

**BOARD OF SUPERVISORS MEETING
FIRST MEETING, 1996 SESSION (1)
JANUARY 2, 1996**

The Buena Vista County Board of Supervisors met for the first meeting of the 1996 session on Tuesday, January 2, 1996 at 9:00 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the meeting.

Motion by Gustafson, second by Vail, to approve the minutes of the December 29, 1995 meeting as corrected. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Bruns inquired about the status of the Recorder's imaging project. It was noted that equipment prices are falling.

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

The first order of business for the 1996 session was election of a Chairman. The Auditor called for nominations for Chairman of the Board of Supervisors. Motion by Voss, second by Bruns, to nominate Burnside. The Auditor called for any further nominations. Hearing none, the vote was: ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Chairman Burnside called for nominations for Vice-Chair. Motion by Vail to nominate Bruns as Vice-Chair, second by Gustafson. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Supervisors' Committee, Commission & Board Appointments

Motion by Gustafson, second by Vail, to appoint the following persons as delegates and representatives to the committees, commissions and boards as noted for 1996:

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 Local Emergency Management Commission (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, Jon Ites, and Karen Strawn to the Buena Vista County Deferred Compensation Board.

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

Bruns and Voss to the DHS Planning Council/Cluster Board (with Crawford, Ida, and Sac Counties).

Voss-representative and Gustafson-alternate to the Synergy Board.

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

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

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

Jon Ites, Chuck Eddy, Shari O'Bannon, and Bruns, with the other boardmembers as alternates for Bruns, to the Weather Committee.

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

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

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

Voss, Bruns, and Gustafson to the **South Hayes Pit/County Care Facility Committee.**

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

Burnside to the **Gingerbread House Board.**

Chuck Eddy, Dewyne Stucynski 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, Bruns-alternate, to the **Buena Vista E-911 Service Board.**

Karen Strawn-**ADA Coordinator.**

to the County **Safety Committee:** Voss, Bruns, Chuck Eddy, Tom French (as Jon Ites' designee), Karen Strawn, Brad Raveling, Norm Lund, Karole Graen, Dewyne Stucynski, Rich Herrig, Kim Johnson, and Diane Christiansen.

Jon Ites as the contact person for **Drug and Alcohol Testing Alliance.**

to the **"Right-to-Know" Committee:** Dewyne Stucynski, Karole Graen, Brad Raveling, Tom French and Voss.

to the **"Drugfree Workplace" Committee:** Jon Ites, Voss, Karen Strawn, Chuck Eddy and Jerry McShane.

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

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

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

Kim Johnson-representative to the **Regional Housing Authority.**

Jon Ites and Burnside to the **Iowa Drainage Association.**

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

Bruns & Gustafson to the Governing Council, Vail to the Business Analysis Committee, Burnside to the Financial Analysis Committee, Phil Havens to the Ex- Officio Legal Advisory Committee, all being for the **Economic Development Revolving Loan Fund.**

Bob Stoughton to the **Zoning Board of Adjustment** with his term to expire 6/21/00.

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

Voss-representative, Bruns-alternate, to the **Region III Local Emergency Planning Council.**

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

Dawn Wiseman-Case Manager, Anita Hallquist-Supervisor, Sue Morrow-MH Community Based Services representative, Cindy Richardson-MR & CMI provider representative, Pamela Hansen-MR consumer representative, Ken Hayes-MR/DD Community Based Services representative, Pat Nelson-MR consumer representative, Barb Hooper-CMI consumer

representative and Jim Gustafson-BofS representative to the **Targeted Case Management Advisory Board.**

Voss and Bruns to the **MH-DD Planning Council** as Supervisor representatives, and Betty Silverberg-MR representative, and Karen Gotto-MH representative.

Anita Hallquist to the **Representative Council of NW IA Mental Health Center.**

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

Charlene Anderson to the **Citizens Advisory Board of the NW IA Mental Health Center.**

George Schaller to the **Civil Service Commission,** term expiring 12/31/99.

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

Recorder Shari O'Bannon introduced her new part-time employee to the Board. Motion by Voss, second by Gustafson, to approve the employment of Darlene Raveling as a part-time employee in the Recorder's effective 1/2/96 at an hourly rate set at 40% of the Recorder's salary. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Citizens' Committee, Commission & Board Appointments

Motion by Voss, second by Bruns, to appoint the following persons to the committees, commissions, and boards as noted for 1996:

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 12-31-97.

Rich Haldin, Virgil Jensen and Ray Kurtz to the **Veterans Affairs Commission** for the 1996 year, or until their terms expire (Chapter 250).

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

Gustafson to the **ISAC Case Management Steering Committee.**

for **ISAC Human Service Issues Contact Persons:** for MH/MR/DD-Gustafson, & MH Director Anita Hallquist, for Juvenile & Family Assistance-Burnside and Kristina Konradi, for Public Health & Education-Vail and Nurse Administrator Karole Graen.

Voss to the **ISAC Supervisors Resolutions Committee.**

Burnside to the **ISAC University Continuing Education Committee.**

Burnside to the **ISAC Committee on the Future.**

to the **Buena Vista County Eminent Domain Compensation Commission** (Chapter 472.4): Farmers-Merlin Bertness, Dale Bodholdt, Don Diehl, Larry Anderson, Steve McKenna, Nick Ackerman, Becky Dirx; Realtors-Ron Frederick, J.D. Lehr, Sue Kleymann, Darwin Johnson, Bob Hall, Joe Aube, Dick Schmidt; for Cities: Edward Groth, Nola Jensen, J.H. Spooner, John Gaffney, Ronald Haroldson, Wilbur Tucker, Norris Olney Jr.; for their Occupation-Mark Rehnstrom, Tim Brown, George Schaller, John Hopkins, Marvel Olsen, Ronnie Brown, Brian Drzycimski.

Charlene Anderson, Gustafson and Bruns, with Vail as alternate to the **Northwest Iowa Mental Health Center Board of Directors** and the **Northwest Iowa Alcohol and Drug Treatment Unit Board.**

Dr. Scott Wulfekuhler to the **Local Board of Health** for 3-year terms expiring 12-31-98.

Dwayne Kay to the Buena Vista County **Conservation Board** for a 5-year term expiring 12/31/00.

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

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

Mileage Rate and Meal Reimbursement

Motion by Vail, second by Voss, to pay mileage to employees at the rate of 25 cents per mile for each mile traveled by private vehicle (not for county owned vehicles) for county business for 1996. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, for 1996 to reimburse mileage for non-county employee deputy medical examiners at 25 cents per mile for both performance of medical examiner duties and for miles traveled to and from medical examiner meetings/schools. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Bruns, 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. Meeting/meal combinations (in or out-of-county) shall be reimbursed at the rate set for the meeting. To receive reimbursement, receipts must be submitted. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Insurance Coverage including Blanket Bond

Motion by Voss, second by Vail, to continue the following insurance coverage from Stille Pierce & Pertzborn for the remainder of FY '96: tort liability, auto, property, computer equipment, E & O, umbrella, inland marine, contractor's equipment, CCF boiler, law enforcement professional, medical professional, worker's compensation, and blanket bond. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Depository Resolution-Elected Officers

Motion by Vail, second by Voss, that the Depository Banks currently being used by the Treasurer, Recorder, Auditor & Sheriff continue to be used during 1996 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	\$8,500,000.00
First Federal Savings & Loan, Storm Lake	\$5,000,000.00
Albert City Savings Bank, Albert City	\$1,000,000.00
Citizens State Bank, Marathon	\$1,000,000.00
Heritage Bank, N.A., Alta	\$1,000,000.00
First Community Bank, Newell	\$1,000,000.00
First National Bank, Rembrandt	\$1,000,000.00
First State Bank, Sioux Rapids	\$1,000,000.00
Recorder:	
Security Trust & Savings Bank, Storm Lake	\$100,000.00
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--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Depository Resolution-Payroll Deposits

Motion by Voss, second by Vail, that the 1996 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--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Resolution on Interest Rates for Drainage

Motion by Voss, second by Vail, to establish 9% as the rate to be paid during 1996 on all stamped warrants, Improvement Certificates, and Drainage District waivers, effective this date (for Buena Vista County drainage districts only). Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Resolution to Research Drainage and other Assessments

Motion by Vail, second by Gustafson, 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--Bruns, 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--Bruns, Gustafson, Vail, Voss. Nays-- none. Carried.

Resolutions of Appointment

Motion by Voss, second by Bruns, that Jon L. Ites be re-appointed Buena Vista County Engineer for 1996, with his salary according to the employment contract (Chapter 309.17). Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Gustafson, 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--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Resolution Regarding Farm to Market Construction Projects

Motion by Voss, second by Bruns, that Jon L. Ites, 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--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Acquisition of Right-of-Way Assurance Statement of 1996

Motion by Gustafson, second by Vail, 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--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Fence Repair & Replacement Policy

Motion by Voss, second by Vail, 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--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Authority to Close Roads & Detour Traffic

Motion by Gustafson, second by Bruns, to authorize County Engineer Jon L. Ites to close any and

all county roads, on which construction is proposed, in order to facilitate construction, and for the duration of the construction, and to close any county road for necessary maintenance repair, and to mark all detours as necessary, without requiring any further authorization, and furthermore, to be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Buena Vista County Secondary roads in accordance with Chapter 321E Code of Iowa. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Holiday, Vacation, and Sick Leave Policy

Motion by Bruns, second by Gustafson, 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--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Beaver Control Resolution for Drainage Districts

Motion by Voss, second by Vail, that the beaver control policy (payment of \$25 per beaver tail for beavers trapped in drainage districts), as adopted January 1, 1986, shall be in effect for 1996. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Resolutions on Wage Schedules

Motion by Vail, second by Bruns, that the following wage schedules, adopted as shown, shall be in effect for 1996: Courthouse Clerks 4/18/89, Part-time Courthouse Clerks 2/12/91, Sheriff's deputies 4/23/91, Jailers- 12/30/94, and Secondary Road employees 2/14/95. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Vail, to set the hourly rate of pay for precinct election officials at \$5.00/hour, and \$5.50/hour for precinct election chairpersons, effective 1/2/96. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Carried.

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

Official Newspapers

Having received a request for official newspaper designation from each, motion by Vail, second by Bruns, to designate the following as official newspapers for legal publications for 1996: Storm Lake Pilot-Tribune, The Times, and Buena Vista County Journal. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Bruns, second by Voss, to direct the Auditor to publish all motions of the Board, whether seconded or not, any actions resulting in a consensus of the Board, and the list of claims paid from the minutes of the Board meetings. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Pre-Screening Agencies Appointed

Motion by Gustafson, second by Vail, 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--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Bruns and Vail volunteered to work on preparation of the specifications for the various **insurance** coverages required by the County, the bid process to be opened up again this year.

The Chair discussed doing some long range planning on the **Sheriff's ramp**, which was designed to be heated by lights, with hot water pipes under the ramp, to keep the ramp ice free in the winter. The current cost for keeping it clear is substantial, and does not do a very good job.

Gustafson and Bruns discussed the **hoglot ordinance** that they are working on with the County Attorney to regulate new hog operations with a lagoon in the proposed manure management plan.

Following the noon hour, the Board will meet with Secondary Road employees, and with Senator Mary Lou Freeman, and Representatives Russ Eddie and Dan Huseman.

There being no further business, the meeting adjourned at noon until Tuesday, January 9 at 9:00 a.m. for a regular meeting.

Following the noon hour, all of the members of the Board met with 23 Secondary Road and 2 Engineer's office employees, and the County Engineer. Also present - 1 person from the media.

During the visit with legislators, Communications Supervisor Nancy Brady, Engineer Ites, MH Director Anita Hallquist, and the Board discussed proposed legislature for the current session.

**BOARD OF SUPERVISORS MEETING
SECOND MEETING, 1996 SESSION (2)
JANUARY 9, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 9, 1996 at 9:00 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the meeting.

Corn Belt Power has applied for a franchise from the Iowa Utilities Board for an overhead utility into Laurens. If approved, installation in the right-of-way is automatically approved.

Engineer Jon Ites has received 2 proposals for replacement of the cold storage shed door in Sioux Rapids in the amount of \$542 for a metal door with wood framing, and \$538 for an all wood door. The Board approved purchase of the metal door.

Ites reported that a conflict exists between a 11/14/95 resolution, and previously approved departmental rules. Motion by Gustafson, second by Bruns, to rescind the motion of November 14, 1995 regarding the usage of the county pick-up by Shop Foreman Brad Raveling, and to re-confirm the March 22, 1994 approval of the **Secondary Road departmental rules** regarding that usage. Ayes-- Bruns, Gustafson, Vail. Nays--Voss. Carried.

Ites has received 2 proposals for the 1996 **bridge inspection** in the amount not to exceed \$13,650 from Kuehl & Payer, Storm Lake, and \$10,748 plus standard fees for special calculations (\$500-1,000) from Calhoun Burns & Associates of West Des Moines. Motion by Voss, second by Gustafson, to accept the proposal of Calhoun Burns & Associates in the amount of \$10,748 plus standard fees for special calculations (\$500-1,000) for the 1996 bridge inspection project (138 bridges), and to authorize Boardmembers to sign the proposal. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the **ISTEA application** for replacement of the bridge between Sections 17 and 20 Poland Township project #BROS-111(41)--8J-11 for FY'98. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the chairman to sign the interim payment to **Kuehl & Payer** in the amount of \$914.50 for preliminary survey work advanced on the bridge in Section 23-91-36. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Vail, to approve final payment, and to authorize the Chairman to sign, the final pay estimate to **Midwest Contracting, Inc.**, Marshall, Minnesota, upon completion of two culvert replacements, the projects being L-BV-C-8-96-73-11 and L-BV-C-9-96-73-11. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Last week's meeting with the local legislators included discussion of **Highway 7**. Ites reported on his discussion with IDOT of the submission of this project for the IDOT highway construction program. Highway 3 is a 'network' road, and even though Highway 7 has a higher traffic count, it has a lower priority than that of a network road. He will write a letter requesting clarification of the IDOT's position.

The Board directed the Auditor to have the annual **snow removal notice** published in the Times, Pilot-Tribune, and the BV Journal.

Ites reported on information provided by Renee Von Bokern regarding the requirements of the **Fair Labor Standards Act** and method of payment for holidays worked by employees in his department.

Ites presented for approval, Secondary Road bills for work advanced in various **drainage districts** in 1995.

The **landfill commission** is interested in purchasing a 1986 Ford tandem axle truck which Ites

proposes to replace with a new one. Ites requested that the Board set a price prior to negotiating for the new equipment. The Board approved offering the truck at a price of \$17,500.

Engineer Bob Payer discussed with the Board the personnel and services, including road, highway, bridge, and drainage engineering, available from his firm, Kuehl & Payer. K & P has offices in Storm Lake and soon to be in Algona.

Marge Neulieb, representing the Buena Vista County Historical Society, discussed her organization's request for funding in the FY'97 budget - \$1,500, which is a \$500 increase over the amount approved for the current year. With tourism on the increase, they would like to improve the museum, and be prepared to meet those persons visiting the facility. Arne Waldstein spoke to the incorporation of the organization for the benefit of the entire county.

Arne Waldstein, President of the Buena Vista County Historical Society, and Tina Donath discussed their organization's current project to move the Elk Township schoolhouse to Storm Lake as part of a Pioneer Heritage Exhibit. The Historical Society would like to apply for an ISTEA enhancement grant, but must do so under the sponsorship of a governmental jurisdiction. He requested that Buena Vista County be the grant sponsor and administrator. The Elk Township school is the last country school available in the county. Several others which still stand have been committed to other organizations or purposes. Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign the ISTEA grant application of the Buena Vista County Historical Society, with the County agreeing to serve as the sponsoring organization, to develop the Pioneer Heritage Exhibit. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Case Management Supervisor Anita Hallquist discussed a request for funding for 1 person for supported apartment services at Iowa Central Industries in Fort Dodge. She will prepare a response to the social worker, to be signed by the Chairman, that because the county is not mandated to fund this service, and that no funds have been budgeted for this service, the request is denied.

Upon successful evaluation, motion by Gustafson, second by Bruns, to approve a raise in the hourly rate of pay for Kristina Konradi to \$7.00/hour effective 1/10/96, Konradi being a full-time employee in the Community Services Department. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Deputy Auditor Sue Kennedy reported on the cost of juvenile attorney fees, which have shown an alarming rate of increase.

Rose Lee, Director of the Regional Transit Authority, requested capital improvement funding in the amount of \$9,780 (the first year of a 3-year contract) in the FY'97 budget, the same as the current year. The funding goes toward the replacement of several vehicles.

Don Reffer, Lawn Manicurists, Inc., Algona, Iowa, reported on his survey of the trees and brush in drainage ditches in the county, and his recommendations for a tree and brush control program. The Board will review his recommendations, and the financial status of the various drains, before letting any contracts.

Bruns advised the Board of a complaint he had received about a drainage problem in Section 13 Elk and Section 18 Grant Township, and, for which he had asked for a review by the Drainage Attorney. The Board will take no action in the matter since it is not the county's dispute.

Engineer Jon Ites returned to the Board to discuss budget items including inventory of major equipment, and personnel. It was the consensus of the Board, with Gustafson and Voss dissenting, to include a motorgrader in the equipment purchase list for FY'97. And, it was the consensus of all boardmembers to include 2 single-axle dumptrucks on the list for FY'97. Ites will investigate further on a brush cutter. Two architects will make presentations on building design for the building to be used for grader storage at the E. Richland site.

The Board generally favors cost sharing with the small towns in the re-paving of the state stubs into the towns. Ites will contact the towns and propose a 50%/50% share, with the county paying all of the cost up front, and the towns reimbursing the county 16.6% each year for 3 years.

Motion by Vail, second by Gustafson, to appoint Jim Curry to the BV Co. Safety Committee. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Voss, to approve, and to authorize the Chairman to sign, the water testing-rehabilitation-closure well grant agreement with the Iowa Dept. of Natural Resources for FY'97. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Bruns, to approve the following late filings: for 1995 Military exemption on parcel #5513.00, and for 1995 Homestead credit on parcel #2237.00. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

For the record, it is noted that Kirk B. Brown has been appointed by the State SCC to fill the vacancy on the BV Co. Soil & Water Conservation Dist. Commission, created by the death of Keith Arends. The appointment will be in effect until the November 5, 1996, election at which time a person should be elected to fill out the term which expires 12/31/98.

It was also noted that the County had received the final order of the City Development Board regarding the annexation of a parcel of land owned by Willard N. and Florence Christensen into the City of Storm Lake.

There being no further business, the meeting adjourned at 4:15 p.m. until Tuesday, January 16 at 8:30 a.m. for a special meeting.

**BOARD OF SUPERVISORS MEETING
THIRD MEETING, 1996 SESSION (3)
JANUARY 16, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, January 16, 1996 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the meeting.

Paul Maurer, from Architects Collaborative of Spencer, presented design ideas for a secondary road equipment storage building at the E. Richland site. He also discussed his firm, some of their past projects, and their fee structure.

Architect Glen Huntington, presented his proposal to provide architectural services and his design ideas for the E. Richland equipment storage building.

Engineer Jon Ites discussed FY'97 salaries for 2 employees in the engineer's office. Bruns is concerned about the impact of Congress' activities on the county's budget. Motion by Bruns, second by Voss, to raise the salary of Maintenance Superintendent Tom French by \$2,400 (reflecting both cost of living and merit) to \$33,900 per year for FY'97. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Vail, to raise the salary of Engineering Intern Steve Petermeier by \$3,500 (reflecting both cost of living and merit) to \$33,500 for FY'97. Ayes--Bruns, Gustafson, Vail. Nays--Voss. Carried.

Voss voted against the motion on the FY'97 salary for Petermeier because it did not address the FY'98 year as discussed by the Engineer. Motion by Voss, second by Vail, to set the salary for Petermeier for FY'98 at \$36,000 (a \$2,500 increase for both merit and cost of living). Discussion--Bruns again noted concern with the effect of decisions made in Washington on our local budget. The vote was: ayes--Bruns, Vail, Voss. Nays--Gustafson. Carried.

Larry Dugan, Chairman of the BV Compensation Board, presented his Board's salary recommendations for FY'97 for the elected officials. The recommendation was for a 2.6% cost of living increase across the board, the salaries to be as follows: Sheriff \$38,864, Attorney \$33,312; Supervisors \$17,409, with the Chairman receiving an additional \$500; Auditor, Recorder, and Treasurer \$29,727. Dugan discussed two issues that the Comp. Board had considered: should the differential paid to the Supervisor Chairman be increased? should the Auditor, Treasurer and Recorder be paid the same salary? Dugan invited the Board to provide any input they may have to the Compensation Board prior to their meeting next year. Bruns asked about the compensation and overhead expense paid to the County Attorney. Dugan responded that personally, he would prefer to have the salary set separately, and to be reimbursed in full for overhead.

Janice Danielson, made a funding request for the BV Co. Genealogical Society for the Board's consideration. The Society has received \$500 in the current year. Their proposed projects for next year are a sign to identify their location in the Historical Society's museum, and, a computer with CD ROM. No specific dollar amount was requested.

The Board reviewed the report of the District 3 Supervisors regarding a letter to the editor, and a list of recommendations to the Legislature for changes to HF519 (hoglots), which passed last year.

Voss discussed a requested rate increase in Synergy's per diem. No action was taken, however, the consensus was to approve a \$10-15 increase.

There being no further business, the meeting adjourned at noon until Monday, January 22 at 8:30 a.m. for the next regular meeting.

**BOARD OF SUPERVISORS MEETING
FOURTH MEETING, 1996 SESSION (4)
JANUARY 22, 1996**

The Buena Vista County Board of Supervisors met in special session on Monday, January 22, 1996 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the meeting.

Motion by Gustafson, second by Vail, to approve the following items of the consent agenda:

- 1/2/96, 1/9/96 and 1/16/96 minutes as printed;
- reports: Dec. Conservation Board minutes; Sheriff's fees; 12/31 Treasurer's cash count; 2nd Qtr veteran's relief; monthly Spectra lagoon inspection; Dec and 2nd Qtr FY'96 Clerk's fines and surcharges; other reports to be reviewed: 2nd Qtr day care expenditures; 3rd Qtr 1995 Child Support Recovery Incentives; Jan 14 NWIPDC minutes; FY'95 Home Care Aide/Chore report (state); statewide list of land surveyors; 1/19/96 Env Health/Zoning Dir. letter re: wage; 1099-Rick Anderson farm;
- vehicle use policies for the Case Management and Zoning Departments, and authorize the Chairman to sign;
- claim to BV Co. Secondary Roads for \$27.81 for work advanced in 1995 for DD #144 Jt., and to forward said claim to Pocahontas County for approval.

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Voss, to approve payroll claims subject to subsequent audit. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Engineer Jon Ites presented utility permits. Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign the utility construction permit submitted by GTE Midwest to replace 460' of existing underground cable at a location south of Rembrandt on the north side Section 2, Scott Twp. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Bruns, to approve and to authorize the Chairman to sign the utility construction permit application submitted by IES Utilities to replace overhead transmission line from Albert City, going north to a point 1 mile south of Hwy 10, all on N-14; the construction also crosses the following 4 drainage districts: DD#34 Lat 2, DD# 128, DD #181, and DD #185. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Gustafson, to recognize Buena Vista County employees for their fine safety record which has resulted in a worker's compensation premium reimbursement to the County in the amount of \$2,407. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

A letter has been received from the State Historical Society accepting, for nomination to the National Register of Historic Places, a Buena Vista County bridge known as the Brooke Creek Bridge, #212 (93-38-36-01-10) on the Buena Vista County Inventory.

Tandem truck quotes were received from: Barry Motors, Danbury; Fitzpatrick Auto, Storm Lake; 2 quotes from Storm Lake International, Storm Lake; Condon Motors, Sioux City; and Siouxland Mack of South Sioux City, NE. No action was taken at this time.

Setting a wage for the Veterans Service Officer was discussed.

The Board discussed their request to Citizen's Bank to build door shelters at the E Richland Annex. The bank has indicated that the additions, as currently designed, would make it necessary to increase the rent rate. Due to being in the middle of the budget process, the Chairman suggested considering whether the County should continue leasing, or should consider purchasing the building.

Motion by Voss, second by Gustafson, to have Duane Zenk, Denison, appraise the E Richland Annex, for both fair-market value and structural attributes. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Judicial Hospitalization Referee Hugh Perry discussed the usage of **Synergy**, an alcohol and drug in-patient facility. Synergy has requested a per diem increase. Other facilities available to BV County residents include Gordon Chemical and Marian Health. Perry noted that each person is screened very carefully prior to committing them to Synergy. He has not sent anyone to Mt. Pleasant since Cherokee MHI quit providing inpatient chemical dependency services. Even though the state pays 75% of the service cost, the Sheriff incurs substantial costs for deputy time and mileage when transporting commitments to and from Mt. Pleasant. Insurance programs seem to be reducing coverage on these types of services. Synergy is now Title XIX approved as of 9/1/95.

Treasurer Kathy Bach discussed SF 403 which requires counties with populations over 25,000, to collect delinquent **restitution** through the Treasurer's motor vehicle department. ISAC has provided a model resolution for the Board's consideration. Prior to adopting the resolution, the Board would like to see how the program is working in some of the larger counties. They will consider the program again after March 1.

Bach reviewed the Treasurer's **semi-annual report**, and discussed current interest rates. Motion by Vail, second by Voss, to approve the Treasurer's semi-annual report for the period ending Dec. 31, 1995, and to authorize the boardmembers to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Dean Maiden, Jim Hoye, and Billy White, representing the **Marathon Area Historical Society**, met with the Board to request funds for the relocation of the railroad museum from Sioux Rapids to Marathon. The family of the late Leroy Lind has pledged \$25,000 towards the project. Maiden has invested approximately \$80,000 of his own funds in the museum. The plan for Marathon will include the depot museum, a post office, water tower, Standard Oil paraphernalia, old printing equipment, and maybe a school house. The moving date has not been set, but they would like to have it in place by June 15, 1996, when the Marathon to Marathon is scheduled. The MAHS requested \$1,000 from the FY'97 budget.

Emily Jackson, AEA-5 Psychologist, requested that the Board consider funding for independent supportive living arrangement services for 1 student in the amount of \$670/month to permit continued enrollment in the **VESS program**. If the student qualifies for SSI, the cost to the county would decrease substantially. Gustafson suggested cost sharing with the Newell-Fonda School District for a trial period, since the school has an obligation for transportation costs. The Board would like to have a report on how the student progresses. Jackson will ask Newell-Fonda to consider cost-sharing.

Nurse Administrator Karole Graen was present for a decision on the **medical leave policy**. However, information was not yet received from the county's consultant. No action was taken.

Kirk Henderson, Conservation Director-Gary Christiansen, Weed Commissioners-Norm Lund and Roger Sievers, Dr. Thomas Shea, Phil Thornton, Engineer Jon Ites, SCS Director Jeff Kestel and SCS Staff Renee Braun met with the Board to discuss Iowa's **integrated roadside vegetation management program**. Henderson stated that Iowa is a leader in the program, and his job is to educate people about it. An IRVM program provides weed, brush and erosion control in the road right-of-way, as well as providing much needed wildlife habitat. Henderson stated that the spot spray weed control program in BV County would lend itself well as a component of an IRVM program here. In BV County, he would concentrate on prairie grass seeding, for which some funding is available through the Living Roadway Trust Fund.

The first step is to inventory what is growing in all of the ditches in the county. In the event the County is interested in implementing a IRVM program, Henderson provided a sample plan, funding application, and a statement of 1st year goals. Christiansen suggested that visibility at intersections, liability, etc. all need serious consideration before implementing a program. Ites is interested in the ditch inventory to see what we have, and then developing a program to encourage or maintain what currently exists. In some counties, individuals and clubs have adopted roads for developing and maintaining a project. Kestel reported that his agency had made application to the Living Roadway Trust Fund to establish an area by the Storm Lake Middle School along the state highway.

The Chairman asked what level of interest there is in establishing a program. Lund noted that some BV County farmers have warned that they do not want any burning in their ditches. Kestel stated his agency's support and interest in the program. Ites would like to see the inventory done. Dr. Shea suggested that if the Board is willing to proceed with developing a program, a committee of interested persons be appointed to work on it. Gustafson suggested that perhaps the Isaac Walton League might

consider a donation to get it rolling, and also from Pheasants Forever, and the Lake Preservation Association, etc.

MH Director Anita Hallquist discussed the county's MHAP, and noted that ICF-MR, waiver services, case management and MHI's are the only mandated mental health services which the county has to provide. The Planning Committee is proceeding with the development of the county's plan.

Engineer Jon Ites further discussed the **truck quotes** received. Two of those received did not meet specifications. Gustafson feels that the specifications were written to eliminate some of the local businesses. Ites stated that specs were written so that all of the locals did have vehicles which could be proposed. Barry Motors has the lowest proposal. Gustafson favors the proposals of the locals, which are higher, and some of which do not meet specs. Bruns suggested rejecting all quotes, and asking for new quotes putting a different engine in the specifications. Vail objected, saying that it would not be fair to those who followed the specifications to accept one that did not, or to ask for new quotes when they complied with the initial request. Motion by Gustafson, second by Voss, to table the decision on the acceptance of truck quotes. Ayes--Bruns, Gustafson, Voss. Nays--Vail. Carried.

There being no further business, the meeting adjourned at 4:05 p.m. until Friday, January 26 at 8:30 a.m. for the first of budget review sessions.

**BOARD OF SUPERVISORS MEETING
FIFTH MEETING, 1996 SESSION (5)
JANUARY 26, 1996**

The Buena Vista County Board of Supervisors met in special session on Friday, January 26, 1996 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail, and Voss, and with Auditor Strawn as clerk for the meeting.

Engineer Jon Ites reviewed the projected revenue for the FY'97 secondary road budget. It was the consensus of the Board to levy an additional \$13,750 from the Rural Basic fund in FY'97, due to an insufficient balance in that fund to permit the entire budgeted transfer to the Secondary Road fund. Also reviewed were projected construction projects, equipment purchases, and other expenditures.

Other budgets reviewed included: Treasurer, Sheriff & Jail, and Communications Center.

It was the consensus of the Board to accept \$20,000 as the final payment by the City of Storm Lake for the completion of the shared portion of the C-49 west construction project.

Motion by Voss, second by Gustafson, to approve and to authorize the Boardmembers to sign an updated letter of support for the certificate of need application of **BV County Hospital** for its proposed oncology unit. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Vail left due to bad weather.

The meeting recessed at 12:45 p.m. to Tuesday, January 30 at 8:30 a.m. for the next budget review session.

Tuesday, January 30, 1996, 8:30 a.m.--The board resumed their departmental budget review with the Environmental Health/Zoning budgets.

9:00 a.m.--The time having arrived for the public hearing on the **budget amendment**, the Chairman opened the hearing with 3 interested persons present. The Chairman noted that notice of hearing had been published as required. The Auditor reviewed the service areas needing to be amended. Hearing no objections, motion by Vail, second by Voss, to close the public hearing. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, to adopt the amended FY'96 budget as published. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Vail, to amend appropriations as follows: restore the **appropriation** of the Secondary Road Capital Projects (activity 0200) to \$400,000; to increase the appropriation of the Auditor's Capital Projects (activity 0220) by \$86,450; to increase the Medical Examiner (activity 1110) by \$5,000; to increase Election Administration (activity 8000) by \$5,000; to increase Recorder (activity 8110) by \$4,000; to increase Environmental Health (activity 3020) by \$7,227; to increase Zoning (activity 6300) by \$513. Ayes--Gustafson, Vail, Voss. Nays--none. Carried.

County Attorney Phil Havens discussed the vacation of a Casino Beach alley. A letter received from Dr. Bodo and Kathy Treu appeals for additional involvement on the part of the County. Judge Duffy, as a concerned citizen, suggested that the vacation may not have been done pursuant to all sections of the Iowa Code. The County gave a quit claim deed to the landowners on the north, but this in fact does not necessarily transfer ownership to them. Also, in the quit claim process, a legal description error was made. Havens recommended repeating the hearing procedure to vacate the alley to the same property owners, correcting the legal description.

Gustafson discussed the letter and budget received from the Seasons Center. He and Bruns explained that the Center now has data processing capabilities to track actual costs in order track costs of the various services. The budget reflects an increase in funding from the county.

During review of the County Attorney's budget, Bruns indicated that the Attorney's salary may not be at a level comensurate with the level of education and experience required for the position, and perhaps the Board should visit with the Compensation Board on the subject. Voss asked if Havens had ever considered a full-time assistant.

Steve Anderson, Merrill Manufacturing, and SLADC Executive Director Bob Lenz, discussed terms of a proposed agreement to provide a tax increment financing project for Merrill, and, the application for a CEBA grant, for which the TIF project would qualify as the local match. Motion by Voss, second by Gustafson, to have Attorney Bob Josten draft the agreement with the language: bonds to be payable in 7 full tax collection years. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, to authorize Merrill Mfg. in its application for a CEBA grant with Buena Vista County as the sponsor, and to authorize the Chairman to sign the application, and the letter confirming the action of the Board. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Voss, to draft a letter of support for Merrill Mfg. for its building project, and to authorize the Chairman to sign. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Also reviewed during the day were the Conservation, General Assistance, Veterans Affairs, Nursing, Recorder, Clerk, Small Claims, Medical Examiner, and Weed Dept. budgets.

The Board meeting recessed at 4:30 p.m. until Thursday, February 1 at 8:30 a.m. to continue budget work.

Thursday, February 1, 1996, 8:30 a.m.--The board resumed their departmental budget review with the HM/HHA, DHS Administration, Custodian and Mental Health budgets.

DHS Area Administrator Lyle Fleshner reported that his department is providing 'in-kind' contributions to the BV Co. Child Abuse Team. He estimated that \$238 in postage and copies were donated in calendar year 1995.

The Board recessed at 12:45 p.m. until Friday, February 2 at 8:30 a.m. to continue budget work.

Friday, February 2, 1996, 8:30 a.m.--The Board reviewed the following budgets: Auditor, Elections, Board of Supervisors, Co. Farm, Care Facility, Insurance and Non-departmental, and Data Processing.

Due to a report that the Pilot-Tribune would have to charge 15 cents per line to publish the Board proceedings in the Sioux Rapids Bulletin-Press because the format of the B-P is tabular, and the Pilot-Tribune is not, the consensus of the Board was not to have the minutes published. As an alternative, Supervisor Vail will take copies of the Board minutes to be available free of charge at the Sioux Rapids Auto and Farm Parts store on Main St. in Sioux Rapids.

Gustafson discussed the integrated roadside vegetation management program presented at a previous meeting, and suggested that \$25,000 of the \$125,000 in County Assistance funds (previously intended to be transferred to the Secondary Road fund) be earmarked for an inventory and for seeding some road ditches. Several other amounts were suggested, with the final consensus being: \$5,000 to be retained in the General Basic fund to be used for an inventory, and the remainder to be transferred to the Secondary Road fund. Of the funds transferred to Secondary Roads, an amount equal to the cost of seeding plus seed cost for the C-63 right-of-way would be earmarked for that project.

The Board recessed at 12:10 p.m. until Tuesday, February 6 at 8:30 a.m. for a regular session.

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 6, 1996 at 8:30 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Voss.

Engineering Technician IV Bob Oglesbee, and Engineer's Secretary Shirley Johnson, met with the Board to discuss wage and policy issues. They presented wage history and other information supporting their requests for wage increases.

Larry Heinsohn has requested the opening of a Service Level B road for a school bus route, the road lying between Sections 8 & 9, Scott Township. The Board denied the request.

The IDOT has notified the Engineer that it will maintain jurisdiction of old Hwy 71 north of Storm Lake for one additional year due to use of Hwy 71 as a detour route during the reconstruction of the Hwy 3 & 71 intersection in 1998.

Motion by Vail, second by Bruns, to approve an IDOT detour agreement and to authorize the Chairman to sign and the Auditor to attest as follows: Stage 1 beginning at the south junction of U.S. 71/IA 7 and BV Co. C-65; thence westerly 1.0 mile on C-65 to the intersection of C-65 and an unmarked BV Co. Secondary; thence northerly 2.0 miles on the unmarked secondary to the intersection of the unmarked secondary and U.S. 71/IA 7; Stage 2 beginning at the intersection of U.S. 71 and BV Co. M-44; thence northwesterly 2.50 miles on M-44 to the intersection of M-44 and IA 3; thence easterly 3.0 miles on IA 3 to the intersection of IA 3 and U.S. 71 (The U.S. 71/IA 7 Detour will continue as described under Stage 1), and further, IDOT agrees to provide necessary signing, pavement marking, and reimburse BV Co. \$15,935.00 toward the cost of replacing a sub-standard, single span bridge on M-44 (part of the detour route) commensurate with the cost of adding guardrail to the existing structure. Ayes--Bruns, Gustafson, Vail. Nays--none. Carried.

Engineer Jon Ites reported the changes in the Farm-to-Market road fund for 2nd Qtr FY'96, and, that only 2 parcels remain to be acquired for right-of-way on the C-63 construction project. Since Cherokee County will not do construction on C-63 until August, 1996, Ites suggested pushing back Buena Vista County's reconstruction to the summer of 1997 so that not so many miles are tied up in the detour.

A surface intake was installed in DD #83 last fall with the understanding that the landowner would pay for the materials. Ites questioned whether the drainage district should have paid for the materials since the need arose so soon after the ditch clean-out was completed a few years earlier. The consensus of the Board was that the drainage district should be responsible for the cost in the amount of \$263.

The Supreme Court decision on the lawsuit over ownership of the Bel Air Access, as filed by George Schaller, has been rendered. The decision stated that DNR did not have legal access to the 33' road right-of-way which was vacated sometime earlier by the County.

Motion by Gustafson, second by Bruns, to authorize the Chairman to sign the payment estimate on project L-FM-B-6-97 (on M-54 north of Hwy 3) in the amount of \$29,311.77. Ayes--Bruns, Gustafson, Vail. Nays--none. Carried.

Motion by Vail, second by Bruns, to authorize the Chairman to sign a payment voucher for project #BROS-90-(11)-5 (in the northwest corner of Section 23, Grant Township) on design to be paid from Farm-to-Market funds. Ayes-- Bruns, Gustafson, Vail. Nays--none. Carried.

Case Manager Dawn Wiseman, and MH Director Anita Hallquist, reported the discharge of one client from services, and the continuing investigation of alternate services for another client.

Motion by Gustafson, second by Vail, to approve supported employment services for 1 client in the amount of \$852 (\$71/wk for 3 months). Ayes-- Bruns, Gustafson, Vail. Nays--none. Carried.

Motion by Gustafson, second by Vail, to approve a 6 month placement of 1 client in supervised apartment living services. Ayes--Bruns, Gustafson, Vail. Nays--none. Carried.

Dr. Frank Hughes, newly appointed Veterans Service Officer, discussed his work to date, and his upcoming training with Larry Sundall, Emmet County Veterans Officer. He will keep track of his time and mileage for a 3 month period after which a method and amount of payment will be established. Vail suggested, and Hughes agreed, that paying Hughes for actual time spent, rather than on a set amount per quarter, is in his best interest and the County's.

Zoning Director Kim Johnson, with Marlin Friedrich-current owner of the property in question, met with the Board to discuss the zoning re- classification of a parcel of land east of Alta from Ag-1 to Commercial. Cargill of Alta is requesting the re-classification to permit installation of an anhydrous plant in a location with better safety and traffic control. Motion by Vail, second by Bruns, to set the date and time of public hearing on Cargill's request to have a parcel reclassified from Ag-1 to Commercial as 9:00 a.m., February 13, 1996, in the Boardroom. Ayes--Bruns, Gustafson, Vail. Nays--none. Carried.

