

**BOARD OF SUPERVISORS MEETING
THIRTY-FIRST MEETING, 2021 SESSION (31)
JULY 20, 2021**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 20, 2021 at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following members present: Altena, Huseman, and Ringgenberg and with Auditor Susan Lloyd as clerk for the meeting. Absent: Merten (attending another meeting).

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

Motion by Ringgenberg, second by Huseman, to amend today's agenda, adding an additional action item, a **Jt. DD #22** claim for The Daily Reporter, received from Clay County, for a notice of hearing publication, in the amount of \$114.51. Carried.

Engineer Bret Wilkinson presented cost information to the Board, regarding placing a destination light at C65 & Hwy 110, near the airport. Wilkinson stated that the cost for MidAmerican to install a pole and street light would be \$2,037.77, with an average monthly charge of \$13. Wilkinson stated that the county may be able to get Safety Funds to change the intersection, but that would be 2-3 years down the road. Motion by Ringgenberg, second by Altena, to approve and authorize Engineer Wilkinson to proceed with the **destination light** at C65 & Hwy 110, near the airport. Carried.

Engineer Bret Wilkinson presented the final design services contract with Calhoun-Burns & Associates, Inc., for Bridge #700, which is the bridge over Bluebird Creek. The cost for these services is estimated at \$30,000, as it is not a standard design. Wilkinson stated that by having Calhoun-Burns & Associates, Inc. sign off on the project, this protects the county in the future. Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign the final design services with Calhoun-Burns & Associates, Inc., for **Bridge #700**. Carried.

Secondary Roads Report: They are still working on cross road culverts, entrances, and mowing; Boulder Contracting has been driving new piling on one bridge in the county, and will be moving to another bridge soon, giving another 25 years of life for the bridges; RAGBRAI begins on Sunday, and will be coming through Buena Vista County. Wilkinson stated that the crews will be brooming the intersections of the blacktops the bikers will be traveling on in BV County to be sure there is no loose gravel on them; Wilkinson stated that at a future meeting, he would like to know if the Board will be requesting any changes to the two farm leases.

Env Health/Zoning Director Kim Johnson presented Ordinance #5.11 Tanning Beds, for the 3rd and final reading. Motion by Huseman, second by Altena, to approve the 3rd reading of **Ordinance #5.11 Tanning Beds**, waiving the physical reading of the document. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: None. Carried. The ordinance becomes effective upon publication.

**ORDINANCE # 5.11
MINIMUM REQUIREMENTS FOR TANNING FACILITIES**

5.11.1 Purpose and scope. This chapter provides for regulation of tanning facilities and devices used for the purpose of tanning human skin through the application of ultraviolet radiation. This includes, but is not limited to, public and private businesses, hotels, motels, apartments, condominiums, and health and country clubs.

All references to Code of Federal Regulations (CFR) in this chapter are those in effect as of April 30,

2019.

These rules stipulate minimum safety requirements relating to the operation of tanning devices; procedures for obtaining a permit; qualifications for tanning facility operators; and procedures for health departments to provide for the inspection of tanning facilities and enforcement of these rules. Tanning facilities which are in compliance with these rules are not relieved from the requirements of any other federal and state regulations or local ordinances.

5.11.2 Definitions.

“Agency” means the Buena Vista County Environmental Health.

“Board of Health” means Buena Vista County Board of Health.

“Cleansing” means to remove soil, dirt, oils or other residues from the surface of the tanning unit which may come into contact with the skin.

“Cleansing agent” means a substance capable of producing the effect of “cleansing.” These agents shall not adversely affect the equipment or the health of the consumer and shall be acceptable to the department or board of health.

“Consumer” means any member of the public who is provided access to a tanning facility in exchange for a fee or other compensation, or any individual who, in exchange for a fee or other compensation, is afforded use of a tanning facility as a condition or benefit of membership or access.

“Department” means the Iowa Department of Public Health.

