

**BOARD OF SUPERVISORS MEETING
FIRST MEETING, 2004 SESSION (1)
JANUARY 2, 2004**

The Buena Vista County Board of Supervisors met for the first meeting of the 2004 session on Friday, January 2, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Lanphere and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

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

Motion by Gustafson to approve the minutes of the 12/31/2003 meeting. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Abstentions—none. Carried.

Motion by Burnside to adjourn the 2003 session sine die. Carried.

The first order of business for the 2004 session was election of the Chairman. The Auditor called for nominations for Chairman of the Board of Supervisors. Motion by Lanphere to nominate Crampton. The Auditor asked for any further nominations. There being none, motion by Lanphere that nominations cease and a unanimous ballot be cast. The vote on Crampton for chairman was ayes—Burnside, Gustafson, Lanphere. Nays—none. Abstentions—Crampton. Carried.

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

Chairman Crampton called for nominations for Vice-Chair. Motion by Burnside to nominate Lanphere for Vice-Chair. Motion by Burnside that nominations cease and that a unanimous ballot be cast. Ayes—Burnside, Gustafson, Crampton. Nays—Lanphere. Carried.

Supervisors' Committee, Commission & Board Appointments

Motion by Lanphere to appoint the following persons as delegates and representatives to the committees, commissions and boards as noted for 2004:

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

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

Vail as Buena Vista County Equal Employment Opportunity Officer.

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

Burnside-delegate to the Buena Vista Solid Waste Commission.

Lloyd Galbraith to the Western Iowa Tourism Council.

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

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

Gary Armstrong as the Buena Vista County Drainage Attorney.

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

Lorene Carpenter and Bill Lanphere to the DHS Service Area Advisory Board.

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

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

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

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

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

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

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

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

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

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

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

Vail to the Iowa Lakes RC&D Board, with the at-large representative to be appointed at a later time.

Burnside to the Gingerbread House Board.

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

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

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

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

Karen Strawn-ADA Coordinator.

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

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

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

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

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

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

Marc Bertness-representative, to the Regional Housing Authority until 12/31/2004.

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

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

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

Zoning Board of Adjustment members with terms as follows: Cynthia Smith-6/21/04, Bob Stoughton-6/21/05, John Massop-6/21/06, Greg Sundblad 6/21/07 and Bruce Engelmann-6/21/08.

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

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

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

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

Tami Mills-Thomas and Kara Napierala-Case Managers, Dawn Mentzer-CPC, Sue Morrow-MH Community Based Services representative, and Jim Gustafson-BofS representative, Brent Mangold-family representative, Cindy Wiemold-MR Community Based Services representative, John Winkelman-Howard Center-MR Community Based Services representative, and Veronica Kosky to the Targeted Case Management Advisory Board.

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

Dawn Mentzer to the Representative Council of the Seasons Center.

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

Don Diehl to the Civil Service Commission, term expiring 12/31/05. The motion carried.

Gustafson and Lanphere to the Lake Improvements Commission.

Citizens' Committee, Commission & Board Appointments

Motion by Lanphere, to appoint the following persons to the committees, commissions, and boards as noted for 2004:

Roger Meyer for a 5-yr term expiring 12/31/08 to the Buena Vista County Conservation Board

Dr. David Crippin, County Medical Examiner, and Tim Speers- BVRMC EMT, and Deputy Doug Simons, Ken McClure, Sac County Deputy Sheriff, and independent EMT's Greg Ebersole & Bob Christensen, as Deputy Medical Examiners (Chapter 331.801). Terms expire 12-31-04.

Rich Haldin, Lloyd Galbraith and Ray Kurtz to the Veterans Affairs Commission for the 2004 year, or until their terms expire (Chapter 250).

Gustafson to the ISAC County Case Management Services Board.

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

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

Local Board of Health-members with 3-yr. terms as follows: Dr. Scott Wulfekuhler-12/31/04, Jackie Bertness & Brenda Halverson-12/31/05, Bill Lanphere and Jon McKenna-12/31/06.

Ed McKenna to the Region 5 Workforce Advisory Board.

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

Mike Raner as Buena Vista County Safety Coordinator.

Kim Johnson as Buena Vista County Zoning Administrator. The vote on this motion carried.

The following Department Heads met with the Board for a discussion of salaries: Treasurer Kathy Bach, Sheriff Chuck Eddy, Recorder Shari O'Bannon, Public Health Nurse Diane Anderson, Communications Supervisor Mark VanHooser, Custodian Dewyne Stucynski, Veterans Services Officer Clint Hoferman, Assessor Ted Van Grootheest, Engineer Jon Ites, Emergency Management Director Bob Christensen, Conservation Director Gary Christiansen. Since outside agencies had been in to make their requests for FY'05, and the hiring freeze had been well reported in the newspapers, DH's wanted to provide some input into the Board's consideration of wage increases for FY'05. Past wage freezes have been detrimental because the county then had to play catch-up. Consistency is the key, even if the increase is small – cost of living - there are no spikes in the increase amounts. Past history has shown that playing catch-up after a freeze is not good. Employees are the county's biggest asset and they should be recognized for the work they do. 'No increase' sends the wrong message. Also, there are costs associated with no increases – when it causes turnover there are advertising costs and training costs for the new employee. Wage increases are important for morale - they show employees they are appreciated for the work they do. Wage freezes are actually a decrease in pay when insurance rates go up – there is a loss in spendable income. Our employees are good workers and they have put forth as the workload increased over the years. Employees deserve a 2.4% cost of living increase because it shows that they are valued. The early announcement of increases has been very discouraging.

Crampton asked if department heads had any questions about the hiring freeze – that they are encouraged to make a case before the Board.

Lanphere commented that he appreciates what everyone has said, and also the department heads and employees, and their work and dedication. But, he has also heard from private businesses - they haven't given raises in several years. Last year the request was made to not balance the budget on employee raises, and it wasn't. This year the budget problems are the fault of the economy and the

legislature. Outside agencies were cut this year, and may be cut again. Either wages will have to stay the same, or we will have to let some people go. The board will do the best it can with what it has – and it certainly does appreciate the employees' work.

One DH commented that you can't compare the departments with the public because there are so many variables which make a difference.

Gustafson commented that the state has cut us in the past, and we anticipate additional cuts this year. There has been criticism on buying the dredge, but the agreement with the Lake Improvement Commission is that the county does not pay any repair costs on the dredge. When we're done with the dredge it will be in as good or better condition than when we bought it, and we will be able to sell it. He asked department heads to help find ways to enhance revenues and cut expenditures. Every county is in the same bind. He also noted that the Compensation Board process ties the Board's hands in giving the cost of living increase. The board doesn't yet know what it is going to do.

Crampton thanked everyone for coming in and taking the time to bring the issues to the board. He appreciates the work done to bring in grant funds. Gary Christiansen commented on the loss of revenue that comes from the property tax exemption on forest and fruit tree reserves. A change is needed there. About 600 acres in Buena Vista County are in the program with no property taxes assessed to them. The Conservation Board isn't going to be able to acquire any additional acres for hiking, etc. at the price land is selling for. Gustafson commented that pollution control devices on livestock facilities cost the county also. Gustafson invited department heads to address any comments they might have in a letter to our legislators. Crampton concluded by stating that all of the comments will be remembered when the decisions are made.

Crampton left and Vice-Chairman Lanphere conducted the remainder of the meeting. All remaining motions carried with the following vote unless otherwise indicated: Ayes: Burnside, Gustafson, Lanphere. Nays: none. Abstentions: none.

Sheriff Chuck Eddy discussed several budgetary items including the timing of the purchase of replacement cars, accepting credit card payments for room and board charges, and charging a fee for supervision of persons on probation. Gustafson asked about booking fees and law enforcement contract fee increases, and collection of delinquent fines. Motion by Gustafson to set the mileage reimbursement rate for sheriff's service fees at \$.375/mile. Carried.

Mileage Rate and Meal Reimbursement

Motion by Gustafson to pay mileage to employees (including deputy medical examiners) at the rate of 30 cents per mile for each mile traveled by private vehicle (not for county owned vehicles) for county business in 2004. Carried.

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

Insurance Coverage including Blanket Bond

Motion by Gustafson to continue the following insurance coverage from the Olson, Eaton, Svendsen Agency for the remainder of FY'04: tort liability, auto, property, computer equipment, E & O, umbrella, data processing, inland marine, contractor's equipment, crime, CCF boiler, law enforcement professional, medical professional, worker's compensation, and blanket bond. Carried.

Depository Resolution-Elected Officers

Motion by Burnside that the Depository Banks currently being used by the Treasurer, Recorder, Auditor & Sheriff continue to be used during 2004 in the amounts stated below, and, that the appropriate elected official be and is hereby authorized to deposit the designated office funds in amounts, not to exceed in the aggregate, named for said bank:

Treasurer:

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

Recorder:

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

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

Central Bank, Storm Lake	\$100,000.00
Citizen's First National Bank, Storm Lake	\$25,000.00

The vote on this motion carried.

Depository Resolution-Payroll Deposits

Motion by Gustafson that the 2004 Federal Depository Bank shall be Security Trust and Savings Bank, Storm Lake, with the payroll deposits to be made by wire transfer. Carried.

Resolution to Research Drainage and other Assessments

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

Resolution on Interest Rates for Drainage

Motion by Gustafson to establish 5% as the rate of interest to be paid during 2004 on all stamped warrants, and charged on Improvement Certificates and Drainage District waivers, effective this date (for Buena Vista County drainage districts only). Carried.

Dog License Resolution

Motion by Burnside that dog licenses be provided at no charge for the unincorporated areas of the county and in towns without licensing ordinances. (Chapter 331.381.14). Carried.

Resolutions of Appointment

Motion by Lanphere that Jon L. Ites be re-appointed Buena Vista County Engineer for 2004, with his salary according to his employment contract (Chapter 309.17). Carried.

Motion by Burnside to adopt Resolution 2004-01-02a, and to authorize all Board members to sign. Carried.

Resolution 2004-01-02a – Regarding Farm to Market Construction Projects

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

Authority to Close Roads & Detour Traffic

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

Holiday, Vacation, and Sick Leave Policy

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

Resolutions on Wage Schedules

Motion by Gustafson that the following wage schedules, adopted as shown, shall be in effect for 2004: Current full & part-time Courthouse Clerks 6/11/96, 'New-hire' courthouse clerks 10/14/03, Sheriff's deputies 4/23/91 (as amended (1/13/98), (and paying on-call time to deputies at the hourly rate based on 10% of the 85% deputy's salary), Jailers-12/30/94, Secondary Road employees 2/14/95 and amended 2/11/97, and matrons 2/29/00. Carried.

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

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

Motion by Burnside that the beaver control policy (payment of \$25 per beaver tail for beavers trapped in drainage districts), as adopted January 1, 1986, and, the beaver control program for the non-drainage district areas of the county (\$25/beaver tail); the program requiring that the claimant possess a fur-bearer's license as required by law, and to limit the payout for the program to \$1000 in each fiscal year shall be in effect for 2004. Carried.

Official Newspapers

Having received a request for official newspaper designation from each, motion by Gustafson to designate the following as official newspapers for legal publications for 2004: Storm Lake Pilot-Tribune, The Times, and Buena Vista County Journal. Carried.

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

Pre-Screening Agencies Appointed

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

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

Motion by Gustafson to adopt Resolution 2004-01-02b re: fence removal & replacement & right-of-way purchases. Carried.

RESOLUTION 2004-01-02b

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

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

Removal of fencing by rod:	\$6.00 for barb	\$8.00 for woven
Replacement of fencing by rod:	\$6.00 for barb	\$8.00 for woven
Plus new material costs.		
- The property owner shall have 18 months after completion of project to receive payment for replacement of fencing.

The vote on this resolution was carried.

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

RESOLUTION NO. 2004-1-02c
DECLARING THE NEED FOR A HOUSING AUTHORITY
IN BUENA VISTA COUNTY, IOWA.

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

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

1. Unsanitary and/or unsafe inhabited dwelling accommodations exist in Buena Vista County, Iowa;
2. There is a shortage of safe and/or sanitary dwelling accommodations in Buena Vista County, Iowa, available to persons of low income or rentals they can afford; and
3. There is need for a housing authority to function in Buena Vista County, Iowa; and

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

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

NOW, THEREFORE, Pursuant to the provision of Chapter 28E. Code of Iowa, and by virtue of our office as Board of Supervisors, we hereby appoint the one (1) person hereinafter named to serve as Representative of the Northwest Iowa Regional Housing Authority, representing Buena Vista County, Iowa, and to serve for the number of years appearing after his name, respectively, from the 2nd day of January, 2004 – December 31, 2004 . Name of Representative: Marc Bertness. Number of years: 1 (until 12/31/04).

Passed and approved January 2, 2004.

/s/ Herb Crampton, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

There being no further business, motion by Lanphere to adjourn at 10:25 a.m. until Tuesday, January 6 at 8:30 a.m. for a special meeting.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
SECOND MEETING, 2004 SESSION (2)
JANUARY 6, 2004**

The Buena Vista County Board of Supervisors met special session on Tuesday, January 6, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

HIPAA Privacy Officer Julie Smith updated the Board on the county's status on HIPAA policies and procedures. Not all departments are effected since not all deal with personal health information. Policies have been adopted, business associate agreements are in place, employee training has been completed, a security risk analysis has been completed on computer systems and some changes made, and we have joined the ISAC electronic transaction clearinghouse for billing purposes. New employees are trained as they are hired. The next deadline is in 2005 for additional security measures, and eventually someone will need to be appointed Security Officer. There may be some funding available from Homeland Security funds.

Motion by Burnside to approve the minutes of the Jan.2nd meeting as printed, and the following reports: 2nd QtrFY'04 Sheriff's fees, Dec. Spectra lagoon monitoring report, Dec 10 Conservation Board minutes; also reviewed 11/13 NWIPDC Policy Council minutes. Carried.

Crampton left and Lanphere conducted the remainder of the meeting.

Engineer Jon Ites reviewed a proposal to replenish gravel at the Newell stockpile. Motion by Vail to approve and to authorize the Engineer to sign the proposal of Hallett Materials to furnish 13,000 ton of gravel at \$2.65/ton, to be hauled by the Secondary Road Department. Ayes—Burnside, Gustafson, Vail, Lanphere. Nays—none. Carried.

Motion by Gustafson to set a letting date of February 24, 2004, at 10:00 a.m. for project # L-B-515—73-11 (precast bridge on the north side of Section 15, Maple Valley Township). Ayes—Burnside, Gustafson, Vail, Lanphere. Nays—none. Carried.

Ites reported that the application was not approved for Fundco funding on the bridge over the Racoon River at a location 1 mile south of C-49, north of Section 12, Providence Township.

Ites' committee reported his assignments for 2004: ICEA Exec Board, ICEA Highway Needs, State - Farm to Market Review Board, and State - Research Board Committee. He noted that Chamber Alliance is again proposing a reduction in road use tax to all jurisdictions except cities.

The vice-chairman suggested several items for a future agenda: a waiting period for family health insurance coverage for new employees, with a higher deductible option available for employee purchased family coverage; prorated vacation for part time employees, establishment of a policy for Public Health to charge for services to jail inmates so that the charged can be billed and collected from the inmate.

Ellsworth Jeppeson, Manager of the Rowley Recycle Center and BV County Landfill, updated the Board on current activities and issues at the recycle center and landfill. Because the DNR required centralization, Buena Vista County is now part of a 3-county 28E organization with Cherokee and Plymouth Counties. The organization is required to file a Comprehensive Plan with the DNR. Although Buena Vista County made the (no more than) 25% burial requirement, the 3-county organization did not. Plymouth County's landfill is used for construction and demolition materials only and they processed more C&D than BV had for garbage. Since BV County's landfill is nearly full, the cooperative agreement allows BV to use Cherokee's landfill at a cost of about \$12,000/mo plus trucking. Cherokee brings materials to BV that can be processed for compost. The 3-4 years left in the BV landfill will be used for construction and demolition (C&D) materials.

For every ton buried in the landfill, except C&D, \$4.75 is paid to the state. The funds are supposed to go into a fund for grants, however the state has raided the fund and the money is gone. There is also supposed to be a hazardous waste fund, but it is also gone. DNR wants to start charging a fee for the C&D that is buried. Gustafson asked Jeppesen to provide the Board with a copy of their financial report.

Recycling currently doesn't pay its way because there isn't a market for the materials. BV can't find additional land to buy for a new landfill. The Commission is discussing a manned - moving collection

for recyclable materials. A revision of the rules is needed on a number of issues: the 1988 figures need to be amended to allow for growth in population and changes in businesses with manufacturing waste. Solutions for how and where to dispose of certain items must be found due to the limits on burial and the prohibition on burning as a means of disposal. The markets aren't available to be in compliance with the law. A solution must be found on how to handle C&D. E-waste (computer monitors, etc.) is currently accepted at BV for \$5/monitor. Some counties charge \$25. There is a \$4 charge on TV's and soon there will be a charge for phones. There is currently no place to go with these items.

BV County is putting aside \$20,000/yr for closure/post-closure costs.

There being no further business, motion by Gustafson to adjourn at 11:25 a.m. until Thursday, January 8 at 10:00 a.m. for a joint session with the BV Co. Jail Task Force.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BV CO. JAIL TASK FORCE &
BOARD OF SUPERVISORS
JOINT SESSION
JANUARY 8, 2004**

The meeting was called to order at 10:00 a.m. on Thursday, January 8, 2004, in the Public Meeting Room of the Courthouse by Chairman Bill Strawn with the following Task Force members present: Rolf Mosbo, Mark Prosser, Lorna Burnside, Bill Lanphere, Wayne Westergaard, Sheriff Chuck Eddy, and Supervisors Jim Gustafson and Dick Vail, plus Deputy Sheriff Don McClure, and representatives from the following media: Storm Lake Pilot-Tribune, The Times, KTIV. The minutes were recorded by Karen Strawn.

Motion by Burnside to approve the minutes of the last meeting, November 6, 2003, as printed. Ayes—all. Carried.

There was discussion of whether bid amounts would be known today. The RFP indicated that the Task Force would review the proposals and then recommend two to the Board of Supervisors, after which the proposed fees would be opened. Proposals from 7 firms have been received. Prosser proposed that since an adequate review of all can't be completed and a decision made today due to the number of proposals received, bids should be opened. Motion by Prosser to accept all 7 proposals for review and to open the quotes. Westergaard seconded the motion. Ayes--all. Carried.

Sheriff Eddy noted that today's jail population is 16 plus 3 females in the Cherokee County Jail and 1 male in Ida County. They are in the process of having the jail doors repaired at a cost of \$16-20,000.

The chairman opened the quotes. They were: CSG, Kansas City-\$18,209; Justice Concepts, St. Joseph, MO-\$14,330; Plepa & Associates, Des Moines-\$14,800; Durrant Group, Des Moines-\$25,872; PCS & Associates, Houghton, IA-\$8,500 plus expenses at 1.2 times the cost; DLR Group, Des Moines-\$10-25,000 with expenses included; and Shaughnessy, Fickel, & Scott, Kansas City, MO-\$17,500 plus expenses not to exceed \$1,000.

Mosbo asked the Sheriff if there are separate jail standards at the federal and state levels. The response is that the State of Iowa is adopting the federal standards.

The next meeting is scheduled for 3:00 p.m. on January 22. Task Force members were asked to rank the firms in the order of their preference and to bring that list to the meeting on the 22nd. The proposal tab sheet which has been provided may be used in whatever way the member chooses to use it. Members may call references in order to get the information they need to complete their ranking.

There being no further business, the meeting adjourned. 10:35 a.m.

**BOARD OF SUPERVISORS MEETING
THIRD MEETING, 2004 SESSION (3)
JANUARY 13, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 13, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting. Also attending the meeting were Buena Vista University Professor Jill Rhea and 19 students learning about civic engagement during their January interim studies.

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

EnvHealth/Zoning Director Kim Johnson discussed the process she is using to educate the members of the public who frequently have need to understand and use the recodified zoning and subdivision ordinances. There are several procedural changes. Motion by Lanphere to approve and to authorize the Chairman to sign Resolution 2004-01-13A to waive the Board's right to review line adjustment plats. Carried.

RESOLUTION 2004-01-13-A

WHEREAS, Buena Vista County Board of Supervisors has adopted a subdivision ordinance to provide minimum standards for the design, development, and improvement of all new divisions and subdivisions of land.

WHEREAS, provided within the ordinance are standards for a line adjustment plat.

WHEREAS, the line adjustment plat will be reviewed by the Zoning Administrator to meet subdivision requirements.

WHEREAS, the line adjustment plat will be reviewed by the Zoning Administrator to meet zoning regulations.

WHEREAS, the line adjustment plat will be reviewed by the County Engineer to meet the plat of survey standards of the State.

WHEREAS, if the Zoning Administrator and the County Engineer both find the line adjustment plat substantially conform to the ordinances and standards of the County, it shall be stamped for approval by the Zoning Administrator.

NOW THEREFORE, BE IT RESOLVED by the Buena Vista County, Iowa Board of Supervisors that: the Buena Vista County, Iowa Board of Supervisors waives the right to review any line adjustment plat that has been stamped by the Zoning Administrator.

PASSED, APPROVED AND ADOPTED this 13th day of January, 2004.

/s/ Herb Crampton, Chair, Board of Supervisors /s/ Karen M. Strawn, Auditor

Johnson explained the requirement for the Board of Supervisors to renew the master matrix resolution annually in order to exercise their right to review construction applications for animal feeding operations. Gustafson discussed the purpose and content of the master matrix process. Motion by Vail to approve and to authorize the Chairman to sign Resolution 2004-01-13-B renewing the Board's desire and right to utilize the construction evaluation matrix. Carried.

**RESOLUTION #2004-01-13B
CONSTRUCTION EVALUATION RESOLUTION**

WHEREAS, Iowa Code section 459.304(3) (2003), sets out the procedure if a Board of Supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

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

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

WHEREAS, by adopting a construction evaluation resolution the Board of Supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2004 and January 31, 2005 and submit an adopted recommendation regarding that application to the DNR; and

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

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

PASSED, APPROVED AND ADOPTED this 13th day of January, 2004.

/s/ Herb Crampton, Chair, Board of Supervisors

/s/ Karen M. Strawn, Auditor

Johnson discussed the grant application she is preparing for Iowa Innovation Funds to be used in a joint project to update the county's and the cities' **Comprehensive Plans**. The county plan has not been updated since 1993. The application is for \$80,000. Grant awards may be in the form of grants, loans, or a combination, not exceeding \$100,000.

The Board acknowledged receipt of the "Determination of No Hazard to Air Navigation" notices from the Federal Aviation Authority for 16 windtower sites. Johnson updated the Board on the zoning permits that have been issued but will need to be re-issued due to different placement of the towers on the property. The 4 towers initially located closest to the airport have been eliminated from the plan due to being too close to the flight zone.

Motion by Burnside to approve the **minutes** of the 1/6 meeting as printed, and the following **reports**: FY'03 profit & loss statement for Rowley Recycle Center, Dec Clerk's fees. Carried.

For the benefit of the students present, Boardmembers briefly reviewed some of the boards and commissions they serve on and the areas and issues they deal with.

Engineer Jon Ites presented bridge construction plans for approval. Motion by Vail to approve and to authorize boardmembers to sign construction plans for **project #L-B-515—73-11** for a bridge on the north side of Section 15, Maple Valley Township, to be let on February 24. Carried.

Ites reported on his meeting with Storm Lake city officials (John Call, Jim Winterton and Pat Kelly) to discuss **joint projects**: C-49 improvements (between Lake Ave and Hwy 71) and 90th Ave north of

Hwy 110. These joint projects will require 28E agreements. Terms, costs and who pays them, who will be in charge of the project, and how and when costs are paid were considered. Also discussed were Expansion Blvd., Radio Road and C-65. The city would like a bike path on C-65 between Hwy 110 and either Bel Air Road or the Lakeside blacktop. Enhancement funds could be applied for on this project.

Motion by Lanphere to approve and to authorize the Chairman to sign contracts with L. A. Carlson Contracting, and performance bonds and certificates of insurance for **project #L-C-505—73-11** in the amount of \$62,645.00 for a box culvert in Section 10 Brooke Twp. Carried.

Ites reported on informal negotiations with Canadian National Railroad regarding 2 **railroad crossing upgrades**: on Radio Road and on M-50 north of Hwy 7. The railroad will install the new crossings if the county purchases the materials (ties and concrete). The cost of materials is estimated at \$6-8,000. Motion by Burnside to approve and to authorize the engineer to sign an agreement with the Canadian National Railroad for the grade crossing upgrade at M-50. Carried. Ites is also negotiating with an independent contractor on the upgrade to the railroad crossing on C-29 in Albert City.

Ites provided a copy of the letter sent to the Highway Research Board to request that they reconsider accepting the project to re-hab **Radio Road** making it eligible for research funding. The road was constructed without dowel bars which has caused deterioration and a 'bad ride'. Road life should be 40-45 years, but due to the deterioration it will not last more than 15 years. The re-hab may get it back to the 40-45 year life. The project is being planned with some donated services and materials. The project had been rejected for the reason that the county did not have enough risk to make it a 'research' project. Plans would include using fiberglass dowels instead of steel, elliptical in shape-not round, and would use a different placement design.

Road report – due to less than average snowfall so far, the snow budget is in good shape. The bridge construction project located one mile north of Hwy 3 on M-50 is underway. Gravel hauling from Sac City to the Newell stockpile is in progress by the road crew.

At the July 8, 2003, meeting Linn Grove Mayor Dennis Graesing had requested that the final two payments be forgiven in the reimbursement agreement for work done on the city's farm-to-market extension. With the transfer of jurisdiction of the road, and therefore the loss of road use tax, the city will not have a source of funding for the remaining two payments. Motion by Gustafson to void **Linn Grove's** final two reimbursement payments for the work done on the farm-to-market road extension, and to enter into an agreement to do so. Carried.

Motion by Vail to appoint Rolf Mosbo to the **Eminent Domain Compensation Commission** replacing Elmer Lubinus (¼ farmers) who no longer lives in Buena Vista County. Carried.

Motion by Vail to appoint Phil Driver as the county's at-large representative to the **Iowa Lakes RC&D**. Carried.

Gustafson reported that he had attended the January **Safety Committee** meeting. He suggested that the committee consider meeting quarterly to save members coming together for only a very few minutes. Lanphere suggested that the **S.H.I.E.L.D.** Board might also want to consider quarterly meetings for the same reason. Gustafson discussed apportioning the expense for the SHIELD program between the General, Rural and Secondary Road funds in proportion to the benefits received by the employees paid by from those funds. The Chair commented that other counties apportion the expenses to two or more funds.

In anticipation of an election to renew the **Local Option Sales Tax**, the Board discussed how they might propose to change the current formula which is 30% for property tax relief in the Rural Fund, and 70% for capital expenditures in the Secondary Road Fund. In the first full year of collections, the county received \$518,268 compared to \$583,019 in FY'03. FY'03 was up \$49,000 over the year prior, and about the same over the estimate. The additional dollars that went into the Road fund made it

possible to pay for ½ of the cost of replacing the bridge in Maple Valley Township that washed away in the heavy rain this passed summer.

Gustafson stated that the General fund has a problem, and that he is considering 60% to the Secondary Road Fund for projects and 40% to the Rural Fund for property tax relief. He would also propose funding two of the patrol deputies and their vehicles from the rural fund to relieve the General Fund. The current landfill payment plus two deputies would be about \$250,000, or roughly 40% of the local option receipts. Gustafson is concerned about increasing pressure on the General Fund with the growing cost of youth services. Also, ag valuations are expected to drop again in 2005, causing pressure again on the General Fund. He suggested getting the Sheriff and Engineer together to go over the numbers.

Lanphere agreed that they should look at the numbers but he would like to see some of the local option taxes put in a discretionary fund to provide flexibility. The jail issue is coming up. Gustafson responded that local option dollars needs to be put into the rural fund, and the jail is not a rural fund project. Vail said he would agree with funding the jail with local option dollars only if the cities would put a portion of their local option tax dollars in too. Lanphere stated again that under the current formula the Board doesn't have flexibility. The Chairman asked if there had been any information from the towns regarding local option tax. (There has been none).

Lanphere mentioned that the Board would also need to decide whether the local option question will have a sunset again. He believes the public accepts the sales tax. Vail commented that it is a fair tax. Lanphere suggested that the Board set a date for an extended discussion at a future meeting where specific figures can be considered. The date set for the discussion is January 27 at 1:00 p.m.

SLADC CEO Gary Lalone was present to ask if a board member could attend a January 19th meeting in his office with Lrv Jensen from **MIEDC** (Mid Iowa Economic Development Corporation) at which time they will be doing an audit of Buena Vista County (size of available workforce, and other demographic information). He will also ask a board member to attend a February 9 meeting at 3:00 p.m. in Fort Dodge at which time the county will be asked to make a commitment to belong to the organization. The Chairman will attend the Jan 19 meeting. Lalone believes that MIEDC appears to be a good organization to belong to, so we should investigate it further. Lalone also gave a brief update on the maintenance being done on the cutterhead and engine on the dredge. He will contact the Board about a date when the Lake Improvement Commission plans to lobby in Des Moines for funding again this year.

By consensus, the Board agreed to establish an employee committee on health insurance. Committee members will be invited to attend the January 20th meeting with Wellmark Representative Ali Child. Department Heads will be invited to appoint an employee from their department to serve on the committee. Lanphere reported that the response from department heads to the idea of delaying the start date for county paid family health insurance coverage was negative. They believe that it would be detrimental to hiring quality employees. After brief discussion, the Chairman stated that the Board's subcommittee will meet informally with the Secondary Road Employee Committee about wages/benefits after the Compensation Board meets and after the Board's meeting with the Wellmark representative, perhaps during the last week of January.

Lanphere reported that he had completed preparation of the **FY'05 budget** for the supervisors and the care facility property. In order to meet the 95% appropriation limit for the supervisors budget he had considered several possibilities including furloughing each board member for 1 month, reducing the supervisors pay, or reducing the supervisors' mileage and subsistence. The furlough would not be fair to residents of the supervisor districts and it may not be possible to reduce the pay, so he is left with reducing the mileage and subsistence from \$1500 to \$510. Motion by Lanphere to reduce each supervisor's mileage and subsistence from \$1500 to 510. Gustafson would rather reduce the mileage rate for supervisors since some have a lot more travel than others. Vail commented that his was cut already by having the mileage to regular meetings cut. The vote on the motion was Aye-Lanphere, Nays-Burnside, Gustafson, Vail, Crampton. The motion failed. The Board discussed cutting their salaries instead of expenses. In at least two other counties, cutting the salaries has been considered, but the idea

abandoned when it was found not to be 'legal'. Vail noted that there is very little in the Board's budget to cut but salaries. Gustafson stated that he appreciated the ideas, and feels the chairman's extra \$500 should go. The mileage rate can be reduced. Motion by Lanphere to rescind his motion of 10/14/03 to disallow the supervisors' meeting expenses to and from board meetings. Carried.

The auditor reported on her research regarding precinct changes. Precinct boundaries may be changed once before the 2010 census if the election commissioner recommends and the board of supervisors finds that the change will effect a substantial savings in election costs. These changes shall be made by ordinance not later than March 1, 2004 unless the changes will not take effect until January 1, 2006. Her conclusion was that there would be time to complete such changes if the board decides to proceed. She recommended conducting a study through a task force so that the public would have an opportunity to provide input into the Board's decision. Additional information will be assembled for the Board to discuss next week.

Lanphere left the meeting.

On the subject of shelter care costs, Gustafson will ask the administrator of the Boys and Girls Home, Cherokee, to meet with the Board to discuss the services they provide.

There being no further business, motion by Vail to adjourn at 11:55 a.m. until Monday, January 19 at 8:30 a.m. to begin FY'05 departmental budget reviews.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

Buena Vista County Wages 2003: Havens, Philip 45869.21; Kimble, Rick 43213.44; Fassler, Jo Lee 13302.8; Patton, David 39860.32; Speers, Timothy 4047.23; Christensen, Robert 2625; Ebersole, Greg 1191.98; Mc Clure, Kenneth 437.5; Strawn, Karen 39276.61; Kennedy, Susan 31432.21; Madsen, Leigh 29476.37; Maymon, Patti 20563.47; Crampton, Herbert 21243.12; Bruns, Douglas 795.3; Gustafson, Jim 20733.84; Vail, Richard 20733.85; Burnside, Lorna 20733.84; Lanphere, William 20766.96; Stucynski, Dewyne 33760.61; Mc Shane, Jerry 27980.41; O'bannon, Shari 39261.25; Weiland, Mary 31404.92; Stern, Bernice 16630.4; Elston, Kory 43978.99; Konradi, Thomas 23435.86; Mack, Scott 34540.04; Sanden, Summer 18608.83; Devine, Tollie 10954.13; Boetel, Leslie 1005.31; McClure, Janet 224.2; Larsen, Kristine 31761.07; Bolte, Mary 34381.41; Kacmarynski, Leann 460.51; Anderson, Amanda 1172.17; Anderson, Travis 3464.6; Speers, Dawn 250.44; Fales, Stephanie 274.73; Brown, Tracy 30205.5; Huegerich, Lori 10989.12; Otto, Garland 36332.61; Heinsohn Hinnens, Sharon 3799.54; Peters, Marilyn 32293.12; Mc Clure, Valerie 50; Mechura, Cindy 3645.29; Eddy, Charles 52174.06; Snyder, Kelly 47975.02; Danielson, Robert 49089.28; McClure, Donald 48145.06; Small, Larry 48013.6; Demuth, Marty 45331.81; Launderville, Gary 48803.51; Simons, Douglas 51138.01; Ortiz, Julian 586.28; Mc Kinney, Kevin 102.75; Erb, William 17883.63; Hammen, Susan 26585.28; Zabloudil, Linda 26585.28; Bach, Kathleen 39252.05; Koeppe, Brenda 30226.84; Martin, Joan 31404.92; Briley, Kimberly 29434.98; Bartley, Josefina 18436.6; Brock, Sandra 25497.9; Atkinson, John 1; Christiansen, Michael 137.35; Cross, Pat 1; Eldred, Christian 1; Engel, Marvin 1; Imming, Matthew 1; Lorenzen, Roger 548.5; Speers, Ronald 1; Weiland, Jason 1; White, Michael 1; Hoferman, Clinton 9157.59; Guerra, Paula 23317.18; Fibelstad, E. 5936.48; Stuckenschneider, Jodi 15281.04; Binder, Charlotte 210.18; Struve, Thomas 22.5; Mortensen, Dave 33.75; Mortensen, Ray 22.5; Bellows, Carl 120; Olney, Norris 60; Wesselink, David 37.5; Small, Wencil 33.75; Noll, Richard 15; Nelson, Bernard 86.25; Anderson, Ardyce 45; Rehnstrom, Craig 45; Cameron, Thomas 45; Stille, H 15; Stull, Terry 60; Watts, James 52.5; Glienke, Martin 75; Roberts, James 232.5; Danielson, Lloyd 30; Holmes, Robert 7.5; Andersen, Gordon 116.25; Hornor, Duane 60; Merten, David 15; Peterson, James 30; Ehlers, Kevin 15; Gutz, Dennis 60; Jorgensen, Arden 60; Taber, Max 52.5; Kracht, Douglas 60; Anderson, Bob 37.5; Patterson, Kent 15; Nothwehr, Wendell

15; Rice, Richard 105; Massop, John 15; Jackson, Donald 15; Reese, Darwin 27450.09; Meusburger, Lisa 21657.56; Christiansen, Gary 37532.58; Christiansen, Diane 14299.37; Brown, Jason 1629.25; Johnson, Kimberly 31803.88; De Lance, Heather 8946.8; Lundberg, Arlin 2796.74; Meyer, Rebecca 21669.99; Armstrong, Carolyn 24647.98; Mason, Mona 23144.53; Lyon, Cheryl 2280; Anderson, Diane 56336.56; Mc Donald, Carol 28526.61; Saathoff, Charissa 20008.3; Gouldin, Cheryl 35142.51; Seagren, Renea 23304.78; Smith, Julie 32505.9; Ohrtman, Mary 33691.34; Updyke, Hope 10524.3; Mason, Ashley 1334.07; Hawkins, Cecelia 3405.42; Venegas, Ericka 1583.13; Conley, Bonnie 30770.18; Haberman, Judy 29991.71; Wogahn, Ruth 13364.76; Bailey, Taesa 7210.47; Chindlund, Ann 13790.9; Bogue, Pamela 38766.8; Brady, Sherry 10127.6; Day, Christine 32026.95; Wise, Amy 28864.04; Van Hooser, Mark 38072.88; Seward, Cynthia 27891.27; Nicolaisen, Sandra 30999.13; Mc Clure, Sarah 30969.5; Cougill, Sheila 28818.24; Henrich, Barbara 25200.1; Mentzer, Dawn 36608.66; Napierala, Kara 2153.61; Mills-Thomas, Tami 27273.53; Woltman, Wanda 24112.63; Anderson, Charleen 5833.92; White, Linda 19105.28; Lund, Norman 7411.58; Wiley, David 8046.1; Haahr, Leon 1317.47; Laursen, Chris 455.24; Mead, Richard 14547.4; Mead, James 8951.26; Jacobs, Preston 41904.88; Ites, Jon 74660.18; Cavanaugh, Timothy 41510.9; Wolf, Steven 51903.74; Johnson, Shirley 34023.01; Noll, Richard 37549.7; Graesing, Dennis 37559.44; Fassler, David 36974.26; Buske, Ronald 38035.98; Hotovec, Richard 39940.61; Johnson, Steven 24582.92; Raveling, Bradford 3944.75; Weber, Anthony 35845.91; Lullmann, Kevin 35933.54; Curry, James 38108.04; Galvin, Terrill 37360.4; Flanigan, Thomas 37646.32; Warkentin, Luke 36049.69; Bailey, Daniel 36317.84; Holliday, Dennis 37846.16; Reckamp, Ronald 39217.08; McGowan, Bruce 38092.95; Dowdy, Edward 35516.35; Hoffard, Mark 36399.07; Mandernach, Eugene 38791.01; Ploeger, David 37132.78; Temple, James 35701.61; White, Ronald 37481.53; Sexton, Michael 39495.01; Halverson, Wayne 38503.87; Overmohle, Michael 40583.96; French, Thomas 45642.71; Johnson, Curtis 35699.14; Christensen, Robert 39021.46; Van Hooser, Mark 8603.23; Briest, Diane 44652.45

BOARD OF SUPERVISORS MEETING FOURTH MEETING, 2004 SESSION (4) JANUARY 19, 2004

The Buena Vista County Board of Supervisors met in special session on Monday, January 19, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

Gary and Diane Christiansen, Roger Meyer, Tony Bodholdt, and Mark Kirkholm were all present for the Board's review of the Conservation Board and Weed Department **FY'05 budgets**. The Conservation Board has requested that the Supervisors consider transferring 100% of the cash rent received by the Conservation Board to the Conservation Land Acquisition Trust Fund. Currently, one half of the rent is transferred. The Conservation Board does not anticipate trying to purchase any timber ground at this time due to the current market price of approximately \$2,500/acre.

The Chairman left the meeting, and Lanphere conducted the remainder of the meeting. The Board reviewed the following budgets: Auditor, Insurance and Non-departmental (Karen Strawn), Environmental Health/Zoning (Kim Johnson), and County Attorney (Phil Havens).

Havens and Sheriff Eddy were present to discuss the possible implementation of a **delinquent fine collection** project. After fines become delinquent, the County Attorney can take action to collect the fines, with 35% of anything collected being paid to the county. More research is needed. The Board would like to see this program implemented without the addition of any new staff.

Motion by Burnside to approve the **minutes** of the 1/13 meeting as printed. Ayes—Burnside, Gustafson, Vail, Lanphere. Nays—none. Carried.

The meeting was recessed until 8:30 a.m., January 20.

January 20, 2004, 8:30 a.m.

Present were Chairman Crampton, and Supervisors Burnside, Gustafson, Lanphere and Vail, and, Auditor Strawn.

The Board reviewed the following **FY'05 budgets**: Medical Examiner (Tim Speers) and DHS (Mary Ellen Hatch and Charlene Lickiss). Crampton left the meeting, and the Vice Chair conducted the remainder of the meeting.

Treasurer Kathy Bach reviewed her budget and noted that she had two **tax suspension** requests for the Board to consider. Motion by Vail to amend the agenda adding tax suspensions. Ayes—Burnside, Gustafson, Vail, and Lanphere. Nays—none. Carried. Motion by Gustafson to suspend for 18 months, the taxes on parcel #0904300008, the first half having been paid. Ayes—Burnside, Gustafson, Vail, Lanphere. Nays—none. Carried. Regarding the 2nd request, the Treasurer will request a financial statement from the property owner. Bach noted that when the state cut the elderly property tax credit for the current year to 40%, the resulting impact has been severe on the taxpayer.

Public Health Nurse Diane Anderson reviewed her budget and explained that her revenues are down since the fee for service they charge is lower due to the consolidation of the Homecare and Public Health agencies. Also, a refund is due to Medicare because of the decrease in their fees. She noted the need for more hours for the interpreter. Anderson has received a resignation from 1 fulltime nurse and discussed whether to hire a part or full time replacement. She will advertise a 32 hour/wk position.

The Board also reviewed the Sheriff and Jail (Chuck Eddy), and Veterans Services Officer (Clint Hoferman) budgets.

The Chairman returned to the meeting. Ali Child, Wellmark Representative was present to review the usage of the **employee health insurance** coverage, and to present some preliminary estimated premium rates for FY'05. A number of county employees, and also, representatives from the Recycle Center (Employee Health Insurance Committee), were also present. The Board requested proposals for several additional plans with different benefits.

The meeting was recessed until 8:30 a.m., January 21.

January 21, 2004, 8:30 a.m.

Present were Chairman Crampton, and Supervisors Burnside, Lanphere and Vail, and, Auditor Strawn. Absent: Gustafson.

Recorder Shari O'Bannon reviewed her budget and discussed several equipment items. The Board discussed the possibility of a **leasing program** for her equipment and equipment needed by two other departments. Also reviewed were budgets for the Custodian (Dewyne Stucynski), Clerk of Court (Donna McPherran), and the Care Facility buildings and lagoon.

The Chairman left the meeting, and Lanphere conducted the remainder of the meeting.

The Board reviewed a news release, letter of appointment, and a list of appointees for a Citizens' Committee to assist the Board in the possible reduction of the number of **precincts**. A meeting is scheduled for Feb 4, at 6:30 p.m. at the Truesdale Fire Station.

Engineer Jon Ites reviewed his revenue projections and his equipment and project lists for the **FY'05 budget**. Due to additional road use tax to be received, he has lowered the percentages of 'local effort' requests from the General and Rural Funds. He noted that funds are being reserved over a period of 4 years in anticipation of a large **gravel crushing project** in FY'2006. Due to the delay of another project, Ites requested approval to purchase a motorgrader. Motion by Burnside to authorize the

Engineer to negotiate a price for a motorgrader to be purchased out of the FY'04 budget. Ayes—Burnside, Lanphere, Vail, Crampton. Nays—none. Carried.

January 22, 2004, 8:30 a.m.

Present were Chairman Crampton, and Supervisors Burnside, Gustafson, Lanphere and Vail, and, Auditor Strawn.

Communications Center Supervisor Mark Van Hooser and Communications Commission Chairman Mark Prosser presented the FY'05 budget for the department. No capital projects are proposed for the budget year.

Community Services Director Dawn Mentzer discussed the increasing juvenile costs in the current year, and the mental health budget. The Board agreed to start with a 3% increase in the MH levy for FY'05. If large provider rates are approved, this increase may not be adequate. Lanphere assumed the duties of the Chairman as Crampton left. Vail also left the meeting.

The Board also reviewed the care facility, non-departmental, insurance and supervisors' budgets. Gustafson left the meeting, and Crampton returned.

Treasurer Kathy Bach reviewed revenues for the FY'05 budget. The Chairman returned for the remainder of the meeting.

There being no further business for the Board of Supervisors, the board meeting ended at 2:55 p.m, and members re-assembled in the public meeting room for a joint session with the Jail Task Force.

**JAIL TASK FORCE AND BOARD OF SUPERVISORS
JOINT SESSION
THURSDAY, JANUARY 22, 2004, 3:00 P.M.
COURTHOUSE PUBLIC MEETING ROOM**

Present -- Jail Task Force: Chairman Bill Strawn, Mark Prosser, Wayne Westergaard, Rolf Mosbo, John Call, Glen Huntington, and Deputy Don McClure for Sheriff Eddy; Board of Supervisors: Herb Crampton, Bill Lanphere, and Lorna Burnside; Auditor Karen Strawn-clerk for the meeting. Also present, Tina Donath-The Times, and Steve Hermann-Pilot/Tribune.

Chairman Strawn called the meeting to order at 3:00 p.m., and recorded the scored ratings of the seven jail planners on the blackboard, with a '1' indicating the top score, '7' indicating the bottom. Discussion was held on whether or not an engineer is needed (in the case of remodeling an existing structure) and interviewing two or more of the firms. There was general agreement to conduct 30 minute interviews and allowing an additional 30 minutes for questions.

Seven proposals were submitted by Plepla & Associates (24), CSG Consultants (33), and PCS Associates (40), DLR Group (51), Durrant Group (52), Shaughnessy Fickel and Scott (44), and Justice Concepts (41). Motion by Mark Prosser to interview the top three firms – Plepla, CSG, and PCS, seconded by Herb Crampton. All voted aye. The motion carried. The chairman will prepare letters to the top three firms setting appointment times on February 5th, at 9:00, 10:00 and 11:00 a.m., and will also send letters thanking the other firms for their submissions.

There being no further business, the meeting adjourned.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTH MEETING, 2004 SESSION (5)
JANUARY 27, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 27, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Lanphere, and with Deputy Auditor Sue Kennedy as clerk for the meeting. Absent: Vail, due to weather.

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

Motion by Burnside to approve and authorize the Chairman to sign the Grants to Counties Well Program Application for FY '05. Carried.

Kathy Bach presented the Treasurer's semi-annual report as of 12/31/03, reviewing particularly the six basic funds for the county's operation. Motion by Gustafson to accept the Treasurer's semi-annual report and to approve publication in the newspaper. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign 'Request #5 for CDBG funds' for the Clay Regional Water rural water project in the amount of \$7,660. Carried.

The 2003 OSHA Summary of Work-Related Illnesses and Injuries report has been completed by the Engineer's office manager and is ready for posting. Motion by Burnside to approve and to authorize all board members to sign a letter recognizing and thanking secondary road employees for observing safe work practices. Carried.

Motion by Lanphere to approve and authorize the placement of two "blind child" signs on White Cap Road. Carried.

Engineer Jon Ites reported that the Society of Land Surveyors of Iowa now has a membership fee that was formerly included in registration fees. The consensus of the Board was to pay the membership dues. He also reported on the Transfer of Jurisdiction funds.

The Chairman left the meeting, and Lanphere conducted the remainder of the morning session.

Vail arrived at the meeting.

Motion by Gustafson to approve the minutes of the 1/19-22 meetings as printed, and the following reports: Jan Board of Health minutes, and 4th quarter 2003 Farm to Market Report. Ayes—Burnside, Gustafson, Vail, Lanphere. Nays—none. Carried.

Motion by Burnside to approve and authorize the chairman to sign a claim for Jt. DD #105-64 payable to Buena Vista County Auditor for \$4.97 for 2003 assessment expenses. Carried.

Case Management Supervisor Dawn Mentzer, Juvenile Court Officer Robert Fritz, and Pat Penning were present for the discussion of Shelter Care services.

Engineer Ivan Droessler and Matt Voge, Kuehl & Payer Ltd. discussed the tree clearing and spraying that has been done in DD #34.

Executive Director John Torbert updated the Board on the Iowa Drainage District Association.

Crampton arrived to resume his duties as Chairperson for the remainder of the meeting.

Sheriff Eddy and Engineer Ites were present for the Boards discussion of the local option sales tax formula for a renewal election. A public meeting will be set up in the future for more discussion.

Motion by Gustafson to tentatively approve levies for Jt. DD #16-30-92 and Jt. DD #19-26, subject to Sac and Calhoun Counties' approval. Carried.

There being no further business, motion by Burnside to adjourn at 2:00 p.m. until Tuesday, February 3 at 8:30 a.m. for a special meeting.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
SIXTH MEETING, 2004 SESSION (6)
FEBRUARY 3, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 3, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Assessor Ted Van Grootheest requested that the Board reserve the dates of 2/17 and 3/9 at 2:00 p.m. for his budget meetings.

The Board discussed ideas for redrawing precinct lines. Under the new federal HAVA law, additional election equipment is required to be purchased – 1 handicapped accessible DRE unit per precinct. Merging precincts will reduce the number of machines to be purchased, and will also allow additional cost savings by reducing the number of precinct officials required to conduct the elections. Since the precincts are drawn by the City Council in any city larger than 3,500 population, none of the Storm Lake precincts will be effected by merger plans. To begin the public discussion, boardmembers proposed combining 14 precincts into 6 larger ones, labeled 1-6, as follows: 1 – City of Alta and Nokomis & Elk Townships, 2 – City of Truesdale and Washington & Scott Townships, 3 – City of Albert City and Lincoln & Fairfield Townships, 4 – City of Lakeside and Hayes & Maple Valley Townships, 5 – Cities of Linn Grove, Rembrandt, and Sioux Rapids, and Barnes & Lee Townships, 6 – City of Newell and Coon, Newell, Grant and Providence Townships. Neither Brooke nor Poland Township was assigned to a precinct, in order to allow residents of those townships to select from the 6 proposed. A public meeting with a Citizen's Committee will meet Wednesday, February 4 at 6:30 p.m. at the Truesdale Fire Station.

Engineer Jon Ites presented vehicle quotes. Quotes were received from 3 Storm Lake dealers - Fitzpatrick's, Rasmussen's and Schuelke's - for a ½ ton extended cab pickup. Motion by Gustafson to accept the low quote in the amount of \$20,700 from Fitzpatrick Auto, Storm Lake, for a Chevy 1500LS with trade-in. Carried. Quotes were received from Fitzpatrick's and Holcomb Trucking, Danbury, for a 33kvw single-axle truck chassis with a C7 Cat 6-speed engine. Motion by Vail to accept the low quote in the amount of \$35,401 from Fitzpatrick Auto, Storm Lake, for a Chevrolet Kodiak CC8500. Carried.

Ites informed the Board of a meeting to be held on March 3 at the community college in Cherokee for District 3 Supervisors and Engineer's to discuss RUT distribution.

The deadline for **STP funding** applications is February 15. The C-49 project for FY 2005 is a joint city-county project. Cost re-estimates indicate that Storm Lake needs to re-submit their application with an increase of approximately \$70,000. Since it is a joint project, the county must also sign the re-application. Motion by Burnside to support the amended application of the City of Storm Lake for STP funding for the C-49 project, and to authorize the Chairman to sign the project agreement. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign STP funding applications for FY2007 for **project # STP-S-CO11--(61)** to resurface M-43 from the Sac County line to C-65 in the amount of \$207,000 which is 60% of the \$345,000 total, and **project # STP-S-CO11--(62)** to rehab C-65 from Hwy 110 to Hwy 71 including right-of-way purchase, in the amount of \$528,000 which is 60% of the \$880,000. Carried.

For tonight's DD#1 public hearing tonight, Ites reviewed his re-estimates of the county's cost in the proposed project. The project engineer had included \$33,000 in his report. Ites estimates the actual cost to the county at \$105,650 plus engineering. In addition, he estimated a DD assessment of \$45,000.

By consensus the Board approved declaring a laptop computer (secondary road inventory) as **excess equipment**, and approving its donation to one of the fire departments.

Ites reported that there have been a large number of violations of **Ordinance 4.1** which prohibits depositing snow on the roadway, and piling snow in the ditch at heights greater than 2 feet above the level of the roadway. Propertyowners have been clearing sidewalks and driveways and depositing the snow in the roadway and/or in the ditches. This creates a hazard to the traveling public and to the operators who clear the roads. The ordinance provides for a civil penalty of up to \$500 for violation.

Community Services Director Dawn Mentzer reported that the county's cost on Medicaid is going up 3%, which will add approximately \$45,000 to the county's budget. New programming for several clients may add up to an additional \$36,000. The county has to comply with new provider rates agreed to by host county for those providers. This will result in an additional \$100,000 in costs not budgeted. The board approved adding these adjustments to the **FY'05 budget**, and agreed to a 10% increase in the mental health levy over the current year.

Mentzer reported that she had not received a response yet from ISAC Counsel to a proposed resolution regarding **shelter care**. The resolution would establish the county's desire to make a choice in provider in an effort to control costs.

Motion by Gustafson to approve the **minutes** of the 1/29-22 and 1/27 minutes as printed, and the following reports: Jan budget reports, and Oct-Nov Recorder's fees. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign Resolution 2004-02-03 designating a portion of the Secondary Road ending fund balance. Carried.

RESOLUTION 2004-02-03

Whereas; Buena Vista County Secondary Roads has the need in FY'06 to crush a sizeable amount of gravel; and,

Whereas; there is a need to accumulate the funds necessary for said gravel crushing project;

Now Therefore Be It Resolved by the Buena Vista County Board of Supervisors, that \$450,000 in the FY'04 Secondary Road Fund ending balance, and, \$600,000 in the FY'05 Secondary Road Fund ending balance, be considered unreserved/designated for a gravel crushing project in FY'06.

Passed and Approved this 3rd day of February, 2004.

/s/ Herb Crampton, Chairman, Board of Supervisors ATTEST: Karen M. Strawn, County Auditor

There being no further business, motion by Burnside to adjourn until Tuesday, February 10 at 8:30 a.m. for a regular meeting.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
SEVENTH MEETING, 2004 SESSION (7)
FEBRUARY 10, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 10, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

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

Community Services Director Dawn Mentzer discussed the use of **Buckingham Estate funds**. The consensus of the Board was to approve requests on a case by case basis. Mentzer is expecting cost reports from Spectra so that the county can set the rates for FY'05.

Assistant County Attorney Rick Kimble, and Tammy Ruggles and Sherry McGill from the Boys and Girls Home, Cherokee, were present for a discussion of **shelter care**. It appears that in the state's effort to reduce their budget by reducing costs for residential care, the need to find placement for children has caused placements to be made in shelter care. The state's share of the cost for residential care is higher than it's share for shelter care. The reverse is true for the county's costs. The result is a tremendous cost shift from state to county at a time when the county is not in any better situation to absorb the additional expense.

Regarding the 2005 project to grade and pave **90th Ave.**, Engineer Jon Ites presented a proposal from Kuehl & Payer for survey and design services, and an estimate for providing right-of-way plats. Survey and design will be completed mid-summer 2004, with the right-of-way work to be done in the fall. Motion by Gustafson to accept, and to authorize the engineer to sign, the proposal of Kuehl & Payer for survey and design work for 90th Ave. in the amount of \$26,075, plus an additional estimated \$3,500 to provide plats. Carried. Ites will submit the proposal to DOT for their concurrence, as payment will be from farm-to-market funds. Grading and paving for the project was estimated by Kuehl & Payer at \$550,000-\$600,000.

The Chairman asked for a report on Ites' investigation of the need for signage on M-27 south of the **Midwest Christian Children's Home**. He responded that the accident history for the area (accidents not involving animals) does not indicate the need, but the frequency of near misses, indicate otherwise. A hidden driveway sign will be installed.

Regarding a November, 2003, motion to not approve **shelter care** bills from the Boys and Girls Home, Cherokee, motion by Gustafson to approve payment of all prior bills in the amount of \$4,802.60, but not including the charges for a female with legal settlement in California. Carried.

EnvHealth/Zoning Director Kim Johnson reviewed an animal feeding operation construction application submitted by Rick Sievers on February 6, 2004. The application appears to meet the required number of points on the master matrix. Johnson has e-mailed DNR for their start date for 30 day comment period. Motion by Gustafson to set a public hearing date of March 2, 2004 at 10:30 a.m. in the public meeting room of the courthouse, for the animal feeding operation construction application submitted 2/6/04 by Rick Sievers, for two 2,400 head finishing units to be constructed in Section 2, Newell Township. Carried. Johnson will publish the notice in the Storm Lake Pilot-Tribune.

Motion by Burnside to set the time and date for a public hearing on the minor subdivision request of Don Anspach for a location in Section 24, Hayes Township as February 24, 2004, at 8:30 a.m. in the Boardroom of the courthouse. Carried.

Johnson informed that Board that there is now funding available, at 1% interest for 20 years, to low income rural households to dig new water wells.

The Board left the boardroom and reconvened in the public meeting room for the 11:00 a.m. continuation of the Feb 3, 2004, DD #1 public hearing, then returned to the boardroom for the remainder of the meeting.

Engineer Jon Ites informed the Board of the departure of one mechanic. The consensus of the Board was to authorize Ites to advertise the position opening. Gustafson suggested waiting to see what the overall budget looks like, however he agreed Ites should go ahead – it will be at least a 45 day process to advertise, interview and employ a replacement.

Motion by Gustafson to approve the minutes of the 2/3 meeting as printed, and the following reports: Jan Conservation Board minutes, Jan Clerk's fees; also reviewed were Jan 14 NW Aging Board minutes, Jan 8 NWIPDC Policy Council minutes, FAA "Determination of No Hazard to Air Navigation" notices on 3 proposed wind turbines. Carried.

Motion by Burnside to approve and to authorize a claim for a sales tax refund in the amount of \$211.57 on the Jt. DD 274 project to make repairs to the Main Open Ditch, completed by L. A. Carlson. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign sever's letters: to William Ranniger, attorney for John Drilling, restating the Board's decision to not sell a parcel of property owned by the county, a letter of support for Public Health's grant application for \$45,000/yr. for 4 years, to work with 6th through 12th graders on becoming and remaining drug free, and, to Spectra Health Care regarding the billing status for 1 person. Carried.

Motion by Gustafson to appoint Charlene Anderson as the Citizen's representative to the Cherokee MHI Advisory Council. Carried.

Motion by Lanphere to approve an increase in the Ass't Medical Examiner administrative fee for Tim Speers to \$150/month, effective February 1, 2004, the additional \$50 being for M.E. use of his cellular phone. Carried.

Due to bad weather, the meeting of the Citizen's Committee on Merging Precincts which had been scheduled for February 4 was postponed. The Board set March 15, 2004, at 6:30 p.m. at the Truesdale Fire Station as the new date for the meeting.

The Board spent the remainder in a work session on the FY'05 budget.

There being no further business, the meeting adjourned until Friday, February 13 at 12:30 p.m. for a special session.

Friday, February 13, 2004

Present were Chairman Crampton, Gustafson, and Lanphere, and Auditor Strawn as clerk for the meeting.

The Board reviewed options for funding sources for a number of items proposed in the **FY'05 budget**. No official action was taken.

There being no further business, the meeting adjourned at 4:00 p.m. to Tuesday, February 17, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
EIGHTH MEETING, 2004 SESSION (8)
FEBRUARY 17, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 17, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Motion by Burnside to approve the **minutes** of the 2/10 & 13 meetings as printed. Carried.

CPC Dawn Mentzer and **Spectra** Health Care Administrator Sue Morrow were present for a discussion of Morrow's request for an increase in her provider rate from \$23.93 to \$33.70 per day for FY'05. Mentzer has recommended that the Board approve an across the board increase to all providers, not singling out Spectra for a different increase. Morrow responded that Spectra can't operate at the lower rate, but with the county having only 3 clients there, it will cost Buena Vista County only \$9,000 more per year. Their costs have increased in many areas including a \$41,000 increase in liability insurance. Health insurance has been eliminated for the 18 full time employees. Percentage wise, this is a huge increase, but there is substantiation of the need for the request. They are at 82% capacity (41 clients) and the increase is based on 82%. Morrow stated that if the host county does not approve the requested increase, she will have no basis in her negotiations with the other counties. Mentzer anticipates that if the requested increase is approved at least one other provider would request an increase greater than 2-4%. Motion by Gustafson to increase the rate for Spectra effective 7/1/04 by \$9.77 to \$33.70 due to: 1) the rates have been low, 2) the county receives \$36,000/yr in rent on the buildings, 3) 32 persons are employed at the facility, 4) Buena Vista County has just 3 residents at the facility. Discussion-Lanphere asked how they would handle requests for additional increases from other providers, or any other effects caused by this action. It was noted that until the motion passes, this isn't an issue. Ayes—Gustafson, Lanphere, Crampton. Nays-Burnside, Vail. Carried. Mentzer suggested that next year the county may want to consider joining the Northwest Iowa Consortium for rate setting.

