

**BOARD OF SUPERVISORS MEETING
THIRTY-SEVENTH MEETING, 2022 SESSION (37)
AUGUST 23, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, August 23, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, and Snyder and with 1st Deputy Auditor Sharon Henkel as clerk for the meeting. Absent: Ringgenberg.

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

Motion by Huseman, second by Snyder, to approve **today's agenda**. Carried.

Engineer Bret Wilkinson presented a resolution for the Board to consider, reducing speed on 70th Ave. between Hwy 7 and 610th St. Motion by Snyder, second by Altena, to approve and authorize the Chair to sign **Resolution #2022-08-23-B** Reducing Speed on 70th Ave., between Hwy 7 and 610th St. Carried.

**RESOLUTION #2022-08-23-B
RESOLUTION FOR ESTABLISHING A SPEED LIMIT**

WHEREAS, the Board of Supervisors is empowered under authority of Iowa Code Sections 321.255 and 321.285 to determine the speed limit of any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, the construction of a soybean crushing facility in section 31 of Washington Township has increased the amount of large trucks and other traffic in the area,

THEREFORE BE IT RESOLVED that the speed limit is established effective immediately and terminating upon the completion of the paving project on 70th Avenue from Hwy 7 to C63, and appropriate signs shall be erected at the locations described as follows;

35 mph on Southbound 70th Avenue commencing at Hwy 7 and proceeding South to 610th Street (C63).

35 mph on Northbound 70th Avenue commencing at 610th Street (C63) and proceeding North to Hwy 7.

Resolution adopted this 23rd day of August, 2022

/s/ Paul Merten, Chair Board of Supervisors.....Attest: Sharon Henkel, 1st Deputy Auditor

Secondary Road Report: Road crews still out mowing paved roads and gravels. After first frost, will have final mowing in preparation for winter and snow. Received 6 bids on Iowa DOT bid letting from 8/16/2022 for the Linn Grove River bridge and approaches for the county.

Env Health/Zoning Director Kim Johnson presented information regarding a Minor S/D for Degner-Blue Jay Farms in the NW ¼ of Section 25 Coon Township. Motion by Snyder, second by Altena, to approve and authorize the Chair to sign **Resolution #2022-08-23-A**, a Minor S/D for Degner-Blue Jay Farms (the buyer) Melody L. Degner, Suzanne J. Shold, and Lucinda J. Oneall (the sellers) in the NE ¼ of Section 25 Coon Township. Carried.

RESOLUTION 2022-08-23-A

WHEREAS Melody L. Degner, Suzanne J. Shold, and Lucinda J. Oneall have presented a preliminary and final plat (of survey) on the following described property:

COUNTY AUDITOR'S PARCEL "LOT 1 OF LOT B" LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETY-ONE (91) NORTH, RANGE THIRTY-FIVE (35) WEST OF THE 5TH P. M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER OF SAID SECTION 25; THENCE SOUTH 89°36'51" EAST, 906.00 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING. THENCE SOUTH 89°36'51" EAST, 433.66 FEET ALONG SAID NORTH LINE, THENCE SOUTH 00°23'09" WEST, 458.00 FEET; THENCE NORTH 89°36'51" WEST, 433.66 FEET; THENCE NORTH 00°23'09" EAST, 458.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.56 ACRES TOTAL INCLUDING 0.33 ACRE OF EXISTING ROAD RIGHT OF WAY. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

FOR THE PURPOSE OF THIS SURVEY, SAID NORTH LINE OF SAID NORTHEAST QUARTER WAS DETERMINED TO BEAR SOUTH 89°36'51" EAST USING GPS.

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:

COUNTY AUDITOR'S PARCEL "LOT 1 OF LOT B" LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETY-ONE (91) NORTH, RANGE THIRTY-FIVE (35) WEST OF THE 5TH P. M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER OF SAID SECTION 25; THENCE SOUTH 89°36'51" EAST, 906.00 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING. THENCE SOUTH 89°36'51" EAST, 433.66 FEET ALONG SAID NORTH LINE, THENCE SOUTH 00°23'09" WEST, 458.00 FEET; THENCE NORTH 89°36'51" WEST, 433.66 FEET; THENCE NORTH 00°23'09" EAST, 458.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.56 ACRES TOTAL INCLUDING 0.33 ACRE OF EXISTING ROAD RIGHT OF WAY. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

FOR THE PURPOSE OF THIS SURVEY, SAID NORTH LINE OF SAID NORTHEAST QUARTER WAS DETERMINED TO BEAR SOUTH 89°36'51" EAST USING GPS.

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:

COUNTY AUDITOR'S PARCEL "LOT 1 OF LOT B" LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETY-ONE (91) NORTH, RANGE THIRTY-FIVE (35) WEST OF THE 5TH P. M., BUENA VISTA COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER OF SAID SECTION 25; THENCE SOUTH 89°36'51" EAST, 906.00 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING. THENCE SOUTH 89°36'51" EAST, 433.66 FEET ALONG SAID NORTH LINE, THENCE SOUTH 00°23'09" WEST, 458.00 FEET; THENCE NORTH 89°36'51" WEST, 433.66 FEET; THENCE NORTH 00°23'09" EAST, 458.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.56 ACRES TOTAL INCLUDING 0.33 ACRE OF EXISTING ROAD RIGHT OF WAY. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

FOR THE PURPOSE OF THIS SURVEY, SAID NORTH LINE OF SAID NORTHEAST QUARTER WAS DETERMINED TO BEAR SOUTH 89°36'51" EAST USING GPS.

, and copies of said final plats shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 23rd day of August, 2022.

/s/ Paul Merten, Chairman Board of Supervisors...../s/ Sharon Henkel, 1st Deputy Auditor

Motion by Huseman, second by Snyder, to approve the minutes of 8/16/22, as presented, and the following reports: 2022 Western Iowa Tourism Regional Annual Report & Buena Vista County Impact Statement. Carried.

Motion by Snyder, second by Altena, to authorize the Auditor to void and reissue check #315512 for \$6,512.28, dated 5/24/2022 to WHKS & Co. Carried.

Motion by Snyder, second by Altena, to approve the request from NW IA Regional Housing Trust Fund's application, as the funds are used for their local match, to maintain housing, which will contribute to economic retention of workers and work done, and to authorize the Chair to sign the sign the FY'23 pledge letter to NW IA Regional Housing Trust Fund, Inc. in the amount of \$1,540. Carried.

The Chair opened the Public Hearing for the 1st Reading of Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes, with Kim Johnson, Bret Wilkinson, Tom Cullen, Salli Nichols, board members Merten, Snyder, Huseman, and Altena present in-person, and Mitch Sievers present virtually and 4 other callers identified as X - present virtually, but unknown who they are. Motion by Huseman, second by Snyder, to close the public hearing. Carried. Motion by Altena, second by Snyder, to approve the 1st reading of Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes, waiving the physical reading of the document. Ayes: Altena, Huseman, Merten, Snyder. Nays: None. Motion Carried.

Motion by Altena, second by Snyder, to set the 2nd reading of Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes, for August 30, 2022 at 9:10 a.m. Carried.

Hear the Public: County resident Salli Nichols was present to ask for consideration of another application of dust control on 590th Street near acreage due to the increased traffic during the 70th street culvert repair. Wilkinson stated that 70th street is now open. Merten suggested that we put one application down in front of acreage. She thanked the board for their time.

There being no further business, motion by Snyder, second by Huseman, to adjourn the meeting at 9:44 a.m. until Tuesday, August 30 at 8:30 a.m. for a regular meeting. Carried.