“Director” means the director of public health or the director’s designee.

“Exposure position” means any position, distance, orientation, or location relative to the radiation surfaces of a tanning device at which the user is intended to be exposed to ultraviolet radiation from the product, as recommended by the manufacturer.

“Formal training” means a course of instruction approved by the department for operators of tanning facilities.

“Health care professional” means an individual, licensed by the state of Iowa, who has received formal medical training in the use of phototherapy.

“Inspection” means an official examination or observation including but not limited to tests, surveys, and monitoring to determine compliance with rules, orders, requirements, and conditions of these rules.

“Manufacturer’s recommendations” means written guidelines established by a manufacturer and approved by the U.S. Food and Drug Administration for the installation and operation of the manufacturer’s equipment.

“Operator” means an individual designated to control operation of the tanning facility and to instruct and assist the consumer in the proper operation of the tanning devices.

“Permit” or “permit to operate” means a document issued by the department which authorizes a person to operate a tanning facility in Iowa.

“Person” means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, but shall not include federal government agencies.

“Phototherapy device” means a piece of equipment that emits ultraviolet radiation and is used by a health care professional in the treatment of disease.

“Tanning device” means any equipment that emits electromagnetic radiation with wavelengths in air between 200 and 400 nanometers and that is used for tanning of human skin, such as sunlamps, tanning booths, or tanning beds. The terms also include any accompanying equipment such as protective eyewear, timers, and handrails.

“Tanning facility” means a place that provides access to tanning devices for compensation.

“Ultraviolet radiation” means electromagnetic radiation with wavelengths in air between 200 and 400 nanometers.

5.11.3 Inspections.

a. Buena Vista County Environmental Health Department shall conduct inspections annually and per complaint on all tanning devices not otherwise exempt under Iowa Code chapter 136D and Iowa Administrative Code 641—46, and which are permitted by the Department of Public Health in Buena Vista County pursuant to those provisions and this ordinance.

b. Inspection cost.

(1) An inspection cost of \$ 35.00 per tanning device shall be billed to the permit holder up to a maximum of \$350 per facility.

(2) Inspection costs shall be due upon receipt of payment due. The costs billed will be paid to the board of health or its designee.

(3) Inspection costs not received within 45 days of the date of billing will be assessed a \$25 penalty for each month or fraction thereof that the bill is delinquent.

(4) A penalty fee of \$25 per facility may be assessed for the following:

1. Failure to respond to a notice of violation within 30 days of the date of the inspection.
2. Failure to correct violations cited during the inspection.

c. Inspections shall include the following areas: proper operation and maintenance of devices, review of required records and training documentation, operator understanding and competency, and the requirements of these rules.

5.11.4 Construction and operation of tanning facilities. Unless otherwise ordered or approved by the department, each tanning facility shall be constructed, operated, and maintained to meet the following minimum requirements.

5.11.4(1) A tanning facility shall provide and post the following warning signs and statements that describe the hazards associated with the use of tanning devices:

a. A warning sign in a conspicuous location readily visible to persons entering the establishment. This warning sign shall use 0.5-inch (12.7-millimeter) letters for “DANGER, ULTRAVIOLET RADIATION” and 0.25-inch (6.4-millimeter) letters for all other lettering. The sign shall use red lettering against a white background, be at least 9.0 inches by 12.0 inches (22.9 centimeters × 30.5 centimeters) and have the following wording:

DANGER

ULTRAVIOLET RADIATION

— Overexposure can cause

- Eye and skin injury
- Allergic reaction

— Repeated exposure may cause

- Premature aging of the skin
- Skin cancer

— Failure to wear protective eyewear may result in

- Severe burns to eyes
- Long-term injury to eyes

— Medication or cosmetics may increase your sensitivity

b. A warning sign with the identical wording set forth in 46.5(1)“a” posted within one meter of the tanning device in a conspicuous location readily visible to a person preparing to use the device. This warning sign shall use 0.5-inch (12.7-millimeter) letters for “DANGER, ULTRAVIOLET RADIATION” and 0.25-inch (6.4-millimeter) letters for all other lettering. The sign shall use red lettering against a white background and be at least 6 inches by 9 inches (15.2 centimeters × 22.9 centimeters) in size.

c. A tanning facility shall require each consumer to read the information in Appendices 1, 2, and 3 prior to the consumer’s initial exposure and annually thereafter.