Mentzer discussed a request for **Buckingham Estate funds** in the amount of \$6,550 for one child (illegal alien) for orthotic evaluation, leg braces and a brain injury evaluation. The Board suggested that she investigate whether the child would be eligible for University of Iowa Hospital services through "university papers", or at the Community Health Center in Sioux City. The child is not eligible for the Hawk-I insurance program through DHS since it only provides for emergency services.

Motion by Lanphere to continue transferring one-half of the cash rent from the Conservation farm to the **Conservation Land Acquisition Trust Fund**, due to the condition of the General Basic Fund. Carried.

The Board reviewed the results of a number of changes to the **FY'05 budget**.

There being no further business, motion by Burnside to adjourn the meeting at 2:00 p.m. to Friday, February 20, 2004 at 1:00 p.m. for a special budget work session.

Friday, February 20, 2004

Chairman Crampton and Board members Burnside, Gustafson, Lanphere and Vail, with Auditor Strawn as clerk, were present for a FY'05 budget work session. There were no motions made nor actions taken.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

BOARD OF SUPERVISORS MEETING NINTH MEETING, 2004 SESSION (9) FEBRUARY 24, 2004

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 24, 2004 at 8:30 A.M. in the Public Meeting Room with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Zoning Director Kim Johnson reviewed the **subdivision request** of Don P. Anspach. The Zoning Commission has recommended approval on this minor subdivision with no stipulations. Motion by Lanphere to approve and to authorize the Chairman to sign Resolution 2004-02-24A approving the minor subdivision request of Don P. Anspach for a location in Section 24, Hayes Township. Carried.

RESOLUTION 2004-02-24-A

WHEREAS, Donald Anspach has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 24; Thence on a previously recorded bearing of South 00°39'38" East, along the East line of said Southeast Quarter (SE¼) 2633.59 feet to the Southeast (SE) corner of said Section 24; Thence North 89°49'12" West, along the South line of said Section 24, 990.24 feet; Thence North 00° 51' 04" West, 3248.37 feet; Thence North 89°28'09" East, 94.57 feet; Thence South 00°47'28" East, 411.40 feet; Thence North

89°54'12" East, 905.54 feet to the East line of the Northeast Quarter (NE¼) of said Section 24; Thence South 00°38'32" East along said East line, 208.75 feet to the Point of Beginning.

Hereafter known as Lot C of Section 24, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 65.75 Acres and is subject to all easements of record.

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

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

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

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 24; Thence on a previously recorded bearing of South 00°39'38" East, along the East line of said Southeast Quarter (SE¼) 2633.59 feet to the Southeast (SE) corner of said Section 24; Thence North 89°49'12" West, along the South line of said Section 24, 990.24 feet; Thence North 00°51'04" West, 3248.37 feet; Thence North 89°28'09" East, 94.57 feet; Thence South 00°47'28" East, 411.40 feet; Thence North 89°54'12" East, 905.54 feet to the East line of the Northeast Quarter (NE¼) of said Section 24; Thence South 00°38'32" East along said East line, 208.75 feet to the Point of Beginning.

Hereafter known as Lot C of Section 24, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

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

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF SECTION 24, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Southeast Quarter (SE ¼) of said Section 24; Thence on a previously recorded bearing of South 00°39'38" East, along the East line of said Southeast Quarter (SE¼) 2633.59 feet to the Southeast (SE) corner of said Section 24; Thence North 89°49'12" West, along the South line of said Section 24, 990.24 feet; Thence North 00°51'04" West, 3248.37 feet; Thence North 89°28'09" East, 94.57 feet; Thence South 00°47'28" East, 411.40 feet; Thence North 89°54'12" East, 905.54 feet to the East line of the Northeast Quarter (NE¼) of said Section 24; Thence South 00°38'32" East along said East line, 208.75 feet to the Point of Beginning.

Hereafter known as Lot C of Section 24, Township 90 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 24th day of February, 2004.

/s/ Herb Crampton, Chair, Board of Supervisors

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

The **Secondary Road Wage Committee** (Graesing, Bailey, Holliday, and Flanigan) was present to discuss its wage and benefit requests for FY'05. Their initial request was for a 3% wage increase, the same as recommended by the Compensation Board for elected officials, with no change in the number of work hours. Gustafson commented that although it has been discussed, there has been no proposal to reduce the hours. Being aware of the budget, the S.R. employees would now like to request a 2.4% wage increase - the cost of living. They request no change in health insurance, but would like to propose a change to the vacation and sick leave policies: after completion of the 3rd year of employment they request an additional vacation day per year until the 7th year when the employee reaches a full 3 weeks/year. Also, regarding the use of sick leave for ill family members, they would like to increase the number of days per year from 3 to 5 and to expand the definition of family members to include all those covered for bereavement leave including mother, father, spouse, child, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, stepmother, stepfather, stepbrother, stepsister, grandparent, grandchild, son-in-law, daughter-in-law, foster child or foster parent if the foster child is presently residing, or has resided, with the parent for more than one (1) year). Currently the employee could take additional paid days from available vacation or comp time, or the department head may grant additional unpaid days. This request is made because we don't have a payout at retirement for unused sick leave. Burnside suggested that the non-pay issues could be addressed by a personnel policy committee – there is none currently active. The Chairman indicated that a committee would be formed with a member from the secondary road department.

Gustafson addressed the issue of filling the **mechanic vacancy** - he questioned whether the county could afford to replace this employee. Ites responded that he hasn't done any advertising yet – he is evaluating how a reduction from 3 mechanics to 2 would affect the operation of his department during peak equipment usage time. Ites also noted that he has reduced his rural basic tax asking, and that the secondary road fund stands alone, not affecting the general basic fund after the transfer is made.

The following were present for the Board's discussion of wage increases: Communications Center Supervisor Mark Van Hooser, Recorder Shari O'Bannon, Env Health/Zoning Director Kim Johnson, Treasurer Kathy Bach, and Deputy Sheriff Doug Simons. In January, the Compensation Board had recommended a 3% increase for elected officials. Motion by Burnside to approve a 1% **wage increase** for county employees, effective 7/1/04. Lanphere asked if the Board was ready to sit down and reduce the number of employees – he believes there isn't much choice with the 4.5% increase in the form of increased health insurance premium alone. To make the numbers work, he believes there isn't much other choice. The Chairman stated that he supports the 1% increase, as he did not favor a "\$0" increase. Some counties are not giving any raises. Vail noted that without picking on the schools, teachers get raises, but there are no public objections to them. Burnside acknowledged that none of the workloads are getting any smaller – and a 1% increase is not a lot. The Chairman stated that increases in succeeding years would be harder. Lanphere stated that in the private sector, there have been many 'no' or low increases. The board has touched on the discussion of capping the county contribution towards health Insurance and requiring some employee participation. There have been comments in the public that the increases in health insurance premiums are due to the companies losing money in the stock market. Vail commented that in our case, our increases are due to usage. Graesing suggested that the policy could be changed so that new employees would not start insurance until later and would be entitled to a lower dollar amount of county-paid premium. O'Bannon noted that change would make it harder to hire new employees. Gustafson stated that the county is getting bled dry by other costs-juveniles, prisoners, etc. The state has shoved a lot of cost on counties. The motion was called with the following results: Ayes— Burnside, Vail, Crampton. Nay-Gustafson, Lanphere. The motion carried. Gustafson voted nay because he wasn't ready to vote on the motion because cuts in the budget have not yet been addressed. After the 1% wage increase, are we now going to look at layoffs or furloughs - are we going to have to close the doors 1 day a week or an hour early? Maybe we don't plow the roads so often. In the outside world, companies are beginning to eliminate health insurance. Bach commented that with the board's action today, employees will be looking at 18 months before they can hope for a cost of living increase. Simons would like to suggest that the Board consider looking at finding an unbiased person to review insurance alternatives to find a better price.

Engineer Jon Ites has received a list price of \$202,940 for a Cat motorgrader equipped with snow equipment. We have a trade-in machine with a value of about \$35,000. The company will allow about \$11,000 for a leased machine with less than 400 hours on it. He was able to negotiate a price of \$154,940 with the trade-in, and recommends the purchase for a mid-May delivery. Motion by Gustafson to purchase a leased 2003 Cat motorgrader with trade-in for a price of \$154,940. Carried.

Ites reported that "Watch for Crossing Traffic" signs will be placed on M-27 at the intersection of C-16, plus for the church and school locations.

A letter was received from the City of Truesdale discussing complaints from their residents about the county snow plow cutting too far into the yards, and asking for the plow to stay further away. Also, a manhole cover is 'popping up' causing an unsafe condition. Ites commented that the cover will be spot-welded to prevent it from popping up.

10:00 a.m.—The time having arrived for a bid letting, bids were received from three companies for project #L-B-515—73-11 – a bridge south of C-63, Section 15, Maple Valley Township including Christenson Brothers, Cherokee; Minnowa Construction, Harmony, MN; and Nelson & Rock Contracting, Onawa, IA. Motion by Lanphere to accept the low bid of Nelson & Rock Contracting for project #L-B-515—73-11 in the amount of \$93,494.25 pending review of the bid extensions. Carried. (All bids were tabulated accurately.)

Burnside left the meeting.

Sheriff Chuck Eddy advised the board of a grant application in the amount of \$10,500 for three in-car cameras. By consensus, the Board approved the application.

The Board again took up the discussion of filling the vacancy for a mechanic. Ites stated that if we can keep up with the scheduled servicing of the equipment, it will last longer, which saves money. Some employees in the field can assist with this, but sometimes when they would be needed in the shop is when we need them to run the equipment. He has spent some time in the shop to see how 1 less mechanic effects the operation. We actually may need more mechanics' time because our equipment is getting older. He noted that every position that becomes open in the next 5 years will have to be evaluated for replacement as RUT funds decrease. He and the head mechanic and maintenance superintendent believe this replacement will be cost-effective. He was asked if the diesel mechanics changing tires and oil or are they doing mechanics' work? For the record, Gustafson is opposed to filling the vacancy. Perhaps a part-time person, hired at a higher wage would work during the peak times in the winter when equipment is down but operators aren't available to fill in. He wants to reduce dragging in the summer which would reduce the amount of hours accumulating on the motorgrader. No action was taken.

The board briefly discussed a Local Option Sales Tax formula. Lanphere stated that it is appropriate to fund two sheriff's patrol deputies from the rural fund due to the time they spend in the rural area. Motion by Lanphere to propose the following local option sales tax use formula for the proposed renewal election: 25% for property tax relief, 50% for Secondary Roads, and 25% undesignated, all in the rural fund. Due to the full board not being present, motion by Vail to table the motion until the next meeting. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried. Motion by Lanphere to fund the wages and benefits of two sheriff's patrol deputies in the Rural Basic Fund for FY'05. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

Zoning Director Kim Johnson was present to discuss her application to the Iowa Local Government Innovation Fund for a County-wide Comprehensive Plan project. The Innovation Fund Committee had requested additional information. Motion by Gustafson to approve the application for funding with a \$60,000/\$20,000 split for grant/loan division. Carried.

Communications Center Supervisor Mark Van Hooser introduced Jean Assmann to the Board. She is the new radio operator in the Center. Van Hooser reported that the galvanizing is disappearing on

the radio tower and some rust is developing. At some point we will need to plan for replacement. The Communications Commission may arrange for an inspection to evaluate the remaining life of the tower.

After a brief review of the last changes, motion by Gustafson to set the public hearing on the **FY'05 proposed budget** for Buena Vista County for March 15 at 11:00 a.m. in the Public Meeting Room. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

Motion by Lanphere to establish a policy that new employees not be eligible for the **annual (July 1st) wage increase** in pay until they have been employed at least 27 weeks. Motion by Lanphere to table the motion. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

Motion by Lanphere to approve the **minutes** of the 2/17 & 2/20 meetings as printed, and the following **reports**: Feb 17 Board of Health minutes, Jan. Spectra lagoon monitoring report by Mangold Environmental. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign Resolution 2004-02-24b requesting the State Legislature to refrain from additional **state aid cuts** to local governments and to fully fund property tax replacements. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

RESOLUTION 2004-02-24B

WHEREAS: Last year, the Iowa Legislature voted to cut state aid to Buena Vista County by \$110,000, after the budget was certified; and

WHEREAS: This sudden cut in state aid negatively affected the people of Buena Vista County in the following ways: all outside agencies were substantially cut for FY'04 and FY'05 funding, the continuation of accessibility improvements to the courthouse were put on hold, and a reduction in the number of voting precincts will be made; now

THEREFORE, BE IT RESOLVED THAT: Buena Vista County requests that the State Legislature refrain from making additional cuts in state aid to local governments and that the state fully fund property tax replacements.

Passed and approved February 24, 2004.

/s/ Herb Crampton, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

After review of the auditors' findings, motion by Lanphere to approve and to authorize the Chairman to sign the response letter to Hunzelman Putzier regarding the FY'03 financial **audit**. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

Motion by Vail to **void warrants** as follows: issued 9/10/02 \$1 each # 147357-to Pat Cross, #147367 to Marvin Engel, #147402 to Scott Mack, #147429 to Ron Speers; issued 12/3/02 #150141 - \$186.30 to Lorna Burnside (to be re-issued); issued 2/11/03 #152116-\$100.00 to Radiology Consultants; issued 12/18/02 #150621-\$76.10 to Kevin McKinney (to be re-issued). Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

Motion by Gustafson to approve the following **transfers** retroactive to the dates noted, from the General Basic Fund to the General Supplemental Fund as interfund loans, to be repaid prior to 6/30/2004: on 7/31/03 \$32,955.17, on 12/31/03-\$28,835.66, and on 1/31/04-\$24,521.13. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

There being no further business, motion by Vail to adjourn the meeting at 1:30 p.m. to Tuesday, March 2, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 2004 SESSION (10)
MARCH 2, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 2, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Patti Maymon, Auditor's Clerk, reviewed specs for insurance proposals with the Board. The Board directed that copies be sent to local agents who have submitted proposals in the past, that an RFP notice be published, and that the proposal deadline be set as 8:30 a.m., May 11, 2004.

Darren Bumgarner, NWIPDC, and Dale Brigham, Clay Regional Water, were present to update the Board on the rural water project. Bumgarner presented a sub-recipient agreement between the county and the city of Rembrandt. Motion by Vail to approve entering into an agreement, and to authorize the Chairman to sign, the Buena Vista County Sub-recipient Agreement with the City of Rembrandt for their \$228,000 CDBG loan for a rural water connection, elevated tank repairs, and distribution system improvements. Carried. Bumgarner stated that a 'status' hearing on the project would be held sometime in June or July.

Engineer Jon Ites presented utility permits for approval. Motion by Burnside to approve the following utility permits applications:

- from Iowa Telecom, Grinnell, to install copper telephone cable from Hwy C-29 to 804' north on 235th Ave. on the west side, and
- from Iowa Telecom, Grinnell, to install copper telephone cable along C-13 between pedestals B 132 and B 132.8. Carried.

Secondary Roads is currently hauling gravel to the Newell stockpile from Sac City, and will begin hauling to the Western Pit from Cherokee next week.

Motion by Burnside to approve and to authorize the Chairman to sign a letter of support from the County to accompany the Innovation Fund grant application submitted by Zoning Director Kim Johnson for the Comprehensive Plan project. Carried.

Motion by Burnside to clarify the 2/24/04 motion approving a 1% wage increase to county employees as follows: secondary road employees paid at an hourly rate will receive an increase of \$.16/hr which is a 1% increase based upon the current Operator 3 rate. Carried.

Motion by Gustafson to approve the 2/24 minutes as printed, and the Feb. Mangold Environmental monitoring report of the Spectra lagoons. Carried.

10:30 a.m. – The time having arrived for the public hearing on the Rick Sievers CAFO construction application, the Chairman opened the hearing in the public meeting room with Environmental Health Director Kim Johnson and Sievers present. Johnson reported on her master matrix review of the application. Sievers requested matrix credits totaling 445, noting that there were a number of criteria that he would be able to request credit for, but chose not to allow him flexibility. Gustafson noted that the area for turnaround in front of his buildings is good – that placement preserves the road. He also noted that public objections in the past are what lead to development of the master matrix. Sievers agreed that he could see the point and value of the matrix. Motion by Vail to close the public hearing. Carried. Motion by Burnside to approve the CAFO construction application of Rick Sievers. Carried. (resolution to follow)

Gustafson commented that he was a little concerned that the application scored 445 with the minimum being just 5 points less. Will the perception be that applicants are doing just the minimum to qualify? He'd like to see 25-50 points more than the minimum which he feels would be good for community support. Sievers responded that there were several areas where he could increase the points, but that he didn't take credit for all of them so that he'd have an "insurance plan".

Sievers has also applied for a waiver on separation distance from the road. The standard is 100', but the current site plan is 73' from the road right-of-way. If not granted he would have to remove the trees on one side of the building. Motion by Gustafson to grant the Siever's request for a waiver on separation distance. Carried. (resolution to follow)

Motion by Vail to approve and to authorize the Chairman to sign a letter of support for CADA (Council Against Domestic Abuse). Carried.

Motion by Burnside to approve and to authorize the Chairman to sign 'Request for Payment #5' for CDBG funds for the rural water project (Clay Regional Water). Carried.

Lanphere moved to take 'from the table' his 2/24/04 motion as follows: "Motion by Lanphere to propose the following local option sales tax (LOST) use formula for the proposed renewal election: 25% for property tax relief, 50% for Secondary Roads, and 25% undesignated, all in the rural fund." The motion to take 'from the table' carried. The Board proceeded to discuss the motion. Lanphere suggested that the Board consider a 15-year period for sunset when the question is put on the ballot and that the tax rate be as it is now - 1%. If any long range planning is to be done for bonding purposes, financing is more difficult with a 10-year timeframe. 15 years provides more flexibility. Lanphere also suggested a schedule, which allows for an early October election date. Gustafson asked - what about 100% for property tax relief (PTR). Can this be done? The law would not prohibit using all for PTR, but if it is all PTR, the Engineer can't plan projects for local option dollars that are completed in stages over several years without knowing what he has to work with in each of the future years. Burnside stated that if she were not in the boardroom and hearing this discussion, as a voter she might wonder why the Board is making a change from the current formula of 30% PTR in the Rural Fund and 70% Secondary Road Capital Projects. Vail noted that in the first LOST election, the formula was 100% PTR and the question failed. Crampton, who was involved in promoting the issue in the 2nd election, stated that the capital projects in Secondary Roads were a selling point. It was noted that the county wouldn't want to end up with a defeated renewal question due to a misunderstanding by the public. Crampton favors at least 50% for capital projects with the remainder to PTR. Gustafson agreed and called the motion. Ayes—none, nays—Burnside, Gustafson, Lanphere, Vail, Crampton. The motion was defeated.

Vail moved that the formula be left the same. Gustafson doesn't like 70% to Secondary Roads, as he would rather reduce it to give the Board some flexibility. With the growth in LOST receipts since the beginning, Secondary Roads has gotten more money than originally estimated. Burnside noted that having all of the amount of LOST receipts in Secondary Roads allowed the county to re-surface 21 miles in a single year, and that large of a project saved a total project cost of \$500,000 by doing it all at once. Gustafson stated that he feels that if there aren't more LOST dollars allocated to the Rural Basic Fund, then he can't support paying for wages and benefits for 2 patrol deputies from the Rural Basic Fund. His reason for proposing this change was to provide relief to the General Basic Fund, which was hurt by the

substantial drop in valuation this year. Burnside stated that she favored leaving the formula the same as the way it originally passed in order that it pass again. Gustafson wants to see where the LOST dollars are being spent in the Secondary Road Fund. It's hard to know how many LOST dollars are in each of the projects since there are multiple sources of funding in each project. Lanphere suggested that the Board ask the Engineer to annually present a list of projects with funding sources, rather than a map showing the location of the projects. Gustafson again stated that he doesn't favor deputies in the Rural Basic Fund if PTR doesn't increase. The vote on this motion was ayes-Burnside, Vail, nays-Gustafson, Lanphere, Crampton. The motion was defeated.

Motion by Lanphere that the formula be: 40% for property tax relief in the Rural Basic Fund (i.e. libraries, landfill, rural patrol, secondary road operations, etc), 60% for capital expenditures in the secondary road department (i.e. bridges, roads, buildings, etc.). Discussion-Burnside believes there may be some public concern about budgeting the deputies in the Rural Basic Fund. Gustafson re-stated that the sole purpose of putting them there was to relieve the General Fund, and not to increase the rural property taxpayers' bill to do it. The vote on this motion was ayes—all. Carried. Until such time as the Board needs to adopt a resolution to set an election date and determine the language on the ballot, it is the consensus of the Board to call for a 15-year sunset, and 1% rate amount.

Environmental Health Director Kim Johnson returned to the boardroom with resolutions for action on Rick Sievers construction application, and waiver. Motion by Burnside to approve and to authorize the Chairman to sign **Resolution 2004-03-02A** approving the Rick Sievers CAFO construction application. Carried.

RESOLUTION 2004-03-02A

Recommending approval of the Rick Sievers Construction Application to the Iowa Dept. of Natural Resources.

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

WHEREAS, a construction application for two 2400 head hog finishing buildings have been submitted by Rick Sievers; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 445 points, and has verified all of the elements of the application for accuracy; and

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

WHEREAS, the Board of Supervisors published a notice of public hearing in the Storm Lake Pilot-Tribune as required, and, held said public hearing in the Public Meeting Room at the Courthouse on March 2nd, 2004, for the purpose of receiving public comment; and

WHEREAS, the Board of Supervisors, has assembled their comments and those of the public for submission to the DNR;

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

PASSED, APPROVED AND ADOPTED this 2nd day of March 2004.

/s/ Herb Crampton, Chairman, Board of Supervisors

Attest: /s/ Karen M. Strawn, Auditor

Motion by Vail to approve and to authorize the Chairman to sign **Resolution 2004-03-02B** granting approval of Rick Sievers' request for a waiver to the roadway separation distance requirement. Carried.

RESOLUTION 2004-03-02B

Granting waiver for the Rick Sievers Construction Application to the thoroughfare.

WHEREAS, the Buena Vista County Board of Supervisors has received a request for a waiver to the separation distance required between a confinement feeding operation structure and a public thoroughfare as required pursuant to Iowa Code section 459.202; and

WHEREAS, such request may be granted under Iowa Code Section 459.205(2)a; and

WHEREAS, such structure will be greater than 70 feet from the road right-of-way; and

WHEREAS, such structure shall have sufficient truck access to the west of the structure; and

WHEREAS, such structure will be on the south side of the thoroughfare;

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby grants approval of a waiver for the Rick Sievers request to the separation distance required between a confinement feeding operation structure and a public thoroughfare.

PASSED, APPROVED AND ADOPTED this 2nd day of March 2004

/s/ Herb Crampton, Chairman, Board of Supervisors /s/ Attest: Karen M. Strawn, Auditor

There being no further business, motion by Burnside to adjourn the meeting at 2:40 p.m. to Monday, March 8, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
ELEVENTH MEETING, 2004 SESSION (11)
MARCH 8, 2004**

The Buena Vista County Board of Supervisors met in special session on Monday, March 8, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

The Board reviewed six new **employee health insurance** options from Wellmark for FY'05 coverage, and discussed how to get the Employee Health Insurance Committee started in their research for better insurance options. Another county uses a 'professional broker' who works with the dollars

provided and the benefits desired in order to find a plan. Wellmark plans through ISAC will also be considered, as well as other possibilities. The committee will meet Wednesday morning with the Board to begin the process.

Discussion of shelter care services was delayed until Wednesday when CPC Dawn Mentzer and Assistant County Attorney Rick Kimble could be present.

The board reviewed supporting information for the FY'05 budget prior to meeting with Farm Bureau members over the noon hour.

There being no further business, motion by Burnside to adjourn the meeting at 2:40 p.m. to Tuesday, March 9, 2004 at 8:30 a.m. for a regular session.

**BOARD OF SUPERVISORS MEETING
TWELFTH MEETING, 2004 SESSION (12)
MARCH 9, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 9, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Weed Commissioner Norm Lund and Assistant Weed Commissioner Dave Wiley were present for the opening of three bids for weed chemicals submitted by Van Diest Co.-Webster City, Ag Partners-Alta, and UAP Timberland-Johnston. Motion by Lanphere to accept the low bid of Van Diest in the total amount of \$5,988.00 for 400 gallons of Hidep weed chemical. Carried.

Environmental Health Director Kim Johnson requested the Board's consideration of hiring a part-time employee for 'summer' work with responsibilities to include septic permits, perk tests, onsite surveys, well permits, CAFO's, and well closures (20-25 hrs/wk). The position is in the budget. It was the consensus of the Board to authorize advertising for the position, due to funding for the position already being in the budget, and due to the seasonal workload.

Engineer Jon Ites reported the following federal functional classification changes: 120th Ave from 600th St. north to C-49 (1.0 miles) from minor collector to major collector; 600th St. from 120th Ave east to Hwy 71 (1.0 miles) from minor collector to major collector; 90th Ave from Hwy 7 north to C-49 (.7 miles) from 'local' to minor collector. 90th Ave is not eligible for any funding except farm-to-market funds. The Secondary Road budget will need to be amended for the increase in fuel cost and the motorgrader purchase.

NRCS has provided notice that funds may be approved to cost-share 55% of the culvert replacement on 125th Ave. if stream slope stabilization is part of the project. The structure is on property that was annexed into Sioux Rapids a few years ago (located southwest of Casey's). Ites asked if the county will require the city to participate in the cost. The law permits the county to pay the full cost if the population of the city is under a certain level. The Board favors some participation. Ites will meet with the city tonight.

Motion by Lanphere to approve and to authorize the Chairman to sign the contract for project #L-B-515-73-1 with Nelson-Rock Contracting, Onawa, in the amount of \$93,494.20, and to approve

contractor's bond and certificate of insurance, the project being the replacement of the bridge between Sections 10 & 15, Maple Valley Township. Carried.

Gustafson asked whether the Bel-Air seal-coating was to be done this summer.

By consensus the Board approved attempting to negotiate the purchase now for the motorgrader budgeted for FY'05 due to the anticipated increase in steel prices. It was noted that the question (of price) at least needs to be asked at this time in order to have that option available.

In a discussion with Farm Bureau on Monday, board members were asked if soy-diesel is being used by the county. Ites responded it currently is not being used. The Board suggested checking into it. Ites will check how the equipment warranties read if a new product is used, and also will check to see what the experience is in other counties.

Motion by Gustafson to approve the minutes of the 3/2 meeting as printed and the following reports: February Clerk's fees, budget reports and fund balances, 2/12 Conservation Board minutes; 2/12 NWIPDC Policy Council were also reviewed. Carried.

There being no further business, motion by Burnside to adjourn the meeting at 10:30 a.m. to Wednesday, March 10, 2004 at 8:30 a.m. for a special session.

BOARD OF SUPERVISORS MEETING THIRTEENTH MEETING, 2004 SESSION (13) MARCH 10, 2004

The Buena Vista County Board of Supervisors met in special session on Wednesday, March 10, 2004 at 8:30 A.M. in the Public Meeting Room with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Motion by Vail to approve and to authorize the Chairman to sign two right-of-way easements with Clay Regional Water: 1) for installation, operation and maintenance of structures or improvements, and 2) for connection of the dwelling and such other improvements, all, on the North Half (N½) of the Southeast Quarter (SE¼) of Section Nine (9), Township Ninety-three (93) North, Range Thirty-eight (38) West of the 5th P.M. Buena Vista County, Iowa (Buena Vista County Conservation Park). Carried.

The main purpose of the meeting was to begin researching employee health insurance options for FY'05. Members of the Employee Insurance Committee present for the meeting were: Dawn Mentzer, Joan Martin, Diane Christiansen, Shari O'Bannon, Diane Anderson, Kim Carnine, Tom Flanigan, Doug Simons, Mark Van Hooser, Leigh Madsen, Jon Ites. The group reviewed 8 Wellmark proposals and rates for four ISAC Wellmark proposals. Mike Pertzborn, who joined the discussion, talked about another approach to finding desirable coverage. Motion by Gustafson, second by Burnside, to request Mike Pertzborn's services in researching alternatives to our current coverage, and to authorize Pertzborn to receive the necessary county information to do the research. Carried.

CPC Dawn Mentzer and Assistant County Attorney Rick Kimble were present to discuss ways to get better information about the use of shelter care services. Kimble discussed how the system works. Kimble will do some additional research.

There being no further business, motion by Burnside to adjourn the meeting at 11:50 a.m. to Monday, March 15, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWELFTH MEETING, 2004 SESSION (12)
MARCH 15, 2004**

The Buena Vista County Board of Supervisors met in special session on Monday, March 15, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Jail/Courthouse Task Force Chairman Bill Strawn was present to provide the Task Force's recommendation to the Supervisors for a jail planner/architect. After interviewing three of the seven planners, the Task Force has opted to eliminate a second jail study, to have the statistics from the first study updated, and to engage an architect to work with Plepla & Associates to provide and evaluate several alternatives. The services will not be limited to evaluation of an onsite jail expansion. Koch Hazard Baltzer Architects, general architects with experience in jail remodeling, have submitted a proposal to work with Plepla & Associates for an amount not to exceed \$17,850. After interviewing several references for the architects, Task Force members Strawn and Glen Huntington are satisfied with the comments received. Motion by Burnside to accept the recommendation of the Task Force and to approve and to authorize the Chairman to sign an agreement with Koch Hazard Baltzer Architects, working with Plepla & Associates, in an amount not to exceed \$17,850 for preliminary programming and concept design services for selective renovations of the existing Courthouse and a new jail facility for Buena Vista County. Carried.

Due to inclement weather, Terry Johnson, Ex. Director of **Genesis Development**, cancelled his appointment with the Board.

Motion by Vail to approve and to authorize the Chairman to sign the **Class C liquor license** application of Little Sioux Golf and Country Club, Sioux Rapids, for an 8 month license for the period beginning April 1st, the application having been given a favorable review by the Sheriff's office. Carried.

Kuehl & Payer Engineer Ivan Droessler presented plans and technical specifications for the proposed **DD #1 Main Open Ditch** repairs. He reviewed the proposal specifications summary, information and decision items. Motion by Gustafson to set the letting date and time as April 6, 2004, at 10:30 a.m. Carried. Motion by Vail to accept the plans and specs for the DD #1 Main Open Ditch repairs as filed. Carried.

CPC Dawn Mentzer reported on the most recent billing she received from **Spectra** regarding a past due amount for one person whose funding was terminated. Spectra has been notified by the Board that the county is not responsible for the expense. The Board directed Mentzer to request that the County Attorney prepare a letter to Spectra notifying them of the same.

Motion by Gustafson to change the claims approval/payment schedule for June, 2004, to include June 1, 15 & 22, and to eliminate June 29, for the purpose of reducing the number of outstanding warrants on June 30. Carried.

11:00 a.m.—The time having arrived for the public hearing on the proposed FY'05 Buena Vista County budget, the Chairman opened the hearing in the Public Meeting Room with 10 department heads/employees, and 3 persons from the media present. After a brief review of the highlights of the budget by the Chairman, the auditor reviewed comparison statistics between the current year and the proposed budget year including valuations, tax askings, tax rates, and expenditures. There being no questions from the public, motion by Vail to close the public hearing. Carried.

Motion by Vail to reduce the recommendations of the Compensation Board for elected officials for FY'05 by 2/3'rds to 1% increases as follows: Attorney-\$45,928; Auditor, Recorder & Treasurer-\$39,302; Sheriff-\$52,227; and Supervisors-\$20,772. Gustafson commented that he had earlier this year proposed to eliminate the \$500 additional for the Chairman which was also in the Compensation Board's recommendation. Gustafson moved to amend Vail's motion by adding the following: 'and to reduce the \$500 additional for the Chairman, as recommended by the Compensation Board, by 2/3rds'. Burnside suggested a legal opinion on 'how' the Supervisors could make changes to the \$500, stating that she prefers to know the answer prior to taking action. The question on the amendment was called with the following result: Burnside-aye, Gustafson-aye, Lanphere-nay, Vail-nay, Crampton-aye. The amendment was approved. The vote on Vail's motion as amended was ayes—all. Carried.

Motion by Vail to adopt the FY'05 Buena Vista County Budget as proposed. Carried.

Upon returning to the Boardroom, and considering the current weather, road conditions, and forecast, the Board decided to postpone tonight's meeting on merging precincts until April 5 at 7:00 p.m., again in the Truesdale Fire Station.

Lanphere suggested and the remainder of the Board agreed, to have the Auditor contact sponsor Senator Mary Lundby, and the members of the subcommittee to which SF2109 has been referred, requesting that they not reward the inactivity of certain local assessors, and penalize the prudent and responsive actions of others, by supporting SF2109 which seeks to nullify state equalization orders for 1/1/03 valuations.

There being no further business, motion by Burnside to adjourn the meeting at 11:40 a.m. to Tuesday, March 23, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTEENTH MEETING, 2004 SESSION (13)
MARCH 23, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 23, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Environmental Health/Zoning Director Kim Johnson informed the Board of a spill this morning into Storm Lake by Tyson. A news release is forthcoming. Johnson also reported on timely delivery of the Board's review and recommendation on the master matrix for the Rick Sievers' construction application, and, the application to the Innovation Fund Committee for a grant for the Comprehensive Plan project.

The Board noted receipt of a **small claims action** filed by Shayne Hinkeldey regarding an accident with a county motorgrader. The notice of action has been turned over to the insurance company to defend the county.

Motion by Burnside to approve the **minutes** of the 3/15 meeting as printed, and to note receipt of the F'03 financial audit of the NW Iowa Youth Emergency Services (YES) Center. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the **liquor license renewal** application of Pronto Market, Storm Lake, and the Class C **liquor license application** of Lake Creek Bar & Grill, Storm Lake. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the 'request for bid' to the Iowa Dept. of Public Health for reimbursement of 25% of the prevention and education dollars to be provided to **NW IA ADTU** in FY'05, totaling \$2,551.50. Carried.

Motion by Vail to **void warrant** #148802 (lost) dated 10/23/2002 issued to Isabel Morales small paycheck) for \$1.49, and authorize re-issuance, and, to void warrant #150663 (lost) issued 12/18/2002 to the Treasurer, State of Iowa, for withholdings, and to authorize re-issuance. Carried

Motion by Burnside to approve and to authorize the Chairman to sign Payment Voucher #7 in the amount of \$13,675.00 for CDBG funds for **Clay Regional Water**. Carried.

Engineer Jon Ites, with Dale Brigham, **Clay Regional Water**, were present to discuss placement of water mains for the rural water project. Permits were previously issued by the county for installation of water mains crossing roads but otherwise in private right-of-way. Revisions call for placement in road-right-of-way. Field investigations of all of the locations proposed will require more in-office and site investigation than what the Engineer's office is staffed to provide. Ites recommends an independent inspector whose services would be reimbursed by Clay Regional Water. Ites has asked Brigham to re-submit his permits by zone for better management of the project. In addition to using public right-of-way which requires more inspection, multiple crews have been hired for multiple locations which also increases the need for inspection services. Motion by Lanphere that Buena Vista County hire out for inspector services on the Clay Regional Water project with the expense to be the responsibility of Clay Regional Water, to request that Clay Regional Water resubmit their permit application (and maps) based on zones, and to delay approval on the south three zones until additional work has been done to obtain more landowner easements in those areas. Carried.

Gustafson stated that he had been asked to serve on the **Clay Regional Water Board**. He has consulted with the County Attorney to request an opinion as to whether this would be a conflict of interest. But regardless who serves, Gustafson believes that Buena Vista County does need representation due to the project covering much of the county. There is no remuneration for this appointment. There were no objections voiced regarding Gustafson serving on the Board.

Motion by Burnside to make a **contract award (#11-CO11-054)** to the Fred Carlson Company, LLC, Decorah, as the low bidder in a total amount of \$1,013,660.15 for the following projects:

- on M-54 resurfacing from Hwy 7 south to the county line, project #STP-S-CO11(54)—5E-11 - \$223,860.30, 2.18 miles;
- on M-50 resurfacing from Hwy 7 south 3 miles to the county line, project #STP-S-CO11(55)—5E-11 - \$304,536.24, 3.05 miles;
- on M-50 resurfacing from Hwy 7 north to C-49, project #FM-CO11-(56)—55-11 - \$413,286.55, 4.02 miles;
- on 620th St from M-50 west to 158th Ave., project #L-R-911—73-11 - \$71,977.06, .59 miles. Carried. There were 3 bidders with high being about \$32,000 higher.

Ites confirmed that the annual weed notice has been published, and inquired whether his office will continue to make “Do Not Spray” signs available in his office. The consensus was to continue making them available there as a convenience to the public.

The City of Sioux Rapids has indicated they would be willing to participate in the cost of the replacement of the culvert on the southwest side of the city on 125th Ave. (aka Whiskey Run). NRCS has confirmed that funding will be available for bank stabilization.

Motion by Vail to approve the following adjustments to the reimbursement schedules for corporate line road projects: Sioux Rapids \$18,450.19 over 5 yrs., Albert City \$18,907.45 over 3 years, and Marathon \$15,010.07 over 5 yrs. Carried.

With the transfer of jurisdiction by IDOT to the county of several farm-to-market extensions, the Secondary Road fund will be receiving the RUT dollars associated with the roads. Ites requested and received approval to negotiate with the cities over responsibility for certain items. For a portion of the funds, he will negotiate agreements with the cities to take responsibility for everything beyond the 22' roadway (including, curbs, gutters, sidewalks). Secondary Roads is due to receive the following amounts previously received by the cities: \$3,034-Linn Grove, \$7,314-Marathon, \$3,880-Rembrandt, and \$2,590-Truesdale, for a total of \$16,818.00.

Ites has not made a determination yet on filling the mechanic's position. He is trying to work with just two mechanics.

Lanphere confirmed with Ites that the City of Newell prefers to use CMP instead of a concrete box for the joint facility adjacent to the DD #1 Main Open Ditch repair project. Ites noted that with the price of steel having gone up 15% last week, by the time the facility is replaced, the concrete box may end up cheaper.

A portion of the Employee Health Insurance Committee was present including Joan Martin, Dawn Mentzer, Leigh Madsen, Jon Ites, Mark Van Hooser, Kim Johnson, and Kim Carnine. Gustafson suggested that the committee appoint a chairperson and secretary. Gustafson had talked to the county's Wellmark Representative, Ali Child, who would like to set up a meeting with the Employee Health Insurance Committee – does the Committee want to meet with her? Carnine asked, what is the purpose of the committee? The Board would like to have the committee seek out some options and to ask the questions regarding what issues are important to them. Committee members suggested that they meet to organize before a meeting is scheduled with Child on March 31st at 1:00 p.m. The committee will meet Thursday, March 25 at 7:30 a.m. in the Boardroom. Leigh Madsen was asked to serve as chair, and Kim Carnine as secretary.

Motion by Vail to approve the employment of Jean Assmann as a radio operator in the Communications Center effective 2-23-04 at \$9.75/hr. Carried.

HSB 718 – **Property Tax Limitation** was discussed at last week's ISAC meetings. The proposal would have counties use a tax askings base of either 2003 or an average of 2001-2003. Due to tax levies being down for FY'00, 01, 02, and 03, current services would have to be cut under this proposal. The consensus of the Board was to send a message to the House Ways and Means Committee voicing Buena Vista County's vehement opposition to the bill, and citing this county as one which would be greatly penalized with the current wording. Copies will be sent to ISAC and to the 98 County Auditors.

Strawn updated the Board on election equipment and **HAVA compliance**. There is a strong possibility that all of the county current equipment will need to be replaced, depending on the standards adopted by the State of Iowa.

There being no further business, motion by Lanphere to adjourn the meeting at 11:20 a.m. to Tuesday, March 30, 2004 at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

BUENA VISTA COUNTY

Claims Register Report January thru March 2004

0001 General Basic

2004 Apco Nc Regional Co 285.00; Ace Body Shop 920.32; Acs State Health Care/LI 9,503.00; Advanced Pest Technology 81.00; Ag Partners L.L.C. 1,437.30; Albert City Truesdale Co 300.00; Albert City, City Of 200.00; Alexander Hamilton Insti 29.95; Alliant Energy 2,158.69; Allied Document Solution 1,399.62; Alpha Wireless Communica 1,680.00; Alta Body Shop 202.55; Alta Community School Di 1,182.51; Alta Municipal Utilities 270.67; Altamirano, Francisco 190.00; Altamirano, Melinda 242.18; American Red Cross 24.00; Anderson, Diane 194.30; Anderson, Robert L 7.20; Arch Wireless 89.19; Armstrong, Carolyn 425.30; Arnold Motor Supply 56.38; At & T - Universal Bille 2,302.73; Auditor Of State 625.00; B & M Service Inc 315.60; B V Co Secondary Road 45.97; B V Co Soil Conservation 875.00; Bach, Kathleen 207.14; Bailey, Taesa 85.76; Bartley, Josie 48.00; Bedels Drive-In Pharmacy 1,559.19; Bellows, Carl 1.50; Bentley Systems Inc 625.00; Binder, Charlotte 26.25; Bodholdt, Tony 51.60; Bogue, Pamela L 118.80; Bomgaars 112.19; Botine Electric 69.50; Brady, Sherry 55.88; Briggs Corporation 1,265.37; Budget Lighting Inc 41.87; Buena Vista Co Journal 1,299.31; Buena Vista County 104.00; Buena Vista County Fair 6,250.00; Buena Vista Regional Med 262.50; Buena Vista University 412.25; Burnside, Lorna 337.50; Bv Stationery & Printing 2,629.84; Bv Veterinary Clinic 71.00; Central Business Forms 148.75; Central Ia Distributing 534.03; Central Iowa Distributin 382.52; Chem-Pro Inc 60.00; Cherokee Co Public Healt 908.56; Cherokee County Sheriff 6,320.00; Chindlund, Ann 358.72; Christian Bros Excavatin 200.00; Clay County Sheriff Depa 44.00; Clia Laboratory Program 150.00; Community Health Partner 510.00; Concordia Lutheran Schoo 145.94; Conley, Carrie Ann 240.00; Conley, Bonnie 280.00; Control System Specialis 5,905.51; Cook, Ginni 213.34; Corrin, Rick 200.00; Cougill, Sheila 20.00; Cover One 225.39; Crampton, Herb 193.77; Crippin Md, David 150.00; Crippin, David 450.00; Cross Auto & Towing 200.00; Culligan 149.40; Danielson, Lloyd 2.40; Danielson, Rob 6.71; Demuth, Marty 143.72; Dental Distributors Inc 291.57; Department Of Veterans A 615.00; Des Moines Stamp Mfg Co 18.25; Dickinson Co Public Heal 2,858.46; Dust-Tex Service Inc 134.28; Ehlers, Kevin 3.60; Electronic Engineering 88.45; Fareway Store 1,868.31; First Coop Association 254.75; First Cooperative Associ 1,847.68; Fitzpatrick Auto Center 213.49; Floyd Valley Community 1,495.33; Forensic Mi 1,100.00; Francotyp-Postalia Inc 370.80; G Neil Corporation 25.72; Galbraith, Lloyd F 98.40; Galls Inc 79.97; Garbage Hauling Service 390.75; Gateway Companies Inc 1,409.00; General Security Service 102.90; Gingerbread House 529.47; Graham Tire Co 539.79; Grp & Associates 48.00; Guerra, Paula 50.40; Gutz, Dennis 5.55; Haberman, Judy 206.72; Haldin Construction 250.00; Haldin, Richard 111.00; Havens & Havens Law Firm 7,656.51; Hawkins, Cecelia 149.44; Hicks, Arnie 32.40; Hildreth, Cindy 2,895.00; Holiday Inn Conference 84.53; Holiday Inn Downtown 104.86; Holiday Inn Express 69.00;

Hornor, Duane 2.55; Huddleston, Matthew 200.00; Hultgrens-Gerlach Inc 798.02; Hunzelman Putzier & Co 1,027.77; Hy-Vee 4.81; Ida County Jail 3,500.00; Ida County Public Health 1,500.00; Ieha 40.00; Independent Business Sys 142.45; Iowa Auto Supply 15.28; Iowa Chapter Of Apco 120.00; Iowa Communitas Pool Adm 4,026.27; Iowa County Records' A 100.00; Iowa Department Of Inspe 69.00; Iowa Dept Public Safety 1,635.00; Iowa Dnr 200.00; Iowa Hospital Associatio 25.00; Iowa Lakes Electric Coop 1,285.46; Iowa Law Enforcement Aca 2,335.00; Iowa Natural Heritage Fo 225.00; Iowa Nena 100.00; Iowa Office Supply 4,005.62; Iowa Prison Industries 250.80; Iowa Public Health Assoc 100.00; Iowa Ribbon Service 19.20; Iowa State Assoc Of Coun 650.00; Iowa Telecom 485.24; Ipma-Hr 482.50; Isac 80.00; Isac Phn Affiliate 75.00; Isac Supervisors 200.00; Iscta 96.45; Janitors Closet Ltd 16.50; Jorgensen, Arden 1.95; Julius Cleaners 1,297.90; Kevin Mckinney 82.50; Kimble, Rick 10.57; Kirkholm, Mark 10.80; Kummerfeldt Service 366.30; Kurtz, Ray 75.00; Law Enforcement Systems 82.00; Lcm Pathologists P.C. 14.76; Lickiss, Charlene 50.00; Lindeman, Dr Lisa 50.00; Linn County Public Healt 37.50; Lube Center, The 39.95; Lyon County Health Servi 94.50; Lyon, Cheryl 48.64; Mainstay Systems Inc 228.00; Mangold Environ Testing 2,416.00; Marathon Tire & Repair 21.95; Marathon, City Of 200.00; Marroquin, Emilia 63.75; Mason, Ashley 19.52; Mastercard 2,552.88; Mcclatchey, Steve 200.00; Medical Imaging Services 150.00; Medline Industries Inc 650.00; Merck & Co Inc 726.90; Meyer, Becky 62.45; Meyer, Rick 8.40; Meyer, Roger 2.40; Mid American Energy Comp 11,277.07; Midwest Office Automatio 91.73; Midwest Wireless 1,132.68; Morales, Isabel 1.67; Mortensen, Dave 6.00; Mortensen, Ray C 6.00; Mph Industries Inc 13.76; Myer, Floyd 400.00; Napa Auto Parts 10.49; National Information Dat 48.90; Natl Sheriff's Assoc 100.00; Nelson, Bernard 30.60; Nepple, Tammy 30.00; Newell American Legion 70.00; Newell Coop Elevator 33.30; Newell Fonda Community S 299.82; Noll, Richard 2.70; Northern Lights Distribu 4,826.56; Northwest Aging Assoc 2,674.25; Nw Ia Adtu 6,566.26; Nw Ia Planning & Dev Com 2,000.00; O'bannon, Shari 85.42; O'brien Co Public Health 619.35; Office Systems Company 85.50; Ohrtman, Mary 462.72; Omb Police Supply 181.98; Omni Photo 326.86; Osceola Community Health 594.67; Pagers Inc The Beeper Pe 47.85; Palo Alto County Sheriff 28.00; Paradise Park Apartments 148.00; Parrott & Sons, Matt 1,235.78; Pathology Medical Servic 3,200.40; Patton, David 2,781.00; Peterson Rentals 780.00; Peterson, James E 3.00; Petty Cash 83.49; Petty Cash Health Dept 61.75; Pilot Publishing 1,715.83; Pitney Bowes 1,257.00; Pocahontas Co Public Hea 237.50; Polk & Co, R. L. 176.40; Portable Computer System 179.00; Positive Promotions Inc 149.69; Postmaster 1,145.00; Prevent Child Abuse Iowa 120.00; Professional Electronics 48.50; Prosecuting Attorneys 40.00; Purchase Power 406.88; Quill Corporation 216.14; Qwest 4,039.17; R & D Industries Inc 3,704.04; Radisson Hotel Des Moines 89.88; Rasmussen Ford Mercury I 819.54; Ressler Drug Co 113.75; Rex's Electric 250.32; Richards, Terry 240.00; Rides 387.50; Roberts, James A 16.80; Robinson, Bill 20.00; Ryherd, Chuck 12.00; Saathoff, Charissa 38.76; Sac County Health Servic 237.50; Sac County Sheriff 5,029.20; Sassman, Jean L 146.40; Schumacher Elevator Co 568.60; Secretary Of State 30.00; Security Trust & 18.70; Seiler Plumbing Heating 4,239.32; Seiler, Jerald 200.00; Simons, Douglas 4.59; Sioux Rapids Auto & 227.87; Sioux Sales Co 11.90; Sioux Valley Memorial Ho 445.00; Sliefert-Asmus Funeral H 1,182.00; Small, Wencil 4.20; Smith, Julie 24.96; Spencer Municipal Hospit 3,250.00; Sports Rehabilitation & 98.38; St Marys School 279.33; Staples Credit Plan 33.96; Star Energy Llc 2,000.12; Storm Lake Area Developm 7,650.00; Storm Lake Community Sch 1,000.00; Storm Lake Times 1,748.04; Storm Lake, City Of 1,562.47; Struve, Tom 8.40; Stucynski, Dewyne 16.43; Sunshine Services 46.00; Terracon Inc 1,007.00; Training Resources 235.00; Treasurer Of State 200.00; Trimark Central Billing 159.47; Trimark Physicians Group 60.00; Tyson Foods Inc 229.29; U S 20 Corridor Associat 150.00; U S Postal Service 630.70; United Building Center 103.71; United States Postal Ser 1,000.00; University Of Iowa 70.00; Updyke, Hope 317.12; Upper Des Moines Oppty 4,928.75; Us Identification Manual 82.50; Valley Pharmacy 1,091.33; Veit, Barb 9.97; Venegas, Ericka 66.24; Visa 1,836.87; Wal-Mart Pharmacy 593.35; Walmart Business/Gecf 45.06; Walmart Community Brc 664.48; Webster County Auditor 275.00; Wells Fargo Bank Minneso 130.00; Wesselink, Dave 3.60; Wogahn, Ruth 153.45; Zee Medical Inc 180.67; Zee Medical Service Co 163.75

0002 General Supplemental

Adventureland 223.46; At & T - Universal Bille 11.44; Boys And Girls Home Res 5,239.20; Brandt, Kathy 33.20; Buena Vista Co Journal 234.31; Bv Stationery & Printing 10.90; Carroll County Sheriff 18.50; Cherokee County Sheriff 29.00; Correctional Services Co 3,335.31; Crawford Co Sheriff 18.00; Drake Law Review 33.00; Election Systems & Softw 936.54; Ipers 57.77; Kennedy, Susan 237.42; Kevin Mckinney 6.32; Morales, Isabel .22; Nw Ia Adtu 4,337.00; Nw Ia Youth Emergency Se 12,450.00; Olson

Eaton Svendsen Inc 560.00; Osborne, Ann 15.08; Parrott & Sons, Matt 847.77; Peterson Patriot, The 152.40; Plymouth County Sheriff 40.25; Postmaster 50.00; Quill Corporation 30.81; Qwest 183.64; Secretary Of State 100.74; Spencer Daily Reporter 123.75; Treasurer State Of Iowa 6,295.99; Warnke, Adrian 80.40; Webster County Sheriff 17.50; West Payment Center 1,498.06; Youth Shelter Care Of No 3,387.34

0010 Mh-Dd Services Fund

Adventureland 75.73; Anderson, Charleen 138.60; At & T - Universal Bille 165.37; B V Co Secondary Road 83.22; Briar Cliff University 35.00; Buena Vista Co. Sheriff 455.00; Bv Co Homemaker 247.00; Bv Stationery & Printing 96.35; Ccms 45.00; Community Services Assoc 50.00; Council Against Domestic 1,125.00; County Case Management S 804.00; Department Of Human Serv 72,194.90; Dept Of Human Services 3,825.72; Dept Of Human Services D 79,435.88; Dept Of Human Services-A 15,639.17; Echo Plus Inc 517.63; Gannon Center - Communit 361.85; Genesis Development 28,407.69; Howard Center Inc 1,945.76; Ida Services Inc 2,222.35; Iowa Ribbon Service 28.80; Iowa State Assoc Of Coun 117.00; Mack Hansen Gadd Armstro 815.00; Mentzer, Dawn 277.13; Mid-Step Services Inc 1,848.71; Midwest Wireless 160.45; Napierala, Kara 45.00; O'brien County Sheriff 199.80; Petty Cash 47.46; Plains Area Mental Healt 28.61; Plymouth Life Inc 2,802.40; Postma, Larry 100.00; Postmaster 398.00; Qwest 197.86; R & D Industries Inc 55.15; Rebnord Technologies Inc 30.00; Regional Transit Auth 2,400.05; Rem Atlantic Inc 5,692.96; Rem Council Bluffs Inc 5,460.00; Rem Developmental Serv 649.21; Seasons Center For Commu 23,929.12; Spectra Health Care Inc 5,934.64; Star Energy Llc 231.38; Treasurer State Of Iowa 5,240.51; Village Northwest Unlimi 901.56; Western Iowa Tech Commun 33.00

0011 Rural Services

Albert City Corp 1,791.75; Alta Corp 1,791.75; At & T - Universal Bille 15.83; Bentley Systems Inc 625.00; Cozo 50.00; Iowa Weed Commissioners' 170.00; Isu Extension-Bv County 150.00; Linn Grove Corp 1,791.75; Lund, Norman J 94.20; Marathon Corp 1,791.75; Midwest Wireless 59.98; Murray & Murray Plc 100.00; Newell Corp 1,791.75; Pilot Publishing 79.99; Quality Inn & Suites 47.25; Qwest 91.82; Rembrandt Corp 1,791.75; Rowley Recycle Ct, Harold 35,075.50; Sioux Rapids Corp 1,791.75; Star Energy Llc 59.67; Storm Lake Corp 5,375.25; Terracon Inc 3,822.75; Wiley, David 68.40

0020 Secondary Roads

Ag Partners L.L.C. 1,906.69; Air Filter Cleaning Serv 853.29; Albert City, City Of 61.40; Alliant Energy 20,922.96; Alta Municipal Utilities 180.30; Arnold Motor Supply 1,460.60; Asphalt Paving Assoc Of 240.00; At & T - Universal Bille 102.60; Aurelia Lumber Company 60.82; Bailey, Dan 125.00; Beals Motor Rewind 34.50; Bomgaars 124.65; Brown Supply Co 1,491.54; Buena Vista Regional Med 60.00; Bv Stationery & Printing 190.96; C J Cooper & Associates 58.00; Ccp Industries Inc 1,636.75; Certified Power Inc 6,667.69; Clausen Hardware & Servi 31.89; Crysteel Truck Equip Inc 6,416.31; Curry, Jim 82.00; Cylinder Express 24.00; Dixon Construction Co 64,521.49; Dowdy, Ed 125.00; Erickson Welding And Rep 22.50; First Cooperative Associ 301.75; Fitzpatrick Auto Center 21,856.49; Flor-Dri Supply Co Inc 5,418.00; G&K Services 479.44; Garbage Hauling Service 197.25; Graham Tire Co 4,524.46; Hallett Materials 140,450.00; Halverson, Wayne 218.73; Hiway Truck Equipment In 223.08; Holiday Inn Conference 175.48; Hultgrens-Gerlach Inc 251.53; Hundertmark Cleaning Sys 81.28; Hutchinson Salt Company 31,716.56; Industrial Supply Soluti 250.58; Interstate Battery Systm 419.80; Iowa Auto Supply 2,699.40; Iowa Dept Transportation 439.31; Iowa League Of Cities 100.00; Iowa Office Supply 43.50; Iowa Petroleum Equipment 84.75; Iowa Prison Industries 1,500.00; Iowa State Assoc Of Coun 70.00; Iowa State University 310.00; Ites, Jon 6.66; James Laas Company 91.53; Janitors Closet Ltd 136.90; Johnson, Curt 125.00; Kimball-Midwest 544.27; Kryger Glass Company 356.85; Kuehl & Payer Ltd 4,463.88; L & M Electronics Inc 105.15; Lake Electric Supply 265.77; Larson Oil & Distributin 4,837.10; Lawson Products Inc 53.79; Linn Grove, City Of 77.85; M S Door Services Ltd 8,052.00; Marathon, City Of 223.79; Marks Welding & Machine 30.03; Mccrea Enterprises 47.29; Meteorlogix 1,428.00; Michael Todd And Company 449.30; Mickelson Tire Inc 624.96; Mid American Energy Comp 2,542.12; Mid-Iowa Sales Company 75.81; Midtown Service 17.49; Midwest Wireless 593.93; Miller, Arthur J 190.65; Napa Auto Parts 50.13; Nelsons Premix & Vet 556.72; New Sioux City Iron Co 596.04; Newell Coop Elevator 12.75; Newell, City Of 95.55; North Lake Truck Repair 1,746.27; Northern Ia Construction 20,439.30; Nu-Metrics 44.50; O'reilly Automotive Inc 255.28; Olsen Welding & Machine 625.12; Omni Photo 9.74; Overmohle, Mike 125.00; Pilot Publishing 74.19; Postmaster 97.00; Powerplan 186.40; Qwest 550.92; R

& D Industries Inc 62.65; Rasmussen Ford Mercury I 74.76; Regions Interstate Billi 749.93; Rembrandt, City Of 87.00; Schoon Construction Inc 3,075.00; Schuelke Auto Company 14,120.00; Share Corp 2,921.95; Sioux City Truck And Tra 244.89; Sioux Lumber 466.65; Sioux Rapids, City Of 38.00; Society Of Land Surveyor 65.00; Sorenson Hardware 2,498.50; Speed's Automotive Suppl 40.19; Stanton Electric Inc 395.49; Star Energy Llc 42,392.28; Steffen 282.55; Storm Lake Hydraulics 694.77; Storm Lake Times 108.88; Storm Lake, City Of 323.66; U S Postal Service 210.85; United Building Center 52.97; Up & Down Doors 128.50; Vernon Company 58.21; Visa 70.50; Vision Care Assoc Pc 243.00; Weber, Tony 66.77; Wede's Lock Service 6.25; Whelan-Bentley Inc 115.41; Wiese Industries 2,435.20; Yocum Oil Company Inc 5,784.60; Ziegler Inc 22,051.43

0025 Jail Security Fund

Konradi, Tom 3,000.00; Lake Electric Supply 98.00; Stanton Electric Inc 39.66

0027 Conservation Land Acquisition

Northwest Glass Co 287.00; Woods & Water Taxidermy 525.00

0029 Clay Regional Water Cdbg Fund

Clay Regional Water 19,821.00

0100 D.D. #1

Buena Vista Co Auditor 699.83; Buena Vista Co Journal 37.35; Kuehl & Payer Ltd 8,950.51; Mack Hansen Gadd Armstro 330.00

0168 D.D. #19

Buena Vista Co Auditor 6.01

0176 D.D. #20

Buena Vista Co Auditor 39.99; Christian Bros Excavatin 5,400.00; Kuehl & Payer Ltd 224.50

0200 D.D. #34

Christian Bros Excavatin 9,800.00; Corrin, Rick 120.00; Gibbons, Jeff 80.00; Kuehl & Payer Ltd 3,521.24

0262 D.D. #41

Buena Vista Co Auditor 10.46

0278 D.D. #49

Buena Vista Co Auditor 58.55

0280 D.D. #49 Lat 2

Kuehl & Payer Ltd 368.10; Richards Construction Co 892.50

0284 D.D. #49 Lat 2 Upper Main (C)

Buena Vista Co Auditor 9.67

0288 D.D. #49 Sub 1

Buena Vista Co Auditor 53.85

0394 D.D. #84

Buena Vista Co Auditor 12.55

0412 D.D. #93

Buena Vista Co Auditor 7.84

0426 D.D. #100

Buena Vista Co Auditor 24.57

0442 D.D. #108 & 108 Ext.
Buena Vista Co Auditor 15.95

0560 D.D. #162
Buena Vista Co Auditor 9.67

0592 D.D. #180
Buena Vista Co Auditor 7.06

0604 D.D. #184
Buena Vista Co Auditor 25.09

0614 D.D. #190
Buena Vista Co Auditor 9.93

0644 D.D. #274 Main
Kuehl & Payer Ltd 119.16

1500 Capital Projects
Cdw Government Inc 40.01; Logistic Systems Inc 1,591.00; Mastercard 629.90

1520 Capital Projects-Debt Service
R & D Industries Inc 3,121.99

3500 Buckingham Estate Trust
Burkhalter Md, Joanne J 89.00

4000 Disaster Services
At & T - Universal Bille 120.32; Bv Stationery & Printing 13.00; Christensen, Robert E. 412.50; Iowa
Emergency Managemen 60.00;
Iowa State Assoc Of Coun 70.00; Mastercard 331.93; Midwest Wireless 138.52; Pilot Publishing 57.75;
Qwest 91.82; Storm Lake Times 152.64

4010 E911 Surcharge Fund
Advanced Systems Technol 714.00; Alpha Wireless Communica 23,420.00; Alta Municipal Utilities
449.46; Apco International Inc 60.00; At & T - Universal Bille 63.74; Bv Stationery & Printing 77.43; Cdw
Government Inc 475.62; Electronic Engineering 30.00; Emagine Internet Marketi 210.67; Emergitech Inc
14,293.12; Frame N Art 110.00; Icisf Inc 76.50; Iowa Office Supply 1,382.00; Iowa Telecom 1,344.20;
Livermore Telephone & Co 8,107.54; Logistic Systems Inc 3,199.98; Midwest Wireless 214.52; Omni
Photo 53.28; Orbacom Systems Inc 165.00; Pilot Publishing 52.25; Priority Dispatch 117.00; Qwest
2,043.49; Rebnord Technologies Inc 1,375.00; Staples Credit Plan 124.49; Teltronics Inc 975.00; Visa
807.37

4150 3-County Empowerment Agency Fund
Albert City Truesdale Co 7,612.00; Alliant Energy 108.93; B V County Health Dept 13,738.27; Bedels
Drive-In Pharmacy 29.18; Briest, Diane 785.56; Buena Vista Regional Med 9,172.50; Community
Education 52.00; Crawford County Home Hea 3,753.00; Family Resource Center 4,912.00; Frontier
Communications 77.72; G Witters 48.16; Gingerbread House 540.00; Glazebrook And Associate 36.85;
Hy-Vee Food Store 11.97; Ikm Preschool 5,536.00; Kids World 8,850.35; Kinderschool 4,844.00;
Lutheran Services In low 20,456.49; Midwest Wireless 124.47; Ohrtman, Mary 65.00; Open Arms
Preschool 2,000.00; Pizza Hut 122.98; Sac County Health Servic 16,047.50; Siouxland Human Investme
500.00; Storm Lake Community Sch 12,456.00; Storm Lake, City Of 100.00; Subway 73.68; Udmo Head
Start 1,340.00; Upper Des Moines Oppty 10,278.93; Vartec Telecom Inc 50.96; Viking Office Products
160.97; Walmart Community Brc 131.37; West Central Development 5,500.00

4151 Bv Co Employee Health Fund

Midwest Benefit Consulta 290.08; Walmart Community Brc 81.76; Wellmark Benefit Consult 148.24;
Wellmark Blue Cross & BI 174,259.45

4152 Bv Co Employee Flex Benefit Fund
Flexible Benefits 5,990.34

**BOARD OF SUPERVISORS MEETING
FOURTEENTH MEETING, 2004 SESSION (14)
MARCH 30, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 30, 2004 at 8:30 A.M. in the Boardroom with Vice-Chairman Lanphere presiding and with the following other members present: Burnside, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton.

