

**BOARD OF SUPERVISORS MEETING  
FIRST MEETING, 2009 SESSION (1)  
JANUARY 2, 2009**

The Buena Vista County Board of Supervisors met for the first meeting of the 2009 session on Friday, January 2, 2009 at 8:30 A.M. in the Boardroom with the Chairman Arends presiding, and the following members present: Crampton, and Merten, and with Auditor Karen Strawn as clerk for the meeting. Absent: Burnside, Hach.

Prior to the start of today's meeting, Supervisors Merten and Crampton completed the **count of cash in the Treasurer's** office.

Motion by Merten, second by Crampton, to approve the **minutes** of the 12/30/08 meeting as corrected. Ayes—Crampton, Merten & Arends, Nays—none. Carried.

Motion by Crampton, second by Merten, to adjourn the **2008 session**. Ayes—Crampton, Merten & Arends, Nays—none. Carried.

The Board recessed to the District Courtroom for the swearing in ceremonies conducted by Magistrate Josh Walsh for the two new Supervisors – Rhonda Ringgenberg, and Don Altena. Upon their return to the Boardroom, Arends, Merten, Altena and Ringgenberg (Hach-absent) took their seats, for the first order of business for the 2009 session, which was election of the Chairman of the Board. The Auditor called for nominations for **Chairman of the Board of Supervisors**. Motion by Arends to nominate Merten, as Chairman of the Board of Supervisors for 2009, second by Ringgenberg. The vote was: Ayes—Altena, Arends, Merten, Ringgenberg; Nays--none. Carried.

Chairperson Merten called for nominations for **Vice-Chair**. Motion by Ringgenberg, second by Altena, to nominate Arends to serve as Vice Chair. The vote was: ayes—Altena, Arends, Ringgenberg, Merten, nays--none. Carried.

Sheriff Launderville provided a statistical report of **jail** inmates for 2008.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Arends, Altena, Ringgenberg, Merten. Nays: none. Abstentions: none.

Motion by Arends, second by Ringgenberg, that **Robert's Rule of Order Revised** (1990) shall govern the proceedings of the Buena Vista County Board of Supervisors, including the use of a second for all motions. Carried.

**Board Appointments**

Motion by Ringgenberg, second by Arends, to appoint the following persons as delegates and representatives to the committees, commissions and boards as noted for 2009:

Hach—delegate, Arends-alternate to the **Local Emergency Management Commission** (Chapter 29C.9).

Arends-representative, Hach-alternate, to the **Region III Emergency Planning Council**.

Hach-representative, Arends,-alternate, to the **Buena Vista E-911 Service Board**.

Altena—delegate, Merten-alternate to the **Buena Vista Solid Waste Commission**.

Merten and Hach to the **Lake Improvements Commission**.

Merten to the **Friends of Little Lake Discovery Center Board**.

Ringgenberg to the **Storm Lake Water Quality Project** Advisory Committee.

Ringgenberg–representative, Merten-alternate to the **3-County Empowerment Board**,

Merten–representative, Ringgenberg-alternate, to the **Buena Vista Local De-Cat Board**.

Merten-representative, all other boardmembers-alternates, to the Board of Directors of the **Storm Lake Area Development Corporation**.

Arends and Merten to the Board of Trustees of the **SLADC Economic Development Revolving Loan Fund**.

Merten-delegate, all other boardmembers as alternates to the **Iowa Lakes Corridor Development Corporation**.

Jon Ites, technical representative, Steve Wolf-alternate, to the **ISTEA Technical Committee**, Merten–Board’s representative, all other boardmembers as alternates, to the **ISTEA Enhancement Committee**.

Hach-representative, Merten-alternate, to the **Administrative Board of Directors of the 3<sup>rd</sup> Judicial District Department of Correctional Services**.

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

Merten-representative, Arends-alternate, to the **Central Iowa Juvenile Detention Center**.

Becki Drahota, Ron Haraldson and Bill Lanphere to the **Judicial Magistrate Appointing Commission** for 6-yr terms expiring 12/31/2014.

Sandy Johnson-representative, to the **Regional Housing Authority** until 12/31/2010.

Justin Yarosevich to the **Homeward Housing Trust Fund** & **Northwest Iowa Regional Housing Trust Fund**

Altena-delegate, Arends-alternate, to the **Upper Des Moines Opportunity, Inc. Board**.

Arends-delegate, Ringgenberg-alternate, to the **NW Iowa Planning and Development Commission** and Barry Thongvanh as the non-elected at-large representative for Buena Vista County.

Merten-representative, Arends-alternate, to the **S.H.I.E.L.D. Board**.

To the County **Safety Committee** (including the Right-to-Know program): Merten with Arends as the alternate, Gary Launderville, Tom French (as Jon Ites’ designee), Karen Strawn, Ron Reckamp, Steve Wolf, Norm Lund, Pam Bogue, Steve Hammen, Kim Johnson, Leigh Madsen, Diane Christiansen and Bob Christensen, with Mike Raner as Safety Coordinator.

Arends-delegate, Ringgenberg-alternate, to the **Regional Transit Board (RIDES)**.

Hach-representative, Ringgenberg-alternate to the **Western Iowa Tourism Council**.

Arends-representative, Altena–alternate, with Phil Driver-at large representative, to the **Iowa Lakes RC&D Board**.

Burnside–representative, Arends-alternate to the **U.S. 20 Corridor Task Force**.

Ringgenberg-representative to the **Gingerbread House Board**.

Hach-representative **DHS Service Area Advisory Board**.

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

Arends-delegate, Merten-alternate to the **Drainage District #181, #274, #14-42, #22, & #150 Interim Boards**.

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

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

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

Merten-representative, all other boardmembers as alternates, for all county **labor negotiations**.

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

Jon Ites, Gary Launderville, Kim Johnson, and Ken Hach, with Paul Merten as an alternate, to the **Weather Committee**.

Jon Ites, Don Altena, Kathy Bach, and Karen Strawn as members of the **Personnel Committee** (includes employee handbook updates).

Gary Launderville, Steve Hammen and Ken Hach to the **Courthouse/Judicial Security Committee**.

Kathy Bach, Karen Strawn, Steve Hammen, Jon Ites and Merten, to the **Buena Vista County Facilities Committee**.

Merten, Arends and Hach to the **County Care Facility Committee**.

Merten–Board’s representative for **Whitney Pit Farm and South Hayes Pit Farm** for leases and Jon Ites for grain sales at the South Hayes Pit.

Karen Strawn-**ADA Coordinator**.

Pam Bogue, Dawn Mentzer & Karen Strawn as the **HIPAA Compliance Committee**, and Karen Strawn as the HIPAA Security Officer, and Privacy Officer jointly with Hach.

Steve Hammen 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**.

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

**Planning & Zoning Commission** members: Roger Peterson, Vic Hansen, Arvid Baughman, Dennis Gutz, Jim Anderson, Brian Drzycimski, Gary Sundblad, (vacancy left by Marc Bertness to be filled).

**Zoning Board of Adjustment** members with terms as follows: John Massop-6/21/011, Greg Sundblad 6/21/012, Bruce Engelmann-6/21/13, Cynthia Smith-6/21/09, and Bob Stoughton-6/21/10.

Altena and Arends, to the Board of **Compass Point** (fka Northwest Iowa Alcohol and Drug Treatment Unit).

Charlene Anderson as the citizens' representative, to the **Seasons Center Board of Directors**.

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

Merten to ISAC's **County Case Management Services Board**.

Tami Mills-Thomas, Kara Napierala and Alicia Gatzemeyer-Case Managers, Dawn Mentzer-CPC, Ken Hach-BofS representative (Paul Merten-alternate), Brent Mangold-family representative, Jeff Kestel-family representative, Cindy Wiemold-MR Community Based Services representative, Diane Mangold-Season's Center-MR Community Based Services representative, Bryce Jepson-consumer to the **Targeted Case Management Advisory Board**.

Charleen Anderson-MH Advocate; Diane Mangold, Susan Irwin, Cindy Wiemold-providers; Brent Mangold-Family Representative, Bryce Jepson-Consumer, Paul Merten-Supervisor (Ken Hach-alternate); Tami Mills-Thomas, Kara Napierala and Alicia Gatzemeyer--Case Managers; Dawn Mentzer-CPC; all to the **Managed Care Advisory Board**.

Dr. David Crippin, **County Medical Examiner**, and Tim Speers- BVRMC EMT, and Deputy Doug Simons, and independent EMTs Greg Ebersole, Mark Kirkholm & Bob Christensen, as **Deputy Medical Examiners** (Chapter 331.801). Terms expire 12-31-09.

Cornelius Wabeke (12/31/09), Don Diehl (12/31/11) and Brad Jones (appointed by the County Attorney, 12/31/13) to the **BV Co. Civil Service Commission**. (341A.2)

Rich Haldin (11), Lloyd Galbraith (09), Ray Kurtz (10), John Peters (10), and Harold Kestel (09), to the **Veterans Affairs Commission** for the 2007 year, and until their terms expire (Chapter 250).

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

**Local Board of Health**-members with 3-yr. terms as follows: Dr. Scott Wulfekuhler-12/31/10, Jim Johnson & Peg Hinkeldey-12/31/11, Ken Hach and Jon McKenna-12/31/2009.

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

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

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

Jim Nelson with a term expiring 6/30/2010, Tim Heuton with a term expiring 6/30/2011, and Mark Herrig with a term expiring 6/30/2009 to the **Lincoln Benefited Fire District Board of Trustees**.

County Auditor, and in her absence the Deputy Auditor, as **Custodian of Supervisors' records** (including Supervisors Minutes, annual reports of County Departments and other organizations required to file their reports with the Board of Supervisors, Drainage District Minutes, Ordinances, Warrant Book, Claims Registers, Precinct Maps.)

The vote on the above appointments was carried.

Pursuant to Chapter 22.1.2 of the 2007 Code of Iowa, the Auditor informed the Board that she has named herself and her 1<sup>st</sup> Deputy, Sue Lloyd, as the lawful custodian of the records which are considered 'open records' in the Buena Vista County Auditor's office. (Records and Code of Iowa references: Bonds of Public Officers (62.24), Election records (62.3 and others), Budgets adopted by local taxing jurisdictions (331.502.3) Township records (331.502.30), Drainage Minutes & Assessment Schedules (331.502.33), record of Election results (50.39 & 50.40), Lost Property Record (556F), Mental Health Accounts prior to 1994 (230.26), assistance to Veterans (34B.10, Claims against the Board 331.504.4), Assessment Rolls (441.26), Tax Rate Book (444.6), Real Estate Transfer Books-Index-Plat Books (558.60-67), Survey Plats (354.25), Treasurer's report of Receipts & Disbursements (335.504.4), Valuation Report (331.510), Annual County Financial Report.

### **Official Newspapers**

Having received a request for official newspaper designation from each, motion by Arends, second by Altena, to designate the following as official newspapers for legal publications for 2009: Storm Lake Pilot-Tribune, The Storm Lake Times, and Buena Vista County Journal. Carried.

Motion by Ringgenberg, second by Arends, 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 Arends, second by Altena, to designate the Plains Area Mental Health Center as the agency providing pre-screening services to persons, prior to admission to Cherokee MHI. Carried.

### **Holiday, Vacation, and Sick Leave Policy**

Motion by Arends, second by Ringgenberg, that the Buena Vista County Employee Handbook with the effective date of April 6, 1999, and amended 5/25/99, 7/06/99, 1/19/00, 6/22/04, 4/26/05, 1/11/06, 4/30/08 & 11/18/08 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.

Motion by Ringgenberg, second by Altena, that **election workers** for FY'09 be paid \$8.00/hr. and chairpersons \$8.50/hr., and that Certified PEOs be paid \$8.50/hr. and Certified PEO chairpersons be paid \$9.00/hr. effective this date. Carried.

### **Mileage Rate and Meal Reimbursement**

Motion by Merten, second by Arends, to reimburse **mileage** to employees (including deputy medical examiners) at the rate of \$.04 cents under the current IRS standard mileage rate, for each mile traveled by private vehicle (not for county owned vehicles) for county business in 2009. Carried.

Motion by Arends, second by Ringgenberg, 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 \$25.00 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.

### **Mileage Rate for Sheriff's fees**

Motion by Altena, second by Arends, to set the mileage reimbursement rate for sheriff's service fees at the current IRS rate (\$.55/mile on 1/1/09). Carried.

### **Insurance Coverage including Blanket Bond**

Motion by Arends, second by Ringgenberg, to continue the following insurance coverage from the Stille, Pierce & Pertzborn Agency for the remainder of FY'09: tort liability, auto, property, computer equipment, E & O, umbrella, data processing, inland marine, ocean 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 Ringgenberg, second by Altena, that the Depository Banks currently being used by the Treasurer, Recorder, Auditor & Sheriff continue to be used during 2009 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	\$15,000,000.00
MetaBank, 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	\$250,000.00
Citizen's First National Bank, Storm Lake	\$25,000.00

The vote on this motion carried.

### **Depository Resolution-Payroll Deposits**

Motion by Arends, second by Ringgenberg, that the 2009 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 Altena, second by Arends, 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 Arends, second by Altena, to establish 5% as the rate of interest to be paid during 2009 on all stamped warrants, and charged on Improvement Certificates and Drainage District waivers, effective this date (for Buena Vista County drainage districts only). Carried.

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

Motion by Arends, second by Altena, that the beaver control policy (payment of \$40 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 (\$40/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 2009. Carried.

### **Resolutions of Appointment**

Motion by Ringgenberg, second by Arends, that Jon L. Ites be re-appointed Buena Vista **County Engineer** for 2009 with his salary according to his employment contract (expires 6-30-11). (Chapter 309.17). Carried.

### **Farm to Market Construction Projects**

Motion by Arends, second by Merten, to adopt **Resolution 2009-01-02A** authorize the engineer to sign certain documents regarding farm to market construction projects and to authorize all Board members to sign. Carried.

### **Resolution 2009-01-02A**

**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).

/s/ Paul Merten, Chair, Board of Supervisors.....ATTEST: /s/ Karen M. Strawn

### **Authority to Close Roads & Detour Traffic**

Motion by Altena, second by Arends, 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.

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

Motion by Ringgenberg, second by Merten, to adopt Resolution 2009-01-03B setting policy on right-of-way and associated costs. Carried.

### RESOLUTION 2009--01-03B

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

- Right-of-Way purchases with a total land cost of less than \$10,000.00. The County will offer 7.5 times the current assessed value.
- Temporary Right-of-Way and Dirt borrow purchases for use on construction projects. The County will offer 5.0 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.

/s/ Paul Merten, Chair, Board of Supervisors.....ATTEST: /s/ Karen M. Strawn

### Matrix Construction Evaluation

Motion by Arends, second by Ringgenberg, to approve and to authorize the Chair to sign **Resolution 2009-01-02C** adopting the matrix construction evaluation process. Carried.

### RESOLUTION #2009-01-02C CONSTRUCTION EVALUATION RESOLUTION

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

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

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

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2009 and January 31, 2010 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).



**BE IT FURTHER RESOLVED** that the Buena Vista County Environmental Health/Zoning Director, Kim Johnson or Inspector Steve Haldin, are hereby designated as the contact persons for the county for DNR site investigations for animal confinement building construction applications.

**PASSED AND APPROVED** this 2<sup>nd</sup> day of January, 2009.

/s/ Paul Merten, Chair, Board of Supervisors.....ATTEST: /s/ Karen M. Strawn

There being no further business, the Chair adjourned the meeting at 12:30 p.m. until Tuesday, January 6 at 9:30 a.m. for a regular meeting.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
SECOND MEETING, 2009 SESSION (2)  
JANUARY 6, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 6, 2009 at 8:30 A.M. in the Boardroom with the Chairman Merten presiding, and the following members present: Altena, Arends, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Hach.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Motion by Arends, second by Ringgenberg, to approve the **minutes** of the 1/2 meeting as printed, and the following **report**: 2<sup>nd</sup> Qtr FY'09 Sheriff's fees. Carried. Motion by Altena, second by Arends, to approve today's **claims approval list** and to authorize the Chairman to sign. Carried. Motion by Arends, second by Ringgenberg, to approve a claim in the amount of \$99.84 to Wal-Mart for a camera for the Medical Examiner department. Carried.

Motion by Arends, second by Merten, to set the **bid letting date for weed chemical** (Hi-dep) as March 3, 2009 with the forms to be sent out February 2<sup>nd</sup>, and the deadline to return them as March 2<sup>nd</sup>. Carried.

Motion by Arends, second by Altena, to re-appoint Roger Meyer to the Buena Vista County **Conservation Board** for a 5-yr term expiring 12/31/13 put out a notice in the paper for the vacancy/re-appoint in Oct-Nov.

Engineer Jon Ites discussed what **infrastructure projects** could be submitted for federal funding. The discussion included jail cameras, finishing out two mezzanines at the Jail for greater capacity, and the rural sewer project.

Head Custodian Steve Hammen reported on the design and cost proposal for the judge's bench for the juvenile courtroom submitted by Taylor Contracting. Two carpeted ramps will be included to allow for both judges and witnesses with disabilities. Next, he will review the design with the judge and her recorder.

Rhonda Dean and Sarah Huddleston-Monroy, CAASA, presented a FY'10 funding request in the amount of \$5,000. They serve eight counties with many services including: crisis line, crisis intervention, individual and group advocacy, emergency shelter, and information and referral. No fees are charged, but operating funds include competitive state and federal grants, contributions, fundraisers, and city/county support. They are looking for new quarters for office and counseling space because UDMO has purchased the building where they are currently located.

Environmental Health Director Kim Johnson discussed tomorrow night's meeting of the residents' advisory board on the rural sewer project, and invited the new board members to attend.

There being no further business, motion by Arends, second by Ringgenberg, to adjourn at 11:20 a.m. until Tuesday, January 13 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRD MEETING, 2009 SESSION (3)  
JANUARY 13, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, January 13, 2009 at 8:30 A.M. in the Boardroom with the Chairman Merten presiding, and the following members present: Arends, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Altena, Hach.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Arends, Ringgenberg, and Merten. Nays: none. Abstentions: none.

The Chairman reported on the meeting he and Supervisor Hach had attended with representatives of the secondary road department. The employee requests were for an increase to longevity steps, a 5% wage increase, and a change in their clothing allowance. Motion by Arends, second by Ringgenberg, to increase the county longevity steps by \$5/step (to 5 yr-\$20, 10 yr-\$30, 15 yr-\$40, 20 yr-\$50, 25 yr-\$60, 30 yr-\$70), effective July 1, 2009. Carried. Motion by Arends, second by Ringgenberg, to change the secondary road clothing allowance program to a \$10/mo. allowance; this will be a taxable benefit. Carried. Motion by Arends, second by Ringgenberg, to approve a \$.48/hr wage increase for secondary road employees, which is a 2.5% increase based on the Equipment Operator 3; the increase will be effective July 1, 2009. Carried.

Motion by Ringgenberg, second by Arends to approve the minutes of the 1/6 meeting as printed. Carried.

Ringgenberg attended the Empowerment Advisory Board meeting held last week, at which future plans were reviewed. Empowerment will be affected by the Governor's 1.5% reduction to the current state budget. Merten attended De-Cat and CIJDC meetings. He toured CIJDC and found a very nice facility. They provide tracking services, and their financial report keeps track of all expenses so that they know their costs. Arends attended the wastewater advisory board meeting last Thursday. Randy Van Dyke, Iowa Lakes Regional Water, gave a presentation on possible solutions and costs. The Board of Supervisors may need to expand the area beyond the Casino Beach area included in the petition. Arends will be attending RIDES, NWIPDC, and ADTU meetings on Thursday.

Motion by Arends, second by Merten, to approve the final payment of \$554.58 to River Valley Forest Services, Inc. for tree removal in Jt. DD #14-42 and to authorize the Chairman to initial the claim. Carried.

Randy Robbins, President of the BV County Ag Society, and Brent Meyer, presented their FY'10 funding request. They've had good luck renting out storage space in the buildings (equipment, trailers, and boats) which is providing good revenue. They are planning races again for the fair; Jeff Herrig is the promoter for the races for another year. Also, Robbins has done hay sales, and Kevin Cone has done consignment equipment sales, with the majority of the money back to the Fair Board. Their request is \$25,000.

Bob Christensen, Emergency Management Coordinator, reviewed the function and mission of the EMA. He also reviewed the training and programs which he plans and conducts.

Sheriff Gary Launderville discussed his budget for FY'10. His December jail budget was at 61% due to the personnel required for the extremely high numbers of inmates. The part time wages were at 122%. He recommended an increase in the room and board rate from \$30 to \$65/day. He also would like to charge an administrative fee for each booking, however, this is not allowed by the Code of Iowa. Merten believes that the engineer should stand the cost of the re-design and installation of heat vents to improve the heated air circulation. Launderville asked whether he should be looking at two additional full time jailers, or continuing with part time jailers. He will check into housing federal prisoners. The Board will try to arrange a tele-conference with John Hansen, construction consultant, for the next meeting, to include the County Attorney, if possible.

Engineer Jon Ites requested approval of final payment on the bridge between Section 4 & 5, Nokomis Township; he will submit an application for 55% reimbursement from the NRCS. Motion by Ringgenberg, second by Arends, to approve and to authorize the Chairman to sign the final payment on project # L-C-1016-73-11 in the amount of \$69,881.00 to Midwest Contracting, Marshall, MN. Carried.

Head Custodian Steve Hammen reported on the weekend construction on second floor; cuts for doors were made. They hope to start putting up the walls on Friday or Monday.

Motion by Arends, second by Merten, to approve the following reports: Dec Conservation Board minutes, Dec monitoring report of Spectra lagoon by Mangold Environmental, Nov NWIPDC Policy Council minutes, and Dec Clerk's fees. Carried.

Tom Fleming, Wellmark representative, was present to review usage of the employee health coverage for the past year and projections for next year. In the industry, the current trend is about a 6.5% increase.

Ted Kourousis, Exec Director NWIPDC, and Bob Christensen, were present to discuss an update to the BV Co Multi-Hazard Mitigation Plan. It should be updated every 5 years. The current plan was adopted 12-28-04. The cost countywide will be \$46,000, with the County's share being 15% (\$6,900). This cost will be in the form of an in-kind contribution – attendance at meetings to develop the plan resulting in no dollar expenditure by the county.

Motion by Arends, second by Ringgenberg, to approve and to authorize the Chairman to sign **Resolution 2009-01-13** applying for an Iowa Homeland Security & Federal Emergency Management funding application for a county multi-jurisdictional Multi-Hazard Mitigation plan. The project will be completed over a 3 year period.

**RESOLUTION-2009-01-13**

**APPLICATION TO THE IOWA HOMELAND SECURITY & FEDERAL EMERGENCY MANAGEMENT  
ADMINISTRATION FOR A COUNTY MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN**

**WHEREAS**, Buena Vista County desires to complete a multi-jurisdictional multi-hazard mitigation plan for all incorporated places and the rural area; and

**WHEREAS**, in order to receive FEMA Hazard Mitigation funding for events like ice storms & severe winter weather, flooding, tornadoes, wind storms, etc... a FEMA approved plan is required and Buena Vista County does not have a compliant plan with the Federal Disaster Mitigation Act of 2000 and subsequent amendments and rule interpretations of this Act; and

**WHEREAS**, the plan must be in accord with the standards in the Federal Disaster Mitigation Act of 2000, and will assess the risks and impacts of disasters on each community, as well as how much impacts can be mitigated or minimized for the community; and

**WHEREAS**, Northwest Iowa planning & Development Commission (NWIPDC) will assist in the writing and submittal of a grant application on behalf of the County and its cities within the County to Iowa Homeland Security and FEMA for funding of this multijurisdictional plan and NWIPD will also provide technical services in the preparation and writing of this Plan; and

**WHEREAS**, the Buena Vista County Emergency management Agency Coordinator will provide coordination for communication and resources to assist the County, Cities and NWIPDC in completing an approvable with Iowa Homeland Security and FEMA; and

**NOW THEREFORE, BE IT RESOLVED BY THE BUENA VISTA COUTY BOARD OF SUPERVISORS:**

Section 1: Buena Vista County hereby approves the Iowa Homeland Security & Emergency Management funding application, with a total plan cost of \$46,000.

Section 2: Buena Vista County understands that the required local financial contribution for development of this plan is 15% of the total cost or \$6,900. In-kind services contributed through volunteer time during the preparation of the multi-jurisdictional plan is anticipated to cover all of the required local financial contribution. However Buena Vista County understands that it shall be responsible for any shortfall in the local contribution should this volunteer time/in-kind contribution not reach the full local funding amount of \$6,900.

Section 3: Buena Vista County understands this hazard mitigation plan must be submitted for review and approval by the Iowa Homeland Security and Emergency Management division and the Federal Emergency Management Agency within the three (3) years of the County awarded grant funds.

Section 4: Buena Vista County understands that it must hold at least one public hearing prior to the County approval and submission of the Plan to Iowa Homeland Security and FEMA for their approval of such Plan.

Section 5: Adoption of the plan does not require financial commitment by the county or any participating city or any other jurisdiction, department, or agency. Rather, it will serve as a guide to assist the county, cities and other jurisdictions, departments, and agencies in obtaining funding and/or budgeting for hazard mitigation activities, disaster recovery, and other related programs or projects. Furthermore, the County Multi-jurisdictional Plan will be compliant for a period of five years from the date of FEMA and Iowa Homeland Security Approval.

Passed and Approved on January 13, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors ...../s/ Karen M. Strawn, Auditor

Motion by Arends, second by Merten, to approve **payout of the vacation**, accrued vacation, and comp time as of 12/31/08 to Gary Launderville. Carried.

Motion by Arends, second by Ringgenberg, to appoint Ben Nesheim to the **Buena Vista County Eminent Domain Compensation Commission** under the category "by reason of their occupation". Carried.

Motion by Arends, second by Ringgenberg, to authorize the auditor to **void check** #219558 in the amount of \$990.00 issued 12-23-08 to Irwin-Kirkman-Manilla School, and to re-issue it in the amount of \$1,170.00, due to an amendment to the Preschool Tuition Grant report. Carried.

Motion by Merten, second by Arends to appoint the following persons

- to the Targeted Case Management Advisory Board: Tami Mills-Thomas, Kara Napierala, and Alicia Gatzemeyer-Case Managers, Dawn Mentzer-CPC, Ken Hach-BofS representative (Paul Merten-alternate), Cindy Smith-family representative, Jeff Kestel-family representative, Geneses staff-MR Community Based Services representative, Diane Mangold-Season's Center-MR Community Based services representative, Jill Smith-consumer, and
- to the Managed Care Advisory Board: Charleen Anderson-MH Advocate; Diane Mangold, Susan Irwin, Cindy Wiemold-providers; Pat Allen-Family Representative, Brice Jepson-Consumer, Paul Merten-Supervisor (Ken Hach-alternate); Tami Mills-Thomas, Kara Napierala & Alicia Gatzemeyer-Case Manager, Dawn Mentzer-CPC. Carried.

There being no further business, the Chair adjourned the meeting at 1:30 p.m. until Tuesday, January 20 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FOURTH MEETING, 2009 SESSION (4)  
JANUARY 20, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 20, 2009 at 8:30 A.M. in the Boardroom with the Chairman Merten presiding, and the following members present: Altena, Arends, Hach and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Deputy Auditor Leigh Madsen and Deputy Treasurer Kim Briley discussed the **employee wellness program**. Motion by Hach, second by Arends, to appropriate \$3,500 for the Wellness program from the Employee Health Insurance Fund. Carried.

The Board held a tele-conference with John Hansen, **Jail** Construction Manager, to discuss how to proceed with correcting the heating problem in the jail. Hansen recommended high speed louvers to improve circulation. Sheriff Gary Launderville discussed the proposal from Tessier's for HVAC modifications in the amount of \$9,570.00 for high velocity diffusers. Hansen & Launderville will work with Tessier's to put "balancing the system" into that proposal. Motion by Arends, second by Merten, to accept the \$9,500 proposal from Tessier's to furnish and install vertical throw supply diffusers, install duct taps to supply conditioned air, and reroute make up air for the roof top units. Carried. The Sheriff will contact the U.S. Marshalls to investigate the possibility of housing federal prisoners.

Motion by Merten, second by Ringgenberg, to approve today's **claims approval list**, and to authorize the Chair to sign. Carried.

Motion by Altena, second by Merten, to approve the **minutes** of the 1/13 meeting as corrected. Carried.

Motion by Ringgenberg, second by Hach, to approve the following **report**: 2<sup>nd</sup> Qtr FY'09 Farm-to-Market Fund. Carried.

Dean Maiden and Steve Lind, **Marathon Historical Society** made a funding request for FY'10 in the amount of \$1,000. Maiden circulated several pictures of the railroad cars and the layout of the museum.

Kathy Fritz, President of the **Gingerbread House Board**, and Courtney Burke presented a funding request for FY'10 in the amount of \$7,000. Fritz reported on their progress in finding a new Director.

Patrick Schmitz, Exec. Director-**Plains Area Mental Health Center**, provided comparative statistics between last year and the first 6 months of the current year. They have recently added tele-health, an electronic video service allowing long distance consultation with a psychiatrist. Project funding for the grant was received from Majellan Health Services which covers the equipment and the first 6 months operation costs.

Motion by Arends, second by Hach, to appoint Ringgenberg as the Board member liaison, and Merten and Altena as alternates. Carried.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign Resolution 2009-1-20 updating the designated contacts and authorized representatives for the county's **Iowa Mutual Aid Contract**. Carried.

#### **RESOLUTION 2009-01-20**

**WHEREAS**, the Buena Vista County Board of Supervisors adopted a Statewide Mutual Aid Compact on October 27, 2003 in order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster, and

**WHEREAS**, the signatories, which were elected officials of Buena Vista County at that time and are no longer holding elective office, and

**WHEREAS**, it is desirable to update both the Designated Contacts and the Authorized Representatives,

**NOW THEREFORE BE IT RESOLVED** by the Buena Vista County Board of Supervisors on this date the following persons are authorized and are so designated as the Designated Contacts and Authorized Representatives as follows:

Designated Contacts:

- Robert Christensen, EM Coordinator – Primary
- Gary Launderville, County Sheriff – Secondary
- Jon Ites, County Engineer - Tertiary

Authorized Representatives:

- Paul Merten, Chairman of the Board of Supervisors – Primary
- Dale Arends, Vice-Chairman of the Board of Supervisors - Secondary

**PASSED, APPROVED AND ADOPTED** this 20th day of January, 2009.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: /s/ Karen M. Strawn, Auditor

**Sheriff** Gary Launderville thanked Engineer Jon Ites and Maintenance Supervisor Tom French for their assistance in helping deputies respond to calls during the past snowy weather. Launderville proposed changes to the **room and board rates** at the jail. Motion by Arends, second by Hach, to approve the following changes in rates, all effective immediately with all new admissions, and February 1<sup>st</sup> for those currently in jail:

- \$55/day for jail room and board for local inmates, and \$75 for out-of-county and federal prisoners;
- \$55/day for room and board for local work-release inmates, plus a \$20 processing fee, and, \$65 for out-of-county work-release inmates plus a \$20 processing fee;
- \$55/day for local in-home detainees plus a \$50 processing fee, and \$65/day for out-of-county in-home detainees plus a \$50 processing fee.

The vote on this motion was: ayes—Arends, Hach, Ringgenberg and Merten, nays—none, abstentions—Altena. Carried.

Motion by Hach, second by Altena, to accept the Sheriff's request and approve the addition of two full time **jail positions** effective February 1, 2009. Carried.

Brian Blomme, Kuehl & Payer discussed the non-performance of Bawden Tiling who was awarded a contract for tree removal in **DD #34, Lat 2 Open Ditch** on 1-16-07 in the amount of \$15,000. Motion by Arends, second by Rhonda Ringgenberg, to authorize Kuehl & Payer to negotiate with other contractors to complete the contract work not completed by Bawden Tiling. Carried. Richards Construction also has not completed their tree clearing contract in DD # 34 Lat 2, Section 4, Lincoln Twp., awarded 6-24-08. Blomme presented the engineer's report on the tree counts, and the tech specifications for a tree clearing project. Motion by Hach, second by Arends, to set the bid letting date for the tree clearing & grubbing contract for **DD #34, Lateral 2** on February 17 at 11:00 a.m. in the Boardroom. Carried.

Motion by Arends, second by Altena, to approve the plans and specifications for **the tree clearing and grubbing project for DD #34, Lateral 2**. Carried.

Greg Villegas, Kuehl & Payer reviewed the 2008 noxious weed spray program and the 2008 purple loose strife control programs. He requested approval to do a purple loosestrife review to see where it is growing and where maintenance is needed; he estimated the work would take approximately 2 days.

Motion by Arends, second by Altena, to accept the **2009 spray program** as presented, and to include a **purple loosestrife** review to determine the need for maintenance. Carried. Mike Wilson, Storm Lake Community Development Director, and Patti Moore, City Administrator, discussed a request from residents from the McKenna Subdivision to provide city water and sewer. Counties can apply for assistance from the USDA; however, cities over 10,000 in population can't access

USDA funds. Wilson requested that Buena Vista County partner with the city to what can be done beginning with an application to the USDA Rural Development for a **medium income survey**. USDA will have the survey done by Midwest Assistance Program. If eligible, the county would be requested to sponsor the funding application for the McKenna Addition.

Motion by Hach, second by Ringgenberg, to send a letter requesting an income survey from USDA RD, and to authorize the Chair to sign. Carried.

Head Custodian Steve Hammen reviewed furniture, paint and wood choices for the **juvenile courtroom and juvenile judge spaces** on second floor of the courthouse.

The Board heard **FY'10 budget presentations** from: the Conservation Board, Auditor, EnvHealth/Zoning, and Mental Health/Community Services.

2:00 p.m.—The time having arrived for opening the **bids for the county care facility**, three were received: Shane & Nancy Lenhart-\$10,000; Linda Walker-\$10,000; James Walker-\$30,000. The Board acknowledged all bids, but did not take action. Sue Morrow, Spectra Health Care Administrator, agreed to be available Thursday morning at 9:00 a.m. to allow one of the bidders to go through the buildings. Guy Johns stopped in to ask about the bids. He had wanted to offer a bid after the deadline due to being unable to access the county's website for the appraisal of the facility. The Board informed him that if they decide to reject all bids, then he would have an opportunity to submit one. Johns left a bid, which will not be opened pending consultation with the County Attorney Dave Patton.

The Board recessed until the next day. **Wednesday, January 21** -- The Board heard presentations for the following budgets: Attorney, Custodian, Veterans Affairs and General Relief, Dept. of Human Services, Supervisors, Data Processing and Miscellaneous (county care facility, insurance, debt service, and General Allocations), Auditor, Public Health, Clerk of Court, Sheriff/Jail/Comm. Center.

Motion by Arends, second by Ringgenberg, to approve increases to the rates in **General Relief for funerals and for opening graves**: \$1400-funerals and \$400 for opening graves. Carried.

There being no further business, the Chair adjourned the meeting at 5:00 p.m. until Tuesday, January 27 at 1:00 p.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FIFTH MEETING, 2009 SESSION (5)  
JANUARY 27, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, January 27, 2009 at 1:00 P.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.



Treasurer Kathy Bach presented a request for a tax sale certificate assignment to Newell; the fee for the assignment is \$10. If the city takes it to deed, they would request abate of the prior taxes. Motion by Hach, second by Arends, to assign **tax sale certificate** BVPB #080200 to the city of Newell, and to authorize the Chairman to sign. Carried.

Bach reviewed her **semi-annual report** for the period ending 12/31/08. Motion by Arends, second by Altena, to approve and to authorize the Chair to sign **the Delta Dental renewal** for FY'10. Carried.

Motion by Hach, second by Arends, to approve the **minutes** of the 1/20 meeting as corrected, and the Treasurer's semi-annual report. Carried.

EnvHealth/Zoning Director Kim Johnson requested a time for a line adjustment public hearing. Motion by Hach, second by Ringgenberg, to set a public hearing for a **line adjustment** application received from Jeff Goodman for February 3<sup>rd</sup> at 8:30 a.m. Carried.

Johnson discussed the grinder pump cost options presented by Neal Kuehl at last week's meeting of the **rural sewer project advisory board**.

Hugh Lively, Exec Director of **RIDES**, and Ted Bauer-CFO, presented a FY'10 funding request of \$13,000 (operations and capital replacement). They are working with the Storm Lake Cab to provide more transportation options and cover more hours to meet the needs of the community.

Engineer Jon Ites presented his estimates for the **Secondary Road FY'10 budget**. No action was taken on the property tax asking for that department.

Due to a scheduling error, a representative from Control Systems Specialists was not available to be present today, and will reschedule for next week to discuss what needs to be done to winterize the **county care facility building** for the term that it is empty. Sue Morrow, who was present, informed the Board that she plans to be out of the facility and of the house by February 19. She offered to provide written notice, but the Board felt that is not necessary.

Engineer Jon Ites discussed the project inventory that was submitted for the **economic stimulus package**. It is not firm what the amount available for different types of projects would actually be, and how many of the projects were eligible. However, he was informed that the Farm-to-Market will be available for **project #ESFM-CO11(67)—55-11** to provide the up-front dollars for the successful projects until federal reimbursement is received.

Motion by Hach, second by Ringgenberg, to approve and to authorize the Chair to sign a right-of-way purchase agreement for the **C-65 project**. Carried.

Motion by Arends, second by Hach, to approve final plans and authorize the Board members to sign, for **projects #ESFM-CO11(67)—55-11 and #1BRC-CO11(86)—8E-11**. Carried.

Motion by Arends, second by Ringgenberg, to accept the proposal from Taylor Contracting in the amount of \$8,477 to construct the **judge's bench** for the new courtroom, and to authorize the Chair to sign. Carried.

Motion by Hach, second by Altena, to approve and to direct the Weed Commissioner to have published the notice to **destroy noxious weeds**, and to authorize the Chairman to sign. Carried.

Motion by Ringgenberg, second by Arends, to approve a resolution to approve an amendment to the ETC 28E agreement (ISAC) which changes the method of assessing costs. Carried.

**RESOLUTION 2009-01-27**  
**Amendment to the ETC 28E Agreement**

**WHEREAS**, Section 10 of the Electronic Transactions Clearinghouse 28E Agreement provides for amendment of the 28E Agreement by resolution of the ISAC Board of Directors, if the amendment is then submitted to a vote of the individual members counties; and

**WHEREAS**, the 28E agreement should be amended to provide a more flexible and equitable funding formula for ETC that does not fall disproportionately on counties of any one population size.

**NOW, THEREFORE, BE IT RESOLVED** by the Buena Vista County Board of Supervisors that the Section 7 of the Electronic Transactions Clearinghouse 28E Agreement should be amended to read as follows:

"7. FUNDING. ETC shall provide the services referred to in this Agreement to each member county. The costs to counties for these services shall be determined as follows: each member county shall annually be assessed a fixed fee as determined by the ISAC Board of Directors on an annual basis. In order to cover ETC's expenses not covered by the fixed fee, each member county shall annually be assessed its proportional share of a three-year average of the combined total of all member counties' actual GAAP general basic fund expenditures and mental health fund expenditures."

Approved by the Buena Vista County Board of Supervisors on January 27, 2009.

/s/ Paul Merten, Chair, Board of Supervisors

/s/ Karen M. Strawn, Auditor

There being no further business, the Chair adjourned the meeting at 5:05 p.m. until Tuesday, February 3 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING**  
**SIXTH MEETING, 2009 SESSION (6)**  
**FEBRUARY 3, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 3, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Head Custodian Steve Hammen presented quotes for the **courthouse second floor remodeling** project. Motion by Arends, second by Hach, to accept the quote of Floors, Etc. in the amount of

\$9,018.82 for carpet in the new courtroom and the new judge's offices, and the proposal from Office Elements in the amount of \$2,992.52 for chairs and tables. Carried.

The Chair opened the Public Hearing on the Chuck Goodman request for a line adjustment in Section 1 Maple Valley Township. There being no objections, motion by Arends, second by Hach, to close the public hearing. Carried. No comments have been received. Motion by Hach, second by Ringgenberg to approve the line adjustment plat for Section 1, Maple Valley Township, and to authorize the Chair to sign Resolution 2009-02-03-A. Carried.

#### **RESOLUTION 2009-02-03-A**

**WHEREAS**, Charles Goodman has presented a preliminary and final plats (of survey) on the following described property:

##### DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHWEST FRACTIONAL QUARTER (N½ NW FRAC¼) OF SECTION 1, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the East 49.69 Acres of the Northwest Fractional Quarter (NW FRAC¼) of said Section 1; Thence on a true bearing of South 00°09'10" East, along the West line of the East 49.69 Acres of said Northwest Fractional Quarter (NW FRAC¼), 544 feet to the Point of Beginning. Thence continuing along said West line, South 00°09'10" East, 240.00 feet to the Northeast (NE) Corner of Lot A of said Section 1; Thence North 89°13'35" West, along the North line of said Lot A, 875.00 to the Northwest (NW) Corner of said Lot A; Thence North 00°09'10" West, 240.00 feet; Thence South 89°13'35" East, 875.00 feet to the Point of Beginning. Hereafter know as Lot B of Section 1, Township 90 North, Range 38 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 4.82 Acres and is subject to all easements of record.

**WHEREAS**, the final plat meets with the approval of the Board subject only to the following if any: Lot B becomes part of Lot A and is not a lot on its own.

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

##### DESCRIPTION: LOT B

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHWEST FRACTIONAL QUARTER (N½ NW FRAC¼) OF SECTION 1, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the East 49.69 Acres of the Northwest Fractional Quarter (NW FRAC¼) of said Section 1; Thence on a true bearing of South 00°09'10" East, along the West line of the East 49.69 Acres of said Northwest Fractional Quarter (NW FRAC¼), 544 feet to the Point of Beginning. Thence continuing along said West line, South 00°09'10" East, 240.00 feet to the Northeast (NE) Corner of Lot A of said Section 1; Thence North 89°13'35" West, along the North line of said Lot A, 875.00 to the Northwest (NW) Corner of said Lot A; Thence North 00°09'10" West, 240.00 feet; Thence South 89°13'35" East, 875.00 feet to the Point of Beginning. Hereafter know as Lot B of Section 1, Township 90 North, Range 38 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, is hereby accepted subject to the following if any: Lot B becomes part of Lot A and is not a lot of it's own..

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

**DESCRIPTION: LOT B**

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHWEST FRACTIONAL QUARTER (N½ NW FRAC¼) OF SECTION 1, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the East 49.69 Acres of the Northwest Fractional Quarter (NW FRAC¼) of said Section 1; Thence on a true bearing of South 00°09'10" East, along the West line of the East 49.69 Acres of said Northwest Fractional Quarter (NW FRAC¼), 544 feet to the Point of Beginning. Thence continuing along said West line, South 00°09'10" East, 240.00 feet to the Northeast (NE) Corner of Lot A of said Section 1; Thence North 89° 13' 35" West, along the North line of said Lot A, 875.00 to the Northwest (NW) Corner of said Lot A; Thence North 00°09'10" West, 240.00 feet; Thence South 89°13'35" East, 875.00 feet to the Point of Beginning. Hereafter know as Lot B of Section 1, Township 90 North, Range 38 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa

**PASSED, APPROVED AND ADOPTED** this 3rd day of February, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen Strawn, Auditor

Hach reported that the Alta City Council was favorable to the possibility of the city providing sewer facilities for Lake Creek Country Club and/or other areas in the county. The city will name a representative to attend the **Rural Sewer Project** Advisory Committee meetings.

Lyle Fast, Control Systems Specialists, discussed those things which should be done once the **care facility building** is vacated including shutting the water off and draining the pipes, turning the setpoints down which will activate the alarm for low temperatures, and disabling the roof air vents. Once the heat is turned down and the water heater is not used, fuel needs will be reduced. The backup generator runs twice a week. Brent Mangold has recommended installing a heat lamp to prevent the pipes to the lagoon from freezing.

Motion by Ringgenberg, second by Altena, to approve today's **claims approval list** and to authorize the Chair to sign. Carried.

The Chair announced that the time had come to take action on the bids received for the **county care facility**. Those received on January 16<sup>th</sup> were: \$10,000 from Shane and Nancy Lenhart, \$10,000 from Linda Walker, and \$30,000 from James Walker. The Chairman believes that since the appraised value is \$255,000, \$30,000 is not adequate. Motion by Hach, second by Arends, to reject all bids. Arends stated, in light of the additional bid, the Board could look at it, and can pursue a new option. The vote on the motion was: Altena-aye, Arends-aye, Hach-aye, Ringgenberg-aye, Merten-aye, nays-none. The motion carried.

A 4<sup>th</sup> bid for the **county care facility** was received after the deadline. The County Attorney advised that the bid could be opened for information purposes. Motion by Hach, second by Ringgenberg, to open the bid received from Guy Johns. Carried. Johns' bid was \$513,000 to be paid in two installments at the end of the first and second years of ownership. Patton will investigate the soundness of the bidder and validity of the bid. Patton noted that the bid terms -- to negotiate with any all bidders -- do not apply to the 4<sup>th</sup> bid since it was not received by the deadline. He recommended marketing through a realtor in order to reach the likely market for the property. Hach and Arends volunteered to work on a request for proposal to the county realtors.

Motion by Hach, second by Ringgenberg, to apply and to authorize the Chair to sign, an application for FY2013 SAFTEA-LU funding for the **project #FM-CO11-(BV-88)—55-11** (cold-apply overlay re-surfacing of 7 miles of M-50 from Hwy 3 to Hwy 10), for a total estimated cost at \$1,260,000;

\$756,000 (60% federal share) with 40% remainder-county through Farm-to-Market fund \$504,000. Carried.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign a funding re-application for FY'2011 for project #STP-S-CO11(77)—5E-11 (resurfacing of C-29 for 4 miles from M-54 east to the Pocahontas County line) with the request going to 60% (\$630,000) from 40% on the original application; the project would be \$1,050,000. Carried.

Ites discussed the secondary road equipment for FY2010. It was the consensus of the board to go to a single source for the motorgrader. This saves money by using the same filters, the same technology and the same software for testing. It was also the consensus of the Board that the engineer be authorized to negotiate a price on an all wheel drive motorgrader.

The Board recessed to the jail to meet with Scott Musel from the Iowa Dept. of Criminal & Juvenile Justice Agency, Sheriff Launderville, and others regarding the standards for holding juveniles in the County Jail. A combination of federal and state laws, including DHS standards, prevent holding most juveniles in the jail more than 6 hours. Following the meeting, Altena left. The other Board members returned to the Boardroom for the remainder of the meeting.

Motion by Hach, second by Ringgenberg, to set a public hearing date and time as February 10 at 8:30 a.m. on a request from Marlys Fabre for a line adjustment in Section 26, Hayes Township. Ayes—Arends, Hach, Ringgenberg, Merten. Nays—none. Carried.

Motion by Arends, second by Hach, to approve the following FY'10 salaries: Steve Wolf-\$61,500, and Tom French-\$56,645. Ayes—Arends, Hach, Ringgenberg, Merten. Nays—none. Carried.

The Board reviewed the FY'10 funding requests from outside agencies.

Motion by Hach, second by Arends, to approve the 1/13 meeting minutes and the following reports: 1/7 minutes of the Conservation Board, and 2<sup>nd</sup> Qtr FY'09 Recorder's fees. Ayes—Arends, Hach, Ringgenberg, Merten. Nays—none. Carried.

Board members' reports on meetings included: Merten & Ringgenberg attended a SLADC meeting at which a new organization is being considered; Hach-Alta City council meeting-the city is favorable to working with the Rural Sewer Project Advisory Board; Ringgenberg discussed the recent Plains Area Mental Health Center meeting at which a statistical report was reviewed, and the tele-medicine equipment has arrived; the Targeted Case Management Advisory is working on a new county management plan. The Seasons' Center sends a representative to the Targeted Case Management meeting. Sandy Pingle has been named the new Storm Lake Genesis Development Site Director. Arends attended the Iowa Lakes RC&D meeting and heard a report on the historical registry program. The coordinator is working with several pioneer cemeteries on repair and clean-up.

There being no further business, the Chair adjourned the meeting at 3:30 p.m. until Tuesday, February 10 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
SEVENTH MEETING, 2009 SESSION (7)  
FEBRUARY 10, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 10, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Hach and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Arends.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Zoning Director Kim Johnson reviewed the request of the Marlys Faber Estate for a **line adjustment**. No comments from the public. Motion by Hach, second by Ringgenberg, to close the public hearing and to approve the request and to authorize the Chairman to sign Resolution 2009-02-10-A making a line adjustment as requested by the Marlys Faber Estate. Carried.

**RESOLUTION 2009-02-10-A**

**WHEREAS**, the Estate of Marlys A. Faber has presented a preliminary and final plats (of survey) on the following described property:

**DESCRIPTION LOT C**

THE NORTH SEVEN HUNDRED TEN FEET (N.710.00') OF THE EAST FOUR HUNDRED FORTY FEET (E. 440.00') OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 26, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, EXCEPT LOT B OF SAID SECTION 26, APPEARING OF RECORD AS DOCUMENT #073279 IN THE OFFICE OF BUENA VISTA COUNTY RECORDER.

Hereafter known as Lot C of Section 26, Township 90 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 4.05 Acres, and is subject to all easements of record.

**WHEREAS**, the final plat meets with the approval of the Board subject only to the following if any: Lot C becomes part of Lot B and is not a lot of it's own.

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

**DESCRIPTION LOT C**

THE NORTH SEVEN HUNDRED TEN FEET (N.710.00') OF THE EAST FOUR HUNDRED FORTY FEET (E. 440.00') OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 26, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, EXCEPT LOT B OF SAID SECTION 26, APPEARING OF RECORD AS DOCUMENT #073279 IN THE OFFICE OF BUENA VISTA COUNTY RECORDER. Hereafter known as Lot C of Section 26, Township 90 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, is hereby accepted subject to the following if any: Lot C becomes part of Lot B and is not a lot of it's own.

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

**DESCRIPTION LOT C**

THE NORTH SEVEN HUNDRED TEN FEET (N.710.00') OF THE EAST FOUR HUNDRED FORTY FEET (E. 440.00') OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 26, TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, EXCEPT LOT B OF SAID SECTION 26, APPEARING OF RECORD AS DOCUMENT

#073279 IN THE OFFICE OF BUENA VISTA COUNTY RECORDER. Hereafter known as Lot C of Section 26, Township 90 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 10th day of February, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors..... /s/ Karen Strawn, Auditor

Sheriff Gary Launderville discussed the cost of adult probation oversight. The current administrative fee for this oversight is \$100, however this amount does not cover the expenses. Currently he has 80 persons assigned to him. The oversight includes lots of paperwork which is time-consuming. Some of the individuals aren't living in BV County which increases the cost. Altena commented that the Sheriff can't do that type of oversight for \$100. Motion by Hach, second by Ringgenberg, to approve and to authorize the Sheriff to increase the administrative fee charged to persons on probation from \$100 to \$200. Carried.

Today's meeting with the architect at the LEC was postponed until a later date.

Launderville discussed the bill from Oakdale for Jose Tovar for 2nd Qtr FY'09 services. Tovar was ordered to that facility for evaluation. His research has identified a possible source of funding from the state through the Public Defender's Office.

Motion by Hach, second by Altena, to approve the minutes of the 2/3 meeting as corrected. Carried..

Deputy Auditor Leigh Madsen reviewed information received from VSP, the county's vision insurance provider, regarding the addition of progressive lenses to the plan. The cost would be \$2,284.80 (a 16% increase in the vision premium). It was the consensus of the Board not to consider increases in vision benefit. Madsen also discussed the addition of certain immunizations to the Wellmark health plan. Some immunizations are age-restricted (shingles shots would be available only to those over the age of 60.) It was the consensus to make no changes to the health plan benefits. Motion by Hach, second by Ringgenberg, to approve the final health, vision, and dental premiums for FY'10. Carried.

County Share	Health \$750 deduct.	Health \$1000 deduct.	Dental	Vision
Single	\$437.34	\$437.34	\$27.63	\$10.58
Family	\$334.24	\$384.29	\$17.68	\$0.00
Total	\$771.58	\$821.63	\$45.31	\$10.58

The Board reviewed some preliminary figures on the FY'10 budget. The Chairman will meet with the department heads on Thursday.

There being no further business, motion by Altena, second by Hach, to adjourn the meeting at 11:35 a.m. until Tuesday, February 17 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
EIGHTH MEETING, 2009 SESSION (8)  
FEBRUARY 17, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 17, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Several **FY'10 budget** proposals were reviewed, including options which implement a multi-year Capital Projects program.

Engineer Jon Ites has negotiated a price with Ziegler Caterpillar, for \$186,860, on an all-wheel drive leased **motorgrader** with trade-in with about 200 hours on it. He discussed current proposed legislation. Although the stimulus package has been signed, the amount available for roads isn't known at the current time.

Motion by Ringgenberg, second by Hach, to approve the **minutes** of the 2/10 meeting as printed. Carried.

Motion by Hach, second by Arends, to approve the following claims, and to authorize the Chair to sign: **Jt DD #1 Lat 2 OD** to Kuehl & Payer for watchman duties regarding the spray program \$73.00; **Jt DD #1 MOD** to Kuehl & Payer for watchman duties regarding the spray program \$73.00; **Jt. DD #1 Lat 1 OD** to Kuehl & Payer for watchman duties regarding the spray program \$73.00. Carried.

Motion by Arends, second by Hach, to deny the **claim** to Qwest for a subscription for Conservation in the amount of \$78.48, pending further investigation. Carried. Motion by Altena, second by Arends, to approve today's **claims approval list**, except for the payment of \$78.48 to Qwest, and to authorize the Chairman to sign. Carried.

EnvHealth/Zoning Director Kim Johnson discussed the possibility of **re-zoning** a property just north of Alta to commercial.

11:00 a.m.--The time having arrived for the bid opening for the **DD #34 Lat 2** tree clearing project, it was determined that a bid notice had not been published as required. The Chair announced the hearing would be continued to March 3, 2009 at 11:00 a.m. to allow for two legal publications of the notice in the Storm Lake Pilot-Tribune.

Motion by Arends, second by Altena, to approve the following **reports**: 1/15 minutes of the NWIPDC Policy Council, YES Center annual report, and the Feb. CIJDC reports, and the Jan monitoring report of Spectra lagoon by Mangold Environmental. Carried.

Altena reported on having attended the February **meeting** of the Buena Vista Solid Waste Commission.

Altena left the meeting.

Motion by Arends, second by Ringgenberg, to set the **Rural Basic tax levy for Secondary Roads** at 84.75% of the maximum. Ayes—Arends, Hach, Ringgenberg, Merten; nays—none; abstentions—none. Carried.



The Chair discussed ending services to be provided by Larson Oil for the county care facility once the facility is vacated. Sue Morrow has requested an extension of the date when she will vacate the administrator's residence. The Chair will contact her.

Other meeting reports included: Merten attended the monthly meeting of CIJDC, & De-Cat. Board Members also attended budget hearing meetings of the Conference Board, the Emergency, Management Agency, and also the Farm Bureau meeting, and the Rural Sewer Project Advisory Board. Arends will attend the RIDES meeting this Thursday.

It was noted that the DHS Advisory Board, to which Ken Hach was appointed, no longer functions, and that the information is now communicated through the De-Cat Board. Also, Char Anderson is no longer attending meetings of the Season's Board, since the county has contracted with Plains Area Mental Health for block grant services

There being no further business, motion by Arends, second by Hach, to adjourn the meeting at 1:20 p.m. until Tuesday, February 24 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
NINTH MEETING, 2009 SESSION (9)  
FEBRUARY 24, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 24, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

The Board discussed the proposed resolutions for setting public hearing dates for consideration of the issuance of GO Capital Loan Notes (purpose, amounts, types, etc.) The Auditor will ask for clarification of the wording.

County Attorney Dave Patton was present for the discussion of a notice to Sue Morrow regarding her tenancy of the administrator's residence at the county care facility, rental terms for the residence if she chooses to stay after March 1<sup>st</sup>, and an inventory of the CCF. It was the consensus of the Board to give notice and to set the rent at \$800/mo plus utilities. Patton will prepare a letter.

CPC Dawn Mentzer discussed the reduction in mental health property tax relief due to the governor's across-the-board budget cuts, and funding that will be coming out of the economic stimulus package from the federal government. It was the consensus of the Board to set the FY'10 mental health fund levy at 70% of the maximum, a drop from 80% in FY'09. Mentzer also discussed proposed

legislation introduced by Senator Jack Hatch to form a regional services network. Counties would need to form 'clusters' of counties with a total population of not less than 100,000.

The Chair left the meeting, and Arends chaired the next portion of the meeting.

Engineer Jon Ites gave a secondary road report and requested a date for a bid letting. Motion by Hach, second by Altena, to set a bid letting date of March 31 at 11:00 a.m. for **project # L-MS-466(1-09)—73-11** – a maintenance resurface sealcoat project for M-53 west of Newell, from Hwy 7 to C-49, and to authorize Board members to sign. Carried.

The Board reviewed the proposed **FY'10 budget**, including the reduction of the mental health levy; the auditor asked if there were any other changes to be considered. Arends stated that the budget includes reasonable numbers; it is a tax increase, but is reasonable. Hach commented that he doesn't like the increase, but we can live with it. Ringgenberg stated that the Board has been fair with both the departments and the taxpayers. It was the consensus of the Board to proceed and direct the auditor to publish the proposed budget.

