

**BOARD OF SUPERVISORS MEETING
THIRTY-EIGHTH MEETING, 2021 SESSION (38)
SEPTEMBER 21, 2021**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 21, 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 Merten, second by Altena, to **approve the agenda**. Carried.

Engineer Bret Wilkinson brought the utility permit back to the Board from last week, from Northwest Telephone Cooperative Association. Wilkinson stated that he spoke with a company representative and also with Pocahontas County, about this permit. Northwest Telephone stated that they still request to be in the shoulder, and Pocahontas County will allow it. In Buena Vista County, Northwest Telephone stated that they will place the junction boxes at 90° angle back by the fence, along the right-of-way line. Wilkinson stated that the company will bore under the crossroad culverts, and he recommends approval of the permit. Motion by Merten, second by Huseman, to approve the **utility permit** for Northwest Telephone Cooperative Association, Havelock, to install a 24-fiber cable along the south side of 510th Street (C29), in the shoulder, in Sections 14, 23, and 24 of Fairfield Township, from Pocahontas County line west on 510th Street (C29) to 235th Ave., north to Main Street, west to elevator, for the accommodation of buried fiber optic cable. Carried.

Engineer Bret Wilkinson received a quote for a shop truck chassis, a 2022 GMC Sierra one ton pickup for \$54,613, which includes an air compressor. Wilkinson stated that this is only for the truck chassis, they will have to purchase the box separately. Motion by Ringgenberg, second by Altena, to approve the purchase of a **2022 GMC Sierra 4WD one ton pickup**, which includes an air compressor, for \$54,613, for the Secondary Road Department. Carried.

Engineer Bret Wilkinson stated that the belly dump trailer was totaled, from the accident, and the insurance amount is \$46,800. The insurance company offered to allow the county to purchase the damaged trailer back for \$7,250. Wilkinson stated that a new trailer from ITM is \$51,250, and is here in town. Wilkinson stated that a Renegade trailer, in Minnesota, is \$51,500. Motion by Huseman, second by Ringgenberg, to approve the purchase of and **ITM trailer** for Secondary Roads, for \$51,250. Carried.

Motion by Ringgenberg, second by Merten, to declare six 2,000-gallon fuel barrels, in the Secondary Road Department, as **excess property**, and to allow the Engineer to sell them. Carried.

Engineer Bret Wilkinson informed the Board that the crop is out at the Whitney Pit, and would like to clear the buildings on the land, and plug the well. Motion by Merten, second by Altena, to approve Secondary Road to remove the buildings on the county property at the **Whitney Pit site**, in Section 11 Brooke Township, and to plug the well. Carried.

Secondary Road Report: They have paused on mowing, but will make one more round before fall; they are working on culverts and tile repairs; they are getting ready to put the snow equipment on, in October; they have been pouring concrete in front of their buildings on Radio Road.

Nurse Administrator Julie Sather cancelled her appointment for today, and will reschedule.