Spectra Health Care Administrator, Sue Morrow, requested the Board's signature on "Attachment F" of her provider contract for FY'05 which verifies the rate approved by Buena Vista County (the host county). The contract with Attachment F is to be sent to those counties which have placements at Spectra, and to the state (State Payment Program). The CPC, who usually signs the Attachment, is not comfortable signing it since the Board of Supervisors approved a rate increase higher than she had recommended. The Vice-Chairman will discuss alternative language with the CPC.

In response to Vail's question, Morrow commented that since the recent rain, the Spectra facility roof is leaking again and continues to damage ceiling tiles.

Assessor Ted Van Grootheest reported that the square foot method of valuation approved by the Legislature in 2003 for testing in 3-4 counties has been repealed.

Patti Maymon, Auditor's Clerk, reviewed charts and a list of the projects partially paid for by local option sales tax dollars in the Secondary Road Fund.

Burnside left the meeting.

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

Engineer Jon Ites has received a phone call about trees falling into a drainage ditch in Section 25, Lee Township. The road crew will remove them.

Motion by Vail to approve, and to authorize the Vice-Chairman to sign the project and maintenance agreements between Buena Vista County and NRCS, the project agreement being for 55% reimbursement of the total estimated cost of \$73,340 for project #L-C-512 (Whiskey Run). Carried. Ites reviewed a proposed 28E construction agreement between the City of Sioux Rapids and the county. Motion by Vail to approve the 28E construction agreement as to form. Carried.

Motion by Vail to approve a request that reimbursement to the employee for 'tinting' of safety glasses be allowed. Carried.

Ites discussed a Buchanan County ordinance that extends the right-of-way width to 300', or 150' either side of the centerline of the road. The intent is to give utilities the ability to place poles inside the fence line, and outside of the area which the county works in. This would eliminate the need for the county to pay to have the pole moved. The ordinance has not yet been tested in the courts.

Motion by Gustafson to approve the minutes of the 3/23 meeting as corrected. Carried.

Clay Regional Water has requested an easement from the County across Gabrielson Park to allow construction of a water main through the property. Due to concerns about disturbing the native grasses, CRW would do a directional bore. Sioux Central School had previously refused to grant an easement. Gustafson suggested that the Chairman send a letter to Sioux Central requesting that they reconsider their decision. The proximity of the waterline to the lake, as well as the disturbance of native grasses, are of concern to the county.

Motion by Gustafson to designate Season's Center as the Community Mental Health Center that Buena Vista County will contract with for FY'05, and to authorize the Vice-Chairman to sign. Carried.

Motion by Vail to approve and to authorize the Chairman to sign an agreement with NWIPDC for S.H.I.E.L.D. services for FY'05. Carried.

Motion by Gustafson to approve a transfer of \$86,311.96 from the General Supplemental Fund to the General Basic Fund to repay an interfund operating loan (transfer #'s 1794, 1810, and 1812). Carried.

Motion by Gustafson to set the date and time of public hearing for a FY'04 budget amendment as April 20 at 8:30 a.m. in the Boardroom. Carried.

There being no further business, motion by Vail to adjourn the meeting at 11:30 a.m. to Tuesday, April 6, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTEENTH MEETING, 2004 SESSION (15)
APRIL 6, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 6, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Community Services Director Dawn Mentzer was present to discuss the 'shelter care' budget which will far exceed the amount originally budgeted, plus the amount amended in September, 2003. The April 20 budget amendment will include an additional \$35,000 for these services.

Mentzer has received another request for **Buckingham Estate Funds** for one child. The Board discussed the interpretation of the Trust document and considered whether they should establish guidelines for who may be served. Motion by Gustafson that the Board considers requests for Buckingham Estate Funds for legal residents only. Lanphere felt that there should also be dollar limits. Ayes-Gustafson, Lanphere, Vail, Crampton. Nays-Burnside. Carried.

Deputy Auditor Leigh Madsen reviewed the **Flex Benefit** renewal for FY'05. Motion by Vail to renew the Flex Benefit program under the same terms as the current year - \$2,500 medical reimbursement maximum, and \$5,000 dependent care reimbursement maximum. Carried.

Motion by to Vail approve and to authorize the Chairman to sign a **right-of-way easement** for Clay Regional Water to install a water main through county property at Gabrielson Park, otherwise described as the north 1,054.0' of the W½ NW fr¼ Section 18, T-93-N, R-36-W . Carried.

Engineer Jon Ites informed the Board of the May 5th meeting in Cherokee regarding the new proposal for distribution to the Secondary Road fund of **road use tax funds**.

Motion by Burnside to approve and to authorize the Chairman to sign the request to pay from the county's farm-to-market account to the IDOT for printing charges for letting plans in the amount of \$42.53 for the following **projects #FM-CO11(56)—55-11, STP-S-CO11(54)—5E-11, AND STP-S-CO11-(55)—5E-11**. Carried.

Motion by Gustafson to approve the proposal of Barga Inc., Mountain Lake, MN, for **crack sealing services** on C-49 east of Hwy 71, the west 6 miles for \$15,490, and the east 6 miles for \$30,975. Carried.

Ites reported on a request from Brent Jesse regarding a **drainage problem** east of Sulphur Springs. The railroad is agreeable to the repair being made, but at the landowner's expense. The railroad would be required to pay only if the repair were made in a drainage district. Secondary Roads is prohibited from fixing the problem because it is in an open channel, not a drainage ditch. The repair must be paid for by the owner.

The repair for **DD #35** is scheduled to begin next week by Schoon Construction.

Gustafson referred to the Board's intent to follow up on **David Degner's** drainage concerns after completing the budget process. The Board can appoint an engineer to address problems in a drainage district, but cannot address the problems of individual property owners. No action will be taken on the matter.

Ites reviewed his IDOT budget and construction program by project. Motion by Lanphere to approve the **FY'05 DOT budget and 5-year construction program**. Carried.

Environmental Health Director Kim Johnson discussed HF 2479 which was approved by the House and Senate, but vetoed by the Governor. The bill would have exempted commercial canine breeders from **zoning**. The issue appears to be 'dead' for this year.

10:30—The time having arrived for the bid letting for repairs to the **DD #1 Main Open Ditch**, there were 5 bids received from the following contractors: Reutzal Excavating, Inc.-Burt, IA; Valley Contracting, Inc., Estherville, IA; Nelson & Rock Contracting, Inc., Onawa, IA; L.A. Carlson Contracting, Merrill, IA; and Vosberg Enterprises, Farnhamville, IA. After review of the bids, and a check of the tabulations by Ivan Droessler, Engineer, motion by Gustafson to award the contract to the low bidder, L.A. Carlson Contracting, Inc., in the amount of \$204,376.38. Carried.

Droessler reviewed proposed brush and tree clearing projects for 2004. Motion by Lanphere to award and to authorize the Chairman to sign a tree clearing contract for **DD#34 Main Open Ditch** to

Sportsman Two Con, Dayton, IA, (the low bidder) in the amount of \$10,000. Carried. Letters will be sent to the landowners along the main open ditch to advise them of the work to be done.

Motion by Vail to award and to authorize the Chairman to sign tree clearing contracts to the low bidder - Christian Bros., Sioux Rapids – for each of the following: for DD #34, Lat 2 - \$5,600; for DD #34 Lat 3 - \$6,500; for DD #34 Lat 4 - \$10,000; for DD #34 Lat 6 - \$9,750; for DD #34 Lat 7 - \$9,400. Carried.

Motion by Lanphere to approve the minutes of the 3/30 meeting, and the following reports: March Sheriff's fees, 3/23 Spectra lagoon test results, March Spectra lagoon operations report; also reviewed were the 3/11 minutes of the NWIPDC Policy Council. Carried.

Motion by Vail to approve a transfer of \$40.01 from the General Supplemental Fund to the General Basic Fund, with this transfer being the final amount of the interfund loan to be repaid for FY'04. Carried.

Motion by Lanphere to approve a change in job description for Patti Maymon to reflect an 80%/20% split for clerk's duties/computer liaison-technician duties, and with an increase in her hourly rate to \$10.98/hr. effective April 5, 2004, to be re-evaluated in 6 months. Future increases will be consistent with increases available on the clerk's schedule. Carried.

There being no further business, motion by Lanphere to adjourn the meeting at 12:35 p.m. to Tuesday, April 13, 2004 at 8:30 a.m. for a special session to review the precinct merger proposals suggested by members of the Citizen's Committee at the meeting held at the Truesdale Fire Station, April 5th.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
SIXTEENTH MEETING, 2004 SESSION (16)
APRIL 13, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 13, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Principal Julie Kwikkel and Nurse Sandy Wells from the Storm Lake School system met with the Board to discuss access to Buckingham Estate Funds for medical care for a child who can't hear in the classroom. The child is in dire need with no other access to assistance. They can't ask the legal status, but the parents are residing in Buena Vista County. They are requesting assistance for the surgeon and the anesthesiologist in a total amount of \$1,100. The reason for denial through DHS isn't known. The board has a concern about setting a precedent in providing assistance to a person with non-legal status. The State of Iowa says 'no' leaving the county to pay for "that which it won't". The Board suggested that the family go through the DHS appeal process, and then return to the Board if necessary.

Environmental Health/Zoning Director Kim Johnson discussed the notice from DNR that they have approved **Rick Sievers' construction application**. If the Board wants to request a hearing, it can do so within the next 30 days. However, the Board having already recommended approval, motion by Burnside to notify DNR that the Board does not intend to file a request for a hearing. Carried.

Johnson discussed the request from the Innovation Fund Committee to provide more specific numbers on the cost of the consultant for the City/County Comprehensive Plan project for which a grant application has been submitted. The grant proposal included plans for an RFP to be issued by a Comprehensive Plan Committee which would have 2 farmer representatives appointed by the Board of Supervisors. Motion by Vail to appoint Marc Bertness and Bob Rebhuhn to the **Comprehensive Plan Committee**. Carried.

Engineer Jon Ites has received a draft of the IDOT **bicycle and pedestrian plan map** for the State of Iowa. Buena Vista is part of the Iowa Great Lakes Connection from Dickinson County to Carroll County. Ites suggested that a letter be sent to Kathy Ridnour recommending a different route through Buena Vista than what is shown for safety issues, and to pick up what is already available in Storm Lake. Lanphere suggested meeting with the Destination Park Committee before offering comment to the DOT plan. The response deadline is May 15. Lanphere will coordinate the information.

Ites has received several inquiries about filling in a basement on the Sundholm property west of Albert City. The cabin from that property has been moved to the Clay County Fairgrounds in a joint project between IDNR and several County Conservation Boards. Ites stated that when excess dirt is available, it could be placed there, if that is the Board's wish. If the site is prepared, the Board agreed that dirt could be hauled in when time and material are available. Vail will check into what arrangements have been made by the project sponsors.

Trees were removed last year in **DD#34 Lateral 4** and now there is a need for bank repair. The tree removal has created a problem for the farmer. Gustafson asked that the road department attempt to make some repair to solve the problem and to bill the district for the repair.

Ites and Vail will be meeting with the **Sioux Rapids** City Council tonight about the installation of a culvert at the southwest city limits. Construction agreements will be needed to provide right-of-entry. Ites confirmed that the Board is willing to enter into the necessary agreements.

Motion by Vail to approve and to authorize the Chairman to sign the **utility construction permit** of Iowa Lakes Electric Cooperative, Estherville, IA, to install an overhead power distribution line along the north and south side of 570th St. between Sections 15 and 22, Coon Township for hog set-up on Dale Schumann property. Carried.

In response to a message from Ivan Droessler, Kuehl & Payer Engineer, who has received inquiries from farmers about **drainage district maintenance**, the Board directed that such inquiries should be sent to the County Engineer.

Veterans Services Officer Clint Hoferman reported that he has received enough contributions to purchase 10 ceremonial **bugles** for veterans' funerals.

Assessor Ted Van Grootheest advised the board of an amendment to proposed **legislation** which will make the county liable for the cost of the attorney, etc. in taxpayer appeals to assessment when the valuation is lowered by more than 10%. The Supervisors are opposed and will contact our legislators.

At the 7:00 p.m. April 5 meeting in Truesdale, the **Citizens' Committee on Precinct Mergers** rejected the first plan proposed by the Board. Elections Clerk Barb Henrich reviewed the four suggested that night by various committee members. After discussion, the Board eliminated those which would take the total number of precincts (including Storm Lake) down below 14 (including the absentee precinct)

which is the minimum number of machines that the Commissioner of Elections would recommend so that all cities would be outfitted with machines for the municipal elections. The Board selected the proposal which would create either 8 or 9 precincts (with Lee and Poland Townships either combined or separated). The newspapers will be asked to print the proposals, with narrative, which invites the public to either of two public meetings on May 10, at 6:30 p.m. in Linn Grove, and at 8:30 p.m. in Marathon.

Burnside left the meeting.

Motion by Gustafson to approve the minutes of the 4/6 meeting as printed. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign a letter of support for the United Community Health Center. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays—none. Carried.

There being no further business, motion by Vail to adjourn the meeting at 12:15 p.m. to Tuesday, April 20, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
SEVENTEENTH MEETING, 2004 SESSION (17)
APRIL 20, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 20, 2004 at 8:30 A.M. in the Boardroom with Vice-Chairman Lanphere presiding and with the following other members present: Gustafson and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton and Burnside.

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

8:30 a.m. – The time having arrived for the public hearing on the 3rd amendment to the county's FY'04 budget, the Vice-Chairman opened the hearing with no interested persons present. After confirming that notice had been published as required, the auditor reviewed the amendments. There being no objection, motion by Vail to close the public hearing. Carried. Motion by Gustafson to approve the 3rd FY'03 budget amendment as published, and to approve the following appropriations: Carried.

- | | | | | |
|------------|---------------|----------------------------------|----------|-----------|
| • Increase | activity 3040 | General Basic Fund (0001) | Dept. 23 | \$53,000 |
| • Increase | activity 3300 | General Supplemental Fund (0002) | Dept. 56 | \$35,000 |
| • Increase | activity 7xxx | Secondary Road Fund (0020) | Dept. 20 | \$130,415 |
| • Increase | activity 9100 | Jail Security Fund (0025) | Dept. 42 | \$13,000 |
| • Increase | activity 0200 | Secondary Road Fund (0020) | Dept. 20 | \$176,500 |

Motion by Gustafson to approve the minutes of the April 13th meeting as printed, and the following reports: BV Co Ag Extension Council Certificate of Organization for 2004, 3/9 Conservation Board minutes, March Clerk's fees, March fund balances, 4/2 lab report for Spectra lagoon by Mangold,

also reviewed were: FY'03 Buena Vista County financial audit, 1st Qtr '04 Farm-to-Market Fund report Carried.

Motion by Vail to approve and to authorize the Vice-Chairman to sign the **fireworks** display permit of the City of Rembrandt for the 4th of July, with the city to assume all responsibility for safety and liability. Carried.

Vail discussed the request from the Sioux Central School to the **Conservation Board** to install a 'disk' golf course at Gabrielson Park.

Motion by Vail to issue a letter of request to Hunzelman Putzier to perform the county's financial **audit** for FY'04. Carried.

Motion by Vail to approve the **employment** of Cory Weiland as a seasonal part-time employee in the Environmental Health/Zoning Department at \$10/hr effective April 14, 2004. Carried.

Motion by Gustafson to approve and to authorize the Chairman, Auditor and Engineer to sign Secondary Road's **IDOT budget amendment #2** which reflects the increase in fuel price, and the increased expenditures for equipment and corresponding decrease in land purchase expense. Carried.

Engineer Jon Ites informed that Board of acknowledgement that **Radio Road** has received a Federal Functional Classification change from minor to major collector for its entire length (C-49 to Hwy 7) making it eligible for STP funding.

Kuehl & Payer has provided a new estimate for the replacement of the **DD #1** M-53 culvert in the amount of \$28,819.50 using CMP. Lanphere requested that the decision be delayed on how to proceed until the full Board is present.

Motion by Vail to approve and to authorize the Chairman to sign **Resolution 2004-04-20** - a construction agreement on Project #L-C-512—73-11, (bridge-type replacement on Whiskey Run, 125th Ave., estimate cost \$73,340) with NRCS participating at 55% of the construction cost. Carried.

**BUENA VISTA COUNTY RESOLUTION NO. 2004-04-20
RESOLUTION FOR CONSTRUCTION AGREEMENT
BETWEEN CITY AND COUNTY ON SECONDARY ROAD EXTENSIONS
PROJECT NO. L-C-512—73-11**

Consenting to and approving the plans for the improvement of the extension of Secondary Road 125th Ave. (Whiskey Run) within the City of Sioux Rapids, Iowa.

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

Replace bridge with reinforced concrete box, identified as project number L-C-512—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 the City of Sioux Rapids, as follows:

1. The Council hereby approves the plans for the said project and consents to the improvement 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 there from to be determined and paid pursuant to Iowa Code Section 364.15.

- 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 to 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. The city agrees to purchase fight-of-way easements and/or construction easements as necessary.
4. 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 current Manual on Uniform Traffic Control Devices.
 - c. All signing shall be approved by the County before placement.
5. The County will be the sponsor of the project. As such, it will design the project, let the project, administer the project and make payments as set forth in the project contract.
6. This project is eligible for partial cost reimbursement by the Natural Resources Conservation Service, United States Department of Agriculture. All reimbursements shall be payable to the County.
7. The portion of project costs not reimbursable as shown in Item 6 will be jointly and equally shared by the City and County. The City will reimburse the county in the amount stipulated in a timely manner.

Attest: /s/ Virginia Moffitt, Clerk

Signed: Kenneth J. Schau, Mayor

Passed this 13th day of April 2004.

Passed this 20th day of April 2004.

/s/ David Althaus

/s/ William R. Lanphere

/s/ David Rassler

/s/ Richard Vail

/s/ James Wise

/s/ Jim Gustafson

/s/ Nick A. Bartley

Members of the Council

Members of the Board of Supervisors

The newest quarterly report on the **Hudson St LUST site** has been received - the tests are in compliance. We will continue with tier 3 monitoring. A \$2,050 bill for the monitoring has been sent for reimbursement.

Ites reminded the Board of the May 5th meeting in Cherokee at Western Iowa Tech regarding the proposed changes in the Road Use Tax Formula.

Motion by Gustafson to approve and to authorize the Chairman to sign contract, bond, and certificate of insurance with Fred Carlson Construction for asphalt projects (**contract award #11-CO11-054**) to the Fred Carlson Company, LLC, Decorah, as the low bidder in a total amount of \$1,013,660.15 for the following projects: Carried.

- on M-54 resurfacing from Hwy 7 south to the county line, project #STP-S-CO11(54)—5E-11 - \$223,860.30, 2.18 miles;
- on M-50 resurfacing from Hwy 7 south 3 miles to the county line, project #STP-S-CO11(55)—5E-11 - \$304,536.24, 3.05 miles;

- on M-50 resurfacing from Hwy 7 north to C-49, project #FM-CO11-(56)—55-11 - \$413,286.55, 4.02 miles;
- on 620th St from M-50 west to 158th Ave., project #L-R-911—73-11 - \$71,977.06, .59 miles.

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-04-20** approving a 4% drainage assessment for Jt. DD #14-42. Carried.

**RESOLUTION 2004-04-20
JOINT DRAINAGE DISTRICT #14-42 MAIN OPEN DITCH**

The Joint Board of Supervisors of Clay and Buena Vista Counties hereby prepare to levy assessments within the above named drainage district.

Motion by Clay County Supervisor William D. Zinn, seconded by Buena Vista County Supervisor Gustafson, that the following resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District #14-42 Main Open Ditch and there being insufficient funds to 'make' solvent said account of said drainage district.

BE IT THEREFORE RESOLVED by the Joint Board of Supervisors of Clay, and Buena Vista Counties, Iowa, that there is hereby levied against all lands, tracts, real estate, highways and railroads within Joint Drainage District #14042 on the assessment schedule of the said tile line as follows:

Main Open Ditch \$10,313.08 4%

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended shall be collected with the current property taxes due September 30, 2004, except that any single assessment on any parcel exceeding \$100 shall qualify for a waiver of installment option of two payments and any single assessment on any parcel exceeding \$300 shall qualify for a waiver of installment option of three payments.

All members of the joint boards voted "aye". Motion carried and the resolution duly adopted according to the last date of the participating board's signature.

Dated April 13, 2004

Dated April 20, 2004

/s/ Joel Sorenson, Chairperson
Clay County Board of Supervisors
Attest: /s/ Marjorie A. Pitts
Clay County Auditor

/s/ Herb Crampton, Chairperson
Buena Vista County Board of Supervisors
Attest: Karen M. Strawn
Buena Vista County Auditor

Motion by Gustafson to approve a **transfer** of \$40.01 from General Basic to General Supplemental (correcting #1813). Carried.

There being no further business, motion by Vail to adjourn the meeting at 11:00 a.m. to Tuesday, May 4, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
EIGHTEENTH MEETING, 2004 SESSION (18)
MAY 4, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 4, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

EnvHealth/Zoning Director Kim Johnson reported that the grant application she had submitted for a countywide **Comprehensive Plan** project to the Innovation Fund Committee has been approved in the amount of a \$60,000 (grant) plus \$20,000 (loan). She also reported that the DNR is beginning to crack down on 'un-sewered' communities, that Pocahontas County is considering creating a county-wide **sanitary sewer district**, and that a meeting will be held May 20th regarding its formation, which some Board Members may wish to attend.

8:30 a.m.—The time having arrived for a public hearing on a request from Bruce Edwards for a minor subdivision, there were no members of the public present. Johnson reported that the Zoning Commission was favorable to Edward's request. There being no objections, motion by Vail to close the public hearing, and to approve and to authorize the Chairman to sign **Resolution 2004-05-04-A** approving the minor subdivision request of Bruce Edwards for a parcel in Section 6, Washington Township. Carried.

RESOLUTION 2004-05-04-A

WHEREAS, Edgar Allen has presented two preliminary and final plats (of survey) on the following described property:

DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE NORTHEAST FRACTIONAL QUARTER (NE FR $\frac{1}{4}$) OF SECTION 6, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of the Northeast Fractional Quarter (NE FR $\frac{1}{4}$) of said Section 6; Thence on a previously recorded bearing of North 00°19'00" East, along the East line of said Northeast Fractional Quarter (NE FR $\frac{1}{4}$), 1450.29 feet; Thence North 89°32'31" West, 1983.95 feet to the East line of the West Half of the West Half of said Northeast Fractional Quarter (W $\frac{1}{2}$ W $\frac{1}{2}$ NE FR $\frac{1}{4}$); Thence South 00°11'26" West, along said East line, 1450.29 feet to the South line of said Northeast Fractional Quarter (NE FR $\frac{1}{4}$); Thence South 89°32'31" East, along said South line, 1980.66 feet to the Point of Beginning.

Hereafter known as Lot B of Section 6, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 66.00 acres and is subject to all easements of record. AND

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST FRACTIONAL QUARTER (N $\frac{1}{2}$ NE FR $\frac{1}{4}$) OF SECTION 6, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Northeast Fractional Quarter (NE FR $\frac{1}{4}$) of said Section 6; Thence on a previously recorded bearing of South 00°19'00" West, along the East line of said Northeast Fractional Quarter (NE FR $\frac{1}{4}$) 600.20 feet to the Southeast Corner of Lot A in said Section 26,

being also the Point of Beginning. Thence continuing along said East line, South 00°19'00" West, 516.30 feet; Thence North 89°32'31" West, 1983.95 feet; Thence North 00°11'26" East, 452.21 feet; Thence North 47°42'17" East, 232.53 feet; Thence North 35°54'28" East, 139.11 feet; Thence North 21°51'26" East, 139.93 feet; Thence North 00°06'45" East, 250.39 feet to the North line of said Northeast Fractional Quarter (NE FR¼); thence South 90°00'00" East, along said North line, 1070.49 feet; Thence South 00°19'00" West, 600.20 feet to the South line of said Lot A: Thence South 90°00'00" East, along said South line, 611.80 feet to the Point of Beginning.

Hereafter known as Lot C of Section 6, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 38.65 acres and is subject to all easements of record.

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

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

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

DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE NORTHEAST FRACTIONAL QUARTER (NE FR¼) OF SECTION 6, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of the Northeast Fractional Quarter (NE FR¼) of said Section 6; Thence on a previously recorded bearing of North 00°19'00" East, along the East line of said Northeast Fractional Quarter (NE FR¼), 1450.29 feet; Thence North 89°32'31" West, 1983.95 feet to the East line of the West Half of the West Half of said Northeast Fractional Quarter (W½ W½ NE FR¼); Thence South 00°11'26" West, along said East line, 1450.29 feet to the South line of said Northeast Fractional Quarter (NE FR¼); Thence South 89°32'31" East, along said South line, 1980.66 feet to the Point of Beginning.

Hereafter known as Lot B of Section 6, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. AND

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST FRACTIONAL QUARTER (N½ NE FR¼) OF SECTION 6, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Northeast Fractional Quarter (NE FR ¼) of said Section 6; Thence on a previously recorded bearing of South 00°19'00" West, along the East line of said Northeast Fractional Quarter (NE FR¼) 600.20 feet to the Southeast Corner of Lot A in said Section 26, being also the Point of Beginning. Thence continuing along said East line, South 00°19'00" West, 516.30 feet; Thence North 89°32'31" West, 1983.95 feet; Thence North 00°11'26" East, 452.21 feet; Thence North 47°42'17" East, 232.53 feet; Thence North 35°54'28" East, 139.11 feet; Thence North 21°51'26" East, 139.93 feet; Thence North 00°06'45" East, 250.39 feet to the North line of said Northeast Fractional Quarter (NE FR ¼); thence South 90°00'00" East, along said North line, 1070.49 feet; Thence South 00°19'00" West, 600.20 feet to the South line of said Lot A: Thence South 90°00'00" East, along said South line, 611.80 feet to the Point of Beginning.

Hereafter known as Lot C of Section 6, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

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

DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE NORTHEAST FRACTIONAL QUARTER (NE FR $\frac{1}{4}$) OF SECTION 6, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) Corner of the Northeast Fractional Quarter (NE FR $\frac{1}{4}$) of said Section 6; Thence on a previously recorded bearing of North 00°19'00" East, along the East line of said Northeast Fractional Quarter (NE FR $\frac{1}{4}$), 1450.29 feet; Thence North 89°32'31" West, 1983.95 feet to the East line of the West Half of the West Half of said Northeast Fractional Quarter (W $\frac{1}{2}$ W $\frac{1}{2}$ NE FR $\frac{1}{4}$); Thence South 00°11'26" West, along said East line, 1450.29 feet to the South line of said Northeast Fractional Quarter (NE FR $\frac{1}{4}$); Thence South 89°32'31" East, along said South line, 1980.66 feet to the Point of Beginning.

Hereafter known as Lot B of Section 6, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and copies of said final plats shall be of record in the appropriate County offices. AND

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST FRACTIONAL QUARTER (N $\frac{1}{2}$ NE FR $\frac{1}{4}$) OF SECTION 6, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Northeast Fractional Quarter (NE FR $\frac{1}{4}$) of said Section 6; Thence on a previously recorded bearing of South 00°19'00" West, along the East line of said Northeast Fractional Quarter (NE FR $\frac{1}{4}$) 600.20 feet to the Southeast Corner of Lot A in said Section 26, being also the Point of Beginning. Thence continuing along said East line, South 00°19'00" West, 516.30 feet; Thence North 89°32'31" West, 1983.95 feet; Thence North 00°11'26" East, 452.21 feet; Thence North 47°42'17" East, 232.53 feet; Thence North 35°54'28" East, 139.11 feet; Thence North 21°51'26" East, 139.93 feet; Thence North 00°06'45" East, 250.39 feet to the North line of said Northeast Fractional Quarter (NE FR $\frac{1}{4}$); thence South 90°00'00" East, along said North line, 1070.49 feet; Thence South 00°19'00" West, 600.20 feet to the South line of said Lot A: Thence South 90°00'00" East, along said South line, 611.80 feet to the Point of Beginning.

Hereafter known as Lot C of Section 6, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plats shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 4th day of May, 2004.

/s/ Herb Crampton, Chairman, Board of Supervisors Attest: /s/ Karen M. Strawn, Auditor

Treasurer Kathy Bach reviewed taxes on several properties. Motion by Lanphere to **abate current taxes** on the following parcels as noted:

- #01-12-200-005 in dist 490-acres no longer exist due to channel changes in the Little Sioux River;
- mobile home VIN#11-W124428 (junked due to fire);
- mobile home VIN #11-B000225 (junked due to fire);
- #14-02-302-901 in dist 540 (mobile home was moved to Kossuth County, taxes paid in Kossuth);
- Midwestern Railroad property-2002 drainage assessment in DD#150Jt. Br.8&9 (uncollectible). Carried.

Bach recommended **tax suspensions** on several parcels for the reason of hardship with to DSC credits having been funded at only 40% for the current year. Pursuant to 2003 Iowa Code Section 427.9, motion by Gustafson to suspend taxes on the following parcels: #04-20-400-004, 14-02-376-005, 14-03-131-004, 14-03-229-014, 14-14-226-004, 03-08-300-004. Carried.

Genesis Development Executive Director Terry Johnson and Storm Lake Site Director Cindy Wiemold, updated the Board on current activities of the organization. The Storm Lake site has obtained two permanent job contracts for their clients: product assembly, labeling and packaging, and, product

tagging and packaging. There are currently two residential openings, with 1 spoken for. The Storm Lake site now has the capacity for growth. They thanked the Board for the 2% rate increase.

Engineer Jon Ites reported that the Radio Road project is point qualified as a retrofit project. He requested that the Board look at the Hayes School road which is in bad shape. The two options are to re-claim the crumbling surface, grade the road and re-lay the material, or, remove the surface to use elsewhere and put down gravel. The old asphalt can be used for edge rutting, but doesn't have enough fines to be a good road surface material. Ites recommends reclamation of the asphalt and replacing it with gravel. The IDOT budget amendment has been approved. \$23,735 has been received in damages from IDOT for the detour route which used C-49 and hog-buying blacktop for the project Hwy 7 project completed 2 years ago. Buena Vista County will receive 12-18% less in Road Use Taxes under the proposed distribution formula. The city has agreed to buy the concrete if the county buys the materials and the railroad does the installation for the Radio Road railroad re-hab. The cost estimate for the county is about \$8,500. It was the consensus of Board to approve having the Engineer negotiate an agreement. The agreement on the Whiskey Run project has been signed but they are having problems with accurate legal descriptions for the easements. With the Board's approval, Ites will ask the city of Sioux Rapids to share the cost of an official survey if it is needed. In about a month Ites hopes to learn whether funding may be available through NRCS for the Maple Valley bridge and the Cherokee County line bridge.

Motion by Vail to approve and to authorize the Chairman to sign three utility construction permits submitted by Clay Regional Water as follows: Zone 6 (portions of Barnes, Lee and Scott Townships), Zone 7 (portions of Barnes & Lee Townships), and Zone 8 (portions of Brooke, Elk & Scott Townships) (see maps). Carried. Ites reported that the law has changed and now water lines must be treated like other utilities in regard to placement in right-of-way.

Tim Humes, Sioux Rapids, reported that shots were fired recently at his home, and a red vehicle with tinted windows slowly drove by numerous times. He called 911 but the vehicle was not found. Also, he called DNR to report that a manure application on an adjacent field had encroached upon his property. He did not receive a satisfactory or timely response from DNR. Due to his survey stakes having been damaged, he has contacted a surveyor to re-locate them. Currently there is no division fence, nor does he particularly want one. Humes stated that if the counties ever do gain any control over the locating of hog confinements, the distance requirements should be greater. He was referred to the Lee Township Trustees who have responsibilities regarding fence disputes, and who may consult the County Attorney with regard to whether a boundary dispute might fall within their area of responsibility. Finally, Humes offered to sell his property to the county for \$300,000 as he no longer has the 'enjoyment' of ownership.

Representative Clarence Hoffman discussed briefly some of the issues acted upon in this last session of the legislature including wind energy and shelter care costs. Hoffman, as an independent insurance agent representing the Iowa Community Assurance Pool (ICAP), had requested to meet with the Board because of the marketing agreement between ICAP and the Iowa State Association of Counties (ISAC) which endorses ICAP. The Board has opted not to consider proposals from pools in their RFP for property/casualty coverage. The agreement calls for a representative to meet with the counties who decline to consider the pool to discover what concerns there may be with the program and to provide some information about ICAP. Over half of Iowa's counties purchase coverage from ICAP. Hoffman pointed out that ICAP is not the same as the pool which Buena Vista County was a member of 20+ years ago, and in fact is much different from it. The early pool was under-capitalized. ICAP is, if anything, over-capitalized. Hoffman requested that the Board give ICAP consideration in the future.

Marian McNabb, President of the Little Sioux Federated Garden Club, invited the Board to attend the dedication and unveiling of 10 Blue Star Memorial Markers honoring our veterans on Flag Day weekend, June 11-13, 2004. Buena Vista County is the only county in the nation to honor our veterans by placing a Blue Star Marker in every town in the county.

Motion by Gustafson to approve the minutes of the 4/20 meeting as printed, and the following reports: April budget reports. Carried.

Treasurer Kathy Bach & Drainage Clerk Barb Henrich reviewed the financial condition of the drainage districts and made recommendations for levies. Motion by Burnside to order levies as follows, due and payable September 1, 2004, delinquent October 1, 2004, with waivers allowed on parcels with assessments greater than \$100 on 40 acres at 5% interest: **DD#3 & 3 Ext** - 25%; **DD#8** - 57%; **DD#16** - 27%; **DD#34**. Carried.

Supervisor Vail left the meeting.

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-05-04-B** ordering a levy on Jt. **DD #22, Lateral 19-180**. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Abstentions—none. Carried.

**RESOLUTION 2004-05-04-B
JOINT DRAINAGE DISTRICT #22 LATERAL 19-180**

The Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties hereby prepares to levy assessments within the above named drainage district.

Motion by Clay County Supervisor Sylvia D. Schoer, seconded by Palo Alto County Supervisor Lannie Miller, that the following resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District #22 Lateral 19-180 and there being insufficient funds to 'make' solvent said account of said drainage district.

BE IT THEREFORE RESOLVED by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties, Iowa, that there is hereby levied against all lands, tracts, real estate, highways and railroads within Joint Drainage District #22 on the assessment schedule of the said tile line as follows:

Lateral 19-180 \$1,144.71 30%

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended shall be collected with the current property taxes due September 30, 2004, except that any single assessment on any parcel exceeding \$100 shall qualify for a waiver of installment option of two payments and any single assessment on any parcel exceeding \$300 shall qualify for a waiver of installment option of three payments.

All members of the joint boards voted "aye". Motion carried and the resolution duly adopted according to the last date of the participating board's signature.

Dated April 13, 2004
/s/ Joel Sorenson, Chairperson
Clay Co Brd of Supervisors
Attest: /s/ Marjorie A. Pitts
Clay County Auditor

Dated April 20, 2004
/s/ Leo Goeders, Chairperson
Palo Alto Co Brd of Supervisors
Attest: Gary Leonard
Palo Alto County Auditor

Dated May 4, 2004
/s/ Herb Crampton, Chairperson
BV Co Brd of Supervisors
Attest: Karen M. Strawn
Buena Vista County Auditor

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-05-04-C** ordering a levy on Jt. **DD #22, Branch 158**. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Abstentions—none. Carried.

**RESOLUTION 2004-05-04-C
JOINT DRAINAGE DISTRICT #22 BRANCH 158**

The Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties hereby prepares to levy assessments within the above named drainage district.

Motion by Clay County Supervisor Kenneth Chalstrom, seconded by Palo Alto County Supervisor Lannie Miller, that the following resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District #22 Branch 158 and there being insufficient funds to 'make' solvent said account of said drainage district.

BE IT THEREFORE RESOLVED by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties, Iowa, that there is hereby levied against all lands, tracts, real estate, highways and railroads within Joint Drainage District #22 on the assessment schedule of the said tile line as follows:

Branch 158 \$873.63 50%

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended shall be collected with the current property taxes due September 30, 2004, except that any single assessment on any parcel exceeding \$100 shall qualify for a waiver of installment option of two payments and any single assessment on any parcel exceeding \$300 shall qualify for a waiver of installment option of three payments.

All members of the joint boards voted "aye". Motion carried and the resolution duly adopted according to the last date of the participating board's signature.

Dated April 13, 2004
/s/ Joel Sorenson, Chairperson
Clay Co Brd of Supervisors
Attest: /s/ Marjorie A. Pitts
Clay County Auditor

Dated April 20, 2004
/s/ Leo Goeders, Chairperson
Palo Alto Co Brd of Supervisors
Attest: Gary Leonard
Palo Alto County Auditor

Dated May 4, 2004
/s/ Herb Crampton, Chairperson
BV Co Brd of Supervisors
Attest: Karen M. Strawn
Buena Vista County Auditor

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-05-04-D** ordering a levy on Jt. **DD #22, Lateral 310**. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Abstentions—none. Carried.

**RESOLUTION 2004-05-04-D
JOINT DRAINAGE DISTRICT #22 LATERAL 310**

The Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties hereby prepares to levy assessments within the above named drainage district.

Motion by Clay County Supervisor Sylvia D. Schoer, seconded by Palo Alto County Supervisor Lannie Miller, that the following resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District #22 Lateral 310 and there being insufficient funds to 'make' solvent said account of said drainage district.

BE IT THEREFORE RESOLVED by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties, Iowa, that there is hereby levied against all lands, tracts, real estate, highways and railroads within Joint Drainage District #22 on the assessment schedule of the said tile line as follows:

Lateral 310 \$3,597.01 120%

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended shall be collected with the current property taxes due September 30, 2004, except that any single assessment on any parcel exceeding \$100 shall qualify for a waiver of installment option of two payments and any single assessment on any parcel exceeding \$300 shall qualify for a waiver of installment option of three payments.

All members of the joint boards voted “aye”. Motion carried and the resolution duly adopted according to the last date of the participating board’s signature.

Dated April 13, 2004

/s/ Joel Sorenson, Chairperson

Clay Co Brd of Supervisors

Attest: /s/ Marjorie A. Pitts

Clay County Auditor

Dated April 20, 2004

/s/ Leo Goeders, Chairperson

Palo Alto Co Brd of Supervisors

Attest: Gary Leonard

Palo Alto County Auditor

Dated May 4, 2004

/s/ Herb Crampton, Chairperson

BV Co Brd of Supervisors

Attest: Karen M. Strawn

Buena Vista County Auditor

Motion by Gustafson to approve and to authorize the Chairman to sign the ‘off-premise’ **liquor license** and Sunday Sales privilege renewal for Storm Lake Access and Marina, Storm Lake. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Abstentions—none. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the contract in the amount of \$204,376.38 awarded April 6, 2004, to L.A. Carlson Contracting, Inc., Merrill, for the **DD #1 Main Open Ditch** Repairs project, and to approve the performance bonds and certificates of insurance. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Abstentions—none. Carried.

The FY’05 budget now having been finalized, and a determination having been made as to the financial status of the various funds, motion by Crampton, to make record of the Board’s decision to finalize disbursements at the 75% level for the following agencies in the **FY’04 budget** year: Libraries (AC, AL, LG, MA, NE, RE, SR, SL), historical societies (BV, SR, NE, AC, MA, Hanover) and (SL) genealogical society, BV County Fair, NW Aging, UDMO, RTA night-time shuttle, Soil Conservation Service, SLADC, NW IA ADTU, Tourism mileage & subsistence, Tourism brochure, CADA, Wellness, and Child Abuse Team. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Abstentions—none. Carried. (see minutes of July 13, 2003)

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-05-04-E** amending the Buena Vista County Deferred Compensation Plan for compliance with final 457 Treasury regulations issued in July, 2003. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Abstentions—none. Carried.

RESOLUTION 2004-05-04-E

WHEREAS, Buena Vista County (hereinafter “Employer”) heretofore established the Buena Vista County Deferred Compensation Plan (hereinafter “Plan”); and

WHEREAS, the Employer desires to amend the Plan to conform with the final 457 Treasury regulations (“regulations”) issued in July, 2003; and

WHEREAS, this amendment is intended as good faith compliance with the requirements of the regulations, and

NOW THEREFORE, BE IT RESOLVED, that effective May 4, 2004, the Employer hereby amends the Plan by:

A. replacing section 2.3 with the following:

“2.3 Agreement Effective Date

In general, an Employee must complete and file with the Employer a Participation Agreement prior to the month deferrals begin. Notwithstanding this requirement, the Employer may establish a cutoff date for receiving Participation Agreements as long as the cutoff is no later than the deadline provided in section 1.457-4(b) of the final 457 regulations and the cutoff date is applied in a nondiscriminatory manner. Thereafter, during each month in which the Employee is a Participant in the Plan, that portion of his said

Compensation which is specified by the Employee in the Participation Agreement, shall be deferred and paid in accordance with the provisions of this Plan.”

- B. deleting the following portion of section 2.6 and renumbering section 2.6(d) and 2.6(e) as 2.6(c) and 2.6(d) respectively:

“(c) The pre-retirement catch-up provision may not be used during the calendar year that the Participant ceases to be an Employee.”

- C. replacing section 4.2 7.2 and 7.3 with the following:

“4.2 Unforeseeable Emergency Distribution

A Participant may apply for a lump sum withdrawal of funds from the Plan in the event of an unforeseeable emergency. The Employer will evaluate the request for conformity with its interpretation of the applicable regulations. The decision of the Employer concerning whether an unforeseen emergency exists shall be final.

An unforeseeable emergency is a severe financial hardship of the Participant or Beneficiary resulting from an illness or accident of the Participant or Beneficiary, the Participant’s or Beneficiary’s spouse, or the Participant’s or Beneficiary’s dependent (as defined in Code section 152(a)); loss of the Participant’s or Beneficiary’s property due to casualty (including the need to rebuild a home following damage to a home not otherwise covered by homeowner’s insurance, e.g., as a result of a natural disaster); or other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the participant or the beneficiary.

Examples of unforeseeable emergencies include (1) imminent foreclosure of or eviction from the Participant’s or Beneficiary’s primary residence, (2) the need to pay for medical expenses (including non-refundable deductibles), as well as for the cost of prescription drug medication and (3) the need to pay for the funeral expenses of a spouse or a dependent (as defined in Code section 152(a)). Note that the purchase of a home and the payment of college tuition are typically not unforeseeable emergencies.

The Participant must satisfy the Employer that the facts and circumstances of his or her situation fall within the definition of unforeseeable emergency. A distribution on account of an unforeseeable emergency may not be made to the extent the emergency is or may be relieved through reimbursement or compensation from insurance or otherwise by liquidation of the Participant’s assets (to the extent liquidation would not itself cause severe financial hardship) or by cessation of deferrals under the Plan.”

“7.2 Transfers In

All or a portion of an Employee’s benefit may be transferred from another Eligible Deferred Compensation Plan maintained by the Employer or another eligible governmental employer and credited to the Participant’s Account under this Plan as long as the transferor plan provides that such transfer can be made and

- a) the transfer is from a plan of another employer and the Employee has severed employment with such other employer;
- b) the transfer is made between eligible governmental plans sponsored by the Employer; or
- c) the entire plan’s assets are transferred from another eligible governmental plan in the same state.

As it deems necessary, the Employer may require such documentation from the transferor plan to effect the transfer, to confirm that such plan is an Eligible Deferred Compensation Plan within the meaning of Code Section 457(b) and to ensure that transfers are provided for under such plan.

The Employer may refuse to accept a transfer in the form of assets other than cash, unless the Employer agrees to hold such other assets in trust under the Plan.

Any amounts transferred that have been deferred during the current calendar year will be considered deferrals subject to current calendar year deferral limitation.

If a transfer, occurring on or after January 1, 2002, is associated with a distributable event and the Employee is eligible to receive an eligible rollover distribution as defined in Section 402©(4) of the Code, such transfer will be considered a Rollover Contribution subject to the provisions of Section 2.8”

“7.3 Transfers Out

All or a portion of a Participant Account may be transferred to another Eligible Deferred Compensation Plan maintained by another eligible governmental employer as long as the transferee plan provides that transfers can be made and

- a) the transfer is to a plan of another employer and the Employee has severed employment; or
- b) the transfer is made between eligible governmental plans sponsored by the Employer; or
- c) the entire plan's assets are transferred to another eligible governmental plan in the same state.

Upon the completion of the transfer, the Plan and Employer are discharged of any liability to the Participant to pay amounts so transferred.

As it deems necessary, the Employer may require such documentation from the other plan to effect the transfer, to confirm that such plan is an Eligible Deferred Compensation plan within the meaning of Code Section 457(b) and to ensure that transfers are provided for under such plan. Such transfers shall be made only under such circumstance as are permitted under Code Section 457 and the applicable regulations.

If a transfer, occurring on or after January 1, 2002, is associated with a distributable event and the distribution is an eligible rollover distribution as defined Section 402(c)(4) of the Code, such transfer will be considered a Direct Rollover subject to the provisions of Section 7.1"

IN WITNESS WHEREOF, the Employer has executed this Plan Amendment this 4th day of May, 2004.

Buena Vista County (Employer) by /s/ Herb Crampton, Chairperson, Board of Supervisors

Attest: Buena Vista County Auditor /s/ Karen M. Strawn (Witness)

There being no further business, motion by Crampton to adjourn the meeting until Tuesday, May 11, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
NINETEENTH MEETING, 2004 SESSION (19)
MAY 11, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 11, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Motion by Vail to approve the minutes of the May 4 meeting as printed. Carried.

CPC/**Case Management** Administrator Dawn Mentzer has applied and received a grant from the Governor's Developmental Disabilities Council and the Center for Disabilities and Development to be used for intensive support services for persons released from the hospital. Training for local providers for this project will be next Tuesday. Direct services including case management can be reimbursed through

the grant. The Board approved her request to accept sealed bids for some excess equipment (2 desk chairs). Mentzer will be taking part in a Supported Community Living accreditation survey in Crawford County.

The Board discussed the replacement of a culvert in DD #1 located west of Newell with either CMP or a new box culvert. Steel prices have gone up, causing the CMP and box culvert to be much closer in price than the earliest estimates. Ites advised not using a steel pipe under a paved road whose estimated life is up to 20 years more than the life of a steel pipe. No action was taken at this time.

9:00 a.m.—The time having arrived for the opening of bids on the county's FY'05 property/casualty insurance coverage, bids were received from Employer's Mutual Casualty Insurance, (Stille Pierce & Pertzborn), Tim Pierce, Agent, and from Berkshire Hathaway Homestate Company (Cornhusker Casualty & Traveler's), Doug Svendsen, agent, Olson Eaton Svendsen. Pierce, Svendsen, plus Pete Holt (Cornhusker) were present for discussion of their proposals. It was noted that the insured value of the dredge and related equipment was less than it should be. After discussion it was the consensus of the Board to raise the insured value of the dredge to \$400,000, plus \$150,000 for the related equipment. Motion by Gustafson to accept the bid of Berkshire Hathaway for property/casualty coverage in a total amount of \$218,956 (with adjustments to be made for corrected inventory and additional value of the dredge) with a 3-year rate guarantee (adjusted for inventory changes). Carried. (Coverage purchased includes: property, inland marine including contractors equipment/radio/data processing equipment, boiler, auto, crime, general liability, worker's compensation, umbrella, law enforcement professional liability, and public officials' errors and omissions.)

The Board reviewed and discussed 4 proposed Employee Handbook Amendments, noting the possible need for revised wording, and taking no action at this time. Dan Bailey, Secondary Road Department, asked about one other proposal discussed by his department. The Board set a deadline of May 18 for any additional handbook amendment proposals. Vail requested that the auditor estimate the fiscal impact of each of the amendments proposed.

There being no further business, motion by Crampton to adjourn the meeting at 11:40 a.m. until Tuesday, May 18, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTIETH MEETING, 2004 SESSION (20)
MAY 14, 2004**

The Buena Vista County Board of Supervisors met in special session with the Employee Health Insurance Committee on Friday, May 14, 2004 at 10:00 A.M. in the Public Meeting Room for a discussion of several insurance options. Board Members present were: Crampton, Burnside, Gustafson, and Vail, and with Auditor Karen Strawn as clerk, Committee Members: Leigh Madsen, Kim Carnine, Shari O'Bannon, Dan Bailey, Marilyn Peters, Doug Simons, Joan Martin, Linda White, from the Recycle Center: Ellsworth Jeppesen and Donna Cavanaugh, plus Wellmark Representative Alli Child and Keeli Thomas from Group Services, Inc.

The county's current self-funded plans renew with a 28% premium increase. Options previously presented and discussed today included alternate plans, full-insured plans, ISAC options, ISAC with partial self-funding, and stand-alone plans with partial self-funding. The benefits of each were discussed, including costs and features.

The Insurance Committee will discuss the options and provide their recommendation to the Supervisors for the next meeting on May 18, 2004.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-FIRST MEETING, 2004 SESSION (21)
MAY 18, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 18, 2004 at 8:30 A.M. in the Boardroom with Vice-Chairman Lanphere as Chairman Pro Tem and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton.

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

8:30 a.m.—The time having arrived for the public hearing on the minor subdivision request of Ronovan Meyer, the Vice-Chairman opened the hearing with Zoning Director Kim Johnson, and no other interested persons present. Johnson reviewed the request noting that the Zoning Commission has recommended approval. There being no objections, motion by Gustafson to close the public hearing. Carried. Motion by Burnside to approve and to authorize the Chairman Pro Tem to sign **RESOLUTION 2004-05-18-A** approving the minor subdivision request of Ronovan Meyer for a parcel in Section 21, Grant Township. Carried.

RESOLUTION 2004-05-18-A

WHEREAS, Ronovan Meyer has presented a preliminary and final plat (of survey) on the following described properties:

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION 21, 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 Southeast Quarter (SE¼) of said Section 21; Thence of a previously recorded bearing of South 90°00'00" East, along the South line of said Southeast Quarter (SE¼) 445.00 feet to the Point of Beginning. Thence continuing along said South line, South 90°00'00" East, 187.50 feet; Thence North 00°40'15" West, 424.65 feet; Thence North 89°59'23" West, 187.38 feet; Thence South 00°39'21" East, 424.68 feet to the Point of Beginning.

Hereafter known as Lot C of Section 21, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 1.83 Acres and is subject to all easements of record.

DESCRIPTION: LOT D

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION 21, 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 Southeast Quarter (SE¼) of said Section 21; Thence of a previously recorded bearing of South 90°00'00" East, along the South line of said Southeast Quarter (SE¼) 632.50 feet to the Point of Beginning. Thence continuing along said South line, South 90°00'00" East, 187.50 feet; Thence North 00°41'13" West, 424.62 feet; Thence North 89°59'23" West, 187.38 feet; Thence South 00°40'15" East, 424.65 feet to the Point of Beginning.

Hereafter known as Lot D of Section 21, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 1.83 Acres and is subject to all easements of record.

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

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

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

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION 21, 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 Southeast Quarter (SE¼) of said Section 21; Thence of a previously recorded bearing of South 90°00'00" East, along the South line of said Southeast Quarter (SE¼) 445.00 feet to the Point of Beginning. Thence continuing along said South line, South 90°00'00" East, 187.50 feet; Thence North 00°40'15" West, 424.65 feet; Thence North 89°59'23" West, 187.38 feet; Thence South 00°39'21" East, 424.68 feet to the Point of Beginning.

Hereafter known as Lot C of Section 21, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

DESCRIPTION: LOT D

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION 21, 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 Southeast Quarter (SE¼) of said Section 21; Thence of a previously recorded bearing of South 90°00'00" East, along the South line of said Southeast Quarter (SE¼) 632.50 feet to the Point of Beginning. Thence continuing along said South line, South 90°00'00" East, 187.50 feet; Thence North 00°41'13" West, 424.62 feet; Thence North 89°59'23" West, 187.38 feet; Thence South 00°40'15" East, 424.65 feet to the Point of Beginning.

Hereafter known as Lot D of Section 21, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa: is hereby accepted subject to the following if any: none.

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

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION 21, 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 Southeast Quarter (SE¼) of said Section 21; Thence of a previously recorded bearing of South 90°00'00" East, along the South line of said Southeast Quarter (SE¼) 445.00 feet to the Point of Beginning. Thence continuing along said South line, South 90°00'00"

East, 187.50 feet; Thence North 00°40'15" West, 424.65 feet; Thence North 89°59'23" West, 187.38 feet; Thence South 00°39'21" East, 424.68 feet to the Point of Beginning.

Hereafter known as Lot C of Section 21, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

DESCRIPTION: LOT D

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION 21, 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 Southeast Quarter (SE¼) of said Section 21; Thence of a previously recorded bearing of South 90° 00' 00" East, along the South line of said Southeast Quarter (SE¼) 632.50 feet to the Point of Beginning. Thence continuing along said South line, South 90°00'00" East, 187.50 feet; Thence North 00°41'13" West, 424.62 feet; Thence North 89°59'23" West, 187.38 feet; Thence South 00°40'15" East, 424.65 feet to the Point of Beginning.

Hereafter known as Lot D of Section 21, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa: and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 18th day of May 2004.

/s/ Bill Lanphere, Vice-Chairman, Board of Supervisors /s/ Karen M. Strawn, Auditor

Jon Murray, Attorney, discussed the subscriptions for the law library and proposed a program that would save the county about \$3,000/yr. Subscriptions for print media will be replaced with electronic access. Since the acquisition of the computer and electronic subscriptions several years ago, the total law library expense has stabilized, while the number of electronic resources available has increased. To address the inadequate space issue in the library, Murray proposed disposing of the 1938-1989 collection of Federal Supplements and Federal Reporters since they are accessible online. He recommended offering the books for sale. It was the consensus of the Board to set a price of \$1/book, or \$75/100 books for the nearly 600 volumes. The books will be available for sale in the Auditor's office.

Assistant County Attorney Rick Kimble reviewed a draft of a resolution addressing the payment of juvenile shelter care services. Still to be developed is a list of authorized procedures and practices, and a determination on whether the parents can be billed for the cost. The Board would like to have the resolution and process in place by July 1st.

The Employee Health Insurance Committee met with the Board to present their recommendation for the FY'05 employee health insurance program. Members present were Leigh Madsen, Doug Simons, Dan Bailey, Kim Johnson, Jon Ites, Marilyn Peters, Mark Van Hooser, and Linda White. Motion by Gustafson to accept the committee's recommendation for a "\$2,000 Standalone Plan with Partial Self Funding" for FY'05 with a 10% decrease in the 'suggested rate' in the employee's portion of the family premium for the \$1,000 deductible plan. Vail noted that there would be very little savings to the county from employee's selecting the \$1,000 plan since the county is self-funding the difference between the \$1,000 deductible plan and the \$2,000 deductible policy being purchased from Wellmark - the county's exposure is greater. The vote was called: ayes-Gustafson, Burnside, Lanphere; nay-Vail. Carried.

Engineer Jon Ites requested a letting date for this summer's seal coat projects which include: M-36 from Hwy 7 to Hwy 3, M-50 from C-49 to Hwy 3, the Marathon Park road, the elevator road east of Albert City, and three small roads at Bel Air Beach. Motion by Burnside to set a June 29th, 10:00 a.m. bid letting date for the 2004 season's seal coat projects. Carried.

Motion by Vail to approve the purchase of a leased 2004 Cat 140H2 motorgrader in the amount of \$160,283 with trade-in. Carried.

It was the consensus of the Board to approve the project to remove the surface on Hayes School Road, replacing it with gravel, and recycling the material removed. The portion of the road in front of school and house will be left, if possible, for dust control. The project will begin when the surface is dry, probably in September. Notice will be given to the residents.

Ites discussed the letter received from the Newell City Council regarding a new cost estimate for the replacement of the DD#1 culvert. The new estimate by the drainage engineer may still be low, however, the cost to the city would be 25% of the total. The county will need to approach the city after a formal proposal for the work is prepared and the actual cost is known.

Ites has received another inquiry about filling in the basement from the site where the Sundholm log cabin was moved out. It is not legal to do 'non-county' work for free with Secondary Road resources. Vail made some contacts on the matter.

Motion by Burnside to approve Ites' request to exceed his 5-day vacation holdover limit by 6 additional days. Carried.

Motion by Gustafson to approve and to authorize the Chairman Pro Tem to sign the following utility construction permits:

- from Iowa Telecom, Grinnell, IA, to install a 25-pair copper telephone cable from Sioux Rapids to Marathon along 570th St. between Sections 21 & 22, Coon Township from 220th Ave to 2004' east on 570th St.;
- from Iowa Telecom, Grinnell, IA, to install a 25-pair copper telephone cable along 170th St, Section 15, Providence Township, from 150' south to 150' north of the new culvert on 170th Ave;
- from Clay Regional Water, Spencer, IA, to bore for a 2½" waterline under 440th St. between Sections 12 & 13 Barnes Township for service for Thomas Petty;
- from Mid-American Energy Company, Urbandale, IA, to bore under county roads at 13 locations along M-27, Section 31 and 32, Maple Valley Township, for windmills, and install 35KV power lines and communications cables;
- from Clipper Wind aka MidAmerican Energy for one wind generator located on the south side of Section 34, Maple Valley Township, the road being a class 'B' road which the county attempted to vacate. The vote on the motion to approve the 5 permits carried.

Motion by Lanphere to approve the minutes of the 5/11 and 5/14 meetings as printed, and the following reports: March Recorder's fees, April Clerk's fees, April fund balances, April operating report of Spectra lagoon by Mangold, 4/16 & 4/28 Conservation Board minutes; also reviewed were the April 8 NWIPDC Policy Council minutes. Carried.

