

**BOARD OF SUPERVISORS MEETING
FIRST MEETING, 2022 SESSION (1)
JANUARY 3, 2022**

The Buena Vista County Board of Supervisors met for the first meeting of the 2022 session on Monday, January 3, 2022 at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following other members present: Huseman, Merten, and Ringgenberg, and with Deputy Auditor Sharon Henkel as clerk for the meeting. Absent: Altena.

Prior to the start of today's meeting, Supervisors Merten and Huseman completed the **count of cash in the Treasurer's** office.

Motion by Ringgenberg, second by Merten, to approve today's agenda as printed. Carried.

Motion by Merten, second by Huseman, to approve the **minutes** of the 12/28/21 meeting as printed. Ayes—Huseman, Merten, Ringgenberg, and Snyder. Nays—none. Carried.

Motion by Ringgenberg, second by Merten, to adjourn the **2021 session**. Ayes—Huseman, Merten, Ringgenberg, and Snyder. Nays—none. Carried.

The first order of business for the 2022 session was election of the Chairman of the Board and Vice-chair. Chairman Snyder called for nominations for **Chairman of the Board of Supervisors** and for **Vice-Chairman**. Motion by Huseman, second by Ringgenberg, to nominate Merten as Chairman of the Board of Supervisors and Snyder as Vice-Chairman for 2022. The vote on the Chairman and the Vice-Chairman was: Ayes—Huseman, Merten, Ringgenberg, Snyder. Nays—none. Carried.

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

Motion by Huseman, second by Ringgenberg, that **Robert's Rule of Order Revised** (2011) shall govern the proceedings of the Buena Vista County Board of Supervisors, including the use of a second for all motions. Carried.

Official Newspapers

Having received a request for official newspaper designation from each, motion by Ringgenberg, second by Snyder, to designate the following as official newspapers for legal publications for 2022: Storm Lake Pilot-Tribune, The Storm Lake Times, and Buena Vista County Journal, and to direct the Auditor to publish all motions of the Board, any actions resulting in a consensus of the Board, on a quarterly basis - the list of claims paid from the minutes of the Board meetings, and annually - the list of salaries paid. Carried.

Secondary Road Report: County Engineer Bret Wilkinson addressed the board today seeking guidance on signage on 90th Avenue, north of Hwy 7, which will be the road for entering into the new **Early Education School** opening up tomorrow January 4, 2022. He suggested dropping the speed limit on 90th Avenue from 55 mph to 35 mph and then to 25 mph when sign is flashing. This would require the need to purchase a flashing 25 mph speed sign which has its own control box for the west side of the road traveling south. It was suggested that it would be good if the school could be the operator of the control box similar to how it is up by Sioux Central School in Sioux Rapids. They need to decide good placement of the sign as well. The city of Storm Lake would obviously put in the same type of flashing

speed sign with control box on the south side of the Early Education School for north bound traffic. Bret suggested having a stepdown sign of 45 mph after the 55 mph so no one is slamming on their brakes to slow down. Merten suggested that the entire stretch of 90th Ave from C49 to Hwy 7 be reduced to 45 mph. The expense should not be all county but the signage project should be shared between county, city and school. We also cannot have any parents parking on the highway itself to drop off their children. The parking lot at the school will need to accommodate drop off. The City of Storm Lake has jurisdiction over the east side of road traveling north and the county has jurisdiction over the west side of the road traveling south. Bret has already met with the city regarding the matter. He will move forward on the project. He also would like to redo our road maintenance agreement with the City of Storm Lake. Bret has made a verbal agreement with the city, that they begin maintenance of 90th Ave from Hwy 7 to C49 beginning February 1st. The department is working on equipment, still cleaning up some tree debris from the tornado. Aimee Barritt said we did meet thresholds for the state help but the state is still doing their fact-finding process to determine the amount of help we get. They are blading gravel roads. They received their new CAT motor grader last Thursday. They are working on the getting the stickers on and installing the radio communications. They are still taking applications for Equipment Operator 1 until January 12, 2022. Bret will get quotes for lighting up the intersection at C25 and Hwy 71 at Rembrandt Enterprises.

Emergency Management Director, Aimee Barritt, presented her FY'23 funding request. Barritt is requesting \$61,000 for **Emergency Management** and \$22,000 for Hazmat. The Emergency Management Agency added the fee for the WENS system to their budget, as the State of Iowa informed 911 that they can no longer pay for it from the 911 budget. The Hazmat contract is with Sioux City Fire for \$1/person based on the 2020 population. The contract runs through 2027. Barritt updated the Board on activities her agency has been involved with over the past year and on initiatives for the coming year.

Buena Vista County EMS Association President, Kirk Reetz, presented their FY'23 funding request. Reetz thanked the Board for their support and is asking for \$10,000, which is the same as the current year. The funds they receive from the county is primarily allocated for EMS provider training in the county. The EMS Association pays for initial education, as well as the continuing education required to maintain certification. They also have a need to purchase some training aids and equipment. Barritt stated they are investigating the EMS as an Essential Service legislation as a tool to aid in increasing and maintaining EMS provider numbers in BV County. Reetz said it is a struggle statewide to find providers. EMA Director Aimee Barritt stated that EMS is doing a great job finding resources and working together during this time. The Board thanked Reetz, and stated that they appreciate all they do.

Board Member Kelly Snyder then introduced the following proposed Resolution entitled "A RESOLUTION IN SUPPORT OF THE PROPOSED TERMS TO BE INCLUDED IN AN AGREEMENT FOR PRIVATE DEVELOPMENT BY AND BETWEEN BUENA VISTA COUNTY AND PLATINUM CRUSH, LLC", and moved that the same be adopted. Board Member Rhonda Ringgenberg seconded the motion to adopt. The roll was called and the vote was Ayes: Snyder, Ringgenberg, Merten, Huseman. Nays: None.

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION NO. 2022-01-03-A

**A RESOLUTION IN SUPPORT OF THE PROPOSED TERMS TO BE
INCLUDED IN AN AGREEMENT FOR PRIVATE DEVELOPMENT BY AND
BETWEEN BUENA VISTA COUNTY AND PLATINUM CRUSH, LLC**

WHEREAS, Platinum Crush, LLC (“Developer”) has proposed to invest in excess of \$350,000,000 to construct a soybean crush plant within a proposed urban renewal area in Buena Vista County, Iowa (“County”) and to create high quality jobs to be employed therein (the “Project”); and

WHEREAS, Developer has applied or plans to apply to the Iowa Economic Development Authority (“IEDA”), under its High Quality Jobs Program (“HQJP”), for tax credits for the Project, which program requires a local match for the Developer to receive the IEDA tax credits; and

WHEREAS, Developer has proposed a development agreement with the County (“Development Agreement”) pursuant to which the County would construct certain Public Improvements and provide annual Tax Increment Financing (“TIF”) grants in support of the Project, which County incentives would serve as the local match for Developer’s application to the IEDA; and

WHEREAS, the County is willing to pursue the creation of a new urban renewal area for the promotion of commercial and industrial economic development to include, among other property, the Developer’s proposed site for the Project (“Development Property”); and

WHEREAS, the County intends to utilize its powers under the urban renewal law to support the development of the Project, subject to certain conditions to be set forth in a detailed Development Agreement.

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

Section 1: That the County proposes to support the Project as follows, contingent on the conditions in Section 2:

1. The County paving and updating the 4 miles of roads directly surrounding the Development Property; specifically including approximately 2.1 miles of 70th avenue from C63 (610th St) north to Hwy 7 and approximately 1.75 miles of 600th Street and 80th Ave from 70th Ave east then north to Hwy 7 (“Public Improvements”). The estimated costs for constructing the Public Improvements is \$4 million.
2. The payment of annual Economic Development Grants to Developer for up to twenty (20) years, each grant calculated pursuant to the following schedule:
 - a. 65% of the tax increment produced by the Project under Iowa Code Section 403.19 each year until the Project is fully assessed;
 - b. Each year thereafter through year 15, 100% of the tax increment produced by the Project under Iowa Code Section 403.19 in excess of \$195,000, which initial tax increment the County may use to retire any debt incurred for urban renewal projects in the urban renewal area; and
 - c. For years 16-20, 100% of the tax increment produced by the Project under Iowa Code Section 403.19 in excess of \$555,000, which initial tax increment

the County may use to retire any debt incurred for urban renewal projects in the urban renewal area.

The aggregate amount of Economic Development Grant payments to Developer shall not exceed \$12,000,000 and shall cease on the earlier of: (i) Developer has received the aggregate maximum amount of grants; (ii) when the County can no longer collect tax increment from the Development Property; (iii) 20 annual grants have been paid; or (iv) the Development Agreement is terminated under its terms. (Note that the grants shall be made solely from the incremental property tax revenue produced by the Project, and that the actual amount of incremental taxes granted to Developer as rebates is dependent on the assessed value of the completed development, tax rates, tax laws, tax payments, and other factors; depending on these variables, the aggregate grants to the Developer may not reach the stated maximum.). Payment of the Economic Development Grants will be subject to annual appropriation and will be conditioned on all of the following conditions:

- i. Developer completing any County processes required for the Development Property to be used as proposed by the Project, including, but not limited to, rezoning of the Development Property (if needed) and issuance of all necessary County permits for the Project;
- ii. Developer completing the Project pursuant to the terms of the Development Agreement on or before December 31, 2024;
- iii. A Minimum Assessment Agreement has been executed by all necessary parties and signatories and properly recorded, which agreement establishes a minimum assessed value for the Project and Development Property of \$30,000,000, before rollback, by January 1, 2025; and
- iv. Developer complying with the terms of the Development Agreement at the time of payment, including compliance with stated jobs obligations.

Section 2: That the terms listed in Section 1 shall be subject to and conditioned on all of the following:

1. The Developer being an active entity registered with the Iowa Secretary of State.
2. The Developer's approval for tax credits from IEDA under the High Quality Jobs Program, and the Developer and IEDA entering into and complying with a state contract related to the Project and the receipt of tax credits.
3. The County completing all of the legislative processes necessary for the Development Property to be included in an urban renewal area of the County, following the County's completion of the adoption process for a new urban renewal plan that identifies the Development Agreement and the County's construction of the Public Improvements as urban renewal projects.
4. Completion of all County legislative processes (pursuant to Iowa's urban renewal law then in effect) necessary to adopt a TIF ordinance in the proposed urban renewal area.
5. The County completing all of the legislative processes necessary to borrow money for, bid, let, and cause the construction of the Public Improvements.

6. The inclusion of the terms listed in Section 1 into a Development Agreement between the County and Developer to be drafted by the County's counsel, including but not limited to, the above terms and other terms recommended by counsel; and the approval of the Development Agreement by the Board of Supervisors in its final form following all required legislative processes including a public hearing.

Section 3: That the County Auditor is hereby authorized and directed to proceed with the preparation of the necessary documents for the urban renewal plan and the Development Agreement, and to take other actions consistent herewith, including signing an application in support of Developer receiving tax credits from the IEDA under the HQJP for the Project consistent with the terms set forth herein.

PASSED AND APPROVED this 3rd day of January, 2022.

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

Motion by Ringgenberg, second by Huseman, to approve today's **claims approval list**, and the following **reports**: November Board of Health minutes. Carried.

Motion by Snyder, second by Ringgenberg, to authorize the Chair to sign the Notice of Appointment of Tom Huseman to serve on the Board of Directors of the **Third Judicial District Department of Correctional Services** for the calendar year 2022. Carried.

Matrix Construction Evaluation

Motion by Rhonda, second by Huseman, to approve and to authorize the Chair to sign **Resolution 2022-01-03-B** adopting the matrix construction evaluation process. Carried.

RESOLUTION #2022-01-03-B CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2022 and January 31, 2023 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buena Vista County that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

BE IT FURTHER RESOLVED that the Buena Vista County Environmental Health Department is hereby designated as the contact persons for the county for DNR site investigations for animal confinement building construction applications.

PASSED AND APPROVED this 3rd day of January, 2022.

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

Discussion began on the **Buena Vista County Vaccination, Testing, and Face Covering Policy**. Merten added that he had concern that employees would have difficulty finding tests available for the start of testing on February 10. He stated that the board may want to make an adjustment to the policy once testing actually begins but knows we need to approve policy today. Payroll Clerk Yvonne Sandhoff will send out the policy to department heads today. Motion by Ringgenberg, second by Huseman to approve the **Buena Vista County Vaccination, Testing, and Face Covering Policy** as written, until we find out more on any testing changes. Ayes: All. Nays: None. Carried.

Discussion began on the **Memorandum of Agreement with the City of Storm Lake regarding Precinct 3**. Election Deputy Karla Ahrendsen explained that the need for this is because of one census block that was missed, that had incorporated, and to let all of those people within that census block, to vote in this precinct. Motion by Snyder, second by Huseman to authorize the chair to sign the **Memorandum of Agreement with the City of Storm Lake regarding Precinct 3**. Carried.

Motion by Ringgenberg, second by Snyder, to approve the 1st Reading of **Ordinance No. 1.6 Voting Precincts** and to set the 2nd Reading of Ordinance No. 1.6 Voting Precincts for Friday, January 7, 2022 at 8:45 am. Carried.

Dick Aronson of the **Albert City Historical Association** presented their FY'23 funding request. They are requesting \$1,000 same as current year. They plan to replace soffit panels on the depot building, continue upkeep and use for expenses to operate the museum and to continue to encourage tourism. They have sent out mailers for donations with most of their money coming from local and private donations. He expressed that during fundraisers, rather than put a price on a meal, they now ask for free will offerings which do tend to raise a lot of money. People are very generous. He thanked the board for their continued support.

Motion by Snyder, second by Huseman that Buena Vista County is the **Employer of Record** for the Rolling Hills CEO Dawn Mentzer thru June 30 of Fiscal Year 2023. Carried.

Motion by Ringgenberg, second by Huseman to approve the **Hotel Reimbursement & Human Trafficking Policy** which applies to county employees wanting reimbursement for hotels they stay in while under County employment for meetings and training. Carried.

Chairman Merten asked if there was anyone online that wished to be heard during **Hear the Public**, with no response.

Board Appointments

Motion by Ringgenberg, second by Snyder, to appoint the following persons as delegates and representative to the committees, commissions and boards as noted for 2022, with changes and pending any changes that may need to be made at a later date. and to designate all of the remaining Supervisors as alternates:

Snyder—delegate, Huseman—alternate, to the **Local Emergency Management Commission** (Chapter 29C.9).

Snyder-representative, Huseman—alternate, to the **Region III Local Emergency Planning Council (LEPC)**.

Snyder-representative, Huseman—alternate, to the **Buena Vista E-911 Service Board**.

Altena—delegate, Huseman—alternate, to the **Buena Vista Solid Waste Commission**.

Huseman and Altena-representatives, to the **Lake Improvements Commission**.

Merten to the **Friends of Little Lake Discovery Center Board**.

Ringgenberg—representative, to the **3-County Early Childhood Iowa Board**,

Ringgenberg—representative, to the **Buena Vista Local De-Cat Board**.

Ringgenberg-representative, to the Board of Directors of the **Storm Lake United Development Board**.

Chairman and Vice-Chairman as ex-officio members of the board of **Storm Lake United Economic Development Revolving Loan Fund**.

Huseman-delegate, to the **Iowa Lakes Corridor Development Corporation**.

Snyder-County representative to the **Regional Workforce Investment Board**.

Bret Wilkinson, technical representative, Justin Anderson-alternate, to the **Region 3 RPA Transportation Technical Committee**, Merten—Board's representative, all other board members as alternates, to the **Region 3 RPA Transportation Alternatives Committee**.

Huseman-representative, to the **Administrative Board of Directors of the 3rd Judicial District Department of Correctional Services**.

Snyder--representative, Huseman-alternate, to the **NW IA Juvenile Detention Center (YES)**.

Merten-representative, to the **Central Iowa Juvenile Detention Center**.

Becki Drahota, Don Diehl, and Sara Monroy Huddleston, to the **Judicial Magistrate Appointing Commission** for 6-yr terms expiring 12/31/2026.

Tom Ryherd (12/31/23), Don Diehl (12/31/23), and Dave Patton-appointed by the County Attorney (12/31/25) to the **BV County Civil Service Commission**. (341A.2)

Donnie Skou-representative, to the **Regional Housing Authority** until 12/31/2022.

Huseman and Steve Jimmerson to the **Northwest Iowa Regional Housing Trust Fund**.

Merten-as the Board representative on the **BV County Coop/COG Planning Committee** (Continuity of Operations).

Altena-delegate, to the **Upper Des Moines Opportunity, Inc. Board**.

Snyder-delegate, to the **NW Iowa Planning and Development Commission**.

Dale Arends-citizen representative to the **NW Iowa Planning and Development Commission**.

Snyder-representative, to the **S.H.I.E.L.D. Board**.

Merten-as a non-voting member of the **Plains Area Mental Health Board**.

Merten-representative, to the **Rolling Hills Community Services Region Governance Board**.

To the County **Safety Committee** (including the Right-to-Know program): Altena, Kory Elston, Bruce McGowan (as Bret Wilkinson's designee), Ron Reckamp, Justin Anderson, Stephanie Anderson, Joe Keller, Steve Haldin, Yvonne Sandhoff, Greg Johnson, Aimee Barritt, Tyler Van Houten, Dave Andrews, Jerilyn Sahr, Connie Jesse, and Brian Blomme, with Mike Raner as Safety Coordinator.

Snyder-delegate, to the **Regional Transit Board (RIDES)**.

Huseman and Breanna Horsey-delegates to the **Western Iowa Tourism Council**.

Gary Armstrong as the Buena Vista County **Drainage Attorney**.

Snyder-delegate, to the **Drainage District #181, #274, #14-42, #22, & #150 Interim Boards**.

Merten as Buena Vista County **Equal Employment Opportunity Officer**.

Chairman-representative, for all county **labor negotiations**.

Danelle Haberman, Don Altena, and Susan Lloyd to the Buena Vista County **Deferred Compensation Board**.

Bret Wilkinson, Kory Elston, Kim Johnson, Paul Merten, and Kelly Snyder to the **Weather Committee**.

Board of Supervisor's Chair, Bret Wilkinson, Kory Elston, Danelle Haberman, Susan Lloyd, and Yvonne Sandhoff as members of the **Personnel Committee** (includes employee handbook updates).

Sheriff, Bldg/Grounds Supt., County Auditor, County Attorney, Clerk of Court, Member of the Board of Supervisors (Snyder), and Associate District Judge Andy Smith to the **Courthouse/Judicial Security Committee**.

Curt Reis, Susan Lloyd, Joe Keller, Bret Wilkinson, and Merten, to the **Buena Vista County Facilities Committee**.

Merten—Board's representative for **Whitney Pit Farm and South Hayes Pit Farm** for leases and Merten and Bret Wilkinson for grain sales at the South Hayes Pit.

Susan Lloyd-**ADA Coordinator**.

Julie Sather, Dawn Mentzer, Susan Lloyd, and Marty DeMuth as the **HIPAA Compliance Committee**, with Tyler Van Houten as the HIPAA Security Officer, and Tom Huseman as the Privacy Officer.

Joe Keller as the **Lock-out/Tag-out Program** Coordinator for the Courthouse, DHS Annex, E. Richland Annex, and Cayuga St. Annex.

Karen Crilly as the primary contact person, and Bret Wilkinson as the secondary contact person for **Drug and Alcohol Testing Alliance**.

Kim Johnson as Buena Vista County **Zoning Administrator**.

Planning & Zoning Commission members: Kyle Hansen, Richard Marshall, Gary Sundblad, Marvin Engel, Melanie Anderson,

Zoning Board of Adjustment members with terms as follows: Richard Langner-12/31/26, Mitch Sievers-12/31/24, Greg Sundblad-12/31/22, Steve Lind-12/31/23, and Jason Meyer-12/31/25.

Dawn Mentzer to the **Cherokee MHI Advisory Council**.

