

**BOARD OF SUPERVISORS MEETING
TWENTY-FIRST MEETING, 2021 SESSION (21)
MAY 3, 2021**

The Buena Vista County Board of Supervisors met in special session on Monday, May 3, 2021 at 8:00 A.M. in the Boardroom with Chairman Snyder presiding, and the following members present: Huseman (via "GoToMeeting") Altena, Merten, and Ringgenberg and with Auditor Susan 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, Huseman, Merten, Ringgenberg, and Snyder. Nays: none. Abstentions: none.

The Chairman announced that after publishing a notice for interested persons to apply, four applications had been received for the County Recorder position. After conducting interviews of all applicants, and upon review of their qualifications and experience, motion by Merten, second by Altena, to approve and to authorize the Chairman to sign a certificate appointing Curtis Reis as **County Recorder** effective May 3, 2021 until the completion of the General Election canvass on November 15, 2022, unless a Special Election is called for, and until a County Recorder is duly elected by the voters and qualified, which will fill the vacancy created by the retirement of Shari O'Bannon on April 30, 2021. Carried.

Attorney Ryan Moore met with the Board, presenting Resolution #2021-05-03-A, finalizing the sale of 401 Hudson Street to Tyson, executing a deed transferring title to Tyson. Motion by Ringgenberg, second by Merten, to approve and authorize the Chair to sign **Resolution #2021-05-03-A** and executing a deed transferring title to Tyson for the **401 Hudson St.** property. Carried.

RESOLUTION #2021-05-03-A

TRANSFER OF EXCESS PROPERTY- 401 HUDSON STREET

WHEREAS, Iowa Code § 331.361 provides a procedure for disposing of real property, this Board of Supervisors voted to utilize such procedure to sell the real property locally known as 401 Hudson Street, Storm Lake, Iowa, and legally described as:

Lots Eight (8) and Nine (9), Block Seventy-Five (75), Park Addition to Storm Lake, Iowa.

and

Parcel "A"

A parcel of land in the Station Grounds of the Illinois Central Railroad located in the City of Storm Lake, Iowa, more particularly described as follows:

Beginning at the Point of Intersection of the East line of Hudson Street as platted in the City of Storm Lake, Iowa and the North line of the Station Grounds of the Illinois Central Railroad, said line being the South line of Block Seventy-five (75) of the Original Platting of Storm Lake, Iowa; Thence due South along the East line of said Hudson Street a distance of Ninety-seven and Forty-five Hundredths Feet (97.45'); thence South 67 degrees 27 minutes East along a line parallel to the North line of said railroad station grounds and said South line of Block Seventy-five (75) a distance of Three Hundred Twenty-four and Three Tenths

Feet (324.3') to the West line of Superior Street as platted in the City of Storm Lake, Iowa; Thence North 00 degrees 03 minutes West along the West line of said Superior Street a distance of Ninety-seven and Forty-five Hundredths Feet (97.45') to the North line of said railroad station grounds and the South line of said Block Seventy-five (75); Thence North 67 degrees 27 minutes West a distance of Three Hundred Twenty-four and Three Tenths feet (324.3') along the North line of said station grounds and the South line of said Block Seventy-five (75) to the Point of Beginning and containing an area of 29.187 square feet, also

Parcel "B"

A parcel of land in the Station Grounds of the Illinois Central Railroad located in the City of Storm Lake, Iowa, more particularly described as follows:

Commencing at the intersection of the East line of Hudson Street as platted in the City of Storm Lake, Iowa, and the North line of the Station Grounds of the Illinois Central Railroad, said line being the South line of Block Seventy-five (75) of the Original Platting of Storm Lake, Iowa; thence South a distance of One Hundred Thirty-seven and Five Tenths feet (137.5') along the East line of said Hudson Street;

thence South 68 degrees 14 minutes East a distance of One Hundred Sixty-four and Four Tenths feet (164.4') to the Point of Beginning; thence South 68 degrees 14 minutes East a distance of Sixty feet (60.0') thence South 21 degrees 46 minutes West a distance of Seventy-four and Six Tenths feet (74.6') to a Point Fifty feet (50.0') North of and measured at right angles to the Centerline of the Main Track of the Illinois Central Railroad; thence North 68 degrees 14 minutes West a distance of Sixty feet (60.0'); thence North 21 degrees 46 minutes East a distance of Seventy-four and Six tenths feet (74.6') to the Point of Beginning and containing an area of 4,476 square feet, also