Steve Anderson, Merrill Mfg., and SLADC Exec. Director Bob Lenz, asked for a letter of confirmation from the County. Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign a letter to Merrill Mfg. confirming that the County is progressing on the development of an Urban Renewal Area and TIF project for the Merrill Mfg. building project. Ayes-- Gustafson, Vail, Burnside. Nays--Bruns. Carried.

Bill Wobbema, Director of Synergy, discussed his agency's amended request for funding for FY'97. Loss of other sources of funding has created significant financial problems. Synergy is requesting an increase in the per diem, as well as a \$4,000 lump sum contribution. The long term effect of this request will not necessarily guarantee that the agency will remain open. No action was taken at this time.

Motion by Gustafson, second by Bruns, to approve the following consent agenda:

- * minutes of the 1/22, 1/26 (as amended), 1/30, 2/1, & 2/2 minutes;
- * reports: FY'95 BV Co. Public Health Nursing annual report, 2nd Qtr FY'96 Farm to Market Road fund, Dec budget reports, Dec & Jan Board of Health minutes, Jan Conservation Board minutes.

Ayes--Bruns, Gustafson, Vail. Nays--none. Carried.

Motion by Bruns, second by Vail, to authorize the Auditor to void payroll warrant #75332 and reissue it as #75434 in the amount of \$648.80. Ayes--Bruns, Gustafson, Vail. Nays--none. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the resolution amending the 28E agreement (establishing local oversight for the Job Training Partnership Act-JTPA) approved in 1983, the amendment designating Clay County as the CDBG grant recipient to permit NWIPDC to provide training and support services to public assistance recipients enrolled in the new Quality Jobs program. Ayes--Bruns, Gustafson, Vail. Nays- -none. Carried.

The Board discussed proposals for wage and benefit increases for secondary road employees for FY'97, and reviewed with Engineer Jon ltes, the requests made by secondary road employees at their previous meeting with the Board.

The meeting adjourned at 5:25 p.m. until Tuesday, February 13, 1996 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
SEVENTH MEETING, 1996 SESSION (7)
FEBRUARY 13, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 13, 1996 at 9:00 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Vail, and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Gustafson.

9:00 a.m.--The time having arrived for the Public Hearing on Cargill's re- zoning request, the Chairman opened the hearing. It was noted that the notice of public hearing had been published as required, and that no persons from the public were present. No written comments had been received. There being no objection, motion by Voss, second by Bruns, to close the public hearing. Ayes- -Bruns, Vail, Voss. Nays--none. Carried.

Motion by Bruns, second by Vail, to approve the request to re-classify the zoning of the following parcel from Ag-1 to Commercial: A tract of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa, and being more particularly described as follows: Commencing at the Northwest (NW) Corner of the Northwest Quarter (NW 1/4) of said Section 25; Thence on an assumed bearing of South 00'00'00" West, along the West line of said Northwest Quarter (NW 1/4), 1342.26 feet to the Point of Beginning. Thence South 90'00'00" East, 443.00 feet; Thence South 11'10'03" West, 572.00 feet to the centerline of Iowa

Highway No. 7; Thence along said centerline on a 122,776.7 foot radius curve, concave Southwesterly, 16.46 feet, said curve having a chord bearing and distance of North 61°43'34" West, 16.46 feet; Thence continuing along said centerline, North 61°43'48" West, 360.75 feet to a point of intersection with the West line of said Northwest Quarter (NW 1/4); Thence North 00°00'00" East, along said West line, 382.51 feet to the Point of Beginning. Ayes--Bruns, Vail, Voss. Nays--none. Carried.

Custodian Dewyne Stucynski reported that the lighting retrofit project has been completed. Motion by Vail, second by Voss, to accept the contract for the Courthouse, DHS Annex & Spectra **lighting retrofit project** as satisfactorily completed as of this date, and to return the bid bond to Nepple Electric, Alta. Ayes--Bruns, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Bruns, to appoint Dewyne Stucynski as the **Lock-out/Tag-out Program** Coordinator for the Courthouse, DHS Annex, and E. Richland Annex. Ayes--Bruns, Vail, Voss. Nays--none. Carried.

Engineer Jon Ites discussed the availability of certified personnel and tests for the new **drug and alcohol testing program**. Additional costs will be incurred for training, equipment, etc. required to meet the standards. Motion by Voss, second by Vail, to approve sending Ites and Deputy Sheriff Don McClure to the QED certification training. Ayes--Bruns, Vail, Voss. Nays--none. Carried. Tom French and Shirley Johnson were approved to receive supervisory training.

Motion by Vail, second by Voss, to approve using Terracon Consultants for the performance of soil borings for future **bridge construction** projects. Ayes--Bruns, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Bruns, to accept approved rubble (brick, mortar, etc.) from the City of Marathon at the site east of the **Goldsmith Pit**. Ayes--Bruns, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Bruns, to set the deadline for receiving **quotes** for weed spray chemicals as March 4th at 4:30 p.m. in the Auditor's office, with the Board to award the contract on March 5th during their regular meeting. Ayes--Bruns, Vail, Voss. Nays--none. Carried.

Ites reported on his progress with right-of-way acquisition for the **C-63** project.

The Board discussed the presentations of the 2 architects being considered for designing the building at the **Secondary Road East Richland site**. No action was taken at this time.

Ites requested direction on the truck quotes which were received 3 weeks ago (and which are nearing 30 days old). Motion by Vail, second by Bruns, to accept the low **quote**, which met specifications, of Barry Motors, Danbury, Iowa, in the amount of \$54,430 for an LT 9000 Ford truck chassis. Ayes--Bruns, Vail, Burnside. Nays--Voss. Carried. Ida and Clay Counties have responded to an inquiry about sharing the equipment, with both counties declining.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign pay estimate #2 in the amount of \$12,653.65 for project **#L-FM-B-6-97**. Ayes--Bruns, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Bruns, to approve the **minutes** of the 2/6/96 meeting as printed. Ayes--Bruns, Vail. Nays--none. Abstain--Voss, as he was not present. Carried.

Gustafson joined the meeting.

Motion by Vail, second by Voss, to appoint Tom Vandenberg as a Deputy Medical Examiner at the request of Dr. David Crippin, Buena Vista County **Medical Examiner**. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign the payment agreement for 2 persons for home and community based waiver services from the following providers: **North Central Sheltered Workshop** and **Lutheran Family Services**. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

All future board meetings will start at 9:00 a.m. until future notice.

Motion by Voss, second by Vail, to set the date and time of a new public hearing on the vacation of an alley in **Casino Beach alley** as April 2, 1996 at 1:15 p.m. in the Boardroom. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Bruns, to set the date and time of public hearing, as February 26 at 2:00 p.m. in the Boardroom, on the John Peters request to re-classify the **zoning** from Ag 1 to A 2 on a parcel

of land in Section 24, Township 91 North, Range 38 West. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Gustafson reported on a problem with the Spectra lagoons caused by a broken water line. \$25,000 was added to Capital Projects in the FY'97 budget as an estimate of necessary repairs.

The Board recessed at 12:30 p.m. until Tuesday, February 20 at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
EIGHTH MEETING, 1996 SESSION (8)
FEBRUARY 20, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 20, 1996 at 9:00 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail, and Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Voss, second by Vail, to amend the minutes of 2/13/96 regarding the acceptance of the Barry Motors low truck quote, by recording the vote of the Chairman as aye. Ayes-Bruns, Vail, Voss, Burnside. Nays--none. Abstain-- Gustafson, as he was not present. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the utility construction permit application of Corn Belt Power Cooperative for installation of overhead line poles at a location going south from Marathon to a point 1 mile south of Hwy 10, and then east to the county line. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Engineer Jon Ites discussed project scheduling for the 3-year ISTEA construction program. He suggested changing the letting time for M-27 (partial federal funding) to combine it with C-25 and M-36 (farm-to-market funding), and the 3 stubs going into Truesdale, Marathon, and Rembrandt (local funding), all to be constructed in the county's FY'97 construction year. Adding the project could potentially allow better bids. The Board approved.

Seeding on the C-63 project will cost about \$36,000 to seed the bottom of ditches and back slope with native grass and wildflower seed (\$17,000 for the seed), in an integrated roadside vegetation management (IRVM) program. The native grass seed and wildflower seed (extremely expensive) would increase the project cost by about \$12,000. The Chairman suggested that there may be enough interest in the community to pay for the extra cost of the special seeding. Gustafson believes that the county could expend some funds for IRVM, given the large amounts spent for equipment. Voss was opposed to spending the extra money, but is in favor of the program if the seed is donated. The Chairman noted that the group which assembled for the IRVM program presentation previously, had indicated their interest in serving on an advisory group. The Chairman appointed the following persons to the Advisory Group: Naturalist- Lisa Meusburger, Conservation Director-Gary Christiansen, Jon Kruse, Conservation Board Chair-Duane Kay, Ass't. Weed Commissioner-Roger Sievers, Natural Resources Conservation Service Director-Jeff Kestel, Dr. Shea, Rick Lampe-BVU professor, Engineer Ites, a representative of Pheasants Forever, and Supervisors Vail and Gustafson.

Ites discussed applications for the office position of cad-cam operator.

MH Director Anita Hallquist and Auditor Strawn reviewed the considerations for amendment to the FY'96 MH-DD expenditure base.

Dave Mortensen brought to the Board some of his road maintenance questions including concerns about a short piece of road under the jurisdiction of the City of Alta. Specifically discussed were: washboarding, width of the road (it is too narrow), and the ditches which he feels were dug out too deep when cleaned a few years ago. Bruce McGowan, Tom French-Maintenance Superintendent, and Garlan McGowan were also present, and spoke to the manner in which work is done and the policy which controls the work. Mortensen would like to see the pockets removed from the road, and to keep the sod off the sides. Apparently, a private individual has been working on the road with his own equipment, which creates a liability for that individual. Because it is not cost effective for the City to send equipment out for such a short stretch of road, the County could be requested to maintain it. The Engineer was directed to work with the City of Alta to reach an agreement for maintenance of the road.

Mortensen also mentioned the Vigorena road where it meets Hwy 7, on both sides of the track. The portion of the road between the tracks and the highway is the DOT's responsibility. The Engineer will speak to the DOT Resident Maintenance Engineer to request consideration to blacktop the stretch.

Zoning Director Kim Johnson discussed tonight's public hearing by the Zoning Commission to consider reclassification of the zoning on a parcel in Nokomis Township.

The Board recessed to the Public Meeting Room at 2:00 p.m. for the **Conference Board** meeting for a public hearing on the Assessor's FY'97 budget, and returned to the Boardroom at 2:30 p.m.

A request was received from John Hopkins, Albert City, for Buena Vista County to take over the Jim Fales property (gas station) in Albert City for the purpose of cleaning up the **underground fuel storage tank site** and making the property marketable. Hopkins asked the County to consider the proposal because as a governmental unit, the County would not be responsible for co-payments as private individuals are. Unless the clean-up was an unusually large one, the State's underground tank insurance program would cover the cost. It was the consensus of the Board to deny the request, and to suggest that the City of Albert City may have an interest in the project.

The Board again recessed to the Public Meeting Room at 3:00 p.m. to meet with **Secondary Road employees** on the issues of wages and benefits, and returned to the Boardroom at 4:00 p.m.

The Board continued their discussion of the items to be included in the revised MH-DD base year. Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the Request for Revision of **MH-DD Base Year Expenditures**. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

The Board did a preliminary review of the proposed FY'97 budget. Motion by Voss, second by Gustafson, to set the date of Public Hearing on the **FY'97 proposed budget** as March 12, 1996 at 7:00 p.m. in the 2nd Floor PMR of the Courthouse. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

The Board recessed at 5:20 p.m. until Monday, February 26 at 12:30 p.m. for a special session.

**BOARD OF SUPERVISORS MEETING
NINTH MEETING, 1996 SESSION (9)
FEBRUARY 26, 1996**

The Buena Vista County Board of Supervisors met in special session on Monday, February 26, 1996 at 1:00 P.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail, and Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Bruns, second by Gustafson, to set the date of **public hearing** on the BV Co. **Mental Health (MI & CMI) Services Management Plan** as March 12 at 10:00 a.m. in the 2nd Floor PMR of the Courthouse. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Case Management Supervisor to sign **payment agreements** for MH clients when agreements are for a reduction in service cost, the agreements to be subsequently reviewed by the Board of Supervisors. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried. Presented for review today were agreements for 2 clients at **Quality Life**.

Motion by Bruns, second by Voss, to designate the **Seasons Center** of Spencer as the community mental health center with which Buena Vista County will affiliate for FY'97 for the purpose of establishing eligibility for **MI-MR- DD-BI Community Services dollars**. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Carried.

The Auditor was directed to send invitations to the cities for a **Jt. County/(All) Cities** meeting to be held March 25 at 7:00 p.m. in the 2nd Floor PMR.

Eugene Kromray met with the Board about **integrated roadside vegetation management**. He has done inventories for several other counties at a cost of \$700 per township. Grants are available to do the inventory.

The Board reviewed the **FY'97 budget**, and received information that their request for revisions to the MH FY'96 base expenditures had been approved by the County Finance Committee in amounts to include CPC wages, benefits and administrative expense, services for 3 additional persons, and homemaker services.

Vail left the meeting.

The Board made a number of adjustments to the budget including re- directing \$120,000 in county assistance from Secondary Roads to Rural Basic, reducing expenditures for the Comm. Center by \$2,465, and Conservation by \$1,600. With no further changes, the Board directed the Auditor to publish the proposed budget summary.

There being no further business, the meeting adjourned at 5:30 p.m.

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 1996 SESSION (10)
FEBRUARY 29, 1996**

The Buena Vista County Board of Supervisors met in special session on Thursday, February 29, 1996 at 1:00 P.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail, and Voss, and with Auditor Strawn as clerk for the meeting.

Regarding the IRVM Advisory Committee, Duane Kay-Conservation Board member was appointed, and Lois McConkey was added.

The Auditor was directed to have the annual Notice to destroy noxious weeds published in the 3 official newspapers.

The purpose of the meeting was to re-address Monday's changes to departmental budgets. After reviewing the effect of the county assistance dollars on both the rural basic and secondary road funds, the consensus of the board was to transfer \$120,000 in FY'97 county assistance funds to the secondary road fund.

Comm. Center Supervisor Nancy Brady reviewed several line items in her budget and requested that \$2,465 previously cut be restored. It was the consensus of the Board to have Brady and Supervisor Vail bring a request to the cities with law enforcement representation on the Communications Commission, that those cities participate in the cost of wages in the Communications Commission, and that the reduction of \$2,465, previously reduced, will not be reinstated unless those cities do contribute towards the wages.

No additional budget changes were made.

The meeting adjourned at 3:30 p.m. to Tuesday, March 5, 1996 for a regular session.

**BOARD OF SUPERVISORS MEETING
ELEVENTH MEETING, 1996 SESSION (11)
MARCH 5, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 5, 1996 at 9:00 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the meeting.

Due a great portion of the work already being completed, the Chairman requested discussion of putting a parcel of land in a tax increment financing district without a developer, the parcel being the same as recently considered for TIF with development by Merrill Mfg.

Engineer Jon Ites opened chemical quotes from the following: Terra International, Merrill; Jerico Services, Indianola; Cargill, Alta; Newell Cooperative Elevator, Newell; Vegetation Management Supply, Inc., West Des Moines; and Mike's Lawn Service, Storm Lake. Motion by Voss, second by Gustafson, to accept the low quote of Cargill Inc., Iowa, in the amount of \$12,375.00 for 1996 Weed Control Chemicals, to refuse acceptance of quotations from Jerico Services and Terra International which did not meet specifications, and to return the checks to the unsuccessful bidders. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Ites reported that the Solid Waste Commission had proposed a counter offer for a Secondary Road 1986 Ford LT8000 tandem truck, which is due to be sold. Solid Waste Commission Chair Dave Wiley was present and explained that the truck's size does not meet the Commission's requirement. Wiley will ask his commission to re-consider a proposal that would allow for payment in 2 fiscal years.

Motion by Voss, second by Vail, to approve the final pay estimate for engineering services on C-63 in the amount of \$940.00. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

DOT has submitted a bill for interest penalty due to a payment delay because the list of materials had not been timely certified. Motion by Voss, second by Vail, to approve payment of an interest penalty in the amount of \$80.50 on project #STP-S-11(28)--5E-11 and to authorize the Chairman and Engineer to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Regarding the 2/26/96 bid letting on **BROS-99-11-(6)** (Brooke Creek bridge), the bid was originally awarded to Graves Construction. However, because discrepancies were found in the DEB requirements, the DOT recommended that the Dixon bid be accepted, it being the next lower bid.

CPR-First Aid is being offered by our Safety Coordinator, Mike Raner. Also, Ron White, is certified to provide the training. It was the consensus of the Board to have White provide the training, with costs to be paid from the non-departmental area. Ites will check further into cost.

MH Director Anita Hallquist and Sheriff Chuck Eddy discussed a proposal from Dr. Tom Deiker, Superintendent of Cherokee MHI, to provide **transportation** of persons with diagnoses of MI, MR, and substance abuse. The plan is being reviewed by DHS, and the Attorney General. The program would allow usage of Mt. Pleasant MHI at a much lower per diem cost, but for a higher number of days, than Synergy. Eddy provided transportation costs for his department for comparison purposes. The Board will discuss the topic further with other involved in the process including the Judicial Hospitalization Referee and the Magistrate.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign, the FY'96-97 State Reimbursement Grant for **Substance Abuse** funding in the amount of \$3,743.50. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Communications Center Supervisor Nancy Brady, with staff, Kim Heck, Sarah Hansen, Sandy Nicholiasen, Theresa Holloway, and Mark Van Hooser, discussed the need for restroom facilities for staff while on duty. The issue is being raised currently due to a health concern, and a doctor's slip for providing periodic restroom breaks. A number of solutions have been discussed including adding a restroom in the C Center, and using a portable phone or portable radio. Gustafson asked if a jailer can cover for short breaks so that the Sheriff's restroom can be used. Also suggested was a speaker to permit the operator to continue to hear the radio traffic. The Board's consensus was to investigate structural limitations and to explore some options.

Motion by Vail, second by Voss, to approve the **employment** of Rebecca Meyer as a part-time jailer effective 1-15-96, at \$6.00/hr. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Sheriff Eddy requested consideration of adding a part-time secretary to his staff to relieve the clerical overload. Typing time is not the most cost-effective use of the deputies' time. Eddy did not include the position in the FY'96 or FY'97 budget. It was the consensus of the Board to allow the addition of a part-time person effective 7/1/96.

Spectra Administrator Sue Morrow discussed problems with getting adequate hot water in the wings of the care facility building. The coil in the hot water heater needs to be removed and cleaned. Due to the time involved and the cost, Control Systems Specialists proposes to replace the coil and clean the one to be removed to be kept as a spare if it is in good condition. The Board approved. Also, Neulieb will do a quick evaluation of the facility for air conditioning.

Motion by Gustafson, second by Bruns, to appoint Bob Kraft as the MI provider representative to the **Cluster Planning Council** replacing Karen Gotto. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve the following items on the consent agenda:

- 2/20, 2/26 & 2/29 **minutes**;
- **reports** including Feb. budget reports, Conservation Board minutes, 2/20 & 2/23 Mangold test of Spectra lagoon;
- approve and authorize the Chairman to sign the **liquor license** applications from Pronto Market, Casino Beach Marina, Little Sioux Golf and Country Club;

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Gustafson, to approve and authorize the Chairman to sign the amended **Family Medical Leave policy** dated 3/5/96. Each fulltime and part-time employee shall receive a copy and acknowledge its receipt. Ayes- -Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Vail, to approve and to authorize all boardmembers to sign the Resolution to Participate in Planning & Development Programs of **NWIPDC** as follows:

RESOLUTION 3-5-96

A Resolution of the Buena Vista County Board of Supervisors to Participate in the Planning and Development Programs of the Northwest Iowa Planning and Development Commission.

Whereas: The Economic Development Administration was assigned to administer the provisions of the Public Works and Economic Development Act of 1965; and

Whereas: The Northwest Iowa Planning and Development commission has been designated as an Economic Development District under said act; and

Whereas: The Iowa Department of Economic Development and the U.S. Department of Housing and Urban Development has designated the Northwest Iowa Planning and Development Commission as the area-wide planning organization; and

Whereas: Buena Vista County, Iowa, is an active and supporting member of the Northwest Iowa Planning and Development Commission and participates in the formulation of area-wide programs and plans, including the area's Overall Economic Development Program Plan, and the agency is annual economic development planning work program; and

Now Therefore Be It Resolved By the Buena Vista County Board of Supervisors that Buena Vista County supports and desires to participate in the planning and economic development programs of the Northwest Iowa Planning and Development Commission in Iowa Planning Area III, consisting of the Counties of Buena Vista, Clay, Dickinson, Emmet, Lyon, O'Brien, Osceola, Palo Alto, and Sioux.

/s/Lorna Burnside, Chairperson, Doug Bruns, Jim Gustafson, Richard Vail, and Jack Voss.

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

The Board noted receipt of a petition to change the classification of a **level B road** in Coon Township. The consensus of the Board was to make no changes to the classification of the current list of level B roads. The Chairman will notify the first person on the petition by letter.

Motion by Vail, second by Bruns, to approve the **late filings** for homestead credit and military exemption as follows: for 1995 homestead on parcel #'s 4923.00, 959.50, 3703.00, 8071.50; and for 1995 military exemption on parcel #8071.50. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Ites discussed an interview with a candidate for the **cad-cam operator** position in his office.

General Relief Services Officer Kristina Konradi discussed proposed changes to the **General Relief Guidelines**. The Board will consider a resolution to amend the guidelines on 3/12/96.

There being no further business, the meeting adjourned until Wednesday, March 6 at 1:00 p.m. for a special meeting.

**BOARD OF SUPERVISORS MEETING
TWELFTH MEETING, 1996 SESSION (12)
MARCH 6, 1996**

The Buena Vista County Board of Supervisors met in special session on Wednesday, March 6, 1996 at 1:00 P.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the meeting.

Motion by Voss, second by Gustafson, to appoint Pat Bainbridge to the **Buena Vista County Case Management Advisory Board** as a consumer representative. Ayes--Bruns, Gustafson, Burnside. Nays--none. Carried.

MH Director Anita Hallquist reviewed the proposed Buena Vista County **Mental Health Services Management Plan for Mentally Ill/Chronically Mentally Ill**.

A mental health account for 1 person was considered. Hallquist will request repayment to the county for the expenses incurred.

There being no further business, the meeting adjourned until Tuesday, March 12 at 9:00 a.m. for a special meeting.

**BOARD OF SUPERVISORS MEETING
THIRTEENTH MEETING, 1996 SESSION (13)
MARCH 12, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 12, 1996 at 9:00 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the

meeting.

Nurse Administrator Karole Graen requested an amendment to her **FY'96 budget** authorizing additional expenditures and reflecting the additional grant funds to be received, the grant being a multi-agency grant with Buena Vista County acting as the administrator. Motion by Vail, second by Voss, to set the date of public hearing on an amendment to the FY'96 budget as April 2, 1996 at 1:00 p.m. in the Boardroom of the Courthouse. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Recorder Shari O'Bannon requested an adjustment in wage for her **part-time clerk**, the request being to approve the same rate of pay as that received by a full-time clerk. The Board will consider an amendment to the part-time clerks' wage schedule at a later time.

10:00 a.m.--The time having arrived for the public hearing on the Buena Vista County **Mental Health Services Management Plan**, the Chairman opened the hearing in the 2nd Floor Public Meeting Room with 10 persons present in addition to the Board. Mental Health Director Anita Hallquist gave a brief review of the legislative history mandating the creation of the Management Plan. Hallquist then reviewed the plan generally, answering questions from both the Board and the providers who were present.

DHS Area Administrator Lyle Fleshner provided the Board with information needed to transfer a DHS vehicle back to the County, part of the acquisition cost having been reimbursed with **federal dollars**.

Phil Brown, Management Consultant, discussed his background and the services he provides as an **organization/management specialist**. It was the consensus of the Board to consider engaging him. Brown will submit a proposal with an outline of services and terms for the Board's review.

The Board recessed at 12:15 p.m. for lunch, to resume at 7:00 p.m. in the 2nd Floor PMR for the FY'97 budget hearing.

7:00 p.m.--The time having arrived for the **FY'97 budget hearing**, the Chairman opened the hearing with the following other boardmembers present: Bruns, Gustafson, Vail, Voss, and with Strawn as clerk for the hearing. Also present were 5 interested taxpayers, 3 media, 15 department heads, and 2 employees. Auditor Strawn reviewed the summary documents of the budget, with department heads speaking to various items. Strawn reviewed the impact of mental health property tax relief, and local option sales tax in the revenues. Bruns and Voss discussed the need to have a hazardous materials team available, and the current discussion on the topic. Gustafson discussed the recently completed Mental Health Services Management Plan, the preparation of which is considered to be quite costly statewide, since each county is required to implement one. Vail addressed a question regarding the ending fund balance. The Chair called for additional questions from the public, and comments from the department heads. There being no further discussion, the Chairman announced that the Board would take action on the Compensation Board recommendations, and the budget, at a special meeting the next day, Wednesday, March 13, 1996.

There being no further business, the Board adjourned.

**BOARD OF SUPERVISORS MEETING
FOURTEENTH MEETING, 1996 SESSION (14)
MARCH 13, 1996**

The Buena Vista County Board of Supervisors met in special session on Wednesday, March 13, 1996 at 1:00 P.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the meeting.

Motion by Voss, second by Vail, to approve the **minutes** of the 3/5/96 meeting as printed. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Gustafson, to approve the recommendations of the Buena Vista County **Compensation Board** for FY'97 wages (effective 7/1/96) for Buena Vista County Elected Officials, as follows: 2.6% increase for each; the salaries to be: Attorney-\$33,312, Sheriff \$38,864, Auditor \$29,727, Treasurer \$29,727, Recorder \$29,727, Supervisors \$17,409 with an additional \$500 for the Chair. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Voss, to approve the Buena Vista County **FY'97 budget** as proposed and published. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Carried.

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

RESOLUTION NO. 3-13-96

A Resolution to adopt the following amendments to the Buena Vista County General Relief Rules

<u>Provision to be Amended</u>	<u>Proposed Amendment</u>
Utilities, B.3.c4	Add the following sentence to such provision: "Persons receiving state assistance over the General Relief Guidelines shall not be qualified for the once a year emergency assistance."
Rent, B.4.c6	Add the following sentence to such provision: 64 persons receiving state assistance over the General Relief Guidelines shall not be qualified for the once a year emergency assistance."
Drug Expense, B.7.c4a	Add the following sentence to such provision: "Persons receiving state medical assistance over the General Relief Guidelines shall not be qualified for the once a year emergency assistance."
Article IV, Paragraph V	Delete such paragraph as it no longer applies to the General Relief Work Program.

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

WHEREAS, in the judgment of the Buena Vista County Board of Supervisors such changes should be made to the General Relief Rules.

THEREFORE, be it resolved that the foregoing proposed amendment to Buena Vista County General Relief Rules is adopted effective immediately.

/s/ Lorna Burnside, Chairman of the Board Date: 3/13/96

The vote on the above resolution was: ayes--Bruns, Gustafson, Vail, Voss; nays--none. Carried.

Motion by Vail, second by Gustafson, to approve a 40 cent/hour raise for **secondary road** equipment operators, mechanics, supervisors and engineering technicians, effective 7/1/96. Ayes--Bruns, Gustafson, Vail. Nays--Voss. Carried.

Motion by Gustafson, second by Voss, to increase **longevity** pay, for all eligible employees, \$5/mo. as follows: after 5 years of employment from \$10 to \$15/mo.; after 10 years from \$20 to \$25; after 15 years from \$30-\$35; and after 20 years from \$40-45/mo.. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Bruns, to provide a \$100 per employee **clothing allowance** in the Engineer's budget for the purchase of safety apparel by the Engineer. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Voss, to set the date of public hearing on an **alley vacation** in **Casino Beach** as April 23, 1996 at 1:15 p.m. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Voss, second by Vail, to set the date of public hearing on the **rezoning** of **McKenna's Addition**, Storm Lake, Iowa, as March 19, 1996 at 11:00 a.m. in the Boardroom. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve the Buena Vista County **Mental Health Services Management Plan** for the Mentally Ill and Chronically Mentally Ill as presented. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Voss, to approve the following **wage** for Anita Hallquist effective 7/1/96: \$12.50/hr., the wage being for all job descriptions (MH Director, Case Management Supervisor, Central Point of Coordination Supervisor, and Community Services Director). Ayes--Bruns, Gustafson,

Vail, Voss. Nays--none. Carried.

Motion by Vail, second by Gustafson, to table the discussion on the custodial and other **wage increases**, to the next meeting. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried. Also tabled were: discussion of the part-time clerk's wage schedule, and pay rate for secondary roads for work on holidays.

There being no further business, the meeting adjourned until Tuesday, March 19 at 9:00 a.m. for a regular meeting.

**BOARD OF SUPERVISORS MEETING
FIFTEENTH MEETING, 1996 SESSION (15)
MARCH 19, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 19, 1996 at 9:00 A.M. in the Boardroom with Chairman Burnside presiding and with the following other members present: Bruns, Gustafson, Vail and Voss, and with Auditor Karen Strawn as clerk for the meeting.

General Relief Director Kristina Konradi reviewed the facts in a case in which relief was denied to one person.

Engineer Jon Ites reported on his investigation of the **railroad crossing** on C-29 east of Albert City. Changes in the road will not solve the problem because the tracks are higher than the road. A number of signs and flags have been installed to slow traffic, and caution drivers, many of which have been damaged or removed. The Engineer will write a letter to ALCECO, owner of the rail line, advising them of the problem, and requesting a solution, with a copy to be sent to the Mayor and City Council.

Toxic Clean-up day is April 27. Two secondary road employees needed to assist and operate equipment. The Board agreed that their time would be paid by the county.

Motion by Gustafson, second by Voss, to accept \$17,500 in payment for a Ford tandem **truck** from the secondary road department, with the first payment to be made upon delivery (in the current fiscal year), and the second half due in July, 1996. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

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

Resolution No. 3-19-96

Consenting to and Approving the Plans for the Improvement of the Extension of 477th St. Within the City of Rembrandt, Iowa.

WHEREAS, it is proposed to be improved by Buena Vista County and the City of Rembrandt jointly within the City of Rembrandt, Iowa, in accordance with plans filed in the office of the Clerk of said City of Rembrandt as follows:

Widen and resurface approximately 0.66 miles from the junction of 477th St. and U.S. Hwy. 71 west to the Broadway Avenue intersection in the City of Rembrandt thru Section 36, Twp. 93 North, Range 37 West identified as Project L-R-6-96-- 73-1 1, and

WHEREAS, the Council has informed itself as to the proposed improvement and has examined the plans thereof,

NOW, THEREFORE, BE IT RESOLVED by the said Council of Rembrandt, as follows:

1. The Council hereby approves the plans for the said project and consents to the improvements in accordance with the plans.
2. The Council will take such legal steps and procedures to a conclusion such legal action and/or proceedings as are now or may hereafter be required.
 - a. To legally establish the grade lines of the street in accordance with and as shown by the project plans, and to cause any damage accruing therefrom to be determined and paid pursuant to Section 364.15, Code of Iowa.

- b. To take such steps as may be necessary to secure the consent to the removal of any trees that may interfere with the construction of the project.
- c. To remove existing and prevent future encroachments and obstructions upon streets or highways covered by the project.
- d. To remove or cause to be removed without expense to the County all water hydrants, curb boxes, electroliers, and cables, poles, parking meters, traffic signals, and any other facilities or obstructions which interfere with the construction of the project.

All above ground utilities shall be placed as close to the right of way line as practical.

- 3. Since this project may be partly financed with Federal Aid Funds, the grant of which requires that the Highway Division and the County comply with federal laws and regulations with respect thereto, the Council agrees to take such action as may be necessary to comply with such federal laws and regulation. (Approval of the plans by the Council will be satisfactory.)
- 4. The Council further agrees that within the limits of the proposed surfacing and for one foot outside thereof where the City or utility companies may be digging ditches prior to the proposed surfacing, the City will require that all backfilling and compaction of ditches shall be made in accordance with the current Standard Specifications of the Iowa Highway Division. The work to be subject to the approval of the County.
- 5. Upon completion of the project, the Council agrees that:
 - a. Any changes in the physical features of the project will be authorized only after approval has been secured from the County.
 - b. The Council will furnish and erect all signing in accordance with the Manual on Uniform Traffic Control Devices for Iowa Streets and Highways from Station 0+00 to Station 6+94.
 - c. All signing shall be approved by the County before placement.
- 6. Following completion of the paving project and its acceptance by the County, The City of Rembrandt will reimburse Buena Vista County for one- half of the cost of the paving project with regard to that portion of the project which is between the City's Eastern Corporate Line west to the Broadway Avenue intersection, including widening, asphalt resurfacing, shouldering, and pavement marking.

Approved this 19th day of March, 1996,

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

The vote on the foregoing resolution was: ayes--Bruns, Gustafson, Vail, Voss; nays--none. Carried.

Two proposals have been received for re-hab of the bridge abutments on the Linn Grove river road--\$35,232 from Kooiker Construction, and \$39,121.50 from Graves Construction. Motion by Vail, second by Bruns, to accept the low proposal of Kooiker Construction for re-hab of the Linn Grove river bridge in the amount of \$35,232. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Vail, to employ the University of South Dakota to do an archaeological study on **C-13** for the first 2 1/2 miles east out of Sioux Rapids for \$7,850. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

Motion by Gustafson, second by Bruns, to appoint Shirley Johnson as the secondary contact person for **DATA** program, and to authorize the Chairman to sign the letter of appointment. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Carried.

The City of Lakeside has requested signing on the road east of the City. Jurisdiction on the road belongs to the County. Both installation and maintenance of any signs must be considered. The County Attorney will review the proposed agreement.

One person appeared before the Board to appeal her general relief decision. The Board took no action pending receipt of additional information.

The Board agreed to proceed with negotiations for the purchase of a motorgrader, rather than ask

for quotes.

Pursuant to 1995 Iowa Code Chapter 425.2, motion by Vail, second by Gustafson, to deny the application for homestead credit and military exemption on parcel #4884.00, the owner no longer being a resident of Iowa, Buena Vista County, (there being no water utility being used nor Iowa income tax filing), and as recommended by the Assessor. Ayes--Bruns, Gustafson, Vail, Voss. Nays- -none. Carried.

Motion by Gustafson, second by Bruns, to accept the bid of Dixon Construction, Correctionville, Iowa, in the amount of \$209,474.50 for the following project: BROS-9011(6)--5F-11, and to authorize the Chairman to sign the contract. Ayes--Bruns, Gustafson, Vail. Nays--Voss. Carried.

Myron and Jane Sievers met with the Board to discuss their request to upgrade the Level B classification of the road between Sections 9 & 16 of Coon Township. In spite of the classification and signing, people continue to use the road, leading to some persons getting stuck because they believe the road to be fully open. They would like to have the road open year-round. It has a high traffic count, and a large group using it regularly. Also present for the discussion was Duane Magnussen, who also favors reclassification.

Bruce Nordmann, Chemtrol, Inc., West Des Moines, presented a proposal for removal and treatment of brush and small trees in the open drainage ditches within the county.

DHS Area Administrator Lyle Fleshner has requested input on a 4-county area workgroup to examine Iowa Child Welfare Decategorization for juveniles.

Vail left the meeting.

Motion by Gustafson, second by Bruns, to approve the following resolution amending general relief guidelines:

RESOLUTION 3-19-96a

A Resolution to Adopt the Following Amendment to the Buena Vista County General Relief Rules

Provision to be Amended

Proposed Amendment

Drug Expense, B.7.c4(d)

Add the following paragraph to such provision: Persons may be eligible for medication assistance more than three (3) times in one year if medications are needed to maintain one's mental health or to support a chronic medical condition.

WHEREAS, The Buena Vista County Board of Supervisors has thoroughly discussed the implementation of this such proposed amendment with the General Relief Services Officer, and

WHEREAS, in the judgment of the Buena Vista County Board of Supervisors such changes should be made to the General Relief Rules.

THEREFORE, be it resolved that the foregoing proposed amendment to Buena Vista County General Relief Rules is adopted effective immediately.

/s/ Lorna Burnside, Chairman, Date: 3/19/96

The vote on the foregoing resolution was: ayes--Bruns, Gustafson, Voss; nays-- none. Carried.

Motion by Gustafson, second by Bruns, to approve the following items on the consent agenda:

- minutes of 3/6, 3/12 as printed and 3/13 as corrected;
- reports including Dec. and Jan. Rec's fees; Feb Clerk's fines and surcharges; also reviewed was the annual IPERS financial report;
- awarding bids for spraying DD 181 open ditches as follows: to Lawn Manicurists, Algona, in the Big Cedar Main Open Ditch for a total of \$3,175.00; to Chem-Trol, Inc. for Big Cedar Open Ditch for \$635; and in Little Cedar Open Ditch for \$3,349.50; and to authorize the Interim Boardmember to sign;

- **late filings** for homestead credit and military exemptions on the following parcels: for '95 homestead on #'s 912.00, and 3732.00; and for '95 military on #3732.00; all as recommended by the Assessor.

The vote on the consent agenda was ayes--Bruns, Gustafson, Voss; nays--none. Carried.

There being no further business, the meeting adjourned at 3:00 p.m. until Tuesday, March 26 at 9:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
SIXTEENTH MEETING, 1996 SESSION (16)
MARCH 26, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 26, 1996 at 9:00 a.m. in the Boardroom with Chairman Burnside presiding and the following other members present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

DHS Area Administrator Lyle Fleshner discussed **decategorization of child welfare funds** which would allow more flexible use and local control of the expenditure of these funds. In order to apply for a 'decat.' project, all members of our 4-county cluster (B.V., Crawford, Ida, and Sac) must be in agreement and sign the application. Currently, Ida County has decided not to participate in the application. \$2,500,000 is involved for the 4 counties. 'Decat.' programs have been in place in larger counties for a number of years.

Architect Glen Huntington was present with a proposed notice to bidders for proposals to **re-roof the Courthouse**. Motion by Voss, second by Gustafson, to set the date and time of the bid letting as April 16 at 10:00 a.m. in the Boardroom of the Courthouse for the Courthouse re-roofing project, with the deadline for receiving proposals being 4:30 p.m. on the 15th, and the bid opening to take place at 10:00 a.m. on the 16th. Ayes--Voss. Nays--Bruns, Gustafson, Vail. Defeated. Motion by Vail, second by Bruns, to set the date and time of the bid letting as April 16 at 10:00 a.m. in the Boardroom of the Courthouse for the Courthouse re-roofing project, with the deadline for receiving proposals being 10:00 a.m. on the 16th. Ayes--Bruns, Gustafson, Vail Voss. Nays--none. Carried.

The city of **Marathon** has requested increasing the project to re-construct the state stub into Marathon by extending the re-construction into town. The council has already agreed to proceed with the stub. The Board declined to increase its original project, but will permit the City to proceed on its own as an additional project.

The Board discussed the selection of an architect for the **maintenance building** at the Luedke site. Gustafson prefers to proceed with Glen Huntington of InVision Architects of Storm Lake, and with something other than an all concrete structure. Vail noted the considerable difference in architectural fees between Huntington and Paul Maurer, Architects Collaborative of Spencer, and also the considerable difference in experience with a building for the type of use proposed. Bruns shares Gustafson's concern about the cost versus lifetime on the more expensive concrete building. A decision was deferred until 4-2-96.