Supervisor **meeting reports**: Arends attended RIDES & NWPIDC meetings. Both organizations have submitted applications for federal stimulus dollars and are concerned about having enough contractors for the project submitted. Hach attended the meeting with Harkin's staff member and the Board of Health meeting. To provide flexibility for the PH Agency, several nurses are employed part time so that their time can be adjusted to changing case loads. Ringgenberg attended the Water Quality Project; a grant application is being written by Jeff Kestel for the next 3 years' work in the watershed. She will attend the Plains Area MHC meeting tonight, and tomorrow - Empowerment.

Motion by Hach, second by Ringgenberg, to approve the **minutes** of the 2/17 meeting as printed. Ayes—Altena, Hach, Ringgenberg, Arends; nays—none; abstentions—none. Carried.

Motion by Hach, second by Altena, to approve the following claims to Clay County Secondary Roads: **Jt DD #14-42 MOD**-\$6,183.00 for tree removal, **Jt DD #22 Lat 310**-\$221.00 for tile repair, and **Jt DD #22 Br 129**-\$252.25 for tile repair. Ayes—Altena, Hach, Ringgenberg, Arends; nays—none; abstentions—none. Carried

Motion by Hach, second by Ringgenberg, to approve and to authorize the Vice-Chair to sign an engagement letter with Mark Cory, Ahlers & Cooney, P.C. for **legal services** related to the issuance of GO Capital Loan Notes. Ayes—Altena, Hach, Ringgenberg, Arends; nays—none; abstentions—none. Carried

Steve Bawden, Bawden Tiling, Rockwell City, discussed the tree clearing contracts awarded to him in 2006 and 2007 for **drainage district tree clearing projects**. The work is complete or nearly complete on two of the projects. He stopped work on it when he determined that the tree count was incorrect, and that the work could not be completed under the \$15,000 limit. Brian Blomme, Kuehl & Payer, stated that Greg Villegas, had given Bawden approval to continue, but should not have done so. Only the Board of Trustees can authorize an increase. The estimate of \$15,600 is less than 75% of the original cost, and can be approved if authorized by the Board. Motion by Hach, second by Altena, to authorize Bawden to proceed with removal and disposal of the remaining trees with a July 1, 2009 completion date, and to increase the DD#34 contract amount to \$15,650. Ayes—Altena, Hach, Ringgenberg, Arends; nays—none; abstentions—none. Carried

Merten returned to the meeting and chaired the remainder of the meeting.

It was noted that the public hearing, originally scheduled for today's meeting, regarding the **petition for an election to establish a sanitary district**, has been rescheduled for March 24. Notices,

to be delivered by the Post Office, were not sent out in time to meet the 'not less than 20 day' requirement for the hearing to be held today.

Motion by Arends, second by Ringgenberg, to approve the **FY'10 budgeted transfer** from General Basic to Secondary Road at 87.5% of the maximum transfer, or \$119,283. Carried.

#### **RESOLUTION 2009-02-24-A**

Board Member Arends introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$630,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF BUENA VISTA COUNTY, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Ringgenberg seconded the motion to adopt. The roll was called and the vote was: ayes: Altena, Arends, Hach, Ringgenberg, Merten; nays: none. Whereupon, the Chairperson declared the Resolution duly adopted as follows:

#### **RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$630,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF BUENA VISTA COUNTY, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF**

**WHEREAS**, it is deemed necessary and advisable that the County of Buena Vista, State of Iowa, should provide for the authorization of a Loan Agreement and the issuance of General Obligation Capital Loan Notes to the amount of not to exceed \$630,000, as authorized by Section 331.402, 331.441 and 331.443, Code of Iowa, as amended, for the purpose of providing funds to pay costs of carrying out an essential county purpose project as hereinafter described; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, before the Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action;

**NOW THEREFORE, BE IT RESOLVED** BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board shall meet in the Public Meeting Room, County Courthouse, 215 E. 5<sup>th</sup> Street, Storm Lake, at 10:30 o'clock A.M., on the 16th day of March, 2009, for the purpose of taking action on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$630,000 General Obligation Capital Loan Notes to evidence the obligations of the County thereunder for an essential county purpose, the proceeds of which will be used to pay costs of peace officer communications equipment, voting machines and improvements, and equipping of public buildings in an amount not to exceed \$600,000.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$630,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least on publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County, the publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of Notes.

Section 4. The notice of the proposed action shall be in substantially the following form:

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$630,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (FOR AN ESSENTIAL COUNTY PURPOSE) AND THE PUBLIC HEARING ON THE AUTHORIZATION AND ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Buena Vista County, Iowa, will hold a public hearing on the 16<sup>th</sup> day of March, 2009, at 10:30 o'clock A.M., in the Public Meeting Room, County Courthouse, 215 E. 5<sup>th</sup> Street, Storm Lake, Iowa, at which meeting the Board proposes to take additional action for authorization of a Loan Agreement (payable from the debt service fund) and the issuance of not to exceed \$630,000 General Obligation Capital Loan Notes for an essential county purpose, in order to pay costs of peace officer communications equipment, voting machines and improvements, and equipping of public buildings in an amount not to exceed \$600,000.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County, to the above action. After all objections have been received and considered, the Board will at this meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder or will abandon the proposal.

This Notice is given by order of the Board of Supervisors of Buena Vista County, State of Iowa, as provided by Section 331.402, 331.441 and 331.443 of the Code of Iowa, as amended.

Dated at Storm Lake, Iowa, this 24<sup>th</sup> day of February, 2009.

/s/ Karen M. Strawn

County Auditor of Buena Vista County

State of Iowa

(End of Notice)

**PASSED AND APPROVED** this 24<sup>th</sup> day of February, 2009.

/s/ Paul Merten, Chairperson .....Attest: /s/ Karen M. Strawn, County Auditor

#### **RESOLUTION 2009-02-24-B**

Board Member Altena introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$65,000 OF GENERAL OBLIGATION CAPITAL LOAN NOTES (FOR A GENERAL COUNTY PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Arends seconded the motion to adopt. The roll was called and the vote was: ayes: Altena, Arends, Hach, Ringgenberg, Merten; nays: none. Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A  
LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$65,000 OF  
GENERAL OBLIGATION CAPITAL LOAN NOTES (FOR A GENERAL COUNTY PURPOSE)  
AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

**WHEREAS**, the County of Buena Vista, State of Iowa, is in need of funds to carry out general county purpose project as hereinafter described; and, it is deemed necessary that it should provide for the authorization of a Loan Agreement and the issuance of General Obligation Capital Loan Notes to the amount of not to exceed \$65,000, as authorized by Section 331.402, 331.441 and 331.442 Code of Iowa, for the purpose of providing funds to pay costs thereof; and

**WHEREAS**, said County has a population of more than 20,000 but not more than 50,000, and the amount of this portion of said proposed note issued is not more than \$200,000.00; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, before said a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of Section 331.40, 331.441 and 331.42 of the Code of Iowa, and to publish a notice of the proposal to issue such notes and the right to petition for an election;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF BUENA VISTA, STATE OF IOWA:**

Section 1. That this Board shall meet in the Public Meeting Room, County Courthouse, 215 E. 5<sup>th</sup> Street, Storm Lake, at 10:40 o'clock A.M., on the 16<sup>th</sup> day of March, 2009, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$65,000 of General Obligation Capital Loan Notes, the proceeds of which notes will be used to provide funds to pay costs of acquisition and equipping of vehicles for the Sheriff's Department, and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. That the Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County, said publication to be not less than ten clear days before the date of said public meeting on the issuance of said notes.

Section 3. The notice of the proposed action to issue said notes shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNTY OF BUENA VISTA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$65,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION CAPITAL LOAN NOTES (FOR A GENERAL COUNTY PURPOSE), AND HEARING ON ISSUANCE OF SAID NOTES

PUBLIC NOTICE is hereby given that the Board of Supervisors of Buena Vista County, Iowa, will hold a public hearing on the 16<sup>th</sup> day of March, 2009, at 10:40 o'clock A.M., in the Public Meeting Room, County Courthouse, 215 E. 5<sup>th</sup> Street, Storm Lake, Iowa at which meeting the Board of Supervisors proposes to take action for the authorization of a Loan Agreement and the issuance of not to exceed \$65,000 of General Obligation Capital Loan Notes, for a general county purpose, bearing interest at the rate of not to exceed nine (9%) per centum per annum, said notes to be issued for the purpose of providing funds to pay costs of acquisition and equipping of vehicles for the Sheriff's Department. Principal and interests on the proposed Loan Agreement shall be payable from the Debt Service Fund.

This Notice is given by order of the Board of Supervisors of the County of Buena Vista, State of Iowa, as provided by Section 331.402, 331.441 and 331.442 of the Code of Iowa.

At any time before the date of said meeting, a petition, asking that the question of entering into a Loan Agreement and issuing such notes be submitted to the legal voters of said County, may be

filed with the Auditor of said County in the matter provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Section 331.402, 331.441 and 331.442 of the Code of Iowa.

Dated at Storm Lake, Iowa, this 24<sup>th</sup> day of February, 2009.

/s/ Karen M. Strawn  
County Auditor of Buena Vista County  
State of Iowa

(End of Notice)

**PASSED AND APPROVED** this 24<sup>th</sup> day of February, 2009.

/s/ Paul Merten, Chairperson .....Attest: /s/ Karen M. Strawn, County Auditor

#### **RESOLUTION 2009-02-24-C**

Board Member Merten introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$75,000 OF GENREAL OBLIGATION CAPITAL LOAN NOTES (FOR A GENERAL COUNTY PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Ringgenberg seconded the motion to adopt. The roll was called and the vote was: ayes: Altena, Arends, Hach, Ringgenberg, Merten; nays: none. Whereupon, the Chairperson declared the Resolution duly adopted as follows:

#### **RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$75,000 OF GENERAL OBLIGATION CAPITAL LOAN NOTES (FOR A GENERAL COUNTY PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF**

**WHEREAS**, the County of Buena Vista, State of Iowa, is in need of funds to carry out a general county purpose project as hereinafter described; and, it is deemed necessary that it should provide for the authorization of a Loan Agreement and the issuance of General Obligation Capital Loan Notes to the amount of not to exceed \$75,000, as authorized by Section 331.402, 331.441 and 331.442 of the Code of Iowa, for the purpose of providing funds to pay costs thereof; and

**WHEREAS**, said County has a population of more than 20,000 but not more than 50,000, and the amount of this portion of said proposed not issue is not more than \$200,000.00; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, before said Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligations of the County thereunder, it is necessary to comply with the provisions of Section 331.402, 331.441 and 331.442 of the Code of Iowa, and to publish a notice of the proposal to issue such notes and the right to petition for an election;

**NOW, THEREFORE, BE IT RESOLVED** BY THE BOARD OF SUPERVISORS OF THE COUNTY OF BUENA VISTA, STATE OF IOWA:

Section 1. That this Board shall meet in the Public Meeting Room, County Courthouse, 215 E. 5<sup>th</sup> Street, Storm Lake, at 10:50 o'clock A.M., on the 16th day of March, 2009, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$75,000 of General Obligation Capital Loan Notes, the proceeds of which notes will be used to provide funds to pay costs of acquisition of vehicles and equipment for the Public Health and Conservation Departments, and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. That the Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County, said publication to be not less than ten clear days before the date of said public meeting on the issuance of said notes.

Section 3. The notice of the proposed action to issue said notes shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNTY OF BUENA VISTA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$75,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION CAPITAL LOAN NOTES (FOR A GENERAL COUNTY PURPOSE), AND HEARING ON ISSUANCE OF SAID NOTES

PUBLIC NOTICE is hereby given that the Board of Supervisors of Buena Vista County, Iowa, will hold a public hearing on the 16<sup>th</sup> day of March, 2009, at 10:50 o'clock A.M., in the Public Meeting Room, County Courthouse, 215 E. 5<sup>th</sup> Street, Storm Lake, Iowa, at which meeting the Board of Supervisors proposes to take action for the authorization of a Loan Agreement and the issuance of not to exceed \$75,000 of General Obligation Capital Loan Notes, for a general county purpose, bearing interest at the rate of not to exceed nine (9%) per centum per annum, said notes to be issued for the purpose of providing funds to pay costs of acquisition of vehicles and equipment for the Public Health and Conservation Departments. Principal and interest on the proposed Loan Agreement shall be payable from the Debt Service Fund.

This Notice is given by order of the Board of Supervisors of the County of Buena Vista, State of Iowa, as provided by Sections 331.402, 331.441 and 331.442 of the Code Iowa.

At any time before the date of said meeting, a petition, asking that the question of entering into a Loan Agreement and issuing such notes be submitted to the legal voters of said County, may be filed with the Auditor of said County in the matter provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Section 331.402, 331.441 and 331.442 of the Code of Iowa.

Dated at Storm Lake, Iowa, this 24<sup>th</sup> day of February, 2009.

/s/ Karen M. Strawn  
County Auditor of Buena Vista County  
State of Iowa

(End of Notice)

**PASSED AND APPROVED** this 24<sup>th</sup> day of February, 2009.

/s/ Paul Merten, Chairperson .....Attest: /s/ Karen M. Strawn, County Auditor

Motion by Arends, second by Altena, to set the date of **public hearing** for the Buena Vista County FY'10 budget, including the intent to levy a general basic fund tax at a rate which exceeds the statutory maximum, for March 16<sup>th</sup>, 2009, at 11:00 A.M. in the Public Meeting Room of the Buena Vista County Courthouse. Ayes—Altena, Arends, Hach, Ringgenberg, Merten. Nays—none. Abstentions—none. Carried.

Altena left the meeting.

It was the consensus of the Board to list the **county care facility** property for sale with Century 21 due to its nationwide presence. The roll was called and the vote was: ayes: Altena, Arends, Hach, Ringgenberg, Merten; nays: none. Carried.

There being no further business, motion by Hach, second by Arends, to adjourn the meeting at 12:15 p.m. until March 3 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TENTH MEETING, 2009 SESSION (10)  
MARCH 3, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 3, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, and Hach, and with Auditor Karen Strawn as clerk for the meeting. Absent: Ringgenberg.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, and Merten. Nays: none. Abstentions: none.

Weed Commissioner Norm Lund, and Assistant Weed Commissioner Dave Wiley, were present for the weed chemical bid opening. Five bids were received. Motion by Arends, second by Hach, to accept the low bid of \$16.85/gal for Hi-Dep (weed chemical) from Rod's Fertilizer Sales, Galva, contingent on the chemical rebate being returned to the County. Carried. (Later in the meeting Lund informed the Board that Rod's Fertilizer was planning to keep the rebate. He will check with the second low bidder.)

Treasurer Kathy Bach, Real Estate Clerk Jean Allerdings, and Richard Lode discussed his request to acquire a part of the C. E. Anderson property in Sioux Rapids. Currently, there is no accurate legal description for the parcel due to the re-location of Hwy 71, and the change in the river channel. He is interested in the 1-2 acres on the west side of Hwy 71. The city of Sioux Rapids is interested in the portion on the east side of the highway. A survey is needed to identify the exact location and to create the new legal description. The County has issued a public bidder's certificate #9246 but nothing can be done until the survey is done. The taxes are delinquent back to 1992 – about \$6,000 without interest and penalties. Motion by Arends, second by Hach, to order a survey for the **C. E. Anderson property** in Sioux Rapids, including both sides of highway. Carried. Bach will send a letter to Steve Wagner (with a 10 day response window) who has been farming it, and who may have an interest in it.

Motion by Hach, second by Altena, to approve the **minutes** of 2/24 meeting as printed. Carried.

Motion by Arends, second by Hach, to approve the following **reports**: Feb 12 minutes of the Solid Waste commission, and the Feb. monitoring report of the Spectra lagoon by Mangold Environmental. Carried.

Motion by Arends, second by Hach, to set a hearing on a **line adjustment request** for a property transfer from Franzmeier to Johansen Farms as March 10 at 8:30 a.m. in the Board Room, and to set a public hearing on the **rezoning request** of Denny Launderville for Patriot Storage, in Section 14, Nokomis Twp as March 24<sup>th</sup> at 8:30 a.m. in the Board Room. Carried.



Motion by Altena, second by Arends, to approve today's claims approval list. Carried.

Motion by Hach, second by Altena, to approve the class C liquor license application and outdoor service and Sunday sales submitted by Little Sioux Golf & Country Club, Sioux Rapids. Carried.

Motion by Altena, second by Hach, to approve and to authorize the Vice-Chair to sign the amendment to FY'09 County Substance Abuse Prevention Services contract with the Iowa Dept. of Public Health. Carried.

The Chair briefed the rest of the Board on the activity at the county care facility. Auctioneer Kevin Cone has evaluated the items which could be sold at auction. The facility needs to be cleaned out for the best presentation to prospective buyers. He will ask the listing broker whether to leave the kitchen equipment to sell with the property, or not. He has not heard a response from Sue Morrow regarding the certified notice sent by the County Attorney. He plans to go out on the 9<sup>th</sup> to look the property over again. It was the consensus of the Board to set the auction date as April 5<sup>th</sup>.

The Chair discussed a request from the Nurse Administrator for matching funds to use with a community foundation grant, if approved. The project is a sidewalk from the LEC parking lot to the Expansion Blvd. warehouse to provide for safe walking between the buildings. Currently, employees have to walk in the street. Merten has called the city to find out what their requirement regarding a sidewalk might be. Bogue had asked whether she should pursue the grant. No action was taken with the mention of postponing the issue for consideration in the future.

The Chair has been contacted by a person who has an interested buyer for the Albert City Vera-Sun (US Bio) ethanol plant. He would like to know if the property tax abatement agreed to by a prior Board of Supervisors, would be available to the purchaser. Merten has spoken to Paul Stueckrad, Iowa Dept. of Economic Development, about their agreement with US Bio. He believes that the County can extend the same agreement, re-negotiate, or even eliminate it if they choose. The county portion is separate from anything from the IDED agreement. Currently, there are taxes coming in on the land; with the abatement being on the building only. It was Merten's idea that the identity would make a difference to him in what new agreement might be reached.

JPO Bob Fritz discussed a recent admission at the YES Center. Due to the number of days in the facility, they were looking to consider another placement, but he has now been released and gone from the community.

Engineer Jon Ites presented ROW agreement. Motion by Hach, second by Arends, to approve and to authorize the Chair to sign a C-65 ROW purchase from Cecil & Betty Chindlund. Carried.

Motion by Arends, second by Hach, to approve and to authorize the Chair to sign the agreement between BV County & IDOT for construction of guardrails on the M-36 bridge north of Hwy 7 and south Hwy 3, Project #BRF-3-2(53)—38-11. Carried. 50% of the funding will come from the state.

Motion by Altena, second by Arends, to approve the utility permit submitted by Iowa Telecom, Newton, to update voice cable on 490<sup>th</sup> between 140<sup>th</sup> and 150<sup>th</sup> Ave to provide service to Roger Skelton, at 1456 490<sup>th</sup> St. between Sections 5-8, Lincoln Twp. Carried.

Motion by Arends, second by Altena, to approve the utility permit submitted by Iowa Lakes Regional Water, Spencer, to install 2" PVC main line between Sections 23-24 Scott Twp, to provide service to Jeff Anderson, at 1165 520<sup>th</sup> St. Carried.

Motion by Arends, second by Hach, to accept a revised invoice #0021302 from Kuehl & Payer for DD #34 (a reduction from \$519.89 to \$230.89). Carried.

11:00 a.m. – The time having arrived for the bid letting on the tree clearing project on DD #34 Lat 2, Brian Blomme, Kuehl & Payer, reviewed the actions which the Board can take including the waiving of any technicalities, or they could reject all. A 10% bid security is required to accompany each bid. Bids were received from King Construction-Wall Lake, Schoon Construction-Cherokee, Christian Brothers-Sioux Rapids, Reutzel Excavation-Burt, L. A. Carlson-Merrill, and Carnavon Sand & Gravel-Wall Lake. It was the recommendation of Engineer Droessler that the Board accept the low bid of Carnavon Sand & Gravel. Assistant Engineer Steve Wolf commented that it might not be advisable to let this contract at this time due to the financial condition of the drainage district. Treasurer Kathy Bach discussed the waivers with 34 taxpayers which have 3 years left. Some of the DD 34 owners are included in other drains which have current assessments. Droessler explained that this project is a maintenance activity and that it is the obligation of the Trustees to maintain the district. He believes that this project does not represent a major expenditure. Prior to 2000, brush management was not done consistently. Motion by Arends, second by Altena, to accept the low bid from Carnavon Sand & Gravel for the tree removal project in the amount of \$67,611.00. Ayes—Altena, Arends, Merten. Nays—Hach. Abstentions—none. Carried. Arends stated that not to proceed will be a waste of nearly a quarter of a million dollars already invested.

Altena left the meeting.

Engineer Jon Ites reviewed the Code of Iowa with regard to replacement of a bridge, which some members of the public have voiced their opposition.

Motion by Hach, second by Arends, to approve the amendment to the FY'09 DOT budget & construction program, and to authorize the Chair to sign. Ayes—Arends, Hach, Merten. Nays—none. Abstentions—none. Carried.

Motion by Hach, second by Arends, to approve the FY'10 IDOT budget & construction program as proposed, and to authorize the Chairman to sign. Ayes—Arends, Hach, Merten. Nays—none. Abstentions—none. Carried.

In response to an inquiry from the IT Technician, it was the consensus of the Board that time worked on a holiday should be paid at straight time unless the worked time exceeded 40 hours for the week. In the future, time off can be allowed for the time worked on the holiday.

There being no further business, the Chairman adjourned the meeting at 1:15 p.m. until March 10 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
ELEVENTH MEETING, 2009 SESSION (11)  
MARCH 10, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 10, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

The Chair opened the public hearing on a request for a line adjustment. Kim Johnson, EnvHealth/Zoning Director reviewed the location. There being no public comment, motion by Hach, second by Ringgenberg, to close the public hearing. Carried. Motion by Hach, second by Arends, to approve and to authorize the Chair to sign Resolution 2009-03-10-A approving a line adjustment in Section 8 of Grant Township. Carried.

#### **RESOLUTION 2009-03-10-A**

**WHEREAS**, Joni Johannsen has presented a preliminary and final plats (of survey) on the following described property:

##### **DESCRIPTION LOT B**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 8, TOWNSHIP 91 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 8; Thence on a previously recorded bearing of North 90°00'00" West, along the South line of said Southeast Quarter (SE¼), 460.38 feet to the Point of Beginning; Thence continuing North 90°00'00" West along said South line, 161.65 feet to the East line of a tract of described in document #043272 in the office of the Buena Vista County Recorder; Thence North 01°05'55" East, along said East line, 333.46 feet; Thence South 90°00'00" East 155.26 feet; Thence South 00°00'00" West, 333.40 feet to the Point of Beginning. Hereafter known as Lot B of Section 8, Township 91 North, Range 36 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 1.21 Acres and is subject to all easements of Record.

**WHEREAS**, the final plat meets with the approval of the Board subject only to the following if any: Lot B becomes part of the existing Parcel described in document # 043272 in the Office of the Buena Vista County Recorder, and is not a lot of its own.

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

##### **DESCRIPTION LOT B**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 8, TOWNSHIP 91 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 8; Thence on a previously recorded bearing of North 90°00'00" West, along the South line of said Southeast Quarter (SE¼), 460.38 feet to the Point of Beginning; Thence continuing North 90°00'00" West along said South line, 161.65 feet to the East line of a tract of described in document #043272 in the office of the Buena Vista County Recorder; Thence North 01°05'55" East, along said East line, 333.46 feet; Thence South 90°00'00" East 155.26 feet; Thence South 00°00'00" West, 333.40 feet to the Point of Beginning. Hereafter known as Lot B of Section 8, Township 91 North, Range 36 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. is hereby accepted subject to the following if any: Lot B becomes part of the existing Parcel described in document #043272 in the Office of the Buena Vista County Recorder, and is not a lot of its own.

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

##### **DESCRIPTION LOT B**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 8, TOWNSHIP 91 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 8; Thence on a previously recorded bearing of North 90°00'00" West, along the South line of said Southeast Quarter (SE¼), 460.38 feet to the Point of Beginning; Thence continuing North 90°00'00" West along said South line, 161.65 feet to the East line of a tract of described in document #043272 in the office of the Buena Vista County Recorder; Thence North 01°05'55" East, along said East line, 333.46 feet; Thence South 90°00'00" East 155.26 feet; Thence South 00°00'00" West, 333.40 feet to the Point of Beginning. Hereafter known as Lot B of Section 8, Township 91 North, Range 36 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 10<sup>th</sup> day of March, 2009.

/s/ Paul Merten, Chair. Board of Supervisors...../s/ Karen M. Strawn, County Auditor

Johnson distributed copies of the proposed 'time of transfer' inspection. This document has helped property owners better understand how they will be impacted if they decide to sell their property after 7/1/09. Johnson noted that Engineer Neal Kuehl has provided some numbers with regard to the options for the rural sewer needs.

Motion by Hach, second by Altena, to approve the minutes of the 3/3 meeting as printed. Carried.

The Chair announced that Gary Christiansen and Doug Simons had earned "Years of Service" this year for 25 years of service to Buena Vista County.

Motion by Arends, second by Altena, to approve the following report: 2/10 Board of Health minutes. Carried.

Motion by Arends, second by Hach, to approve and to authorize the Chair to sign a letter of recommendation for Garland Otto for a \$500 National Scholarship by the Iowa Association of County Commissioners of Veterans Affairs. Carried.

Motion by Arends, second by Ringgenberg, to approve (IT Technician) Patti Maymon's request for time-and-a-half 'comp time' for her hours on the holiday – February 16. Carried. Working on the computer network on a holiday avoided interruption of the computer network services to all departments on a regular business day.

Motion by Hach, second by Arends, to approve and to authorize the Chair to sign an agreement (Agreement#03-09-exp-008) for Project #ESFM-CO11(67)—55-11. Carried. The project is an 'un-bonded PCC overlay of East Milwaukee (600th Street) from Geisinger Rd east to the intersection of US 71 (1.625 miles). The federal funds (federal highway stimulus) would be provided on a reimbursement basis for a maximum of 110% of the projected cost of \$750,000.

Motion by Arends, second by Hach, to approve and to accept the Engineer's recommendation of the low quote of Keith Hagendorn in the amount of \$2.18/ton for gravel crushing (70,000-75,000 ton) at the Whitney Pit between Linn Grove and Sioux Rapids. Carried.

Ites informed the Board that the former DOT shed at the Hudson St. site will be torn down, with the concrete pad left in place.

Motion by Ringgenberg, second by Altena, to approve and to authorize the Chair to sign the underground utility permits submitted by Iowa Telecom, Newton, to install cable between Sections 17-20, Brooke Township, and to install cable between Sections 23-26, Providence Township. Carried.

Weed Commissioner Norm Lund reported that the Alta Coop was not expecting to apply for the rebate provided by the manufacturer of the HiDep weed chemical. He recommended acceptance of their bid. It was the consensus of the Board to accept the bid 1<sup>st</sup> Coop of Alta of \$17.85/gal for 600 gallons of HiDep.

Motion by Arends second by Hach, to approve an amendment to the current agreement with **RIDES**; the amendment reduces the night taxi to every other Thursday evening. Carried.

The Board acknowledged a letter from Meridian Manufacturing Group regarding a **drainage problem**. The Chair will discuss the matter with the county engineer.

Supervisors **meeting reports** included: 3<sup>rd</sup>Judicial District-Hach, YES Center-Hach, County Case Management Services-Merten, Plains Area Mental Health Center-Ringgenberg and the Solid Waste Commission-Altena.

There being no further business, motion by Hach, second by Ringgenberg, to adjourn the meeting at 12:30 p.m. until March 16 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWELFTH MEETING, 2009 SESSION (12)  
MARCH 16, 2009**

The Buena Vista County Board of Supervisors met in regular session on Monday, March 16, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Court Appointed Special Advocate Director Kathy Fritz and Intern Anna Paulsen were present to request the use of the courtyard for a candlelight vigil on April 9<sup>th</sup>. April is "Child Abuse Prevention" month. Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign the application of CASA to hold a **Candlelight Vigil** to be held in the courtyard on April 9<sup>th</sup>, and to waive the damage deposit. Carried.

Treasurer Kathy Bach reviewed the history on Buena Vista Public Bidder's Certificate #050203 which has 2 year's delinquent taxes currently. She recommended a tax compromise to get the property on the tax rolls and allow a clear title. A title cannot be transferred until the delinquent taxes are paid. Motion by Hach, second by Altena, to offer to Anna Salazar (for mobile home title #11-W129122) a **tax compromise** on the delinquent taxes, penalties and interest for \$1,000.00 (with the amount of taxes only being \$912.00). Carried.

Motion by Arends, second by Altena, to approve the **minutes** of the 3/10 meeting as printed, and the following **reports**: February 9th minutes-Conservation Board, Feb 19<sup>th</sup> minutes of the NWIPDC Policy Council, Jan 6<sup>th</sup> & Feb 10<sup>th</sup> Emergency Management Commission. Carried.

Motion by Ringgenberg, second by Arends, to approve and to authorize the Chair to sign tomorrow's **claims approval list** subject to review of the Board. Carried.

Sheriff Gary Launderville discussed the proposed agreement with Dr. Archer to provide **medical care for jail inmates**. Motion by Arends, second by Hach, to approve and to authorize the Chair to sign a medical services agreement with Dr. David Archer for medical services for jail inmates (for a period ending 12/31/09). Carried. Launderville is working to update the law enforcement contracts with the small towns.

Last week's surprise jail inspection by the state jail inspector was prompted by a **civil rights complaint** to the ombudsman due to the temperature in the jail. Tessier's has made the adjustments to the HVAC system, but all of the issues have not been resolved. Tessier's has stated that they have done all that they can according to specifications provided by the architect and engineer. Construction Manager John Hansen will take 'one last shot' to work on it with them. Launderville will also contact the County Attorney about the best way to pursue the next step.

Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign the renewal of the **SHIELD** membership for FY'10. Carried.

Engineer Jon Ites discussed the proposed **detour agreement** for the bridge replacement on Hwy 3. The detour route will begin at Hwy 3 and M-36, going south to Hwy 7, going east to M-36, and then north back to Hwy 3. Motion by Hach, second by Arends, to approve the detour agreement with the IDOT for the Hwy 3 bridge replacement; the agreement will be good from August 1, 2009 until October 1, 2010. Carried.

Ites discussed the letter received from Meridian Manufacturing about a drainage problem. Their property is in **DD #40**, which outlets into DD#13/DD#13sub 1. The city uses the district for the storm sewer. The Code of Iowa allows for a drainage district to be turned over to a city. He recommended appointing Drainage Attorney, Gary Armstrong, to investigate the process. This would allow the city to have control since the property is inside city limits. Motion by Hach, second by Arends, to accept the recommendation of the County Engineer for the Drainage Attorney to investigate the transfer of DD #40 to Storm Lake and to authorize the Chair to sign the letter, with a copy to be mailed to the city. Carried

Motion by Arends, second by Hach, to approve and to authorize the Chair to sign, the **underground utility permit** submitted by Iowa Telecom, Newton, to install a 25 pr. communication cable to provide service to 6256 180<sup>th</sup> Ave, a hog facility owned by Steve Jorgensen, subject to the site review by the engineer. Carried.

A letter from President Fred Moore, Buena Vista University, requests the support from the Supervisors for the ITG program. Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign letters of support of the **Iowa Tuition Grant (ITG)** to our local legislators, Senator Steve Kettering, and Representative Gary Worthan. Carried.

Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign an "Agreement Re Disposition of **Forfeited Property**" between the Buena Vista County Sheriff's Office, Buena Vista County Attorney and Board of Supervisors of Buena Vista County. Carried.

Motion by Ringgenberg, second by Arends, to approve and to authorize the Chairman to sign, the designation of Plains Area Mental Health Center as the county's **community mental health center** for FY'2009. Carried.

Motion by Ringgenberg, second by Hach, to approve and to authorize the Chair to sign the FY'10 RFB (Request for Bid) to the Iowa Dept. of Public Health for **substance abuse prevention services**. Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign the performance bond and the contract with Carnavon Sand & Gravel for a tree clearing project in **DD #34 Lat 2**, the contract price-\$67,611.00. Carried.

10:30 a.m.—The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$630,000 General Obligation Capital Loan Notes, Series 2009, in order to provide funds to pay costs of peace officer communications equipment, voting machines and improvements, and equipping of public buildings, in an amount not to exceed \$600,000, an essential county purpose, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 331.402, 331.441 and 331.443 of the Code of Iowa, as amended.

The Chairperson then asked the Auditor whether any written objections had been filed by any county resident or property owner to the proposal. The Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the proposal and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any - None)

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Arends introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$630,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2009" and moved that the Resolution be adopted. Board Member Ringgenberg seconded the motion. The roll was called and the vote was: AYES—Hach, Arends, Ringgenberg, Altena, Merten; NAYS-none. Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL  
ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND  
THE ISSUANCE OF NOT TO EXCEED \$630,000 GENERAL  
OBLIGATION CAPITAL LOAN NOTES, SERIES 2009

**WHEREAS**, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$630,000 General Obligation Capital Loan Notes, Series 2009, for the purpose of paying costs of peace officer communications equipment, voting machines and improvements, and equipping of public buildings, in an amount not to exceed \$600,000, and has considered the extent of objections received from residents or property owners as to the proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof:

**NOW, THEREFORE, BE IT RESOLVED** BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed \$630,000 General Obligation Capital Loan Notes, Series 2009, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

**PASSED AND APPROVED** this 16<sup>th</sup> day of March, 2009.

/s/ Paul Merten, Chairperson of the Board of Supervisors....Attest: /s/ Karen M. Strawn, County Auditor

10:40 a.m.--The Chairperson announced that this was the time for meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$65,000 of General Obligation Capital Loan Notes, Series 2009, in order to provide funds to pay costs of acquisition and equipping of vehicles for the Sheriff's Department; and that notice of the proposal to issue said Notes and the right to petition for an election had been published as provided by Sections 331.402, 331.441 and 331.442, of the Code of Iowa; and, the Chairperson then asked the Auditor whether any petition had been filed in the Auditor's Office, as contemplated in Section 331.306 of the Code of Iowa, and the Auditor reported that

no such petition had been filed, requesting that the question of issuing said Notes be submitted to the qualified electors of the County. Whereupon, the Chairperson declared the hearing on the issuance of said Notes to be closed.

Whereupon, Board Member Altena introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$65,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2009" and moved that the Resolution be adopted. Board Member Arends seconded the motion. The roll was called and the vote was: AYES—Hach, Arends, Ringgenberg, Altena, Merten; NAYS-none. Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL  
ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND  
THE ISSUANCE OF NOT TO EXCEED \$65,000 GENERAL  
OBLIGATION CAPITAL LOAN NOTES, SERIES 2009

**WHEREAS**, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$65,000 General Obligation Capital Loan Notes, Series 2009, for the purpose of paying costs of acquisition and equipping of vehicles for the Sheriff's Department, a general county purpose, and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

**NOW, THEREFORE, BE IT RESOLVED**, BY THE BOARD OF SUPERVISORS OF THE COUNTY OF BUENA VISTA, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed \$65,000 General Obligation Capital Loan Notes, Series 2009, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

**PASSED AND APPROVED** this 16<sup>th</sup> day of March, 2009.

/s/ Paul Merten, Chairperson of the Board of Supervisors....Attest: /s/ Karen M. Strawn, County Auditor

10:50 a.m.--The Chairperson announced that this was the time for meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$75,000 of General Obligation Capital Loan Notes, Series 2009, in order to provide funds to pay costs of acquisition of vehicles and equipment for the Public Health and Conservation Departments, and that notice of the proposal to issue said Notes and the right to petition for an election had been published as provided by Sections 331.402, 331.441 and 331.442, of the Code of Iowa; and, the Chairperson then asked the Auditor whether any petition had been filed in the Auditor's Office, as contemplated in Section 331.306 of the Code of Iowa, and the Auditor reported that no such petition had been filed, requesting that the question of issuing said Notes be submitted to the qualified electors of the County. Whereupon, the Chairperson declared the hearing on the issuance of said Notes to be closed.

Whereupon, Board Member Ringgenberg introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$75,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2009" and moved: that the Resolution be adopted. Board Member Arends seconded the motion. The roll was called and the vote was: AYES—Hach, Arends, Ringgenberg, Altena, Merten; NAYS-none. Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL  
ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND



THE ISSUANCE OF NOT TO EXCEED \$75,000 GENERAL  
OBLIGATION CAPITAL LOAN NOTES, SERIES 2009

**WHEREAS**, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$75,000 General Obligation Capital Loan Notes, Series 2009, for the purpose of paying costs of acquisition of vehicles and equipment for the Public Health and Conservation Departments, a general county purpose, and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

**NOW, THEREFORE, BE IT RESOLVED**, BY THE BOARD OF SUPERVISORS OF THE COUNTY OF BUENA VISTA, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed \$75,000 General Obligation Capital Loan Notes, Series 2009, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

**PASSED AND APPROVED** this 16<sup>th</sup> day of March, 2009.

/s/ Paul Merten, Chairperson of the Board of Supervisors....Attest: /s/ Karen M. Strawn, County Auditor

Board Member Arends introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$585,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2009, AND LEVYING A TAX FOR THE PAYMENT THEREOF", and moved that the same be adopted. Board Member Altena seconded the motion to adopt. The roll was called and the vote was, AYES—Hach, Arends, Ringgenberg, Altena, Merten; NAYS—none. Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION AUTHORIZING THE ISSUANCE OF \$585,000  
GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2009, AND  
LEVYING A TAX FOR THE PAYMENT THEREOF

**WHEREAS**, the County of Buena Vista, State of Iowa, is a political subdivision, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

**WHEREAS**, the Issuer is in need of funds to pay costs of an essential county purpose, and it is deemed necessary and advisable that a form of Loan Agreement be approved and authorized and General Obligation Capital Loan Notes, Series 2009, in the amount of not to exceed \$630,000 be issued for peace officer communications equipment, voting machines and improvements, and equipping of public buildings in an amount not to exceed \$600,000 (the "Project"); and

**WHEREAS**, pursuant to notice published as required by Sections 331.402, 331.441 and 331.443 of the Code of Iowa, as amended, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance thereof; and

**WHEREAS**, the County is also in need of funds to pay costs of acquisition and equipping of vehicles for the Sheriff's Department, a general corporate purpose project, and it is deemed necessary and advisable that a form of Loan Agreement be approved and authorized and the County issue General Obligation Capital Loan Notes, Series 2009, for said purpose to the amount of not to exceed \$65,000, as authorized by Sections 331.402, 331.441 and 331.442 of the Code of Iowa; and

**WHEREAS**, said County has a population of 20,000 or less and the amount of this portion of said proposed Note Issue is not more than \$100,000; and

**WHEREAS**, pursuant to the notice published, as required by Sections 331.402, 331.441 and 331.442 of the Code of Iowa, this Board has held public meeting and hearing upon the proposal to institute proceedings for the issuance of this portion of the above described Notes; and no petition was filed in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402, 331.441 and 331.442 of said Code; and it is the decision of the Board that additional action be taken for

the issuance of said Notes and that such action is considered to be in the best interest of said County and the residents thereof; and

**WHEREAS**, the County is also in need of funds to pay costs of acquisition of vehicles and equipment for the Public Health and Conservation Departments, a general corporate purpose project, and it is deemed necessary and advisable that a form of Loan Agreement be approved and authorized and the County issue General Obligation Capital Loan Notes, Series 2009, for said purpose to the amount of not to exceed \$75,000, as authorized by Sections 331.402, 331.441 and 331.442 of the Code of Iowa; and

**WHEREAS**, said County has a population of 20,000 or less and the amount of this portion of said proposed Note Issue is not more than \$100,000; and

**WHEREAS**, pursuant to the notice published, as required by Sections 331.402, 331.441 and 331.442 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of this portion of the above described Notes; and no petition was filed in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402, 331.441 and 331.442 of said Code; and it is the decision of the Board that additional action be taken for the issuance of said Notes and that such action is considered to be in the best interest of said County and the residents thereof; and

**WHEREAS**, pursuant to Sections 331.402 and 331.445 of the Code of Iowa, it is deemed appropriate that the various General Obligation Capital Loan Notes, Series 2009, hereinabove described be combined for purposes of issuance and sale in a single issue of corporate purpose notes as hereinafter set forth;

**NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF BUENA VISTA, STATE OF IOWA:**

Section 1. Authorization of the Issuance of the Notes. General Obligation Capital Loan Notes, Series 2009, in the amount of \$585,000 (the "Notes") shall be issued pursuant to the provisions of Iowa Code Sections 331.402 and 331.445 for the purposes covered by the hearings.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest of the Notes as required under Chapter 76.2, there is levied for each future year the following direct annual tax upon all the taxable property in Buena Vista County, State of Iowa, to-wit:

<u>AMOUNT</u>	<u>FISCAL YEAR (JULY 1 TO JUNE 30)</u> <u>YEAR OF COLLECTION</u>
\$154,690	2009/2010
\$151,790	2010/2011
\$153,600	2011/2012

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds of the County available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Notes to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of the County of Buena Vista, State of Iowa, who is instructed in and for each of the years, to levy, assess and collect the tax in the same manner as other taxes of the County and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Notes.

**PASSED AND APPROVED** this 16<sup>th</sup> day of March, 2009.

/s/ Paul Merten, Chairperson of the Board of Supervisors....Attest: /s/ Karen M. Strawn, County Auditor

11:00—The time having arrived for the public hearing on the Board's intent to exceed the maximum General Basic levy, and the FY'10 budget, the Chair opened the hearing. One taxpayer stated that the Board needs to start cutting the departmental budgets, and needs to be diligent about getting the budget under control. He objected to going over the \$3.50 general basic levy (\$3.92525/thous). \$357,661 is 2.45% of the total General Fund expenditures. Regarding the heating system at the jail, it has been two years and it isn't working right. The Board should have the County Attorney file a lawsuit against the architect, engineer and the contractor immediately. He is tired of paying the bill for everyone else. The Chairperson then asked the Auditor whether any written objections had been filed by any county resident or property owner to the proposal. The Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for additional oral objections to the proposal and none were made. Motion by Hach, second by Arends, to close the public hearing. Carried.

Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed. Motion by Arends, second by Altena, to approve and to authorize the Chairman to sign the **FY'10 Buena Vista County budget** as published, including the \$3.92525 General Basic levy which exceeds the \$3.50 limit. Ayes—Altena, Arends, Hach, Ringgenberg, and Merten. Nays—none. Carried, and the FY'10 budget was declared adopted by the Chair.

The Chair reviewed the changes to the **28E agreement** with CIJDC which are to be voted upon at the April CIJDC meeting. Motion by Arends, second by Altena, to approve the Chairman to vote in favor of the 28E agreement amendment. Ayes—Altena, Arends, Ringgenberg, Merten. Nays—Hach. Abstentions--none. Carried.

For an additional \$20/day (for a total of \$100/day), **CIJDC** will provide transportation of the juvenile to and from their facility. It would be a cost savings if there are many trips back and forth. Even at the increased daily rate, BV County would save money of the \$150/day currently paid at the YES Center. Hach thought it would be a savings; it would save taking a deputy out of the county to do transportation. Merten will ask if the county chooses the higher rate, will it be required on all juveniles, or can we decide with each juvenile.

An inquiry about an assessment for a **facility improvement master plan** was received. The consensus was that those services are not needed at this time (The Baker Group).

There being no further business, the Chairman adjourned the meeting at 12:40 p.m. until March 24 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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# **BOARD OF SUPERVISORS MEETING THIRTEENTH MEETING, 2009 SESSION (13) MARCH 24, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 24, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

The Chair opened the Public Hearing for the **zoning classification change** requested by Denny Launderville for a parcel in Section 14, Nokomis Township. Zoning Director Kim Johnson, County Attorney Dave Patton, Denny Launderville, Phil Redenbaugh, Dave Mortensen, Mike Pedersen, and Pat Stokes were present. Johnson confirmed that all adjoining neighbors were notified and a hearing notice had been published in the March 17<sup>th</sup> issue of the Pilot-Tribune. A letter has been received from Carol Jean Pedersen objecting to the classification change. At their meeting last night the P&Z Commission voted unanimously to recommend approval of the change from agricultural to commercial for a portion

(1.5) in the center of the parcel (5.2 acres). Redenbaugh had attended the Zoning commission's meeting last night, and so he had reviewed the zoning law for Buena Vista County and the Code of Iowa. Launderville's request is consistent with the law. The parcel is a small tract, close to Alta; it doesn't interfere with any area ag activities. Similar approvals were made for the wind farm maintenance building - zoned commercial, and others in the area. He believes it a good use of the area and urged approval. Launderville discussed his plans for the use of the property (commercial storage building) and including building a home on the property. Mike Pedersen believes that use is incompatible with the anhydrous tanks which are located adjacent to the proposed parcel. The use of the storage building will create more traffic and giving more access to the anhydrous. He suggested building the house first or at least at the same time in order to provide security. He also suggested taking a look at the property for making a change. Pat Stokes, who lives in the immediate area, is concerned about the danger of wind drift of any accidental escaping of anhydrous. Launderville plans to put a chain link around the anhydrous tank storage. The city of Alta has given approval for Iowa Lakes Rural Water to serve the site which is within their 2 mile radius. Pat Stokes, who lives in the immediate area, believes that the request should be denied since a future purchaser could buy the parcel and use it for a new commercial purpose. She is concerned about the danger of wind drift of any accidental escaping of anhydrous. In 2002 there was a small release of anhydrous and a neighbor had to be evacuated. Motion by Arends, second by Hach, to close the public hearing, and to tentatively approve the request to change the zoning classification from ag to commercial. Carried. Motion by Hach, second by Arends, to set the **1<sup>st</sup> Reading** of proposed Ordinance 6.1A-14 (amending the Zoning map) for March 31<sup>st</sup> at 8:30 a.m. Carried.

Marilyn Monson requested use of the courthouse lawn for the 2009 summer "Taste of Storm Lake" events. Last year 3,000 meals were served raising \$12,500 in funds for non-profit organizations. She has 4-5 groups on the waiting list to participate. She thanked the Board for the electricity provided by the county. The Farmer's Market will be back in place again with Joan Olsen in charge. Monson also thanked the Board for the funds approved for the Newell daycare center. Motion by Hach, second by Ringgenberg to approve the application for **2009 Taste of Storm Lake** events to be held on the courthouse yard. Carried.

Jeff Heil, Vice President of Public Finance for Northland Securities, discussed the capital project plan for the 2010-2012 years. He has reviewed the county's fixed asset schedule for FY'08. To move forward, the Board needs to determine the total amount to be issued. Motion by Arends, second by Altena, to accept the **Capital Projects Plan** in the amount of \$600,000, and to proceed with the bond issuance with Jeff Heil, Northland Securities. Ayes—all.

The Board moved to the lower level Public Meeting Room for the hearing on the petition requesting an election to establish a **Casino Beach Sanitary District**, the hearing having been originally scheduled for February 24, 2009. In addition to the Board, the following people were present: Environmental Health Director Kim Johnson, Engineer Neal Kuehl, media and 10 interested persons. The Chair briefly discussed the reason for investigating how property owners might be impacted by the new law - "time of transfer" which goes into effect July 1, 2009. The County appointed Kuehl & Payer to prepare a study to report the costs of several alternatives. The Chairman asked Kuehl to review the history of the issue including meetings held to date. In the course of holding the meetings, it was discussed that even though the petition was filed for the Casino Beach Addition, there are other subdivisions interested in a sanitary district. Currently, other petitions are being circulating for BelAir Beach, Stoney Point, South Shore, and S Cove. Also, there is some interest in the Lakeside project. If the Supervisors decide to consider making the proposed district larger, one or more of the additional subdivisions can be included. Property owners in those subdivisions will be notified of the date, time and place of the continued hearing. It appears that Lake Creek Country Club is interested in associating with Alta, and this is agreeable to their City Council. The next step is to set a date for a continuation of today's hearing since the Board is not ready to issue a decision and to request an election date. At that time any additional petitions may be considered. Motion by Arends, second by Hach, to continue today's hearing until May 5, 2009 at 10:00 a.m. Carried.

**Supervisor meetings:** Altena attended UDMO; Ringgenberg reported that Empowerment put off their meeting until April 25<sup>th</sup> due to injury of their staff person; Hach reported that 3<sup>rd</sup> Judicial District

employees are in their 3<sup>rd</sup> year of no wage increases; the Chair reported on last week's sanitary sewer district meeting. He also reported that the **auction** at the county care facility is scheduled for April 5, 1:00 p.m. He is interested in having some help to get things set up on Friday, April 3<sup>rd</sup>. Excess equipment from other county buildings and facilities will be included in the auction.

Motion by Arends, second by Hach, to approve the **minutes** of the 3/16 meeting as corrected. Carried. There were no reports to approve.

Motion by Ringgenberg, second by Altena, to appoint Kent Smith to the Buena Vista Co. **Eminent Domain Compensation Commission** in the realtor category. Carried.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign the agreement with the IDOT for **project #IBRC-CO(86)—8E-11** (innovative bridge to be located in Providence Township over the Raccoon). Carried. The letting will be held 4/17/09; the estimated cost is \$239,525 with the Federal Highway Administration providing up to \$200,000.

Motion by Arends, second by Ringgenberg, to accept the bid of Keith Hagedorn Construction, Spirit Lake, in the amount of \$2.18/ton to strip, crush, haul and stockpile up to 70,000 ton (\$152,600) of **gravel**, and to authorize the Chairman to sign the contract and certificate of insurance. Carried.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign acceptance of the bid of Reilly Construction, Ossian, in the amount of \$183,985.34 for **project #BROS-CO11(81)—8J-11** (a bridge replacement on the west side of Section 13, Elk Township). Carried. The engineer's estimate was \$274,320.

A request for an improvement to a road in Brooke Township has been received from Mike Treinen. A copy of the Board's policy on **road upgrades** will be sent to Treinen.

A letter has been received from the City of Newell requesting an easement access to a parcel where they are planning to build a sanitary lagoon. Engineer Ites stated that such requests can't be refused except for cases where an unsafe situation is created. Ites will look into the matter and contact the Drainage Attorney, since the request may impact **DD #1**.

Motion by Arends, second by Ringgenberg, to approve and to authorize the Chair to sign the letter of responses to the auditor for the **FY'08 audit**. Carried.

There being no further business, the Chairman adjourned the meeting at 1:00 p.m. until March 31 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FOURTEENTH MEETING, 2009 SESSION (14)  
MARCH 31, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 31, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Motion by Hach, second by Altena, to approve the 1<sup>st</sup> reading of **Ordinance 6.1A-14** amending the zoning map, and to set the 2<sup>nd</sup> reading for 8:30 a.m. on April 7, 2009. Carried.

Zoning Director Kim Johnson reviewed the minor subdivision request for a parcel located in Section 22, Coon Township. There being no objections, motion by Arends, second by Hach, to close the public hearing. Carried. Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign Resolution 2009-03-31-A approving the **minor subdivision** of a parcel in Section 22, Coon Township requested by Dale Schumann. Carried.

**RESOLUTION 2009-03-31-A**

**WHEREAS**, Dale Schumann has presented a preliminary and final plats (of survey) on the following described property:

**DESCRIPTION: LOT E**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 22, TOWNSHIP 91 NORTH RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 22; Thence on a previously recorded bearing of North 00°20'44" East, along the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼), 158.00 feet; Thence North 90°00'00" East, 512.00 feet; Thence South 00°20'44" West, 158.00 feet to the South line of said Southeast Quarter (SE¼); Thence North 90°00'00" West, along said South line, 512.00 feet to the Point of Beginning. Hereafter known as Lot E of Section 22, Township 91 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 1.86 Acres and is subject to all easements of record.

**AND**

**DESCRIPTION: LOT F**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 22; Thence on a previously recorded bearing of North 00°20'44" East, along the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼), 158.00 feet to the Point of Beginning; Thence North 90°00'00" East, 512.00 feet; Thence South 00°20'44" West, 158.00 feet to the South line of said Southeast Quarter (SE¼); Thence North 90°00'00" East, along said south line, 179.04 feet; Thence North 00°06'25" East, 309.11 feet; Thence South 89°27'51" West, 689.82 feet, to the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼); Thence South 00°20'44" West, along said West line, 144.66 feet to the point of Beginning. Hereafter known as Lot F of Section 22, Township 91 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 2.99 Acres and is subject to all easements of record.

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

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

**DESCRIPTION: LOT E**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 22, TOWNSHIP 91 NORTH RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 22; Thence on a previously recorded bearing of North 00°20'44" East, along the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼), 158.00 feet; Thence North 90°00'00" East, 512.00 feet; Thence South 00°20'44" West, 158.00 feet to the South line of said Southeast Quarter (SE¼); Thence North 90°00'00" West, along said South line, 512.00 feet to the Point of Beginning. Hereafter known as Lot E of Section 22, Township 91 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 1.86 Acres and is subject to all easements of record.

**AND**

**DESCRIPTION: LOT F**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 22; Thence on a previously recorded bearing of North 00°20'44" East, along the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼), 158.00 feet to the Point of Beginning; Thence North 90°00'00" East, 512.00 feet; Thence South 00°20'44" West, 158.00 feet to the South line of said Southeast Quarter (SE¼); Thence North 90°00'00" East, along said south line, 179.04 feet; Thence North 00°06'25" East, 309.11 feet; Thence South 89°27'51" West, 689.82 feet, to the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼); Thence South 00°20'44" West, along said West line, 144.66 feet to the point of Beginning. Hereafter known as Lot F of Section 22, Township 91 North, Range 35 West of the 5<sup>th</sup> 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 said:

**DESCRIPTION: LOT E**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 22, TOWNSHIP 91 NORTH RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southwest (SW) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 22; Thence on a previously recorded bearing of North 00°20'44" East, along the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼), 158.00 feet; Thence North 90°00'00" East, 512.00 feet; Thence South 00°20'44" West, 158.00 feet to the South line of said Southeast Quarter (SE¼); Thence North 90°00'00" West, along said South line, 512.00 feet to the Point of Beginning. Hereafter known as Lot E of Section 22, Township 91 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 1.86 Acres and is subject to all easements of record.

AND

DESCRIPTION: LOT F

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of said Section 22; Thence on a previously recorded bearing of North 00°20'44" East, along the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼), 158.00 feet to the Point of Beginning; Thence North 90°00'00" East, 512.00 feet; Thence South 00°20'44" West, 158.00 feet to the South line of said Southeast Quarter (SE¼); Thence North 90°00'00" East, along said south line, 179.04 feet; Thence North 00°06'25" East, 309.11 feet; Thence South 89°27'51" West, 689.82 feet, to the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼); Thence South 00°20'44" West, along said West line, 144.66 feet to the point of Beginning. Hereafter known as Lot F of Section 22, Township 91 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 31<sup>st</sup> day of March, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen Strawn, County Auditor

9:00—The time having arrived, the Chair opened a public hearing and invited CPC Dawn Mentzer to review proposed changes to the Buena Vista County's MH/MR/DD Services Managed Care Plan. An update is required every three years. The major changes include: applicants residing in a county are subject to the managed care plan of the county of residence and apply through the CPC of the county of residence; 'household' is defined; the appeal process has changed by taking the Supervisors out of it, replacing them with a hearing by an administrative law judge. The cost is borne by the county. Mentzer reviewed the updated Buena Vista County's Strategic Plan, also reviewed every three years. There being no objections, motion by Ringgenberg, second by Hach, to close the public hearing. Carried. Motion by Altena, second by Hach, to approve Buena Vista County's **MH/MR/DD Services Managed Care Plan** and Buena Vista County's **Strategic Plan**, and to authorize the Chairman to sign. Carried.

Engineer Jon Ites gave a **secondary road report** including a discussion of current legislation.

The Chair has received a petition signed by 60 persons opposing the replacement of the **bridge over the Raccoon River** in Providence Township. A notice will be sent to the petitioners for a meeting to be held April 14<sup>th</sup> at 8:30 a.m. in the Courthouse Public Meeting Room

Engineer Neal Kuehl delivered a petition signed by residents of **Lake Creek Country Club** requesting an election to establish a sanitary district. The petition is similar to the one filed by residents of Casino Beach, but proposes a separate district. They would like their petition to run on the same timeline as for Casino Beach. Kuehl also posted a bond in the amount of \$600, with a surety approved by the auditor, for the payment of all costs and expenses incurred in the proceedings if the district is not finally established, as required by Chapter 358.2 of the 2009 of Code of Iowa.

Motion by Hach, second by Arends, to approve the **minutes** of 3/10 meeting as printed. Carried.

Motion by Ringgenberg, second by Altena, to approve the following **reports**: 3/31 budget reports Carried.

Motion by Ringgenberg, second by Arends, to approve today's **claims approval list** and to authorize the Chair to sign. Carried.

11:00—The time having arrived for the bid letting on the M-53 maintenance resurfacing sealcoat project, two bids were received: Sta-Bilt Construction, Harlan, in the amount of \$98,371.50 and Blacktop Services Co., Humboldt in the amount of \$87,627.60. Motion by Arends, second by Hach, to tentatively



award the bid to Blacktop Services in the amount of \$87,627.60 for **project # L-MS-C-466(1-09)—73-11**, pending a review of the extensions. Carried. The low bid was 15.5% over the Engineer's original estimate.