(1) The operator shall then require the consumer to sign a statement that the information has been read and understood.

(2) The information in Appendices 1, 2, and 3 shall be posted in each tanning room.

5.11.4(2) Federal certification.

a. Only tanning devices manufactured and certified under the provisions of 21 CFR Part 1040.20, "Sunlamp products and ultraviolet lamps intended for use in sunlamp products," shall be used in tanning facilities. Compliance shall be based on the standard in effect at the time of manufacture as shown on the device identification label required by 21 CFR Parts 1010.2 and 1010.3.

b. Labeling shall meet the following requirements, be visible on each unit and be permanently affixed. Labeling shall include:

(1) A warning statement with the words "DANGER-Ultraviolet radiation. Follow instructions. Avoid overexposure. As with natural sunlight, overexposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause premature aging of the skin and skin cancer. WEAR PROTECTIVE EYEWEAR; FAILURE TO MAY RESULT IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES. Medications or cosmetics may increase your sensitivity to the ultraviolet radiation. Consult a physician before using a sunlamp if you are using medications or have a history of skin problems or believe yourself especially sensitive to sunlight. If you do not tan in the sun, you are unlikely to tan from the use of this product."

(2) Recommended exposure position(s). Any exposure position may be expressed either in terms of a distance specified both in meters and in feet (or in inches) or through the use of markings or other means to indicate clearly the recommended exposure position.

(3) Directions for achieving the recommended exposure position(s) and a warning that the use of other positions may result in overexposure.

(4) A recommended exposure schedule including duration and spacing of sequential exposures and maximum exposure time(s) in minutes.

(5) A statement of the time it may take before the expected results appear.

(6) Designation of the ultraviolet lamp type to be used in the product.

5.11.4(3) Tanning device timers.

a. Each tanning device shall have a timer which complies with the requirements of 21 CFR Part 1040.20. The maximum timer interval shall not exceed the manufacturer's maximum recommended exposure time by a factor greater than ± 10 percent of the indicated setting.

b. Each tanning device must have a method of remote timing located so that consumers may not control their own exposure time.

c. Tokens for token timers shall not be issued to any consumer in quantities greater than the device manufacturer's maximum recommended exposure time for the consumer.

5.11.4(4) Each tanning device shall incorporate a control on the product to enable the consumer to manually terminate the radiation emission from the product at any time without disconnecting the electrical source or removing the ultraviolet lamp.

5.11.4(5) The operator shall ensure that the facility's interior temperature does not exceed 100 degrees F or 38 degrees C.

5.11.4(6) Condition of tanning devices.

a. There shall be physical barriers to protect consumers from injury induced by falling against or breaking the lamps.

b. The tanning devices shall be maintained in good repair and comply with all state and local electrical code requirements.

5.11.4(7) Additional requirements for stand-up booths.

- a. There shall be physical barriers (e.g., handrails) or other means (floor markings) to indicate the proper exposure distance between ultraviolet lamps and the consumer's skin.
- b. The construction of the booth shall be such that it will withstand the stress of use and the impact of a falling person.
- c. Access to the booth shall be of rigid construction; doors shall open outwardly. Handrails and nonslip floors shall be provided.

5.11.4(8) Protective eyewear.