Dr. Garrett Feddersen, **County Medical Examiner**, and Tim Speers-Chief Deputy Medical Examiner, and independent EMTs Greg Ebersole, Dave Patton & John Dahl, as **Deputy Medical Examiners** (Chapter 331.801). Terms expire 12-31-22.

Altena as representative, to the **BV County Trails Advisory Council**.

Rich Haldin (6-30-24), Pam Jacobson (6-30-22), 1 vacancy (6/30/23), (Nicole Diischer (6-30-24), and Gar Otto (6-30-24) to the **Veterans Affairs Commission** for the 2022 year, and until their terms expire (Chapter 35B).

Bret Wilkinson--**Title VI Coordinator**

Bret Wilkinson as **County Engineer** and authorized to close roads as necessary.

Greg Johnson as **Weed Commissioner**.

Brian Jones as **Deputy Weed Commissioner**.

Local Board of Health-members with 3-yr. terms as follows: Dr. Scott Wulfekuhler-12/31/22, Julie Sievers-12/31/24, Peg Hinkeldey-12/31/23, Rhonda Ringgenberg-12/31/23 and Jon McKenna-12/31/2024.

BV Co Conservation Board-Jeff Kestel-12/31/24, Mark Kirkholm-12/31/25, Rick Meyer-12/31/26, Sarah Vanderhoff-12/31/22, Jim Wischmeyer-12/31/23.

BV County Wellness Committee: Lacey Anderson, Jen Fulcher, Rhonda Ringgenberg, Don Altena, Karla Ahrendsen, Eric Chase, Kay Evans, Angela Lai, Isabel Andrade, and Karen Crilly.

BV County Insurance Committee: Ashley Bennett, Kim Briley, Jon Buss, Josh Nielsen, Rob Danielson, Greg Johnson, Jason Butler, Yvonne Sandhoff, Lacey Anderson, Curt Reis, Rhonda Ringgenberg, Mark Van Hooser, and Tyler Van Houten.

EMS Board: Kelly Snyder, all other board members as alternates

Eminent Domain Compensation Commission (Chapter 6B.4): Farmers-Stan Peters, Rich Langner, Mike Pedersen, Phil Driver, Don Peterson, Don Diehl, (1 vacancy); Realtors-Clark Fort, Margie Robinson, Rob Smith, Marv Munden, Steve Jimmerson, Mark Williams (1 vacancy); for Cities- (7 vacancies); for their Occupation- Mark Rehnstrom, Randy Johnson, Ben Nesheim, Kevin Cone, Eric Mosbo, (2 vacancies).

Mike Raner as Buena Vista County **Safety Coordinator**.

Greg Johnson to the **B.V. Co. REAP Committee**.

Altena-representative to the **Family Treatment Court Steering Committee** and Paul Merten as alternate.

Merten-representative to the **North Raccoon River Watershed Management Coalition Board**.

James R. Nelsen with a term expiring 6/30/2022, Tim Heuton with a term expiring 6/30/2023, and Mark Herrig with a term expiring 6/30/2024 to the **Lincoln Benefited Fire District Board of Trustees**.

County Auditor, and in her absence the Deputy Auditor, as **Custodian of Supervisors' records** (including Supervisors Minutes, annual reports of County Departments and other organizations required to file their reports with the Board of Supervisors, Drainage District Minutes, Ordinances, Warrant Book, Claims Registers, Precinct Maps.)

The vote on the above appointments was carried.

Pursuant to Chapter 22.1.2 of the 2021 Code of Iowa, the Auditor informed the Board that she has named herself and her Deputy, Sharon Henkel, as the lawful custodian of the records which are considered 'open records' in the Buena Vista County Auditor's office. (Records and Code of Iowa references: Bonds of Public Officers (62.6), Election records (62.3 and others), Budgets adopted by local taxing jurisdictions (331.502.3) Township records (331.502.30), Drainage Minutes & Assessment Schedules (331.502.33), record of Election results (50.39 & 50.40), Lost Property Record (556F), Mental Health Accounts prior to 1994 (230.26), assistance to Veterans (34B.10, Claims against the Board 331.504.4), Assessment Rolls (441.26), Tax Rate Book (444.6), Real Estate Transfer Books-Index-Plat Books (558.60-67), Survey Plats (354.25), Treasurer's report of Receipts & Disbursements (335.504.4), Valuation Report (331.510), Annual County Financial Report.

Holiday, Vacation, and Sick Leave Policy

Motion by Ringgenberg, second by Huseman, that the Buena Vista County Employee Handbook with the effective date of January 1, 2020, along with the various Departmental Rules, Job Descriptions, be declared the governing policy for all Buena Vista County employees under the jurisdiction of the Board of Supervisors for Buena Vista County, and that the Medical History, Physical Examination, and County Work Release forms be used in conjunction with the Handbook. Carried.

Motion by Snyder, second by Ringgenberg, that **election workers** for 2022 be paid \$14.00/hr. and chairpersons \$15/hr., effective this date. Carried.

Meal and Mileage Rate Reimbursements

Motion by Huseman, second by Ringgenberg, to approve the following reimbursement:

meal cost reimbursement to employees, and to others serving on boards and in other appointive positions, shall be: meals eaten out of county during approved schools or meetings may be reimbursed at their actual cost to a maximum of \$35.00 per diem. (Reimbursements for meals, when no overnight stay is involved, will show on the employee's W-2). No reimbursement will be made for tips or alcoholic beverages. To receive reimbursement, detailed receipts must be submitted. If the per diem is exceeded due to a meal/meeting, that fact shall be noted on the reimbursement claim. Ayes: Merten, Huseman, Ringgenberg. Nays: Snyder. Carried.

Motion by Snyder, second by Ringgenberg, to approve the following reimbursement:

mileage reimbursement rate for sheriff's service fees at the current IRS rate \$.585/mile on 1/1/2022.

mileage to employees (including deputy medical examiners) at the rate of \$.04 cents under the current IRS standard mileage rate, for each mile traveled by private vehicle (not for county owned vehicles) for county business in 2022

Ayes: Huseman, Merten, Ringgenberg, Snyder. Nays: None. Carried.

Insurance Coverage including Blanket Bond

Motion by Ringgenberg, second by Huseman, to continue the following insurance coverage from the Stille, Pierce & Pertzborn Agency for the remainder of FY'22: tort liability, auto, property, computer equipment, E & O, umbrella, data processing, inland marine, contractor's equipment, crime, law enforcement professional, medical professional, worker's compensation, and blanket bond. Ayes: Huseman, Merten, Ringgenberg, Snyder. Nays: None. Carried.

Depository Resolutions

Motion by Merten, second by Ringgenberg, that the Depository Banks currently being used by the Treasurer, Recorder, & Sheriff continue to be used during 2022 in the amounts stated below, and, that the appropriate elected official be and is hereby authorized to deposit the designated office funds in amounts, not to exceed in the aggregate, named for said bank:

Treasurer:	Citizen's First National Bank, Storm Lake	\$1,500,000.00
	Central Bank, Storm Lake	\$1,500,000.00
	Security Trust & Savings Bank, Storm Lake	\$25,000,000.00
Recorder:	Security Trust & Savings Bank, Storm Lake	\$100,000.00
Sheriff:	Central Bank, Storm Lake	\$250,000.00
	Citizen's First National Bank, Storm Lake	\$25,000.00
Attorney:	Central Bank, Storm Lake	600.00

and, that the 2022 Federal Depository Bank shall be Security Trust and Savings Bank, Storm Lake, with the payroll deposits to be made by wire transfer. Carried.

Drainage Resolutions and Assessments

Motion by Merten, second by Ringgenberg, that the County Drainage Attorney is hereby directed to research drainage and other assessments due and payable on parcels of Buena Vista County property prior to putting them on the list of properties for scavenger auction; to establish 5% as the rate of interest to be paid during 2022 on all stamped warrants, and charged on Improvement Certificates and Drainage District waivers, effective this date (for Buena Vista County drainage districts only); that the beaver control policy in 2022 shall be payment of \$40 per beaver tail for beavers trapped in drainage districts as adopted January 1, 1986, and, the beaver control program shall be \$40/beaver tail for the non-drainage district areas of the county; these programs require that the claimant possess a fur-bearer's license as required by law, and with a payout limit of \$1,000 in non-drainage districts areas in each fiscal year. Carried.

There being no further business, motion by Snyder, second by Huseman, to adjourn the meeting at 12:10 p.m. until Friday, January 7 at 8:30 a.m. for a special meeting and departmental budget reviews.

Sharon Henkel, 1st Deputy Auditor

Paul Merten, Chairperson

BOARD OF SUPERVISORS MEETING SECOND MEETING, 2022 SESSION (2) JANUARY 7, 2022

The Buena Vista County Board of Supervisors met in special session on Friday, January 7, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd as clerk for the meeting.

Motion by Ringgenberg, second by Snyder, to approve the 2nd Reading of **Ordinance No. 1.6 Voting Precincts** and to set the 3rd Reading of Ordinance No. 1.6 Voting Precincts for Tuesday, January 11, 2022 at 9:00 am. Carried.

Motion by Huseman, second by Altena, to approve the **minutes** of 1/3/22, as corrected. Carried.

Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign the **IEDA Business Financial Assistance Application** for Platinum Crush, LLC. Carried.

FY'23 budget requests were received from the following departments: Matt Madsen-DHS, Brian Blomme-Drainage Department, Greg Johnson-Conservation, Weed Dept., and Bait Shop, Kory Elston-Sheriff, Jail, K-9, Comm Center, and miscellaneous budgets, Joe Keller-Bldg/Grounds, Danelle Haberman-Treasurer, Dave Andrews-Veterans and General Relief, Julie Sather-Public Health, Bret Wilkinson-Secondary Road, and the Board reviewed their budget and the County Farm budget.

There being no further business, motion by Ringgenberg, second by Huseman, to adjourn the meeting at 4:40 p.m. until Tuesday, January 11 at 8:30 a.m. for a special meeting and departmental budget reviews.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRD MEETING, 2022 SESSION (3)
JANUARY 11, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, January 11, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd as clerk for the meeting.

Motion by Ringgenberg, second by Snyder, to approve the **agenda** as presented. Carried.

Engineer Bret Wilkinson presented a map of a proposed **Urban Renewal Area** in the county. Wilkinson highlighted several county roads that should be included in the Urban Renewal Area, and the Board made suggestions to add additional roads to the proposed map.

Secondary Road Report: The crew has been busy brush cutting and blading the gravel roads; they have maintained several pieces of equipment last week; there is snow in the forecast for Friday.

Motion by Huseman, second by Altena, to approve the **minutes** of 1/7/22, as printed. Carried.

Supervisor Meeting Reports: Merten, Snyder, and Altena attended the Jt. DD #181 meeting that was held yesterday in Sac City; Altena will be attending the Hazardous Waste meeting in Cherokee tomorrow morning.

Motion by Ringgenberg, second by Snyder, to approve the 3rd Reading of **Ordinance No. 1.6 Voting Precincts**. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

BUENA VISTA COUNTY ORDINANCE NO. 1.6

Title: VOTING PRECINCT ORDINANCE FOR BUENA VISTA COUNTY, IOWA.

BE IT ENACTED by the Board of Supervisors of Buena Vista County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to repeal existing Ordinance 1.6, entitled Voting Precinct Ordinance for Buena Vista County, Iowa, which was a part of the Buena Vista County 2003 Code of Ordinances, and to adopt a new ordinance 1.6 of the same name and number. The new ordinance makes changes in the voting precincts for Buena Vista County, Iowa, pursuant to the provisions of Section 49.7 of the 2021 Code of Iowa.

SECTION 2. Ordinance 1.6 of the Buena Vista County 2003 Code of Ordinances (Entitled Voting Precinct Ordinance for Buena Vista County, Iowa) Repealed. Effective January 1, 2006, Ordinance 1.6 of the Buena Vista County 2003 Code of Ordinances (entitled Voting Precinct Ordinance for Buena Vista County, Iowa) is repealed. Effective January 15, 2012, Ordinance 1.6 of the Buena Vista County 2003 Code of Ordinances (entitled Voting Precinct Ordinance for Buena Vista County, Iowa) is repealed. Effective January 15, 2022, Ordinance 1.6 of the Buena Vista County 2003 Code of Ordinances (entitled Voting Precinct Ordinance for Buena Vista County, Iowa) is repealed and replaced by this Ordinance.

SECTION 3. Definitions. For use in this ordinance, the following terms or words shall be interpreted or defined as follows:

- I. "Voting Precinct" or "Precinct" shall mean a county or municipal subdivision for casting and counting votes in elections.
- II. "Township" shall mean a civil and political subdivision of Buena Vista County, Iowa, six miles on each side.
- III. "Township Officials" or "Township Officers" shall mean a board of officers to whom the affairs of a township are entrusted.
- IV. "Census Blocks" and "Census Tracts", as used herein, refer to those Blocks and Tracts as fixed by United States Census Bureau.

SECTION 4. General Provisions.

(a) The Precincts of Buena Vista County (except Storm Lake Precincts established by the Storm Lake City Council) are as follows:

1. Coon-Fairfield-Newell-Poland (CFNP) shall include all of the city of Marathon and city of Albert City, city of Newell all of the remainder of Fairfield Township, all the remainder of the Poland, all the remainder of Newell and all of Coon Township. The 2020 census population of this precinct is 2,510.
2. Brooke-Barnes-Lee-Lincoln Precinct (BBLL) shall include all of the cities of Sioux Rapids, Linn Grove, and Rembrandt, and all of the remainder of Lee, all of the remainder of Barnes and all of Lincoln and Brooke Townships. The 2020 census population of this precinct is 1,797.
3. Elk-Maple Valley-Nokomis-Scott Precinct (EMNS) shall include all of the city of Alta and all of the remainder of Nokomis Township and all of Elk, Maple Valley and Scott Township. The 2020 census population of this precinct is 3,028.
4. Grant-Hayes-Providence-Washington Precinct (GHPW) shall include the city of Lakeside and Truesdale all of Grant and Providence Township and the remainder of Washington Township except the areas in the city limits of Storm Lake and the remainder of Hayes Township except the areas within the city limits of Storm Lake, and the West half (1/2) of section 8 and the East half (1/2) of section 7. The 2020 census population of this precinct is 2,219.

- (c) Residents within an established township shall continue to vote for independent elected officials of such township. There shall be no combination of township officers.
- (d) Residents of areas within unincorporated Hayes Townships that are included in census block containing City of Storm Lake incorporated land, have been, by agreements with the City of Storm Lake, included in the city precinct to which they are adjacent. Pursuant to such agreements, and subject to their terms,
 - 3. Residents of Census Block 1016 in Census Tract 9606, Hayes Township, shall combine with the residents of Storm Lake 03 Precinct for voting purposes.
- (e) No changes are made to the Storm Lake Precincts, which are established by the Storm Lake City Council.

SECTION 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. Severability clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 6. When Effective. This ordinance shall be in effect January 15, 2022, and after its final passage and publication as provided by law.

Adopted by the Board of Supervisors on this 11th day of January, 2022.

/s/ Paul Merten, Chairperson, Board of Supervisors...../s/ Susan K. Lloyd, Auditor

First reading 1-3-2022, Second reading 1-7-2022, Third reading 1-11-2022

CEO Shari Kastein, **Family Crisis Centers**, attended virtually, to present their FY'23 funding request of \$7,500, an increase from \$5,000 in the current year. Kastein stated that the number of persons seeking services has increased more in Buena Vista County, than the other 17 counties, due to having staff here reaching out to people. In Buena Vista County, they saw 95 domestic violence clients, 54 homicide & violent crime clients, 74 clients for medical clinic outreach, 13 clients for housing, and took 95 crisis line calls.

President & CEO Shannon Landauer and Vice-President of Business Operations Tom Nelson, **Iowa Lakes Corridor**, reviewed the past year, and stated that they continue to progress the goals put forward in their resources campaign: Partnership, Progress, Prosperity FY 2021-2025. Landauer stated that they will continue to support creation of new jobs, new businesses, housing units, and expansion of the regional labor pool. They are requesting \$30,000 for FY'23.

County Attorney Paul Allen discussed the latest information on the OSHA regulations on the vaccination, testing, and mask mandate. Iowa has a Federally approved State OSHA Plan, which the State of Iowa has said they will not be enforcing the vaccination, testing, and masks. The U.S. Supreme Court has not ruled on the issue, so things could change for the State, depending on what the Supreme Court decides. Motion by Snyder, second by Ringgenberg, to suspend the **Vaccination, Testing, and Mask Mandate Policy**, effective immediately, until there is a Supreme Court decision on the matter. Merten asked Allen if the county would be out of compliance, and Allen stated that the county would not be out of compliance, based on the fact that Iowa OSHA declared they are not following the Federal plan. Ayes: Altena, Merten, Ringgenberg, Snyder. Nays: None. Abstention: Huseman. Motion carried.

Executive Director Breanna Horsey, and Gelder Pineda, **Storm Lake United**, reviewed their past highlights and programs, and presented their funding request for FY'23. The amount of their request is \$30,000 which is \$5,000 over their approved amount for this current fiscal year.

Treasurer Danelle Haberman presented the semi-annual report, ending December 31, 2021. Motion by Altena, second by Ringgenberg, to approve and authorize the Chair to sign the **Treasurer's Semi-Annual Report** for December 31, 2021, and to authorize the publication in the newspapers. Carried.

The Board discussed the fifteen ARPA applications that were submitted by various departments. EMA Director and member of the County ARPA Committee Aimee Barritt, informed the Board that all of the applications that were submitted, all fall within the original guidelines of what the funds could be used for. Barritt informed the Board that the final rules have come out now, stating that up to \$10,000,000 of the ARPA allocations can be considered "lost revenue", and the guidelines are less restrictive. The various applications submitted include: putting AV in fire stations for EMS/Fire training, a desk for Drivers License, digitizing all transfer books in the Auditor's Office, pickup & trailer project for EMA, Public Health remodel, Electronic Health Record for Public Health, air conditioning unit for the Comm Center equipment, broadband in county parks, restroom in BV County Park, add-ons to the Beacon Property Management Portal, roof & HVAC for the LEC, Courthouse roof, Bur Oak Campground project, bike path/pedestrian walkway across the Linn Grove bridge, and potential project with the Storm Lake Marina. Motion by Snyder, second by Huseman to approve the following projects to move forward, with the remaining projects and amounts on hold until the final ARPA allocation is received: \$54,462-putting AV in fire stations for EMS/Fire training, \$1,225.34-a desk for Driver's License, \$63,345-digitizing all transfer books in the Auditor's Office, \$60,000-(partial) pickup & trailer project for EMA, \$400,000 (partial) Public Health remodel, \$140,000 (partial) Electronic Health Record for Public Health, \$94,200-air conditioning unit for the Comm Center equipment, \$15,000-broadband in county parks, \$85,000-restroom in BV County Park, \$11,424-add-ons to the Beacon Property Management Portal, \$573,380-roof & HVAC for the LEC, and \$120,000-Courthouse roof. Carried.

FY'23 budget requests were received from the following departments: Susan Lloyd-Medical Examiner budget, Curt Reis-Recorder, Tyler Van Houten-I.T. Department, Kim Johnson-Env Health/Zoning, Paul Allen-County Attorney, Susan Lloyd-Auditor, election, non-departmental, and insurance budgets.

There being no further business, motion by Snyder, second by Altena, to adjourn the meeting at 3:40 p.m. until Tuesday, January 18 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FOURTH MEETING, 2022 SESSION (4)
JANUARY 18, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, January 18, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd as clerk for the meeting.

Motion by Snyder, second by Huseman, to **amend today's agenda**, adding two additional action items: Revised Buena Vista County Lodging Expense & Human Trafficking Policy and a contract amendment to the Agreement between BV County and the University of Iowa for the CDBG-NDR project (North Raccoon River Watershed). Carried.