The Chair discussed his communication with a representative from Valero Energy. A review with the county's economic development financial advisor about the status of the **tax abatement** approved for US Bio does not automatically apply to the new owner. The county could approve the same abatement, increase or decrease the terms, or eliminate it.

Motion by Arends, second by Hach, to approve the application of the city of Rembrandt for a **fireworks permit** for July 4<sup>th</sup>, with the city to be responsible for all safety and liability. Carried.

There being no further business, the Chairman adjourned the meeting at 12:15 p.m. until April 7 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FIFTEENTH MEETING, 2009 SESSION (15)  
APRIL 7, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 7, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

There being no objections, motion by Hach, second by Ringgenberg, to dispense with the actual reading of the ordinance, to approve the 2<sup>nd</sup> reading of **Ordinance 6.1A-14** (amending the zoning map), and to set the 3<sup>rd</sup> Reading for April 14<sup>th</sup> at 9:15 a.m. Carried.

Assistant Engineer Steve Wolf presented contract documents for signature. Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign the contract (in the amount of \$183,985.34) and acceptance of the contractor's bond and certificate of insurance for **project #BROS-CO11(81)—8J-11** (bridge on the west side of Section 13, Elk Township) awarded to Reilly Construction Co. Ossian. Carried.

Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign the contract (in the amount of \$87,627.60), and acceptance of the contractor's bond and certificate of insurance on **Project # L-MS-C-466(1-09)—7311** for the M-53 maintenance resurfacing sealcoat project awarded to Blacktop Services Co., Humboldt. Carried.

There has been some interest shown in the **surplus pony truss bridge** located at the Sturchler Pit. It was the consensus of the Board to accept sealed bids for the bridge.

Approval of the resolution transferring jurisdiction of **DD's #40, #13, and #13 sub 1** to the City of Storm Lake was delayed until next week at their request.

Motion by Hach, second by Ringgenberg, to approve the **minutes** of the 3/31 meeting as printed. Carried.

Sandy Pingle, Storm Lake Site Administrator and Terry Johnson, Executive Director **of Genesis Development** updated the Board on recent changes and projects. Pingle discussed the Storm Lake Site: Genesis clients participated in a lobby day at the State Capitol where they were able to meet their legislators and discuss funding topics. Genesis will have a new funding stream which follows the client. Their print shop improvement is nearly complete which will allow for a smoother operation. Despite the current status of the economy, there has been no slowdown at Jack Links.

Johnson told the Board that this is the most difficult year they have ever had with the tight money situation. There are good things happening too: they hope to get a custodial contract in Des Moines at Camp Dodge to be serviced by clients at the Boone facility. The facility will pay and benefits under federal contracts which will be good for the clients. The Indianola site will take over laundry services at Knoxville at the Veterans Hospital.

Jeff Heil, Northland Securities, presented an offer on interest rates for the county's 2009 debt issuance. Local financial institutions will purchase the majority of the notes. Motion by Hach, second by Altena, to approve and to accept Northland Securities' interest offer of 1.1%-2.1% for \$600,000 in **General Obligation Capital Loan Notes**. Carried.

A teleconference was held by the Board with Leesa McNeil, 3<sup>rd</sup> Judicial District Court Administrator, and Head Custodian Steve Hammen regarding the sound system for the new **Non-Jury Courtroom**. The cost of the system will be the responsibility of the state, however, with the current budget problems the state does not have the funds to make the purchase at the current time. Also, a committee has been appointed to study and develop a re-design of the recording sound system which may change how the court system captures the information. No purchases will be made until the committee work is completed, and the funds are available which will not be before the end of FY'10.

Motion by Arends, second by Hach, to approve the following **reports**: Feb & March Clerk's fees, March Sheriff's fees, March Spectra lagoon monitoring report by Mangold Environmental, and the 3/19 minutes of the NWIPDC Policy Council. Carried.

Motion by Arends, second by Altena, to approve and to authorize the Auditor to **void and re-issue** the following checks: #216941-\$36.36 issued 6-24-08 to Arnie Hicks, #218155-\$26.26 issued 9-16-08 to Arnie Hicks, #217630-\$21.72 issued 8-5-08 to Joelle Ryherd, #217733-\$64.53 issued 8-19-08 to Chris Eldred, #219489-\$334.31 issued 12-23-08 to Lorna Burnside, #216553-\$120.00 issued 6-10-08 to Jamie Adams, #216554-\$80.00 issued 6-10-08 to Jamie Adams. Carried.

There being no further business, the Chairman adjourned the meeting at 11:30 a.m. until April 14 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
SIXTEENTH MEETING, 2009 SESSION (16)  
APRIL 14, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 14, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

The Board met in the public meeting room with signers of a **petition** objecting to replacement of the bridge between Sections 1 & 2, Providence Township, and requesting instead, replacement of the bridge between Section 1, Providence Township and Section 36, Grant Township. The Chairman discussed the funding on the two bridges. In the case of the \$500,000 Section 1 & 2 Providence bridge, the BROS funding that has been approved is provided as the bridge is built. For the Providence-Grant bridge, the county would have to fund the bridge up front and wait for reimbursement until after the bridge is completed. Engineer Jon Ites noted that the county has approximately \$20,000 and seven years invested in the project (from identification of the project, plan development, funding application, wetlands development in Elk Township, etc.) The \$20,000 expense is specific to this bridge, and is not transferrable to another location. Also, the Providence-Grant bridge is not on the farm-to-market system. There is no guarantee that it could be switched to allow for funding in the farm-to-market system since there is no new traffic reason to justify that change.

Bob Jorgensen objected the traffic count since it is a computer generated count; he is certain that the count is totally incorrect. He asked why the county would spend \$500,000 with such a low traffic count, regardless where the funding comes from. The Providence-Grant bridge would have three times the number of vehicles on it; it would affect more people.

Ites responded that replacement of that bridge would be at least 3 years out with no guarantee that the Sec 1&2 Providence bridge could last that long. If there is any change in it requiring a posting change, the next step would be closing it.

Tom Witt said he also thought that the Providence-Grant bridge was a better choice because there is so little traffic on the other one. Jorgensen believes that with posting, the Sec 1&2 Providence bridge will last a long time. Couldn't other projects pushed be back to allow for it? The traffic counts for both locations are incorrect.

The Chair closed the 'hear the public' portion of the meeting. He asked Ites what it would take to get an estimate to do the Grant-Providence bridge. Ites responded that a survey would cost \$3,000. Without further information he could only give a rough estimate of an additional \$50,000 to replace that bridge.

The Board returned to the Boardroom for the 3<sup>rd</sup> Reading of a proposed ordinance. Motion by Hach, second by Arends, to waive the **3rd Reading of Ordinance #6.1A-14**, to approve and to authorize the Chairman to sign the ordinance. Carried. The ordinance becomes effective upon publication.

**BUENA VISTA COUNTY ORDINANCE NO. 6.1A-14**

**Title:** AMENDMENT TO ZONING DISTRICTS MAP

Be it enacted by the Board of Supervisors of Buena Vista County, Iowa:

**SECTION 1. Purpose.** The purpose of this ordinance is to amend the Zoning Districts Map with respect to the real estate described in Section 2 below in accordance with Section 10.104 of Ordinance 6.1 of the

Buena Vista County 2003 Code of Ordinances.

**SECTION 2. Change to Zoning Districts Map.** The official Zoning Districts Map, referred to in Section 1.105 of Ordinance 6.1 of the Buena Vista County 2003 Code of Ordinances, is amended as follows:

A parcel 250" X 265.5' approximately 150' from the West side of the tract of land described as follows:

**DESCRIPTION LOT C**

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW¼ SW¼) OF SECTION 14, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest (SW) Corner of the Southwest Quarter (SW¼) of said Section 14; Thence on a true bearing of North 00°42'15" West, along the West line of said Southwest Quarter (SW¼), 385.88 feet to the Point of Beginning. Thence continuing North 00°42'15" West, along said West line, 305.50 feet; Thence North 89°17'45" East, 752.00 feet; Thence South 00°42'15" East, 305.50 feet; Thence South 89°17'45" West, 752.00 feet to the Point of Beginning.

is changed from an "A-1" Agricultural District to an "C-1" Commercial District

**SECTION 3. When Effective.** This ordinance amending the Zoning Districts Map shall be in effect after its final passage and publication as provided by law.

Adopted by the Board of Supervisors on this 17<sup>th</sup> day of April, 2009.

/s/ Paul Merten, Chairperson, Supervisors ..... /s/ Karen M. Strawn, County Auditor

Zoning Director Kim Johnson discussed a request for a minor subdivision. Roger lehl would like to divide a parcel to create an 'acreage'. Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign **Resolution 2009-04-14A** approving the minor subdivision request of Roger lehl for a parcel Section 15 in Lincoln Township. Carried.

**RESOLUTION 2009-04-14-A**

**WHEREAS**, Roger lehl and Caron lehl have presented a preliminary and final plat (of survey) on the following described property:

**LOCATION:**

PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BUENA VISTA COUNTY, IOWA

**DESCRIPTION (A, B, C, D, A) (Parcel A)**

A Parcel of land in the Northwest Quarter of Section 15, Township 92 North, Range 36 West of the Fifth Principal Meridian, Buena Vista County, Iowa, described as follows to wit: Commencing at the northwest corner of Section 15, Township 92 North, Range 35 West of the Fifth Principal Meridian, Buena Vista County, Iowa, and running from this point north 90°00'00" east (north 90 degrees 00 minutes 00 seconds east) along the north line of the Northwest Quarter of said Section 15 a distance of 713.00 feet to the point of beginning and continuing from this point of beginning north 90°00'00" east along said north line a distance of 1247.5 feet to the East line of the parcel described in the Real Estate Contract recorded in Land Mortgage Book 149, Page 410, Buena Vista County, Iowa Recorder's Office; thence south 00°08'17" west along said east line a distance of 567.00 feet; thence north 89°35'26" west a distance of 1246.17 feet; thence north 00°00'00" west a distance of 558.09 feet to the point of beginning. All bearings stated in this description are based on an assumption that the north line of the Northwest Quarter of said Section 15 has a bearing of north 90°00'00" east. The area of the above parcel of land is 16.102 acres, which includes 0.945 acres of right-of-way, 33 feet in width along the north line of the above described parcel of land.

**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 the final plat of:

LOCATION:

PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BUENA VISTA COUNTY, IOWA

DESCRIPTION (A, B, C, D, A) (Parcel A)

A Parcel of land in the Northwest Quarter of Section 15, Township 92 North, Range 36 West of the Fifth Principal Meridian, Buena Vista County, Iowa, described as follows to wit: Commencing at the northwest corner of Section 15, Township 92 North, Range 35 West of the Fifth Principal Meridian, Buena Vista County, Iowa, and running from this point north 90°00'00" east (north 90 degrees 00 minutes 00 seconds east) along the north line of the Northwest Quarter of said Section 15 a distance of 713.00 feet to the point of beginning and continuing from this point of beginning north 90°00'00" east along said north line a distance of 1247.5 feet to the East line of the parcel described in the Real Estate Contract recorded in Land Mortgage Book 149, Page 410, Buena Vista County, Iowa Recorder's Office; thence south 00°08'17" west along said east line a distance of 567.00 feet; thence north 89°35'26" west a distance of 1246.17 feet; thence north 00°00'00" west a distance of 558.09 feet to the point of beginning All bearings stated in this description are based on an assumption that the north line of the Northwest Quarter of said Section 15 has a bearing of north 90°00'00" east. The area of the above parcel of land is 16.102 acres, which includes 0.945 acres of right-of-way, 33 feet in width along the north line of the above described parcel of land.

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 said:

LOCATION:

PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 92 NORTH, RANGE 36 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BUENA VISTA COUNTY, IOWA

DESCRIPTION (A, B, C, D, A) (Parcel A)

A Parcel of land in the Northwest Quarter of Section 15, Township 92 North, Range 36 West of the Fifth Principal Meridian, Buena Vista County, Iowa, described as follows to wit: Commencing at the northwest corner of Section 15, Township 92 North, Range 35 West of the Fifth Principal Meridian, Buena Vista County, Iowa, and running from this point north 90°00'00" east (north 90 degrees 00 minutes 00 seconds east) along the north line of the Northwest Quarter of said Section 15 a distance of 713.00 feet to the point of beginning and continuing from this point of beginning north 90°00'00" east along said north line a distance of 1247.5 feet to the East line of the parcel described in the Real Estate Contract recorded in Land Mortgage Book 149, Page 410, Buena Vista County, Iowa Recorder's Office; thence south 00°08'17" west along said east line a distance of 567.00 feet; thence north 89°35'26" west a distance of 1246.17 feet; thence north 00°00'00" west a distance of 558.09 feet to the point of beginning All bearings stated in this description are based on an assumption that the north line of the Northwest Quarter of said Section 15 has a bearing of north 90°00'00" east. The area of the above parcel of land is 16.102 acres, which includes 0.945 acres of right-of-way, 33 feet in width along the north line of the above described parcel of land.

**PASSED, APPROVED AND ADOPTED** this 14<sup>th</sup> day of April, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors      /s/ Karen M. Strawn, County Auditor

Motion by Hach, second by Ringgenberg, to set a public hearing for 8:30 a.m. on April 21<sup>st</sup> for the Mark Stanley **re-zoning request** for a parcel in Section 13, Washington Township, to be followed by the 1<sup>st</sup> Reading of Ordinance 6.1A-15 amending the zoning map. Carried.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of the 4/7 meeting as printed, and the following **reports**: 3/13 & 3/23 Conservation Board minutes. Carried.

Motion by Hach, second by Altena, to approve today's **claims approval list**, and to authorize the Chair to sign. Carried.

The Board acknowledged receipt of a **petition** filed April 9<sup>th</sup> by John Brostad requesting that the Board of Supervisors add registered voters of the BelAir Subdivision, South Shore Subdivision, the South Cove Subdivision, the Stoney Point Subdivision, and the Bay View Subdivision to the Petition to hold an

Election to Establish "Casino Beach" Sanitary District; and to submit to the registered voters thereof the question of whether the above areas shall be organized as a sanitary district.

The Chair announced that the net proceeds for the county care facility auction held April 5<sup>th</sup> were \$4,135.05.

Motion by Hach, second by Arends, to approve and to authorize the Chair to sign over title #OFAA22793 for a 1999 Ford van sold at the CCF auction to The Pride Group. Carried.

Board Member Ringgenberg introduced the following resolution entitled "Resolution Appointing Bankers Trust Company, N.A. of Des Moines, Iowa to serve as Paying Agent, Note Registrar, and Transfer Agent, approving the Paying Agent and Note Registrar and Transfer Agent Agreement and authorizing the execution of the Agreement", and moved that the resolution be adopted. Board Member Arends seconded the motion to adopt. The roll was called and the vote was, Ayes: Arends, Hach, Altena, Ringgenberg, Merten, Nays: none. Whereupon, the Chairperson declared the resolution duly adopted.

Board Member Arends moved that the form of Tax Exemption Certificate be placed on file and approved. Board Member Altena seconded the motion and the roll being called thereon, the vote was as follows: Ayes: Arends, Altena, Hach, Ringgenberg, Merten, Nays: none.

Board Member Altena introduced the following Resolution entitled "Resolution approving and authorizing a form of loan agreement and authorizing and providing for the issuance of \$585,000 General Obligation Capital Loan Notes, Series 2009, and levying a tax to pay the notes' passed and approved on March 16, 2009, by substituting a new resolution therefor, for a revised note issue in the total aggregate amount of \$600,000" and moved that it be adopted. Board Member Ringgenberg seconded the motion to adopt, and the roll being called thereon, the vote was follows: Ayes: Altena, Arends, Hach, Ringgenberg, Merten, Nays: none. Whereupon, the chairperson declared the resolution duly adopted.

Motion by Hach, second by Arends, to approve and to authorize the Chair to sign a revised contract for Bawden Tiling, for 2007 tree clearing in DD #34 MOD. Carried.

Motion by Ringgenberg, second by Altena, to approve and to authorize the Chair to sign a work order for open ditch repair in Jt. DD #19-26 MOD at an estimated cost of \$1,300. Carried.

Motion by Arends, second by Hach, to approve and to authorize the Chair to sign a work order for DD #181 Jt. for surface pipe repair in Pocahontas Co. at an estimated cost of \$1,000. Carried.

Secondary Road report -- Engineer Jon Ites reported that the old DOT building at the Hudson St site is now gone. On March 31 he and Chairman Merten attended the Little Sioux Works Committee meeting about the watershed. Money is available again, and we have 2 projects in for next year. Ites is seeking quotes on crack filling for this year's construction season.

Motion by Hach, second by Arends, to accept a bid in the amount of \$21,703.25 from West Central Contracting, Arthur for guardrail installation on the M-36 bridge which is a part of the DOT detour route. Carried. 50% of the cost will be paid by the state.

Motion by Arends, second by Hach, to authorize the Auditor to void and re-issue the following checks: #218396 for \$400 issued 9-30-08 to Rich Langner, and #218557 for \$3.73 issued 10-14-08 and to be re-issued to the General Fund. Carried.

Motion by Arends, second by Hach, to set a hearing for a FY'09 budget amendment hearing for April 28<sup>th</sup> at 8:30 a.m. Carried.

There being no further business, the Chairman adjourned the meeting at 12:40 p.m. until April 21 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
SEVENTEENTH MEETING, 2009 SESSION (17)  
APRIL 21, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 21, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Zoning Director Kim Johnson reported on last night's Zoning Commission meeting on the Mark Stanley **re-zoning request**. He is requesting a change from A-1 to C-1 for Equipment Repair services at 1219 570<sup>th</sup> St, Storm Lake. Public notice was published as required. There were no written objections received and none offered at the hearing. The Commission recommended approval of the request. Motion by Arends, second by Hach, to close the public comment portion of the meeting. Carried. Motion by Hach, second by Altena, to dispense with the reading of Ordinance 6.1A-15 amending the zoning map pursuant to Stanley's re-zoning request for parcel in Section 13, Washington Township, and to set the 2<sup>nd</sup> Reading of the ordinance for April 28 at 8:40 a.m. Carried.

Motion by Arends, second by Hach, to approve Resolution 2009-04-21B - Rick Sievers' **minor subdivision request** for a parcel in Section 2, Newell Township. Carried.

**RESOLUTION 2009-04-21-B**

**WHEREAS**, Ricky Sievers and Pamela Sievers have presented a preliminary and final plat (of survey) on the following described property:

**DESCRIPTION: LOT 1 of LOT A**

A PART OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NE¼ NW FRAC¼) OF SECTION 2, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The West Five hundred twenty-two feet (W 522.00') of Lot A in said Section 2. Hereafter known as Lot 1 of Lot A of Section 2, Township 90 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 5.49 Acres and is subject to all easements of record.

**DESCRIPTION: LOT 2 of LOT A**

A PART OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NE¼ NW FRAC¼) OF SECTION 2, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Lot A, in Section 2, excepting the West Five hundred twenty-two feet (W. 522.00') thereof. Hereafter known as Lot 2 of Lot A of Section 2, Township 90 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 4.92 Acres and is subject to all easements of record.

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

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

DESCRIPTION: LOT 1 of LOT A

A PART OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NE¼ NW FRAC¼) OF SECTION 2, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The West Five hundred twenty-two feet (W 522.00') of Lot A in said Section 2. Hereafter known as Lot 1 of Lot A of Section 2, Township 90 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

DESCRIPTION: LOT 2 of LOT A

A PART OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NE¼ NW FRAC¼) OF SECTION 2, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Lot A, in Section 2, excepting the West Five hundred twenty-two feet (W. 522.00') thereof. Hereafter known as Lot 2 of Lot A of Section 2, Township 90 North, Range 35 West of the 5<sup>th</sup> 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 said:

DESCRIPTION: LOT 1 of LOT A

A PART OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NE¼ NW FRAC¼) OF SECTION 2, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The West Five hundred twenty-two feet (W 522.00') of Lot A in said Section 2. Hereafter known as Lot 1 of Lot A of Section 2, Township 90 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

DESCRIPTION: LOT 2 of LOT A

A PART OF LOT A IN THE NORTHEAST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NE¼ NW FRAC¼) OF SECTION 2, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Lot A, in Section 2, excepting the West Five hundred twenty-two feet (W. 522.00') thereof. Hereafter known as Lot 2 of Lot A of Section 2, Township 90 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of April, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen Strawn, County Auditor

Motion by Ringgenberg, second by Hach, to approve the minutes of the 4/14 meeting as printed, and the following report: Jan-Mar Farm-to-Market report. Carried.

The Board acknowledged receipt of informal sanitary district petitions with 30 signatures for: South Shore, South Cove, Stoney Point and Bay View Subdivisions requesting to be added to the "Casino Beach" Sanitary District.

Motion by Hach, second by Arends, to approve the planning grant agreement with the Iowa Homeland Security Emergency Management Division for grant funds to develop a Countywide Multi-Jurisdictional Hazard Mitigation plan, and to authorize the Chair to sign. Carried.



Motion by Arends, second by Hach, to approve a resolution & contract with NWIPDC to develop a **Countywide Multi-Jurisdictional Hazard Mitigation Plan**, and to authorize the Chair to sign. Carried.

John Torbert, Exec Director-**Iowa Drainage District Association** gave a brief update on the IDDA activities. Though there hasn't been much going on this year legislatively affecting drainage, IDDA has been following lawsuits regarding drainage issues filed against Monona and Calhoun Counties. IDDA has provided funds from its mutual protection fund to assist in their defense. Open meetings law, and exemption of railroads for the maintenance of its facilities in drainage districts.

Engineer Jon Ites informed the Board that the **Hayes School road** needs to be inspected and a decision on what to do with it. The county has been doing maintenance patching for some time, and that will not be possible any longer. He would like Board Members to go out and look at it with him. June 12<sup>th</sup> is the date for **KICD tractor ride** to come through the county. The **farm-to-market fund** is running 1-2% behind; however, we will be able to let 2 projects this year. The Board discussed advertising the **Sturchler bridge**. The first step is to declare it as excess property. The Board will make its decision on which **Providence Township bridge** should be replaced at next week's meeting.

Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign **Resolution 2009-04-21A** transferring jurisdiction of DD #40, DD #13 and DD #13 sub 1 to the City of Storm Lake effective June 1, 2009. Carried.

**RESOLUTION 2009-04-21-A**

“A Resolution Approving & Authorizing the Transfer of Jurisdiction of  
**DD #40, DD #13 & DD #13 sub 1**

to the City of Storm Lake pursuant to Section 468.323 of the 2009 Code of Iowa”.

**WHEREAS**, 25% of the total area of Drainage District #40, DD #13 and DD #13 sub 1 are located within the corporate city limits of the City of Storm Lake; and

**WHEREAS**, the drains of DD #40, DD #13, and DD #13 sub 1 are partially constructed of sewer tile; and

**WHEREAS**, the drains of DD #40, DD #13, and DD #13 sub 1 are being used by the City of Storm Lake for storm sewer or other drainage purposes;

**NOW THEREFORE, BE IT RESOLVED** by the Buena Vista County, Iowa, Board of Supervisors, acting as the Board of Trustees of DD #40, DD #13, and DD #13 sub 1, and pursuant to Chapter 468.323 of the 2009 Code of Iowa, hereby approves the transfer of jurisdiction of DD #40, DD #13, and DD #13 sub 1 to the City of Storm Lake, to take effect June 1, 2009.

**PASSED, APPROVED AND ADOPTED** this 21st day of April, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen Strawn, County Auditor

Motion by Arends, second by Hach, to approve and to sign purchase agreements for 3 ROW for the **C-65 project**. Carried.

Motion by Altena, second by Hach, to approve and to authorize the Chair to sign the **underground utility permits** submitted by Iowa Lakes Electric Cooperative, Estherville to install underground single phase 7200v electric cable for service to a new home on the north side of Section 28, Grant Township (at 1531 580<sup>th</sup> St.) Carried.

Motion by Ringgenberg, second by Hach, to approve and to authorize the Chair to sign the following two **underground utility permits** submitted by Qwest Communications, Storm Lake, to install 1) a 3 pair cable for telephone service to 1397 640<sup>th</sup> St, Storm Lake on the west side of 140<sup>th</sup> Ave. in Section 19, Providence Township, and, 2) a 3 pair cable for telephone service to 1452 550<sup>th</sup> St in Section 6, Grant Township. Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign the **underground utility permit** submitted by Iowa Network Service, West Des Moines, to replace fiber optic cable in the east shoulder of M-50 from C-25 to the Clay County line. Carried.

Supervisor meeting reports: Arends reported on meetings of RIDES and Compass Point (ADTU) boards last week.

No action was taken on the GASB 45 proposals pending some additional information from one of the vendors.

There being no further business, motion by Hach, second by Merten, to adjourn the meeting at 11:50 a.m. until April 28 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
EIGHTEENTH MEETING, 2009 SESSION (18)  
APRIL 28, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 28, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

A presentation on an option for telephone service is scheduled at next week's department head meeting. The Head Custodian has completed the new non-jury courtroom. The County Attorney reported on the successful fines collection program which began in January. The county keeps 40% of the collections which totals \$5,505.40 so far.

The Chair opened the public hearing for a FY'09 Budget amendment. Notice was published as required. No written objections have been submitted and no objections were offered during the hearing. Motion by Arends, second by Ringgenberg, to close the public hearing. Carried. Motion by Altena, second by Ringgenberg, to approve the FY'09 budget amendment as published, to authorize the Chair to sign, and to approve the following appropriations:

- Increase total transfers (both in and out by \$143,384) for a total of \$1,855,641
- Increase activity 1050 General Basic Fund (0001) Dept 29 \$147,000
- Increase activity 1060 General Basic Fund (0001) Dept 5 \$9,500
- Increase activity 9100 General Basic Fund (0001) Dept 43 \$18,500
- Increase activity 1100 General Basic Fund (0001) Dept 4 \$11,150
- Increase activity 3020 General Basic Fund (0001) Dept 46 \$2,500
- Increase activity 9200 General Supp Fund (0002) Dept 97 \$5,000
- Increase activity 0220 LEC Constr. Fund (1530) Dept 75 \$48,736
- Increase activity 0210 C.L.A.T. Fund (0027) Dept 22 \$6,884 Carried.

Upon completion of the reading of Ordinance 6.1A-15 and there being no new comments or objections, motion by Hach, second by Arends, to approve the 2<sup>nd</sup> Reading of **Ordinance 6.1A-15** amending the zoning district map, and to set the 3<sup>rd</sup> & Final Reading for May 5<sup>th</sup> at 8:30 a.m. Carried.

Real Estate Clerk Jean Allerdings reviewed a map showing property areas for which additional petitions have been filed to join in the **Casino Beach Sanitary District**. The Board will need to determine what areas will be included so that a boundary description can be prepared for the election tentatively scheduled for August 4<sup>th</sup>.

Motion by Arends, second by Ringgenberg, to approve the **minutes** of the 4/21 meeting as printed, and the following **report**: 4/10 CIJDC Board minutes. Carried.

Motion by Ringgenberg, second by Altena, to approve today's **claims approval list** and to authorize the Chair to sign. Carried.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign the Class C **liquor license** application (for a 12 month term) for "The Oaks at Lake Creek" pending receipt of additional paperwork. Carried.

Engineer Jon Ites discussed disposal of the Sturchler bridge. Until now, the county hasn't been able to sell it or give it away. Finally, someone has expressed an interest in it. Motion by Hach, second by Arends, to declare the **Sturchler bridge as excess property**, to advertise that the Board will accept sealed bids until June 1<sup>st</sup> in the Auditor's office, open the bids on June 2<sup>nd</sup>, and that the Board retains the right to refuse any and all bids. Carried. Bid documents will be available in the office of the County Auditor.

Ites has received two quotes for rubberized joint sealing on Radio Road. Motion by Hach, second by Altena, to accept the low quote of Borgen Inc., Mountain Lake, MN in the amount of \$22,509.25 for rubberized **joint sealing maintenance** on Radio Road from Hwy 7 to C-49. Carried.

The Board took up the discussion of which bridge in Providence Township will be replaced. The Chair has received telephone calls since the Board's 4/14 meeting on this matter. They were split evenly between the two locations. Motion by Hach, second by Arends, to proceed with the **bridge located between Sections 1 & 2, Providence Township** as programmed. It was noted that a petition was received for the north bridge, but funds have already expended and plans completed for the south bridge. Building the north bridge would be at least 3 years out if that location was selected. If it is selected, the county probably would be able to schedule only 1 project that year since the county has to front the money and wait for reimbursement for that location. The vote on the motion was: Ayes-Altena, Arends, Hach, Ringgenberg; nays-Merten. The motion carried.

The Board reviewed communication from Drainage Engineer Ivan Droessler regarding an easement for the City of Newell on an area where **DD #1** already has an easement. Since the county's drainage attorney is Gary Armstrong, and he also represents the city of Newell, any necessary documents will be prepared by him.

Clerk of Court Jo Ann Kinnetz advised the Board of a request from 3<sup>rd</sup> Judicial District Chief Judge Duane Hoffmeyer that the Board consider approving the use of the Clerk's office space by another County's Clerk, on a temporary basis, if a disaster occurs. This is needed for completing the Court's **'Continuity of Operations Plan'**. A location might be needed for up to 30 days while that county gets back up and running. This request will be added to the 5/5 agenda for action.

Recorder Shari O'Bannon updated the Board on the **same-sex marriage license** activity in her office. Last week she received many phone calls both at the office and at home including some with threatening language. On Monday, April 27, she did not receive any applications and there were no incidents. Two Deputies were posted as a precaution. Petitions in opposition to issuing the marriage

licenses were filed with 90 signatures. The Board has received a request from the Jefferson County Board of Supervisors requesting the support of their resolution to the Legislature to take action.

Motion by Ringgenberg, second by Arends, to accept the proposal of SilverStone Group in the amount of \$3,250 to provide **GASB 45 actuarial services** beginning with the current fiscal year, and to authorize the Chair to sign the agreement. Carried.

Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign the binder agreement for the **Wellmark employee health insurance** program for FY'10. Carried.

Motion by Arends, second by Hach, to set the public hearing on the **Lake Creek Country Club** petition requesting an election establishing a **sanitary district** as June 9 at 7:00 p.m. in the Public Meeting Room. Carried.

Motion by Altena, second by Ringgenberg, to amend the county's definition of **retirement age with respect to health insurance eligibility** to comply with Chapter 509A.13, 2009 Code of Iowa – the county “shall allow its employees who retired before attaining sixty-five years of age to continue participation in the group plan or under the group contract at the employee's own expense until the employee attains sixty-five years of age”. Carried.

Altena left the meeting.

CPC Dawn Mentzer reported on the 6 month trial period for the Buena Vista/Carroll Case Management Supervisor position. Mentzer would like to see the position continue due to the need to keep up-to-date on the over 200 client cases between the counties and to continue training new case managers. Upon the positive evaluation of Tami Mills-Thomas, motion by Arends, second by Hach, to approve the continuation of the temporary status of Mills-Thomas as **Buena Vista & Carroll Counties Case Management Supervisor** until a 28 E agreement between the counties is in place. Ayes—Arends, Hach, Ringgenberg, Merten. Nays—none. Carried.

The Auditor discussed an **electronic pollbook program** and its goal to improve the voter processing at the polls. It was the consensus of the Board to approve a tentative order - 5 precincts at a cost of \$3,669.

There being no further business, motion by Arends, second by Ringgenberg, to adjourn the meeting at 12:35 p.m. until May 5 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
NINETEENTH MEETING, 2009 SESSION (19)  
MAY 5, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 5, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, and Ringgenberg, and with Deputy Auditor Sue Lloyd as clerk for the meeting. Absent: Hach.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Ringgenberg and Merten. Nays: none. Abstentions: none.

Motion by Arends, second by Ringgenberg, to dispense with the reading of the 3<sup>rd</sup> and Final Reading of **Ordinance 6.1A-15** (Mark Stanley rezoning request): Motion by Arends, second by Altena, to approve and to authorize the Chairman to sign Ordinance 6.1A-15 amending the zoning map pursuant to Mark Stanley's request. Ayes—Altena, Arends, Ringgenberg and Merten. Nays--none. The Chair declared the ordinance duly approved.

## **BUENA VISTA COUNTY ORDINANCE 6.1A-15**

**Title:** AMENDMENT TO ZONING DISTRICTS MAP

Be it enacted by the Board of Supervisors of Buena Vista County, Iowa:

**SECTION 1. Purpose.** The purpose of this ordinance is to amend the Zoning Districts Map with respect to the real estate described in Section 2 below in accordance with Section 10.104 of Ordinance 6.1 of the Buena Vista County 2003 Code of Ordinances.

**SECTION 2. Change to Zoning Districts Map.** The official Zoning Districts Map, referred to in Section 1.105 of Ordinance 6.1 of the Buena Vista County 2003 Code of Ordinances, is amended as follows:

A parcel approximately described as follows: the South 200 feet of the West 250 feet of the parcel described as follows:

A part of the Southwest Quarter of the Southwest Quarter of Section Thirteen (13), Township 91 North; Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, and being more particularly described as follows:

Commencing at the Southwest (SW) Corner of the Southwest Quarter (SW ¼) of said Section Thirteen (13); thence on an assumed bearing of East, along the South line of said Southwest Quarter (SW ¼), 995.65 feet to the point of beginning. thence continuing East, along said South line of said Southwest Quarter (SW ¼), 324.95 feet to the East line of said Southwest Quarter of the Southwest Quarter (SW ¼ SW ¼); thence North 00° 33' 29" East, along said East line of the Southwest Quarter of the Southwest Quarter (SW ¼ SW ¼), 374.32 feet, Thence West 324.95 feet, thence South 00° 33' 29" West, 374.23 feet to the point of beginning

AND

Lot A of Section 13, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M. Buena Vista County, Iowa

is changed from an "A-1" Agricultural District to an "C-1" Commercial District

**SECTION 3. When Effective.** This ordinance amending the Zoning Districts Map shall be in effect after its final passage and publication as provided by law.

Adopted by the Board of Supervisors on this 5th day of May, 2009.

/s/ Paul Merten, Chairperson, Supervisors...../s/ Sue Lloyd, Deputy Auditor

Marjorie Miller met with the Board to discuss **civil rights** and same sex marriage. She approves what the Supreme Court did for the State of Iowa, however, feels that the wording needs to be changed to civil union rather than marriage.

Motion by Ringgenberg, second by Altena to not adopt the Jefferson County Board of Supervisors' **resolution** asking for review of the Defense of Marriage Act by the Iowa Legislature and the People of Iowa. Ayes—Altena, Arends, Ringgenberg and Merten. Nays—none.

Board Member Arends introduced a resolution adopting a financial policy titled “Buena Vista County policy for Tax-Exempt Bond Proceeds”, seconded by Board Member Ringgenberg. The roll call vote was Ayes—Altena, Arends, Ringgenberg and Merten. Nays--none. Whereupon the Chair declared the resolution to be duly adopted.

#### **RESOLUTION 2009-05-05-B**

#### **BUENA VISTA COUNTY POLICY FOR TAX-EXEMPT BOND PROCEEDS (2009 - \$600,000 General Obligation Capital Loan Notes)**

Buena Vista County understands that it has a number of responsibilities in preserving the tax-exempt status of certain general obligation capitol notes (issued 2009). To ensure compliance, the following policy is hereby approved and implemented. The ‘Official Record’ aka ‘Project & Debt Certificate’ referred hereafter is an electronic spreadsheet used to record information about the receipt, expenditure, interest and other required for IRS Tax Exempt Status.

##### **Proper use of proceeds**

Expenditure of the proceeds shall be pursuant to the public hearing approved purposes. Department Heads shall communicate their intent to acquire the equipment or expend funds for their purchases to the Auditor/Deputy Auditor when the claim is submitted for payment to be sure the proper account number is assigned, and to allow posting to the Official Record created for this purpose. Non public hearing purposes may not be paid from the loan proceeds. Claims submitted and paid without the proper account number will reduce the regular (non-capital project) budget. A change in the Project & Debt Certificate must be approved by the Board of Supervisors.

##### **Timely expenditure of bond proceeds**

On the Official Record for the 2009 issue, the Auditor shall be responsible for recording the item and purchase/payment date and monitor the time-frame for expending remaining proceeds.

##### **Proper use of bond-financed property**

To preserve the tax-exempt status of the bonds issued by the county, any property acquired with the bond proceeds shall be used only for the benefit of the public and will not be used in the private trade or business of any business or non-tax-exempt entity. At the end of the property’s useful life, the department head shall report this status to the Board of Supervisors, in consultation with bond counsel, which will provide directions for disposal of same.

##### **Arbitrage yield restriction and rebate**

Bond proceeds shall be invested until expenditure, with other county funds. Total interest earnings shall not exceed total interest expense for the GO bonds issued. The Treasurer will document the interest earnings and provide quarterly reports to the Auditor. The report will include the purchase and sale of securities, yield calculations for each class of investments, actual investment income received the investment of proceeds, guaranteed investment contracts, and rebate calculations

##### **Timely return filings and other general requirements**

During June, 2010 the Project & Debt Certificate filed with Bond Counsel in May, 2009 will be reviewed and amended if necessary. If interest is earned at rates higher than rates at which the bonds were sold, and if they are not expended within 18 months of issuance, the Auditor will contact bond counsel for his recommendation for action. This may include a rebate to the U.S. Government.

##### **Compliance documentation**

To comply with IRS regulations, the Auditor shall keep the Official Record and other associated documentation including records related to the bond transaction, records of purchases, sales, liquidations, investments, reinvestments, redemptions, disbursements, use of the property purchased with



Nurse Administrator Pam Bogue met with the Board to discuss space needs for a new Family Steps employee that she has hired. A call was made to Doreen Loefelholz, of Catholic Charities, to discuss sharing an office space.

Motion by Arends, second by Altena to award Project #IBRC-CO11(86)—8E-11 and forward documents to Graves Construction Co, Inc. of Spencer, for a bridge replacement in Section 26 of Providence Township for a total cost of \$238,512.50. Carried.

Motion by Ringgenberg, second by Altena, to award Project #ESFM-CO11(67)—5S-11 to Cedar Valley Corp, Waterloo, Iowa, for a cost of \$717,251.26, for a PCC overlay. Carried.

Motion by Arends, second by Altena, to award and authorize the Chairman to sign the contract for guardrail installation for the M36 State detour, Project #L-GR10—73-11 to West Central Contracting, Arthur, Iowa, for a cost of \$21,703.25, Carried.

The Board moved to the lower level Public Meeting Room for the hearing on the petition requesting an election to establish a Casino Beach Sanitary District. Motion by Ringgenberg, second by Altena to continue the public hearing on June 9<sup>th</sup>. Carried.

Motion by Arends, second by Altena setting the boundaries of the Casino Beach Sanitary District as: Beginning at the west property line of 131 White Cap Road, then following the line down to the Redenbaugh property ending on the north line of the Keller property. Thence proceeding east along Gaffney & Pertzborn property, then using 750' from the high water mark, when possible, and then using existing property lines to Bel Air Beach, proceeding east to the outlet creek. Carried.

A map of the boundaries for the proposed Casino Beach Sanitary District was given to Kuehl & Payer Engineering to develop the legal description.

Supervisor meeting reports: Arends reported on an LEPC meeting, Merten reported on a meeting with the Mayor of Lakeside.

There being no further business, motion by Arends, second by Altena, to adjourn the meeting at 10:50 a.m. until May 12 at 8:30 a.m. for a regular session.

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Sue Lloyd, Deputy Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTIETH MEETING, 2009 SESSION (20)  
MAY 12, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 12, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.



Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Head Custodian Steve Hammen presented proposals for the remainder of the 2<sup>nd</sup> floor **courthouse remodeling**. Motion by Ringgenberg, second by Arends, to accept the proposals of Taylor Contracting in the amounts of \$475 for the door for the attorney/client meeting room and \$1,932.00 for installation, to be completed on a weekend. Carried. Hammen also discussed the **snow blower/lawnmower** which needs to be repaired or replaced.

Environmental Health Director Kim Johnson and County Attorney Dave Patton discussed a Resolution regarding demolition of an unsafe building at 142 Pheasant, Storm Lake. The 90 day notice to abate the nuisance period has expired. Personal items are being removed. Pictures show that no repairs have been done. All of the contacts have been notified. Patton has spoken to Tom Stewart who confirmed that he and his brother-in-law are in agreement to let it go; they do not want more time. Taylor Contracting has indicated that the cost of repair is greater than the cost of demolition. Mike Rust, representing the Bel-Air homeowners, discussed the impact of the unsafe condition of the house and the potential harm to residential values. Motion by Arends, second by Hach, to approve and to authorize the Chair to sign Resolution 2009-05-12 directing Environmental Health Director to demolish and remove the house at 142 Pheasant Dr. Carried

#### **RESOLUTION 2009-05-12**

**WHEREAS**, the dwelling located at 142 Pheasant in Buena Vista County, Iowa has been declared an unsafe building under County Ordinance 5.6.103 by the Buena Vista Department of Environmental Health/Zoning,

**WHEREAS**, sufficient notice has been given to the owner and all interested parties of 142 Pheasant to make required repairs according to County Ordinance 5.6.104,

**WHEREAS**, Ninety (90) days have passed since the last notice was given to the owner and all interested parties of 142 Pheasant,

**WHEREAS**, there has been no communication to County officials from interested parties of 142 Pheasant concerning necessary repairs and to this date there has been no initiation of necessary repairs, and no request for hearing has been received during that same period,

**WHEREAS**, the Board of Supervisors has been apprised that the estimated cost of demolition of the dwelling at 142 Pheasant to be approximately Eleven Thousand Dollars (\$11,000.00),

**WHEREAS**, the evidence before the Board of Supervisors shows that it is appropriate and reasonable to demolish the unsafe structure at 142 Pheasant in light of the high cost of repair and the extent of deterioration of the structure,

**WHEREAS**, Buena Vista County has the obligation and responsibility to protect and preserve the safety, health and welfare of its residents, and to protect property values, which obligation includes the responsibility to enforce the Dangerous Buildings Ordinance by demolishing and removing the unsafe dwelling at 142 Pheasant, and to assess such costs of demolition and removal to the owner of such property in accordance with County Ordinance 5.6.107 and 5.6.108,

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

1. The Buena Vista Environmental Health Director is directed to proceed to cause the unsafe dwelling at 142 Pheasant to be demolished and removed, and the grounds restored to a safe condition.

2. In accordance with County Ordinance 5.6.108, costs incurred from the demolition and removal shall be paid out of the County and charged to the owner of the premises involved, levied as a special assessment against the land located at 142 Pheasant, and shall be certified to the County Treasurer for collection in the same manner as a property tax.
3. The Buena Vista County Environmental Health Director is given the power to prosecute the owner of the structure as a violator of the Dangerous Building ordinance as provided by its provisions.

**PASSED AND APPROVED** this 12<sup>th</sup> day of May, 2009

/s/ Paul Merten, Chairman, Board of Supervisors

/s/ Karen M. Strawn, County Auditor

Johnson has received proposals from Lundell Construction, Cherokee and Christian Brothers, Sioux Rapids for demolition and cleanup. Motion by Hach, second by Ringgenberg, to accept the low proposal of \$10,775 from Lundell Construction for demolition and removal of the house at 142 Pheasant, Storm Lake. Carried.

IT Technician Patti Maymon & Deputy Auditor Sue Lloyd presented information about Knology's Matrix system for telephone service and provided a quick review of the cost proposal. Issues raised included deployment of fax machines, how fire alarms and security systems will be handled, and how telephones, which are not connected to a computer, will function since the system operates on the internet. Maymon & Lloyd will provide an update next week.

The Board held a teleconference with Bob Josten, Counsel, to discuss the property tax abatement approved for US Bio Albert City 2004. The ethanol plant was sold April 10, 2009 through bankruptcy court to Valero Renewable Fuels Company, LLC. The board does not wish to extend the property tax abatement to the new owner. Josten stated that only the county has any rights in this matter and can do anything it wants. He suggested a resolution repealing the 2004 action. This matter will be placed on next week's agenda.

Motion by Arends, second by Altena, to approve the minutes of the 5/5 meeting as printed, and the following reports: 1<sup>st</sup> Qtr veterans van usage, April Clerk's fees, April monitoring report of Spectra lagoon by Mangold, and the 4/14 & 4/27 minutes of the Conservation Board. Carried.

Motion by Altena, second by Hach, to approve today's claims approval list and additional claims to Group Services-\$5,000 for the Safe-T fund, Qwest-\$50.12 for telephone service to the CCF. Carried.

Cindy Dreckman, Juvenile Services presented a request for a 'public gathering' on the courthouse lawn. Motion by Arends, second by Altena, to approve for a DEC fundraiser on the courthouse lawn raising funds for Family Drug Court, and to waive any associated fees and proof of insurance. Carried.

Motion by Hach, second by Arends, to accept with regret the resignation of Ray Kurtz from the Veterans Affairs Commission effective with the expiration of his term, and to issue a certificate of appreciation for his work since 1993. Carried.

Motion by Arends, second by Altena, to approve the cigarette permit applications submitted by I & K Food Mart II, Inc. (Pronto Mart), Storm Lake and Sparky's One Stop, Storm Lake. Carried.

Community Services Director Dawn Mentzer reported that once she receives the indirect costs from CASI, the cost report can be approved. Medicaid rules were to be changed for how case management service fees were billed, but have now been rescinded. But IDHS is going forward as planned. Mentzer's office has been tracking the hours so is able to provide billing in that format instead of a unit basis. Administrative rules are being developed currently. She noted that a rate must be a minute or hour or day rate; a monthly rate can't be used. A new requirement is to provide 24 hr-7 day a week

**on-call case management services.** Mentzer explained that the case managers are not called out in crisis situations. There is a cost involved. She has discussed this new requirement with Patrick Schmitz, Plains Area Mental Health Center. PAMHC is willing to provide the service at no additional cost to the county. She noted that there would probably be no more than 2-3 calls per year. Mentzer discussed the purchase of a new vehicle and asked whether the Board was interested in keeping the Taurus for general county use. If so, the value of the vehicle would need to be charged to the General Fund and paid to the Mental Health Fund. Mentzer has \$15,000 budgeted for purchase of a used **replacement vehicle.** She will ask the Secondary Road Mechanic to check out the Taurus, and get bids for the replacement vehicle.

Altena reported on the **Solid Waste Commission** meeting; they have solved the problem with the overhead door and are now trying to finalize the payment on their new building. The building was not completed on time. Cherokee County is now making pellets and shipping them out to be burned. Cherokee County's bill to Buena Vista County will be \$16/ton for the garbage that can be converted into pellets, with the fee for garbage buried in the Cherokee County landfill being \$36/ton.

Engineer Jon Ites presented contracts for signature. Motion by Hach, second by Ringgenberg, to approve and to authorize the Chair to sign the contracts with Cedar Valley Corp., Waterloo for **Project #ESFM-CO11(67)—5S-11** (\$717,251.26 for the un-bonded PCC overlay of East Milwaukee Ave.). Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign contracts with Graves Construction. Spencer for **project #IBRC-CO11(86)—8E-11** (bridge in Section 26, Providence Township), with construction to begin in September. Carried.

Motion by Arends, second by Hach, to approve final payment in the amount of \$3,977.66 to Merryman Construction, Algona for **project #L-B-707--73-11** (bridge replacement on the west side of Section 15, Fairfield Township). Carried.

The Board discussed the **Hayes school road.** Ites indicated that the potholes can no longer be fixed, and it is not safe to drive on it. Discuss asphalt to bituminous material – on next agenda.

Ites addressed the need for outside inspection services due to the number of projects scheduled for this construction season. The E Milwaukee Ave project will need additional inspection for the concrete overlay project since federal stimulus money requires more. Kuehl & Payer Ltd. has provided a proposal for project construction services including supervision, inspection, and testing for \$22,670 (based on a 35 day construction period) and not to exceed \$23,000. The contractor will move in over the Memorial Day weekend and work will begin the first week of June. Concrete is scheduled for the 3<sup>rd</sup> week of June. Motion by Arends, second by Altena, to accept the proposal of Kuehl & Payer, LTD. in the amount of \$22,670 for **project #ESFM-CO11(67)—5S-11** inspection services, and to authorize the engineer to sign. Carried.

The auditor reviewed insurance renewal information for FY'10.

There being no further business, motion by Hach, second by Arends, to adjourn the meeting at 11:40 a.m. until May 19 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTY-FIRST MEETING, 2009 SESSION (21)  
MAY 19, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 19, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Treasurer Kathy Bach presented a DHS request for tax suspension. Motion by Arends, second by Hach, to approve and to authorize a **tax suspension** for parcel #1620128005, district 00060, pursuant to Chapter 427.9, 2009 Code of Iowa. Carried.

The Board considered a resolution revoking a property tax abatement approved in 2004 for US Bio. A request has been received from a representative from Valero Renewable Fuels Company, LLC (purchaser of the US Bio ethanol plant) to hold off action on the proposed resolution. Board members agree that they would like to revoke the abatement, but the question is whether to do it today or wait. Motion by Hach, second by Arends, to approve and to authorize the Chair to sign **Resolution 2009-05-19** repealing Resolution 2004-11-30 approving property tax abatement for US Bio Albert City. Ayes-Altena, Arends, Hach, Ringgenberg; nays-Merten. Carried. The Chair agrees that the abatement should be repealed but believes that it doesn't cost the county anything to wait.

**RESOLUTION 2009-05-19**

**RESOLUTION TO REPEAL RESOLUTION 2004-11-30 REVOKING  
PROPERTY TAX ABATEMENT FOR US BIO ENERGY CORPORATION ETHANOL PLANT**

**WHEREAS**, the Buena Vista County Board of Supervisors approved an exemption from property taxation for US Bio Energy Corporation, Albert City, under the following terms: 100% for 15 years beginning 1/1/2006, and 25% in each of the next 5 years, and

**WHEREAS**, the tax abatement was granted solely to US Bio Energy Corporation, the original entity, and no rights were transferrable by the original entity to any successor entity;

**WHEREAS**, the Buena Vista County Recorder, on April 11, 2009, recorded a special warranty deed from VeraSun Albert City, LLC, f/k/a US Bio Albert City, LLC to Valero Renewable Fuels Company, LLC, and

**WHEREAS**, members of the current Buena Vista County Board of Supervisors believe that the current economic climate does not merit property tax abatement,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA THAT** Resolution 2004-11-30 is hereby repealed, revoked and abrogated, annulling the former property tax abatement on the Albert City ethanol plant.

**PASSED AND APPROVED** this 30<sup>th</sup> day of May 19, 2009.

/s/ Paul Merten, Chair.....Attest: /s/ Karen M. Strawn, County Auditor

IT Technician Patti Maymon & Deputy Auditor Sue Lloyd updated the Board on the Knology **telephone service proposal**. The county will be exempt from late penalties and fees. Existing wiring will be utilized. The board asked if the building could get by with just one fax machine. Several departments

are dependent on convenient availability and the privacy of an in-office fax machine. Some may be able to share equipment. The Communications Center is still looking for answers on how their lines would be affected. Motion by Arends, second by Hach, to proceed with the Knology proposal for telephone service. Carried.

County Attorney Dave Patton and Deputy Auditor Leigh Madsen discussed **HF 2539** which expanded the definition of dependent child regarding access to health insurance coverage. Children under the age of 25 and no longer in school can access the parent's insurance. There is dollar value associated with the benefit, which is taxable. The county needs to determine how the value of the benefit is calculated. Patton believes that the value may be that of a single premium. 'Off-the-record' comments from professionals unwilling to make official statements suggest that if an employee already purchases a family policy, the employee shouldn't have any additional tax liability. Guidance is needed to properly value the tax liability. Failing to be in compliance with tax law can result in penalties to both the employer and employees. Patton will do some additional research and will review several concepts, to assist the Board in making a decision.

Sheriff Gary Launderville submitted law enforcement contracts for Lakeside and Marathon. Motion by Altena, second by Hach, to approve and to authorize the chair to sign **RESOLUTION 2009-05-19-B** authorizing the Chairman to sign a law enforcement agreement with the City of Lakeside, which becomes effective July 1, 2009. Wage increases are passed on in the same percentage to the city as to the county.

#### **RESOLUTION 2009-05-19-B**

Moved by Altena, seconded by Hach, that the following Resolution be adopted:

**WHEREAS**, the City of Lakeside wishes to enter into contract with the Buena Vista County Sheriff's Office for the purpose of providing law enforcement within the municipality, and

**WHEREAS**, this contract is authorized by provisions of the 2009 Code of law, Chapter 28E, and

**WHEREAS**, a cost of providing this service including a cost increase attached as Exhibit B, effective July 1, 2009, will be paid by the City of Lakeside,

**WHEREAS**, the Buena Vista County Sheriff's Office agrees to provide service to the City of Lakeside,

**NOW, THEREFORE BE IT RESOLVED** that the Buena Vista County Board of Supervisors by the authority of the Resolution, grant the Chairperson of the Buena Vista County Board of Supervisors the authority to sign these contracts, copies of which are attached.

**Approved** this 19<sup>th</sup> day of May, 2009.

/s/ Paul Merten, Chairman.....ATTEST: /s/ Karen Strawn, Buena Vista County Auditor

Motion by Altena, second by Hach, to approve and to authorize the chair to sign **RESOLUTION 2009-05-19-C** authorizing the Chairman to sign a law enforcement agreement with the City of Marathon, which becomes effective July 1, 2009. Wage increases are passed on in the same percentage to the city as to the county.

#### **RESOLUTION 2009-05-19-C**

Moved by Altena, seconded by Hach, that the following Resolution be adopted:

**WHEREAS**, the City of Marathon wishes to enter into contract with the Buena Vista County Sheriff's Office for the purpose of providing law enforcement within the municipality, and

**WHEREAS**, this contract is authorized by provisions of the 2009 Code of law, Chapter 28E, and

**WHEREAS**, a cost of providing this service including a cost increase attached as Exhibit B, effective July 1, 2009, will be paid by the City of Marathon,

**WHEREAS**, the Buena Vista County Sheriff's Office agrees to provide service to the City of Marathon.

**NOW, THEREFORE BE IT RESOVED** that the Buena Vista County Board of Supervisors by the authority of the Resolution, grant the Chairperson of the Buena Vista County Board of Supervisors the authority to sign these contracts, copies of which are attached.

**Approved** this 19<sup>th</sup> day of May, 2009.

/s/ Paul Merten, Chairman.....ATTEST: /s/ Karen Strawn, Buena Vista County Auditor

Launderville discussed the increasing frequency of sheriff sale cancellations. There are costs associated with preparing for the sales, which becomes a wasted effort when a sale is cancelled. He proposed a fee for cancellation. Motion by Hach, second by Arends, to approve and to authorize the Chair to sign Resolution 2009-05-19-D approving a \$50 fee due from the plaintiff (mortgage company) for **cancellation of a Sheriff's sale**. Carried.

**RESOLUTION 2009-05-19-D  
CANCELLATION FEE FOR SHERIFF'S SALES**

**WHEREAS**, the late cancellation of Sheriff's Sale is a reoccurring problem across the State of Iowa; and

**WHEREAS**, by the time the cancellation is official, all of the work pertaining to that sale, less the sale itself and the preparation of the deed, has already been completed; and

**WHEREAS**, all of this preparation is time consuming to the Sheriff's Office staff;

**NOW, THEREFORE BE IT RESOVED** by the Buena Vista County Board of Supervisors that a \$50.00 cancellation fee be charged when a Sheriff's Sale is cancelled after it has been filed with the Sheriff's Office. The original plaintiff shall be responsible for paying said fee.

**Dated** this 19<sup>th</sup> day of May, 2009.

Buena Vista County Board of Supervisors

Attest:

/s/ Paul Merten, Chairman..... /s/Karen Strawn, County Auditor

Launderville reported that the **tree planting** at the Sheriff's Office has been completed, the numbers at the **jail** have been down for awhile, and discussed current **staffing** issues.

Pam Fiedler presented a proposal for a **Veteran's monument** to be placed in the courthouse yard. It will include the names of Buena Vista County Veterans, living or deceased, from the wars and conflicts from WW1 to the present. Also present were Herb Crampton & Sandy Knoke, BPW, Gar Otto-Veterans Affairs Executive Director and a veteran, and Glen Huntington, Architect. The monument is a joint project between the B.P.O.E. (Elks) and the V.F.W. Glen Huntington provided a photo of the monument in Pocahontas County along with his concept drawings for BV Co. His design is different due to the number of veterans (up to 5,000). It will require many more panels. They are asking for permission to go forward with plans to install it on the courthouse grounds. The project would be paid for from donations for each name to be listed, not by county funds. All board members were in favor going

forward with the project. The working committee will update the supervisors periodically. Their next task is to contact the citizens to assess the amount of interest.