- a. Eyewear shall not be reused by another consumer.
- b. Protective eyewear shall meet the requirements of 21 CFR Part 1040.20(c)(4).
- c. Protective eyewear shall not be altered in any manner that would change its use as intended by the manufacturer (e.g., removal of straps).
- d. A tanning facility operator shall not allow a consumer to use a tanning device if that consumer does not use the protective eyewear required by this subrule. To verify that a consumer has the proper eyewear, the operator must:
 - (1) Ask to see the eyewear before the consumer enters the tanning room; or
 - (2) Provide disposable eyewear in the tanning room at all times and post a sign stating that the disposable eyewear is available and that eyewear must be worn.
- e. A tanning facility operator shall instruct the consumer in the proper utilization of the protective eyewear required by this subrule.

5.11.5(9) Operation.

- a. A trained operator must be present when a tanning device is operated. The operator must be within hearing distance to allow the consumer to easily summon help if necessary. If the operator is not in the immediate vicinity during use, the following conditions must be met:
 - (1) The consumer can summon help through use of an audible device such as an intercom or buzzer; and
 - (2) The operator or emergency personnel can reach the consumer within a reasonable amount of time after being summoned.
- b. The facility permit to operate shall be displayed in an open public area of the tanning facility.
- c. A record shall be kept by the facility operator of each consumer's total number of tanning visits and tanning times, exposure lengths in minutes, times and dates of the exposure, and any injuries or illness resulting from the use of a tanning device.
- d. Any tanning injury not requiring a physician's care and any resulting changes in tanning sessions shall be noted in the consumer's file. A written report of any tanning injury requiring a physician's care shall be forwarded by the permit holder to the department within five working days of its occurrence or knowledge thereof. The report shall include:
 - (1) The name of the affected individual;
 - (2) The name and location of the tanning facility involved;
 - (3) The nature of the injury;
 - (4) The name and address of the health care provider treating the affected individual, if any; and
 - (5) Any other information considered relevant to the situation.
- e. Defective or burned-out lamps or filters shall be replaced with a type intended for use in that device as specified on the product label on the tanning device or with lamps or filters that are "equivalent" under 21 CFR Part 1040, Section 1040.20, and policies applicable at the time of lamp manufacture.
- f. The permit holder shall replace ultraviolet lamps and bulbs, which are not otherwise defective or damaged, at such frequency or after such duration of use as may be recommended by the manufacturer of such lamps or bulbs.
- g. Contact surfaces of tanning devices shall be:

- (1) Cleansed by the operator with a cleansing agent between each use;
- (2) Covered by a nonreusable protective material during each use; or
- (3) Cleansed by the consumer provided the following conditions are met:
 1. The operator instructs the consumer annually on how to properly cleanse the unit;
 2. The consumer annually signs a statement stating that the consumer agrees to cleanse the unit after each use;
 3. Signs are posted in each tanning room reminding the consumer to cleanse the tanning unit after each use and stating the proper way to cleanse the unit; and
 4. The operator cleanses the tanning unit at least once a day.
- h.* Any records or documentation required by this chapter must be maintained in the tanning facility for a minimum of two years. Records maintained on computer systems shall be regularly copied, at least monthly, and updated on storage media other than the hard drive of the computer. An electronic record must be retrievable as a printed copy.
 - i.* The operator shall limit the exposure of the consumer to the maximum exposure frequency and session duration recommended by the manufacturer.
 - j.* When a tanning device is being used, no other person shall be allowed to remain in the tanning device area.
 - k.* No person or facility shall advertise or promote tanning packages labeled as "unlimited" unless tanning frequency limits set by the manufacturer are included in advertisements.

5.11.4(10) Training of operators.

