up. Although the propertyowner doesn't have the resources to pay the delinquent taxes, nor tear the building down and clean up the site, the owner and the mortgage holder are willing to work with the city to resolve the problem. The Board also indicated their willingness to work with the city.

RTA Executive Director Rose Lee presented her **budget** request for FY'96 in the amount of \$9,779.25, up from \$5,647.

General Relief Clerk Linda Mattson and MH Director Anita Hallquist discussed overpayment of wages to a prior employee. Hallquist will consult the County Attorney, and then make a request for reimbursement.

During the 11/22/94 **long-range planning** session, a need to investigate alternative funding sources was identified. The Board approved Linda Mattson to spend some of her work time researching available grants and potential needs for county departments, her wages to be paid from a General Basic, non- departmental account.

Motion by Gustafson, second by Voss, upon completion of 6 months probation and successful evaluation, to approve a **raise** in salary for Case Manager Dawn Wiseman of \$500, effective 12/13/94. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

One person appeared before the Board for a **General Relief appeal** on a decision regarding medical costs at the Buena Vista County Hospital for her spouse. It was the consensus of the Board to approve payment of one-third of the bill in the total amount of \$828.27.

Regarding a request to excavate on county road right-of-way at the **Brown Oil** site in Albert City, and the County Attorney's recommendation to permit the activity, the State hasn't yet approved the plan for removal and closure.

There being no further business, the meeting adjourned at 4:45 P.M., until Tuesday, December 20, 1994 for a special session.

**BOARD OF SUPERVISORS MEETING
FIFTY-FIRST MEETING, 1994 SESSION (51)
DECEMBER 20, 1994**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 20, 1994, at 8:30 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present:

Burnside, Gustafson, Rehnstrom, and Voss, Supervisor-elect Bruns, and with Auditor Strawn as clerk for the meeting.

NW IA Aging Executive Director Greg Anliker and Boardmember Vergil Wenell presented their annual report and made their **budget** request for FY'96 in the amount of \$8,343, the same amount as the current year.

9:00 a.m.--The time having arrived for the Public Hearing on the **Ag Area** Petition filed 11/18/94 by W. A. Olson, etal., the Chairman opened the hearing with no interested persons present. The Auditor reported that the required notice of hearing had been published, no written comments had been received, but that the petition was deficient in several areas including using exact names, property descriptions, and signatures. Motion by Burnside, second by Gustafson, to continue the public hearing until January 3, 1995

at 11:30 a.m., and to direct the Auditor to notify the petitioners to correct the deficiencies. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

9:15 a.m.--The time having arrived for the Public Hearing on the Ag Area Petition filed 11/16/94 by Dale Bodholdt, et al., the Chairman opened the hearing with 2 interested persons present. The Auditor reported that the notice of public hearing had been properly published, that the petition meets the requirements of the law, and that no written comments either for or against had been received. There being no objections to the petition, motion by Voss, second by Rehnstrom, to close the public hearing. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried. Motion by Burnside, second by Voss, to approve the Petition filed 11/16/94 by Dale Bodholdt, et al., to establish an ag area in Sections 19 & 30 of Newell Township, and Section 24 Providence Township, containing approximately 404 acres. Ayes--Burnside, Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Engineer Jon Ites reported that, (Craig Herrig) in trying to investigate a drainage problem, 100 feet of old, crumbled drainage tile was exposed. The tile was thought to be private, but instead was found to be a part of DD #185. Ites asked the Board, as Trustees for DD #185, whether to connect the old line to a new line lying about 40 feet away, or replace the broken tile with new 10" tile. The Board's consensus was to replace the broken tile, which is located in Section 3, Fairfield Township.

Members of the BV County Library Association, with Cathy Jensen (MA), President, requested an increase in funding in the FY'96 budget. Also present were: Sue Pedersen (AL), Nola Josephson (AC), Rose Peterson (SL), Ruth Sexton and Esther Haahr (NE), Sharon Zulauf (SR). Each spoke about how county funds had been used in their facility in the past. The group requested a 1/2 cent increase over the current year.

The Board moved to the 2nd Floor Public Meeting Room to discuss issues and legislation with area legislators--Representatives Russell Eddie and Dan Huseman, and Senator Mary Lou Freeman. At 11:00, Supervisors Vail, Rehnstrom, and Gustafson returned to the Boardroom for the canvass of the 12/13 election.

Upon completion of the Canvass of the Special School Election held 12/13/94 for the Sioux Central School District, motion by Gustafson, second by Rehnstrom, to declare the results as follows, on 3 public measure questions each requiring 60% approval, or greater: Total Voters: 1,225

	<u>Yes</u>	<u>No</u>	<u>%Yes</u>
A: build K-8 in the amount of \$4,195,000	854	349	70.99%
B: build 9-12 in the amount of \$1,495,000	784	393	66.61%
C: exceed \$2.70 levy but less than \$3.86/th	853	351	70.85%

and to direct the Auditor to prepare an abstract pursuant to Chapter 50.24 of the Code of Iowa. Ayes--Gustafson and Rehnstrom. Nays--none. Carried.