**VA Commission** Chair John Peters and VA Exec Director Gar Otto gave an update on their activities. The State of Iowa will provide a \$10,000 grant for FY'10 with fewer strings and more eligible expenditure options. No application is required this time, and the funds are to be spent by June 30, 2010. Iowa ranks 30<sup>th</sup> in the number of veterans with 251,000. In Iowa, 8% of the population are veterans; 42% are 65 years of age or older. Iowa ranks 35% in the number of veterans receiving pensions. There are 10,000+ in active service. They attended the dedication of the Veterans Cemetery in Van Meter. Locally, the BV Co Commission of Veterans Affairs has had new brochures printed with the new hours including special appointments. This program has been popular; 21 persons have made appointments since Otto started. He also has provided outreach to 13 where he goes to the veteran. Sympathy cards are sent to widows after the death of a spouse, and they are encouraged to sign-up for benefits. Educating veterans about special programs is important, including Vietnam Veterans bonus, lifetime fishing licenses, medal presentation, and flag and certificate presentations. Efforts are being made to arrange for home-based services for medical services where a community based nurse goes to the veteran's home. The nurse can prescribe since the services are defined as primary care. This would be available to those who can't travel to Spirit Lake, Sioux City or Fort Dodge. The Commission is looking for individuals who might consider appointment to fill the vacancy with the resignation of Ray Kurtz.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign the project agreement with Storm Lake for **Project #ESFM-CO11(67)—5S-11** for paving of 600th Street. Carried.

Motion by Arends, second by Hach, to set a letting for 2 concrete box culverts (between Sections 8-17, Poland Township **project #L-C-801**, and between Sections 2, Coon Township **project #L-C-1001**) for July 7 at 10:00 a.m. Carried.

Engineer Jon Ites reported on the increase in **salt pricing** which is now \$90.99/ton. He estimates the increase to be \$145,000 up from \$40,000 six years ago.

Motion by Arends, second by Ringgenberg, to declare a 1956 Caterpillar model 70 scraper as **excess equipment** and advertise it for sale. Carried.

No date has yet been set for work on the **Hayes School road**. Road crews are doing seasonal work first – building driveways and doing road pull-ups.

Community Services Director Dawn Mentzer presented **quotes for vehicle replacement** and noted that the Taurus is not a good choice for 'county car' use due to its condition and the need for new tires. The consensus of the Board was that she negotiate with Rasmussen's on their quote for a Ford Focus with a trade-in on the Taurus.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign **the Case Management Cost & Statistical Report**. For FY'10, Mentzer projects 3,052 units at \$70.06/15 minute unit. Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign the FY'10 contract with **RIDES** for the reduced hours evening program (every other Thursday) in the amount of \$3,120.00. Carried.

Motion by Arends, second by Altena, to approve the **minutes** of 5/12 meeting as corrected, and the following reports: 4/21 Board of Health minutes and 4/9 NWIPDC Policy Council minutes. Carried.

Motion by Ringgenberg, second by Altena, to approve and to authorize the Chair to sign the certification of the **FY'08 Cost Allocation Plan** prepared by CASI. Carried.

Motion by Arends, second by Ringgenberg, to approve and to authorize the Chair to sign the 2009 proposals for weed spraying for Jt. DD #22, Jt. DD 112, & Jt.DD #14-42. Carried.

Environmental Health Director Kim Johnson discussed the business of the hearings for sanitary district including the procedure for selection of trustees.

Motion by Hach, second by Ringgenberg, to set the date of a FY'09 budget amendment hearing for June 9 at 8:30 a.m. Carried.

Motion by Ringgenberg, second by Altena, to correct the 4/28 budget appropriation as follows: increase activity 1060 General Basic Fund (0001) Dept 43 \$18,500 (instead of activity 9100). Carried.

There being no further business, motion by Hach, second by Ringgenberg, to adjourn the meeting at 12:15 p.m. until May 26 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTY-SECOND MEETING, 2009 SESSION (22)  
MAY 26, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 26, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Rob Hach, Anemometry Specialists, met with the Board to discuss an economic development tool. He proposed to install an anemometer on a communications tower in the county. This would be a pilot project to provide wind data to the public and to potential industries who may want to locate in this county. Although there are anemometers already in place in Buena Vista, the data produced is not available to the public. He plans to extend this concept into the other counties in the Iowa Lakes Corridor Development Corporation. The installation would be at no cost to the county, and would be installed on the county's communications center tower on 100<sup>th</sup> Ave. He will be looking into grant funds through IDED and other locations. The data collected will be available for sale, which will generate revenue. Hach will meet with the Board next week to provide additional information.

Motion by Hach, second by Ringgenberg, to approve the minutes of the 5/19 meeting as printed. Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign today's claims approval list, and the report of the 5/19 Board of Health minutes. Carried.



Neal Kuehl updated the board on the sanitary sewer study with a written report documenting the process which is now complete. He will provide copies to each of the 14 committee members. The county will make the report available on the county's website.

Engineer Jon Ites presented two utility permits. Motion by Arends, second by Hach, to approve and to authorize the Chair to sign the utility permit submitted by Iowa Lakes Electric Cooperative, Estherville, to install an overhead 7200 volt single phase power line crossing 210<sup>th</sup> Ave, 1150' north of its intersection with 520<sup>th</sup> St. Carried.

Motion by Hach, second by Altena, to approve the utility permit submitted by Iowa Lakes Regional Water, Spencer, to bore a service 1½ PVC line for water under 85<sup>th</sup> Ave, south of 530<sup>th</sup> St to serve 5318 85<sup>th</sup> Ave. Carried.

Motion by Arends, second by Hach, to approve vacation carryover (past his anniversary date) in the amount of 24 hours for Jon Ites. Carried.

Dirt moving began today for project #BROS-CO11-(81) (Section 13, Elk Township) and the Milwaukee Ave overlay project will be starting soon. The projects will be completed simultaneously.

The Board received a request from Linn Grove to place traffic controls in their town to stop traffic during their July 11<sup>th</sup> parade. The Board approved and Engineer Jon Ites will provide the signs.

Motion by Hach, second by Ringgenberg, to approve and to authorize all Board Members to sign the plans for projects #IL-C-801 and #L-C-1001. Carried.

Motion by Arends, second by Altena, to approve a 2.5% wage increase for the following persons: all Community Services employees, all Custodians, the Environmental Health/Zoning Director, and the General Relief/DHS employee, effective July 1, 2009. Carried.

Merten has priced the cost of mowing at the county care facility. He will check with the County Attorney if bids should be sought. Also, there is some trash to be removed or burned. The Chair and Arends will finish it up so that the trash bin can be picked up. So far he hasn't received a proposal from Control Systems Specialists for keeping the building systems running. Some fuel is left to be used up. The Board agreed that the generator should continue to be run periodically. The auditor will ask the real estate broker to provide a monthly report on any sales activity on the property.

IT Technician Patti Maymon & Deputy Auditor Sue Lloyd presented a letter of intent from Knology for telephone service. The equipment cost will be approximately \$17,000. Knology is looking for a solution to eliminate the use of dedicated fax lines. The rate for 1,000 faxes is \$34/ month. Outgoing faxes can be scanned then sent by e-mail. Motion by Ringgenberg, second by Altena, to approve and to authorize the Chair to sign the letter of intent with Knology for telephone service. Carried.

Larry and Barb Sangl were present to ask if the Board of Supervisors has any jurisdiction over the Conservation Board. The Chair explained that the Board of Supervisors has budgetary control of Conservation, but the Conservation Board manages the operations and approves the policies. Sangl explains that city rules are more restrictive than those for the Conservation Park; BB guns can be shot, dogs can bark, loud music can be played in the park, but the city of Linn Grove prohibits these activities. Sangl's property is adjacent to the park. When he has called with a complaint, the Sheriff's office doesn't respond. He has planted 40 trees on his property that in the future may provide a good spot for camping. He asked the Conservation Board for an access through the park but his request has been denied unless he installs restrooms, and trash collection.

Steve Hammen, Head Custodian, presented two proposals for a replacement tractor with mower/snow blower attachments for the courthouse. Motion by Arends, second by Altena, to accept the low bid of Builder's Supply, Cherokee, for a new tractor mower in the amount of \$4,138 with the trade-in

of two mowers (John Deere, and the Dixon mower from Spectra). Carried. He will also purchase a soft-cab for the tractor in next fiscal year's budget. He has seen a dramatic reduction in the courthouse electric bill after going to a different rate, and after the jail and communications center have moved to the LEC. Also, Hammen discussed his job title. It has been suggested that 'Buildings and Grounds Superintendent' would more correctly describe his job duties. It was the consensus of the Board to approve of this change.

Merten reported on last week's Lake Improvement Corporation. A January invoice for the 2<sup>nd</sup> appraisal of the dredge and related equipment has not been paid. Tim Pierce is doing some research on the bill to determine who may be responsible for the expense. Merten also reported that CIJDC has announced a reduction in rates from \$80 to \$60/day.

A telephone call was received from Bob Josten, Attorney. After reviewing materials sent to him by the Valero Renewable Fuels' attorney, he has found that there is another agreement (approved by the prior Board in 2006) between the county and US Bio which will affect the property tax abatement. The terms of the agreement did not allow a cancellation once it came through the bankruptcy court. Josten will do a little more research.

There being no further business, motion by Hach, second by Arends, to adjourn the meeting at 12:15 p.m. until June 2 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTY-THIRD MEETING, 2009 SESSION (23)  
JUNE 2, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 2, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Motion by Ringgenberg, second by Altena, to amend today's agenda by adding Dawn Mentzer at 10:30 a.m. (re: case management program), and to approve the amended agenda. Carried.

Deputy Auditor Leigh Madsen and County Attorney Dave Patton discussed the administration of HF2539 regarding eligible dependents having access to insurance on the county's plan. A formula for determining the fair market value of the benefit for the eligible dependent has been calculated. The FMV is taxable, so income tax is due on that amount. Income rates are different for each employee so only an estimate of the income tax is available. The estimate would be \$35 - \$48 per month depending on the insurance plan. Madsen suggested that the Board adopt a formula which would be re-evaluated annually before July 1<sup>st</sup> to adjust the fair market value if the insurance premiums are increased. That way an

employee would have time to look for alternative coverage before the higher premium takes effect. Motion by Arends, second by Ringgenberg, to approve and to adopt the methodology in Patton's memo dated 5-27-09 re: a reasonable method for calculation of the fair market value of the dependent coverage, pursuant to **HF2539**. Carried.

Drainage Clerk Barb Henrich and Treasurer Kathy Bach discussed whether or not the Board might order a levy on **DD #34** this year. Discussed was the current status of 34, and the proposed work planned following the completion of the Lateral 2 tree removal. A levy could be ordered to cover the current outstanding amount without anything for a sinking fund. Additional work not already approved could be levied for after the work is complete. The Board discussed levying enough to clear out all of the current and contracted obligations. Bach suggested for those owners who have outstanding waivers, that the Board might consider adding the new levy on the existing waivers. A decision on ordering a levy will be made after the interest due is calculated, or whether to levy several small drains. The Auditor will consult with the Drainage Attorney about waivers for these types of costs. There are currently about 8 owners on waivers currently.

Scott Price, representing **Anemometer Specialists**, provided additional information on the company's proposal to install an anemometer on the county's communications tower. This would allow the county to provide public information on wind speed. This would be of interest to new companies and potential wind developers which might want to locate here -- an informational tool for marketing the county. The information would be free on the website. At a later time, Anemometer Specialists could process the data and make it available for sale, but what is available on the website would give potential developers a starting point. There will be no cost to the county. This informational tool would give Buena Vista County a step ahead of all the other 98 counties. The Board asked about a potential problem in having a private installation on public property, and that the company would benefit by any data sold. They would like to have the County Attorney review the proposal. The anemometer would be a temporary type of installation. Asking if other towers had considered, Price said they had not. Others might work, but the higher the tower, the better the information which can be recorded. Also, their concept was to work with the county and make it possible for the county to be proactive at no cost. It was the consensus that the Board was favorable, and to direct that they meet with the County Attorney for his review of the project and an agreement.

Motion by Hach, second by Arends, to approve the **minutes** of the May 26<sup>th</sup> meeting. Carried.

Motion by Arends, second by Altena, to authorize the Auditor to **void the following checks** as Niccole Hillman (payee) cannot be located: #218626-issued 10/14/08 for \$3.03, #218745-issued 10/28/08 for \$7.07, #218939 issued 1/10/08 for \$4.04; and to authorize the Auditor to void and to re-issue the following check which has been lost: #219839 for \$416.00 to Nationwide Retirement Systems issued 1-9-09. Carried.

Due to a clerical error, motion by Hach, second by Altena, to re-schedule the public hearing for the **Lake Creek Country Club Sanitary District petition** for June 29<sup>th</sup> at 7:00 p.m. at the clubhouse. Carried.

EnvHealth Director Kim Johnson reported on another **house which is not habitable**. The owner had agreed to allow a family with six children to move in under the condition that they would fix it up. DHS requested that the Environmental Health Director inspect it. Johnson found that the house wasn't safe. The tenant has been given notice to move.

Johnson also notified the Board that the **Time of Transfer** law becomes effective July 1, 2009. She will be ordering some equipment. County employees can cross county lines and perform inspections for that county, but she doesn't plan to go outside Buena Vista County.

The consultant who contracted to prepare the new Comprehensive Plan will be here the week of July 20 for the public hearings for each of the cities and for the unincorporated area. Motion by Hach,

second by Arends, to set the following date for the public hearing on the **Comprehensive Plan** for the unincorporated area of Buena Vista County: July 21<sup>st</sup> at 1:30 p.m. in the public meeting room. Carried.

Sheriff Gary Launderville discussed the site review of the LEC by EMC. The inspection resulted in a recommendation that an inspection of the **fire sprinkler/suppression system** be done quarterly. The Code of Iowa requires an annual inspection. The cost is \$700/inspection. He has spoken to our agent, Tim Pierce, who suggested that he send a letter to the company. The Board agreed that quarterly inspections should not be done since the state requires them annually, and the FY'10 budget is already completed. Launderville also contacted Midwestern Mechanical, who installed the system and who does the inspections, to find out if they might consider a lower rate if the inspections are done more frequently than annually. The amount could be reduced to \$545, but on a quarterly basis, the total still exceeds the budgeted amount.

Launderville reported that the **LEC roof** has a bubble over the EOC. He will be checking whether the roof is still under warranty. Also, he was contacted by the contractor on the **E Milwaukee overlay project** regarding security on the road. They have also discussed security on the road during the Marathon to Marathon on June 13<sup>th</sup>.

David and John Degner discussed the **auto damage** done to David's car resulting from hitting a very large rock on a road which was having maintenance done on it. He asked for full compensation from the county's insurance company for the repair of the car.

Tim Humes requested that the Board consider temporarily closing a road (2-3 weeks) where a **trumpeter swan** is nesting to prevent disturbing it and leaving her nest. The swans are environmentally sensitive and have been the focus of the swan restoration project.

Steve Hammen, Grounds/Buildings Superintendent, discussed pouring a little concrete at the **E. Richland Annex** to finish the connection of the sidewalk from the buildings to the parking lot. The consensus of the Board was to proceed.

Dawn Mentzer discussed staffing issues for her department. One of the **case managers** in Carroll County is on sick leave. She proposed having Alicia Gatzemeyer function as a case aide to assist him. Gatzemeyer is willing to do it and Carroll County has approved. Her wage would be increased \$2,000 (or \$.96/hr) for the new duties, all of the increase to be paid by Carroll County. The arrangement is anticipated to last 9-12 months. When it finishes, Gatzemeyer's wage will be reduced by the \$2,000. Mentzer will be advertising for a new case manager for Buena Vista County as one of the current staff members will be leaving July 2<sup>nd</sup>. She expects that the position will be open for a good share of the summer, as it will probably take 3 months to fill it. It was the consensus of the Board to proceed on both issues.

Lois Koelder, Executive Director and Sandy Johnson, President of the **NW Iowa Housing Authority**, gave a presentation of the agency's mission. There are a sizable number of people on Buena Vista County's waiting list.

Treasurer Kathy Bach presented a request to have drainage assessments and taxes abated on a parcel in Newell. The Board had assigned the public bidder's certificate for the property to the City of Newell on November 25<sup>th</sup>, 2008. The city filed a Right to Redemption and a Treasurer's Tax Deed was issued to the city. The city's special assessments were abated by the city, and they now ask the Board to abate taxes and drainage assessments. Motion by Hach, second by Arends to **abate the 2005-2006 taxes** and two drainage assessments, a total of \$262. Carried.

There being no further business, motion by Hach, second by Arends, to adjourn the meeting at 12:05 p.m. until June 9 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTY-FOURTH MEETING, 2009 SESSION (24)  
JUNE 9, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 9, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Arends.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

8:30 a.m.—The time having arrived for the public hearing on the 3<sup>rd</sup> amendment to the FY'09 budget for Buena Vista County, the Chair opened the hearing with no members of the public present. The Auditor confirmed that the notice of hearing was published as required. There being no objections, motion by Ringgenberg, second by Altena, to close the public hearing. Carried. Motion by Altena, second by Hach, to approve the **3<sup>rd</sup> amendment to the FY'09 budget** for Buena Vista County as published, to authorize the Chair to sign, and to approve the following appropriations:

- |                     |      |                            |         |                      |
|---------------------|------|----------------------------|---------|----------------------|
| • Increase activity | 1060 | General Fund (0001)        | Dept 43 | \$87,800             |
| • Decrease activity | 9100 | General Fund (0001)        | Dept 43 | -\$87,800            |
| • Increase activity | 1000 | Special LE Fund (0026)     | Dept 17 | \$2,000              |
| • Increase activity | 3040 | General Fund (0001)        | Dept 23 | \$11,000             |
| • Increase activity | 7100 | Secondary Road Fund (0020) | Dept 20 | \$48,000             |
| • Increase activity | 7110 | Secondary Road Fund (0020) | Dept 20 | \$74,500             |
| • Increase activity | 7120 | Secondary Road Fund (0020) | Dept 20 | \$35,000             |
| • Increase activity | 7130 | Secondary Road Fund (0020) | Dept 20 | \$17,500             |
| • Increase activity | 7210 | Secondary Road Fund (0020) | Dept 20 | \$60,000             |
| • Increase activity | 7230 | Secondary Road Fund (0020) | Dept 20 | \$15,000             |
| • Increase activity | 8101 | General Fund (0001)        | Dept 03 | \$10,000             |
| • Increase activity | 9000 | General Fund (0001)        | Dept 01 | \$3,650              |
| • Decrease activity | 0200 | Secondary Road Fund (0020) | Dept 20 | -\$250,000. Carried. |

Motion by Ringgenberg, second by Hach, to amend a December 30, 2008 motion which approved an **appropriation** which was listed in error as follows:

- |                     |      |                        |         |                    |
|---------------------|------|------------------------|---------|--------------------|
| • Increase activity | 7210 | Secondary Roads (0020) | Dept 20 | \$4,500            |
| • Decrease activity | 7000 | Secondary Roads (0020) | Dept 20 | -\$4,500. Carried. |

Zoning Director Kim Johnson presented a request for a minor subdivision for the Harold Bloom Trust in Section 15, Fairfield Township. The estate is selling off the acreage which is the 2<sup>nd</sup> split

resulting in 3 parcels. Motion by Ringgenberg, second by Hach, to approve Resolution 2009-06-09-A for a minor subdivision requested by the estate for the Harold Bloom Trust. Carried.

#### **RESOLUTION 2009-06-09-A**

**WHEREAS**, the Harold D. Bloom Revocable Trust has presented a preliminary and final plat (of survey) on the following described property:

**DESCRIPTION: LOT A**

A TRACT OF LAND LOCATED IN THE SOUTH HALF (S $\frac{1}{2}$ ) OF SECTION 15, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section 15; Thence on a true bearing of North 89°45'23" West, along the South line of said Southwest Quarter (SW $\frac{1}{4}$ ), 119.04 feet to the Point of Beginning; Thence North 01°32'50" East, 687.82 feet; Thence South 89°28'16" East, 137.29 feet; Thence North 00°15'33" West, 545.24 feet; Thence North 88°53'11" West, 522.43 feet; Thence South 00°55'33" West, 435.02 feet; Thence North 89°59'00" East, 257.53 feet; Thence South 05°03'28" East, 48.53 feet; Thence South 28°25'36" East 51.54 feet; Thence South 12°04'00" East, 67.69 feet; Thence South 01°56'09" West, 664.22 feet to the South line of said Southwest Quarter (SW $\frac{1}{4}$ ); Thence South 89°45'23" East, along said South line, 64.99 feet to the Point of Beginning. Hereafter known as Lot A of Section 15, Township 92 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 6.81 Acres and is subject to all easements of record.

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

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

**DESCRIPTION: LOT A**

A TRACT OF LAND LOCATED IN THE SOUTH HALF (S $\frac{1}{2}$ ) OF SECTION 15, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section 15; Thence on a true bearing of North 89°45'23" West, along the South line of said Southwest Quarter (SW $\frac{1}{4}$ ), 119.04 feet to the Point of Beginning; Thence North 01°32'50" East, 687.82 feet; Thence South 89°28'16" East, 137.29 feet; Thence North 00°15'33" West, 545.24 feet; Thence North 88°53'11" West, 522.43 feet; Thence South 00°55'33" West, 435.02 feet; Thence North 89°59'00" East, 257.53 feet; Thence South 05°03'8" East, 48.53 feet; Thence South 28°25'36" East 51.54 feet; Thence South 12°04'00" East, 67.69 feet; Thence South 01°56'09" West, 664.22 feet to the South line of said Southwest Quarter (SW $\frac{1}{4}$ ); Thence South 89°45'23" East, along said South line, 64.99 feet to the Point of Beginning.

Hereafter known as Lot A of Section 15, Township 92 North, Range 35 West of the 5<sup>th</sup> 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 said:

**DESCRIPTION: LOT A**

A TRACT OF LAND LOCATED IN THE SOUTH HALF (S $\frac{1}{2}$ ) OF SECTION 15, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of said Section 15; Thence on a true bearing of North 89°45'23" West, along the South line of said Southwest Quarter (SW $\frac{1}{4}$ ), 119.04

feet to the Point of Beginning; Thence North 01°32'50" East, 687.82 feet; Thence South 89°28'16" East, 137.29 feet; Thence North 00°15'33" West, 545.24 feet; Thence North 88°53'11" West, 522.43 feet; Thence South 00°55'33" West, 435.02 feet; Thence North 89°59'00" East, 257.53 feet; Thence South 05°03'28" East, 48.53 feet; Thence South 28°25'36" East 51.54 feet; Thence South 12°04'00" East, 67.69 feet; Thence South 01°56'09" West, 664.22 feet to the South line of said Southwest Quarter (SW¼); Thence South 89°45'23" East, along said South line, 64.99 feet to the Point of Beginning. Hereafter known as Lot A of Section 15, Township 92 North, Range 35 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 9<sup>th</sup> day of June, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors..... /s/ Karen Strawn, County Auditor

Motion by Hach, second by Altena, to amend today's agenda by adding approval of a grant application; and, to approve and to authorize the Chair to sign an application to be submitted to the **Iowa Finance Authority** in the amount of \$288,034 for the sewer project(s) (including \$35,000 for the planning study-completed, South Shore Collection/Transmission-\$146,300, South Shore Treatment if Lakeside doesn't provide it-\$45,400, Lake Creek Collection/Transmission \$56,334, and \$5,000 for bond counsel). Carried.

Johnson will be renewing her **NEHA certification** (National Environmental Health Association) which allows her to perform as the county's Environmental Health Director. The state now requires that candidates for Environmental Health Director possess at least a Bachelor's degree. Those persons serving without a degree were grandfathered in if they became certified. It was the consensus to approve payment for the NEHA certification renewal for the Environmental Health Director.

Drainage Clerk Barb Henrich and Treasurer Kathy Bach discussed a levy for DD #34 for FY'10. The cost for retiring stamped warrants including interest, completing the current tree removal contract, and establishing a \$30,000 sinking fund is \$364,219. This will require a 142% levy. The last levy was put on in 2004 and there are 26 waivers remaining to be paid. The Board agreed that it was prudent to clear up all outstanding obligations. If at a later time a clean-up is done, or re-classification is required, those expenses would be paid for a new levy. Motion by Ringgenberg, second by Altena, to order a 142% levy on **DD #34**, with a levy date of 6/9/09, due and payable September 1<sup>st</sup>, and allowing 7 year waivers at interest at 5%. Carried. Motion by Ringgenberg, second by Altena, to add the balance of the outstanding waivers to the new amounts of the new levy, and waiver the total amount to provide a single statement to the taxpayer for the 7 year period. Carried.

Sheriff Gary Launderville discussed the damage to the **LEC security system** in one of the cells, and the cost of a maintenance agreement. After analysis he recommends that the county operate on a 'pay-as-you-go' basis instead of signing a maintenance agreement with Accurate Controls, Wisconsin. A basic agreement would not cover anything more than a single trip for maintenance/repair. They offer several different programs with different fees but the system was installed brand new in 2007 and should not require frequent maintenance. An agreement might be prudent after a number of years of operation. Accurate Controls is currently providing 24-7 telephone consultation on the system, but not everything can be done over the telephone.

Launderville anticipates receiving some grant money coming from the city. He plans to add cameras and audio to the booking area. He has also received a bill for the maintenance agreement for the **jail management software**-Emerald Systems, Wisconsin in the amount of \$8,200. The software is used when booking inmates and includes a bookkeeping cash management system. The annual payment has been \$8,200/yr. however he has been able to negotiate the amount down to \$3,200. A **water leak** was found in one of the cells causing damage to the wall. The wall has been repaired and the repair will be billed to the contractor who missed a plug at the time of installation.

Engineer Jon Ites received one bid for the Sturchler bridge by the June 1<sup>st</sup> deadline in the amount of \$500. A 10% bond was included. He discussed reserving it for a use, not salvage. The intended use

is to provide access to the bidder's property. Mark Stanley has mentioned that he might have to cut it up to be able to move it, and then might re-assemble it in a shorter length. Ites indicated that the scrap value is probably more than \$500. The winning bidder is required to move it at his own expense. Only one bid was received, and it was advertised for sale as excess property. Motion by Hach, second by Altena, to accept the **\$500 bid** from Mark Stanley for the **Sturchler Bridge**, to be removed by October 31, 2009. Carried.

A bid has also been received for a scraper, also having been declared as excess equipment. The cost to rehab the hydraulics would be something in excess of \$20,000. Motion by Hach, second by Altena, to accept the **\$1000 bid** for the Model 70 **caterpillar scraper**-1956 year, received from DK Farms, LeMars. Carried.

Motion by Hach, second by Ringgenberg, to approve and to authorize final payment to West Central Contracting on **project #L-GR-10—73-11** – guardrail rehab on bridge on M-36; the total project cost was \$21,703.25. Carried.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign two **underground utility permits** submitted by Iowa Lakes Regional Water, Spencer, for: 1½" PVC service line to 1107 690<sup>th</sup> St., and a 1½" PVC service line to 6442 150<sup>th</sup> Ave. Carried.

Ites noted that the **I-Jobs** program funds for Buena Vista County have dropped by about 50% since the prior notice. **Secondary road report:** the pre-construction meeting for M-53 sealcoat will be later this week, gravel hauling should be finished next week, and the concrete overlay pavement on E. Milwaukee is due to start this Friday, or next Monday.

Motion by Altena, second by Hach, to approve the **minutes** of the 6/2 meeting as printed and the following **reports:** May Clerk's fees, May monitoring report for Spectra lagoon by Mangold Environmental, 5/5 & 5/11 Conservation Board minutes, Property Assessment Appeal Board decision on parcel #14-02-401-012 dated June 5<sup>th</sup>, 2009. Carried.

Motion by Hach, second by Ringgenberg, to approve and to authorize the Chair to sign the **fireworks permit** submitted by Robert Witzke-Newell for July 3<sup>rd</sup> or 4<sup>th</sup> with Witzke to be responsible for all safety and liability. Carried.

Three bids were received for mowing at the county care facility ranging from \$100 to \$175/ mowing. Motion by Hach, second by Ringgenberg, to accept the low bid of \$100 submitted by Stefani Merten, contingent upon receiving proof of insurance for **mowing at the county care facility**. Ayes-Altena, Hach, Ringgenberg. Nays-none. Abstentions-Merten. Carried.

Motion by Ringgenberg, second by Altena, to approve and to authorize the Chair to sign today's **claims approval list**. Carried.

Steve Wolf met with the Board to discuss **drainage** work in-house.



There being no further business, motion by Hach, second by Ringgenberg, to adjourn the meeting at 11:05 a.m. until June 16 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTY-FIFTH MEETING, 2009 SESSION (25)  
JUNE 16, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 16, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Motion by Hach, second by Ringgenberg, to approve **minutes** of the 6/9 meeting as corrected. Carried.

Motion by Arends, second by Altena, to approve the **fireworks permit** application submitted by Paula Balder for a display on 6/28/09 at 2361 500<sup>th</sup> St., Albert City. Carried.

Engineer Jon Ites discussed 'in-house' **drainage** work. Any time spent working on drainage business would be billed back to the drainage district and reimbursed to the Secondary Road Fund.

Motion by Arends, second by Hach, to approve the **underground utility permit** submitted by Schaller Telephone, Schaller, to install fiber and copper communication cable on the west and south sides of Section 31, Maple Valley Township. Carried.

Motion by Hach, second by Altena, to approve the **underground utility permit** submitted by Long Lines, Sergeant Bluff, Iowa to upgrade service with installation of fiber optic cable from a point on the east side of Alta, and then east to connect with Knology in Storm Lake. Carried.

Ites reported that he will proceed with condemnation on the last parcel along **C-65** so that fall bid letting and construction can proceed. He has just one landowner's signature left to be ready for the September letting for the **Raccoon River bridge**.

Sheriff Gary Launderville discussed a maintenance agreement for jail management software. Motion by Arends, second by Ringgenberg, to approve a maintenance agreement with Emerald Systems Inc. for **jail management software** in the amount of \$3,240/yr for a 3-year term, and to authorize the Chair to sign. Carried.

Zoning Director Kim Johnson presented a request for a minor subdivision from Phyllis Haroldson for a parcel in Section 17, Barnes Township. This is the 1<sup>st</sup> split of the 40 acre parcel. Motion by Hach, second by Altena, to approve and to authorize the Chair to sign Resolution 2009-06-16-A approving the **minor subdivision** for Phyllis Haroldson. Carried.

## **RESOLUTION 2009-06-16-A**

**WHEREAS**, Keith Haroldson and Joyce Stover as tenants in common and subject to a life estate of Phyllis Haroldson have presented a preliminary and final plat (of survey) on the following described property:

### **DESCRIPTION LOT A**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE¼ NE¼) OF SECTION 17, TOWNSHIP 93 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Northeast Quarter (NE¼) of said Section 17; Thence South 88°27'51" West, along the North Line of said Northeast Quarter (NE¼), 1042.50 feet; Thence South 00°00'00" East, 317.85 feet to the Point of Beginning; Thence South, 84°37'44" East, 20.39 feet; Thence South 60°06'24" East, 121.95 feet; Thence South 64°13'51" East, 86.86 feet; Thence South 47°43'41" East, 129.03 feet; Thence South 12°12'13" East, 43.54; Thence South 30°04'59" West, 46.76 feet; Thence South 62°20'50" West, 42.77 feet; Thence South 69°43'33" West, 57.48 feet; Thence South 47°10'35" West, 58.46 feet; Thence North 86°37'39" West, 76.75 feet; Thence North 06°46'08" West, 187.50 feet; Thence North 23°14'24" West, 156.55 feet; Thence North 32°31'20" East, 18.03 feet to the Point of Beginning. Hereafter known as Lot A of Section 17, Township 93 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

Tract contains 1.35 Acres and is subject to all easements of record.

**WHEREAS**, the final plat meets with the approval of the Board subject only to the following if any: ingress and egress easement across existing drive to run with the land.

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

### **DESCRIPTION LOT A**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE¼ NE¼) OF SECTION 17, TOWNSHIP 93 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Northeast Quarter (NE ¼) of said Section 17; Thence South 88°27'51" West, along the North Line of said Northeast Quarter (NE¼), 1042.50 feet; Thence South 00°00'00" East, 317.85 feet to the Point of Beginning; Thence South, 84°37'44" East, 20.39 feet; Thence South 60°06'24" East, 121.95 feet; Thence South 64°13'51" East, 86.86 feet; Thence South 47°43'41" East, 129.03 feet; Thence South 12°12'13" East, 43.54; Thence South 30°04'59" West, 46.76 feet; Thence South 62°20'50" West, 42.77 feet; Thence South 69°43'33" West, 57.48 feet; Thence South 47°10'35" West, 58.46 feet; Thence North 86°37'39" West, 76.75 feet; Thence North 06°46'08" West, 187.50 feet; Thence North 23°14'24" West, 156.55 feet; Thence North 32°31'20" East, 18.03 feet to the Point of Beginning. Hereafter known as Lot A of Section 17, Township 93 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, is hereby accepted subject to the following if any: ingress and egress easement across existing drive to run with the land.

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

### **DESCRIPTION LOT A**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE¼ NE¼) OF SECTION 17, TOWNSHIP 93 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE Corner of the Northeast Quarter (NE¼) of said Section 17; Thence South 88°27'51" West, along the North Line of said Northeast Quarter (NE¼), 1042.50 feet; Thence South 00°00'00" East, 317.85 feet to the Point of Beginning; Thence South, 84°37'44" East, 20.39 feet; Thence South 60°06'24" East, 121.95 feet; Thence South 64°13'51" East, 86.86 feet; Thence South 47°43'41" East, 129.03 feet; Thence South 12°12'13" East, 43.54; Thence South 30°04'59" West, 46.76 feet; Thence South 62°20'50" West, 42.77 feet; Thence South 69°43'33" West, 57.48 feet; Thence South 47°10'35" West, 58.46 feet; Thence North 86°37'39" West, 76.75 feet; Thence North 06°46'08" West, 187.50 feet; Thence North 23°14'24" West, 156.55 feet; Thence North 32°31'20" East, 18.03 feet to the Point of Beginning. Hereafter known as Lot A of Section 17, Township 93 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 16th day of June, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen Strawn, Auditor

There being no further business, motion by Arends, second by Altena, to adjourn the meeting at 10:00 a.m. until June 23 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTY-SIXTH MEETING, 2009 SESSION (26)  
JUNE 23, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 23, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg and Merten. Nays: none. Abstentions: none.

Tim Pierce presented the EMC property/casualty **insurance renewal** proposal for FY'10. He will check into additional options for liability coverage.

Richard Lode was present to follow-up on his interest in purchasing a **property in Sioux Rapids** for which a tax sale certificate was issued some years ago. The county has recently ordered a survey to develop accurate legal descriptions of what are now to be two parcels. In addition, during the research process, a previously undiscovered change of title was found which will allow removing C. E. Anderson's name, and dividing the property into two parcels. The title owners will be Steve Wagner and the City of Sioux Rapids, pursuant to quit claim deeds previously filed. Delinquent taxes on the properties date back to 1992 with the title in the name of C.E. Anderson, now deceased. Lode wants to purchase a parcel in Section 1, Barnes Township owned by Wagner. The county has no interest in either parcel, and can not sell property it doesn't own.

Joann Kinnetz, **Clerk of Court discussed storage needs** for her department. She recognized the custodians for their assistance in getting the storage area arranged, and in finding additional space. The juvenile department has released an area in the old jail, making it available to the Clerk. The change in storage place assignment was approved by a consensus of the Board.

John Peters, Chairman of the **BV Co Veterans Commission**, submitted two names for the vacancy on the BV Co Veterans Commission – Julie Small and Herb Crampton. New state Iowa will require gender balance on the boards and commissions to which appointments are made by the Supervisors. Peters also discussed the national school and the accreditation required for helping veterans and survivors access federal VA benefits. Keeping accreditation current will require CEU's but those requirements have not been spelled out fully.

CPC Dawn Mentzer presented **FY'10 provider contracts** for Genesis and Plains Area Mental Health Center. Motion by Hach, second by Ringgenberg, to approve FY'10 contracts for Genesis Development with a 4.5% increase (as approved by the home county-Jefferson County), and Plains Area MHC with no increase in rates, and with a reduction of the block grant from \$125,000 to \$100,000. Carried. Mentzer reported that Season's is self-sustaining as they apparently are planning to continue services in Storm Lake.

Mentzer discussed a **proposal from PAMHC to share office space** in their new location on Lake Avenue. Secretary Linda White reviewed numerous problems in their current location with the plumbing, water, lack of insulation in two offices which are cold in the winter and not private and insufficient electrical service. Mentzer explained that the lease amount for the new building will allow the owner to recoup his costs of remodeling. The space is larger than PAMHC needs, so they are looking for someone to share the building. She will set-up a walk-through for board members to assess the space.

**New case management rules** have not been adopted yet, and then they will go through the administrative rules process. PAMHC therapists will be handling the 'on-call case management' program. Mentzer has set up a protocol for handling the cases. The 15-minute billing program will go forward.

Engineer Jon Ites presented plans for approval and signature. Motion by Arends, second by Altena, to approve and to authorize all Supervisors to sign the plans for **project #BROS-CO11-(57)** (Raccoon River bridge between Sections 1-12, Coon Township, and to set a letting date of Sept 15<sup>th</sup> at the DOT offices. Carried.

A request for diesel fuel quotes was advertised with two quotes being returned. Motion by Ringgenberg, second by Hach, to accept and approve the low quote from 1<sup>st</sup> Coop, Cherokee, for the season's **diesel fuel supply** for FY'10. Carried.

Motion by Arends, second by Altena, to approve the **underground utility permit** submitted by Iowa Lakes Electric, Estherville to provide service to a location between Sections 4 & 9, Newell Township. Carried.

Ites informed the Board that money should be available for updating **flood plain maps**. Buena Vista County has never had one done. Hopefully, Buena Vista County will be done this round.

Motion by Hach, second by Ringgenberg, to approve the **minutes** of 6/16 meeting as printed. Carried.

Motion by Arends, second by Altena, to approve **today's claims approval list**, less 1 ISAC legislative workshop registration, and plus the following additional claims: Flex Benefits in the amount of \$41.61-non-departmental; Qwest-telephone service for the law library in the amount of \$71.31; and to authorize the Chairman to sign. Carried.

Motion by Hach, second by Altena, in the FY'09 budget, to **de-appropriate** \$2,500 from activity 9010 and **appropriate** \$2,500 to activity 9210. Carried.

Motion by Hach, second by Arends, to extend to qualified property taxpayers in Buena Vista County, **property tax credits** in the same funding amounts as the county will receive from the State of Iowa for FY'10 property tax credits, as follows: Homestead-73%, Military-100%, Elderly & Disabled-100%. Carried.

Prior to adopting a final order on the petition, and after reviewing a recorded affidavit, motion by Hach, second by Ringgenberg, to accept the affidavit verifying property ownership of the **Casino Beach Sanitary District** petition signers. Carried.

The June 9<sup>th</sup> public hearing on the **Casino Beach Sanitary District petition** was closed after hearing comments from attendees. Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign the order, pursuant to Chapter 358.5, 2009 Code of Iowa. Carried.

### **RESOLUTION 2009-06-23-A**

#### **Board of Supervisors' Order Regarding the Petition for an Election to Establish the Casino Beach Sanitary District**

**WHEREAS**, on October 21, 2008 there was filed a petition, containing 37 signatures, in the office of the Buena Vista County Auditor requesting an election to establish a Sanitary District with the proposed name being "Casino Beach Sanitary District", and

**WHEREAS**, a notice of public hearing, to be held March 24<sup>th</sup>, 2009 at 10:00 a.m. in the Courthouse Public Meeting Room, was published on March 12, 2009 in the Storm Lake Pilot-Tribune, and was sent on February 20, 2009 to all of the owners in the following described area:

"All subdivision and residential lots and land within the area bordered on the west by the State of Iowa Casino Beach Marina property, on the north and east by the waters of Storm Lake, on the south by the south line of Casino Bay Estates Addition (Jason and Erika Dierking property) and southwest by a line 1000 feet west of the west line of Casino Road beginning at the south line of the Dierking property and ending at the north line of West Marina Road." and,

**WHEREAS**, at the March 24<sup>th</sup> hearing Engineer Neal Kuehl presented his study findings as of that date and provided information that additional informal petitions were expected to be filed for other areas south of Storm Lake, and, the Board of Supervisors continued the hearing until May 5<sup>th</sup> at 10:00 a.m., and

**WHEREAS**, additional informal petitions were filed in the Auditor's office containing 102 signatures for Bel Air, South Shore, South Cove, Schaller, Stoney Point and Bay View Subdivisions requesting to be added to the proposed Casino Beach Sanitary District, and

**WHEREAS**, an affidavit regarding proof of the residences and qualifications of the petitioners as eligible electors has been recorded,

**WHEREAS**, at the continued public hearing on May 5, the Board directed that the Auditor order a legal description for the entire proposed district including Casino Beach and all other subdivisions which filed informal petitions, and set the continuation of this hearing to June 9<sup>th</sup> at 7:00 p.m. for all persons included in the additional subdivisions, and

**WHEREAS**, the notice of public hearing for June 9, 2009 was published on May 26, 2009 in the Storm Lake Pilot-Tribune, and was sent on May 14, 2009 to all of the owners in the Bel Air, South Shore, South Cove, Schaller, Stoney Point and Bay View Subdivisions, and

**WHEREAS**, the Buena Vista County Board of Supervisors continued the hearing on June 9<sup>th</sup>, reviewed the area to be included in the proposed sanitary district, took input and answered questions regarding its formation and governance, with no written objections having been received the Chairman declared the hearing complete and the Board approved a motion to close the public hearing, and

**NOW THEREFORE BE IT ORDERED** by the Buena Vista County Board of Supervisors that the limits and boundaries of the proposed district shall be and are:

**“(A TRACT OF LAND DEFINING THE LIMITS OF A SANITARY SEWER DISTRICT LOCATED IN SECTIONS EIGHT, NINE, FOURTEEN, FIFTEEN, AND SIXTEEN (8,9,14,15,16) ALL IN TOWNSHIP 90 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Northeast (NE) Corner of Lot Twenty-two (22) Block One (1) of Bel Air Beach Addition; Thence southerly along the East line of said Lot Twenty-two (22) to the centerline of Mallard Avenue; Thence southeasterly along said centerline to the centerline of a stream locally known as Outlet Creek; Thence southeasterly along said stream centerline to the East of the Southwest Quarter (SW¼) of said Section 14; Thence southerly along said East line to the South line of Block Eight (8) in said Bel Air Beach Addition; Thence westerly along said South line to the East line of said Section 15; Thence southerly along said East line to the centerline of the public roadway lying South of Block One (1) in Schaller Subdivision; Thence westerly along said centerline and its western extension to intersect with a line drawn parallel to, and seven hundred fifty feet (750') normal distant southerly from, the ordinary high water line of Storm Lake; thence westerly along said parallel line to the West line of the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of said Section 16; Thence northerly along said West line to the South line of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼) of said Section 16; Thence westerly along said South line to the West line of said Section 16; Thence northerly along said West line to the Northwest (NW) corner of said Section 16; Thence continuing northerly along the East line of the Southeast Quarter (SE¼) of said Section 8 to the centerline of a public roadway lying south of Block Two (2) of Westside Subdivision; Thence Westerly along said centerline to intersect with the southerly extension of the West line of Clough's Addition; Thence northerly along said West line and it's northern extension, a distance of 679.05 feet; Thence North 55°11'23" West, 193.54 feet; Thence North 00°36'00" East, 200 feet more or less to the ordinary high water line of Storm Lake; Thence southeasterly along said high water line to the Point of Beginning.”,

**and FURTHER**, the Buena Vista County Auditor is hereby directed to conduct an election on August 4<sup>th</sup>, 2009, from noon until 8:00 p.m., to submit a question to the registered voters residing within the boundaries of the proposed district, on the establishment and organization of the proposed district to be named “Casino Beach Sanitary District”, with the polling place to be the Storm Lake Airport Terminal. The Buena Vista County Auditor is further directed to cause notice of this election to be given at least thirty days before August 4, 2009 by publication as provided in Iowa Code Sections 358.6 and 331.305.

Dated this 23<sup>rd</sup> day of June, 2009.

/s/ Paul Merten, Chairman...../s/ Karen M. Strawn, Buena Vista Co. Auditor

Motion by Arends, second by Hach, to approve the appointment of Mark Herrig as Lincoln Township Benefitted Fire District trustee for the term expiring 6-3-2012. Carried

Merten left the meeting.

Motion by Hach, second by Ringgenberg, to approve and to authorize the Vice-Chair to sign Application for Partial Payment #1 from Carnarvon Sand & Gravel on the contract for tree removal in DD #34 Lat. 2. Carried.

Motion by Ringgenberg, second by Arends, to approve and to authorize the Auditor to sign the **FY'10 fiscal agent agreement** with the Buena Vista, Crawford, Sac Counties Empowerment Board with fee to be \$9,475. Carried.

Motion by Hach, second by Ringgenberg, to approve and to authorize the Vice-Chair to sign an agreement with **Knology for internet service** for \$95/mo for the LEC. Carried. Previously, the City of Storm Lake shared the cost.

Ringgenberg left the meeting.

County Attorney Dave Patton briefed the Board on an **insurance claim** about which he had received a complaint.

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

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTY-SEVENTH MEETING, 2009 SESSION (27)  
JUNE 30, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 30, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, and Hach, and with Auditor Karen Strawn as clerk for the meeting. Absent: Arends and Ringgenberg.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Hach, and Merten. Nays: none. Abstentions: none.

Zoning Director Kim Johnson presented a request for a minor subdivision for Kenneth & Rosemary Hansen for a parcel in Section 27, Washington Township. Motion by Merten, second by Altena, to approve Resolution 2009-06-30-MSD for the minor subdivision requested by Kenneth & Rosemary Hansen, and to authorize the Chairman to sign. Carried.

**RESOLUTION 2009-06-30-MSD**

**WHEREAS**, Kenneth S. Hansen and Rosemary C. Hansen have presented a preliminary and final plat (of survey) on the following described property:

**DESCRIPTION LOT B**

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW¼ SW¼) OF SECTION 27, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of said Section 27, Thence North 90°00'00" West along the South line of said Southwest Quarter of the Southwest Quarter (SW¼ SW¼), 330.93 feet to the Point of Beginning. Thence continuing North 90°00'00" West, along said South line, 632.58 feet; Thence North 00°34'19" East, 688.61 feet; Thence South 90°00'00" East, 632.58 feet; Thence South 00°34'19" West, 688.61 feet to the Point of Beginning. Hereafter known as Lot B of Section 27, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 10.00 acres and is subject to all easements of record.

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

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

**DESCRIPTION LOT B**

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW¼ SW¼) OF SECTION 27, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of said Section 27, Thence North 90°00'00" West along the South line of said Southwest Quarter of the Southwest Quarter (SW¼ SW¼), 330.93 feet to the Point of Beginning. Thence continuing North 90°00'00" West, along said South line, 632.58 feet; Thence North 00°34'19" East, 688.61 feet; Thence South 90°00'00" East, 632.58 feet; Thence South 00°34'19" West, 688.61 feet to the Point of Beginning.

Hereafter known as Lot B of Section 27, Township 91 North, Range 37 West of the 5<sup>th</sup> 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 said:

**DESCRIPTION LOT B**

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW¼ SW¼) OF SECTION 27, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of said Section 27, Thence North 90°00'00" West along the South line of said Southwest Quarter of the Southwest Quarter (SW¼ SW¼), 330.93 feet to the Point of Beginning. Thence continuing North 90°00'00" West, along said South line, 632.58 feet; Thence North 00°34'19" East, 688.61 feet; Thence South 90°00'00" East, 632.58 feet; Thence South 00°34'19" West, 688.61 feet to the Point of Beginning. Hereafter known as Lot B of Section 27, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 30<sup>th</sup> day of June, 2009.

/s/ Paul Merten, Chair, Board of Supervisors...../s/ Karen Strawn, County Auditor

The Board discussed the economic climate, including the state's financial conditional and departmental appropriations for FY'10. A motion by Hach to appropriate funds at 90% died for lack of a second. Motion by Altena, second by Merten, to approve and to authorize the Chairman to sign



**Resolution 2009-06-30-A** appropriating funds for FY'10 to departments at 100% per the FY'10

budget. Carried.

#### **RESOLUTION 2009-06-30-A**

**WHEREAS**, it is desired to make appropriations for each of the different officers and departments for the fiscal year commencing July 1, 2009, in accordance with section 331.434 (Sec 6) 2009 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 2009-10 are hereby appropriated at 100% to the department or office listed in the 2009-10 budget.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from county funds effective July 1, 2009.

Section 3. In accordance with section 331.437 of the 2009 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 2009-10 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 FY2009-10 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, 2010.

**PASSED AND APPROVED**, June 30, 2009.

/s/ Paul Merten, Chair, Board of Supervisors..... Attest: /s/ Karen M. Strawn,  
County Auditor

Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign **Resolution**

**2009-06-30-B** authorizing interfund operating transfers from the General and Rural Funds to the

Secondary Road Fund, and local option sales tax funds from "Local Option Sales Tax Funds for

Secondary Roads" (0019) to the Secondary Road Fund as detailed in the FY'10 budget. Carried.

#### **RESOLUTION 2009-06-30-B**

**WHEREAS**, it is desired to transfer monies from the General Basic Fund (0001) to the Secondary Road Fund (0020) and to transfer from the Rural Services Basic Fund (0011) to the Secondary Road Fund (0020); and

**WHEREAS**, said operating transfers are in accordance with section 331.432, 2009 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 \$119,283.00 is ordered transferred from the General Basic Fund to the Secondary Road Fund with one-half the amount (\$59,641.50) transferred no earlier than July 1, 2009, and the last one-half transferred no earlier than January 1, 2010.

The sum of \$1,203,720.00 (Rural Basic levy) is ordered transferred from the Rural Services Basic Fund to the Secondary Road Fund (levy) with one-half the amount (\$601,860.00) transferred no earlier than July 1, 2009 and the last one-half transferred no earlier than January 1, 2010.

Section 2. The total maximum transfer from the General Basic Fund to the Secondary Road Fund shall not exceed \$119,283.00 (levy) and the total maximum transfer from the Rural Basic Fund to the Secondary Road Fund shall not exceed \$1,203,720.00 (levy) all for the fiscal year beginning July 1, 2009.

Section 3. The total transfer of local option sales tax for secondary roads shall be limited to 60% of the total local option sales tax receipts for FY'09 received by the county, estimated for budget purposes at \$405,000.

Section 4. 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**, June 30<sup>th</sup>, 2009.

/s/ Paul Merten, Chair, Board of Supervisors..... Attest: /s/ Karen M. Strawn, County Auditor

Motion by Altena, second by Merten, to approve and to authorize the Chairman to sign Resolution 2009-06-30-C regarding the designation of a portion of the FY'09 General Fund and Rural Fund ending fund balances (June 30, 2009) for the **Drive Trails and County Trail System**. Carried.

#### **RESOLUTION 2009-06-30-C**

#### **Drive Trail & County Trail System**

#### **Designated Ending Fund Balances**

**WHEREAS**, Buena Vista County included \$100,000 in its FY'09 ending fund balances (\$75,000-General, \$25,000-Rural) for 'signing' for a Drive Trail to the Alta wind-farm and other attractions around the county in connection with Storm Lake's Project Awaysis; and,

**WHEREAS**, the Drive Trail sign project was not completed by June 30, 2009; and

**WHEREAS**, Buena Vista County 'pledged' a total of \$400,000 over 8 years for Trails in the county in connection with the Storm Lake Project Awaysis; and,

**WHEREAS**, the FY'09 budget adopted by the Buena Vista County Board of Supervisors included a tax asking for the \$50,000 for the County Trail System (or 1/8<sup>th</sup> of total \$400,000) in FY'09; and,

**WHEREAS**, no Buena Vista County Trail projects have commenced as of June 30, 2009; and,

**WHEREAS**, the Buena Vista County Board of Supervisors wishes to set aside the taxes levied for both the Drive Trail and Trails for expenditure at a later time; and

**WHEREAS**, the funding source amounts approved for both Drive Trails and County Trail System are from the General Basic (75%) and Rural Fund (25%);

**NOW THEREFORE BE IT RESOLVED BY THE BUENA VISTA COUNTY BOARD OF SUPERVISORS**, that \$187,500 in the FY'09 General Basic ending fund balance, and, \$62,500 in the FY'09 Rural Basic ending fund balance, be considered and are hereby unreserved/designated for the Drive Trail and the Trails projects associated with Project Awaysis.

**PASSED AND APPROVED** this 30<sup>th</sup> day of June, 2009.

/s/ Paul Merten, Chair, Board of Supervisors..... Attest: /s/ Karen M. Strawn, County Auditor

Motion by Merten, second by Altena, to approve and to authorize the Chairman to sign Resolution 2009-06-30-D regarding the designation of a portion of the General Fund ending balance (June 30, 2009) for the **FY'10 Capital Projects** expenditures. Carried.

#### **RESOLUTION 2009-06-30-D**

##### **FY'10 Capital Projects**

##### **Designated Ending Fund Balance**

**WHEREAS**, Buena Vista County issued \$600,000 in Capital Loan Notes in March, 2009, which were received into the General Fund for expenditure on Capital Projects, and

**WHEREAS**, a portion of those funds were not expended in FY'09 and the remainder of those funds will be spent in FY'10,

**NOW THEREFORE BE IT RESOLVED**, by the Buena Vista County Board of Supervisors, that \$485,224 in the General Fund ending fund balance is hereby designated for expenditure on Capital Projects only.

**PASSED AND APPROVED** this 30<sup>th</sup> day of June, 2009.

/s/ Paul Merten, Chair, Board of Supervisors..... Attest: /s/ Karen M. Strawn, County Auditor

Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign Resolution 2009-06-30-E regarding the **transfer of funds from the General Supplemental Fund** to General Basic as reimbursement of Central Services provided to Court services. Carried.

#### **RESOLUTION 2009-06-30-E**

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

**WHEREAS**, Chapter 331.423.1 of the 2009 Code of Iowa sets the maximum levy for the General Basic Fund at \$3.50 per thousand of taxable valuation; and,

**WHEREAS**, Chapter 331.424.1.g of the 2009 Code of Iowa authorizes the Board of Supervisors to levy a General Supplemental levy to the extent that the General Basic levy is insufficient to meet the county's needs, for the maintenance and operation of the courts, and

**WHEREAS**, the budget proposed for FY'10 will include a General Basic levy of \$3.92525 / thousand of taxable valuation; and

**WHEREAS**, Buena Vista County approved Central Services Cost Allocation Plans prepared by Cost Advisory Services Inc. for FY 2006 & FY2007, which allocated \$72,731 for FY'06 and \$81,676 for FY'07, a total of \$154,407, as the cost of Central Services provided for District Court and Clerk of Court services during FY's'06 &'07;

**NOW, THEREFORE BE IT RESOLVED** by the Buena Vista County Board of Supervisors that pursuant to Iowa Code Section 331.424.1g, the Auditor is hereby directed to transfer **\$154,407** (reflecting the amount of available of the total budgeted transfers in the FY'09 budget) from the General Supplemental Fund to the General Basic Fund during the current fiscal year.

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

**PASSED AND APPROVED**, by the Buena Vista County Board of Supervisors this 30<sup>th</sup> day of June, 2009.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: /s/ Karen M. Strawn,  
Co. Auditor

Motion by Altena, second by Hach, to approve and to authorize the Chairman to sign a contract with 1<sup>st</sup> Coop, Cherokee for the **season's supply of diesel fuel** for FY'10. Carried.

Engineer Jon Ites discussed a decline in the revenue from the distribution of funds generated by permits for **implements of husbandry**. The number of permits issued has declined. BV Co received \$5,200 this year, which is 20% of the amount received last year.

Ites has received an informal request for a road **upgrade from Level B** to Level A; the road is located on the west side of Section 10, Washington Township. The Engineer estimates that the cost for 1 mile would be \$12,500 with a gravel surface. The request was for ½ mile, but the County's policy would be to upgrade the entire mile. The county's policy also states that the Board sets the percentage of participation by the owner. Ites asked for direction on this matter so that he can present the cost proposal to the owner. It was the consensus of the Board to set the owner's participation at 75% of the 1-mile cost.

Motion by Altena, second by Hach, to approve the following **claims** for payment today: Blacktop Services-\$2,082.45, KAM Line Highway Markings-\$32,426.55, Mann Construction-\$6,900. Carried.

Case Management Supervisor Tami Mills-Thomas presented a proposal for wage increases for two employees, and the wage for a new case manager. Motion by Hach, second by Altena, to approve the following **wage rates effective July 1, 2009** as follows: Alicia Gatzemeyer-\$14.75/ hr (with no reduction when her duties in Carroll County end), Linda White-\$13.46/hr., and to employ Lynn Younie as a case manager in the Community Services department at \$14.42/hr, effective July 6, 2009. Carried.

With two board members absent, the **insurance claim** by David Degner was not discussed.

Motion by Hach, second by Altena, to approve the **minutes** of the 6/23 meeting as printed, and the following **report**: 6/23 Board of Health minutes. Carried.

The June 29<sup>th</sup> public hearing regarding the **Lake Creek Country Club Sanitary District petition** was closed after hearing from the attendees. No written objections were received before the hearing. Motion by Altena, second by Hach, to approve and to authorize the Chairman to sign the order, pursuant to Chapter 358.5, 2009 Code of Iowa. Carried.

