

**BOARD OF SUPERVISORS MEETING
THIRTY-FIFTH MEETING, 2021 SESSION (35)
AUGUST 17, 2021**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 17, 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.

Motion by Ringgenberg, second by Altena, to **amend today's agenda**, adding a Minor S/D for Bay Breeze, LLC, for an action item. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: Merten. Motion carried.

Motion by Merten, second by Huseman, to approve the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, for the accommodation of a water line, boring under 88th Ave. in Section 5 of Barnes Township, to provide service to 4239 88th Ave. Carried.

Motion by Ringgenberg, second by Merten, to approve the **utility permit** for Cherokee Rural Water, Cherokee, IA, to bore under 60th Ave., between Sections 1 and 2 of Maple Valley Township, ½ mile north of C63. Carried.

Engineer Bret Wilkinson informed the Board that he will have two retirements, one in December, and another one in February. Wilkinson would like to advertise now, to get someone hired, getting them familiar with a dump truck before plowing snow. Motion by Ringgenberg, second by Merten, to approve and authorize Engineer Wilkinson to advertise for an **E01 position**, in order to get someone hired and trained prior to plowing snow. Carried.

Secondary Road Report: They are still working on entrances and crossroad culverts; the dirt crew is finishing pullup on 30th Ave.; Wilkinson stated that the railroad has requested the county to clear trees at the M54 railroad crossing, for safety reasons; material is in, so the crew will be working on the gravel road by Albert City, to help with the soft roads and dust control; there is a hole on C29 west of Albert City. Wilkinson stated that there is a problem with a tile, right along the edge of the pavement, 10' deep. Wilkinson stated that it is a drainage district tile, so he is working with Drainage Engineer Brian Blomme; the department still has sand and gravel to haul before winter.

Env Health/Zoning Director Kim Johnson reviewed her job description, with the changes that were made, and asked the Board if there were any other changes they wanted to make. Motion by Merten, second by Altena, to approve and authorize the Chair to sign off on the job description for the **Env Health/Zoning Director position**, pending approval by the Board of Health. Carried.

Env Health/Zoning Director Kim Johnson presented information on a Minor S/D request for Bay Breeze, LLC, in Section 19 Washington Township. Motion by Ringgenberg, second by Huseman, to approve and authorize the Chair to sign **Resolution #2021-08-17-A** Minor S/D for Bay Breeze, LLC, in Section 19 Washington Township. Carried.

RESOLUTION 2021-08-17-A

WHEREAS Bay Breeze LLC has presented has presented preliminary and final plats (of survey) on the following described property:

DESCRIPTION LOT L

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE ¼ NE ¼) OF SECTION 19, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Southeast (SE) corner of the Northeast Quarter (NE ¼) of said Section 19; Thence North 00° 00' 00" East, along the East line of said Northeast Quarter (NE ¼), 837.00 feet to the Northeast (NE) corner of Lot J in said Section 19, being also the Point of Beginning. Thence continuing North 00° 00' 00" East, along said East line, 114.40 feet; Thence North 58° 49' 05" West, 58.45 feet to the West line of the public roadway; Thence North 69° 22' 24" West, 137.62 feet; Thence South 79° 22' 12" West, 72.24 feet; Thence South 89° 44' 09" West, 281.95 feet to the West line of previously described parcel which appears of record as document number 162141 in the office of the Buena Vista County Recorder; Thence South 00° 00' 00" West, along said West line, 216.45 feet to the North line of Lot K; Thence South 90° 00' 00" East, along said North line, 211.24 feet to the West line of Lot J; Thence North 00° 00' 00" East, along said West line, 37.94 feet to the North line of said Lot J; Thence North 90° 00' 00" East, along said North line, 320.50 feet to the Point of Beginning.

Hereafter known as Lot L in Section 19, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 2.30 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: Access Easement of Record shown in Plat of Survey dated August 8, 2018 by J. Scott Shevel, Licensed Land Surveyor, filed as Document No. 182120 in the Buena Vista County Recorder's Office. Said Easement grants an ingress/egress to Lot K over and across the existing driveway in Lot L.

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

DESCRIPTION LOT L

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE ¼ NE ¼) OF SECTION 19, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Southeast (SE) corner of the Northeast Quarter (NE ¼) of said Section 19; Thence North 00° 00' 00" East, along the East line of said Northeast Quarter (NE ¼), 837.00 feet to the Northeast (NE) corner of Lot J in said Section 19, being also the Point of Beginning. Thence continuing North 00° 00' 00" East, along said East line, 114.40 feet; Thence North 58° 49' 05" West, 58.45 feet to the West line of the public roadway; Thence North 69° 22' 24" West, 137.62 feet; Thence South 79° 22' 12" West, 72.24 feet; Thence South 89° 44' 09" West, 281.95 feet to the West line of previously described parcel which appears of record as document number 162141 in the office of the Buena Vista County Recorder; Thence South 00° 00' 00" West, along said West line, 216.45 feet to the North line of Lot K; Thence South 90° 00' 00" East, along said North line, 211.24 feet to the West line of Lot J; Thence North 00° 00' 00" East, along said West line, 37.94 feet to the North line of said Lot J; Thence North 90° 00' 00" East, along said North line, 320.50 feet to the Point of Beginning.