The time arrived for the Public Hearing on the rezoning request for Platinum Crush LLC in Section 31 Washington Township. The Board moved their meeting to the Public Meeting Room. Env Health/Zoning Director Kim Johnson informed the Board that the Zoning Commission has met, and they recommend denying this rezoning request for Platinum Crush LLC, at this location, due to traffic and safety. The Chair opened the public hearing for the rezoning request for Platinum Crush LLC, in Section 31 Washington Township, with Env Health/Zoning Director Kim Johnson, County Attorney Paul Allen, Engineer Bret Wilkinson, and 52 public present. A petition was submitted to the Board from Mike Brostad and Todd Brechwald, homeowners located within 200' of the property located south of Highway 7 in Section 31 Washington Township, voicing a strong objection to the proposed rezoning request of Platinum Crush LLC. Denny Vaudt stated that he parked at the intersection of Hwy 7 and Villa Road, and counted 240 vehicles, between 7:45 a.m. and 8:00 a.m. this morning. Vaudt stated that by adding a turning lane for trucks, it only holds so many vehicles, and by adding a turn, traffic stops both ways, and then adding fog or snow adds more issues. Neil Krummen suggested paving 70th Ave. to C63, and asked the Board not to shut this project down, hoping not to lock the door on this project. Dennis Jacobson stated that he lives across the road from the proposed location of the rezoning request, stating that Hwy 7 is a top road for truck traffic. Jacobson stated that nobody is against the project, but Lake Creek has one way out of their homes to Hwy 7, and he is concerned about the safety. Mike Kinley, developer of Platinum Crush, stated that Hwy 7 already has an existing traffic problem, but he looks at the challenges as an opportunity, look at what will benefit the county for 30-50 years, it will benefit many generations. Kinley stated that this is a \$370,000,000 investment. Jim Eaton stated that he lived in the area for 30 years, and there used to be 50-60 trucks using the gravel road when Hubbard was in operation. Kinley stated that the loop of railroad track has to be within 1° of the main line, trying not to congest the road with rail cars. Neal Kuehl is concerned about Little Storm Lake. Jeff Stark stated that a highway study needs to be done first before changing the zoning to industrial. Paul Havens talked about the petition submitted by Mike Brostad and Todd Brechwald, stating that they represent more than 20% of the homeowners within the same distance from the proposed location of Platinum Crush. LuAnn Jacobson stated that the railroad scares her with young families along the highway. Jacobson stated that she had emailed the IDOT and asked for a traffic study, and was told that the project wasn't far enough along. CEO Shannon Landauer, Iowa Lakes Corridor, stated that she is looking at RISE funding. Engineer Bret Wilkinson stated that the normal steps are: zoning change, then project approved, and then building. Brad Jones asked the Board to read section 2 of the Zoning Code. Mike Wilson asked if a study could be done, then site plans, then storm water, and then rezone. Dennis Vaudt asked if they have looked at other sites. Kinley stated that they had looked at other sites, but they need a good source of natural gas, they don't want to use propane. Kinley stated that this site makes the most sense, stating that they will be good partners, but as time goes by, things change. Mike Wilson asked if the Board could table this, and have studies done, then rezone. Chairman Snyder stated that the Board could table the request. Neal Kuehl asked why the plant in Pella is different, and why they couldn't move further west of Alta. Kinley explained the difference in the plant in Pella, and stated that this location works for the railroad. Dennis Jacobson stated that he had driven past the Shell Rock facility, and it is 100% in and Industrial Park. Doug Heppner asked the Board if they had any questions. Chairman Snyder stated that he patrolled roads for many years, and knows Hwy 7 is a busy highway, but stated that this is going to be a positive role for the county. Snyder stated that he has received many phone calls in favor of this project, he knows it will bring challenges, but he wants to support the project. Gary Rosene stated that industrial isn't compatible with residential, and stated there was an ISU study that says it isn't compatible. Landauer stated that this project is a "win" for BV County, that Platinum Crush is looking at other sites in southern Iowa and outside of Iowa. Landauer stated that it isn't often you get these opportunities. Merten stated that the Hubbard plant is classified Ag, but it was before zoning. Merten stated that there are two elevators in Alta, and they ship out 2,000,000 bushels of beans, and then the cattle farmers move it back in, makes more sense to ship it three miles. Merten stated he doesn't have a problem tabling the request, but doesn't want to shut it down. Brad Strader asked if the Board would act on the Zoning Board's recommendation. Env Health/Zoning Director Kim Johnson stated that the Board can follow the Zoning Board's recommendation, reverse the recommendation, or table it. Huseman stated that he was not in favor of making a decision today, he would like to table the decision. Altena would also like to table the decision today. Merten

requested Kinley to talk with the two closest landowners. Craig Fratzke asked the Board to do their due diligence, include the cost of roads, water issues, and incentives. Brad Jones stated that he hopes that the Board will have a meeting with IDOT and Lake Creek homeowners, to have all sides present. Jacobson stated that Lake Creek feels they are a target too. Motion by Huseman, second by Ringgenberg, to **close the public hearing** at 10:34 a.m. Motion by Huseman, second by Ringgenberg, to table the rezoning request of **Platinum Crush LLC** in Section 31 Washington Township, for one week. Carried.

County Attorney Paul Allen informed the Board that the **State Public Defenders Office** wants to place one attorney in the Courthouse, to be shared between Cherokee and Buena Vista Counties. Allen stated that he looked at the old I.T. office, thought that would be the best location for them. Two representatives from the State Public Defenders Office will be attending next week's supervisors meeting.

Hear the Public: Treasurer Danelle Haberman introduced her newest motor vehicle employee, Ashlyn Morse.

Motion by Merten, second by Ringgenberg, to acknowledge receipt of Neal Kuehl's letter, regarding **Platinum Crush LLC**. Carried.

Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign a **Letter of Support** of the water trail planning grant for the Little Sioux River in Buena Vista County. Carried.

Motion by Ringgenberg, second by Altena, to set a public hearing for a **FY'22 County budget amendment** for October 26, 2021, at 9:00 a.m. Carried.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of 9/14/21, as printed, and the following **reports**: August VA Commissioners Meeting minutes, and August Conservation Board Minutes. Carried.

There being no further business, motion by Huseman, second by Merten, to adjourn the meeting at 11:11 a.m. until Tuesday, September 28 at 8:30 a.m. for a regular session. Carried.