

**BOARD OF SUPERVISORS MEETING  
FORTY-SIXTH MEETING, 2022 SESSION (46)  
OCTOBER 25, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 25, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following other members present: Altena, Huseman, Ringgenberg, and Snyder and with Deputy Auditor Sharon Henkel as clerk for the meeting.

Unless otherwise indicated, all 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 Snyder, second by Ringgenberg, to add an action item for approving a check void and reissue to Ziegler Inc & approve **today's amended agenda**. Carried.

Motion by Huseman, second by Altena, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, to bore under road 580<sup>th</sup> Street in Sections 24 & 25 to provide water to a customer.

Engineer Bret Wilkinson asked the Board what they wanted to do with the **lease on the building in Linn Grove**. The Board decided they should renew the lease. Motion by Ringgenberg, second by Huseman, to renew the lease on the building in Linn Grove for 3 years at \$600 per year. Carried.

**Secondary Road Report:** They are finishing on mowing, will clean up the mowers and put away. Stratford Gravel is finishing the crushing at Hayes Pit, finishing up tile repairs and cleaning ditches, finishing up cleaning the temporary stockpile site for Hwy 7 & 90<sup>th</sup> Avenue project on the corner of C49 & 90<sup>th</sup> Avenue. In December, talk will begin about the schedule for the Bluebird Creek bridge project. The Linn Grove bridge will be closing in approximately 4 weeks.

County Attorney Paul Allen was present for his appointment. Motion by Snyder, second by Ringgenberg, to go into **closed session** (at 8:52 a.m.) under Chapter 21.5(1)(g) of the 2022 Code of Iowa, to avoid disclosure of specific law enforcement matters, such as current or proposed investigations or inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Snyder, second by Ringgenberg, to go out of **closed session** at 9:10 a.m. Carried.

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$425,000 **General Obligation Capital Loan Notes**, in order to provide funds to pay the costs of public buildings, including the site or grounds of, and the erection, equipment, remodeling, or reconstruction of, and additions or extensions to the buildings, including the acquisition, construction, reconstruction, renovation, additions, extensions and equipping of the building formerly known as the Colorize building, and the site or grounds of the building and adjacent land, when the cost does not exceed the following limit: six hundred thousand dollars in a county having a population of twenty-five thousand or less, for essential county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 331.402 and 331.443 of the Code of Iowa.

The Chairperson then asked the Deputy Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Deputy Auditor

advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes, and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon Board Member Huseman introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$425,000 GENERAL OBLIGATION CAPITAL LOAN NOTES" and moved: that the Resolution be adopted. Board Member Snyder seconded the motion. The roll was called, and the vote was, Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Whereupon, the Chairperson declared the measure duly adopted.

#### **Resolution #2022-10-25-A**

#### **RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$425,000 GENERAL OBLIGATION CAPITAL LOAN NOTES**

**WHEREAS**, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$425,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of public buildings, including the site or grounds of, and the erection, equipment, remodeling, or reconstruction of, and additions or extensions to the buildings, including the acquisition, construction, reconstruction, renovation, additions, extensions and equipping of the building formerly known as the Colorize building, and the site or grounds of the building and adjacent land, when the cost does not exceed the following limit: six hundred thousand dollars in a county having a population of twenty-five thousand or less, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$425,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

**PASSED AND APPROVED** this 25<sup>th</sup> day of October 2022.

/s/ Paul Merten, Chairperson..... Attest: Sharon Henkel, Deputy Auditor

Motion by Ringgenberg, second by Huseman, to approve the **minutes** of 10/18/22, as corrected, today's **claims approval list and stamped warrant report**, and the following **reports**: Recorder's Report of Fees Collected (July-Sept) and September Plains Area Mental Health Board minutes. Carried.

Motion by Altena, second by Ringgenberg, to approve an **additional claim** to be paid to Color-ize, Inc. in the amount of \$337,695.31, for the purchase of their building on November 1, 2022. Carried.

Motion by Snyder, second by Ringgenberg, to approve the void and reissue of check # 317265 issued 9/13/2022 for \$6,531.98 to **Ziegler Inc** which was never received. Carried.

Conservation Director/Weed Commissioner Greg Johnson reviewed the 2022 Weed Report. Motion by Ringgenberg second by Snyder, to approve and authorize the Chair to sign the **2022 Weed Commissioner's Report**. Carried.

Conservation Director/Weed Commissioner Greg Johnson requested the Board sign a letter for the Destination Iowa Grant, committing the use of ARPA funds for the **Marina Project** to move forward. The Conservation Board has received the preliminary reports for the project from EOR. Merten stated we should also have the figures for what insurance would cost the county for the Marina. Motion by Ringgenberg, second by Snyder, to authorize Chairman to sign the letter of support for the Destination Iowa Grant for help with funding for the Marina Project. Ayes: Altena, Ringgenberg, Snyder. Nays: Huseman, Merten. Motion carried.

Conservation Director/Weed Commissioner Greg Johnson presented his department updates. **Weed Department Report:** Got done with state road spraying, getting ready to do hydroseeding.

**Conservation Department Report:** They have recently been awarded another Low Head Dam Grant for the Linn Grove project. This award amount was for \$200,000. We now have received \$325,000 total from that grant program for the project. Bur Oak Park has been shut down for the season. He stated that the restroom project for Bur Oak will begin in fall 2023 with supplies needing ordered now. Timber Ridge will be open for another 2 weeks before closing. The water trail project is still moving forward. Still no updates from FEMA on the Linn Grove Dam. The case has been sent to Senator Grassley.

**Hear the Public:** Precinct election official Nancy Sliefert came to address the board of her concerns with accessibility of elderly and disabled voters in our current location at the courthouse for absentee voting and on election day. She has worked at many of the different locations we have for election precincts for about 11 years and has witnessed firsthand the difficulty for them here as opposed to the other voting precincts. She expressed that the Color-ize building would be a great alternative as it is all one level. She said accessibility and welcoming people to take part in the elections process of voting is important. She thanked the board for their time.

Board member Ringgenberg discussed that they have interviewed two candidates for the **Environmental Health and Zoning Director position**. A second meeting needs to be held to discuss what they will want to offer to the candidate they choose. She will begin the contacting today for that meeting.

There being no further business, motion by Huseman, second by Snyder, to adjourn the meeting at 10:43 a.m. until Tuesday, November 1 at 8:30 a.m. for a special meeting. Carried.