Secondary Road Report: The plows were out Friday and Saturday, and one plow out on Sunday; they have been short-handed, with some covid cases and exposures; the engineer has asked for a quote for a wheel loader from John Deere, and will bring it to the Board at a later date; the engineer has been working on his budget and the 5-year project.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of 1/11/22, as printed, today's **claims approval list**, holding the claim for Practical Products Group, LLC, in the amount of \$433.20 for two weeks, **stamped drainage warrant register**, and the following **reports**: FY'21 Audit Report for BV County Solid Waste Commission, January Solid Waste Manager's Report, December Landfill minutes, January Recorder's Report of Fees Collected, and CB Household Hazardous Waste Agency Financial Statements at 12/31/2021 and 2020. Carried.

Motion by Huseman, second by Snyder, to approve and authorize the Chair to sign the **Jt. DD #105-64** claim for BV County Secondary Roads for tile repairs, in the amount of \$1,298.10. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the new revised **Buena Vista County Lodging Expense & Human Trafficking Policy**. Carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign the contract amendment to the Agreement between BV County and the University of Iowa for the CDBG-NDR project (**North Raccoon River Watershed**). Carried.

Treasurer Danelle Haberman reviewed the Investment Policy with the Board. There were no changes to the current policy. Motion by Ringgenberg, second by Snyder, to approve the **Buena Vista County Investment Policy**. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign a letter to Citizens 1st National Bank, changing the signors on the **K-9 account** from Kory Elston and Marty DeMuth to Danelle Haberman and Tami Tendal, effective immediately. Carried.

Gene Suhr, **Hanover Historical Society**, presented their funding request for FY'23. Suhr thanked the Board for support over the years. They are requesting \$1,000, the same as the current year, which will be used for upkeep and restoration of the Hanover Village. The Board thanked him for everything they do.

Gary Sundblad, **Threshermen & Collectors Association**, presented their funding request for FY'23. They are requesting \$5,000, the same as the current year. They would use the funds for advertising their annual show in August. This year will be the National Minneapolis Moline Collectors, so they will bring in people from several states. Sundblad thanked the Board for supporting them over the years. The Board thanked him too for everything they do.

County Attorney Paul Allen updated the Board on the OSHA ETS Vaccination & Testing Mandate. The Supreme Court ruled against the OSHA mandate, but maintained the CMS mandate. Allen stated that this isn't the final ruling, it could still change.

County Attorney Paul Allen discussed a County Leave/Return to Work Policy, after talking with Public Health Administrator Julie Sather. Sather stated that department heads need to require employees to stay home when they are sick, in order to try and keep the covid from being spread. Some employees that are new hires don't have any sick leave, and haven't received any vacation hours yet. Sather stated that there are employees that are working while they are sick. Allen asked the Board what they would like to have put in place, as Public Health wants to mitigate covid. Merten asked whether the Board wanted to go back to the policy that was in place before. The consensus of the Board was not to go back to the former policy for covid sick pay. Allen stated that the quarantine days have been shortened by the CDC, and stated that Public Health can order someone to be quarantined, if the employee refuses to go home, and continues to work. Allen stated that by an employer knowingly allowing a known exposure in the workplace, and if someone were to get sick or die, there would be claims filed. Snyder suggested a temporary leave of absence. Ringgenberg asked Payroll Clerk Yvonne Sandhoff if she had received many complaints. Sandhoff responded that most complaints were from new hires that didn't have sick or vacation time to use. The suggestion was made to give all employees "emergency sick leave", to only be used after their existing sick leave was all used up. Motion by Ringgenberg, second by Snyder, to give 40 hours of **emergency sick leave** to all employees, to be used only after their existing sick leave has been used up, and this emergency leave will expire at the end of 2022. The departments are to follow current CDC guidelines. Carried.

County Attorney Paul Allen was present for his appointment. Motion by Ringgenberg, second by Altena, to go into **closed session** (at 10:17 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Snyder, second by Ringgenberg, to go out of **closed session** at 10:34 a.m. Carried

Mike Pertzborn, Tony Pertzborn, and Barb Wetherell, from Stille, Pierce and Pertzborn Agency, were present for the discussion on **health insurance rates**. Also present for the discussion were Paul Allen, Curt Reis, Jason Butler, and Yvonne Sandhoff. Mike Pertzborn reviewed the County's Annual Report and claims history. The total increase for the Wellmark portion of our insurance this year is 5.77%, with a loss ratio of 94.35%. Pertzborn stated that the renewal average over the past 11 years is 7.56%. The information has been passed along to Tom Schuetz, Alera Group, the County's Third-Party Administrator, who will be scheduling a time to meet with the Board, and will make a recommendation on the self-funded portion of the health insurance before rates will be set for FY'23.

Hear the Public: Env Health/Zoning Director Kim Johnson informed the Board that there will be a Zoning Commission Monday night at 7:00 p.m. at the East Richland Annex meeting room. Kelly Snyder asked that the discussion of eminent domain, in regards to the Navigator Pipeline project, be place on the January 25th agenda, with possible action.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 11:28 a.m. until Tuesday, January 25 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTH MEETING, 2022 SESSION (5)
JANUARY 25, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, January 25, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder (virtually) 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 Huseman, second by Ringgenberg, to approve **today's agenda**. Carried.

Engineer Bret Wilkinson presented a quote from John Deere for a 2022 **John Deere Wheel Loader** 644P, which also includes a grapple bucket, along with the regular bucket. Wilkinson stated that he is waiting for a trade-in value for a 1977 JD 644G. Wilkinson stated that this wheel loader is available now, or they could order a unit, but it would not be available for 12 months, and then he didn't have a hard number for a price if ordering. Wilkinson stated that if he purchased this fiscal year, he would be over budget in his new equipment area. Huseman commented that he would be in favor of paying for it this year. Ringgenberg commented that she was worried that the price may go up again waiting for another year. The consensus of the Board was to table this decision, until Wilkinson had a price of the wheel loader if it were ordered, and then also see what a trade-in value would be for the 1977 unit. Wilkinson stated that he is also getting quotes on dump trucks for the next fiscal year.

Secondary Road Report: The crew was out sanding yesterday, and today they are cleaning trucks and working inside; Wilkinson stated that they are working on sizing culverts in the 7 miles between Storm Lake and Alta, as most of them will have to come out and be replaced prior to paving the roads for the Platinum Crush project.

Motion by Altena, second by Ringgenberg, to approve the **minutes** of 1/18/22, as printed, and the following **reports**: FY'21 Audit Report for BV County Solid Waste Commission, January Solid Waste Manager's Report, December Landfill minutes, January Recorder's Report of Fees Collected, and CB Household Hazardous Waste Agency Financial Statements at 12/31/2021 and 2020. Carried.

Supervisor Meeting Reports: Ringgenberg attended the Storm Lake United meeting last week; Merten attended the Zoning meeting Monday night, and has Plains Area Mental Health tonight and the Rolling Hills Governance Board meeting tomorrow; Altena attended the BV County Solid Waste meeting.

Motion by Huseman, second by Altena, to increase the per diem rate for **Veterans Commissioners**, from \$40/meeting to \$50/meeting. Carried.

Attorney Ryan Mohr presented the paperwork that the Board Chair needs to sign in regards to the County purchasing the White Family Trust property, for the North Raccoon River Watershed Project. Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign the paperwork for the purchase of the **White Family Trust land**, for the North Raccoon River Watershed project. Carried.

The Board discussed the topic of the Navigator Pipeline project, and mentioned various counties were submitting letters to the Iowa Utilities Board, urging them to not allow the pipeline to use eminent domain. Engineer Bret Wilkinson and Drainage Engineer Brian Blomme were also present for the discussion. Blomme mentioned that he had presented a resolution to the Jt. DD #181 Boards of Supervisors, and he was preparing a resolution for the Buena Vista County Board to consider at their next

meeting, in regards to the pipeline crossing over drainage tiles and open ditches. Snyder mentioned that from talking with other county supervisors, they are not against the ethanol and biodiesel companies, they were against the pipeline company using eminent domain, they would rather see the pipeline company talking to landowners. Motion by Huseman, second by Snyder, to approve and authorize the Chair to sign a letter to the Iowa Utilities Board, urging them not to allow the **Navigator Pipeline** to use eminent domain. Carried.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 9:38 a.m. until Tuesday, February 1 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
SIXTH MEETING, 2022 SESSION (6)
FEBRUARY 1, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 1, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder 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 approve **today's agenda**, as presented. Carried.

Engineer Bret Wilkinson presented a new quote for a 2022 **John Deere Wheel Loader** 644P, which also includes a grapple bucket, along with the regular bucket, that would be built off of the assembly line, not delivered for 10-12 months. The new quote also shows a trade-in for a 1977 JD 644B, in the amount of \$10,000. Wilkinson would recommend keeping the old wheel loader, and not trading it in, stating that they could use it at one of the gravel sites. The quote for the wheel loader, if ordered, is \$295,000. Motion by Snyder, second by Huseman, to approve and authorize the Engineer to purchase a 2022 **John Deere Wheel Loader 644P**, without a trade-in, for a cost of \$295,000. Carried.

Engineer Bret Wilkinson asked the Board about the department's **summer hours**, stating that working four 10-hour days is efficient. Wilkinson suggested continuing this year with the summer hours being four 10-hour days from June 6 through September 1, and the week of July 4th, they would work four 8-hour days and then have the holiday pay, making up their 40 hours. Merten suggested having the Secondary Road guys vote on it, to see if they liked or not. Wilkinson stated that he and Maintenance Supt. McGowan see efficiencies, so they would prefer to go with the four 10-hour days.

Engineer Bret Wilkinson informed the Board that he is getting quotes for the **motor grader** for FY'23 and **dump trucks**. Wilkinson will bring in the quotes soon, so that the equipment can be ordered sooner, rather than later, as it will take twelve months for delivery.

Secondary Road Report: They have been cutting brush and blading gravel roads; they will be going out to check signs, for reflectivity, those that are missing, and those that need to be replaced.

Env Health/Zoning Director presented a resolution and agreement for the Board to consider, requesting NW IA Planning & Development to provide the necessary services and assistance to carry out updating of the BV County Comprehensive Land Use Plan, Zoning Ordinance, Floodplain Ordinance and Subdivision Regulations. Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign **Resolution #2022-02-01-A** Requesting the Assistance of the NW IA Planning & Development Commission, and to approve and authorize the Chair to sign the **contract agreement** for their assistance in updating the BV County Comprehensive Land Use Plan, Zoning Ordinance, Floodplain Ordinance and Subdivision Regulations. Carried.

RESOLUTION No. 2022-02-01-A

A RESOLUTION OF THE BUENA VISTA COUNTY BOARD OF SUPERVISORS TO REQUEST THE ASSISTANCE OF THE NORTHWEST IOWA PLANNING AND DEVELOPMENT COMMISSION.

WHEREAS, Buena Vista County has agreed to the Intergovernmental Cooperation Agreement creating the Northwest Iowa Planning and Development Commission (hereinafter called the Planning Agency) and is a member in good standing; and

WHEREAS, the County wishes to engage the Planning Agency to provide certain technical and professional services in connection with the...

Updating of the Buena Vista County Comprehensive Land Use Plan, Zoning Ordinance, Subdivision Regulations and Flood Plain Ordinance

WHEREAS, Article III.E of the Intergovernmental Cooperation Agreement gives the Planning Agency the responsibilities outlined in Chapter 28I, Code of Iowa;

NOW THEREFORE, it is hereby resolved by the Buena Vista County Board of Supervisors that the Planning Agency be requested to provide staff assistance in the above-mentioned project; and

THAT, the Board of Supervisors understands and will comply with Policy Council guidelines regarding the assessments of costs of the Planning Agency staff assistance.

Passed, approved and adopted this 1st day of February 2022

/s/ Paul Merten, Chairman, BV County Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Tom Schuetz, Alera Group, was present, and reviewed the self-funded portion of the County **health insurance rates**, with Stille Pierce & Pertzborn representatives, Mike Pertzborn and Tony Pertzborn present, along with the following members of the Insurance Committee and Department Heads: Mark Van Hooser (virtual), Rob Danielson (virtual), Yvonne Sandhoff, Kory Elston (virtual), Bret Wilkinson, Angie Wilkinson (virtual), Curt Reis, Jason Butler, Greg Johnson (virtual), and Stacy Blee (virtual). The increase Schuetz calculated based on projected costs, leaving everything as is, would be 5.19%, with a cost increase of \$113,840. Schuetz stated that if the Safe-T Fund were increased, then the increase would be 7.40%, for a cost increase of \$162,293. No action was taken, this will be discussed at the February 15th board meeting.

Motion by Huseman, second by Ringgenberg, to approve the minutes of 1/25/22, as printed, today's claims approval list, stamped drainage warrant register and the following reports: None. Carried.

Drainage Engineer Brian Blomme presented the Board with a resolution to consider by the BV County Drainage District on construction of a hazardous liquid pipeline over, across, or beneath county drainage districts. Blomme created the resolution from the one in 2015 used for the Dakota Access Pipeline. Blomme stated that the cost of the crossing in 2015 were \$7,500/crossing, and it would increase to \$9,000/crossing in 2022. Blomme stated that there are 22 crossings for the drainage districts, with the Navigator Pipeline, which would be a total cost to the pipeline of \$198,000. Motion by Snyder, second by Ringgenberg, to approve and authorize the Supervisors to all sign Resolution #2022-02-01-B BV Drainage Districts on Construction of a Hazardous Liquid Pipeline over, across, or beneath County Drainage Districts. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

**RESOLUTION #2022-02-01-B
RESOLUTION BY BUENA VISTA DRAINAGE DISTRICTS
ON CONSTRUCTION OF A HAZARDOUS LIQUID
PIPELINE OVER, ACROSS, OR BENEATH COUNTY
DRAINAGE DISTRICTS**

WHEREAS, the Board of Supervisors, as trustees of individual drainage districts, (hereinafter Board) is responsible for the maintenance and management of the drainage districts, levee districts, multi-county drainage districts, and multi-county levee districts established under Iowa Code Chapter 468 and located within Buena Vista County; and

WHEREAS, Iowa Code Section 468.2 provides: "That drainage of surface waters from agricultural lands and all other lands or the protection of such lands from overflow shall be presumed to be a public benefit and conducive to the public health, convenience and welfare;" and

WHEREAS, Drainage and levee districts are funded by the significant investment of benefitted landowners to drain and protect the ground to increase yields; and

WHEREAS, it is the duty of the Board to protect the investments made by landowners in drainage district, levee districts, and lands that would benefit from being drained; and

WHEREAS, Iowa Code Section 468.186 specifically addresses a proposed pipeline installation on, over, across, or beneath the right-of-way of any drainage or levee district; and

WHEREAS, Iowa Code Section 468.186 mandates that a pipeline applicant, before beginning construction, obtain from the governing body of the drainage or levee district an easement to cross the district's right-of-way; and

WHEREAS, Iowa Code Section 468.186 provides that the governing body of the drainage or levee district may, as a condition of granting such easement, attach thereto such additional conditions as the district's governing body deems necessary; and

WHEREAS, it is in the best interest of the public health, convenience and welfare for the Board to establish these additional conditions necessary for the Board to grant easements across drainage district, levee district, multi-county drainage district, and multi-county levee district right of way and to determine the applicability of such conditions to other lands contained within a drainage or levee district; and

WHEREAS, the Board has obtained input from the public, its counsel, drainage engineers, and from an interested company in order to make an informed determination of what conditions are necessary.

NOW THEREFORE BE IT RESOLVED

That in addition to the requirements in Iowa Code Chapter 468, Iowa Code Chapter 478B, and Iowa Administrative Code chapters 199 IAC 9 and 13, the Board instructs the Drainage District attorney to include the following conditions, pursuant to Iowa Code Section 468.186, in any easement entered into or proposed for Board approval which provides easement rights for Construction of a Hazardous Liquid Pipeline Over, Across, or Beneath County Drainage Districts and which involve drainage district, levee district, multi-county drainage district, and multi-county levee district right-of-way.

REQUIREMENTS FOR CONSTRUCTION OF A HAZARDOUS LIQUID PIPELINE OVER, ACROSS, OR BENEATH COUNTY DRAINAGE DISTRICTS

The Applicant shall file an Application for an Easement for Construction of a Hazardous Liquid Pipeline Over, Across, or Beneath County Drainage Districts with each applicable district, listing each crossing or crossings associated with a single project of Drainage District Infrastructure and, upon agreement to such an Easement, shall be governed by these Requirements in the Easement and shall comply with all conditions contained therein.

1) Definitions

- a. Applicant – the entity requesting an Easement for Construction of a Hazardous Liquid Pipeline Over, Across, or Beneath County Drainage District. The Applicant filing the Application must be the owner of the Project. Applicant includes any and all assignees and successors in interest.
- b. Applicant Parties – Applicant and its contractors, and subcontractors, suppliers or designees and each of their representatives and permitted assigns.
- c. Application – An Application for an Easement for Construction of a Hazardous Liquid Pipeline Over, Across, or Beneath County Drainage Districts, which is the manner of requesting an easement from the Board.
- d. Board – The Board of Supervisors as trustees of individual drainage districts, levee districts, multi-county drainage districts, and multi-county levee districts.
- e. Board of Supervisors – the Board of Supervisors of Buena Vista County sitting as the Board of Supervisors, and as Drainage District Trustees.
- f. County – Buena Vista County, Iowa
- g. Crossing Fee – This fee shall only be deemed to reimburse a Drainage District for the easement granted at a crossing, publication costs, engineering costs, inspection costs, auditor's cost, necessary copying, and legal services related to the crossing. Said fee shall be paid in conjunction the Issuance of the easement and/or consent to cross the district's facilities.
- h. Drainage District – any drainage district, levee district, multi-county drainage district, and multi-county levee district created under Iowa Code Chapter 468 that are identified in the Application.
- i. Drainage District Infrastructure – Improvements and infrastructure owned, controlled, or associated with drainage districts, levee districts, multi-county drainage districts, and multi-county levee districts including but not limited to underground tiles, open ditches, pumping stations, levees, and related facilities.

- j. Drainage Engineer – A licensed engineer designated by the Board. The Drainage Engineer may name a designee. The Board hereby appoints Brian Blomme as the Board's designated Drainage Engineer for all matters contained herein. The designated Drainage Engineer may be changed at any time by the Board. The Applicant will be notified of any such change. Brian Blomme may be reached: Drainage Department, 215 East Fifth Street, Storm Lake, Iowa 50588; Phone (712)213-7458. Where the term Drainage Engineer is used in this document the term also includes a designee or representative of the Drainage Engineer.
- k. Easement – That agreement between the Board and the Applicant granting rights to construct, manage and use a hazardous liquids pipeline over, across, or beneath specified drainage districts and which incorporates the terms herein.
- l. Emergency – An unplanned situation that presents a danger to life, safety or welfare of persons or the environment in or near the Easement area and which requires immediate attention for protection or remediation of such persons or environment.
- m. Parties – The Board, Drainage District, Landowners and Applicant.
- n. Project – The development, construction and operation of a hazardous liquid pipeline and associated facilities.
- o. Project Construction Area – The area of project construction including the right-of-way granted the Applicant and work limits identified in the Easement.
- p. Requirements – Requirements for Construction of a Hazardous Liquid Pipeline Over, Across, or Beneath County Drainage Districts.