Hereafter known as Lot L in Section 19, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa; is hereby accepted subject to the following if any: Access Easement of Record shown in Plat of Survey dated August 8, 2018 by J. Scott Shevel, Licensed Land Surveyor, filed as Document No. 182120 in the Buena Vista County Recorder's Office. Said Easement grants an ingress/egress to Lot K over and across the existing driveway in Lot L.

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

DESCRIPTION LOT L

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE ¼ NE ¼) OF SECTION 19, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at the Southeast (SE) corner of the Northeast Quarter (NE ¼) of said Section 19; Thence North 00° 00' 00" East, along the East line of said Northeast Quarter (NE ¼), 837.00 feet to the Northeast (NE) corner of Lot J in said Section 19, being also the Point of Beginning. Thence continuing North 00° 00' 00" East, along said East line, 114.40 feet; Thence North 58° 49' 05" West, 58.45 feet to the West line of the public roadway; Thence North 69° 22' 24" West, 137.62 feet; Thence South 79° 22' 12" West, 72.24 feet; Thence South 89° 44' 09" West, 281.95 feet to the West line of previously described parcel which appears of record as document number 162141 in the office of the Buena Vista County Recorder; Thence South 00° 00' 00" West, along said West line, 216.45 feet to the North line of Lot K; Thence South 90° 00' 00" East, along said North line, 211.24 feet to the West line of Lot J; Thence North 00° 00' 00" East, along said West line, 37.94 feet to the North line of said Lot J; Thence North 90° 00' 00" East, along said North line, 320.50 feet to the Point of Beginning.

Hereafter known as Lot L in Section 19, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa; and copies of said final plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 17th day of August, 2021.

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

Env Health/Zoning Director Kim Johnson discussed with the Board, the ad to be placed for her position, and when they would like the applications due. The consensus was to have all applications for the **Env Health/Zoning Director position** due back September 15, 2021.

Motion by Huseman, second by Ringgenberg, to approve the **minutes** of 8/3/21 and 8/5/21, as printed, today's **claims approval list**, **stamped drainage warrant register**, and the following **reports**: July Sheriff's Report, July Federal Inmate Billings, August Central Iowa Juvenile Detention Center Commission Minutes, Matt & Leah Schimmer letter, July BV Solid Waste Commission Minutes, August Safety Meeting Minutes, and T.P. Anderson engagement letter. Carried.

Hear the Public: Merten talked about a text he had received, regarding the City of Storm Lake Council Meeting and the discussion of the Iowa Lakes Corridor, and whether the funding was tied to the County.

Motion by Ringgenberg, second by Huseman, acknowledging receipt of a letter from Matt & Leah Schimmer, asking the Board to deny the use of COVID Relief Funds to pay for the sewer costs of the proposed **Massop Property development**. Carried.

Motion by Ringgenberg, second by Merten, to approve and authorize the Chair to sign the **Cyber Security Application** for ICAP. Carried.

Motion by Merten, second by Altena, to approve and authorize the Chair to sign the **letter of support** for the City of Storm Lake's FEMA grant application. Carried.

Hear the Public: Tim Humes stopped in to inform the Board that his little pond is dried up. Humes stated that he has talked to Gordy at NRCS and Conservation Director Greg Johnson, to see if he could barter, to dig out dirt, making the pond deeper. The pond is located on 440th St., south of Sioux Rapids. Humes stated that the last time the pond was dry was 15 years ago. Humes stated that it is a 2.3-acre pond, and if 2'-3' of soil could be dug out, maybe it could be used along the gravel roads. He also mentioned that he is still in favor of a zip line at the BV County Park.

CEO Shannon Landauer, **Iowa Lakes Corridor**, introduced herself to the Board, and updated them on what is going on with the Corridor. Landauer stated that their budget is set, and she is working on the new funding application for the county, to request economic development funds. The Board discussed the proposed Massop Property development, and asked Landauer to take a look at the area, and see if the Corridor could assist with the development.

Dale Sorenson discussing the problems with **Queen Anne's Lace**, and brought in samples, showing how long the roots are, and stated how hard it is to get rid of. Sorenson stated that something needs to be done, that the weed is taking over the ditches, and he digs out a ¼ mile on M36 all of the time. Conservation Director/Weed Commissioner Greg Johnson stated that Queen Anne's Lace used to be a noxious weed, but it is no longer on the noxious weed list. Johnson has asked other counties across the state, to see if anyone is actively spraying Queen Anne's Lace, and nobody is. Johnson stated that there is a new chemical, but it hasn't been authorized for use in roadside spraying yet, but it is on their radar.

Supervisor Meeting Reports: Snyder and Huseman attended the INREC/Des Moines Lobe Wetland Initiative meeting last week; Merten will be attending the Rolling Hills Region meeting tomorrow.

There being no further business, motion by Merten, second by Ringgenberg, to adjourn the meeting at 10:45 a.m. until Tuesday, August 31 at 8:30 a.m. for a regular session. Carried. (No meeting is scheduled for August 24)