- a.* No individual shall begin functioning as an operator unless the individual has satisfactorily completed a training program. Training shall include but not be limited to:
 - (1) The requirements of this chapter;
 - (2) Procedures for correct operation of the tanning facility and tanning devices;
 - (3) The determination of skin type of consumers and appropriate determination of duration of exposure to tanning devices;
 - (4) Recognition of reaction or overexposure;
 - (5) Manufacturer's procedures for operation and maintenance of tanning devices;
- b.* Owners and managers must complete formal training approved by the department. All owners and managers trained after December 31, 1997, must satisfactorily pass a certification examination approved by the department before operating a tanning facility or training employees.
- c.* For operators trained after December 31, 1997. Owners and managers are responsible to train operators in the above topics and to provide review as necessary. Training programs shall be approved by the department and include final testing. Operators shall be questioned during inspections as to the level of their understanding and competency in operating the tanning device.
- d.* Proof of training for both owner/managers and employees must be maintained in the tanning facility and available for inspection. For operators trained after December 31, 1997, the employee record shall be the original test which bears the signature of the employee, the date, and a statement signifying that all answers have been completed by the employee and without prior knowledge of the scoring key.
- e.* Operators shall be at least 16 years of age.
- f.* Operators shall complete the required training and testing every five years.

5.11.4(11) Promotional materials. A tanning facility shall not claim, or distribute promotional materials that claim, that using a tanning device is safe or free from risk or that the use of the device will result in medical or health benefits. The only claim that may be made is that the device is for cosmetic use only.

5.11.4(12) Requirements for electronically controlled facilities. Electronically controlled facilities are those facilities that rely on electronic means to monitor consumers.

- a.* Entry into the facility is allowed by card only. Two individuals may not enter under the same card. The card is specifically activated for tanning use if the facility offers other activities.

- b.* Police and all emergency services will have access to the facility through a key box located outside the entrance of the facility.
- c.* The tanning unit will not activate if the card is not programmed for tanning. The card will not activate if two individuals are in the tanning room.
- d.* The consumer must sign a tanning agreement that states the number of minutes per session, that the consumer agrees to wear protective eyewear, that the consumer will cleanse the unit after tanning, and that the consumer is aware of the emergency access in each room.
- e.* The card will be programmed for the number of minutes the consumer is allowed to tan. The card may be reprogrammed for an increase in minutes per session only after the consumer has reviewed and re-signed the Tanning Agreement. After 30 consecutive days without the consumer's accessing the tanning facility, the card will be deactivated and the consumer must reapply to access the tanning unit.
- f.* The operator will demonstrate to each consumer how to properly cleanse the unit after tanning, including the top, bottom, and handles. A sign will be placed in each room explaining the cleansing process. The operator will cleanse the units at least once a day when they are in use.
- g.* Free disposable eyewear will be placed in each room along with a sign stating that the disposable eyewear is available and that eyewear must be worn.
- h.* An emergency call button or device will be placed in each tanning room conveniently located within reach of the tanning bed. This device will call the operator or emergency personnel.
- i.* During annual inspections, the inspector may ask any consumer about any of the above processes.

5.11.5 Inspections, violations and injunctions.

5.11.5(1) The agency shall have access at all reasonable times to any tanning facility to inspect the facility to determine if this chapter is being violated.

5.11.5(2) A person who operates or uses a tanning device or tanning facility in violation of this chapter or of any rule adopted pursuant to this chapter is guilty of a simple misdemeanor.

5.11.5(3) If the agency finds that a person has violated, or is violating or threatening to violate, this chapter and that the violation creates an immediate threat to the health and safety of the public, the agency may petition the district court for a temporary restraining order to restrain the violation or threat of violation.

If a person has violated, or is violating or threatening to violate, this chapter, the agency may petition the district court for an injunction to prohibit the person from continuing the violation or threat of violation.

5.11.5(4) On application for injunctive relief and a finding that a person is violating or threatening to violate this chapter, the district court shall grant any injunctive relief warranted by the facts.

5.11.5(5) Enforcement.

a. The agency shall take the following steps or use county ordinances or any other applicable ordinances, resolutions, rules or regulations when enforcement of these rules is necessary.

