

**BOARD OF SUPERVISORS MEETING
TWENTY-SIXTH MEETING, 2022 SESSION (26)
JUNE 7, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 7, 2022, at 8:30 A.M. in the Boardroom with Vice-Chairman Snyder presiding, and the following members present: Altena, Huseman (virtual), and Ringgenberg and with Auditor Susan Lloyd as clerk for the meeting. Absent: Merten.

Unless otherwise indicated, all 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 Altena, to approve **today's agenda**. Carried.

Engineer Bret Wilkinson informed the Board of an auction tomorrow, of five commercial properties in Alta, of the Arthur L. Dahl Estate. Wilkinson stated that either parcel 1 or 2 would be good options for Secondary Roads. Wilkinson stated that trucks could be stored there, and this would improve response time, and improve operations, stating that over half of his crew report to this area of the county. Wilkinson stated that it would improve areas of Nokomis and Maple Valley Townships. Parcel 1, located at 305 NE 1st Street, Alta, IA, has a 94' X 210' steel building that was built in 1987 with cement floor and concrete sides, with the property containing 1.11 acres. Parcel 2, located at 210 NE 1st Street, Alta, IA, has an 84' X 171' steel building that was built in 1973 with cement floor and concrete sides, with the property containing .50 acres. Wilkinson requested that the Board allow him to bid, up to a limit on parcel 1 and parcel 2, only if parcel 1 was sold to someone else. Huseman questioned whether another building was needed, since the county just built a new Secondary Road shed, and this would only be 7 miles apart. Wilkinson stated that the Secondary Road shed at Truesdale and the shed in Alta, would be disposed of, if he were able to purchase one of the properties on the auction. Motion by Huseman, second by Ringgenberg, to approve and authorize Engineer Bret Wilkinson to bid up to \$350,000 on Parcel 1, located at **305 NE 1st Street, Alta, IA**. Carried. Motion by Ringgenberg, second by Altena, to approve and authorize Engineer Bret Wilkinson to bid up to \$200,000 on the auction of Parcel 2, located at **210 NE 1st Street, Alta, IA**. Ayes: Altena, Merten, Ringgenberg, Snyder. Nays: Huseman. Motion carried.

Engineer Bret Wilkinson received one quote for fuel for FY'23: Growmark FS quoted .23 for #1 fuel and .20 for #2 fuel, for delivery to locations in Albert City, Alta, Linn Grove, Marathon, Newell, Rembrandt, and Sioux Rapids, and .14 for #1 fuel and .12 for #2 fuel for a 10,000-gallon capacity tank at the Storm Lake shop. Wilkinson stated that Larson Oil did not bid as they are concerned with the versatility of the market. Motion by Ringgenberg, second by Huseman, to accept and approve the Secondary Road Department **Fuel Bid** from Growmark FS, for delivery of fuel to Albert City, Alta, Linn Grove, Marathon, Newell, Rembrandt, and Sioux Rapids locations for FY'23, at .23 for #1 fuel and .20 for #2 fuel, and prices for the 10,000-gallon capacity tank at the Storm Lake Shop of .14 for #1 fuel and .12 for #2 fuel. Carried.

Motion by Huseman, second by Ringgenberg, to approve and authorize the Vice-Chair to sign the **utility permit** for Evertek, Inc., Everly, IA, for the accommodation of fiber optic communications cable, coming out of Sioux Rapids, going east and south, connecting to another line they own, for the transmission of high-speed internet service. Carried.

Engineer Bret Wilkinson presented a change order from WHKS for B & S Tiling and Excavation, for the **Flood Mitigation Structures Project #8716**. The amount of the change is an additional \$26,551.90. The Board asked if there was grant funds left to pay for these changes. Wilkinson stated that he was waiting for an answer from Cara Elbert and requested that the Board hold off on deciding until later in the meeting.

Sheriff Kory Elston brought information to the board regarding purchasing new body cameras. Elston stated that the last purchase came from a private donation in 2015, the cameras were purchased in 2016 and need to be replaced. Elston stated that he could pay for the cameras out of the Security Fund. Motion by Ringgenberg, second by Huseman, to approve and authorize Sheriff Elston to purchase 16 new **body cameras** from Alpha Wireless, in the amount of \$54,264, to be paid out over five years. Carried.

Motion by Huseman, second by Altena, to approve the **minutes** of 5/31/22, as corrected, and 6/2/22, as printed, today's **claims approval list, stamped drainage warrant register,** and the following **reports:** May Sheriff's Report of Federal Inmate Billings, May Sheriff's Report of Fees Collected, and April Rolling Hills Community Services Region Governance Board minutes . Carried.

