

**BOARD OF SUPERVISORS MEETING  
TWENTY-NINETH MEETING, 2021 SESSION (29)  
JUNE 29, 2021**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 29, 2021 at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following members present: Altena, Huseman, 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.

**Secondary Roads Report:** As of yesterday, they have 5.5 miles of shouldering done on the C63 project, and 2.5 miles to go. They are hoping to be done with this project soon and the road will be open for traffic; the culvert work on 150<sup>th</sup> Ave. is making progress; Smith Concrete will be helping with a concrete patch north of the Secondary Road Office, on Radio Road, south of C49; the contractor will be working this week, on the culverts on 460<sup>th</sup> St., west of Hwy 71; the mowers are still going; Wilkinson stated that he is waiting for MidAmerican to get back to him on the installation of a destination light at the airport intersection.

A call was placed to Palo Alto County, for the public hearing on the report of the Commission appointed to apportion common outlet benefits to **Jt. DD #22** of Clay, Buena Vista & Palo Alto Counties, for repairs to DD #84 MOD of Palo Alto County. Bill Whitney and Bill Brown, landowners in Palo Alto County, and Engineer Collin Klingbeil, were the commissioners that were appointed to apportion benefits to the drainage districts benefited by the repair of DD #84 MOD of Palo Alto County. The cost of the Common Outlet repair is \$252,000. The distribution of cost by benefit to the eligible drainage districts was determined to be 55.48% for Jt. DD #22 (\$139,820.47) and 44.52% for DD #84 Palo Alto County (\$112,179.53). Buena Vista County Drainage Engineer Brian Blomme was also present for the public hearing. Blomme and the Board voiced their objection to the way the costs were distributed, and the percentages used. Two objections were received, one in Palo Alto County and one in Buena Vista County, from Randall Newell. Newell stated that he filed his objection only to preserve his rights further down the road. Palo Alto Drainage Attorney Jim Hudson stated that neither objection held any weight. Palo Alto County Supervisors, by motion, approved the report as presented, and the distribution of costs for Jt. DD #22 and DD #84 Palo Alto County. The phone call ended at 9:55 a.m.

Treasurer Danelle Haberman presented her deputy appointment and salary recommendation to the Board, for Tami Tendal. Motion by Ringgenberg, second by Altena, to concur with the **Treasurer's appointment** of Tami Tendal to 1<sup>st</sup> Deputy, and to approve her salary at 83% of the Treasurer's, effective July 1, 2021. Carried.

Drainage Clerk Kristina Konradi presented a spreadsheet to the Board of the various drainage districts that have negative fund balances, along with proposed levy amounts, including a sinking fund for each drainage district. Motion by Merten, second by Huseman, to set the levy for **Jt. DD #1 LAT 1** at 112%, **Jt. DD #22 MOD - CLAY/BV/PA** at 50%, **DD #32** at 88.5%, **DD #35 MAIN TILE** at 3.5%, **DD #35 LAT 1** at 12%, **DD #35 LAT 2** at 20.5%, **DD #35 LAT 6** at 2%, **DD #37** at 137.5%, **Jt. DD #41-43 - BV/SAC** at 26.75%, **DD #46** at 116%, **DD #49** at 10.75%, **DD #57** at 30.5%, **DD #58** at 22.25%, **DD #60** at 11.25%, **DD #63** at 398%, **DD #71** at 26.75%, **DD #76** at 14%, **DD #79** at 26%, **DD #81** at 132%, **DD #82** at 24.75%, **DD #83** at 208.75%, **DD #86** at 92%, **DD #87** at 87.75%, **DD #89** at 23.5%, **DD #98** at 6.1%, **DD #100** at 59.25%, **DD #102** at 58%, **DD #106 SOUTH MOD** at 415%, **DD #106 SOUTH LAT 12** at 18%, **DD #106 NORTH MOD** at 114%, **DD #107** at 32%, **DD #115** at 846.5%, **DD #128** at 14%, **DD #131** at 33.5%, **DD #151** at 225%, **DD #154** at 85.5%, **DD #170** at 45.25%, **DD #177** at 1080%, **DD #180** at 74.75%, **DD #186** at 46.5%, **DD #203** at 656%, **DD #204** at 30%, and **DD #205 MOD** at 5%. Carried.

Env Health/Zoning Director Kim Johnson informed the Board of a new **MMP** for Matt McCarthy-McCarthy 1, in the SW ¼ of Section 10 Coon Township. McCarthy is replacing one building and adding 180 head of pigs.

Env Health/Zoning Director Kim Johnson informed the Board that **Johanna Hostetler** will be moving to full-time on July 1, to begin training for food inspections.