2) General Obligations of Applicant

- a. Within thirty (30) days from the Applicant filing an Application, the Board will provide the Applicant with access to all maps and other files related to the Drainage Districts. The Applicant acknowledges that the County's maps of the Drainage Districts may not be accurate or complete, and the Board shall bear no responsibility for their accuracy; nor shall Applicant raise any such inaccuracy or incompleteness as a basis not to comply with the repair/restoration provisions herein.
- b. The Applicant shall then, no later than ninety (90) days prior to the start of the construction on the Project, furnish the Board with plats showing the location, including GPS coordinates, of the proposed construction and all proposed crossings of the Drainage District Infrastructure. If in view of such plats it is determined by the Board that such locations are in conflict with present or proposed Drainage District Infrastructure or the affirmative duty of the district to drain the land, and, for a justifiable and legitimate engineering reason, that a more desirable location is possible and the shift would not be in conflict with any state or federal requirements or siting restrictions, requirements or approvals, and/or the landowner(s) does not object to the relocation, the Applicant shall review such possible alignment changes with the Drainage Engineer. The Applicant and the Drainage Engineer shall work together in good faith to agree upon any alignment changes to be made pursuant to this Paragraph, taking into account the costs, benefits, feasibility, governing engineering principles, and the need to accommodate any present or proposed Drainage District Infrastructure and the affirmative duty of the district to drain the land. In the event the Applicant and the Drainage Engineer cannot agree upon the alignment changes to be made pursuant to this Paragraph, the Applicant and the Drainage Engineer shall mutually agree upon an independent, third party who is a licensed engineer in Iowa with experience in drainage to determine what alignment changes should be made pursuant to this Paragraph, taking into account the costs, benefits, feasibility, governing

engineering principles, government approvals, and the need to accommodate any present or proposed Drainage District Infrastructure and the affirmative duty of the District to drain the land. The decision of such independent third-party licensed engineer shall be binding upon the parties. The Applicant shall pay all fees and costs of the independent third-party engineer. Applicant acknowledges that under Iowa law it cannot interfere with the drainage of the land and will make design changes to accommodate drainage if a more desirable location is not feasible.

- c. NO CONSTRUCTION IS TO COMMENCE ON ANY PORTION OF THE PROJECT WITHIN THE DRAINAGE DISTRICT RIGHT-OF-WAY WITHOUT APPROVAL OF A RESOLUTION BY THE BOARD OF SUPERVISORS STATING THAT ALL NECESSARY EASEMENTS AND AGREEMENTS ARE IN ORDER FOR THE PROJECT AND THAT PROJECT CONSTRUCTION CAN COMMENCE.
- d. The Applicant shall give the Board two (2) weeks prior notice of their intention to commence construction on the Project in the County. Said notice shall be made in writing to the Drainage Engineer and the County Auditor. Notice cannot be given until an Easement for the Project has been approved by the Board and passage of a resolution by the Board of Supervisors stating that all necessary easements and agreements are in order for the Project and that Project construction can commence.
- e. Two (2) weeks after notice as provided in according to section 2(d) above and in compliance with these Requirements, the Applicant shall be allowed to construct the Project at the Applicant's own expense and the Applicant shall pay all costs of any reconstruction, relocation, modification, or reinstallation of the Drainage District Infrastructure which may be necessary as a result of construction of the installation for which the easement was granted.
- f. If any portions of the Drainage District or Drainage District Infrastructure in or adjacent to the project construction area are damaged by the Applicant Parties as a result of the Project construction, the Applicant, at their sole expense, shall promptly repair such damage as directed by the Board, provided that such direction is not inconsistent with the requirements of 199 Iowa Administrative Code Chapter 9 or the terms of this easement. In the event the Applicant and the Drainage Engineer cannot agree as to the cause of the repair for any such damage, the Applicant and the Drainage Engineer shall mutually agree upon an independent, third party who is a licensed engineer in Iowa with experience in drainage to determine the cause of the repair for such damage. The determination of such independent third-party licensed engineer shall be binding upon the parties. The Applicant shall pay all fees and costs of the independent third-party engineer.
- g. Subsequent to construction of the pipeline, all additional costs for Drainage District Infrastructure construction, maintenance, improvement or reconstruction caused by the presence of Applicant's pipeline shall be paid by the Applicant. To receive compensation under this paragraph, the Board shall either present an invoice specifying the additional costs caused by the presence of the Applicant's pipeline which is accompanied by a written verification of the additional costs by the Drainage Engineer or reach an agreement with the Applicant on the project design and share of the cost to be paid by the Applicant during the planning of the Drainage District Facilities project.

- h. After construction of the installation has been completed in accordance with all conditions under which the easement is granted, the drainage District shall maintain its facility at its own expense, and Applicant, or the Applicant's successors in interest, shall maintain the installation at the Applicant's or successor's own expense. If the Drainage District subsequently undertakes any maintenance, improvement, or reconstruction of its facility which requires the modification, relocation, or reconstruction of the installation, the expense of such modifications, relocation, or reconstruction shall be borne by Applicant or the Applicant's successors in interest.
- i. The Applicant shall at any time subsequent to the commencement of construction, and at Applicant's sole expense, reconstruct or replace its installation as may be necessary to conform to new grade or alignments resulting from maintenance, improvement or construction operations of the Drainage District. The Applicant agrees to do this within one hundred twenty (120) days of receipt of written request from the Board, or such longer time period as the Board may specify, without cost to the Drainage District. Such reconstruction or realignment of Applicant's improvements shall be made in accordance with the approval by the Board. If the Applicant fails to comply with the time period specified above or such longer period as the Board may specify, the Applicant agrees that the Board may seek injunctive or other appropriate relief against it, requiring specific performance of such reconstruction or realignment. Applicant agrees that it shall be liable to the Board for any and all expenses of seeking such relief, including reasonable attorneys' fees, in the event the Board is required to seek such relief pursuant to this Paragraph.
- j. Applicant shall be responsible to remedy any damage caused by the Applicant Parties to the Drainage District and Drainage District Infrastructure arising from the operation, maintenance, or repair of the Project.
- k. Subsequent to construction of the pipeline, except in cases of an Emergency, Applicant shall provide Board with a minimum of forty-eight (48) hours advanced notice of any work to be performed by the Applicant Parties within the right-of-way of the Drainage District. The Board shall have the right to have a Drainage Engineer present during any such work. If proper notice is given pursuant to this Paragraph, such work shall not be delayed by the failure of a Drainage Engineer to be present during such work. Applicant shall be responsible for all costs incurred by the Board and the Drainage District, including expenses of the Drainage Engineer related to the Applicant's work within the right-of-way.
- l. As-Built Plans. As-built plans for all installations related to the Project shall be furnished to the Board within one hundred eighty (180) days of completion of construction that crosses Drainage District Infrastructure. Said plans shall include a plan, a profile and a location using the civil monument or GPS locations. All plans shall include exact GPS coordinates of all crossings of Drainage District Infrastructure. The Applicant agrees that the Board may seek injunctive or other appropriate relief against it, requiring specific performance of this Paragraph. Applicant agrees that it shall be liable to the Board for any and all expenses of seeking such relief, including reasonable attorneys' fees, in the event the Board is required to seek such relief pursuant to this Paragraph.
- m. At all times, the Applicant shall allow the Board, its Designee, and its contractors unrestricted access to the Drainage District Infrastructure for any and all needs of the Drainage District as identified by the Board or Drainage Engineer. The Board agrees that it will comply with One Call notification programs before performing any work on the Drainage District Infrastructure that may reasonably come into contract with, or otherwise impact the Applicant's pipeline. Applicant may send a watchman at their own expense to observe the work. Work shall not be delayed if a properly notified watchman is not present.

- n. If the Applicant fails on its own to properly repair any portion of the Drainage District or Drainage District Infrastructure that is damaged as a result of the Project as required hereunder, the Board may demand in writing that the Applicant repair same within thirty (30) days, or such longer period as the Board and Applicant may agree. If the Applicant fails to make such repairs within the thirty (30) day period, or such longer period as the Board and Applicant may agree to, the Board may make such repairs and invoice the Applicant for the reasonable cost of such repairs. If the Board causes such work to be done, Applicant shall pay for the cost of the repairs within thirty (30) days the Applicant shall be liable for all costs of the repairs which shall be collected by the County on behalf of the district in any court having jurisdiction. The Applicant shall be liable to County of reasonable attorney fees incurred by the County in pursuing payment.

3) Construction and Repair Standards

- a. Examination. The Board shall appoint a Drainage Engineer to inspect and approve all construction and repair activities by the Applicant that impact the Drainage District and Drainage District Infrastructure. The Applicant Parties shall keep the Drainage Engineer informed of the work schedule on Drainage District right-of-way and any changes to such schedule. A Drainage Engineer shall be present on the site at all times at each phase and separate activity of the opening of the trench, the restoration of underground improvements, and backfilling. If, however, proper notice is provided to the Drainage Engineer, the work performed by the Applicant Parties shall not be halted or delayed by the failure of the Drainage Engineer or its representative to be present on the site. All reasonable compensation, wages, mileage, and other legitimate expenses for said Drainage Engineer involving work in the Drainage District right-of-way shall be incorporated into the Crossing Fee. Said Drainage Engineer will be responsible for inspecting all crossings of Drainage District Infrastructure and shall have the authority to require the Applicant Parties to excavate and expose the crossing of any Drainage District Infrastructure where the Drainage Engineer believes it prudent to visually examine same. Further, said Drainage Engineer has the authority to request that the County Inspector present pursuant to Iowa Code 479B.20 suspend construction in the event of imminent risk to persons or property resulting from Applicant's or Applicant Parties' activities. The Drainage Engineer shall specify to the Applicant and the County Inspector details relating to the imminent risk that the construction activity poses as well as a timeline for resuming activities. The Drainage Engineer and the Applicant shall work together in good faith with the County Inspector to determine whether any activity poses imminent risk to persons or property and the procedure and timeline for resuming activities.
- b. Construction Specifications. All crossing of the Drainage District Infrastructure shall be constructed or repaired by Applicant Parties in accordance with pre-construction plans and specifications agreed to between the Applicant and the Drainage Engineer which shall not be contrary to the requirements of 199 Iowa Administrative Code Chapter 9. The construction and maintenance of Applicant's installation shall be carried on in such a manner as to not interfere with, nor interrupt the function of, any Drainage District Infrastructure. The Applicant shall be liable for any damages, including any crop loss or damage to property, caused as a result of any interference or interruption caused by the actions of Applicant or Applicant Parties.
- c. Interruption. In the event it becomes necessary to temporarily stop the normal flow of water in any Drainage District Infrastructure in order to permit the Applicant's construction, installation, and repair the following shall be done by the Applicant.
 - i. If the crossing involves a tile line, the replacement of tile with approved metal pipe or concrete pipe, in the manner approved by the Drainage Engineer, shall be performed as rapidly as possible. If the approved method of repair is impossible

and the volume of water flowing in the tile is sufficient to create the possibility of crop loss or property damage, the Applicant will be permitted to temporarily block the tile line to prevent the flow of this tile water into the pipeline, or tile line ditch. In the event that this tile line is so temporarily blocked, the Applicant will be expected to provide sufficient pumping equipment to pump the impounded tile water across the construction ditch to the undisturbed tile line. Such temporary blockages of said Drainage District tile lines will be removed as rapidly as possible, and any tile repairs caused by this blockage will be immediately repaired at the Applicant's expense.

- ii. If the crossing involves the crossing of a Drainage District open ditch that is carrying sufficient flow of water to make it necessary to place a temporary dam across said open ditch, such temporary dams may be constructed only upon approval from the Drainage Engineer and, if applicable, the permission of any private landowner owning property which must be accessed for the construction of such dam and the private landowner provides permission to place water that results from the dam on their property. The maximum elevation of this impounded water shall be determined by the designated Drainage Engineer and all excess water must be allowed to flow across the construction ditch through either a closed metal culvert pipe or by pumping. All temporary dam structures are to be removed as soon as the crossing is completed. The construction and removal of these dams to be in such manner that the smooth and efficient function of the drainage ditch is not impaired with all costs and damages borne by Applicant.
- d. Tile Repair Completion. The Applicant will make all permanent tile line repairs within ninety (90) days following completion of construction in the County, adjacent to, over, or beneath any Drainage District Infrastructure, taking into account weather and wet soil conditions, unless a different schedule is agreed to by the Parties. All tiles will be repaired with materials of the same or better quality as that which was damaged and shall be of a size approved by the Drainage Engineer based on current Iowa State University (ISU) Extension Service Drainage Standards and be subject to final approval of the Drainage Engineer. Applicant shall take photographs of all repairs to Drainage District Infrastructure prior to backfilling or covering the repair. Photographs shall bear the exact GPS location of the repair and be provided to the Drainage District within 30 days of completion of the repair. If the Applicant fails to make such repairs within the ninety (90) day period, or such longer period as the Board and Applicant may agree to, the Board may make such repairs and invoice the Applicant for the reasonable cost of such repairs. If the Board causes such work to be done, Applicant shall pay for the cost of the repairs within thirty (30) days of receipt of the invoice. If Applicant fails to pay within thirty (30) days, the Applicant shall be liable for all costs of the repairs which shall be collected by the county on behalf of the district in any court having jurisdiction. The Applicant shall be liable to County for reasonable attorney fees incurred by the County in pursuing payment.
- e. If there is evidence that any portion of a Drainage District or Drainage District Infrastructure, including but not limited to drain tiles under roads utilized by construction traffic and drain tiles crossed by construction equipment, has been damaged by Applicant or Applicant Parties, those damaged tiles or other Drainage District Infrastructure shall be repaired by the Applicant at the Applicant's expense at the end of the Project construction in the county in a manner acceptable to the Drainage Engineer. The Drainage Engineer and Applicant shall work together in good faith to determine the cause of any damage covered by this Paragraph. In the event the Applicant and the Drainage Engineer cannot agree as to the Cause of any such damage, the Applicant and the Drainage Engineer shall mutually agree upon an independent, third party who is a licensed engineer in Iowa with experience in drainage to determine the cause of such damage. The determination of such independent third-party licensed engineer shall be binding upon the parties. The Applicant shall pay all fees and costs of the independent third-party engineer. Paved public roadways with

adjacent tiles shall have the road and tiles bored under the reach. No open cut shall be permitted on a public roadway with tiles, unless otherwise agreed to by the County Engineer or the Iowa Department of Transportation. Nothing in this Paragraph shall be construed to require the Applicant to take any action inconsistent with Department of Transportation("DOT") rules and regulations. Applicant and Applicant Parties shall temporarily install sufficient cover or other measures for load distribution to avoid damage to the Drainage District Infrastructure.

- f. **Compaction, Rutting and Soil Restoration.** The Applicant shall also be responsible at Applicant's expense to restore all and within the Drainage District right-of-way to its pre-construction condition as near as is practicable. Standards to be followed at a minimum are the Land Restoration Standards found in Iowa Code Section 479B.20, Iowa Administrative Code 199 IAC 9, and the Applicant's Agricultural Mitigation Plan. The Drainage Engineer and the Applicant shall work together in good faith to make an onsite inspection of the completed restoration and determine compliance with the Land Restoration Standards found in Iowa Section 479B.20, Iowa Administrative Code 199 IAC 9, and Applicant's Agricultural Mitigation Plan. In the event that Applicant and the Drainage Engineer cannot agree as to compliance as set forth herein, the Applicant and the Drainage Engineer shall mutually agree upon an independent, third party who is a licensed engineer in Iowa with experience in drainage to determine compliance as set forth herein. The determination of such independent third-party licensed engineer shall be binding upon the parties. The Applicant shall pay all fees and costs of the independent third-party engineer.
- g. **Crossing Specifications.** All crossing of Drainage District Infrastructure shall be constructed by Applicant in accordance with the following specifications:

- i. **CROSSING OF OPEN DITCHES**

- 1. Passage of the Applicant's installation in a horizontal plane five (5) feet below design grade of the drainage ditch, or deeper, as may be determined by the Board for a justifiable and legitimate engineering reason in consultation with Drainage Engineer.
 - 2. The above depth is to extend to a point two (2) times the design base width of the ditch either side of the centerline of the drainage ditch, unless the existing base width is greater than the design base width. If the existing base width is greater than the design width, the depth is to extend to a point two (2) times the existing width.
 - 3. The preferred rate of slope for transition from a normal installation laying depth to crossings of drainage ditches shall not be steeper than 3:1. For a justifiable and legitimate engineering or constructability reason, a slope steeper than 3:1 may be approved by the Board in consultations with the Drainage Engineer.
 - 4. If such ditch crossings occur at points of outlets of Drainage District Infrastructure or within twenty-five (25) feet of said outlets, such outlet facilities must be relocated to a point no less than twenty-five (25) feet from such crossings. Such relocations shall be at the expense of the Applicant and as directed by the Drainage Engineer in his or her sole discretion.

5. All crossing of open ditches shall be done by boring or open cut as agreed to by the Drainage Engineer following consultation with the Applicant. In determining whether boring or open cut is proper, the Drainage Engineer and the Applicant shall work together in good faith, considering the costs, benefits, feasibility, applicable engineering principles, and the interests of the parties. In the event that Applicant and the Drainage Engineer cannot agree, the Applicant and the Drainage Engineer shall mutually agree upon an independent, third party who is a licensed engineer in Iowa with experience in drainage to determine whether boring or open cut is proper, considering the costs, benefits, feasibility, applicable engineering principles, and the interests of the parties. The determination of such independent third-party licensed engineer shall be binding upon the parties. The Applicant shall pay all fees and costs of the independent third-party engineer.

ii. CROSSING OF DRAINAGE DISTRICT TILE LINES

1. All proposed installations must be placed under the existing Drainage District tile lines, while maintaining a minimum of two (2) feet of separation between the installation and the existing drainage district tile lines.
2. The minimum separation between the bottom of Drainage District tile lines sized in accordance with current ISU Extension Drainage Standards and installed with the top of existing tile being maintained, shall be two (2) feet, unless determined otherwise for a justifiable and legitimate engineering reason, by the Board in consultation with the Drainage Engineer.
3. Drain tiles may be crossed by either an open cut or by utilizing a bore. However, for open cut crossings, the Applicant shall replace the Drainage District tile with reinforced concrete pipe of sufficient size determined by the Drainage Engineer in accordance with current ISU Extension Drainage Standards. The concrete pipe strength is at the reasonable discretion of the Drainage Engineer but the minimum pipe strength is to be 2000D (Iowa Department of Transportation approved) with the standard tongue and groove joints. The pipe is to have a minimum of three (3) bolt-type connectors at each joint. The pipeline shall be backfilled and compacted prior to placement of tile with six (6) inches of two (2") inch crushed stone cradle rock being placed under the tile. Dual wall high density polyethylene (HDPE) pipe may be substituted for concrete pipe at the reasonable discretion and approval of the Drainage Engineer and installed with six (6) inches of two (2") inch crushed stone cradle rock being placed under the tile and backfilled in accordance with the manufacture installation requirements. In the event the Applicant and the Drainage Engineer cannot agree on the requirements or conditions of this Paragraph, the Applicant and the Drainage Engineer shall mutually agree upon an independent, third party who is a licensed engineer in Iowa with experience in drainage to determine what changes should be made pursuant to this Paragraph, taking into account the costs, benefits, feasibility, governing engineering principles, government approvals, and the need to accommodate any present or proposed Drainage District Infrastructure and the affirmative duty of the District to drain the land. The decision of such independent third-party licensed engineer shall be binding upon the parties. The Applicant shall pay all fees and costs of the independent third-party engineer.

4. The length of tile to be replaced by any of the above alternates is as follows:
 - a. Eight (8) inch tile and smaller: Six (6) feet either side of the top of trench excavated for the installation of pipeline, measured at right angles to the centerline of the crossing location.
 - b. Ten (10) inch tile or larger: Ten (10) feet either side of the top of trench excavated for the installation of pipeline, measured at right angles to the centerline of crossing location.
5. If the Applicant's installation disturbs or requires replacement of any portion of a tile drain less than twenty (20) inches in diameter, and a portion of such drain will remain wholly or partially exposed after the construction project has been completed, the portion which is to remain exposed and not less than three (3) feet of such drain immediately on either side of the portion which is to remain exposed, shall be replaced either with steel pipe of not less than sixteen (16) gauge or polyvinyl chloride pipe conforming to current industry standards regarding diameter and wall thickness.

4) Board's Representations, Warranties and Covenants

- a. Notice of Repair, Improvement, Maintenance or New Construction. The Board shall give the Applicant at least ninety (90) days written notice of the proposed repair, improvement, maintenance, or new construction of drainage facilities in a Drainage District that the Board believes may impact any of the Project facilities. The Board shall also give at least twenty-four (24) hours verbal (via telephone) notice of emergency maintenance repairs in the Drainage District that may expose, cover up or disturb any installation belonging to Applicant, so that Applicant may arrange to protect same. Emergency (24 hour) notice shall be given by calling Applicant at:

or at such other number provided from time to time to the Board by the Applicant. The Board also agrees that it will comply with One Call notification programs before any work pursuant to this Paragraph.