- (1) Cite each section of the Iowa Code, this ordinance or rules violated.
- (2) Specify the manner in which the owner or operator failed to comply.
- (3) Specify the steps required for correcting the violation.
- (4) Request a corrective action plan, including a time schedule for completion of the plan.
- (5) Set a reasonable time limit, not to exceed 30 days from the receipt of the notice, within which the permit holder must respond.

b. The Agency shall review the corrective action plan and approve it or require that it be modified.

c. In cases where the permit holder fails to comply with conditions of the written notice, the agency shall send a regulatory letter, via certified mail, advising the permit holder that unless action is taken within five days of receipt, the case shall be turned over to the county attorney for court action.

5.11.6 County Infraction. A violation of this ordinance shall be a county infraction pursuant to Iowa Code Section 331.307.

5.11.7 Penalty. Any person found in violation of this ordinance shall be assessed a civil penalty of \$500.00 for each violation and for each repeat violation, a civil penalty of \$750.00.

5.11.8 Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

5.11.9 Severability Clause. If any section, provision, or other part of this ordinance shall be adjudged invalid or unconstitutional, said adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or other part thereof not adjudged invalid or unconstitutional.

Adopted by the Board of Supervisors on this 20th day of July, 2021.

BUENA VISTA COUNTY BOARD OF SUPERVISORS

/s/ Kelly Snyder, Chairman.....Attest: Susan K. Lloyd, County Auditor

(1st Reading approved June 22, 2021, 2nd Reading approved July 06, 2021, 3rd Reading approved July 20, 2021)

Env Health/Zoning Director Kim Johnson presented information on a Minor S/D request for Brian Waldstein in Section 11 Lee Township. Motion by Ringgenberg, second by Huseman, to approve and authorize the Chair to sign **Resolution #2021-07-20-A** Minor S/D for Brian Waldstein in Section 11 Lee Township. Carried.

RESOLUTION 2021-07-20-A

WHEREAS Brian Waldstein has presented has presented preliminary and final plats (of survey) on the following described property:

DESCRIPTION LOT D

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE ¼ NW ¼) OF SECTION 11, TOWNSHIP 93 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Northeast (NE) corner of the Northwest Quarter (NW ¼) of said Section 11; Thence on a previously recorded bearing of North 90° 00' 00" West, along the North line of said Northwest Quarter (NW ¼), 677.00 feet to the Point of Beginning. Thence continuing North 90° 00' 00" West, along said North line, 48.00 feet; Thence South 00° 11' 00" East, 551.05 feet; Thence South 90° 00' 00" East, 190.00 feet; Thence North 00° 11' 00" West, 170.00 feet; Thence North 90° 00' 00" West, 142.00 feet; Thence North 00° 11' 00" West, 381.05 feet to the Point of Beginning.

Hereafter known as Lot D of Section 11, Township 93 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 1.16 acres and is subject to all easements of record.

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

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

DESCRIPTION LOT D

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE ¼ NW ¼) OF SECTION 11, TOWNSHIP 93 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Northeast (NE) corner of the Northwest Quarter (NW ¼) of said Section 11; Thence on a previously recorded bearing of North 90° 00' 00" West, along the North line of said Northwest Quarter (NW ¼), 677.00 feet to the Point of Beginning. Thence continuing North 90° 00' 00" West, along said North line, 48.00 feet; Thence South 00° 11' 00" East, 551.05 feet; Thence South 90° 00' 00" East, 190.00 feet; Thence North 00° 11' 00" West, 170.00 feet; Thence North 90° 00' 00" West, 142.00 feet; Thence North 00° 11' 00" West, 381.05 feet to the Point of Beginning.