County Attorney Paul Allen requested that the Board allow him to add an additional full-time assistant attorney to his staff. Allen stated that the case loads are growing, and he would like someone to handle collections, forfeitures, garnishments, tax protests, and small claims for the Sheriff's Department, which would allow him and the other assistant attorneys more time to work on the criminal cases and felony case load. Motion by Merten, second by Huseman, to approve the request of the County Attorney to look for another **full-time assistant attorney**, to add to his staff. Carried.

Cara Elbert, NW IA Planning, and Engineer Tyler Baumbach, were present virtually for the discussion of the **North Raccoon River Watershed bids** that were to have been opened yesterday. County Engineer Bret Wilkinson and Conservation Director Greg Johnson were also present for the discussion. Elbert stated that no bids were received, and after contacting a couple of contractors, who they thought were intending to submit a bid, they were told that they wouldn't be able to complete the project by December 31, and that is why they didn't bid the project. Merten stated that he is not happy with the way things are going with the project. Merten stated that requesting an extension on the contract was for the seeding in the Spring, but now the project won't be done by that time. Elbert stated that the request for an extension of the grant until 6/30/2022, needs to be signed by the Chair, and then it would be submitted to IEDA to see if they will approve the extension. Baumbach stated that they would need to rebid the project, but he suggested contacting some contractors again, to see when they thought the project could be completed. All of the costs of the project would need to be submitted to the BV County Auditor's Office for payment, before 6/30/2022, in order for the county to submit for reimbursement within 30 days of the end of the fiscal year. The Board suggested using June 13 for the completion of the project, so that all invoices could be paid prior to June 30, 2022.

Motion by Ringgenberg, second by Merten, to approve and authorize the Chair to sign the letter to IEDA, requesting an extension of the **contract #13-NDRI-003**, until June 30, 2022, regarding the North Raccoon River Watershed project. Carried.

Motion by Merten, second by Ringgenberg, to approve the **minutes** of 6/22/21 as corrected, and the following **reports**: March Emergency Management Commission minutes, May and June Rolling Hills Governance Board minutes, June E911 Board Minutes, May and June NWIPDC minutes. Carried.

Motion by Huseman, second by Altena, to approve and authorize the Chair to sign Work Order No. S-04-2021 on **Jt. DD #16-30-92**, for bank slide repairs, with cost estimates of \$5,200. Carried.

Motion by Ringgenberg, second by Huseman, to approve and to authorize the Chair to sign **Resolution #2021-06-29-A** appropriating funds for FY'22 to departments at 100% per the FY'22 budget. Carried.

## **RESOLUTION 2021-06-29-A**

**WHEREAS**, it is desired to make appropriations for each of the different officers and departments for the fiscal year commencing July 1, 2021, in accordance with section 331.434 (Sec 6) 2021 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 2021-22 are hereby appropriated at 100% to the department or office listed in the 2021-22 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, 2021.

Section 3. In accordance with section 331.437 of the 2021 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 2021-22 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 FY2021-22 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, 2022.

**PASSED AND APPROVED** this 29<sup>th</sup> day of June, 2021.

/s/ Kelly Snyder, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Merten, second by Ringgenberg, to approve and to authorize the Chair to sign **Resolution #2021-06-29-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'22 budget. Carried.

### **RESOLUTION 2021-06-29-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, 2021 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 \$193,698.00 is ordered transferred from the General Basic Fund to the Secondary Road Fund with one-half the amount (\$96,849.00) transferred no earlier than July 1, 2021, and the last one-half transferred no earlier than January 1, 2022.

The sum of \$2,105,389.00 (Rural Basic levy) is ordered transferred from the Rural Services Basic Fund to the Secondary Road Fund (levy) with one-half the amount (\$1,052,694.50) transferred no earlier than July 1, 2021 and the last one-half transferred no earlier than January 1, 2022.

Section 2. The total maximum transfer from the General Basic Fund to the Secondary Road Fund shall not exceed \$193,698.00 (levy) and the total maximum transfer from the Rural Basic Fund to the Secondary Road Fund shall not exceed \$2,105,389.00 (levy) all for the fiscal year beginning July 1, 2021.

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'21 received by the county, estimated for budget purposes at \$500,000.

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** this 29<sup>th</sup> day of June, 2021.

/s/ Kelly Snyder, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Ringgenberg, second by Huseman, to approve and to authorize the Chair to sign **Resolution #2021-06-29-C** regarding the designation of a portion of the FY'21 General Fund and Rural Fund ending fund balances (June 30, 2021) for the **Drive Trails and County Trail System**. Carried.