- b. Limitation on Liability. So long as Applicant receives the notice set forth in Section 4(a) above, the Board and the Drainage District shall have no responsibility for damages to Applicant's property occasioned by any construction or maintenance operation of the Drainage District subsequent to Applicant's installation, except for damage resulting from the willful misconduct or gross negligence of the Board and/or its representatives or agents.
- c. Applicant shall be responsible for actual property damage caused by constructing and maintaining the Project. These damages are separate and distinct from any payment made to the Drainage District or Board for expenses, crossing fees or easements. The determination of these damages shall be by the Board exclusively; provided, however, that Applicant maintains its right to seek judicial review of any such damage determination of the Board in accordance with Iowa Code Chapter 468. Damages shall not be duplicative of damages claimed by and paid to landowners. Payment shall be made by the Applicant within thirty (30) days of the Board's determination.

5) Notices

- a. Written Notice. Any notice, demand, or other communication "Notice" related to these Requirements shall be in writing and given personally or by registered or certified mail

return receipt requested. A courtesy copy of the Notice may be sent by facsimile transmission or electronic mail.

- b. Notices shall be given to the Parties at their addresses set forth below:

Buena Vista County
c/o Buena Vista County Auditor
Buena Vista County Courthouse
215 East Fifth Street
Storm Lake, Iowa 50588
Phone: 712-749-2542
Attention: Auditor

Applicant's Name: _____

Applicant's Address: _____

Applicant's Phone: _____

Applicant's Email: _____

Attention: _____

- c. By providing Notice to the other party, any party may at any time designate a different address or person to which such notice or communication shall be given.
- d. Notice by hand delivery shall be effective upon receipt.
- e. Notice to Applicant Parties. Applicant agrees to provide a copy of these Requirements to the Applicant Parties and advise same of their obligation to comply. The Applicant shall be responsible to make certain all of its contractors, subcontractors, agents, employees and representatives comply with all Requirements contained herein.
- f. Applicant acknowledges an affirmative duty to keep notification information current.

6) Indemnity

With respect to claims made by third parties, Applicant agrees to indemnify, protect, and defend the County, Board and Drainage District from and against any and all demands, liens, claims, or causes of action and any and all liability, costs, expenses, and judgments incurred in connection therewith (including court costs and reasonable attorney's fees), whether arising in equity, at common law, or by State, Federal, local or other statute, rule or regulation, including environmental law, or under the law of torts (including negligence and strict liability) ("claim") relating to the Project and/or resulting from or arising out of the use of the easement by Applicant, its servants, agents or invitees and to the extent caused by the Applicant Parties proportionate share of negligence, negligent actions or inactions, provided, however, that Applicant's contractual obligation of indemnification shall not extend to the percentage of the claim attributable to the County or Drainage District's negligence, willful misconduct, or strict liability imposed upon the County or Drainage District as a matter of law.

7) Miscellaneous Provisions

- a. Assignment. The Applicant's interests are transferable. However, assignee is required to comply with all Requirements set forth herein.
- b. Binding Effect. These Requirements contained herein shall be binding upon, and inure to the benefit of, the Applicant, Drainage Districts and their respective heirs, successors (by merger, consolidation or otherwise) and permitted assigns, devisees, administrators, representatives, lessees and all other persons or entities acquiring all or any portion of the Project, any lot, parcel or any portion thereof within the Project Area, or any interest therein, whether by sale, operation of law, devise, or in any manner whatsoever.
- c. Iowa Law. The Application and Requirements are entered into under the laws of the State of Iowa, and Iowa law shall apply to the interpretation hereof. Any legal action to enforce or interpret these Requirements or Application shall be brought exclusively in Iowa District Court in Buena Vista County, or, if there is a basis for federal question jurisdiction, in the United States District Court for the Northern District of Iowa, and the Parties hereby waive all objections to the jurisdiction and venue of these courts.
- d. Severability. If any provisions of the Application and Requirements are determined to be unenforceable, invalid or excessive, the Application and Requirements can thereafter be modified, to implement the intent of the Applicant and Board to the maximum extent allowable under law and the remainder of the Application and Requirements shall remain unaffected and in full force and effect.
- e. Agent for Service of Process. The Applicant shall appoint an agent for service of process in Iowa and register such address with the Secretary of State. If the Applicant designates a different Agent or person who is authorizes to accept service of any process resulting from this Easement, Applicant shall provide written notice setting out the name, address and telephone number of said agent to Board within thirty (30) days of filing Application.
- f. Insurance. Before starting construction and to the extent of Applicant's indemnity obligations hereunder, Certificates of Insurance or self-insurance naming the Board as an additional insured for the Project shall be filed by the Applicant for itself and for the Applicant Parties, with the County Auditor. Applicant shall also certify that the insurance does not contain exclusion for environmental pollution or Applicant shall provide an alternative environmental pollution policy that meets the minimum requirements as defined below. This insurance shall be written for not less than the following limits:

i. Workers' Compensation	Statutory Limits
ii. Contractor's Liability and Property Damage	
Bodily Injury	\$1,000,000.00
Each person	\$1,000,000.00
Each Accident	\$5,000,000.00
iii. Property Damage	
Each Accident Aggregate	\$5,000,000.00

iv. Automobile

Liability and Property Damage	\$1,000,000.00
Bodily Injury	\$5,000,000.00
Each Person	\$1,000,000.00
Each Accident	\$5,000,000.00
Property Damage	\$1,000,000.00
Each Accident Aggregate	\$5,000,000.00

- v. Commercial General Liability and Umbrella. Liability Insurance \$10,000,000.00 each occurrence Applicant shall maintain Commercial General Liability ("CGL") Insurance in a limit of not less than \$10,000,000.00 each occurrence. This required minimum limit may be met through a combination of primary and excess liability policies. The CGL Insurance shall cover liability arising from premises operation, independent contractors, personal injury, and liability assumed under an insured contract, including the tort liability of another assumed in a business contract. Applicant shall obtain coverage for liability arising from pollution, explosion, and collapse, underground property damage caused by Applicant, its employees, contractors, representatives, and agents to the extent of its indemnity obligations hereunder.

- a. Included in the CGL Policy or a separate Policy, Grantee must have insurance for sudden and accidental environmental pollutant liability caused by Applicant, its contractors, representatives, and agents in connection with the project and use of the easement. Coverage shall be maintained in an amount of at least \$10,000,000.00 per loss event.

These limits shall be adjusted every 10 years to reflect the changes over that time in the U.S. Bureau of Labor Statistics' CPI-U index.

- vi. Remedies available to the Board. In the event that Applicant should fail to comply with any provision of the insurance section of this resolution then the Board may provide Applicant with a written notice by service of process as allowed by the Iowa Rules of Civil Procedure upon Applicant or by certified mail upon Applicant at Applicant's last known address. Such notice shall specify the default and shall allow Applicant thirty (30) days to cure the default and/or contest that a default exists. In the event that Applicant fails to cure the default within such time, the Board may seek an injunction from the Iowa District Court for Buena Vista County against the Applicant concerning the operation of a pipeline and shall be entitled to enjoin any and all operations until such time as the Applicant shall cure said default. The Board shall be entitled to collect from Applicant all reasonable attorney fees and expenses relating to any injunction as arising under this subsection. The above remedies are not exclusive. The Board shall be entitled to use or devise any other remedy to the Board at law or in equity.
- vii. Proof of Insurance. Applicant shall cause certificates of insurance evidencing all of the above insurance policies and coverage to be provided promptly to the County upon request by the Board but no more than one time annually.
- a. All of the above required insurance policies shall reflect that the Board will receive thirty (30) days' prior written notice of cancellation in coverage and shall reflect that the insurer has waived any right of subrogation against the Board.

- viii. Term. These insurance requirements shall remain in effect for the term of the easement.
- g. Timely Performance. Time is important in the performance of each and every obligation to be performed by the Applicant and Board hereto.
- h. Nothing in the Application and Requirements shall be interpreted to restrict the Drainage District's use and enjoyment of the easement created by Iowa Code Section 468.27. Unless otherwise stated, the Drainage District's easement shall be 150 feet on either side of the center line of the Drainage District Infrastructure. The Drainage District maintains all rights of ingress and egress to the easement and the drainage improvement.
- i. Applicant agrees to pay a one-time Crossing Fee of \$9,000.00 per crossing. This fee shall only be deemed to reimburse the Drainage District for the easement granted at a crossing, publication costs, engineering costs, inspection costs, and legal services related to a crossing. Said fee shall be paid in conjunction with the issuance of the Easement.
- j. The Easement agreed to by the Board are subject to existing regulations and statutes, which may be promulgated or enacted.
 - i. This shall include, but not be limited to, Applicant agreeing to comply with land restoration rules and requirements set forth by Iowa Utilities Board in 199 Iowa Administrative Code Chapter 9 and requirements of Iowa Code 479B.20 and in connection with abandonment, 49CFR part 195 and Iowa Code Section 479B.
- k. Any requirement of this Easement as to design specifications or time periods may be altered or amended by agreement in writing between the Board, in consultation with the Drainage Engineer and Drainage Attorney, and the Applicant.
- l. The Easement is valid so long as Applicant is in compliance with its terms. If the Applicant is not in compliance with the terms of the Easement, the Applicant agrees that the Board may seek injunctive or other appropriate relief against it. The Applicant shall be liable to the Board for any and all expenses of seeking such relief, including reasonable attorneys' fees, in the event the Applicant is found by a Court to be in material, uncured breach of a specific requirement of the Easement.

Passed and approved this 1st day of February, 2022

/s/ Paul Merten, Chairman, Kelly Snyder, Vice-Chairman, Rhonda Ringgenberg, Member, Don Altena, Member, and Tom Huseman, Member.....Attest: Susan K. Lloyd, County Auditor

Motion by Ringgenberg, second by Altena, to pay a per diem rate to the **Zoning Board and Board of Adjustment Commissioners**, \$50/meeting plus mileage, effective February 1, 2022. Carried.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 11:40 a.m. until Tuesday, February 8 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
SEVENTH MEETING, 2022 SESSION (7)
FEBRUARY 8, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 8, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder 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 Huseman, second by Altena, to approve **today's agenda**, as presented. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Electric Cooperative, Estherville, IA, to bore under 60th Ave. for accommodation of one underground primary cable, between Sections 1 and 2 Nokomis Township. Carried.

Secondary Road Report: They have been working in the shop on equipment, building brackets to hold sanders on the plows, and some have been blading gravel roads; the Engineers Association is meeting with IDOT regarding the Infrastructure Investments and Jobs Act dollars and how the funds can be distributed. Also meeting with Feds regarding bridge grants for several counties, to find out why their applications were not approved. BV County didn't have a request in this time for grant funding on a bridge.

Env Health/Zoning Director Kim Johnson and Specialist Jason Butler were present to inform the Board of the Zoning Boards public hearing on a proposed amendment to the future land use map in the Comprehensive Plan. Butler stated that the Zoning Board had met, and recommends the amendment of a tract of land (known as the Hubbard Feed tract) located in Section 30-91-37, on the future land use map of the Comp Plan from Transitional Agriculture to Industrial. Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2022-02-08-A**. Carried.

Resolution #2022-02-08-A

Whereas the Buena Vista County Zoning Commission held a public meeting on a proposed amendment to the future land use map in the Comprehensive Plan for the following property: The proposed amendment concerns the property located on A TRACT OF LAND LOCATED SOUTH OF THE CHICAGO CENTRAL AND PACIFIC RAILROAD ROW IN SECTIONS 30; TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA. The property is situated on the east side of 70th Ave., and South of the railroad and Hwy 7, in Washington Township, from Transitional Agriculture to Industrial, and

Whereas the Zoning Commission recommends amendment of A TRACT OF LAND LOCATED SOUTH OF THE CHICAGO CENTRAL AND PACIFIC RAILROAD ROW IN SECTIONS 30; TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA, on the future land use map of the Comprehensive Plan from Transitional Agriculture to Industrial, and

Whereas the Buena Vista County Board of Supervisors held a public meeting for public comments on the amendment of A TRACT OF LAND LOCATED SOUTH OF THE CHICAGO CENTRAL AND PACIFIC RAILROAD ROW IN SECTIONS 30; TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA, on the future land use map of the Comprehensive Plan from Transitional Agriculture to Industrial.

Therefore, the Buena Vista County Board of Supervisors approves the amendment of A TRACT OF LAND LOCATED SOUTH OF THE CHICAGO CENTRAL AND PACIFIC RAILROAD ROW IN SECTIONS 30; TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA, on the future land use map of the Comprehensive Plan from Transitional Agriculture to Industrial.

PASSED AND APPROVED this 8th day of February, 2022.

/s/ Paul Merten, Chair, Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Election Deputy Karla Ahrendsen, representing the Wellness Committee, presented an allocation request of \$20,000 for wellness activities in FY'23, keeping the amount reimbursed to employees for a physical at \$150, and allowing up to 3 hours paid time off for their physical. Ahrendsen stated there were 73 participants in FY'20, 78 participants in FY'21, and so far, 45 participants for FY'22. Ahrendsen stated that they would like to have more wellness programs, now that covid has slowed down. Motion by Ringgenberg, second by Huseman, to approve an allocation of \$20,000 for Wellness activities in FY'23, continuing the amount reimbursed to employees for a physical at \$150, and allowing up to 3 hours of paid time off for their physical. Carried.

Attorney Ryan Mohr presented the Board with an addendum for the purchase of the White Family Trust land, moving the date of closing to March, and requested that the Chair sign the addendum. Mohr stated that the closing will be done sooner than March, but in case there are delays, this will allow more time. Motion by Snyder, second by Altena, to approve and authorize the Chair to sign the addendum to move the date of closing to March, 2022, on the White Family Trust land purchase. Carried.

Motion by Huseman, second by Ringgenberg, to appoint Paul Sennert to the Veterans Affairs Commission for the 2022 year, replacing Marty DeMuth, with his term expiring 6/30/23. Carried.

Motion by Ringgenberg, second by Snyder, to approve the minutes of 2/1/22, as corrected, and the following reports: December Conservation Board Minutes, January Sheriff's Report of Fees Collected, January Sheriff's Report of Federal Inmate Billings, November NWIPDC Policy Council minutes, December NW IA YES Center minutes & financials, and Regional Transit Authority (Region III) Audit Report for 6/30/2021 and 2020. Carried.

Payroll Clerk Yvonne Sandhoff, spokesperson for the Insurance Committee, stated that the committee met, and are recommending increasing the Safety Fund, to buffer in case the insurance rates go up in future years, due to high claims, paying 100% of the single plan of insurance, and leaving the percentage that the County pays for the other three tiers of insurance at 70%. By increasing the Safety Fund, the insurance increase amounts to 7.4%. Others present for the discussion were Rob Danielson, Mark Van Hooser, Bret Wilkinson (virtual), Angie Wilkinson (virtual), Kory Elston (virtual), Kim Briley, and Karla Ahrendsen. Danielson stated that he appreciated being able to work with the Board, and having some say in what happens. Van Hooser stated that the employees are helping out, to increase the Safety Fund. Motion by Ringgenberg, second by Huseman, to accept the Insurance Committee's recommendation on the health insurance, increasing the Safety Fund, continue to pay 100% of a single plan, and to continue the county share of the other 3 tiers at 70%. Carried.

Payroll Clerk Yvonne Sandhoff presented the information on the rates for the dental and vision. The current vision plan did not change, still \$11.88 for the single Silver Plan. The Principal Dental rates won't be available until 45 days prior to the plan start date, however a 4% increase was used for budgeting.

Board Member Huseman then introduced the following proposed Resolution entitled "RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED PLATINUM URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN BUENA VISTA COUNTY, STATE OF IOWA", and moved that the same be adopted. Board Member Altena seconded the motion to adopt. The roll was called, and the vote was: Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION NO. 2022-02-08-B

**RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES
OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED
PLATINUM URBAN RENEWAL PLAN FOR A PROPOSED URBAN
RENEWAL AREA IN BUENA VISTA COUNTY, STATE OF IOWA**

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the County and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the County; and

WHEREAS, this Board has caused there to be prepared a proposed Platinum Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Platinum Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Platinum Urban Renewal Area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the County Auditor; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Board has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the proposed Urban Renewal Area is within two miles of the corporate boundaries the City of Alta, the City of Lakeside, and the City of Storm Lake, and the County will enter into a joint agreement with each of these cities to allow the County to operate within the proposed Area; and

WHEREAS, the proposed Urban Renewal Area includes land classified as agricultural land and written permission of the current owners of such land will be obtained; and

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the County as a whole prior to Board approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Board within thirty (30) days of its receipt of such proposed Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the Board of Supervisors to notify all affected taxing entities of the consideration being given to the proposed Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the County shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the Board of Supervisors to hold a public hearing on the proposed Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the County, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan, and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

That the consultation on the proposed Urban Renewal Plan required by Section 403.5(2), Code of Iowa, as amended, shall be held on February 15, 2022, in the Public Meeting Room, County Courthouse, 215 East 5th Street, Storm Lake, Iowa, at 1:00 P.M., and the Chairperson, or his delegate, is hereby appointed to serve as the designated representative of the County for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

That the County Auditor is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution and the proposed Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN BUENA VISTA COUNTY, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED PLATINUM URBAN RENEWAL PLAN FOR BUENA VISTA COUNTY, STATE OF IOWA

Buena Vista County, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 1:00 P.M. on February 15, 2022, in the Public Meeting Room, County Courthouse, 215 East 5th Street, Storm Lake, Iowa concerning a proposed Platinum Urban Renewal Plan for a proposed Platinum Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven (7) days following the date of the consultation. The Chairperson, or his delegate, as the designated representative of Buena Vista County, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven (7) days prior to the public hearing on the proposed Platinum Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the Board of Supervisors of Buena Vista County, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this 8th day of February, 2022.

/s/ Susan K. Lloyd
County Auditor, Buena Vista County, State of Iowa

(End of Notice)

That a public hearing shall be held on the proposed Urban Renewal Plan before the Board of Supervisors at its meeting which commences at 8:30 A.M. on March 8, 2022, in the Board Room, County Courthouse, 215 East 5th Street, Storm Lake, Iowa.

That the County Auditor is authorized and directed to publish notice of this public hearing in the Buena Vista County Journal, the Storm Lake Pilot Tribune, and the Storm Lake Times, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form: (One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A
PROPOSED PLATINUM URBAN RENEWAL PLAN FOR A PROPOSED
URBAN RENEWAL AREA IN BUENA VISTA COUNTY, STATE OF IOWA

The Board of Supervisors of Buena Vista County, State of Iowa, will hold a public hearing before itself at its meeting which commences at 8:30 A.M. on March 8, 2022 in the Board Room, County Courthouse, 215 East 5th Street, Storm Lake, Iowa, to consider adoption of a proposed Platinum Urban Renewal Plan (the "Plan") concerning a proposed Platinum Urban Renewal Area (the "Area") in Buena Vista County, State of Iowa.

The Platinum Urban Renewal Area is proposed to contain the land legally described as follows:

A TRACT OF LAND LOCATED SOUTH OF THE CHICAGO CENTRAL AND PACIFIC
RAILROAD ROW IN SECTIONS 30 AND 31; TOWNSHIP 91 NORTH, RANGE 37 WEST
OF THE 5TH P.M. BUENA VISTA COUNTY, IOWA.

AND

County Road 70th Ave including ROW laying South of Hwy 7 hard surface to its intersection
with County Road 610th Street (also known as C-63)

County Road 80th Ave including ROW laying South of Hwy 7 hard surface to its intersection
with 600th Street.

County Road 600th Street including ROW lay East of 70th Ave to its intersection with 80th
Ave.

A stretch of ROW on both the north and south side of Hwy 7 laying 800 feet West of its
intersection with 70th Ave

A stretch of ROW on both the north and south side of Hwy 7 laying 800 feet East of its intersection with 80th Ave

County Road 20th Ave including ROW (also known as M-27) laying South of Hwy 3 hard surface to the South County line.