Engineer Ites gave a **road report** on the progress on the following bridges: on M-54, in Poland Twp., and on Brooke Creek, and reported on the weekend's snowstorm clean-up.

The consensus of the Board was to authorize the Engineer to offer the Eng Tech 2 wage and \$500 in moving expense to a candidate for the **cad-cam operator** position. Also discussed were wage requests from 2 persons in the Engineer's office.

Zoning Director Kim Johnson reported on the Zoning Commission's earlier public hearing today regarding the **rezoning** of McKenna's Addition from Industrial to Residential-1. The Zoning Commission having ruled favorably, motion by Vail, second by Gustafson, to close the public hearing. Ayes--Gustafson, Vail, Voss. Nays--none. Absent: Bruns. Carried. Motion by Voss, second by Vail, to accept the recommendation of the Zoning Commission to re- zone from Industrial to Residential-1 McKenna's Addition, legally described as follows: Part of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 1-90-37, more particularly described as follows: Beginning at a Point in the North Highway Line of Federal Highway No. 71, 813.0 feet East and approximately 60.0 feet North of the Southwest Corner of the said Section 1; thence North for 330.0 feet, thence East for 250.0 feet, thence South for 330.0 feet, thence West for 250.0 feet along the North Right of Way Line of Federal Highway No. 71 to the Point of Beginning. Ayes--Gustafson, Vail, Voss. Nays--none. Absent Bruns. Carried.

A parcel of land to be purchased by John Peters has received ASCS and DNR rulings that the parcel is not subject to a wetland designation. The Zoning Commission will be meeting on his **rezoning**

request on April 2.

Johnson reported that the subdivision ordinance is nearly ready for formal consideration by the Zoning Commission and the Board of Supervisors.

Insurance Committee members updated several items in the insurance specifications.

The Board discussed a proposed agreement for services from Phil Brown, WestLake Consulting. Several changes were suggested by the County Attorney.

Motion by Gustafson, second by Voss, to approve the following salary effective July 1, 1996 for Dawn Mentzer, Case Manager, \$25,000.00. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

There being no further motions offered today on wage increases, motion by Vail, second by Voss, to adjourn until Tuesday, April 2 at 9:00 a.m. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Carried.

**BOARD OF SUPERVISORS MEETING
SEVENTEENTH MEETING, 1996 SESSION (17)
APRIL 2, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 2, 1996 at 9:00 a.m. in the Boardroom with Chairman Burnside presiding and the following other members present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Ites presented an employee request to carry over 5 days of vacation beyond the 5 permitted by the personnel policy. Motion by Vail, second by Voss, to permit Rich Herrig to carry over 5 days of vacation beyond his anniversary date, with the vacation to be used by May 31, 1996. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve and to authorize the Chairman to sign a letter to a prospective employee regarding the health insurance coverage provided to employees, specifically that a new employee is automatically eligible for coverage, and if purchased immediately, family coverage is available with no riders or pre-existing condition clauses, and also to send a copy of the plan document. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Gustafson, to approve the provision and installation by DOT of 2 signs reading "Watch for Pedestrians and Bicycles Ahead", with flashing lights, on the county road on the east side of the city of Lakeside which is being used as part of the Hwy 71 detour route by agreement between the County and IDOT, the maintenance of the signs to be provided by the City of Lakeside. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve and to adopt the following joint resolution with the City of Truesdale, to widen and re-surface the state stub road, and to authorize the Chairman to sign:

RESOLUTION 4-2-96A

Consenting to and Approving the Plans for the Improvement of the Extension of Secondary Road FAS Route 3178 within the City of Truesdale, Iowa.

WHEREAS, it is proposed to improve by Buena Vista County and the City of Truesdale jointly within the City of Truesdale, Iowa in accordance with plans filed in the office of the Clerk of said City of Truesdale as follows:

Widen and resurface approximately 0.65 miles from the junction of FAS route 3178 and U.S. Hwy. 71 North to the Main Street intersection in the City of Truesdale thru Section 2, Twp. 91 North, Range 37 West identified as Project L- R-5-96--73-11, and

WHEREAS, the Council has informed itself as to the proposed improvement and has examined the plans thereof,

NOW, THEREFORE, BE IT RESOLVED by the said Council of Truesdale, as follows:

1. The Council hereby approves the plans for the said project and consents to the improvements in accordance with the plans.
2. The Council will take such legal steps and procedures to a conclusion such legal action and/or proceedings as are now or may hereafter be required.

- a. To legally establish the grade lines of the street in accordance with and as shown by the project plans, and to cause any damage accruing therefrom to be determined and paid pursuant to Section 364.15, Code of Iowa. To take such steps as may be necessary to secure the consent to the removal of any trees that may interfere with the construction of the project.
 - b. To remove existing and prevent future encroachments and obstructions upon streets or highways covered by the project.
 - c. To remove or cause to be removed without expense to the County all water hydrants, curb boxes, electroliers and cables, poles, parking meters, traffic signals, and any other facilities of obstructions which interfere with the construction of the project.
 - d. All above ground utilities shall be placed as close to the right of way line as practical.
3. Since this project may be partly financed with Federal Aid Funds, the grant of which requires that the Highway Division and the County comply with federal laws and regulations with respect thereto, the Council agrees to take such action as may be necessary to comply with such federal laws and regulation. (Approval of the plans by the Council will be satisfactory.)
 4. The Council further agrees that within the limits of the proposed surfacing and for one foot outside thereof where the City or utility companies may be digging ditches prior to the proposed surfacing, the City will require that all backfilling and compaction of ditches shall be made in accordance with the current Standard Specifications of the Iowa Highway Division. The work to be subject to the approval of the County.
 5. Upon completion of the project, the Council agrees that:
 - a. Any changes in the physical features of the project will be authorized only after approval has been secured from the County.
 - b. The Council will furnish and erect all signing in accordance with the Manual on Uniform Traffic Control Devices for Iowa Streets and Highways from Station 22+60 to Station 34+20.
 - c. All signing shall be approved by the County before placement.
 6. Following completion of the paving project and its acceptance by the County, The City of Truesdale will reimburse Buena Vista County for one- half of the cost of the paving project with regard to that portion of the project which is between the City's Southern Corporate Line north to Main Street, including widening, asphalt resurfacing, shouldering, and pavement marking.

Passed this 2nd day of April, 1996.

City of Truesdale, Iowa by /s/ Jon M. Cox, Mayor, Attest: Joleen Robinson

Buena Vista County, Iowa by /s/ Lorna Burnside, Chairman, Board of Supervisors, Attest: Karen M. Strawn, Auditor

The vote on this resolution was: ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve and to adopt the following joint resolution with the City of **Marathon**, to widen and re-surface the state stub road, and to authorize the Chairman to sign:

RESOLUTION 4-2-96B

Consenting to and Approving the Plans for the Improvement of the Extension of Secondary Road FAS Route 0178 within the City of Marathon, Iowa.

WHEREAS, it is proposed to improve by Buena Vista County and the City of Marathon jointly within the City of Marathon, Iowa in accordance with plans filed in the office of the Clerk of said City of Marathon as follows:

Widen and resurface approximately 0.48 miles from the junction of FAS route 0178 and U.S. Hwy. 10

north to the Birnice Street intersection in the City of Marathon thru Section 21, Twp. 93 North, Range 35 West identified as Project L- R-7-96--73-11, and

WHEREAS, the Council has informed itself as to the proposed improvement and has examined the plans thereof,

NOW, THEREFORE, BE IT RESOLVED by the said Council of Marathon, as follows:

1. The Council hereby approves the plans for the said project and consents to the improvements in accordance with the plans.
2. The Council will take such legal steps and procedures to a conclusion such legal action and/or proceedings as are now or may hereafter be required.
 - a. To legally establish the grade lines of the street in accordance with and as shown by the project plans, and to cause any damage accruing therefrom to be determined and paid pursuant to Section 364.15, Code of Iowa.
 - b. To take such steps as may be necessary to secure the consent to the removal of any trees 4 that may interfere with the construction of the project.
 - c. To remove existing and prevent future encroachments and obstructions upon streets or highways covered by the project.
 - d. To remove or cause to be removed without expense to the County all water hydrants, curb boxes, electroliers and cables, poles, parking meters, traffic signals, and any other facilities or obstructions which interfere with the construction of the project.

All above ground utilities shall be placed as close to the right of way line as practical.

3. Since this project may be partly financed with Federal Aid Funds, the grant of which requires that the Highway Division and the County comply with federal laws and regulations with respect thereto, the Council agrees to take such action as may be necessary to comply with such federal laws and regulation. (Approval of the plans by the Council will be satisfactory.)
4. The Council further agrees that within the limits of the proposed surfacing and for one foot outside thereof where the City or utility companies may be digging ditches prior to the proposed surfacing, the City will require that all backfilling and compaction of ditches shall be made in accordance with the current Standard Specifications of the Iowa Highway Division. The work to be subject to the approval of the County.
5. Upon completion of the project, the Council agrees that:
 - a. Any changes in the physical features of the project will be authorized only after approval has been secured from the County.
 - b. The Council will furnish and erect all signing in accordance with the Manual on Uniform Traffic Control Devices for Iowa Streets and Highways from Station 13+03 to Station 25+22.
 - c. All signing shall be approved by the County before placement.
6. Following completion of the paving project and its acceptance by the County, The City of Marathon will reimburse Buena Vista County for one- half of the cost of the paving project with regard to that portion of the project which is between the City's Southern Corporate Line north to the Birnice Street intersection, including widening, asphalt resurfacing, shouldering, and pavement marking.

Passed this 2nd day of April, 1996.

City of Marathon, Iowa by /s/ Jeff Elbert, Mayor ProTem, Attest: Deanna Lietz

Buena Vista County, Iowa by /s/ Lorna Burnside, Chairman, Board of Supervisors, Attest: Karen M. Strawn, Auditor

The vote on this resolution was: ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Bruns, second by Gustafson, to approve and to enter into an agreement with the City of Alta for the **joint maintenance** of certain roads, providing terms for sharing of the costs, and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail. Nays--Voss. Abstentions--none. Carried.

The Board discussed selection of an architect for the **maintenance building** to be built at the Luedke site on E. Richland. Gustafson favors a lower cost metal building. Having viewed buildings in other counties, Voss feels that the concrete building will last much longer. The Board requested that Ites obtain building cost estimates from the architects.

The Engineer updated the Board on the progress of **right-of-way** acquisition on **C-63**. The Board agreed to proceed with condemnation.

Troy and Grace Ivey, Mike and Roxie Pertzborn, Susan Fitzpatrick, and Tom Fitzpatrick Sr. of the Community Pride Foundation, presented the Storm Lake **Civic Center** concept to the Board. The center would likely include an indoor pool with waterslide, theatre, gymnasium, walking track, senior center. Potential funding sources include grants, contributions from individuals, businesses, corporations, and public entities. Operational costs would be borne by fees, memberships, leases, passes rentals, and hopefully annual contributions from public entities such as the city. Projected operations cost would be \$400,000-450,000. The Foundation is asking for the Board's consideration and would be looking to the County for a commitment.

General Relief Director Kristina Konradi discussed the additional information provided by a person appealing a **general relief** decision, however, the information was insufficient. No action was taken, pending receipt of the requested information.

Zoning Director Kim Johnson presented a request for a special use permit. Motion by Voss, second by Bruns, to approve the temporary **special use permit** request of Fred Carlson, contractor, to locate a portable concrete plant on the following described property owned by Floyd Gustafson and located in an approved agricultural area: NW 1/4 NW 1/4 NW 1/4 of Section 31, Grant Township. Ayes--Bruns, Vail, Voss. Nays--none. Abstentions--Gustafson. Carried.

Motion by Bruns, second by Voss, to set the bid opening date for the county's various lines of **insurance** as Tuesday, May 28 at 1:00 p.m. in the Boardroom. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

1:00 p.m.--The time having arrived for the public hearing on the FY'96 **budget amendment**, the Chairman opened the hearing with no interested persons present. The Auditor reviewed the proposed amendment and noted that publication had been made as required. There being no objections, motion by Vail, second by Gustafson, to close the public hearing. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried. Motion by Vail, second by Voss, to approve the 4-2-96 amendment to the FY96 budget as published, with the appropriation changes as follows: increase activity 0000 (dept. 98) by \$500, increase activity 2010 (dept.06) by \$15,000, increase activity 3040 (dept. 23) by \$90,000, increase activity 0220 by a total of \$164,357 (to be appropriated at a later time). Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Engineer reviewed the remainder of the maintenance work to be completed this year, and then the IDOT budget and 5-year construction program. Motion by Vail, second by Bruns, to approve and to authorize the Chairman and Engineer to sign the IDOT **5-year construction program** as detailed on the maps presented, and the FY'97 IDOT **Secondary Road budget** as presented this date. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Ron Neulieb reported on his investigation regarding the possibility of air-conditioning the **Spectra Health Care** facility. Using a chilled water system, air-conditioning can be achieved. He discussed what needs to be done and estimated the cost at approximately \$100,000. Neulieb will prepare more detailed plans and proposed costs.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign a service payment agreement setting a maximum number of MR service hours at 17 1/2 hours per month at the **Howard Center** at the \$20.30/hour, for 1 person. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board directed MH Director Anita Hallquist to proceed with an **employment** ad for a social worker position in the Community Services department.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign a letter to

DHS Area Administrator Lyle Fleshner notifying him that Buena Vista County would be in favor of an application for a de- categorization of child welfare funds received from the state, in the event that Crawford, Ida and Sac Counties would also agree to submit such application. It is understood that the funds are provided 100% by the state. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the following items on the consent agenda:

- * reports as follows--Feb. Board of Health minutes, March Board of Health minutes, Recorder's fees, Sheriff's fees, Clerk's fee, Conservation Board minutes; also, reviewed were--2nd Qtr FY'96 Child Support Recovery incentives, 2nd 1/2 FY'96 mental health property tax relief.

(Approval of the minutes of the 3/19 and 3/26 meetings was tabled until 4/9). The vote on the consent agenda was: ayes--Bruns, Gustafson, Vail, Voss. Nays- -none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve County Attorney Philip Haven's appointment of David Nelson as an Assistant County Attorney pursuant to the Cooperative Reimbursement Agreement and 28-E Agreement between Buena Vista, Cherokee, Ida, Monona, and Plymouth Counties for Child Support Recovery Enforcement in Buena Vista County. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign a renewal agreement with Blue Cross and Blue Shield to administer the employee flex benefit program for FY'97. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve and to authorize the Chairman to sign a resolution proclaiming April, 1996, as Child Abuse Prevention Month as follows:

Child Abuse Prevention Month Proclamation

Whereas, child abuse prevention is a community problem and finding solutions depends on involvement among people throughout the community;

Whereas, statistics of children who are abused and neglected escalate each year;

Whereas, the effects of child abuse are felt by whole communities, and need to be addressed by the entire community;

Whereas, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious organizations, law enforcement agencies, and the business community;

Whereas, youth-serving prevention programs offer positive alternatives for young people and encourage youth to develop strong ties to their community;

Whereas, all citizens should become more aware of child abuse and its prevention within the community, and become involved in supporting parents to raise their children in a safe, nurturing environment;

Now, Therefore, We, the Buena Vista County Board of Supervisors, do hereby proclaim April as Child Abuse Prevention Month in Buena Vista County, and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening the communities in which we live. /s/ Lorna Burnside, Chairman, Board of Supervisors.

The vote on the foregoing resolution was: ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve establishing a self-issuing moving permit account for single trip moving permits for Bruce Loosebrock. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

The Board reviewed a proposed Integrated Roadside Vegetation Management (IRVM) Plan. An approved plan must be in place prior to applying for any grants. Ites suggested appointing a Plan

Manager, if the Board decides to proceed with the program. The Board will consider the proposed plan on 4-9-96 at 10:30 a.m.

Motion by Vail, second by Voss, to adjourn to Tuesday April 9, at 9:00 a.m. to canvass the April 2, 1996, Special Storm Lake School Election.

**BOARD OF SUPERVISORS MEETING
EIGHTEENTH MEETING, 1996 SESSION (18)
APRIL 9, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 9, 1996 at 9:00 a.m. in the Boardroom with Chairman Burnside presiding and the following other members present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Having completed the canvass, and pursuant to Chapter 50.24 of the 1995 Code of Iowa, motion by Voss, second by Vail, to declare the results of the special Storm Lake School Election held April 2, 1996 as follows: On the question "Shall the Board of Directors of the Storm Lake Community School District be authorized for a period of 10 years to levy annually a voter- approved physical plant and equipment property tax for schoolhouse fund purposes?" (not exceeding \$168,249, and no more than 23.9 cents per thousand in property tax, and no more than 2% in income surtax beginning with calendar year 1996 taxes): total votes cast: 748; Yes--615, No--133. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Bruns, to accept a letter from Medical Examiner Dr. David Crippin acknowledging that Deputy Medical Examiner Al Lindgren is not a County employee and therefore is not covered by the County's liability policy, and additionally, that Dr. Crippin assumes any liability for Lindgren when Lindgren is working as a Deputy Medical Examiner. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to order the following drainage district levies for collection with 1996-97 taxes: DD #HY 1--100%, DD #3 & 3 Ext.--15%, DD #40--150%, DD #57--25%, DD #73--75%, DD #163--150%, and DD#192--5%, all with a levy date of 7/1/96, due and payable 9/1/96 without interest, delinquent 10/1/96 at 1 1/2% interest per month; 3 year waivers available with 9% interest, waiver signing deadline of 9/30/96, 1st payment due 9/1/97 on parcels with an assessment of \$100 or more. Ayes--Bruns, Gustafson, Vail, Voss. Nays- -none. Abstentions--none. Carried.

Engineer Jon Ites recommended the purchase of right-of-way on N-14 where the right-of-way is too narrow for utility poles. Motion by Vail, second by Voss, to authorize Engineer Jon Ites to proceed with contacting the landowner regarding a right-of-way purchase. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board discussed the Integrated Roadside Vegetation Management (IRVM) Plan proposed by the IRVM Advisory Board. The media and 3 interested persons were present for the discussion. A \$4,500 grant is available for the ditch inventory (June 1 application deadline). A \$6,376 grant is available for seed in the following year to plant native grasses and wildflowers in the right-of- way of the C-63 reconstruction project. Bruns asked if a grant is available for spraying equipment, since Pocahontas and Crawford Counties have received them. Dean Baughman asked what the germination rate is on this type of seed. He has heard that 2nd and 3rd re-seedings have been necessary to get the plantings started in sufficient numbers. He also asked about the safety of burning in the road ditches with the utilities having lines, pipe, etc. in the ditch. Bruns asked about the long-term implications of adopting the program - are we committed in the future to further seeding? The Board will decide whether or not, and where future seeding would be done. The Advisory Board has asked Rick Lampe from BV University about the possibility of a student(s) doing the inventory. Dale Arends was concerned about the consequences of doing ditch burns.

Engineer Ites estimated the cost at \$300/acre for the customary type of seed used in ditches, and up to \$1,600/acre for wildflowers. Baughman asked if conservation groups could be asked to donate to the cost of the seed. Gustafson stated that the Isaac Walton League is interested in the project, Pheasants Forever is not active, and the Ducks Unlimited does not participate in these types of projects. Bruns reported that Jeff Kestel has identified students looking for projects who could assist with the project. Ites recommended sending both funding requests along with the proposed plan. Voss noted that wildflower plantings along hard-surface roads could cause a safety hazard when people slow or stop to view the flowers. Bruns stated that he could support a project using native grasses, but does not support the wildflower seeds unless they are donated by another group.

Motion by Voss, second by Gustafson, to adopt the BV County Integrated Roadside Vegetation

Management Plan, and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to make application for Living Roadway Trust funds in the amount of \$6,376 for C-63 project and \$4,500 for survey expense to be submitted with the approved BV County plan, and to authorize the Chairman to sign. Motion by Bruns to amend Gustafson's motion by adding that "\$2,560 in matching funds will be used for the purchase of flower seed" on the C-63 funding application, seconded by Vail. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried. The Chairman called the original question as amended. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Dr. Troy Ivey and 6 other persons were present for the discussion of the Community Pride Foundation's funding and support request for a Storm Lake Civic Center. Dr. Ivey provided some additional information highlighting the potential usage of the center by county residents not living inside the city limits of Storm Lake. The Chairman invited questions or comments from those present. Arends-is a specific amount being requested? Ivey said no, but perhaps matching funds with the city. He also suggested setting some of the funds aside for establishing an endowment in the event there may be a deficit. Even though the project would be built in Storm Lake, it would draw users from a much wider area. Although the indoor pool might seem to be competition for area outdoor pools, it might be the opposite since the city of Storm Lake would no longer have an outdoor pool. Arends asked what the membership costs would be, and if the county does not participate in the cost, would there be a different membership rate for city residents vs. non-city residents. Answer-- there could be a differential between city resident memberships and non-city residents. There are quite a number of non-city residents currently using city programs such as baseball, softball, etc. activities.

Both Vail, and the Chairman have received phone calls from the far northern parts of the county in opposition to using any county funds. As with the Civic Center permitting usage by all county residents, the facilities in the other county towns also permit usage by all county residents. The other towns could reasonably request similar funding for their facilities. Bruns is not in favor of donating county funds for a project that would be classified a want, not a need. Voss addressed the economic development side of the issue, noting that the center would provide additional jobs. However, the more that government attempts to do for the public, the more money that is needed to accomplish these requests. Boardmembers agreed that the proposed facility offers a great benefit in many areas. Tom Fitzpatrick noted that he lives not in Storm Lake, but outside, and feels his tax dollars should support the project. Storm Lake has the nucleus of the people in the county.

Dean Baughman spoke favorably of the project but against using county tax dollars for a facility to be located in Storm Lake. He opposes using county property tax for any new purposes. Even though economic development may bring new people into the county, it doesn't necessarily mean that there will be additional people paying property taxes. Arends is supportive of the civic center, but feels that property tax is not the proper source of building funds. Grace Ivey and Roxie Pertzborn spoke to the mental health benefits and the opportunities for the elderly with the project. Sue Fitzpatrick asked if the County currently keeps track of the ratio of property taxes raised by the taxing districts immediately surrounding the city compared to the districts further away. This information has not been compiled.

In summary, none of the Boardmembers spoke in favor of providing county funding.

Bruns reported on a meeting he had attended on wetland restoration, including a discussion of the way the assessed value of the property may fluctuate depending upon interpretation and how the drainage district is affected.

General Relief Director Kristina Konradi presented information regarding an appeal considered previously by the Board. The consensus of the Board was to provide no relief until a repayment agreement with a utility for a delinquent bill is signed by the appellant, and if signed, to require a repayment agreement to the county for any funds advanced on her behalf.

Motion by Voss, second by Bruns, to set the date and time of public hearing on the the Peter's re-zoning request as Tuesday, April 23 at 2:15 p.m. in the Boardroom of the Courthouse. Ayes--Bruns, Gustafson, Vail, Voss. Nays- -none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve the minutes of the 3/19, 3/26 and 4/2 meetings as printed. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Sheriff Chuck Eddy informed the Board of the theft of an employee's property from a county vehicle. A request was made for reimbursement in the amount of \$250 to the employee, since the county's \$1,000 deductible insurance coverage would not cover the loss. The Sheriff had authorized the

use of the personal phone for county business. Motion by Voss, second by Gustafson, to reimburse Don McClure for the replacement of the cellular phone at the rate of 80% of the replacement cost, up to a limit of \$200. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign a letter of support for the BV Co. Child Abuse Prevention team \$22,000 grant application to the Iowa Chapter of the National Committee to Prevent Child Abuse. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned to Tuesday April 16, at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
NINETEENTH MEETING, 1996 SESSION (19)
APRIL 11, 1996**

The Buena Vista County Board of Supervisors met in special session on Thursday, April 11, 1996 at 3:00 p.m. in the Boardroom with Chairman Burnside presiding and the following other members present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Voss, second by Bruns, to approve the low bid in the amount of \$1,031.35 from Chemtrol, Inc., West Des Moines, for brush control in Jt. DD 19-26, and as recommended and approved by the Sac County Board of Supervisors. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. (Absent for this motion--Vail). Carried.

Motion by Voss, second by Vail, to approve the following increases: Dewyne Stucynski-50 cents for favorable performance evaluation effective upon anniversary date, and an additional 24 cents beginning 7/1/96; Jerry McShane-50 cents for favorable performance evaluation effective upon anniversary date, and an additional 23 cents beginning 7/1/96. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve a 35 cent increase for Kristina Konradi effective upon her 1 year anniversary date and having received a favorable performance evaluation. Ayes--Bruns, Gustafson, Vail, Voss. Nays- -none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign an agreement for services to be provided by WestLake Consulting Group, Inc., subject to the review of the County Attorney. Motion by Gustafson to amend Vail's motion by including the following: prior to final approval of this agreement, department heads will confirm the number of employees who will be attending the program, seconded by Voss. The vote on the amendment was: ayes- Bruns, Gustafson; nays--Vail, Voss, Burnside. Amendment failed. The vote on the original motion was: ayes-Vail, Voss, Burnside; nays--Bruns, Gustafson. Motion carried.

Motion by Voss, second by Gustafson, to make no change in the percentage basis for the Engineer's secretary's wage. Ayes--Gustafson, Voss. Nays-- Bruns, Vail, Burnside. Abstentions--none. Carried. Motion by Vail, second by Bruns, to approve an hourly wage rate of \$11.45 for the Engineer's secretary effective 7/1/96. Ayes-- Vail, Bruns, Burnside. Nays--Voss, Gustafson. Motion carried.

Motion by Vail, second by Voss, to adjourn to Tuesday, April 16, at 9:00 a.m. for a regular session. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

**BOARD OF SUPERVISORS MEETING
TWENTIETH MEETING, 1996 SESSION (20)
APRIL 16, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 16, 1996 at 9:00 a.m. in the Boardroom with Vice-Chair Bruns presiding and the following other members present: Gustafson and Vail, and with Auditor Strawn as clerk for the meeting. Absent--Burnside, Voss.

Custodian Dewyne Stucynski discussed arrangements for public meeting rooms. The Auditor will draft a letter and meeting room use policy for the Board's consideration.

Treasurer Kathy Bach proposed seven properties and 1 tax sale certificate for tax abatements. Motion by Vail, second by Gustafson, to abate the following taxes as noted, plus accrued interest, recommended by the Treasurer as uncollectible: 1) 2nd 1/2 1995 mobile home taxes on MH VIN#

504568, Title# 11-W071703; 2) full year 1994 mobile homes taxes on MH VIN# RTL2W7545 Title# 11-W003426; 3) full year 1994 & 1995 taxes on MH VIN# 601556 Title# 11-W066048; 4) full year 1994 taxes on parcel #2754.00; 5) full year 1994 taxes on parcel #2961.25; 6) full year on 1990, 1991, & 1992 taxes on parcel #2731.50; 7) full year 1991 & 1992 taxes on parcel #9239.50; 8) interest only for years 1989-91 on tax sale certificate #9211, the taxes having been paid. Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites and Brad Raveling were present for the opening of pickup **quotes**. Quotes were received from Rasmussen Ford-Storm Lake, Fitzpatrick's- Storm Lake, and Schuelke Auto-Storm Lake. Motion by Gustafson, second by Vail, to accept the low quote of Rasmussen Ford for a Ford Ranger pickup in the amount of \$15,289 with no trade-in. Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to establish the following **right-of-way policy**: for small parcel purchases the county will offer 2.5 times the assessed valuation for right-of-way easements; and for dirt borrows-1.75 times the assessed valuation. Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve the **underground utility** application of Sioux Central School District for water and sewer crossings on county road number 440th St. 1/2 mile south from Sioux Rapids, across the east side of the intersection of 440th St. and the extension of 4th St. of Sioux Rapids, Iowa, and to authorize the Vice-Chair to sign. Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Ites discussed moving permit requirements as they affect Friesen of Iowa. Motion by Gustafson, second by Vail, to approve subject to the review of the County Attorney, the following waiver resolution:

RESOLUTION 4-16-96

The Buena Vista County Board of Supervisors waives the requirement of a county issued **single trip moving permit** for oversized loads by Friesen of Iowa, Storm Lake, Iowa, providing the following conditions are met:

1. Friesen of Iowa maintains an annual oversize permit for all company owned carriers.
2. A valid single trip permit has been issued by the State of Iowa covering the haul across state highways.
3. Adequate insurance to indemnify the county for any damages be carried by Friesen of Iowa.
4. The most direct route from Friesen of Iowa manufacturing facilities connecting to the state highway system be used.

The vote on this resolution was: Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

The time having arrived for the **bid** opening on the **courthouse re-roofing** project, Architect Glen Huntington announced that the time for accepting bids had expired. Huntington explained 2 addendums for the Board's consideration. Motion by Gustafson, second by Vail, to approve Addendum 1 changing the completion date to 6/21/96, and Addendum #2 which adds an alternate (#1) for removal of the stone facing (screen). Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Bids were received from H & S Roofing-Spencer, Andrews Roofing-Carroll, Ida Grove Roofing-Ida Grove, and Taylor Contracting-Storm Lake. All bidders were in agreement that removal of the stone facing (screen) is necessary for their guarantee of the roof. Various uses for the removed facing were discussed. Motion by Vail, second by Gustafson, to accept the low bid of H & S Roofing, Spencer, in the amount of \$99,966, including alternate #2 to remove the stone facing, for the **courthouse re-roofing** project which is to be completed by 6/21/96. Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Vice- Chair to sign **payment vouchers** in the amounts of \$33.75 for reproduction services, and \$885.02 for materials inspection services, for payment from farm- to-market funds. Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

It was the consensus of the Board to proceed with widening an open drainage ditch crossing in **DD #49 Garton Branch**, to provide better field access as requested by Morris Larson, tenant on land

owned by Florence Garton, Section 36, Poland Township.

Ron and Craig Neulieb, Control Systems Specialists, and Sue Morrow Spectra Administrator discussed a proposed project to air-condition the **Spectra** building. Also discussed were modifying the heating system, installing window units in each of the sleeping rooms, doing a feasibility study, having some residents not wanting the air conditioning once it has been installed. The consensus of the Board was to proceed with a feasibility study before making any decisions.

The Board reviewed a quote from Fort Dodge Asphalt for slurry-leveling and for slurry-surfacing. Motion by Gustafson, second by Vail, to use Fort Dodge Asphalt for **maintenance slurry** work. Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to pay secondary road hourly employees an additional \$20/mo. if certified for **materials inspection** effective July 1st. Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

The Board discussed additional secondary road personnel issues.

MH Director Anita Hallquist reported on a patient admission at Cherokee MHI.

Motion by Vail, second by Gustafson, to approve the following items on the consent agenda:

***minutes** of the 4/9 meeting as corrected, & 4/11 meeting as printed;

***reports** as follows--Jan-Mar Mangold-Spectra lagoon tests, 3rd Qtr FY'96 Clerk's surcharges and fines, March Clerk's surcharges and fines other reports reviewed--3rd Qtr FY'96 Liquor License share, March NWIPDC minutes, 4/2 Zoning Commission minutes;

***late filings** for 1995 homestead credit on the following parcels--#10195.10, 11930.50, 11013.00; The vote on the consent agenda was: Ayes--Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Deputy **Auditor** Jean Chindlund discussed payroll, personnel policy, and insurance issues.

There being no further business, the meeting adjourned to Tuesday April 23, at 9:00 a.m. for a special session.

**BOARD OF SUPERVISORS MEETING
TWENTY-FIRST MEETING, 1996 SESSION (21)
APRIL 23, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 23, 1996 at 10:30 a.m. in the Boardroom with Chairman Burnside presiding, and the following others present: Bruns, Gustafson, and Voss, and with Auditor Strawn as clerk for the meeting. Absent--Vail.

Motion by Voss, second by Bruns, to send a letter to Sally Halford, Director, Iowa Dept. of Corrections, to advise her of the Buena Vista County Board of Supervisor's opposition to changing Iowa Dept. of Corrections standards to prohibit **jailers** from also acting as 911 dispatchers, due the county being under a property tax freeze, and due to the county having already certified the FY'97 budget. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to increase the **wages** of the following employees by 2.6%: Norm Lund, Roger Sievers, Dave Wiley, Bob Meseck, Arlene Meseck, and Ralph Koskovich, all effective 7/1/96. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried. It was the consensus of the Board that the Weed Commissioner shall receive the sprayer's rate of pay when performing as sprayer or driver.

Motion by Voss, second by Gustafson, to amend the part-time clerk's step increase **wage schedule** by establishing an hourly rate based upon the following: starting wage-40% of the elected official's wage, after 1 year-43%, after 2 years-46%, and after 3 year's-50%, effective 7/1/96. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

1:15--The time having arrived for the Public Hearing on the **Casino Beach alley vacations**, the Chairman opened the hearing in the 2nd Floor Public Meeting Room with 15 interested persons present, noting that the notice had been published as required. Even though there are more issues of interest to those present than what can be resolved today, County Attorney Phil Havens stated that the purpose of the hearing was to correct errors in the published legal descriptions in the original notice of public hearing.

His recommendation to the Board was to receive any and all comments, and to repeat the actions taken previously for the purpose of correcting the legal description error. Havens explained that since the Casino Beach plat was never dedicated to the Public, the Resolution to Vacate to be considered by the Board, would vacate the interest of the County, if any, in the platted alleys. Further, there is no statutory authority to vacate an easement.

Attorney Phil Redenbaugh explained that Dr. & Mrs. Treu would like to convey 16' of their parcel to the Porter's only if they receive the 16' of alley.

Engineer Jon Ites reviewed a letter received by the County from Graham and Associates addressing the replatting in the 1920's of a portion of Casino Beach. The new plat did not include the alleys. Former County Engineer Don Linnan noted that vacating the 16' alley would merely give back 16' feet lost by the owners to common usage as a road, and upon which taxes have been continuously paid. There is no gain to these owners.

After receiving questions and comments from the other attorneys and property owners present, motion by Gustafson, second by Voss, to close the public hearing. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

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

RESOLUTION TO VACATE PLATTED ALLEYS 4-23-96

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

The following described platted alleys, being parts of the plat of the Casino Beach Subdivision in Buena Vista County, Iowa, are hereby vacated:

The platted alley that is sixteen feet (16') in width (North-South), three hundred sixty-six feet (366') in length (East-West), and contiguous to and generally South of Lots One (1) through Nine (9), Block Three (3), Casino Beach, Buena Vista County, Iowa;

and

The platted alley that is six feet (6') in width (East-West), one hundred feet (100') in length (North-South), and contiguous to and between, Lots Five (5) and Six (6), Block Three (3), Casino Beach, Buena Vista County, Iowa;

The said platted alleys are vacated pursuant to Section 354.23 of the 1995 Code of Iowa and all other applicable provisions of Iowa Law, because the Buena Vista County Board of Supervisors deems them to be of no benefit to the public.

Buena Vista County, Iowa, hereby quit claims and conveys its interest, if any, in each of the following parts of the above-described vacated alleys to the person(s) listed opposite the description of the part conveyed:

<u>Property Description</u>	<u>Name of Adjoining Proprietor(s)</u>
That part of the 16 foot wide vacated alley contiguous to and South of Lot 1, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 1.	Buena Vista County, Iowa
That part of the 16 foot wide vacated alley contiguous to and South of Lot 2, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 2.	Mary A. Lanphere
That part of the 16 foot wide vacated alley contiguous to and South of Lot 3, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 3.	Mary Lanphere

That part of the 16 foot wide vacated alley contiguous to and South of Lot 4, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 4.

Mary Lanphere

That part of the 16 foot wide vacated alley contiguous to and South of Lot 5, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 5.

Mary Lanphere

That part of the 16 foot wide vacated alley contiguous to and South of Lot 6, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 6.

Bodo Treu and Katherine Treu

That part of the 16 foot wide vacated alley contiguous to and South of Lot 7, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 7.

Bodo Treu and Katherine Treu

That part of the 16 foot wide vacated alley contiguous to and South of Lot 8, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 8.

Bodo Treu and Katherine Treu

That part of the 16 foot wide vacated alley contiguous to and South of a parcel described as the South 30 Feet of Lot 9, Block 3, Casino Beach, Buena Vista County, Iowa, which lies between straight extensions of the east and west boundaries of said Lot 9.

Bodo Treu and Katherine Treu

The eastern 3 feet of the 6 foot wide and 100 foot long vacated alley contiguous to and between Lots 5 and 6, Block 3, Casino Beach, Buena Vista County, Iowa.

Mary Lanphere

The western 3 feet of the 6 foot wide and 100 foot long vacated alley contiguous to and between Lots 5 and 6, Block 3, Casino Beach, Buena Vista County, Iowa.

Bodo Treu and Katherine Treu

This Resolution shall be filed of record with the Buena Vista County, Iowa, Recorder, pursuant to Section 354.23 of the 1995 Code of Iowa.

This resolution is intended to correct and amend the resolution concerning these alley easements adopted April 11, 1995.

/s/ Lorna Burnside, Chairperson, Board of Supervisors, Buena Vista County
ATTEST: /s/ Karen Strawn, Auditor, Buena Vista County

The vote on this above resolution was: ayes--Bruns, Gustafson, Voss. Nays-- none. Abstentions--none. Carried.

2:15 p.m. -- The time having arrived for the public hearing regarding the **re-zoning request** of John Peters, the Chairman opened the hearing with 7 interested persons present. Zoning Director Kim Johnson reviewed Peters' request to re-zone from A-1 Prime Agricultural to A-2, her recommendation to the Zoning Commission, and the Zoning Commission's decision, which was to deny the request to avoid spot zoning, and the number of current acreages. Johnson cited the following reasons for her favorable recommendation: a) the parcel of land for which the request was made is not prime agricultural land, having a creek and a pond running through it, b) the property is on a hard surfaced road which is a requirement for an new acreage, c) the proposed changes to the property will meet the environmentally

sensitive area standards as required in the Comprehensive Plan. The current owner, Keith Minard, also noted that with the fencing and development of the property which Peters proposes to do, would reduce the liability for the ponds on the parcel.

Motion by Voss, second by Gustafson, to close the public hearing. Ayes-- Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Voss, to follow the recommendation of the Zoning Commission to deny the rezoning request of John Peters, from A-1 to A-2, for a parcel in the SW 1/4 Section 19, Washington Township, for the following reason: this parcel of land is not prime farmground. Ayes--Bruns, Voss. Nays--Gustafson, Burnside. Abstentions--none. Failed.

Upon the advice of County Attorney Phil Havens, that the above failed motion does not fulfill the Board's duty to act upon the Zoning Commission's recommendation, motion by Gustafson, second by Burns, to table further action until April 30 at 1:00 p.m. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Gustafson and Bruns discussed the interest in and development of a hog lot ordinance which would establish a county indemnity fund for earthen manure storage facilities. County Attorney Phil Havens noted that there were many issues to be considered. He requested direction from the Board on whether to proceed with drafting an ordinance. Bruns reported on a 4/20/96 meeting in Spencer, noting that there wasn't any new information - that the same ideas had been previously discussed in different settings. Gustafson suggested a statement of reason or purpose be included in an ordinance, explaining what the Board wanted to have as a result of an ordinance. On fees, Havens raised the issue of when does a fee become a tax - the Board may not impose any tax other than that which is specifically provided by law. Gustafson provided figures from Engineer Kris Kole, on how much affluent a particular hog set-up would generate. He suggested having the fund follow its source, i.e. dollars paid by owner A would be used for clean-up of that operation. The fee would be paid by the owner of the hogs, whether a county resident or an outside owner. Also, the fee would be required only for anaerobic lagoons or earthen manure basins. Bruns suggested a per gallon fee (holding capacity of lagoon) as the fee basis. Gustafson wants the local fees to be available because the state indemnity fund may or may not be adequate. Burnside and Voss asked how the county could proceed with clean-up if the county is not the owner of an abandoned location. In a previous meeting, District 3 Supervisors opposed taking title to the ground in order to do a clean-up, although that is what is required by HF 519. Motion by Voss, second by Gustafson, that the County Attorney proceed with developing a proposed ordinance for a fund to pay for emergency clean-up of lagoons and earthen manure storage basins. The Chair suggested involving persons in the hog industry in the drafting process. The vote on the motion was: Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions. Carried.