Motion by Gustafson to approve and to authorize the Chairman Pro Tem to sign the FY'05 agreement with the Iowa Department of Public Health in the amount of \$2,551, representing 25% of the funds allocated by the county to NW IA ADTU for substance abuse education, prevention and referral services. Carried.

Motion by Vail to approve and to authorize the Chairman Pro Tem to sign the following documents regarding the FY'05 Employee Health Insurance program: 1) notice to Wellmark to change language on their EOB's reflecting a 3rd party administrator for the plan's self-funding; 2) request to Wellmark for 3rd Party EOB's and authorization to release group health information (PHI) to Group

Services, Inc., Bettendorf, IA; 3) approval form assigning Group Services, Inc., to receive PHI; 4) a BAA between Buena Vista County and Group Services, Inc. for compliance with HIPAA regulations; 5) insurance binder from Wellmark for the \$2,000 deductible health care coverage; 6) OBS for \$2,000 deductible coverage; 7) OBS for prescription coverage; 8) monthly billing for 60 single and 60 family policies; 9) order form to Wellmark for 3rd party EOB's; 10) confirmation of Medicare Secondary Payer Status; Carried. (EOB=Explanation of Benefits; PHI=Private or Protected Health Information; BAA=Business Associates Agreement; OBS=Benefit Summary)

There being no further business, motion by Vail to adjourn the meeting at 12:00 p.m. until Tuesday, May 25, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-SECOND MEETING, 2004 SESSION (22)
MAY 25, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 25, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Sheriff Chuck Eddy and Deputy Doug Simons discussed agreements for **contract law enforcement** with Albert City, Lakeside, Marathon and Sioux Rapids. The Board may consider uniform agreements and expiration dates. The increase in cost for fuel and employee health insurance may also need to be considered. Vail and Eddy will prepare letters of notice to the City Councils that the Board wishes to review and renew the agreements. They will also contact Linn Grove, Rembrandt and Truesdale regarding the possibility of agreements with those cities, as they are required to provide or contract for law enforcement for their cities.

HF 2569, approved by the Legislature, permits counties to collect a \$5 surcharge on citations for scheduled violations. A resolution by the Board is needed to implement the law. The Board was favorable to adopting the resolution which will be considered at the next regular meeting. The sheriff is waiting on information from the County Attorney needed to establish a program for collecting delinquent fines. Eddy reported on new **sheriff's equipment** - a pontoon has been donated to his department for use in rescue and recovery on the lake. He has obtained a motor for it - free of charge. He has also obtained from Zylstra-Harley Davidson, Ames, under a \$1/yr lease program, a motorcycle for use by his department. For an additional dollar, the necessary light bar has been leased.

Dave Horan, **NW IA Planning and Development Commission** Exec. Director, presented a history of his agency and a summary of the services his agency provides to cities and counties. He also reported that NWIPDC has about \$10,000 in economic development funding from Buena Vista County which was matched with federal dollars that were never used and have been repaid. At a later date he will present a proposal for the disposition of the funds and the interest on them.

Storm Lake Chamber of Commerce Director Marilyn Monson discussed the annual funding provided by the county for **the Buena Vista County Convention and Visitor's Bureau** and **Western Iowa Tourism**. Those dollars can be combined for use in qualifying for grant funding. She also presented ideas for the development and enhancement of a marketing plan for Buena Vista County tourist attractions.

Roger Baker discussed the need for cleanout in **DD #49** near Marathon. Watergrass in the ditch is preventing the water from draining away causing it to back-up in the field. Burnside will contact the engineer who was to run some levels for installation of an intake.

The Board reviewed the proposed **Employee Handbook Amendments** and took input from the department heads and employees present. The proposals will be placed on the agenda for action at the next meeting.

Motion by Vail to approve the **minutes** of the 5/18 meeting as printed. Carried.

There being no further business, motion by Crampton to adjourn the meeting at 12:30 p.m. until Tuesday, June 1, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-THIRD MEETING, 2004 SESSION (23)
JUNE 1, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 1, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Gustafson.

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

Head Custodian Dewyne Stucynski discussed renewal of **custodial agreements**. Motion by Burnside to approve and to authorize the Chairman to sign the custodial agreements with Cindy Hildreth for FY'05 for the DHS Annex and the E. Richland Annex; the agreements include a 1% increase and require Hildreth to provide the equipment (vacuum cleaner). Carried.

Stucynski also informed the Board that funds have been collected from county employees for a **park bench** to be placed on the courthouse lawn in memory of Assessor Ted Van Grootheest.

Zoning Director Kim Johnson presented a 28E agreement for approval. Motion by Vail to approve and to authorize the Chairman to sign the 28E agreement for a \$60,000 grant & \$20,000 loan from the **Local Government Innovation Fund** for a Comprehensive Plan update project for the County and the cities. Carried.

Three members of the Board (Lanphere, Burnside & Gustafson), plus Recorder Shari O'Bannon and Auditor Strawn attended a **Governmental Service Delivery** workshop on May 26th. Sharing ideas were exchanged, and the importance of performance expectations as part of sharing agreements, as well

as other agreements. Methods for achieving desired results were also discussed. NWIPDC, one of the meeting sponsors, discussed their GIS capabilities. Those present expressed interest in a meeting on the subject.

Engineer Jon Ites reported that recent heavy rain had 'blown' a tile (**DD#67**), causing damage to a road north of Albert City. Also, a motorgrader caught fire last week due to a short in a cable. The damage is covered by insurance.

Motion by Burnside to approve and to authorize the Chairman to sign the BROS funding agreement with IDOT for **project #BROS-CO11(50)—8J-11** (agreement # 3-04-HBRRS-0250). Carried.

Motion by Vail to accept the proposal of Calhoun Burns for bridge design on **project BROS-CO11(59)—8J-11** in the total amount of \$8,810. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the **utility construction application** of Iowa Telecom, Grinnell, IA, to install 24 pair fiber optic cable between Marathon and Sioux Rapids. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the **utility construction application** for Clay Regional Water for additional directional bores in Zones 1-7. Carried.

Motion by Vail to approve the **minutes** of the 5/25 meeting as printed, and the following **report**: 5/11 Board of Health minutes. Carried.

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

Motion by Vail to approve and to authorize the Chairman to sign Resolution 2004-06-01 establishing a **5% surcharge on citations** written by County Sheriff, effective 7/1/2004. Carried.

RESOLUTION #2004-06-01

A RESOLUTION ESTABLISHING A FIVE-DOLLAR COUNTY ENFORCEMENT SURCHARGE

WHEREAS, counties enforce the criminal laws passed by the State of Iowa, provide the county attorneys who prosecute criminals, and even provide the courtrooms where the criminal cases are tried, but do not receive any of the criminal fine money, which all goes to the State of Iowa; and

WHEREAS, in an attempt to begin to address this inequity the 2004 Iowa Legislature passed House File 2569, which provides that if a court imposes a fine or forfeiture for any simple misdemeanor punishable as a scheduled violation pursuant to a citation issued by the sheriff, the court shall assess a five dollar county enforcement surcharge for each applicable violation, with the surcharge going to the county general fund of the county where the citation was issued; and

WHEREAS, section 9 of House File 2569 requires that for this county enforcement surcharge to go into effect in a given county, the board of supervisors must adopt an enacting resolution;

THEREFORE, PURSUANT TO HOUSE FILE 2569, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA that the Board allows a five-dollar county enforcement surcharge to be assessed pursuant to House File 2569 (and pursuant to new Iowa Code Section 911.4, effective July 1, 2004), with the five-dollar surcharge to be imposed by the court or clerk of the district court whenever a court imposes a fine or forfeiture for any simple misdemeanor punishable as a scheduled violation pursuant to a citation issued on or after July 1, 2004 by the Sheriff as "Sheriff" is defined in Iowa Code Section 331.101.

PASSED AND APPROVED this 1st day of June, 2004.

/s/ Herb Crampton, Chair, Board of Supervisors

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

Motion by Lanphere to approve the following change in **appropriations**:

- Increase activity 6300 Rural Basic Fund (0011) Dept. 53 \$672.
- decrease activity 9110 General Basic Fund (0001) Dept. 52 \$672. Carried.

There being no further business, motion by Crampton to adjourn the meeting at 11:45 a.m. until Tuesday, June 8, 2004 at 8:30 a.m. for a special session. .

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-FOURTH MEETING, 2004 SESSION (24)
JUNE 8, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 8, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

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

Russ and Kay Schneider, Knudt and Audrey Miller, and Chuck and Joan Olson were present to request that the Board re-consider what is planned for the road they live on – the **Hayes School Road**. (The current plan beginning this fall, when it will be dry, is to remove the top 2-3 inches of the surface material to be ground up for use elsewhere, and then gravel the surface.) Russ Schneider explained that the residents believe that the stretches of the road in front of their homes seem to be in better shape than the areas between, and so could be left alone. They believe that the road is ok as is, and the money could better be spent elsewhere. A petition with 22 signatures was presented with that request. Engineer Jon Ites noted that although the road isn't as bad in front of the residences, the remainder of the approximately ½ mile is in quite bad shape. If moisture gets in under the base, it could destroy the road. If an accident occurred, the county could have a liability problem. He believes that the road is on its way to breaking up. Miller stated that he has seen very little deterioration in the 9 years he has lived there, so, it should be ok for a number of years yet. Also, he suggested a sign to prohibit trucks from using it as a through road. Ites stated that a double seal-coat on the road would cost \$12-15,000 dollars and would need maintenance every 5 years or so (1 coat) at a lower cost. The cost of gravel would be \$4-5,000 when it is put down, with maintenance gravel being needed from time to time. The current surface ponds water, which could cause hydroplaning when it rains. Kay Schneider hasn't noticed any hydroplaning, and says the road doesn't even stay wet very long, and this has been a wet year. Gustafson asked if the road could be designated a level "B" road. Ites answered that a level B would be a lower maintenance road. A level "B" road is defined to have a 3rd priority for snow removal. With so many residents who come to town every day, the 3rd priority isn't adequate. Gustafson asked if it could be level 'B' for liability purposes only - no. Lanphere noted that everyone agrees that the road is going to deteriorate and no one knows when. Perhaps it could be studied for a year. Gustafson suggested a road assessment district might be one way to keep a hard surface road in a case where the county feels that it has to

reduce the cost of road maintenance. The assessment district calls for cost participation from the owners. The group will talk about it with others who were not present today. Ites is to research the details of this program. Due to the concerns expressed by the residents along the road, motion by Gustafson to delay any changes to the Hayes School road surface for one year, unless there is some type of emergency. Carried.

Ites informed the Board that the most recent utility construction permits submitted by **Clay Regional Water** are proposing to use public right-of-way for up to 70% of the installation of the water service, rather than using the landowners' property. Gustafson will meet with Randy Van Dyke this week to discuss the matter and no additional permits will be issued for the time being.

Ites reported that two **NRCS agreements**, one approved last fall and the other in February, both projects having been already completed, the NRCS now wants new agreements. He is opposed to changing the forms for the completed work. He is now waiting for the proper forms for 2 upcoming projects.

Patti Maymon, Auditor's Clerk, reviewed a graphical representation of the use of the **local option sales tax receipts** for Capital Projects in the Secondary Road Fund from 1997 through the current year.

Sheriff Chuck Eddy was present for a discussion of terms for renewal of **law enforcement contracts** with Albert City, Lakeside, Marathon, and Sioux Rapids. The contracts could include terms which address the cost of fuel, equipment, benefits, and inflation. The Board would like to initiate new contracts for FY'06.

10:30 a.m.—The time having arrived for a teleconference with Clay and Palo Alto Counties, as the Joint Board of Trustees for **Jt. DD #22**, Chairman Crampton reported that he, Burnside, Gustafson, Lanphere and Auditor Strawn were present for the meeting. The purpose of the meeting was to discuss a request to establish and construct a wetland in Section 11, Garfield Twp., Clay County. Upon motion and second, Ken Chalstrom-Clay Co, was elected Chairman, and Marge Pitts-Secretary for the meeting. Following their completion, minutes of the meeting will be forwarded to Palo Alto and Buena Vista County.

Julie Kwikkel, Principal at Storm Lake East and West Elementary Schools, with Marta Sandoval, appeared before the Board with the denial for assistance from DHS, and the bills for surgery to put tubes in the ears of one child. The surgery was done either April 8 or 9. Sandoval has worked with the family and with the child and reported on the improvements that the child has made in school in the short time since the surgery. Kwikkel requested a total of \$1,429.36 (surgeon, clinic, and anesthetist) from the **Buckingham Estate Trust Fund**. Gustafson expressed regret that the county was found at fault in the media for not providing services, while the state government is allowed to deny the services. The Board does not currently have any written procedures for administering the funds, but will discuss establishing a policy. In the area of MR/MR/DD services, residents of the county aren't eligible for county paid services until they have resided in the county for 12 months without receiving any services. Motion by Burnside to approve payment of the medical bills for one child in a total amount of \$1,429.36 from the Buckingham Estate Trust Fund. Carried.

General Relief Director Paula Guerra discussed the possibility of pre-purchasing propane (in the general relief program), before the winter season, in order to lock in a lower price than what is available during the heating season. No action was taken at this time.

Motion by Burnside to approve the **minutes** of the 6/1 meeting as printed. Carried.

Motion by Burnside to approve and to authorize the Auditor to sign a System Agreement with CMS-Incode for a GASB 34 **software** program at a cost of \$1,200 plus maintenance. Carried.

There being no further business, motion by Crampton to adjourn the meeting at 1:20 p.m. until Tuesday, June 15, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-FIFTH MEETING, 2004 SESSION (25)
JUNE 15, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 15, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Deputy Auditor Sue Kennedy as clerk for the meeting.

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

Treasurer Kathy Bach requested **abatement of taxes** on two mobile homes. Motion by Burnside to abate the current taxes (\$222) on mobile home title #11-W124581, VIN: 2T300400JBA, and the current taxes (\$256) on mobile home title #11-W102228, VIN: 459928801172, which are uncollectible. Carried.

Treasurer Kathy Bach requested **suspension of taxes** on four parcels. Motion by Gustafson to suspend the 2002 2nd ½ taxes on parcel #14-04-228-016 (\$179), #10-34-405-028 (\$170.28), #09-26-109-001 (\$235), and #14-04-232-005 (\$300), all due to D.S.C. tax credit shortages. Carried.

John Call, Storm Lake City Administrator, and Gary Lalone, CEO of Storm Lake Area Development Corporation, presented information regarding the **Destination Park and County Trail System**. County participation is needed in the request for Vision Iowa dollars. The County Trail System involves the whole county.

Case Management Supervisor Dawn Mentzer, along with Case Managers Tami Mills-Thomas & Kara Napierala, presented their annual program evaluation and cost report certification. The new reimbursement rate will be \$154.51, down from \$167.95. Motion by Gustafson to approve and to authorize the Chairman to sign the Case Management Cost Report. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the **Case Management** Program Evaluation for FY'04. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the agreement with **REM Atlantic** for FY'05, there being no increase in the FY'04 rate. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the agreement with **REM Council Bluffs** for FY'05, with a rate of \$61.85 per day, up from \$60. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the agreement with **Plymouth Life Inc.** for FY'05, there being no increase in the FY'04 rate. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the FY'05 services agreement with the Ida Sheltered Industries, Ida Grove, the work activity rate to be \$34.19 per day. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the FY'05 services agreement with the Howard Center, Sac City, the service rate to be \$37.69 per day. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the FY'05 services agreement with Genesis Development, Storm Lake, with a 2% increase in service rates. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the FY'05 transportation agreement with Genesis Development, Storm Lake. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the FY'05 service agreement with Mid-Step Services, Sioux City. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the FY'05 services agreement with Seasons Center, with a 4% increase in service rates. Carried.

Motion by Burnside to promote Curt Johnson from Equipment Operator I to Equipment Operator II, effective 7-1-04. Carried.

Engineer Jon Ites will be advertising for a Mechanic I position opening. Gustafson stated that he was not in favor of hiring a third mechanic. Motion by Gustafson to not hire another mechanic. Ayes—Gustafson, Nays—Burnside, Crampton, Lanphere, Vail. Motion failed.

Motion by Vail authorizing the Engineer to advertise for a Mechanic I. Ayes—Burnside, Crampton, Lanphere, Vail, Nays—Gustafson. Carried.

Engineer Jon Ites presented a drainage problem in DD#35. He recommends replacing a culvert under the road in Section 36, Coon Township, along with a 12' extension. Fence line to fence line would be the County's expense, but the 12' extension would belong to DD#35. Motion by Burnside to approve the tile outlet for DD#35. Carried.

Engineer Jon Ites reported a drainage problem in DD#20, SE ¼ Section 3, Newell Township. Motion by Burnside to repair the outlet in DD#20. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the utility permit application from Clay Regional Water, Spencer, to install a 3" water line across the SW ¼ SE ¼ Section 10-93-36, for 660' in the ditch. Carried.

Burnside left the meeting.

Motion by Lanphere, to approve the minutes of the 6/8 meeting as printed, and the following reports: 5/11 Conservation Board minutes, May Clerk's fees, Spectra lagoon operating report, 6/2/04 DD#1 Pre-construction conference w/Engineer. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays--none. Carried.

Sheriff Chuck Eddy informed the Board that when he orders a new deputy sheriff car, in July, he plans to keep the old car for the sheriff reserves to use. Gustafson doesn't want any more "stuff", so is not in favor of ordering another vehicle.

Motion by Gustafson, to approve an additional employee benefit of '\$20,000 accidental death and dismemberment (AD&D)' for the FY'05 employee health insurance coverage (at a cost of 5

cents/thous/month on a single, and 8 cents/thous/month on family). Ayes—Gustafson, Lanphere, Vail, Crampton. Nays--none. Carried.

Upon review of the original cost for the establishment of **DD#8** and the current financial need for the fund, motion by Lanphere, to amend the levy ordered on May 4, 2004, from 57% to 15%, due and payable September 1, 2004, delinquent October 1, 2004. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays--none. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-06-15-A** amending Resolution 2004-05-04-D ordering a levy on Jt. **DD #22, Lateral 310**. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays--none. Carried.

**RESOLUTION 2004-06-15-A
JOINT DRAINAGE DISTRICT #22 LATERAL 310
(Amended)**

The Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties hereby prepares to levy assessments within the above named drainage district.

Motion by Clay County Supervisor William Zinn, seconded by Ken Chalstrom, to rescind prior resolution dated April 13, 2004 Clay County; April 20, 2004 Palo Alto County and Buena Vista Count respectively.

Motion by Clay County Supervisor Sylvia Schoer, seconded by Palo Alto County Supervisors Philip Currans, that the following resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District #22 Lateral 310 and there being insufficient funds to 'make' solvent said account of said drainage district.

BE IT THEREFORE RESOLVED by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista Counties, Iowa, that there is hereby levied against all lands, tracts, real estate, highways and railroads within Joint Drainage District #22 on the assessment schedule of the said tile line as follows:

Lateral 310 \$4,850.02 120%

BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended shall be collected with the current property taxes due September 30, 2004, except that any single assessment on any parcel exceeding \$100 shall qualify for a waiver of installment option of two payments and any single assessment on any parcel exceeding \$300 shall qualify for a waiver of installment option of three payments.

All members of the joint boards voted "aye". Motion carried and the resolution duly adopted according to the last date of the participating board's signature.

Dated May 25, 2004
/s/ Joel Sorenson, Chairperson
Clay Co Brd of Supervisors
Attest: /s/ Marjorie A. Pitts
Clay County Auditor

Dated June 1, 2004
/s/ Leo Goeders, Chairperson
Palo Alto Co Brd of Supervisors
Attest: Gary Leonard
Palo Alto County Auditor

Dated June 15, 2004
/s/ Herb Crampton, Chairperson
BV Co Brd of Supervisors
Attest: Karen M. Strawn
Buena Vista County Auditor

Motion by Gustafson , to approve the application for a retail **cigarette permit** from Sparky's One-Stop (7/1/04 to 6-40-05). Ayes—Gustafson, Lanphere, Vail, Crampton. Nays--none. Carried.

Motion by Gustafson to release the **5% unappropriated funds** in Recorder Shari O'Bannon's FY'04 budget. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays--none. Carried.

Motion by Lanphere approving the new **fireworks display permit** form. Ayes—Gustafson, Lanphere, Vail, Crampton. Nays--none. Carried.

Motion by Gustafson to approve and to authorize the Auditor to **void** the following uncashed warrants and to reimburse back to the fund of origin:

FUND	WARRANT #	Issued	NAME	VOID AMOUNT
0001	153080	3/12/03	Ronald Speers	\$ 1.00
1510	156640	6/17/03	Iowa Department of Transportation	\$ 30.00
and, to void and reissue the following lost warrants:				
4010	157767	7/29/03	Professional Electronics	\$144.00
0001	157172	7/15/03	Lorna Burnside	<u>\$ 19.86</u>
TOTAL TO BE RE-ISSUED				\$163.86

Ayes--Gustafson, Lanphere, Vail, Crampton. Nays--none. Carried.

Burnside returned.

Cal and Cindy Hildreth discussed their proposed rate increase on custodial agreements for the two county annex buildings. Cindy stated that it seemed like they always receive an "employee" percentage increase, when they are actually contractors. Also, since they are asked to furnish the vacuum now, it would cost them an additional \$15 per month to do that. Motion by Lanphere to set the contract rate for cleaning the DHS Annex at \$492 per month, and to set the rate for the East Richland Annex at \$534 per month, with the County furnishing the cleaning supplies, and Hildreths providing the vacuum and vacuum bags. Carried.

Upon completion of the **Canvass** pursuant to Chapter 50.24 of 2003 Code of Iowa, motion by Vail to declare the results as listed below, to prepare abstracts for submission to the Secretary of State, and to prepare 'notice of nominations' to the political party chairpersons as required. Carried. [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 be added together. For Township offices only: 1) all write-ins are shown; 2) 5 write-in votes are required to nominate. For those offices voted upon by the entire county or one of its subdivisions, the person declared nominated will be designated as --#. Where no name with an '#' is shown, there is no nominee for that office on that political ticket.]

OFFICE	DEMOCRATIC PARTY	REPUBLICAN PARTY
<i>Total votes cast:</i>	194	251
<i>for US Senator</i>	Arthur Small-152	Grassley-238
<i>for US Representative-5th Dist</i>	Gene Blanshan-71	Steve King-228
	Sal Mohamed-19	scattering-1
	E. Joyce Schulte-88	
<i>for State Representative-52nd Dist</i>	Scattering-4	Mary Lou Freeman-239
<i>for Co. Supervisor Dist. 4</i>	A. Nadine Brewer-149#	Herbert D. Crampton-217#
	Scattering-3	
<i>for Co. Supervisor Dist. 5</i>	Thomas F. Ellis-139#	Lorna Burnside-226#
	Scattering-4	Scattering-2
<i>County Auditor</i>	Scattering-7	Karen M. Strawn-234#
<i>County Sheriff</i>	Chuck Eddy-170#	Scattering-11
	Scattering-2	
<i>Township Clerk:</i>		
Providence	John Oatman Jr.-9#	--
<i>Township Trustees (2/township):</i>		
Barnes	John Nelson (write-in)-9#	Richard Noll-2#
	Tim Wittmack (write-in)-1	Larry Sangl-2#
Brooke	--	Wendell Nothwehr-7#
	Kent Patterson-8#	
Coon	--	Dennis Gutz-2#
	Arden Jorgensen-1#	

Elk	Craig Rehnstrom-4#	--
Fairfield	--	James Peterson-7#
	Dean Sundblad (write-in)-3	
Grant	--	Dan P. Ehlers-1#
	Bruce D. Richardson-1#	
Hayes	--	James Foell-10#
	Don Jackson-10#	
Lee	--	--
Lincoln	Tom Cavanaugh-1#	Michael R. Rebhuhn-3#
Maple Valley	--	Roger E. Kuhrts-0
Newell	--	--
Nokomis	Russel R. Post-1#	Dave Mortensen-7#
Poland	Fred P. Neary-3#	Robert L. Anderson-4#
Providence	Paul Smith-9#	Quentin R. Bodholdt-5#
Scott	--	Wencil Small-6#
Washington	Robert J. Holmes-3#	David Merten-5#

There being no further business, motion by Burnside to adjourn the meeting at 2:30 p.m. until Tuesday, June 22, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-SIXTH MEETING, 2004 SESSION (26)
JUNE 22, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 22, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Community Services Director Dawn Mentzer was present for the Board's discussion of a policy for the administration for the Buckingham Estate Trust. The Board of Supervisors is the trustee of the funds and has discretion in the expenditure, and, is authorized to delegate the administration of the funds. Among the details to be included in the policy are: applications shall be made in person, there should be some measure of residency/legal status and of qualification by citizenship, non-citizen/qualified alien status. Also mentioned were funding limits, cost of treatment, and other sources of funding. The Chairman, Vice-chairman and Community Services Director agreed to meet with the County Attorney to draft a proposal.

Dale Brigham, Clay Regional Water, was present for a project update. Emergency Management Coordinator Bob Christensen asked about the possibility of adding hydrants into the system to provide a water source for fighting fires. Portions of the county outside the rural water project area can be served by dry hydrants, but he would like to hook into the project for that area. Brigham responded that there will

be one under the tower in Section 27, Brooke Township. The hydrants are locked to avoid 'losing' water but the fire departments will have a key for access. Barnes and Lee Township Clerks have both asked about hydrants. Brigham noted that cost of a hydrant and installation is approximately \$2,000. Townships have paid these costs in other locations.

Brigham reported that Zones 6 and 7 are nearly finished with main lines, and zone 8 will be done in about 2 weeks. They are making progress with easements, but there is some resistance by landowners, particularly in the southerly area of the project. Fifty miles of lines have been installed so far with only $\frac{3}{4}$ miles in the public right-of-way. Nearly all have 50' easements, with a small number having 50' construction and 30' permanent easements.

Rural residents really appreciate having access to a reliable source of good water from the rural water system. Farmers have reported using less water with their chemicals because water from the rural water system is softened, and families may get along without domestic water softeners, due to the treatment provided in the system. Where acreages were previously abandoned when the cost of putting in and maintaining a well became prohibitive, now there are new homes being built on these acreages, which add to the tax base of the county.

Brigham also discussed the open permits that they have utilized in Clay and Dickinson Counties. An open permit is issued, followed by Clay Regional providing the (GPS) utility mapping data at the completion of construction. He will be providing the same mapping information to Buena Vista County. When asked, he estimated that the waterlines in Clay, Dickinson and Emmet Counties are about 95% on landowners ground rather than the public right-of-way. Engineer Jon Ites noted that after July 1, only the engineer needs to sign off on the permits, where Board approval was required previously.

Motion by Vail to accept a proposal in the amount of \$4,605 from Barker Lemar of West Des Moines to do a wetland determination for project #BROS-CO11(57)—8J-11 (bridge over Racoon River between Sections 1&12, Providence Township. Carried. If more than 1 acre is required, \$12,000-\$15,000 could be added to the project cost and render it financially unfeasible.

Ites presented two NRCS agreements for approval, and reported that another two which had already been executed will not be replaced as previously proposed by NRCS. Motion by Gustafson to approve and to authorize the Chairman to sign the following NRCS agreements:

- project #L-JB-300—73-11 (joint bridge on the Cherokee/Buena Vista county line in Elk Township, project cost \$139,074.40, with NRCS funding in the amount of \$62,503.48);
 - project #L-C-521—83-11 (twin pre-cast RCB between Sections 20 & 21, Maple Valley Township, project cost \$104,495.00, with NRCS funding in the amount of \$47,472.75). Carried.
-

Motion by Burnside to approve final acceptance of the project and to authorize the Chairman to sign the final pay voucher for project #L-C-614—73-11. Carried.

Don Reffer, from Lawn Manicurists of Algona, and Matt Voge, from Kuehl & Payer Ltd., were present to discuss chemical treatment of weeds/brush/trees in the drainage districts. Due to the cattails in the DD #49 channel, silt is caught and water flow is impaired. Reffer proposed an invert spray project to treat the bottom of the channel, spraying from the top of the ditch bank, without damaging the vegetation on the ditch banks. Motion by Vail to approve and to authorize the Chairman to sign, a proposal from Lawn Manicurists, Inc., Algona, to treat the channel of DD #49 Main Open Ditch, for a cost not to exceed \$1,750. Carried. Reffer will call when the work is scheduled so that Boardmembers can observe the process.

Reffer also suggested a change in the work/payment arrangements with his firm - eliminate the specifications and do the work on a time and materials basis. He estimates that the total cost is

approximately 20% higher under the current arrangement since extra cost must be built into a **bid process** in a bid letting. Many counties that he works with have gone to this method. He also recommended doing the work; waiting two years for the check-back to be sure they're getting the kill, and then putting the districts in a 3-yr rotation to maintain the ditches and to prevent problems from developing. He will review the work he has previously done for the county to provide the Board with an estimate of what the savings would have been if the time and materials basis had been used.

Further discussion of the **Destination Park and County Trail** system was delayed at the request of John Call, Storm Lake City Administrator.

The Board discussed the information to be included in an educational brochure on the 10 year usage of the **local option sales tax**, and the usage formula proposed for its renewal. Lanphere and Vail will work with the Auditor's office to write the text and complete the information.

Motion by Gustafson, to approve the **minutes** of the 6/15 meeting as printed. Carried.

After discussing a news article in the paper reporting that a petition circulated by Cal Johnson, requesting that a **gambling/excursion boat question** be submitted to the voters, would not be filed with the Board of Supervisors after all, the question was raised as to whether the Board of Supervisors could call for such an election upon its own resolution. The auditor was directed to research the question.

The Board took the following actions on proposed **Employee Handbook amendments**:

- Motion by Lanphere to disapprove the proposal to amend the vacation benefit for full-time employees with 21-25 years of service by adding ½ day for each year. Carried.
- Motion by Vail to approve the proposal to expand the definition of 'family' for use of 'personal sick leave for family' to be the same as for 'bereavement leave'. Carried.
- Motion by Vail to disapprove the proposal to allow the vacation benefit to be used as it is accrued. Carried.
- Motion by Gustafson to disapprove the proposal to allow conversion of 2½ days of sick leave to 1 day of vacation, up to twice/year, after reaching 100 days of banked sick leave. Carried.
- Noting that there may be a need to provide an incentive for attracting and keeping part-time employees, motion by Gustafson to approve the proposal to offer health insurance benefits to part-time employees working at least 20 hrs/wk year-round, on the basis of 50% employee/50% employer paid premium. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—Vail. Carried. *Effective date?*
- Motion by Burnside to disapprove the proposal to provide a vacation benefit to part-time employees working a minimum of 20 hrs/wk, on a prorated basis according to the hours worked. Carried.
- Motion by Vail to disapprove the proposal to allow conversion of 2½ days of sick leave to 1 day of vacation, up to twice/year, after reaching 250 hours of banked sick leave. Carried.
- Motion by Vail to disapprove the proposal to increase the length of bereavement leave from 3 to 5 days. Carried.
- The proposal to establish a 3-month waiting period for the employer contribution to family health insurance premium was withdrawn.

Motion by Lanphere to approve and to authorize the Chairman to sign **Resolution 2004-06-22-A** calling for an election to renew the local option sales tax in the unincorporated area of Buena Vista County. Carried.

RESOLUTION 2004-06-22-A

WHEREAS, a 1% local option sales and services tax is currently imposed in the unincorporated area of Buena Vista County; and

WHEREAS, said 1% local option sales and services tax is scheduled to sunset on October 1, 2005; and

WHEREAS, Chapter 422B.1(3)b of the 2003 Code of Iowa authorizes imposition of a local option tax only after a majority of those voting on the question favors imposition; and

WHEREAS, IAC [721]-21.800(422B) allows the governing body of a city or county to initiate the local option tax election by filing a motion with the County Auditor pursuant to Iowa Code section 422B.1(3)"b";

WHEREAS the Buena Vista County Board of Supervisors would like its voters to consider renewal of the local option sales tax;

NOW THEREFORE BE IT RESOLVED, that the Buena Vista County Board of Supervisors does hereby request that an election be held for the purpose of renewing the local option sales tax.

PASSED AND APPROVED this 22nd day of June, 2004.

/s/ Herb Crampton, Chairman
Board of Supervisors

ATTEST: /s/Karen M. Strawn
County Auditor

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-06-22-B** setting a date for a special election to renew the local option sales tax in the cities of Alta, Lakeside, Rembrandt and Storm Lake, and in the unincorporated area of Buena Vista County. Carried.

RESOLUTION 2004-06-22-B

WHEREAS, a resolution adopted by the Storm Lake City Council on 6/7/04 was filed with the County Commission of Elections on 6/8/04 requesting an election to renew the 1% local option sales and services tax in said city (2003 Iowa Code Chapter 422B.1.(4)b); and

WHEREAS, a resolution adopted by the Alta City Council on 6/7/04 was filed with the County Commission of Elections on 6/15/04 requesting an election to renew the 1% local option sales and services tax in said city (2003 Iowa Code Chapter 422B.1.(4)b); and

WHEREAS, a resolution adopted by the Lakeside City Council on 6/9/04 was filed with the County Commission of Elections on 6/9/04 requesting an election to renew the 1% local option sales and services tax in said city (2003 Iowa Code Chapter 422B.1.(4)b); and

WHEREAS, a resolution adopted by the Rembrandt City Council on 6/21/04 was filed with the County Commission of Elections on 6/22/04 requesting an election to renew the 1% local option sales and services tax in said city (2003 Iowa Code Chapter 422B.1.(4)b); and

WHEREAS, a resolution adopted by the Buena Vista County Board of Supervisors on 6/22/04 was filed with the County Commission of Elections on 6/22/04 requesting an election to renew the 1% local option sales and services tax in the unincorporated area of Buena Vista County (2003 Iowa Code Chapter 422B.1.(4)b); and

WHEREAS, the City Councils of Alta, Lakeside, Rembrandt, and Storm Lake, plus the Buena Vista County Board of Supervisors for the unincorporated area of the county, represent the population of at least half of the county (2003 Iowa Code Chapter 422B.1.(4)b), and

WHEREAS, Chapter 422B.1(4)a requires that the county board of supervisors shall direct within thirty days the county commissioner of elections to submit the question of imposition of a local sales and services tax to the voters of the incorporated and unincorporated areas of the county; and

NOW THEREFORE BE IT RESOLVED, that the Buena Vista County Board of Supervisors does hereby direct the Buena Vista County Commissioner of Elections to submit the question of the renewal of the local option sales and services tax to the voters of the cities of Alta, Lakeside, Rembrandt and Storm Lake, and the voters of the unincorporated area of Buena Vista County at a special election to be held on October 5, 2004, (IAC 721-21.800(1)b&c) with the polls to be open from 7:00 a.m. to 8:00 p.m., and,

BE IT FURTHER RESOLVED, that the local option sales and services tax rate shall be 1% and shall have a repeal date of June 30, 2020 (2003 Iowa Code Chapter 422B.1.(5)).

PASSED AND APPROVED this 22nd day of June, 2004.

/s/ Herb Crampton, Chairman, Board of Supervisors Attest: /s/ Karen M. Strawn, Auditor

Motion by Vail to approve and to authorize the Chairman to sign a **28E agreement** between the City of Storm Lake and the County for the reconstruction of the railroad crossing on Radio Road. Carried.

Motion by Burnside to accept and approve, and to authorize the Chairman to sign, a letter engaging the services of Hunzelman Putzier & Co. for the county's **FY'04 financial audit** for a price not exceeding \$15,000, but noting additional requirements: Statement 99-estimated cost \$2,000-\$2,500; GASB 34-estimated cost \$1,500-\$2,000; Single Audit, if required-estimated cost \$1,000-\$1,500. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the retail **cigarette permit** for Little Sioux Golf and Country Club. Carried.

Motion by Vail to table action on the applications for a retail **cigarette permit**, a Class E **liquor license**, and a Class C beer license for Pronto Market pending an investigation of the status of the sale of gasoline at Pronto. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the services agreement with **Spectra Health Care** for FY'05. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign a claim in the amount of \$75.00 for expenditure to Clay County Secondary Roads for tile locate and inspection in Jt. **DD #22, Lateral 19-180**. Carried.

Motion by Burnside to approve and to authorize the Auditor to **transfer** \$39,149 from the Mental Health Fund (0010) to the General Basic Fund (0001), representing the amount of indirect costs to administer the programs of the mental health services fund from FY'97-FY'03. Carried.

Motion by Vail to approve the release of the **5% unappropriated funds** in the following FY'04 budgets: Treasurer, General Services, and Auditor. Carried.

Motion by Gustafson to approve and to authorize the Auditor to **void the following warrants**:

- #156795 dated 7-1-03 for \$20.00 issued to Cynthia Seward and re-issue to same;
- #153874 dated 4-8-03 for \$30.00 issued to Boz Wellz Restaurant and re-issue to same;
- #153718 dated 3-26-03 for \$13.85 issued to H. Dwayne Stille and to re-issue to same. Carried.

There being no further business, motion by Crampton to adjourn the meeting at 12:25 p.m. until Tuesday, June 29, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

BOARD OF SUPERVISORS MEETING TWENTY-SEVENTH MEETING, 2004 SESSION (27) JUNE 29, 2004

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 29, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

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

Upon recommendation of Kathy Bach, Treasurer, motion by Burnside to approve a **tax suspension** request for parcel #10-34-429-004, the owner having been called to active military service and being covered under the Soldiers & Sailors Relief Act. Carried. Regarding a request for assignment of a tax sale certificate, with the ownership of the property being in question, the Board will consult with the county attorney before responding.

Public Health Nurse Administrator Diane Anderson discussed draft agency plans for operation of an Emergency Dispensing Clinic, a Bio-Emergency plan, and an Epi-Improvement plan. The deadline is in mid July. Finalized plans are due mid-July.

Engineer Jon Ites presented quotes for low sulphur diesel fuel from Star Energy, Manson, First Co-op Association, Cherokee, Newell Co-op, Newell, and Galva Holstein Ag, Holstein. Motion by Lanphere to accept the low quote, and to award the contract for the FY'05 **season's diesel supply** for all sites, to Star Energy, Manson. Carried.

Ites reported that the **Radio Road project**, submitted as a research project, has been approved and it will be ready for a local letting this fall. The dowel bars to be used for the project will be provided at no cost to the county.

Notice has been received that the county will receive annually the following amounts in road use tax for maintenance of the farm to market extensions which have had a **transfer of jurisdiction** to the county: Linn Grove \$3,034, Marathon \$7,314, Rembrandt \$3,880, and Truesdale \$2,590.

Motion by Lanphere to approve and to authorize the Chairman to sign two **underground utility permits** submitted by Clay Regional Water for the following: 1) to install an 8" water main under county road 140th Ave. on the south side of 470th St.; 2) to install 2" to 10" waterlines in public right-of-way to serve Zone 3 (Elk and Nokomis Twps). Carried.

10:00 a.m.—The time having arrived for the bid letting for project #L-MS-C-466, Engineer Ites opened bids from Sta-bilt Construction, Harlan, Black Top Service Co., Humboldt, and The Road Guy Construction Co., Mission Hills, SD. Motion by Gustafson to accept the low bid of The Road Guy

Construction Co., Mission Hills, SD, in the amount of \$132,490.50 for project #L-MSC-466, this season's maintenance **seal coat projects** for approximately 13.44 miles. Carried.

A request for reimbursement has been received from Jim and Joan Selleck for tile repair bill they paid for at a location in Section 15, Providence Township. They had the tile repair completed and then discovered that the tile was not private, but in fact was a drainage district tile. The county has no documentation of a need for tile repair in the district – nothing for the **drainage district** records. Burnside volunteered to contact the Sellecks' about the request. The contractor's bill may have the necessary information.

Communications Center Supervisor Mark Van Hooser and Communications Commission Chairman Mark Prosser informed the Board that Amy Wise has resigned. It was the consensus of the Board to approve replacing the employee.

Steve Hermann, Storm Lake Pilot-Tribune, told the Board that he will be leaving the newspaper soon and entering grad school in Omaha. The Board expressed appreciation for the good working relationship they had enjoyed with him, and wished him good luck. Hermann appreciated the job of the board which is sometimes difficult and encouraged them to keep up the good work.

Motion by Burnside to **amend the agenda** for today's meeting by adding approval of two RTA contracts and a fireworks display permit. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign two agreements with the **Regional Transit Agency** (RIDES) for FY'05, for the nite taxi and Storm Lake Senior Citizen program. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the **fireworks display** permit for 7/3/04 submitted by Fred Palmer for a location in Section 22, Lee Township, with the permittee to assume all responsibility for liability and safety. Carried.

Motion by Burnside to approve the **minutes** as printed, and the following **reports**: May general ledger report, 5/13 NWIPDC Policy Council minutes, and 2004 Annual Report-Western Iowa Tourism. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the FY'04 Final Report for state reimbursement to counties for **Substance Abuse** funding. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the two amendments to the **employee handbook** which were approved on June 22nd. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign payment voucher #10 for the reimbursement to **Clay Regional Water** from the IDED grant in the amount of \$48,257.00. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign a right-of-way **easement** for Clay Regional Water to install water line on the following property: .17 acres in the SW¼ of the NW¼ of Section 24 T-91 R-37 West of the 5th PM, Buena Vista County, known as the Buena Vista County Care Facility. Carried.

Motion by Gustafson to approve a 1% **wage increase** for the mental health advocate effective July 1, 2004. Carried.

The auditor advised the Board that Chapter 99F.7(10)a of the 2003 Code of Iowa establishes the method for calling an election to consider **gambling/excursion boat** authorization. The only procedure permitted is by petition filed with the Board of Supervisors; a resolution of the Board of Supervisors is not permitted.

Motion by Lanphere to approve the Class E liquor license, Class C beer license and the retail cigarette permit for Pronto, Storm Lake. Carried.

Motion by Lanphere to direct the Auditor to transfer \$12,814.87 from the Capital Projects Debt Service Fund (2010) to the Hospital Debt Service Fund (2004) to correct an error in division of the debt service levy, and, to transfer \$1,053.77 from the General Basic Fund (0001) to make solvent the Capital Projects Debt Service Fund (2010). Carried.

11:15 a.m.—the time having arrived for a teleconference with the Sac County Board of Supervisors for business on DD #274 JT., a call was placed from Buena Vista to Sac County finding the following persons present in the Sac County Board office: Rick Hecht-Chairman, Dean Stock, Jack Bensley, Jim Dowling-Auditor, and Amy Streed-Drainage Clerk, and, present in the Buena Vista County Boardroom: Herb Crampton-Chairman, and Lorna Burnside, Bill Lanphere, Jim Gustafson, and Karen Strawn-Auditor. Motion by Burnside, seconded by Hecht, to appoint Herb Crampton as Chairman and Karen Strawn as Secretary for the meeting. Ayes—all. Carried.

Auditor Strawn reviewed for the Joint Board that a 25% drainage levy was ordered for collection in September, 2002. Buena Vista County collected the levy in 2002. Sac County collected the levy in 2003. A 65% levy is now needed due to the cleanout that was done in 2003 by L.A.Carlson Contracting, Inc. The joint board discussed whether or not to order the levy for collection in September, 2004. Hecht asked what interest rate had been established for the stamped warrants issued to L.A.Carlson Contracting Inc. On 4-29-03, the interest rate was established at 5%. Motion by Bensley, second by Gustafson, to order a 65% levy due and payable 9-1-04, delinquent 10-1-04. Carried. There being no further business, motion by Gustafson to adjourn. Ayes—all. Carried.

Assistant County Attorney Rick Kimble proposed a resolution intended to require certain information relative to the placement of children in shelter care to be provided by persons and entities prior to authorizing payment for those services. He also suggested that a form to be used to provide the required information and, a list of authorized procedures and practices be adopted. Motion by Gustafson to approve and to authorize the Chairman to sign Resolution 2004-06-29 regarding shelter care placement reporting. Carried.

RESOLUTION 2004-06-29

WHEREAS, the County recognizes its legal mandate to pay a portion of the expenses for children whose legal settlement is in Buena Vista County and who are placed in shelter care;

WHEREAS, mandatory county funding of shelter care has become a significant financial burden on the County in a time of budgetary difficulties;

WHEREAS, certain information which is readily available to participants in the shelter care placement process would greatly assist the County in trying to manage its share of shelter care costs;

WHEREAS, Iowa Code Section 232.141(8) clearly establishes that the portion of shelter care costs payable by a county are payable pursuant to the filing of a verified claim against a county of legal settlement which claim must be accompanied by a detailed statement of the facts upon which a claim is based;

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

The Buena Vista County Board of Supervisors will require that the following information be provided to Buena Vista County's Central Point Coordinator by the following persons or entities prior to the County authorizing payment of shelter care costs from a particular placement:

1. The Iowa Department of Human Services or Juvenile Court Services (depending on which entity is responsible for supervising the placement) shall provide information establishing that the child's legal settlement is in Buena Vista County, Iowa.
2. The Iowa Department of Human Services or Juvenile Court Services (depending on which entity is responsible for supervising the placement) shall provide an estimate of the child's expected length of stay in shelter care placement.
3. The shelter care facility shall provide a statement clearly indicating the County's share of the daily cost for shelter care services.
4. The shelter care facility shall provide a copy of the most recent cost report pertaining to said facility;
5. The shelter care facility shall provide information establishing the facility's current occupancy rate;

Buena Vista County will develop and distribute a list of authorized procedures and practices concerning the payment of costs for shelter care placement of children whose legal settlement is in Buena Vista County. This list will be reviewed by the Board of Supervisors on at least an annual basis.

Nothing in this resolution shall be construed to relieve any person or entity of any duties or obligations to provide specific information to the Central Point Coordinator as established by Iowa or Federal law.

PASSED AND APPROVED this 29th day of June, 2004.

/s/ Herb Crampton, Chairman
Board of Supervisors

ATTEST: /s/ Karen M. Strawn
County Auditor

There being no further business, motion by Crampton to adjourn the meeting at 2:00 p.m. until Tuesday, July 6, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

BUENA VISTA COUNTY
Claims Register Report - April Thru June'04

0001 General Basic

AAF International 178.86; Advanced Pest Technology 81.00; Ag Partners L.L.C. 2,045.84; Albert City Ambulance 144.00; Alexander Hamilton Insti 29.95; Alliant Energy 1,530.80; Allied Document Solution 1,561.45; Alpha Wireless Communica 3,190.77; Alta Body Shop 35.00; Alta Community School Di 3,151.59; Alta Municipal Utilities 465.55; Alta, City Of 600.00; Altamirano, Francisco 153.05; Altamirano, Melinda 709.30; American Business Forms 53.50; American Legion Post 299 30.00; American Red Cross 84.00; American Solutions For B 1,107.41; Andersen, Gordon 29.10; Anderson, Ardyce 12.00; Anderson, Diane 584.69; Arch Wireless 89.19; Armstrong, Carolyn 280.89; Arnold Motor Supply 12.38; At & T - Universal Bille 1,010.73; B & M Service Inc 1,851.24; B V Co Secondary Road 131.56; B V Co Soil Conservation 875.00; Bach, Kathleen 120.36; Bailey's 50.00; Bailey, Taesa 107.74; Baja Books 111.25; Barker Company Inc, Bob 1,077.52; Bedels Drive-In Pharmacy 812.67; Binning Outdoors 99.99; Bits & Pieces 159.50; Bjk Pump And Gas Company 188.00; Bodholdt, Tony 34.80; Bogue, Pamela L 105.98; Bomgaars 895.89; Bound Tree Medical Llc 3,648.73; Boz Wellz Restaurant 30.00; Brake, Ervin 6.00; Briggs Corporation 1,093.60; Brungardt, Michael 200.00; Budget Lighting Inc 481.53; Buena Vista Co Auditor 375.00; Buena Vista Co Journal 606.87; Buena Vista Co Treasurer 24.00; Buena Vista County 1.00; Buena Vista County Exten 130.75; Buena Vista County Fair 6,250.00; Buena Vista County Hospi 403.00; Buena Vista County Regio 7.86; Buena Vista Glass 2,292.91; Buena Vista Regional Med 3,257.74; Builders Sharpening & Se 71.75; Burnside, Lorna 104.46; Bv Co Trumpeter Swan Res 1,000.00; Bv Stationery & Printing 4,146.79; Calendars 91.33; Calhoun County Sheriff D 29.86; Cameron,

Thomas K 7.80; Cavanaugh, Tom 12.90; Cdw Government Inc 3,447.65; Cede & Co 54,680.00; Cellular One 1,563.60; Central Bank 19.43; Central Iowa Distributin 2,136.55; Chem-Pro Inc 90.00; Cherokee Co Public Healt 2,753.09; Cherokee County Sheriff 10,026.00; Chindlund, Ann 498.36; Christiansen, Diane 202.07; Cms Holdings Inc 19,744.25; Community Health Partner 3,500.00; Concordia Lutheran Schoo 149.69; Conley, Carrie Ann 298.42; Conley, Bonnie 390.00; Control System Specialis 1,351.14; Cook, Ginni 664.38; Crespin, Gloria 50.00; Crippin, David 600.00; Cross Auto & Towing 100.00; Csi 185.00; Culligan 251.45; Datamaxx Applied Technol 1,431.00; Datatronics Inc 1,148.02; Dave's Repair 164.03; Deluxe Business Checks & 117.99; Demuth, Marty 335.51; Dental Distributors Inc 431.37; Department Of Veterans A 615.00; Des Moines Stamp Mfg Co 26.00; Dust-Tex Service Inc 156.96; Ebersole, Greg L 160.77; Eddy, Chuck 7.67; Ehlers, Dan 12.60; Electronic Engineering 1,661.14; Emerald Systems Inc 8,200.00; Esri Inc 2,015.79; Fareway Store 1,843.41; Fassler, Jolee 28.40; Ferguson Enterprises Inc 121.31; Fidlar Companies 2,200.37; First Cooperative Associ 2,406.10; First Federal Savings Ba 30.00; Fitzpatrick Auto Center 1,196.47; Floyd Valley Community 1,255.24; Fondroy, Richard 40.80; Four Points Sheraton 595.85; Francotyp-Postalia Inc 15.50; Fulcher, Kayleen 200.00; Galbraith, Don 59.15; Garbage Hauling Service 390.75; Geisinger, Harold 400.00; General Security Service 494.90; Gingerbread House 1,115.55; Gouldin, Cheryl 12.60; Graham Tire Co 1,212.75; Grainger Inc., W. W. 557.19; Grows Garbage Service 150.00; Grp & Associates 96.00; Guerra, Paula 28.00; Gustafson, Jim 382.50; Haberman, Judy 306.75; Haldin, Steve 200.00; Hampton Inn & Suites 454.81; Hansen, Dr Gregory G 170.00; Hanson Products 81.20; Harless, Janice J 200.00; Havens & Havens Law Firm 9,163.31; Havens, Philip E 132.00; Hawkins, Cecelia 2.56; Healing Arts Communicati 105.00; Heartland Inn Des Moines 250.91; Hepola, Carrie 521.35; Heuton, Tim 2.70; Hicks, Arnie 34.80; Hildreth, Cindy 2,895.00; Hillyard Inc 140.76; Hobart Sales And Service 269.40; Hoferman, Clinton 217.51; Holiday Inn Conference 1,404.63; Holiday Inn Downtown 215.07; Holiday Inn Hotel & Suit 380.80; Holton Custom Signs 4.00; Huegerich, Lori 8.00; Hultgrens-Gerlach Inc 666.70; Hunzelman Putzier & Co 1,108.00; Hy-Vee Food Store 335.95; Ia Assn Of Naturalists 10.00; Iaccb 600.00; Iaccva 120.00; Icit 275.00; Incode-Cms 1,936.81; Iowa Central Community C 15.00; Iowa County Attorneys As 392.00; Iowa County Records As 40.00; Iowa Crime Prevention As 25.00; Iowa Department Of Natur 100.00; Iowa Dept Public Safety 1,635.00; Iowa Division Of Latino 20.00; Iowa Federal Surplus Pro 337.50; Iowa Foundation For Medi 60.00; Iowa Good Roads Assoc 80.00; Iowa Hospital Associatio 15.00; Iowa Hospitality Associa 1,011.65; Iowa Lakes Electric Coop 2,977.45; Iowa Office Supply 15,047.13; Iowa Prison Industries 364.80; Iowa Records Associati 220.00; Iowa Ribbon Service 40.00; Iowa State Assoc Of Coun 295.00; Iowa Telecom 297.22; Iowa Workforce Developme 965.30; Jacks Uniforms & Equipme 329.50; Janitors Closet Ltd 221.41; Jeffco Inc 924.98; Johnson, Brian 90.00; Jones Nursery 392.98; Julius Cleaners 1,371.78; Kennedy, Susan 373.40; Kimble, Rick 175.90; Kirkholm, Mark 15.60; Kolb, Norman J 175.00; Lake Electric Supply 75.50; Lanphere, Bill 907.93; Lcm Pathologists P.C. 184.92; Leu Professional Reporte 86.45; Leyva, Sandra A 15.00; Loess Hills Area Educatio 770.00; Loews Carpet One 239.64; Logistic Systems Inc 340.00; Long Lines Internet 2,125.87; Lyles Standard 28.94; Lyon County Health Servi 2,450.98; Lyon, Cheryl 65.34; M Y Supply 26.24; Madsen, Leigh 85.15; Mainstay Systems Inc 228.00; Mangold Environ Testing 633.00; Maple River Apartments 78.00; Marathon 1st Responders 360.00; Marathon, City Of 200.00; Marroquin, Emilia 667.50; Martin, Joan Reiling 63.00; Martins Flag Co 319.96; Mason, Ashley 14.35; Massop, John 200.00; Mastercard 1,768.08; Maximus Inc 1,639.52; Maymon, Patti 429.55; McClure, Ken 125.09; Mccrea Enterprises 71.90; Med-Pass Inc 23.13; Meeves, Denise 40.31; Melanders 400.00; Merck & Co Inc 662.10; Meusburger, Lisa 40.00; Meyer, Becky 54.28; Meyer, Rick 26.40; Meyer, Roger 13.20; Mid American Energy Comp 13,421.50; Midwest Wireless 1,397.86; Mikes Lawn Service Inc 734.10; Miller, Keith 8.40; Miller, Linda K 500.00; Moeller Furniture 245.70; Mph Industries Inc 10,486.52; Naccho 55.00; Nada Appraisal Guides 60.00; Nepple Electric Inc 798.45; Newell Coop Elevator 292.01; Nichols Consulting 204.30; Nicolaisen, Sandra K 48.00; Nicolaisen, Sandy 97.20; North Lake Truck Repair 20.00; Northern Lights Distribu 5,076.49; Northwest Aging Assoc 2,674.25; Nw Ia Adtu 6,566.25; Nw Ia Planning & Dev Com 600.00; O'bannon, Shari 63.30; O'brien Co Public Health 966.78; Office Systems Company 758.74; Ohrtman, Mary 534.37; Olsen Welding & Machine 10.00; Omb Police Supply 722.86; Omni Photo 1,089.70; One Stop Shop 21.16; Osceola Community Health 1,996.80; Pagers Inc The Beeper Pe 47.85; Paradise Park Apartments 192.00; Pathology Medical Servic 2,650.00; Patton, David 5,057.29; Peck, Ron 50.00; Peters, Marilyn 17.90; Peterson, Leonard 3.60; Petty Cash 47.28; Petty Cash Health Dept 38.58; Pilot Publishing 979.88; Pitney Bowes 1,257.00; Pocahontas County Enviro 166.00; Polk & Co, R. L. 240.00; Pollution Control System 268.98; Postmaster 1,972.20; Prevention Research Inc 725.00; Pro Cooperative 472.50; Pronto Market 46.00; Quill Corporation 552.87;

Qwest 3,267.44; R & D Industries Inc 1,030.18; R M Shearer Dds 70.00; Radiology Consults Pc 660.00; Ram Systems Ltd 5,760.00; Rasmussen Ford Mercury I 1,468.33; Rebhuhn, Michael 5.40; Rebnord Technologies Inc 1,609.70; Regional Transit Auth 4,677.00; Rehnstrom, Craig 13.20; Ressler Drug Co 211.36; Rex's Electric 3,042.29; Richardson, Bruce D 2.40; Rides 612.50; Rittscher, Larry 2.70; Rowley Recycle Ct, Harold 60.86; Sac County Sheriff 1,045.00; Sassman, Jean L 380.30; Schumacher Elevator Co 765.56; Scott Ref And Air Cond 1,106.80; Security Trust & 61.60; Seiler Plumbing Heating 683.93; Seward, Cindy 20.00; Share Corp 1,675.00; Sidwell Company 750.00; Silk Screen Ink Ltd 441.80; Sioux Lumber 1,405.84; Sioux Rapids Auto & 109.47; Sioux Rapids E.M.T. Fund 540.00; Sioux Rapids, City Of 98.38; Sioux Sales Co 29.45; Spencer Municipal Hospit 53.00; Sports Rehabilitation & 1,215.29; Star Energy Llc 2,203.91; Stern, Bernice 31.80; Stille, H Dwayne 15.00; Storm Lake Area Developm 7,650.00; Storm Lake Chamber Of Co 246.60; Storm Lake Honda 71.95; Storm Lake Police Depart 25.64; Storm Lake Times 1,314.21; Storm Lake, City Of 1,581.02; Strand, Mike & Lori 200.00; Strawn, Karen 383.15; Stucynski, Dewyne 26.46; Sundholm Environmental E 1,000.00; Sunshine Services 138.00; Super Wash 300.00; Temple Aluminum Foundry 333.02; Toft Tree Farm & Landsca 192.98; Trimark Central Billing 2,580.10; Trimark Physicians Group 84.47; Triple S Construction 1,764.00; U S Postal Service 9,239.85; Ultramax 1,608.80; Uni Project Export 468.00; United States Postal Ser 1,000.00; Unmc-Rhen, Bioterrorism 30.00; Updyke, Hope 424.94; Ups 12.20; Vail, Richard A. 466.20; Valley Pharmacy 895.73; Van Hooser, Mark 392.40; Venegas, Ericka 56.16; Vetter Equipment Co 19.56; Vfw Post 6172 150.00; Visa 2,635.77; Vision Care Assoc Pc 73.00; Walmart Community Brc 632.09; Wede's Lock Service 75.00; Weiland, Cory 30.74; Weiland, Mary 91.80; Weishaar, Larry 6.30; Wells Fargo Bank Minneso 130.00; Westview Mobile Home Par 360.00; Wetherell Sand & Gravel 180.00; Williams Water Works 396.00; Williams, George 370.00; Wilson, Patrick J 228.00; Wogahn, Ruth 184.59; Woodbury Co Sheriff 68.86; Xerox Corporation 216.00; Yehieli, Dr Michele 500.00; Youth & Shelter Services 70.00; Zee Medical Inc 161.37

0002 General Supplemental

Agler, Charles 146.70; American Legion Post 394 45.00; Anderson, Ardyce 137.80; Anderson, Raymond 144.90; At & T - Universal Bille 14.01; Bartholomew, James 20.00; Bomgaars 34.99; Brewer, Anne 116.00; Buena Vista Co. Sheriff 17.00; Buena Vista County .07; Bv Co/Mun Disaster Serv 19,125.00; Carter, Keith 138.30; Cherokee County Sheriff 95.00; Christy, Donna 175.50; Clarinda Youth Corp 235.71; Clausen, Debra A 116.00; Correctional Services Co 943.32; Crawford Co Sheriff 16.75; Daily Reporter, The 268.75; Eddie, Mary 135.30; Election Systems & Softw 632.02; Erickson, Larry 129.50; Evers, Valita 20.00; Fastenow, Peg 144.30; Feldman, Myrna 91.10; Fellows, Mary L 134.70; Fitchett, Frances 130.50; Franzmeier, Hauge, Karen 13.20; Franzmeier, Karen J Haug 130.50; Frederiksen, Ferne 130.50; Fudge, Roxana 124.00; Galbraith, Lloyd F 155.10; Garberding, Lavern 147.90; Gregersen, Margaret 116.00; Hoferman, Margie 150.00; Hulsebus, Joan 163.50; Huntington, Shirley 54.90; Jackson, Karna 157.50; Kaufman, Vivian 139.50; Kennedy, Dorothy J 14.50; Kirkpatrick, Dorothy 130.50; Kracht, Janice 146.70; Krebs, Judy 14.50; Lester, Dixie 159.90; Lietz, Deanna 116.00; Long Lines Internet 138.94; Marshall, Connie 142.50; Maymon, Patti 6.60; Methodist Manor 45.00; Mills, Rose 130.50; Movall, Barb 68.35; Movall, Wanette 147.90; Mueller, Nancy 134.70; Newell Coop Elevator 45.00; Nielsen, Meg 20.00; Noble, Alice 20.00; Northrup, Carol 130.50; Nothwehr, Carlene 168.90; Nw la Youth Emergency Se 19,050.00; Olson Eaton Svendsen Inc 275.00; Palo Alto County Sheriff 56.90; Pemberton, Ardys 14.50; Perrigo, Beverly 134.70; Pilot Publishing 165.00; Pocahontas Co Sheriff 30.62; Postmaster 200.00; Quakerdale 654.90; Quill Corporation 47.44; Qwest 129.51; Rehnstrom, Mary 140.70; Rice, Monica 136.20; Rice, Richard 147.60; Rittscher, Gale 135.85; Salton, June 48.30; Schmitt, Kay 130.50; Secretary Of State 29.13; Sievers, Delores 286.38; Sievers, Roger D 293.40; Simons, Clyde A 139.50; Sleezer, Bonnie 125.00; Smith, Mary 130.50; Smith, Norma 153.58; Snyder, Delores 134.70; Sorenson, Janice 146.10; Sparky's One Stop 25.00; St. Johns United Church 45.00; Stauber, Linda 138.30; Stephens, Myrtle 139.50; Stille, H Dwayne 1.15; Storm Lake Times 536.00; Strait, Shirley 36.25; Theeler, Fay 116.00; Thorson, Lee 20.00; Toohey, Rosemary 138.00; Travelers 2,093.00; Tschertter, Estella 130.50; U S Postal Service 840.00; Wedeking, Martin 130.50; Wessendorf, Grace 155.10; West Payment Center 3,962.20; Wilkens, Lucille 165.90; Wise, Darlene 171.25; Youth Shelter Care Of No 1,408.22