County Road 50th Ave including ROW (also known as M-31) laying South of Hwy 3 hard surface to its intersection with County Road 630th Street.

County Road 80th Ave including ROW (also known as M-36) laying South of Hwy 3 hard surface to its intersection with Hwy 7 hard surface.

County Road 120th Ave including ROW (also known as Radio Road) laying South of 590th Street (also known as C-49) to its intersection with Expansion Blvd.

County Road 70th Ave (also known as Villa Road) laying South of 580th Street (also known as C-49) to its intersection with Hwy 7.

County Road 580th Street including ROW (also known as C-49) laying East of County Road 50th Ave hard surface (also known as M-31 to its intersection with 50th Ave (also known as M-36).

County Road 590th Street including ROW (also known as C-49) laying East of County Road 20th Ave hard surface (also known as M-27) to its intersection with 50th Ave (also known as M-31) and 590th Street continuing East to its intersection with 70th Ave.

County Road 590th Street including ROW (also known as C-49) laying East of County Road 80th Ave hard surface (also known as M-36) to its intersection with Hwy 71 hard surface.

County Road 610th Street (also known as C- 63) commencing at the West County line to its intersection with 70th Ave.

County Road 630th Street (also known as C- 65) commencing at the West County line to its intersection with Hwy 71.

A copy of the Plan is on file for public inspection in the office of the County Auditor, Courthouse, Storm Lake, Iowa.

Buena Vista County, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The County also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Plan provides that the County may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the County. The Plan initially proposes specific public infrastructure or site improvements to be undertaken by the County, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the Board of Supervisors of Buena Vista County, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this 8th day of February, 2022.

/s/ Susan K. Lloyd
County Auditor, Buena Vista County, State of Iowa

(End of Notice)

That the proposed Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the County Auditor.

That the proposed Urban Renewal Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the County as a whole, with such recommendation to be submitted in writing to this Board within thirty (30) days of the date hereof.

PASSED AND APPROVED this 8th day of February, 2022.

/s/ Paul Merten, Chairperson, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Huseman, second by Altena, to set the **Public Hearing** for the FY'23 Proposed Property Tax Levy for Tuesday, March 1, 2022, at 9:00 a.m., and publish the notice in the official newspapers. Carried.

Supervisor Meeting Reports: Ringgenberg and Snyder will be attending the Statewide Supervisors Meeting in Des Moines on Thursday; Huseman will attend the Storm Lake United Meeting for Ringgenberg, on Thursday.

EMA Director Aimee Barritt informed the Board that the **Hazard Mitigation Plan** was last approved July, 2018, and so an update needs to be done and approved by mid-July, 2023. Barritt started the process in 2020 and finally got a notice that \$30,000 would be funded. The max Federal reimbursement is 75% (\$22,500), the rest is BV County's share. Barritt stated that the bulk of the work will be done in 2023, so suggested that the Board budget for the expense, along with revenue coming in for the Federal reimbursement. Barritt will be sending out an RFP for the project, but stated that the cost could come in more than \$30,000, and in that case, the county would pay the difference in cost. Barritt stated that having the Hazard Mitigation Plan is very important to the cities, stating that millions of dollars have come in to BV County because we have had a Hazard Mitigation Plan.

There being no further business, motion by Huseman, second by Snyder, to adjourn the meeting at 10:00 a.m. until Tuesday, February 15 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
EIGHTH MEETING, 2022 SESSION (8)
FEBRUARY 15, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, February 15, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder 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 Snyder, second by Ringgenberg, to approve **today's agenda**, as presented. Carried.

Drainage Engineer Brian Blomme and Assistant Drainage Engineer Eric Yunginger reviewed what the proposed changes would have been to Iowa **Drainage Code 468**. Blomme stated that the proposed changes didn't make it through the legislative process this year, so there is year to look at it before it comes up again in 2023. His review was for informational purposes only.

County Attorney Paul Allen was present to update the Board on the status of five remaining funding requests from private non-profits. Allen stated that BV Soil & Water Conservation is okay to fund, as they qualify to receive funding from governments. Allen is still working on contracts for RIDES, CAASA, Upper Des Moines Opportunity, and Family Crisis Center. Allen asked the Board how they would like the contracts written and setting up the billing and reimbursement schedule, as these agencies are supposed to be reimbursed for specific services provided. Auditor Lloyd suggested they could bill the county at the end September and end of March, with reimbursement in October and April, as the agencies are used to. Then, the agencies could bill for April and May by the end of May, so that the final reimbursement could be made in June, by the end of the fiscal year. The billings need to be itemized, and they are subject to audit. Motion by Ringgenberg, second by Altena, to approve funding of the FY'22 allocation request from **BV County Soil & Water Conservation District**. Carried.

The time arrived for the discussion on **salaries**. The Compensation Board had recommended an 8% increase in wages for the Attorney, Auditor, Recorder, Supervisor, and Treasurer, with a 12% increase for the Sheriff, and reaffirmed the longevity schedule for all elected officials, and also recommended an additional \$1,500 stipend for the Auditor, as Board Secretary, and an additional \$1,500 stipend for the Board Chairman. Merten reviewed with the rest of the Board, what their options were, regarding the recommendations. Merten stated that if there were cuts, everyone would be cut by the same percentage, but the Supervisors could lower their own increase without affecting the rest of the elected officials. Snyder commented that with the Sheriff's Department, their counterparts are getting paid more than the sheriff, and it is difficult to hire and retain employees. Snyder recommends approving the full recommendation. Altena commented that when looking at the housing market, people have to pay more. Altena stated that 8% and 12% seems high, but it would compensate for years past. Huseman asked Auditor Lloyd if the budget could handle the increases. Lloyd stated that the full increases were included in the budget, and the Board saw what the ending fund balances were projected to be. Huseman stated that the percentages sound like a lot, but since the budget includes the full raises, he would be in favor of the recommendations. Ringgenberg commented that other businesses are raising wages in order to retain their employees. Huseman stated that the supervisors should be treated equally, receiving the same increase, so that they don't fall behind. Motion by Snyder, second by Ringgenberg, to accept the Compensation Board salary recommendations, setting the **FY'23 salary** increase for Attorney, Auditor, Recorder, Supervisors, and Treasurer at 8%, and a 12% increase for the Sheriff, and including an additional \$1,500 stipend for the Auditor, as Board

Secretary, and an additional \$1,500 stipend for the Board Chair, and reaffirmed the longevity schedule for all elected officials. Carried.

Motion by Snyder, second by Huseman, to approve an 8% wage increase for FY'23, for the non-elected officials and their employees. Carried.

Motion by Ringgenberg, second by Huseman, to approve an 8% wage increase for FY'23, for all Secondary Road employees, except the County Engineer, based on their current base rate, to encourage people to move up. Carried.

Secondary Road Report: The crew has been cutting brush, blading the roads, and moving fuel barrels, gearing up for spring; Engineer Wilkinson met with IDOT on the Infrastructure Investments and Jobs Act dollars, and he will be attending his executive board meeting this week. Wilkinson stated that they are still waiting to see where the Federal dollars will be going.

Veterans Service Officer/General Relief Director Dave Andrews met with the Board to discuss developing a Home Improvement Policy for General Relief. Huseman stated that he will contact NW IA Regional Housing Trust, to obtain a copy of their list of things that qualify for the use of the funds, and give it to Andrews.

Hear the Public: Environmental Health Specialist Jason Butler informed the Board that the Zoning Board met last night, regarding the Platinum Urban Renewal Area. Butler stated that the Zoning Board made a motion that the **Platinum Urban Renewal Area** is in conformity with Buena Vista County's Comprehensive Plan and future land use, and they have no recommendations for changes to the Board of Supervisors.

Motion by Ringgenberg, second by Snyder, to approve the minutes of 2/8/22, as corrected, today's **claims approval list**, **stamped drainage warrant register** and the following **reports:** January BV County Landfill meeting minutes, and January Board of Health minutes. Carried.

Motion by Snyder, second by Ringgenberg, to set a public hearing for a FY'22 BV County **budget amendment**, for March 8, at 9:00 a.m. Carried.

Motion by Huseman, second by Altena, to authorize the Chair to sign the **Confirmation of MSP Addendum, Fully Insured Renewal Premiums, and Account Information & Binder Agreement and SBC Employer Data Form** for Wellmark. Carried.

Supervisor Meeting Reports: There is a Conference Board meeting tonight.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 10:39 a.m. until Tuesday, February 22 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
NINTH MEETING, 2022 SESSION (9)
FEBRUARY 22, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 22, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman (virtual), Ringgenberg, and Snyder 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 Snyder, to approve **today's agenda**, as presented. Carried.

Secondary Road Report: All of the trucks were out today at 5:00 a.m. working on the icy roads; Wilkinson stated that he hasn't received any information on the Infrastructure Investments and Jobs Act dollars. The bill has been written, but nothing has been appropriated yet. Typically, the State gets 2/3 and the cities and counties get 1/3. Wilkinson thinks that some funds will go in to the Bridge Fund, and the Farm-to-Market Fund. Wilkinson stated that the plan is in place, and has been approved with IDOT, so they are ready when the dollars come in.

EMA Director Aimee Barritt updated the Board on her ARPA project, purchasing a truck and trailer. Barritt stated that her original bid was for a trailer and a ¾ ton truck to pull it. After the Board approved the use of ARPA funds for the project, Barritt reached out to the vendor, and was told they couldn't guarantee a price. If the price goes up, when it is time for the trailer to be built, Barritt would have to pay whatever they say the price is at that time. Barritt went out to get bids from other vendors, and the vendor with whom she received the lowest price from, and guarantees the price, she has worked with before. Barritt stated that prices have skyrocketed, so now the \$90,000 trailer is \$127,000. Barritt had requested \$133,000 for the total project, which means she wouldn't be able to get the truck. Barritt and Supervisor Snyder talked to the vendor, to ask if a ½ ton truck would pull the trailer, as the county has several of those in the vehicle inventory, and they were told that a ½ ton truck could pull the trailer. Barritt asked the Board if they wanted her to continue with the purchase of the trailer, and drop the purchase of the truck, or what their thoughts were. Barritt stated that this issue was brought up to the Emergency Management Commission, and the Sheriff was in favor of moving forward with purchasing the trailer. Motion by Ringgenberg, second by Altena, to amend the **ARPA application for Emergency Management**, to move forward with purchasing the trailer only, using existing ½ ton trucks to haul the trailer. Carried.

Motion by Ringgenberg, second by Huseman, to approve the **minutes** of 2/15/22, as presented, and the following **reports**: January Conservation Board minutes. Carried.

Motion by Snyder, second by Ringgenberg, to make the increase in the per diem for the **Veterans Commissioners**, from \$40/meeting to \$50/meeting, retroactive to January 1, 2022. Carried.

Motion by Snyder, second by Altena, to change the date of the Public Hearing on the proposed **Platinum Urban Renewal Plan** for the Platinum Urban Renewal Area, from March 8 to March 15, and to publish the notice of the hearing in the official newspapers. Carried.

Motion by Huseman, second by Snyder, to appoint Doug Simons and Mark Kirkholm, as **Deputy Medical Examiners** (Chapter 331.801), with their terms expiring 12-31-22. John Dahl submitted his resignation to Tim Speers, Chief Deputy Medical Examiner. Carried.

Bldgs/Grounds Supt. Joe Keller presented the only bid that he received, for the rooftop HVAC units for the LEC, from Tessier's Inc., for a contract amount of \$458,380. Keller stated that this would be paid for from ARPA funds, approved by the Board previously, and they plan to begin the work June 1st. Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the contract with Tessier's Inc. for the **HVAC units for the LEC**, not to exceed \$458,380, to be paid from ARPA funds. Carried.

Bldgs/Grounds Supt. Joe Keller gave a **department update**: He is working with CMBA Architects, out of Spencer, IA, to start drawing the plans for the Public Health remodeling project. Keller stated that he is paying the architect by the hour, until he feels that he can take over himself. Keller stated that they hope to begin the project this fall, and stated that the Veterans Office will have to move to another location. Keller stated that John has been busy putting shut offs on at the jail. Keller has been painting the Recorder's Office, as their new furniture will be coming in next week.

Hear the Public: Ray Dentlinger, head coach of the Trap Shooting Club for Storm Lake Public, St. Mary's, Newell-Fonda, and Sioux Central students, came in to update the Board on the Goldsmith Pit Youth Range. The students practice on Tuesdays and Thursdays. Dentlinger stated they had 27 athletes last year, with 90% going to State competition. Dentlinger stated they went through 650,000 targets last year, and the "big boys" used half that amount, which they were a million-target award winner for the supplier. Dentlinger stated that they would like more "no trespassing" signs, along the landowner's fence line. Dentlinger said that they have had to call the Sheriff's department out, as people want to fish at the Pit, and they have to be farther than 300 yards away from the shooting, so they cannot be fishing. Dentlinger stated that they would like to have a "frost buster" competition, where parents and athletes come out and shoot. The coaches are all volunteer, and they have background checks on them. Engineer Bret Wilkinson stated that they have done a great job out there, and communicating with his office, and will see about getting more signs to post. Dentlinger will get together with Wilkinson, as he would like to have a Five Stand or Skeet setup at the Goldsmith Pit.

Deputy Assessor Jerilyn Sahr presented a list of old furniture and equipment that she is requesting to be declared excess property and be able to dispose it. Motion by Snyder, second by Ringgenberg, to declare the following as **excess property**, and authorize its disposal: metal typewriter table, printer stand, two computer desks, file cabinet stand, storage cabinet, projector, portable screen, computer stand, mail scale, metal folding chair, cart, and four office chairs. Carried.

Conservation Director/Weed Commissioner Greg Johnson (virtually) presented an IDOT Special Roadway Maintenance Agreement, for spraying weeds along the State roadways. There is no change to the agreement from 2021. The same roads will be sprayed: Hwy 3, Hwy 7, Hwy 71, and Hwy 110. Johnson stated that they spray 95 miles (200 spray miles), in the spring and fall, and receive \$22,500 for each application. Motion by Ringgenberg, second by Huseman, to approve and authorize the Chair to sign the 2022 **IDOT Special Roadway Maintenance Agreement**. Carried.

There being no further business, motion by Snyder, second by Altena, to adjourn the meeting at 10:05 a.m. until Tuesday, March 1 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 2022 SESSION (10)
MARCH 1, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 1, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, and Snyder and with Auditor Susan Lloyd as clerk for the meeting. Absent: Huseman and Ringgenberg.

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

Motion by Snyder, second by Altena, to amend **today's agenda**, to void and reissue a lost check, and approve the SHIELD contract. Carried.

Engineer Bret Wilkinson presented a quote that he received from Truck Center Companies, Altoona, IA, for two Western Star 4700SF dump trucks, for a total of \$273,572. Wilkinson also presented a quote from Crysteel Truck Equipment, Lake Crystal, MN, for the snow equipment for both dump trucks, \$149,244 for each truck, for a total of \$298,488. Wilkinson stated that he intends to sell two single-axle dump trucks, once the new trucks arrive. Motion by Snyder, second by Altena, to approve and authorize Engineer Wilkinson to purchase **two truck chassis**, not to exceed \$275,000, and **snow equipment** for both trucks, not to exceed \$300,000. Carried.

Secondary Road Report: The crew has been busy grading roads and taking down trees, with more to be taken down on the south end of the county; they have been hauling sand and rock to stockpiles; in the office, they are working on designs for bridge projects; Wilkinson will be going to Des Moines this week, attending classes on paving, and next week he will be attending ISAC.

The Chair opened the public hearing on the **Proposed Property Tax Levy for the FY'23** County Budget. Auditor Lloyd explained that this Max Levy notice only pertains to the General Fund and the Rural Fund. Buena Vista county levies the maximum of \$3.50 for the General Basic Fund, and \$2.3 for the General Supplemental Fund. The Rural Basic Fund is at a levy of \$2.76532. The total increase for the General Fund property tax dollars is 7.66% from the prior year, and the Rural Fund property tax dollars is a decrease of -21.98% from the prior year. The Chair asked if there were any questions from the public, and there were none. Motion by Snyder, second by Altena, to close the public hearing. Carried. Motion by Altena, second by Snyder, to approve and authorize the Board to sign **Resolution #2022-03-01-A** Maximum Property Tax Dollars Resolution. Ayes: Altena, Merten, Snyder. Nays: None. Motion carried.

**Resolution #2022-03-01-A
Maximum Property Tax Dollars Resolution**

WHEREAS, the Buena Vista County Board of Supervisors have considered the proposed FY '23 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county web site and/or social media accounts if applicable,

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on 3/1/2022,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Buena Vista County that the maximum property tax dollars for General County Services and Rural County Services for FY '23 shall not exceed the following:

- General County Services: \$7,964,157; an increase of 7.66% from the prior year
- Rural County Services: \$2,297,182; a decrease of -21.98% from the prior year

Passed and adopted this 1st day of March, 2022.

Roll call: Ayes: Altena, Merten, Snyder. Nays: None. Carried.

/s/ Paul Merten-Chair, Don Altena-Supervisor, Kelly Snyder-Supervisor.....Attest: Susan K. Lloyd, Auditor

Motion by Snyder, second by Altena, to set the **FY'23 County Budget** Public Hearing for Tuesday, March 22, 2022, at 9:00 a.m. in the Board of Supervisors Room of the Courthouse. Carried.

Motion by Snyder, second by Altena, to approve the **minutes** of 2/28/22, as presented, today's **claims approval list**, **stamped drainage warrant register** and the following **reports**: January NWIPDC Policy Council Meeting minutes, FY'21 Audit Report for NW IA Planning & Development Commission, and the January NW IA YES Center minutes. Carried.

Motion by Altena, second by Snyder, to authorize the Auditor to **void and re-issue check #311399**, issued 7/20/2021 to Julie Albright, in the amount of \$95.25, as the check has been lost. Carried.

Motion by Snyder, second by Altena, to authorize the Auditor to **void and re-issue check #921593**, issued 5/14/2021 to John Dahl, in the amount of \$508.00, as the check has been lost. Carried.

Motion by Altena, second by Snyder, to approve and authorize the Chair to sign the FY'23 **SHIELD** contract with NW IA Planning & Development Commission. Carried.

Co-President Mike Christen and Treasurer Jennifer Launderville, **BV County Agricultural Society (Fair)**, presented their FY'23 funding request of \$25,000, which is the same as their approved amount for this current fiscal year, to help with the needs at the fairgrounds. Christen and Launderville thanked the Board for their support this past year. Launderville stated that they have re-booked the rodeo, demo derby and tractor pull for the 2022 fair, and have secured the same carnival company they used in 2020. They have also added Arenacross motocross for a new Thursday night entertainment event. The Buena Vista Raceway will be leased to Trent Chinn again, to run the track and all operations. Their intentions are to continue to use the funds to help the fair with its day-to-day operations of the fair which include: 4-H premiums, 4-H judges and open class judges, utilities, property & liability insurance, BV Queen, Little Mister & Little Miss contest, ribbons, accounting fees for the IRS 990 form, mowing and spraying the grounds. The 2022 fair will be July 7-11. Christen asked the Board if they might consider offering help with the tear down of the motocross track. Merten asked them to talk with the County Engineer about getting help. The Board thanked them for everything they do.

County Attorney Paul Allen presented contracts that he has prepared for the remaining four private non-profit agencies that have requested funds for FY'22. Allen stated that he prepared the contracts for a set amount for each agency, so if there are any changes to the amounts for future years, there would need to be an addendum to the contract. RIDES had requested a total of \$12,300 for FY'22, and Allen used that figure in the RIDES contract. Allen stated that the Board would have to determine the contract amount for CAASA, Family Crisis Center, and Upper Des Moines Opportunity (UDMO). Motion by Snyder, second by Altena, to set the **contract amount for CAASA** at \$5,000. Carried. Motion by Altena, second by Snyder, to set the **contract amount for Family Crisis Center** at \$5,000. Carried. Motion by Snyder, second by Altena, to set the **contract amount for RIDES** at \$12,300. Carried. Motion by Snyder, second by Altena, to set the **contract amount for Upper Des Moines Opportunity (UDMO)** at \$15,000. Carried.