Engineer Jon Ites reviewed the secondary road employees' request to amend the method of calculating overtime pay as it relates to holiday/sick leave.

There being no further business, the meeting adjourned to Tuesday April 30, at 10:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWENTY-SECOND MEETING, 1996 SESSION (22)
APRIL 30, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 30, 1996 at 10:00 a.m. in the Boardroom with Chairman Burnside presiding, and the following others present: Bruns, Gustafson, Vail, and Voss, and with Auditor Strawn as clerk for the meeting.

Brent Mangold, Mangold Environmental Testing, discussed continuing problems with the Spectra lagoons. The Board discussed installing a lift station at a cost of \$15,000-18,000 for the equipment, plus installation, wiring, engineering costs, etc. The county would need to obtain DNR approval for the improvement. The consensus of the Board was to have Mangold proceed with obtaining an estimate, and to engage an engineer.

Bruce Nordmann, ChemTrol, West Des Moines, will provide an estimate for treating the weeds at the Spectra lagoons. Nordmann also reviewed his proposal for weed and brush control treatment in the drainage ditches, the work to be done this fall after the crops have been harvested.

Zoning Director Kim Johnson reviewed John Peter's re-zoning request, the action taken previously by the Zoning Commission, and the need for the Board of Supervisors to take action on the Zoning Commission's recommendation.

Motion by Voss, second by Bruns, to accept the Zoning Commission's recommendation to deny the John Peters rezoning request. Ayes--Bruns, Voss. Nays--Gustafson, Vail, Burnside. Abstentions--none. Failed. Motion by Vail, second by Gustafson, contrary to the Zoning Commission's recommendation, to approve the rezoning request of John Peters from A-1 to A-2 on a parcel of land described as follows: A tract of land located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 24, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa, and being more particularly described as follows: Beginning at the Southeast (SE) Corner of the Southeast Quarter (SE 1/4) of said Section 24; Thence on an assumed bearing of North 89 33'06" West, along the South line of said Southeast Quarter (SE 1/4), 472.90 feet; Thence North 00 00'00" West, 765.00 feet; Thence North 89 33'06" West, 46.11 feet; Thence North 00 00'00" West, 561.26 feet to the north line of the Southeast Quarter of said Southeast Quarter (SE 1/4 SE 1/4); Thence South 89 41'41" East, along said north line, 519.00 feet to the Northeast (NE) Corner of said Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4); Thence South 00 00'00" East, along East line of said Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4), 1327.55 feet to the Point of Beginning. Ayes-- Gustafson, Vail, Burnside. Nays--Bruns, Voss. Abstentions--none. Carried.

Zoning Director Kim Johnson advised the Board of the May 6 Zoning Commission meeting regarding a petition to subdivide a parcel of land in Section 16, Township 90, Range 37. She also discussed the need to define farm for zoning compliance purposes.

Motion by Gustafson, second by Voss, having received a favorable evaluation, to increase the hourly rate of Bonnie Harson, Environmental Health and Zoning Secretary, from \$5.50 to \$5.75 effective May 1, 1996. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites discussed the Board's IRVM grant application which allows for a local funding match.

Motion by Vail, second by Bruns, to accept a quote from Sta-Bilt Construction of Harlan, Iowa, in the amount of \$2,585.62 for seal-coating Casino Beach South Road (an extension of 92nd Ave.) per agreement, plus 150' on Stoney Point Road (old 92nd Ave.). Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

By consensus, the Board agreed to set May 14 at 1:00 p.m. as the date and time to negotiate with a local dealer on a motorgrader.

Ites reported on his additional research on building costs for the maintenance building at the Luedke site. Voss favors a concrete building with Maurer, Spencer, as the architect. Gustafson favors a metal building, and agreed that Maurer fees are lower. Vail favors concrete because the calcium chloride brought in on equipment will be highly corrosive to the metal building. Bruns calculated that the cost of concrete over metal would be an additional \$60,000, which may/may not be cost effective over the life of the building. Motion by Vail, second by Voss, to hire Paul Maurer, Architects Collaborative, Spencer, to prepare plans and specifications for a maintenance building. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Ites advised the Board that in about 2 weeks the DOT will be closing the north end of Hwy 71 from M-44 to Hwy 3 for the Hwy 71 bypass.

The Board acknowledged receipt of a letter from Environmental Health Director Kim Johnson thanking the Secondary Road employees who assisted with the April 27 Toxic Waste Clean-up Project.

For work done by Secondary Roads for Albert City, the consensus of the Board was to ask for the city to reimburse the cost of wages for the county employees, and to provide the equipment at no charge.

Ites discussed 2 requests for drainage relief. He will investigate further.

Gustafson left the meeting.

In response to a request from Don's Farm Supply, motion by Vail, second by Voss, to authorize Darel Burns to hydraulically size a suitable structure for DD #1 inside the city limits of Newell, the cost to be paid by Don's Farm Supply, Newell. Ayes--Bruns, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign an agreement with Cindy Hildreth for custodial services at the DHS Annex for 1 year commencing April 30, 1996.

Ayes--Bruns, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Nurse Administrator Karole Graen confirmed that the Board of Health should be listed as the board with oversight responsibilities on the funding application for the state-grant, single county contract.

Motion by Vail, second by Bruns, to approve the **minutes** of the 4/16 as printed and 4/23 minutes as corrected. Ayes--Bruns, Vail, Burnside. Nays-- none. Abstentions--Voss. Carried.

There being no further business, the meeting adjourned to Tuesday May 14, at 9:00 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWENTY-THIRD MEETING, 1996 SESSION (23)
MAY 14, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 14, 1996, at 9:00 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Treasurer Kathy Bach discussed a new law allowing the County Treasurer to collect delinquent **court fines** and restitution with license plate renewals. Counties under 25,000 in population, whose court systems have the Iowa Court Information Service (ICIS), are currently able to participate voluntarily. The Board concluded that it will not add significantly to the workload.

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

RESOLUTION 5-14-96

RELATING TO COLLECTION OF DELINQUENT RESTITUTION PAYMENTS.

WHEREAS, in 1995 the Iowa Legislature adopted Senate File 403, an act providing that a County Treasurer shall refuse to renew the registration of a vehicle registered to a person who owes delinquent restitution; and

WHEREAS, nonpayment of court-ordered restitution is a serious problem in this state, costing Iowa taxpayers millions of dollars; and

WHEREAS, under the Iowa Code, counties will retain a portion of the restitution collected under certain circumstances, benefitting the county's property taxpayers; and

WHEREAS, Senate File 403 states that its provisions only apply to counties with a population of less than 25,000 upon the adoption of a resolution by the county board of supervisors so providing;

THEREFORE, BE IT RESOLVED, that the Buena Vista County Board of Supervisors hereby provides that the provisions of Iowa Code 321.40, unnumbered paragraph 4, relating to the collection of delinquent restitution payments, as amended in Senate File 403, are adopted in this county.

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Absent--none. Abstentions-- none.

WHEREUPON, the Chair of the Board of Supervisors declared said Resolution duly passed and adopted this 14th day of May, 1996.

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

Motion by Voss, second by Vail, to set June 11, 1996, at 10:00 a.m., as the time for receiving **fuel quotes** for the season's fuel supply. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Bruns, to approve Bob Oglesbee's (**secondary roads**) request to carry over 5 days of vacation into his next (anniversary) year. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve a proposed map for maintenance of extensions of county roads around **Sioux Rapids**. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the payment agreement in the amount of \$1,483.00 on the preliminary survey work done on the bridge in Section 23-91-36 (**BROS-9011(5)--5F-11**) to Kuehl and Payer, and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Gustafson, to approve a payment estimate in the amount of \$21,047.45 from local funds to Christensen Bros., Inc., Cherokee, for construction of a bridge on M-54 (**L-FM-BV-B-6-97--73-11**), and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve the proposal of Kuehl & Payer, Chuck's Surveying & Mapping Division, in the amount of \$1,500, to re-establish corners in Section 2 of Barnes Township in preparation for **bridge**- work to be done, and to authorize the chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Ted Kourousis, NWIPDC, has notified the County that its 1997-99 **Transportation Improvement Program** has been approved as amended.

Motion by Gustafson, second by Voss, to authorize the County Engineer to sign the **IRVM** application for Living Roadway Trust funding in the amount of \$4,500 for the IRVM inventory. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Voss, second by Bruns, to authorize the County Engineer to sign the **IRVM** application for Living Roadway Trust funding in the amount of \$6,376 for the C-63 IRVM demonstration project. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Supervisors Voss & Bruns discussed the progress to date on readying a **hazmat** team for the county either by forming and training a team, or making arrangements with another jurisdiction (Woodbury or Webster County) to engage their team as needed. Storm Lake Fire Chief Ron Wilson discussed what other counties in the State are doing.

Assessor Ted Van Grootheest, Zoning Director Kim Johnson, Auditor Strawn and Deputy Auditor Jean Chindlund discussed equipment needs for the mapping project, requesting an amendment to the current **FY'96 budget**. Sheriff Chuck Eddy also requested an amendment to his budget.

Environ. Health/Zoning Director Kim Johnson requested upgrading the second position in her department from part-time to full-time. The increase will be utilized for restaurant inspections (**environmental health**).

Rod Henning, Swaney Equipment Caterpillar dealer, proposed a 140H **motorgrader** to replace a 1979 John Deere.

Susan Hoss, **Child Support Recovery Unit**, updated the Board on the Unit's calendar year fiscal report. Incentives received by the County offset the County's expenses with an extra \$773.29 going to the General Fund. The next budget is down due to a personnel change - a 16 year veteran retired, with a new attorney taking her place. Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the FY'97 agreement with the Child Support Recovery Unit for its services. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Ron and Craig Neulieb, Control Systems Specialists, provided several designs and an estimate for the cost of air conditioning the care facility building leased by **Spectra** Health Care.

Storm Lake Librarian Rose Peterson requested that the County act as the fiscal agent for a historical resource development grant application. The grant will be used to purchase 2 microfilm reader/printers, and to microfilm the fragile historical and genealogically valuable records located in the 8 libraries which are members of the BV Co. Library Association. Motion by Gustafson, second by Voss, to approve a **grant** application for the BV County Library Association in the amount of \$39,798 from the State Historical Society, and to authorize the County Auditor to sign as the County's legally authorized representative. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board continued with negotiations for a **motorgrader**, but did not reach a consensus at \$150,500 with trade-in.

Engineer Jon Ites discussed a property line problem on a parcel south of Truesdale which is up for sale. There is an **encroachment** problem with the property. Ites will consult with the County Attorney for his assistance in requesting a remedy to the situation.

Motion by Gustafson, second by Voss, to **employ** Faye Licktieg as a fulltime Social Worker in the Community Services department effective 6/4/96 at \$21,000/year. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

Motion by Vail, second by Voss, to set the date and time of **public hearing** on an amendment to the FY'96 county budget as Wednesday, May 29 at 8:30 a.m. in the Boardroom of the Courthouse. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to change the date and time for receiving proposals for the County's **insurance coverages** from May 28 at 1:00 p.m. to June 11 at 1:00 p.m., as requested by Clark Fort and J. C. Eaton. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve the following **appropriation** changes (from the April 2, 1996 budget amendment): increase debt service by \$6,276, and to increase activity 0200, dept. 51 by \$35,923. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Bruns, to approve the following selected items on the consent agenda:

- * **minutes** of 4/30 meeting as corrected;
- * **reports**-April budget reports, NWIPDC minutes, Recorder's fees, 4/24 & 5/1 Mangold Environmental Testing of Spectra lagoon, minutes of 5/7/96 DD #274 and DD #16-30-92;
- * **fireworks permit** for the city of Rembrandt, with the city to assume all responsibility for liability and safety, the fireworks to be shot from Norman Eastman's field south of C-25 (south of Engebretson ballpark) on 7/4/96;
- * **liquor license** application from Lake Creek Country Club for a Class C liquor license, Sunday sales, and outdoor sales;
- * **late filings** for 1995 homestead credit on the following parcels: #8630.00 & 5773.00;
- * the agreement with H & S Roofing for the re-roofing of the **Courthouse**, and to authorize the Chairman to sign, further, to approve H & S Roofing Performance and Payment Bonds, and the Merchants Bonding Co. endorsement changing the effective date;
- * **DD #16-30-92** claim for services provided by Sac City Surveying & Mapping in the amount of \$35.48, and to authorize the Chairman to sign;
- * minutes of the 4/23, 4/30 & 5/7 **DD #16-30-92** meeting, and the 5/7 **DD #274** meeting, as printed;
- * work order for **DD #16-30-92** in an estimated amount of \$1,025 for a site in Section 14, Douglas Twp., Sac County, and to authorize the Chairman to sign;
- * today's **payroll** claims subject to future audit; Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned at 4:45 p.m. to May 21 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS
TWENTY-FOURTH MEETING, 1996 SESSION (24)
MAY 21, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 21, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Voss, and with Auditor Strawn as clerk for the meeting. Absent: Vail.

Treasurer Kathy Bach, Recorder Shari O'Bannon, & Deputy Auditor Jean Chindlund discussed the **imaging** project for those departments. The Board agreed to reappropriate in FY'97 the unexpended FY'96 data processing capital project funds.

Craig Neulieb, Control Systems Specialists, further discussed the air- conditioning project for **Spectra**. Both Voss and Bruns stated that they would like to engage an engineer to draw up specs. Gustafson and Burnside would like to utilize the knowledge and experience of Control Systems

Specialists. Neulieb was asked to provide a cost figure for him to draw up specs, to be considered with other proposals to prepare the necessary specs.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign the **underground utility** permit application of Iowa Lakes Electric Cooperative to install a single phase 7200 V line to replace the existing service to be located along the south side of C-49 from the NE corner of Section 35, Coon Township, east to the Pocahontas County line for 1 mile, with 2 road crossings, and to be placed in private right-of-way except for the road crossings. Ayes-Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign the **underground utility** permit application of Iowa Lakes Electric Cooperative to install a single phase 7200 V line to replace existing service, and to be located in Poland Township along N-14 from Hwy 10 south 1 mile, then east to Arlin Lundburg, placed in private right-of-way except for the crossing of N-14 near the 1/2 mile line and near Leland Olson, to miss the grove, and crossing to Arlin Lundburg, this resolution intended to include approval for DD #168. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Gustafson, to approve and to authorize the Chairman to sign the **underground utility** permit application of Iowa Lakes Electric Cooperative to install an overhead single phase 7200 V line to replace failed underground service at the following location: from the SW corner of Section 28, Maple Valley Township, north on the E right-of-way line for 1/4 mile, and crossing to the west side for service to Willard Schmidt. Ayes- Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites reported cost changes to Architects Collaborative's proposal for design services for the secondary road maintenance building, the changes due to changes requested by the County. Motion by Voss, second by Bruns, to approve, and to authorize the Chairman to sign a contract with **Architects Collaborative**, Spencer, to provide design services for the maintenance building to be built at the Luedke site. Ayes-Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

IDOT approval has been received for the County's **integrated Roadside Vegetation Management** Plan.

Motion by Gustafson, second by Bruns, to approve, and to authorize the Engineer to sign, the **mutual benefit agreement** between Hallett Materials, Lake View, and Buena Vista County, to furnish **aggregate** products on a trade basis to be used for the improvement of Hwy 71 in BV County. Ayes-Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Ites discussed procedure for disposal of **unused equipment**. No action was taken.

Motion by Voss, second by Gustafson, to set the date and time of **bid letting** as July 23 at 10:00 a.m. in the Boardroom for the following culvert projects: L-B 102 and L-C 101. Ayes-Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign the proposal of Chem-Trol, Inc. for **brush control** in the following drainage ditches: **#1 Main**-\$1,650.00; **#1 Lat 1**-\$336.00; **#20 Main**- \$403.50; **Jt #274 Main**-\$360.00; **#14 Ext**-\$375.00; **#184 Main**-\$460.00; **#3 Main**- \$1,200.00; **#83 Main**-\$1,287.00; **#34 Lat 6**-\$1,648.50; **#34 Lat 9**-\$1,143.00; **#101 Main**-\$751.50; **#183 Main**-\$180.00; **#32 Main**-\$75.00; **#205 Main**-\$247.50; **#106 Main**- \$492.00; **#180 Main**-\$238.00; in a total amount of \$10,847.00. Ayes-Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried. No action was taken on the Chem-Trol proposal for weed control at the Spectra lagoon.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign a **mutual assistance agreement** with the City of **Alta** for law enforcement activities. Ayes-Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried. The following claim was audited and allowed: **Debt Service Fund** -Banker's Trust Company-Recycle Center payment for G.O. Bond interest and principal-\$155,397.50.

There being no further business, the meeting adjourned to May 29 at 8:30 a.m. for a regular session.

The Buena Vista County Board of Supervisors met in regular session on Wednesday, May 29, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Zoning Director Kim Johnson discussed how the Sidwell mapping project will be used in her department. The Board requested additional information regarding costs.

DHS Regional Administrator Bob Peters, with department heads who are housed at the E. Richland Annex, discussed **meeting room** usage by various DHS groups in this region. The purpose of the discussion was to establish guidelines for usage. The Board will adopt a policy to cover both the Courthouse meeting rooms and E. Richland Annex.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign, the **underground utility permit** application of Marc Bertness to place a waterline across the county road which goes through Section 7, Lee Township, to connect to new water main with 1 1/2" service, the line to be bored under the roadway. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign the **underground utility permit** application of Iowa Lakes Electric Cooperative, to replace underground line with 3-phase 7200/12420 volt underground line in the roadway along the south shoulder, from the NW corner of Section 14, Grant Township, to the NW corner of Section 18, Coon Township. Ayes--Bruns, Gustafson, Vail. Nays--none. Abstentions--Voss. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the **underground utility permit** application of Iowa Lakes Electric Cooperative to replace underground lines with combination overhead and underground cable carrying 7200/12420 volt 3-phase service, to be installed as follows: overhead from the SW corner of Section 34, Coon Township, south across to the NW Corner of Section 3, Newell Township, thence underground across to the north shoulder and east to SE corner of Section 34, Coon Township. Ayes--Bruns, Gustafson, Vail. Nays--none. Abstentions--Voss. Carried.

Engineer Jon Ites advised the Board that construction of the C-13 **bridge** 3 miles west of Linn Grove has commenced, and the road is expected to be closed 8-10 weeks. Also, the rehabilitation of the river bridge across the Little Sioux River on M-36 at Linn Grove has commenced. The bridge will have one way traffic for approximately 3-4 weeks during construction.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign, with the Auditor to attest, the agreement with the IDOT for Federal-Aid Surface Transportation Program Project for project STPS-S-11(26)-- 5E-11 to resurface **M-27**, with the federal participation maximum to be \$393,000 or 80%, whichever is less. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Ites briefly discussed the ambiguity of the current **eyeglass** replacement policy which provides for cost sharing on the replacement. He will propose a policy for the Safety Committee's consideration. The Board of Supervisors shall have final approval on any policy adopted.

Rod Henning, Swaney Equipment, met with the Board to amend his earlier proposal for a new **motorgrader** for the County. Henning proposed taking early trade-in of the 1979 John Deere -- now, rather than after the new one is purchased, and reducing the asking price to \$147,500. Motion by Vail to purchase a Caterpillar 140H for \$147,500 with the immediate trade-in of a 1979 John Deere from Swaney Equipment. The motion died for lack of a second. Henning asked if the Board would consider the purchase at some other figure. Voss would consider \$145,000, Bruns-\$145,500. Henning will take the offer back to the company.

Nurse Administrator Karole Graen reviewed the May minutes of the Board of Health.

SLADC Executive Director Jim Gossett and Gary Owens, Economic Development specialist of Des Moines, met with the Board to discuss the completion of the establishment of the **TIF** area for the 25 acres currently owned by SLADC. Gossett encouraged completing the establishment of a TIF area so that it is in place for the time when a potential industry 'on the fast-track' considers our location. This would avoid having to make decisions on very short time notice. Gossett offered to guide the Board through the process, starting with making contact with Attorney Bob Josten. The Board accepted his offer.

Motion by Vail, second by Bruns, to return to the \$100 deductible **employee health insurance** program, with no partial self-funding, effective 7/1/96. The Board reserves the right to review at a later time. Ayes--Bruns, Gustafson, Vail. Nays--Voss. Abstentions--none. Carried.

Craig Neulieb, Control Systems Specialists, introduced Greg Kooker, Architects Collaborative of Spencer. CSS would like to do the **Spectra air-conditioning** project, but understands the County's desire to have an engineer involved in the project. Kooker noted some of the changes in standards for nursing homes. Kooker has reviewed the work done to date by Neulieb and believes the chiller system will be the most efficient and the most cost-effective. Kooker would be willing to prepare specifications for bidding on the project so the CSS would be eligible for the bid process for installation. The cost for preparation of the specs would be charged at an hourly rate up to a maximum of 8% of the project. He will provide an estimate of the time saved for the engineer by the research and design already completed by Neulieb. Kooker will submit a proposal for his services to do a design study and to prepare the plans and specifications. Gustafson, Vail and Bruns are in favor of having him draw plans and specs., and not having the design study done. Voss favors also having Kooker do the design study.

Motion by Gustafson, second by Bruns, to relinquish ownership of the outdated, used recorder in the **Communications Center** to the Buena Vista County E911 Service Board so that it can be traded in on a new recorder to be purchased with E911 surcharge funds. The vote on the above motion was: ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Henning and Ites returned to the Board with another **motorgrader** proposal which was to switch to a Balderson lift group in the specs (from the Henke lift group), at a price of \$145,000 with early trade-in. Motion by Bruns, second by Voss, to accept the proposal to purchase a 140H Caterpillar motorgrader for \$145,000 and early trade-in of the 1979 John Deere, with the specs modified to include the Balderson front lift group. Ayes--Bruns, Vail, Voss. Nays-- Gustafson. Abstentions--none. Carried.

1:00 p.m.--The time having arrived for the **public hearing** on an amendment to the County's FY'96 budget, the Chairman opened the hearing, noting that the required notice had been published. The Auditor reviewed the amendments by service area. There being no objections, motion by Vail, second by Voss, to close the public hearing. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve the 5-29-96 Buena Vista County **budget amendment** (FY'96) as published. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the following changes in **appropriations** pursuant to the 5-29-96 amendment: increase activity 1050 by \$3,500; increase activity 1060 by \$4,500; increase activity 1110 by \$6,979; increase activity 3020 by \$1,000; increase activity 5000 by \$2,000; increase activity 8000 by \$19,000; increase activity 9000 by \$7,500; increase activity 0220 by \$47,250. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Recorder Shari O'Bannon requested approval to make application to sell federal **duck stamps**. No payment is due until the end of the year when settlement is made. Motion by Vail, second by Gustafson, to approve the Buena Vista County Recorder seeking application to be a sales agent for the federal duck stamps. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

Members of the Buena Vista County Communications Commission and the Buena Vista County E911 Service Board met to request that the Board of Supervisors re-consider building a restroom within the **Communications Center**. Present were Norm Taylor, Storm Lake Fire Chief Ron Wilson, Alta Mayor Ed Buckendahl, Storm Lake Police Chief Mark Prosser, Bruce Melohn, Alta Police Chief Julian Ortiz, Deputy Sheriff Doug Simons, Custodian Dewyne Stucynski and Communications Center Supervisor Nancy Brady. Taylor distributed a letter from the E911 Service Board, and additional information for the Board's consideration. Taylor and Wilson both spoke to their degree of concern about liability, health and safety issues. Melohn suggested that a chemical toilet with a lift station would cost approximately \$900, with installation being extra. This would avoid previous considerations of cutting into the floor. Voss spoke in favor, but wanted to see some costs first. Prosser asked what the appropriate process would be to keep the project moving. The consensus of the Supervisors was to have the Head Custodian proceed with getting estimates.

Custodian Stucynski requested approval to have the **flagpole** painted. The Board approved.

Motion by Voss, second by Vail, to appoint Clarence Krepps as Buena Vista County's city representative to the **NWIPDC** board. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the **employment** of Preston Jacobs as an Engineering Technician II in the Engineer's office at \$11.85/hr. effective 5/30/96, increasing to \$12.25 on

7/1/96. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the following items from the consent agenda:

- approve minutes of the 5/14 and 5/21 meetings as corrected;
- approve reports -- the April Clerk's fines and surcharges and May Board of Health_minutes;
- approve an \$80.00 claim for beaver control to Phil Hesnard in Jt.DD #19-26, and a \$62.70 claim for a spray project to Sac City Surveying and Mapping, also in Jt. DD #19-26;

The vote on the above motion was: ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Treasurer Kathy Bach reported on the settlement and order by the Department of Revenue regarding delinquent taxes on 2 railroad companies. Motion by Voss, second by Gustafson, pursuant to an order from the Iowa Dept. of Revenue and Finance regarding the Matter of the Assessment of Chicago Northwestern Transportation Company (CNW), this Board authorizes the County Treasurer to abide by said order signed 5/24/96 by G.D.Bair, Director, Iowa Dept. of Revenue, with the Auditor to issue a certificate of adjustment as needed. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, pursuant to an order from the Iowa Dept. of Revenue and Finance regarding the Matter of the Assessment of Chicago Central & Pacific Railroad Company (CCP), this Board authorizes the County Treasurer to abide by said order signed 5/24/96 by G.D.Bair, Director, Iowa Dept. of Revenue, with the Auditor to issue a certificate of adjustment as needed. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

MH Direcor Anita Hallquist discussed a letter requesting reimbursement of the full costs of transportation of 1 Buena Vista County resident to Cherokee MHI, the services provided by the Story County Sheriff. The Board approved the additional payment.

Hallquist reviewed program and cost reports of the Buena Vista County Case Management Program from July 1, 1995 to the present.

Motion by Vail, second by Gustafson, to approve the Courthouse and Annex Public Meeting Room Use Policy, and to authorize the Chairman to sign. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned to June 10 at 9:00 a.m. to canvass the results of the June 4, 1996, Primary Election.

**BOARD OF SUPERVISORS
TWENTY-SIXTH MEETING, 1996 SESSION (26)
JUNE 10, 1996**

The Buena Vista County Board of Supervisors met in special session on Monday, June 10, 1996, at 9:00 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Custodian Dewyne Stucynski has contacted a contractor to repair/pour sidewalk around the courthouse, as ordered by the city, and will make arrangements to spray weeds at the E. Richland Annex. He also discussed several items and costs, in the amount of approximately \$6,000, for the Comm. Center restroom project. With Gustafson opposed, Voss wanting to discuss the issue further with Supervisor Brady, and Bruns, Vail, and Burnside in favor of proceeding, Stucynski was directed to get estimates for all of the work and to proceed with installation.

Upon completion of the Canvass pursuant to Chapter 50.24 of 1995 Code of Iowa, motion by Vail, second by Voss, to declare the results as follows: Total votes cast: Rep-861, Dem-173, (1,034 total) [Note: persons receiving 5 or less votes will be listed together under the title 'Scattering', and the votes cast for those listed under scattering will added together. The number of persons included in each incidence of 'Scattering' will be shown as (3). For Township offices only, all write-ins are shown. For those offices voted upon by the entire county or one of its subdivisions, the person declared nominated will be designated as -N].

	U.S. Senate	152-Tom Harkin
	140-Steve Grubbs	501-Jim Ross Lightfoot 212-Maggie Tinsman
U.S. Representative-5th	135-MacDonald Smith	764-Tom Latham
State Representative, 9th -- Huseman		68-Dan A.
State Representative, 10th	151-Jim Gustafson 1-Scattering (1)	679-Russell Eddie 2-Scattering (2)
Co. Supervisor-2nd Dist. -- Burnside-N		728-Lorna 5-Scattering (5)
Co. Supervisor-3rd Dist. -- Crampton-N	1-Scattering (1)	652-Herbert D. 3-Scattering (2)
County Auditor -- Strawn-N		748-Karen M.
	2-Scattering (1)	1-Scattering (1)
County Sheriff	142-Chuck Eddy-N 14-Scattering (9)	9-Chuck Eddy
Township Trustees (2/township):		
Barnes	4-Nelvin Nelson-N --	-- --
Brooke	-- --	2-Tom Plagman 1-Bob Donahoo
Coon	-- --	15-Dennis Gutz-N 14-Arden Jorgensen-N
Elk	4-Thomas Cameron-N 4-Leland Mattson-N	1-Pete Nielsen 2-Lynn Faust
Fairfield	-- --	20-Waldo Johnson-N 20-James Peterson-N 1-Jim Roberts
Grant	-- --	19-Dwayne R. Ehlers-N 19-Gilbert Wilkens-N
Hayes	-- --	48-James Foell-N 39-Donald Jackson-N 1-Bill Lanphere
Lee	1-Edwin Madson --	-- --
Lincoln	-- --	1-Michael Rebhuhn --
Maple Valley	-- --	11-Wendell Ewoldt-N 11-Max L. Taber-N
Newell	2-Randy Edwards-N --	-- --
Nokomis	-- --	31-Marlin Friedrich-N 29-Ray C. Mortensen-N
Poland	2-Larry Weishaar-N	--

Providence	9-Paul Smith-N Ehwegen-N	10-Everett	Von
	--	--	
Scott	2-Ervin Brake-N	2-Wencil Small-N	
	--	--	
Washington	6-Robert Holmes-N	14-Terry Stull-N	
	--	1-Roy Beukelman	
Township Clerk, to fill a vacancy:			
Washington	--	1-Cindy Meyer	

and to prepare and submit the 'notice of nominations' to the political party chairpersons as required. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites informed the Board that the DOT has notified the County of its intent to close **C-49** beginning June 24 through October. Ites provided updates on current projects.

Motion by Voss, second by Gustafson, to amend the hepatitis/tetanus policy, by expanding the employee group eligible to receive vaccinations at county expense, to all secondary road personnel. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, that in addition to the regular holiday pay provided for in the personnel policy, to amend the policy for secondary road employees by adding that any hours worked on observed holidays will be paid at time and one-half for the actual hours worked, whether or not they work 40 additional hours in the pay week. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Ites proposed a policy on safety glasses. After brief discussion, Bruns suggested that any action on the policy be tabled until later in the fall.

Motion by Vail, second by Gustafson, to amend the personnel policy by deleting the Engineer's secretary from the list of those employees who are not eligible for longevity. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Requests from secondary road employees to promote equipment operator 2's to equipment operator 3's, were tabled to a future time. Ites reviewed staffing in his department for the next 3-5 years, noting the need for cross- training in some positions.

There being no further business, the meeting adjourned to June 11 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
 TWENTY-SEVENTH MEETING, 1996 SESSION (27)
 JUNE 11, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 11, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Mike Raner, Safety Coordinator with the S.H.I.E.L.D. program, discussed the training programs he has conducted for County employees. He will be conducting sexual harassment awareness training, and recommended that the Board adopt a sexual harassment policy prior to holding those sessions.

Motion by Gustafson, second by Voss, to accept the proposal, and authorize the Chairman to sign the work authorization of Kuehl & Payer, Ltd. in the amount of \$2,500, not to exceed \$3,000, for the design and permit work for the Spectra lagoon lift station. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Environ. Health/Zoning Director Kim Johnson reviewed the activities in her department. She also discussed waste tire clean-up which will soon be required by the State of Iowa, and the new DOT policy calling for a survey of the ditches along roads scheduled for work. If the DOT finds septic lines emptying into the ditches, clean-up and improvements will be required.

For purposes of clarification, it was the consensus of the Board that Norm Lund's hours worked doing spraying, and working on the sprayer, are to be paid at the sprayer's rate effective 4/23/96. Official business of the Weed Commissioner is to be paid at the commissioner's rate.

Engineer Jon Ites discussed the date of closing of C-49 due to the work on the Hwy 71 bypass project, having received a request to change the date to 6/19/96. Vice-Chair Bruns accepted the following motion: by Vail, second by Voss, to close BV Co. route C-49 at 130th Ave., and to establish the following designated detour route: from the C-49 & M-50 intersection going south on M-50 to Highway 7, then west on Hwy 7 to the intersection of Hwy's 7 & 71, and continuing west to the intersection with the Lakeside blacktop, then north on the blacktop for 2 miles to its intersection with Hwy's 7 & 71, and continuing from the Hwy's 7 & 71 intersection, north on Radio Road to C-49 for 2 miles, the detour to begin 6/19/96 and continuing through the completion of the project, expected to be some time in October; the C-49 section being bypassed shall be open only to local traffic. Ayes--Burnside, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Regarding a letter to the DOT about the County's concerns with safety at the intersection of Buena Vista County Secondary road system M-54 and C-49, the DOT responded with 4 options following a traffic investigation. No action was taken at this time.

Motion by Voss, second by Bruns, to accept the following project as completed as of this date: the bridge on M-54 north of Hwy 3, being project #L-FM-BV-B-6/97, and to authorize payment, the total cost being \$173,804.90 (approximately \$12,000 under the contract). Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to authorize interim payment on the design contract for project BROS-9011(5) in the amount of \$1,091.50, and to authorize the Chairman to sign, the total contract being \$11,000, with \$9,249.50 paid to date. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The time having arrived for the fuel quote opening, the engineer opened quotes from Farm Service, Storm Lake, and AgLand, Alta. Motion by Vail, second by Voss, to accept the low proposal of Farm Service Energy, Inc., Storm Lake, for the FY'97 fuel supply, for all locations (Alta, Linn Grove, Marathon, Newell, Rembrandt, Sioux Rapids, Storm Lake), and to authorize the Engineer to sign the contract. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

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

RESOLUTION #6-11-96

MERGER OF LOCAL EMERGENCY PLANNING COMMITTEE

WHEREAS; Title III, Section 310, of the Emergency Planning and Community Right- To-Know Act (ECPRA) of 1986 establishes the Local Emergency Planning Committee; and

WHEREAS; the County has formed an LEPC as required; and

WHEREAS; it has been determined that the merger of the LEPCs would improve emergency planning efficiency and effectiveness; and

WHEREAS; such a merger is allowed by state law; and

WHEREAS; the merger is required in order to submit joint grant applications; and

WHEREAS; each existing LEPC will continue existence as a subcommittee of the Regional Planning Committee;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County LEPC join with other LEPCs to form the Region III Local Emergency Planning Committee. It is understood that the county must continue to develop and maintain a state approved emergency plan.

PASSED AND APPROVED THIS 11TH DAY OF JUNE, 1996

/s/ Lorna Burnside, Chairperson of the County Board of Supervisors

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

and further, to authorize the Chairman to sign, and the Auditor to attest. The vote on the above resolution

was: ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve the following items from the consent agenda:

- * **minutes** of the 5/21 and 5/29 meetings as printed;
- * **reports** as follows: May Clerk's fines and surcharges, Conservation Board minutes; 5/17, 5/29 and 5/31 Mangold Environ.'s Spectra lagoon tests;
- * **late filings** for 1995 homestead credit on the following parcels: #'s 3048.00, 8083.50, & 3516.00.

The vote on the above motion was: ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Dave Wiley, Chairman of the Buena Vista County **Solid Waste Commission**, requested the Board's support in applying for membership to the S.H.I.E.L.D. group for the purpose of participating in its Safety program. The Solid Waste Commission would pay for services as a member. Wiley was directed to submit a letter of request for membership to the SHIELD Board. It was the consensus of the Board to provide a letter of support for the application.

Treasurer Kathy Bach presented a **tax suspension** request. Motion by Voss, second by Bruns, to suspend the FY'96 taxes on parcel #3048.00, as recommended by the County Treasurer. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Treasurer reported that the number of parcels, and the tax amount due on the **delinquent tax list** has been reduced dramatically in the past couple years due to the increase in interest rates which must be paid on the delinquent taxes.

Treasurer Bach, with Recorder Shari O'Bannon, and Auditor Strawn, proposed amending the **Clerk's fulltime and part-time wage schedules**. Starting wages do not reflect the local market making it difficult to hire a person with the appropriate experience. Engineer Jon Ites spoke in favor of the new schedule, noting that different interpretations could create problems. Motion by Gustafson, second by Vail, to approve and to adopt the new fulltime clerks and parttime clerks wage schedules as presented, effective 7/1/96 (the range for fulltime being 45%-66% over 6 years, and 45%-54% for parttime over 3 years). Discussion followed, including Bruns stating that he wanted to wait to make changes until they could properly be incorporated into effected department budgets at budget time. Voss preferred to delay a decision for further study. Ayes--Gustafson, Vail, Burnside. Nays--Bruns, Voss. Abstentions--none. Carried. The elected officials will draft guidelines to provide uniform interpretation. The departments which shall use the schedules include Auditor, Recorder, Sheriff, and Treasurer.

The time having arrived for the opening of **insurance** proposals, the Board moved to 2nd Floor Public Meeting Room #1 to accommodate the 3 local agents and the 7 representatives from 3 companies who were also present. Proposals were received from Colburn & Son-Storm Lake, Olson Eaton Svendsen-Alta, and Stille Pierce & Pertzborn-Storm Lake. Local agents gave brief remarks, followed by company representatives. Several board questions were answered. The Board will meet to discuss, and hear further comments from agents and company representatives on June 18 at 9:45 a.m.

Community Services Director Anita Hallquist introduced Fay Lickteig, the new social worker, to the Board.

Motion by Voss, second by Vail, to approve and to authorize the Chairman to sign, the **Case Management** Estimated Cost Report for Purchase of Services for FY'97. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign, a payment agreement with the **Howard Center** for Supportive Employment services for 1 person. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Vail, second by Bruns, to **void warrant** #77371 in the amount of \$45.44 to Commnet Cellular, the warrant having been reported lost by the company, and to re-issue the warrant in the same amount. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to leave sealed the envelope containing a **fuel quote** from Newell Cooperative Elevator, as it was not received in the Auditor's office by the assigned time, although it was in the courthouse building prior to 10:00 a.m. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Buena Vista County Targeted Case Management Advisory Board met with the Board for the annual review of their services. Present were: Anita Hallquist, Dawn Mentzer-Case Manager, Sue Morrow-Spectra, Pat Bainbridge. This meeting fulfills the requirement for an annual meeting between the Advisory Board, and the Board of Supervisors, which governs it. The Advisory Board invited input from the Board of Supervisors, and discussed the progress of clients and programs.

The Board noted that a \$424.43 insurance check was sent to Fitzpatrick's to repair vandalism done to a sheriff's car.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the agreement approving demolition, removal and clean-up of a deteriorated building on a parcel of land in Albert City (described below), upon agreement to the demolition by all title holders and other lien holders, and with no compromise of any interest in the tax sale certificate held by the County, or of any interest in the land described as follows: South Ninety-two Feet (92') of Lot Six (6), Block Six (6), in the City of Albert City, Iowa. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman sign the application for distribution of residual funds of the Albert City Creamery pursuant to notice of the Iowa District Court, regarding common/preferred stock certificate(s) held by the County Farm in 1964. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to accept the proposal of Architects Collaborative, Spencer, for engineering services for the air-conditioning project at Spectra Health Care Facility in an amount not to exceed \$6,400. Ayes--Bruns, Gustafson, Vail. Nays--Voss. Abstentions--none. Carried. Voss expressed his desire to have the firm do a feasibility study which would consider the long terms heating/cooling needs of the facility, including the existing and planned changes, the study to be done at a cost of \$2,000 or more.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the Law Enforcement Mutual Assistance agreements between Buena Vista County and the City of Newell, and between the County and the City of Alta, as revised by the County Attorney, and with the County Sheriff also to sign both agreements. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

There being no further business, the meeting adjourned to June 18 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS
TWENTY-EIGHTH MEETING, 1996 SESSION (28)
JUNE 17, 1996**

The Buena Vista County Board of Supervisors met in special session on Monday, June 17, 1996, at 1:00 p.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting. The Board met to study the proposals received for FY'97 insurance coverage. Several questions were raised. Voss requested some additional information/clarification from the agents who submitted proposals. There being no further business, the meeting adjourned to June 18 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS
TWENTY-NINTH MEETING, 1996 SESSION (29)
JUNE 18, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 18, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

The Board studied sample sexual harassment policies provided by Renee Von Bokern, Personnel Consultant, and Mike Raner, S.H.I.E.L.D. Safety Coordinator. The Auditor will prepare the final draft for approval on June 25.