0010 MH-DD Services Fund

AT & T - Universal Bille 90.11; B V Co Secondary Road 157.22; Baymont Inn & Suites 62.26; Buena Vista Co. Sheriff 49.00; Bv Stationery & Printing 68.43; Ccms 260.00; Council Against Domestic 1,125.00;

County Case Management S 1,183.00; Day-Timers Inc 20.84; Department Of Human Serv 64,431.11; Dept Of Human Services 1,779.84; Dept Of Human Services D 65,194.60; Dept Of Human Services-A 11,366.41; Echo Plus Inc 454.50; Gannon Center - Communit 303.60; Genesis Development 26,686.34; Hampton Inn Ames 165.00; Heartland Inn Des Moines 71.69; Holiday Inn Conference 79.28; Howard Center Inc 5,579.24; Ida Services Inc 2,256.54; Iowa Ribbon Service 60.00; Iowa State Assoc Of Coun 35.00; Long Lines Internet 166.72; Mack Hansen Gadd Armstro 525.00; Marion County Auditor 50.00; Marion County Sheriff 100.00; Mastercard 345.20; Mentzer, Dawn 74.85; Mid-Step Services Inc 1,998.60; Midwest Wireless 209.48; Mills-Thomas, Tami 24.56; Napierala, Kara 65.28; Office Systems Company 33.60; Parrott & Sons, Matt 473.82; Petty Cash 75.17; Plains Area Mental Healt 133.00; Plymouth Life Inc 1,769.00; Postmaster 239.80; Qwest 285.18; Rasmussen Ford Mercury I 602.74; Regional Transit Auth 1,982.65; Rem Atlantic Inc 5,755.52; Rem Council Bluffs Inc 5,040.00; Rem Developmental Servic 689.78; Seasons Center For Commu 35,893.68; Seasons Community Health 68.94; Spectra Health Care Inc 8,351.57; Star Energy Llc 406.63; Treasurer State Of Iowa 3,389.45

0011 Rural Services

Ag Partners L.L.C. 15.25; Agri-Mart 409.99; Albert City Corp 1,791.75; Alta Corp 1,791.75; At & T - Universal Bille 9.09; Environmental Resource S 2,050.00; Esri Inc 671.93; Iowa Dept Of Ag & Land S 46.60; Iowa State Assoc Of Coun 35.00; Linn Grove Corp 1,791.75; Lund, Norman J 197.70; M & M Small Engine Repai 18.00; Marathon Corp 1,791.75; Newell Corp 1,791.75; Olsen Welding & Machine 2,047.91; Pilot Publishing 39.52; Qwest 77.66; Rembrandt Corp 1,791.75; Rons Automotive 31.00; Rowley Recycle Ct, Harold 35,075.50; Sioux Rapids Corp 1,791.75; Storm Lake Corp 5,375.25; Storm Lake Hydraulics 55.80; Storm Lake Times 38.20; U S Postal Service 181.00; Van Diest Supply Company 2,994.00; Wiley, David 25.50

0020 Secondary Roads

Ag Partners L.L.C. 2,379.26; Air Filter Cleaning Serv 364.53; Albert City, City Of 61.40; All About Computers Inc 330.00; Alliant Energy 4,700.29; Allied Oil & Supply Inc 16,190.00; Alta Municipal Utilities 157.60; American Red Cross 33.00; Ames Baymont Inn & Suite 68.20; Arnold Motor Supply 1,732.10; At & T - Universal Bille 21.66; Borgen Inc 40,990.00; Barnes Group Inc 100.53; Bjk Pump & Gas Co Inc 2.86; Bomgaars 5,308.80; Buena Vista Regional Med 248.00; Buske, Ron 320.53; Bv Stationery & Printing 131.94; C J Cooper & Associates 184.00; Carlson Contracting Inc, 63,453.00; Cavanaugh, Tim 125.00; Certified Power Inc 233.10; Chem-Trol Inc 2,523.50; Crysteel Truck Equip Inc 12,300.00; Curry, Jim 239.04; Dixon Construction Co 126,183.40; Fassler, David B 125.00; First Cooperative Associ 470.08; Fitzpatrick Auto Center 35,653.22; Flanigan, Tom 85.14; French, Tom 125.00; G&K Services 492.38; Galvin, Terrill Lynn 150.89; Garbage Hauling Service 195.75; Graesing, Dennis 122.90; Graham Tire Co 166.20; Hallett Materials 86,394.28; Hiway Truck Equipment In 315.19; Hoffard, Mark S 26.72; Holliday, Dennis 46.02; Hultgrens-Gerlach Inc 13.48; Humboldt Mfg Co 200.48; Industrial Supply Soluti 470.00; Interstate Battery Systm 612.55; Iowa Auto Supply 660.67; Iowa Dept Transportation 5,987.06; Iowa Lakes Electric Coop 1,219.46; Iowa Prison Industries 2,084.10; Iowa State Assoc Of Coun 40.00; Ites, Jon 130.15; Jacobs, Preston 106.98; Janitors Closet Ltd 124.55; Jim Hawk Truck Trailers 418.52; Johnson, Shirley 38.10; Johnston Autostores 105.12; Kimball-Midwest 975.52; Kooiker Inc 75,332.00; Kruse, Jason 588.00; Kryger Glass Company 796.70; Kuehl & Payer Ltd 4,100.00; L & M Electronics Inc 47.00; Lake Electric Supply 143.89; Lake View Concrete Produ 21,313.98; Larson Oil & Distributin 488.66; Lawson Products Inc 35.04; Lietz, Philip L 1,125.09; Linn Grove, City Of 77.85; Long Lines Internet 347.35; Lorena Lietz Trust 468.31; Lullmann, Kevin 12.88; Lundell Construction Co 317.50; M S Door Services Ltd 7,177.50; Magnussen, David L 452.41; Mandernach, Gene 304.26; Marathon, City Of 188.27; Martin Marietta Material 1,869.42; Mc Gowan, Bruce 125.00; Mickelson Tire Inc 1,140.00; Mid American Energy Comp 1,870.05; Mid-Iowa Sales Company 398.18; Midstates Builders Inc 30.67; Midwest Wireless 370.75; Mikes Lawn Service Inc 696.00; Napa Auto Parts 597.64; Nelson & Rock Contractin 78,366.75; Nelsons Premix & Vet 803.10; New Sioux City Iron Co 431.99; Newell Coop Elevator 41.10; Newell, City Of 95.55; North Lake Truck Repair 2,869.72; Northern Ia Construction 15,509.00; Nu-Metrics 134.50; O'reilly Automotive Inc 488.92; Oden Enterprises Inc 6,914.40; Olsen Welding & Machine 272.15; Omni Photo 47.52; Omni Products Inc 7,048.00; Parsons Equipment Co 1,045.12; Pilot Publishing 132.00; Ploeger, David 125.00; Postmaster 223.00; Qwest 406.52; Rasmussen Ford Mercury I 10.99; Regions Interstate Billi 478.58; Rembrandt, City Of 87.00; Ressler Drug Co 4.25; Richards Construction Co 66,980.08; Schmit, John 19.95; Schuelke Auto Company 77.00; Share Corp

1,501.80; Sioux City Truck And Tra 21.24; Sioux Lumber 437.20; Sioux Rapids Auto & 14.74; Sioux Rapids, City Of 152.00; Stanton Electric Inc 527.65; Star Energy Llc 32,569.51; Star Equipment Ltd 540.96; Storm Lake Hydraulics 89.17; Storm Lake Times 232.06; Storm Lake, City Of 320.30; Temple, Jim 96.15; United Building Center 251.08; Van Diest Supply Company 1,277.50; Van's Automotive 193.90; Visa 269.16; Vision Care Assoc Pc 561.00; Waggoners Radiator Shop 185.00; Warkentin, Luke 289.30; Weber, Tony 55.50; White, Ron 210.00; Yocum Oil Company Inc 1,475.00; Zee Medical Inc 270.92; Ziegler Inc 164,669.49

0024 Bvc Recorders Records Mgmt Fund

Fidlar Companies 963.84

0025 Jail Security Fund

Olsen Welding & Machine 78.77; Southern Steel Company 2,280.00; Wirecrafters Llc 1,071.00
0029 Clay Regional Water Cdbg Fund: Clay Regional Water 73,084.00; Nw Ia Planning & Dev Com 6,884.00

0100 D.D. #1

Kuehl & Payer Ltd 28,237.85; Mack Hansen Gadd Armstro 341.00; Pilot Publishing 143.20

0176 D.D. #20

Kuehl & Payer Ltd 24.80

0200 D.D. #34

Kuehl & Payer Ltd 1,822.88

0250 D.D. #35

Schoon Construction Inc 7,983.32

0278 D.D. #49

Kuehl & Payer Ltd 27.50

0280 D.D. #49 Lat 2

Kuehl & Payer Ltd 441.63

0644 D.D. #274 Main

Snyder, Nicholas 175.00

1500 Capital Projects

Alta Used Cars 9,000.00; Cdw Government Inc 98.50

1510 Capital Projects-Dredge

Buena Vista County 30.00

1520 Capital Projects-Debt Service

Gateway Companies Inc 5,529.00; Iowa Office Supply 323.46; Quill Corporation 1,177.92; R & D Industries Inc 570.91

2000 Recycling G.O. Bond Fund

Bankers Trust 188,043.75

2010 Debt Service Bonds & Interest

Security Trust & 121,235.00

3500 Buckingham Estate Trust

Buena Vista Anes. Assoc 397.36; Trimark Physicians Group 86.00; Wellendorf Ent P.C. 946.00

4000 Disaster Services

At & T - Universal Bille 41.00; Bakers Court 1,486.80; Buena Vista County Exten 519.63; Bv Stationery & Printing 7.49; Calhoun County Extension 469.20; Cherokee County Ema 40.88; Christensen, Robert E. 357.03; City Of Alta 245.00; Ehlers, Luke 100.00; Fahrenkrog, John 100.00; Gotto, Tracy 100.00; Hirschman Auto Service 18.95; Hy-Vee Food Store 57.08; Iowa Central Community C 479.00; Long Lines Internet 69.47; M Y Supply 385.00; Mastercard 1,439.56; Midwest Wireless 144.72; Nw Ia Planning & Dev Com 1,030.00; Postmaster 19.00; Prairie Lakes Aea 35.00; Qwest 109.38; R & D Industries Inc 170.15; Raner, Mike 100.00; Ricks Food Center 122.40; Sioux City, City Of 7,654.13; Spence, Bruce 400.00; Williams, Dennis 100.00

4010 E911 Surcharge Fund

Alpha Wireless Communica 68,184.99; Alta Municipal Utilities 449.46; At & T - Universal Bille 30.38; B V Co Secondary Road 137.50; Buena Vista Co Auditor 15.00; Electronic Engineering 30.00; Electronic Specialties I 1,225.60; Iowa Telecom 1,772.28; Long Lines Internet 69.47; Mid American Specialties 260.90; Midwest Wireless 134.47; Professional Electronics 144.00; Qwest 2,114.07; R Comm Wireless 2,598.00; Staples Credit Plan 132.29; Teltronics Inc 975.00; U S Postal Service 135.00; Visa 851.21

4150 3-County Empowerment Agency Fund

Audio Therapy 450.00; B V County Health Dept 12,930.19; Beanstalk Preschool 1,080.00; Bedels Drive-In Pharmacy 15.00; Briest, Diane 1,021.61; Buena Vista Co Auditor 1,464.44; Buena Vista County Regio 6,623.75; Buena Vista Regional Med 17,174.72; Childrens Imagination St 6,710.00; China House 84.80; Coi / Sac County Head St 2,400.00; Crawford County Home Hea 19,826.53; Denison Community Presch 5,600.00; Family Resource Center 7,206.00; Florida State University 1,144.00; Frontier Communications 77.73; Funk, Anna 350.00; Gingerbread House 4,500.00; Hy-Vee Food Store 85.79; Immanuel Lutheran Pre Sc 585.00; Kids World 2,849.65; Lutheran Services In low 20,710.65; Midwest Wireless 123.47; Newell Pride & Joy Presc 2,970.00; Noah's Ark Preschool 852.00; Odebolt Arthur Preschool 4,410.00; Ohrtman, Mary 6.77; Postmaster 442.00; Rebnord Technologies Inc 1,625.95; Sac Community Beginderga 2,850.00; Sac County Health Servic 13,015.28; Schaller Crestland Trans 1,350.00; Scholastic Book Club 299.40; Sioux Central Child Care 1,080.00; Sioux Central Early Chil 2,768.00; St Marys Preschool 1,850.00; St Rose Preschool 666.00; Subway 100.55; Udmo Head Start 1,307.50; Upper Des Moines Oppty 15,251.97; Vartec Telecom Inc 51.13; Viking Office Products 356.88; Walmart Community Brc 226.97; Winkelman, Tasha 34.00; Wlva Begindergarten 2,160.00

4151 Bv Co Employee Health Fund

Midwest Benefit Consulta 422.32; Tht Designs 313.80; Visa 816.40; Walmart Community Brc 262.20; Wellmark Blue Cross & BI 193,620.35

4152 Bv Co Employee Flex Benefit Fund

Flexible Benefits 5,544.36

BOARD OF SUPERVISORS MEETING TWENTY-EIGHTH MEETING, 2004 SESSION (28) JULY 6, 2004

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 6, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

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

Cynthia Beauman, Executive Director of **NW Aging**, and Boardmember Don Linnan, were present to discuss the agency's nutrition project. A couple years ago, the agency was required by the

federal government to spend down its reserves. For about ten years, the reserve had been used to cover the deficit in the nutrition program, but now it is gone. The agency has made changes in the organization to reduce expenses. However, the attendance at dinner date program has dropped off, creating further deficits. Her purpose in visiting the Board was to make them aware that there will be some changes coming in the program.

10:00 a.m.—The time having arrived for a teleconference with the Sac County Board of Supervisors for business on **DD #274 Jt.**, a call was placed from Buena Vista to Sac County finding the following persons present in the Sac County Board office: Rick Hecht-Chairman, Dean Stock, Jack Bensley, Jim Dowling-Auditor, and Amy Streed-Drainage Clerk, and, present in the Buena Vista County Boardroom: Herb Crampton-Chairman, and Lorna Burnside, Bill Lanphere, Jim Gustafson, and Karen Strawn-Auditor. Motion by Hecht, seconded by Burnside to appoint Herb Crampton as Chairman and Karen Strawn as Secretary for the meeting. Ayes—all. Carried.

Auditor Strawn reported that since many of the parcels in DD #274 Jt. have assessments exceeding \$100 with the 65% levy approved last week, waivers must be permitted. The number of years for waivers and the waiver interest rate need to be set. Motion by Gustafson, second by Bensley, to approve 7 year waiver plan with an interest rate of 5% on the 65% levy approved by the joint board on 6/29/04 for **DD #274 Jt.**, and with a certification date of August 1, 2004. Carried. There being no further business, motion by Burnside, second by Bensley to adjourn. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign a work order for Kuehl & Payer Ltd. to perform a tile repair investigation in Section 6, Douglas Township, Sac County, **DD #76-133 Jt.** in the approximate amount of \$600. Carried.

Motion by Burnside to approve the appointment of Kay Richards as a rural representative on the **Linn Grove Library Board**, pursuant to the By-Laws of the Library Board. Carried.

Motion by Gustafson to authorize the Auditor to **void a warrant** which was lost - #167635 and re-issue to the Pilot Tribune in the amount of \$274.23. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign **Resolution 2004-07-06-A**, (with attachment A) which appropriates funds for expenditure by the county departments during FY'05. Carried.

RESOLUTION 2004-07-06-A

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year commencing July 1, 2004 in accordance with section 331.434 (Sec 6) 2003 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 2004-05 are hereby appropriated at 100% less 90% of the difference between the budgeted and actual premiums for employee health insurance (see attachment A) from the resources of the funds, to the department or office listed in the 2004-05 budget (see 'budget by department' document).

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, 2004.

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 2004-05 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 2004-05 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, 2005.

PASSED AND APPROVED, July 6, 2004.

/s/ Herb Crampton, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-07-06-B**, authorizing interfund operating transfers from the general and rural funds to the secondary road and capital projects funds, and local option sales tax funds to the secondary road fund as detailed in the FY'05 budget. Carried.

RESOLUTION 2004-07-06-B

WHEREAS, it is desired to transfer monies from the General Basic Fund (0001) to the Secondary Road Fund (0020) and the Capital Projects Fund (1500); and to transfer from the Rural Services Basic Fund to the Secondary Road Fund; and to transfer from the L.O.S.T. for Secondary Roads Fund (0019) to the Secondary Road Fund (0020); and

WHEREAS, said operating transfers are in accordance with section 331.432, 2003 Code of Iowa,

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

Section 1. The sum of \$102,219 is ordered transferred from the General Basic Fund to the Secondary Road Fund with one-half the amount (\$51,109.50) transferred no earlier than July 1, 2004, and the last one-half transferred no earlier than January 1, 2005.

The sum of \$201,700 (General Basic levy) is ordered transferred from the General Basic Fund to the Capital Projects Fund at appropriate times during the FY'05 as needed to meet the obligations of the fund.

The sum of \$1,016,217 (Rural Basic levy) is ordered transferred from the Rural Services Basic Fund to the Secondary Road Fund (levy) with one-half the amount (\$508,108.50) transferred no earlier than July 1, 2004 and the last one-half transferred no earlier than January 1, 2005.

The sum of \$354,975.07 (70% of the 11 out of 13 receipts for FY2004 in L.O.S.T. receipts, fund 0019) is ordered transferred to the Secondary Road fund (0020) no earlier than July 1, 2004.

Section 2. The total maximum transfer from the General Basic Fund to the Secondary Road Fund shall not exceed \$102,219 (levy) and the total maximum transfer from the Rural Basic Fund to the Secondary Road Fund shall not exceed \$1,016,217 (levy) all for the fiscal year beginning July 1, 2004.

Section 3. The Auditor is directed to correct her books accordingly and to notify the Treasurer and Engineer of these operating transfers, accompanying the notification with a copy of this resolution and the record of its adoption.

PASSED AND APPROVED, July 6, 2004.

/s/ Herb Crampton, Chairperson, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Following discussion of the reduction of state appropriations for credits and exemptions on property taxes payable in FY'05, motion by Lanphere to approve and to authorize the Chairman to sign **Resolution 2004-07-06-C** regarding the administration of the reduced property tax credit/exemption reimbursements. Carried.

RESOLUTION 2004-07-06-C

WHEREAS, the State of Iowa has appropriated moneys for fiscal year July 1, 2004 through June 30, 2005, which moneys are insufficient to fund the various local property tax credits/exemptions fully, and,

WHEREAS, Iowa Code Section 25B.7 allows local governments to extend to the taxpayers only those portions of the property tax credits/exemptions that are estimated by the Iowa Department of Revenue and Finance to be funded by the state appropriation, and

WHEREAS, the Iowa Department of Revenue and Finance has estimated the percentages of funding for the affected property tax credits/exemptions for FY'05 as follows: Homestead credit 81%, Low-income-Elderly-Disabled Credit 100%, Military Exemption 100%,

NOW, THEREFORE BE IT RESOLVED by the Buena Vista County Board of Supervisors that pursuant to Iowa Code Section 25B.7 the property tax credits/exemptions in Buena Vista County for fiscal year July 1, 2004 through June 30, 2005 shall be extended to taxpayers as follows:

Homestead Credit - 81%, Military Exemption - 100%, Low-Income/Elderly/Disabled Credit - 100%

PASSED, APPROVED AND ADOPTED this 6th day of July, 2004.

/s/ Herb Crampton, Chair Board of Supervisors Attest: /s/ Karen M. Strawn, Auditor

Motion by Gustafson to approve the **minutes** of the 6/29 meeting as printed. Carried.

The Board discussed the number of **handicapped parking spaces** at and around the courthouse. With the addition of drivers' licensing services, the need for spaces has increased. No additional changes will be made at this time.

The lease agreement with **Spectra Health** for the care facility buildings expires in December, 2005. The Board discussed a list of items needed for discussion of future lease terms including future upkeep/renovation requirements for the building and lagoons, cost for emptying the lagoons, and an income and expense report. The care facility committee members will meet with Brent Mangold and a DNR representative about the lagoons.

There being no further business, motion by Crampton to adjourn the meeting at 11:40 a.m. until Tuesday, July 13, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-NINTH MEETING, 2004 SESSION (29)
JULY 13, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 13, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Storm Lake City Administrator John Call, Gary Lalone-CEO of SLADC, and Justin Yarosevich-Storm Lake Administrative Services Director, were present to request funding for drive trails, signs and bike trails in the unincorporated areas of the county, all to be a part of Project Awaysis. Call reported that they are preparing an application for Vision Iowa funding which is to be submitted in August. To be successful, an application needs to include a commitment from the county.

Yarosevich presented a map of the project. Most of the drive trail will be on hard surface roads, but with some on gravel in the northern part of the county. The first part of the request - \$100,000 in FY'06 - would be for signing the drive trail (estimated cost of \$50,000-\$60,000) and installing kiosks to provide educational and interpretive information at points of interest (using the remainder of the \$100,000). The kiosks make self-guided tours possible. There has been lots of interest and some people have already driven the route. Letters of support will be included with the application. There is also much enthusiasm for the bike trails with routes planned to almost every destination. Phase 1 is a Great Lakes connection from Clay County to Sac County. Phase 2 would connect Alta, and continue to connect with Cherokee County, then up thru windmills; Phase 3 adds the Linn Grove area; 4 extends from M-54 to Albert City and Marathon and on to the Pocahontas County line; Phase 5 links Newell and continues to Sac County. The request for the bike trails is \$100,000/yr for 5 years commencing with FY'07. These funds would be used to leverage other funds.

The group proposed forming a committee to work on these proposals, the committee to include Engineer Jon Ites, Yarosevich, and others. With county funds, it should be easier to leverage federal funds due to the DOT's interest in the Great Lakes connection. The \$100,000 might not be spent each year, but instead accumulated so that bike trail construction could be done along side of road work to keep downtime to a minimum. The \$600,000 funding requested from the Board would be contingent on approval of the Vision Iowa application and approval of the city's bond election.

Burnside commented that there are lots of Buena Vista County residents biking, but they don't do it in BV Co. Crampton reported that NWIPDC is not sure about whether there might be grant dollars available for signing, but that money is available for bike trails. Bike trails provide a free recreational opportunity. Lanphere commented that the plan is ambitious and it appears affordable. With the aquatic center, it needs to be ambitious. In the community of Buena Vista County, people are beginning to come together.

In doing the research, Lalone found that the number and type of signs needed is significant. In the north part of the county, finding the river road is tough without signing. The county park is gorgeous, but people don't go to that area. Ecotourism is currently a big attraction right now, so we need to let the public know where to find it. Buena Vista County has a lot to offer - hills, valleys, the plains, rivers, a lake, museums, and wind mills. There is excitement in the smaller communities and lots of interest to have tourists visit. We have to draw people to the county first to get them into the small towns. If 80-200 families were to come into the county over a weekend, it would make a visible difference. The bike trails on all sides will help this happen.

The deadline for Vision Iowa applications is August 11, so Call requested that the Board respond with their decision in the next 2 weeks. Gustafson asked if the amount or timing of the funds is flexible since the county is working on a jail project currently. Call responded that there is no formula set by Vision Iowa; the funding could be stretched out. Question: How was the \$600,000 amount determined? Answer: As grants are written, it is important to know how much money we have and when. The amount and timing were determined to allow the leveraging needed to secure other funding. Gustafson commented that ours is a rural economy and the farming base is eroding; we need something to supplement that. Now is the time to do it. The vision of this entire project will help bring people to live in the country. Zoning Director, Kim Johnson, suggested that this plan should be included in the county Comprehensive Plan.

Denny Backstrom and Vitus Terveer, Palo Alto County Development Corp. requested the support of Buena Vista County in their application for a gaming license. November 10th is the application deadline. They are seeking support for the gaming license county to county, and city to city. If a license is granted, Grace Entertainment, Missouri, will put up a casino, 32-40 room hotel, convention center, restaurant and parking. Grace financed the election campaign and is paying for the activities of the Development Board. Grace has the casino in Osceola, IA, and several others. The State of Iowa thinks that a casino in NW Iowa would produce about \$38 million. Every county approached so far has supported it. The casino would bring 350 jobs to the area, drawing from surrounding counties to fill all of the positions. The revenue projection to the county is a minimum of 3% of the adjusted gross which would be worth about ½ million dollars. The development board is a non-profit organization and the revenue they receive has to be distributed to non-profit organizations, with 25% to go to non-profits in surrounding counties. Each casino determines in advance how the revenue will be used. In Worth County there is 1 school district and 50% will go to that school district. The city (where the casino is located) and the county will each receive revenue. State law was changed so that now the city gets a minimum of ½ of 1%, and the county 1½%. In Palo Alto County the election approving gaming won with 71% margin. The casino will provide good paying jobs with benefits. They expect no additional law enforcement expense to the city or county. They have an option to purchase a 22 acre parcel on Five Island Lake if the license is granted. Motion by Lanphere to approve and to authorize the Chairman to sign Resolution 2004-07-13 supporting the issuance of a **gaming license to Palo Alto County Development Board** and Northwest Iowa Gaming Company, due to the exceptional showing at the ballot box. Ayes all.

RESOLUTION 2004-07-13

A Resolution supporting the issuance of a gaming license to Palo Alto County Development Corporation and Northwest Iowa Gaming Co.

WHEREAS, the purpose of this resolution is to show that Buena Vista County supports the issuance of a gaming license to Palo Alto County Development Corporation and Northwest Iowa Gaming Co.; and

WHEREAS, we believe this initiative is critical for the growth of Northwest Iowa; and

WHEREAS, the citizens of Palo Alto County are overwhelmingly supportive of this project as evidenced by a seventy-one percent "YES" vote on the gambling referendum held in June, 2003; and

WHEREAS, the Palo Alto Community has worked hard for the past fifteen years to restore Five Island Lake to its natural beauty so that it could be the focal point for economic development in this area; and

WHEREAS, the county has a development agreement with Grace Entertainment and Northwest Iowa Gaming Co. on a proposed thirty million dollar investment that would include an entertainment and convention facility, a hotel, a campground and a casino located on Five Island Lake; and

WHEREAS, the development is projected to create up to three hundred fifty new jobs in the county, which will pay wages above the current average; and

WHEREAS, a gaming license issued in Palo Alto County is estimated to generate almost thirty million dollars in gaming revenue, value added growth of almost seventeen million dollars, over four million dollars in state taxes and three hundred thousand dollars in local taxes; and

WHEREAS, over thirty percent of the patrons are projected to come from other states with ten million dollars spent on other goods and entertainment while visiting; and

WHEREAS, the local discretionary dollars now being spent on gambling will remain in the economies of this state, rather than Minnesota and South Dakota; and

WHEREAS, studies show that a casino located in Palo Alto County would pose the least harm to casinos located in other areas of the state,

NOW THEREFORE, BE IT RESOLVED that Buena Vista County urges you to support our efforts and issue a gaming license to Palo Alto County Development Corporation and Northwest Iowa Gaming Co.

PASSED AND APPROVED this 13th day of July, 2004. /s/ Herb Crampton, Chair, Board of Supervisors

Motion by Vail to approve and to authorize the Chairman to sign final payment voucher for **project #C-505-73-11** (culvert at Jim Rock's location) in the amount of \$63,453 (the contract price was \$62,645) with 55% reimbursement from NRCS. Carried.

Motion by Burnside to authorize the Chairman to sign a Statement of Acceptance (453) on **project #BROS-CO11-(64)—8J-11** (Jackson bridge off M-50). Carried.

Motion by Gustafson to accept the proposal of Equity Contracting, Adel, in the amount of \$0.406/sq ft for 34,713 square feet to seal **bridge decks** on 5 bridges. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign an agreement to participate in **project #STP-S-CO11(39)—5E-11** (concrete overlay on C-49 from Hwy 71 to Storm Lake city limits) with FHW Agency through ISTE A Regional Planning to provide up to 80% of the cost. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the DOT bridge replacement funding agreement for **project #BROS-CO11(59)—8J-11** (bridge off M-54 across the Raccoon River). Carried. Engineer Jon Ites noted that this bridge requires special design and has an estimated cost of \$225,000, with 80% to come from the federal government. Carried.

Ites discussed a **bridge replacement** needed between Section 4, Nokomis Twp and Section 33, Elk Twp. on the west end of the road. 55% NRCS funding may be available, but the county would need to provide the funds up front since NRCS funding is provided on a reimbursement basis. Ites requested approval to proceed. A budget amendment will be needed. Currently the road is closed, but when open, carries 40-50 vehicles/day. He noted that the budget already needs to be amended since 2 projects for last year weren't let and therefore were completed by the end of the fiscal year. The total preliminary estimate is \$85,000 for a single box culvert. Motion by Crampton to approve that Ites proceed with the project. Gustafson suggested that another project be put back to allow for this project. Ites responded that the result would be to lose funding. The vote on the motion was carried.

Ites provided a copy of a draft resolution supporting the new **road use tax distribution** language for submission to the legislature. The Iowa County Engineers Association and the Iowa County Supervisors Association will take action on the resolution prior to submitting it to the legislature.

Motion by Vail to approve and to authorize the Chairman to sign an **underground utility permit** submitted by Iowa Telecom, Grinnell, IA, to provide new service with 5 pr copper telephone cable for Tom Hare in Section 1, Brooke Township. Carried.

Ites requested information about the **appropriations** resolution approved by the Board last week. The amount of the reduction for his department does not match the figures used to prepare the budget. He will recalculate the difference between the rates used for the budget and the actual rates approved after the budget was adopted.

Motion by Lanphere to approve a 1% **wage increase** for Jo Fassler, in line with all other employees for the new fiscal year. Carried.

Lanphere asked whether the Board should discuss whether or not there should be a requirement for the new **assessor** to live in the county. It was the consensus to wait until after the exam is administered.

Motion by Vail to approve and to authorize the Chairman to sign the loan repayment schedule and agreement between the 10 cities and Buena Vista County for the \$20,000 loan from the Innovation Fund for the **Comprehensive Plan update** project. Carried. The repayment period is 5 years.

Vail left to attend a funeral.

Brent Mangold reported on last Friday's meeting at **Spectra lagoon** site with Ken Hessenius, Regional Director, DNR. After viewing the set-up and discussing previous action, Hessenius agreed to accept and approve a written request to install a small horsepower aerator for the purpose of improving aerobic processing. Mangold believes that the strong disinfectants used at Spectra kill the agents needed, and inadequate aeration further reduces the process. Since the only discharge to the lagoon is from Spectra, no one else uses the lagoon. The aerator wouldn't be used during the winter. If the lagoon is ever abandoned, it will still have to be cleaned out. It could be left to 'decant' first, then be emptied and dismantled to prevent collection of water and any liability. This would be a better alternative than paying the high cost of hiring a commercial sewage hauler. Motion by Lanphere approve and to authorize the Chairman to sign a letter to the DNR requesting approval to install a low velocity aerator in the Spectra lagoon. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Carried.

Willis Strawn reviewed the proposal for additional services from Koch Hazard Baltzer regarding the study of the adaptive re-use of an existing building (Concordia Lutheran on W Milwaukee) for a **jail facility**. Of the original proposal amount - \$17,850, the current bill is \$10,414 leaving \$7,436 available. The additional work is expected to come in under that cap. Motion by Burnside to approve and to authorize the Chairman to sign the proposal with Koch Hazard Baltzer for the additional services. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Carried.

Strawn also reported that there is interest in the building by at least 2 other parties, and, that the zoning of the Concordia Lutheran building is C-2 which does not currently allow for detention/jail facilities. The county could request, through the current building owner, an additional use be added to the C-2 District. The Board also discussed having an appraisal done on the building. It was agreed that if the architect was to proceed with the study, and a zoning change be requested, the county should make an offer to purchase subject to obtaining proper zoning and an affirmative vote on a bond issue. A meeting to discuss making an offer on the building was set for Thursday, July 15th at 10:30 a.m. at the site, 915 W Milwaukee. A closed session is permitted to discuss the purchase of particular real estate when premature disclosure could be reasonably expected to increase the price.

Motion by Burnside to approve the **minutes** of the 7/6 meeting as printed, and the following **reports**: 6/22 Board of Health minutes, 4th Qtr FY'04 Sheriff's fees, June budget reports, and the June operations report of Spectra lagoon. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign a work order to replace pipe and remove sedimentation in **Jt. DD #19-26** in the amount of \$700 for a location in Section 5, Douglas Twp, Sac County. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign a Drainage Agreement between Donald Rosacker and Jt. DD #22 to create a wetland in Clay County. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the Certification of the Buena Vista County Cost Allocation Plan for FY2003 prepared by Maximus. Carried.

Motion by Burnside to approve the carryover of \$260.92 in the FY'04 Wellness funding from the Employee Health Insurance Fund. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Carried.

There being no further business, motion by Crampton to adjourn the meeting at 12:45 p.m. until Thursday, July 15, 2004 at 10:30 a.m. at 915 W Milwaukee for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTIETH MEETING, 2004 SESSION (30)
JULY 15, 2004**

The Buena Vista County Board of Supervisors met in special session on Thursday, July 15, 2004 at 10:30 A.M. at 915 W Milwaukee Ave. (site of the building owned by Concordia Lutheran) with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Also present: Willis Strawn, Jail/Courthouse Task Force Chairman.

The purpose of the meeting was to consider making an offer on the building at 915 W Milwaukee for adaptive renovation as a jail and sheriff's offices. Motion by Gustafson, second by Vail, to go into closed session pursuant to Chapter 21.5.j – 2003 Code of Iowa – to discuss the purchase of particular real estate for which premature disclosure could increase the price the county would have to pay for the property. A roll call vote was taken: Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, and Crampton-aye. The closed session was approved.

Motion by Gustafson to end the closed session. Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. The closed session ended at 11:33 a.m.

The Chairman will meet with the realtor tomorrow to make the offer. Tuesday's agenda will include an 11:30 a.m. entry to receive the owner's response.

There being no further business, motion by Crampton to adjourn the meeting at 11:40 a.m. until Tuesday, July 20, 2004 at 8:30 a.m. for a special session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-FIRST MEETING, 2004 SESSION (31)
JULY 20, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 20, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Engineer Jon Ites reported that he has received 2 additional requests for reimbursement of costs of making repairs in a drainage district without first notifying the county so that the problem can be investigated. There are at least 2 contractors who have performed work in drainage districts in the county without any advance notice to the county.

Motion by Gustafson to approve and the authorize the Chairman to sign the contract, performance bond and certificate of insurance for The Road Guy Construction Co., Mission Hills, SD, for project #L-MS-466 (this season's maintenance seal coat projects). Carried.

The department has been busy cleaning up the Truesdale stockpile/dump. Ites has received an invitation to buy adjacent property.

Motion by Burnside to set the following letting dates: September 21st at 10:00 a.m. for project #FM-CO11(70)—55-11 (Radio Road retrofit); September 21st at 10:30 a.m. for the following box culvert projects—project #'s L-B-521 west side Section 20, Maple Valley Twp; L-JB-300 joint bridge with Cherokee Co. on the west side of Section 6, Elk Twp.; L-C-512 in Section 12, Barnes Twp.; L-C-526 - ½ mile east of Wal-Mart. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the underground utility application of Iowa Lakes Electric Cooperative, Estherville, to install an underground 7200 volt distribution line under 600th St to Section 2, Newell Twp. to provide service to Sievers Inc. Carried.

Treasurer Kathy Bach reviewed her semi-annual report, noting the large number of grant funds received in June. Department heads have done a good job of securing grants and keeping expenditures down. Motion by Burnside to approve and to authorize all Boardmembers to sign the FY'04 semi-annual report. Carried. Lanphere commented that department heads should be recognized for keeping expenditures under control during a time of tight resources.

Motion by Gustafson to approve the minutes of the July 13th and 15th meetings as printed. Carried.

The board reviewed actual FY'04 ending fund balances with budgeted balances. The General Basic/Supplemental balance was 10.8%.

Nurse Administrator Diane Anderson discussed how other counties handle their health insurance benefit for part-time employees. If the employee drops to below 20/wk, the portion of the premium paid by the county also drops.

It was the consensus of the board to select the lease purchase-option on the aerator for the Spectra lagoon, at the rate of \$200/mo for 2 years, with no service dock, and to direct Brent Mangold to proceed with the arrangements.

A response to the county's offer to purchase the Concordia Lutheran building (for a jail) has been received. Motion by Vail, second by Gustafson, to go into closed session pursuant to Chapter 21.5.j – 2003 Code of Iowa – to discuss the purchase of particular real estate for which premature disclosure could increase the price the county would have to pay for the property. A roll call vote was taken: Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. The closed session was approved. The time was 11:00 a.m. Motion by Gustafson, second by Burnside, to end the closed session, and return to open session at 11:32 a.m. Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. The motion carried. Jail/Courthouse Task Force Chairman Willis Strawn was directed to engage the services of a structural engineer to inspect the Concordia building. The engineer is to work with the architect to determine the list of items to be inspected.

Gustafson informed the Board that an additional \$300,000 in grant funds and \$700,000 in loan funds have been approved for Clay Regional Water for Buena Vista County's rural water project.

There being no further business, motion by Vail to adjourn the meeting at 12:15 p.m. until Tuesday, July 27, 2004 at 8:30 a.m. for a regular session.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-THIRD MEETING, 2004 SESSION (33)
JULY 27, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 27, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Marian McNabb, Linn Grove, distributed photos of a bin for recycling pop cans which was located in front of her property by the city of Linn Grove. She has reported this three times to the Sanitarian, but nothing has been done. It smells, is a health hazard, and she has heard complaints from outsiders about the odors. Rodents have been spotted, and cats have tried to get into the bin. She has not gone to the city council because she anticipates that it wouldn't do any good. She believes the bin should be emptied weekly. McNabb also distributed pictures of a dinosaur coming to be displayed at the Linn Grove Nature Center and at the Clay County Fair. The Board will request a report from the Sanitarian. Linn Grove Mayor Dennis Graesing called the Board to provide additional information on the issue.

Motion by Vail to approve and to authorize the Chairman to sign a request for reimbursement in the amount of \$34,454.75 from NRCS (Natural Resource and Conservation Services) for the completed bridge project in Section 10, Brooke Township (Fed ID# 69-6114-3-18). Carried.

Storm Lake City Clerk Patti Moore distributed a chart showing the current distribution of local option sales tax receipts in the county, and identified how many additional dollars would be received by

the county with each additional \$100,000 collected in the county. In addition to Moore, present for the discussion on county funding for trails and signs were Storm Lake City Administrator John Call, Administrative Services Director Justin Yarosevich, Mayor Jon Kruse, SLADC CEO Gary Lalone, plus Chamber of Commerce Managing Director Marilyn Monson, Tom McClinton and Mike Sharar, plus representatives of the local media.

To begin the discussion of the City of Storm Lake's request for county funding for **Project Alwaysis**, Chairman Crampton read a draft resolution. The level of funding included in the draft is not the amount requested. The numbers used were intended to provide a beginning point for discussion. Burnside commented that the source of the funding between general and rural could have been 80%/20% or 60%/40%, that 75%/25% just happened to be the numbers used. Vail said that the wording regarding the funding source is contradictory; the cities would receive the higher economic benefit but would actually pay less than the rural owners since rural owners pay both the general and rural levy. Splitting the source – 75% General and 25% Rural has the reverse effect. Gustafson objects to the 75%/25% split since it is our General Fund that is in trouble. The auditor explained a method for providing room under the \$3.50 General fund cap through the use of debt service, however this would result in an increase in taxes. Gustafson reviewed some of the exceptional costs the county currently has (i.e. shelter care, juveniles) which are draining the general fund, along with another large need -- the jail. These items take resources away from the projects that the county might like to fund. Funding to organizations was cut last year and this year, and among them are projects the county would like to fund. He doesn't see any indication in the draft resolution that reflects an amount coming from local option taxes which was the initial funding source discussed.

Lanphere commented that there is an opportunity for state funding here and now that we need to pursue for the economic development of the county. There aren't a lot of options available to us; we have to step up to the plate and take some action on what opportunities do present themselves. Gustafson asked where the requested fund amounts came from. John Call said they tried to take into consideration the financial conditions in the county in setting the amount of their request. The priority trails are along Hwy 71, but they were trying to present the total picture 25-30 years out. Lalone said there has been work done on the Iowa Great Lakes connection in other counties, but none in Buena Vista. They have sought and received letters of support from all of the other cities and groups like the BV County Convention and Visitor's Bureau. There is a lot of excitement and enthusiasm in and outside Storm Lake. Monson reported that she is a biker around Storm Lake and in other areas. We need to be connected, and the connections need to be with what we have in Storm Lake, with the rest of the county.

Burnside asked if the 'rub' was in where the funds are coming from. Gustafson said he is not opposed, and in fact supports the concept, but finding the money is the problem. The county hasn't been able to give much in raises for this or for last year. Vail noted that in addition, there had been cuts to other organizations. Even though the 80% will come from the feds and state to the planning agencies for distribution, there isn't as much available as you might think. The board he sits on has funding obligated through FY'07. Yarosevich commented that there are other sources in addition to federal dollars.

Kruse reflected that everyone is concerned about funding. Local option dollars have been mentioned, but the amount has steadily increased over the years. If local option dollars are invested in this type of activity, it will result in even more growth in the sales tax receipts. Vision Iowa funding is a major hurdle for this project, but it is the key and it requires county participation. If you wait until all lights are green, you'll never get to your goal. With each hurdle cleared, it makes the next step more possible. This project has created more enthusiasm than anything else in many years, especially with some of the problems this community has suffered in the past. He encouraged the Board to look forward and to support the proposal.

The Chairman had discussed with Call the amount needed to show that the County is participating, and \$100,000 is that amount. Burnside doesn't know when the Vision Iowa Board would consider this particular application. They are kept, not dropped, and the Board continues to work with the applicants.

Vail complimented everyone for going ahead with the proposal, but he thinks this should be done by a private developer. Lalone responded that we could have something of lesser quality if we wanted it, but it won't have the same result. There are organizations interested in operations.

It was moved by Lanphere that the resolution be adopted. Lanphere then moved to amend the motion by amending the language, removing 'bikes' and adding 'throughout the county and its communities to include the windfarm'. The vote on the amendment to the language was ayes-all, nays—none. Carried. Question--Is the intent to mean other types of trails including bike trails? Lanphere responded in the affirmative. Gustafson supports the concept but has a problem with the amount, and source. Crampton noted that the draft proposed was intended to generate discussion. The vote on the draft resolution as amended was ayes-Burnside, Lanphere, Crampton. Nays—Gustafson, Vail. Motion carried. McClinton noted that sometimes you have to invest money to make money. This is an aggressive project. It is nice to see governmental leaders working aggressively to make this county a better place to live, work and play.

RESOLUTION 2004-07-27-A

Supporting and Providing Funding for Drive & Trails for Project Awaysis

WHEREAS, an application is being prepared for a Vision Iowa grant for the Awaysis project; and

WHEREAS, the Buena Vista County Board of Supervisors recognizes that a completed Awaysis project will create economic development, recreational and tourism growth throughout the county; and

WHEREAS, the Vision Iowa Board views the financial participation of county government as an essential component of any grant application; and

WHEREAS, the provision of funds by the County for trails can leverage Road Use Tax funds on a 20%(local)/80%(road use tax) basis; and

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors endorses the Awaysis project and hereby agrees to provide funding as follows:

- In FY'06 - \$100,000 for drive trail signage throughout the county and its communities to include the windfarm;
- In each of 5 fiscal years beginning with FY'07 \$80,000 per year for trails, a total of \$400,000;

With the commitment of funds contingent upon approval of Vision Iowa funding and approval of a bond issue by the City of Storm Lake

AND BE IT FURTHER RESOLVED, that the funds will be sourced 75% from the General Basic fund due to the higher economic benefit to the cities, and 25% from the Rural Fund.

PASSED AND APPROVED, July 27, 2004.

/s/ Herb Crampton, Chair, Board of Supervisors Attest: /s/ Karen M. Strawn, County Auditor

Environmental Health Director Kim Johnson discussed the need for action on a **CAFO construction permit** filed today by TLC Pork, formerly Tenderlean Pork, near Albert City, owned by Norlin Gutz. The county must publish notice of the filing but can publish notice and accept written comments, or can hold a public hearing to allow for public comment. We need to give the public an opportunity to comment, but does anyone prefer a hearing? Written comments would be accepted in either case. Since it is an existing site, with no prior complaints, there might not be any comments, but Johnson hasn't begun a review to know what changes may be needed. It was the consensus of members to publish and invite written comments, but not to hold a public hearing.

Johnson also explained her response to the complaint in Linn Grove. The law she works with allows her to respond when the public health is threatened, but until then, she can't do anything about it. For example, if a house were totally unkempt with a roach infestation, she could not take action unless there was evidence of roach infestation traveling to an adjacent property – threatening the public health.

The Chairman gave a brief update on the special assessors' exam held last week – 9 took the test and the results are due out this week.

Motion by Gustafson to approve and to authorize the Chairman to sign the first payment voucher for the L.A. Carlson contract for cleanout of DD #1, and also change order number 1 increasing the contract amount by \$2,500. Carried.

The Chairman reported that a wiring problem was discovered and repaired at the Spectra Health Care administrator's residence. The care facility committee will review the problem and determine whether further work is advisable.

Motion by Gustafson to approve the minutes of the 7/20 and 7/23 meetings (both open and closed portions) as amended and the following report: 6/14 Conservation Board minutes. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign Resolution 2004-07-27-B setting the ballot language for the local option sales and services tax renewal election to be held 10/5/04. Carried.

RESOLUTION 2004-07-27

Prescribing Ballot Question for L.O.S.S.T. Election – October 5, 2004

WHEREAS, there is currently a 1% local option sales and services tax imposed in the Cities of Alta, Lakeside, Rembrandt, and Storm Lake, and in the unincorporated area of Buena Vista County which sunsets October 1, 2005; and

WHEREAS, on June 22, 2004, the Buena Vista County Board of Supervisors set October 5, 2004 as the election date for the renewal of the 1% local option sales and services tax renewal with a 15 year 'sunset' date; and

WHEREAS, the cities of Alta, Lakeside, Rembrandt and Storm Lake, and the county of Buena Vista have filed notice of their adopted use formulas;

NOW THEREFORE BE IT RESOLVED that the following question be placed on the October 5, 2004, ballot:

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED? YES ____
NO ____

Summary: To authorize the renewal of a local sales and services tax in the cities of Alta, Lakeside, Rembrandt and Storm Lake and the unincorporated area of the county of Buena Vista at the rate of one percent (1%) to be effective from the date the present local option sales and services tax expires (October 1, 2005), until June 30, 2020.

A local sales and services tax shall be imposed in the cities of Alta, Lakeside, Rembrandt, Storm Lake and the unincorporated area of the county of Buena Vista at the rate of one percent (1%) to be effective from July 1, 2005 and after the termination of the existing local option sales and services tax (October 1, 2005), until June 30, 2020.

Revenues from the sales and services tax are to be allocated as follows:

FOR THE CITY OF ALTA: 50% for property tax relief. The specific purpose for which the revenues shall otherwise be expended is: 50% for capital improvements.

FOR THE CITY OF LAKESIDE: 50% Property Tax relief. The specific purposes for which the revenues shall otherwise be expended are: 25% Community Betterment; 25% Capital Improvements.

FOR THE CITY OF REMBRANDT: 0% for Property Tax relief. The specific purposes for which the revenues shall otherwise be expended are: 60% for Road Use-General Fund, 10% for Culture & Recreation (Parks, Library & Other Social), 10% for Public Safety (Fire & Police), 10% for Utility Funds (Water & Sewer), 10% for General Use.

FOR THE CITY OF STORM LAKE: 0% for Property Tax Relief. The specific purposes for which the revenues shall otherwise be expended are: 100% for specific purposes: Capital Improvement Projects as determined by Council (Streets, Buildings, Capital Improvements including Debt Retirement).

FOR THE UNINCORPORATED AREA OF BUENA VISTA COUNTY: 40% for Property Tax Relief in the Rural Basic Fund (i.e. libraries, landfill, rural patrol, secondary road operations, etc). The specific purposes for which the revenues shall otherwise be expended are: 60% for Capital Expenditures in the Secondary Road Department (i.e. bridges, roads, buildings, etc.).

PASSED AND APPROVED, July 27, 2004.

/s/ Herb Crampton, Chair, Board of Supervisors

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

Motion by Vail to approve and to authorize the Chairman to sign the application for the renewal of the off premises liquor, beer and wine permit, and Sunday sales permit submitted by Sparky's, rural Storm Lake. Carried.

A response to the county's second offer to purchase the Concordia Lutheran building (for a jail) has been received. Motion by Burnside, second by Lanphere, to go into closed session pursuant to Chapter 21.5.j – 2003 Code of Iowa – to discuss the purchase of particular real estate for which premature disclosure could increase the price the county would have to pay for the property. A roll call vote was taken: Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. The closed session was approved. The time was 11:02 a.m. Motion by Lanphere, second by Vail to end the closed session at 11:32 a.m. and return to open session. Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. Carried.

There being no further business, motion by Vail to adjourn until Thursday, July 29th. Carried. This meeting will commence at 11:30 a.m. to permit all members to be present.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-FOURTH MEETING, 2004 SESSION (34)
JULY 29, 2004**

The Buena Vista County Board of Supervisors met in special session on Thursday, July 29, 2004 at 11:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members

present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Also present: Willis Strawn, Jail/Courthouse Task Force Chairman.

A response to the county's third offer to purchase the Concordia Lutheran building has been received. Motion by Burnside, second by Lanphere, to go into **closed session** pursuant to Chapter 21.5.j – 2003 Code of Iowa – to discuss the purchase of particular real estate for which premature disclosure could increase the price the county would have to pay for the property. A roll call vote was taken: Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. The closed session was approved. The time was 11:30 a.m. The Board returned to open session at 11:32 a.m. The Chairman left the meeting.

Due to the deadline for submitting a jail **bond question** for the General Election ballot, Auditor Strawn will provide some preliminary information to Bond Counsel.

Motion by Gustafson to approve the **minutes** of the 7/27 meeting as amended. Ayes—Burnside, Gustafson, Lanphere, Vail. Carried.

Motion by Vail to set the date and time of public hearing on the **CAFO construction permit** submitted by Norlin Gutz for TLC Pork on 8/10 at 10:30 a.m. in the Boardroom. Ayes—Burnside, Gustafson, Lanphere, Vail. Carried.

It was noted that due to a change in the e-mail address for the BV Journal, **board minutes** have not been published for several months. Since publication of the minutes so long after the meetings will not put the county in compliance with the publication requirement, it was the consensus of the board not to publish those minutes.

There being no further business, motion by Vail to adjourn until Tuesday, August 10th for a regular session unless another special meeting is called. Ayes—Burnside, Gustafson, Lanphere, Vail. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-FIFTH MEETING, 2004 SESSION (35)
AUGUST 6, 2004**

The Buena Vista County Board of Supervisors met in special session on Friday, August 6, 2004 at 2:30 P.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Board Members signed plans and cover sheets for the following previously approved **projects**: #L-C-512-73-11, #L-JB-300-73-11, and #L-C-521-73-11, #L-C-626-73-11, #FM-CO11(70), and #BROS-CO11(50).

Engineer Jon Ites informed the Board of the potential use of a **Class C road** designation which the county does not currently use (road is gated, county performs no maintenance, gate locks would be in

the hands of the owner and the County Sheriff). GE Wind would like to make changes to a road in Maple Valley Township that is used only by that company.

AgPartners, Alta, has requested approval to close a road when they are filling grain cars. The gravel road is crossed by 2 rail spurs which they installed a couple years ago. There is a concern that blocking the roadway creates the possibility of accidents, and that emergency vehicles can't get through.

Willis Strawn, Jail/Courthouse Task Force Chairman, reviewed the preliminary report of the registered structural engineers, Greg Hannestad and Tom Rieger, on the Concordia Lutheran building at 915 W Milwaukee Ave. Additional information will be provided at the August 17th meeting. The engineers' report identified several modifications/improvements that would be necessary for the type of use that the county proposes. The engineers also recommended that the roof be inspected. The architect will include the cost of the necessary improvements to project cost for converting the building for **Jail/Sheriff's office** use.

A new offer has been received by the county from Concordia Lutheran for their building at 915 W Milwaukee Ave. Motion by Vail, seconded by Lanphere, to go into **closed session** pursuant to Chapter 21.5.j – 2003 Code of Iowa – to discuss the purchase of particular real estate for which premature disclosure could increase the price the county would have to pay for the property. A roll call vote was taken: Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. The closed session was approved.

On motion by Vail, second by Burnside, the Board returned to **open session**. No action was taken on the offer from the Concordia Lutheran Board due to the inconclusive report of the structural engineers.

Motion by Vail to approve the **minutes** of the 7/29 meeting (open and closed sessions) as corrected. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign requests for 90 day bid letting deadline extensions on the following **projects**: #L-C-512-73-11(69-9114-4-4-04), #L-JB-300-73-11 (69-6114-4-4-06), and #L-C-521-73-11 (69-6114-4-4-07), all partially funded by NRCS. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the proposal from Lawn Manicurists for chemical treatment of brush and trees in the laterals of **DD #34**, on a time and materials basis not to exceed \$15,000. Carried.

The auditor reviewed budgetary information regarding the purchase of the upgrade to the real estate/tax administration **software** from CMS-Incode. It was the consensus of the Board to proceed with the purchase.

Board members reviewed applications submitted for the secondary roads **mechanic's** position.

There being no further business, motion by Gustafson to adjourn at 4:15 p.m. until Tuesday, August 10th for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-SIXTH MEETING, 2004 SESSION (36)
AUGUST 10, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 10, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Deputy Auditor Sue Kennedy as clerk for the meeting.

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

Willis Hamilton and Dennis Weinhold came in to ask about a hog confinement that is being built in Section 14 of Newell Township. It is below the threshold for the Matrix, so the permit is obtained from the State.

Motion by Gustafson to approve the minutes of the 8/6 meeting as printed, and the following reports: July budget reports, 4th Qtr FY'04 Recorder's fees, and the July operating report from Mangold Environmental on the Spectra Lagoon. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign underground utility permits submitted as follows:

- by Walt Nesheim, Newell, to install a water line under the road at 2119 630th St., Newell Township;
- by Byron Friesen, to install a 2" pipe to connect a septic tank to the leech field under Stoney Point Drive in Section 15, Hayes Township;
- by Iowa Lakes Electric Cooperative, Estherville, to install a new single phase 7,200 volt underground line to replace existing overhead line, to be bored under 430th St., in Section 1, Brooke Township. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the underground utility permits received from Clay Regional Water, to install 2" to 10" waterlines in zones 4 (portions of Scott, Washington and Grant Townships) and 5 (portions of Scott and Grant Townships). Carried.

Motion by Vail to not allow AqPartners, Alta, to close a road when they are filling grain cars because of the safety hazard. Carried.

Engineer Jon Ites recommended a Class C road designation for the south side of Section 34, Maple Valley Township. Motion by Burnside to have GE Wind contact the adjacent landowners and have an agreement in place that both will accept the Class C road designation (gated road with locks). The County will proceed with the designation after the signed agreement is in effect. Carried.

Engineer Jon Ites informed the Board of his selection for the Mechanic I position, with a starting wage of \$2 under the rate for that position and moving 2 years to the full amount. Gustafson reminded the Board of his previously approved motion to start new secondary road employees at \$3 under the rate for that position and moving 2 years to the full amount. Motion by Lanphere, due to misinformation given to the Engineer, to make an exception in this case to hire the new Mechanic I at \$2.50 under the rate for that position and moving 2 years to the full amount. Gustafson doesn't want to hire anyone. Ayes—Burnside, Lanphere, Crampton, Vail. Nays—Gustafson. Carried. Ites will contact the applicant and see if he is still interested.

Zoning Director Kim Johnson reviewed the subdivision request of Security Trust & Savings Bank. The Zoning Commission has recommended approval on this minor subdivision with no stipulations. Motion by Gustafson to approve and to authorize the Chairman to sign Resolution 2004-08-10-A approving the subdivision request of Security Trust & Savings Bank for a location in Section 32, Washington Township. Carried.

RESOLUTION 2004-08-10-A

WHEREAS, Security Trust & Savings Bank has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTEAST QUARTER (NE¼SE¼) OF SECTION 32, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 32; Thence on a previously recorded bearing of North 89°49'09" West, along the North line of said Southeast Quarter (SE¼) 375.40 feet; Thence South 00°02'00" West, 174.00 feet; Thence South 89°49'09" East, 375.52 feet to the East line of said Southeast Quarter (SE¼); Thence North 00°00'27" West, along said East line, 174.00 feet to the Point of Beginning.

Hereafter known as Lot C of Section 32, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 1.50 acres and is subject to all easements of record

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

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

DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTEAST QUARTER (NE¼SE¼) OF SECTION 32, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 32; Thence on a previously recorded bearing of North 89°49'09" West, along the North line of said Southeast Quarter (SE¼) 375.40 feet; Thence South 00°02'00" West, 174.00 feet; Thence South 89°49'09" East, 375.52 feet to the East line of said Southeast Quarter (SE¼); Thence North 00°00'27" West, along said East line, 174.00 feet to the Point of Beginning.

Hereafter known as Lot C of Section 32, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.: is hereby accepted subject to the following if any: none.

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

DESCRIPTION: DESCRIPTION: LOT C

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTEAST QUARTER (NE¼SE¼) OF SECTION 32, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 32; Thence on a previously recorded bearing of North 89°49'09" West, along the North line of said Southeast Quarter (SE¼) 375.40 feet; Thence South 00°02'00" West, 174.00 feet; Thence South 89°49'09" East, 375.52 feet to the East line of said Southeast Quarter (SE¼); Thence North 00°00'27" West, along said East line, 174.00 feet to the Point of Beginning.

Hereafter known as Lot C of Section 32, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa, and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 10th day of August, 2004.

/s/ Herb Crampton, Chair, Board of Supervisors

Attest: /s/ Sue Kennedy, Deputy Co. Auditor

Motion by Burnside to set the time and date for a public hearing on the **zoning request** of Randy Drey on property formerly owned by Don Holmes for a location north of Lake Creek Country Club as August 31, 2004, at 10:30 a.m. in the Boardroom of the Courthouse. Carried.

10:30 a.m. – The time having arrived for the public hearing on the Norlin Gutz CAFO **construction application**, the Chairman opened the hearing in the public meeting room with Environmental Health Director Kim Johnson and two news media present. No other public was present. Johnson reported on her review of the application. DNR has not made their inspection yet, and Johnson suggested the Board wait until after the inspection before making a decision. Motion by Gustafson to close the public hearing. Carried.