Hereafter known as Lot D of Section 11, Township 93 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa; is hereby accepted subject to the following if any: None

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

DESCRIPTION LOT D

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE ¼ NW ¼) OF SECTION 11, TOWNSHIP 93 NORTH, RANGE 36 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Northeast (NE) corner of the Northwest Quarter (NW ¼) of said Section 11; Thence on a previously recorded bearing of North 90° 00' 00" West, along the North line of said Northwest Quarter (NW ¼), 677.00 feet to the Point of Beginning. Thence continuing North 90° 00' 00" West, along said North line, 48.00 feet; Thence South 00° 11' 00" East, 551.05 feet; Thence South 90° 00' 00" East, 190.00 feet; Thence North 00° 11' 00" West, 170.00 feet; Thence North 90° 00' 00" West, 142.00 feet; Thence North 00° 11' 00" West, 381.05 feet to the Point of Beginning.

Hereafter known as Lot D of Section 11, Township 93 North, Range 36 West of the 5th P.M., Buena Vista County, Iowa; and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 20th day of July, 2021.

/s/ Kelly Snyder, Chairman, Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Motion by Ringgenberg, second by Huseman, to approve the **minutes** of 7/6/21 as printed, today's **claims approval list**, **stamped drainage warrant register**, and the following **reports**: May NWIPDC Policy Council minutes, June BV County Landfill Commission minutes, November 2020-May 2021 VA Commission minutes, FY'20 BV County Audit Report, and 2021 Continuing Disclosure Document by Northland Securities. Carried.

Treasurer Danelle Haberman presented the semi-annual report, ending June 30, 2021. Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign the **Treasurer's Semi-Annual Report** for June 30, 2021, and to authorize the publication in the newspapers. Carried.

Treasurer Danelle Haberman asked the Board about recognizing long-term employees with a **certificate of appreciation**, and whether the Board would consider doing this in the future. Haberman stated that several years past, employees were recognized for their many years of service. The consensus of the Board was to leave this up to the Department Head, if they wanted to recognize their employees for their years of service.

Hear the Public: County Attorney Paul Allen informed the Board that he has received a **resignation** from Justin Hall, so he will be down to two attorneys. Allen has been advertising for one position, and now there will be two positions. Allen stated that there is a shortage of new attorneys due to COVID, as there were

interruptions with the bar exam last year. Allen mentioned that both Dickinson and Plymouth were hiring as well.

Huseman stepped out of the meeting at 9:35 a.m.

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

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the **Jt. DD #22** claim for the Pilot Tribune for a notice of hearing publication, in the amount of \$39.20. Carried.

Motion by Altena, second by Ringgenberg, to approve and authorize the Chair to sign the **Jt. DD #22** claim for The Daily Reporter for a notice of hearing publication, in the amount of \$114.51. Carried.

Motion by Ringgenberg, second by Altena, to approve the **fireworks permit** for Rick Glienke, for August 7, 2021, with Glienke being responsible for all safety and liability. Carried.

Huseman came back to the meeting at 9:41 a.m.

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

IDDA Executive Director John Torbert presented information about the **Iowa Drainage District Association**. Torbert reviewed what the IDDA had been working on the last few years and urged the board to join the association again. The board thanked him for coming, updating them on the IDDA, and answering questions.

Architect William Ludwig, William J. Ludwig & Associates, Ltd., presented a request to the Board for American Rescue Plan Act (ARPA) Funds from the county, to be used for developing a sewer system for the **Bel Air housing development, Massop Property**. John & Karen (Massop) Keenan were also present for the discussion. Ludwig showed maps of the proposed development, and requested that the Board consider paying for the sanitary sewer system for the area from ARPA Funds. The estimated cost of the sanitary sewer system is \$916,250. Ringgenberg informed Ludwig and Keenans that a committee has been formed, with several department heads and two supervisors, who will be discussing possible uses of the ARPA Funds. Ringgenberg stated that the committee was planning to meet for the first time on Monday, so no processes and guidelines have been established as of now. Ludwig stated that there is a high demand for housing, and this development is an 18-million-dollar project for 172 total units. Ludwig stated that they were also going to talk to the City of Lakeside.

There being no further business, motion by Huseman, second by Ringgenberg, to adjourn the meeting at 10:37 a.m. until Tuesday, July 27 at 8:30 a.m. for a special session. Carried.