#### **RESOLUTION 2009-06-30-F**

Board of Supervisors' Order Regarding the  
Petition for an Election to Establish the Lake Creek Country Club Sanitary District

**WHEREAS**, on March 31, 2009 there was filed a petition, containing 26 signatures, in the office of the Buena Vista County Auditor requesting an election to establish a Sanitary District with the proposed name being "Lake Creek Country Club Sanitary District", and

**WHEREAS**, a notice of public hearing, to be held June 9<sup>th</sup>, 2009 at 7:00 p.m. in the Courthouse Public Meeting Room, was published on May 26, 2009 in the Storm Lake Pilot-Tribune, and was sent on May 14, 2009 to the owners in the following described area:

**WHEREAS**, it was determined that not all of the property owners had received notice by mail of the June 9<sup>th</sup> hearing, on June 2, 2009, the Buena Vista County Board of Supervisors set a new public hearing date for June 29<sup>th</sup> at 7:00 p.m. at the Lake Creek Country Club Clubhouse, and

**WHEREAS**, the new notice of public hearing, to be held June 29<sup>th</sup>, 2009 at 7:00 p.m. in the Lake Creek Country Club Clubhouse, was published on June 13, 2009 in the Storm Lake Pilot-Tribune, and was sent on June 6, 2009 to all of the owners in the following described area:

"All subdivision and residential lots in the southwest quarter of Section 30 T91N R37W lying north and east of Iowa Highway 7 and all residential lots in Drey's Subdivision of Lot A in Section 30 T91N R37W." and,

**WHEREAS**, an affidavit verifying proof of the residences and qualifications of the petitioners as eligible electors has been recorded,

**WHEREAS**, the Buena Vista County Board of Supervisors conducted the hearing on June 29<sup>th</sup>, reviewed the area to be included in the proposed sanitary district, took input and answered questions regarding its formation and governance, with no written objections having been received the Chairman declared the hearing complete and the Board approved a motion to close the public hearing, and

**NOW THEREFORE BE IT ORDERED** by the Buena Vista County Board of Supervisors on June 30<sup>th</sup>, 2009 that the limits and boundaries of the proposed district shall be and are:

"All subdivision and residential lots in the southwest quarter of Section 30 T91N R37W lying north and east of Iowa Highway 7 and all residential lots in Drey's Subdivision of Lot A in Section 30 T91N R37W." and,

**and FURTHER**, the Buena Vista County Auditor is hereby directed to conduct an election on August 4<sup>th</sup>, 2009, from noon until 8:00 p.m., to submit a question to the registered voters residing within the boundaries of the proposed district, on the establishment and organization of the proposed district to be named "Lake Creek Country Club Sanitary District", with the polling place to be the Storm Lake Airport Terminal. The Buena Vista County Auditor is further directed to cause notice of this election to be given at least thirty days before August 4, 2009 by publication as provided in Iowa Code Sections 358.6 and 331.305.

Dated this 39<sup>th</sup> day of June, 2009.

/s/ Paul Merten, Chairman...../s/ Karen M. Strawn, Buena Vista Co. Auditor

Motion by Hach, second by Altena, to appoint Julie Small, Rembrandt, to the **BV Co Veterans Commission** for a term expiring June 30, 2012. Carried.

Motion by Hach, second by Altena, to approve the Stille Pierce & Pertzborn **FY'10 insurance renewal** proposal for the following coverage: tort liability, auto, property, computer equipment, E & O, umbrella, data processing, inland marine, ocean marine, contractor's equipment, crime, law enforcement professional, medical professional, worker's compensation, and blanket bond, with a \$5,000,000 umbrella limit; the Auditor is appointed risk manager for the county. Carried.

Motion by Altena, second by Hach, to approve liquor license renewals for Sparky's One Stop, Pronto Market, and Oasis Liquor. Carried.

The Conservation Board request for a transfer of the remainder of the FY'09 operating budget to the Conservation Land Acquisition Trust Fund was tabled until the full board is present.

Chairman Merten and Supervisor Hach will perform an "end-of-year cash count" for the Treasurer on July 1<sup>st</sup>.

There being no further business, motion by Hach, second by Altena, to adjourn the meeting at 10:30 a.m. until July 7 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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BUENA VISTA COUNTY CLAIMS  
JANUARY – JUNE 2009

4IMPRINT 203.70; A & A APARTMENTS 200.00; A & D TECHNICAL SUPPLY CO INC 412.50; ACE SIGN DISPLAYS INC 431.20; ACTERRA GROUP INC 72,449.55; ADVANCED PEST TECHNOLOGY 568.00; AG PARTNERS L.L.C. 6,397.03; AHLERS & COONEY, P.C. 5,356.78; ALBERT CITY APARTMENTS INC 486.00; ALBERT CITY CORP 3,900.00; ALBERT CITY TRUESDALE COMMUNIT 4,890.00; ALBERT CITY, CITY OF 220.80; ALEXANDER HAMILTON INSTITUTE I 30.35; ALL ABOUT COMPUTERS INC 420.00; ALLIANT ENERGY 67,719.89; ALLTEL 6,679.33; ALPHA WIRELESS COMMUNICATIONS 21,454.26; ALTA BODY SHOP 326.08; ALTA COMMUNITY SCHOOL DISTRICT 15,123.40; ALTA CORP 3,900.00; ALTA IMPLEMENT CO 50.01; ALTA MUNICIPAL UTILITIES 1,350.39; ALTA USED CARS 10,200.00; ALTAMIRANO, FRANCISCO 25.00; ALTAMIRANO, MELINDA 40.00; ALTENA, DON 29.35; AM COM SOFTWARE, INC 1,950.00; AMANI INC 889.61; AMBRY INTERNATIONAL, LTD 68.77; AMERICAN LEGION POST 299 15.00; AMERICAN RED CROSS 445.00; AMERICAN SOLUTIONS FOR BUSINES 249.50; AMERIGAS 200.00; ANDERSEN, GORDON 55.05; ANDERSON, ARDYCE 3.28; ANDERSON, CHARLEEN 592.36; ANDERSON, DENNIS V 26.52; ANDERSON, EVERET 120.00; ANDERSON, JIM 12.24; ANDERSON, ROBERT L 12.20; AR WE VA SCHOOLS 10,613.44; ARAMARK UNIFORM SERVICES 449.71; ARAMSCO 174.32; ARENDS, DALE 2,121.31; ARMSTRONG, CAROLYN 1,090.85; ARNOLD MOTOR SUPPLY 1,996.61; AUDIO THERAPY 467.50; AUDITOR OF STATE 625.00; AUTOMOTIVE SERVICE CENTER 293.22; B & W CONTROL SPECIALISTS 25,636.61; B V CO SECONDARY ROAD 2,140.50; B V CO SOIL CONSERVATION 1,500.00; B V COUNTY HEALTH DEPT 63,976.24; B V SHERIFF RESERVES ASSOC 160.00; BACH, KATHLEEN 265.02; BAK BONE 436.50; BARNES GROUP INC 391.72; BAUGHMAN, ARVID 25.65; BEDROCK GRAVEL, INC 21,674.75; BELLOWES, CARL 15.25; BELSON, MIKKA 30.60; BEST WESTERN UNIVERSITY 143.92; BIGGINS, DON 400.00; BINDNER, HANS 11.11; BITUMINOUS MATERIALS & SUPPLY 12,014.34; BLACKTOP SERVICE COMPANY INC 69,414.91; BLI LIGHTING SPECIALISTS 1,643.78; BLOYER, TODD 480.00; BOB BARKER COMPANY INC 1,047.39; BOB'S GARAGE & AUTO SALES 306.83; BODHOLDT BROTHERS 499.35; BODHOLDT, TONY 158.98; BOECK, DAN AND SHANNON 314.00; BOGUE, PAMELA L 285.70; BOMGAARS 2,590.54; BONGARDE HOLDINGS INC 57.95; BOTCHER, STEVEN 200.00; BRAD'S SERVICE INC 160.64; BREWER, A. NADINE 200.00; BRINCKS, CHERYL 61.20; BROTHER INTERNATIONAL CORP 65.66; BROWN SUPPLY CO 644.73; BROWN, RUSSELL W 1,160.00; BROWNMILLER, PAMELA 9.00; BUENA VISTA CO AUDITOR 162.00; BUENA VISTA CO TREASURER 130.00; BUENA VISTA CO.

SHERIFF 1,030.05; BUENA VISTA COUNTY 11,436.00; BUENA VISTA COUNTY EMS ASSOC 4,220.00; BUENA VISTA COUNTY EXTENSION 1,100.00; BUENA VISTA COUNTY FAIR 10,000.00; BUENA VISTA COUNTY JOURNAL 2,401.36; BUENA VISTA COUNTY TREASURER 180.65; BUENA VISTA GLASS INC 1,699.42; BUENA VISTA REGIONAL MEDICAL C 34,888.01; BUENA VISTA RIFLE&PISTOL CLUB 600.00; BUILDERS SHARPENING & SERVICE 4,138.00; BUSKE, RON 139.05; BV CO EMPLOYEE HEALTH FUND -437.34; BV CO/MUN DISASTER SERV 27,500.00; BV STATIONERY & PRINTING 23,749.27; BV VETERINARY CLINIC 322.00; CALHOUN CO DEPT OF HEALTH 15,093.40; CAMERON, THOMAS K 12.12; CANON FINANCIAL SERVICES 1,776.00; CAREFACTS 5,161.50; CARLSON, DEB 95.33; CARLSON, SARA 400.00; CARNARVON SAND & GRAVEL 19,484.77; CARNINE, KIM M. 693.77; CARPENTER UNIFORM COMPANY 193.89; CARROLL GLASS COMPANY INC 1,074.07; CAVANAUGH, TIM 200.00; CCMS 635.00; CCP INDUSTRIES INC 1,009.54; CDW GOVERNMENT INC 19,483.42; CENTRAL IOWA DISTRIBUTING INC 3,543.13; CENTRAL SALT LLC 39,581.44; CHANNING L BETE COMPANY INC 556.07; CHARTER OAK-UTE SCHOOL 26,746.56; CHEM-TROL INC 3,550.00; CHEROKEE COUNTY EXTENSION SERV 404.00; CHEROKEE COUNTY SHERIFF 19.00; CHILDRENS IMAGINATION STATION 7,450.00; CHINDLUND, ANN 1,190.85; CHINDLUND, CECIL W. 12,970.00; CHINDLUND, JEFFREY 112.24; CHRISTENSEN, ROBERT E. 447.84; CHRISTIAN BROS EXCAVATING LC 300.00; CHRISTIANSEN, DIANE 703.69; CHRISTY, DONALD HOWARD 794.66; CIRRUS PHOTO 875.00; CITIZENS FIRST NATIONAL BANK 116,452.00; CITY DIRECTORY INC 493.00; CITY OF SIOUX CITY 8,564.18; CLARINDA YOUTH CORP 426.60; CLAUSEN HARDWARE & SERVICE 98.99; CLAY COUNTY SHERIFF DEPARTMENT 90.00; COASTAL TRAINING TECHNOLOGIES 602.57; COLE, MD PC, DANIEL J. 200.00; COLOR-IZE INC 2,274.05; COMMUNITY FOUNDATION GRANT 1,500.00; COMMUNITY SERVICES ASSOCIATION, % 50.00; COMPASS POINTE 7,654.00; CONOVER, SHELLEY 100.00; CONSOLIDATED PLASTICS CO INC 230.57; CONTINENTAL RESEARCH CORPORATI 600.26; CONTO, JENELLE 100.00; CONTROL SYSTEM SPECIALISTS LC 3,415.58; COST ADVISORY SERVICES INC 3,850.00; COUGILL, SHEILA 41.65; COUNCIL AGAINST DOMESTIC ABUSE 2,250.00; COUNCIL FOR PROF RECOGNITION 483.84; COUNTY CASE MANAGEMENT SERVICE 2,850.00; COZO, C/O SHEILA SCHRODER 50.00; CRAMPTON, DR. R. L. 400.00; CRAWFORD CO SHERIFF 121.87; CRAWFORD COUNTY HOME HEALTH & 65,206.85; CRIPPIN, DAVID 5,050.00; CRITTENTON CENTER, THE 199.92; CROKER, KATHY 59.95; CRYSTEEL TRUCK EQUIP INC 2,526.73; CULLIGAN 290.57; CURRY, JIM 177.57; CYLINDER EXPRESS 139.00; DANIEL PHARMACY 8.00; DATAMAXX APPLIED TECHNOLOGIES 1,272.00; DCI - SOR 150.00; DECATUR ELECTRONICS INC 422.70; DELTA DENTAL PLAN OF IOWA 34,549.96; DELUXE BUSINESS CHECKS & SOLUT 129.72; DENTAL DISTRIBUTORS INC 1,125.36; DES MOINES STAMP MFG CO 403.60; DISTRICT 3 RECORDERS ASSOCIATI 50.00; DISTRICT III, IACCB 30.00; DMACC 40.00; DOWDY, ED 350.00; DRIVER, CHERI 10.00; DRZYCIMSKI, BRIAN 44.88; DUST-TEX SERVICE INC 122.20; EAST SAC COUNTY SCHOOLS 8,494.00; EAST SAC COUNTY SCHOOLS 13,114.00; EHLERS, DAN 9.18; ELECTION SYSTEMS & SOFTWARE 16,089.20; ELECTRONIC ENGINEERING 219.70; ELEVATOR SERVICE & REPAIR 900.00; EMC 139.95; EMERALD SYSTEMS 3,240.00; EMERGITECH INC 13,691.18; ENGELMANN, BRUCE 17.22; EQUITY CONTRACTING INC 9,009.28; ESRI INC 4,400.00; FAREWAY STORE 2,663.22; FARM & HOME PUBLISHERS LTD 110.00; FASSLER, DAVID B 200.00; FASTENAL COMPANY 568.42; FASTENOW, JASON 85.00; FELTON CONCRETE 2,140.00; FERGUSON ENTERPRISES INC 11.91; FIBELSTAD, MARIE 44.42; FIDLAR COMPANIES 2,961.81; FILTER CARE OF NEBRASKA 788.45; FIRE PROOF PLUS INC 413.00; FIRST COOP ASSOCIATION 1,244.32; FIRST COOPERATIVE ASSOC 3,570.00; FIRST COOPERATIVE ASSOCIATION 74,413.05; FITZPATRICK AUTO CENTER INC 1,994.86; FLEET SERVICES 491.55; FLOORS ETC 8,579.60; FLOR-DRI SUPPLY CO INC 7,956.48; FLORIDA MICRO, LLC 1,763.50; FONDROY, RICHARD 29.58; FORT DEARBORN LIFE INS COMPANY 668.92; FRANTZ, DARRYL 70.60; FRATZKE & JENSEN FUNERAL HOMES 1,400.00; FRENCH, TOM 93.05; FRONTIER 728.39; FSU CENTER FOR PREVENTION & 816.00; FUNK, ANNA 375.00; FURNE, RIANNA 100.00; G & L CLOTHING 567.50; G&K SERVICES 1,776.48; GALBRAITH APPLIANCE REPAIR 74.20; GALBRAITH, LLOYD F 332.82; GALVIN, TERRILL LYNN 9,185.61; GARBAGE HAULING SERVICE 1,756.00; GCC READY MIX NOR. CENTRAL REG 360.00; GEISINGER, HAROLD 546.77; GENERAL BASIC FUND 6,839.87; GENERAL SECURITY SERVICES CORP 186.00; GENESIS DEVELOPMENT 41,533.46; GINGERBREAD HOUSE 4,024.39; GLAXOSMITHKLINE PHARMACEUTICAL 214.90; GLOWMART 32.00; GOODWIN TUCKER GROUP 1,038.47; GOSLAR, STACI 500.00; GOWERY, RANDY 120.00; GRAHAM TIRE CO 8,751.09; GRAINGER 384.39; GRAVES CONSTRUCTION CO INC

15,104.12; GROUP SERVICES INC 67,384.42; GROWS GARBAGE SERVICE 360.00; GRP & ASSOCIATES 93.00; GUERRA, PAULA 209.36; GULL WING INDUSTRIES INC 121.00; GUTZ, DENNIS 32.57; HABERMAN, JUDY 631.96; HACH, KEN 688.55; HALDIN, RICHARD 241.60; HALDIN, STEVE 384.12; HALLETT MATERIALS 234,355.95; HALVERSON, WAYNE 200.00; HAMMEN, STEVEN J 90.51; HANCOCK CONCRETE PRODUCTS INC 9,158.95; HANSEN, HEIDI 56.61; HANSEN, VICTOR 43.80; HAROLD ROWLEY RECYCLE CENTER 82,266.72; HARRINGTON, RANDY 200.00; HARTLEY, SALLY 2,360.69; HARTWELL, STAN 320.00; HAVICK, AMY 100.00; HAVICK, DEE 100.00; HCCMS FAMILY HEALTH SERVICES 1,840.08; HEALTHY FAMILIES SAN ANGELO 5,544.00; HEARTLAND INN - AIRPORT 1,032.00; HENRICH, HEATHER MARIE 1,604.26; HICKS, ARNIE 209.92; HIWAY TRUCK EQUIPMENT INC 150.00; HOFFMAN'S INC 27.82; HOLCOMB TRUCKS-SIOUX CITY 1,286.27; HOLIDAY INN DES MOINES AIRPORT 1,393.64; HOLMES, WESLEY 30.60; HONDO'S SALES & SERVICE 122.19; HORNOR, DUANE 96.64; HOTSY EQUIPMENT COMPANY 103.54; HULTGREN IMPLEMENT CO 2,471.68; HUNTINGTON PROMOTION 660.00; HUNZELMAN PUTZIER & CO 7,797.17; HUSSMANN CORP/TAYLOR IND 961.85; HY-VEE 27.50; HY-VEE FOOD STORE 50.00; HY-VEE INC 3,248.11; HY-VEE PHARMACY 92.83; HY-VEE, INC. 289.50; I.S.C.I.A. 150.00; IA CO ATTORNEYS CASE MGMT PROJ 2,200.00; IA STATE RESERVE LAW OFFICERS 15.00; IA STATE UNIVERSITY EXTENSION 238.61; IACCB 700.00; IACCVA 170.00; ICIT 200.00; IEHA 60.00; IIADA 68.95; IMAGETEK INC 1,691.30; IMMANUEL LUTHERAN PRE SCHOOL 1,385.00; INDUSTRIAL BEARING SUPPLY 355.63; INJOY PRODUCTIONS INC 7,874.00; INSIGHT PUBLIC SECTOR INC 4,624.16; INST FOR HEALTHCARE ADVANCEM'T 225.72; INST OF IA CERT ASSESSOR 250.00; INTERSTATE BATTERY SYSTM 795.60; INTOXIMETERS 257.00; IOBP 117.00; IOWA ALLIANCE IN HOME CARE 350.00; IOWA CHAPTER OF APCO 120.00; IOWA COUNTY ATTORNEYS ASSOCIAT 50.00; IOWA COUNTY RECORDERS ASSOC 3,007.00; IOWA DEPT OF HUMAN SERVICES 161,055.41; IOWA DEPT OF HUMAN SERVICES 144,651.64; IOWA DEPT OF HUMAN SERVICES 5,707.81; IOWA DEPT OF HUMAN SERVICES 8,829.18; IOWA DEPT OF HUMAN SERVICES 1,398.00; IOWA DEPT OF MANAGEMENT 4,243.00; IOWA DEPT OF NATURAL RESOURCES 100.00; IOWA DEPT OF NATURAL RESOURCES 350.00; IOWA DEPT OF PUBLIC HEALTH 3,906.00; IOWA DEPT OF TRANSPORTATION 3,627.02; IOWA DEPT PUBLIC SAFETY 4,662.00; IOWA DNR EMERG'Y RESPONSE UNIT 25.00; IOWA EMERGENCY NUMBER ASSOC 145.00; IOWA LAKES CORRIDOR DEV CORP 10,000.00; IOWA LAKES ELECTRIC COOP 3,851.23; IOWA LAKES REGIONAL WATER 467.45; IOWA LAW ENFORCEMENT ACADEMY 760.00; IOWA LEAGUE OF CITIES 100.00; IOWA NATURAL HERITAGE FOUNDATI 225.00; IOWA NCRAAO 2009 470.00; IOWA PRISON INDUSTRIES 1,379.50; IOWA SECRETARY OF STATE 148.66; IOWA STATE ASSOC OF COUNTIES 1,415.00; IOWA STATE CO TREASURERS ASSOC 210.00; IOWA STATE MEDICAL EXAMINER 2,885.00; IOWA STATE UNIVERSITY 10.00; IOWA STATE UNIVERSITY 420.00; IOWA STATE UNIVERSITY 457.50; IOWA STATE UNIVERSITY 1,856.35; IOWA TELECOM 2,731.12; IOWA TELECOM-PROVIDER 1178 615.42; IOWA WEED COMMISSIONERS' ASSOC 220.00; IRWIN-KIRKMAN-MANILLA SCHOOL 7,954.00; ISACA 505.00; ISCTA 187.26; IVERSEN, MICHELLE 239.19; J.W. CONSTRUCTION INC 137,185.20; JACKS UNIFORMS & EQUIPMENT 1,789.63; JACKSON RECOVERY CENTERS INC 3,315.00; JACKSON, DONALD 15.30; JACOBS, PRESTON 83.02; JACOBSON SUPPLY, LLC 1,770.00; JAMES W BELL CO INC 304.01; JANITORS CLOSET LTD 226.00; JCG LAND SERVICES, INC 8,749.84; JCL SOLUTIONS-JANITORS CLOSET 1,855.74; JENNETT P.C., DAVE 600.00; JEPSEN, JESSICA 100.00; JESSE TRUST, GLEN A 25,105.00; JIM HAWK TRUCK TRAILERS INC 1,914.15; JIMENEZ, JULIE 100.00; JMS SOFTWARE 500.00; JOHNSON, BELINDA 38.10; JOHNSON, CAL 146.33; JOHNSON, CURT 200.00; JOHNSON, KIM 1,123.00; JOHNSON, SHIRLEY 169.08; JOHNSTON AUTOSTORES 960.39; JONES NURSERY 519.96; JORDAN, ANNETTE 173.01; JORGENSEN FAMILY TRUST 4,110.31; JORGENSEN, ARDEN 3.54; JORGENSEN, GRACE E. 1,701.49; JT DD #14-42 MOD 299.00; JT DD #19-26 MOD 5,429.13; JULIUS CLEANERS 684.40; JURGENSEN, TRISHA 152.20; JZ ENTERPRISES, JOHN ZIMMERMAN 3,330.00; KAM LINE HIGHWAY MARKINGS 32,426.55; KARR LLC 67.99; KB CONTRACTING LLC 440.00; KELLER, WILLIAM 1,072.00; KESTEL, HAROLD J. 240.00; KIDS WORLD INC 5,058.88; KIKNBAC AGRI-MART 197.55; KIMBALL-MIDWEST 1,979.81; KIRKHOLM, MARK 46.90; KLEEN SOLUTIONS INC 951.26; KNOLOGY 12,528.77; KNOX, MORIAH ELIZABETH 110.00; KOCH BROTHERS 714.00; KOLPIN, JERI L 62.72; KOSSUTH COUNTY EXTENSION 227.20; KOSTER, ANNETTE 788.94; KRYGER GLASS COMPANY 177.60; KUEHL & PAYER LTD 41,536.15; KURTZ, RAY 160.00; L & G PRODUCTS INC 2,142.00; L & M ELECTRONICS INC 4,856.10; L & S CONCRETE LLC 700.00; LAB SAFETY SUPPLY INC 152.18; LAKE ANIMAL HOSPITAL 180.00; LAKE



ELECTRIC SUPPLY 261.94; LAKESHORE LEARNING MATERIALS 1,032.99; LAKESIDE MARINA 196.48; LARSON OIL & DISTRIBUTING 4,667.70; LAWSON, CHRIS 112.46; LEGISLATIVE SERVICES AGENCY 221.00; LIBERTY TIRE - IA 844.88; LINN COUNTY PUBLIC HEALTH 39.00; LINN GROVE CORP 3,900.00; LINN GROVE, CITY OF 165.90; LIVERMORE TELEPHONE & COMMUNIC 8,458.96; LLOYD, SUSAN 260.44; LNC COMPUTERS LLC 90.00; LOES, CORY 200.00; LOGISTIC SYSTEMS INC 7,729.00; LOVETINSKY, DANIELLE 261.89; LOVING, VERNA 111.05; LULLMANN, KEVIN 29.88; LUND INDUSTRIES INC 723.01; LUND, NORMAN J 522.36; M & M FORESTRY 204.00; M & M SMALL ENGINE REPAIR 33.60; M S DOOR SERVICES LTD 340.20; M.D.PRODUCTS INC 199.64; MACK HANSEN GADD ARMSTRONG & B 1,893.00; MACRILL, ANDREW 320.00; MAIL SERVICES LLC 3,068.64; MAINSTAY SYSTEMS INC 474.00; MANGOLD ENVIRON TESTING INC 766.00; MANN CONSTRUCTION 6,900.00; MARATHON CORP 3,900.00; MARATHON, CITY OF 941.56; MARK'S WELDING & MACHINE 1,019.90; MARRIOTT WEST DES MOINES 252.00; MARTIN MARIETTA MATERIALS 2,519.88; MARTIN, JOAN REILING 107.10; MASON, MONA 15.91; MASSOP, JOHN A 17.04; MASTERCARD 9,236.21; MAXWELL FOOD EQUIPMENT INC 22.00; MAYMON, PATTI 593.44; MC GOWAN, BRUCE 200.00; MCCRARY ROST CLINIC 90.00; MCKIBBEN, MATT 280.00; MECHURA ELECTRIC, INC 3,798.13; MEDLINE INDUSTRIES INC 393.34; MEEVES, DENISE 47.58; MENTZER, DAWN 89.01; MERCK & CO INC 475.60; MERRYMAN BRIDGE CONSTRUCTION 55,516.66; MERTEN, PAUL 769.40; MERTEN, STEFANI 400.00; METABANK 40.00; MEUSBURGER, LISA 401.04; MEUSBURGER, MIKE 200.00; MEYER, RICK 96.83; MEYER, ROGER 30.59; MICKELSON TIRE INC 45.00; MID AMERICAN ENERGY 27,670.92; MID AMERICAN ENERGY COMPANY 7,160.62; MID STATES AUDIO & VIDEO 69.00; MIDDENDORFF WELL COMPANY INC 400.00; MID-IOWA SALES COMPANY 759.74; MID-SIOUX OPPORTUNITY INC 91,071.98; MIDWEST CONTRACTING LLC 2,096.43; MIKES LAWN SERVICE INC 2,239.77; MILLER CONSTRUCTION & COMPANY 1,582.00; MILLER, GORDON 104.00; MILLER, JEAN 27.03; MILLER, MARVIN 300.00; MOBILE CRUSHING & RECYCLING 34,094.35; MONROE LEGACY NEWSPAPER 344.20; MORSE, JENNIFER 13.00; MOTOROLA 331.35; MPH INDUSTRIES INC 8,111.48; NACVSO 580.00; NAED 100.00; NAPA AUTO PARTS 692.92; NATHAN'S FLOORING SERVICE LLC 936.00; NATIONAL IMPRINT CORPORATION 576.47; NATL ENVIRONMENTAL HLTH ASSOC 195.00; NELSON, BERNARD 48.66; NELSON, JOHN 22.22; NEPPLE ELECTRIC INC 280.53; NEW OPPORTUNITIES INC 3,935.15; NEW SIOUX CITY IRON CO 484.53; NEWELL CHILDREN'S CENTER 4,185.30; NEWELL CORP 3,900.00; NEWELL FONDA COMMUNITY SCHOOL 4,914.36; NEWELL, CITY OF 527.50; NEWELL-FONDA PRECSHOOL 3,670.00; NEWELL-FONDA PRESCHOOL 3,555.00; NICHOLS CONSULTING 232.50; NICKLAS D JENSEN FUNERAL HOMES 1,225.00; NIELSEN, JACOB 200.00; NIKKEL & ASSOCIATES, INC 49.44; NOBLES COUNTY SHERIFF 25.00; NOLL, RICHARD 6.06; NORMAN JUST TRUCKING 55,698.00; NORTH CENTRAL IA MENTAL HEALTH 584.75; NORTH LAKE TRUCK REPAIR 5,707.12; NORTHEAST DISTRICT, ISAA 250.00; NORTHERN IA CONSTRUCTION 8,205.80; NORTHERN LIGHTS DISTRIBUTING 13,603.85; NORTHERN SAFETY CO., INC. 302.43; NORTHERN SAFETY TECHNOLOGY INC 883.50; NORTHWEST AGING ASSOC 5,421.00; NORTHWEST DISTRICT OF ASSESSOR 250.00; NORTHWEST IOWA COMMUNITY COLLEGE 195.00; NW IA PLANNING & DEV COM 3,030.00; NW IA YOUTH EMERGENCY SERVICES 14,100.00; O'BANNON, SHARI 111.95; O'BRIEN COUNTY EXTENSION 584.25; ODEBOLT ARTHUR COMM SCHOOL 3,471.00; ODEBOLT-ARTHUR COMM SCHOOL 8,670.00; ODEN ENTERPRISES INC 44.70; OFFICE DEPOT 2,510.80; OFFICE ELEMENTS 10,559.34; OFFICE EQUIPMENT FINANCE SERV 716.46; OFFICE SYSTEMS COMPANY 2,000.23; OHRTMAN, MARY 762.46; OLNEY JR, NORRIS G 26.52; OLSEN WELDING & MACHINE 1,377.48; OLSON, STACI 25.00; ONE STOP SHOP 65.50; OPEN ARMS PRESCHOOL 3,480.00; O'REILLY AUTOMOTIVE INC 89.05; ORWIG, DAVE 393.76; OSCEOLA COUNTY SHERIFF 41.40; OTTO, GARLAND 1,402.01; PAGE COUNTY SHERIFF'S OFFICE 17.00; PATTON LAW OFFICE 39,807.41; PAUL H. BROOKES PUBLISHING CO 1,339.16; PETERS, JOHN 276.96; PETERS, MARILYN 13.92; PETERSON RENTALS 200.00; PETERSON, JAMES E 6.12; PETERSON, ROGER 7.14; PETTY CASH 263.36; PETTY CASH HEALTH DEPT 103.73; PILOT TRIBUNE 3,607.72; PITHAN, KATHY 100.00; PITNEY BOWES 2,985.00; PITNEY BOWES INC 532.58; PITNEY BOWES RESERVE ACCOUNT 2,300.00; PLAINS AREA MENTAL HEALTH CTR 67,504.00; PLOEGER, DAVID 200.00; POCAHONTAS CO SHERIFF 22.50; POSITIVE PROMOTIONS INC 90.05; POST, RUSSEL 28.05; POSTMASTER 7,123.56; PRO COOPERATIVE 637.50; PRO ELECT 272.43; PROBUILD - STORM LAKE 108.35; QUALITY INN & SUITES 60.00; QUILL CORPORATION 1,255.59; QWEST 4,875.35; QWEST 16,317.83; QWEST 5,454.26; R & D INDUSTRIES INC 35,350.32; RACOM CORPORATION

25.00; RAPIDPRINT DIVISION 78.10; RASMUSSEN FORD MERCURY INC 15,047.47; REBNORD TECHNOLOGIES INC 1,285.32; REDENBAUGH, PHIL 80.00; REDENBAUGH, PHIL 478.50; REGENNITTER, JACQUELINE 212.04; REGION X11 COUNCIL OF GOV'TS 13,190.00; REGIONAL TRANSIT AUTHORITY 7,010.00; REHNSTROM, CRAIG 30.30; REILLY CONSTRUCTION CO INC 52,981.17; REMBRANDT CORP 3,900.00; REMBRANDT, CITY OF 1,648.34; RESERVE ACCOUNT 1,500.00; RICE, RICHARD 18.36; RICHARDSON, BRUCE D 16.72; RIDES 650.00; RINGGENBERG, RHONDA 33.79; ROBERTS, JAMES A 8.16; ROHLFSEN, ROBERT 464.78; ROLING SIGNS INC 935.00; RONS AUTOMOTIVE 33.00; RRWEBDESIGN 350.00; RYHERD, JOELLE 176.97; SAC CITY FOOD PRIDE 108.39; SAC COUNTY HEALTH SERVICES 38,427.80; SAC COUNTY SHERIFF 41.02; SANOFI PASTEUR INC 526.03; SASSMAN, JAY 120.00; SCHALLER CRESTLAND SCHOOL DIST 2,160.00; SCHLESWIG COMMUNITY SCHOOL 5,014.00; SCHOENING, ELAINE 429.95; SCHOLASTIC INC 334.20; SCHRIBER SALES & SERVICE 389.52; SCHUELKE AUTO COMPANY 188.86; SEASONS CENTER FOR 12,065.83; SEAT 125.00; SEBETKA, COREY 3,561.00; SECRETARY OF STATE 60.00; SECURITY TRUST & SAVINGS BANK 115.82; SECURITY TRUST & SAVINGS BANK 400.00; SEILER PLUMBING HEATING INC 6,147.99; SELECT PORTFOLIO SERVICING INC 1,179.88; SELLECK, JAMES 125.90; SERVICEMASTER OF STORM LAKE 75.00; SEXTON, MIKE 69.49; SHARE CORP 2,940.53; SIDWELL COMPANY INC, THE 2,815.00; SILK SCREEN INK LTD 3,029.75; SIOUX CENTRAL COMM SCHOOL DIST 22,414.00; SIOUX CITY FOUNDRY CO 62,620.71; SIOUX CITY TRUCK AND TRAILER I 1,340.14; SIOUX FOOD CENTER 219.27; SIOUX LUMBER 172.28; SIOUX RAPIDS CORP 3,900.00; SIOUX RAPIDS, CITY OF 256.53; SIOUX SALES CO 192.60; SIOUXLAND MENTAL HEALTH CENTER 1,330.00; SKYLINE ENGINEERING INC 90.83; SMITH, CINDY 26.52; SMITH, TONY 160.00; SOCIETY OF LAND SURVEYORS 220.00; SOFTWARE SPECTRUM INC 314.82; SPECTRA HEALTH CARE 7,412.69; SPEERS, TIM 95.10; SPENCER POLICE DEPARTMENT 20.48; SPIRIT LAKE COMMUNITY SCHOOLS 15.00; SPORTS REHABILITATION & 1,459.32; ST MARYS PRESCHOOL 6,460.00; ST PAUL'S LUTHERAN CHURCH 4,000.00; ST ROSE OF LIMA PRESCHOOL 2,380.00; ST. LUKES CENTER FOR 468.00; ST. PAUL HELPING HANDS PRESCHL 2,065.00; STAN HOUSTON EQUIP.CO INC 1,965.64; STANARD & ASSOCIATES INC 195.50; STANDARD PRINTING AND DESIGN 29.59; STANTON ELECTRIC INC 3,129.60; STAPLES CREDIT PLAN 3,485.35; STAR ENERGY LLC 22,109.93; STATE OF IOWA, ELEVATORS GROUP 125.00; STEFFEN 257.43; STERLING SOLUTIONS INC 1,950.00; STIEF, JACKIE 66.62; STILLE PIERCE & PERTZBORN 179.00; STONE, BRUCE 26.52; STORM LAKE ACE HARDWARE 635.44; STORM LAKE AREA DEVELOPMENT CO 7,500.00; STORM LAKE CAB CO 889.00; STORM LAKE CORP 11,700.00; STORM LAKE HONDA 790.50; STORM LAKE HYDRAULICS 1,408.53; STORM LAKE MLS 190.00; STORM LAKE TIMES 3,739.15; STORM LAKE TRUCK & TRAILER 268.50; STORM LAKE, CITY OF 6,649.67; STOUGHTON, ROBERT 101.79; STRAWN, KAREN 86.66; STUCYNSKI, DEWYNE R. 8,750.96; SUNDBLAD, GARY 38.76; SUNDBLAD, GREG 86.12; SUNSHINE SERVICES OF IA INC 334.50; TASC 2,705.82; TAYLOR CONTRACTING CO INC 21,031.88; TAYLOR, GLEN A. 2,000.00; TEACHING STRATEGIES INC 2,572.85; TEMPLE ALUMINUM FOUNDRY INC 467.36; TEMPLE, JIM 200.00; TESSIER'S INC 4,095.19; THE KIPLINGER TAX LETTER 38.00; THE PRIDE GROUP INC 8,956.22; THE RIGHT CALIBER 859.00; THE TONER PLACE 276.50; THOMPSON, NICOLE 300.00; TOPPS MANUFACTURING LLC 3,535.00; TRANS-IOWA EQUIPMENT 2,255.90; TREASURER STATE OF IOWA 10,467.81; TREASURER STATE OF IOWA 250.00; TRIMARK CENTRAL BILLING 709.00; TRIMARK PHYSICIANS GROUP INC 84.00; TYLER TECHNOLOGIES 39,466.50; U S 20 ASSOCIATION 150.00; U S POSTAL SERVICE 255.60; U.S. INLAND MARINE SURVEYING 5,104.40; U.S. MARSHALS SERVICE 1,392.14; U.S. POSTAL OFFICE 485.00; UNIFORM DEN, INC 590.00; UNITED COMMUNITY HEALTH CENTER 15,000.00; UPDYKE, HOPE 358.02; UPPER DES MOINES OPPTY 18,204.95; VA CENTRAL IA HEALTH CARE TO 1,290.00; VAN HOOSER, MARK 174.10; VANGUARD APPRAISALS INC 62,631.00; VERIZON WIRELESS 50.26; VETTER EQUIPMENT CO 1,298.48; VFW QUARTERMASTER POST 6172 15.00; VISA 10,070.23; VISION CARE ASSOC PC 151.00; VISION SERVICE PLAN 10,285.12; VISION SHARE, INC 799.00; VISTA PAINTS 681.60; WAL-MART 99.84; WAL-MART BUSINESS 73.54; WALMART COMMUNITY 5,835.06; WALTER MEDIA STUDIOS 1,690.04; WARKENTIN, LUKE 200.00; WARKENTIN, RALPH 18.18; WARRENS SERVICE INC 651.80; WEDE'S LOCK SERVICE 686.70; WEE CARE PRESCHOOL 1,411.05; WEILAND, MARY 106.55; WELANDER, MARLENE 461.16; WELLMARK BLUE CROSS & BLUE SHI 439,982.48; WELLS, CRAIG 1,400.00; WELLS, LADONNA L. 1,400.00; WEST CENTRAL COMMUNITY ACTION 6,114.07; WEST CENTRAL CONTRACTING, INC 21,703.25; WEST PAYMENT CENTER 5,273.15; WETHERELL

SAND & GRAVEL 182.00; WHELAN-BENTLEY INC 31.00; WHITE, RON 96.25; WILEY, DAVID 165.26; WILLIAMS WATER WORKS 15.59; WILSON & PECHACEK 3,450.88; WILSON, NATALIE 76.50; WINKLER DRILLING INC 500.00; WOGAHN, RUTH 487.93; WOODBURY CO SHERIFF 9.26; WOODBURY COUNTY EXTENSION 1,200.80; WOODLAND POWER PRODUCTS 192.00; XEROX CORP 56.58; XEROX CORPORATION 85.31; XEROX CORPORATION 39.28; YOCUM OIL COMPANY INC 1,937.69; YON FAMILY TRUST, LOLA KELSEY 6,000.00; YOUNG, NATHAN 100.00; YOUTH & FAMILY RESOURCE SVCES 15,441.15; ZEE MEDICAL INC 621.43; ZIEGLER INC 172,000.38; ZION LUTHERAN PRE SCHOOL 7,500.00

**BOARD OF SUPERVISORS MEETING  
TWENTY-EIGHTH MEETING, 2009 SESSION (28)  
JULY 7, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 7, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Motion by Ringgenberg, second by Arends, to approve today's **claims approval list** and to authorize the Chairman to sign. Carried.

Deputy Auditor Sue Lloyd was present to answer questions regarding the **FY'09 expenditure reports**.

Motion by Hach, second by Altena, to approve the **minutes** of the 6/30 meeting, and the minutes of June 9 and June 29 public hearings regarding the Casino Beach and Lake Creek Sanitary Districts, all as printed, and to approve/review the following **reports**: June Sheriff's fees and 6/18 VA Commission minutes, Harold Rowley Recycle Center 6/11 minutes. Carried.

Engineer Jon Ites gave a **secondary road update**. The E Milwaukee project will be completed by Friday. The contractor will finish the concrete work since DBE contractor walked away from the job. Ites will attend the pre-construction conference on the innovation bridge project in Section 26, Providence Township on July 13 at Clear Lake. Demolition on the project will begin August 17. The bridge in Section 13, Elk Township should be completed by Friday.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign the **underground utility permit** submitted by Iowa Lakes Regional Water, Spencer to install a 1½" service line on 170<sup>th</sup> Ave. in Section 2, Lee Township, subject to the Engineer's site review. Carried.

10:00 -- The time having arrived for the bid letting for 2 concrete box culvert projects, 5 bids were received. Motion by Hach, second by Arends, to approve the apparent low bids from Richards Construction Co. Inc. of Sac City for **project #L-C-801** (Section 17, Poland Township) in the amount of \$80,456.20, and for **project #L-C-1001** (Section 2, Coon Township) in the amount of \$70,795.00, for a total of \$151,251.20, subject to review of bid extensions. Carried.

The Conservation Board has requested a **transfer** of the General Basic remaining operating budget to the Conservation Land Acquisition Fund. Arends would like to see the Conservation Board budget for this money at budget time instead of requesting it at the end of the year. Hach agreed that in the current economy, he would agree to hearing the request at budget time. Motion by Arends, second

by Ringgenberg, to approve a transfer of \$2,084.00 from the General Basic Fund to the Conservation Land Acquisition Fund, and to send a letter requesting that the Conservation Board include their request in the budget process (in January, 2010). Carried.

Motion by Hach, second by Merten, to approve expenditures for the **Wellness Program** up to \$3,500 from the Employee Health Insurance for FY'10. Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chairman to sign the Memorandum of Understanding (MOU-2010-CO11) with the IDPH contract for **substance abuse** services including only education, prevention, referral or post-treatment services for FY'10. This will provide a reimbursement of 25% of the expenditures with Compass Pointe-\$3,750. Carried.

The Board reviewed a letter (e-mail) from Bob Jostens, Bond Counsel, regarding the development agreement signed in 2006 between **US Bio (now Valero)** and the Board of Supervisors. After examination he believes that agreement remains intact in the bankruptcy court. Without any other document to the contrary, the Board is not permitted to rescind the **property tax agreement** approved in 2004. The Chairman placed the item on the 7/14 agenda.

The Auditor was directed to request an update from EMC on the Degner **insurance claim**.

The Chairman reported on discussion with Control Systems Specialists regarding the boilers at the **county care facility**. If the boilers are shut down, it isn't possible to remove all of the water, but CSS can add a bio-degradable product to prevent freezing in the lines. Before a decision is made, he will call the inspector find out what additional charges may be incurred in bringing them back into operating condition.

Arends reported on **meetings** of RIDES (construction of a new building in Sheldon is in progress), and NWIPDC (additional SAFT-LU funding may be available, so additional projects may be approved). Altena reported that UDMO will be getting some of the stimulus money for new jobs.

There being no further business, motion by Arends, second by Ringgenberg, to adjourn the meeting at 11:25 a.m. until July 14 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
TWENTY-NINTH MEETING, 2009 SESSION (29)  
JULY 14, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 14, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Deputy Auditor Leigh Madsen as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

The Chair introduced discussion of the property tax abatement for US Bio/Valero. Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign **Resolution 2009-07-14** regarding Valero Renewable Fuels Company, LLC. Carried.

**RESOLUTION 2009-07-14**  
**RESOLUTION TO REPEAL RESOLUTION 2009-05-19 REVOKING**  
**PROPERTY TAX ABATEMENT FOR US BIO ENERGY CORPORATION ETHANOL PLANT**

**WHEREAS**, the Buena Vista County Board of Supervisors on May 19, 2009 rescinded the property tax abatement approved on November 30, 2004 for US Bio Energy Corporation, Albert City, and

**WHEREAS**, upon advice of bond counsel, and after reviewing the 2006 development agreement between US Bio and Buena Vista County, to restore the property tax abatement; and

**WHEREAS**, Valero Renewable Fuels Company, LLC has purchased the assets of US Bio through bankruptcy court; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA THAT** Resolution 2009-05-19 repealing the original property tax abatement, is now rescinded, annulling said Resolution 2009-05-19, and restoring the original property tax abatement.

**PASSED AND APPROVED** this 14<sup>th</sup> day of July, 2009.

/s/ Paul Merten, Chair.....Attest: /s/ Leigh Madsen, Deputy County Auditor

Motion by Arends, second by Ringgenberg, to approve the **minutes** of the 7/7 meeting as printed, and the following **reports**: June monitoring report of Spectra lagoon by Brent Mangold, and 2<sup>nd</sup> Qtr 2009 report of the VA van usage. Carried.

Motion by Altena, second by Arends, to approve payment of **Jt. DD 16-30-92 MOD** for \$65.95, **Jt. DD 16-30-92 Sac Co OD** \$36.50 and **Jt. DD 19-26 MOD** \$44.20. Carried.

The Board reviewed the advertising for the **Weed Commissioner** position. The auditor will publish the notice in the official county newspapers to be run for 1 week. The Board also reviewed a job description for the position.

Madsen discussion the current **employee health insurance rate** structure.

Zoning Director Kim Johnson presented a Line Adjustment Plat for John Planalp Section 10 of Washington Township. Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign **Resolution 2009-07-14-LAP** regarding the Line Adjustment Plat in Section 10 of Washington Township. Carried.

**RESOLUTION 2009-07-14-LAP**

**WHEREAS**, John F. Planalp has presented a preliminary and final plat (of survey) on the following described property:

Legal Description for Lot "C"

A parcel of land described as being part of the Southeast Quarter of the Southwest Quarter of Section 10, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, further described as follows:

Commencing at the Southeast Corner of the SW¼ of said Section 10; Thence S 89°50'37" W on the South Line of the SW ¼ of said Section 10, a distance of 810.01 feet to the Southwest Corner of a parcel of land recorded as Lot "B" in Document #072804 at the Buena Vista County Recorder's Office; Thence N 00°09'23" W on the West Line of said Lot "B", a distance of 215.84 feet to the Northwest corner of said Lot "B" also being the POINT OF BEGINNING for Lot "C"; thence N 00°01'40" W, a distance of 297.04 feet; thence S 85°53'48" E, a distance of 375.00 feet; thence S 06°25'29" E, a distance of 270.81 feet to the Northeast Corner of said Lot "B"; thence S 89°50'37" W on the North line of said Lot "B", a distance of 404.20 feet to the POINT OF BEGINNING; said described Lot "C" contains 2.52 Acres. Said parcel is subject to any and all Easements of Record.

**WHEREAS**, the final plat meets with the approval of the Board subject only to the following if any: Lot C will become part of Lot "B" (document number 072804) with both being purchased by Dwayne Kay and Linda Kay and with neither being a lot of it's own.

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

Legal Description for Lot "C"

A parcel of land described as being part of the Southeast Quarter of the Southwest Quarter of Section 10, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, further described as follows:

Commencing at the Southeast Corner of the SW¼ of said Section 10; Thence S 89°50'37" W on the South Line of the SW¼ of said Section 10, a distance of 810.01 feet to the Southwest Corner of a parcel of land recorded as Lot "B" in Document #072804 at the Buena Vista County Recorder's Office; Thence N 00°09'23" W on the West Line of said Lot "B", a distance of 215.84 feet to the Northwest corner of said Lot "B" also being the POINT OF BEGINNING for Lot "C"; thence N 00°01'40" W, a distance of 297.04 feet; thence S 85°53'48" E, a distance of 375.00 feet; thence S 06°25'29" E, a distance of 270.81 feet to the Northeast Corner of said Lot "B"; thence S 89°50'37" W on the North line of said Lot "B", a distance of 404.20 feet to the POINT OF BEGINNING; is hereby accepted subject to the following if any: Lot C will become part of Lot "B" (document number 072804) with both being purchased by Dwayne Kay and Linda Kay and with neither being a lot of it's own.

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

Legal Description for Lot "C"

A parcel of land described as being part of the Southeast Quarter of the Southwest Quarter of Section 10, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, further described as follows:

Commencing at the Southeast Corner of the SW¼ of said Section 10; Thence S 89°50'37" W on the South Line of the SW ¼ of said Section 10, a distance of 810.01 feet to the Southwest Corner of a parcel of land recorded as Lot "B" in Document #072804 at the Buena Vista County Recorder's Office; Thence N 00°09'23" W on the West Line of said Lot "B", a distance of 215.84 feet to the Northwest corner of said Lot "B" also being the POINT OF BEGINNING for Lot "C"; thence N 00°01'40" W, a distance of 297.04 feet; thence S 85°53'48" E, a distance of 375.00 feet; thence S 06°25'29" E, a distance of 270.81 feet to the Northeast Corner of said Lot "B"; thence S 89°50'37" W on the North line of said Lot "B", a distance of 404.20 feet to the POINT OF BEGINNING.

**PASSED, APPROVED AND ADOPTED** this 14<sup>th</sup> day of July, 2009.

/s/ Paul Merten, Chair, Board of Supervisors..... /s/ Leigh Madsen, Deputy County Auditor

**Conservation** Director Nate Young met with the Board.

Sheriff Gary Launderville, and Steve Hammen, Buildings/Grounds Superintendent discussed quarterly **LEC** sprinkler inspections and other maintenance needs.

There being no further business, motion by Ringgenberg, second by Hach, to adjourn the meeting at 10:15 a.m. until July 21 at 8:30 a.m. for a regular session.

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Leigh Madsen, Deputy Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTIETH MEETING, 2009 SESSION (30)  
JULY 21, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 21, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Treasurer Kathy Bach presented the semi-annual report. Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign the June 30, 2009 **Treasurer's semi-annual report**, and to direct the Treasurer to publish the report in the official newspapers. Carried.

Community Services Director Dawn Mentzer introduced the county's three case managers-Lynn Younie, Tami Mills-Thomas, and Alicia Gatzemeyer. Mentzer reviewed the FY'09 case management program evaluation. Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign the **FY'09 case management program report**. Carried. Motion by Arends, second by Ringgenberg, to approve and to authorize the Chair to sign the **FY'09 substance abuse final report** to the Iowa Dept. of Public Health. Carried.

Zoning Director Kim Johnson requested a new public hearing date for the Comprehensive Plan. JEO (consultant) had a scheduling problem. Motion by Hach, second by Altena, to set a new public hearing date for the **Comprehensive Plan** as August 18<sup>th</sup> at 1:30 p.m. Carried.

Motion by Ringgenberg, second by Arends, to approve and to authorize the Chair to sign today's **claims approval list**, and the following **reports**: June fees-Clerk of Court. Carried.

Motion by Arends, second by Hach, to approve the **minutes** of the 7/14 meeting as printed. Carried.

Engineer Jon Ites presented a report for final payment on a project. Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign the final payment voucher for **project #L-GR-10-73-11** (guardrail install on M-36) to West Central Contracting, Arthur, in the amount of \$651.10, the project total was \$21,703.25. Carried. The county will receive reimbursement of 50% of the total cost.

**Secondary road report** -- a couple of corrections are yet to be done on E Milwaukee, but the road is drivable. The bridge in Elk Township is open for travel, with just some small items yet to be done. Crack-filling on Radio Road has been completed. He will be looking for quotes on a pavement marking project to be done this fall. Ites will also seek quotes on slurry leveling on C-16, which may include additional areas if they quotes are good. Gravel crushing at the Whitney Pit will begin next week. He will advertise for a public hearing regarding signs and speed reduction on E Milwaukee for next week's meeting.

After a discussion on the status of the **county care facility** with the listing agent, the Chairman reported her recommendation to have the boilers inspected and not have the utilities shut down. The consensus of the Board was to agree.

Shaun Arneson presented the results of the Iowa Lakes Corridor Development "**Existing Industry Call Program**" for Buena Vista County.

Since the county is in the process of updating the employee handbook, **Buildings/Grounds Superintendent** Steve Hammen requested a change for the name of his department and for job position(s). Motion by Arends, second by Ringgenberg to use new department names and job titles in the employee handbook revision: Building/Grounds Superintendent, Building/Grounds Department, Building /Grounds Technician(s). Carried.

In discussing the possible addition of 1 **employee**, Hammen indicated that he would like to build a knowledge base in the employees so that they could handle much of the maintenance/repair work and reduce the cost of outside vendors. Merten and Arends believe that an additional staff person in the **Building/Grounds Department** is the right way to go and it is needed. Switching job responsibilities will not handle all of the needs. Another option would be to go back to custodial contracts at the E Richland and DHS Annexes, with the maintenance items at the LEC still to be addressed. Arends and Merten will meet with Hammen and Sheriff Launderville to work on the budget issues.

Hammen also discussed the 'after hours' **Public Meeting Room** custodial fee. It is currently \$20, and is charged when a custodian is needed to open/close the building and to remain on duty during that time. Sometimes the meeting lasts more than an hour, which costs the county more than the \$20 amount. The charge should cover all of the county's cost. The Board will review the building usage policies including the custodial fee, at its next meeting.

Supervisor Hach left the meeting.

Ringgenberg reported on a recent meeting of the **Gingerbread House** Board. The auditor was directed to put the subject on the 7/28 agenda.

There being no further business, motion by Merten, second by Altena, to adjourn the meeting at 11:55 a.m. until July 28 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-FIRST MEETING, 2009 SESSION (31)  
JULY 28, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 28, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Deputy Auditor Leigh Madsen updated the board on the status of the **employee handbook** revisions noting a couple areas which will require review by a personnel consultant. The Auditor will develop a list of persons/companies who offer that service.

Assessor Kathy Croker has received notice that two appeals have been filed with the **Property Assessment Appeal Board** for 2 taxpayers (Tyson and HyVee) on their 2009 assessments. The law has changed and now requires that she provide notice to each taxing entity that a valuation appeal has been filed. She presented the property tax impact if the taxpayers' appeals are sustained.

Weed Commissioner Norm Lund met with the Board to discuss the proposed **job description** for the Weed Commissioner. The application deadline for the position is August 17. The Board will conduct interviews but may ask for input from Lund.

Engineer Jon Ites noted that the **Farm-to-Market fund balance** is actually higher than the report shows since it does not reflect the stimulus money which will not be deposited until the completion of the project.

Motion by Hach, second by Arends, to approve and to authorize the Chair to sign contract documents including performance bond presented by Richard Construction Co., Sac City for **project #'s L-C-801 and L-C-1001**, the total project cost being \$151,251.20. Carried.

Ites informed the Board that the **Whitney Pit** farm lease automatically renews unless a notice to re-negotiate is provided prior to September 1<sup>st</sup>. The Board approved that he contact Clay County to determine their interest in reviewing the lease.

Hach left the meeting.

The **speed limit(s)** need to be reviewed for **E. Milwaukee**. The city has requested 35mph from the city limits to Radio Road. The resolution must be jointly adopted. Ites will meet with Public Works Director Pay Kelly for his input.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign **Resolution 2009-07-28** establishing a stop sign location on E. Milwaukee. Carried.

**RESOLUTION 2009-07-28**

**WHEREAS**, the Board of Supervisors of Buena Vista County is vested with the power under the Code of Iowa Chapter 321 Section 321.345 to "... designate any intersection as a stop intersection....and erect like sign ...", and

**WHEREAS**, the County Engineer having reviewed certain intersections and has made recommendations;

**NOW THERE BE IT RESOLVED** by the Buena Vista County Supervisors to establish the following as a stop intersection and order the signing accordingly:

1. The intersection at the Northwest corner of Section 1, Hayes Township be designated as a four way stop intersection.

**RESOLUTION ADOPTED** this 28th day of July, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen M. Strawn, Auditor

Motion by Arends, second by Ringgenberg, to approve and to authorize the Chairman to sign the revised underground utility permit submitted by Iowa Lakes Regional Water, Spencer, to install service lines to 18 locations east of the Raccoon River (see permit for locations). Carried.

Motion by Ringgenberg, second by Altena, to approve and to authorize the Chairman to sign the underground utility permit submitted by Qwest Communications, Storm Lake, to install 3 pair cable telephone and data service lines, replacing existing lines, to serve 1774 160<sup>th</sup> Ave. Carried.

Hach returned to the meeting.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign the underground utility permit submitted by Schaller Telephone Company, Schaller, to install service lines to 6512 70<sup>th</sup> Ave. Carried.

Motion by Ringgenberg, second by Hach, to approve the minutes of the 7/21 meeting as corrected, and the following reports: 4<sup>th</sup> Qtr Recorder's fees, 7/14 Board of Health minutes, IDOT Farm-to-Market Road fund balance, and the 7/10 CIJDC minutes. Carried.

Motion by Arends, second by Altena, to approve distribution of the full FY'10 appropriation now to Gingerbread House due to extenuating circumstances. Carried.

Motion by Arends, second by Merten, to approve and to authorize the Auditor to add a Precinct Atlas charge of \$142.75/precinct to the list of the items billed to other entities for reimbursement of election cost. Carried.