There being no further business, motion by Burnside to adjourn at 11:00 a.m. until Tuesday, August 17th at 12:30 p.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-SEVENTH MEETING, 2004 SESSION (37)
AUGUST 17, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 17, 2004 at 12:30 P.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Lanphere, and with Deputy Auditor Sue Kennedy as clerk for the meeting. Absent: Vail

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

EnvHealth/Zoning Director Kim Johnson informed the Board that the DNR will be performing their site survey on the Norlin Gutz **CAFO construction application** on Friday, August 20, 2004. Motion by Gustafson to approve and to authorize the Chairman to sign, on Friday, August 20, 2004, Resolution 2004-08-20-A approving the Norlin Gutz Construction Application to the Iowa Dept. of Natural Resources, subject to approval from the DNR and Kim Johnson's satisfaction of the site survey. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Carried.

RESOLUTION 2004-08-20-A

Recommending approval of the Norlin Gutz Construction Application
to the Iowa Dept. of Natural Resources.

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

WHEREAS, a construction application for replacement of two earthen storage ponds with a 3 cell concrete manure storage structure have been submitted by Norlin Gutz; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application, and found concerns not defined as to:

In accordance with IAC 576 Chapter 65.15(18) Human sanitary waste shall not be directed to a manure storage structure.... Unsure as to where human waste from both the house and the office area are dispersed. Mr. Gutz has agreed to separate human waste from manure storage.

Storage in a pumped reception pit only has a one day holding capacity with over flow into storm water storage area.

Three cells concrete storage cells seem small for amount of solids required.

WHEREAS, the Board of Supervisors published a notice in the Buena Vista County Journal as required, and, held public hearing in the Public Meeting Room at the Courthouse on August 10, 2004, for the purpose of receiving public comment; with no response provided and

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

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

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

PASSED, APPROVED AND ADOPTED this 20th day of August 2004.

/s/ Herb Crampton Chairman, Board of Supervisors /s/ Susan Kennedy, Deputy Auditor

Motion by Burnside authorizing the Chairman to sign the final estimate on **Project #L-B-515**, with Nelson-Rock Contracting, for a bridge in Maple Valley Township. The final cost is \$96,500.46. Carried.

Engineer Jon Ites presented **vehicle quotes**. Quotes were received from 2 Storm Lake dealers - Fitzpatrick's, and Rasmussen's - for a pickup chassis. Motion by Burnside to accept the low quote in the amount of \$22,200 from Fitzpatrick Auto, Storm Lake, for a Chevy ¾ ton HD 4 X 4 pickup chassis with trade-in. Carried.

Motion by Burnside to approve the **minutes** of the 8/10 meeting as printed. Ayes—Burnside, Gustafson, Lanphere, Crampton. Nays—none. Carried.

There being no further business, motion by Burnside to adjourn at 1:00 p.m. for a joint meeting with the BV Co. Jail Task Force. The next board meeting will be Tuesday, August 24th at 8:30 a.m. - a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-EIGHTH MEETING, 2004 SESSION (38)
AUGUST 24, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 24, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside.

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

Due to his full court schedule today, the Board postponed their meeting with Assistant County Attorney Rick Kimble regarding shelter care, until a later date.

Jim Stein requested a waiver on the setback requirement for his CAFO construction permit. He has discovered that the size of operation rules changed after he had submitted the manure management plan and before he received approval of the plan, nearly 5 months later from the DNR. His building is 44 feet from the right-of-way; the requirement is 100 feet. There is no setback requirement for a small animal unit operation, which he assumed his operation was. Motion by Lanphere to approve and to authorize the Chairman to sign Resolution 2004-08-24A granting the waiver. Carried.

RESOLUTION 2004-08-24A

Granting waiver to Jim Stein for an Animal Feeding Operation to the thoroughfare.

WHEREAS, the Buena Vista County Board of Supervisors has received a request for a waiver to the separation distance required between a confinement feeding operation structure in Section 19 Providence Township and a public thoroughfare as required pursuant to Iowa Code section 459.202.

WHEREAS, such request may be granted under Iowa Code Section 459.205(2)a.

WHEREAS, Mr. Stein submitted a MMP application in the Fall of 2002, working with the DNR until March 13th when approval was granted.

WHEREAS, March 1 2003, DNR rules changed, requiring different setback distances.

WHEREAS, such structure is 44 feet from the road right-of-way.

WHEREAS, such structure has sufficient truck access to the north of the structure.

WHEREAS, such structure was built in the Summer of 2003 with DNR approval.

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby grants approval of a waiver for the Jim Stein request to the separation distance required between a confinement feeding operation structure and a public thoroughfare.

PASSED, APPROVED AND ADOPTED this 24th day of August, 2004

/s/ Herb Crampton, Chairman, Board of Supervisors

Attest: /s/ Karen M. Strawn, Auditor

Motion by Gustafson to approve and to authorize the Chairman to sign partial payment #2 to L.A. Carlson in the amount of \$33,417.63 for work advanced in DD #1. Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign acknowledgements on **FY'05 insurance coverage**: 1) statement of values (buildings & contents) for FY'05 property insurance; 2) exclusion acknowledgement for "Computer Related Electronic and Communications Problems With the Year 2000 and Beyond"; 3) three-year rate guarantee on property, inland marine, auto, general liability and errors & omissions. Carried.

EnvHealth/Zoning Director Kim Johnson reported on the results of the DNR inspection of the Norlin Gutz **CAFO construction site**. Gutz has agreed to changes that will prevent human waste from entering the lagoon, and will rebuild the lagoon. Johnson reported that the resolution was signed and mailed to the DNR on Friday, August 20th.

Motion by Gustafson to approve and to authorize the Chairman to sign voucher #14 to the Iowa Department of Economic Development for work advanced on the Clay Regional Water **rural water** project. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the final pay voucher presented by Engineer Jon Ites for project **#STP-S-CO11(47)—5E-11** (asphalt resurfacing project) to Rohlin Construction. Carried. Ites noted that it took nearly 1 yr for the audit to be completed due to the death of a contractor just before the project and paperwork were complete.

Jeff Kjolhede and Jeff Hanks from Ag Partners, Alta, were present to discuss their August 6 letter requesting the **closure of a road - 60th Ave.**, between Sections 25 and 26, Nokomis Township, when they have rail cars on site. Ag Partners also makes the request in the interest of the Illinois Central Canadian National Railroad. They would provide the necessary barricades and warning lights to mark the closure. Upon discussion it became clear that they would not have rail cars sitting across the road for extended periods of time, but the closure is requested because rail cars on one line prevent having a clear view of moving cars on an adjacent rail. Engineer Ites does not have an objection, but would like to survey the policy in other counties to avoid setting a precedent and to model the county's approval agreement after an existing one which in use elsewhere. The Supervisors indicated that they are not opposed to the request, knowing that the rail cars will not be sitting on the road. Kjolhede will obtain information for Ites from other counties where approval has been given, and Ites will inquire about the agreements approved.

Ites reported that Buena Vista County will lose money under the new proposed **RUT distribution formula**, but it is probably the best formula that the county could hope to get. Depending on revenues into the RUT Fund, the county may see less of a decline, especially since the formula will be phased in over 5 years. The total expected reduction is \$200,000/yr after the phase-in is complete. Also, the new formula will help stabilize the county's share. Motion by Lanphere to approve and to authorize all Boardmembers to sign a "Resolution of Support for the new RUT distribution formula". Carried.

RESOLUTION 2004-08-24B

Resolution of support for a method of Secondary Road and Farm-to-Market
Road Use Tax allocation as proposed by the Secondary Road Fund
Distribution Advisory Committee per Section 312.3C of the Code of Iowa.

WHEREAS, the former method of determining inter-county allocations of Secondary Roads and Farm-to-Market Road Use Tax revenues, known as the Quadrennial Needs Study, was discontinued by SF 2192, 2002 Iowa Acts, and,

WHEREAS, the Secondary Road Fund Distribution Advisory Committee, pursuant to the mandate of Iowa Code Section 312.3C, as developed and recommended a new method known as the "Factor Breakdown Method", and,

WHEREAS, after due study, Buena Vista County has determined that the proposed method will provide a base level of funding for all counties, and will allow for the allocation of funds to shift as population, system size, and traffic change, and,

WHEREAS, the proposed method has been endorsed by the Executive Boards of the Iowa County Engineers Association and the Iowa State Association of County Supervisors,

NOW THEREFORE, BE IT RESOLVED that Buena Vista County, Iowa, hereby endorses the adoption of the Factor Breakdown Method by the Legislature as presented by the Secondary Road Fund Distribution Advisory Committee, to become effective in FY 2007 and be phased in over a five year period.

Recommended: /s/ Jon Ites, County Engineer, date signed 8/24/04

Approved: /s/ Herb Crampton, Chairman, signed 8/24/04; /s/ Richard Vail, Supervisor, signed 8/24/04; /s/ Bill Lanphere, Supervisor, signed 8/24/04; /s/ Jim Gustafson, Supervisor, signed 8/24/04;

Attested: /s/ Karen M. Strawn, County Auditor, signed 8/24/04.

Ites reported that he is reviewing 35 miles in the county for installation of fiber-optic cable by Long Lines to Alta and by Laurens Municipal Utilities from Marathon to Laurens Municipal Utilities.

Motion by Vail to approve the request of the City of Sioux Rapids for a 5 yr payback on the C-13 project, a total of \$18,045.19, or \$3,609.04/yr. Carried.

A request from the school bus driver for a "School Bus Stop Ahead" sign has been received for 358 610th St. (Carey Hinkeldey). Guidelines for placement of this type of sign call for visibility of 500 feet or less. However, there is more than twice that distance to the west from that location. Ites is waiting for comments from Superintendent Fred Maharry. Approval of this request would set a precedent.

A culvert replacement at a location on the north side of NW¼, Section 4, Nokomis Township, has been accepted for NRCS cost share. If the project is approved by the Board, the NRCS funding would be provided on a reimbursement basis, and may not be received until next fiscal year. The culvert must be replaced, but if delayed until a future date, NRCS funding might not be available. The estimated cost is \$80,835 with a 45% (county) / 55% (NRCS) cost share. A FY'05 construction budget amendment will be required. Motion by Gustafson to approve and to authorize the Engineer to proceed on project #L-C-605—73-11. Carried.

Recorder Shari O'Bannon discussed the January 1, 2005, online implementation date for the County Recorders' website for the County Land Information Records System (CLIRS). Legislation authorizing a \$5 per instrument surcharge has been collected and sent to the state for re-distribution on an equal basis to all counties to fund the statewide project. The first bill (\$5,600) has been received. She requested approval for a budget amendment and to have funds from the Electronic Technology Fund and the Recorder's Management Fund appropriated when the county prepares its next budget amendment. In order to meet the project deadlines, the county's vendor providing the imaging software to the county must be identified. Our county has been looking to change imaging software, but a satisfactory program is not yet available from our current vendor. O'Bannon requested approval to proceed with the purchase of PaperClip32 from Imagetek, an authorized service provider which has participated in the planning and implementation of the project. The software cost, conversion of existing records, etc. is about \$18,000. She proposed to pay for the software with a portion of the Electronic Technology Fund and the remainder from Recorder's Management Fund, not property tax dollars. The consensus of the Board was to approve both the requested budget amendment and the software selection. The next discussion in the Recorder's Association will be over whether or not a fee should be charged for the password to access the data online.

Motion by Gustafson to approve the minutes of the 8/17 meeting, and the following reports: June & July fees – Clerk of Court, July minutes of the BV County Conservation Board, invoices for warranty work from Control System Specialists on Spectra generator controller. Carried.

Motion by Gustafson to approve the following drainage claims (all issued by Sac County): for Jt. DD #274 MOD - \$6.88 to the Sac County Auditor for postage for Jt. DD #19-26 - \$67.40. to Kuehl & Payer for district watchman duties re: the Main Tile, and for Jt. DD #76-133 - \$226.75 to Kuehl & Payer for district

watchman duties re: the Main Tile. Carried. (The warrant for the DD #274 Jt. claim was issued by Sac County.)

Willis Strawn, **Jail/Courthouse Task Force** Chairman, presented the final report of the Task Force to the Board. Their recommendations to the Board are to pursue relocating the jail and sheriff's office space to the Concordia Lutheran School Building on West Milwaukee, and to re-allocate space in the Courthouse to provide an additional courtroom, office space for an additional judge, additional space for the drivers' licensing activities, and to provide additional, and in some cases relocated, work and storage spaces for the Treasurer, Engineer, Communications Center, Veterans Services Officer, Clerk of Court, Assessor, Auditor, Recorder, and Environmental Health. In order to proceed with the recommendation on the Concordia building, the Board discussed the P&Z decision and the need to pursue the zoning change. To re-apply to the P&Z would require another \$120 fee. The Board will probably appear before the Storm Lake City Council requesting their approval. The architect is willing to meet with the adjacent property owners and with the Storm Lake City Council. Lanphere suggested meeting with the property owners well in advance of the City Council meeting. Strawn will contact the architect to set up the times.

There being no further business, motion by Crampton to adjourn at 11:55 a.m. to August 31st at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-NINTH MEETING, 2004 SESSION (39)
AUGUST 31, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 31, 2004 at 8:30 A.M. in the Boardroom with Vice Chairman Lanphere presiding and with the following other members present: Burnside, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Crampton.

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

HIPAA Privacy Officer Julie Smith provided review training on HIPAA issues, and discussed the county's compliance. Smith is now working on HIPAA security, which has a deadline of April, 2005.

Motion by Burnside to approve and to authorize the Chairman to sign the **underground utility permit** submitted by Layton Zylstra, 198 Casino Rd, Storm Lake, to bore under the road in order to utilize a neighbor's leech field to relieve septic system overload. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the **underground utility permit** submitted by Iowa Telecom, Grinnell, to install 25 pair cable extending the existing service along the west side Section 36, Newell Township for a hog facility. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the **underground utility permits** submitted by Laurens Municipal Communications to install 24 or 36 fiber optic communications cable in Lee and Poland Townships – a total of 12 miles in the county. 9 along county roads and 3 along Hwy 10, and the application of Long Lines Ltd. Sergeant Bluff, Iowa, to install 24 fiber optic cable in Lee, Barnes, Scott, Washington and Nokomis Townships, a total of 26 miles. Carried. Ites noted that .the last two miles into Alta may be changed because of electrical and fiber optic already in place there.

Engineer Jon Ites reported that Neil Pickhinke has accepted the Mechanic I position, his beginning **employment** date being 8/30/2004, and, per the 8/10/04 approval of the Board of Supervisors, his starting wage is \$12.94/hr (\$2.50/hr. under the mechanic position) and moving in two years to the full amount. Gustafson asked how the next situation will be handled – will it be \$2.50 or \$3.00 under? Vail feels that the \$2.50 was a one time exception, and that future hires should follow the '\$3.00 under' policy.

Ites discussed future employee replacement for his department. One employee is tentatively planning to retire this winter. Because Ites has been asked to cut costs for his department, he recommended reducing the winter **snow clearing motor grader routes** to 14 in order to downsize the department as previously discussed by the Board. Gustafson does not support cutting a route but wants to see a reduction on dragging roads in the summer. Lanphere asked whether a part-time employee for a winter motor grader route would work. Ites responded that success depends upon equipment, and finding an employee who is willing to be flexible on the hours he is willing to work. Some weeks he might have no hours, and others could be over 40. Gustafson thinks some farmers might be interested in this type of a part-time position. Vail asked to review a map for the route reduction proposal. Ites stated that the only way to cut costs is to cut personnel and equipment. The topic will be placed on the 9/14 agenda.

Ites discussed insulating and sealing the roof on the **Hudson St. main shop building**, which is in this year's budget. The Board asked him to take bids on the project.

10:30 a.m.—The time having arrived for the **rezoning request** of Randy Drey for a location north of Lake Creek Country Club, the Chairman opened the hearing with Zoning Director Kim Johnson and Randy Drey present. Drey would like to develop residential subdivision (5-7 houses) on his property which is on a hard-surface road. Clay Regional Water will probably provide water. Percolation tests are currently being done. Lots will be approximately 85'x140' or larger. He requests re-classification of the property to R-1. Under its current classification, a minimum of 25 acres per house is required, so an amendment to the zoning ordinance is required. Johnson stated that the request would expand an existing residential area. The amendment requires 3 readings which can be reduced to 2 under certain circumstances. Johnson had recommended approval to the Zoning Commission which has now recommended approval to the Board of Supervisors. There being no objections, motion by Gustafson to close the public hearing. Carried. Motion by Gustafson to set the 1st reading of an amendment to Ordinance 6.1 as September 7th at 10:30 a.m. in the Boardroom. Carried.

The board took up a discussion of the Concordia Lutheran building for a **jail and sheriff's offices**. Willis Strawn, Jail/Courthouse Task Force Chairman, reported that the architect's drawing for the face of the Concordia building should be ready by September 10th. Gustafson asked if there was an estimate of the cost to get the building ready, before ever putting anything into it. \$125,000 has been allowed for a masonry front. There would be additional costs for 2 interior masonry walls to the ceiling to divide the building into thirds, plus bracing. Additional paving would also be needed. The Chairman commented now that the consideration of this building has progressed, the planning of the building has used up all of the space and requires an addition for a sallyport, with no space left over. Since all of the space has been gobbled up, is this adequate? Can some of the rooms be multi-purpose rooms? The concept drawings are not complete enough to show exactly what space is needed for several functions. There is room to create second story space for some functions, but this is limited unless an elevator is included, which is a high cost item.

Ron Meyer appeared before the board to express opposition to **closing 60th Ave.** as requested by Ag Partners. He is concerned about safety due to limited visibility. Engineer Ites stated that he has not received any information from Ag Partners about other counties where this type of request has been approved. His own research found a full range of decisions in other counties including permitting and declining such requests.

Dave Wiley, **BV County Solid Waste Commission**, asked about utilizing Secondary Road equipment and personnel to move dirt from the Storm Lake lake-spoil site to use at the landfill. The dirt is free for the moving. Removal of the dirt will deepen the hole which would allow more room for spoil, and the landfill can use all of the dirt they can get. The landfill would reimburse the county for the equipment

and labor. Ites indicated that there are some contractors who might be able to haul the dirt cheaper than what the county could. The board is not opposed to the county doing it if the time and equipment are available, but recommended that he talk to City Hall to verify the timeframe and get their approval. Wiley does not have an estimate of the amount of dirt needed – they will stockpile it.

Motion by Vail to approve the minutes of the 8/24 meeting as printed. Carried.

The Board took up the discussion of the current draft of the procedures for administration of the Buckingham Estate. Several changes were suggested. The Chairman will review the changes with the County Attorney.

Motion by Burnside to reimburse Jim Selleck in the amount of \$175.00 for repairs he had made to tile in DD Hwy 1. Carried. It was noted that in the future, drainage tile problems should be reported to the county before arranging for the work to be done.

Due to a change in Chapter 49.31 of the 2003 Code of Iowa, the Board of Supervisors now determines the order in which candidates' names are printed on the ballot for non-partisan offices. The names are no longer to be rotated precinct to precinct. To facilitate timely preparation of the General Election ballots, the following names were drawn in the order listed for the offices noted, with these results to be finalized at the next board meeting on September 7 after the official nomination petition objection deadline: Hospital Trustee-1) Lyle W. Rachuy, 2) Keith Movall; Soil & Water Conservation Commissioner-1) Brian Waldstein, 2) Robert Anderson, 3) James Foell; Ag Extension Councilmember-1) Brian J. Waldstein, Robert Baschke, 3) Ronana Baak, 4) Linda Patterson.

There being no further business, motion by the Vice Chairman to adjourn at 12:20 p.m. to September 7th at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTIETH MEETING, 2004 SESSION (40)
SEPTEMBER 7, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 7, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Marathon City Officials – Mayor Dana Snow & Clerk Cindy Richardson, with Steve Lind (Community Center Board), Steve Hallgren-NWIPDC, and Architect Glen Huntington were present to discuss their city's proposed Community Center. The project will consolidate all of the city activities under one roof including city hall, community center, fire department, library, etc. They have received a \$50,000 grant for a study, and approval for a USDA RD loan in the amount of \$350,000 over 20 years. They requested funding and in-kind contributions from the Board of Supervisors which are important if they are to be granted Vision Iowa and/or CAT grant funds. A permit from the DNR would be required to bury any of the demolition materials. They proposed a grant from the county in the amount of \$75,000. The plan is to begin demolition in the spring. Marathon's population is 302. Lanphere informed the group of the

availability of prison labor to provide carpenters, electricians, plumbers, painters, roofers, etc. Transportation to the building site is provided. The next CAT grant deadline is October 1.

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

Motion by Burnside to approve the minutes of the 8/31 meeting as printed, and to approve the following reports: July Board of Health minutes, July Mangold Environmental monitoring report for Spectra lagoon, August budget reports; also reviewed were June NWIPDC Policy Council minutes. Carried.

Engineer Jon Ites reported that Radio Road was completed last week. Work is to begin on the Albert City railroad crossing today. Ites was unable to find local contractors interested in bidding the roof/insulation work for the Hudson St. maintenance shop site. A 10 year warranty on the roof is available for \$700 from Borgen, Inc., Mountain Lake, MN, which had provided a proposal. Motion by Vail to approve the engineer's recommendation to accept the Borgen, Inc., proposal of \$16,500 to seal the roof on the Hudson St. maintenance shop, plus \$700 for the 10 warranty. Carried.

Kuehl & Payer have completed their bridge inspection. Ites provided a map of the structures currently in the construction program and noted that our L.O.S.T. receipts have allowed an aggressive replacement of needy structures.

The Auditor reported that no objections had been filed to nomination papers for offices to be included on the General Election ballot, the deadline having been 5:00 p.m., August 31st. Motion by Burnside to finalize the order of non-partisan candidate names on the General Election ballot as determined by draw (pursuant to Chapter 49.31 of the 2003 Code of Iowa) at the Board's special meeting on August 31, 2004 as follows: Hospital Trustee-1) Lyle W. Rachuy, 2) Keith Movall; Soil & Water Conservation Commissioner-1) Brian Waldstein, 2) Robert Anderson, 3) James Foell; Ag Extension Councilmember-1) Brian J. Waldstein, Robert Baschke, 3) Ronana Baak, 4) Linda Patterson. Carried. The names will appear in the same order on each ballot style. Carried.

The Board briefly discussed Marathon's request, and voter education on the local option renewal election. They may consider advertising prior to the election which is 4 weeks from today.

10:30 a.m.—The time having arrived for the 1st Reading of an amendment to Ordinance 6.1 – Zoning Ordinance. There were no members of the public present, other than the media. Zoning Director Kim Johnson read the ordinance aloud noting that the amendment extends the R-1 zoning district at Lake Creek Country Club to the north to incorporate land owned by Randy Drey. There being no objections, motion by Lanphere to approve the 1st reading of the amendment to Ordinance 6.1 – Zoning Ordinance, and to set the date and time of the 2nd Reading for September 14 at 10:00 a.m. in the Boardroom. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign a letter of support for a grant application for funding to repair the roof of Gingerbread House which had storm damage. Carried.

There being no further business, motion by Vail to adjourn at 10:40 a.m. to September 14th at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-FIRST MEETING, 2004 SESSION (41)
SEPTEMBER 14, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 14, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Payroll was audited for the period ending September 3, 2004.

Marathon officials including Mayor Dana Snow, City Clerk Cindy Richardson, **Marathon Community Center Committee** member Steve Lind, plus Steve Hallgren-NWIPDC, were present for the Board's discussion of the city's request for funding on their building project. FEMA does not provide funds for buildings, so would not be a potential financing source. The DNR has given approval to bury construction and demolition material, if the county would give permission to use its site. The DNR needs to know what is buried. The CAT grant application is in the amount of \$190,000, but if awarded, would very likely be less, maybe \$100,000. The request of \$75,000 split between 3 years would just be an option; other communities have used phased funding. The city hopes that demolition can begin this next spring; this is important since in its current condition, the building is a liability. The board discussed Marathon's request and noted that this probably won't be the last community to make a request. Burnside suggested that some criteria may be needed to make it fair to other communities if they make a request. Gustafson had concerns about projecting costs out into multiple future years. He preferred to make no more than a 1 year commitment since the county doesn't know what our budget will look like beyond the next year. For the purpose of discussion, he suggested a 1 time \$35,000 amount, with note that there might or might not be approval for an amount in the 2nd or 3rd year. He asked if the city could handle a project of this size. They are looking for funding to determine how much the city will need to fund, and then can evaluate the project. The city currently doesn't currently insure the building so would have to cover itself if it were destroyed. With a new building, the city's total insurance cost would go down, in addition to having the new building covered. The new building would be a real boon to the community and would draw people to the town. Motion by Gustafson that the Board of Supervisors proceed to budget \$35,000 from the General Fund in the FY'06 budget for the Marathon Community Center, subject to all of their grant application dollars being approved. This will give the city a little leverage with the CAT grant. Lanphere suggested amending the motion to include intent for a second year's funding, but there was no support for the suggestion. Ayes-Burnside, Gustafson, Lanphere, Vail, Crampton. Carried. Motion by Vail to approve and to authorize the Chairman to sign a letter of support for the project including documentation of the county's funding commitment. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the **underground utility permit** application of Don Moser to place a pipe from his existing leach field to the field across Casino Road, to alleviate septic overload. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign, as Chairman of the DD #1 Board of Trustees, the **underground utility permit** submitted by MidAmerican Energy to reinstall the 3" gas line along West 3rd St., Newell, from Don's Farm Supply to a point 350' east. Carried.

Engineer Jon Ites presented his FY'04 **County Engineer's Official Report** of expenditures and revenues which has been submitted to the DOT.

Ites reported that with DNR approval, the city of Marathon can bury rubble, bricks and mortar, but not insulation, wood, or metal. Since, the space left in the old bury pit is a resource which has a dollar

value, he suggested that they calculate the amount to be buried so that an in-kind dollar amount could be reported in the CAT application. Ites has received no further word from Ag Partners regarding their request to close 60th Ave. A change in the law, effective July 1, 2004, (HF2319) prohibits political ad signs on public ROW. Law enforcement for the jurisdiction whose right of way is so used, shall be contacted to cause removal of the signage pursuant to Chapter 319 of the Iowa Code. The Albert City railroad crossing is complete, and also the salt bunk in Albert City. Testing of the new shoulder machine has been successful. Included in the equipment list in the current year budget are a semi-trailer and the engineer's vehicle. Ites asked whether the board preferred him to request bids or negotiate for the new vehicle.

Ites reported that he is still reviewing the county map to determine the most efficient routes if the board decides to reduce the number of **motorgrader routes** from 15 to 14. With the prospect of one employee retiring, he noted that it is easier to make a staff reduction when someone retires, rather than to reduce staffing by layoff. If it elects to keep 15 routes, the board may wish to look at the mandatory overtime in the summer months. Ites would like to know by the end of the month what the Board plans so that employees have time to take review and learn the new districts – to find the obstacles that won't be seen when covered by snow. Gustafson thought that "reduction of routes is contrary to what the board has been trying to do in the rural area. With the addition of rural water, and with more activity in the rural area due to off-farm jobs, reducing services is contrary to the concept to getting more people into the country. Other places can be found to cut. Efforts will be made in the Comprehensive Plan to improve the rural area. We can hire someone in the winter season for part-timework." He doesn't want to increase the time for anyone to get out. Lanphere commented that our equipment is good and is larger, so can handle longer routes. Ites noted that it will take 1-2 years to finalize the best routes – the operators will need to work them awhile. Vail stated he would like to try it for a year. Lanphere would like to try the part-time employee option. Gustafson suggested putting the new mechanic on the route in the winter. Ites responded that the winter season is when he needs the mechanic in the shop the most because that is when there are the most breakdowns. He needs to plan on 23 people and 23 pieces of equipment when the snow falls. Motion by Burnside to drop 1 motorgrader route on a 1-year trial basis. The vote was: Burnside-aye, Gustafson-nay, Lanphere-nay, Vail-aye, and Crampton-aye. The motion carried. Gustafson suggested using a sickle mower to cut the rank weeds along the roads instead of spraying.

SLADC CEO Gary Lalone distributed copies of the new map brochure showing the drive trail and spots of interest in Buena Vista County which were available this year at the Iowa State Fair. He asked for the Supervisors assistance in promoting, with each of the BV Co. towns, the LocationOne Information Systems (**LOIS**) project. Its purpose is to promote opportunities for economic development for all of the towns. He would like to have the entire county inventoried for the searchable shared internet database so that information is available on sites and buildings to those who scout the internet for opportunities. Lalone also discussed membership in the Mid Iowa Economic Development Corporation (**MIEDC**). Now that the feasibility study has been completed, the organization is requesting membership dues which will be used to hire a manager for the organization to market economic development for the 11 county region. A decision today is not necessary. In considering whether or not to join and how to fund the dues request, Lalone urged that the Board not consider reducing SLADC's funding (which is now at \$25,000) to locate the funds. SLADC can't make due with less, considering the already substantial reduction (down from \$34,000 in FY'02). The Chairman suggested that BV County consider not joining for a year and see how the organization performs. Lalone also mentioned that maybe the Great Lakes Corridor region (Dickinson & Clay Counties) makes more sense for this county. Motion by Vail to not join MIEDC at this time. Lanphere stated that in view of Lalone's comments, even though "the more lines in the water the better", that he would support the motion. The motion carried.

10:00 a.m.—The time having arrived for the 2nd Reading of an amendment to **Ordinance 6.1 – Zoning Ordinance**. There were no members of the public present, other than the media. There being no objections, motion by Vail to approve the 2nd reading of the amendment to Ordinance 6.1 – Zoning Ordinance, and to set the date and time of the 3rd Reading for September 21 at 8:45 a.m. in the Boardroom. Carried.

Motion by Crampton to approve the minutes of the 9/7 meeting as printed. Carried.

There being no further business, motion by Vail to adjourn at 10:10 a.m. to September 17th at 8:00 a.m. to canvass the 2004 Regular School Election. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-SECOND MEETING, 2004 SESSION (42)
SEPTEMBER 17, 2004**

The Buena Vista County Board of Supervisors met in special session on Friday, September 14, 2004 at 8:00 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Lanphere.

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

Motion by Burnside, pursuant to Chapter 50.24 of the 2003 Code of Iowa, to declare the results of the 2004 School Election as follows:

Albert City-Truesdale School District: total voters - 110

For School Board Director - elect 2

Debra Clausen	97	elected
Shelly Buse	97	elected
Scattering	5	

Alta Community School District: total voters - 48

For School Board Director - elect 1

Ila Galvin	43	elected
Scattering	5	

Newell-Fonda School District: total voters - 74

For School Board Director, District 1 - elect 1

Julie Sexton	42	elected
Scattering	7	

For School Board Director, District 2 – elect 1

James V. Wernimont	63	elected
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Sioux Central School District: total voters - 210

For School Board Director, District 1 - elect 1

Todd Herrig	132	elected
Susan Terrill	55	
Scattering	10	

For School Board Director, District 4 - elect 1

Kevin Lindquist	171	elected
Scattering	8	

Storm Lake School District: total voters - 140

For School Board Director - elect 2

Edward J. McKenna	133	elected
Mark Schultz	121	elected
Scattering	3	

Iowa Central Community College:

Public Measure A – 10 yr, \$.06/thous levy-program sharing/equipment levy

Yes	238
No	178

Iowa Lakes Community College:

Public Measure B – 10 yr, \$.06/thous levy-program sharing/equipment levy

Yes	24	
No	52	Carried.

There being no further business, motion by Vail to adjourn at 9:10 a.m. to September 21st at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-THIRD MEETING, 2004 SESSION (43)
SEPTEMBER 21, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 21, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside.

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

The Chairman administered the oath of office to Kathy Croker, Buena Vista County **Assessor**.

Randy Drey was present for the 3rd Reading of the amendment to **Ordinance 6.1.1 – Zoning**. There being no objection, motion by Gustafson to approve the 3rd Reading of amendment 6.1.1.105 to the Zoning Ordinance, to authorize the Chairman to sign, and to direct the Auditor to publish the amendment after which the ordinance is effective. Carried.

CPC Dawn Mentzer presented the actual FY'04 case management cost report. The cost used was \$167.95, with the actual being \$196.11. The difference will be reimbursed to the county. Motion by Gustafson to approve and to authorize the Chairman to sign, the FY'04 **Case Management Actual Cost Report**. Carried.

Motion by Vail to approve the **minutes** of the 9/14 and 9/17 meetings as printed, and the following **reports**: August Clerk's fees, and August Conservation Board minutes. Carried.

10:00 a.m.--The time having arrived for the **bid letting** on 5 projects, 14 companies submitted bids on one or more projects. Motion by Vail to award the bid on **project #FM-CO11-(70)—55-11** (Radio Road retrofit) to the low bidder – Penhall Corporation & Subsidiaries, Rogers, MN, in the amount of \$106,315.84. Carried.

Motion by Gustafson to award the bid on **project #L-B-521—73-11** (box culvert, Sec 20, MV Twp) to the low bidder – Midwest Contracting, LLC., Marshall, MN, in the amount of \$105,505.00. Carried.

Motion by Vail to award the bid on project #L-C-512—73-11 (Sec 12, LE Twp) to Beck Excavating Inc., Spirit Lake, in the amount of \$65,412.00. Carried.

Motion by Lanphere to award the bid on project #L-JB-300—73-11 (joint bridge, Sec 6, Elk Twp) to Midwest Contracting, LLC, Marshall, MN, in the amount of \$131,547.00. Carried.

Motion by Vail to award the bid on project #L-C-626—73-11 (1/2 east of Wal-mart, Sec 26, WA Twp) to Midwest Contracting, LLC, Marshall, MN, in the amount of \$46,210.00. Carried.

The board reviewed several deadlines for the FY'06 budget schedule.

Clair Thompson, landowner, and Engineer Ivan Droessler, discussed the removal of fence on Thompson's property which was done as part of the DD #1 maintenance project. Thompson, who objected to the removal, had not received written notice of the work to be done. Droessler explained that the fence was removed as a part of the project. He will recommend to the Board that the district pay for the replacement of the fence because it is a property line fence. Thompson must first pay for the replacement, and then the district will reimburse him, but no payment will be made unless the fence is actually replaced, and payment will not be made until after the completion hearing on the project. Thompson disagreed that the fence did not need to be removed, and further, that the cost of replacement should be borne by the engineer, not the district. The required letter to FSA requesting approval to disturb the buffer strip, was sent by the engineer on behalf of Thompson, since Thompson had not received notice to make the request. The drainage district will not pay crop damage or restoration of the CRP strip in the right-of-way.

There being no further business, motion by Vail to adjourn to September 28th at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-FOURTH MEETING, 2004 SESSION (44)
SEPTEMBER 28, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 28, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Environmental Health Director Kim Johnson reported that the DNR has given preliminary approval on Norlin Gutz's construction permit application. The board has 14 days to comment. Motion by Lanphere to notify the DNR that the Board does not wish to file a 'demand for hearing' on the Norlin Gutz construction permit which proposes to modify the manure handling system (Tenderlean (TLC) Pork, Inc. in Section 7, Fairfield Twp.), and to authorize the Chairman to sign a letter DNR providing notice of same. Carried.

Motion by Lanphere to forgive the penalty on the contract with The Road Guy Construction Co., Mission Hills, SD on **project #L-MS-C-466**, due to weather problems. Carried.

The **Buckingham Trust grant guidelines** were presented for review. Motion by Lanphere to table action for revisions and for approval next week. Carried.

Sheriff Chuck Eddy and Deputies Doug Simons and Don McClure were present to discuss several topics. Gustafson asked for input on the jail project. Regarding the Concordia building, Eddy said the building and concept are feasible. However, a location on the edge of town would be easier for his department to respond quickly, and also safer than being in a heavy traffic area. The SLADC "spec" building, while larger than necessary, is a good choice because of location. An out of town location, such as Truesdale, makes for a longer response time. A new building is also a possibility. Regarding delinquent fine collections, Eddy will visit Linn County to see how the process works. Eddy also reviewed his departmental policy, which has been approved by the Supervisors, for handling funds which are not deposited with the Treasurer. All are documented when received and deposited into the Sheriff's checking account, then withdrawn as needed. All of the accounting is done within the Sheriff's office, and is audited when the county's financial audit is performed. It was the consensus of the Board to make no changes in the policy.

Lanphere informed the board of a problem between the legal records for **White Cap Rd and Scott St.** in Casino Beach should be and where they are actually located. He suggested that the county take action and do the necessary paperwork to reconcile the discrepancy. It was the consensus of the Board to have Lanphere request that the County Attorney research the matter and recommend appropriate action.

The current lease on the care facility buildings to **Spectra Health Care, Inc.**, expires 12/31/05. In order to provide timely notice of renewing under current terms or making any changes to Sue Morrow, Administrator, the board discussed the expense of upkeep and repairs, revenues vs. expenses, etc. and examined leases in effect in other counties. Lanphere suggested that the Board meet with Morrow to negotiate a new lease. The care facility committee will meet with Morrow and do a walk-through of the buildings.

Improvements to the **courthouse ramp** have been previously discussed, but due to the anticipated jail project, were temporarily set back. Now that building additional jail space, in or adjacent to the courthouse, have been rejected, the ramp project needs to be addressed. The Chairman will contact Glen Huntington on this matter.

Koch-Hazard-Baltzer Architects has submitted a proposal for additional services for preliminary programming and concept design for the SLADC "spec" building for **jail**, etc. usage. The proposal will be considered at the board's next meeting. It was noted that neither the Concordia building, nor the "spec" building is currently on the tax rolls.

The auditor reviewed materials provided to the county by the City of **Storm Lake** regarding an amendment to their **Urban Renewal Plan** which expands the original district. Motion by Gustafson to send a letter to the City of Storm Lake in support of TIF, but objecting to the 20 year length, preferring instead a 10 year period of time. Ayes-Gustafson, Lanphere, Vail, Crampton; Nay-Burnside. Carried.

A complaint has been received regarding the **BV Co Cat Rescue League**. Due to its name, the organization has been mistakenly associated with the county. The Chairman will discuss the matter with the County Attorney.

Motion by Burnside to approve the **minutes** of the 9/21 meeting as printed. Carried.

Boardmembers viewed a videotape of an ICN presentation on **Community Philanthropy Foundations**. 1% of the state's gross gambling receipts will be distributed to counties which do not have

gambling operations. The receipts must be received by a community foundation. The Supervisors will seek individuals willing to serve on a countywide foundation board.

There being no further business, motion by Crampton to adjourn at 12:35 p.m. to October 5th at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-FIFTH MEETING, 2004 SESSION (45)
OCTOBER 5, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 5, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Storm Lake City Administrator John Call and City Clerk Patti Moore were present to discuss the 20 year term which the city will use when issuing debt to be paid from property taxes on the incremental value in the proposed Urban Renewal Area. The term of bonded indebtedness is usually 20 years. Burnside explained that she had voted against the board's action last week for that reason. Call stated that the city is looking at a \$1.2 million dollar bond issue for a 20 year term, and that hopefully there will be more growth than what is needed to retire the debt. Any excess would go to the taxing jurisdictions (county, school, hospital, etc.). Gustafson noted that some communities, not Storm Lake, have abused the TIF concept and have used TIF funds on a perpetual basis. That was the reason for the way he had worded the motion. Gustafson's only objection was to the abuses in other communities. Call thanked the board – the city appreciates the letter of support, and also, the board's support for Project Awaysis for the drive trails, and before that, for the participation in the dredging project.

Lanphere suggested to Call and Moore that the city look at their zoning map to find a location for the proposed jail since the only district which permits a detention facility is the Central Business District. He explained that the board has received 3 proposals for locations which are immediately adjacent to residential areas, and also a proposal for out of town.

Lanphere reported his visit with a person regarding the Senior Citizens Dinner Date program. With the discontinuance of meal preparation at the Storm Lake site, bid requests were sent out to various restaurants, etc. to find an alternative. Only one response was received, and the program was awarded to the Lakeshore Café. However, they can prepare the meals, but will not be able to deliver them. Without assistance the program will cease to exist. Lanphere asked if this was an issue for the county's consideration, especially in light of it being only one of several sites in Buena Vista County and with each having the same problem – declining participation. As participants move on to a nursing home or pass away, new people aren't coming in to take their place. Lanphere has suggested that the Storm Lake City Council also discuss this issue. The funding cut due to dropping the dinner date program is also putting the whole Senior Citizen program in jeopardy. They own their own facility and will be struggling to pay their expenses – electricity, etc.

Engineer Jon Ites provided a map showing three roads which have been proposed or requested for **Class C designation**. They include the road south of Section 34, Maple Valley Township, a road in Barnes Township, and the road south of Section 25, Barnes Township.

Motion by Lanphere to approve and to authorize the Chairman to sign the agreement with Linn Grove for **project #BROS-4395(601)-8J-11** which includes federal/local participation of 80%/20%, and with the county as the lead agency for the project. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the design contract with Calhoun-Burns for **project #BROS-4395(601)-8J-11**. Carried.

Motion by Lanphere to approve project plans, to authorize Boardmembers to sign, and to set a letting date of December 14th, 10:00 a.m. for **project #'s L-FMC-517, L-FMC-520, L-C-604**. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the contract, and to approve the performance bond and certificate of insurance for Highway Services of Rogers, MN, a division of Penhall, Company for **project # FM-CO11(70)—55-11**. Carried.

Ites reported that he will be purchasing a used 1995 Trail King **gravel trailer** for the semi-tractor from Greene County for its trade-in value of \$12,000.

Motion by Gustafson to approve and to authorize the Chairman to sign the **underground utility agreements** submitted by Iowa Lakes Electric to install 7200 volt underground crossings

- for new service to Cory Weiland from Sec 25 to Section 24, Elk Township;
- for new service to Jerry Gosch from Section 29 to Section 20, Grant Township. Carried.

A request was received from Jerry Gosch for permission to construct a vehicle crossing (metal culvert) over a stream in the SW¼ SW¼ Section 20 of Grant Township which is in **DD #184**. A 36" pipe may or may not be big enough. The board will need to engage the services of a drainage engineer to determine the proper size. The cost of those services will be billed to Gosch. Motion by Burnside to appoint Engineer Ivan Droessler, Kuehl & Payer, Ltd. to do a sizing of pipe needed to construct a vehicle crossing in the SW¼ SW¼ Section 20 of Grant Township. Carried.

Ites will investigate a request received from Etler Henningsen about a bank erosion problem at a location in Section 25, Grant Township which is **DD #34**.

Gustafson initiated further discussion of the problem in Casino Beach with **White Cap Rd and Scott St**. Ites stated that while the county has been using an area for roadway which does not conform to the platted roadway, that only a judge, in the context of a lawsuit, can declare the roadway to be the county's by adverse possession. There was consensus among the board members that this situation needs more research, and needs to be resolved.

Motion by Vail to approve and to authorize the Chairman to sign **Resolution 2004-10-05** which amends Resolution 2003-02-11-C by adding the name of "Mary Lyne Mills" as a buyer (Larry Jay Mills was the only name listed in the earlier resolution). Carried.

Motion by Burnside to authorize the Chairman to sign a notice to be published in the local papers that Buena Vista County, Iowa, is not affiliated, and does not financially support the **BV County Cat Rescue League**. Carried.

Drainage Attorney Jim Hudson, and landowners Roger and Betty Baker, were present to discuss a request from Baker for a cleanout of the surface drain in **DD#49**. The drain was installed in 1988. Baker's land is in the SW¼ of Section 24, Poland Township. DD #49 outlets into DD#34 Lateral 2, so the

cleanout may impact that lateral as well. Hudson noted that the Board of Trustees for the drain (Board of Supervisors) is responsible for maintenance of the facility and for restoring it to the original capacity. Hudson reported that Baker will be making the request in writing by petitioning for the repair, and suggested that the board appoint an engineer. He asked to be notified once the engineer's report has been completed and filed. Motion by Lanphere to request Engineer Ivan Droessler, Kuehl & Payer, Ltd. to investigate. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the proposal for additional services from Koch Hazard Baltzer Architects to provide preliminary programming and concept design for the existing "spec building" conversion to the Buena Vista County jail, Sheriff's office and Engineer's offices for no more that \$6,500, to be completed in 5 weeks. Carried.

Motion by Burnside to approve the minutes of the 9/28 meeting as printed, and the following reports: Sept. budget reports, Sept. Sheriff's fees, Sept MOR of Spectra lagoon by Mangold. Carried.

Motion by Lanphere to approve a claim for Jt. DD #19-26 to Kuehl & Payer for Drainage Watchman duties in the amount of \$256.96. Carried.

The Board reviewed a letter addressed to Clair Thompson from the Acquisition Agent for the Office of Right-of-Way outlining the IDOT Fence Payment Schedule. The Chairman will respond to Thompson noting that he should submit an actual bill or a hard quote from a fence contractor not later than the completion hearing on the DD #1 repair project.

There being no further business, motion by Gustafson to adjourn at 12:00 noon to October 12th at 8:30 a.m. for a special session and the canvass of today's local option sales and services tax renewal election. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-SIXTH MEETING, 2004 SESSION (46)
OCTOBER 12, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 12, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Motion by Vail, pursuant to Chapter 50.24, 2003 Code of Iowa, to declare the results of the canvass of the October 5, 2004, Local Option Sales and Services Tax Renewal Election as follows: total voters-1872; Alta-Public Measure "D"-149 Yes-26 No; Lakeside/Storm Lake-Public Measure "E"-1,110 Yes-130 No; Rembrandt-Public Measure "F"-25 Yes-4 No; Unincorporated Area-Public Measure "G"-361 Yes-67 no. Carried. The summary question was: To authorize the renewal of a local sales and services tax in the cities of Alta, Lakeside, Rembrandt and Storm Lake and the unincorporated area of the county

of Buena Vista at the rate of one percent (1%) to be effective from the date the present local option sales and services tax expires (October 1, 2005), until June 30, 2020.

Wellmark Health Insurance Representative Ali Child discussed a number of issues with the Board including Disease Management, Decisions Count, ID cards, changes in COBRA law, expense trends, diabetic education, and health savings accounts.

Engineer Jon Ites presented contracts for signature. Motion by Vail to approve and to authorize the Chairman to sign contracts, and to approve performance bonds and certificates of insurance for the following: project #L-B-521—73-11 (box culvert, Sec 20, MV Twp) Midwest Contracting, LLC., Marshall, MN, \$105,505.00; project #L-C-512—73-11 (Sec 12, LE Twp) Beck Excavating Inc., Spirit Lake, \$65,412.00; project #L-JB-300—73-11 (joint bridge, Sec 6, Elk Twp) Midwest Contracting, LLC, Marshall, MN, \$131,547.00; project #L-C-626—73-11 (1/2 east of Wal-mart, Sec 26, WA Twp) Midwest Contracting, LLC, Marshall, MN, \$46,210.00. Carried.

It was the consensus of the Board to send a letter of appreciation to Bill Mangold, with a copy to Brent Mangold, thanking him for the great work he has done at Spectra – “the grounds look nice”, and, a letter of thanks to Jay Butterfield for the signs he provided to the Board in support of the local option sales tax renewal question.

Motion by Lanphere to approve the Buckingham Trust Grant Guidelines as printed and to authorize the Chairman to sign. Carried.

Willis Strawn reported on the billing summary he had received for services provided by Koch Hazard Baltzer Architects. The county has paid \$20,583.24. Additional expenses of \$8,676.64 have been incurred by the architect. Strawn recommend paying ½ of the additional amount which exceeds the total of the architect’s proposals due to the architect having providing additional services beyond what were included in the original agreements. It was the consensus of the Board to approve the additional \$4,138.32. The firm will now be preparing jail concept drawings for the “spec” building for which the county signed a proposal in the amount of \$6,500 (which includes \$400 for expenses).

Strawn has discussed building the jail cells locally with a contractor who has expressed interest. The jail planner (Plepla & Associates) has not been successful in getting a return call from INS in Omaha to discuss whether an agreement is possible for providing a fixed number of beds to that organization.

The ‘Buena Vista County’ Community Foundation will need to either become a qualified/certified foundation, or will need to affiliate with one to be eligible to receive a share of the gambling funds which will be distributed by the State of Iowa. Strawn volunteered to contact several nearby foundations to inquire what terms they would require for a community foundation to affiliate with them. One person has contacted the auditor to indicate her interest in participating in the local committee, and in attending the next ICN presentation.

The Board noted receipt of the drainage petition filed by Attorney Jim Hudson on behalf of Roger Baker requesting repairs/maintenance to a surface drain in DD #49.

Lanphere reported that he has initiated proceedings to straighten out the road/landowner issues on White Cap Road.

Motion by Vail to approve the minutes of the 10/5 meeting as printed. Carried.

Engineer Ivan Droessler has suggested that the Board consider having DD #184 pay the cost for the engineer to size the pipe needed for the vehicle crossing requested by Jerry Gosch, and have Gosch pay for the staking and to run elevations when the crossing is put in. He feels that this would be in the best long term interests of the district. Motion by Gustafson to notify Gosch that Ivan Droessler has been appointed to size the pipe required for the vehicle crossing, that DD #184 will bear that expense, and that

Gosch will be responsible for the costs of staking and running elevations when the crossing is installed. Carried.

There being no further business, motion by Gustafson to adjourn at 11:35 a.m. to October 19th at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-SEVENTH MEETING, 2004 SESSION (47)
OCTOBER 19, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 19, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

The Auditor reported on an **Open Records** workshop sponsored by ISAC, the Attorney General's Office, and the State Ombudsman's office where it was recommended that the Board name a Custodian of the Board's records. Some records are specifically identified by law as confidential. However, most records such as Board minutes, job applications, and lawsuit settlement documents, are public records requested. Motion by Burnside to appoint the Auditor, and in her absence, the 1st Deputy Auditor, as Custodian of Supervisors' records. Carried.

Communications Commission Chairman Mark Prosser, and Communications Supervisor Mark Van Hooser, were present to discuss space needs for the Comm Center. Their request is intended to be pre-planning information for future needs. Additional square footage and a re-organization of space assignment were discussed. Van Hooser will provide a written report for the Board to consider once a solution for the jail/sheriff's offices is determined.

Emergency Management Coordinator Bob Christensen provided similar pre-planning information. It would be helpful for him to have access to a multi-purpose/training room with video equipment.

Engineer Jon Ites reported that Radio Road is closed for the **retro-fit project** in progress. It will probably be complete by the middle of next week. An open house is scheduled at the Luedke site on Friday to exhibit the new process. The M-50 and M-54 **re-surfacing** projects are underway. Ites has received a warranty **deed** for the small piece of Truesdale property over the creek. The environmental report on the **Hudson St site** indicates no changes.

Motion by Burnside to approve and to authorize the Chairman to sign the following **utility construction permits** submitted by:

- Iowa Lakes Electric Cooperative, Estherville, for a 7200 volt overhead distribution line to provide new service to a location in the NE¼ Section 14, Newell Township;

- Iowa Telecommunications Services, Inc., Grinnell, to install 25 pair copper telephone cable by boring under C-25 between Section 6 Fairfield Twp, and Section 31, Poland Twp.;
- Iowa Telecommunications Services, Inc., Grinnell, to install 5 paid copper telephone cable from Section 18 Barnes Twp to Section 7 Barnes Twp under the S River Road, to the Clay Regional Water pumping station. Carried.

Motion by Vail to approve and to authorize the Chairman to sign the following **utility construction permit** submitted by Cherokee Rural water to install waterlines by boring under the roads at 15 locations in Maple Valley, Nokomis, Washington and Hayes Townships. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the following **utility construction permit** submitted by Cherokee Rural water, and to direct the engineer to negotiate locations where the request was for installation of waterlines in the right-of-way, at 4 locations in Maple Valley, Nokomis, and Washington Townships. Carried.

The Board discussed new overtime regulations in the **Fair Labor Standards Act** which took effect August 23rd. Several positions will be reviewed for compliance.

Motion by Burnside to approve the **minutes** of the 10/12 meeting as printed, and the following **reports**: Sept Clerk's fees, Sept Conservation Board minutes; also reviewed were Sept 9 NWIPDC Policy Council minutes, S Hayes Pit crop sales report, and the 1st Qtr FY'05 Farm-to-Market Fund report. Carried.

There being no further business, motion by Vail to adjourn at 11:40 a.m. to October 26th at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-EIGHTH MEETING, 2004 SESSION (48)
OCTOBER 26, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 26, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere, and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Motion by Burnside to approve the **minutes** of the 10/19 meeting as printed. Carried.

Motion by Vail to set the date and time of the **1st reading of Ordinance 2.1a** as November 2 at 8:30 a.m. Carried. An ordinance is required to update the currently imposed local option sales and services tax to reflect the results of its renewal at the October 5 election.

Sheriff Chuck Eddy reported on his visit to Linn County to research how their **delinquent fine collection** program operates. Linn County tracks the people and fines with software which he is looking into.

Genesis Development Exec. Director Terry Johnson and Site Supervisor Cindy Wiemold updated the Board on Genesis' activities. Title XIX funding for HCBS & ARO services has caused a substantial shift from county paid services to shared payment between the county and Title XIX. Genesis has a very good financial department which works to keeps them in compliance with Medicaid requirements. Case Management Supervisor Dawn Mentzer has seen a reduction of approximately \$100,000 expenditures since last year, as well as improved and more individualized services.

Genesis has a \$1.5 million building project beginning in Jefferson to get all of their services under a single roof. Johnson also described activities at their other centers, and noted that they had just completed their accreditation program.

The Chairman announced to the Board the award received last week by Environmental Health/Zoning Director Kim Johnson – "**Sanitarian of the Year**". The award was presented by the Iowa Environmental Health Association. She was nominated by Clay and Pocahontas Counties.

Johnson reviewed the work hours for her department, and current and future workload including new programs. She also discussed her current exempt status in relation to new overtime standards under the **FLSA**. Motion by Lanphere to keep the current part-time position (20-25 hrs/wk) in the Environmental Health/Zoning Department as a year-round position, and to approve the hiring of a second part-time position (20-25 hrs/wk). Carried. Johnson will proceed with preparing the job description and advertising the position.

Supervisor Lanphere left the meeting.

The Board also discussed the **FLSA** exempt/non-exempt status of the Conservation Director. No changes were made.

A discussion on **road dragging** was postponed until a full board is present.

There being no further business, motion by Vail to adjourn to November 2nd at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-NINTH MEETING, 2004 SESSION (49)
NOVEMBER 2, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 2, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Lanphere.

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

8:30 a.m.—The time having arrived for the 1st Reading of “**Ordinance 2.1a**” imposing the local option sales and services tax renewed by the October 5, 2004, election, there were no questions or objections to the proposed ordinance. Upon completion of the reading, motion by Gustafson, to approve the 1st Reading of Ordinance 2.1a imposing the renewed local option sales and services tax for Alta, Lakeside, Rembrandt, Storm Lake and the Unincorporated Area, and, to set November 9th at 9:35 a.m. in the Boardroom for the 2nd Reading. Carried.

Motion by Vail to approve the **minutes** of the 10/26 meeting as printed, and the following **reports**: FY’04 Conservation annual report, Oct 12 Board of Health minutes, September fund balances and expense reports. Carried.

Motion by Gustafson to approve and to authorize the Chairman to sign the certificate of appointment for Richard Vail as the Board’s representative, and Phil Driver as the at-large representative, to the **Iowa Lakes RC&D**. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign partial payment #4 to L. A. Carlson for work advanced on the **DD #1 project**, and change order #2. Carried.

Motion by Vail to allow Jerry Gosch to put a drive over crossing over **DD#184** in Section 20, Grant Township, with Gosch to be responsible for making sure it is securely fastened, and to be responsible for all maintenance. Carried.

Dale Brigham, **Clay Regional Water**, updated the Board on the rural water project. Clay Regional proposes to work with Cherokee Rural Water to extend the rural water project into additional areas in the county. Motion by Gustafson to approve Clay Regional Water applying jointly with Cherokee Rural Water, for CDBG funds to extend the project into Hayes and Providence Townships in Buena Vista County. Carried.

Motion by Vail to approve and to authorize the **underground utility permit** submitted by Qwest, Omaha, NE, to install new telephone cable along 90th Ave re-construction along the new right-of-way to C-49. Carried.

Motion by Burnside to approve and to authorize the **underground utility permit** submitted by Clay Regional Water, Spencer, IA, to install water lines in Region 9 (Hayes and Providence Township). Carried.

Motion by Vail to approve and to authorize the **underground utility permits** submitted by Iowa Telecommunications, Grinnell, IA, to install as follows:

- 5 pair copper telephone cable to new hog buildings along 190th Ave in SW ¼ Section 7, Fairfield Township;
- 5 pair copper telephone cable to a hog building along 200th Ave between Sections 8 & 7, Coon Township;
- 25 pair copper telephone cable to hog buildings along 240th Ave between Section 26 and 25, Coon Township;
- 25 pair copper telephone cable to hog buildings along 620th St. in Section 14, Newell Township. Carried.

Road report: Engineer Jon Ites reported that except for pavement markings, the Radio Road retrofit project is complete. With the letting of project #BROS-CO11-(50) on 11/16, and 3 in December and 1 in February, the county will have 9 projects under contract at one time.

Architect Chris Schiltz presented jail concept drawings for the “spec building”. The drawings include all of the features that have been considered in previous proposals, so that real comparisons can be made. This proposal, which includes an inflation factor to reflect the increase in price for steel, plumbing, etc. since Schiltz started work on the plan, comes in at \$5,161,000. This figure includes a contingency amount. The plan can be fine tuned. The next steps are to decide whether to go to a bond election or not, and then fine tune the plan.

Renee Seagren, UDMO, updated the Board on the status of the United Community Health Center grant application that had been submitted to the federal government for the Storm Lake area community. The application was not among those awarded funds recently, however it is rare to receive an award upon first application. She asked if the Board might consider giving the Buckingham Estate funds over to the center as a show of support from the county. HRSA (Health Resources and Services Administration) likes to see the federal money leveraged to draw local funds. She also asked the Board to consider a county contribution to the project which would add strength to their application. It is not a free clinic, but is open to all regardless of ability to pay. Those who have coverage and can pay, do, but there is a sliding fee scale for those who can't pay the full amount. The federal grant helps to subsidize those who can't pay. Both the Buckingham funds and a county contribution could be segregated to allow their use for Board specified purposes (i.e. Buckingham for Buena Vista County children, etc.)

Willis Strawn reported on the Community Foundation Board. Several persons have been contacted and have indicated an interest in serving on the board, however, not all communities are as yet represented. The next informational meeting will be November 29th.

It was noted that a petition signed by John Dahl, Lester Suhr, and Pat Sand, to convert 660th St. from 40th to 50th Ave. to a Class “C” road, has been received. The petition was referred to the County Engineer.

There being no further business, motion by Crampton to adjourn to November 9th at 8:30 a.m. for a special session to canvass the 2004 General Election. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

Minutes out of order

**BOARD OF SUPERVISORS MEETING
CLOSED SESSION
2:00 P.M. - JULY 23, 2004**

Chairman Crampton called the special meeting of the Buena Vista County Board of Supervisors to order in the Boardroom of the Courthouse on July 23, 2004 at 2:00 p.m. with the following present: Supervisors Burnside, Lanphere, Vail, Auditor Strawn, and Jail/Courthouse Task Force Chairman Willis Strawn. Absent: Gustafson.

This meeting was called to consider making another offer on the Concordia Lutheran building at 915 W. Milwaukee due to new developments. Motion by Burnside, second by Vail, to go into closed session pursuant to Chapter 21.5.j – 2003 Code of Iowa – to discuss the purchase of particular real estate for which premature disclosure could increase the price the county would have to pay for the property. A roll call vote was taken: Burnside-aye, Lanphere-aye, Vail-aye, Crampton-aye. The closed session was approved.

Motion by Vail, second by Burnside, to end the closed session. Burnside-aye, Lanphere-aye, Vail-aye, Crampton-aye. Motion carried. There being no other business, the meeting adjourned.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTIETH MEETING, 2004 SESSION (50)
NOVEMBER 9, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 9, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside and Gustafson, and with Auditor Karen Strawn as clerk for the meeting. Absent: Lanphere, Vail.

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

Group Services' Representative Keeli Thomas presented the first quarterly review of their services (administration of partial self-funded employee health insurance). Also, employee meetings were held to answer employees' questions.

Kathy Showalter, PlanScape Partners, with Steve Core, Vice President of Fagen, Inc. presented the plan for the proposed **(Fagen & Friends) ethanol plant** to be located in Fairfield Township. The plant's estimated construction cost will be an \$85-90 million dollar investment in Buena Vista County, and the addition of approximately 35 new (non-construction) quality jobs, average wage -- \$18.50/hr (\$1.6 million annual payroll). The site is planned so that this 50 million gallon production facility plant will be capable of expansion. Spin-off jobs are anticipated due to the 'multiplier effect'. Fagen, Inc. will be an owner and manager of this plant, in addition to being the design builder.