Voss and Burnside reported on successful negotiations for purchase of the E. Richland Annex. Motion by Vail, second by Voss, to set the date of a public hearing to consider the purchase of the building leased by the County, and known as the E. Richland Annex, as June 28 at 3:00 p.m. in the Boardroom. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Head Custodian Dewyne Stucynski updated the Board on the courthouse re-roofing project, noting that the wrong material order had delayed the work. The correct material has been ordered. The architect had previously approved a 1-week extension to the deadline of June 21.

Env. Health/Zoning Director Kim Johnson reported on her applicant selection for the Clerk/Inspector for her department. Motion by Gustafson, second by Voss, to approve the employment of Lorri Wood as a Clerk/Inspector in the Environmental Health/Zoning Department effective June 17, 1996 at \$7.00 per hour. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board temporarily recessed to move to the 2nd Floor Public Meeting Room for the purpose of hearing presentations from insurance agents, and representatives of the insurance companies. In addition to J.C. Eaton, Clark Fort and Tim Pierce, 2 representatives from each -Continental Western and Cornhusker Casualty, and 1 representative from Penco-The Hartford were present. Company representatives' remarks addressed company strength, coverage variables, etc. All thanked the Board for providing the opportunity to provide proposals and to address the Board this year.

The Board will make their selection on FY'97 insurance coverage at their meeting on June 25.

Harry Reese met with the Board to discuss a drainage problem in Section 1, Twp 93, Rng 35-Poland Township. He believes that a surface drain is needed on land owned by other people, which would allow his tile, which is part of DD #47, to function properly and drain his land. He has attempted to work with the farm manager of the property in question. Engineer Jon Ites has viewed the problem noting that an engineer's study would be needed to determine exactly what action would solve the problem. The Board noted to Reese that an engineer's study can be costly, and suggested that if a solution could be worked out between individuals, the cost would be significantly less. The Auditor was directed to send a letter to the farm manager, with copies to the landowner and the tenant, requesting the opportunity to meet with him at a Board meeting.

Engineer Jon Ites reported the sale of excess equipment - a plotter for \$325, and 2 asphalt routers for \$750 each.

The following claim was audited and allowed: WestLake Consulting Group, Inc.-services \$1,418.98.

There being no further business, the meeting adjourned to June 25 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
THIRTIETH MEETING, 1996 SESSION (30)
JUNE 25, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 25, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Bach advised the Board that last year the City of Marathon was assigned a number of tax sale certificates on delinquent properties in Marathon (8/8&22/95) for the purpose of cleaning them up, and for which taxes now are requested to be abated. Motion by Vail, second by Bruns, to abate the taxes, interest and costs on the following tax sale certificate #'s: 9229, 9230, 9401.1, 1818, 1816, 9403.1, 9228, 1858, 1819, 1777, 1689, 1690, 1691, and to direct the Auditor to issue certificates of adjustment. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Emergency Management Coordinator Gloria Hadachek discussed her FY'97 budget which did not anticipate the new coordinator and the need for equipment to be owned by the EMS Commission. She explained that reimbursement from the state will be coming to the County upon completion of several projects and reports. She will need several items to get the department running including a computer for Windows 95, desk, files, cellular phone, perhaps a mobile phone for use during an incident or disaster.

Vail left to attend a funeral.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign the utility construction permit application of IES Utilities Inc., to install a 2" 50# gas line to Sioux Central School from a point near the cemetery on 132nd Ave., south to 440th St., and then west to Highway 71. Ayes--Bruns, Gustafson. Nays--Voss. Abstentions--none. Carried.

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

utility construction permit application of Iowa Lakes Electric Coop. to install a 3-phase 7200/12470 volt underground distribution line to replace an existing overhead line on the north side of Section 28, & south side of the SE 1/4 of Section 21, and into the SW corner of Section 22, Barnes Township to 460th St., all on private right-of-way (Floyd Mangold). Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Voss, to approve and to authorize the Chairman to sign the **utility construction permit** application of Iowa Lake Electric Coop., to install a single phase 7200 volt underground line for a service upgrade to Larry Rittscher from the east R.O.W. crossing to the west R.O.W. of 110th Ave. in Section 22/21 Barnes Township. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Bruns, to approve and to authorize the Chairman to sign the **utility construction permit** application of Iowa Lake Electric Coop., to install a single phase 7200 volt overhead line to replace failing underground cable along the south right-of-way line of C-49 from the NE corner of Section 35, Coon Township east to the County line (1 mile). Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites presented a request from Secondary Road employee Bruce McGowan to use **county equipment** on the weekend to improve the ballfields in Alta. Voss requested that the City of Alta issue that request to the Board so that it is clear that the County is not providing approval to any private person or organization, but only to another governmental organization. Ites will advise McGowan, request a list of the equipment proposed to be used, and will note that county employees will be volunteering their time.

Motion by Voss, second by Gustafson, to accept and to authorize the Chairman to sign 2 ACC resurfacing **contracts** with Rohlin Construction, certificates of insurance and the contractors' bonds for the following projects in a total amount of 1) \$166,092.32 & 2) \$882,384.89: 1)L-R-5-96--73-1, L-R-6-96--73-11, L-R-7-96--73-11; 2)STP-S-11(26)--5E-11 & FM-11(32)--55-11. Ayes-- Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to accept as completed as of this date, the Luedke site sanitary sewer line **contract** (contractor-Sorenson Farm Drainage, Inc., Hartley), and to authorize the Chairman to sign the certificate of completion. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Ites presented a letter of response from the IDOT regarding a request to re-name **Hwy 71** - Business 71 - as it leaves the bypass and comes into Storm Lake.

Ites reviewed IDOT materials on "**Iowa In Motion**" - part 2, and the upcoming meetings which will allow for public input. He stressed the need for participation by the Board of Supervisors if future funding to NW Iowa is to be maintained.

Ites requested a final decision from the Board regarding any changes that would need to be made to **snow routes** after old Hwy 71 is turned over to the county. An early decision is needed so that any changes of routes, manpower and equipment can be prepared in a timely manner. Gustafson is not in favor of lowering the service level on the gravel roads. Bruns does not want to lower the number of motorgraders, nor does he want to increase the number of drivers. No action was taken with the Board planning to discuss this at a future meeting.

Gustafson asked if Ites had been receiving complaints about **dust control** on the roads being used as an alternative to the posted detour routes. With increased heavy traffic on some roads selected as shorter route alternatives to the designated detour, much gravel has been worn off, and the county has added gravel, contributing to more dust problems. Gustafson also asked about using another mowing unit in order to obtain better visibility at the intersections where safety is a concern.

Lakeside Mayor Gene Mandernach and Zoning Director Kim Johnson discussed signs along the Lakeside blacktop. The City would like to place tourism type signs along the blacktop. The Board is concerned about their placement and would not approve placement in the ditch, as there is a sanitary force main already in the ditch and no room to add signs. Voss suggested that signs would be better located inside the fence on private property and not on right-of-way. The consensus of the Board was to recommend seeking approval from landowners to place the signs on private property. Mandernach will consult one of the landowners to request placement on private right-of-way.

11:30 a.m. the time having arrived for a decision on the four proposals for **FY'97 insurance** coverage, the Chairman invited questions and comments. Present in addition to the Board were: Clark

Fort, J. C. Eaton, and Tim Pierce. Bruns preferred to wait for the full Board to be present for voting on their selection. Vail returned to the Board meeting. Bruns asked if additional coverage could be purchased with the umbrella to go over the Law Enforcement professional and Public Officials Errors & Omissions. The answer was affirmative. Motion by Voss, second by Bruns, to award the County's FY'97 insurance coverage to Hartford/PENCO, Clark Fort - agent, for a total cost of \$115,322. Having consulted the County Attorney regarding a conflict of interest, Gustafson noted that as long as he voted for the low bid, he would not have a conflict of interest. He spoke in favor of the low bid - Cornhusker Casualty. Vail noted that he preferred either Hartford or Northwestern National. Burnside stated her preference for Northwestern National based on the staff available to provide service to the county. The vote on this motion was: ayes--Bruns, Voss. Nays--Gustafson, Vail, Burnside. Abstentions--none. The motion failed.

Motion by Vail to accept the proposal of Northwestern National. Hearing no second, the Chairman declared the motion dead. The time set aside for this discussion having expired, motion by Voss to delay the decision until 2:30 p.m., and to recess for lunch, second by Bruns. Ayes--Bruns, Vail, Voss. Nays--Gustafson. Abstentions--none. Carried.

Jack Kliegl-Business Telephone Co.-Milford, Leo Stephas-Scott's Telephone & Telecom-Emmetsburg, Pat Peterson-Professional Electronics-Alta, and Jerry Harbst-Phones N Plus-Milford, were present to discuss and answer questions about their proposals for a new **telephone system** for several departments. The Board reviewed a cost and feature comparison of the proposals. The Board will make their decision on Friday, June 28 at 2:30 p.m.

Nurse Administrator Karole Graen and Homemaker Health Agency Director Marilyn Monson reviewed the 6/18/96 Board of Health minutes, in particular the Board of Health's adoption of the Courthouse fulltime and part-time **courthouse clerks' wage schedule**, pending Board of Supervisors approval of the necessary budget increase. Bruns would support the budget increase, if needed. It was the consensus of the Board that a budget increase to cover these increases, if needed, would be approved.

Motion by Voss, second by Vail, to approve the following items from the consent agenda:

- * **minutes** of the 6/10, 6/11, 6/17 and 6/18 meetings as printed;
- * **reports** including--5/26 NWIPDC minutes, May Recorder's fees, Clerk's surcharges & fines, 6/11 budget reports, 6/11/96 Conservation letter regarding FY'97 wages, 6/18/96 Board of Health minutes. Also reviewed were: 3rd Qtr FY'96 Child Support Recovery incentives, and 2nd Qtr '96 Florence Crittendon Center financial report.

The vote on the consent agenda was as follows: ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the Buena Vista County **Sexual Harassment Policy**, which to be distributed with paychecks along with a compliance agreement for employees' signatures, and which shall be appended to the Buena Vista County Employee Personnel Policy, version 9/29/87. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Deliberations on the County's FY'97 **insurance coverage** resumed. Motion by Gustafson to award the insurance coverage to Cornhusker. Hearing no second, the Chairman declared the motion dead. Motion by Gustafson, second by Bruns, to award the FY'97 insurance coverage to Hartford/PENCO, Clark Fort, agent for the following coverages: Tort Liability, Auto, Property, Electronic Data Processing Equipment, Public Officials' Errors & Omissions, Umbrella, Inland Marine, Contractor's Equipment, Crime, CCF Boiler & Machinery, Law Enforcement Professional, Nurses' Professional, Worker's Compensation, and Blanket Bond. Ayes--Bruns, Gustafson, Voss. Nays--Vail, Burnside. Abstentions--none. Carried. Motion by Voss, second by Bruns, that this coverage (prior motion) shall be for a 1 year period, renewable for an additional(s) 1-2 year(s), with the Board reserving the option to seek proposals for FY'98 coverage. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the **transfer** of funds in the amount of \$14,862.81 (unexpended FY'96 operating funds) from the General Basic fund-001 to the Conservation Land Acquisition Trust fund-068, representing expenditures and proposed expenditures of \$6,400-van, shop remodeling-\$2,064, furnace & electrical workshop-\$3,400, and \$2,100-wildlife display, and several small projects, and, an additional \$11,050.57 in Conservation receipts previously approved for transfer. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign and the Auditor to attest, to the agreement between NWIPDC and Buena Vista County for Workplace Safety and Compliance Program services, (organized under the name--Safety and Health Issues in Employment Leadership Decisions--**S.H.I.E.L.D.**). Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the contract with Architects' Collaborative, Spencer, for services to design and prepare specifications for the **Spectra air-conditioning** project. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Payroll claims were audited and allowed, with the usual expense claims to be approved for payment on June 28.

There being no further business, the meeting adjourned to June 28 at 2:30 p.m. for a special session at which time the final FY'96 claims list will be reviewed for approval.

**BOARD OF SUPERVISORS
THIRTY-FIRST MEETING, 1996 SESSION (31)
JUNE 27, 1996**

The Buena Vista County Board of Supervisors met to hold a Public Hearing on Thursday, June 27, 1996, at 5:00 p.m. in the 2nd Floor Public Meeting Room #1 with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Voss, and with Auditor Strawn as clerk for the meeting. Absent: Vail. The hearing was called for the purpose of informing the public, providers, consumers and family members of the process Buena Vista County will undertake in developing a managed care plan for persons requiring mental retardation and developmental disability services. Nineteen interested persons, a mix of providers, consumers and family members, were present.

The Chairman called upon Community Services Director Anita Hallquist to conduct the informational session. Hallquist began by reviewing the recent legislative history which created a mandate for counties to adopt case management for MR/DD services. With SF69 and HF2420, the state sought to curb the growth of expenditures for these services, and also to provide the best and most appropriate services for all consumers.

Hallquist reviewed cost and budget information for the current and upcoming FY'97 budget year for all of the service groups, explaining that the county must keep its expenditures within the budget, but can increase expenditures by the amount of additional non-property tax revenue the county receives. She also reviewed which services are mandated and which are optional, and the range of service rates currently paid by the county.

The next step in the process (beginning in July) is to appoint a committee which will assist Hallquist in drafting a proposed plan. The committee will utilize input from the public. Hallquist distributed copies of a survey which may be used for that purpose.

Tom Daniels, Administrator of Faith Hope & Charity, asked if any major changes in services are foreseen when the managed care plan is implemented. Hallquist responded that the most significant change will be seen in the eligibility determinations for new consumers, with the requirements being much tighter than they are currently. For instance, a consumer trust fund will be reviewed by the Court to determine whether or not it will be considered part of the consumer's resources. However, the plan will be flexible in making a determination by taking all of the consumer's circumstances into consideration.

Daniels asked if the state will continue funding childrens' services. SCAT Advisor Robyn Wilson responded that there are no current plans to change that funding process. Daniels stated that it would give the county maximum planning time, if the application for services process started when a consumer was 16, so that the county could budget for the necessary adult services in its customary 18 month in advance schedule.

Answering a question, Hallquist explained that co-payments are based upon earned income, and that interest earnings will be considered resources.

Those present noted that in 5 years, a review of the savings realized through managed care will be most dramatic in southern Iowa counties, because northwest Iowa counties have already been using a type of managed care prior to the state mandate.

There being no further input or questions, the hearing was closed at 6:15 p.m. The next meeting of the Board is scheduled for Friday, June 28 at 2:30 p.m. for an end-of-fiscal-year session.

BOARD OF SUPERVISORS
THIRTY-SECOND MEETING, 1996 SESSION (32)
JUNE 28, 1996

The Buena Vista County Board of Supervisors met for a special end-of- fiscal year session Friday, June 28, 1996, at 2:30 p.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

The Board discussed the telephone system proposals previously received. Motion by Vail, second by Gustafson, to accept the proposal of Business Telephone, Milford, for a telephone system for the Auditor, Board of Supervisors, Court System, Community Services, Custodian, Emergency Management Coordinator and Sheriff, the total to be determined after departmental equipment review. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to authorize and to establish fund #061 to be known as the HazMat Team Fund, a trust and agency fund, to be utilized solely for the development of a hazardous materials response team, and further, to authorize and direct the Auditor to transfer \$4,992 from the General Fund to the HazMat Team fund #061, in agreement with the FY'96 budget. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to authorize the transfer of \$125,041.86 from the General Basic Fund to the Secondary Road fund, this being the amount of County Assistance/Personal Property funds received from the State of Iowa for FY'96, and being the amount scheduled in the Re-estimated FY'96 budget to be transferred to Secondary Road Fund. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to approve and to authorize the the transfer of \$90,000 from General Basic Fund 001 to Capital Projects Fund 030 for the remaining FY'96 expenditures. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the transfer of \$300,000 from the General Basic Fund 001 to the Capital Projects 030, for the purpose of restoring the fund balance. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

3:00 p.m.--The time having arrived for the public hearing on the proposed purchase of the property known as the East Richland Annex, the Chairman opened the hearing with Supervisor District 3 candidate Herb Crampton and no other interested persons present. The Chair noted that legal notice had been published as required. Hearing no objections to the purchase, motion by Gustafson, second by Voss, to close the public hearing. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

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

**RESOLUTION 1996-6-28 - CONTRACT OF SALE
AND PURCHASE OF REAL ESTATE**

THIS CONTRACT OF SALE AND PURCHASE OF REAL ESTATE made this 28th day of June, 1996, between The First Leasing Company ("Seller") and Buena Vista County ("Purchaser").

1. **PURCHASE AND SALE OF REAL ESTATE.** In consideration of the promises herein contained, the Purchaser agrees to buy and Seller agrees to sell for the sum of Two Hundred Fifteen Thousand Dollars (\$215,000) (the "Purchase Price") all that certain piece, parcel or lot of land with improvements thereon and appurtenances thereto lying in the City of Storm Lake, Iowa, legally described as:

Lots Three (3), Four (4), Five (5), and Six (6), Block Two
(2), of MCS Addition to the City of Storm Lake, Iowa

(the "Real Property").

2. **PURCHASE PRICE.** The Purchase Price shall be payable in two (2) installments as follows:

(a) \$100,000.00 by no later than June 30, 1996; and

(b) \$115,000.00 representing the balance of the Purchase price, at closing, together with interest on the unpaid balance at six percent (6%) per annum from July 1, 1996.

3. **CONDITIONS.** The parties hereto acknowledge that the Purchaser's action in entering this agreement may be subject to the right of any resident or property owner of Buena Vista County to appeal the Purchaser's action to the Iowa District Court within fifteen days of the Purchaser's action. In recognition of that possibility, the parties agree that any such appeal of the Purchaser's action shall delay closing until a final decision is entered in such challenge from which no appeal is taken. If any challenge results in a final decision from which no appeal is taken in which the court finds that the Purchaser exceeded its authority, this agreement shall be null and void, all payments made hereunder shall be returned together with interest at four percent (4%), and the Lease between the parties made and entered July 20, 1994 and Landlord and Tenant's obligations thereunder shall continue in full force and effect, including Tenant's obligation to make rental payments for the time Purchaser's action is under appeal; provided however, Tenant shall not be held in default under the Lease for late payment of rent during the time Purchaser's action is under appeal.

4. **SUBJECT PROPERTY.** This sale includes all of the right, title and interest of the Seller in the Real Property, and in and to the following:

(a) Easements, rights-of-way, privileges, appurtenances, and rights to the same belonging to and inuring to the benefit of the Real Property, including the Lease between the parties made and entered July 20, 1994;

(b) All improvements and all of Seller's fixtures and articles of personal property now located at the Real Property.

5. **TITLE.** Seller agrees to convey fee simple marketable title to the Real Property to Purchaser and its successors or assigns by General Warranty Deed free and clear from all encumbrances, tenancies, liens (for taxes or otherwise), except as may be otherwise provided herein. Seller agrees to pay the expense of preparing the Deed of Bargain and Sale, bringing the abstract forward to date of this agreement, and the Iowa Transfer Tax. The parties agree that the obligations of the Seller hereunder are subject to the condition that if the Real Property is encumbered by any lien (other than liens to be assumed by Purchaser), encroachments, encumbrances, restrictions or easements which would prevent the use of the Real Property as intended by Purchaser, or title is unmarketable, the Seller shall have a reasonable time to correct or remove any such liens, encroachments, restrictions, or easements if Seller elects so to do. Should the Seller elect not to remove such liens, encroachments, restrictions or easements, the Seller shall notify the Purchaser of such election and Purchaser may, at its option, terminate this Contract within ten (10) days after receiving such notice. Should Purchaser fail to exercise its option within the time prescribed, its option to void the contact shall lapse.

6. **POSSESSION.** Purchaser is currently in possession of the property and shall be entitled to peaceable possession of the Real Property and personal property thereon (1) at closing concurrently with due performance on its part under this Contract, or (2) if this Contract is voided for any reason, as provided by the Lease between the parties made and entered July 20, 1994.

7. **RISK OF LOSS.** All risk of loss or damage to the Real Property and personal property thereon by fire, windstorm, casualty, or any other cause is on the Seller until the date of closing. Prior to closing, in the event all or part of any building or improvement on the Real Property is destroyed by fire, or the elements, or by any cause whatsoever, or all or any part of the Real Property is taken by eminent domain, or is under threat of being taken by eminent domain, Purchaser may terminate this Contract and demand the return of any installments paid to the Seller in which event all rights to receive condemnation awards and insurance proceeds shall belong to and remain with the Seller.

8. **PRORATIONS.** Seller shall pay fiscal year 1995 (July 1, 1995 to June 30, 1996 due September 30, 1996 and March 31, 1997), and all prior year's real estate and personal property taxes, if any. All special assessments now certified as a lien on the treasurer's books on the day preceding the day of closing are to be paid by Seller. Purchaser shall pay any personal and real estate taxes and special assessments not assumed by Seller and all subsequent taxes and special assessments.

9. **BROKERS.** The Seller and the Purchaser represent and warrant to each other that all negotiations relating to this Contract and the transactions contemplated hereby have been conducted without the intervention of any real estate brokers or agents, or any other persons acting for such parties, so as to give rise to any valid claim against any of the parties for any brokerage commission or similar payment. The Seller and Purchaser agree to indemnify and hold harmless the other parties hereto with respect to any breach of the foregoing representation and warranty, which indemnity shall survive closing and not be terminated by merger.

10. **CONDITION OF PREMISES.** Seller represents that the roof and structural parts of the

improvements located upon the property, are in good repair as of the date of closing.

11. **CLOSING.** Settlement to be made on or August 1, 1996 or as soon thereafter as title can be examined and papers prepared, allowing a reasonable time to correct any objections reported by the title examiner, at such location as is designated in writing by Purchaser.

12. **MERGER.** All conditions, covenants, provisions and warranties made in this contract shall survive the settlement and delivery of the Deed and shall not be construed as merged with the warranties contained in the Deed.

13. **ENTIRE AGREEMENT.** This Contract constitutes the entire agreement between the parties and may not be modified or changed except by written instrument executed by all of the parties.

14. **GOVERNING LAW.** This Contract shall be construed, interpreted, and applied according to the law of the State of Iowa and shall be binding upon and shall inure to the benefit of the heirs, personal representatives, successors, assigns of the parties.

WITNESS THE FOLLOWING SIGNATURES in Storm Lake, Iowa, this 28th day of June, 1996.

PURCHASERS:

BUENA VISTA COUNTY

by /s/ Lorna Burnside, Chairperson
County Board of Supervisors

Karen M. Strawn
Buena Vista County Auditor

SELLER:

FIRST LEASING COMPANY

by /s/ Scott L. Petrich, President

STATE OF IOWA
BUENA VISTA COUNTY

On this 28th day of June, 1996, before me, Jean M. Chindlund, Notary Public in and for the State of Iowa, personally appeared, Lorna Burnside and Karen M. Strawn, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor, respectively, of the County of Buena Vista, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its Board of Supervisors, as contained in this Resolution #1996-6- 28 adopted by the Board of Supervisors, under Roll Call No. 1996-6-28 of the Board of Supervisors on the 28th day of June, 1996, and Lorna Burnside and Karen M. Strawn acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation by it voluntarily executed.
/s/ Jean M. Chindlund, Notary Public in and for State of Iowa, Commission expires 5-17-99

STATE OF IOWA
BUENA VISTA COUNTY

On this 1st day of July, 1996, before me, a Notary Public in and for said county, personally appeared Scott L. Petrich, personally to me known who being duly sworn did say that he is the President of the First Leasing Company, a corporation duly organized and existing under and by virtue of the laws of the State of Iowa and that the seal affixed to the foregoing instrument is that of the corporate seal of said corporation and that said instrument was signed, sealed and executed in behalf of the said corporation by authority of its Board of Directors and the said Scott L. Petrich acknowledges the said instrument and the execution thereof to be the voluntary act and deed of said corporation by him voluntarily executed.
/s/ Gaylerd M. Sadusky, Notary Public in and for State of Iowa

and, to authorize the Chairman and Auditor to sign. The #1996-6-28 roll call vote on this resolution was: Bruns-aye, Gustafson-aye, Vail-aye, Voss-aye, Burnside-aye. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the following transfers:

* from General Basic 001 to General Supplemental 002 the 2nd 1/2 Mental Health property tax relief for FY'96 in the amount of \$190,391.00, this amount together with the previous transfer of \$190,392.00, being the amount by which the General Basic to General Supplemental operating transfer for FY'96 is

reduced;

- * from Rural Basic 011 to General Basic 001 \$40,000.00 being repayment of a FY'96 interfund loan approved by the Board of Supervisors on 8/15/95;
 - * from General Basic Fund 001 to 027 Economic Development \$25,000;
 - * from Secondary Road Fund 020 to 001 General Basic \$971.81, this being the amount in excess of the legal maximum transfer based on FY'96 tax collections which was budgeted at \$108,900.
- Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Vail, to make the following **appropriations**: from \$128,434 in previously unappropriated funds, \$100,000 to dept. 98, and \$28,434 to dept. 51, (all in the 4/2/96 budget amendment); from \$47,250 in activity 0220 (no dept.) to the following departments-\$18,000 to 02, \$9,250 to 26, \$5,000 to 52, and \$15,000 to 53 (all from 5/29/96 budget amendment); and to change the following appropriations: reduce activity 0210 dept. 22 by \$5,200, increase 0220 dept. 07 by \$2,000, increase 0220 dept. 05 by \$3,000 and increase 0220 dept. 02 by \$200. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to correct **minutes** containing the following appropriations: 1/26/96 - activity 1100 for \$5,000 should be activity 1110 for the same amount, Secondary Roads Capital Projects is restored to \$400,000 (this includes \$21,500 increase to 0200 dept. 20, and \$21,500 decrease to 0220 dept. 02); 5/29/96 - activity 3010 for \$1,000 should be activity 3020 for the same amount; 5/29/96 -\$47,250 is to activity 0220. Ayes- -Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

APPROPRIATION RESOLUTION 1996-6-28

It was moved by Gustafson, second by Vail, 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, 1996 in accordance with section 331.434 (Sec 6) 1995 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 1996-97 are hereby appropriated at 100% from the resources of the funds, to the department or office listed in the 1996-97 budget.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from county funds effective July 1, 1996.

Section 3. In accordance with section 331.437 Code of Iowa, no department or officer shall expend, or contract to expend, any money, or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose in excess of the amounts appropriated pursuant to their resolution.

Section 4. If at any time during the 1996-97 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 1996-97 budget year. The Auditor shall also provide a summary report of all departments to the Board monthly.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 1997.

The above resolution was adopted, with the vote of the Buena Vista County Board of Supervisors on June 28, 1996 being as follows: ayes--Bruns, Gustafson, Vail, Voss; nays--none, abstentions--none. Carried.

RESOLUTION FOR INTERFUND OPERATING TRANSFERS 1996-06-28

It was moved by Vail, 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, 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 \$37,004 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, 1996 and the last one-half to be transferred no earlier than January 1, 1997. The sum of \$103,932 is ordered transferred from the General Basic Fund to the Secondary Road Fund with one-half the amount transferred no earlier than July 1, 1996 and the last one-half transferred no earlier than January 1, 1997. The sum of \$939,818 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, 1996 and the last one-half transferred no earlier than January 1, 1997. Additionally, from county assistance/personal property receipts from the state of Iowa, \$120,000 is ordered transferred from General Basic Fund to Secondary Road Fund.

Section 2. The total maximum transfer from the General Basic Fund to the Secondary Road Fund shall not exceed \$223,932 (levy plus county assistance) and the total maximum transfer from the Rural Basic Fund to the Secondary Road Fund shall not exceed \$939,818 all for the fiscal year beginning July 1, 1996.

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 28, 1996 being as follows: ayes--Bruns, Gustafson, Vail, Voss; nays--none, abstentions--none. Carried.

Motion by Vail, second by Gustafson, to employ Stephanie Fiedler as a social worker in the Community Services Dept. effective 7/15/96 at a salary of \$22,000/yr. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

Harry Reese, with farm manager Bob Jolliffe present, discussed the drainage problem (near DD #47) located just south of Pickrel Lake in Poland Township. Reese reviewed the problem and suggested a solution. Engineer Jon Ites disagreed with the solution, determining that it would not be a viable solution. Another option would be to petition the Board for an engineer's study. If the study was done, and the Board were to vote against construction, the cost of the study would be the responsibility of the petitioner(s), and not the county or the drainage district. Reese and Jolliffe left with the intention to try and work things out amicably rather than to request a solution which would be much more costly.

Supervisors Bruns and Voss left the meeting to count cash.

There being no further business, the meeting adjourned at 4:20 p.m. until July 9 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
THIRTY-THIRD MEETING, 1996 SESSION (33)
JULY 9, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 9, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

DHS Area Administrator Lyle Fleshner discussed transfer of a county car back to the Board from DHS usage, and a letter he had received regarding the parking problem due to a shortage of parking spaces for employees and clients/customers. Motion by Vail, second by Voss, to transfer usage of a county car - a 1990 Pontiac 6000 - from BV County DHS to the BV County Board of Supervisors. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

Head Custodian Dewyne Stucynski reported on the courthouse re-roofing project. There has been a significant drift of loose insulation. The project is not quite half completed. Earlier in June, the completion date had been extended by 1 week to June 28. Stucynski is also concerned about ponding and ridding in the insulation. The membrane installed over the courtroom was the wrong type. Architect Glen Huntington is checking into a product which would make the membrane fire-rated. The Communications Center restroom is progressing. The cost will exceed \$6,000. Problems with locating the water shut-off valve occurred Saturday.

Vail transmitted a request to cut the grass at the Angier Pit, and seed the ground to alfalfa. The inquirer is interested in a lease. Currently the property generates no revenue. This would eliminate the county's need to spray for weeds. Engineer Jon Ites was favorable to the request noting that a lease can be written for no more than 3 years at a time.

Motion by Gustafson, second by Bruns, to approve the utility construction permit submitted by Iowa Lakes Electric Cooperative, Estherville, to install a single-phase 7200 volt underground distribution line to provide new service to John Peters, at a point 1.5 miles east of Alta, from the SE corner of Section 24 and NE corner of Section 25, which is from the east side to west side of the Lake Creek blacktop, thence north across the fairgrounds blacktop, and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

A letter from the IDOT's IRVM Coordinator has been received regarding the County's funding application for Living Roadway Trust Funds. A meeting to consider the application has been scheduled for July 23 at the Ames Starlight Village at 10:00 a.m. Because the Board is in session and has 2 lettings on that date, Ites will send a letter describing the project, and noting the Board's reason for not attending the IDOT meeting.

Truesdale is asking for 2 stop signs to slow the increased traffic related to the Hwy 71 Bypass detour. No action was taken.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the pay voucher to Kuehl and Payer, Ltd. for preliminary survey work in the amount of \$885.50 on project #BROS--9011(5)--5F-11, being the bridge in Section 23-91-36 Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions- -none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign a pay voucher to the University of South Dakota for the archaeological study done along C-13, Lee Township, Buena Vista County, in the amount of \$7,850.00, to be paid from farm-to-market funds, there having been no significant archaeological findings. Ayes--Bruns, Gustafson, Vail, Voss. Nays- -none. Abstentions--none. Carried.

Motion by Voss, second by Bruns, to set August 20 at 10:00 a.m as the date and time of letting for 2 maintenance projects: L-FM-MP-5-98-73-4 and L-FM-MS- 4-97-73-4, being the C-43 bridge rehab., and N-14 shoulder rehab. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Engineer discussed the IDOT "Iowa in Motion" transportation plan, and an alternative which he suggested could be proposed. The alternative is a compromise of several IDOT proposals. Ites encouraged boardmembers to attend one of the area IDOT meetings because the IDOT plan to be adopted will be a 10- year plan.

Assessor Ted Van Grootheest provided information to the Board on the types of map services he can now provide, for the purpose of establishing prices. Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign the Buena Vista County Tax Maps price list. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Veterans' Service Officer, Dr. Frank Hughes, met with the Board to discuss the training he has received since agreeing to accept the position. His office hours are: each Tuesday from 9:00 a.m.-3:00 p.m. Hughes also makes occasional 'house calls' as needed. Motion by Gustafson, second by Bruns, to set Dr. Hughes wage rate as Veterans' Service Officer at \$9.50/hour. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to set the date and time of public hearing as August 6 at 9:00 a.m. in the Boardroom for the ag area petition filed July 8 by Steve Jorgensen. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to employ Elizabeth Espanta as a part-time secretary in the Sheriff's effective 7/9/96 at \$6.43/hour. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Sheriff Chuck Eddy proposed a jailer's (part-time) wage schedule for the Board's consideration. Motion by Voss, second by Bruns, to establish and to authorize the Chairman to sign a part-time jailers' wage schedule based upon the Sheriff's salary and a 2236 hour work year, effective 7/1/96 as follows: start 37%, after 1 year-39%, after 2-years-42%, and after 3-years-44%. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign the final report and request for partial reimbursement of county's FY'96 expenditures for **substance abuse** services. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Community Services Director Anita Hallquist inquired about sending **general relief** accounts to Iowa Credit for collection, as clients are required to sign a financial statement agreeing to repay when they are able, but many default. The consensus of the Board was to agree, with Hallquist to prepare the statement of procedure for the G.R. guidelines.

1:00 p.m.--The time having arrived for discussion and the Board of Supervisor's comments on Randy Kruse's application to the Iowa DNR for approval to construct an earthen **hog** manure storage facility, the Chairman read a letter from Kruse, just submitted. Kruse has selected a concrete facility as the manure storage option for his new facility, and is therefore withdrawing his application to the DNR. The Auditor will send a copy of the letter to the DNR, and will return the materials to Kruse.

Motion by Gustafson, second by Vail, to approve the following items on today's consent agenda:

- * **minutes** of the 6/25 (as corrected), 6/27, (as printed) and 6/28 meetings (as corrected);
- * **reports** - June Sheriff's fees and NWIPDC Board minutes; also reviewed were 7/1/96 wage increase notices and letters;
- * **Jt. DD #181** work orders for 2 sites (site 96-1 in Calhoun County and site 96- 3 in Pocahontas County) and to authorize the Chairman to sign.

The vote on the above motion was: ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

IDOT has submitted a request for the county to clear snow on the portion of Hwy 71 which will be given over to the county after completion of the bypass. The county would be compensated on an hourly basis. If the county elects to do the snow removal, some reworking of the **snow routes** will need to be done to accomodate the additional miles. Tandem trucks currently clear 31- 44 miles, and motorgraders clear 38-56 miles. The consensus of the Board was to agree to do the snow clearing on Hwy 71 with no change in the number of snow routes.

Motion by Voss, second by Gustafson, to approve the **late filings** for 1995 homestead credit and military exemption on parcel #2217.00, and for 1996 homestead on parcel #2809.00 as recommended by the Assessor. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Bruns, to **establish**, pursuant to Chapter 331.424A Sec. 10, paragraph 2 of the Code of Iowa, the MH-DD Services Fund 010, and to approve an **interfund loan** to be repaid before the end of the FY'97 from the General Basic fund 001 to the MH-DD Services fund 010 in the amount of \$60,000, the loan being necessary until the appropriate amount can be determined for establishing the statutory beginning fund balance, and to authorize the Auditor to make said transfer. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve final payment plus interest, in a total amount of \$115,170.41, due on the real estate contract for purchase of the **E. Richland Annex**, legally described as: Lots Three (3), Four (4), Five (5), and Six (6), Block Two (2), of MCS Addition to the City of Storm Lake, Iowa. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned at 1:45 p.m. until July 23 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
THIRTY-FOURTH MEETING, 1996 SESSION (34)
JULY 23, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 23, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Treasurer Kathy Bach introduced Sue Konradi, Treasurer's Clerk, to the Board. Motion by Voss, second by Gustafson, to employ Sue Konradi as a full- time clerk in the Treasurer's office effective 7/10/96 at \$6.43/hr. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to **abate**, and to direct the Treasurer to strike from the tax rolls, the 1993 and 1994 mobile home taxes, in a total amount of \$263.00, on BVPB #95121, title #11-W051162, VIN #5512106XE, a '64 Skyline. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Bruns, to approve the Treasurer's semi-annual **report**, and to authorize the Boardmembers to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Bach discussed **delinquent tax properties** and provided lists for individual review.

Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign the **utility permit** application of Iowa Lakes Electric Cooperative to install an overhead single-phase 7200v distribution line for service to John Peters on the fairground blacktop from the SW 1/4 SE 1/4 Section 24, Nokomis Township, across the blacktop to the south to Section 25, thence east 1200' and then crossing back to the north side of the highway, and, to void the original permit which was to have been an underground installation. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the **utility permit** of Iowa Lakes Electric Cooperative to install a single phase 7200v overhead distribution line to replace existing failing underground cable across the south side of part of Section 28 and Sections 27, 26, and 25 Hayes Township, and Section 30, Providence Township and across north side of Section 32 and west side of Section 28, Providence Township. Ayes-- Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign the 28E **maintenance agreement** with the city of Sioux Rapids for roads with joint jurisdiction pursuant to the attached map. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites discussed equipment due for replacement in the next several years.

Ites informed the Board of changes by the DNR to the **underground fuel storage tank** monitoring rules.

The time having arrived for the **bid opening** on 2 projects (a box culvert and a bridge), bids were acknowledged, opened and read from Merryman Bridge Construction Co.-Algona, Nelson & Rock Contracting-Onawa, Valley Contracting- Estherville (bridge only), Dixon Construction-Correctionville, Godbersen-Smith- Ida Grove, Christensen Bros.-Cherokee, Graves Construction Co.-Melvin, and Midwest Contracting-Marshall, MN.

After the reading of the bids, and the filing of 2 additional bids, motion by Voss, second by Vail, to leave sealed the proposals from Peterson Contracting, Inc., Reinbeck, the proposals having been filed at 10:22 a.m. with the Auditor. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried. Representatives from Peterson Contracting questioned the time of letting, having believed the time to be 10:30 a.m. After consulting with Assistant County Attorney Dave Patton, the Board noted that the time for receipt of bids had been published, as well as having been noted on the proposal forms, as 10:00 a.m., and it was the consensus of the Board to make no change to the motion leaving the Peterson Contracting proposals sealed.

Motion by Gustafson, second by Voss, to accept the low **bid** of Midwest Contracting, Marshall, MN, for culvert project #L-FM-C-101-96-73-11 in the amount of \$53,360.00, which includes some local option sales tax funding. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to tentatively accept, pending the State's concurrence, the low **bid** of Christensen Bros., Cherokee, in the amount of \$91,117.00 for bridge project L-B-102-96-73-11, which includes some local option sales tax funding. Ayes--Gustafson, Vail, Voss. Nays--Bruns. Abstentions--none. Carried.