There being no further business, motion by Hach, second by Ringgenberg, to adjourn the meeting at 12:00 noon until August 4 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-SECOND MEETING, 2009 SESSION (32)  
AUGUST 4, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 4, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

EnvHealth Director Kim Johnson discussed the cost (\$10,755) of demolition of the house at **142 Pheasant Dr.** The cost will be placed on the tax rolls for collection. She asked if the amount should be due all at once, or should payments be allowed. After consultation with the Treasurer, it was the consensus of the Board to direct that the entire amount be due and payable at once with property taxes.

Mr. and Mrs. David Degner met with the Board to discuss their **insurance claim** against the county regarding their vehicle damage due to a rock on the road. Degner believes that the secondary road employee was negligent in pulling up the rock and not getting out of the motorgrader to dispose of it into the ditch. Degner would like to see the employee's statement. He does not want to take the case to small claims court. The Chair noted that EMC has handled the claim for the county. In the event of a court action, EMC will represent the county.

Engineer Jon Ites discussed a proposed wetland project for Section 12, Poland Township. It's located in **Jt. DD #150** with Pocahontas County.

The Federal Highway Administration has done a preliminary review of the **E Milwaukee overlay project.** Seeding will be done in about 2 weeks, which must be completed prior to the final review.

Due to storm damage yesterday, investigations on **underground utility permits** will be done this week.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of the 7/28 meeting and the following **report:** 7/28 landfill commission minutes. Carried.

Motion by Hach, second by Ringgenberg, to approve and to authorize the Chair to sign a letter of support for the City of Storm Lake's application to be a host city for **RAGBRAI in 2010.** Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign today's **claims approval list.** Carried.

Buildings/Ground Superintendent Steve Hammen discussed a new proposal for handling the **LEC maintenance** needs. He proposed hiring an independent contractor to do the cleaning of the E. Richland Annex. This will provide a reduction to his schedule, and then he will take-on the LEC maintenance one day per week.

There being no further business, motion by Arends, second by Altena, to adjourn the meeting at 11:00 a.m. until August 11 at 8:30 a.m. for a special session and to canvass today's special election

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-THIRD MEETING, 2009 SESSION (33)  
AUGUST 11, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 11, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Carol Keizer, **NW IA Regional Housing Trust**, Iowa State University Extension field specialist Frank Owens, and Justin Yarosevich, Storm Lake City Clerk, were present to discuss the county's membership in that organization. Currently the county is a member of the Homeward Housing Trust, and can't participate in more than one. The amount of funding which would be allotted for BV in NW IA Regional is quite a bit more than at Homeward, but will require matching funds. Until all of the counties are signed on, the exact amount of local match is unknown but would be approximately \$10,592, due in 2010. The county can raise the matching funds in any number of ways, including sharing the cost with the cities. The funding coming back to BV will be about 5 to 1, or about \$56,000. Although cities can apply for CDBG funds for housing, counties cannot. Arends would like to funnel some of the funding to the unincorporated areas since they aren't eligible for CDBG.

NW IA Regional is about ready to submit its application for funding. The application requires the name of the county's planning to participate, as well as its 2010 Housing Assistance Plan. The amount of matching funds was based on a per capita basis. The list of probable participating counties includes Dickinson, Emmet, Lyon, O'Brien, Osceola, and maybe Palo Alto.

Homeward has lost its director and does not plan to replace her. Also, it will not be applying for any funds in the future, and will spend the existing funds in the next 2 years. Motion by Arends, second by Hach, to approve and to authorize the Chair to sign Resolution 2009-08-11 affiliating with NW IA Regional housing, and withdrawing its membership from the Homeward Housing Trust. Carried.

**RESOLUTION 2009-08-11  
A RESOLUTION TO RESCIND AFFILIATION WITH THE HOMEWARD  
HOUSING TRUST FUND, INC. AND TO PARTNER WITH THE  
NORTHWEST IOWA REGIONAL HOUSING TRUST FUND**

**WHEREAS**, The Buena Vista County Board of Supervisors approved participation in the Homeward, Inc. Housing Trust Fund by Resolution #2005-11-29 on November 29, 2005.

**WHEREAS**, The Buena Vista County Board of Supervisors understood that upon signing said resolution that Buena Vista County had the opportunity to reconsider their decision to continue their participation of with the Homeward, Inc. Housing Trust Fund on an annual basis as stated in Resolution #2005-11-29.

**WHEREAS**, The Northwest Iowa Planning and Development Commission (NWIPDC) is in the process of creating a Regional Housing Trust Fund, whose mission and purpose is to address the affordable housing needs within its nine-county region through coordination and long term planning; including securing and allocating resources to address the unmet housing needs that exist within the region.

**WHEREAS**, Buena Vista County understands that opportunities exist to secure resources to address the various housing needs within the county through the establishment of a regional housing trust fund.

**WHEREAS**, Buena Vista County desires to partnership with the Northwest Iowa Regional Housing Trust Fund to assist in addressing the unmet housing needs within the county.

**THEREFORE, BE IT RESOLVED** that Buena Vista County does hereby dissolve its participation with Homeward, Inc. Housing Trust Fund and desires to partner with the Northwest Iowa Regional Housing Trust Fund.

**BE IT FURTHER RESOLVED** that Buena Vista County agrees to appoint 2 individuals to represent the County on the Northwest Iowa Regional Housing Trust Fund Board.

**APPROVED AND ADOPTED** this 11th day of August, 2009

**BUENA VISTA COUNTY BOARD OF SUPERVISORS**

**ATTEST:** /s/ Karen M. Strawn, Auditor...../s/ Paul Merten, Chair

The matching funds for the **NW Iowa Regional Housing Trust** will be due on a calendar year basis (beginning in 2010). Motion by Altena, second by Hach, to approve and to authorize the Chair to sign a pledge letter with a contribution of \$10,592 in matching funds. Carried.

Engineer Jon Ites reported that currently, it is too expensive at this time to proceed with any **slurry leveling** projects.

Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign the following **underground utility permit** applications submitted by Iowa Telecom, Newton:

- Installation of 25 pair cable to replace existing cable for a location in Brooke Township,
- Installation of 25 pair cable to replace existing cable for a location in Fairfield Township. Carried.

Motion by Altena, second by Arends, to approve and to authorize the Chairman to sign the following **underground utility permit** applications submitted by Iowa Lakes Regional Water, Spencer:

- To install 2.5" to 1.5" PVC water line for service to 999 550<sup>th</sup> St.,
- To install 4" PVC water main along the north side of Sections 4 & 5, Grant Township,
- To install 1.5" PVC water line to provide service to 1375 570<sup>th</sup> St. Carried.

Motion by Ringgenberg, second by Hach, to approve and to authorize the Chairman to sign the following **underground utility permit** application submitted by Qwest Communications, Grinnell:

- To repair service to 5521 90<sup>th</sup> Ave., due to damage done by Long Lines during their installation. Carried.

Ites informed the Board that the **C-65 project** is being held up due to increasing price of oil.

Public Health Administrator Pam Bogue presented a new program in her department – "**sharps disposal**". Participation requires a nominal fee for a special container. It isn't a money-making project, but a service to the public. Once the containers are full, they will be returned to Public Health for disposal.

Bogue is gearing up for the **H1N1 vaccine** to be distributed for immunization in October (8,570 doses). It will be given separate from the **seasonal flu** shot. She anticipates that she may need temporary help to administer all of the vaccine, and expects about \$8,000 in funding from the state.

Real Estate Clerk Jean Allerdings is working on **2010 Census** preparations. She suggested doing some type of outreach to reach all of the Hispanic residents, and will be calling the City of Storm Lake to see what they are doing. She we also will be doing the address verification.

IT Technician Patti Maymon updated the Board on the timeline for the **telephone project**. By the 1<sup>st</sup> of September, service will be switched to Knology. Cable is run, and the new switching equipment has been installed. Next will be distribution of phones, completion of scripting, training, and switching to the new service.

Building/Grounds Superintendent, Steve Hammen, has selected an independent contractor for the custodial services for the E Richland Annex. Annette Jordan will begin on Monday, August 17. Motion by Arends, second by Altena, to approve and to authorize the Chairman to sign the contract ending 6/30/10 with Annette Jordan, an independent contractor, for **custodial services at the ERA** for a fee of \$25/day. Carried.

Hammen updated the Board on the completion of the juvenile area **remodeling**, the new door into the hallway for the attorney/client meeting room and maintenance work done at the LEC. The Board asked him to keep track of all the costs at the LEC.

Pursuant to Chapter 50.24 of the 2009 Code of Iowa, the Board proceeded with the **Canvass of the 8-4-09 Special Sanitary District Election**. The Board considered the write-in votes for the 6 Trustee positions, and determined that the top 3 vote-getters for each district should be selected and assigned term length as follows. Therefore, motion by Hach, second by Arends, to declare the results of the 8/4/09 special sanitary district election as follows: total voters: 213.

- \* For the establishment of the Casino Beach Sanitary District Yes-154, No-18, measure approved
- \* For the establishment of the Lake Creek Country Club Sanitary District Yes-37, No-4, measure approved
- \* Casino Beach Sanitary District Trustees: Bob Bergendoff for the term ending 1/2/11; Harry Schaller for the term ending 1/2/13, Steve Anderson for the term ending 1/2/15.
- \* Lake Creek Country Club Sanitary District Trustees: Dick Mooney for the term ending 1/2/11; Doug Thompson for the term ending 1/2/13, Glen Huntington for the term ending 1/2/15.

The vote on this motion carried. The Board thanked Kim Johnson for all of her work in leading up to the election.

The Board reviewed proposals from 2 personnel consultants for review of the **Employee Handbook** revisions.

Motion by Hach, second by Altena, to approve the **minutes** of the 8/4 meeting, and the July monitoring **report** of Spectra Lagoon by Mangold Environmental. Carried.

Motion by Arends, second by Merten, to approve and to authorize the Chairman to sign the fireworks permit application submitted by Keith Biggins at his home on September 6, 2009. Carried.

There being no further business, motion by Arends, second by Altena, to adjourn the meeting at 12:20 p.m. until August 18 at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-FOURTH MEETING, 2009 SESSION (34)  
AUGUST 18, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 18, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Assessor Kathy Croker discussed the difference and eligibility for **abatement of taxes vs. exempt status** for UDMO. UDMO bought their building on Jan 23, 2009, and filed for a partial exemption for the portion they were using. They are now asking for a property tax exemption status on the remainder of the building. Exempt bodies still pay taxes on the portion which is income producing. New information must be submitted before any changes are made. Then the Board will decide. Nothing can be done unless more information was provided. The Board asked Croker to call UDMO and tell them that the information provided is inadequate to meet what UDMO has requested.

Motion by Arends, second by Hach, to approve the **minutes** of the 8/11 meeting as printed. Carried.

The **E Milwaukee speed study** has been completed, and a portion has joint city/county jurisdiction. The City had requested a review following the completion of the new construction. Engineer Jon Ites recommends as is stated in the resolution below. Motion by Ringgenberg, second by Arends, to approve and to authorize the Chairman to sign, Resolution 2009-08-18 setting speed limits. Carried

**RESOLUTION FOR ESTABLISHING SPEED LIMITS  
Buena Vista County Resolution No. 2009-08-18**

**WHEREAS**, the Board of Supervisors is empowered under authority of the Iowa Code Sections 321.255 and 321.285 to determine upon the basis of an engineering and traffic investigation, that the speed limit of any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

**WHEREAS**, such an investigation has been requested and has been completed by the Buena Vista County Engineer.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY** that the speed limit be established and appropriate signs be erected at the location described below:

The location warrants a reduced speed limit to control traffic through an urban area with numerous turn movements I would recommend:

1. A speed limit of 25 mph from Geisinger Road to 643 feet East.
2. A speed limit of 35 mph from 643 feet East of Geisinger Road to 100 feet East of Rothmoor Road.
3. A speed limit of 45 mph from 100 East of Rothmoor Road to Radio Road.

**Resolution adopted** this 18<sup>th</sup> day of August, 2009.

/s/ Paul Merten, BV Co Board of Supervisors Chairman...../s/ Karen M. Strawn, County Auditor

Motion by Arends, second by Hach, to approve the underground utility permit submitted by Fibernet, LLC to install buried telecommunications fiber optic cable along 200<sup>th</sup> Ave, 430<sup>th</sup> Ave, and 440<sup>th</sup> St. Carried.

Motion by Altena, second by Ringgenberg, to approve and to authorize the Chair to sign today's claims approval list. Carried.

The Chair reported that the boiler inspections at the county care facility were completed August 13. The Auditor will arrange to have the boilers added to the property coverage, as Spectra Health Care was the payor on the Hartford policy.

The Board discussed whether or not to close the courthouse Christmas Eve. No decision was made.

Motion by Hach, second by Altena, to approve the following reports: July Clerk's fees and 7/9 BV Co VA Commission minutes. Carried.

Motion by Hach, second by Arends, to approve and to authorize the Chair to sign the "Facility usage policy" updating room sizes and establishing a \$20/hr custodial fee for after hours usage. Carried.

### **BUENA VISTA COUNTY MEETING ROOM USE POLICY**

Buena Vista County is pleased to have 3 meeting rooms & 3 additional meeting spaces available for use by county and non-county organizations for certain purposes, with County functions having first priority. These rooms include:

- Board of Supervisor's Room (capacity: 10-15)
- Courthouse Public Meeting Room (on the lower level) (capacity: 35 chairs, or 24 chairs with tables)
- Richland Annex at 1709 E. Richland ('green' room in West end) (capacity: 18, if tables are used)
- also:**
- District Courtroom –A (capacity: 100)
- Magistrate Courtroom-B (capacity: 30-40)
- Non-Jury Courtroom-C (capacity: 25-30)
- Employee's Coffee Room (capacity: 6) (in advance, custodian must be notified to approve and to make the room ready for use, if it is to be used by other persons than employees)

The rooms may be reserved for any of the following:

- Meetings in which a public purpose is served i.e. county boards, commissions, committees, etc.: i.e. Conservation Board meetings, Landfill Commission meetings. This would also include meetings of ballot issue committees and political party central committees.
- Meetings, schools, training, related to the duties of county officials, i.e. Election Officials' School, Employee Workshops, etc.
- Meetings conducted by/for employees of other levels of government i.e. Iowa Dept. of Human Services, Iowa Mediation Services, City Clerks, or Township Officers;
- Satellite offices approved by the Board for regularly scheduled use, i.e. Catholic Charities, etc.
- Other uses may be appropriate if they are non-profit, non-religious in nature.
- Meetings of social groups are not permitted.

Available in the Courthouse are: limited number of tables and chairs, blackboard, handicapped ramp access into building, handicapped accessible restrooms on 1st floor, elevator, pay telephone, pop and juice. No presentation equipment is available to the public at this location.



Available at the E. Richland Annex are: limited number of tables and chairs, handicapped accessible restrooms. Reservations are limited to groups of 18-24 persons. No presentation equipment is available at this location. No rental tables or chairs may be brought in.

All reservations (except for the courtrooms) are to be made by calling the Auditor's office at 712-749-2542. The following information is to be provided: contact name and phone number, purpose of the meeting, number of persons attending, and other information pertinent to the reservation. Both buildings are open from 8:00 a.m. to 4:30 p.m., Monday-Friday. However, the E. Richland Annex will not be available for reservations on Tuesdays due to the number of persons attending immunization clinics on those days. The Auditor will notify the staff at the Annex of all reservations for that facility.

All daytime use of the courtrooms is reserved for the Court System, and is under the supervision of the Clerk of Court. Arrangements for daytime use should be discussed with the Clerk at 712-749-2546. Evening and weekend reservations of the courtrooms are to be made with the Auditor.

If a custodian is needed to open, stay on duty, and close the building at night or on the weekend, a fee of \$20/hour will be charged. If a Department Head or Elected Official (or approved designee) will be responsible for the doors and the lights, no fee will be charged. Whoever takes the responsibility for opening the building is also responsible for checking restrooms to be sure all persons have left, checking that all faucets are turned off, locking all doors, and turning all lights off. Since there is no room fee for any of these facilities, all groups using these facilities are strongly discouraged from giving out the Auditor's or Public Health's phone numbers to facilitate receiving messages. A genuine emergency would be an exception to this policy.

We appreciate your assistance with the maintenance of the building. Please do not use tape on the walls or doors. Leftover meeting materials, pop cans, etc. should be put in the garbage can or taken with you, and lights turned off. In addition, food is generally not permitted to be served in these rooms without prior approval. Again, since there is no room fee, any spillage or debris left behind would have to be cleaned up at county expense.

Approved:

/s/ Paul Merten, Chairman, Board of Supervisors

Dated: 5-29-1996

Updated: 7-31-2007

Updated: 8-11-2009.....

The Chair reported on the last meeting of CIJDC. A new program, "weekend offender" was proposed. Under the program, the doors are unlocked but the offenders are supervised. If they walk away, the juvenile probation officer will send them back the next weekend. CIJDC is planning to apply with the state for the program. If approved, CIJDC would add on to the facility. They have \$400,000-\$500,000 for the addition. The CIJDC Board won't take any action until better construction costs are available. They are almost down to the last payment on their new building. They do have an operating debt, and have \$4,000,000+ due from the State of Iowa for services provided. The Chair asked Board Members for a yes or no vote to go ahead when CIJDC lists the item on the agenda. Unless he feels that the construction cost vs. projected revenue is good, he would not support it.

Zoning Director Kim Johnson, and Steve Gustafson, 107 White Cap Road, were present to discuss a permit for a structure in Casino Beach. Gustafson objects to the non-conforming use permit applied for by his neighbor at 109 White Cap Road. The Board will review the request and the County Ordinance. Johnson will withhold the permit for the time being.

The Board reviewed information received from five personnel/employment law consultants regarding the employee handbook revision. Motion by Arends, second by Hach, to accept the proposal from Von Bokern & Associates. Carried.

The deadline for **Weed Commissioner** applications was August 17. Four were received. The Auditor will schedule interviews with them for next Tuesday.

Arends left.

Motion by Ringgenberg, second by Altena, to approve the following **claims** which did not appear on today's claims approval list: 3-claims to Wellmark in the amounts of: \$36,026.44, \$9,198.24, and \$32,577.10. Carried.

There being no further business, motion by Hach, second by Altena, to adjourn the meeting at a.m. until August 25 at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-FIFTH MEETING, 2009 SESSION (35)  
AUGUST 25, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 25, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Deputy Auditor Sue Lloyd as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

**Jail Administrator** Rob Danielson met with the Board, in place of Sheriff Launderville, to discuss clerical staffing for the Sheriff's Office due to the resignation of Marilyn Peters, who will retire on March 31, 2010. It was the consensus of the Board to advertise for an additional clerical person, so that training can begin, as soon as possible. He also presented estimates on adding 6 beds to the work release area. The cost would be \$2,200 for the beds and an additional \$2,284 for another table with chairs. The Board took it under advisement until they see what funds might be available.

Public Health Administrator Pam Bogue and Environmental Health Director Kim Johnson went over the **Public Health annual report**. Bogue also updated the Board on the seasonal flu clinics that will start mid-September, and the H1N1 vaccine that will arrive mid-October.

Zoning Director Kim Johnson discussed **zoning** issues. It was the consensus of the Board to go forward with a resolution and adoption of the Comprehensive Plan. Johnson will meet with the Board again in September regarding the resolution. The zoning ordinances will also need to be updated to go with the Comprehensive Plan. These could be done in-house, or contract with a 3<sup>rd</sup> party, or COG. Other issues to be addressed at a later date will be cottage industries and flood plains.

Motion by Hach, second by Arends, to approve the **minutes** of 8/18 meeting as printed. Carried.

Chairman Merten will be attending a meeting on Thursday regarding the building addition to CIJDC in Eldora. It was the consensus of the Board to have the Chairman support a building addition to **CIJDC** in Eldora, only if he felt it was cost effective.

Motion by Arends, second by Altena, to approve and to authorize the Chairman to sign a **claim** for Jt. DD #19-26 MOD-\$2,082.75 to Mary Mauer Tiling-repair washout. Carried.

Motion by Arends, second by Ringgenberg, to approve and to authorize the Chairman to sign a **claim** for Jt. DD #19-26 MOD-\$16.00 to Kuehl & Payer, LTD for watchman duties. Carried.

Motion by Hach, second by Altena, to approve the amount of signature bond for **Sanitary District Trustees** at \$25,000. Carried.

Engineer Jon Ites reviewed upcoming projects requiring letting dates. Motion by Arends, second by Hach, to set letting dates for **Project #'s L-C-904 and L-C-1114** on September 29, 2009, at 10:00 a.m. Carried.

Motion by Hach, second by Arends, to approve the **underground utility permit** application submitted by Iowa Lakes Regional Water to install a 2 ½" water service line under 590<sup>th</sup> St. (C-49) on the east side of 185<sup>th</sup> Ave. Carried.

There being no further business, motion by Altena, second by Hach, to adjourn the meeting at 10:25 a.m. until September 1<sup>st</sup> at 8:30 a.m. for a regular session.

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Sue Lloyd, Deputy Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-SIXTH MEETING, 2009 SESSION (36)  
SEPTEMBER 1, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 1, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Bill Lanphere discussed application for a **zoning compliance permit** to build a garage at Casino Beach. Steve Gustafson believes that a non-conforming use permit should not be issued. The County

Attorney has advised that the issue should be heard by the Board of Adjustment, not the Supervisors. It was the consensus of the Board that the zoning ordinance be followed.

The Board discussed matching funds for the NW IA Regional Housing Trust, and considered whether to apply for a grant from the Buena Vista County Community Foundation. Another funding source could be the rural electric cooperatives which serve Buena Vista County. Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign a letter to the **NW IA Regional Housing Trust** pledging \$10,592 matching dollars for the 2010 funding application. Carried. The Chair will attend the Foundation meeting to learn the details on the grant submission process.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign **Resolution #2009-09-01** the following performance bonds for the Sanitary District Trustees.

**RESOLUTION 2009-09-01**

**BE IT RESOLVED** that on this 1<sup>st</sup> day of September, 2009, the Board of Supervisors for Buena Vista County, pursuant to §64.19 of the Code of Iowa, approves the performance bonds in the amount of \$25,000 posted by:

Steve Anderson-Casino Beach Sanitary District	Glen Huntington-Lake Creek Sanitary District
Harry Schaller-Casino Beach Sanitary District	Doug Thompson-Lake Creek Sanitary District
Bob Bergendoff-Casino Beach Sanitary District	Dick Mooney-Lake Creek Sanitary District

as security for the offices of Sanitary District Trustee of their respective districts.

This motion carried unanimously.

Motion by Arends, second by Hach, to approve the **minutes** of the 8/25 meeting as printed, and the following **report**: 8/13 CCF boiler inspections. Carried. Also reviewed was a plan for a wetland in Jt. DD #150 submitted by IA Dept. of Ag & Land Stewardship to be constructed in Section 12, Poland Township.

Motion by Ringgenberg, second by Altena, to approve and to authorize the Chairman to sign today's **claims approval list**. Carried.

Engineer Jon Ites has completed the plans for two upcoming projects. Motion by Hach, second by Arends, to approve and to authorize all Supervisors to sign the plans for **Project #'s L-C-904** (between Sections 8 & 9, Nokomis Township) **and #L-C-1114** (between Sections 7 & 14, Lee Township). Carried.

Ites reported that the contractor plans to move equipment into the county on September 10<sup>th</sup> for construction of the **innovative bridge** to be located in Providence Township. The goal of the innovative design is to build the bridge in five days.

Notice has been received that there will not be any **federal highway dollars** for the "off system bridges" in the infrastructure bill going through the House of Representatives. Buena Vista County has been receiving about \$156,000/yr. Supervisors are encouraged to contact Representative Leonard Boswell who serves on that committee.

Seeding on **E Milwaukee** will be done this week.

Storm Lake City Clerk Justin Yarosevich reported on last week's **NW IA Regional Housing Trust** meeting. He discussed how the funding available to Buena Vista County might be set up. The Trust is preparing to submit funding application which requires letters of support.

Patti Maymon and Steve Hammen reported on the **telephone project** with all phones installed. Hammen requested approval to move the State Court Offices (with 20 circuits) to the Comdial phone system, and to disconnect the NEC system. This will reduce the electricity demand, as the new system

requires very little. He noted that the County is responsible for the wiring and the system, and the State will provide the telephones in the future. It was the consensus to approve disconnecting the NEC and moving the Court Offices to the Comdial system.

There being no further business, motion by Arends, second by Merten, to adjourn the meeting at 12:25 p.m. until September 8<sup>th</sup> at 8:30 a.m. for a special session. Carried.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-SEVENTH MEETING, 2009 SESSION (37)  
SEPTEMBER 8, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 8, 2009 at 8:30 A.M. in the Boardroom with Vice Chair Arends presiding, and the following members present: Altena, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting. Absent: Merten.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Hach, Ringgenberg, and Arends. Nays: none. Abstentions: none.

Sheriff Gary Launderville presented bids from Fitzpatrick's and from Rasmussen's for a **Sheriff's replacement vehicle**. Bids were requested with and without a 2004 Impala trade-in. Motion by Hach, second by Ringgenberg, to accept the low bid of \$23,812.88 with a 2004 Impala trade-in from Fitzpatrick's. Carried. He also discussed comp time and vacation leave, and the number of transports his department has done recently.

Motion by Altena, second by Hach, to approve the appointment of Dave Wiley as **Weed Commissioner**, effective upon Norm Lund's retirement. Carried.

Motion by Ringgenberg, second by Hach, to approve the **minutes** of the 9/8 meeting as printed. Carried.

Motion by Hach, second by Ringgenberg, to authorize payment of \$1,265.14 to **IPERs** for contributions and interest for Diane Christiansen since no contributions were paid for her in 1987-1988. Carried.

The Board reviewed the comments of the personnel consultant on the revisions to the **employee handbook**.

There being no further business, motion by Hach, second by Altena, to adjourn the meeting at 10:55 a.m. until September 11<sup>th</sup> at 8:30 a.m. to canvass the September 8<sup>th</sup> School Election. Carried.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-EIGHTH MEETING, 2009 SESSION (38)  
SEPTEMBER 11, 2009**

The Buena Vista County Board of Supervisors met in special session on Friday, September 11, 2009 at 2:00 P.M. in the Boardroom with Vice Chair Arends presiding, and the following members present: Hach, and Ringgenberg and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Hach, Ringgenberg, and Arends. Nays: none. Abstentions: none.

Pursuant to Chapter 50.24 of the 2009 Code of Iowa, motion by Ringgenberg, second by Hach, to declare the results of the **canvass** of the 2009 Regular School Election held September 8, as follows:

**Albert City-Truesdale School District:** total voters - 62

For School Board Director - elect 3

Bryan Beckman	55	elected
Tim Bruns	49	elected
Brent L. Moens	54	elected
Scattering	3	

For Public Measure C-PPEL Yes-37

No-17

**Alta Community School District:** total voters - 197

For School Board Director - elect 2

Lyle Fast	80	
Bruce Glienke	136	elected
GiGi Genevieve Nelson	128	elected
Dale Wetherell-write in	30	
Scattering	1	

**Newell-Fonda School District:** total voters - 109

For School Board Director, District 1 - elect 1

Gordon Grau	44	elected
Gary Morenz	24	
Adam T. Tiefenthaler	39	

For School Board Director, District 2 - elect 1

Greg Baskerville	102	elected
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**Sioux Central School District:** total voters - 440

For School Board Director, District 2 - elect 1 (top 6 listed, remainder in scattering)

Regina Blomberg	11	
Sara Fassler	35	
Lory Krummen	81	elected
Randy Ripke	13	

Margo Sievers	17
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Tom Wittmack	11
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Scattering	47
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For School Board Director, District 3 – elect 1

Sara Fassler	5
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James Haraldson	2
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Lory Krummen	9
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Randy Ripke	86	elected
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Margo Sievers	66
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Tim Wittmack	11
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Scattering	22
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For D – Instructional Support Levy	Yes-136
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No-293
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**Storm Lake School District:** total voters - 357

For School Board Director - elect 2

Marcella Koth	312	elected
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Peter Steinfeld	287	elected
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Mindy J Stoltzfus	81
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Scattering	5
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**Iowa Central Community College:**

For Director, District 2 – elect 1

Terry Wessels 193

Scattering 9

**Iowa Central Community College:**

For Director, District 3 – elect 1

Larry Hecht 359

Scattering 2

and to direct the Auditor to prepare abstracts as required. Carried.

There being no further business, motion by Hach, second by Ringgenberg, to adjourn the meeting at 2:45 p.m. until September 15<sup>th</sup> at 8:30 a.m. for a regular session. Carried.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
THIRTY-NINTH MEETING, 2009 SESSION (39)  
SEPTEMBER 15, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 15, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Building/Grounds Superintendent Steve Hammen discussed his proposal for remodeling the Boardroom. It was the consensus to proceed with the project. Motion by Hach, second by Arends, to amend today's agenda by adding 'approval' of Taylor Contracting proposal for the Boardroom remodel. Motion by Hach, second by Arends, to approve and to accept the Taylor Contracting proposal in the amount of \$4,580 for the **Boardroom remodeling**. Carried.

Zoning Director Kim Johnson presented 2 requests for minor subdivisions. Motion by Ringgenberg, second by Hach, to approve and to authorize the Chairman to sign **Resolution 2009-09-15-A** approving the John Lullman minor subdivision request for a parcel in Section 12, Washington Township. Carried.

#### **RESOLUTION 2009-09-15-A**

**WHEREAS**, John S. Lullman has presented a preliminary and final plat (of survey) on the following described property:

**Description Lot B**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼ SE¼) OF SECTION 12, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 12; Thence South 89°17'55" West, along the North line of said Southeast Quarter (SE¼), 141.90 feet to the West line of U.S. Highway No. 71, being also the Point of Beginning; Thence continuing along said North line of said Southeast Quarter (SE¼), South 89°17'55" West, 600.00 feet; Thence South 00°40'10" East, 283.00 feet; Thence North 89°17'55" East, 536.88 feet; Thence North 00°39'03" West, 182.83 feet; Thence North 48°08'00" East, 83.82 feet to the West line of said U.S. Highway No. 71; Thence North 00°40'10" West, along said West line, 45.00 feet to the Point of Beginning. Hereafter known as Lot B of Section 12, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa. Tract contains 3.59 acres and is subject to all easements of record.

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

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

**Description Lot B**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼ SE¼) OF SECTION 12, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 12; Thence South 89°17'55" West, along the North line of said Southeast Quarter (SE¼), 141.90 feet to the West line of U.S. Highway No. 71, being also the Point of Beginning; Thence continuing along said North line of said Southeast Quarter (SE¼), South 89°17'55" West, 600.00 feet; Thence South 00°40'10" East, 283.00 feet; Thence North 89°17'55" East, 536.88 feet; Thence North 00°39'03" West, 182.83 feet; Thence North 48°08'00" East, 83.82 feet to the West line of said U.S. Highway No. 71; Thence North 00°40'10" West, along said West line, 45.00 feet to the Point of Beginning. Hereafter known as Lot B of Section 12, Township 91 North, Range 37 West of the 5<sup>th</sup> 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 said:

Description Lot B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼ SE¼) OF SECTION 12, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 12; Thence South 89°17'55" West, along the North line of said Southeast Quarter (SE¼), 141.90 feet to the West line of U.S. Highway No. 71, being also the Point of Beginning; Thence continuing along said North line of said Southeast Quarter (SE¼), South 89°17'55" West, 600.00 feet; Thence South 00°40'10" East, 283.00 feet; Thence North 89°17'55" East, 536.88 feet; Thence North 00°39'03" West, 182.83 feet; Thence North 48°08'00" East, 83.82 feet to the West line of said U.S. Highway No. 71; Thence North 00°40'10" West, along said West line, 45.00 feet to the Point of Beginning. Hereafter known as Lot B of Section 12, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 15<sup>th</sup> day of September, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen M. Strawn, County Auditor

Motion by Arends, second by Altena, to approve and to authorize the Chairman to sign **Resolution 2009-09-15-B** approving the John & Joyce Landgraf minor subdivision for a parcel in Section 17, Providence Township. Carried

**RESOLUTION 2009-09-15-B**

**WHEREAS**, John Landgraf and Joyce Landgraf have presented a preliminary and final plat (of survey) on the following described property:

Description Lot B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼ SE¼) OF SECTION 17, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 17; Thence on a previously recorded bearing of South 00°00'00" West, along the East line of said Southeast Quarter (SE¼), 423.26 feet to the Point of Beginning. Thence continuing along said East line, South 00°00'00" West, 667.00 feet; Thence South 89°07'54" West, 705.00 feet; Thence North 00°00'00" East, 667.00 feet; Thence North 89°07'54" East, 705.00 feet to the Point of Beginning. Hereafter known as Lot B of Section 17, Township 90 North, Range 36 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**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 the final plat of:

Description Lot B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼ SE¼) OF SECTION 17, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 17; Thence on a previously recorded bearing of South 00°00'00" West, along the East line of said Southeast Quarter (SE¼), 423.26 feet to the Point of Beginning. Thence continuing along said East line, South 00°00'00" West, 667.00 feet; Thence South 89°07'54" West, 705.00 feet; Thence North 00°00'00" East, 667.00 feet; Thence North 89°07'54" East, 705.00 feet to the Point of Beginning. Hereafter known as Lot B of Section

17, Township 90 North, Range 36 West of the 5<sup>th</sup> 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 said:

Description Lot B

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼ SE¼) OF SECTION 17, TOWNSHIP 90 NORTH, RANGE 36 WEST OF THE 5<sup>TH</sup> P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 17; Thence on a previously recorded bearing of South 00°00'00" West, along the East line of said Southeast Quarter (SE¼), 423.26 feet to the Point of Beginning. Thence continuing along said East line, South 00°00'00" West, 667.00 feet; Thence South 89°07'54" West, 705.00 feet; Thence North 00°00'00" East, 667.00 feet; Thence North 89°07'54" East, 705.00 feet to the Point of Beginning. Hereafter known as Lot B of Section 17, Township 90 North, Range 36 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

**PASSED, APPROVED AND ADOPTED** this 15<sup>th</sup> day of September, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/Karen Strawn, County Auditor

Motion by Hach, second by Arends, to approve the minutes of the 9/8 and 9/11 meetings as printed. Carried.

A notice of two appointments to the Board of Scott Township Trustees has been received. Gary Small was appointed to replace Trent Hatlen who moved out of state, and Charlotte Binder to the vacancy due to the resignation of Tom Struve.

Motion by Arends, second by Altena, to approve and to authorize the Chairman to sign today's claims approval list and the following reports: Aug 18 minutes–BV Co Board of Health, voluntary annexation notice – from City of Storm Lake re: Farm Credit Services, August report on Spectra lagoon by Mangold Env., and the July minutes – NWIPDC Policy Council. Carried.

PEO's Bea Huntington, Nancy Mueller and Pat Kollbaum, and Sue Lloyd and Barb Henrich-Auditor's Election staff, shared their comments and impressions on the Precinct Atlas 'electronic poll book' (P.A.System) that was implemented in precincts ALNE, SL02, and SL03 for the School Election held 9-8-09. Their comments were very favorable. They also discussed a few things which would improve the process in future elections. The Board was interested in their recommendations on whether to go forward with the P.A. system in additional precincts. The Auditor suggested that the Board consider a second purchase so that the P.A. system can be used in additional precincts in the November 3 Municipal Elections.

Engineer Jon Ites updated the Board on the Federal Highway Bill, which still has no bridge money included in it. The IA Department of Transportation provided notice that the RISE project #RC-CO11(85)—9A011 (on M-27) has been terminated and the funding revoked.

The county's 'Innovation Bridge' construction was completed on time. Ites thinks the bridge deck may be a bit rough, but is very satisfied with the bridge. During construction, a camera took a picture every 5 minutes which will be assembled into a video.

The letting for a bridge over the Raccoon River, which was previously scheduled for today, has been pushed back to November.

Ites is trying out a new type of stop bar on the road surface which he hopes will last longer than the painted stop bar.

Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign, the **underground utility permit** submitted by Iowa Lakes Regional Water, Spencer to install a 1½" PVC service line to 5358 85<sup>th</sup> St. Carried.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign the **underground utility permit** submitted by Iowa Telecom, Newton, to install 25 pr telephone cable in Sections 8 & 17, Poland Township. Carried.

Motion by Arends, second by Hach, to **employ** Norlin Gutz in the position of weed sprayer in the Weed Department, effective 9-7-09 at the prevailing wage (\$11.23). Carried.

There being no further business, motion by Ringgenberg, second by Altena, to adjourn the meeting at 11:45 a.m. until September 22<sup>nd</sup> at 8:30 a.m. for a special session. Carried.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTIETH MEETING, 2009 SESSION (40)  
SEPTEMBER 22, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 22, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Community Services Dawn Mentzer presented the FY'09 Case Management cost report. She noted that the Carroll County Board of Supervisors has reimbursed BV for mileage. Motion by Arends, second by Altena, to reimburse Carroll County for the **FY'09 mileage** amount paid to Buena Vista County and to discontinue future mileage billing for use of the county vehicles due to the agency vehicle expense cost report depreciation. Carried. Motion by Ringgenberg, second by Altena, to approve and to authorize the Chairman to sign the **FY'09 Case Management cost report** certification. Carried.

Zoning Director Kim Johnson presented a minor subdivision request by Lisa Ferguson for a parcel in Section 8, Lee Township. Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign **Resolution 2009-09-22-A** approving the minor subdivision request of Lisa Ferguson. Carried.

**RESOLUTION 2009-09-22-A**

**WHEREAS**, Lisa Ferguson and Bruce Ferguson have presented a preliminary and final plat (Warranty Deed) on the following described property:

The South Five Hundred Feet (S. 500') of the West Six Hundred Feet (W. 600') of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of Section Eight (8), Township Ninety-Three (93) North, Range Thirty-Six (36) West of the 5<sup>th</sup> P.M.

**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 the final plat of The South Five Hundred Feet (S. 500') of the West Six Hundred Feet (W. 600') of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of Section Eight (8), Township Ninety-Three (93) North, Range Thirty-Six (36) West of the 5<sup>th</sup> P.M., is hereby accepted subject to the following if any: none.

**BE IT FURTHER RESOLVED** that this Resolution shall be affixed to the final plat (Warranty Deed) of said:

The South Five Hundred Feet (S. 500') of the West Six Hundred Feet (W. 600') of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of Section Eight (8), Township Ninety-Three (93) North, Range Thirty-Six (36) West of the 5<sup>th</sup> P.M.

**PASSED, APPROVED AND ADOPTED** this 22<sup>nd</sup> day of September, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen Strawn, Auditor

The Board held a teleconference with Renee Von Bokern to discuss her preliminary review of the employee handbook. After the department heads have had a chance to review the draft, Von Bokern will conduct a department head meeting to answer questions.

Engineer Jon Ites presented the NRCS agreement (culvert in Elk Township) for approval and signature. Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign the agreement with NRCS for project #L-C-904. Carried. NRCS will share 55% of the cost (by reimbursement), with the county's share being 45%.

Ites recommended declaring used equipment as excess to make it available for sale. Motion by Arends, second by Hach, to declare the "Revenius Shouldering Machine" as excess property and authorize the Engineer to offer it for sale. Carried.

A request from Alta Golf and Country Club to use the secondary road chipper was approved by a consensus of the board.

Ites reported that 916.67 bushels of soybeans were harvested at the Hayes Pit farm. The county's share is 50%. The Board authorized him to sell the grain.

A request has been received from Clay County to consider approving the installation of a pipe for surface water into the DD #14-42 Jt.

The boxes on two of the secondary road trucks are in need of repair. Ites proposed trying to extend the useable years by putting new boxes on them. The chassis are ok; new boxes should extend the use by 3-4 years. Then the county equipment could then have a 14-year rotation. The consensus of the Board was to approve an amendment to the secondary road budget to allow purchase of 2 boxes (approximately \$30,000), the amendment to be done in late October.

Motion by Arends, second by Hach, to approve and to authorize the Chair to sign the utility permit submitted by Schaller Telephone, Schaller to install 6 pr copper communication cable to serve 698 650<sup>th</sup> St. Carried.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign the utility permit submitted by Iowa Lakes Regional Water, Spencer to provide service to 5281 165<sup>th</sup> Ave., 1648 Hwy 3, 5518 170<sup>th</sup> Ave., and 1810 560<sup>th</sup> St. Carried.

Motion by Arends, second by Ringgenberg, to approve and to authorize the Chair to sign the utility permit submitted by Iowa Lakes Electric Cooperative, Estherville to convert overhead to underground 7200 volt single phase to provide service to 1623 610<sup>th</sup> St. Carried.

Motion by Arends, second by Hach, to approve and to authorize the Chair to sign the utility permit submitted by City of Newell to install a force main under M-54 for the new sewage treatment discharge. Carried.

Motion by Ringgenberg, second by Arends, to approve and to authorize the Chair to sign the utility permit submitted by Iowa Lakes Electric Cooperative, Estherville to install new underground service to 6171 210<sup>th</sup> Ave. Carried.

The Chair reported on his discussion with Pocahontas County Supervisors yesterday regarding the Jt DD #150 CRP project in Section 12, Poland Township. The Board concluded that a response from the joint board was necessary. The auditor will arrange a teleconference for the next meeting.

Ringgenberg reported on a recent meeting of Gingerbread House Advisory Board,

Motion by Arends, second by Altena, to approve the minutes of the 9/15 meeting, and the following reports: August 13 Conservation Board minutes. Carried.

Motion by Arends, second by Altena, to approve agreements and to authorize the Chair to sign all agreements, regarding the Newell Wastewater Treatment Facility including: easement for an access road, crossing of DD #1, permission to discharge treated sewage, and an under road utility crossing. Carried.

There being no further business, motion by Hach, second by Merten, to adjourn the meeting at 12:16 p.m. until September 29<sup>th</sup> at 8:30 a.m. for a regular session. Carried.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-FIRST MEETING, 2009 SESSION (41)  
SEPTEMBER 29, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 29, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign today's **claims approval list**. Carried.

Mindy Pyle, Zoning Dept. presented a minor subdivision request from Mike Porter for a parcel located in Section 21, Washington Township. Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign **RESOLUTION 2009-09-28-A** approving the minor subdivision request of Mike Porter for a parcel in Section 21, Washington Township. Carried.

**WHEREAS**, Mike Porter and Virginia Porter have presented a preliminary and final plat (of survey) on the following described property:

**Legal Description for Parcel "A"**

A parcel of land described as being part of the Southeast Quarter of Section 21, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, further described as follows:

Commencing at the Southeast Corner of the Southwest Quarter SW¼ of said Section 21; Thence N 89°58'38" W on the South Line of the Southwest Quarter of said Section 21, a distance of 1322.15 feet to the POINT OF BEGINNING; thence continuing N 89°58'38" W, on last said line, a distance of 37.00 feet; thence N 00°18'40" E, a distance of 457.66 feet; thence S 87°47'34" W, a distance of 269.26 feet; thence N 00°11'34" E, a distance of 1015.15 feet; thence S 78°27'58" E, a distance of 486.79 feet; thence S 03°40'04" W, a distance of 471.96 feet; thence N 89°26'9" W, a distance of 141.79 feet thence S 00°18'35" W, a distance of 895.52 feet to the POINT OF BEGINNING; said described Parcel "A" contains a total of 9.03 Acres, inclusive of a Public Roadway Easement of 0.03 Acres. Said parcel is also subject to any and all other Easements of Record.

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

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

**Legal Description for Parcel "A"**

A parcel of land described as being part of the Southeast Quarter of Section 21, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, further described as follows:

Commencing at the Southeast Corner of the Southwest Quarter SW¼ of said Section 21; Thence N 89°58'38" W on the South Line of the Southwest Quarter of said Section 21, a distance of 1322.15 feet to the POINT OF BEGINNING; thence continuing N 89°58'38" W, on last said line, a distance of 37.00 feet; thence N 00°18'40" E, a distance of 457.66 feet; thence S 87°47'34" W, a distance of 269.26 feet; thence N 00°11'34" E, a distance of 1015.15 feet; thence S 78°27'58" E, a distance of 486.79 feet; thence S 03°40'04" W, a distance of 471.96 feet; thence N 89°26'19" W, a distance of 141.79 feet thence S 00°18'35" W, a distance of 895.52 feet to the POINT OF BEGINNING. 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 survey) of said:

**Legal Description for Parcel "A"**

A parcel of land described as being part of the Southeast Quarter of Section 21, Township 91 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, further described as follows:

Commencing at the Southeast Corner of the Southwest Quarter SW ¼ of said Section 21; Thence N 89°58'38" W on the South Line of the Southwest Quarter of said Section 21, a distance of 1322.15 feet to



the POINT OF BEGINNING; thence continuing N 89°58'38" W, on last said line, a distance of 37.00 feet; thence N 00°18'40" E, a distance of 457.66 feet; thence S 87°47'34" W, a distance of 269.26 feet; thence N 00°11'34" E, a distance of 1015.15 feet; thence S 78°27'58" E, a distance of 486.79 feet; thence S 03°40'04" W, a distance of 471.96 feet; thence N 89°26'19" W, a distance of 141.79 feet thence S 00°18'35" W, a distance of 895.52 feet to the POINT OF BEGINNING.

**PASSED, APPROVED AND ADOPTED** this 29<sup>th</sup> day of September, 2009.

/s/ Paul Merten, Chairman, Board of Supervisors...../s/ Karen Strawn, County Auditor

Motion by Arends, second by Hach, to approve the minutes of the 9/22 meeting and the following reports: BV County Veterans Affairs Commission 9/10 minutes; BV Emergency Management Commission minutes for March, May & July; BV ISU Extension annual financial report; Aug Clerk's fees. Carried.

Motion by Arends, second by Altena to approve and to authorize the Chairman to sign partial payment #2 for the DD #34 Lat 2-tree removal project. Carried.

Motion by Arends, second by Altena, to tentatively accept the engineer's report on the DD #34, Lat #2 tree removal contract with Carnarvon Sand & Gravel as complete, and set the completion hearing for October 13 at 9:00 a.m. Carried.

Recorder Shari O'Bannon discussed a new policy regarding passport applications. She will be required to send applications by Priority Mail, so that they are 'traceable'. The cost may not be passed along to the customer, so this will be an additional expense for administration. The USPS online service will reduce the cost, but she will need a credit card to access that service. Motion by Hach, second by Ringgenberg, to authorize the Recorder to apply for a credit card with a \$1,000 credit limit and to authorize the Chairman to sign a letter approving the application. Carried.

The Auditor presented cost information for additional Precinct Atlas units for elections. The Board suggested that she order all of the remaining units with the plan being to have all 13 precincts using them for the 2010 Primary Election.

Engineer Jon Ites discussed the secondary road facility located in Linn Grove which needs rehabilitation/replacement. The County's I-Jobs application, which was submitted in the amount of \$102,000, was for an ice control materials storage facility. He plans to visit another county to see their facility. At the current time he doesn't have a price estimate, but it will depend on size.

10:00 a.m. – The time having arrived for the bid letting for two pre-cast concrete boxes projects, bids were received from 8 companies. Ites opened the 7 bids for project # L-C-904—73-11. Motion by Hach, second by Arends, to tentatively approve the apparent low bid of Midwest Contracting LLC, Marshall, Minnesota in the amount of \$53,495.00, subject to review of the line extensions for project #L-C-904—73-11. Carried. Eight bids were received for the second project. Motion by Hach, second by Ringgenberg, to tentatively approve the apparent low bid of Midwest Contracting LLC, Marshall, Minnesota in the amount of \$52,875.00, subject to review of the bid extensions for project #L-C-1114—73-11. Carried.

Ites reported that he had received no communication from Frank Rouse since the site investigation last week for Jt. DD #14-42. No action was taken by the Board on the Russell Kress request

10:30 a.m.—The time having arrived, Jack DeWolfe chaired the teleconference with the Pocahontas Board of Supervisors for a Jt. DD #150 meeting. The minutes were taken by Pocahontas County. The purpose of the meeting was to act on the proposed Reese CREP wetland in Section 12, Poland Township, Buena Vista County. A motion was approved accepting the engineer's design, noting

that Reese will be required to obtain a permit from Buena Vista County to work in the district and to maintain the facility.

There being no further business, the Chairman adjourned the meeting at 11:00 a.m. until October 6<sup>th</sup> at 8:30 a.m. for a special session. Carried.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-SECOND MEETING, 2009 SESSION (42)  
OCTOBER 6, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 6, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Ringgenberg and Hach, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Buildings/Grounds Superintendent Steve Hammen discussed problems with the **generator** for the Courthouse.

Public Health Nurse Administrator Pam Bogue provided an overview of the **seasonal flu vaccine**. She is waiting for the remainder of her order (about 28%). The county may receive the first shipment of **H1N1** at the end of the week. She will be hiring a nurse and a clerical person to do data-entry to assist with the vaccinations.

Zoning Director Kim Johnson presented a request for a minor subdivision of a parcel in Section 25, Nokomis Township, submitted by Richard and Alice Peterson. Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign Resolution 2009-10-06-A (**minor subdivision**). Carried.

**RESOLUTION 2009-10-06-A**

**WHEREAS**, Richard D. Peterson and Mary Ellen Peterson, Husband and Wife and Alice M. Peterson, Trustee of the Alice M. Peterson Trust U/A Dated August 26, 2006 have presented a preliminary and final plat (of survey) on the following described properties:

**DESCRIPTION LOT B**

**A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2 SE1/4) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 25; Thence South 00°10'04" West, along the East line of said Southeast Quarter (SE¼) 1153.95 feet; Thence North 89°11'24" West, 1520.08 feet to the North line of the Chicago Central and Pacific railroad; Thence North 61°11'03" West, along said North line, 271.51 feet to the Southern extension of the East line of a tract of land described in document number 020426 in the office of the Buena Vista County Recorder; Thence North 00°21'05" East, along said extended East line, 525.81 feet to the North line of said tract; Thence North 89°17'55" West, along said North line, 428.74 feet to the West line of said tract; Thence South 00°15'05" West, along said West line and its southern extension, 296.28 feet to the North line of said railroad; Thence North 61°11'03" West, along said North line, 307.18 feet; Thence North 00°09'03" East, 637.51 feet to the North line of the Southeast Quarter (SE¼); Thence South 89°33'45" East, along said North line, 2455.51 feet to the Point of Beginning. Hereafter known as Lot B of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 55.18 acres and is subject to all easements of record.

**DESCRIPTION LOT C**

**A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW¼ SE¼) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 25; Thence South 00°10'04" West, along the East line of said Southeast Quarter (SE¼) 1153.95 feet; Thence North 89°11'24" West, 1520.08 feet to the North line of the Chicago Central and Pacific railroad; Thence North 61°11'03" West, along said North line, 271.51 feet to the Southern extension of the East line of a tract of land described in document number 020426 in the office of the Buena Vista County Recorder being also the Point of Beginning. Thence North 00°21'05" East, along said extended East line, 45.22 feet to Southeast (SE) corner of said tract; Thence North 61°10'24" West, along the centerline of Iowa Highway No. 7, 487.24 feet to West line of said tract; Thence South 00°15'05" West, along the southern extension of said West line, 45.37 feet to the North line of said railroad; Thence South 61°11'03" East, along said North line, 487.10 feet to the Point of Beginning. Hereafter known as Lot C of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 0.45 acres and is subject to all easements of record.

**DESCRIPTION LOT D**

**A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW¼ SE¼) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Northwest (NW) Corner of the Southeast Quarter (SE 1/4) of said Section 25; Thence South 00°10'09" West, along the West line of said Southeast Quarter (SE¼), 546.33 feet to the North line of the Chicago Central and Pacific railroad; Thence South 61°11'03" East, along said North line, 187.62 feet; Thence North 00°09'03" East, 637.51 feet to the North line of said Southeast Quarter (SE 1/4); Thence South 89°44'28" West, along said North line, 164.45 feet to the Point of Beginning. Hereafter known as Lot D of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 2.24 acres and is subject to all easements of record.

**DESCRIPTION LOT E**

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE¼) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE¼) of said Section 25; Thence South 00°10'04" West, along the East line of said Southeast Quarter (SE¼), 1153.95 feet to the Point of Beginning. Thence North 89°11'24" West, 1520.08 feet to the North line of the Chicago Central and Pacific railroad; Thence South 61°11'03" East, along said North line, 1732.01 feet to the East line of said Southeast Quarter (SE¼); Thence North 00°10'04" East, along said East line, 813.34 feet to the Point of Beginning. Hereafter known as Lot E of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 14.19 acres and is subject to all easements of record.

**DESCRIPTION LOT F**

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Southeast (SE) Corner of the Southeast Quarter (SE¼) of said Section 25; Thence North 89°21'38" West, along the South line of said Southeast Quarter (SE¼), 326.11 feet; Thence North 00°10'04" East, 743.84 feet to the South line of the Chicago Central and Pacific railroad; Thence South 61°11'03" East, along said South line, 371.59 feet to the East line of said Southeast Quarter (SE¼); Thence South 00°10'04" West, along said East line, 568.37 feet to the Point of Beginning. Hereafter known as Lot F of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 4.91 acres and is subject to all easements of record.

**DESCRIPTION LOT G**

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Commencing at the Southeast (SE) Corner of the Southeast Quarter (SE¼) of said Section 25; Thence North 89°21'38" West, along the South line of said Southeast Quarter (SE¼), 326.11 feet to the Point of Beginning. Thence North 00°10'04" East, 743.84 feet to the South line of the Chicago Central and Pacific railroad; Thence North 61°11'03" West, along said South line, 1121.11 feet to the West line of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼); Thence South 00°10'03" West, along said West line, 1273.23 feet to the South line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼); Thence South 89°21'38" East, along said South line, 983.89 feet to the Point of Beginning. Hereafter known as Lot G of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 22.78 acres and is subject to all easements of record.

**DESCRIPTION LOT H**

**A TRACT OF LAND LOCATED IN THE SOUTH HALF (S½) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Southwest (SW) Corner of the Southeast Quarter (SE¼) of said Section 25; Thence South 89°21'38" East, along the South line of said Southeast Quarter (SE¼), 1310.00 feet to the East line of the Southwest Quarter of the Southeast Quarter (SW¼ SE¼); Thence North 00°10'03" East, along said East line, 1273.23 feet to the South line of the Chicago Central and Pacific railroad; Thence North 61°11'03" West, along said South line, 1492.70 feet to the West line of the Northwest Quarter of the Southeast Quarter (NW¼ SE¼); Thence continuing along said South line, North 61°11'03" West, 1388.62 feet to the North line of the Northeast Quarter of the Southwest Quarter (NE¼ SW¼); Thence North 89°34'34" West, along said North line, 96.59 feet to the West line of the East half of the Southwest Quarter (E½ SW¼); Thence South 00°14'48" West, along said West line, 2634.65 feet to the South line of the Southeast Quarter of the Southwest Quarter (SE¼ SW¼); Thence South 89°24'53" East, along said South line, 1318.88 feet to the Point of Beginning. Hereafter known as Lot H of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 119.37 acres and is subject to all easements of record.

**DESCRIPTION LOT I**

**A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW¼ SW¼) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Southeast (SE) Corner of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of said Section 25; Thence North 89°24'53" West, along the South line of said Southwest Quarter of the Southwest Quarter (SW¼ SW¼), 702.88 feet to the East line of a tract described in Book 44, on Page 282 in the office of the Buena Vista County Recorder; Thence North 00°19'34" East, along said East line, 707.14 feet to the North line of said tract; Thence North 89°24'53" West, along said North line 616.00 feet to the West line of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼); Thence North 00°19'34" East, along said West line, 608.32 feet to the North line of said Southwest Quarter of the Southwest Quarter (SW¼ SW¼); Thence South 89°29'43" East, along said North line, 1317.05 feet to the East line of said Southwest Quarter of the Southwest Quarter (SW¼ SW¼); Thence South 00°14'48" West, along said East line, 1317.32 feet to the Point of Beginning. Hereafter known as Lot I of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 29.83 acres and is subject to all easements of record.