Zoning Director Kim Johnson reported that the Zoning Commission will meet on Monday, November 15th to consider the request of Fagen & Friends to rezone a parcel of land east and south of Albert City for the purpose of building and operating the ethanol plant. Pending approval by the Zoning Commission of the Fagen & Friends re-zoning request, motion by Burnside to set November 17th at 8:30 a.m. in the Boardroom as the place and time for the 1st Reading of Ordinance 6.1 which will amend the existing ordinance zoning map by changing the zoning for a parcel of land south of Albert City. Carried.

Johnson also reviewed a preliminary drawing of Randy Drey's **subdivision plat** for a parcel north of Lake Creek Country Club.

Upon completion of the **Canvass** of the tally lists of the November 2, 2004, General Election, pursuant to Chapter 50.24 of the 2003 Code of Iowa, motion by Burnside to declare the results as follows (candidates receiving 5 votes or less are listed together as scattering): (*indicates elected or approved, ~indicates write-in)

TOTAL VOTERS: 8,571

For the office of **President & Vice President:**

George W. Bush & Dick Cheney-Republican	4,887
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John Kerry & John Edwards-Democratic	3,520		
David Cobb & Patricia La Marche-IA Green Party	8		
Michael Badnarik & Richard Campagna-Libertarian	15		
James Harris & Margaret Trowe-Socialist Workers	3		
Michael Peroutka & Chuck Baldwin-Constitution Party	5		
Ralph Nader & Peter Camejo-Nom. By Petition	43		
Bill Van Auken & Jim Lawrence-Nom. By Petition	0		
Scattering (w/i)	9		
For the office of <u>United State Senator</u> ,			
Chuck Grassley-Rep	6,529		
Arthur Small-Dem	1,682		
Daryl Northrop-IA Green	35		
Christy Ann Welty-Lib	51		
Edwin B. Fruit-Soc Wrks	12		
Scattering	1		
For the office of <u>United State Representative</u> , District 5:			
Steve King-Rep	5,308		
E. Joyce Schulte-Dem	2,845		
Scattering (w/i)	10		
For the office of <u>State Senator</u> , District 26:			
Steve Kettering-Rep	6,223		
Scattering (w/l)	49		
For the office of <u>State Representative</u> , District 52:			
Mary Lou Freeman-Rep	6,690		
Scattering (w/l)	43		
For the office of <u>County Supervisor</u> , District 4:			
*Herb Crampton-Rep	5,104		
A. Nadine Brewer-Dem	2,736		
Scattering (w/i)	9		
For the office of <u>County Supervisor</u> , District 5:			
*Lorna Burnside-Rep	5,518		
Tom Ellis-Dem	2,412		
Scattering (w/i)	6		
For the office of <u>County Auditor</u> :			
*Karen M. Strawn-Rep	6,699		
Scattering (w/i)	27		
For the office of <u>County Sheriff</u> :			
*Chuck Eddy-Dem	6,317		
Scattering (w/i)	74		
For the office of <u>Township Trustee</u> , elect 2 per township (~no winner declared):			
Barnes	*Richard Noll -96,	*John Nelson-70,	Larry Sangl-44,
Brooke	*Wendell Nothwehr-63,	*Kent Patterson-72,	
Coon	*Dennis Gutz-83,	*Arden Jorgensen-82,	Scattering-2,
Elk	*Craig Rehnstrom-74,	*Thomas K. Cameron-57,	Greg Mattson-48,
Fairfield	*James Peterson-126,	*Dean Sundblad-3,	Scattering-2,
Grant	*Dan P. Ehlers-115,	*Bruce Richardson-127,	
Hayes	*James R. Foell-348,	*Don Jackson-289,	Scattering-2,
Lee	*Greg Sundblad-7,	*Ed Madsen-7,	Scattering-10 (8 people),
Lincoln	*Tom Cavanaugh-56,	*Michael R. Rebhuhn-76,	
Maple Valley	*Carey Hinkeldey-2,	*Max L. Taber-2,	Scattering-3 (3 persons),
Newell	*Keith Movall-1,	*Thomas Olson-1,	Gary Morenz-1 (winners drawn by Board of Sup.)
Nokomis	*Dave Mortensen-115,	*Russel R. Post-81,	Scattering 1,
Poland	*Robert L. Anderson-67,	*Fred B. Neary-56,	

Providence	*Quentin Bodholdt-115,	*Paul Smith-99,	
Scott	*Wencil Small-126,	*Ervin Brake-2	
Washington	*Dave Merten-197,	*Bob Holmes-138,	Scattering-1,

For the office of **Township Clerk, Providence Twp**, to fill a vacancy, elect 1:

*John Oatman Jr.-126, Scattering-1,

For the office of **County Hospital Trustee**, elect 2:

*Lyle W. Rachuy	4,259
*Keith Movall	5,034
Scattering	26

For the office of **Soil & Water Conservation Commissioner**, elect 3:

*Brian Waldstein	4,548
Robert Anderson	4,225
James Foell	4,529
Scattering	24

For the office of **Agricultural Extension Councilmembers**, elect 4:

*Brian J. Waldstein	4,446
*Robert Baschke	4,000
*Ronona Baak	3,878
*Linda Patterson	4,105
Scattering	27

Shall the following **Supreme Court Judges** be retained in office:

Jerry L. Larson	Yes—3,966	No--947
Louis A. Lavorato	Yes—3,506	No—1,183
David S. Wiggins	Yes—3,739	No--995

Shall the following **Court of Appeals Judges** be retained in office:

Robert E. Mahan	Yes—3,829	No--946
Gayle Vogel	Yes—3,700	No—924

Shall the following **District Court 3A Judges** be retained in office:

David C. Larson	Yes—4,072	No--867
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Shall the following **District Associate Juvenile Court Judges** be retained in office:

Mary L. Timko	Yes—4,555	No--786
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Public Measure “C” – Shall the number of members of the Albert City Board of Library Trustees be reduced from nine (9) to seven (7) with up to three (3) of those members being nonresidents of the City?

Yes—207	No—73
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and to direct that abstracts be prepared and filed as required by the Secretary of State. Ayes—Burnside, Gustafson, Crampton. Nays—none. Abstentions—none. Carried.

Motion by Gustafson to approve the **minutes** of the 11/2 meeting as printed. Carried.

There being no objections, motion by Burnside to approve the 2nd Reading of **Ordinance 2.1a** imposing the Local Option Sales and Services Tax renewal in Alta, Lakeside, Rembrandt, Storm Lake and the Unincorporated Area, and to set November 17th at 8:45 a.m. for the 3rd and final reading. Carried.

It was the consensus of the Board to approve the writing of the warrant for the dredge payment due 12/1 during the week of 11/22, after the DTC documents arrive.

There being no further business, motion by Burnside to adjourn at 11:25 a.m. to (Wednesday) November 17th at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FIRST MEETING, 2004 SESSION (51)
NOVEMBER 17, 2004**

The Buena Vista County Board of Supervisors met in regular session on Wednesday, November 17, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside.

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

The Board assembled in the 2nd Floor Public Meeting Room for consideration and discussion of an amendment to the zoning ordinance. Present were Zoning Director Kim Johnson, Kathy Schowalter-PlanScape Partners, Matt Sederstrom-Fagen, Inc., and a number of interested citizens from Albert City. Johnson reported that the Zoning Commission had considered the request of Fagen, Inc. to re-zone a parcel of land on the southeast side of Albert City from A-2 to I-1 for the purpose of building an ethanol plant. Twenty-eight persons attended the meeting which was held in Albert City. There were no objections. The Zoning Commission's decision was to recommend approval. Schowalter and Sederstrom gave a brief presentation on the proposed ethanol plant, updating the previous plans for a larger facility which will employ 42-45, up from the previously announced 35. Several persons spoke in favor and urged the Board to approve including, Albert City residents-Nola Jensen, Vern Hillmer, and also Shaun Arneson-Iowa Lakes Electric Cooperative. Noting that there appeared to be no objections, and that approval of the re-zoning request requires an amendment to the zoning map and to the zoning ordinance, motion by Vail to approve the 1st Reading of **Ordinance 6.1 Zoning** which changes the parcel of land in question from A-2 to I-1 and amends the zoning map, and, to set 8:30 a.m. on 11/23 as the date and time of the 2nd Reading of the ordinance. Carried.

Dale Brigham, Clay Regional Water, and Darren Bumgarner, NWIPDC, were present for discussion of the joint Buena Vista/Cherokee County CDBG application which would provide funds to extend the **rural water project** into Hayes and Providence Townships in Buena Vista County. Bumgarner read the following Citizen Participation Plan into the record:

Citizen Participation Plan

"The nature of this recommended project is for Clay Regional Water (CWR) to construct 69 miles of 2" to 6" pipe and the connection of at least 116 scattered users in Hayes and Providence Townships in Buena Vista County and the construction of 27 miles of 2" to 6" pipe and the connection of at least 58 scattered rural users throughout Afton and Spring Townships in Cherokee County. The overall nature of this project is to benefit low-to-moderate income persons by providing a higher quality source of potable water to rural users.

"The need for the project was identified by both Buena Vista and Cherokee Counties to provide its residents with a higher quality source of potable water. Testing of private wells in the townships of the project area has found wells that are high in nitrates and/or bacteria. Also, the water is of poor quality due to concentration of minerals causing higher levels of water hardness and odor.

"Total project costs are estimated to be \$2,334,000. The funding for the project will be comprised of \$452,000 in requested Community Development Block Grant (CDBG) federal assistance and \$1,882,000 in local match funds contributed by USDA-RD. This funding breakdown is for the connection of at least 116 scattered rural household users in Hayes and Providence Townships in Buena Vista County and 58 rural household scattered users in Afton and Spring Townships in Cherokee County. There are 165 scattered rural households and 19 non-households identified in the project area of Hayes and Providence Townships and 82 rural scattered rural households and 1 non-household identified in the project area of

Afton and Spring Townships in Cherokee County, all of which are eligible for connection to CRW. The portion of the CDBG funding requested that specifically relates to Buena Vista County is \$300,000 and for Cherokee County it is \$142,000.

"This will be a joint CDBG application of Buena Vista County and Cherokee County, with Buena Vista County being the lead applicant and recipient for this project. The CDBG application will be submitted on or before December 8, 2004 to the Iowa Department of Economic Development.

"At least 56.07% or \$168,210 of the requested \$300,000 CDBG funding for Buena Vista County will benefit persons of low-to-moderate income. At least 52.66% or \$80,043 of the requested \$152,000 CDBG funding for Cherokee County will benefit persons of low-to-moderate income. That estimated portion of the CDBG funding (based on the total project) that will benefit low to moderate income persons is \$248,253. It is anticipated that at least 54.95% or \$1,282,533 of the estimated \$2,334,500 that will be spent on this project will benefit persons of low-to-moderate income.

"No persons or businesses shall be displaced as a result of the recommended project.

"In the event that any persons or businesses are displaced as a result of the recommended project, the entities involved in the project will adhere to the requirements of the Uniform Relocation and Assistance and Acquisition Act of 1974, as amended."

Upon completion of the reading of the plan and its discussion, motion by Gustafson to approve and to authorize the Chairman to sign **Resolution 2004-11-17A** authorizing the application for CDBG funds. Carried.

RESOLUTION 2004-11-17A

A RESOLUTION AUTHORIZING APPLICATION TO THE IOWA CDBG PROGRAM AND DESIGNATING THE CHAIRPERSON AND AUDITOR OFFICIAL SIGNATORS OF THE APPLICATION AND ANY AND ALL OTHER RELATED DOCUMENTS

WHEREAS, The County of Buena Vista wanting to improve the quality, provision and future delivery of potable water to its residents; and,

WHEREAS, The County of Buena Vista, in keeping with this commitment to an improved and quality water supply and services and has discussed various options and has decided that it would be in the interests of the County to support Clay Regional Water's efforts in expanding its water distribution system within the County and to connect rural scattered users; and,

WHEREAS, The project will also entail the construction of a water distribution system into Cherokee County and the connection of scattered rural users to Clay Regional Water's distribution system; and,

WHEREAS, This project will be a joint application between Buena Vista County and Cherokee County with Buena Vista County being the lead applicant and recipient of the grant funds; and,

WHEREAS, The County does not possess the financial resources to conduct this project without financial assistance; and,

WHEREAS, The County wishes to submit an application to the Iowa Department of Economic Development under the auspices of the Iowa Community Development Block Grant Program for assistance in achieving the goal of improving the quality, the delivery and the future service of drinking water to the County's residents by connecting to Clay Regional Water; and,

NOW, THEREFORE BE IT RESOLVED by the County of Buena Vista, Iowa, that an application to the Iowa Community Development Block Grant Program is hereby authorized; and,

BE IT FURTHER RESOLVED that County Board of Supervisor's Chairperson Herb Crampton and County Auditor Karen Strawn are hereby authorized to sign and execute said application and all related correspondence.

PASSED AND APPROVED this 17th day of November, 2004.

/s/ Herb Crampton, Chairperson

ATTEST: /s/ Karen M. Strawn, Auditor

Due to the next appointment, the Board tabled discussion of Community Development and Housing Needs of L-M-I Persons plan related to the project.

Engineer Jon Ites presented snow removal agreements for four cities. There were no changes from the agreements from the previous year. Motion by Vail to approve and to authorize the Chairman to sign snow removal agreements for the 2004-2005 snow season for the following cities: Rembrandt, Linn Grove, Truesdale and Lakeside. Carried.

Ites presented a construction agreement which has been accepted and signed by the city of Newell for the culvert on the west side of town and which is a part of the DD #1 project. The culvert will be a pre-cast concrete pipe arch to be located on the "hog-buying blacktop", with 25% of estimated cost to be paid by the city, the usual sharing agreement. Motion by Lanphere to approve and to authorize the Chairman to sign the construction agreement for project #L-FMC-517--73-11 with the city of Newell. Carried.

Motion by Vail to approve the utility permit application submitted by Iowa Telecommunications Services, Grinnell, to install 5 pr copper telephone cable on the west side of Section 7, Coon Township, to provide service to a hog facility site. Carried.

Motion by Lanphere to approve the utility permit application of Qwest, Omaha, NE, to upgrade 6 pr to 25 pr copper telephone cable along 70th Ave from 540th to 520th St, then west on 520th to a new turkey facility. Carried.

Motion by Vail to approve the 3rd and final Reading of Ordinance 2.1a imposing the 1% local option sales and services tax for 15 years beginning 7/1/2005 in Alta, Lakeside, Rembrandt, Storm Lake and the Unincorporated area of Buena Vista County, to authorize the Chairman to sign the ordinance which becomes effective upon publication, and to direct the Auditor to publish the ordinance pursuant to 2003 Iowa Code Chapter 331.302.7. Carried.

Motion by Gustafson to approve the minutes of the 11/9 meeting as printed, and the following reports: October budget reports, Clerk's fees, Conservation Board minutes, Spectra lagoon monthly operating report, and 1st Qtr FY'05 Recorder's fees; also reviewed: Oct. NWIPDC Policy Council minutes. Carried.

Motion by Gustafson to approve the annual transfer of boat title fees from the General Fund to the Conservation Land Acquisition Trust Fund, and to direct the auditor to transfer said fees for FY's 2003 and 2004. Carried.

The Board again moved to the 2nd Floor Public Meeting Room to hear a second presentation by Planscape Partners and Fagen, Inc. on the expected economic impact of the proposed ethanol facility. They requested financial incentives: 20 years of 100% property tax abatement on the value of the facility construction, and underwriting of a \$5,000,000 loan. The value of the tax abatement is estimated at approximately \$340,000 per year. Gustafson stated that 20 years was a long time with no taxes, and that the Board needs to consider the taxpayers. Abe Falkena stated that the increased local option sales tax would exceed the loss in property taxes. Jim Vermeer-Corn Belt Cooperative Power stated that the

facility would benefit the region in many ways. Vail stated that 20 years is a long time, he would rather see, perhaps 5-10 years, and a graduated abatement. There will be increased cost to the county in road maintenance due to the construction traffic while the facility is built, and corn delivery after production begins. A final comment to the Board – think what you (the current Board) would be giving your successors in new taxes if the facility is built in this county. Schowalter provided the Board with a sample resolution to consider. The Chairman stated that since the resolution was not on the agenda for action today, and since a full board was not present, they would defer the decision to a later date. Schowalter requested prompt action due to having good weather which would allow construction to begin yet this fall, if the requests were approved. The Chairman stated that the Board will consult bond counsel to discuss the two loan underwriting proposals suggested by Schowalter, hopefully during the meeting scheduled for 11/23. When the full board is present on November 30, the Board will act on the incentive requests. The time set for that action was 10:30 a.m.

Weed Commissioner Norm Lund presented his annual report to the Board. Motion by Vail to approve and to authorize the Chairman to sign the report to be submitted to the Iowa Department of Agriculture. Carried.

Zoning Director Kim Johnson presented a request for a **minor subdivision** submitted by the Peter Gaherty and reported that the Zoning Commission has recommended approval. Motion by Lanphere to approve and to authorize the Chairman to sign Resolution 2004-11-17-B approving the request for a minor subdivision submitted by Peter Gaherty for parcel in Section 28, Grant Twp. Carried.

RESOLUTION 2004-11-17-B

WHEREAS Peter Joseph Gaherty has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION LOT C;

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 28, TOWNSHIP 91 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Northwest Quarter (NW¼) of said Section 28; Thence on a previously recorded bearing of North 90 00'00" West, along the North line of said Northwest Quarter (NW¼), 945.42 feet to the Northeast (NE) Corner of Lot B in said Section 28, being also the Point of Beginning. Thence South 04 16'40" East, along the East line of said Lot B, 528.88 feet to the South line of said Lot B; Thence North 89 40'11" West, along said South line, 160.44 feet; Thence South 48 40'45" East, 480.94 feet; Thence South 01 24'32" East, 189.79 feet; Thence South 89 23'27" East, 704.17 feet to the East line of the Northwest Quarter (NW¼); Thence North 00 11'48" West, along said East line, 1041.23 feet to the Point of Beginning.

Hereafter known as Lot C of Section 28, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 20.81 Acres and is subject to all easements of record.

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

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

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 28, TOWNSHIP 91 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Northwest Quarter (NW¼) of said Section 28; Thence on a previously recorded bearing of North 90 00'00" West, along the North line of said Northwest Quarter (NW¼), 945.42 feet to the Northeast (NE) Corner of Lot B in said Section 28, being also the Point of

Beginning. Thence South 04 16'40" East, along the East line of said Lot B, 528.88 feet to the South line of said Lot B; Thence North 89 40'11" West, along said South line, 160.44 feet; Thence South 48 40'45" East, 480.94 feet; Thence South 01 24'32" East, 189.79 feet; Thence South 89 23'27" East, 704.17 feet to the East line of the Northwest Quarter (NW¼); Thence North 00 11'48" West, along said East line, 1041.23 feet to the Point of Beginning.

Hereafter known as Lot C of Section 28, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa, is hereby accepted subject to the following if any: none.

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

DESCRIPTION LOT C:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 28, TOWNSHIP 91 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Northwest Quarter (NW¼) of said Section 28; Thence on a previously recorded bearing of North 90 00'00" West, along the North line of said Northwest Quarter (NW¼), 945.42 feet to the Northeast (NE) Corner of Lot B in said Section 28, being also the Point of Beginning. Thence South 04 16'40" East, along the East line of said Lot B, 528.88 feet to the South line of said Lot B; Thence North 89 40'11" West, along said South line, 160.44 feet; Thence South 48 40'45" East, 480.94 feet; Thence South 01 24'32" East, 189.79 feet; Thence South 89 23'27" East, 704.17 feet to the East line of the Northwest Quarter (NW¼); Thence North 00 11'48" West, along said East line, 1041.23 feet to the Point of Beginning.

Hereafter known as Lot C of Section 28, Township 91 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa, and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 17th day of November, 2004.

/s/ Herb Crampton, Chairman, Board of Supervisors /s/ Karen M. Strawn, Auditor

Recorder Shari O'Bannon discussed progress on the CLRIS project.

There being no further business, motion by Gustafson to adjourn at 12:20 p.m. to Tuesday, November 23rd at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SECOND MEETING, 2004 SESSION (52)
NOVEMBER 23, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 23, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting. Absent: Gustafson.

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

With approximately 21 Albert City residents and media in attendance in the 2nd Floor PMR, Zoning Director Kim Johnson gave the second reading of Ordinance 6.1 amending the zoning ordinance and map. Motion by Lanphere to approve the 2nd Reading of **Ordinance 6.1** amending the zoning ordinance and zoning map, and to set 11/30 at 8:30 a.m. as the date and time of the 3rd Reading of the ordinance. Carried. The Chairman asked if there were any comments from the public. Kathy Schowalter, PlanScape Partners, introduced Gordon Ommen, representing US BioEnergy, the newly announced investor with Fagen, Inc. in the project. Ommen told a little about his involvement with Fagen in another plant, and explained that Capitaline will be providing funding and management services to the project. Schowalter provided a very brief re-statement of the project for the benefit of new attendees in the meeting. Burnside noted that in preparation for making a decision on the incentive requests, the Board has needed to do some research and study in order to make a good decision which will set a precedent for future requests. The Chairman thanked the audience for their interest and attendance, and the Board returned to the Boardroom for the next appointment.

The Chairman asked Willis Strawn, **Jail** Task Force Chairman, to comment on the next step in the jail project. He urged the Board to take the next step since the longer the Board waits, the less accurate and usable the information already presented will be. The Chairman reported having attended a SLADC Board meeting where information was presented about how their spec building might be used for the jail, but no reaction or comments were received at that time. When asked, SLADC CEO Gary Lalone confirmed that the building is for sale and that the SLADC Board had no problem with it being used for purposes of a jail even though it was built for economic development expansion. The Board discussed how to proceed (request full schematic design to obtain exact cost for election, issue an RFP for an architect to prepare the design, make an offer on the building in order to have that cost to factor into the overall cost, discuss possible bond election date, etc.). Only 32 days is needed to call an election, so that question isn't of great concern now. An architect would need 90 days after being awarded the bid to complete the design and estimate the costs. If the architect is not Koch, Hazard, Baltzer, there may be some additional time needed. SLADC would entertain an offer. Lalone noted that the property is listed with a real estate broker so there will be a broker's fee. Deputy Don McClure reported that the jail inspector is coming in December. The jail is having lots of problems with the sewer, and repairs and maintenance are being done on an as needed basis. A higher degree of maintenance would be in order if the current jail were not scheduled for replacement. The showers are beginning to rust out and would have been replaced if the county weren't working on this project. There are some mechanical needs as well and the air handling still needs a solution. Deputy Doug Simons is positive about the location, accessibility and suitability of the spec building. There is also room in the spec building to move the Sheriff's storage out of the building on Hudson St., which would free it up for sale. It was the consensus of the Board to secure the building price first and meet with SLADC since all of the other activities are contingent upon this issue.

The Board took up discussion of the request from Renee Seagren to provide funding in the form of the Buckingham Estate Funds, and also general county funds for the proposed **Community Health Center**. The project director will be submitting a re-application for federal funding, and believes that county funding will increase the project's chance at an award. Lanphere is not against allocating all of the Buckingham funds over a period of time, perhaps \$15,000/yr for 4 yrs and then remainder in the 5th year. Motion by Burnside to provide \$15,000 in each of 4 years from the Buckingham Estate Trust Fund, and to delegate to the Storm Lake Community Health Center the authority to administer those funds according to the guidelines previously approved by the Board of Supervisors, with the requirement that SLCHC report annually on how the funds were spent that year, all subject to the award of the federal grant. Carried. The Board then discussed waiting until budget time to consider other budget funds, and, asked if the city, Tyson, Bil-Mar, etc. have been approached for financial support, however, no one was able to answer the question. It was the consensus of the Board to decline to commit any other financial support to SLCHC.

In connection with the county's CDBG application for the **rural water project** in Hayes & Providence Townships, the Board reviewed and discussed "Community Development and Housing

Needs of Low to Moderate Income” individuals, as approved in December, 2002. Motion by Lanphere to amend the 12/6/02 “Community Development and Housing Needs of Low to Moderate Income” plan. Carried.

Community Name: Buena Vista County

Community Development and Housing Needs of LMI Persons

GOAL: Encourage the development of rural water throughout the unincorporated areas of the County.

Objective: To apply for CDBG assistance on behalf of rural water.

GOAL: To increase the number of affordable housing units in the County.

Objective: Relax zoning regulation requirements by such means as allowing for homes to be constructed on parcels of land of less than 25 acres and having a low Crop Suitability Rating (CSR).

Objective: Consider establishing tax credit districts to comply with State law for low-income households.

Objective: Encourage the expansion of rural water.

Objective: Utilize and implement Tax Incremental Financing (TIF) to assist in paying for the costs associated with development of land, i.e. infrastructure costs like roads, water and sewer.

Objective: To apply for federal and State program grants, such as CDBG/HOME and USDA-RD to assist households in the purchasing of housing.

Objective: Educate public on housing programs that are available to assist in purchasing of housing.

GOAL: Rehabilitate and improve the existing housing stock in the County.

Objective: Educate public on housing programs that are available to assist in the rehabilitation and improvements for housing.

Objective: Apply for CDBG/HOME and USDA-RD, or other appropriate funding sources for housing rehabilitation.

Other Community Development and Housing Needs

GOAL: Increase the quality and quantity of recreational facilities and attractions in the County.

Objective: Create and enhance tourism and employment opportunities associated with the Lake of Storm Lake and other resources in the County.

Objective: The Cities and County jointly create a pamphlet that showcases the tourism and recreational activities in the County.

GOAL: Update County's Comprehensive Plan and Zoning Ordinance.

Objective: To ensure building permits are first obtained for all construction and/or improvements to buildings in the County.

Objective: Have more flexibility in zoning by reducing both the number of acres needed for site development in the County to below 25 acres and the Crop Suitability Rating in the County.

Objective: Pass new subdivision ordinance.

Objective: Offer incentives to build on existing or abandoned farmsteads.

GOAL: Increase the wages so persons and households have more disposable income for housing and the purchasing of goods and services.

Objective: Make a concerted effort to attract better paying industries and jobs to the County.

Objective: Work with Storm Lake Area Development Corporation.

Objective: Flexibility in zoning regulation requirements to allow for small businesses to locate in the unincorporated areas of the County.

Objective: Explore Tax Incremental Financing (TIF) to assist in paying for the costs associated with development of land, i.e. infrastructure costs like roads, water and sewer, for new and expanding housing.

Date and location assessment was amended: **11/23/04, Board of Supervisors' Meeting, Storm Lake**

Number of local residents participating: 0

The Board moved the meeting to the 2nd Floor PMR for a **teleconference with bond counsel**, Bob Josten, Dorsey Whitney Law Firm, Des Moines. Twenty-eight interested persons and media, along with representatives of PlanScape Partners, Fagen, Inc., and US BioEnergy were present for the Board's teleconference with Bob Josten, bond counsel from Dorsey Whitney Law Firm, Des Moines. Questions asked answered: Q-How does the subordination loan work? A-The county simply agrees to be the conduit for financing, but has no obligation or payback responsibility on the loaned funds. Q-What are the differences between scenarios #2 & #3 proposed by Fagen? A-To the county there is no difference. The issue is merely a matter of which option Fagen chooses as its best option. The county would hold a public hearing and execute documents prepared by Fagen's attorney. Q-What basis would the county use for choosing one over the other? A-Again, the choice would be up to Fagen, the county has no interest in which is chosen. A-With the interest rate and cost for #4 being more favorable, what is the downside of that option? A-That option, like the others, has certain criteria, and it would be up to Fagen to decide whether they wanted to try and qualify for the terms under which that option is available. Q-Can the subordinated loan and the property tax exemption be incorporated in a development agreement? A-Yes. Josten will send some ideas for the Board's consideration. Q-Can you explain the New Jobs & Income Program? A-This IDED program provides incentives to create quality jobs (with a good hourly rate of pay and with benefits). The number of quality jobs to be created is also factored in. Q-How do you go about qualifying for 100% tax exemption? A-The percent of exemption can be whatever the Board of Supervisors agrees to – that is a policy decision on the part of the county. The Board thanked Josten and concluded the call. Schowalter asked if there was any additional information that could be provided to the Board, if so contact her. The Chairman stated that the ethanol plant is a wonderful opportunity for Albert City and Buena Vista County. He asked if there were persons present who wished to comment. Albert City Attorney Nola Jensen introduced Albert City Clerk Angie Nielsen who read a letter signed by the mayor and council of Albert City urging the Board's support of the project and approval of the incentives requested. Deb Clausen, member of the AC-T School Board, read a personal letter also supporting that point of view. Abe Falkena stated that if the county turns the request down, there is probably no chance of getting any businesses in Albert City in the lifetime of those currently in the room. The Chairman stated that while the project is very important to Albert City, and the Board represents the taxpayers of Albert City, the Board also has a duty to all of the rest of the taxpayers in the county, and whatever action the Board takes, it will set a precedent for future requests which are sure to come. He also commented that the process has been very educational. The Chairman thanked everyone for their participation, and told Schowalter that the AC-T Superintendent wanted Fagen to know that there was room available in the school facilities for office space.

Lanphere left to attend another meeting.

Motion by Vail to approve the **minutes** of the 11/17 meeting as printed. Burnside, Vail, Crampton. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the work order for **Jt. DD #19-26** to install a flood gate in Section 8, Douglas Twp., Sac County, Iowa, for an estimated cost of \$708.20. Ayes—Burnside, Vail, Crampton. Carried.

Motion by Burnside to approve Resolution 2004-11-23 setting a public meeting by teleconference with the Sac County Board of Supervisors for consideration of a petition to classify a road as a **Service Level C road**. Burnside, Vail, Crampton. Carried.

RESOLUTION 2004-11-23

WHEREAS, the Board of Supervisors of Buena Vista County has adopted Buena Vista County Ordinance No. 4.4 which establishes the Area Service "C" Road classification in Buena Vista County and;

WHEREAS, the Board of Supervisors wishes to classify certain miles of roads in Buena Vista County as Area Service "C" Roads; it was moved by Burnside to set the following time for a Public Hearing, in the Board of Supervisors Room, Buena Vista County Courthouse, Storm Lake, Iowa, on the below listed proposed Area Service "C" Roads. All persons interested may appear and be heard at this hearing. A map showing the location of the road proposed to be classified Area Service "C" is available at the Buena Vista County Auditor's Office.

HEARING: November 30, 2004 at 9:30 a.m.

ROAD DESCRIPTION

Between Section 34, Township 90 North, Range 38 West (Maple Valley Township), Buena Vista County, and Section 3, Township 89 North, Range 38 West (Eureka Township) Sac County. Also known as 660th Street between 40th and 50th Avenues.

Lanphere returned to the meeting.

The auditor reviewed some research on the incentives requested and approved by other counties for ethanol plants. After discussion, the Chairman set Monday at 8:30 a.m. for a **special meeting** for discussion and decision on the incentive requests for the **proposed ethanol plant**, a meeting at which all five board members will be present. The auditor also reviewed the agendas for the 11/30 regular meeting, the special sessions to conduct FY'06 budget request interviews, and the Compensation Board meeting on 12/1.

There being no further business, motion by Vail to adjourn at 12:00 noon to Monday, November 29th at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

BUENA VISTA COUNTY CLAIMS REPORT JULY THRU SEPTEMBER 2004

0001 GENERAL BASIC: Acorn Naturalists 41.75; Advanced Pest Technology 81.00; Ag Partners L.L.C. 2,446.47; Albert City Fire Dept 255.23; Albert City Printing & D 80.63; Alliant Energy 899.80; Allied Document Solution 973.08; Alpha Wireless Communica 636.30; Alta Body Shop 50.00; Alta Community School Di 1,263.95; Alta Fire & Rescue 600.00; Alta Municipal Utilities 418.91; Alta, City Of 630.00; Altamirano, Francisco 540.00; Altamirano, Melinda 616.24; Anderson, Diane 733.13; Arch Wireless 111.35; Armstrong, Carolyn 406.70; At & T 71.67; At & T - Universal Bille 552.67; Aventis Pasteur 2,413.59; B & M Service Inc 1,185.44; B V Co Secondary Road 876.97; Bach, Donna 500.25; Bach, Kathleen 196.70; Bailey, Taesa 99.05; Bedels Drive-In Pharmacy 309.97; Best Western Regency 94.50; Black Hawk College Bus & 1,650.00; Black Hills Ammunition 279.50; Bogue, Pamela L 326.81; Bomgaars

511.43; Botine Electric 69.50; Boundtree Medical 3,780.23; Briggs Corporation 522.15; Briley, Kim 15.32; Budget Lighting Inc 312.51; Buena Vista Co Journal 386.39; Buena Vista Co Treasurer 3,040.00; Buena Vista Co. Sheriff 45.50; Buena Vista Regional Med 1,850.69; Builders Sharpening & Se 87.20; Business Forms & Sys Co 407.99; BV Co Assessor 19.24; BV Stationery & Printing 2,699.46; Cow Government Inc 356.66; Central Iowa Distributing 1,856.82; Charmade Accessories 38.00; Chem-Pro Inc 90.00; Cherokee Co Public Health 626.65; Cherokee County Extension 675.00; Cherokee County Sheriff 3,386.00; Chindlund, Ann 670.25; Christiansen, Diane 70.02; City Directory Inc 175.34; Clay County Sheriff Dept 23.50; Commercial Sign & Design 106.25; Conley, Carrie Ann 580.00; Conley, Bonnie 419.00; Control System Specialist 1,103.90; Cook, Ginni 64.20; County Binders Inc 2,030.00; Crampton, Herb 169.80; Crespin, Gloria 160.00; Crippin, David 1,050.00; Culligan 202.00; D & E Farms 325.00; Data Business Equipment 236.00; Day, Christine M 99.00; Decatur Electronics Inc 32.50; Dental Distributors Inc 423.39; Department Of Veterans A 615.00; Depository Trust Company 29.17; Des Moines Stamp Mfg Co 42.25; Dickinson County Veteran 60.00; Division Of Substance Ab 150.00; Dubuque County Relief 14.38; Dust-Tex Service Inc 135.48; Ebersole, Greg L 13.00; Electronic Engineering 325.00; Engel. Butch 77.20; Fareway Store 1,935.54; Ferguson Enterprises Inc 28.31; Fidlur Companies 130.59; First Cooperative Asso 3,522.71; Four Points By Sheraton 291.20; Galbraith, Lloyd F 125.78; Galls Inc 439.99; Garbage Hauling Service 390.75; Gateway Companies Inc 1,706.74; General Security Service 68.60; Gingerbread House 797.05; Graham Tire Co 1,308.83; Grainger Inc., W. W. 135.95; Grand Harbor Resort And 169.06; GRP & Associates 72.00; Guerra, Paula 28.10; Haberman, Judy 493.50; Haldin Electric 764.43; Haldin, Richard 111.00; Hamilton County Sheriff 20.00; Hammen, Sue 13.02; Havens & Havens Law Firm 8,400.00; Hazelden Publishing And 1,257.75; Hepola, Carrie 518.86; Hewlett-Packard Company 925.00; Hildreth, Cindy 2,878.65; Hillyard Inc 90.60; Hultgrens-Gerlach Inc 510.52; Hunzelman Putzier & Co 6,111.64; Hy-Vee Food Store 243.86; IACME 875.00; ICIT 50.00; ICUBE 200.00; Ida County Public Health 3,500.00; IEHA 170.00; Imming, Matthew Arthur 1,300.00; Ingenix Inc 150.90; Iowa Assoc For Home Care 450.00; Iowa Assoc Of Local Heal 25.00; Iowa Central Community C 15.00; Iowa County Attorneys As 540.00; Iowa Department Of Natur 100.00; Iowa Dept Public Safety 1,590.00; Iowa Dept Transportation 195.00; Iowa Division Of Latino 100.00; Iowa Drainage Dist Assoc 4,200.00; Iowa Lakes Electric Coop 899.35; Iowa Law Enforcement Aca 60.00; Iowa Office Supply 9,295.26; Iowa Prison Industries 250.80; Iowa Ribbon Service 68.40; Iowa State Assoc Of Coun 4,525.00; Iowa State Sheriffs & De 210.00; Iowa State University Ex 100.00; Iowa Telecom 345.83; Iowa Water Well Associat 60.00; Iowa Workforce Developme 1,303.12; ISCTA 340.00; Jacks Uniforms & Equipme 210.15; Jacobs, John 400.00; Janitors Closet Ltd 240.12; Julius Cleaners 1,538.37; Jvergens, Jeff 425.00; Koeppe, Brenda 280.57; Kurtz, Ray 75.00; Lake Electric Supply 144.56; Law Enforcement Associat 105.00; Lcm Pathologists P.C. 160.74; Long Lines Internet 416.82; Lyon County Health Servi 880.65; Lyon, Cheryl 84.00; M & M Small Engine Repai 24.95; Madsen, Leigh 242.05; Mainstay Systems Inc 228.00; Mangold Environ Testing 100.50; Mangold, Bill 80.00; Marathon Cemetery Associ 250.00; Marroquin, Emilia 832.50; Mason, Ashley 9.80; Mason, Mona 15.75; Mastercard 2,008.94; Maximus Inc 1,110.48; Maymon, Patti 240.68; McClure, Don 24.54; Mcdonald, Carol 18.20; Med-Pass Inc 116.95; Medline Industries Inc 567.50; Meeves, Denise 81.20; Merck & Co Inc 727.50; Meusbarger, Lisa 67.55; Mid American Energy Comp 9,543.56; Midwest Wireless 1,083.41; Mikes Lawn Service Inc 38.00; Mocic 390.00; Nactfo 60.00; Napa Auto Parts 6.99; National Chemicals Inc 65.42; National Educational Ser 4,130.31; National Health Video 277.00; Nepple Electric Inc 105.80; Newell Ambulance Service 554.40; Newell Coop Elevator 679.26; Nichols Consulting 241.80; Nicolaisen, Sandra K 122.80; Northern Lights Distribu 5,395.07; Northwest Iowa Community 98.00; NW IA ADTU 6,690.00; NW IA Planning & Dev Com 4,019.60; O'bannon, Shari 10.95; O'brien Co Public Health 668.57; Oatman, John 26.40; Office Systems Company 328.61; Ohrtman, Mary 541.80; Olsen Welding & Machine 90.30; OMB Police Supply 167.59; Omni Photo 279.49; One Stop Shop 74.17; Osceola Community Health 499.20; Osorio, Maria Elena 20.00; Otto, Gar 219.90; Pagers Inc The Beeper Pe 47.85; Patc 50.00; Pathology Medical Servic 542.22; Patton, David 3,000.00; Peck, Ron 100.00; Peters, Marilyn 9.48; Petty Cash 74.33; Petty Cash Health Dept 45.45; Pilot Publishing 1,393.47; Pitney Bowes 1,257.00; Plymouth County Sheriff 29.00; Pocahontas Co Public Hea 118.75; Postmaster 370.00; Pro Cooperative 472.50; Quest Diagnostics 213.24; Quill Corporation 768.70; Qwest 5,364.28; R & D Industries Inc 2,077.11; Racine, Linda 29.00; Rasmussen Ford Mercury I 1,204.48; Rebnord Technologies Inc 239.90; Regional Transit Auth 70.00; Ressler Drug Co 12.98; Rex's Electric 343.32; Rogriguez, Patricia A 40.00; Rowley Recycle Ct, Harold 12.00; Saathoff, Charissa 26.98; Sac County Health Servic 118.75; Sassman, Barb 350.00; Sassman, Jean L 475.70; Scadden, Julie 2,700.00; Schumacher Elevator Co 382.78; Security Plumbing Suppli 130.33; Security

Trust & 17.56; Seiler Plumbing Heating 2,016.02; Share Corp 138.00; Shea, Belinda 301.61; Silk Screen Ink Ltd 50.37; Simplexgrinnell LP 835.00; Sioux Lumber 9.99; Sioux Rapids Auto & 98.27; Sioux Rapids E.M.T. Fund 753.50; Sioux Rapids, City Of 38.52; Sioux Sales Co 443.63; Sliefert-Asmus Funeral H 1,182.00; Solutions 3,076.00; Specialty Underwriters L 910.00; Spencer Municipal Hospit 1,750.00; Sports Rehabilitation & 122.34; Stalcup Ag Service Inc 600.00; Standard Printing And De 11.50; Star Energy LLC 2,886.60; Storm Lake Times 1,339.14; Storm Lake, City Of 3,045.67; Stucynski, Dewyne 62.31; Sunshine Services 138.00; The Learning Center 170.00; Thongvanh, Barry 35.00; Tiefenthaler, Stacey 467.04; Trimark Central Billing 2,497.63; U S 20 Corridor Associat 140.00; Uni New Iowans Program 450.00; United Building Center 75.90; United States Postal Ser 1,000.00; Updyke, Hope 743.75; Upper Des Moines Oppty 3,095.25; Ups 33.23; Veehoff Key & Lock 15.35; Venegas, Ericka 57.75; Visa 3,914.50; Vision Care Assoc Pc 51.00; Walmart Community 547.33; Weiland, Marlin 200.00; Wellmark Inc 2,477.00; Wellness Council Of Iowa 149.00; Wells Fargo Bank Minneso 130.00; Western Iowa Tourism Reg 250.00; Westview Mobile Home Par 360.00; Wetherell Sand & Gravel 288.00; Whelan-Bentley Inc 44.00; Wilson, Nancy 152.00; Wilson, Patrick J 76.00; Wogahn, Ruth 243.25; Youngs 20.85; Zabloudil, Linda 6.04; Zee Medical Inc 220.94

0002 GENERAL SUPPLEMENTAL: Albert City Printing & D 80.63; American Legion Post 394 45.00; Anderson, Raymond 72.50; Boys And Girls Home Res 4,147.70; Brewer, Anne 72.50; Buena Vista Co Journal 288.31; Buena Vista Co. Sheriff 780.81; Carter, Keith 72.50; Cerro Gordo Co Sheriff 22.00; City Directory Inc 87.67; Clarinda Youth Corp 1,911.87; Clay County Sheriff Depa 47.50; Cole, Mary 72.50; Daily Reporter, The 61.25; Driver, Aurette 68.88; Eddie, Mary 72.50; Election Data Direct Inc 152.76; Election Systems & Softw 224.96; Evers, Valita 20.00; Fastenow, Peg 76.70; Franzmeier, Karen J Haug 72.50; Frederiksen, Ferne 72.50; Fudge, Roxana 77.50; Galbraith, Lloyd F 100.85; Gibbons, Leona 72.50; Gregersen, Margaret 72.50; Hamilton County Sheriff 22.00; Hoferman, Margie 88.00; Hulsebus, Joan 101.50; Huntington, Shirley 78.50; Intab Inc 37.03; Ipers 52.84; Kaufman, Vivian 77.50; Kennedy, Susan 224.82; Kirkpatrick, Dorothy 72.50; Kracht, Janice 74.30; Krebs, Judy 75.50; Laurens Sun, The 63.00; Lester, Dixie 95.50; Mack Hansen Gadd Armstro 515.00; Marshall, Connie 72.50; Maymon, Patti 43.49; Methodist Manor 45.00; Movall, Wanette 85.90; Mueller, Nancy 72.50; Nielsen, Meg 20.00; Nothwehr, Carlene 106.30; NW IA ADTU 2,552.00; NW IA Youth Emergency Se 43,599.77; Olson Eaton Svendsen Inc 109,397.00; Peterson Senior Center 45.00; Petty Cash 26.30; Pilot Publishing 218.62; Plaza Hotel And Conferen 169.06; Pocahontas Co Sheriff 31.70; Postmaster 383.00; Quakerdale 5,415.98; Quill Corporation 215.43; Qwest 209.50; Rassler, Rebecca 72.50; Rice, Richard 80.80; Sangl, Barb 68.88; Schall, James A 150.00; Sexton, Ruth 78.50; Sievers, Delores 195.76; Sievers, Roger D 208.80; Simons, Clyde A 85.25; Smith, Mary 72.50; Snyder, Delores 76.70; Spencer City Clerk 40.37; Stauber, Linda 72.50; Stephens, Myrtle 77.50; Storm Lake Times 160.65; Sundblad, Mary 72.50; Synergy Center 1,820.00; Thorson, Lee 20.00; Walsh, Ruth 77.30; Wedeking, Martin 72.50; Wessendorf, Grace 93.10; Wessman, Arlene 74.60; West Payment Center 2,021.30; Wilkens, Lucille 103.90; Wise, Darlene 101.13; Woodbury Co Auditor 925.78; Woodbury County Juvenile 1,200.00; Wright County Sheriffs O 9.90; Youth Shelter Care Of No 3,268.44

0010 MH-DD SERVICES FUND: Cs/Consultec 167.95; Anderson, Charleen 572.34; AT & T Universal Bille 212.35; B V Co Secondary Road 51.47; B V County Health Dept 84.00; Buena Vista Co. Sheriff 438.80; BV Stationery & Printing 38.91; CCMS 713.00; Cherokee County Sheriff 29.50; County Case Management S 800.00; Department Of Human Serv 101,223.75; Dept Of Human Services 2,187.05; Dept Of Human Services D 51,388.97; Dept Of Human Services-A 6,879.98; Emmet County Sheriff Off 378.90; Gannon Center - Communit 84.65; Genesis Development 21,316.99; Holiday Inn Conference 475.08; Ida Services Inc 2,256.54; Iowa Association Of Comm 125.00; Iowa Ribbon Service 102.60; Ipers 222.58; Mack Hansen Gadd Armstro 595.00; Mentzer, Dawn 25.50; Mid-Step Services Inc 2,299.74; Midwest Wireless 158.09; Mills-Thomas, Tami 77.19; Murray & Murray Plc 150.00; Napierala, Kara 71.71; Northwest Iowa Community 125.00; Petty Cash 38.05; Plains Area Mental Health 70.08; Plymouth Life Inc 3,567.00; Quill Corporation 39.79; Qwest 288.73; Rasmussen Ford Mercury I 410.05; Regional Transit Auth 2,091.55; Rem Atlantic Inc 5,755.52; Rem Developmental Servic 500.43; Richmond Center, The 324.42; Seasons Center For Commu 36,490.32; Spectra Health Care 2,561.20; Spectra Health Care Inc 4,243.10; Star Energy LLC 281.66; Treasurer State Of Iowa 7,320.10

0011 RURAL SERVICES: Ag Partners L.L.C. 122.70; Agri-Mart 67.20; B V Co Secondary Road 1,072.35; Buena Vista Co Journal 17.93; Iowa Dept Of Ag & Land S 166.21; Iowa Office Supply 82.14; Lund, Norman J 305.08; Olsen Welding & Machine 212.54; Pilot Publishing 33.04; Qwest 133.92; R & D Industries Inc 278.50; Rowley Recycle Ct, Harold 37,494.50; Storm Lake Hydraulics 56.06; Van Diest Supply Company 3,742.50; Vision Care Assoc Pc 175.00; Wiley, David 66.40

0020 SECONDARY ROADS: Advanced Drainage System 254.02; Ag Partners L.L.C. 2,718.12; Air Filter Cleaning Serv 578.10; Albert City, City Of 61.40; Alliant Energy 1,522.58; Alta Municipal Utilities 150.33; American Concrete 429.00; Ames Baymont Inn & Suite 204.60; Arnold Motor Supply 788.34; Barker Lemar 4,605.00; Barnes Group Inc 437.95; Barry Motor Company 141.84; Bodholdt Brothers 66.24; Bomgaars 975.85; Brisbois 106.00; Buena Vista Co Auditor 75.00; Buena Vista Co Journal 87.40; Buena Vista Co Treasurer 12,697.26; Buena Vista Regional Med 225.00; BV Stationery & Printing 310.62; C J Cooper & Associates 116.00; Ccp Industries Inc 308.26; Certified Power Inc 1,668.94; Continental Research Cor 189.91; Crysteel Truck Equip Inc 1,071.25; Cultural Heritage Consul 2,500.00; Cylinder Express 29.00; Dixon Construction Co 244.44; Exhaust Pros 177.55; Farm Implement Co 28.05; First Cooperative Associ 406.49; Fitzpatrick Auto Center 426.36; Frank Dunn Co 332.00; G&K Services 452.66; Galvin, Terrill Lynn 75.64; Garbage Hauling Service 195.75; Geisinger, Richard J & B 498.32; Graham Tire Co 777.78; Greenman Technologies Of 763.63; Hi Way Products Inc 90.00; Holliday, Dennis 51.00; Hotsy Equipment Company 393.05; Hultgrens-Gerlach Inc 338.40; ICEOO 125.00; Industrial Supply Soluti 31.00; Interstate Battery Systm 489.70; Iowa Auto Supply 387.90; Iowa Feeders Supply 538.50; Iowa Office Supply 141.99; Iowa Petroleum Equipment 438.88; Iowa State University 65.00; Ites, Jon 115.85; Janitors Closet Ltd 140.58; Jensen Jr, Robert D 195.33; Jerry's Tree Service 250.00; Jim Hawk Truck Trailers 19.50; K C Nielsen Ltd 417.92; Kimball-Midwest 2,233.78; Kooiker Inc 360.00; Kuehl & Payer Ltd 6,380.00; Lab Safety Supply Inc 7.71; Lake Electric Supply 15.04; Lake View Concrete Produ 8,728.66; Larson Oil & Distributin 3,709.00; Lawson Products Inc 163.65; Lindquist, Kevin 1,265.63; Linn Grove, City Of 77.85; Lullman, Mrs Henry 36.00; Lundell Construction Co 1,092.50; M Y Supply 435.67; M.D. Products Inc 1,451.25; Mackay Jr, Archie 125.00; Magnussen, Duane 332.52; Marathon, City Of 221.18; Martin Equipment Of Illi 1,406.58; Martin Marietta Material 1,581.71; Mccrea Enterprises 5.00; Mid American Energy 231.63; Mid American Energy Comp 1,062.74; Mid-Iowa Sales Company 99.54; Midwest Wireless 600.12; Midwestern Culvert Ltd 13,788.92; Napa Auto Parts 197.70; Nelson & Rock Contractin 18,133.71; Nelsons Premix & Vet 816.70; New Sioux City Iron Co 245.57; Newell Coop Elevator 64.00; Newell, City Of 95.55; North Lake Truck Repair 626.91; O'Reilly Automotive Inc 53.97; Olsen Welding & Machine 1,308.29; Omni Photo 16.17; Omni Products Inc 8,719.00; Parsons Equipment Co 147.00; Paul M Murray Trust 288.30; Peterson Ready Mix 770.00; Pilot Publishing 231.72; Pinged, Rosen C 587.20; Postmaster 97.00; Powerplan 33.40; Qwest 644.49; R & D Industries Inc 155.25; Rasmussen Ford Mercury I 311.48; Regions Interstate Billi 752.44; Rembrandt, City Of 87.00; Rohlin Construction Co I 7,604.22; Russell's Ready Mix 12,484.85; Sac County Engineer 2,767.50; Schmiller Construction I 64,369.50; Schmit, John 33.00; Secretary Of State 30.00; Sexton, Mike 125.00; Share Corp 1,348.75; Silk Screen Ink Ltd 441.00; Sioux City Truck And Tra 29.40; Sioux Rapids, City Of 114.00; Stanton Electric Inc 36.27; Star Energy LLC 29,884.95; Storm Lake Hydraulics 2,024.46; Storm Lake Times 261.80; Storm Lake Truck & Trail 34.58; Storm Lake, City Of 318.71; Terracon Inc 1,902.00; United Building Center 174.92; Van Diest Supply Company 2,138.50; Vetter Equipment Co 90.60; Visa 104.98; Vision Care Assoc Pc 181.00; Vogel Traffic Services I 27,495.00; Waggoners Radiator Shop 95.00; Warrens Service Inc 25.00; Ziegler Inc 175,914.59;

0024 BVC RECORDERS RECORDS MGMT FUND: Fidlar Companies 208.05

0028 BVC RECORDERS E.T. FUND: Iowa County Recorders As 5,674.66

0029 CLAY REGIONAL WATER CDBG FUND: Clay Regional Water 514,470.00; NW IA Planning & Dev Com 1,632.00

0100 D.D. #1: Carlson Contracting Inc, 56,246.67; Kuehl & Payer Ltd 25,780.60

0102 D.D. #HY-1: Selleck, James 175.00

0200 D.D. #34: Kuehl & Payer Ltd 1.75

0278 D.D. #49: Lawn Manicurists Inc 1,012.60

0280 D.D. #49 LAT 2: Kuehl & Payer Ltd 128.00

1500 CAPITAL PROJECTS: Alpha Wireless Communica 1,889.92; Fitzpatrick Auto Center 17,195.00; Galls Inc 698.94; Gateway Companies Inc 3,664.00; Hewlett-Packard Company 471.00; Iowa Office Supply 3,815.00; Iowa Prison Industries 231.20; Quill Corporation 239.98; R & D Industries Inc 98.41; Rasmussen Ford Mercury I 23,462.00

1520 CAPITAL PROJECTS-DEBT SERVICE: Koch Hazard Baltzer Arch 20,583.24; Storm Lake, City Of 125.00

3500 BUCKINGHAM ESTATE TRUST: Burkhalter MD, Joanne J 51.00; Trimark Physicians Group 97.00

4000 DISASTER SERVICES: Automotive Service Cente 267.83; Buena Vista Co Auditor 15.00; BV Stationery & Printing 197.57; Christensen, Robert E. 465.75; Excel 151.39; M J Promotions 589.00; Mastercard 1,869.16; Midwest Wireless 209.41; Qwest 177.53

4010 E911 SURCHARGE FUND: Alpha Wireless Communica 370.41; Alta Municipal Utilities 449.46; Assmann, Jean 132.00; At & T - Universal Bille .05; City Directory Inc 350.64; Electronic Engineering 30.00; Iowa Communitis Pool Adm 2,632.34; Iowa Prison Industries 61.75; Iowa Telecom 1,857.60; Midwest Wireless 154.92; Priority Dispatch 340.00; Qwest 1,920.87; Staples Credit Plan 36.00; Teltronics Inc 975.00; Van Hooser, Mark 39.00; Visa 77.78

4150 3-COUNTY EMPOWERMENT AGENCY FUND: Aspe 149.00; B V County Health Dept 12,819.15; Briest, Diane 608.32; Buena Vista Regional Med 12,095.00; Carlson, Deb 31.70; Crawford County Home Hea 3,443.40; Family Resource Center 3,496.00; Frontier Communications 78.77; Godfathers Pizza 30.72; Hy-Vee Food Store 58.20; Jester Insurance Service 650.00; Lutheran Services In low 21,652.15; Midwest Wireless 124.92; Ohrtman, Mary 65.00; Postmaster 370.00; Sac City Food Pride 12.76; Sac County Health Servic 13,066.00; Upper Des Moines Oppty 6,835.44; Vartec Telecom Inc 55.25; Viking Office Products 418.83; Walmart Community 737.08

4151 BV CO EMPLOYEE HEALTH FUND: Group Services Inc 43,778.75; Midwest Benefit Consulta 555.36; Wellmark Blue Cross & BI 237,747.01; Wellmark Blue Cross Blue 1,180.00

4152 BV CO EMPLOYEE FLEX BENEFIT FUND: Flexible Benefits 8,731.58

**BOARD OF SUPERVISORS MEETING
FIFTY-THIRD MEETING, 2004 SESSION (53)
NOVEMBER 29, 2004**

The Buena Vista County Board of Supervisors met in special session on Monday, November 29, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

The purpose of today's meeting is to take action on Fagen Inc.'s request for financial incentives on their proposed ethanol plant to be located near Albert City. Nearly 20 Albert City residents were present. The Chairman asked for comments from the Board. Burnside stated that the Board is very supportive of the ethanol plant proposal and pleased that they sought Albert City out, but the request for property tax exemption is for 20 yrs. Whatever action the Board takes, it will be setting a precedent for future requests. The decision must be well thought out. Burnside also reported that she had received lots of calls, no negative ones, only some suggesting a shorter period of time. Vail stated that his concern in considering the exemption request is over the wear and tear on the county roads. If Fagen's tax bill would be approximately \$340,000, the Secondary Road portion would be about \$31,000. The engineer's best estimate for the road wear is that it would cut the life of the road 25%. The US BioEnergy map showed that corn would come into the plant over N-14 and C-29. Those roads will need an additional \$180,000 over the 20 years. He would favor 10 years at 100% and the second 10 years graduated at 10%/year. The Chairman reviewed some of the research done on other counties. He agrees that 100% for 20 years is more than the county can do. Lanphere is in favor of the project, but believes we 'can't give away the farm to do it'. The Board represents all taxpayers and the county needs to cover its expenses. The request is excessive and the Board's action will set a precedent. Some plants went up without any incentives. Gustafson would like the county to see some revenue as soon as possible, but he is flexible. He is willing to go further than some of the other counties. He believes the Board needs to consider the whole tax picture, not just the Secondary Road portion (the General Fund needs a new revenue source), and he believes that property taxes are a part of doing business. He is thinking of 75% to start, maybe for 15 years. The company is welcome here and will have good services and good roads to work with. His conversation with other counties has been, negotiate -- don't give everything requested.

The Chairman reviewed several different formulas that have been mentioned. Gustafson stated that \$340,000/yr with a 75% exemption for 15 yrs is a tax savings to Fagen of \$3.825 million, with all of the taxing authorities receiving \$1.275 million. Vail suggested 100% exemption for 10 years, then graduated down at 10%/yr over the next 10 years. Motion by Gustafson to offer Fagen a 15-year - 75% property tax exemption which is a tax savings to Fagen of \$3,825,000, and provides the taxpayers \$1,275 million. He believes this is more than fair in comparison to what other counties have done. The roll call vote was: Burnside-nay, Gustafson-aye, Lanphere-nay, Vail-nay, Crampton-aye. The motion was defeated.

The Chairman moved an exemption of 20yrs at 75%, which is a \$5.1 million savings to Fagen, with taxpayers receiving \$1.7 million. The roll call vote was: Burnside-aye, Gustafson-aye, Lanphere-nay, Vail-aye, Crampton-aye. The motion carried. Vail noted that this formula provides revenue to the taxpayer each year, and allows having revenue ahead for the roads. The Chairman placed a telephone call to Kathy Schowalter who will take the offer to Fagen, Inc.

Marlowe Feldman spoke – "the ethanol plant will be here in 20 years, whereas a manufacturing plant could leave in a couple years. You have to give something to get something."

Kathy Schowalter returned a call to the Chairman and communicated Fagen's counter-request: 90% for 20 years, or, 100% for 10 yrs and 85% for 10 yrs. After discussion, motion by Lanphere to offer 8yrs at 100% exemption, 4 yrs at 90% exemption, 4 yrs at 80% exemption, and 4 yrs at 60% exemption. The roll call vote was Burnside-aye, Gustafson-nay, Lanphere-aye, Vail-nay, Crampton-aye. The motion carried. Vail suggested that the Board prepare another counter offer prior to calling Schowalter. After discussion, motion by Vail to offer 15 yrs at 100% and submit this as the next counteroffer ahead of Lanphere's motion which was approved. The roll call vote was: Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. The motion carried. The Chair called Schowalter with the offer. Schowalter offered back: 100% for 15 yrs, and 50% for 5 yrs. Motion by Vail that the Board offer 100% exemption for 15yrs, and 25% exemption for 5yrs. Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, Crampton-aye. The vote was unanimous - carried. Schowalter reported that Fagen would accept this offer as long as the Board agrees to increase the conduit-financing loan to \$25 million. The Chairman called Bob Josten to review the change in conduit financing. He offered no objections, and the Board accepted Fagen's request to increase the conduit financing to \$25,000,000.

There being no further business, motion by Crampton to adjourn at 11:10 a.m. to Tuesday, November 30th at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FORTH MEETING, 2004 SESSION (54)
NOVEMBER 30, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 30, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Deputy Auditor Sue Kennedy as clerk for the meeting.

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

Zoning Director Kim Johnson gave the third reading of Ordinance 6.1 amending the zoning ordinance and map. Motion by Vail to approve the 3rd and final Reading of **Ordinance 6.1** amending the zoning ordinance and zoning map. The Ordinance becomes effective when published. Carried.

Kuehl & Payer Engineer Ivan Droessler presented the **DD #1** report on annexation and right-of way acquisition. This annexation would bring 2000 acres into DD #1 and would become a joint drainage district with Pocahontas County. Motion by Burnside to accept the Engineer's report on annexation and to set the date and time of the public hearing for January 25, 2005, 1:30 p.m., at a location to be determined by availability. Carried. Motion by Lanphere to set the date and time of the **DD #1** right-of-way acquisition hearing for January 25, 2005, 2:30 p.m., at the same location as the annexation hearing.