Motion by Ringgenberg, second by Altena, to approve an additional claim to be paid to IDALS for the Dec-May **Brucellosis & Tuberculosis Eradication Levy**, in the amount of \$1,365.48. Carried.

Mike Pertzborn, Tony Pertzborn, and Barb Wetherell, Stille Pierce & Pertzborn Agency, presented information to the Board about Principal VSP Choice **vision insurance**, stating that the county would save \$4,575 annually over what they pay for Vision Dare Direct Silver Plan, and there are additional benefits to the employees. The **Dental and Life Insurances** were also presented, the no change to the life insurance premiums, and a 3.9% increase in the dental premium. Ringgenberg suggested that the information be given to the Insurance Committee for their recommendation.

Motion by Ringgenberg, second by Altena, to approve and authorize the Vice-Chair to sign **Change Order #1 on Project #8716** Flood Mitigation Structures, with B & S Tiling & Excavation as the contractor, in the amount of \$26,551.90. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Vice-Chair to sign **Resolution #2022-06-07-A** Providing Financial Assurance for Expenses Related to Mitigation for the Bridge Replacement Project on M36 over Bluebird Creek. Carried.

RESOLUTION #2022-06-07-A

RESOLUTION PROVIDING FINANCIAL ASSURANCE FOR EXPENSES RELATED TO MITIGATION FOR THE BRIDGE REPLACEMENT PROJECT ON M36 OVER BLUEBIRD CREEK.

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the Bridge Replacement on M36 over Bluebird Creek, hereafter referred to as "the project", is in the best interest of Buena Vista County, Iowa, and the residents thereof; and

WHEREAS, the Board has sought appropriate professional guidance for the concept, planning, and design of the project and followed state and federal laws; and

WHEREAS, compensatory mitigation is required for the project to comply with Section 404 of the Clean Water Act; and

WHEREAS, the Board has accepted a mitigation plan that will result in construction of stream bank shaping and riparian buffers at a separate location; and

WHEREAS, the U.S. Army Corps of Engineers has requested financial assurance that Buena Vista County will perform the required compensatory mitigation prior to issuing Section 404 Permit #2022-0645;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA, that funds gathered from local property tax or other legal sources shall be used to construct and maintain the bank shaping and riparian buffers, according to the mitigation plan approved by the U.S. Army Corps of Engineers, for the period of time required in Permit #2022-0645.

PASSED AND APPROVED AND ADOPTED this 7th day of June, 2022.

Kelly Snyder, Vice-Chair Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Heidi Kuhl, Northland Securities informed the Board that the bond sale went well, and the interest rate was locked in at 3.54%. Kuhl stated that there was heavy local support, with four banks purchasing bonds. Kuhl stated that by purchasing bond insurance, there was a net savings to the county of \$20,000.

Board Member Ringgenberg introduced the following Resolution entitled "**RESOLUTION DIRECTING THE ACCEPTANCE OF A PROPOSAL TO PURCHASE \$4,300,000 (AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022A**" and moved that it be adopted. Board Member Huseman seconded the motion to adopt, and the roll being called thereon, the vote was as follows: Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: None. Whereupon, the Vice-Chairperson declared the Resolution duly adopted as follows:

RESOLUTION NO. 2022-06-07-B

RESOLUTION DIRECTING THE ACCEPTANCE OF A PROPOSAL TO PURCHASE \$4,300,000 (AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022A

WHEREAS, Buena Vista County, sometimes hereinafter referred to as the County, is a political subdivision duly incorporated, organized and existing under and by virtue of the Constitution and laws of the State of Iowa; and

WHEREAS, it is deemed necessary that the County should enter into a Loan Agreement and borrow the amount of \$4,300,000 (Amount Subject to Change) as authorized by Section 331.402 and 331.443, Code of Iowa as amended; and

WHEREAS, proposals have been requested and received from financial institutions offering to enter into such Loan Agreement; and

WHEREAS, after a review of all the proposals received, it has been determined that the best and most favorable proposal is that of Northland Securities of Minneapolis, MN; and

WHEREAS, it is the intention of this Board of Supervisors to enter into a Loan Agreement in accordance with said proposal dated June 7, 2022.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA:

Section 1. That this Board of Supervisors does hereby accept the attached proposal of Northland Securities of Minneapolis, MN, and takes additional action to permit the entering into of a Loan Agreement.

Section 2. The Vice-Chairperson and County Auditor are authorized and directed to proceed on behalf of the County to enter into such Loan Agreement, to negotiate the final terms of a Loan Agreement to take all action necessary to permit the entering into of a Loan Agreement on a basis favorable to the County and acceptable to the Purchaser, and to proceed to meet the conditions of this accepted proposal.

PASSED AND APPROVED this 7th day of June, 2022.