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

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

**DESCRIPTION LOT B**

**A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER (N½ SE¼) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Northeast (NE) Corner of the Southeast Quarter (SE ¼) of said Section 25; Thence South 00°10'04" West, along the East line of said Southeast Quarter (SE¼) 1153.95 feet; Thence North 89°11'24" West, 1520.08 feet to the North line of the Chicago Central and Pacific railroad; Thence North 61°11'03" West, along said North line, 271.51 feet to the Southern extension of the East line of a tract of land described in document number 020426 in the office of the Buena Vista County Recorder; Thence North 00°21'05" East, along said extended East line, 525.81 feet to the North line of said tract; Thence North 89°17'55" West, along said North line, 428.74 feet to the West line of said tract; Thence South 00°15'05" West, along said West line and its southern extension, 296.28 feet to the North line of said railroad; Thence North 61°11'03" West, along said North line, 307.18 feet; Thence North 00°09'03" East, 637.51 feet to the North line of the Southeast Quarter (SE¼); Thence South 89°33'45" East, along said North line, 2455.51 feet to the Point of Beginning. Hereafter known as Lot B of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT C

**A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE 1/4) of said Section 25; Thence South 00°10'04" West, along the East line of said Southeast Quarter (SE 1/4) 1153.95 feet; Thence North 89°11'24" West, 1520.08 feet to the North line of the Chicago Central and Pacific railroad; Thence North 61°11'03" West, along said North line, 271.51 feet to the Southern extension of the East line of a tract of land described in document number 020426 in the office of the Buena Vista County Recorder being also the Point of Beginning. Thence North 00°21'05" East, along said extended East line, 45.22 feet to Southeast (SE) corner of said tract; Thence North 61°10'24" West, along the centerline of Iowa Highway No. 7, 487.24 feet to West line of said tract; Thence South 00°15'05" West, along the southern extension of said West line, 45.37 feet to the North line of said railroad; Thence South 61°11'03" East, along said North line, 487.10 feet to the Point of Beginning. Hereafter known as Lot C of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT D

**A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Northwest (NW) Corner of the Southeast Quarter (SE 1/4) of said Section 25; Thence South 00°10'09" West, along the West line of said Southeast Quarter (SE 1/4), 546.33 feet to the North line of the Chicago Central and Pacific railroad; Thence South 61°11'03" East, along said North line, 187.62 feet; Thence North 00°09'03" East, 637.51 feet to the North line of said Southeast Quarter (SE 1/4); Thence South 89°44'28" West, along said North line, 164.45 feet to the Point of Beginning. Hereafter known as Lot D of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT E

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Commencing at the Northeast (NE) Corner of the Southeast Quarter (SE 1/4) of said Section 25; Thence South 00°10'04" West, along the East line of said Southeast Quarter (SE 1/4), 1153.95 feet to the Point of Beginning. Thence North 89°11'4" West, 1520.08 feet to the North line of the Chicago Central and Pacific railroad; Thence South 61°11'03" East, along said North line, 1732.01 feet to the East line of said Southeast Quarter (SE 1/4); Thence North 00°10'04" East, along said East line, 813.34 feet to the Point of Beginning. Hereafter known as Lot E of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT F

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SE 1/4) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Southeast (SE) Corner of the Southeast Quarter (SE 1/4) of said Section 25; Thence North 89°21'38" West, along the South line of said Southeast Quarter (SE 1/4), 326.11 feet; Thence North 00°10'04" East, 743.84 feet to the South line of the Chicago Central and Pacific railroad; Thence South 61°11'03" East, along said South line, 371.59 feet to the East line of said Southeast Quarter (SE 1/4); Thence South 00°10'04" West, along said East line, 568.37 feet to the Point of Beginning. Hereafter known as Lot F of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT G

**A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SE 1/4) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

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DESCRIPTION LOT H

**A TRACT OF LAND LOCATED IN THE SOUTH HALF (S 1/2) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Southwest (SW) Corner of the Southeast Quarter (SE 1/4) of said Section 25; Thence South 89°21'38" East, along the South line of said Southeast Quarter (SE 1/4), 1310.00 feet to the East line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4); Thence North 00°10'03" East, along said East line, 1273.23 feet to the South line of the Chicago Central and Pacific railroad; Thence North 61°11'03" West, along said South line, 1492.70 feet to the West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4); Thence continuing along said South line, North 61°11'03" West, 1388.62 feet to the North line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4); Thence North 89°34'34" West, along said North line, 96.59 feet to the West line of the East half of the Southwest Quarter (E 1/2 SW 1/4); Thence South 00°14'48" West, along said West line, 2634.65 feet to the South line of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4); Thence South 89°24'53" East, along said South line, 1318.88 feet to the Point of Beginning. Hereafter known as Lot H of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT I

**A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4 SW 1/4) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the Southeast (SE) Corner of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 25; Thence North 89°24'53" West, along the South line of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4), 702.88 feet to the East line of a tract described in Book 44, on Page 282 in the office of the Buena Vista County Recorder; Thence North 00°19'34" East, along said East line, 707.14 feet to the North line of said tract; Thence North 89°24'53" West, along said North line 616.00 feet to the West line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4); Thence North 00°19'34" East, along said West line, 608.32 feet to the North line of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4); Thence South 89°29'43" East, along said North line, 1317.05 feet to the East line of said Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4); Thence South 00°14'48" West, along said East line, 1317.32 feet to the Point of Beginning. Hereafter known as Lot I of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa. are hereby accepted subject to the following if any: none

**BE IT FURTHER RESOLVED** that this Resolution shall be affixed to the final plat (of survey) of said:

DESCRIPTION LOT B

**A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER (N 1/2 SE 1/4) OF SECTION 25, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

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North line, 2455.51 feet to the Point of Beginning. Hereafter known as Lot B of Section 25, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

**DESCRIPTION LOT C**

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**DESCRIPTION LOT H**

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**PASSED, APPROVED AND ADOPTED** this 6th day of October, 2009.

/s/ Paul Merten, Chairman. Board of Supervisors...../s/ Karen M. Strawn, County Auditor

Motion by Ringgenberg, second by Altena, to amend the agenda by adding a 10:30 teleconference with Pocahontas County for **DD #1 Jt.** Carried.

Treasurer Kathy Bach presented a request for abatement of taxes on one property in Newell. On January 27, 2009, the Board of Supervisors assigned the public bidder certificate to the City of Newell with the intent to **abate the back taxes** after the city took deed to the property; which was done on

August 27, 2009. Motion by Ringgenberg, second by Arends, to abate the second half 2005, all of 2006 and 2007 back taxes on parcel #16-17-456-009 in a total amount of \$980.00. Carried.

Bach reported on the tax collections through September 30<sup>th</sup> -- \$17,146,013. Most of the drainage assessments were paid in full with only 7 persons taking waivers.

Motion by Arends, second by Hach, to approve the minutes of the 9/29 meeting as printed, and the following reports: 1<sup>st</sup> Qtr veterans' van usage, Sept Spectra lagoon monitoring report, Sept Sheriffs' fees. Carried.

Motion by Merten, second by Altena, to approve the appointment of Bonnie Hach as the county's 2<sup>nd</sup> representative to the NW IA Regional Housing Trust Board. Carried.

It was noted that Dustin Drzycimski has been appointed Brooke Township Trustee, filing the vacancy created by the death of Gary Christiansen.

Engineer Jon Ites has received notice that the E. Milwaukee PCC overlay project has been nominated for a paving award. After nearly 2 years since making a request for a designation of "no further testing site" on the L.U.S.T. site at Hudson St., Ites has been notified that the request was denied, even there was no communication during that time period. Since we will be required to do a re-test, he has received a proposal from Seneca Corporation, Des Moines for the test and to prepare the report. Motion by Arends, second by Hach, to approve the re-test proposal in the amount of \$2,505 from the Seneca Corporation, Des Moines; this amount to be submitted for reimbursement from the L.U.S.T. Fund. Carried.

The US Army Corp of Engineers will be inspecting the bridge removal project between Sections 13-14, Elk Township. The seeding remains to be completed. Motion by Ringgenberg, second by Hach, to accept the Engineer's recommendation to accept the proposal from Griggs Environmental Strategies, Boone, to do a wetland mitigation report in the amount of \$2,376. Carried.

In response to an inquiry regarding whether a petition is required from a landowner to request a drainage district cleanup. Ites confirmed that there is no petition requirement (Chapter 468.126, 2009 Code of Iowa). Petitions are required only for establishing a new district, or an improvement. Any person can request a repair.

Motion by Arends, second by Hach, to approve the underground utility permit submitted by Iowa Lakes Regional Water, Spencer to install 1½" PVC service to 1931 450<sup>th</sup> St, 1½" PVC service to 789 506<sup>th</sup> St, and a 3" main bored under 650<sup>th</sup> St from ROW to ROW at a location ½ mile East of M-43. Carried.

Motion by Altena, second by Hach, to approve the underground utility permit submitted by Schaller Telephone Co., Schaller to install 6 pr copper communication cable to 127 640<sup>th</sup> St. Carried.

Motion by Arends, second by Ringgenberg, to approve the underground utility permit submitted by Iowa Telecom, Newton to install 25 pr copper communication cable for service to 1767 520<sup>th</sup> St. Carried.

10:30 a.m.—The time having arrived, a teleconference was held with the Pocahontas County Board of Supervisors for a joint meeting of DD #1 Trustees to consider requests from the City of Newell regarding their Waste Water Treatment Facility. Present from Buena Vista County: Merten, Arends, Hach, Ringgenberg, Altena, and Auditor Strawn; Pocahontas County: DeWolf, Beneke, Dewey, Stauter, Triggs, and Auditor Bunda. Motion by Jack DeWolf, second by Arends, to appoint Paul Merten Chairman, and Karen Strawn Secretary. Carried. The Chair reviewed the requests from Newell, and read a recommendation from the Buena Vista County Attorney to give approval conditioned upon the City and the County entering into an agreement in which the City represents and warrants that the requested

activity will not impair the County's drainage easement or its rights thereunder or increase the expenses associated with maintenance, repair, improvement or inspection of that easement. Motion by Arends, second by Triggs, to approve and to authorize the Chairman to sign the "Access Easement", the "Approval of Construction of an Undercrossing", and the "Approval of Point of Discharge for Treating Sewage Effluent", all conditioned upon the City and the County entering into an agreement in which the City represents and warrants that the requested activity will not impair the County's drainage easement or its rights thereunder or increase the expenses associated with maintenance, repair, improvement or inspection of that easement. Carried. Motion by Altena, second by Dewey, to adjourn the meeting. Carried.

Altena reported on having attended the Gingerbread House meeting at the hospital last week. He thought they had taken a good approach, and he believes there will be community support.

There being no further business, the Chairman adjourned the meeting at 11:15 a.m. until October 13<sup>th</sup> at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-THIRD MEETING, 2009 SESSION (43)  
OCTOBER 13, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 6, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Hach.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Ringgenberg, and Merten. Nays: none. Abstentions: none.

**Don Sievers** discussed a cleanout of DD #34. He stated that he and his brother Al had originally been opposed to removal of the trees and cleanout, but now they would like to have the project proceed; shoring up the bank, and the clean out, at least at their end of the district. The end result would be erosion free banks, and functioning tile at their end. With regard to the tree removal, their lane has narrowed and the rock is gone, as is the filter-strip. The Sievers would like to discuss planting and shrubs to re-develop habitat. Brian Blomme, Kuehl & Payer had informed him that they would have to be outside the drainage ROW with the planting. Sievers also referred to the 2008 minutes, and pictures taken of the lane, building site, etc. around showing the damage and narrowing of the lane. He said that there are lots of tree roots sticking out; they should even up the banks, and re-shape them. Blomme had also stated that if all of the roots, etc. were removed, that would de-stabilize the banks. Randy Sievers, who also was present, stated that he would like to have the project completed (cleanout).

9:00 a.m.—the time having arrived for the Public Hearing on the completion of the **DD #34 Lat 2** tree removal project, the Chairman opened the hearing with Kuehl & Payer's Ivan Droessler, and Brian Blomme, and with Don Sievers, Randy Sievers, and Dwayne Ehlers present. Blomme reviewed the contract with Carnarvon Sand & Gravel in the amount of \$67,611.00. There were no change orders. The original engineer's estimate was \$77,101.5, which was to \$77,142 at the time of bidding. There was no effect on the tiles during the tree removal. The contractor has been brought the Sievers' lane up to pre-project condition. An electrical line, which was damaged during the project, has been fixed and paid for by the contractor.

Two **damage claims** have been received. Don Sievers submitted a damage list including the (#1) damage to the lane, which does not have all the gravel it had in the first place; the contractor has leveled it back out. The engineer believes that the contractor would have done no more damage than grain traffic would have. Kuehl & Payer sees no basis for that claim, and, it should not be charged to the contractor. Arends believes that we could provide a couple loads of gravel. The amount of gravel needed isn't known, but Droessler did a rough estimate of 130 ton (@45 ton/truck @ \$16/ton, if this is insufficient, it can be re-addressed). Sievers would be happy with gravel for the low areas, and with topping off the rest. The Chair suggested starting with 3 loads, and then seeing where it ends. Another item: the area where the contractor parked equipment needs to be reworked and then re-seeded. Droessler recommended that the owner do the work, and then turn in an invoice for reimbursement. He suggested providing a dollar amount for the reseeded for .8 of an acre (#'s 2-reseeding along the lane, and 3-reseeding of the filter strip). Droessler believes that over time, the lane will come back to a wider condition (#4). The broken tile (#5) is the responsibility of the owner. Kuehl & Payer recommends no action on the large tiles (#6) which drain a large area to the north. The area hasn't had a big rain recently, and their functionality can't be determined. By review of the map with estimations, re-seeding could be approved up to .8 acre for the Sievers'. It was acknowledged that there is potential tile damage that may become apparent in the future after the harvest, at which time it can be investigated. Motion by Arends, second by Altena, to acknowledge and accept the map measurements for grass re-seeding for .8 acre at the rate of \$210/ac; Sievers to turn in the cost to be reimbursed and the cost assessed to DD#34. Carried.

Randy Sievers filed a damage claim for crops lost. Kuehl & Payer suggested using the "ISU Extension Ag Decision Maker" to determine the amount of reimbursement to owners, which would allow Corn = \$600.00/Acre, Beans = \$460.00/Acre, CRP = \$210.00/Acre. Normally, only input costs are reimbursed; there is no reimbursement for profit. The input costs 460/ac filter strip, 600/ac for corn input costs \$437 (calculated by using Extension decision maker. Motion by Arends, second by Ringgenberg, to approve the following **crop damage payments** to be paid from district funds to: Arlene Peterson for 1.37 ac-corn in the amount of \$1,038, to Dwayne Ehlers for 1.73 ac for buffer strips in the amount of \$363.30, to Janet Sievers 2.25 ac for beans in the amount of \$1,035.00, and to Bay Breeze, LLC for .95 ac in the amount of \$199.50, and to issue the warrants. Carried.

Motion by Arends, second by Ringgenberg, to accept the project with Carnarvon Sand & Gravel for tree removal in **DD #34 Lat 2** as complete, and issue the 10% retainage in 30 days if there are no further claims received. Carried.

Regarding the next phase, a **clean-out of DD #34** could proceed without a petition. The Board would need to appoint an engineer to prepare an engineer's report, which is necessary to provide a ballpark estimate. Droessler recommended accepting a petition to do the full cleanout. At that point in time, the lateral could also be re-classified. At \$4/ac for re-classification, the total cost could be between \$300,000 and \$600,000. It was consensus of the Board to have Kuehl & Payer prepare a preliminary cost estimate of the work to be done in DD #34.

Marilyn Monson met with the Board to discuss **Western Iowa Tourism**. There is a considerable amount to be done to promote develop tourism here. In years past, she had been the county's representative to WIT, and is asking if she could be appointed again. Newell's Allee Mansion/Newell Historical Society has joined WIT. For members to benefit from grants, etc. the county needs to be a member. She also asked for reimbursement for registration, lodging and mileage to attend the annual



October 21-23 conference which will be held in Tama, a \$362 total, less \$100 from the Newell Historical Society. Board will take action next week on the request to appoint, and approve funding.

Engineer Jon Ites presented a proposal from Kuehl & Payer in the amount of \$8,000 for survey work on 3 bridge replacements which are scheduled to be done in the next two years. Motion by Merten, second by Altena, to accept the proposal from Kuehl & Payer in the amount of \$8,000 to provide **survey services** for the following locations: between Sections 19-30, Lincoln Township; between Sections 7-8, Grant Township; and between Sections 1-2, Grant Township. Carried.

IDOT is continuing their resurfacing project on **Hwy 3**. They are asking for approval two use county roads for haul routes. Any damage done to the roads would be reimbursed to the County. Ites noted there is considerable amount of traffic on the roads do to the harvest season.

Ites reported that the **Degner lawsuit** has been dropped. He will accept the original offer from EMC.

Ites obtained quotes for a new pickup for the maintenance superintendent with a 1996 trade-in: \$23,691 for a 2010 Ford from Rasmussen's, \$24,100 for a 2010 Chevrolet from Fitzpatrick's, and \$23,500 for a 2009 Chevrolet from Fitzpatrick's. Motion by Arends, second by Altena, to accept the **Rasmussen Ford pickup** proposal in the amount of \$23,691 with a 1996 trade-in value of \$2,200. Carried.

A request for a formal **drainage district crossing** in Section 4, Poland Township, has been received from Eugene/Dave Johnson. The process is to ask for approval, and then pay the cost. If the Board acknowledges the crossing, the drainage district would be responsible for maintenance in the future. The county would need to size the structure. It was the consensus of the Board to go ahead and investigate the site, and determine the correct pipe size. Ites noted that some cleanout may be needed.

Chairman Merten reported that two new counties have joined the **Central Iowa Judicial Detention Center**. The 10/20 agenda will include approval of the 28E amendment adding the new counties.

Merten also reported on the **county care facility** expenses with Control System Specialists. No additional changes will be done on the heating system.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of the 10/06 meeting and the following **reports**: 9/8 BV Co Conservation Board minutes, annual FY'09 REAP report, and the 9/17 NWIPDC Policy Council minutes. Carried.

Motion by Arends, second by Ringgenberg, to approve and to authorize the Chairman to sign today's **claims approval list**. Carried.

Ringgenberg noted that the **Empowerment Board** will be meeting to reallocate their budget due to the 10% across the board cut in state funding.

There being no further business, the Chairman adjourned the meeting at 1:05 p.m. until October 20<sup>th</sup> at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-FOURTH MEETING, 2009 SESSION (44)  
OCTOBER 20, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 20, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Arends.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Buildings/Ground Superintendent Steve Hammen updated the Board on temporary quarters for their meetings beginning November 3<sup>rd</sup>, which will be the room south of the Recorder. Renovation of the **Boardroom** will begin at that time.

Brent Mangold, Mangold Environmental Testing, discussed the lagoon system at the **county care facility**, and what should be done with the lift station. One option is to pull the pump, another is to keep the pipes warm enough to avoid freezing during the winter. There is still some running into the lagoon; would electrical heat tape protect it? What should be done with the sludge? Mangold could pull the pump, store it in the facility, and have Howe Sanitation clean out the pit. The estimated cost for the clean-out is \$300. The county will still have the NPDES permit, and monitoring report obligations. Mangold has negotiated the number of on-site inspections down to once each month. Mangold will leave the pumps, and call Howe Sanitation to remove the sludge, and power wash and clean out the pit. This will allow the system to keep working since there is some water drainage. Mangold will contact DNR to have them put in writing the approval to reduce the number of on-site inspections.

Preston Jacobs presented contracts for the Chair's signature. Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign the contract with Midwest Contracting LLC for two box culverts (**project #'s L-C-904—73-11 & L-C-1114—73-11**). Carried.

Motion by Ringgenberg, second by Altena, to approve and to authorize the Chairman to sign the amendment to the 28E agreement with the **Central Iowa Juvenile Detention Center** approving membership of Floyd & Wright Counties. Carried.

Motion by Altena, second by Hach, to approve the **minutes** of the 10/13 meeting as printed. Carried.

Motion by Hach, second by Ringgenberg, to approve the appointment of Marilyn Monson as the county's representative to the **Western Iowa Tourism Board** for the remainder of the calendar year, and to approve expenses on a reimbursement basis up to \$262. Carried. Monson will be requested to provide a report to the Board on the meeting.

Motion by Hach, second by Ringgenberg, to approve the **Employee Break Room Area Policy**. Carried.

**EMPLOYEE BREAK ROOM AREA POLICY**

Each department may establish a break area for its employees. An established break area shall be centrally located if possible; it shall be accessible by all employees of the department. Any appliances in the break area shall be of size that fits that particular area and shall meet all state and local codes. Use of appliances shall be accessible to all employees of that department. No tax payer moneys shall be used in the purchase or upkeep of said appliances. The break area cleanliness shall be the responsibility of the employees of that department. No appliances shall be allowed in or around employees personal work stations for personal use unless prior approval is given by the Board of Supervisors.

There being no further business, motion by Hach, second by Ringgenberg to adjourn the meeting at 9:15 a.m. until October 27<sup>th</sup> at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-FIFTH MEETING, 2009 SESSION (45)  
OCTOBER 27, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 27, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

8:30 a.m.--The time having arrived for the hearing on the first **FY'10 budget amendment**, the Chair opened the hearing with no interested persons present. There were no questions regarding the amendment; Board Members had reviewed the amendments previously. Motion by Ringgenberg, second by Arends, to close the budget amendment hearing, and to approve the amendment as published, with the following appropriations:

• Increase expenditure activity	0010	General Basic Fund (0001)	Dept 26	\$	5,000
• Increase expenditure activity	0200	Secondary Road Fund (0020)	Dept 20	\$	840,500
• Increase expenditure activity	0220	General Funds (0001)	Dept 02	\$	14,000
• Increase expenditure activity	1060	General Fund (0001)	Dept 05	\$	17,000
• Increase expenditure activity	6030	Secondary Road Fund (0020)	Dept 20	\$	5,000
• Increase expenditure activity	3200	General Fund (0001)	Dept 21	\$	10,000
• Increase expenditure activity	6310	General Fund (0001)	Dept 01	\$	10,592
• Increase expenditure activity	7200	Secondary Road Fund (0020)	Dept 20	\$	8,000
• Increase expenditure activity	7230	Secondary Road Fund (0020)	Dept 20	\$	80,000
• Increase expenditure activity	8000	General Supplemental (0002)	Dept 02	\$	2,500
• Increase expenditure activity	9010	General Fund (0001)	Dept 02	\$	2,500
• Decrease revenue source	20XX	Secondary Road Fund (0020)	Dept 20	\$	<11,693>
• Increase revenue source	25XX	Secondary Road Fund (0020)	Dept 20	\$	4,023
• Increase revenue source	26-27XX	Secondary Road Fund (0020)	Dept 20		\$102,509
• Decrease revenue source	28XX	Secondary Road Fund (0020)	Dept 20	\$	<65,456>
• Increase revenue source	29XX	Secondary Road Fund (0020)	Dept 20	\$	200,000
• Increase revenue source	29XX	Secondary Road Fund (0020)	Dept 20	\$	29,422
• Increase revenue source	26XX	General Fund (0001)	Dept 21	\$	10,000
• Increase revenue source	8XXX	General Fund (0001)	Dept 21	\$	5,000 Carried.

Engineer Jon Ites presented city/county road maintenance agreements. Motion by Hach, second by Altena, to approve and to authorize the Chair to sign the **city/county maintenance agreements** for Linn Grove, Lakeside, Truesdale and Rembrandt. Carried.

Ites has received a letter from the IDOT regarding new requirements for use of funds in the **Farm-To-Market-Fund**. IDOT has also notified us that the haul route has been determined for this year's completion of the **Hwy 3 resurfacing project**.

Motion by Arends, second by Hach, to approve and to authorize the Chair to sign the **utility permit** submitted by Interstate Power & Light (Alliant) to install underground electrical wire service to 309 420<sup>th</sup> St. Carried.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign the **utility permit** submitted by Iowa Lakes Regional water to install a 2½" main to a location in Section 1, Providence Township along the West side of 190<sup>th</sup> Ave. Carried.

Motion by Altena, second by Arends, to approve and to authorize the **utility permit** submitted by John Healy dba Carnarvon Sand & Gravel to do backfill for the wetland project in Section 12, Poland Township in Jt. DD #150. Carried.

Ites discussed the claim for damages for gravel on a property located in Section 2, Grant Township submitted by Don Sievers (**DD#34 Lat 2**). Ites will inspect the lane on the Wayne R. Sievers Conservation Trust farm, to determine the amount of gravel needed. Charges will be billed to DD #34.

Secondary Roads employees have started their **winter season routes** which put 6 additional motorgraders on the roads, up from 8 for the summer season.

Altena attended the ribbon-cutting on the Bedel Brothers printing department at **Genesis Development**.

Dave Wiley, Ass't **Weed** Commissioner provided an update on this summer's work. He attended a meeting in Mason City in September. Norlin Gutz will attend the schooling in March. Wiley submitted Denny Groth's name as a substitute driver, with the Board approving. He noted that July and August are the best months for taking out trees. 90 gallons of HiDep are remaining after this season. Bids will be taken in March for the summer season.

Avis Yungbluth, Sioux Rapids Historical Society, appeared with a **FY'11 funding request** in the amount of \$1,000.00. She reviewed the projects her group tackled this year.

Greg Villegas and Brian Blomme, Kuehl & Payer, requested direction on the remaining tree clearing projects for the **Main Open Ditch of Drainage District 34**. In 2001 the Board of Supervisors authorized Kuehl & Payer to prepare a report for tree removal in DD #34. Now that Lateral 2 has been completed, the next step would be to do tree removal in Sections 8, 16, 17, and 21, Lincoln Township at the engineer's estimated cost of \$82,911.48. They would like to do tree counts in Providence Township after harvest so a preliminary estimate of cost can be determined. Motion by Arends, second by Ringgenberg, to authorize Kuehl & Payer to perform a tree count on the six DD #34 tiles south of Section 21, Lincoln Township Providence Township. Carried. Blomme suggested that the Board consider having Don Reffer, B & W Control, come in to discuss whether spraying could be done to avoid tree removal, which would save money and get better control. He also confirmed that Kuehl & Payer is to prepare an initial cost estimate for clean-out of Lateral 2; the Board agreed.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign today's **claims approval list**. Carried.

Zoning Director Kim Johnson discussed the letter from IDNR regarding **flood plain mapping**, which will be required by the deadline of June 30, 2011 so property owners can participate in the Nation Flood Insurance Program. Some areas have already been mapped including: all of Brooke, Barnes, Lee, & Poland Townships plus Linn Grove, Sioux Rapids and Newell; Elk-Secs. 1-30 & W ½ of Sec 31; Scott-Sec.1-30; Lincoln--Sec.1-30; Fairfield-Sec.1-30; Nokomis W½ Secs 6-7 and Sec. 18, 10, 30-31. No

mapping has been for Washington, Grant, Coon, Hayes, Providence, and Newell Townships and Marathon, Rembrandt, Truesdale, Albert City, Alta, Storm Lake, Lakeside, plus any omitted Sections in the Townships listed above. This will affect farmers who are also required to comply with the locally adopted ordinance. NWIPDC is offering to do the mapping for the cities along with updating their Comprehensive Plans. Johnson asked the Board if they want to proceed with the resolution and ordinance. Since there may be changes in the DNR requirements before the deadline, the Board will wait till closer to the deadline. Johnson also mentioned there are changes needed for the zoning ordinance.

Motion by Hach, second by Ringgenberg, to approve the minutes of the 10/20 meeting as printed, and the following reports: 1<sup>st</sup> Qtr FY'10 – IDOT Farm to Market Road Fund, 10/8 minutes – BV Co Veterans Affairs Commission, Weekly census - YES Center, FY'09 reimbursement letter – CASI, Homestead credit for BV County – IA Dept of Revenue (total for all jurisdictions in the county). Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chairman to sign the final payment voucher for Carnarvon Sand & Gravel in the amount of \$6,761.10 for the tree removal contract for DD #34 Lat 2. Carried.

Sheriff Gary Launderville updated the Board on activities at the LEC. He has received a copy of the letter from the County Attorney to the Architect about fixing the heating system. Tessier's Inc. was here last week for the annual inspection of the HVAC system. They made adjustments to see if the temperature control has improved. He asked for a bid from Tessier's for maintenance agreement. He has also been in contact with John Hansen about spots where roof has buckled. Three roof leaks were found last week. Jenny Hemmingsen has been hired for the Sheriff's office. She is training now to be on board when Marilyn Peters retires. When the east part of the city lost electricity recently, the generator kicked in for the jail area. Now, lines have been added so that the computer systems are also on the generator. The security system is controlled by administrative computers used by him and the two secretaries. Nikkel & Associates has installed the new camera system, which adds voice recording in the booking area. The City of Storm Lake shared a portion of a grant to pay for the county installation. Recording capability will help the city, prosecuting attorneys, and the Sheriff's Department for management purposes. The Sheriff mentioned that the recent drug bust which comes as a result of an ongoing investigation over the past couple years. Over this past month his department has done 30 transports to locations all over the state. He has tried to use the Reserves where needed. They are still working on the horse tail theft cases, with no clues, no leads. Regarding reduction of comp time and taking vacation days, it has been extremely difficult to get the numbers down. Several employees will probably have to request rolling over the vacation day maximum. Several are near their anniversary dates so will earn additional vacation days though they have been trying to use up extra days before anniversary dates. Arends asked if it would be helpful to add another employee to avoid fighting the time issues. Merten asked if we could purchase time from other county sheriff's departments. We do use the Reserves which are volunteer hours. Vacation, comp time, unexpected transports, and training requirements make it very difficult to schedule shifts. Currently there are no federal Cops-Fast grants available. This department has checked to see if neighbor counties could share transport trips. The recent phone bills have increased. Also requiring discussion is the fiber optic cable contract which is near its 3-year deadline (Sept. 2010). A wireless solution might be the best fit. Van Hooser is researching the costs. The jail has been running about 23 prisoners recently, with 30-31 average over the month. Launderville has appreciated Nurse Administrator Pam Bogue's help with updates on medical/health information topics.

Paul Peterson renewed his request to have the Board study and enact some sort of decriminalization plan/program/ordinance for a small scale crime of possession of marijuana. He suggests an ordinance which provides that law enforcement handle the possession charge by citing the individual, provide for a fine, and then release the person. This is known as prosecutorial discretion. Chairman stated that the County must follow the law. Peterson still believes that prosecutorial discretion would allow law enforcement agencies to prioritize for the best uses of their resources. He discussed his research on the use of and effects of marijuana on cancers and other conditions. He volunteered his services to assist the County Attorney in drafting the ordinance. Merten asked if the local individual (in BV Co) who has a prescription for marijuana is being targeted, or singled out for use of the marijuana. Peterson-no. She has to have marinol prescribed for her to be used with the marijuana. He doesn't know

if law enforcement agencies are going out looking for this type of crime. Merten stated that we don't seem to be having instances with this particular misdemeanor. Peterson-Local doctors are afraid to prescribe it so they aren't willing to advocate this type of plan.

Arends left the meeting.

Altena would like to have the Board consider taking a position on the City of Lakeside purchasing land from the Solid Waste Commission.

There being no further business, motion by Hach, second by Altena, to adjourn the meeting at 12:05 p.m. until November 3<sup>rd</sup> at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-SIXTH MEETING, 2009 SESSION (46)  
NOVEMBER 3, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 3, 2009 at 8:30 A.M. in the Boardroom with Vice Chairman Arends presiding, and the following members present: Altena, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent—Merten.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Hach, Ringgenberg, and Arends. Nays: none. Abstentions: none.

Marilyn Monson was present to request FY'11 funding for the **Newell Historical Society/Allee Mansion** in the amount of \$1,000. Promotion of the Allee Mansion is their next project with a color brochure and website. This year they completed repainting the Allee Mansion at a cost of over \$40,000. The mansion is done in 12 colors and is done according to historical preservation standards. The Newell Historical Society is now a member of Western Iowa Tourism.

The Chair asked if she would be able to attend the November **Western Iowa Tourism** (quarterly) meeting in Logan. She agreed. Monson reported on the Tourism Conference in Tama (Oct. 21-23), and that the Mesquakie Indians performed. Surveys indicate that people want to experience a family farm, Iowa's wine-making industry is growing, and currently, short vacations are popular. Tourism is a \$6.4 billion industry in Iowa. But the state is pushing revenues from new sources to deal with budget cuts. Many schools request a waiver to begin K-12 classes in August which virtually eliminates tourism at the earlier date. Therefore Tourism agencies will be advocating "save the summer" in order to preserve the final two weeks in August.

Paul Peterson withdrew his name from today's agenda.

Sheriff Gary Launderville discussed theft and vandalism **insurance coverage** for the portable radar trailer. It was the consensus of the Board to add the coverage. The Sheriff requested approval to dispose of the pontoon boat which doesn't work, and to scrap the ambulance, then take them off the

insurance policy. Motion by Hach, second by Ringgenberg, to declare the Sheriff's pontoon boat and the 'old ambulance' as **excess property**, and to authorize the Sheriff to dispose of them to the highest bidder. Carried.

Engineer Jon Ites discussed additional **insurance coverage** for equipment which is not licensed for the roads such as mowers. He would like to consider this coverage for the 2011 renewal policy.

Engineer Jon Ites visited the Sievers Estate property with the Maintenance Supt. Secondary Roads will be hauling gravel for the lane on the Sievers Estate property in the near future, to be billed to **DD #34**.

Ites provided a **secondary road report**.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of the 10/27 meeting as printed, and the following **reports**: 10/13 minutes of the BV Co Conservation Board. Carried. Action on the amendment to the Employee Break Area Policy tabled until after the November department head meeting.

**Supervisor meeting reports**: Ringgenberg attended the Empowerment meeting, and the budget is being adjusted for the state budget cuts. She brought copies of the Empowerment and Plains Area Mental Health annual reports. Arends attended a RIDES meeting; their new Sheldon building has been completed. Their financials have improved since hiring the new administrator. Compass Point is experiencing financial problems due to not being promptly reimbursed by the state and federal governments. They are looking at possible sharing arrangements to assist with getting control of the expenses. Hach attended the NW IA Regional Housing Trust meeting with Bonnie Hach, the county's representative. They are just getting started and have been funded for the 2010 year. The Board received an invitation from Storm Lake United to participate in the Major Employer Advisory Board. The county will probably get a funding request from them for FY'11.

An agreement signed by the City of Newell acknowledging their responsibility for maintenance, repair, improvements, and inspection regarding **DD #1** and their Waste Water Treatment facility was received. This meets the requirement that the "Access Easement", the "Approval of Construction of an Undercrossing", and the "Approval of Point of Discharge for Treating Sewage Effluent" be conditioned on the maintenance, repair, improvements, and inspection.

Herb Crampton appeared to discuss the **Veterans Memorial** proposed for the Courthouse courtyard. Plans are advancing on the design and costs.

There being no further business, motion by Hach, second by Altena, to adjourn the meeting at 10:30 a.m. until November 10<sup>th</sup> at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-SEVENTH MEETING, 2009 SESSION (47)  
NOVEMBER 10, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 10, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Deputy Auditor Sue Lloyd as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign today's **claims approval list**. Carried.

Pursuant to Chapter 50.24 of the 2009 Code of Iowa, motion by Arends, second by Ringgenberg, to declare the results of the **Canvass** of the November 3, 2009 Municipal Election as follows: (\* indicates winner)

**ALBERT CITY** - total voters – 90 - 20% turnout

**MAYOR (2 YR)**

CARL ERICKSON JR.	79 *
SCATTERING	6

**COUNCIL MEMBERS (2 - 4 YR.)**

DAN LULLMANN	82 *
DALE SKOG	81 *
SCATTERING	4

**ALTA** - total voters – 347 - 28% turnout

**MAYOR (2 YR)**

THOMAS G. FRENCH	136
RICHARD L. MORRIS	181 *
SCATTERING	19

**COUNCIL MEMBERS (2 - 4 YR.)**

PAM HENDERSON	255 *
BRIAN WALSH	245 *
SCATTERING	62

**PARK BOARD (1 – 6 YR)**

ROBERT J. SAMPERS	6 *
TONY WEILAND	3
SCATTERING	43

**PARK BOARD – TO FILL A VACANCY (1)**

DAVID LYDELL	1 *
SCATTERING	18

(winner was drawn from a hat, with 17 people all receiving 1 vote)

**LAKESIDE** - total voters – 95 - 28% turnout

**MAYOR (2 YR)**

GENE MANDERNACH	70 *
JASON STOLTZFUS	20
SCATTERING	2

**COUNCIL MEMBERS (3 - 4 YR)**

DENNIS FISHER	61 *
RANDY JACOBSON	14
KATHLEEN POMRENKE	62 *
WARREN F. WILSON	68 *
GARY OEHLER	32
SCATTERING	9

**LINN GROVE** - total voters – 41 - 33% turnout

**MAYOR (2 YR)**

RONDA ELLIS	34 *
SCATTERING	3

**COUNCIL MEMBERS (5 - 2 YR)**

DIANE LINDAHL	37 *
JOHN C. NELSON	35 *
ALLAN WALQUIST	37 *
MARLIN WEIER	34 *
STUART JESSEN	15 *
SCATTERING	28



**MARATHON** - total voters – 34 - 20% turnout

MAYOR (2 YR)

DANA C. SNOW 34 \*

COUNCIL MEMBERS (2 - 4 YR )

DUSTIN KLATT 10  
TONY RYDSTROM 16  
KATHY SCHULZ 18 \*  
TERESA SNYDER 23 \*

**NEWELL** - total voters – 120 - 22% turnout

MAYOR (4 YR)

DICK CHRISTIANSEN 104 \*  
SCATTERING 7

COUNCIL MEMBERS (3 – 4 YR)

ETHEL CROWLEY 20  
DANA DAVIS 83 \*  
SHIRLEY HENRICH 73  
NATHAN KIER 93 \*  
PAMELA WILKEN 79 \*

PARK BOARD MEMBER (2 – 4 YR)

BONNIE HOPPER 5 \*  
MITCH LYMAN 10 \*  
KENT WOLCOTT 4  
SCATTERING 18

**REMBRANDT** - total voters - 23 - 20% turnout

COUNCIL MEMBERS (3 – 4YR)

DOYLE ENGBRETSON 23 \*  
RICHARD L. KING 20 \*  
NEAL E. SENNERT 21 \*  
SCATTERING 2

**SIOUX RAPIDS** - total voters –171 - 35% turnout

MAYOR (4 YR)

ANDREW HASLEY 85 \*  
JIM WISE 80  
SCATTERING 5

COUNCIL MEMBERS (2 - 4 YR)

WILLIAM BALL 23  
WILLIAM JOHNSON 129 \*  
STEVE LONNING 37  
PAIGE PATTEN 102 \*  
ALLEN SORENSON 43

**STORM LAKE** - total voters –761 - 15% turnout

MAYOR (4 YR)

WILLARD N. CHRISTENSEN 184  
JON KRUSE 547 \*  
SCATTERING 9

COUNCIL MEMBERS (2 - 4 YR)

DAN ANDERSON 591 \*  
JODY HOCKING 156  
MICHAEL D. PORSCH 692 \*  
SCATTERING 7

**TRUESDALE** - total voters – 35 - 57% turnout

MAYOR (2 YR)

JAMES E. WALKER 15  
STAN BUCHHOLZ 16 \*  
SCATTERING 2

COUNCIL MEMBERS (5- 2 YR)

CHRIS BARRICKMAN 15  
STEVE BOVERO 15 \*  
DONALD J. BRAZEL 13  
BARRY J. MEYER 18 \*  
NEEDRA RIPKE 12  
TINA SHANNON 17 \*  
LINDA C. WALKER 17 \*  
JAMES WEILAND 23 \*  
CONNIE LEWIS 9  
LINDA WEILAND ANDERSON 12  
SCATTERING 5  
(Steve Bovero won by draw from the hat)

Motion by Hach, second by Ringgenberg, to approve the minutes of the 11/03 meeting as corrected, and the following report: September, 2009 District Court Fees. Carried.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign the amended Employee Break Area Policy. Carried.

#### **EMPLOYEE BREAK AREA POLICY**

Each county and state department housed in Buena Vista County-owned facilities, or facilities rented by Buena Vista County may establish a break area for its employees. An established break area shall be centrally located if possible, in an area with electric wiring adequate for the appliances to be used; it shall be accessible by all employees of the department. Any appliances in the break area shall be of size that fits that particular area and shall meet all state and local codes. Use of appliances shall be accessible to all employees of that department. No tax payer moneys shall be used in the purchase or upkeep of said appliances. The break area cleanliness shall be the responsibility of the employees of that department. No appliances shall be allowed in or around employees personal work stations for personal use unless prior approval is given by the Board of Supervisors. Said requests shall be made in writing. Person(s) requesting approval shall be requested to meet with one or more Members of the Board.

Approved by the Buena Vista County Supervisors on November 10, 2009.....

/s/ Paul Merten, Chairman, Buena Vista County Board of Supervisors

Marina Fuhrman, Program Director of Synergy, gave an update on their facility and programs. They currently have 17 beds at their residential treatment center, and would like to expand into another building, creating an additional 5 beds.

Motion by Hach, second by Altena, to approve and to authorize the Chair to sign the underground utility permit submitted by Qwest Communications for a 3 pair service wire pedestal to 876 630<sup>th</sup> St. Carried.

Motion by Altena, second by Ringgenberg, to approve and to authorize the Chair to sign the utility permit submitted by Iowa Lakes Regional water to install a 1½" PVC service line, to be bored under 615<sup>th</sup> St. to 1324 615<sup>th</sup> St. Carried.

Motion by Arends, second by Altena, to approve and to authorize the Chair to sign the utility permit submitted by Iowa Telecom, of Newton, for a communication cable at the intersection of 200<sup>th</sup> Ave. and 540<sup>th</sup> St. east in roadway 770' then north across road to pedestal in north ROW line. Carried.

Engineer Jon Ites provided a secondary road report. ISU started testing on the innovation bridge; they are doing spot graveling; doing a night inventory on signs; snow equipment is on.

Pam Fiedler, Sandy Knoke, and Mike Diercks appeared to give an update on the Veterans Memorial Project. Also present for the discussion was Buildings/Grounds Superintendant Steve Hammen. Questions were asked from both sides regarding sidewalks, lighting, and upkeep. Hach stated that the Board is definitely in favor of the project, but they don't know what the impact of the recession will be to the County.

Marjorie Neulieb, President of the Buena Vista County Historical Society, met with the Board to give an update on their roofing project, and to request funds for FY'11. Hach recommended that the Historical Society contact Mid American or Alliant Energy to have them perform an energy audit of their facility.

There being no further business, motion by Arends, second by Ringgenberg, to adjourn the meeting at 11:45 a.m. until November 17<sup>th</sup> at 8:30 a.m. for a special session.

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Sue Lloyd, Deputy Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-EIGHTH MEETING, 2009 SESSION (48)  
NOVEMBER 17, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 17, 2009 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Arends.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Assessor Kathy Croker, Treasurer Kathy Bach, EnvHealth/Zoning Director Kim Johnson and Bldgs/Grounds Superintendent Steve Hammen were present for a clarification of the Board's intent regarding county offices being open/closed on December 24<sup>th</sup> as discussed in Supervisors' minutes and DH minutes. They are not requesting an employee holiday on Dec. 24<sup>th</sup>, but that the courthouse be closed to the public. Ringgenberg suggested that the county offices close at noon on Dec. 24. Altena is in favor of either closing for 4 or 8 hours, as long as the time isn't called a holiday. Hach would prefer 4 hours. The Chair asked if the individual departments can run without full staff. That varies from one department to another. Motion by Ringgenberg, second by Hach, to approve closing county offices to the public at noon on **December 24<sup>th</sup>** and allowing employees to use comp time, vacation leave or personal time for the 4 hour time period. Carried.

Engineer Jon Ites reported that 6,279.28 bushels of corn was harvested at **S Hayes Pit farm** @ 17% moisture; the county's share is 3,139.64 bushels. The Engineer was authorized to sell it.

In Section 4, Poland Township (at the top end of **DD #34**), Eugene Johnson has requested approval to put in a crossing in order to access his interior land. Motion by Hach, second by Altena, to approve Eugene Miller's request to install a crossing in Section 4, Poland Township at his own expense, with DD #34 to be responsible for future repairs. Carried.

Motion by Hach, second by Ringgenberg, to approve and to authorize the Chairman to sign the **utility permit** submitted by Iowa Telecom, Newton, to install a 5-pr comm. cable to replace defective cable in Section 10, Coon Township, to serve 2265 560<sup>th</sup> St. Carried.

Motion by Hach, second by Altena, to approve the **minutes** of the 11/10 meeting as printed, and the following **reports**: Judicial Branch schedule of FY'10 unpaid leave days, 1<sup>st</sup> Qtr fees – BV Co Recorder, October county care facility lagoon monitoring report by Mangold Environmental Testing, YES Center – client/bed count (Nov 2-9 and Nov 9-15). Carried.

Motion by Hach, second by Ringgenberg, to correct the following 10/27 **appropriation** in the FY'10 budget as follows: Increase expenditure activity-7200-Secondary Road Fund (0020)-Dept 20 in the amount of \$28,000 (not \$8,000). Carried.

Motion by Hach, second by Altena, to approve the chemical brush control quotes from B&W for the following **drainage districts**, and to authorize the Chairman to sign: DD #20, DD #34 MOD, DD #34 Lat 2 OD, DD #49 MOD, DD #274 Jt MOD, DD #1 Jt MOD, DD #1 Jt Lat 1 OD, DD #1 Jt. Lat 2 OD, DD #181 Jt. Big Cedar–Areas 1&2, DD #181 Jt. Little Cedar–Area #3, DD #16-30-92 Jt,-MOD & OD, and DD #19-26 Jt MOD. Carried.

Members of the **BV County Library Association** were present: Martha Landsness-Sioux Rapids Jolene Anderson-Rembrandt Sherrie Petersen-Newell, Betty Joliffe-Marathon, Patria Jensen-Linn Grove, Mary Johnson-Albert City, and Misty Gray-Storm Lake. All discussed the increased usage by all segments of their communities; the libraries are seeing the gathering place of people of all ages. Two of the members attended the state library association conference. They thanked the Board for all of the continued support from the County (\$78,000 in the current fiscal year). No specific dollar request was made for FY'11.

Bob Christensen gave a Powerpoint presentation on the activities of **Emergency Management** Department, highlighting the safety training provided around the county.

Hach left the meeting.

Rhonda Christensen, **Buena Vista County ISU Extension** Director, reviewed the programs and activities of the past year including "Strengthening Families" and the Iowa Concern Hotline. She provided a copy of the folders sent to all of the High School Guidance Counselors in Iowa for students considering higher education; it provides contact information for the state universities, including class requirements for admission to the state schools. She introduced the new Area Director, Jerry Chizek, who begins his new duties January 30<sup>th</sup>. From an office in Sac County, his area covers Buena Vista, Cherokee, Calhoun, Ida, Pocahontas and Sac Counties.

County Attorney Dave Patton discussed a letter he has sent to the architect regarding problems with the HVAC design problems at the **LEC**.

Motion by Altena, second by Ringgenberg, to accept the projects as completed, and to authorize the Chairman to sign the final payment voucher to Richards Construction, Sac City, for the following projects: **project #'s L-C-801 and L-C-1001**. Carried.

There being no further business, motion by Ringgenberg, second by Altena, to adjourn the meeting at 12:15 p.m. until November 24<sup>th</sup> at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FORTY-NINTH MEETING, 2009 SESSION (49)  
NOVEMBER 24, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 24, 2009 at 9:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Motion by Hach, second by Altena, to approve today's **agenda** as printed. Carried.

Motion by Arends, second by Hach, to approve today's **claims approval list** with a \$19.49 reduction to the amount to be paid to MasterCard for a total of **\$155.08**, claim #37,701, dept #70 and to authorize the Chair to sign the list noting the reduction. Carried.

Motion by Altena, second by Ringgenberg, to approve the **minutes** of the 11/17 meeting, and the following **reports**: grain summary for the South Hayes Pit farm, YES Center census for Nov/16-22, annual report of the BV Co Conservation Board, and 11/13 minutes of the CIJDC. Carried.

Community Services Director Dawn Mentzer discussed the **case management 2.5% rate reduction** from Iowa Medicaid, which goes into effect 12/1/09. The reduction will be about \$4,700. The state's 10% across the board cut will reduce the county's mental health property tax relief by \$61,447 from \$614,458. Growth dollars were cut also, but BV Co doesn't qualify for any of that revenue. At budget time, she may suggest an 80% levy for FY'11. BV County will be receiving about \$24,000 in ARRA funding. The providers who receive these funds will have reporting requirements. Plains Area Mental Health has moved into their new building. BV Co. Community Services will be moving April 1, 2010.

EnvHealth Director Kim Johnson has received a complaint about a property in Sulfur Springs. There are a couple of additional buildings in similar conditions which need attention as well. It was the consensus of the Board to proceed under the **nuisance** ordinance on each location. The FY'10 budget doesn't include funds for demolition, if that becomes necessary.

Engineer Jon Ites reported that the apparent winner last week of the bids for the **bridge over the Raccoon River** was Graves Construction Co., Spencer in the amount of \$498,563.49, which was \$20,000 under the estimate. Six bids were received.

Hach left the meeting.

Ites has received word from Eugene Johnson that he would prefer to install twin 36" culverts for his **crossing** (rather than twin 42"s) in Section 4, Poland Township. Ites will take another look at it before making a recommendation to the Board. Dave Johnson, son, is the contact.

Weed Commissioner Norm Lund presented his annual report which will be filed with the State Weed Commissioner. Motion by Ringgenberg, second by Arends, to approve the **Weed Commissioner's** report, and to authorize the Chairman to sign the report. Carried. The Board accepted Lund's retirement effective 12/31/09.

Brian Blomme and Ivan Droessler, Kuehl & Payer, presented a cost proposal to prepare a preliminary cost estimate for cleanout of Lat 2 of DD #34. They reviewed the work to be done, noting that **DD #34 Lateral 2** provides outlets to many other drainage districts. They utilized preliminary profiles to estimate the costs of a cleanout; an estimate of \$1,128,385.86. A full report would provide more accurate information and a better cost estimate on the decision to proceed or not. Estimated costs of annexation or re-classification were not included in the proposal. Though it isn't required for maintenance or repair, the Board could hold a public meeting to inform the property owners of the proposed work to be done and the cost estimates. GIS capabilities would reduce the cost of reclassification and will give accurate measurements. Computer modeling is less costly than previous methods. No decision on re-classification is needed now, but the information will assist in making future decisions. If the Board moves forward now and approves requesting the engineer's report, it could be started before the snow covers the ground. Motion by Arends, second by Ringgenberg, to authorize Kuehl & Payer to do a

preliminary survey, in order to provide additional information for future work to be done for an estimated cost of \$17,000; claims for the survey are to be paid out in a way that will track the particular project. Carried.

Buildings/Grounds Superintendent Steve Hammen reported that he had attended the meeting of the veterans' memorial committee. Their plans are to build it in 2011. In preparation for its installation, he would like to move up the cleaning of the courthouse exterior stone, as well as the elevator hydraulic overhaul to FY'11. In the future, cleaning of the memorial will be done when the courthouse is cleaned with a cost increase for the additional work. Hammen also discussed how the current temporary boardroom might be repurposed, including the assignment of the space.

There being no further business, the Chairman adjourned the meeting at 1:20 p.m. until December 1<sup>st</sup> at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FIFTIETH MEETING, 2009 SESSION (50)  
DECEMBER 1, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 1, 2009 at 9:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Arends.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Altena, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Bldgs/Grounds Superintendent Steve Hammen reviewed the current remodeling project and asked for input on the electronic equipment needed for the Boardroom.

Motion by Hach, second by Altena, to approve the minutes of the 11/24 meeting, as amended and the following report: Nov. monitoring report of Spectra lagoon. Carried.

Sheriff Gary Launderville discussed a claim which had not been submitted timely for the last accounts payable run. Motion by Hach, second by Ringgenberg, to approve a \$375 claim for conference registration to the Sheriffs and Deputies' Association, to be issued today. Carried. He noted that he had some interest in the pontoon, but not for the ambulance. He was notified that the county has had a lawsuit filed against it, including the Sheriff and the Board of Supervisors. The suit was filed by a former prisoner, and it also names the City. He has some personnel changes; a dispatcher has resigned and he is advertising the position. Also, a jailer has resigned as well. Architect Rod Moore will be here Friday to discuss the problems with the HVAC at the LEC.

Engineer Jon Ites has consulted with Kuehl & Payer for their recommendation on the appropriate size for the tile crossing requested for Section 4, Poland Township (DD #34). They recommend the 42" tile; he will notify Eugene Johnson, the applicant.

Ites has received bridge inspection proposals from three companies, with Calhoun Burns, Des Moines having the low bid. Motion by Hach, second by Altena, to accept the proposal of Calhoun-Burns,

Des Moines to inspect bridges for the 2010-2011 cycle; all bridges in the first year-\$13,310, and \$1,590 in the second year for the 11 bridges requiring annual inspections. Carried.

Motion by Hach, second by Altena, to award the contract for **project #BROS-CO11(57)—5F-11** to the low bidder - Graves Construction, Spencer in the amount of \$498,563.49. Carried. The pre-construction meeting is scheduled for tomorrow but no work will begin until contract documents have been approved and signed. Ites also gave a secondary road report.

Kathy Evert, **Iowa Lakes Corridor Development Corp** Executive Director made a FY'11 funding request in the amount of \$25,000, which is up from \$20,000 in the current year. Evert thanked the Board for the past support and reviewed the activities of the organization. The organization has developed a work plan for their goals, and has been busy meeting the targets for the current year.

Cynthia Beauman, Executive Director **NW Iowa Aging**, requested FY'11 funding in the amount of \$11,259 (\$2.70/person age 60 or over). The agency's goal is to keep people in their home and using community based services. County funding is very important since the Iowa's Senior Living Trust funds have been exhausted, and the community based services funding will now come from the General Fund. The request is the same as requested for the current year.

Nate Young, Buena Vista County Conservation Director, and Board Members Mark Kirkholm, and Arnie Hicks, presented their proposal for a building project. They would like to build a 30' X 32' building to house the office, restrooms, and a storm shelter in the basement for park users (at the Peterson Park location). A kiosk can be added to allow self-registration of campers. Currently Conservation Park employees go meet with the campers to do the registration process. The building will have some 'unassigned' space to allow additional functions. They will use **Conservation Land Acquisition Trust Funds** for the project. No bids have been requested yet, and Young proposes to do some of the work himself. Board Member Arnie Hicks submitted his **resignation** at the expiration of his term. The Board accepted his retirement at the end of his term, 12-31-09, and thanked him for his many years of service. Nate does not anticipate overtime.

Altena left the meeting.

Nick Nelson, President of **Midwest Biogas**, was present to introduce himself and his company. He is considering the Albert City area for a new business – an Energy Park for an integrated anaerobic digestion and combustion facility. It will convert biological waste products into energy; methane gas and electricity will be produced. They will also recover waste water for re-sale to Valero Energy. His company is working with a Danish company which is operating a plant in Lithuania. Midwest Biogas is constructing a plant in Welcome, Minnesota with plans to open in 2010. The Welcome, Minnesota facility is MN-2010. The Albert City area provides a very good location for an Energy Park. Construction would be done in several stages and could stretch out over 10-15 years. A road upgrade between Rembrandt Enterprises and the park would be desirable. The Iowa Power Fund provides financial assistance for qualifying projects. Nelson requested the Board's consideration in signing a letter of support for their application. He will strive to keep up very good level of communications with the community. Motion by Hach, second by Ringgenberg, to provide a letter of support to the Iowa Power Fund for the Midwest Biogas project proposed for the Albert City area. Carried.

There being no further business, motion by Hach, second by Ringgenberg, to adjourn the meeting at 12:25 p.m. until December 8<sup>th</sup> at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FIFTY-FIRST MEETING, 2009 SESSION (51)  
DECEMBER 8, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 8, 2009 at 8:30 a.m. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach, and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

**County Attorney** Dave Patton reported on last Friday's meeting with the architect and the HVAC contractor for the LEC, and the lawsuit against the county by a former prisoner.

Colleen Schwanz and Board Member Bob Donahoo, **BV Soil & Water Conservation District**, thanked the board for their current and past funding. They reviewed the projects funded with the county dollars. They are expecting a dramatic reduction in state funds, perhaps as high as 20-25%. Their FY'11 funding request to the county was in the amount of \$3,000 the same as the current year.

Arlin Hinkeldey, representing the **Hanover Historical Society**, made a FY'11 funding request in the amount of \$1,000, the same as requested for the current year. The project funded this year was a new roof on the corner house. He thanked the Board for the past support.

Motion by Hach, second by Altena, to approve and to authorize the Chairman to sign today's **claims approval list**. Carried.

Motion by Arends, second by Hach, to approve the **minutes** of 12/1 meeting as printed, and the following **reports**: 10/12 minutes-BV Co Veterans Commission, Dec. Clerk's fees, and the client/bed county-YES Center. Carried.

Motion by Ringgenberg, second by Hach, to approve and to authorize the Chairman to sign the 2-year (expiring June 30, 2011) **Empowerment Fiscal Agent Agreement** for ARRA funding; the fee will be \$1,165.00 per year for a total of \$2,330.00. Carried.

Buena Vista County **Veterans Affairs Commission** Chairman John Peters and Executive Director Gar Otto gave an update on their department. Peters informed the Board that he will be moving and resigning his appointment, but he doesn't have a date yet. He believes that the state meeting to be held in Des Moines in April would be important for the new commissioner to attend. Otto reported that the office is open 26 hours per week, and he is doing a great deal of outreach. He has provided assistance to several persons in their own homes. At this point, no word has been received on whether the state grant will be reduced.

Engineer Jon Ites reported on the expected weather for later today and tomorrow. With expected wind speeds up to 50 mph, he advised that departments with out of town employees, allow them to leave at 2:00 p.m. And, the **courthouse** may be closed tomorrow due to the blowing snow that is expected.

IT Technician Patti Maymon reported on the plans for moving the **courthouse servers** to the new location which is scheduled for President's Day, since employees will not be here. There is some electrical work to be done, and some cabling as well. She also reported that **telephone service** was temporarily interrupted due to an issue regarding the billing set-up.