**RESOLUTION 2021-06-29-C**  
**Drive Trail & County Trail System**  
**Designated/Committed Ending Fund Balances**

**WHEREAS**, Buena Vista County included \$73,289.53 of the original \$100,000 in its FY'21 ending fund balances (\$54,967.15-General, \$18,322.38-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 started, but not completed by June 30, 2021; 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'14 budget adopted by the Buena Vista County Board of Supervisors included the last tax asking of \$50,000 for the County Trail System (or 1/8<sup>th</sup> of total \$400,000) in FY'14; and,

**WHEREAS**, Buena Vista County Trail projects have commenced as of June 30, 2016, with signs being purchased; and,

**WHEREAS**, the Buena Vista County Board of Supervisors wishes to set aside the taxes levied for both the "signing" for the Drive Trail and Trails for expenditure at a later time; and

**WHEREAS**, the funding source amounts approved for both "signing" for the Drive Trails and County Trail System are from the General Basic Fund (75%) and Rural Basic Fund (25%);

**NOW THEREFORE BE IT RESOLVED BY THE BUENA VISTA COUNTY BOARD OF SUPERVISORS**, that \$354,967.13 in the FY'21 General Basic ending fund balance, and, \$118,322.40 in the FY'21 Rural Basic ending fund balance, be considered and are hereby unreserved/designated and committed for the "signing" for the Drive Trail and the County Trail System projects associated with Project Awaysis.

**PASSED AND APPROVED** this 29<sup>th</sup> day of June, 2021.

/s/ Kelly Snyder, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Merten, second by Altena, to approve and to authorize the Chair to sign **Resolution #2021-06-29-D** regarding the designation of a portion of the General Fund ending balance (June 30, 2021) for the **FY'22 Heritage Tour** expenditures. Carried.

**RESOLUTION 2021-06-29-D**  
**BV County Heritage Tours**  
**Designated/Committed Ending Fund Balance**

**WHEREAS**, Buena Vista County received \$828 in FY'10 to be used for Heritage Tours for schools in Buena Vista County, which were received into the General Fund for expenditure, and

**WHEREAS**, a portion of those funds were not expended in FY'21 and the remainder of those funds may be spent in FY'22,

**NOW THEREFORE BE IT RESOLVED**, by the Buena Vista County Board of Supervisors, that \$242.86 in the General Fund ending fund balance is hereby designated and committed for expenditure on Heritage Tours only.

**PASSED AND APPROVED** this 29<sup>th</sup> day of June, 2021.

/s/ Kelly Snyder, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Huseman, second by Merten, to approve and authorize the Auditor to **void and re-issue** check #309601 dated 3/16/2021 to Gerald Weiland, in the amount of \$255.77, and check #310260 dated 4/27/2021 to Gerald Weiland, in the amount of \$272.82. Carried.

Motion by Merten, second by Ringgenberg, to approve and authorize the Auditor to **transfer** \$18,458 from Fund 0032 to Fund 0001, for restroom upgrades due to COVID. Carried.

Motion by Altena, second by Huseman, to approve and authorize the Chair to sign the **Liquor License Application** for a Class C Beer permit and Sunday Sales for Al's Corner Oil Co., DBA Sparky's One Stop #16. Carried.

The Board discussed the letter received from **NW IA YES Center**, requesting 1/13<sup>th</sup> share of their costs they have incurred during the pandemic which are related directly to their facility and transportation programs which have been adversely affected by the pandemic and which will offset changes necessary to keep their facility free from the impact. NW IA YES Center is requesting \$6,619.00 per member county, from ARPA Funds. Merten commented that the agency shouldn't be coming to the county asking for dollars, they should go to the providers that they are transporting for.

Huseman left the meeting at 11:53 a.m.

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

Motion by Merten, second by Ringgenberg, to acknowledge receipt of the request from **NW IA YES Center** for ARPA Funds from the County, stating that the request will be passed on to the ARPA-COVID State & Local Recovery Fund Planning Committee for consideration. Carried.

Motion by Ringgenberg, second by Altena, to acknowledge receipt of a **petition**, from Randall L. Newell, President of Glenoria, Ltd., in regards to the public hearing for the report of the Commission appointed to apportion common outlet benefits to **Jt. DD #22** of Clay, Buena Vista & Palo Alto Counties, for repairs to DD #84 MOD of Palo Alto County, which a copy was forwarded on to Palo Alto County for their records. Carried.

There being no further business, motion by Ringgenberg, second by Altena, to adjourn the meeting at 12:05 p.m. until Tuesday, July 6 at 8:30 a.m. for a regular session. Carried.