DOT Construction Engineer Tony Lazarowicz and DOT Resident Engineer Tony Gustafson met with the Board to discuss changing the construction schedule for the Hwys 3 & 71 intersection in the **Hwy 71 bypass** project. The turning traffic count has been found to be lower than originally estimated, decreasing the need for a left turn bay, which eliminates the need for the right-of-way purchase. Many contingencies are being explored including funding changes, corollary projects, and timing. DOT is requesting feedback from the Board on the proposed change from a construction shedule of 1998 to 1996. For the safety of the children at the site of the Sioux Central School in Rembrandt, the Board

inquired about stop signs, lights, and speed limits. The Board asked for several intersections to be opened for local traffic to accommodate the harvest, if the 3 & 71 is to be under construction. The Board was generally agreeable to the proposal.

Paul Maurer, Architects Collaborative, Spencer, reviewed plans for a **maintenance building** in another county to compare some of the costs for 2 construction types. Maurer discussed the pros and cons of metal and cast concrete buildings noting that the Board will have to determine the relative value of the differences in making their selection.

Community Services Director Anita Hallquist introduced Stephanie Fiedler, Social Worker, to the Board.

Hallquist discussed the needs of a client at **Spectra Health Care**, with the Board approving purchase of equipment to meet those needs.

At Hallquist's request and recommendation, motion by Gustafson, second by Voss, to authorize the destruction of **general relief files** 5 years after termination of relief, per the recommendation of the "Iowa County Records Manual" published by the State Historical Society of Iowa. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign a letter of support for the **Upper Des Moines Opportunity** grant application for the FaDSS (Family Development and Self-Sufficiency) program. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Vail, to approve the following items on the consent agenda:

- * **minutes** of the 7/9/96 meeting as corrected;
- * **reports** as follows: Communications Commission minutes (3/11, 5/13, 6/10), E911 Service Board minutes (5/22, 5/28, 6/10), April-June Mangold Spectra lagoon, June Recorder's fees, Clerk's fines & surcharges, 4th Qtr FY'96 Veteran's Relief, Year-end Engineer's cash count, budget reports, FY'96 4th Qtr farm-to-market-fund; other reports reviewed: FY'95 IA Dept. of Public Health annual report;
- * approve the Class C **liquor license**, Sunday sales and outdoor sales permit applications of Morton Restaurant Ventures, Inc. (at the Lake Creek Country Club location), and to authorize the Chairman to sign;
- * approve the **late filings** for 1996 homestead credit on parcel #'s 5973.00, 4441.00, 5355.00, 2809.00, 2046.00, 10238.80, 6904.00, & 383.00, and for 1996 Military exemption on parcel #'s 5973.00, 2046.00, 10238.80;
- * to approve and to authorize the Chairman to sign the FY'97 services agreement with **Seasons - Center** for Mental Health.

The vote on the resolution was: ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to **employ** Claudia Mendez, as a part-time interpreter for Public Health immunization clinics effective 7/10/96 at \$4.65/hour. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign the full-time and part-time **clerk/secretary wage schedule**. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the part-time **jailers'** wage schedule. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board discussed **parking** around the DHS Annex for DHS employees and clients. A number of other offices in the immediate area have reported a shortage of spaces for their clients. Voss noted that the city requires 1 1/2 parking spaces per apartment in an apartment building, but that the county has provided only 3 off street spaces behind the DHS Annex building.

Regarding the secondary road **maintenance building**, Voss and Vail (other than for the wall

needed to be placed on the roof), favor a concrete building. Ites would like the Board to determine where the building will be placed so that fencing can be placed before winter.

Motion by Gustafson, second by Voss, to approve a wage increase to \$23,500/yr. for Kim Johnson retroactive to 7/1/96. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned at 2:30 p.m. until August 1 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS
THIRTY-FIFTH MEETING, 1996 SESSION (35)
AUGUST 1, 1996**

The Buena Vista County Board of Supervisors met in special session on Thursday, August 1, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

County Attorney Phil Havens presented the most recent draft of the hoglot ordinance which he has been developing in conjunction with Bruns and Gustafson. His most recent research has been in the area of whether an assessed fee is a tax or not, and whether or not a county can collect tax other than those specifically permitted by law. Another concern is whether a county can regulate an area which the state already regulates. Bruns feels that the state imposed fee is inadequate which is why he is interested in making sure that funds are available for any necessary clean-up. The ordinance creates a fund that would assist in cleaning up abandoned sites. Vail suggested that if an operation closes, that the funds accumulated by the county for that site be used toward reclamation and restoration of the land. Voss suggested including a process allowing the owner input in the event that site funds need to be replenished, etc. He prefers that the next action be an informational meeting prior to beginning the ordinance adoption procedure. The Board set the informational meeting for August 6 at 7:00 p.m. in the District Courtroom. Havens will incorporate suggestions made today prior to the meeting.

Treasurer Kathy Bach discussed what action the Board can take on properties with delinquent taxes due. The cost to do a title search would be \$40/parcel. The Board will decide which, if any, they wish to have pursued after review of the list and a visual inspection.

Head Custodian Dewyne Stucynski discussed his most recent meeting with Architect Glen Huntington and the foreman for H & S Roofing regarding the courthouse re-roofing project. The project was originally to have been completed June 21, with a subsequent extension to June 28. There appears to be a minimum of one week left to complete the project. Firestone will need to make an inspection when the work is complete in order to guarantee the project. Havens has reviewed the contract and confirmed that there are no provisions for liquidated damages.

Motion by Vail, second by Voss, to approve the following items on the consent agenda:

- * minutes of the 7/23 meeting as corrected;
- * Jt. DD #16-30-92 claim in the amount of \$1,069.25 to Richards Construction, Sac City, for repairs in Douglas Twp., Section 14 Sac County, and to authorize the Chairman to sign.

The vote on the above motion was: ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

There being no further business, the meeting adjourned at 11:15 a.m. until August 6 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
THIRTY-SIXTH MEETING, 1996 SESSION (36)
AUGUST 6, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 6, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following other members present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

9:00 a.m.--The time having arrived for the public hearing on the Steve Jorgensen, etal. Ag Area petition, the Chairman opened the hearing, noting that the public notice had been published as required. One interested person was present. No verbal or written objections have been received. The Auditor reported

that the required signatures with the required documentation establishing their eligibility to sign, are deficient, and that approval would need to be delayed pending receipt of the information. Hearing no objections, motion by Voss, second by Vail, to close the public hearing. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to table a decision on the ag area petition filed by Steve Jorgensen, etal. On 7/9/96, until the proper documentation has been received and reviewed by the Assistant County Attorney. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to employ Chris Laursen as a part-time weed department driver effective 7/26/96, at \$6.34/hr. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve the amended Buena Vista County Meeting Room Use Policy, and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the FY'97 EMS grant application in the amount of \$6,752, with the BV Co. EMS Association to be the recipient of the funds, per the estimated allocation spending plan submitted by Janis Stavnes, contact person. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, retroactive to 7/31/96, to transfer \$422,397 from the General Basic fund to the MH-DD Services fund, reduced by \$60,000, (to \$362,397) which is the amount of the interfund loan approved by the Board of Supervisors on 7/9/96, today's action serving to satisfy the requirement of repayment of the interfund loan within the fiscal year in which it was made. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, retroactive to 7/31/96, to transfer \$15,000 from the E911 Surcharge Fund to the E911 Debt Service Fund. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites reported that the IDOT has determined that they will not be able to move up the reconstruction of the 3 & 71 intersection on the Hwy 71 bypass project from 1998.

Motion by Voss, second by Vail, to approve and to authorize the Chairman to sign the contract with Midwest Contracting, Inc., Marshall, MN, in the amount of \$53,360.00 for project #L-FM-C-101-97--73-11. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to concur with Sac Co. Board of Supervisors for the road posting of a 3-ton load limit and a road closed posting on the south side of Section 36, Providence Township. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve Ites' recommendation to accept the \$800 proposal of Kuehl & Payer, Ltd. Consulting Engineers & Land Surveyors for services to provide plats, legal descriptions, and monument corners for proposed right-of-way acquisition in Sections 14, 15, 22, 23, Twp 91 North, Range 36 West for a replacement bridge over the Raccoon River, there being 4 parcel purchases required. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to approve Ites' recommendation to accept the proposal of Kuehl & Payer, Ltd. Consulting Engineers & Land Surveyors in the amount of \$3,300 for fieldwork to re-establish section lines and establish corners in preparation for the Marathon Park bridge project #BROS-11(41) which will be funded 80% federal funds, matched with 20% local funds. This approval does not include the proposal in the amount of \$1250 for design work. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Both IRVM applications submitted by the County have been approved. Ites will provide the additional information required by the grantor.

Ites presented a summary listing of the claims by the Secondary Road Dept. against the drainage districts for work done over the last 6 months.

The Board discussed right-of-way acquisition regarding the C-63 re-construction project. Motion by Voss, second by Vail, to accept the offer of landowner lone Millard, in the amount of \$2,650.00/acre for 2.96 acres, the property being a tract of right-of-way in the SW 1/4 Section 5, Township 90 North, Range 38 West, Maple Valley Township. The roll call vote was: Bruns--aye, Gustafson--aye, Vail--aye, Voss--aye, Burnside--

aye. Carried.

Environmental Health/Zoning Director Kim Johnson discussed the requirements for correcting the sewage problems at the BV Co. Fairgrounds in Alta.

A preliminary plat for a new subdivision is being reviewed by owner Todd Gaffney, which will then be submitted to the Board for approval.

Johnson requested direction from the Board on whether or not to continue to make repairs to the vehicle assigned to the Env H/Zon Dept. At the Board's recommendation, Johnson will have the Sec'y Road mechanics go over the car.

Funding is available for clean-up of waste tires, but must be applied for by the Board of Supervisors. The Board can direct the funding to another agency for the project. The Solid Waste Commission will be meeting Thursday evening about a project for BV County. There are at least 3 sites in the county with a substantial number of the waste tires to be removed.

Motion by Voss, second by Bruns, to approve and to authorize the Chairman to sign the Certification of the FY'95 Cost Allocation Plan prepared by David M. Griffith's & Associates, to be submitted to the IA DHS for reimbursement. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Nurse Administrator Karole Graen reported on an INS meeting in Des Moines that she had attended, and reviewed the July 16 Board of Health minutes.

SLADC Director Jim Gossett updated the Board on the Tuscaurora project and SLADC's desire to have a spec. building in the Storm Lake Industrial Park. Gossett expects to request the funding promised by the county to Tuscaurora, in September or October of the current year. Gustafson asked Gossett to provide a review of the wages and benefits to be paid by the company, prior to the award of the funding.

A SLADC spec building, with only 4 walls and a roof, and which can be finished off as desired by a company, is sought by 85-90% of the companies interested in relocating. If successful in fundraising to build one, Storm Lake would have only the 4th building in the NW quarter of Iowa. Eastern Iowa has many more available. For a 40,000 sq. foot building, the cost is about \$527,000 for land and building. Gossett reported that funding commitments from lending institutions, contractors, and the community will be sought.

Weed Commissioner Norm Lund and sprayer Dave Wiley updated the Board on their activities.

Engineer Ites reviewed several forms designed by his department for processing requests for Sec'y Road services.

For the 2-2 1/2 mile C-13 re-construction project #FM-11(34) located east of Sioux Rapids, motion by Vail, second by Voss, to approve the Engineer's recommendation to accept a proposal from Kuehl & Payer, Ltd. Consulting Engineers & Land Surveyors for services in the amount of \$14,450 for fieldwork, \$38,635 for design, and \$250/parcel for plats (up to 40 tracts), to be paid from the county's Farm-to-Market fund account. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board discussed the IDOT "Iowa in Motion" alternatives, and another - authored by Engineer Ites. By consensus of the Board approved Alternative F for submission to IDOT, with a copy to ISAC. A copy is on file in the Engineer's office.

Motion by Vail, second by Voss, to approve the minutes of the 8/1/96 board meeting as amended, and the following reports: July budget reports, Conservation Board minutes, Board of Health minutes, FY'95 Cost Allocation Plan (D. M. Griffith). Also reviewed: 2nd Qtr FY'96 FloCrit financial report, Co. Share liquor license fees. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned at 2:30 p.m. until August 21 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
THIRTY-SEVENTH MEETING, 1996 SESSION (37)
AUGUST 21, 1996**

The Buena Vista County Board of Supervisors met in regular session on Wednesday, August 21, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Voss, and with Auditor Strawn as clerk for the meeting. Absent: Vail.

Treasurer Kathy Bach recommended abatements for several properties. Motion by Gustafson, second by Bruns, to **abate** the 2nd 1/2 1994 taxes on parcel #4102.00 in a total amount of \$5,280.00. Voss noted that he is appalled that the U.S. government can fleece the local property taxpayer by refusing to pay taxes due on property it purchases, while any other entity or person involved in a private transaction would be required to pay the tax. The remainder of the Board concurs. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to **abate** all of the taxes and penalties due on MH#11-W018783, tax sale certificate #1781, due to the mobile home having vanished as of 11/94, the abatement being in the total amount of \$2,249.87. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Bruns, to **abate** the 1995 taxes on several parcels which were previously sold by tax deed to the City of Marathon for the purpose of cleaning up the properties, the parcel numbers being as follows: #2413.00, 2414.00, 2452.00, 2491.00, 2550.00, 2552.00, 2556.00, 2588.00, 2589.00 2629.00, 2593.00, in the total amount of \$154.00. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

The Board set September 17 at 10:00 a.m. as the time and date, for reviewing **quotes** for 2 single-axle trucks, requested by Engineer Jon Iles.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign the payment voucher for engineering services provided by the IDOT on **project #BROS90-11(6)** in the amount of \$546.28. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Voss, to approve and to authorize the chairman to sign the **utility permit** application of Iowa Lakes Electric Cooperative for a single phase 7200v service to Randy Kruse, installation to be in the SW ¼ Section 2 crossing to the NW ¼ Section 11, all in Providence Township. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign the **utility permit** application of Iowa Lakes Electric Cooperative for a single phase 7200v service to Marv Anderson, (an upgrade from overhead to underground service), with the installation to be located in the SW ¼ Section 24 and crossing to SE ¼ Section 23, all in Lee Township. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign a **road maintenance agreement** with the City of Newell (per the attached map). Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

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

RESOLUTION SETTING SPEED LIMITS - #1996-8-21a

Pursuant to Section 321.285.7 of the 1995 Code of Iowa, the Buena Vista County Board of Supervisors hereby establishes speed limits along County Route C-25 on the south side of Section 36, Barnes Township, adjacent to the Town of Rembrandt. The following speed restrictions, recommended after investigation by the Iowa Department of Transportation Traffic Engineering Division, shall apply:

-with the Rembrandt School in use:

45 mph - from existing 35 mph sign to 100' west of Railroad Ave.

35 mph - from 100' west of Railroad Ave. to 500' east of 1st Ave.

45 mph - from 500' east of 1st Ave to 950' east of 1st Ave.

-with the Rembrandt School closed:

40 mph - from 200' west of Railroad Ave. to 400' east of 1st Ave.

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

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

RESOLUTION CLOSING ROAD & ESTABLISHING BRIDGE WEIGHT LIMITS - #1996-8-21b

Pursuant to Section 321.471.2 of the 1995 Code of Iowa, and in agreement with the recommendation of the bridge consultant, the Buena Vista County Board of Supervisors hereby establishes by this resolution, the following weight limitations on bridges in Buena Vista County:

1. Bridge #148 - NE 1/4 Section 16, Lincoln Township on the East/West gravel road - weight limit 6 tons;
2. Bridge #117 - near N 1/4 corner of Section 26, Grant Township on the East/West gravel road - weight limit 8 tons;
3. Bridge #87 - NW 1/4 Section 26, Providence Township on the North/South gravel road - weight limit 8 tons;
4. Bridge #137 - near W 1/4 corner of Section 30, Nokomis Township on the North/South gravel road - weight limit 6 tons. Cherokee County will post this bridge.
5. Bridge #169 - near W 1/4 corner Section 7, Elk Township on the North/South gravel road - close to traffic on the county line with Cherokee County.

The vote on the above resolution was: Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

The time having arrived for the **bid letting** for a bridge rehab. project, bids were received and opened from Christensen Brothers, Inc., Cherokee, and Cramer & Associates, Inc., Des Moines. The engineer had estimated the project at \$25,000. Stating that the Cramer bid was not out of line, Its recommended that the Board accept that bid. Motion by Voss, second by Gustafson, to accept the low bid of Cramer & Associates, Des Moines, for rehab. of a bridge located in Grant Township, project #L-FM-MB-5-98-73-11, in a total amount of \$32,089.00. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson to accept the proposal of Eugene Krumroy for an **IRVM** (Integrated Roadside Vegetation Management) weed survey for Buena Vista County, 8 townships to be done this year, and the remainder in 1997. With further discussion, the motion did not receive a second, and it was the consensus of the Board to meet with Krumroy again before accepting a proposal.

Sheriff Chuck Eddy presented a **law enforcement contract** for approval. Motion by Voss, second by Bruns, to approve and to authorize the Chairman to sign a 3-year law enforcement agreement with the City of Albert City with the FY'97 contract amount to be \$27,904.60, paid in monthly installments of \$2,325.39 per month. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Eddy discussed several **jail** programs. He reported that the average receipts of the work release program are \$1,500-\$2,000 per month. In-home detention is also well utilized. The concept of charging room and board to all prisoners is not employed at the Buena Vista County jail since most cases would result in additional county expense for collection of costs when prisoners fail to pay.

Zoning Director Kim Johnson requested a date for public hearings on zoning re-classification and subdivision requests submitted by Todd Gaffney, etal. Motion by Voss, second by Bruns, to set the date and time of the public hearing on the re-classification request, from A-2 to R-2, on property described below as "A" as September 4 at 10:30 a.m., and for the public hearing on the subdivision request, for property described below as "B", as September 4 at 10:40 a.m. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

"A"---all that part of Government Lot One (1) in the Northwest Quarter of the Northwest Quarter (NW¼ NW¼) of Section 16, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, lying South of Casino Bay Estates and Southwesterly of Stoney Point Bay and Stoney Point Bay 2nd Addition.

"B"---a tract of land located in part of Government Lot One (1) in the Northwest Quarter of the Northwest Quarter (NW¼ NW¼) of Section 16, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and being more particularly described as follows: Commencing at the Northwest (NW) Corner of the Northwest Quarter (NW¼) of said Section 16; Thence on a recorded bearing of South 00°24'53" West, along the West line of said Northwest Quarter (NW¼), 439.71 feet to the South line of Casino Bay Estates Addition, and to the Point of Beginning. Thence North 54°19'03" East, along said South line, 123.71 feet; Thence continuing along said South line North 88°45'41" East, 778.09 feet to the West line of Lot One (1) Stoney Point Bay Second Addition; Thence South 07°38'16" East, along said West line, 141.5 feet; Thence along the arc of a sixty-five (65) foot radius curve concave Easterly, 238.27 feet to the Southerly line of Bay View Street, aforementioned curve having a chord bearing and distance of S 12°26'57" West. 125.56 feet; Thence along the Southerly line of said Bay View Street, S 33°29'54" East,

95.52'; Thence continuing along said Southernly line of Bay View Street, South 58°45'39" East, 394.07 feet; Thence South 31°00'53" West, 140.00 feet; Thence North 76°50'20" West, 160.00 feet; Thence North 58°59'30" West, 160.00 feet; Thence North 20°39'54" West, 200.00 feet; Thence South 88°45'41" West, 135.00 feet; Thence North 00°18'42" East, 160.00 feet; Thence South 88°45'41" West, 511.00 feet; Thence South 00°18'42" West, 150.00 feet; Thence South 88°45'41" West, 180.00 feet to the West line of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼); Thence North 00°18'42" East, along said West line, 280.00 feet to the Point of Beginning. Tract contains 6.82 Acres and is subject to all easements of record.

The Board discussed the condition of septic systems, and the possible installation, by public or private parties, of a sanitary system for homes located south of Storm Lake.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign, the cigarette permit and class B & C beer and Sunday sales permit applications of Al's Corner Oil Co., Inc., dba Sparky's One Stop #16. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

Treasurer Kathy Bach presented a request for suspension of taxes. Motion by Gustafson, second by Bruns, pursuant to Chapter 427.8 of the 1995 Code of Iowa, to suspend the 1995 taxes on parcel #9112.00 in the Sioux Rapids-Rembrandt Lee taxing district in the amount of \$426.00. Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

The Chairman asked for discussion of the next step to be taken on the proposed hoglot ordinance. Gustafson believes that the next step is the 1st Reading of the ordinance. Voss noted that at the 8/6 meeting it was mentioned that there is no provision for appeal as currently drafted. The Chairman noted that the most recent changes to the draft have not been available to the public. The Chairman also noted that she is not ready to state support or opposition to the ordinance until she knows whether or not it is legal. Bruns reported that he had called a bonding company to ask if an operator could be bonded for a lagoon liability, and learned that there is nothing currently available. By consensus, the Board set the date and time of 1st Reading of the Hoglot Ordinance as September 4, 1996, at 1:00 p.m.

Motion by Gustafson, second by Bruns, to approve the following items on the consent agenda:

- * minutes of the 8/6 meeting as printed;
- * reports as follows--7/8 Communications Commission minutes, July Recorder's fees, Clerk's fines and surcharges. Also reviewed--6/19 minutes of Region III Emergency Planning Committee, 4th Qtr Fy'96 Local Option Sales Tax payment, Final Order regarding Voluntary Annexation in Storm Lake (Van Scoyk & Offenstein).

Ayes--Bruns, Gustafson, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned at 12:20 p.m. until September 4 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
THIRTY-EIGHTH MEETING, 1996 SESSION (38)
SEPTEMBER 4, 1996**

The Buena Vista County Board of Supervisors met in regular session on Wednesday, September 4, 1996, (rather than Tuesday, due to the Labor Day holiday) at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, and Voss, and with Auditor Strawn as clerk for the meeting.

HM/HHA Director Marilyn Monson reviewed the FY'96 annual report for her agency. She provided information on clients served, expenditures and revenues (by type) noting an expenditure of \$36,122.28 in property tax dollars, or 22% of the total expenditures of the agency.

Eugene Kromray offered a proposal to the Board for a ditch inventory -- the first step in an Integrated Roadside Vegetation Management project. Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign an agreement with Data Preparation, Inc., Ottumwa, Iowa, in the amount of \$700/township for a roadside inventory, for a total of 16 townships, 8 to be completed in the Fall, 1996, and 8 to be completed by late Summer, 1997. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign the utility permit application of Iowa Lakes Electric Cooperative, Estherville, Iowa, to install a 7200v

overhead distribution line to provide an alternate feed for failing underground cable at the following location: T-92N, R-37W, W 1/2 of NW 1/4, Sec. 2 and T-93N, R- 37W, SW corner of Section 35. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign a universal payment voucher for the final payment on design work completed by Kuehl & Payer on **project #BROS-9011(5)** (bridge across Raccoon River in Section 23, Grant Township) in the amount of \$865. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Voss, to approve and to authorize the Chairman to sign a contract with Cramer and Associates, Des Moines, Iowa, for **project #L-FM-MB-5-98-73-11** (rehab. of a bridge located in Grant Township) in the amount of \$32,089.00, and further to approve the certificate of insurance and the contractor's bond for said project. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board noted receipt of copies of resolutions made by the **Cherokee County** Board of Supervisors for the temporary closing of the road on the BV/Cherokee line (west side of Section 7, Elk Twp.) for construction purposes, and regarding weight restrictions on a joint road (west side Section 30, Nokomis Twp.).

Motion by Bruns, second by Voss, to direct the Treasurer and Auditor, beginning with the 1996 crop year, to credit revenues from the **S. Hayes Pit** to the Secondary Road fund, and to charge the Secondary Road fund with the expenses for the property (including property taxes). Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to approve and to authorize Mark Hoffard to receive for disposal, 26 Automatic **Voting Machines** which have been replaced by new voting equipment. In exchange for providing the labor to load and remove the machines, and to deliver the remaining 4 machines to county historical societies (BV Co., Albert City, Sioux Rapids, and Marathon), it is further approved that Hoffard use a specially equipped secondary road vehicle. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

For the discussion of the **closing of a bridge** on the west side of the county, 4 interested persons were present. (Butch Sleezer, Gary Anderson, Barry Carlson, and Tim Tuttle). Each noted the type and frequency of their usage of the road on which the bridge is located. The Board considered construction of either a temporary or permanent structure to replace the bridge. The road being a Class C type of road may not warrant the construction of an expensive structure. The consensus of the Board was to proceed with installation of a permanent structure provided that materials, contractor, and timing are worked out, and with the provision that if a permanent installation cannot be accomplished this fall, a temporary structure will be substituted.

Motion by Voss, second by Bruns, to approve and to authorize the Chairman, Auditor and Engineer, to sign a supplemental budget for submission to the **IDOT** to include the above project located on the Cherokee/Buena Vista County line, and 2 ACC Resurfacing projects. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

10:30 a.m.--The time having arrived, the Chairman opened the public hearing with Zoning Director Kim Johnson, Surveyor Scott Shevel, and Mike Pertzborn, landowner present. The hearing was held to accept comments from the public on a zoning reclassification request from A-2 to R-2. Hearing no objections, motion by Gustafson, second by Voss, to close the public hearing. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to concur with the recommendation of the **Zoning** commission to approve reclassification of the following property from A-2 to R-2:

A tract of land located in part of Government Lot One (1) in the Northwest Quarter of the Northwest Quarter (NW¼ NW¼) of Section 16, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and being more particularly described as follows: Commencing at the Northwest (NW) Corner of the Northwest Quarter (NW¼) of said Section 16; Thence on a recorded bearing of South 00°24'53" West, along the West line of said Northwest Quarter (NW¼), 439.71 feet to the South line of Casino Bay Estates Addition, and to the Point of Beginning. Thence North 54°19'03" East, along said South line, 123.71 feet; Thence continuing along said South line North 88°45'41" East, 778.09 feet to the West line of Lot One (1) Stoney Point Bay Second Addition; Thence South 07°38'16" East, along said West line, 141.5 feet; Thence along the arc of a sixty-five (65) foot radius curve concave Easterly, 238.27 feet to the Southerly line of Bay View Street, aforementioned curve having a chord bearing and distance of S 12°26'57" West. 125.56 feet; Thence along the Southerly line of said Bay View Street, S 33°29'54" East, 95.52'; Thence continuing along said Southerly line of Bay View Street, South 58°45'39" East, 394.07 feet;

Thence South 31°00'53" West, 140.00 feet; Thence North 76°50'20" West, 160.00 feet; Thence North 58°59'30" West, 160.00 feet; Thence North 20°39'54" West, 200.00 feet; Thence South 88°45'41" West, 135.00 feet; Thence North 00°18'42" East, 160.00 feet; Thence South 88°45'41" West, 511.00 feet; Thence South 00°18'42" West, 150.00 feet; Thence South 88°45'41" West, 180.00 feet to the West line of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼); Thence North 00°18'42" East, along said West line, 280.00 feet to the Point of Beginning. Tract contains 6.82 Acres and is subject to all easements of record.

The vote on the above motion was: ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

10:40 a.m.--The time having arrived, the Chairman opened the public hearing on the Stoney Point Bay 3rd Addition subdivision request, with Zoning Director Kim Johnson, Surveyor Scott Shevel, and Mike Pertzborn, landowner, present. Hearing no objections, motion by Gustafson, second by Bruns, to close the public hearing. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to concur with the Zoning Commission's recommendation to accept the preliminary platting of the **Stoney Point Bay Third Addition** subdivision. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried. The Zoning Director will request that Assistant County Attorney Dave Patton put his approval of the covenants, easement, and agreements in writing for the record.

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

Petition of Merge

Buena Vista County accepts to dissolve their **Local Emergency Planning Committee** and wish to petition to merge with Northwest Iowa Planning and Development Commission.

Signed: Lorna Burnside, Chairperson, Board of Supervisors, (and signed also by Ron Wilson, Fire Chief/Chair of LEPC, and Gloria Hadacheck, Emergency Management Coordinator).

The vote on the above motion was: Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Having received the appropriate signatures as determined by Assistant County Attorney Dave Patton, motion by Vail, second by Gustafson, to approve the **Ag Area** petition filed July 9, 1996, by Steve Jorgensen, etal. for the following described property consisting of 377 acres more or less:

"Starting at the Southwest corner of Section 21 of Newell Township in Buena Vista County, go North ½ mile, then go east ½ mile, then go south ½ mile, then go west ¼ mile, then go south ½ mile, then go west ¾ mile, then go north ½ mile, then go east ½ mile and you are back to the SW corner of Section 21 of Newell Township."

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign the Wastewater Construction Permit Application to Iowa Dept. of Natural Resources for modification of **the Spectra Health Care wastewater treatment lagoon**. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The time having arrived for the 1st reading of the proposed hog ordinance, 7 interested persons and representatives of 7 media sources were present. The Chairman called upon County Attorney Phil Havens to briefly review the drafting of the ordinance, and to review his recent letter to the members of the Board regarding the viability of the proposed hoglot ordinance. The stated purpose of the ordinance is to protect the environment and the taxpayers of Buena Vista County by assessing a fee per head of livestock for animals to be raised in a facility which includes a lagoon or earthen manure storage basin. The collected funds would be held in a fund to draw interest until needed for clean-up of a spill or an abandoned site. The funds paid by an individual producer would be for that operation only.

As the Board prepared for its 1st reading, the County Attorney reviewed the legal issues of the ordinance. Noting that in the adoption of an ordinance, it is generally presumed that legislation is legal since drafting of the same should include legal research during development process. Thus, it behooves the County Attorney to provide a studied opinion prior to the adoption of the ordinance. It is his opinion that state law pre-empts any county legislation in this area, and that the proposed fee would likely be considered a tax. (A fee is charged for a permit, administration, or the provision of a service.) Thus, the fee (tax) may not be legal since a county may not levy a fee (tax) for anything not so authorized by law.

Following lengthy discussion, motion by Gustafson, second by Voss to approve the 1st Reading of the Hoglot Ordinance. Voss noted that he places the safety and well being of citizens and taxpayers in first place in this matter. Bruns stated that he believes that HF 519 is inadequate in the funds raised, and

that the law's deficiencies need to be addressed. Burnside echoed Bruns' statement. The vote on the 1st Reading was: Bruns-nay, Gustafson-aye, Vail-nay, Voss-aye, Burnside-nay. Defeated.

Community Services Director Anita Hallquist reviewed her work and asked for input on **the MR Managed Care Plan** she is drafting. A new goal for the MR community is to encourage community based services. The plan must be submitted by October 1. Hallquist reviewed a tracking report for persons receiving MH/CMI/MR/DD services.

Hallquist reported that the **Community Services** Department is in desperate need of assistance to handle the general relief and veterans affairs services due to the increase clerical load for mental health, case management and CPC services. She suggested providing limited but scheduled services such as 2 times per week, 2 hours each time.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign a 28E - **Cherokee MHI transportation agreement** to provide transportation services for mentally ill individuals for purposes of admission, evaluation, relocation, treatment, job convenience, and/or for court purposes, the base charge to be set at \$21.50/hour for trips over 20 miles, and \$.36/minute per State employee making the trip for trips of less than 20 miles. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried

Motion by Vail, second by Gustafson, to approve the following items on the consent agenda:

- **minutes** of the 8/21/96 meeting as corrected;
- annual **report** of the State County Assistance Team compiled from county MH management plans;
- work order for Jt. **DD #181** in Calhoun Co. at site 96-4, and a work order for Jt. **DD #16-30-92** for a site in Douglas Twp, Calhoun Co.;
- **tax suspension** request due to disability status of the petitioner on parcel #429.00;
- agreement with Cindy Hildreth to provide custodial services at the **E. Richland Annex**, the term of the contract
- changed to coincide with the end of the fiscal year;
- **late filing** for 1995 homestead credit on #4392.00 and #6904.00, and for 1996 homestead credit on #4392.00 and #7237.50.

The vote on the above motion was: ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried

Motion by Voss, second by Gustafson, pursuant to an order from the Iowa Dept. of Revenue and Finance regarding the Matter of the 1995 Assessment of **Chicago Northwestern Transportation Company** (CNW), this Board authorizes the County Treasurer to abide by said order signed 8/23/96 by G.D.Bair, Director, Iowa Dept. of Revenue, with the Auditor to issue a certificate of adjustment as needed. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, pursuant to an order from the Iowa Dept. of Revenue and Finance regarding the Matter of the Assessment of **Chicago Central & Pacific Railroad Company** (CCP), this Board authorizes the County Treasurer to abide by said order signed 8/23/96 by G.D.Bair, Director, Iowa Dept. of Revenue, with the Auditor to issue a certificate of adjustment as needed. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned until September 10 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS
THIRTY-NINTH MEETING, 1996 SESSION (39)
SEPTEMBER 10, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 10, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

General Relief and Veterans' Relief Director Kristina Konradi discussed the GR & VR programs

and the time required to administer them. Due to the addition of a full time social worker in her department, there are increased demands for Konradi's time to do typing. Voss suggested posting this item in the courthouse to see if anyone or any department is interested in taking on these duties.

At the time of purchase of the new voting equipment from Business Records Corporation, an agreement was reached to return for full cost, 2 of the voting machines purchased in the event the Board merged some precincts. The Board discussed several small precincts including BR, LS, GP, and PO. Due to distances to other adjoining polling sites, it was the consensus of the Board to consider only BR precinct to merge with LG. The Commissioner of Elections will set up at meeting at a location in the precinct for all Brooke precinct voters.

Motion by Vail, second by Bruns, to approve submitting a Wetlands Determination Request to the Buena Vista County Natural Resources Conservation Service for all drainage districts, including subsidiary drains and laterals, and joint drainage districts in the County, and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve the minutes of the 9/4 meeting as corrected. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board discussed plans for the secondary road maintenance building to be built at the E. Richland site. Engineer Jon Ites stated that his understanding was to proceed with preliminary plans for a building with 7 bays (including 1 wash bay) with as much of a clear span as possible. The wash bay would be concrete, the building roof - metal, and the remainder of the building concrete or metal as is most practicable and cost-efficient. He believes that plans can be ready for a January letting date. Gustafson suggested that the Board bring the discussion of building type to an end by voting on the building type. Motion by Voss, second by Vail, to proceed with a concrete building and a metal roof for the secondary road maintenance building. Ayes--Vail, Voss, Burnside. Nays—Bruns, Gustafson. Abstentions—none. Carried.

Consultant Phil Brown provided preliminary remarks and distributed his completed report on the County's Needs Assessment Study and Recommendations. He confirmed that some of the recommendations came from County personnel in the interview process, with the remainder from the consultant. He emphasized that the public has a role in good government and that his recommendations include the public. The public needs to know more about how government is thinking and government needs to provide more information. The report provides a beginning point for action. The media serves in the role advocate for openness, interaction, and information exchange.

Voss was interested in whether there are any numbers to identify how big the group is that is concerned on some of the various issues. He believes that change may very well be warranted, but on any given issue, do 5% of the people want change, or a majority. The consultant stated that his concern is a point well taken, but that the study did not set out to establish statistics on a per topic basis. Doing additional study to develop those statistics may be useful in the future.

Gustafson noted that he has been aware of a number of the problem issues even before the study. He asked Brown what the usual indicator of dissatisfied employees is. If employee turnover is an indicator, the county doesn't see to much turnover.

Voss noted that one of the purposes of the study was to find better ways to communicate. But that individual perceptions may be a barrier to the communication. Bruns stated that just as employees or department heads may believe the Board does not see things from their perspective, employees or department heads may also not see things from the supervisors' perspective.

The Chairman challenged the media to be a partner with the county in working for positive changes, and thanked Brown for his work.

Nurse Administrator Karole Graen reviewed the August 20 Board of Health minutes, and 1994 census data about the county. BV has the highest rating of all Iowa counties for proportion of refugees. Motion by Gustafson, second by Bruns, to approve the report of the August 20 Board of Health minutes, including. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Bruns reported on the Hazmat meeting attended by himself, Storm Lake Fire Chief Ron Wilson and BV Co. Emergency Management Coordinator Gloria Hadachek. The Region III Board is organizing, with at least 2 of the counties contracting with Mason City for hazmat response services.

There being no further business, the meeting adjourned to Friday, September 13 at 9:00 a.m. for the school election canvass.

**BOARD OF SUPERVISORS MEETING
FORTIETH MEETING, 1996 SESSION (40)
SEPTEMBER 13, 1996**

The Buena Vista County Board of Supervisors met in special session on Friday, September 13, 1996, at 9:00 A.M. in the Boardroom with Vice-Chair Bruns presiding and with the following other members present: Vail and Voss, and with Auditor Strawn as clerk for the meeting. Absent: Burnside, Gustafson.

After completion of the canvass of the Regular School Election held September 10, 1996, and pursuant to Chapter 50.24 of the 1995 Code of Iowa, motion by Vail, second by Voss, to declare the results as follows:

Alta Community School--total voters: 380

for School Board Director, vote for 2:

Julie Hahn	154
Douglas R. Hansen	230 elected
Paul K. Koth	162
Gary Launderville	182 elected
Scattering, 1 person	1

Albert City-Truesdale Community School--total voters: 44

for School Board Director, vote for 1:

Gary Hogrefe	43 elected
Scattering, 1 person	1

Newell-Fonda Community School--total voters: 53

for School Board Director, District #1--vote for 1:

Roger L. Sarchet	53 elected
Scattering, 1 person	2

for Iowa Central Community College Director #4--vote for 1:

Carl H. Larson	30
----------------	----

Sioux Central Community School--total voters: 387

for School Board Director, District 1--vote for 1:

Mike Gordon	117
Mark Sickelka	265 elected
Scattering	0

for School Board Director, District 4--vote for 1:

Melvin J. Pitts	299 elected
Scattering, 3 persons	6

for Iowa Central Community College Director, District #2--vote for 1:

John E. Hodges	128
Scattering, 1 person	1

for Iowa Lakes Community College Director, District #5--vote for 1:

Howard Kyle	108
-------------	-----

for Iowa Lakes Community College Public Measure (A) for a 10-year, 6 cent levy:

Yes	34
No	124

Storm Lake Community School--total voters: 508

for School Board Director, vote for 1:

Dale Carver	227
Kathy Croker	281 elected

and to direct the Auditor to prepare abstracts as required by law. Ayes--Vail, Voss, Bruns. Nays--none. Carried.

There being no further business, the meeting adjourned at 10:30 a.m. to Tuesday, September 17 at 8:30 a.m. for a regular meeting.

**BOARD OF SUPERVISORS
FORTY-FIRST MEETING, 1996 SESSION (41)
SEPTEMBER 17, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 17,

1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Sheriff Chuck Eddy, with input from the Nurse, Recorder, Treasurer, and Julie Erskine Co-Director of the PROP program at BV Co. Hospital, presented a proposal for an interpreter. The combined needs of the county departments plus DHS and Court appear to warrant at least 20 hours per week. The Board was receptive to the concept and asked for the department heads to write a proposed schedule. The proposal would have each department pay for the hours used, with scheduling and billing to be done by the Auditor's office.

Engineer Jon Ites reported on the status of current projects. Motion by Gustafson, second by Voss, to accept as satisfactorily completed as of this date, the Dixon Construction Co. project **#BROS-9011(6)--5F-11**, and to authorize the County Engineer to sign the final acceptance. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

A request for removal of a beaver dam in Sa County was referred to that county for action.