Motion by Altena, second by Snyder, to appoint Bldg/Grounds Supt. Joe Keller and EMA Director Aimee Barritt, as additional members of the **County Weather Committee**. Carried.

There being no further business, motion by Altena, second by Snyder, to adjourn the meeting at 9:58 a.m. until Tuesday, March 8 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
ELEVENTH MEETING, 2022 SESSION (11)
MARCH 8, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 8, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder 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 Snyder, to approve **today's agenda**, as presented. Carried.

Engineer Bret Wilkinson presented a Construction Pay-Estimate Report on the C-63 project, that was completed by Heartland Asphalt. The Engineer's estimate was \$1,335,000, the contract was \$1,284,000, and the actual cost of the project was \$1,133,906. Motion by Ringgenberg, second by Huseman, to approve and authorize the Chair to sign the **Construction Pay-Estimate Report on the C-63** project, that was completed by Heartland Asphalt. Carried.

Secondary Road Report: The trucks were out on Sunday morning, treating the roads with salt and sand, due to the ice Saturday night; they have been hauling gravel to the gravel piles and hauling sand to the sand piles, and brush cutting; Engineer Wilkinson attended the Asphalt Paving meeting last week, and will be going to the County Day at the Capitol tomorrow, and ISAC the rest of this week.

Engineer Bret Wilkinson stated that the Governor issued a Proclamation, that declared Buena Vista County a disaster area, due to the **Avian Influenza** in the area. This will allow state resources to be used in the County, as IDALS has been assisting with the infected turkey location. At this time, they are not recommending closing of any roads, as they don't think that dust from the roads is the problem, it is coming from all of the wild birds, that are migrating through the county, and carrying the disease.

Motion by Snyder, second by Altena, to approve the **minutes** of 3/1/22, as corrected, and the following **reports**: February Sheriff's Report of Fees Collected, February Sheriff's Report of Federal Inmate Billings, January Plains Area Mental Health Board minutes, and January Rolling Hills Community Services Region Governance Board minutes. Carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign the **Jt. DD #22 BR 183-61** invoice of T & T Backhoeing, Marathon, IA, for tile repairs, in the amount of \$1,630.00. Carried.

Motion by Altena, second by Huseman, to approve and authorize the Chair to sign the **Jt. DD #22 BR 183** invoice of T & T Backhoeing, Marathon, IA, for tile repairs, in the amount of \$1,750.00. Carried.

The Chair opened the public hearing for the third **FY'22 budget amendment**. Notice was published as required. No written objections have been submitted and no objections were offered during the hearing. Motion by Ringgenberg, second by Snyder, to close the public hearing. Carried.

Motion by Huseman, second by Ringgenberg, to approve the **FY'22 budget amendment** as published, to authorize the Chair to sign the Budget Amendment certification, to sign Resolution #2022-03-08-A, and to approve the following appropriations:

Increase activity	1000	General Basic Fund (0001)	Dept 05	\$9,200
Increase activity	1000	K-9 Fund (0034)	Dept 33	\$2,500
Increase activity	1040	General Basic Fund (0001)	Dept 37	\$6,300
Increase activity	1040	General Suppl Fund (0002)	Dept 37	\$1,076
Decrease activity	1100	General Basic Fund (0001)	Dept 04	-\$6
Increase activity	3040	General Basic Fund (0001)	Dept 23	\$112,476
Increase activity	3040	ARPA Fund (0033)	Dept 59	\$40,000
Increase activity	3110	General Basic Fund (0001)	Dept 25	\$8,767
Decrease activity	3110	ARPA Fund (0033)	Dept 59	-\$30,000
Increase activity	3200	General Basic Fund (0001)	Dept 21	\$10,000
Increase activity	3400	General Basic Fund (0001)	Dept 45	\$6,232
Increase activity	3400	General Basic Fund (0001)	Dept 98	\$13,396
Increase activity	3400	General Suppl Fund (0002)	Dept 45	\$922
Increase activity	3410	General Basic Fund (0001)	Dept 98	\$36,000
Increase activity	6120	Rural Basic Fund (0011)	Dept 98	\$3,500
Increase activity	6320	ARPA Fund (0033)	Dept 59	-\$35,000
Increase activity	7130	Secondary Road Fund (0020)	Dept 20	\$380,000
Increase activity	8000	General Suppl Fund (0002)	Dept 02	\$21,103
Increase activity	8101	ARPA Fund (0033)	Dept 59	\$1,226
Increase activity	8110	General Basic Fund (0001)	Dept 07	\$550
Increase activity	9010	General Basic Fund (0001)	Dept 02	\$5,102
Increase activity	9010	General Suppl Fund (0002)	Dept 02	\$857
Decrease activity	9100	ARPA Fund (0033)	Dept 59	-400,000
Increase activity	9200	General Suppl Fund (0002)	Dept 97	\$205,000
Increase activity	0010	General Basic Fund (0001)	Dept 40	\$1,035
Increase activity	0030	ARPA Fund (0033)	Dept 59	\$11,424
Increase activity	0220	ARPA Fund (0033)	Dept 59	\$412,350
Increase activity	0300	LOST for Sec Road (0019)	Dept 90	\$75,339
Increase activity	0300	General Basic Fund (0001)	Dept 90	\$115 Carried.

RESOLUTION NO. 2022-3-08-A
RESOLUTION AMENDING THE FY'22 ANNUAL BUDGET
BY ADOPTING BUDGET AMENDMENT #3

WHEREAS the Board of Supervisors approved Departmental Appropriations on June 29, 2021 for all departments, of the fiscal year beginning July 1, 2021 in accordance with Section 331.434, Subsection 6, Code of Iowa; and

WHEREAS the Board of Supervisors approved Budget Amendment #1 on July 27, 2021, thereby increasing appropriations by \$2,540,354, for a total budget after the amendment of \$26,076,867, excluding transfers; and

WHEREAS the Board of Supervisors approved Budget Amendment #2 on October 26, 2021, thereby increasing appropriations by \$340,886, for a total budget after the amendment of \$26,417,753, excluding transfers; and

WHEREAS the Board of Supervisors has held the necessary hearing after having caused to be made the publication and notice required by law; and

WHEREAS the Board of Supervisors has reviewed the budget amendment #3 for FY'22, as presented by the County Auditor, increasing appropriations by \$899,464, which includes additional transfers of \$75,454; and

WHEREAS the Board of Supervisors believe the aforesaid budget amendment #3 proposed for FY'22 to be in the best interests of Buena Vista County.

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

SECTION ONE: That the FY'22 budget for Buena Vista County, Iowa, on file in the County Auditor's Office is hereby amended and approved.

SECTION TWO: That this resolution shall be in full force and effect from and after its passage and approval in the manner provided by law, and the County Auditor is directed to make the filings required by law and to set up the books in accordance with the summary and details as adopted.

PASSED, APPROVED, AND ADOPTED this 8th day of March, 2022, by the Buena Vista County Board of Supervisors.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Supervisor Meeting Reports: Snyder attended the 3rd Judicial District meeting last week.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 9:15 a.m. until Tuesday, March 15 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWELVTH MEETING, 2022 SESSION (12)
MARCH 15, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 15, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, and Ringgenberg and with Auditor Susan Lloyd as clerk for the meeting. Absent: Snyder.

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

Motion by Ringgenberg, second by Huseman, to amend today's agenda, adding two action items: setting a public hearing for the Platinum Crush Development Agreement and setting the 1st reading of the TIF Ordinance. Carried.

Motion by Huseman, second by Altena, to approve the minutes of 3/8/22, as corrected, today's claims approval list, stamped drainage warrant register, and the following reports: March Courthouse Safety Committee minutes, February Buena Vista County Landfill minutes, and February Conservation Board Minutes. Carried.

Motion by Ringgenberg, second by Altena, to authorize the creation of Special Revenue Fund 0035 County Attorney Forfeiture Fund, and to transfer \$24,033.65 from the General Basic Fund to this new fund, as this is the current balance of the forfeiture funds that are currently are included in the General Basic Fund total. Carried.

Supervisor Meeting Reports: Ringgenberg mentioned that Public Health was interested in assuming the duties of the General Relief Director, pending approval by the Board of Health and the Board of Supervisors; Merten attended the ISAC Spring Conference last week, and stated that Snyder had attended County Day at the Capitol last week, along with the ISAC Spring Conference.

County Attorney Paul Allen was present for his appointment. Motion by Ringgenberg, second by Altena, to go into closed session (at 8:49 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, and 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. Nays: None. Motion carried.

Motion by Huseman, second by Altena, to go out of closed session at 9:00 a.m. Carried.

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Platinum Urban Renewal Plan, the Chairperson first asked for the report of the Chairperson, or his delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. The Board was informed that the consultation was duly held as ordered by the Board, and that no written recommendations were received from affected taxing entities. The report of the Chairperson, or his delegate, with respect to the consultation was placed on file for consideration by the Board.

The County also was informed that the proposed Plan had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the County as a whole, as set forth in the minutes or report of the Commission. The Commission's report or minutes were placed on file for consideration by the Board.

The Chairperson then asked the County Auditor whether any written comments had been filed with respect to the proposed Plan, and the County Auditor reported that no written comments thereto had been filed. The Chairperson then called for any oral comments to the adoption of the Platinum Urban Renewal Plan and none were made. The public hearing was then closed by motion of Ringgenberg and second by Huseman. Carried.

Board Member Huseman then introduced the following Resolution #2022-03-15-A entitled "RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE

RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE PLATINUM URBAN RENEWAL PLAN" and moved: that the Resolution be adopted.

Board Member Altena seconded the motion. The roll was called, and the vote was: Ayes: Altena, Huseman, Merten, Ringgēnberg. Nays: None. Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION NO. 2202-03-15-A

RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE PLATINUM URBAN RENEWAL PLAN

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the County and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the County; and

WHEREAS, this Board has caused there to be prepared a proposed Platinum Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Platinum Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Platinum Urban Renewal Area as an area suitable for economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the County Auditor; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Board has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

WHEREAS, it is desirable that the Area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the proposed Urban Renewal Area is within two miles of the corporate boundaries the City of Alta, the City of Lakeside, and the City of Storm Lake, and each has entered into a Joint Agreement with the County to allow the County to operate within the proposed Area; and

WHEREAS, the County desires to approve the Joint Agreements pursuant to this Resolution; and

WHEREAS, the proposed Urban Renewal Area includes land classified as agricultural land and written permission of the current owners of such land has been obtained; and

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the County as a whole, prior to Board of Supervisors approval thereof; and

WHEREAS, creation of the Urban Renewal Area and adoption of the Urban Renewal Plan therefore has been approved by the Planning and Zoning Commission for the County as being in conformity with the general plan for development of the County as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on February 8, 2022, this Board directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the Board of Supervisors and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Chairperson, or his delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution adopted on February 8, 2022, this Board also set a public hearing on the adoption of the proposed Urban Renewal Plan to be held on March 8, 2022, and notice of the public hearing was mailed to the affected taxing entities, but subsequently the County postponed the public hearing to the date and time of this Board meeting; and

WHEREAS, due and proper notice of the postponed public hearing was given, as provided by law, by mailing a revised notice of public hearing to the affected taxing entities and by timely publication of a revised notice of public hearing in the Buena Vista County Journal, the Storm Lake Pilot Tribune, and the Storm Lake Times, which notice set forth the time and place of this meeting for the hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Board in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the proposed "Platinum Urban Renewal Plan" for the area of Buena Vista County, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Platinum Urban Renewal Area"), be and the same are hereby adopted and approved as the findings of this Board for this area.

Section 2. This Board further finds:

- a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;
- b) The Urban Renewal Plan conforms to the general plan for the development of the County as a whole; and
- c) Acquisition by the County is not immediately expected, however, as to any areas of open land to be acquired by the County included within the Urban Renewal Area:

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this Board of Supervisors hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the County; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low- and moderate-income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area is an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this County.

Section 4. That the Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "Platinum Urban Renewal Plan for the Platinum Urban Renewal Area"; the Urban Renewal Plan for such area is hereby in all respects approved; the Chairperson and County Auditor are authorized to execute the Joint Agreements with the cities of Alta, Lakeside, and Storm Lake and to approve the executed Agricultural Land Agreements; and the County Auditor is hereby directed to file a certified copy of the Urban Renewal Plan with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Board amends or repeals the Plan. Said Urban Renewal Plan shall be forthwith certified by the County Auditor, along with a copy of this Resolution, to the Recorder for Buena Vista County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 15th day of March, 2022.

/s/ Paul Merten, Chairperson, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Ringgenberg, second by Huseman, to set the Public Hearing for the **Development Agreement for Platinum Crush** and Buena Vista County, for March 29, 2022, at 9:00 a.m. in the Board of Supervisors Room of the Courthouse. Carried.

Motion by Altena, second by Ringgenberg, to set the 1st Reading of **Ordinance 6.8A Urban Renewal – Platinum** for March 22, 2022, at 9:15 a.m. in the Board of Supervisors Room of the Courthouse. Carried.

Secondary Road Report: They have been working on tree removal and blading gravel roads; they may be hauling gravel out this week, to smooth the roads; they will be taking the wings off of the motor graders next week; they are working with Jerry's Tree Service on taking down the big trees; they have been hauling rock; Engineer Wilkinson is working on FEMA paperwork, for the last derecho storm event; Wilkinson stated that there will be a webinar on the Avian Flu, and stated that he has closed one road to assist with cleanup; Wilkinson attended the ISAC spring conference last week, and talked to several State Representatives.

Env Health/Zoning Director Kim Johnson presented information on a Minor S/D request of Stephan Geisinger on behalf of the Geisinger Land Trust in Section 27 Washington Township. Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign **Resolution #2022-03-15-B** Minor S/D for Stephan Geisinger on behalf of the Geisinger Land Trust in Section 27 Washington Township. Carried.

RESOLUTION 2022-03-15-B

WHEREAS Stephan Geisinger on behalf of the Geisinger Land Trust has presented has presented preliminary and final plat (of survey) on the following described properties:

DESCRIPTION LOT E

THE SOUTH TWO HUNDRED EIGHTEEN FEET (S. 218') OF THE EAST FIVE HUNDRED SEVENTY-FIVE FEET (E. 575') OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 27, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

Hereafter known as Lot E, in Section 27, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 2.88 Acres and is subject to all easements of record.

DESCRIPTION LOT F

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 27, 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 Northwest Quarter (NW ¼) of said Section 27; Thence North 00° 26' 58" East, along the East line of said Northwest Quarter (NW ¼), 218.00 feet to the Point of Beginning; Thence continuing North 00° 26' 58" East, along said East line 218.00 feet to the South line of a previously described tract. Thence North 89° 49' 02" West, along said South line, 575.00 feet; Thence South 00° 26' 58" West, 215.21 feet; Thence South 89° 32' 24" East, 575.00 feet to the Point of Beginning.

Hereafter known as Lot F, in Section 27, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 2.86 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:

DESCRIPTION LOT E

THE SOUTH TWO HUNDRED EIGHTEEN FEET (S. 218') OF THE EAST FIVE HUNDRED SEVENTY-FIVE FEET (E. 575') OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 27, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

Hereafter known as Lot E, in Section 27, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT F

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 27, 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 Northwest Quarter (NW ¼) of said Section 27; Thence North 00° 26' 58" East, along the East line of said Northwest Quarter (NW ¼), 218.00 feet to the Point of Beginning; Thence continuing North 00° 26' 58" East, along said East line 218.00 feet to the South line of a previously described tract. Thence North 89° 49' 02" West, along said South line, 575.00 feet; Thence South 00° 26' 58" West, 215.21 feet; Thence South 89° 32' 24" East, 575.00 feet to the Point of Beginning.

Hereafter known as Lot F, in Section 27, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

is hereby accepted subject to the following if any: Lots J and L are not buildable lots based on floodplain coverage.

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

DESCRIPTION LOT E

THE SOUTH TWO HUNDRED EIGHTEEN FEET (S. 218') OF THE EAST FIVE HUNDRED SEVENTY-FIVE FEET (E. 575') OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 27, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA.

Hereafter known as Lot E, in Section 27, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT F

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION 27, 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 Northwest Quarter (NW ¼) of said Section 27; Thence North 00° 26' 58" East, along the East line of said Northwest Quarter (NW ¼), 218.00 feet to the Point of Beginning; Thence continuing North 00° 26' 58" East, along said East line 218.00 feet to the South line of a previously described tract. Thence North 89° 49' 02" West, along said South line, 575.00 feet; Thence South 00° 26' 58" West, 215.21 feet; Thence South 89° 32' 24" East, 575.00 feet to the Point of Beginning.

Hereafter known as Lot F, in Section 27, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

and copies of said finals plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 15th day of March, 2022.

/s/ Paul Merten, Chairman Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

There being no further business, motion by Huseman, second by Ringgenberg, to adjourn the meeting at 10:00 a.m. until Tuesday, March 22 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTEENTH MEETING, 2022 SESSION (13)
MARCH 22, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, March 22, 2022 at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder (virtually) 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 approve **today's agenda**. Carried.

Motion by Huseman, second by Snyder, to approve and authorize the Chair to sign the **utility permit** for Elite Underground Construction, Ankeny, IA, to bore under 610th St., in Section 8, Hayes Township, installing fiber optic cable, from the pole on the north side of the street, west of Prairie Lane, going south approximately 220' to the Mediacom pedestal. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the **utility permit** for the City of Storm Lake, IA, for the accommodation of fiber optic conduit and cable along 590th St., in Sections 33 and 34, Washington Township, from 90th Ave., on the south side of the road, to 105th Ave./Lake Street. Carried.

Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign the **utility permit** for the City of Storm Lake, IA, for the accommodation of fiber optic conduit and cable along 610th St., in Section 5, Hayes Township, from Highway 110 & C63 on the north side of the road, to 1,355' west of that intersection. Carried.

Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign the **utility permit** for the City of Storm Lake, IA, for the accommodation of fiber optic conduit and cable along 630th St., in Sections 20, 21, 22, 23, and 24, Hayes Township, along 630th St. (C65), from 85th Ave. on the south side of the road, from 85th Ave., east to 120th Ave. Carried.

Engineer Bret Wilkinson informed the Board about an application he will be submitting to RPA for State funds to pave M44, from Hwy 3, south to C43, where it connects to Business 71, 2.5 miles. Wilkinson stated that the funds wouldn't be available until FY'27 budget. Motion by Altena, second by Huseman, to approve and authorize the Chair to sign the **Fast Act Application** for funding of 2.5 miles of M44, from Hwy 3, south to C43, where it connects to Business 71. Carried.

Secondary Road Report: The wings have been taken off of the motor graders; they have been blading gravel roads and also brush cutting. Wilkinson stated that they will be starting their summer crews on April 4.

The Chairman opened the Public Hearing on the **FY'23 Budget Hearing**, with Auditor Susan Lloyd, and Env Health/Zoning Director Kim Johnson, Conservation Secretary Angie Wilkinson, E911 Coordinator Mark Van Hooser, Conservation Director/Weed Commissioner Greg Johnson, and two media (KAYL & KICD) present virtually. Auditor Lloyd reviewed the proposed tax levies, and the ending fund balances as a percentage of expenditures. Merten opened it up for questions. There were no questions, and no written comments were received. Motion by Ringgenberg, second by Snyder, to close the public hearing. Carried.

Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign the **Adoption of Budget & Certification of Taxes**. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign **Resolution #2022-03-22-A, Adoption of 2022/2023 Budget**. Carried.

RESOLUTION 2022-03-22-A

ADOPTION OF 2022/2023 BUDGET

WHEREAS Buena Vista County, Iowa held a Public Hearing on March 22, 2022 for input for the 2022/2023 Fiscal Year Budget and County Levies.

WHEREAS Iowa Code Section 331.434 authorizes the board of each county to certify property taxes annually at its March session.

THEREFORE, on March 22, 2022 the Buena Vista County Board of Supervisors approved the following levies and property tax asking.