Parcel "C"

A parcel of land in the Station Grounds of the Illinois Central Railroad located in the City of Storm Lake, Iowa, more particularly described as follows:

Commencing at the intersection of the East line of Hudson Street as platted in the City of Storm Lake, Iowa, and the North line of the Station Grounds of the Illinois Central Railroad, said line being the South line of Block Seventy-five (75) of the Original Platting of Storm Lake, Iowa; thence South a distance of Ninety-seven and Forty-five Hundredths feet (97.45') along the East line of said Hudson Street to the Point of Beginning; thence due South a distance of Forty and Five hundredths feet (40.05') along the East line of said Hudson Street; thence South 68 degrees 14 minutes East a distance of Three Hundred Twenty-two and Six Tenths feet (322.6') to the West line of Superior Street as platted in the City of Storm Lake, Iowa; thence North 00 degrees 03 minutes West along the West line of said Superior Street a distance of Thirty-five and Sixty-five Hundredths feet (35.65'); thence North 67 degrees 27 minutes West a distance of Three Hundred Twenty-four and Three Tenths feet (324.3') to the Point of Beginning and containing an area of 11,486 square feet.

All as shown on survey made by Darel D. Burns, Professional Engineer and Land Surveyor (Reg. No.4207) dated September 25, 1969 and revised December 29, 1969.

WHEREAS, at the direction of this Board, notice of proposed bidding process for the subject property and a public hearing regarding the same were published in accordance with Iowa Code;

WHEREAS, upon the close of the bidding procedure the Board received one bid from Tyson Foods, Inc., for the sum of \$350,000.00 dollars, the same was discussed at the scheduled public hearing and upon the close of the public hearing, this Board did vote to accept that bid and proceed with the sale of the subject property;

WHEREAS, Tyson Foods, Inc. tendered to Buena Vista County, Iowa the agreed purchase price and assumed possession of the subject property, and thus, this Board shall transfer title of the subject property to the purchaser and fulfill the County's obligation of the agreement;

BE IT RESOLVED that upon the Board of Supervisors accepted the bid from Tyson Fresh Foods, Inc., for the sum of \$350,000.00 dollars and that the exact funds have been paid by the purchaser and accepted by the County;

BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby direct the Chairperson of this Board to execute a Quit Claim Deed conveying the above-described subject property to the purchaser Tyson Fresh Foods, Inc.

SO DATED 3rd day of May, 2021

/s/ Kelly Snyder, Chairperson, Board of Supervisors of Buena Vista County, Iowa

CERTIFICATE OF AUDITOR

I hereby certify that the above and foregoing resolution was duly and legally passed by the Board of Supervisors of Buena Vista County, Iowa and property journalized in the minutes thereof on the 3rd day of May 2021.

/s/ Susan K. Lloyd, Auditor, Buena Vista County, Iowa

Secondary Road Report: The crew has been edge rutting, finished up with the edge rutting machine. They will still need to do edge rutting along C65; they will be using the crack filling machine, filling cracks on C49 west of Alta and other roads that need it; Engineer Wilkinson was notified by Congressman Feenstra's Office that there won't be any funding for the Linn Grove Bridge; IDOT accepted the Secondary Road FY'22 budget and 5-year plan; they will be blading gravel roads now that there is moisture; the tile crew is working on repairs; and the new tandem dump trucks will be picked up this week, in Minnesota.

Supervisor Meeting Reports: Merten attended a Rolling Hills Mental Health Region Board Meeting; Snyder attended a RIDES meeting.

Motion by Ringgenberg, second by Huseman, to approve the **minutes** of 4/27/21 as corrected, and the following **reports**: April RIDES meeting minutes, March NWIPDC meeting minutes, and March Board of Health minutes. Carried.

The Board discussed the appointment of a **Temporary Re-Districting Commission** to draw supervisor district lines based upon the new census figures. Motion by Ringgenberg, second by Huseman, to set the number of Re-districting Commission members at five. Carried. Motion by Merten, second by Huseman, to allow compensation of the **Temporary Re-Districting Commission** at the rate of \$15 per hour, and \$.52/mile, which is .04 under the IRS rate. Carried.