Motion by Vail, second by Bruns, to approve the request of Don's Farm Supply, Newell, for construction of a grain storage bin in Section 17, Newell Twp., with the construction to be no closer to the top of the open ditch of **DD #1** than the existing bins. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Engineer reviewed quotes from Barry Motors, Danbury, Storm Lake International, and Fitzpatrick Chevrolet, Storm Lake, for 2 single-axle trucks. Motion by Vail, second by Gustafson, to purchase 2 diesel single-axle trucks from Fitzpatrick Chevrolet, Storm Lake, for \$36,609.46 each, less trade-ins in the amount of \$6,000 each, for a total of \$30,609.46 for each new truck. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

IDOT has requested that the County do winter maintenance on old Hwy 71 on a reimbursement basis. The Board was not opposed to considering an agreement.

A stop sign request for a location at the northwest corner of Section 32, Hayes Twp. has been received. The Engineer recommended stopping eastbound and westbound traffic only. Motion by Vail, second by Gustafson, to approve and to direct placement of stop signs for eastbound and westbound traffic at the intersection of 650th St. and 80th Ave., effective upon installation of the signs. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

In the annual DOT survey on **railroad crossings**, none of the crossings in Buena Vista County qualify to receive funding, however, some special DOT safety funding for upgrades is available. Burnside asked what type of upgrades qualify, being concerned about the crossing on M-50, the only location in the county where the train actually stops on the road. Upgrades from crossbucks to flashing lights are included in the special funding. The consensus of the Board was to make application for that location.

The Storm Lake Chamber of Commerce has sent a letter confirming their continued interest in signing "Business Hwy 71" for the south portion, and C-49 at its intersection with the Hwy 71 bypass. The Chamber Board proposes to pay for the signs. A response from the Storm Lake City Council is needed before any action takes place.

The Engineer filed with the Board, a copy of the Engineer's Road and bridge Work on F-M and Local Secondary Roads Annual Report for FY'96, which is filed with the IDOT.

Regarding HF 2350, passed by the 1996 Legislature, which requires local approval of the use of local roads for travel to and from construction or commercial sites, the Engineer proposed that the company doing the transport bear the cost of the required analysis (which must be performed to determine the amount of wear on the road), which may be \$500 or more. The Board agreed.

MFS Network Technology proposes to install underground fiberoptic cable to connect the Newell-Fonda CSD to the ICN and Internet. Connecting the Albert City-Truesdale CSD would be the next stage of their project. Some previous utility installations have not been made as deep as they should be. MFS proposes to install in the roadway since the cable should have 18" of cover. The Engineer and the Board have serious concerns about installation too near the surface for times when road and shoulderwork are needed. However, with little other alternative, the Engineer recommended approval with installation to be 4-6 feet off the center of the gravel road. The Board concurred with the concept.

Community Services Director Anita Hallquist distributed draft copies of the MR Managed Care Plan which must be submitted by October 1st.

Motion by Gustafson, second by Bruns, to approve and to authorize the Chairman to sign the financial and statistical report for CMI/MR/DD case management services for FY'96. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve 4 additional hours per week and expand the duties of Paula Guerra to include administration of General Relief, Veteran's Affairs, University of Iowa Hospital papers, and county daycare funding, effective 9/24/96. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

A request has been received from a mental health client to forgive all or a portion of her mental health charges previously paid by the county. Hallquist will inquire about financial status as a consideration in her request.

Greg Kooker from Architects Collaborative, Spencer, discussed the design work for an air-conditioning proposal for Spectra Health Care, Inc. A variance is needed from the Iowa Dept. of Inspections and Appeals for a portion of the design. Motion by Vail, second by Gustafson, to tentatively approve the preliminary plans, and to set a bid opening date of 10/23/96 at 2:00 p.m. with a May 1, 1997, completion date. Ayes--Bruns, Gustafson, Vail. Nays--Voss (preferring to wait for a ruling on variance before requesting proposals). Abstentions--none. Carried.

Responding to a space request, Vail has looked at the Naturalist's office at the East Richland Annex. He recommends doing some long range planning for the building instead of addressing this single issue. Building an enclosed entry on the north side to shelter against winter wind is another project needing to be completed. Voss will check with a contractor and report back to the Board.

Motion by Gustafson, second by Voss, to approve the utility application of Mid-American Energy for installation of a single-phase 8000 volt underground power cable from the SW corner of Section 12, Hayes Twp., east 220' and south across the roadway to Section 13 Hayes Twp. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to approve the utility application of Iowa Lakes Electric Cooperative for installation of a single-phase 7200 volt underground power cable as an upgrade of service from overhead to underground to Duane Hinkeldey in Section 31, Nokomis, Twp. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to approve the utility application of Iowa Lakes Electric Cooperative for installation of a single-phase 7200 volt underground power cable to replace failing cable and to improve service to Lake Creek Development area along 70th Ave. with 3 crossings from west to east, boring under the pavement. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Bruns, to approve the utility application of Iowa Lakes Electric Cooperative for installation of a 3-phase 7200/12470 volt underground power cable to update 1 mile of failing cable and to upgrade service to Toomer at the NW corner Section 17, Coon Twp to the NW corner Section 16, Coon Twp., with service line crossing to the SE corner of Section 8, Coon Twp. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve the utility application of Iowa Lakes Electric Cooperative for installation of a 3-phase 7200/12470 volt underground power cable to replace existing failed cable on private right-of-way following east right-of-way on the west side of Sections 13, 24, 25 Lee Twp., crossing between Sections 13 & 24 and a short stretch near the SW corner of Section 25 on county right-of-way. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the utility application of Iowa Lakes Electric Cooperative for installation of a 3-phase 7200/12470 volt underground power cable to replace existing failed cable and install underground distribution line at the SE corner of Section 5 to the NE corner of Section 17, Grant Twp. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Voss, to approve the utility application of Iowa Lakes Electric Cooperative for installation of a 3-phase 7200/12470 volt underground power cable on private right-of-way from the SE corner Section 37, West along E. Milwaukee to the SE corner Section 35, Washington Twp. across to Family Park Apts., with the cable to be bored under Radio Road and E. Milwaukee Ave. This is an upgrade to the apartments on E. Milwaukee Ave. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the following items on the consent agenda:

- **minutes** of the meetings of 9/10 as corrected and 9/12 as printed;
- **reports** as follows: Aug budget reports, Clerk's fines and surcharges, Conservation Board minutes, 9/6/96 Mangold Environmental Testing-Spectra lagoon. Also reviewed were: July NWIPDC minute
- **late filings** for: 1995 homestead credit on parcel #7279.50, for 1996 homestead credit on parcel #'s 7279.50, 5683.70, 899.00, & 3611.60, and for 1996 military exemption on parcel #4919.00.

The vote on the motion was: ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Responding to a request about community service work, the Board acknowledged the difficulty in administration, supervision, and limitations in the types of work which can be offered (i.e. operating equipment requires training, etc.), worker's compensation coverage for untrained workers, etc. At this time the Board does not have a policy, nor does it have any specific tasks available for community service. Without a specific proposal, no action toward adopting a policy was taken.

Motion by Voss, second by Bruns, to **void** the following lost warrants which were issued 9/4/96: #'s 81436 and 81404, and to re-issue them. Ayes-Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

There being no further business, the meeting adjourned to Tuesday, September 24 at 9:00 a.m. for a session.

**BOARD OF SUPERVISORS
FORTY-SECOND MEETING, 1996 SESSION (42)
SEPTEMBER 24, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 24, 1996, at 9:00 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

It was noted that 6 persons from Brooke Precinct were in attendance at the meeting held by the Board of Supervisors last night (Monday, Sept. 23) in St. John's Church basement on M-27. Although the subject was fully discussed, those present declined to speak for the rest of Brooke Precinct voters, and determined that a straw ballot by postcard would be helpful in getting input from more of the voters. The Township officials will conduct the poll.

Present for the discussion on the proposal for an **interpreter** were Treasurer Kathy Bach, Deputy Sheriff Doug Simons, and DHS Area Administrator Lyle Fleshner. Voss asked whether the county would need to consider an interpreter for other minorities, if the County provides one for the Hispanics. Simons stated that the Asian population has been here long enough that few need the assistance, that the Somalians are very few in number, but htat the Hispanics are here in very large numbers, with new persons arriving daily. Thus, the greater difficulty is in communicating with the Hispanic population, not others. Fleshner concurred. Bruns asked whether there would be times in the proposed schedule when the interpreter would not be busy. Bach and Fleshner responded that through advertising they would hope to have customers request services during those times. Gustafson asked Bach if she would have a way to structure things in her department so that this schedule would work. Bach said she would advertise the schedule, and also provide information at the window to inform people when the interpreter would be available. Will the Hispanic population stabilize sometime in the future? This question was not resolved. Bruns asked 'if the County offers a perfect set of services, would the services act as a magnet to attract even more immigrants?' Bach responded that she sees the need for an interpreter from a different perspective - it will provide improved service to all the public, since in the long run, there will be less waiting for everyone. Bruns referred to a letter to the editor in a local paper published some time ago, signed by an immigrant, who suggested that too many services "enable" immigrants, discouraging them from learning the English language. Fleshner reiterated that this service in not solely for the benefit of the Hispanics, but it will improve service for all. Use of the interpreter in the Clerk's office would be limited to the 'over the counter' activities as opposed to the interpreter being committed to a court situation where he/she would be tied up for a longer period of time. Bruns asked where the funding was going to come from – the money for the 3 month time period is to come from the current departmental budgets. It was the consensus of the following: Gustafson, Vail and Burnside, to proceed with a 3-month trial for the interpreter. Bruns and Voss were opposed. Bruns would be in favor of the interpreter for Public Health only.

In addition to Engineer Jon Ites, and Zoning Director Kim Johnson, present for the discussion on the signing of Business 71 from the bypass into the City of Storm Lake were DOT Engineer Clyde Bartel, from the City of Storm Lake-City Clerk Patti Moore and Public Works Superintendent Pat Kelly, from the Chamber of Commerce—Christ Young and Bob Bergendoff, local resident Margaret Stull, media, and Herb Crampton. Ites reviewed that the original request to the DOT was to make Hwy 7 and the state stub into Truesdale, the Business 71 route. DOT denied the request since the north part of the loop was in excess of 7 miles from the north city limits. C-49 was proposed as an alternate for the north part of the route. Ites noted that there has been an increasing traffic county on C-49, and that when the next improvement of C-49 is done, it will be a more expensive project. Bergendoff stated that the Chamber does not care which route is used from the business standpoint, but is most concerned about the lack of a turnoff from the bypass at the north point of the business loop. Stull read a letter suggesting that old Hwy 71 was built for the type of traffic which is increasing on C-49, making 71 the better choice of the two. C-49 has a narrower roadbed, has 10 residences, 6 school bus stops, and much machinery traffic both by farmers and the implement dealers, making it a very poor choice for the designated route. Bartel stated that the DOT is willing to work with both the city and county in signing the route. Neither the city nor the Chamber cares which route is used for the north end. Motion by Voss, second by Vail, to submit a request to DOT to designate old North 71 and Hwy 7 on the south as Business 71, and further to request a right turn lane at the north end. Ayes--Bruns, Gustafson, Vail, Voss. Nays-- none. Abstentions--none. Carried.

The Board began their review of the 21 recommendations made by Phil Brown in his BV Co. Government Needs Assessment Study. On the subject of improving communication, the Board will request that Department Heads meet with them at 8:30 a.m. on October 1st.

Treasurer Kathy Bach presented a request to cancel a certificate of adjustment for property previously thought to be assessed by Central Assessment, Iowa Dept. of Revenue and Finance. Motion by Vail, second by Bruns, to cancel Certificate of Adjustment #2943 issued 8/4/95 which reduced to zero the taxes to be collected in 1995-96, to acknowledge that the property was subject to local assessing and local taxes, and to accept the 1995-96 tax payment and penalty from Midwest Power Systems, Inc. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

Administrator Sue Morrow was present to discuss the lease agreement held by Spectra Health Care, Inc. with the County. As soon as current legal descriptions are obtained, the lease will be ready for signing.

There being no further business, the meeting adjourned at 12:00 p.m. to Tuesday, October 1 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
FORTY-THIRD MEETING, 1996 SESSION (43)
OCTOBER 1, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 1, 1996, at 8:30 a.m. in the Boardroom with Vice-Chairman Bruns presiding, and with the following others present: Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting. Absent: Burnside.

BV Co. Needs Assessment Study. Present for a discussion on Board meetings were the following department heads: Shari O'Bannon, Kathy Bach, Dewyne Stucynski, Kim Johnson, and Jon Ites. The Vice-Chair began a discussion of changes to improve board meetings. Department Heads were invited to meet at least monthly with the Board to discuss both the routine and the special activity in each department. The information provided during these discussions will assist the Board in better understanding how services are provided and what the departmental needs are at budget time. Hopefully this would prevent problems from getting to the crisis stage before the Board becomes aware of them. The Vice-Chair suggested that the department head could even send someone from their department, if they were not available. Sheriff Chuck Eddy asked if the exchange would be a 2-way street - he has asked Supervisors a number of times to come to his office to observe what goes on in his department. Also mentioned was providing written material which can be prepared for supervisor/media packets in advance of the meeting. Dept. heads could also provide greater detail of the subject(s) to be covered on the agenda. Gustafson suggested that Boardmembers and Department Heads meet perhaps quarterly when the Board can in return share information with the DH's. The Board also discussed getting some of the pay issues solved promptly, rather than tabling the discussion and making the decisions way after the budget process is complete. Department Heads were agreeable to meeting with the Board once a month or twice per quarter, and the Board will meet with DH's once per quarter.

Motion by Voss, second by Gustafson, to approve and to authorize the Chair to sign the **underground utility** permit application of Cherokee Co. Rural Water to install a 2" water main from the

SE ¼ of Section 11 to the SW ¼ of Section 12, Maple Valley Township, crossing on right-of-way, the water main being located in private right-of-way. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chair to sign the **underground utility** permit application of Chet Brecher for West Lake Estates, 5th Addition, to extend the 8" sanitary sewer in the south right-of-way of C-63 from the existing Meadow Lane west to the proposed Prairie Lane, and, to install a 6" water line connecting to the existing main in the north row of C-63 and then south to new Prairie Lane on the west side. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Chair to sign the **underground utility** permit application of Iowa Lakes Electric Cooperative to install a single phase 7200 v underground service to upgrade Frank Demers, from an overhead, in the SW ¼ Section 13 to SE ¼ Scott Township. Ayes-- Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve and to authorize the Chair to sign the **underground utility** permit application of Iowa Lakes Electric Cooperative to install a single phase 7200 v underground service to replace failing cable to Marc Bertness in the NW ¼ Section 20 to the NE ¼ Section 19, Lee Township. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites distributed copies of information urging the Board's support of the NACE position on the re-authorization of **ISTEA** funding.

The bridge consultant has finished his inspection of the county's 138 **bridges**, with about 30 needing to be posted due to 'out of date original design'. The necessary signs for posting the bridges have been ordered. After the signing is complete, the County will have 57 posted bridges.

It was the consensus of Vail, Voss, and Bruns to accept the quote of Midwest Fence and Gate Co., Fort Dodge in the amount of \$19,252 for a 2,260 feet of heavy, 6' high chain link fence with 3-30' gates to be installed at the **East Richland site**. The separation portion of the fence on the west side, will be paid ½ by Wetherell Construction, and ½ by the County. Gustafson was opposed because he felt the entire site should be fenced, with the project being completed over a 2 year period. It was noted that the Engineer and staff had great difficulty finding anyone locally to provide a quote.

A letter was received from Clyde Bartel, IDOT, that there are 7 connections along the **Hwy 71 bypass** which will require stop signs and stop ahead signs. Motion by Voss, second Gustafson, to approve and to authorize installation of **stop signs** and stop ahead signs for the following roads at their intersections with new Hwy 71: Expansion Blvd., E Milwaukee Ave., C-49, at each of the 3 gravel road connections north of C-49, and at C-43. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Engineer requested that the Board consider promotions for 3 employees who trained on heavy equipment this summer. Motion by Gustafson, second by Vail, to approve the **promotion** of Stewart Jessen, Rich Noll and Rich Hotovec from Equipment Operator 1 to Equipment Operator 2, effective 10/26/96. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Zoning Director Kim Johnson requested several public hearing dates. Motion by Voss, second by Vail, to set the a public hearing for a **subdivision request** in Section 12 of Grant Township, for property sold by Gretel Brummer, as October 22 at 10:30 a.m. in the Boardroom. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to set the public hearing for a **zoning re-classification request** from A-2 to Commercial, submitted by Jim Bauer, for property located in the Whitney-Pierce subdivision, as October 22 at 10:40 a.m. in the Boardroom. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to set the public hearing for a **zoning reclassification request** from A-2 to Commercial submitted by the County for property located in the Whitney-Pierce subdivision, as October 22 at 10:50 a.m. in the Boardroom. Ayes--Gustafson, Vail, Voss. Nays- none. Abstentions--none. Carried.

Johnson noted that the signing at the **East Richland Annex** has 2 offices listed which are no longer in the building, and, that Zoning, Environmental Health, Naturalist and the Public Meeting Room need to be listed.

The Board directed Johnson to proceed with a grant application for a waste tire clean-up project.

City Attorney for Albert City, Nola Jensen, presented the City's request for assignment of a tax sale certificate. They would like to acquire the property and clean it up for future use. Motion by Vail, second by Gustafson, to approve and to authorize the Vice-Chair to sign the agreement assigning tax sale certificate #9497 to the City of Albert City, and to compromise said certificate in the full amount of the taxes once the tax deed is issued. Ayes--Gustafson, Vail, Voss. Nays--none. Carried.

Community Services Director Anita Hallquist informed the Board that she has added a clause regarding 'brain-injured' persons in the Buena Vista County Managed Care Plan that was submitted for state approval. The Board concurred with her action.

Hallquist and Case Manager Dawn Mentzer discussed potential out-placements of persons at the Howard Center, Sac City. The Howard Center has been serving some of our residents with supportive employment services. The Howard Center requested consideration at the E. Richland Annex for office space.

Voss reported that he has so far been unable to find a contractor interested in a project to add an enclosed rear entryway at the E. Richland Annex.

Motion by Gustafson, second by Vail, to authorize the Auditor to destroy the following records after they are 6 years old or older: duplicate warrants, duplicate Treasurer's receipts, claims and budget reports. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve an increase in the wage rate for matrons from \$4.65/hour to the new federal minimum wage of \$4.75/hr. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Gustafson, to approve the minutes of the 9/17 and 9/24 meetings as printed. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board reviewed a request from Humboldt County for support from other county boards of Humboldt's position in current confinement hoglot litigation. Voss would be favorable to provide support in the form of an Amicus Curiae brief, but would not agree to any monetary support. Gustafson is opposed to any action, as Humboldt's ordinances are indefensible in court - he would not favor spending any money. Bruns suggested that perhaps the landowner providing the ground for the manure to be spread on, should assume some of the liability in the event the hog owner would abandon a site. He believes that the county can't do anything, and that the state needs to be urged to take further action to protect the environment and taxpayers.

Motion by Voss, second by Vail, to approve the following reports: August Recorder's fees, 9/20 Mangold Env. Testing of Spectra lagoons, and 1st ½ FY'96-97 mental health property tax relief. Ayes--Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned to Tuesday, October 8 at 9:00 a.m. for a special session.

**BOARD OF SUPERVISORS
FORTY-FOURTH MEETING, 1996 SESSION (44)
OCTOBER 8, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 8, 1996, at 9:00 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

The Board heard an appeal of a general relief decision. Motion by Gustafson, second by Vail, to approve the request for assistance. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Roger Baker and his sister met with the Board to discuss a problem in DD #49. He asked for removal of tile blockage which creates a drainage problem on his property. The request being made for maintenance, no petition or bond is required from Baker prior to investigation and action.

The Board continued with their review of the BV Co. Needs Assessment Study.

Motion by Vail, second by Bruns, to set the date of public hearing on the zoning re-classification

request of Dick Hussey as October 22 at 11:00 a.m. in the Boardroom. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the following items on the consent agenda:

- **minutes** of the 10/1 meeting as printed;
- approve and authorize the Chairman to sign the contract for services for FY'97 with **Regional Transit Authority**.

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned to October 15 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
FORTY-FIFTH MEETING, 1996 SESSION (45)
OCTOBER 15, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 15, 1996, at 8:30 a.m. in the Boardroom with Chairperson Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

The Board discussed the planned sequence of meetings with the various boards and commissions that recommend wage increases for county employees.

Motion by Voss, second by Bruns, to approve the following items on the consent agenda:

- **minutes** of the 10/8 meeting as corrected;
- **reports:** Sept Clerk's fines and surcharges, Sheriff's fees, Conservation Board minutes, 1st Qtr FY'97 Clerk's fines and surcharges; also reviewed were 9/12 NWIPDC minutes.
- approve and authorize the Chairman to sign a lease for the county care facility building with **Spectra Health Care**;
- authorize the Auditor to **transfer** \$15,000 from the E911 Surcharge Fund to the E911 Debt Service fund

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board discussed a letter from AmerUs bank regarding the bank's services related to **direct deposit**. It was the consensus of the Board to respond to the letter that the County is not interested at this time.

Voss recommended entering into a lease agreement for the 1.88 acre parcel at the **Spectra Health Care** facility farmed by Karlton Fullenworth for the purpose of weed management. Voss will arrange for the lease to be drawn.

Engineer Jon Ites discussed a parcel of ground at **Casino Beach** which the Coujnty could purchase to clear up some right-of-way problems.

Motion by Vail, second by Bruns, to approve and to authorize the Chairman to sign the contract and contractor's bond of Christensen Brothers for bridge construction **project #1-B-102** to be located on the west side of Section 16, Providence Township, the project total being \$91,117.00. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The DOT has requested detour routes for the reconstruction of the **Hwys 3 & 71** intersection, with the possibility that the transfer of jurisdiction for old Hwy 71 could be achieved in the current calendar year.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign a detour agreement with IDOT for the IA Hwy 3 & US Hwy 71 intersection reconstruction using C-43, M-44, C-25, M-50. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve payment of a 1st estimate universal pay voucher to Kuehl & Payer for **C-13** survey work in the amount of \$2,167.50 to be paid from F-M funds. Ayes--Bruns,

Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Bruns, to enter into a 28E agreement with the City of **Albert City** for maintenance of joint roads with that city. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Voss, to approve the 1st payment to Data Preparation Inc. of Ottumwa for the **IRVM** ditch inventory of weeds in the following Buena Vista County townships: Maple Valley, Hayes, Washington, Nokomis, Scott, Elk, Barnes and Brooke. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to adopt Resolution #10-15-96, To Adjust Weight Limits on Buena Vista County **Bridges**. (Original resolution on file in the Auditor's Office). The vote on the resolution was: Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Carried.

Ites discussed **data processing** changes for his department. It was the consensus of the Board to proceed in the current fiscal year, and to amend the DP budget, as necessary.

Recorder Shari O'Bannon discussed the county's **microfilm** currently stored in a former bank vault in the basement of a building in Newell. She is investigating both storage cabinetry and storage environment for the purpose of preserving this resource. It was the consensus of the Board to proceed with her investigation.

The **Recorder** also discussed staffing requirements as they will be affected by the upcoming imaging project and the necessary training for acquisition and administration of vital statistics.

John Winkelman, Director, and Susan Irwin from the **Howard Center**, Sac City, discussed supported employment and med-waiver services provided to Buena Vista County residents by his agency. Also present were Harry Rasmussen (Howard Center Board); Board President Dave Patton, Cindy McIntosh, Director, & Stacy Malloy from BVWAC; and Lowell Fields. The BV Community Services department has sought to place BV residents in Howard Center programs. Winkelman stated that they are happy to provide services to any county requesting them, and that having an office in BV Co. would be helpful, but not essential. It has never been their intent to take clients away from BVWAC.

Hallquist stated that not enough BV residents are being placed by BVWAC. Those placed are not moving through the program at an appropriate rate, and, BVWAC staff turnover is worrisome.

McIntosh spoke for **BVWAC** (Buena Vista County Work Activity Center) and expressed concerns about the county taking their concerns about the agency not to its board, but going outside the county to seek services. She urged the county to utilize BV Co. services, and asked the Board of Supervisors to consider giving her 3 months to get BVWAC programs running more smoothly before making any decisions about sending clients to the Howard Center.

Vail requested that BVWAC provide some statistics and information on placements at a future meeting.

The Chairman thanked everyone present for the level of communication accomplished today, and encouraged continued improvement.

Deputy **Medical Examiner** Kevin Peterson discussed acquiring a vehicle for transporting to the State Medical Examiner for autopsies. If the county owned a vehicle, transportation expenses paid to funeral homes would be eliminated. The Board agreed to consider the proposal.

It was the consensus of the Board to name Gustafson as the CCMS (**County Case Management Services**) County Supervisor contact for Buena Vista County. CCMS will try to improve their communications with counties through the contact persons in each county.

Zoning Director Kim Johnson discussed the problem she is encountering in getting **Zoning Commission** members to attend the published, scheduled meetings. Several farm and don't want to interrupt their harvest to allow the necessary meetings, causing her to re-schedule and re-publish notice of the meetings.

Motion by Vail, second by Voss, to appoint the Buena Vista County Environmental Health Department as the authorized agency to receive and expend **waste tire management grant** funds, and to approve and to authorize the Chairman to sign a letter of support to accompany the EH Department's waste tire management grant application. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none.

Abstentions--none. Carried.

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

**BOARD OF SUPERVISORS
FORTY-SIXTH MEETING, 1996 SESSION (46)
OCTOBER 22, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 22, 1996, at 9:00 a.m. in the 2nd Floor Public Meeting Room #1 with Chairperson Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

The Board continued their review of the BV Co. Needs Assessment Study.

10:30 a.m.—The time having arrived for the Public Hearing on the Gretal Brummer subdivision request, the Chairman opened the hearing with 2 interested persons present-Brummer and Denise Huskamp. Zoning Director Kim Johnson briefly reviewed the request noting that this is the 4th division in the 40 acre tract, making the subdivision necessary. This being a rural subdivision, there will be no city water, sewer or roads. Hearing no objections to the subdivision, motion by Vail, second by Bruns, to close the public hearing. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

Motion by Gustafson, second by Vail, to approve the recommendation of the Zoning Commission in approving the Greta Brummer subdivision request for the followingdescribedproperty: A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW¼ NW¼) OF SECTION 12, TOWNSHIP 91 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: commencing at the Southwest(SW)Corner of the Northwest Quarter (NW¼) of said Section 12; Thence on an assumed bearing of North 00°00'00" East, along the West line of said Northwest Quarter (NW¼),840.78 feet to the Point of Beginning. Thence continuing along said West line, North 00°00'00" East, 350.32 feet; Thence South 87°30'00" East, 998.98 feet; Thence South 00°06'31" West, 432.55 feet; Thence North 88°08'20" West, 64.71 feet; Thence South 00°45'56" West, 96.52 feet; Thence North 89°01'40" West, 384.49 feet; Thence North 01°12'14" East, 146.70 feet; Thence North 83°03'05" West, 553.95 feet to the Point of Beginning. This tract contains 10.04 acres and is subject to all easements of record. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

10:40 a.m.—The time having arrived for the Public Hearing on a zoning re-classification request submitted by Al's Liquors, 3 interested persons were present: Jim Bauer, Gary Armstrong, and Barb Soellner. The Zoning Director pointed out the location of the parcel for which the request was made, noting that the original classification at the time the County adopted zoning, was commercial. An error was made when an update of the zoning ordinance was done in 1988, changing the classification to A-2.

Speaking for Bauer, Armstrong explained that through Al's Liquor's, a corporation, Bauer has an option to purchase the first lot at the southeast corner of the land situated immediately northwest of the C-63 and Hwy 110 intersection. Three reasons why he believes the request should be approved are: 1) the parcel would be conforming to the current usage of the adjacent properties, 2) the parcel is not suitable for residential, agricultural, industrial or any other type of use, 3) the request is really to restore the zoning to its original intended classification of commercial. Bauer has not made a final decision on what type of commercial use he would put the property to, but is leaning towards a 'U-store-it'. Regardless what decision he makes, he will be required to follow zoning law and other laws as they pertain to septic systems, etc.

The Board noted the filing of a petition earlier in the day by Barb Soellner and signed by 46 residents of Emerald Park and West Lake Estates. Soellner spoke saying that the petitioners want to avoid any further commercial development in the area.

Armstrong stated that he believes that petitions are inherently unreliable, in fact, none of the petitioners attended last week's Zoning Commission meeting, nor today's public hearing. There being no further comments, motion by Bruns, second by Gustafson, to close the public hearing. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

Motion by Bruns, second by Vail, to approve the reclassification request from A-2 to Commercial, of the following described property: A PART OF GOVERNMENT LOT 3, A PART OF HIGHWAY STREET AS PLATTED WHITNEY-PIERCE BEACH PLATTING DATED FEBRUARY 29, 1928, AND A PART OF OUTLOT "B" OF WHITNEY-PIERCE BEACH ADDITION, ALL IN THE SE¼ OF THE SW¼

AND THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 5, T-90-N R-37-W OF THE 5TH, P.M., BUENA VISTA COUNTY, IOWA AND BEING MORE FULLY DESCRIBED AS FOLLOWS: commencing at the Southeast (SE) corner of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 5; Thence on an assumed bearing of North, along the East line of said Southwest Quarter (SW $\frac{1}{4}$), 40.00 feet to the Point of Beginning. Thence North 89°44'32" West, along the North right of way line of Buena Vista County Road No. C-63, 150.00 feet to the West line of said Outlot "B"; Thence North along said West line of said Outlot "B", 150.40 feet; Thence South 89°44'32" East, 186.30 feet to the West Right of Way line of Iowa Highway No. 110; Thence Southwesterly along said right of way line on a curve concave Easterly with a radius of 3,177.8 feet, a distance of 144.35 feet; Thence South along said Highway Right of Way, 11.80 feet to the Point of Beginning. The parcel contains .50 acres, more or less, and is subject to all easements of record. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

10:50 a.m.—The time having arrived for the Public Hearing on the zoning re-classification of 2 real estate parcels - Cross Auto and Pronto Market, on the northeast corner of the intersection of C-63 and Hwy 110, no interested persons were present. As in the previous action, the classification of these properties was changed in error when the county updated its zoning ordinance in 1988. Hearing no objections to the re-classification, motion by Vail, second by Voss, to close the public hearing. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

Motion by Vail, second by Voss to change the zoning classification of the following from A-2 to Commercial:

Property #1: A PARCEL OF LAND IN THE GOVERNMENT OF LOT THREE (3), IN SECTION FIVE (5), TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE 5TH P.M., DESCRIBED AS FOLLOWS: South 70 Feet of the East 150 Feet lying North of the South 290.4 Feet of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 5; AND A PART OF GOVERNMENT LOT THREE (3), A PART OF HIGHWAY STREET AS PLATTED WHITNEY-PIERCE BEACH PLATTING DATED FEBRUARY 29 1928, AND A PART OF OUTLOT "B" OF WHITNEY-PIERCE BEACH ADDITION, ALL IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE $\frac{1}{4}$ SW $\frac{1}{4}$) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW $\frac{1}{4}$ SE $\frac{1}{4}$) SECTION FIVE (5) TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: Commencing at the Southeast (SE) corner of the SW $\frac{1}{4}$ of said Section 5; thence on an assumed bearing of North, along the East line of said SW $\frac{1}{4}$, 284.4 feet to the point of beginning; thence North 89°44'32" West, 150.0 feet to the West line of said Outlot "B"; thence North, 6.0 feet; thence South 89°44'32' East, 150.0 feet; thence North, 70.0 feet; thence South 89°44'32" East, 82.83 feet to the West Right of Way line of Iowa Highway No. 110; thence Southwesterly along said Right of Way line on a curve concave Easterly with a radius of 3,177.8 feet a distance of 76.13 feet; thence North 89°44'32" West, 62.74 feet to the point of beginning. The above described parcel contains 0.15 acres more or less, and is subject to all easements of record. The of ingress and egress is reserved over the West 109 feet of the above-described parcel.

Property #2: THE SOUTH NINETY-FOUR (94) FEET OF THE NORTH ONE HUNDRED (100) FEET OF OUTLOT "B" IN WHITNEY-PIERCE BEACH, A PART OF SUBDIVISION OF GOVERNMENT LOT THREE (3), IN SECTION FIVE (5), TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE 5TH P.M. and THE SOUTH NINETY-FOUR (94) OF THE FOLLOWING DESCRIBED PARCELS: A PART OF HIGHWAY STREET AS PLATTED WHITNEY-PIERCE BEACH PLATTING DATED FEBRUARY 29, 1928, AND RECORDED IN LAND BOOK NUMBER 23, PAGE 18 AND 19 IN THE OFFICE OF THE BUENA VISTA COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commencing at the South One Quarter (S $\frac{1}{4}$) corner of Section Five (5), Township Ninety (90) North, Range Thirty-seven (37) West of the 5th P.M., thence North 00°00' East a distance of 190.4 feet to the point of beginning; thence North 00°00' East a distance of 100.0 feet to the Northeast Corner of Outlot "B" Whitney-Pierce Beach; thence Southwesterly along the East line of said Outlot "B" a distance of 103.68 feet; thence North 90°00' East a distance of 26.53 feet to the point of beginning and containing an area of 0.03 acres. AND A PART OF GOVERNMENT LOT THREE (3), SECTION FIVE (5), TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commencing at the South One Quarter (S $\frac{1}{4}$) Corner of Section Five (5), Township Ninety (90) North, Range Thirty-Seven (37) West of the 5th P.M., more particularly described as follows; thence North 00°00' East a distance of 190.4 feet to the point of beginning; thence North 00°00' East a distance of 250.0 feet; thence North 90°00' East a distance of 102.4 feet to the West right of way line of Iowa Highway Number 110, thence Southwesterly along said right of way line along a curve concave easterly with a radius of 3,177.8 feet a distance of 260.4 feet; thence North 90°00' West a distance of 36.3 feet to the point of beginning and containing an area of .40 acres.

Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

11:00 a.m.—The time having arrived for the Public Hearing on the zoning re-classification of a real estate parcel owned by Dick Hussey from A-2 to Commercial, the Chairman opened the hearing with no interested persons present. There being no objections, motion by Voss, second by Vail, to close the hearing. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

Motion by Voss, second by Bruns, to accept the recommendation of the Zoning Commission and approve the zoning reclassification from A-2 to Commercial for the following described property: A PARCEL OF LAND IN THE GOVERNMENT LOT THREE (3), IN SECTION FIVE (5), TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE 5TH P.M., DESCRIBED AS FOLLOWS: Of the East 150 Feet lying North of the South 290.4 Feet of the Southeast Quarter of the Southeast Quarter, except the South 70 feet of the Southwest Quarter (SE¼ SE¼ SW¼) of said section 5; AND A PART OF GOVERNMENT LOT THREE (3), SECTION FIVE (5), TOWNSHIP NINETY (90) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commencing at the South One Quarter (S¼) corner of Section Five (5), Township Ninety (90) North, Range Thirty-seven (37) West of the 5th P.M., more particularly described as follows; thence North 00°00' East a distance of 190.4 feet to the point of beginning; thence North 00° 00' East a distance of 250.0 feet; thence North 90°00' East a distance of 102.4 feet to the West right of way line of Iowa Highway Number 110, thence Southwesterly along said right of way line along a curve concave easterly with a radius of 3,177.8 feet a distance of 260.4 feet; thence North 90°00' West a distance of 36.3 feet to the point of beginning except the South 170'. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

Motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign, subject to favorable review of the County Attorney, a 28-E agreement between Buena Vista County and the Iowa Department of Natural Resources for the purpose of administering the well construction permitting program. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign a grant application for submission to the Iowa Dept. of Natural Resources for FY'98 funding in the amount of \$29,200 for the well testing, closure and rehabilitation programs. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions none. Carried.

Upon review of a 6-page narrative from the Jasper County Board of Supervisors regarding legal settlement, it was the consensus of the Buena Vista County Board of Supervisors to concur with the comments of the Jasper County Board of Supervisors, and to urge the State of Iowa to continue using the 'legal settlement' method in determining who pays for mental health services. A letter will be drafted for the Chairperson's signature to be sent to our local representatives, ISAC, and to the State County Management Committee.

The Auditor noted that the following persons have been submitted to her naming representation on the County Compensation Board: Recorder's representative-Janice Danielson, Attorney's representative-Bob Hall, and Supervisors' representative (replacing Herb Crampton who resigned due to his candidacy for Board of Supervisors) Dale Arends.

For the fiscal year just completed, a claim for medical reimbursement from the flex benefits program for 1 employee, which was submitted on October 1st (deadline - September 30), has been referred to the Board of Supervisors for a decision on payment. Since the County participated in a partial self-funding program during FY'96, the responsibility for the decision is the Board's, for FY'96 only. Noting that Blue Cross had exhibited some flexibility in prior years regarding the filing deadline, It was the consensus of the Board of Supervisors that the employee's claim be paid. Notice of the decision will be sent by letter, signed by the Chairperson to Flex Benefits.

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

**BOARD OF SUPERVISORS
FORTY-SEVENTH MEETING, 1996 SESSION (47)
OCTOBER 29, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 29, 1996, at 8:30 a.m. in the Boardroom with Chairperson Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Veterans Service Officer Dr. Frank Hughes introduced David Felkey to the Board. Felkey has been a work-study student in Nobles County, Minnesota, working with the administration of veterans services there. He is now a student at Buena Vista University, is eligible for work-study here, and is

available to Buena Vista County for work-study. Felkey is interested, and Dr. Hughes recommended him, for assisting with the Buena Vista County program, at no cost to the county. It would allow for flexibility and additional coverage for our program. It was the consensus of the Board to have Dr. Hughes work with Felkey.

Communications Center Supervisor Nancy Brady updated the Board on current activity in her department. Two employees have just completed telecommunicators officer training, a 40-hour course. One employee still requires the training. All of the staff has taken Emergency Medical Dispatch training. Also discussed was how new technology will change and enhance services provided by and to law enforcement, paramedics, etc. Replacement road signs have been delivered and will be installed by secondary road when time permits. The Hwy 71 bypass will have signs on both sides of the road for visibility because of the width of the road. The E911 Service Board has a contract with the secondary road department to perform the installation, and will reimburse the department for this work.

SLADC Director Jim Gossett and Boardmembers Tom Fitzpatrick and Tim Brown presented the details of a project to build a 'spec building'. Discussed were location, financing, current marketing expectations, development of plans, contract provisions, etc. They left a request on file for participation by the County in the amount \$12,360 in each of 5 years.

Motion by Vail, second by Gustafson, to approve and to authorize the Chairman to sign the snow maintenance agreement with the City of Rembrandt for the 1996-97 snow season. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites discussed a warehouse receipt for grain raised on the cropground at the South Hayes Pit. The Board will continue to market the grain, with the receipts to be deposited into the secondary road fund.

Ites provided copies to the Board of a letter from IDOT Planner Rich Michaelis regarding how the design of intersections on the Hwy 71 bypass were developed based on traffic-flow patterns.

BVWAC Director Cindy McIntosh, with Boardmembers Brent Mangold and Connie McClain and staffmember Staci Malloy, provided a report on the current services offered by BVWAC including supportive employment. Mangold described his experiences with supported employment noting that his business had one of the first placements made by BVWAC. McIntosh reported on her first meeting with the BVWAC Board and that she is encouraged by the desire for improving communications amongst and between staff, board, and the Board of Supervisors. She will plan to meet with the Supervisors on frequent basis.

The auditor reported that the last of the current appointments of the Compensation Board has been confirmed with the membership as follows: Attorney-Bob Hall, Auditor-Becky Zylstra, Recorder-Janice Danielson, Sheriff-Al Wiltse, Supervisors-Ed Anderson and Dale Arends, and Treasurer-Pam Rasmussen.