9:30 a.m.—The time having arrived for a teleconference with Sac County, to act on a petition for designating a joint road as **Service Level "C"**. Engineer Jon Ites informed both boards about the "Service Level "C" designation. He asked Sac County about sharing the cost of the gating, which they agreed to. It was decided to set the size of the gates as double 16's. The minimal level of maintenance will be as follows: 1) Blading or dragging will not be performed on a regular basis. 2) Snow & ice will not be removed, nor will the road surface be sanded or salted on a regular basis. 3) Except for load limit posting for bridges, signing shall not be continued or provided. ALL AREA SERVICE LEVEL C ROADS SHALL BE IDENTIFIED WITH A SIGN AT ALL POINTS OF ACCESS TO WARN THE PUBLIC OF THE LOWER LEVEL OF MAINTENANCE. 4) Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained. 5) Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon. 6) There will be no surfacing materials applied to Area Service System C Roads on a regular basis. 7) Shoulders will not be maintained on a regular basis. 8) A crown will not be maintained on a regular basis. 9) There will be no road repair on a regular basis. 10) Uniform width for the traveled portion of the road will not be maintained. 11) Regular inspections will not be conducted. Motion by Gustafson, second by Lanphere to designate a section of road on the south side of Section 34-90-38 in BV County as a Class "C" road. Carried. Motion by Jack Bensley, second by Rick Hecht, Sac County, to designate a section of road in Section 3-89-38 in Sac County as a Class "C" road. Carried.

Engineer Jon Ites received a notice from IDOT that there was no funding for the M-50 & M-27 crossings. He has asked them to include it in next years funding. A bridge guardrail was damaged by an accident on M-36, which needs to be repaired.

Motion by Burnside to accept the bid and award the contract to Graves Construction, Melvin, Iowa, for a twin box culvert on project #BROS-CO11(50)—8J-11 in the total amount of \$90,841.21. Carried.

Engineer Jon Ites will be meeting with the City of Rembrandt to discuss joint control of the farm-to-market extension.

The Board moved their meeting to the 2nd floor public meeting room to take action on US BioEnergy's incentives request for the proposed ethanol plant by Albert City. The Chairman stated that the zoning request had been approved this morning. Kathy Schowalter, PlanScape Partners, informed the Board about the various application forms that will need action by them. Gustafson asked how long the construction process would take--14-16 months. Kathy Schowalter asked about the partial exemption, which the Board agreed would be September, '07, which counts as the first year. Motion by Gustafson, second by Burnside authorizing the Chairman to sign Resolution 2004-11-30 authorizing financial support for US BioEnergy Corporation Ethanol Plant. A roll call vote was taken: Burnside-aye, Gustafson-aye, Lanphere-aye, Vail-aye, and Crampton-aye. The resolution was approved.

RESOLUTION 2004-11-30

RESOLUION TO AUTHORIZE FINANCIAL SUPPORT FOR US BIOENERGY CORPORATION ETHANOL PLANT

WHEREAS, US BioEnergy Corporation is interested in building an ethanol plant in Buena Vista County, Iowa, and

WHEREAS, this facility will create 42-45 new jobs and make a capital investment of more than \$125,000,000 in the project in the County which will have a tremendous positive impact, and

WHEREAS, the project intends to apply for grants and loans through various state and federal programs, and

WHEREAS, US BioEnergy Corporation is in need of financial assistance in the form of tax exemptions and conduit financing for a \$25,000,000 loan through Buena Vista County in order to make this project a reality.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA THAT:

Section 1. Provided that the County will not become obligated in any manner to take any particular action or provide any direct or indirect financial contribution, the County expresses its support for the project outlined by US BioEnergy Corporation for an ethanol plant to be built in the County and agrees to communicate this support in connection with any applications which may be filed by US BioEnergy Corporation for state and federal grant and loan funding.

Section 2. The County agrees to provide to US BioEnergy Corporation an exemption from property taxation under the following terms: 100% for 15 years beginning 1/1/2006, and 25% in each of the next 5 years.

Section 3. The County agrees to serve as a "conduit" or "pass-through" issuer in order to facilitate the placement of a loan by US BioEnergy Corporation in the maximum amount of \$25,000,000.

PASSED AND APPROVED this 30th day of November, 2004.

/s/ Herb Crampton, Chair

Attest: /s/ Sue Kennedy, Deputy County Auditor

Motion by Vail to approve the minutes of 11/23 and the October fund balance report. Carried.

Env Health/Zoning Director Kim Johnson asked the Board to set a date and time to approve the preliminary subdivision plat of Randy Drey, which will be December 14, 2004, 8:35 a.m. in the boardroom.

The Board adjourned their meeting at 11:15 a.m. until 1:15 p.m., at which time they will hear budget requests from outside agencies.

The following persons from outside agencies appeared before the Board to request funding in the FY'06 budget as follows:

Cynthia Beauman & Don Linnan – NW Aging - \$10,842; Rose Lee – Regional Transit Authority - \$12,500; Larry Rohret & Joan Spooner – Upper Des Moines Opportunity - \$19,715; Sally Dobson – Council Against Domestic Abuse & Sexual Assault - \$4,500; Marilyn Monson – Newell Historical Society - \$750; Dean Maiden – Marathon Historical Society - \$1,000; Marilyn Monson, Storm Lake Chamber of Commerce/BV Co Convention and Visitor's Bureau – \$1,000; Avis & Don & Don Yungbluth – Sioux Rapids Historical Society - \$1,000; Dick Aronson – Albert City Historical Society - \$1,000; Gary Lalone & Ed O'Toole – SLADC - \$39,000. A letter was received from BV Co. Wellness - \$500.

Emergency Management Coordinator Bob Christensen updated the Board on the activity in his department.

Motion by Burnside to void warrant #173219 (lost) dated 10/19/04 issued to Hanover Historical Society for \$500 and to authorize re-issuance. Carried.

There being no further business, motion by Crampton to adjourn at 4:20 p.m. to Wednesday, December 1st at 9:45 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FIFTH MEETING, 2004 SESSION (55)
DECEMBER 1, 2004**

The Buena Vista County Board of Supervisors met in special session on Wednesday, December 1, 2004 at 9:45 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Lanphere and Vail, and with Deputy Auditor Sue Kennedy as clerk for the meeting. Absent: Gustafson.

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

The following persons from outside agencies appeared before the Board to request funding in the FY'06 budget as follows:

BV Co Library Association (Cathy Jensen-AC, Sue Pederson, AL, Susan Stone-SL, Martha Landsness-SR, Patria Jenson-LG, Caroline Boettcher-NE, Bette Jolliffe-MA, Jolene Anderson-RE) - \$71,670; Colleen Schwanz – **BV Co Soil Conservation Service** - \$3,000; Janice Danielson – **Buena Vista Co. Historical Society** - \$750 & **Buena Vista Co. Genealogical Society** - \$500; Arlin Hinkeldey-**Hanover Historical Society** - \$1,000; Mary Sloane - **NW IA Alcohol & Drug Treatment Unit** - \$17,349; Vicki Roberts & Mary Weiland – **Buena Vista County Fair Board** - \$25,000.

There being no further business, motion by Crampton to adjourn at 4:00 p.m. to Tuesday, December 7th at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SIXTH MEETING, 2004 SESSION (56)
DECEMBER 7, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 7, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

The 12/14/04 **budget amendment** was reviewed, along with a proposed calendar for the **FY'06 budget**.

Sheriff Chuck Eddy and Deputy Don McClure were present for the discussion of purchasing the SLADC spec building for use as a **jail**. Gary Lalone, SLADC CEO, stated that he would like to have a starting point for his Executive Board. Eddy stated that the spec building is a good option for the jail and would allow for future expansion. It has easy access to the city for persons coming in since it would be right near Hwy 71 which might make it easier to entice U.S. Marshals, INS, the state and other counties to place prisoners here. It would also speed responses while improving safety when the Sheriff is called out of town. Lalone stated that the paving of the remainder of Expansion Blvd. is also a plus. There is currently no floor in the building – it was built to allow the purchaser to place plumbing wherever it was desired. The estimated cost for concrete for the floor is \$79,000. The space necessary for the jail and sheriff's offices is less than what is available in the spec building. The cost of building a new building, including purchase of land to put it on would be no less than this building. Gustafson is concerned that bottom line cost of using the spec building will be too high to get the bond issue passed and asked again about purchasing only a portion of the building, leaving SLADC with a marketable partial building. This idea was dismissed since it was thought to be virtually unlikely to accomplish. Lalone suggested that the Board make an offer so he can do the research for the Executive Board to make a decision. In addition to the loan on the building, there were contributions toward putting up the building, and also a 'trailer' on the broker's sales agreement. Eddy suggested that it might be possible to get a state inmate crew to do the concrete and insulation to save cost. He does not know the value of the storage bldg. on Hudson St. which could be sold after space was made available in the spec building. Motion by Gustafson to make a purchase offer of \$360,000 on the SLADC spec bldg, contingent on re-zoning, and a successful bond issue, seconded by Lanphere. Ayes—all. The motion carried.

Since the lease of the care facility building by Spectra Health Care will expire 12/31/05, the Board discussed plans for a future lease. Lanphere stated that as long as the county is breaking even, he favors keeping the lease going. He suggested a lease term that provides for 3-6 mos. notice of termination by either party (county or Spectra) at any point where either is no longer profitable. The business does create employment. He will take the current lease to the county attorney for the addition of that term and any other necessary revisions.

Motion by Burnside to approve the minutes of the 11/29, 11/30, & 12/1 meetings as printed. Carried.

Motion by Burnside to set the date and time of public hearing on the BV Co. Hazard Mitigation Plan as 12/28 at 8:30 a.m. in the Boardroom. Carried.

Motion by Vail to approve and direct the Auditor to transfer \$124.13 from the Secondary Road Transfer of Jurisdiction Fund to the General Fund, the amount being interest earned FY'04 and FY'05 (to 11/30/04) interest earned. Carried.

Motion by Gustafson to approve and direct the Auditor to transfer \$14,707.18 from fund #2010-Debt Service Security Loan to fund #1520-Capital Projects-Security Loan. Carried.

There being no further business, motion by Burnside to adjourn at 10:45 a.m. to Tuesday, December 14th at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SEVENTH MEETING, 2004 SESSION (57)
DECEMBER 14, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 14, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

8:30 a.m.—The time having arrived for the public hearing on the amendment to the current county budget, there were no interested persons present. Following review of the amendment, motion by Burnside to approve and to authorize the Chairman to sign, the 1st amendment to the FY'05 BV County budget, and to approve the following appropriations:

Action	Activity	Fund	Dept	Amount	Action	Activity	Fund	Dept
increase	1200	1	71	\$18,565	increase	9000	1	1
increase	1210	1	98	\$1,000	increase	30	29	98
increase	3020	1	23	\$23,620	increase	220	1520	1
increase	7110	20	20	\$55,000	increase	220	28	7
increase	7130	20	20	\$20,000	increase	200	20	20
decrease	7200	20	20	\$60,000	increase	210	23	22
increase	7210	20	20	\$95,000	increase	210	27	22
increase	7220	20	20	\$7,000	increase	220	1	23
increase	7230	20	20	\$8,000	Carried.			

8:35 a.m. –The time having arrived for the public hearing on the Randy Drey minor subdivision request, Drey and Zoning Director Kim Johnson were present. Johnson reviewed the proposed plat which had been recommended for approval by the Zoning Commission. Motion by Gustafson to close the public hearing. Carried. Motion by Lanphere to approve the proposed Drey subdivision plat as presented. Carried.

CPC Dawn Mentzer reviewed the FY'04 Management plan, its goals, objectives and results. She also reviewed the caseload for case management staff. To reduce the caseload, and to be able to manage state cases (for which the case management services are reimbursed 100% to the county), Mentzer recommended hiring a part-time case manager. Motion by Lanphere to approve that Mentzer advertise a case management position due to the current caseload. Carried. Mentzer also informed the Board of the need for additional space for her department.

John Torbert, Executive Director of the Iowa Drainage District Association, was present for his annual visit with the board. Drainage practices are currently coming under fire due to the nitrogen problem in the soil which finds its way into the streams, rivers, and the water table. Testing of the water over the past 10 years has shown no change, in spite of voluntary efforts to reduce the nitrogen loading.

Engineer Jon Ites gave a brief road report. He noted that he will be submitting an amendment to the IDOT budget following approval of today's county budget amendment.

The time having arrived for the bid letting on project #L-C-604—73-11, bids were received from 11 contractors, with the low bid being submitted by Vaughn DeLoss Construction, Spencer, in the amount of \$64,350.00. Ites recommended accepting the low bid pending a review of the bid extensions.

Following agreement by both Boards of Supervisors at their 12/7 meetings, motion by Burnside, to approve and to authorize the Chairman to sign Resolution 2004-12-14 establishing a road on the Buena Vista/Sac County border along the south side of Section 34, Maple Valley Township, as a service level "C" road. Carried.

BUENA VISTA COUNTY RESOLUTION No. 2004-12-14

RESOLUTION FOR ESTABLISHMENT OF AREA SERVICE "C" ROADS

WHEREAS, Buena Vista County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS, the only persons who will have access rights to the roads shall be:

- (1) the owner, lessee, or person in lawful possession of any adjoining land,
- (2) the agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
- (3) Any peace officer,

- (4) Any magistrate,
- (5) Any public employee whose duty it is to supervise the use or perform maintenance of the road,
- (6) Any agent or employee of any utility located upon the road.

WHEREAS, the minimal level of maintenance will be as follows:

- 1. Blading. Blading or dragging will not be performed on a regular basis.
- 2. Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded or salted on a regular basis.
- 3. Signing. Except for load limit posting for bridges, signing shall not be continued or provided. ALL AREA SERVICE LEVEL C ROADS SHALL BE IDENTIFIED WITH A SIGN AT ALL POINTS OF ACCESS TO WARN THE PUBLIC OF THE LOWER LEVEL OF MAINTENANCE.
- 4. Weed, Brush and Trees. Mowing or spraying weeds, cutting brush and tree removal will not be maintained.
- 5. Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
- 6. Road surfacing. There will be no surfacing materials applied to Area Service System C Roads on a regular basis.
- 7. Shoulders. Shoulders will not be maintained on a regular basis.
- 8. Crown. A crown will not be maintained on a regular basis.
- 9. Repairs. There will be no road repair on a regular basis.
- 10. Uniform Width. Uniform width for the traveled portion of the road will not be maintained.
- 11. Inspections. Regular inspections will not be conducted.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Between Section 34, Township 90 North, Range 38 West (Maple Valley Township) Buena Vista County and Section 3, Township 89 North, Range 38 West (Eureka Township) Sac County. Also known as 660th Street between 40th and 50th Avenues.

Resolution adopted this 14th day of December, 2004.

Buena Vista County Board of Supervisors
/s/ Herb Crampton
Chairperson Board of Supervisors

ATTEST:
/s/ Karen M. Strawn
Buena Vista County Auditor

The time having arrived for the bid letting on **projects #L-FMC-517—73-11 and #L-FMC-520—73-11**, ltes noted that bids had been received from 8 contractors. Prior to opening the bids, Vaughn DeLoss Construction received approval to withdraw his bid. It was the consensus of the Board to approve. The two projects were to be bid together, as the projects were 'tied'. The low bid on the tied

projects was submitted by Minnowa Construction, Harmony, IA, in the total amount of \$118,206.00, and was recommended for acceptance by lites pending review of the bid extensions.

Motion by Burnside to approve the minutes of the 12/7 meeting as printed, and the following reports: Nov budget reports and departmental expense summary, Clerk's fees, Spectra lagoon MOReport, 11/23 Board of Health minutes, and 11/9 Conservation Board minutes. Carried.

The Board reviewed the agenda for its 12/21 meeting which will include receiving Compensation Board recommendations for FY'06, budget topics, and discussion of the courthouse ramp project and other capital projects.

Motion by Burnside to approve drainage district work orders as follows: DD #64-105-drainage main tile repair for \$400 located in SW¼ SW¼, Section 1, Delaware Twp, Sac County, and, DD #16-30-92-beaver dam removal for \$300 located in NW¼ NE¼ Section 12 Douglas Township, Sac County. Ayes—Burnside, Gustafson, Lanphere, Crampton. Carried.

Vail left the meeting.

lites reported that the bid extensions were correct for all three projects. Motion by Lanphere to accept the low bid of Vaughn DeLoss Construction, Spencer, IA, in the amount of \$64,350.00 for project #L-C-604—73-11, and to accept the low bid of Minnowa Construction, Harmony, IA in the total amount of \$118,206.00 for projects #L-FMC-517—73-11 and #L-FMC-520—73-11. Ayes—Burnside, Gustafson, Lanphere, Crampton. Carried.

There being no further business, motion by Crampton to adjourn at 11:30 a.m. to Tuesday, December 21st at 8:30 a.m. for a special session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-EIGHTH MEETING, 2004 SESSION (58)
DECEMBER 21, 2004**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 21, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, Lanphere and Vail, and with Auditor Karen Strawn as clerk for the meeting.

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

Chris Young, Chairman of the BV County Compensation Board, reported on the recommendations of that Board for FY'06 elected officials' salaries. Upon unanimous vote, the Compensation Board voted to recommend 6% increases across the board for all elected officials, and also unanimously, a motion to recommend an additional \$500 to the Chairman of the Board.

Motion by Burnside to approve the minutes of 12/14 as corrected. Carried.

For uniformity purposes in departmental **budget** preparations, it was the consensus of the Board to have departments increase the IPERs employer contribution rate by 1%, which will be proposed before the legislature this next session, and to use a 6% increase in wages so that the impact of the Compensation Board's recommendation can be seen. This is not an indication of intent on wage increases.

Motion by Gustafson to approve and to authorize all Boardmembers to sign, the plans for grading and concrete paving of 90th Ave. from Hwy 7 to C-49 -- **project #FM-CO11(66)—55-11**, with the engineer's estimated cost being \$554,050.

Acuity Insurance has notified the county that it refuses to pay for the \$3,560 damage done to the guardrail on the bridge over Blue Bird Creek which was damaged by a truck driven by Herbst Construction, because the 'accident was unavoidable by the driver'.

Motion by Burnside to approve and to authorize **Resolution 2004-12-21** adding locally funded **project #L-C-604—73-11** to the FY'05 budget and construction program. Carried.

BUENA VISTA COUNTY RESOLUTION 2004-12-21

Resolution to add Farm-to-Market (FM) or Locally Funded Project(s) not in the current program.

BE IT RESOLVED: That the Board of Supervisors of Buena Vista County, Iowa, initiates and recommends that the following project(s) be approved by the Iowa Department of Transportation (Iowa DOT) for improvement with the funds as shown below for the period covering the current secondary road construction program.

Funding Source	Project Number	Type of Work and Location of Project	Length Miles	Estimated Costs
Local	L-C-604-73-11	Bridge Replacement on the North side Of Section 4,T91N,R38W	0.12	\$80,835.00

Date: December 21, 2004 /s/ Herb Crampton, Chair, Board of Supervisors

Engineer Jon Ites provided the board for review, a copy of the deposition of the expert witness in the case of the accident involving **Groth Trucking** which happened in June 2002, and is not yet resolved.

Motion by Vail to approve and to authorize the Chairman and Auditor to sign the 1st Amendment to the **FY'05 BV County Secondary Roads – IDOT budget and construction program**. Carried.

Ites reported that Vaughn DeLoss Construction, Spencer, has requested to withdraw their bid which was awarded last week on project #L-C-604—73-11. A clerical error was made in the preparation of the bid. Ites has learned that IDOT experiences this situation once or twice a year. IDOT requires meeting certain conditions when considering such requests: 1) it must be a clerical error, 2) notice of request to withdraw must be made timely, 3) the error must make a significant change in the bid, 4) the DOT (in this case the county) is no worse off if the bid is withdrawn. Ites consulted County Attorney Phil Havens who also called IDOT Contracts Engineer Roger Bierbaum. Havens advises that this request is up to the Board – there is not a formal process. The impact to the county is an increase in cost of \$7,000. If the DeLoss request is approved, the bid bond goes back to the company. Ites recommended approval of the request. Gustafson asked if the county could set a penalty in future bid lettings. Ites responded that a special provision would need to be added to the proposal form before bid materials go out. Re-bidding will not be necessary, and the second low bidder is willing to do the project. The bid extensions on the Schoon bid are correct. Motion by Gustafson to retract the Vaughn DeLoss Construction bid of \$64,350 on **project #L-C-604--73-11**, and to return the bid surety. Carried. Motion by Gustafson to

accept the bid of Schoon Construction, Cherokee, IA in the amount of \$71,854.14 for **project #L-C-604—73-11** for a location in Section 4, Nokomis Township. Carried. Mr. DeLoss thanked the Board for approving his request and apologized for any inconvenience.

SLADC CEO Gary Lalone met with the Board regarding their response to the county's \$360,000 offer to purchase the spec building for a **jail and sheriff's offices**. The offer was not acceptable to the SLADC Board – they have counter offered \$445,000 for the building and land (6.8 acres) plus any realtor fees and they would continue to market the building until funding is approved (bond issue and zoning). The realtor is willing to work with SLADC and negotiate something less than the full fee. The city of Storm Lake will take sewer and water to the property, and the county would have to take it to the facility. Lalone also explained that some old files exist which show that \$80,000 was given to SLADC in the form of services which were given on the agreement that those contributors would get some of their contribution back if the selling price is high enough. The building cost was \$500,000 without land and dirt. The Board did not discuss the counteroffer, and will not make a response at this time.

Supervisor Gustafson discussed the tree removal in Lateral 2 **DD #34**. Henry Bolte has concerns about the bank damage caused by grubbing out the trees. Gustafson questioned whether the county needs a program to fix the problem before sloughing causes the bank to deteriorate and then a cleanout is needed to remove the soil. He asked if the county crew, using the excavator, could reach in and pull the bank up, and then do some seeding in the winter or spring, with the work to be billed back to the district. This may be needed in all of the districts in which the trees are being removed. The Board agreed to setting up a meeting with the Drainage Watchman or Engineer and the County Engineer to discuss the issue.

The Chairman introduced a discussion of **Capital Projects** for the FY'06 budget. He reported on his conversation with Architect Glen Huntington who believes that the right location for a **handicapped accessible ramp** is on the east side of the courthouse, replacing the current ramp. To decrease the slope of the ramp it must be lengthened which would require running it south for quite a distance. This could create a issue with the distance a disabled person would have to travel to use the ramp and to get to the elevator. The estimated cost of the ramp is not more than \$50,000. Adding an elevator or lift at the east door would alleviate the distance issue, but the cost for that option is not known. A check with the city would determine if two handicapped on-street parking spaces could be added at the south end of the proposed ramp. The current ramp is also used for deliveries and to move election equipment. To accommodate that activity, one or two steps could be added on the north end of the ramp which would require cart traffic to go up only 2 steps instead of 8. The ramp also will need to be widened to allow 2 lanes of foot traffic. The Auditor will schedule Huntington for a meeting in January.

The Auditor reviewed information from a December 8th HAVA Advisory Board meeting. No decisions have yet been made about whether BV County's current **election equipment** will meet any new criteria or standards to be set by the federal EAC. However, it has been suggested that counties budget approximately \$3,000 per precinct which should cover equipment, software, training, and voter outreach. The compliance deadline is January 1, 2006.

The Auditor reported that the county's **health insurance** representative is planning to meet with the Supervisors on January 11. Industry trends indicate an approximate 15% increase in rates for next year.

There being no further business, motion by Vail to adjourn at 11:30 a.m. to Tuesday, December 28th at 8:30 a.m. for a regular session. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson

Buena Vista County Claims Report October Thru December 2004

0001 GENERAL BASIC: Affordable Automotive 159.00; Ag Partners L.L.C. 1,896.29; Albert City Historical S 500.00; Albert City Truesdale Co 300.00; Alexander Hamilton Insti 29.95; Alliant Energy 731.81; Allied Document Solution 2,186.32; Alpha Wireless Communica 385.22; Alta Fire & Rescue 70.00; Alta Municipal Utilities 408.85; Altamirano, Francisco 143.48; Altamirano, Melinda 160.00; Anderson, Diane 1,146.92; Apco International Inc 430.00; Apt US&C 155.00; Arch Wireless 89.34; Archer, Dr David 500.00; Armstrong, Carolyn 526.40; Arnold Motor Supply 59.66; At & T 251.88; Aventis Pasteur 3,196.21; B & M Service Inc 828.25; B V Co Secondary Road 643.56; B V Co Soil Conservation 875.00; Bach, Donna 246.50; Bach, Kathleen 169.32; Bailey, Taesa 347.90; Barker Company Inc, Bob 132.05; Barker Funeral Home 380.00; Barrickman, Floyd 400.00; Bedels Drive-In Pharmacy 925.23; Benz, Thayne 15.00; Best Western Regency 130.20; Bodholdt, Tony 51.00; Bogue, Pamela L 504.99; Bomgaars 592.07; Brecher, Chet 200.00; Briggs Corporation 815.25; Budget Lighting Inc 806.03; Buena Vista Co Journal 521.08; Buena Vista Co Wellness 375.00; Buena Vista County Fair 7,500.00; Buena Vista County Regio 49.50; Buena Vista Regional Med 1,318.55; Burnside, Lorna 162.30; Business 21 Publishing 159.20; Business Telephone Co In 195.91; BV Co Child Abuse Team 300.00; BV Co Historical Society 500.00; BV Stationery & Printing 1,631.45; Carlson Farm Partnership 200.00; Carpenter Uniform & Prom 186.01; Cede & Co 9,230.00; Central Iowa Distributin 2,237.76; Channing L Bete Company 683.20; Chem-Pro Inc 90.00; Cherokee Co Comm Health 15.00; Cherokee Co Public Healt 357.76; Cherokee County Extensio 225.00; Cherokee County Sheriff 4,760.00; Chindlund, Ann 765.45; Christensen, Robert E. 29.91; Christiansen, Diane 638.55; Conley, Carrie Ann 70.00; Conley, Bonnie 150.00; Control System Specialis 1,680.92; Cook, Ginni 285.78; Crampton, Herb 261.24; Crawford Co Sheriff 23.00; Crippin, David 600.00; Culligan 306.50; Delp, Ed & Cheryl 200.00; Demuth, Marty 30.93; Dental Distributors Inc 369.45; Department Of Veterans A 835.00; Deroos, Les & Carolyn 192.60; Des Moines Stamp Mfg Co 66.25; Dickinson Co Public Heal 3,500.00; Dmaahu 80.00; Dornsbach, Mike 200.00; Dr J Craven Dentist Pc 590.00; Dust-Tex Service Inc 146.77; Ebersole, Greg L 96.63; Electronic Engineering 246.50; Emergency Medical Produc 255.00; Face 1,179.75; Fareway Store 1,961.17; Farmers Coop Company 43.75; Fidlar Companies 586.80; First Coop Association 470.06; First Cooperative Associ 1,650.71; Fitzpatrick Auto Center 174.58; Floyd Valley Community 2,244.76; Forsberg, Allen 200.00; Four Points Sheraton 68.48; Four Seasons Repair Inc 888.94; Francotyp-Postalia Inc 15.50; Fratzke & Jensen Funeral 1,150.00; Galbraith, Lloyd F 379.55; Garbage Hauling Service 390.75; Geisinger, Butch 600.00; Gingerbread House 44.49; Gouldin, Cheryl 15.40; Graham Tire Co 727.64; Grainger Inc., W. W. 32.18; Groundswell Direct Inc 35.00; GRP & Associates 99.00; Guerra, Paula 123.42; Gustafson, Jim 461.43; Guthrie County Treasurer 183.84; Haberman, Judy 733.00; Haldin, Richard 222.00; Handi-Clean Products Inc 173.00; Hanover Historical Socie 500.00; Hansen, Dr Gregory G 285.00; Havens & Havens Law Firm 9,360.00; Heartland Inn Des Moines 358.45; Heinsohn Digging & Tilin 500.00; Hepola, Carrie 1,074.56; Hewlett-Packard Company 69.00; Hicks, Arnie 46.20; Hildreth, Cindy 3,018.00; Hillyard Inc 63.90; Holiday Inn Conference 582.49; Hopkins Medical Products 334.90; Howe Septic Tank, Jr Jim 800.00; Hultgrens-Gerlach Inc 50.61; Hunzelman Putzier & Co 7,356.77; Hy-Vee Food Store 6.51; Iaccva 20.00; Incode-CMS 200.00; Info USA Marketing Inc 505.00; Inn OVW Coralville Iowa 107.00; Iordanou, Christos 325.00; Iowa Apco 120.00; Iowa Assoc For Home Care 100.00; Iowa Central Community C 25.00; Iowa Department Of Natur 150.00; Iowa Dept Public Safety 1,590.00; Iowa Division Of Latino 255.00; Iowa Good Roads Assoc 80.00; Iowa Hospital Associatio 25.00; Iowa Lakes Electric Coop 1,354.29; Iowa Law Enforcement ACA 260.00; Iowa Office Supply 4,652.56; Iowa Prison Industries 216.00; Iowa Public Health Assoc 25.00; Iowa Ribbon Service 39.28; Iowa State Assoc Of Coun 270.00; Iowa State Sheriffs & De 425.00; Iowa Telecom 300.90; Iowa Workforce Developme 657.37; ISAC Phn Affiliate 75.00; Isaca 160.00; Jacks Services 15.00; Jacobs, John 600.00; Janitors Closet Ltd 12.25; Jensen, Nola 200.00; Julius Cleaners 1,592.53; Kennedy, Susan 165.00; Kier, Steve 400.00; Kimble, Rick 144.51; Kirkholm, Mark 30.60; Kleavland Bros 200.00; Kummerfeldt Service 205.20; Kurtz, Ray 150.00; Lake Electric Supply 23.92; Lanphere, Bill 534.06; Launderville, Gary J 238.59; Law Enforcement Systems 184.00; Lcm Pathologists P.C. 193.32; Les & Carolyn's 124.70; Lickiss, Charlene 5.46; Linn County Public Healt 75.00; Logistic Systems Inc 5,949.00; Lube Center, The 53.85; Lyon County Health Servi 168.37; Lyon, Cheryl 146.65; M Y Supply 140.29; Mach, Bev 170.53; Madsen, Leigh 124.04; Mainstay Systems Inc 228.00; Mandernach, Ryan 400.00; Mangold Environ Testing 623.50; Mangold, Bill 80.00; Marathon 1st Responders 70.00; Marathon

Cemetery Associ 250.00; Marathon Historical Soc 500.00; Marathon LP 196.76; Marks Welding & Machine 188.00; Marroquin, Emilia 1,334.23; Mastercard 3,038.47; McClure, Don 29.52; McClure, Ken 4.97; Mccrea Enterprises 87.80; Mcdanel, Scott 172.50; Mcsorley, David L 2,428.66; Meeves, Denise 27.84; Merck & Co Inc 621.50; Meusburger, Lisa 29.28; Meyer, Becky 20.00; Meyer, Rick 28.80; Meyer, Roger 27.00; Mid American Energy Comp 13,020.93; Middendorff Well & Walla 200.00; Midwest Land Management 200.00; Midwest Wireless 1,555.59; Mikes Lawn Service Inc 385.10; Miller, Gretchen 131.00; Mills, Buck 50.00; National Association Of 415.00; National Information Dat 48.90; National School Products 385.83; Newell Coop Elevator 80.35; Newell Fonda Community S 297.64; Newell Historical 500.00; Nielsen, Ross 200.00; Noll Trucking & Excavati 250.00; North Lake Truck Repair 33.52; North Park Apartments 216.00; Northern Lights Distribu 4,560.97; Northwest Aging Assoc 3,000.00; Northwest Iowa Health Ce 6,597.75; NW Ia ADTU 6,766.72; NW IA Planning & Dev Com 2,000.00; O'bannon, Shari 158.12; O'brien Co Public Health 1,374.94; Office Systems Company 248.25; Ohrtman, Mary 585.55; Olsen Welding & Machine 125.68; Omb Police Supply 1,034.09; Omni Photo 327.16; One Stop Shop 21.91; Osceola Community Health 1,004.00; Pagers Inc The Beeper Pe 47.85; Pathology Medical Servic 5,784.20; Patton, David 5,643.97; Petty Cash 29.67; Petty Cash Health Dept 65.65; Pickhinke, Gary 659.50; Pilot Publishing 812.00; Pitney Bowes 1,257.00; Ploeger, Marvin 200.00; Pocahontas Co Public Hea 118.75; Postmaster 570.00; Prevention Partners 160.55; Professional Electronics 107.63; Quest Diagnostics 162.36; Quill Corporation 777.64; Qwest 7,730.13; R & D Industries Inc 1,863.00; R5 Productions 2,700.00; Radar Road Tec 339.00; Rasmussen Ford Mercury I 401.01; Rebhuhn, Deb 125.00; Rebnord Technologies Inc 1,553.52; Regional Transit Auth 5,059.00; Ressler Drug Co 265.70; Rex's Electric 176.44; Rides 637.50; Rowley Recycle Ct, Harold 14.80; Saathoff, Charissa 11.20; Sac County Health Servic 118.75; Salvador, Dasilva 200.00; Schumacher Elevator Co 574.17; Security Trust & 33.76; Seiler Plumbing Heating 725.00; Selk, Jason 25.00; Share Corp 425.00; Silk Screen Ink Ltd 155.34; Simons, Douglas 48.18; Sinnott, John S 100.00; Sioux Central-Grants To 300.00; Sioux Rapids Auto & 17.94; Sioux Rapids Historical 500.00; Sioux Rapids, City Of 25.68; Sioux Sales Co 227.93; Sioux Valley Memorial Ho 44.50; Sliefert-Asmus Funeral H 1,182.00; Smith, Julie 183.01; Speers, Tim 20.30; Sports Rehabilitation & 2,452.93; St Marys School 300.00; St. Luke's Regional Medi 180.00; Stalcup Ag Service Inc 690.10; Star Energy Llc 3,404.51; Sterling Solutions Inc 400.00; Stoney Creek Inn 78.40; Storm Lake Area Developm 6,250.00; Storm Lake Genealogical 250.00; Storm Lake Times 892.46; Storm Lake, City Of 1,780.57; Stucynski, Dewyne 97.88; Sundblad, Greg 200.00; Sunshine Services 138.00; Super Wash 125.00; Tiefenthaler, Stacey 318.33; Training Resources 310.00; Treasurer Of State 31.00; Trimark Central Billing 2,177.75; Trimark Physician Group/ 31.00; U S Postal Service 9,018.08; United Building Center 91.30; United States Postal Ser 1,000.00; Updyke, Hope 438.55; Upper Des Moines Oppty 3,595.25; Ups 12.70; Valdez, Ofelia 491.75; Valley Pharmacy 39.51; Van Hooser, Mark 134.00; Venegas, Ericka 10.50; Vetter Equipment Co 707.47; Visa 5,285.84; Waitt Radio 682.00; Wal-Mart Business 5.63; Wal-Mart Pharmacy 567.20; Walmart Community 466.68; Wede's Lock Service 30.00; Wells Fargo Bank Minneso 130.00; Wells, Craig 200.00; West Des Moines Marriott 225.00; Western Iowa Tech Commun 25.00; Westview Mobile Home Par 390.00; Westview Park Management 360.00; Wilson, Patrick J 190.00; Wogahn, Ruth 204.05; Zee Medical Inc 305.74

0002 GENERAL SUPPLEMENTAL: Abels. Dolores A 116.00; American Legion Post 394 90.00; Anderson, Ardyce 291.75; Anderson, Charleen 128.69; Anderson, Linda Lu 40.00; Anderson, Raymond 243.45; Bartholomew, James 40.00; Bellows, Verna Belle 135.90; Brewer, Anne 246.50; Brisbois, Maxine 227.14; Buena Vista Co Journal 704.93; Buena Vista Co. Sheriff 49.00; BV Co/Mun Disaster Serv 18,625.00; BV Stationery & Printing 129.65; Carter, Keith 239.25; CDW Government Inc 92.00; Christy, Donna 154.65; Clarinda Youth Corp 1,466.64; Clay County Sheriff Depa 130.25; Cole, Mary 244.25; Daily Reporter, The 502.50; Driver, Aurlette 259.38; Eddie, Mary 243.45; Election Systems & Softw 13,700.62; Erickson, Larry 233.18; Evers, Valita 40.00; Fastenow, Peg 256.35; Feldman, Myrna 116.00; Fellows, Mary L 243.45; Fiscal Services Bureau 1,457.00; Fitchett, Frances 241.05; Francis, Phyllis 248.28; Franzmeier, Karen J Haug 27.70; Frederickson, Avonne 113.75; Frederiksen, Ferne 251.75; Fudge, Roxana 139.50; Galbraith, Jeanette 116.00; Galbraith, Lloyd F 136.05; Garberding, Lavern 114.15; Genesis Development 517.21; Gibbons, Leona 108.75; Gregersen, Margaret 116.25; Hansen, Kathryn 143.70; Hoferman, Margie 276.75; Hulsebus, Joan 311.50; Huntington, Shirley 139.50; Intab Inc 120.84; Jackson, Karna 157.50; Kaufman, Vivian 263.50; Kennedy, Dorothy J 14.50; Kennedy, Susan 49.20; Kirkpatrick, Dorothy 239.25; Kracht, Janice 259.95; Krebs, Judy 328.03; Kruse, Frederica 242.88; Kuhn, Henry 134.70; Kuhn, Sandra L 130.50; Laurens Sun, The 150.28; Leimer, Lois 150.95; Lester, Dixie

157.50; Lietz, Deanna 282.13; Mack Hansen Gadd Armstro 70.00; Madsen, Leigh 13.50; Malcom, Judy 134.10; Marshall, Connie 149.75; Maymon, Patti 22.20; McGowan, Betty 246.50; Methodist Manor 90.00; Mills, Rose 236.35; Mitchell, Kathleen 108.75; Movall, Barb 179.65; Movall, Wanette 272.55; Mueller, Nancy 239.25; Mueller, Ron 245.83; Newell Coop Elevator 90.00; Northrup, Carol 251.94; Nothwehr, Carlene 294.85; NW IA Adtu 2,552.00; NW IA Youth Emergency Se 24,750.00; Olson Eaton Svendsen Inc 110,349.00; Parrott & Sons, Matt 1,968.68; Pemberton, Ardys 174.00; Peterson Patriot, The 303.99; Petty Cash 20.24; Pilot Publishing 741.25; Postmaster 300.00; Quakerdale 2,680.76; Quill Corporation 459.89; Quirin, Charlene 137.75; Qwest 267.78; Radke, Margaret 188.50; Rassler, Rebecca 134.25; Rehnstrom, Mary 247.65; Rice, Monica 263.30; Rice, Richard 277.90; Richardson, Betty Jean 255.50; Richey, Susan L 130.50; Rittscher, Gale 128.98; Rohlfen, Phyllis 249.45; Sac County Sheriff 30.90; Salton, June 134.70; Schettler, Fran 143.19; Schmitt, Kay 110.56; Schomaker, Lois 108.75; Secretary Of State 11.80; Sexton, Ruth 239.25; Shearer, Darlene 116.00; Sievers, Delores 616.27; Sievers, Roger D 835.09; Simons, Clyde A 139.50; Sleezer, Bonnie 124.40; Smith, Mary 331.69; Smith, Norma 126.45; Snyder, Delores 249.75; Sorenson, Janice 114.15; Sparky's One Stop 50.00; Spencer City Clerk 61.08; St. Johns United Church 90.00; Stauber, Linda 239.25; Stephens, Myrtle 354.56; Stief, Jackie 143.19; Storm Lake Times 893.43; Strait, Shirley 137.75; Sundblad, Mary 258.50; Swanson, Sandy 113.75; Synergy Center 1,820.00; Theeler, Fay 228.38; Thorson, Lee 20.00; Toohey, Rosemary 160.15; U S Postal Service 1,810.00; Urban, Marjorie 123.25; Veehoff, Mary 130.50; Wedeking, Martin 246.50; Weigart, Darlene 159.50; Wessendorf, Grace 286.95; Wessman, Arlene 110.85; West Payment Center 3,342.65; Wilkens, Lucille 308.55; Wise, Darlene 167.38; Wittmaack, Myrtle M 246.50; Woodbury Co Sheriff 11.97; Wright, Elaine 186.00; Youth Shelter Care Of No 80.32

0010 MH-DD SERVICES FUND: Anderson, Charleen 254.60; B V Co Secondary Road 7.94; Baymont Inn & Suites 124.52; Buena Vista Co. Sheriff 473.50; Business 21 Publishing 39.80; BV Stationery & Printing 155.27; CCMS 120.00; Comfort Suites 72.45; Council Against Domestic 1,687.50; County Case Management S 1,440.00; Delta Dental Plan Of low 45.60; Department Of Human Serv 85,353.85; Dept Of Human Services 5,017.24; Dept Of Human Services D 83,229.72; Dept Of Human Services-A 8,838.77; Forsyth Law Office 60.00; Gannon Center - Communit 20.15; Genesis Development 16,031.22; Graham Tire Co 18.95; Hilton Garden Inn 169.06; Hy-Vee Food Store 13.05; Ida Services Inc 2,222.35; Iowa Ribbon Service 90.92; Iowa State Assoc Of Coun 80.00; Mack Hansen Gadd Armstro 380.00; Mentzer, Dawn 450.18; Michael Walling & Associ 255.00; Mid-Step Services Inc 765.24; Midwest Wireless 217.92; Mills-Thomas, Tami 29.62; Nami Iowa Fall Meeting 40.00; Napierala, Kara 65.63; Petty Cash 47.68; Plymouth Life Inc 2,639.00; Postmaster 398.00; Qwest 570.41; R & D Industries Inc 32.50; Regional Transit Auth 1,995.00; Rem Atlantic Inc 1,876.80; Rem Developmental Serv 392.24; Richmond Center, The 140.19; Seasons Center For Commu 36,788.64; Seasons Community Health 713.83; Siouxland Mental Health 375.00; Spectra Health Care Inc 6,133.40; Star Energy Llc 340.21; Treasurer State Of Iowa 6,285.09; Wal-Mart Business 24.72

011 RURAL SERVICES: Agri-Mart 11.26; Albert City Corp 2,325.00; Alta Corp 2,325.00; Anderson, Jim 25.80; B V Co Secondary Road 659.26; Baughman, Arvid 28.20; Bomgaars 28.41; Drzycimski, Brian 37.80; Engelmann, Bruce 45.60; Foell, Jim 3.00; Hansen, Victor 59.40; Iowa Office Supply 35.77; Iowa State Assoc Of Coun 70.00; Jackson, Don 2.40; Linn Grove Corp 2,325.00; Lund, Norman J 107.40; Marathon Corp 2,325.00; Massop, John 16.50; Newell Corp 2,325.00; Olsen Welding & Machine 418.15; Pilot Publishing 73.26; Qwest 157.94; Rebhuhn, Bob 49.20; Rembrandt Corp 2,325.00; Rice, Richard 3.00; Rowley Recycle Ct, Harold 37,494.50; Sioux Rapids Corp 2,325.00; Smith, Cynthia 18.60; Storm Lake Corp 6,975.00; Stoughton, Robert 86.40; Sundblad, Greg 88.20; Wiley, David 13.25; Woodbury County Extensio 75.00;

0020 SECONDARY ROADS: Ag Partners L.L.C. 2,328.23; Air Filter Cleaning Serv 221.94; Albert City, City Of 61.40; Alliant Energy 5,821.69; Alta Municipal Utilities 168.02; American Concrete 360.60; Arnold Motor Supply 896.64; Bailey, Dan 58.88; Barga Inc 17,200.00; Barnes Group Inc 626.85; Blacktop Service Company 2,339.61; Bomgaars 6,197.94; Brown Supply Co 580.50; Buena Vista Co Env Healt 20.00; Buena Vista County Exten 210.00; Buena Vista Regional Med 220.00; Buske, Ron 102.92; BV County Weed Dept 4,979.45; BV Stationery & Printing 82.13; C J Cooper & Associates 145.00; Calhoun-Burns & Assoc In 6,949.70; CCP Industries Inc 798.82; Color-Ize Inc 220.00; Crysteel Truck Equip Inc 13,410.34; Cylinder Express 58.00; Dowdy, Ed 117.00; Edwards, Bruce A & Diane 6,890.00;

Environmental Resource S 1,850.00; Equity Contracting Inc 14,093.88; Farm Implement Co 28.00; Farmers Coop Company 11.70; Ferguson Enterprises Inc 31.13; First Cooperative Associ 278.10; Fitzpatrick Auto Center 41,384.46; Flanigan, Tom 99.01; Fred Carlson Co 75,619.23; Fredriksen, Debbie R 195.07; French, Tom 20.00; G&K Services 567.24; Garbage Hauling Service 205.75; Graham Tire Co 9,677.22; Greene County Secondary 12,000.00; Grout Scouts Inc 1,012.00; Hiway Truck Equipment In 27.11; Hoffard, Mark S 125.00; Holliday, Dennis 198.07; Hotovec, Rick 81.25; Hultgrens-Gerlach Inc 6.10; Idals 75.00; Industrial Bearing Suppl 142.70; Industrial Supply Soluti 17,010.00; Iowa Auto Supply 2,751.86; Iowa Dept Of Transportat 175.00; Iowa Dept Transportation 41,572.26; Iowa Petroleum Equipment 3,922.89; Iowa Prison Industries 935.20; Iowa State University 785.00; Iowa Transit Inc 95.64; Ites, Jon 19.04; Jacobs, Preston 32.09; Janitors Closet Ltd 291.35; Johnson Propane Inc 127.02; Johnson, Shirley 88.80; Kessler Landscaping 150.00; Kimball-Midwest 3,651.44; Koth Construction 1,650.00; Kuehl & Payer Ltd 2,466.73; L & M Electronics Inc 2,312.55; Lake Electric Supply 153.88; Lake View Concrete Produ 24,772.20; Larson Oil & Distributin 1,574.07; Lawson Products Inc 31.18; Layton Truck & Equipment 7,173.00; Lietz, Philip L 345.41; Linn Grove, City Of 77.85; Loring Hospital 225.00; Lullmann, Kevin 99.06; Mahn, Marjorie 216.44; Marathon, City Of 186.55; Martin Marietta Material 1,908.93; Mccrea Enterprises 90.00; Mickelson Tire Inc 2,975.98; Mid American Energy Comp 1,587.67; Mid-Iowa Sales Company 178.50; Midwest Contracting 273,167.64; Midwest Wireless 586.92; Miller, Arthur J 30.00; Napa Auto Parts 408.24; Nebraska Salt And Grain 3,731.92; Nelsons Premix & Vet 301.92; New Sioux City Iron Co 417.00; Newell, City Of 197.55; Noll, Richard 120.52; North Lake Truck Repair 1,622.05; Northern IA Construction 4,084.90; Nu-Metrics 534.50; O'reilly Automotive Inc 475.67; Olsen Welding & Machine 564.92; Penhall Company 2,050.00; Pickhinke, Neil 139.04; Pilot Publishing 57.66; Postmaster 60.00; Pro Cooperative 693.00; Qwest 848.21; R & D Industries Inc 166.00; Rasmussen Ford Mercury I 42.01; Reckamp, Ron 125.00; Regions Interstate Billi 445.60; Rembrandt, City Of 89.00; Rex's Electric 373.08; Rohlin Construction Co I 1,331.26; Rons Automotive 20.26; Russell's Ready Mix 1,542.35; Schmit, John 77.70; Schuelke Auto Company 6.34; Share Corp 1,547.39; Silk Screen Ink Ltd 63.00; Sioux City Truck And Tra 605.38; Sioux Rapids Auto & 24.26; Sioux Rapids, City Of 114.00; Society Of Land Surveyor 65.00; Spencer Building Supply 53.75; Stanton Electric Inc 411.11; Star Energy Llc 38,733.72; Steffen 124.45; Stoney Creek Inn 161.28; Storm Lake Hydraulics 727.75; Storm Lake Times 119.73; Storm Lake, City Of 303.51; The Road Guy 125,602.99; Treasurer Iowa State Uni 240.00; Trimark Central Billing 135.00; U S Postal Service 210.85; United Building Center 117.46; Van Diest Supply Company 2,044.00; Vetter Equipment Co 313.17; Visa 34.00; Vision Care Assoc Pc 313.00; Vogel Traffic Services I 20,180.00; Weber, Tony 112.30; White, Ron 84.37; Yocum Oil Company Inc 2,075.00; Ziegler Inc 19,090.45

0025 JAIL SECURITY FUND: Buena Vista Glass 40.00; Mastercard 212.69; Mavron Inc 6,451.34; Rebnord Technologies Inc 4,222.75

0028 BVC RECORDERS E.T. FUND: Iowa County Recorders As 12,396.38

0100 D.D. #1: Carlson Contracting Inc, 123,950.19; Kuehl & Payer Ltd 45,008.71; Lawn Manicurists Inc 1,620.00

0176 D.D. #20: Lawn Manicurists Inc 1,040.00

0200 D.D. #34: Christian Bros Excavatin 9,750.00; Kuehl & Payer Ltd 670.74; Lawn Manicurists Inc 9,228.68

0278 D.D. #49: Lawn Manicurists Inc 270.00

0280 D.D. #49 LAT 2: Kuehl & Payer Ltd 195.53

0644 D.D. #274 MAIN: Radke, Arlo Dean 29.47

1500 CAPITAL PROJECTS: CDW Government Inc 1,265.94; Hewlett-Packard Company 7,193.00; Incode-CMS 70,060.65; R & D Industries Inc 8,951.56

1520 CAPITAL PROJECTS-DEBT SERVICE: Koch Hazard Baltzer Arch 9,837.26
2000 RECYCLING G.O. BOND FUND: Bankers Trust 4,223.75

3500 BUCKINGHAM ESTATE TRUST: Walmart Vision Center 88.00

4000 DISASTER SERVICES: Automotive Service Cente 18.50; Bomgaars 277.60; Buena Vista Co Auditor 200.00; Buena Vista Co. Sheriff 200.00; BV Stationery & Printing 185.40; Christensen, Robert E. 74.85; Command Concepts 140.00; Cross Auto & Towing 40.00; Delacruz, Lisette 20.00; Glowmart 100.00; Iowa Firemen's Associati 49.00; Iowa Prison Industries 88.84; Isu Extension-BV County 253.75; Lowen Corporataion 75.00; Mastercard 1,247.31; Midwest Wireless 140.52; Postmaster 74.00; Qwest 265.68; Racom Corporation 348.36; Sioux City, City Of 7,654.13; Staples Credit Plan 1,329.98; Treasurer-Iowa State Uni 101.50; U S Postal Service 9.00

4010 E911 SURCHARGE FUND: Alpha Wireless Communica 2,887.50; Alta Municipal Utilities 449.46; Amsterdam Printing & Lit 40.03; Arnold Motor Supply 129.18; BV Stationery & Printing 84.23; CDW Government Inc 550.20; Electronic Engineering 30.00; Four Points Sheraton 278.20; Imming, Matthew Arthur 120.00; Iowa Nena 115.00; Iowa Office Supply 444.00; Iowa Prison Industries 13.93; Iowa Telecom 1,772.28; Logistic Systems Inc 153.27; Meteorlogix 2,223.00; Mid American Specialties 1,268.32; Midwest Wireless 155.69; National Academy Of Emd 135.00; National Emergency Numb 95.00; Priority Dispatch 117.00; Qwest 1,714.57; Staples Credit Plan 38.42; Teltronics Inc 975.00; Van Hooser, Mark 95.40; Visa 448.00; Wahltek Inc 1,870.00

4150 3-COUNTY EMPOWERMENT AGENCY FUND: B V County Health Dept 12,440.23; Briest, Diane 732.03; Buena Vista Regional Med 22,364.90; BV Stationery & Printing 199.81; Crawford County Home Hea 22,735.40; Family Resource Center 5,514.00; Frontier Communications 78.78; Godfathers Pizza 47.62; Hawthorne Educational Se 233.75; Hy-Vee Food Store 11.96; Iccee 110.00; Lakeshore Family Restaur 98.57; Lutheran Services In low 14,833.32; Maplewood East Apartment 117.00; Midwest Wireless 125.54; Neufeld, Lisa 108.50; Ohrtman, Mary 65.00; Sac County Health Servic 8,405.00; Schaller Crestland Schoo 1,490.67; Trimester Inc 560.00; Upper Des Moines Oppty 282.00; Vartec Telecom Inc 43.63; Viking Office Products 212.40; Walmart Community 30.94;

4151 BV CO EMPLOYEE HEALTH FUND: Als Liquors Inc 59.97; Buena Vista Regional Med 576.00; BVRMC Fitness & Health C 75.00; Group Services Inc 5,594.50; Hy-Vee Food Store 25.37; Insurance Strategies Con 900.00; Iowa Insurance Division 100.00; Jt Direct Inc 216.43; Midwest Benefit Consulta 423.52; Sugar Bowl Gift Shop 109.78; Wellmark Blue Cross & BI 213,243.65; Wellmark Blue Cross And 250.00; Flexible Benefits 6,935.44

**BOARD OF SUPERVISORS MEETING
FIFTY-NINTH MEETING, 2004 SESSION (59)
DECEMBER 28, 2004**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 28, 2004 at 8:30 A.M. in the Boardroom with Chairman Crampton presiding and with the following other members present: Burnside, Gustafson, and Lanphere, and with Auditor Karen Strawn as clerk for the meeting. Absent: Vail.

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

8:30—The time having arrived for the public hearing on the Buena Vista County Hazard Mitigation Plan, the Chairman opened the hearing with BV Co. Emergency Management Coordinator Bob Christensen, and one media person present. Upon completion of the review of the plan, and upon receiving no objections, motion by Lanphere to close the public hearing and to approve and authorize the

Chairman to sign Resolution 2004-12-28 adopting the Buena Vista County Hazard Mitigation Plan, subject to the corrections identified. Carried.

RESOLUTION No. 2004-12-28

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA ADOPTING A HAZARD MITIGATION PLAN FOR BUENA VISTA COUNTY.

WHEREAS, the Board of Supervisors of Buena Vista County, Iowa has authorized the development of a Hazard Mitigation Plan for Buena Vista County; and,

WHEREAS, a Public Hearing has been held in the County Courthouse for the purposes of obtaining citizen input on the Hazard Mitigation Plan.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Buena Vista County, Iowa, herewith adopts said plan, incorporating citizen comment and recommendations.

PASSED AND ADOPTED THIS 28th DAY OF DECEMBER, 2004.

/s/ Herb Crampton, Chairperson,
Buena Vista County Board of Supervisors

ATTEST: /s/ Karen Strawn,
Buena Vista County Auditor

Motion by Gustafson to approve the minutes of the 12/21 meeting as printed and the following reports: 12/16/04 jail inspection report by the Iowa Dept. of Corrections, and an LDP payment for the S. Hayes Pit farm. Carried.

Motion by Burnside to void and reissue lost warrant #154095 issued 4/8/03 in the amount of \$29.47. Carried.

Engineer Jon Ites discussed a drainage problem in DD#67. At a location south and east of Albert City in an open ditch in Sections 1 and 2, Coon Township, the outlet is not operating properly because through the years it has silted in. Ites recommends appointing an engineer to investigate the 3/8's mile and report on the feasibility of a cleanout. He noted that the pipe is partly submerged. The new ethanol plant will drain into DD#67, and will probably have to put in some kind of retention basin. They would be responsible for paying their assessment, like any other owner, but the problem exists currently, before construction has begun. The cleanout should not be a large project. Motion by Burnside to contact Kuehl & Payer for an estimate to do the investigation. Carried.

On private land (owned by Stan Hartwell) along C-16 there is a pond that was built in the 50's. In the 70's the road was graded and a CMP pipe was installed. It is now apparent that the pipe is too high to allow proper drainage (only about 1/2" of fall over approximately 300'). The distance is now silted in. There is 15' of fill over the CMP, so re-setting the pipe would be too costly. One alternative would be to increase the fall from the pond to the pipe, and then bore under the road to provide drainage. The consensus was to proceed and work with the landowner.

Motion by Gustafson to approve the form of a Transfer of Jurisdiction agreement which allows joint and concurrent jurisdiction for the farm-to-market extensions and which would give 75% of the RUT funds that were diverted to the County because of the Transfer of Jurisdiction back to the city (Rembrandt) on a quarterly basis (beginning July, 2004). The County will be responsible for the 22 feet of pavement width and the city will maintain outside these limits. Carried. For Rembrandt, 75% of the full amount for FY'05 would be approximately \$2,850, and \$2,934 for '06.

Motion by Lanphere to accept and to authorize the Chairman to sign the contract, contractor's bond, and certificate of insurance of Minnowa Construction, Harmony, MN, for **projects #L-FMC-517—73-11 and #L-FMC-520—73-11**. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign a 28E agreement with the City of Storm Lake for **project #FM-CO11(66)—55-11** (the improvement of 90th Ave. from Hwy 7 to C-49, by grading and concrete paving). Carried.

Motion by Lanphere to approve and to authorize the Chairman to sign the 28E agreement with the City of Storm Lake for the C-49 **project (#'s STP-U-7422(609)—70-11 and FM-CO11(80)—55-11)**. This project is the improvement of the first 1800 feet east of Lake Avenue on C49. Carried.

Following the retirement of Gene Mandernach effective 12/31/04, Ites recommended the **promotion** of Dave Ploeger. Motion by Burnside to approve the promotion of Dave Ploeger from Equipment Operator III to Sign Foreman with an hourly rate change from \$16.04/hr to \$16.47/hr., effective 1/1/05. Carried.

Ites explained his recommended changes to the proposed route for power lines to provide service to the Albert City **ethanol plant** submitted by CornBelt Power.

Motion by Gustafson to approve and to authorize the Chairman to sign the **utility construction permit** submitted by **Clay Regional Water** for services to 6 locations in Zones 3, 4 and 5. Carried.

Motion by Burnside to approve and to authorize the Chairman to sign the utility construction permit of Iowa Telecom, Grinnell, to install 5 pr copper telephone cable to provide service to a house in Marathon. Carried.

Gustafson discussed **road dragging** complaints he has received. He suggested demoting or transferring an employee to a different district. Gustafson is concerned about the cost of fuel, damage to road, and bringing up the sod on to the road shoulders in the fall. This can be anything from an inconvenience to a liability. In dry weather, dragging isn't necessary. Engineer Ites needs to conserve fuel, time, blades and machines. He (Gustafson) has received many complaints from several locations. Farmers can't mow their ditches due to all of the lumps of sod brought up on the road by the motorgraders. People are afraid to complain because it might result in not getting their snow plowed. Don't do dry dragging in the fall of the year. Ites responded that the operators grade to salvage as much gravel as possible, and that road conditions are different from one district to another. Gustafson wants a particular operator transferred to another route. He wants to at least be on record for bringing it up. It is up to Ites as department head to take care of this. This fall lumps were brought up on both sides of 100th Ave. This is a gross mismanagement of taxpayers' dollars. Lanphere noted that there were some routes with lumps on the sides. Maintenance Superintendent Tom French commented that if road shoulders were mowed, clumping could be avoided.

Zoning Director Kim Johnson reported that Randy Drey's **subdivision plat** is ready for approval. Motion by Burnside to set the date and time of public hearing on the Randy Drey subdivision plat as January 11, 2005 at 8:30 a.m. Carried.

Marian McNabb informed the board that secondary road employees are again chopping off **trees** in her area, leaving behind stumps that are dangerous, and damaging wildlife habitat and native growth. She showed pictures of trees taken 2 years ago where no clean-up was done. 1' to 4' stumps are being left behind. If a vehicle has an accident, the stumps would pierce the vehicle. They are a hazard to hunters and fisherman. She suggested hiring part-time employees for summer work and lay them off in the winter to avoid keeping them busy with work which damages nature. She also recommended hiring knowledgeable people who understand how to maintain without causing damage to animals and plants. She noted that county employees have even been on private property. There are no high lines in the

area so that clearing to keep high lines free is not an issue. She stated that she will continue to push to see that this situation is changed.

Gustafson stated for the record that at budget time he will offer a motion to cut the **Engineer's** tax asking.

Following a brief discussion of the SLADC Board's counter offer on the **spec building**, motion by Lanphere to offer \$400,000 for site and spec building, subject to approval of a zoning change and a successful bond issue, and with no consideration for realtor fees or contributors. Carried.

The auditor reviewed the 1/1/2004 **valuation report** noting growth in utilities – new is the 25 miles of cable along the former Chicago Central & Pacific railroad installed by MCI.

There being no further business, motion by Burnside to adjourn at 12:20 p.m. to Monday, January 3rd at 8:30 a.m. for an organizational session for the new year. Carried.

Karen M Strawn, Auditor

Herb Crampton, Chairperson