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

Env Health/Zoning Director Kim Johnson presented information on a Minor S/D request for Thomas W. Fitzpatrick and Susan Fitzpatrick in Section 20 Hayes Township. Motion by Ringgenberg, second by Altena, to approve and authorize the Vice-Chair to sign **Resolution #2022-06-07-C** Minor S/D for Thomas W. Fitzpatrick and Susan Fitzpatrick in Section 20 Hayes Township. Carried.

RESOLUTION 2022-06-07-C

WHEREAS Thomas W Fitzpatrick and Susan Fitzpatrick have presented a preliminary and final plat (of survey) on the following described property:

LOT ONE OF LOT H

THE NORTH ONE HUNDRED FIFTEEN FEET (N. 115') OF THE EAST FOUR HUNDRED TEN FEET (E. 410') OF LOT H, BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE ¼ NE ¼) OF SECTION 20, TOWNSHIP 90 NORTH RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

HEREAFTER KNOWN AS LOT ONE OF LOT H IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE ¼ NE ¼) OF SECTION 20, TOWNSHIP 90 NORTH RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

Tract contains 1.08 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:

LOT ONE OF LOT H

THE NORTH ONE HUNDRED FIFTEEN FEET (N. 115') OF THE EAST FOUR HUNDRED TEN FEET (E. 410') OF LOT H, BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE ¼ NE ¼) OF SECTION 20, TOWNSHIP 90 NORTH RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

HEREAFTER KNOWN AS LOT ONE OF LOT H IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE ¼ NE ¼) OF SECTION 20, TOWNSHIP 90 NORTH RANGE 37 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:

LOT ONE OF LOT H

THE NORTH ONE HUNDRED FIFTEEN FEET (N. 115') OF THE EAST FOUR HUNDRED TEN FEET (E. 410') OF LOT H, BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE ¼ NE ¼) OF SECTION 20, TOWNSHIP 90 NORTH RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

HEREAFTER KNOWN AS LOT ONE OF LOT H IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE ¼ NE ¼) OF SECTION 20, TOWNSHIP 90 NORTH RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, and copies of said final plats shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 7th day of June, 2022.

/s/ Kelly Snyder, Vice-Chair Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Motion by Ringgenberg, second by Huseman, to authorize the Vice-Chair to sign the **engagement letter** of Brett C. Redenbaugh, to serve as the County's legal counsel in the lawsuit filed by the Estate of Amy Schmidt, et al v. BVRMC, et al. Carried.

Motion by Ringgenberg, second by Altena, to approve utilizing the **Legal Defense Fund of ICAP**, regarding the lawsuit filed by the Estate of Amy Schmidt, et al v. BVRMC, et al. Carried.

Motion by Ringgenberg, second by Huseman, to approve payment to B & W Control Specialists for **chemical treatment** for the 2021 spray rotation for the following Drainage Districts: **DD #1 Lat 1 OD** (\$2,127.50), **DD #1 Lat 2 OD** (\$1,811.50), **DD #3 & 3 Ext.** (\$4,317.00), **DD #20** (\$2,046.00), **DD #32** (\$576.25) **DD #34 Lat 1 OD** (\$1,096.50), **DD #34 Lat 2 OD** (\$12,000.00), **DD #34 Lat 3 OD** (\$1,524.50), **DD #63 OD Easement** (\$659.50), **DD #184** (\$816.00), **DD #205** (\$1,083.00), **JT. DD #1 MOD** (\$3,989.50), **JT. DD #183 MOD** (\$1,089.50), **DD #69** (\$180.38), **DD #74** (\$239.75), **DD #99** (\$136.75), **DD #107** (\$192.75), **DD #203** (\$255.50), and to authorize the Vice-Chair to sign. Carried.

Motion by Huseman, second by Ringgenberg, to approve an **auditing change** for FY'22-FY'24, with Hunzelman Putzier & Company, PLC, preparing the financial statements and Winther, Stave & Company, LLC, preparing the audit reports for each fiscal year. Carried.

Motion by Ringgenberg, second by Altena, to approve the renewal of **TASC** for COBRA administration. Carried.

Motion by Ringgenberg, second by Huseman, to approve the **dental rates**, with a 3.9% increase for FY'23, and the **life insurance rates** for FY'23, with no increase. Carried.

Motion by Ringgenberg, second by Altena, to approve the request of Aimee Barritt to **carry over an additional 28.5 hours of vacation**, over the 40 hours allowed. Carried.

There being no further business, motion by Ringgenberg, second by Altena, to adjourn the meeting at 10:44 a.m. until Tuesday, June 14 at 8:30 a.m. for a special meeting, and to canvass today's Primary Election.