Motion by Merten, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2021-05-03-B**, appointing members to the 2021 **Buena Vista County Re-Districting Commission**, their terms to expire 20 days following the date the county's supervisor district plan and corresponding precinct plan are approved or imposed by the Secretary of State. Carried.

Resolution #2021-05-03-B

WHEREAS, the United State Department of Commerce conducts the United States Census every ten years;

WHEREAS, Iowa Code Section 331.210A states that a Temporary County Redistricting Commission shall be established to adopt the County's precinct boundaries;

NOW THEREFORE, BE IT RESOLVED that the following named individuals shall be appointed to the Buena Vista County Temporary Redistricting Commission:

Deb Langner, Hayes Township-Storm Lake } names submitted by the Democratic supervisors
Don Altena, Storm Lake }

Lori Darrow, Coon Township-Newell } names submitted by the Republican supervisors
Lynette Goodman, Storm Lake }
Randy Ericksen, Alta }

Dated this 3rd day of May, 2021.

/s/ Kelly Snyder, Chairperson, Board of Supervisors

Sheriff Kory Elston met with the Board to request "staff parking only" signs at the LEC. Currently, there are eight parking spots on the south side of the LEC, which were painted for "staff parking", but over the winter the snow covers it up, and then the paint wears off. Elston stated that now with resumed probation, they are extremely busy, and customers are parking in the staff spots. Motion by Merten, second by Altena, to approve the placement of eight "**staff parking only**" signs on the south side of the LEC. Carried.

Drainage Engineer Brian Blomme, informed the Board that he reviewed the bids that were received for the DD #101 Open Ditch Repairs Project, and checked references on the low bidder, finding that everything was in order. Blomme stated that he received good reports from Palo Alta and Pocahontas Counties for the work they had done by McCarty Custom Inc. Construction. Blomme recommends accepting the low bid and awarding the contract to the low bidder. Motion by Ringgenberg, second by Huseman, to accept the low bid, and award the contract on the **DD #101 Open Ditch Repair Project** to McCarty Custom Inc. Construction, Linn Grove, IA, in the amount of \$118,558.25.

Drainage Engineer Brian Blomme reviewed his revenue and expenditure reports with the Board, along with his projected fund balance. Blomme stated that all three County Treasurers are purchasing the stamped warrants, payable to the Shared Drainage Engineering Fund, so that there is cash coming in. Blomme stated that his goal is to eventually return the \$210,000 start-up contribution back to the three counties (BV, Sac, and Calhoun). Blomme informed the Board that he looked at UTV's and trailers at two different local businesses, and will be purchasing the UTV from Schuelke Power Sports, Storm Lake, for \$15,350, with a June delivery date. The Board

previously asked Blomme to check on the prices and availability of aluminum and steel trailers. Blomme was told that the company can no longer order a steel trailer, but the aluminum trailer would be available for June delivery. Blomme would like to purchase an aluminum trailer to haul the UTV from North Lake Truck, in the amount of \$2,350. Motion by Ringgenberg, second by Merten, to approve Blomme to move forward with the purchase of an **aluminum trailer**, from North Lake Truck, in the amount of \$2,350. Carried.

Drainage Engineer Brian Blomme discussed purchase of an additional **pickup** for his assistant, from the FY'22 budget. Previously, the Board asked Blomme to look for a good, used pickup. Blomme stated that with a used truck, there wouldn't be any government discount, as there is with purchasing new. Merten recommends purchasing a new pickup. The consensus of the Board was for Blomme to move forward, and look for a new double cab pickup for his department.

Env Health/Zoning Director Kim Johnson discussed with the Board, the membership of the **Zoning Commission and Board of Adjustment**. Johnson asked the Board if they wanted to stay with an 8-member Board or go down to 5-members. Merten and Snyder both commented that they were fine going down to a 5-member Zoning Commission and Board of Adjustment. Johnson stated that the Board of Adjustment meets 4-5 times per year, and Zoning will be meeting more, due to the Comp Plan.

There being no further business, motion by Altena, second by Ringgenberg, to adjourn the meeting at 10:00 a.m. until Tuesday, May 11 at 8:30 a.m. for a regular session. Carried.