1:00 p.m.--The time having arrived for awarding the bid for the Spectra Health Care air-conditioning project, the Chair noted that only 2 bids were received, from Control Systems Specialists, Alta, and from the Hagan Company, Sioux City. Bids were opened and tabulated on October 23, 1996 at 2:00 p.m. by Greg Kooker of Architects Collaborative, Spencer (\$1,224,957). Present were Ron and Craig Neulieb, Control Systems, who answered questions about changes made to the plans due to Iowa Department of Inspections and Appeals requirements. Motion by Gustafson, second by Bruns, to accept the low bid of Control Systems Specialists for the Spectra Health Care air-conditioning project, in a total amount of \$89,967.00, with a completion date of 5/1/97. In discussion, boardmembers noted that the project will not be cheaper at a later date, the appropriate engineering was completed for the plans and specs, the project was let for competitive bid, not awarding a bid would amount to a loss of funds expended to date, and, the lowest bid came in at nearly 40% over the estimate. The vote on the motion was: ayes--Bruns, Gustafson, Vail. Nays--Voss. Abstentions--none. Carried.

Sheriff Chuck Eddy discussed current concerns about a prisoner held on a charge of murder. Eddy has attempted to alleviate a portion of the cost to the county by finding volunteers to cover the necessary 24-hour eyes-on watch, however, medical expenses, transportation, evaluation, interpreter services, etc. are incurring unusually large bills for the county.

Deputy Assessor Kim Carnine presented family farm applications for approval by the Board. She also presented those applications recommended for disapproval. Motion by Voss, second by Gustafson, to approve the family farm credit applications recommended by the Assessor for approval, and to disallow those applications recommended by the Assessor for disapproval, and to direct the Auditor to so notify the signers of the disallowed applications. Ayes--Bruns, Gustafson, Vail. Nays--Voss. Abstentions--none.

Carried.

Weed Commissioner Norm Lund, Assistant-Roger Sievers, and Dave Wiley gave the annual report. It was the consensus of the Board that mileage to the courthouse, like mileage to inspect or spray weeds, shall be reimbursed to the Weed Commissioner.

Wiley reported on the leachate being collected at the landfill following installation of the leachate tiling system under the landfill. Also, the Solid Waste Association will be working legislatively this next year to get standards relaxed for disposal of building materials in landfills.

The Board reviewed the Bovee Ltd. Application, to be submitted by Rodney Bovee to the Dept. of Natural Resources for installation of a lagoon for a hog confinement operation located along C-13 in Section 1, Lee Township. Motion by Voss, second by Gustafson, to provide the following comments to the Iowa Dept. of Natural Resources: "The Buena Vista County Board of Supervisors hereby requests that the County be notified of the date and time of the IDNR site survey so that a member of the Board of Supervisors and the County Environmental Health Director may be present." Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to approve the following items on the consent agenda:

- minutes of the 10/15 meeting as corrected and 10/22 meeting as printed;
- reports: FY'96 Conservation Annual report, 9/8/96 Comm. Center minutes, 9/11 E911 Service Board minutes, Sept. budget reports, Recorder's fees, 1st Qtr FY'97 Veteran's relief, F-M Road Fund,
- allowance of late filings for 1995 Homestead credit on parcel #'s 9056.50 & 2978.00; 1996 Homestead credit on parcel #'s 9056.50, 2978.00, 1054.00, 2209.00, 6504.00, 4425.00, 5914.00, 9594.00; for 1995 Military exemption on parcel # 5334.00; and for 1996 Military exemption on parcel #'s 5334.00, 6504.00
- disallowance of 1996 Homestead credit on parcel #658.00 due to the owner claiming and receiving a 1996 Homestead credit on a property located in Ida County; Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Having received a quote in the amount of \$1,500.00 from Bob Ehlers for a covered north entry at the East Richland Annex, it was the consensus of the Board to have Ehlers proceed with the construction, possibly substituting a different door depending on the cost of the substitution. Voss will contact Ehlers.

Motion by Vail, second by Voss, to direct the Auditor to deposit employee forfeited flex benefit deductions (medical & daycare reimbursement) in the General Fund for use by the Wellness Committee in fiscal year 1997. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned to Monday, November 4 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS
FORTY-EIGHTH MEETING, 1996 SESSION (48)
NOVEMBER 4, 1996**

The Buena Vista County Board of Supervisors met in special session on Monday, November 4, 1996, at 8:30 a.m. in the Boardroom with Chairperson Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

SLADC Executive Director Jim Gossett, and Boardmember Tom Fitzpatrick further discussed their request for a 5-year commitment of funds to the proposed spec building. Having discussed their proposal with County Attorney Phil Havens, the county would need to enter into a contract with SLADC, if the county is to provide a multi-year commitment of funds. Bruns asked how to justify to other school boards supporting a project which will add to the Storm Lake School tax base. Without sufficient available housing in this city, a niw business in Storm lake will naturally create a market in surrounding towns for housing, which will benefit those school districts. Current interaction between the SALDC Director and other communities was noted, and encouraged. Motion by Voss, second by Gustafson, to agree to entering into a 5-year agreement with SLADC for an annual contribution of \$12,360/year towards the spec building project, with the 1st payment to be made in the fall of 1997, these funds being separate from the annual contribution to SLADC, and the agreement being contingent upon equal participation by the City of Storm Lake. Ayes--Gustafson, Vail, Voss. Nays--Bruns. Abstentions--none. Carried.

Engineer Jon Ites discussed the payment of funds by the IDOT to the county when jurisdiction of Hwy 71, is transferred to the county. The amount to be received is \$770,000 plus an adjustment for increases in asphalt prices for a total of \$803,285 which will be used for repairs. Ites will inquire about the actual inflation rate for asphalt, as compared to what the IDOT has calculated the differential to be.

Motion by Bruns, second by Vail, to approve and to authorize the Chairman to sign a contract previously awarded to Control Systems Specialists, for the Spectra Health Care air conditioning project. Voss again noted that the bid was 40% above of the project estimate, and he is not in favor. Ayes—Bruns, Gustafson, Vail. Nays—Voss. Abstentions—none. Carried.

After a discussion of the county's pursuit of delinquent court fines, which have resulted in some collections, the Board considered ending the program. The State of Iowa has hired a private agency for collections, but will be working on only in counties which don't have a program. Motion by Voss, second by Vail, to discontinue the delinquent court fine collection program, and to notify the State to proceed with the private firm. The Board will review their results in one year. Ayes—Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Having received notice of approved funding for the Iowa Lakes RC&D, which will permit hiring a Director and part-time secretary, it was the consensus of the Board to offer office space, heat and lights at no charge, if the office is located in Buena Vista County.

Regarding the covered entryway at the E. Richland Annex, Voss reported that a different door would increase the price \$100-150 depending on the door. Voss will ask him to proceed.

There being no further business, the meeting adjourned to Tuesday, November 12 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS
FORTY-NINTH MEETING, 1996 SESSION (49)
NOVEMBER 12, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 12, 1996, at 8:30 a.m. in the Boardroom with Chairperson Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, and with Deputy Auditor Jean Chindlund as clerk for the meeting. Voss was not present. Also, Vail was called from the following meeting twice for other meetings.

Upon completion of the Canvass of the tally lists of the November 5, 1996, General Election, pursuant to Chapter 50.24 of the Code of Iowa, motion by Bruns, second by Gustafson, to declare the results as follows (candidates receiving 5 votes or less are listed together as scattering): (*indicates elected or approved, w/i indicates write-in)

TOTAL VOTERS: 7,982

For the office of **President & Vice President:**

Bob Dole & Jack Kemp	3,636
Bill Clinton & Al Gore	3,420
John Hagelin & Mike Tompkins	12
Ross Perot & James Campbell	831
Howard Phillips & Albion W. Knight, Jr.	24
Ralph Nader & Anne E. R. Goeke	19
Harry Browne & Jo Jorgensen	14
James Harris & Laura Garza	4
Scattering (w/i)	5

For the office of **United States Senator:**

Jim Ross Lightfoot	4,346
Tom Harkin	3,450
Sue Atkinson	58
Joe Sulentic	13
Fred Gratzon	14
Shirley E. Pena	9
Scattering (w/i)	0

For the office of **United State Representative**, District 5:

Tom Latham	5,255
MacDonald Smith	2,454
Michael C. Dimick	122
Scattering (w/i)	1

For the office of **County Supervisor**, District 2:

	Lorna Burnside*					6,205	
	Scattering (w/i)					41	
For the office of	County Supervisor , District 3:						
	Herbert D. Crampton*					5,684	
	Scattering (w/i)					33	
For the office of	County Auditor :						
	Karen M. Strawn*					6,226	
	Scattering (w/i)					21	
For the office of	County Sheriff :						
	Chuck Eddy*					6,173	
	Scattering (w/i)					46	
	Larry Small					7	
For the office of	Township Trustee , elect 2 per township (~no winner declared):						
Barnes	Nelvin Nelson	102*	Larry Riitscher (w/i)	5*	Scattering (2 persons)		2
Brooke	Wendell Nothwehr (w/i)	5*	Carl Peterson (w/i)	2*	Scattering (6 persons)		
							6
Coon	Dennis Gutz	91*	Arden Jorgensen	101*			
Elk	Thomas Cameron	72*	Leland Mattson	93*	Scattering (1 person)		1
Fairfield	Waldo Johnson	116*	James Peterson	115*			
Grant	Dwayne R. Ehlers	115*	Gilbert Wilkens	115*	Scattering (1 person)		1
Hayes	James Foell	279*	Donald Jackson	254*	Scattering (2 persons)		2
Lee	Greg Sundblad (w/i)	10*	Ed Madsen (w/i)	7*	Scattering (5 persons)		5
Lincoln	Tom Cavanaugh (w/i)	4*	Mike Rebuhn (w/i)	3*	Scattering (4 persons)		
							4
Maple Valley	Wendell Ewoldt	85*	Max L. Taber	94*			
Newell	Randy Edwards	100*	Richard Larsen	1~	Dale Bodholdt1~		
Nokomis	Marlin Friedrich	123*	Ray C. Mortensen	110*	Scattering (2 persons)		2
Poland	Larry Weishaar	82*	Elmer Lubinus (w/i)	1~	Shannon Roder (w/i)		1~
Providence	Everett Von Ehwegen	88*	Paul Smith	88*			
Scott	Wencil Small	89*	Ervin Brake	75*			
Washington	Terry Stull	165*	Robert J. Holmes	142*	Scattering (2 persons)		
							5
For the office of Washington	Township Clerk , to fill a vacancy, elect 1:						
	Cindy Meyer-1, Paul Merten-1, Doug Miller-1, Mary Beal-1, Gary Worthan-1, Robert Koch-2*						
For the office of	County Hospital Trustee , elect 2:						
	Douglas R. Hansen	3,508					
	Mary Nehring*	3,594					
	Marcia P. Schaller*	4,032					
	Scattering (w/i)	20					
For the office of	Soil & Water Conservation Commissioner , 4-yr term expiring 2000, elect 2:						
	Arlin Hinkeldey*	4,812					
	Dwight A. Young*	4,338					
	Scattering (w/i)	20					
For the office of	Soil & Water Conservation Commissioner , to fill vacancies, terms expiring 1998, elect 2:						
	Robert C. Donahoo*	4,136					
	Paul Smith*	4,544					
	Scattering (w/i)	15					
For the office of	Soil & Water Conservation Commissioner , to fill a vacancy, term expiring 2000, elect 1:						
	Kirk B. Brown*	4,664					
	Scattering (w/i)	12					
For	Agricultural Extension Councilmembers , elect 4:						
	Merri Drzycimski*	4,142					
	Lynn Hruska*	4,507					
	Brian J. Waldstein*	4,216					
	Rebecca M. Zylstra*	4,118					
	Scattering (w/i)	36					
For the	Constitutional Amendment regarding fees to be used for fish & wildlife programs only:						
	Yes--5,944		No--703				
Shall the following	Supreme Court Judges be retained in office:						
	Linda K. Neuman	Yes--3,593	No--999				
	Bruce M. Snell, Jr.	Yes--3,521	No--1,059				
	Jerry L. Larson	Yes--3,511	No--1,003				
	Louis A. Lavorato	Yes--3,149	No--1,295				
	Arthur A. McGiverin	Yes--3,353	No--1,102				

Shall the following **Court of Appeals Judges** be retained in office:

Albert L. Habhab	Yes--3,221	No--1,172
Terry L. Huitink	Yes--3,333	No--1,035
Rosemary Shaw Sackett	Yes--3,596	No--9,84
Mark S. Cady	Yes--3,359	No--9,52

Shall the following **District Court Judges** be retained in office:

Charles H. Barlow	Yes--3,630	No--1,239
Patrick M. Carr	Yes--3,583	No--1,042
John P. Duffy	Yes--4,552	No--813
Frank B. Nelson	Yes--3,424	No--986

and to direct that abstracts be prepared and filed as required by the Secretary of State. Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

Jim Ziegler, Rohlin construction, appeared before the Board concerning two farm-to-market resurfacing projects and three local resurfacing projects. Rohlin Construction will continue with the shouldering on the farm-to-market projects until they are brought into safe condition for the winter months. The three local projects will be delayed for spring construction. The communities for the local projects have been contacted, but only two have responded so far. Motion by Gustafson, second by Bruns, to approve the delays on resurfacing projects, and to suspend working days until conditions warrant in the spring. Ayes—Bruns, Gustafson, Burnside. Nays—none. Abstentions—none. Carried.

Motion by Vail, second by Bruns, to approve FY'97 culvert project estimates in the amount of \$15,500.00. Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

Engineer Jon Ites recommended that the county submit the bridge on the north side of Section 12, Providence Township, as a candidate for funding through the state bridge replacement program known as FUNDCO. The consensus of the Board was to approve the recommendation.

Motion by Vail, second by Gustafson, to approve the interim payment in the amount of \$1,272.50. to Kuehl & Payer for the C-13 project, to be paid from F-M funds. Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

Motion by Bruns, second by Gustafson, to approve the final pay estimate, and to authorize the Chairman to sign, on project L-FM-B-5-98, a re-hab of the bridge on C-43, in the amount of \$967.41. Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

Regarding a letter received from Jim Bump of NWITC, motion by Gustafson, second by Vail, to approve and to authorize the Chairman to sign, the voucher for payment of funds by the IDOT to Buena Vista County for the transfer of jurisdiction of Hwy 71. Ayes—Bruns, Gustafson, Vail. Nays—none. Abstentions—none. Carried.

Recorder Shari O'Bannon asked the Board to adjust the hours for her part-time Clerk due to increased instrumts, vital record preparations and imaging. The Board approved her request with the Clerk not to exceed 1800 hours per year. She also talked to the Board about storage space for microfilming. She distributed brochures on cabinets for storage. Gordon Henrickson, State Archivist, will be coming Thursday, November 14, to check out our situation over in Newell where the microfilm is now being stored. Burnside will try to be there also.

General Relief Officer Paula Guerra was to meet with the Board to discuss the appeal of a general relief decision, but the person did not show up.

DHS Area Administrator Lyle Fleshner discussed expenses for the vehicle recently transferred from DHS to Community Services.

Motion by Gustafson, second by Bruns, to approve the following items on the consent agenda:

- minutes of the 10/29 & 11/4 meetings as printed;
 - reports--October Conservation Board minutes, and October budget reports; also reviewed Oct. NWIPDC Council minutes.
- Ayes—Bruns, Gustafson, Burnside. Nays—none. Abstentions—none. Carried.

Motion by Gustafson, second by Bruns, to authorize the transfer of \$456.26 from DD#83 original (fund#750) to DD #83 MOD reclassified (fund #752), to redeem a stamped warrant to the Secondary Road fund. Ayes—Bruns, Gustafson, Burnside. Nays—none. Abstentions—none. Carried.

Motion by Vail, second by Bruns, to authorize payment of today's **payroll** claims, subject to audit at the next meeting. Ayes—Bruns, Gustafson, Vail, Nays—none. Abstentions—none. Carried.

There being no further business, the meeting adjourned to Tuesday, November 26, at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
FIFTIETH MEETING, 1996 SESSION (50)
NOVEMBER 26, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 26, 1996, at 8:30 a.m. in the Boardroom with Chairperson Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Motion by Gustafson, second by Voss, to approve and to authorize the Chairman to sign the final payment estimate voucher in the amount of \$357.85 to Equity Contracting, Adel, for the **bridge deck** sealing project. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the IDOT final progress voucher to Dixon Construction, Correctionville, for **bridge replacement** project **BROS-9011(6)--5F-11**. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

A request from Rhonda Burnside has been received to change the priority on a 3rd **priority road** (south side of Section 16, Grant Township) for the snow season, to provide access to livestock buildings. The consensus of the Board was to approve the priority change to allow snow clearing.

Motion by Bruns, second by Voss, to approve an agreement for an 80% (federal)-20% (local) share of the cost of project **#BROS-9011(5)-- 5F-11**, to replace/rehabilitate a **bridge** located over the North Raccoon River on the north line of Section 23-91-36, Grant Township, the total estimated cost being \$270,000. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign a payment voucher for the C-13 project **#FM-11(34)--55-11** to Kuehl & Payer for re-construction design services in the amount of \$4,385.29 to paid from F-M funds. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

HM/HA Director Marilyn Monson discussed the Community Investment Project grant application she is writing which seeks funding from Merit (the company retained by the State of Iowa to administer funding for mental health services). The grant would be for \$100,000 for a 9-county area. Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign a letter of support for the grant application. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

Deputy Auditor Jean Chindlund requested direction on a compensation question for the absence of a salaried employee. Consultant Renee Von Bokern will be contacted in order to assure consistency in the administration of like matters. Also, the Board approved paying the wages and withholdings for the interpreter from the General Fund, rather than individual departmental budgets.

Motion by Vail, second by Voss, to authorize the **transfer** of \$235,245.79 from the Rural Basic Fund to the Secondary Road Fund, this being 70% of the total local option sales tax collected for FY'96. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Bruns, to approve a claim for **Jt. DD #22** in the amount of \$800 for ditch brush-kill, to be paid to Chemtrol, Des Moines. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions- -none. Carried.

Motion by Voss, second by Vail, to take action on the following items on the consent agenda:

- approve **minutes** of the 11/12 meeting as corrected;
- approve **reports**—Oct Clerk's fines & surcharges, 10/15 Comm. Commission minutes, Sanitarian's site survey; also reviewed--USF&G W/C retroactive premium return, 1st Qtr FY'97 local option sales tax payment;
- approve **Jt. DD 19-26** claim to Phil Hesnard in the total amount of \$160.00, for beaver control;
- set the date and time of public hearing for the Wells, etal., **ag area** petition (filed 11/26/96) as

December 10, 1996, at 9:00 a.m. in the Boardroom;

- approve the following **late filings:** for 1995 homestead credit on parcel #'s 4817.00 and 4849.00; for 1996 homestead credit on parcel #'s 4817.00, 4849.00, 11167.25, and for 1996 military exemption on parcel #11167.25.

The vote on the above motion was ayes--Bruns, Gustafson, Vail, Voss; nays--none; abstentions--none. Carried.

Motion by Vail, second by Bruns, to **employ** Keri Tauber as a part-time jailer effective 11/11 at \$6.43/hr. replacing Bob Kramer who resigned. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to allow Brooke Township to retain its designation as a separate **precinct**, and to notify BRC that the County will not exercise its option to return any of the BRC tabulators. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to confirm the decision of the **General Relief** officer which denied assistance to one person. Ayes—Bruns, Gustafson, Vail. Nays—Voss. Abstentions—none. Carried.

There being no further business, the meeting adjourned to Tuesday, December 3 at 8:30 a.m. for a special session.

**BOARD OF SUPERVISORS
FIFTY-FIRST MEETING, 1996 SESSION (51)
DECEMBER 3, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 3, 1996, at 8:30 a.m. in the Boardroom with Chairperson Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

The Commissioner of Elections informed the Board that there were ties for Township Trustee in 2 townships in the General Election, and that the Board would need to break the tie by drawing names from the hat. Newly elected for supervisor, Herb Crampton was asked as a disinterested 3rd party to draw the names from the hat. Motion by Vail, second by Voss, to declare Elmer Lubinus, Poland Township, and Richard Larsen, Newell Township, as the winners of the draw and to direct the Auditor so to notify them. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

To accommodate bookkeeping requirements, the Board considered an addendum to the contract with the Seasons Center for FY'97. Motion by Bruns, second by Gustafson, to approve and to authorize the Chairman to sign the "Addendum to Contract between Buena Vista County and **Seasons Center** for Community Mental Health" (catchment area agreement). Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to approve the following items on the consent agenda:

- **minutes** of the 11/26 meeting as corrected;
- **establish fund** #031 - Capital Projects-Hwy 71 trans/juris fund, the fund to be used only for the repair/re-construction of old Hwy 71 which is to be transferred to county jurisdiction;
- approve partial payment to Bob Ehlers in the amount of \$1,000.00 for construction of the covered north entryway at the **E. Richland annex**.

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board then completed its first group review of the BV Co. Needs Assessment study.

There being no further business, the meeting adjourned to Tuesday, December 10 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS
FIFTY-SECOND MEETING, 1996 SESSION (52)
DECEMBER 10, 1996**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 10, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting.

Deputy Auditor Jean Chindlund requested the Board's interpretation of a section of the personnel policy regarding payroll, and of the Board's partial self-funding program. Motion by Vail, second by Gustafson, to approve payment of \$76.80 from the county's partial self-funding account. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Upon recommendation of Env Health/Zoning Director Kim Johnson, motion by Gustafson, second by Vail, to approve a 50 cents/hr increase for Lorri Wood effective 12/17/96 due to a favorable 6 month evaluation. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Voss, second by Vail, to approve the agenda as amended. Ayes—Bruns, Gustafson, Vail, Voss. Nays—none. Abstentions—none. Carried.

9:00 a.m.—The time having arrived for the public hearing on the **Ag Area Petition** filed 12/2/96 by Craig Wells, et al., the Chairman opened the hearing in the 2nd Floor PMR #1 instead of the Boardroom as published, due to 47 persons being present. It was noted that the notice of hearing had been published as required.

The Chair invited Wells to state his request - to have the Board establish an ag area. He plans to build two 1000 head hog finishing buildings with deep pits.

An adjacent property owner, Mrs. Brent Adams, stated that they have had bad water for some time now. She asked what protection they would have if the water gets worse.

Wells stated that they are only replacing buildings lost in the fire, and he will probably have fewer animals than previously.

Adams was concerned about the buffer strip which had been in place for quite a while, was subsequently removed and has not been replaced.

Wells stated that it is his intent to continue to farm, he has no plans for expansion-no additional livestock. He plans to inject the manure on crop ground on a rotating basis. He will not have enough manure to inject it on all of his acres, therefore he will have to rotate fields. The buildings will have deep pits under them. His previous operation included more head of livestock and surface application of the manure.

Another person asked who is responsible for monitoring the plan and operation - DNR.

Steve Roth asked the Wells why they need an ag area designation if they are not changing their operation? If the ag area is established what change to the current plans would be made? Wells answered that no changes are planned, but they are seeking an ag area designation to take advantage of what the law provides. It provides some protection for the farmer from lawsuits over issues of chemical application, dust, noise, etc.

Steve Gadd, attorney for the Wells, stated that one of the purposes of the law is to keep farmers out of court for minor problems. The size of today's crowd is evidence of the need for the ag area designation. Gadd read from the Code what protections are provided, and what is not protected.

Roth noted that the Board of Supervisors has the responsibility to decide what is in the public good.

Assistant County Attorney Ted Brown stated what options the Board has under the law, in considering the petition for the Ag Area—"the Board shall adopt the proposal or any modification of the proposal it deems appropriate, unless to do so would be inconsistent with the purposes of this chapter."

Wells stated that no buildings are planned to be built adjacent to Lakeside. He feels that they have been blamed in the past for things beyond his control.

As an example, Richard Stille stated that several years ago he received an unreasonable request - not to combine when the wind blows or is expected to blow.

Terry Murray stated that he currently farms a family farm, and it is his desire to keep it a family farm so that his 2 sons can join him in the future. Both Lakeside city property owners, and the agland

owners have interests in the valuation/devaluation of their property.

Cindy Wells stated that the choices they have made, are those which are the most neighbor friendly: locating the buildings next to their home vs. Near Lakeside, limiting the number of animals, deep pits vs. Lagoons, manure injection vs. Surface application. They plan to plant trees, and will use pit additives if they are found to assist in the manure management program.

Env Health Director Kim Johnson reported that she has received complaints from the area. She suggested amending the ag area request by deleting 76.6 acres located adjacent to Lakeside.

Karlton Fullenworth, member of the Lake Preservation Association Board of Directors, is concerned that the considerable work done by LPA in an effort to get approval for dredging the lake might be jeopardized if the ag area is approved. At the very least, he would like to see all acres in the Storm Lake watershed removed from the petition. This would mean eliminating the west 1/2 of Sections 12 & 13 of Hayes township.

At the request of Lakeside city officials, City Attorney Willis Hamilton drafted a letter identifying the concerns of the city. Copies have been distributed to the Board.

Steve Hamilton asked if the Board might consider waiting to make their decision until those interested have a chance to review the manure management plan.

Kris Kohl, ISU Extension, reported favorably on the plan and the proposed project. Murray asked Kohl on what basis the calculations had been made—proven yields.

Supervisor Bruns asked if the DNR had a minimum number of acres for the proposed number of livestock - Wells has more acres than can be covered with the amount of manure available.

Supervisor Voss discussed the difficulty inherent in making this decision - balancing actions which maintain or reduce farmer numbers and as a result, persons working in town and the businesses that employ them, recreational and tourism interests, etc.

Dr. T. Shea suggested utilizing the expertise of the person who was consulted by the LPA.

Brown noted that the petition could be amended prior to its consideration for approval. A committee of 2 boardmembers, plus the petitioners and neighbors, LPA and Lakeside representatives will meet to discuss some type of compromise prior to the meeting at which approval will be considered.

There being no further discussion, motion by Voss, second by Bruns, to continue the public hearing to Tuesday, January 7, 1997 at 1:00 p.m. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The meeting reconvened in the Boardroom.

A letter has been received from Engineer Jclyde Jbartel noting that IDOT has received several requests for additional signing on new Hwy 71. Also, a phone request has been received from the city of Storm Lake asking for an embargo on the road extending east from Milwaukee Ave. due to too much truck traffic.

Motion by Voss, second by Gustafson, to approve and to authorize the Chairman to sign a request to the IDOT for directional **signing** at the junction of Hwy 71 & county road C-49. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

It was noted that the Board has received official notice from the IDOT, NW IA Transportation Center-Sioux City, that the transfer of jurisdiction of old Hwy 71 to the county will be effective at 12:00 noon on December 20, 1996, in accordance with Transfer of Jurisdiction Agreement No. 92-TJ-008.

Motion by Vail, second by Voss, to approve and to authorize the Chairman to sign the Certificate of Utility Agreements, Acquisition of Right-of-Way & Relocation Assistance on **project BROS-9011(5)--5F-11** for replacement of a bridge over the Raccoon River. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Engineer Jon Ites has received a phone request from Truesdale city officials to sand intersections in Truesdale. The county is already providing snow maintenance services to both Truesdale and Rembrandt. Ites is concerned about extending the length of that route.

UDMO Executive Director Larry Rohret, and Storm lake UDMO Director Joan Spooner, met with the Board to make their request for FY'98 funding which is \$19,715, the same as for the current year. They reviewed their report on the participants of the program in Buena Vista County.

Community Services Director & CPC, Anita Hallquist, provided cost information and other statistics to the Board. Of 108 (MI & CMI), she has denied services to just 19 applicants on the basis of the county's plan since the program began. She also discussed an inquiry for assistance with 3 funerals and burial plots. The consensus of Jgustafson, Vail and Burnside was to provide assistance with funeral expenses only. Bruns and Voss were opposed. A letter has been received regarding the mental health account for 1 person. No action was taken.

Nurse Administrator Karole Graen reviewed the Nursing annual report for FY'96, and Sept-Nov. Board of Health minutes. Graen reported that she has been unable to hire replacement nurses at the hourly rate established in the current wage schedule. Starting rates at nursing homes and hospitals are substantially higher. Increasing hours of current employees is not adequate to cover the work since the number of nursing hours is up. Further, the increase in hours, etc. was not anticipated, therefore, the budget will not currently accommodate the higher rate. It was the consensus of the Board to approve a beginning nurses' wage rate of \$12.00 per hour.

Motion by Voss, second by Bruns, to approve and to authorize the Chairman to sign the underground utility application of US West to upgrade existing cable on the south side of Sections 5 & 9, Nokomis Twp. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

Ites has met with the people who have requested swapping property with the county for a narrow parcel at Casino Beach. Ites suggested they investigate costs, as the county would not agree to incurring any expense in a swap.

Motion by Vail, second by Voss, to accept, and to authorize the Chairman and the Engineer to sign, the proposal of Calhoun-Burns, West Des Moines for the inspection of 8 bridges for which the county previously received a recommendation to inspect annually. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Ites distributed preliminary drawings for the maintenance building to be constructed at the E. Richland secondary road site. The plans should be ready for bids by late February, 1997.

Motion by Voss, second by Bruns, to approve the Employee Orientation Checklist for mandatory use by all departments with new hires. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Voss, to accept and to set the date of Public Hearing on the Millard, etal. Ag Area Petition filed 10/14/96, as Friday, December 20, 1996 at 1:15 p.m. in the Boardroom. The Board noted that in setting the date for the public hearing today, they have not met the time requirements of the Code of Iowa, but that the petition had not been complete at the time of filing, and that the additional items were filed December 5, 1996. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Vail, to approve the following items on the consent agenda:

- minutes of the 12/10 meeting as printed;
- reports: FY'96 MH Expenditure Summary, FY'96 Annual Public Health Nursing report, Sept.-Nov. Board of Health minutes, Nov. budget reports, Conservation Board minutes. Also reviewed were Homestead credit state reimbursement, SCAT Customer Service Satisfaction Survey;
- dedication of 100% of the interest earned on the investment of Hwy 71 transfer of jurisdiction receipts to that capital projects fund (031) for the exclusive use for repair/re-construction of old Hwy 71, and to direct the Auditor to make the appropriate transfers;

(Note: approval of an amended meal reimbursement policy was tables to 12/20/96)

Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Bruns, second by Gustafson, to approve the transfer of \$92.68 from fund 750 (old DD #83 MOD) to fund 752 (DD #83 MOD reclassified) for payment of a stamped warrant. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned to December 20 at 8:30 a.m. for a regular session (the date having been changed from 12/24 due to the holiday).

**BOARD OF SUPERVISORS
FIFTY-THIRD MEETING, 1996 SESSION (53)
DECEMBER 17, 1996**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 17, 1996, at 9:00 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, and Vail, and with Auditor Strawn as clerk for the meeting. Absent: Voss. Also present: Herb Crampton.

Motion by Vail, second by Bruns, to void warrant #56871 issued 3-8-94 and which was lost, and to reissue in the same amount \$25.00 with today's date, and to pay without interest. Ayes--Bruns, Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Deputy Auditor Sue Kennedy reviewed the amended MH/MR/DD/BI Net County Expenditures Report Summary for FY'96.

Arne Waldstein and Marje Neulieb, representing the BV Co. Historical Society, made a request for FY'98. No specific dollar amount was requested.

Cindy McIntosh-Director, and Stacy Malloy-Operations Manager, BV Work Activity Center, updated the Board on the supportive employment program including several new placements. Also noted, BVWAC has been providing chore services with the HMHH Agency for about 8 months.

Marilyn Monson, representing the Newell Historical Society, showed an award-winning video on the Allee Mansion, "A Proper Introduction", produced by Newell High School student Jeff Bartsch. Monson reviewed the 1996 activities - 48 official functions were held. The NHS request was \$2,000 for FY'98.

Jeff Kestel, Director, and Bob Driver, Dwight Young, Arlin Hinkeldey and Kirk Brown, Commissioners, of the BV County Soil & Water Conservation Service, discussed the conservation programs provided to students in the county. They requested \$3,000 for the program, the same amount as this year.

Karlton Fullenworth and Gordy Miller, BV Co. Natural Resource Conservation Service, discussed rebuilding terraces on the ground owned by Dr. Pascoe and farmed by Fullenworth next to the S Hayes Pit in Section 36, Hayes Township. Redesigning the terraces would improve the farming and provide a drainage outlet. Fullenworth requested access over the county's property, and an outlet into the county tile. The consensus of the Board was to proceed. NRCS requests a signed agreement by Pascoe and the County before planning the changes. NRCS provides a 50% cost share for the private landowner. Before proceeding, the Board will confer with the Engineer regarding future plans for the gravel pit.

Janice Danielson, BV Co. Genealogical Society, reviewed the activities of her organization, and made a request for FY'98 funding. The group is accumulating funds for a computer to make research tools (CDs, Internet) more accessible.

Motion by Vail, second by Bruns, to approve the following items on the consent agenda:

- minutes of the 12/10 meeting as printed;
- authorize the Auditor to destroy auditor's receipt books prior to 1990.

Ayes--Bruns, Gustafson, Vail. Nays--none. Abstentions--none. Carried.

NW Aging Director Greg Anliker, and Advisory Councilmembers Ina Hansen, Marie Grote and Lucille Cochran, were present with their annual report and to request funding for FY'98.

There being no further business, the meeting adjourned to December 20 at 8:30 a.m., due to the holiday, for a regular session (otherwise scheduled for 12/24/96).

**BOARD OF SUPERVISORS
FIFTY FOURTH MEETING, 1996 SESSION (54)
DECEMBER 20, 1996**

The Buena Vista County Board of Supervisors met for its final 1996 regular session on Friday, December 20, 1996, at 8:30 a.m. in the Boardroom with Chairman Burnside presiding, and with the following others present: Bruns, Gustafson, Vail, Voss, and with Auditor Strawn as clerk for the meeting. Also present: Herb Crampton.

Treasurer Kathy Bach and Recorder Shari O'Bannon discussed proposals for changes to the meal reimbursement policies. Motion by Voss, second by Gustafson, to adopt the meal reimbursement policies as amended, and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Bach and O'Bannon reported on the imaging project which is running in the Treasurer's office, and is due to start Jan. 1 in the Recorder's office. The system will allow better usage of storage space, and will facilitate quicker research.

New license plates are ready to issue beginning Jan 2 in the Treasurer's office. The number of styles has been substantially reduced. Mailing the plates will be more costly than mailing renewal stickers, which may discourage renewal by mail, and, create longer lines at her office. DOT plans to use these plates for a number of years.

Engineer Jon Ites reported that Midwest Contracting, Inc., Marshall, MN, has finished the culvert project. Motion by Gustafson, second by Voss, to accept as complete as of this date, and to issue final payment of retainage to Midwest Contracting, Inc. on project L-FM-C-101-97-73-11, and to authorize the Chairman to sign. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions-- none. Carried.

Motion by Voss, second by Vail, to apply for STP funding 70% (federal) 30% (county) for resurfacing of C-49 (project STP 11(40) east from new Hwy 71 for 5 1/2 miles, to be done in 1999. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

Motion by Gustafson, second by Vail, to approve making application for funding for a bridge structure project BROS 11 (42) on the south side of Section 13, Elk Township. Ayes--Bruns, Gustafson, Vail, Voss. Nays--none. Abstentions--none. Carried.

The Board discussed whether or not to consider adopting an ordinance providing for Level 'C' roads in the county.

BV Co. Compensation Boardmember Dale Arends presented his board's recommendations for salaries for elected officials for FY'98 (to commence 7/1/97). No action was taken at this time.

Deputy Auditor Jean Chindlund discussed policy on maintenance agreements for computer equipment.

Bruns and Vail volunteered to perform the year end cash count for the Treasurer on December 31.

Today being December 20, 1996, the Buena Vista County Board of Supervisors and the IDOT hereby finalize the Transfer of Jurisdiction Agreement #92-T-J-008 as of 12:00 noon, whereby the county assumes responsibility for old Hwy 71 from its intersection of C-49, north and east to the new connection with Hwy 71, and the State of Iowa assumes control of the county road M-48 (new Hwy 71 location) from the intersection of Hwys 7 & 71 north 6.2 miles.

Voss left the meeting to represent BV Co. at a Hazmat meeting in Sioux City.

1:15 p.m. The time having arrived for the public hearing on the Ag Area Petition filed 10/14/96 by Darrell Millard, et al., the Chairman opened the hearing in the 2nd Floor PMR #1 with 2 interested persons present: Darrell Millard and Lone Millard. It was noted that notice of public hearing had been published as required. There being no public comments made in opposition to the establishment of the ag area, motion by Vail, second by Gustafson, to close the public hearing. Ayes--Bruns, Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Bruns, to approve the ag area petition filed 10/14/96 by Darrell Millard, et al., the ag area to include all property located within the following boundary description: BEGINNING AT THE CENTER OF SECTION TWENTY (20), TOWNSHIP NINETY-ONE (91) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE FIFTH P.M., THEN SOUTH TO THE SOUTHEAST CORNER (SE) OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2 SW1/4) OF SAID SECTION 20; THEN WEST TO THE EAST LINE OF SECTION NINETEEN (19), TOWNSHIP NINETY-ONE (91) NORTH, RANGE THIRTY-SEVEN (37) WEST OF THE FIFTH P.M., THEN SOUTH TO THE SOUTH LINE OF SAID SECTION 19; THEN WEST TO THE SOUTHWEST CORNER (SW) OF

THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 19; THEN NORTH TO THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4 NE1/4 SW1/4) OF SAID SECTION 19; THEN WEST TO THE SOUTHWEST QUARTER CORNER (SW1/4) OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4 SW1/4) OF SAID SECTION 19; THEN NORTH TO THE HALF SECTION LINE; THEN WEST TO THE WEST LINE OF SAID SECTION 19; THEN NORTH TO THE NORTHWEST CORNER (NW) OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S1/2 NW1/4) OF SAID SECTION 19; THEN EAST TO THE CENTER OF SAID SECTION 19; THEN SOUTH TO A POINT 1141.18 FEET NORTH OF THE CENTER OF SAID SECTION 19; THEN NORTH 89(42"58' EAST, 2109.29 FEET; THENCE SOUTH 848.64 FEET; THEN EAST 531.67 FEET TO THE EAST LINE OF SAID SECTION 19; THEN SOUTH 290 FEET; THEN EAST 2640 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

It is here noted that the Millard petition was not acted upon according to the schedule set forth in the Code of Iowa due to the late filing of one document as recommended by the County Attorney. The vote on this motion was: ayes--Bruns, Gustafson, Vail; nays--none; abstentions--none. Carried.

For the record, Bruns noted that he had conferred with the Co. Attorney regarding a possible conflict of interest - Bruns' employer prepares the taxes for Millard. The Co. Attorney stated that there is no conflict as Bruns has no involvement whatsoever in the preparation of Millard's taxes.

Motion by Gustafson, second by Vail, to approve the minutes of the 12/17 meeting as printed. Ayes--Bruns, Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Bruns to approve payroll 12/24 claims subject to audit. Ayes--Bruns, Gustafson, Vail. Nays--none. Abstentions--none. Carried.

Motion by Vail, second by Gustafson, to authorize the Chairman to sign, and to approve the following work orders: Jt. DD 64-105 tile repair in Delaware Twp-Sac Co., estimate \$350.00; and Jt. DD 19-26 MOD repairs in Douglas Twp-Sac Co., estimate \$600.00. Ayes--Bruns, Gustafson, Vail. Nays--none. Abstentions--none. Carried.

There being no further business, the meeting adjourned to January 2 at 9:00 a.m. for an organizational session.