Motion by Gustafson, second by Rehnstrom, to approve the sale, and to authorize the Chairman to sign, a Warranty Deed - Joint Tenancy to Shane T. & Nancy M. Lenhart, and a Groundwater Hazard statement, for the county farm pasture sold at auction on 9/19/94, described as follows: a tract of land located in the North Half of the Northwest Quarter (N 1/2 NW 1/4) of Section 24, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and being more particularly described as: beginning at the Northwest (NW) Corner of the Northwest Quarter (NW 1/4) of said Section 24; Thence on an assumed bearing of South 00°30'33" West, along the West line of said Northwest Quarter (NW 1/4) 848.23 feet; Thence South 89°29'27" East, 409.00 feet; Thence North 00°00'00" East, 40.00 feet; Thence North 89°27'11" East, 443.26 feet; Thence North 00°39'48" East 136.79 feet; Thence South 89°17'58" East 261.92 feet; Thence South 00°31'58" West, 149.51 feet; Thence South 89°58'04" East, 704.04 feet; Thence North 37°39'03" East, 489.43 feet; Thence South 89°50'28" East, 521.93 feet to the East line of said Northwest Quarter (NW 1/4); Thence North 00°36'04" East, along said East line 437.61 feet to the North line of said Northwest Quarter (NW 1/4); Thence North 90°00'00" West, along said North line, 2,636.49 feet to the Point of Beginning. Ayes--Gustafson and Rehnstrom. Nays--none. Carried.

There being no further business, the meeting adjourned at 11:45 a.m. to Tuesday, December 27 at 9:00 a.m. for a regular session.

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 27, 1994, at 8:45 a.m. in the Boardroom with Chairman Vail presiding, and with the following other members present: Gustafson, Rehnstrom, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

Dusty Lussman requested further consideration from the Board for naming a specific location for placement of the Buena Vista County **Veterans Memorial** statue. Motion by Gustafson, second by Rehnstrom, to approve, and to direct the Auditor to write a letter approving the placement of the Buena Vista County Sesquicentennial Veterans Memorial statue on the Courthouse lawn, with the final location to be approved by the Board of Supervisors. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Rehnstrom, to approve the **late filed** 1994 homestead credit on parcel #5728.20. Ayes--Gustafson, Rehnstrom, Voss. Nays-- none. Carried.

Nurse Administrator Karole Graen reviewed Dec. Board of Health minutes, and advised the Board of the need for an exterminator at the E Richland Annex.

Motion by Rehnstrom, second by Gustafson, pursuant to the recommendations of the Drainage Attorney, to approve the **transfer** of the following funds: \$717.76 from old **DD#83** to DD#83 reclassified (from fund 750 to fund 752)-a fund equity transfer, and \$231.16 from **DD#123** reclassified to old DD#123 (from fund 832 to fund 831), from which a warrant was paid. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Engineer Jon Ites presented Certificates of Completion for the Chairman's signature on project #'s STP-S-11(29)-5E-11 (C-63 resurfacing) and L-BV-7-95-7- 3-11 (Bel Air re-surfacing) to be paid from Farm-to-Market funds.

Ites reported on an estimate of the final costs on the **C-49** west PC paving project (STP-S-11(28)--5E-11), showing that the City of Storm Lake's additional cost will be in the amount of \$21,609.71.

The county has received notice of cancellation of insurance on the county's **underground fuel storage tanks**, which we no longer have. We were covered for the full extent of time until the tanks were removed. Ites also noted the current testing requirments.

Motion by Voss, second by Gustafson, to approve the following **reports:** Nov. budget reports, Conservation minutes and Dec. Board of Health minutes. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried. Also reviewed were: Oct. E911 minutes, Dec. Dept. of Corrections inspection of the Buena Vista County Jail.

MH Director Anita Hallquist discussed supportive employment as implemented in Sac County by the Howard Activity Center.

Custodian Rollie Sievers reported that the courthouse generator has been repaired since it failed earlier this year, and arrangements have been made for proper venting. Seiler's Plubming will begin making the necessary ADA changes to the 1st floor restrooms. Sievers will request a second proposal for installation of 'panic bars' on the DHS building. He also discussed his capital projects budget for FY'96.

Conservation Director Gary Christiansen discussed the Conservation Board's requisition for expenses to be paid.

Motion by Gustafson, second by Rehnstrom, to approve the minutes of 12/13 and 12/20 meetings as printed. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

Motion by Voss, second by Rehnstrom, to approve today's payroll claims, subject to audit. Ayes--Gustafson, Rehnstrom, Voss. Nays--none. Carried.

There being no further business, the meeting adjourned at 1:15 p.m. to Tuesday, January 3 at 9:00 a.m. for an organizational session.