Treasurer Kathy Bach discussed a mobile home (1966 Great Lakes located at 430 Seneca St. #4) with delinquent taxes, and for which a **BV Co Public Bidder certificate** had been issued in 2003. Several instances of interest have occurred since then, but no action taken. She has received a proposal to purchase and then transfer the title. Motion by Hach, second by Arends, upon receipt of \$250 from



Rick Faine, to assign and to authorize the Chairman to sign the BVCoPB certificate #03-100 to Faine which will allow him to proceed to take title (Title: 11-W114143 VIN 3FB5010FZN19260); the proposal will be good for one week. Carried

Motion by Ringgenberg, second by Arends, to establish the following policy for courthouse hours when **Dec 24-Christmas Eve day** falls during the workweek (Monday-Thursday): county offices will close at noon allowing employees to use compensation time, vacation leave, float day, or personal time for the 4 hour time period. Carried. This policy will be included in the amended Employee Handbook.

Motion by Hach, second by Merten, to add a claim in the amount of \$23,691.00 to Rasmussen Ford to **today's claims approval list** for a new vehicle for Secondary Roads. Carried.

The Board discussed accumulating a 'book' of **Policies and Procedures** which would compile existing policies in a single document, and to which new policies can be added.

There being no further business, motion by Arends, second by Ringgenberg, to adjourn the meeting until December 15<sup>th</sup> at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FIFTY-SECOND MEETING, 2009 SESSION (52)  
DECEMBER 15, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 15, 2009 at 8:30 a.m. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, and Hach, and with Auditor Karen Strawn as clerk for the meeting. Absent: Ringgenberg.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Arends, Hach, and Merten. Nays: none. Abstentions: none.

Brian Blomme, Kuehl & Payer, was present to discuss additional tree clearing for **DD #34 MOD**. The Board requested that he develop the tree clearing specs for Sections 8, 17, 16, and 21, plus the outlets for DD#'s 99, 107, and 203 to DD #34 MOD. Blomme also discussed the cleanout for DD #34 Lat 2. The ½ mile of trees which remain in Sec 16 Fairfield Township will remain. This area had been taken off the list at some point. He will report back with additional information.

Motion by Hach, second by Arends, to approve the **minutes** of the 12/8 meeting as corrected, and the following **reports**: BV Co Employee Health Insurance fund balance report, 11/17 minutes of the BV Co Conservation Board, 12-7-12/13 YES Center client/bed days. Carried.

Rhonda Dean, **CAASA** Executive Director, presented a FY'11 funding request in the amount of \$5,000. She introduced Jenny Ahlers-counselor and Kristi Neumann-Youth Advocate. Kristi and Jenny are shared by two or more counties, and their shared services are helping to survive funding cuts.

Motion by Arends, second by Hach, to approve Brad Jones and Sandy Knoke as the Supervisors' representatives on the **Buena Vista County Compensation Board**. Carried. It was noted that County Treasurer Kathy Bach has re-appointed Paula Balder as her representative, and that County Attorney

Dave Patton has re-appointed Dan Connell as his representative. All of these representatives will serve terms expiring 6/30/2013.

Ron Ludwig, Executive Director of UDMO, and Joan Spooner, Storm Lake Site Director, presented their FY'11 funding request in the amount of \$19,715. They have received applications from a number of homeless persons. They have limited resources to assist them. A job advocate is available to assist persons seeking employment; counseling on interview skills, dress requirements, etc. The ARRA funds have been able to provide additional services.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign Resolution 2009-12-15 authorizing the use of power of condemnation for ROW acquisition for the C-65 project. Carried.

#### **RESOLUTION 2009-12-15**

##### **A RESOLUTION TO AUTHORIZE THE USE OF THE POWER OF CONDEMNATION**

**WHEREAS**, The Buena Vista County Board of Supervisors has approved the widening of C-65 to improve the safety of the traveling public and those who live along C-65 and;

**WHEREAS**, right-of-way easements have been procured from all but two landowners along the projected C-65 improvement, allowing for an increase in the right-of-way from 40 feet to 60 feet and;

**WHEREAS**, there remains two parcels for which no right-of-way agreement has been entered, which parcels are required in order to complete the road-widening project and;

**WHEREAS** acquisition of the remaining two parcels by condemnation is necessary to complete the project and achieve its public purpose.

**THEREFORE BE IT RESOLVED** that Buena Vista County does hereby approve the use of its power of condemnation of the following two parcels and finds that the use of such power is reasonably expected to result in the achievement of the public purpose of the project:

##### Parcel 1

An Easement for Public Roadway Located in Part of the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) of Section 17, Township 90 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, as Shown on Acquisition Plat, Attached Hereto, Which by this Reference Is Made a Part Hereof and Being More Particularly Described as Follows:

The North Twenty Feet (N 20') of the South Sixty (S.60') of the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) Of Section 17, Township 90 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, Excepting the West Seventy-Three and Seven Tenths Feet (W. 73.7') Thereof.

Easement Contains 0.57 Acres.

##### Parcel 2

An Easement For Public Roadway Located In Part of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of Section 17, Township 90 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa, as Shown on Acquisition Plat, Attached Hereto, Which by this Reference Is Made a Part Hereof and Being More Particularly Described as Follows:

The North Twenty Feet (N.20') of the South Sixty (S. 60') Of The Southeast Quarter of the Southeast Quarter (SE¼ SE¼) Of Section 17, Township 90 North, Range 37 West of the 5<sup>th</sup> P.M., Buena Vista County, Iowa.

Easement Contains 0.61 Acres.

**APPROVED AND ADOPTED** this 15<sup>th</sup> day of December, 2009.

/s/ Paul Merten, Chair.....ATTEST: /s/ Karen M. Strawn, Auditor

Motion by Arends, second by Hach, to approve and to authorize the Chairman to sign contract documents with Graves Construction Co., Spencer (contracts and contractor's bond) and approve the certificate of insurance for **project #BROS-CO11-(57)**. Carried. The project cost is \$498,563.49; the bridge replacement is on 610<sup>th</sup> St., over the Raccoon River, between Sections 1-12 Providence Township.

The DOT has asked the county to acknowledge their work on Hwy 3 on the first **bridge west of M-54**. They will install a fabric mat at the flow line on DD #34. Arends commented that the county will be doing a cleanout on DD #34 Lateral 2. This information should be provided to Kuehl & Payer.

The first major storm of the season was handled with two employees not being available to move snow, and with only one piece of equipment experiencing a breakdown Wednesday morning. The Auditor was directed to have published the **snow ordinance**.

Terry Johnson, Executive Director of **Genesis Development**, and Sandy Pingel, Storm Lake Site Director, updated the Board on Genesis' 'Jack Links project' expansion. Links has asked for a work group on the floor; Genesis is now a part of their operation. The expansion will allow an increase in the number of clients who can participate. In addition to the Links project, Genesis has entered into agreements for cleaning contracts and a project at Sara Lee. All of this work will require additional transportation resources. Johnson requested that the Board consider purchasing a 12-passenger van. The new projects will result in savings to the county. He proposed that the van could be paid from these savings. Years ago a 15 passenger van was purchased by the Board for Genesis.

Bldgs/Grounds Superintendent Steve Hammen discussed **General Services FY'11 capital projects** including the cleaning of the courthouse stone, upgrading the hydraulics on the courthouse elevator, and replacing the generator transfer switch. He has obtained proposals for each of the projects. It is possible that he might be able to do the generator transfer switch in the current budget year. Motion by Hach, second by Arends, to accept and to authorize the Chairman to sign the proposal from Taylor Contracting Co., to add a south door to the Recorder's Vault; the proposal was for \$1,950.00. Carried.

Zoning Director Kim Johnson discussed whether the Board would like to have all of the existing **Zoning Commission** members complete an application form for their positions. Their terms do not expire, and carry over from year to year. The Board will not ask members to fill out applications, only new applicants would be requested to file applications. Regarding the **Board of Adjustment**, the Supervisors will not request an application from the current member who will accept re-appointment since there were no applications for the position. Johnson distributed copies of her notes with suggestions for amendments to the current **Zoning Ordinance**.

There being no further business, motion by Arends, second by Hach, to adjourn the meeting at 12:00 p.m. until December 22<sup>nd</sup> at 8:30 a.m. for a regular session.

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Karen M Strawn, Auditor

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Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FIFTY-THIRD MEETING, 2009 SESSION (53)  
DECEMBER 22, 2009**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 22, 2009 at 8:30 a.m. in the Boardroom with Chairman Merten presiding, and the following members present: Arends, Hach and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting. Absent: Altena.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Engineer Jon Ites presented a voucher for a project shared with IDOT. Motion by Hach, second by Arends, to approve and to authorize the Engineer to sign a voucher for reimbursement on the **guardrail replacement** (project #L-GR10—73-11) located on M-36 about 3 miles north of Hwy 7. Carried. The final cost was \$21,703.25 with IDOT to pay \$10,851.62.

There is currently a proposal to fund the Iowa Highway Patrol from the **Iowa Road Use Tax Fund**. Buena Vista County Secondary Roads would lose approximately \$119,273 in local funds, and \$37,962 in the farm to market funds.

Mary Sloan and Cindy Johnson, from **Compass Pointe**, were present with a FY'11 funding request in the amount of \$18,370, the same amount requested last year. The funds provided to Compass Pointe are used for educational and substance abuse prevention programs.

Motion by Hach, second by Arends, to approve and to authorize the Chairman to sign today's **claims approval list**, and to approve the **minutes** of the 12/15 meeting as printed. Carried.

Motion by Ringgenberg, second Arends and the following **reports**: Nov Clerk's fees, 7/16 and 9/17 minutes-Emergency Management Commission, 12/14 to 12/20-client/bed count from the YES Center. Carried.

The Chairman discussed a Woodbury County letter regarding **mental health funding**. Woodbury urges supervisors to keep the proposed legislation in mind and discuss it with our legislators.

Kelli Rhiner, Director of the **Newell Children's Center**, made a FY'11 funding request for the Center in the amount of \$2,500.00. The proposed use for the funds is training. They would like to participate in webinars put on by Iowa State University Extension. Their facility opens at 6:30 a.m., and currently is full and with a license for 48 children.

Gary Lalone-Executive Director and Ed O'Toole-Financial Director of **Storm Lake United** presented their FY'11 funding request in the amount of \$30,000. They are receiving \$10,000 in the current year. They discussed their programs and a widely expanded website.

Janice Danielson and Kristen Watts presented a FY'11 funding request for the **Buena Vista Genealogical Society** in the amount of \$1,000.00, which is the same as the request for FY'10.

CPC Dawn Mentzer, and Terry Johnson-Executive Director & Sandy Pingle-Storm Lake **Genesis** Site Director, were present to discuss the Genesis Development request for funding a 12-passenger van. Mentzer has projected ending fund balances through 2012 if the funding was to be approved. The Board discussed options, and asked Sandy to request written proposals.

The Board review current **policies and procedures**. The Auditor will circulate the information to department heads for their review.

There being no further business, the Chairman adjourned the meeting at 11:30 a.m. until December 29<sup>th</sup> at 8:30 a.m. for a special session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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**BOARD OF SUPERVISORS MEETING  
FIFTY-FOURTH MEETING, 2009 SESSION (54)  
DECEMBER 29, 2009**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 29, 2009 at 8:30 a.m. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Arends, Hach and Ringgenberg, and with Auditor Karen Strawn as clerk for the meeting.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Arends, Hach, Ringgenberg, and Merten. Nays: none. Abstentions: none.

Brian Blomme, Kuehl & Payer, presented technical specifications for tree clearing contracts for **DD #34 MOD** (2010). Motion by Arends, second by Ringgenberg, to accept the specs as presented, and to publish a notice of bid-letting, twice in two consecutive weeks. Carried.

Motion by Altena, second by Hach, to approve the **minutes** of the 12/22 meeting as printed, and the following **report**: YES Center bid/client report for 12/21 to 12/28. Carried.

Engineer Jon Ites discussed **snow removal operations** after last week's storm.

Kim Johnson, Environmental Health Director, discussed a request from a Sulphur Springs property-owner for a **hearing** on Johnson's **notice of an unsafe structure** (pursuant to Buena Vista County Ordinance 5.6). The Board set a date of January 12, 2010 at 10:30 a.m. for the hearing.

The Chairman distributed **FY'11 budget** materials to the department heads for review and discussion.

Deputy Auditor Leigh Madsen has received a request for a special **payroll deduction**. It was the consensus of the Board to approve the request as documented in the employee's file.

Karen Strawn submitted her letter of notice that she plans to retire at the end of March, 2010. The Board will either appoint someone to fill the vacancy, or call for a special election; if it is filled by appointment, both the **2010 Primary and General Election ballots** will have the additional position on them (For the Office of County Auditor, to fill a vacancy).

There being no further business, the Chairman adjourned the meeting at 12:40 p.m. until January 4<sup>th</sup> at 8:30 a.m. for an organizational regular session.

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Karen M Strawn, Auditor

Paul Merten, Chairperson

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### **2009 WAGES**

Allerdings, Jean 28,814.58; Altena, Donald 25,023.03; Andersen, Gordon 711.28; Anderson, Ardyce 262.00; Anderson, Bob 40.00; Anderson, Charleen 10,024.11; Anderson, Dennis 110.00; Anderson, Raymond 93.50; Arends, Dale 26,081.17; Arends, Reva 199.75; Armstrong, Carolyn 28,908.64; Arnts, David 60.00; Assmann, Jean 32,607.40; Bach, Donna 1,134.00; Bach, Kathleen 48,475.51; Bailey, Daniel 43,875.88; Baker, Elnora 25.50; Ballou, Cassandra 4,649.58; Barahona, Raquel 13,459.47; Bartley, Josefina 34,066.36; Bellows, Carl 80.00; Bindner, Hans 44,662.90; Black, James 80.00; Bodholdt, Judith 556.50; Boelter, Victoria 201.88; Bogue, Pamela 53,657.53; Bolte, Mary 39,374.74; Botcher, Steven 40,058.51; Braunschweig, Connie 95.00; Briley, Kimberly 38,105.54; Buske, Ronald 45,630.50; Cameron, Thomas 40.00; Carnine, Kim 50,334.04; Cavanaugh, Thomas 40.00; Cavanaugh, Timothy 46,656.04; Chindlund, Ann 17,051.04; Chindlund, Jeffrey 40.00; Christensen, Robert 49,373.52; Christiansen, Diane 21,694.41; Christiansen estate, Gary 25,998.30; Clausen, Debra 211.50; Cole, Mary 242.25; Conley, Bonnie 1,150.50; Cook, Aaron 52,034.97; Cougill, Sheila 33,685.97; Croker, Kathryn 59,004.00; Curry, James 45,285.29; Danielson, Robert 70,983.74; Davis, Donna 235.88; De la cruz, Lisette 2,146.73; Delao, Hector 15,496.03; Demuth, Marty 33,818.24; Dirks, Lynn 42,770.32; ; Donahoo, Wanda 199.75; Dowdy, Edward 43,941.75; Driver, Cherri 17,907.54; Eades, Charles 14,625.62; Ebersole, Greg 2,025.00; Eddie, Gladys 0.00; Egertsen, Tracy 40,838.75; Ehlers, Daniel 10.00; Eldred, Christian 46,408.20; Elston, Kory 61,098.04; Erickson, Norma 195.50; Evans, Kay 19,811.90; Fassler, David 44,832.08; Fastenow, Peggy 199.75; Fellows, Mary 204.00; Fibelstad, E. 7,989.74; Fitchett, Jolene 15,135.90; Flaherty, Robert 8,296.25; Flanigan, Thomas 45,238.44; Fondroy, Richard 65.00; Francis, Phyllis 276.00; Frederiksen, Ferne 238.00; French, Thomas 56,654.21; Fudge, Roxana 256.50; Galvin, Terrill 43,709.22; Gatzemeyer, Alicia 29,202.85; Gibbons, Leona 80.00; Glienke, Jeanne 106.25; Glienke, Martin 70.00; Gonzalez, Tara 21,736.88; Graesing, Dennis 45,607.95; Guerra, Paula 28,647.08; Gutz, Dennis 45.00; Gutz, Norlin 530.62; Haahr, Leon 2,398.39; Haberman, Judy 36,073.76; Hach, Kenneth 25,254.18; Haldin, Steven 29,596.02; Halverson, Wayne 46,165.90; Hammen, Steven 44,016.83; Hammen, Susan 35,583.34; Hansen, Heidi 32,838.74; Hartwell, Cheston 1,223.25; Hartwell, Stanley 80.00; Hasley, Richard 30.00; Haynes, Adrienne 582.75; Hemmingsen, Jennifer 3,520.00; Henrich, Barbara 34,838.01; Hillman, Niccole 22.80; Hinkeldey, Carey 60.00; Hoferman, Margie 199.75; Hoffard, Mark 44,648.06; Hogrefe, Barbara 17,394.61; Holliday, Dennis 44,274.04; Holmes, Wesley 30.00; Hornor, Duane 220.00; Hotovec, Richard 44,339.97; Hoyt, Sandra 35,617.62; Hulsebus, Joan 256.50; Huntington, Shirley 348.50; Ites, Jon 89,920.48; Iversen, Michelle 3,953.98; Jackson, Donald 50.00; Jacobs, Preston 53,667.44; Johnson, Belinda 24,656.69; Johnson, Calvin 32,003.90; Johnson, Curtis 43,504.94; Johnson, Kimberly 41,621.99; Johnson, Shirley 41,235.56; Jordan, Annette 37,726.47; Jorgensen, Arden 20.00; Kaufman, Vivian 85.00; Kier, Jan 89.25; Koeppe, Brenda 38,826.02; Kollbaum, Patricia 238.00; Kolpin, Jeri 26,518.92; Koster, Annette 38,144.99; Krebs, Judith 243.00; Kuhn, Sandra 119.00; Lanning, Joann 153.00; Larsen, Kristine 38,744.57; Launderville, Gary 75,025.11; Lawson, Christopher 33,722.52; Lehr, Rebecca 602.40; Lessmeier, Carolyn 190.00; Lewis, Connie 211.50; Lindgren, Dorothy 199.75; Lloyd, Susan 39,731.65; Lovetinsky, Danelle 27,654.97; Lubeck, Jennifer 7,249.66; Lucht, Larry 10.00; Lullmann, Kevin 44,107.10;

Lund, Norman 5,611.92; Mack, Scott 42,777.51; Madsen, Leigh 37,174.52; Marshall, Connie 199.75; Martin, Joan 39,782.57; Mason, Mona 32,076.59; Maymon, Patti 39,076.86; McClure, Donald 11,894.70; McGowan, Betty 16.00; McGowan, Bruce 45,191.77; McHugh, James 44,662.90; McShane, Jerry 39,512.75; Mentzer, Dawn 61,154.59; Merten, David 30.00; Merten, Paul 26,022.99; Meusburger, Jessie 199.75; Meusburger, Lisa 30,662.22; Miller, Douglas 30.00; Miller, Jasen 785.40; Miller, Jean 229.00; Mills-thomas, Tami 41,834.09; Mitchell, Kathleen 119.00; Montag, Molly 2,733.77; Morse, Jennifer 25,976.42; Mortensen, Dave 130.00; Movall, Barbara 40.50; Movall, Wanette 216.00; Mueller, Nancy 205.25; Nagengast, Jody 18,190.16; Napierala, Kara 18,702.28; Neary, Fred 10.00; Nehring, Karen 104.00; Nelson, Bernard 160.00; Nelson, John 45.00; Nevarez, Diana 15,240.77; Nierling, Tammi 33,818.21; Noble, Jackie 17,326.84; Noll, Richard 45,092.08; Northrup, Carol 235.88; Nothwehr, Carlene 463.50; O'bannon, Shari 48,115.51; Ohrtman, Mary 40,584.33; Olney, Norris 60.00; Otto, Garland 15,119.97; Overmohle, Michael 44,577.05; Patterson, Kent 30.00; Patton, David 56,114.58; Paulsen, Nancy 16,274.01; Paulsen, Ruth 238.00; Peters, Marilyn 38,884.37; Peters, Stanley 20.00; Petersen, Mervin 430.60; Peterson, James 20.00; Pishke, Donna 224.00; Ploeger, David 46,078.20; Post, Russel 145.00; Pyle, Mindy 35,086.92; Quirin, Charlene 242.25; Rassler, Rebecca 216.00; Reckamp, Ronald 46,702.42; Reese, Darwin 31,798.30; Regennitter, Jacqueline 42,610.14; Rehnstrom, Craig 40.00; Rehnstrom, Mary 233.75; Reiling, Carolyn 80.00; Rice, Monica 166.50; Rice, Richard 249.00; Richardson, Bruce 45.00; Ringgenberg, Rhonda 25,023.03; Roberts, James 80.00; Robinson, Daniel 480.00; Roder, Kristen 13,817.12; Rohlfen, Phyllis 195.50; Ryherd, Joelle 19,651.37; Sangl, Barbara 85.00; Sangl, Larry 204.00; Santellan, Diana 2,337.36; Schettler, Frances 238.00; Schmitt, Kathleen 85.00; Schoening, Elaine 41,012.65; Seward, Cynthia 36,807.89; Sexton, Michael 46,622.79; Short, Johannah 6,133.70; Sievers, Alyson 29,392.82; Simons, Douglas 63,026.00; Sleezer, Bonnie 85.00; Snyder, Deloris 110.50; Snyder, Kelly 59,788.20; Sorenson, Janice 85.00; Speers, Joseph 53,743.21; Speers, Timothy 3,275.00; Stauber, Linda 199.75; Stief, Jacqueline 5,794.56; Stief, Sharon 26,454.19; Stone, Bruce 50.00; Strait, Shirley 12.75; Strawn, Karen 48,363.94; Stull, Terry 60.00; Taber, Max 80.00; Tello, Araseli 1,611.79; Temple, James 43,776.76; Theeler, Fay 184.00; Updyke, Hope 13,659.36; Van hooser, Carol 38,858.92; Van hooser, Mark 58,259.20; Veehoff, Mary 21.25; Wagner, Andre 514.91; Warkentin, Luke 44,176.83; Warkentin, Ralph 35.00; Wedeking, Martin 256.50; Weiland, Mary 39,414.92; Wessendorf, Grace 211.50; White, Linda 26,901.50; White, Ronald 45,417.27; Wiley, David 8,023.54; Wise, Darlene 238.50; Witt, Jennifer 29,329.03; Wittmaack, Myrtle 195.50; Wogahn, Ruth 13,212.54; Wolf, Steven 61,463.94; Wright, Elaine 17.00; Young, Nathan 22,905.38; Younie, Lynn 13,789.98; Zabloudil, Linda 34,269.22

## **BUENA VISTA COUNTY CLAIMS JULY – DECEMBER 2009**

4IMPRINT 695.77; ACCURATE CONTROLS INC 1,000.00; ACE SIGN DISPLAYS INC 420.00; ADVANCED DRAINAGE SYSTEMS INC 960.00; ADVANCED PEST TECHNOLOGY 137.00; AFLAC 18,498.29; AG PARTNERS L.L.C. 8,490.87; AIR DELIGHTS INC 141.80; AIRGAS NORTH CENTRAL 187.61; ALBERT CITY CORP 3,900.00; ALBERT CITY HISTORICAL SOCIETY 400.00; ALBERT CITY TRUESDALE COMMUNIT 8,014.00; ALBERT CITY, CITY OF 274.80; ALEXANDER HAMILTON INSTITUTE I 30.35; ALLERDINGS, JEAN 33.46; ALLIANT ENERGY 18,072.92; ALLTEL 4,947.91; ALPHA WIRELESS COMMUNICATIONS 3,963.72; ALTA COMMUNITY SCHOOL DISTRICT 3,120.00; ALTA CORP 3,900.00; ALTA IMPLEMENT CO 1,839.27; ALTA MUNICIPAL UTILITIES 1,517.22; AM COM SOFTWARE, INC 2,925.00; AMERICAN CONCRETE PRODUCTS INC 1,372.00; AMERICAN LEGION POST 299 20.00; AMERICAN LEGION POST 394 90.00; AMERICAN RED CROSS 30.00; AMERICAN SOLUTIONS FOR BUSINES 488.60; AMSTERDAM PRINTING & LITHO 534.17; AMY'S SIGN DESIGN 417.00; ANDERSON, ARDYCE 45.90; ANDERSON, CHARLEEN 1,545.26; ANDERSON, DENNIS V 13.26; ANDERSON, EVERET 120.00; ANDERSON, RAYMOND J 28.56; APCO INTERNATIONAL INC 299.00; APT US&C 170.00; ARAMARK UNIFORM SERVICES 316.21; ARAMSCO 861.46; ARENDS, DALE 295.09; ARENDS, REVA RAE 15.30; ARMSTRONG, CAROLYN 1,082.71; ARNOLD MOTOR SUPPLY 2,528.78; ARNOLD MOTOR SUPPLY 10.30; AUBE,

JOSEPH 325.00;AUEN, NANCY 62.50;B V CO SECONDARY ROAD 2,630.71;B V CO SOIL CONSERVATION 1,500.00;B V COUNTY HEALTH DEPT 95,681.54;BACH, KATHLEEN 32.90;BAILEY'S TEST STRIPS & THERM'R 140.00;BALDWIN, ANN MARIE 266.36;BALDWIN, WILLIAM DONALD 266.36;BARGEN INC 22,608.00;BARGLOFF & COMPANY 2,151.00;BARNES GROUP INC 1,181.01;BARTHOLOMEW, JAMES 20.00;BAWDEN, STEVEN S. 17,825.00;BAY BREEZE, LLC 199.50;BEAL, ROBERT G. 714.33;BEDROCK GRAVEL, INC 8,702.13;BEST WESTERN REGENCY 134.42;BEST WESTERN UNIVERSITY 85.08;BILL ME LATER BUSINESS 93.20;BINDNER, HANS 536.68;BLACK HAWK/GRUNDY MENTAL HLTH 128.00;BLACKTOP SERVICE COMPANY INC 11,640.96;BLI LIGHTING SPECIALISTS 725.88;BOB BARKER COMPANY INC 815.97;BODHOLDT, TONY 100.98;BOELTER, VICTORIA 7.14;BOGUE, PAMELA L 368.77;BOMGAARS 3,256.64;BONNESEN PLUMBING INC 3,349.00;BRAD'S SERVICE INC 105.00;BREYFOGLE, CECILE C 753.06;BREYFOGLE, JANICE 444.00;BRIGGS CORPORATION 222.84;BRIGHT LAND 400.00;BROWN SUPPLY CO 588.80;BUENA VISTA CO TREASURER 26,307.00;BUENA VISTA CO WELLNESS 500.00;BUENA VISTA CO. SHERIFF 3,302.40;BUENA VISTA COUNTY 9,474.78;BUENA VISTA COUNTY EMS ASSOC 2,579.50;BUENA VISTA COUNTY EXTENSION 210.00;BUENA VISTA COUNTY FAIR 10,000.00;BUENA VISTA GLASS INC 24.42;BUENA VISTA REGIONAL MEDICAL C 1,040.00;BUENA VISTA RIFLE&PISTOL CLUB 600.00;BUILDERS SHARPENING & SERVICE 18.78;BV CO EMPLOYEE HEALTH FUND 469,012.99;BV CO EMPLOYEE HEALTH FUND 32,370.92;BV CO EMPLOYEE HEALTH FUND 10,883.13;BV CO HISTORICAL SOCIETY 400.00;BV CO/MUN DISASTER SERV 27,000.00;BV COUNTY GENEALOGICAL SOCIETY 800.00;BV STATIONERY & PRINTING 13,785.70;BVRMC, FITNESS & HEALTH CENTER 350.25;CAASA 30.00;CALHOUN COUNTY PUBLIC HEALTH 20,303.65;CALHOUN-BURNS & ASSOC INC 2,416.30;CANON FINANCIAL SERVICES 1,776.00;CAREFACTS 5,281.50;CARNINE, KIM M. 833.22;CARROLL COUNTY AUDITOR 3,074.50;CCMS 1,488.00;CDW GOVERNMENT INC 21,872.83;CENTRAL BANK 297.00;CENTRAL IOWA DISTRIBUTING INC 1,567.00;CENTURY FENCE COMPANY 30,222.47;CHINDLUND, ANN 1,216.35;CHINDLUND, JEFFREY 6.12;CHRISTENSEN, ROBERT E. 168.37;CHRISTIENSEN ESTATE, GARY W. 10.00;CHRISTIENSEN, DIANE 1,014.32;CITIZENS 1ST NAT'L BANK 12,104.46;CITIZENS 1ST NAT'L BANK 2,831.22;CITIZENS 1ST NAT'L BANK 8,669.63;CITIZENS COMMUNITY, CREDIT UNION 2,450.00;CITIZENS FIRST NATIONAL BANK 114,212.00;CITY OF SIOUX CITY 8,564.18;CLARINDA YOUTH CORP 35.55;CLAUSEN, DEBRA A 114.24;CLAY COUNTY SHERIFF DEPARTMENT 26.50;CLAYTON & SONS INC 4,712.50;COLLECTION SERVICES CENTER 3,155.88;COLOR-IZE INC 197.50;COMMUNITY BROADCASTING INC 600.00;COMMUNITY SERVICES ASSOCIATION, % 25.00;COMPASS POINTE 7,500.00;COMPLIANCE SIGNS INC 28.00;CONSECO HEALTH INS CO 1,182.00;CONTROL SYSTEM SPECIALISTS LC 13,643.65;COUNCIL AGAINST DOMESTIC ABUSE 2,250.00;COUNTY CASE MANAGEMENT SERVICE 1,776.00;COZINE, MARK 75.00;CRAWFORD COUNTY AUDITOR 2,749.68;CRAWFORD COUNTY HOME HEALTH & 59,821.27;CRIPPIN, DAVID 2,355.36;CRITTENTON CENTER, THE 1,912.65;CROKER, KATHY 851.26;CRYSTEEL TRUCK EQUIP INC 22,782.37;CSI 958.07;CULLIGAN 285.75;CYLINDER EXPRESS 69.50;DAILY REPORTER, THE 114.48;DANIEL PHARMACY 115.99;DANIELS, TOM 70.00;DAYS DOOR COMPANY 37.00;DD #181 JT LITTLE CEDAR 22,805.00;DD#19-26 SPECIAL COMN OUTLET 17,622.00;DE WALL, JEFF 850.00;DECATUR ELECTRONICS INC 1.80;DELL MARKETING LP 476.00;DELTA DENTAL PLAN OF IOWA 36,756.43;DENTAL DISTRIBUTORS INC 641.26;DES MOINES STAMP MFG CO 44.20;DFS INC 90.00;DIAMOND CONCRETE & CONSTRUCT'N 950.00;DISTRICT 3 RECORDERS ASSN 50.00;DISTRICT III AUDITORS 25.00;DONAHOO, WANDA 52.02;DORSEY & WHITNEY LLP 1,866.44;DOUGLAS DDS, DANIEL E 128.00;DRIVER, CHERRI 448.29;DUNGAN, JAY 440.00;EAST SAC COUNTY SCHOOLS 6,510.00;EBERSOLE, GREG L 287.61;ED M FELD EQUIP CO INC 101.10;EGERTSEN, TRACY 252.38;EHLERS, DWAYNE 363.30;EHLERS, ROBERT 200.00;ELDRED, CHRIS 503.73;ELECTION SYSTEMS & SOFTWARE 8,815.07;ELECTRONIC ENGINEERING 159.65;ELECTRONIC TRANSACTIONS 2,556.00;ELEVATOR SERVICE & REPAIR 300.00;ELLIOTT, DAVID J. 4,000.00;ERICKSON, NORMA 22.44;EVANS, KAY 133.62;EVIDENT CRIME SCENE PRODUCTS 152.70;FAIRPRINT GRAPHIC SOLUTIONS 230.00;FAREWAY STORE 2,473.55;FARMERS COOPERATIVE CO 123.40;FAS-BREAK WINDSHIELD REPAIR 200.00;FASTENAL COMPANY 1,514.37;FASTENOW, PEG 51.00;FELLOWS, MARY L 23.46;FERGUSON ENTERPRISES INC 129.31;FIBELSTAD, MARIE 10.00;FIDLAR COMPANIES 165.00;FILTER CARE OF NEBRASKA 1,517.15;FIRE PROOF PLUS INC 1,598.30;FIRST COOPERATIVE ASSOC 313.34;FIRST COOPERATIVE ASSOCIATION 106,766.55;FISCAL SERVICES



BUREAU 1,696.00; FISHER INC, ROY R. 250.00; FISHER, MELANIE 90.00; FITZPATRICK AUTO CENTER INC 36,085.47; FLANIGAN, TOM 118.87; FLEET SERVICES 230.22; FLORIDA MICRO, LLC 262.61; FORRISTAL & HENDERSON LAW FIRM 150.00; FORT DEARBORN LIFE INS COMPANY 1,275.00; FORT DODGE ASPHALT CO 86,000.00; FRANCIS, PHYLLIS 16.83; FRANSYL EQUIPMENT CO INC 2,209.60; FRENCH, STEVEN 250.00; FRENCH, TOM 14.98; FRONTIER 762.12; G&K SERVICES 1,350.85; GALBRAITH APPLIANCE REPAIR 133.75; GALBRAITH, LLOYD F 223.04; GARBAGE HAULING SERVICE 1,786.00; GATEWAY HOTEL 206.08; GATZEMEYER, ALICIA 50.28; GCC ALLIANCE CONCRETE INC 580.00; GEISINGER, HAROLD 368.24; GENERAL SECURITY SERVICES CORP 117.60; GENESIS DEVELOPMENT 58,147.59; GINGERBREAD HOUSE 5,376.88; GLAXOSMITHKLINE PHARMACEUTICAL 4,273.75; GLIENKE, JEANNE 10.20; GONZALEZ, TARA 104.55; GRAESING, DENNIS 166.87; GRAHAM TIRE CO 7,338.63; GRAINGER 156.60; GRAVES CONSTRUCTION CO INC 214,862.55; GREAT PLAINS GFOA 85.00; GROUP SERVICES INC 65,950.25; GRP & ASSOCIATES 96.00; GUERRA, PAULA 397.28; GULL WING INDUSTRIES INC 736.00; HABERMAN, JUDY 684.91; HACH, KEN 379.44; HAGEDORN, KEITH L. 174,347.68; HALDIN, RICHARD 120.80; HALDIN, STEVE 224.91; HALEY EQUIPMENT INC 586.66; HAMMEN, STEVEN J 53.72; HANCOCK CONCRETE PRODUCTS CO 2,674.10; HANCOCK CONCRETE PRODUCTS INC 9,272.40; HANCOCK CONCRETE PRODUCTS INC 9,222.84; HANOVER HISTORICAL SOCIETY 800.00; HANSEN, HEIDI 237.30; HAROLD ROWLEY RECYCLE CENTER 89,520.50; HARTFORD LIFE INS CO 4,225.00; HARTWELL, STAN 51.00; HASLEY, RICHARD 9.18; HEALTH EDUCATION CENTER 10.00; HEALTH ENHANCEMENT SYSTEMS INC 266.43; HEALY, JOHN J. 48,126.23; HEARTLAND INN CORALVILLE 458.57; HEFLIN, JON 219.75; HENNINGSEN CONSTRUCTION INC 12,238.55; HENRICH, BARB 104.40; HEWLETT-PACKARD COMPANY 834.00; HICKS, ARNIE 116.28; HIWAY TRUCK EQUIPMENT INC 450.24; HOFERMAN, MARGIE 21.42; HOLCOMB TRUCKS-SIOUX CITY 704.53; HOLIDAY INN DES MOINES AIRPORT 1,441.45; HOLZHAUER MOTORS 647.56; HONEY CREEK RESORT 142.73; HOTOVEC, RICK 200.00; HOWE SEPTIC TANK, JR JIM 900.00; HOYT, SANDRA K 234.00; HSBC BUSINESS SOLUTIONS 2,708.26; HULSEBUS, JOAN 102.00; HULTGREN IMPLEMENT CO 3,095.93; HULTGREN IMPLEMENT INC 169.87; HUNDERTMARK CLEANING SYSTEMS I 149.36; HUNTINGTON, SHIRLEY 13.26; HUNZELMAN PUTZIER & CO 12,521.00; HY-VEE INC 3,036.82; I.A.A.O. 350.00; IA COUNTIES PUBLIC HEALTH ASN 50.00; IA STATE RESERVE LAW OFFICERS 15.00; IACME 505.00; ICEOO 150.00; ICUBE 200.00; IDALS 10.00; IEHA 125.00; IMAGETEK INC 2,144.44; IMMANUEL LUTHERAN PRE SCHOOL 330.00; ING LIFE INS & ANNUITIES 78.00; ING LIFE INS & ANNUITY 325.00; INGENIX INC 127.16; INSIGHT DIRECT USA, INC 314.82; INSIGHT PUBLIC SECTOR INC 1,128.29; INTERSTATE BATTERY SYSTM 679.70; IOWA ALLIANCE IN HOME CARE 949.00; IOWA CENTRAL COMMUNITY COLLEGE 90.00; IOWA CHAPTER IAAI, INC. 250.00; IOWA CHAPTER OF APCO 75.00; IOWA COMMUNITES POOL ADMIN 2,790.70; IOWA COMPUTER DEPOT 80.00; IOWA COUNTY ATTORNEYS ASSOCIAT 810.00; IOWA COUNTY RECORDERS ASSOC 125.00; IOWA DEPARTMENT OF NATURAL RES 100.00; IOWA DEPT OF AG & LAND STEWARD 200.00; IOWA DEPT OF HUMAN SERVICES 155,787.73; IOWA DEPT OF HUMAN SERVICES 140,724.28; IOWA DEPT OF HUMAN SERVICES 9,000.55; IOWA DEPT OF HUMAN SERVICES 13,008.22; IOWA DEPT OF HUMAN SERVICES 104.70; IOWA DEPT OF NATURAL RESOURCES 520.00; IOWA DEPT OF NATURAL RESOURCES 340.00; IOWA DEPT OF NATURAL RESOURCES 525.00; IOWA DEPT OF NATURAL RESOURCES 550.00; IOWA DEPT OF PUBLIC HEALTH 202.50; IOWA DEPT OF PUBLIC HEALTH 300.00; IOWA DEPT OF TRANSPORTATION 888.67; IOWA DEPT PUBLIC SAFETY 5,508.00; IOWA DRAINAGE DIST ASSOC 5,720.00; IOWA EMERGENCY MGMNT ASSOC 100.00; IOWA EMERGENCY NUMBER ASSOC 135.00; IOWA FREEDOM OF INFO COUNCIL 126.50; IOWA GOOD ROADS ASSOC 80.00; IOWA HOIST & CRANE INC 983.00; IOWA HSEMD 125.00; IOWA LAKES CORRIDOR DEV CORP 10,000.00; IOWA LAKES ELECTRIC COOP 2,563.73; IOWA LAKES RC & D 1,000.00; IOWA LAKES REGIONAL WATER 533.30; IOWA PRISON INDUSTRIES 3,668.74; IOWA PUBLIC HEALTH ASSOCIATION 150.00; IOWA SECRETARY OF STATE 1,678.19; IOWA STATE ASSOC OF COUNTIES 6,015.00; IOWA STATE ASSOC OF COUNTIES 60.00; IOWA STATE CO TREASURERS ASSOC 325.00; IOWA STATE MEDICAL EXAMINER 2,920.00; IOWA STATE SHERIFFS & DEPUTIES 1,150.00; IOWA STATE UNIVERSITY 170.00; IOWA STATE UNIVERSITY EXTENSIO 890.00; IOWA TELECOM 2,239.79; IOWA TELECOM-PROVIDER 1178 909.05; IOWA WORKFORCE DEVELOPMENT 275.00; IPERS 287,433.25; IPERS, ASSESSOR'S OFFICE 11,142.27; ISAC 1,359.30; ISACA 105.00; ITES, JON 52.80; IVERSEN, MICHELLE 168.30; JACKS UNIFORMS & EQUIPMENT 463.40; JACKSON RECOVERY

CENTERS INC 2,145.00;JACKSON, DONALD 6.12;JCL SOLUTIONS-JANITORS CLOSET 1,225.43;JEO CONSULTING GROUP INC 1,440.00;JERRY'S TREE SERVICE 850.00;JESTER INSURANCE SERVICES INC 975.00;JIM HAWK TRUCK TRAILERS INC 1,327.32;JIM'S REPAIR/JIM'S TRACTORS 475.00;JOHNSON, KIM 2,190.31;JOHNSON, SHIRLEY 157.90;JOHNSTON AUTOSTORES 1,337.22;JORDAN, ANNETTE L. 2,319.80;JORGENSEN, BOB 180.00;JULIUS CLEANERS 1,269.15;KAESER & BLAIR INCORPORATED 208.21;KAM LINE HIGHWAY MARKINGS 26,378.25;KESTEL, HAROLD J. 416.71;KIDS WORLD INC 3,945.40;KIER, JAN 8.16;KIKNBAC AGRI-MART 39.55;KIMBALL-MIDWEST 1,241.96;KIRKHOLM, MARK 65.28;KLEEN SOLUTIONS INC 162.90;KNOLOGY 18,771.45;KOCH BROTHERS 717.00;KOSTER, ANNETTE 1,112.82;KREBS, JUDY 16.83;KRYGER GLASS COMPANY 268.01;KUEHL & PAYER LTD 47,291.92;KUHN, SANDRA L 6.12;L & G PRODUCTS INC 3,919.43;LA VOZ DE IOWA 225.00;LAB SAFETY SUPPLY INC 300.64;LAKE ELECTRIC SUPPLY 194.91;LAKESIDE MARINA 65.59;LANPHERE, BILL 1,350.00;LARSEN, KRISTI 51.52;LARSON OIL & DISTRIBUTING 9,276.86;LAURENS SUN, THE 142.49;LAWSON, CHRIS 178.57;LEGISLATIVE SERVICES AGENCY 155.00;LEIN 545.00;LEOS KITCHENS, INC 50.00;LESSMEIER, CAROLYN 7.14;LEWIS, CONNIE 29.58;LINDGREN, DOROTHY GENE 22.44;LINN COUNTY PUBLIC HEALTH 160.00;LINN GROVE CORP 3,900.00;LINN GROVE, CITY OF 215.90;LLOYD, SUSAN 540.50;LONG LINES 43.65;LOVETINSKY, DANELLE 236.95;LTD COMMODITIES LLC 27.85;LUFT & SON INC 475.00;LULLMANN, KEVIN 200.00;LUND INDUSTRIES INC 90.95;LUND, NORMAN J 341.70;LUNDELL CONSTRUCTION CO INC 12,259.60;LUTHERAN SERVICES IN IOWA 425.00;M S DOOR SERVICES LTD 55.00;MACK HANSEN GADD ARMSTRONG & B 930.00;MACKAY JR, ARCHIE 125.00;MADSEN, LEIGH 195.13;MAIL SERVICES LLC 3,313.98;MAINSTAY SYSTEMS INC 474.00;MANGOLD ENVIRON TESTING INC 345.00;MARATHON CORP 3,900.00;MARATHON HISTORICAL SOC 800.00;MARATHON, CITY OF 487.19;MARATON APARTMENTS AVEA 250.00;MARSHALL & SWIFT 703.15;MARSHALL CO SHERIFFS OFFICE 11.00;MARSHALL, CONNIE 20.40;MARTIN EQUIPMENT OF IA-IL INC 929.10;MARTIN MARIETTA MATERIALS 4,412.12;MARTIN, JOAN REILING 107.10;MASON, MONA 10.00;MASTERCARD 10,781.57;MAYMON, PATTI 472.63;MAYMON, VICTORIA 720.00;MC HUGH, JAMES 536.68;MCAFDO 105.00;MCCORD MANOR 438.00;MCKENZIE, FRED 300.00;MECHURA ELECTRIC, INC 616.77;MEDICAL INDICATORS 8,500.00;MEDLINE INDUSTRIES INC 2,188.68;MENARDS - SPENCER 430.10;MENTZER, DAWN 247.88;MERCK SHARP & DOHME CORP 997.07;MERCY MEDICAL CTR-SIOUX CITY 105.00;MERTEN, PAUL 263.35;MERTEN, STEFANI 800.00;METEORLOGIX 4,824.00;MEUSBURGER, JESSIE 7.14;MEUSBURGER, LISA 265.18;MEYER, RICK 113.24;MEYER, ROGER 61.20;MICKELSON TIRE INC 5,000.00;MID AMERICAN ENERGY 29,895.21;MID AMERICAN ENERGY COMPANY 4,428.85;MID-IOWA SALES COMPANY 382.87;MID-SIOUX OPPORTUNITY INC 41,443.45;MIDWEST ALARM SERVICES INC 1,170.00;MIDWEST CONTRACTING LLC 51,208.77;MIDWEST COVER-ALL 645.99;MIDWESTERN MECHANICAL INC 695.00;MIKES LAWN SERVICE INC 221.00;MILLER CONSTRUCTION & COMPANY 376.25; MILLER, JEAN 20.91;MILLS-THOMAS, TAMI 33.73;MIRACLE MUDJACKING CO 3,000.00;MONSON, MARILYN 383.35;MOODIE REFRIGERATION 518.00;MOORE MEDICAL, LLC 217.01;MOSBO, ERIK E. 9,539.48;MOVALL, WANETTE 35.70;MPH INDUSTRIES INC 375.92;MUELLER, NANCY 17.34;MURPHY, MANITA L. 8.00;MYERS, JOHN KIMBALL 1,050.00;NACCTFO 60.00;NACVSO 60.00;NAGENGAST, JODY 57.63;NAPA AUTO PARTS 338.75;NAPIERALA, KARA 31.02;NATIONAL ASSOCIATION OF COUNTI 438.00;NATIONWIDE RETIREMENT SOLUTION 11,905.27;NATL SHERIFF'S ASSOC 396.00;NEPPLE ELECTRIC INC 70.00;NEW OPPORTUNITIES INC 2,490.72;NEW SIOUX CITY IRON CO 751.79;NEWELL CHILDREN'S CENTER 2,302.00;NEWELL CORP 3,900.00;NEWELL FIRE DEPT 104.73;NEWELL HISTORICAL SOCIETY 800.00;NEWELL, CITY OF 385.50;NICHOLS CONSULTING 255.00;NIEHAUS, JOHNNY H. 635.00;NIELSEN, ANGIE 40.00;NIERLING, TAMMI 376.91;NIKKEL & ASSOCIATES INC 796.00;NIKKEL & ASSOCIATES, INC 1,140.00;NORTH AMERICAN SALT COMPANY 37,571.35;NORTH CENTRAL IA MENTAL HEALTH 356.00;NORTH LAKE TRUCK REPAIR 4,360.39;NORTHERN IA CONST PRODUCTS 11,659.60;NORTHERN LIGHTS FOODSERVICE 12,845.19;NORTHERN SAFETY TECHNOLOGY INC 761.67;NORTHRUP, CAROL 7.14;NORTHWEST AGING ASSOC 5,629.50;NORTHWEST IOWA MENTAL HEALTH 4,850.46;NORTHWESTERN MASONRY SUPPLY 114.50;NOTHWEHR, CARLENE M 134.13;NUMARA SOFTWARE INC 780.00;NUMARA SOFTWARE INC 780.00;NW IA PLANNING & DEV COM 7,319.60;NW IA YOUTH EMERGENCY SERVICES 12,000.00;O'BANNON, SHARI 485.93;OFFICE ELEMENTS 8,163.78;OFFICE EQUIPMENT FINANCE SERV 731.46;OFFICE SYSTEMS COMPANY 1,245.18;OHIO NATIONAL

11,410.00;OHRMAN, MARY 899.07;OLSEN WELDING & MACHINE 877.51;ONE STOP SHOP  
 12.36;OPEN ARMS PRESCHOOL 1,230.00;ORAL SURGERY ASSOCIATES P.C. 165.00;O'REILLY  
 AUTOMOTIVE INC 326.75;OTTO, GARLAND 692.71;PARROTT & SONS, MATT 241.53;PATTERSON,  
 KENT 15.30;PATTON, DAVID 536.68;PATTON, DAVID WILLIAM 33,077.27;PECK SR, RONALD  
 75.00;PETERS, JOHN 276.96;PETERSEN, ARLENE 1,038.00;PETERSON RENTALS  
 200.00;PETERSON, TIM 297.50;PETTY CASH 152.51;PETTY CASH HEALTH DEPT 49.24;PICKHINKE,  
 GARY 1,326.50;PILOT TRIBUNE 3,783.72;PITNEY BOWES 2,775.00;PITNEY BOWES INC  
 490.93;PLAINS AREA MENTAL HEALTH INC 58,000.00;POCAHONTAS CO SHERIFF  
 16.50;POCAHONTAS COUNTY TREASURER, C/O 687.16;POLK COUNTY 17.20;POSTMASTER  
 1,207.50;PRIORITY DISPATCH 117.00;PRO COOPERATIVE 1,232.50;PRO ELECT 181.72;PROBUILD  
 - STORM LAKE 274.37;PROFORMA 189.16;PYLE, MINDY 87.00;QUILL CORPORATION  
 973.55;QUIRIN, CHARLENE 8.16;QWEST 3,677.00;QWEST 10,110.82;QWEST 4,843.91;R & D  
 INDUSTRIES INC 5,729.37;R. L. POLK & CO. 300.00;RASMUSSEN FORD MERCURY INC  
 50,507.43;RASSLER, REBECCA 76.50;REBHUN, DEB 230.00;REBNORD TECHNOLOGIES INC  
 239.30;REDENBAUGH, P.C., PHIL 601.00;REETZ, THERESA 92.37;REGENNITTER, JACQUELINE  
 116.28;REGION X11 COUNCIL OF GOVTS 3,111.00;REGIONAL TRANSIT AUTHORITY  
 5,810.00;REHNSTROM, MARY 27.54;REILING, CAROLYN 7.14;REILLY CONSTRUCTION CO INC  
 125,731.73;REMBRANDT CORP 3,900.00;REMBRANDT, CITY OF 1,604.65;RESERVE ACCOUNT  
 1,500.00;RICE, MONICA 12.24;RICE, RICHARD 33.15;RICHARDS CONSTRUCTION CO INC  
 170,507.00;RIDES 650.00;RINGGENBERG, RHONDA 285.33;ROHLFSEN, PHYLLIS  
 32.64;ROHLFSEN, ROBERT 437.44;RUST'S WESTERN SHED 132.95;SAC CITY FOOD PRIDE  
 26.72;SAC COUNTY HEALTH SERVICES 18,163.82;SAC COUNTY SHERIFF 323.88;SAC SUN  
 26.80;SANGL, BARB 7.14;SANGL, LARRY 40.80;SANOFI PASTEUR INC 6,539.11;SCHALLER  
 CRESTLAND SCHOOL DIST 5,014.00;SCHETTLER, FRAN 20.40;SCHMIT, JOHN  
 1,101.70;SCHOENING, ELAINE 99.21;SCHUELKE AUTO COMPANY 572.11;SCHWAN'S HOME  
 SERVICE 34.58;SECRETARY OF STATE 120.00;SECURITY TRUST 68,120.44;SECURITY TRUST &  
 SAVINGS BANK 47.24;SECURITY TRUST & SAVINGS BANK 497,455.53;SEILER PLUMBING  
 HEATING INC 1,115.43;SELLECK, JAMES 196.30;SENECA PLACE APARTMENTS 200.00;SEWARD,  
 CINDY 9.50;SEXTON, MIKE 10.00;SHARE CORP 1,539.78;SIACC JUVENILE PROJECT  
 358.72;SICHANH INC 200.00;SIDWELL COMPANY INC, THE 4,922.37;SIEVERS ESTATE CONSVTN  
 TRUST, 168.00;SIEVERS, ALYSON 16.59;SIEVERS, DELORES 93.50;SIEVERS, JANET  
 1,035.00;SIEVERS, ROGER D 881.40;SILK SCREEN INK LTD 1,530.70;SIMONS, TRACY  
 192.00;SIMPLEXGRINNELL LP 1,186.00;SIMPSON, DALE 165.25;SIOUX CENTRAL COMM SCHOOL  
 DIST 6,960.00;SIOUX CITY FOUNDRY CO 1,658.32;SIOUX CITY TRUCK AND TRAILER I  
 942.91;SIOUX CITY WINTRONIC COMPANY 606.70;SIOUX LUMBER 384.81;SIOUX RAPIDS CORP  
 3,900.00;SIOUX RAPIDS HISTORICAL SOC 800.00;SIOUX RAPIDS, CITY OF 428.01;SIOUX SALES  
 CO 136.30;SIOUXLAND MENTAL HEALTH CENTER 1,010.00;SLEEZER, BONNIE 18.36;SLIEFERT  
 FUNERAL HOMES INC 2,800.00;SMALL, JULIE 422.91;SMITH CONCRETE SERVICE INC  
 25,660.00;SNYDER, DELORIS 14.28;SNYDER, KELLY 10.00;SORENSEN, JANICE 15.30;SOUTHERN  
 CAL SCHOOLS 150.00;SPEERS, TIM 323.39;SPENCER DAILY REPORTER 139.92;SPENCER  
 POLICE DEPARTMENT 40.96;SPIES, KAREN KAY 266.36;SPORTS REHABILITATION & 407.98;ST  
 MARK LUTHERAN CHURCH 90.00;ST MARYS PRESCHOOL 4,845.00;ST ROSE OF LIMA  
 PRESCHOOL 2,925.00;ST. LUKES CENTER FOR 216.00;ST. PAUL HELPING HANDS PRESCHL  
 960.00;STANLEY, MARK 1,124.44;STANTON ELECTRIC INC 4,127.50;STAPLES CREDIT PLAN  
 1,014.81;STAR ENERGY LLC 25,212.24;STIGMA BUSTERS/THOMAS PERRINE, THE 581.35;STILLE  
 PIERCE & PERTZBORN 187,526.00;STORM LAKE ACE HARDWARE 1,056.65;STORM LAKE CORP  
 11,700.00;STORM LAKE HONDA 174.50;STORM LAKE HYDRAULICS 921.51;STORM LAKE TIMES  
 3,726.70;STORM LAKE UNITED 2,500.00;STORM LAKE, CITY OF 6,315.32;STRAWN, KAREN  
 870.08;STROEHER RADON MITIGATION SERV 800.55;STUCYNSKI, DEWYNE R.  
 9,536.29;SUNSHINE SERVICES OF IA INC 334.50;SWANSON, DALE 3,805.00;SWANSON,  
 LUZVIMINDA 3,630.00;TASC 27,963.84; TAYLOR CONTRACTING CO INC 9,659.00;TESSIER'S INC  
 7,145.40;THE MARCUS NEWS 378.00;THE PRIDE GROUP INC 9,283.89;THE TONER PLACE  
 392.00;THEELER, FAY 20.40;TRAINING RESOURCES 40.00;TREASURER STATE OF IOWA  
 25,987.54;TREASURER STATE OF IOWA 280.00;TREASURER STATE OF IOWA  
 4,182.00;TREASURER-STATE OF IOWA, IOWA 98,494.00;TRI-COUNTY SPECIAL 57.00;TRIMARK  
 PHYSICIANS GROUP INC 1,408.00;TRI-STATE NURSING ENTERPRISES 135.00;TYLER

TECHNOLOGIES 207.50;U S POSTAL SERVICE 506.60;U.S. CHARMADE ACCESSORIES INC 99.36;ULINE 93.19;UNI ROADSIDE PROGRAM 50.00;UNITED BOARD OF REALTORS 120.00;UPPER DES MOINES OPPTY 11,555.47;VA CENTRAL IA HEALTH CARE TO 1,290.00;VAN HOOSER, CAROL 10.00;VAN HOOSER, MARK 146.88;VANGUARD APPRAISALS INC 67,886.00;VERIZON WIRELESS 2,214.59;VERMEER SALES & SERVICE 310.13;VETTER EQUIPMENT CO 1,031.19;VISA 8,234.90;VISION CARE ASSOC PC 766.00;VISION SERVICE PLAN 11,063.35;VISION SHARE, INC 600.00;VISTA PAINTS 174.00;WAL-MART BUSINESS 487.96;WALMART COMMUNITY 3,721.47;WEBSITES TO IMPRESS 50.00;WEDE, JOE T 1,356.65;WEE CARE PRESCHOOL 929.50;WEILAND, MARY 10.00;WELLMARK BLUE CROSS & BLUE SHI 475,242.40;WELLMARK BLUE CROSS BLUE SHLD 1,300.00;WESSENDORF, GRACE A 53.04;WEST CENTRAL COMMUNITY ACTION 946.93;WEST DES MOINES MARRIOTT 105.28;WEST PAYMENT CENTER 6,087.70;WESTERN IOWA TECH COMMUNITY CO 60.00;WESTERN IOWA TOURISM REGION 250.00;WHITE, RON 10.00;WILEY, DAVID 464.75;WILSON & PECHACEK 3,489.29;WISE, DARLENE F 81.60;WISEMAN, JERRY D. 1,869.08;WITT, DEBRA K 1,474.22;WITTMACK, MYRTLE M 20.40;WOGAHN, RUTH 396.58;WOODBURY CO AUDITOR/RECORDER 1,147.59;XEROX CORP 59.76;XEROX CORPORATION 122.20;YOCUM OIL COMPANY INC 4,557.00;YON FAMILY TRUST, LOLA KELSEY 6,000.00;YOUNG, NATHAN 342.98;YOUNIE, LYNN 139.25;YOUTH & FAMILY RESOURCE SVCES 9,796.50;ZEE MEDICAL INC 510.89;ZEMKE, SUE ELLEN 800.00;ZIEGLER INC 227,538.07;ZION LUTHERAN PRE SCHOOL 3,180.00;

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