Levies

3.50000	General Basic Levy
2.30000	General Supplemental Levy
2.76532	Rural Service Levy
0.77005	Debt Service Levy

9.33537	Total Levies

Property Tax Levied Dollars

4,692,669	General Basic
3,083,754	General Supplemental
2,240,474	Rural Service
1,054,291	Debt Service

11,071,188	Total Property Tax Dollars

Committed Funds

\$430,967	Fund 0001 – General Basic Fund (County Trails & Signs)
\$ 243	Fund 0001 – General Basic Fund (Heritage Tours)
\$117,022	Fund 0011 – Rural Basic Fund (County Trails & Signs)

\$548,232	Total Committed Funds

Passed and approved this 22nd day of March, 2022.

/s/ Paul Merten, Chairman.....Attest: Susan K. Lloyd, County Auditor

Motion by Snyder, second by Ringgenberg, to approve the 1st reading of **Ordinance #6.8A Urban Renewal-Platinum**, waiving the physical reading of the document. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Huseman, second by Altena, to set the 2nd reading of **Ordinance #6.8A Urban Renewal-Platinum**, for March 29, 2022 at 9:15 a.m. Carried.

Election Deputy Karla Ahrendsen, reviewed the ICAP renewal documents, for FY'23. Ahrendsen stated that ICAP will be out to inspect the Marathon Park, since it has been added to the county policy. Ahrendsen informed the Board that the insurance rates will likely be 10%-12% higher than last year. Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign the **ICAP insurance renewal** document, for FY'23. Carried.

Motion by Huseman, second by Altena, to approve the **minutes** of 3/15/22, as corrected, and the following **reports**: March Storm Lake United agenda and financials and February Board of Health minutes. Carried.

Motion by Ringgenberg, second by Huseman, to approve and authorize the Chair to sign the **Actuarial Services Agreement** between Silverstone Group, LLC and Buena Vista County. Carried.

Chairman Merten open the discussion of who to appoint to administer the General Relief for the County, since David Andrews resigned. Ringgenberg informed the Board that the Board of Health discussed whether Public Health could take over this responsibility. Public Health Administrator Julie Sather was virtual, and stated that she has talked with other Public Health agencies, and it is working well for them, they treat it like a case management program. Motion by Huseman, second by Snyder, to appoint Public Health Agency to administer the **General Relief** Program for Buena Vista County. Carried.

Supervisor Meeting Reports: Merten will attend the Rolling Hills Region meeting tomorrow, and they will be interviewing for the position that was advertised. Merten will attend the Plains Area Mental Health meeting tonight; Snyder mentioned that he will not be able to attend the SHIELD meeting or the Workforce Development Meeting, so asked if other members would be able to attend in his place; Altena reported on the Upper Des Moines Opportunity meeting, stating that Julie Edwards will be replacing Jamey Whitney, as Executive Director.

There being no further business, motion by Ringgenberg, second by Altena, to adjourn the meeting at 9:52 a.m. until Tuesday, March 29 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FOURTEENTH MEETING, 2022 SESSION (14)
MARCH 29, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 29, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Huseman, to approve **today's agenda**. Carried.

Engineer Bret Wilkinson brought in three **utility permits** for the Board to review before next week's meeting, as there are several pages to these permits.

Engineer Bret Wilkinson informed the Board that he has received a request to **close 140th Ave., north of C25**, to help with the composting at the Rembrandt Enterprises site. Wilkinson stated that the request is for 30 days, and the road will be closed later today or tomorrow. Merten requested Wilkinson check to be sure that this does not block access to any farmers who need access to their land.

Secondary Road Report: The crews have been blading the gravel roads, to smooth them out, and hauling to the stock piles; they will be starting the summer crews next week, doing normal cleanup and getting equipment ready for summer work; in the office, they are working on the designs for the roads around the Platinum Crush plant; Wilkinson stated that the RPA application is in, and they will be meeting next Thursday; Wilkinson is watching bills in the legislature, and says that it looks promising; Wilkinson stated that they hope to get the last big tree down on Thursday, in the south part of the county. They have

cut a lot of brush around the county and improved the sight distances; the new semi has been delivered, and it is up at Spencer, to get the wet kit on, to run the side dump.

Motion by Ringgenberg, second by Huseman, to approve the minutes of 3/22/22, as printed, today's claims approval list, stamped drainage warrant register, and the following reports: None. Carried.

Motion by Altena, second by Ringgenberg, to approve the Class C Liquor License, Outdoor Service & Sunday Sales, for LCCC, Inc, DBA Lake Creek Golf. Carried.

Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign the Jt. DD #146 Main claim from Pocahontas County Secondary Road, for repairs in the amount of \$613.43. Carried.

The Chair opened the public hearing on the Agreement for Private Development between Buena Vista County, Iowa and Platinum Crush, LLC, with Mike Kinley, developer of Platinum Crush, contractor Jerry Osmoe, Shannon Landauer, Iowa Lakes Corridor, Engineer Bret Wilkinson, Assessor Joe Cronin, and Election Deputy Karla Ahrendsen were present, along with Mark Van Hooser, KAYL, Kathy Croker, and five unidentified callers online. Chairman Merten asked if there were any questions from the supervisors, and there were none. Merten then opened it up to questions from those present in person and virtually, and there were none. Motion by Snyder, second by Huseman, to close the public hearing. Carried. Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the Agreement for Private Development between Buena Vista County, Iowa and Platinum Crush, LLC. Ringgenberg stated that the committee and parties worked hard to produce a fair agreement. Carried.

Motion by Snyder, second by Huseman, to approve the 2nd reading of Ordinance #6.8A Urban Renewal-Platinum, waiving the physical reading of the document. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Ringgenberg, second by Snyder, to set the 3rd Reading of Ordinance 6.8A Urban Renewal – Platinum for April 5, 2022, at 9:10 a.m. in the Board of Supervisors Room of the Courthouse. Carried.

Merten commented that he has heard comments that the urban renewal included land outside the right-of-way on Hwy 7, and that this project would take funds from other road projects for this one. Merten stated that this is not the case, there is not any land outside the right-of-way on Hwy 7 that is included in the urban renewal, and the roads around the Platinum Crush plant will be paid for with TIF dollars from Platinum Crush, and not from other road projects.

Supervisor Meeting Reports: Merten attended the Rolling Hills Region interviews for two positions; Huseman attended the NW Regional Housing Trust last week.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 9:45 a.m. until Tuesday, April 5 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTEENTH MEETING, 2022 SESSION (15)
APRIL 5, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 5, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Huseman, to amend **today's agenda**, adding discussion of employer of record on two new hires for the Rolling Hills Mental Health Region. Carried.

Engineer Bret Wilkinson brought in three **utility permits** for the Board to consider, all for MidAmerican Energy, for the accommodation of buried conduit and fiber optic, in county right-of-way. Merten asked Wilkinson to add additional language on the permits, stating that at all crossings of tile lines with County right-of-way where the tile lines are damaged by the construction, maintenance, or repair of by MidAmerican Energy shall be repaired as directed by the County Engineer. Motion by Ringgenberg, second by Altena, to approve three **utility permits** of MidAmerican Energy, Western Springs, IL, for the accommodation of buried conduit and fiber optic along Hwy 71/130th Ave. in Section 6 Providence Township, to the intersection of 130th Ave. & Hwy 7/630th St., then along 630th St. from the intersection of 630th St. and 130th Ave. to the Newell city limits, and along 630th St. from 210th St. to 110th St., all for the transmission of fiberoptics. Carried.

Motion by Huseman, second by Altena, to approve the hiring of Andrew Allerdings as an **Equipment Operator I**, effective April 25, 2022, at a rate of \$25.45, which is \$2.00 under the Operator I rate, with increases at 6-month reviews for the first two years, and eligible for any raises given by the Board of Supervisors. Carried.

Engineer Bret Wilkinson informed the Board that he advertised for seasonal workers and stated that he would like to have the seasonal workers try some other things, in addition to mowing. Wilkinson stated that two of the applicants have CDL's, and he would like the Board to consider a wage on 40 hours/week, with wages subject to experience, and consider if the person has their CDL. Wilkinson would like to hire 2-3 people, giving more flexibility, and suggested a wage of \$18-\$20/hour, depending on qualifications. Motion by Ringgenberg, second by Snyder, to allow the County Engineer to hire for **seasonal workers**, and determine the wage, based on their qualifications. Carried.

Secondary Road Report: They have switched to summer crews. Nine blade operators are running motor graders, blading gravel roads. Other crew members are hauling gravel to the various locations where they are blading; Wilkinson stated that the new truck is not back, still waiting for the wet kit to be put on it.

Danette Morgan, Training & Development Coordinator, Lutheran Service in Iowa, met with the Board, requesting that the Board consider signing a proclamation declaring April as Child Abuse Prevention Month. Motion by Ringgenberg, second by Altena, to approve and authorize the Board to sign the **Child Abuse Prevention Proclamation**. Carried.

The time arrived for the 3rd reading of Ordinance 6.8A Urban Renewal – Platinum, with Nick Bowdish (Platinum Crush), Jerry Osmoe (Contractor), and Kevin Jesse, in-person, and Env Health/Zoning Director Kim Johnson, KAYL, Angie Wilkinson (Conservation), E911 Coordinator Mark Van Hooser, and Sheriff Kory Elston, present virtually. Motion by Snyder, second by Huseman, to approve the 3rd reading of **Ordinance #6.8A Urban Renewal-Platinum**, waiving the physical reading of the document. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

ORDINANCE NO. 6.8A

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON **CERTAIN PROPERTY** LOCATED WITHIN THE PLATINUM URBAN RENEWAL AREA, IN BUENA VISTA COUNTY, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, BUENA VISTA COUNTY, ALTA-AURELIA COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE COUNTY IN CONNECTION WITH THE PLATINUM URBAN RENEWAL AREA (**PLATINUM CRUSH PROPERTY**)

WHEREAS, the Board of Supervisors of Buena Vista County, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 2022-03-15-A passed and approved on the 15th day of March, 2022, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Platinum Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area includes the lots and parcels located within the area legally described as follows ("**Platinum Crush Property**"):

E 1/2 SW of Section 31, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

AND

The North Half of the West Half of the Southwest Fractional Quarter (N1/2 W1/2 SW Fr. 1/4) of Section Thirty-one (31), Township Ninety-one (91) North, Range Thirty-Seven (37) West of the 5th P.M. EXCEPT a parcel described as follows: Commencing at the Northwest (NW) Corner of the NW Fr. 1/4 of the SW Fr. 1/4 of said Section 31; thence at an assumed bearing of South 00°00' West along the west line of the said NW Fr. 1/4 of the SW Fr. 1/4, 862.48 feet to the point of the beginning; thence continuing along the West line South 00°00' West, 347.10 feet, thence North 90°00' East, 393.13 feet, thence North 00°00' East 347.10 feet, thence South 90°00' West, 393.13 feet to the point of the beginning. Tract contains 3.13 acres and is subject to all easements of record.

AND

The Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of the Section Thirty-One (31), Township Ninety-One (91) North, Range Thirty-seven (37) West of the 5th P.M., Buena Vista County, Iowa.

AND

The Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section Thirty-One (31), Township Ninety-One (91) North, Range Thirty-seven (37) West of the 5th P.M., Buena Vista County, Iowa.

AND

A Tract of land located in the North Fractional Half (N Frac. ½) of Section 31, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa and being more particularly described as follows:

Beginning at the Northwest (NW) Corner of the Northwest Fractional Quarter (NW Frac. ¼) of said Section 31; Thence South 89° 57' 17" East, along the North line of said Northwest Fractional Quarter (NW Frac. ¼), 1198.01 feet to the South line of the Chicago Central and Pacific Railroad; Thence South 67° 50' 30" East along said South line, 4517.72 feet to the East line of the Northeast Quarter (NE ¼); Thence South 00° 03' 40" East, along said East line, 947.32 feet to the South line of said Northeast Quarter (NE ¼); Thence North 89° 53' 49" West, along said South line 2651.74 feet to the Southeast (SE) Corner of the Northwest Fractional Quarter (NW Frac. ¼); Thence continuing North 89° 53' 49" West, along the South line of said Northwest Fractional Quarter (NW Frac. ¼), 2734.03 feet to the West line of said Northwest Fractional Quarter (NW Frac. ¼); Thence North 00° 03' 28" East, along said West line, 1974.03 feet, to the Southwest (SW) Corner of Lot A appearing of record as document number 973497 in the office of the Buena Vista County Recorder; Thence along a boundary common with said Lot A, the following five courses: North 89° 02' 58" East, 256.92 feet; thence North 40° 58' 28" East, 102.02 feet; Thence North 02° 28' 47" East, 233.28 feet; Thence North 10° 07' 41" West, 204.32 feet; Thence North 85° 14' 13" West, 298.43 feet to the West line of said Northwest Fractional Quarter (NW Frac. ¼); Thence North 00° 03' 28" East, along said West line, 128.20 feet to the Point of Beginning. Hereafter known as Lot C of Section 31 Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 241.41 acres and is subject to all easements of record.

EXCEPT:

A Tract of land located in part of Lot C in the Northwest Quarter of the Northwest Fractional Quarter (NW ¼ NW Frac. ¼) of Section 31, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa and being more particularly described as follows:

Commencing at the Northwest (NW) Corner of the Northwest Fractional Quarter of said Section 31; Thence on a previously recorded bearing of South 00° 03' 28" West, along the West line of said Northwest Fractional Quarter (NW Frac. ¼), 128.20 feet to the Northwest (NW) Corner of Lot A, appearing of record as document no. 973497 in the Buena Vista County Recorder's Office; Thence South 85° 14' 13" East, along the North line of said Lot A, 298.43 feet to the Northeast (NE) corner of said Lot A, being also the Point of Beginning of the tract to be described; Thence continuing South 85° 14' 13" East, 66.50 feet; Thence South 00° 03' 28" West 503.94 feet; Thence South 89° 02' 58" West, 106.83 feet to the eastern boundary of said Lot A, Thence along said eastern boundary the following courses: North 40° 58' 28" East, 102.02 feet; Thence North 02° 28' 47" East, 233.28 feet; Thence North 10° 07' 41" West, 204.32 feet to the Point of Beginning. Hereafter known as Lot 1 of Lot C of Section 31, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa. Tract contains 0.53 acres and is subject to all easements of record; and

WHEREAS, expenditures and indebtedness are anticipated to be incurred by Buena Vista County, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the Board of Supervisors of Buena Vista County, State of Iowa, desires to provide for the division of revenue from taxation on the **Platinum Crush Property** of the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended. [Note: The **Platinum Crush Property** is the only portion of the Urban Renewal Area that will be included in this TIF Ordinance. If other parcels in the Area develop (increase in value) in the future, the County may adopt a separate TIF ordinance(s) on other parcels/areas within the Urban Renewal Area. Therefore, the various TIF ordinances in this Urban Renewal Area will have different frozen bases and different expiration dates.]

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

That the taxes levied on the taxable property in the **Platinum Crush Property** of the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, Buena Vista County, Alta-Aurelia Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the **Platinum Crush Property** of the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which Buena Vista County, State of Iowa, certifies to the Auditor of Buena Vista County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of Buena Vista County, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by Buena Vista County, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the **Platinum Crush Property** of the Urban Renewal Area without any limitation as hereinabove provided.

Unless or until the total assessed valuation of the taxable property in the **Platinum Crush Property** of the Urban Renewal Area exceeds the total assessed value of the taxable property in the **Platinum Crush Property** of the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the **Platinum Crush Property** of the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

At such time as the loans, advances, indebtedness, bonds and interest thereon of Buena Vista County, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the **Platinum Crush Property** of the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the **Platinum Crush Property** of the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the **Platinum Crush Property** of the Urban Renewal Area and the territory contained therein.

This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 5th day of April 2022.

/s/ Paul Merten, Chairperson, Board of Supervisors...../s/ Susan K. Lloyd, Auditor

First reading 3-22-2022, Second reading 3-29-2022, Third reading 4-5-2022

Lanny Freight, CR3 Connect, **Heartland Greenway Project**, stopped in to introduce himself to the Board, and left his contact information. Freight stated that the civil surveying is done, and they will be starting the cultural surveying in a few weeks. Freight stated that they plan to file permit applications and the end of summer.

Conservation Director/Weed Commission Greg Johnson presented the annual noxious weed resolution. Motion by Snyder, second by Ringgenberg, to approve **Resolution #2022-04-05-A**, Public Notice Destruction of Noxious Weeds & Fines Assessed, and to authorize the Chair to sign. Carried.

RESOLUTION #2022-04-05-A

A PUBLIC NOTICE: DESTRUCTION OF NOXIOUS WEEDS & FINES ASSESSED

TO ALL PROPERTY OWNERS:

Be it resolved, by action of the Board of Supervisors of Buena Vista County, Iowa, that pursuant to the provisions of Chapter 317.13 and 317.14, 2022 Code of Iowa, it is hereby ordered:

1-That each owner and each person in the possession or control of any land in Buena Vista County shall cut, burn, spray, or otherwise destroy all noxious weeds thereon, at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut, burned, sprayed, or otherwise destroyed on or before the following dates and as often thereafter as is necessary to prevent seed production:

Group 1. June 1, 2022, for Leafy Spurge and Musk Thistle.

Group 2. July 1, 2022, for Canada Thistle and Field Bindweed.

Group 3. August 1, 2022, for Palmer Amaranth, Multiflora Rose, Bull and Plumeless Thistles.

2-That each owner and each person in possession or control of any lands in Buena Vista County infested with any noxious weeds listed for eradication or control by the Agriculture and Land Stewardship Department Administrative Rules Chapter 58.4 shall adopt a program of weed destruction described by the Weed Commissioner to destroy and will immediately keep under control such infestations of said noxious weeds.

3-That if the owners or persons in possession or control of any land in Buena Vista County fail to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including costs of serving notice and other costs, if any, to be assessed against the real estate upon which the noxious weeds are destroyed.

4-That the County Weed Commissioner be and is hereby directed to cause notice of making and entering of the foregoing order by one publication each of the Official Newspapers of the County.

5-Anyone wishing not to have noxious weeds sprayed within the right-of-way adjacent to dwellings or property by Buena Vista County, he or she shall sign an annual agreement by June 1st at the County Conservation Board Office and receive official signs to be posted on each side of the area designated and shall be responsible to destroy such weeds, all season.

6-Buena Vista County primarily uses Milestone and TerraVue herbicide for noxious weed control within the road right-of-way. For individuals who harvest hay from the County's right-of-way consult the Milestone and TerraVue labels for possible haying and grazing restrictions. Any additional concerns may be directed to the County Weed Commissioner.

7-The Weed Commissioner, Greg Johnson or Deputy Weed Commissioner, Brian Jones is located at the Buena Vista County Conservation Board office. 377 440th Street, Peterson, Iowa 51047. Telephone-712-295-7985.

PENALTY

Be it further Resolved, that upon failure to comply by the date prescribed in an order, pursuant to Chapter 317, for destruction of weeds, the weed commissioner, following notice, may enter upon the land without consent and have the weeds destroyed with the costs of such action taxed against the real estate on which the weeds were destroyed, or may impose a penalty of \$10.00 per day for each day, up to ten days, that the owner or person in possession or control of the land fails to comply, after which, the weed commissioner, following notice, may enter upon the land without consent and have the weeds destroyed with the costs of such action taxed against the real estate on which the weeds were destroyed.

Passed and approved this 5th day of April 2022.

/s/ Paul Merten, Chair-BV County Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Conservation Director/Weed Commissioner Greg Johnson gave his department updates. Bait Shop—they opened last Friday, hours Noon-6:00 p.m. Fri-Sun, and then Memorial Day they switch to summer hours until Labor Day, open 10:00 a.m. – 6:00 p.m. Weed Department—they have been busy. They attended a roadside conference. Seed has been ordered, to plant 15 acres in roadside areas. They will be attending a burn coop training the first week of May. Conservation—they have been tree trimming in the campground area. The facility has been busy. Johnson stated that the 100% design for the Linn Grove Dam was done in January and submitted. Army Corps says they need a separate FEMA permit. FEMA has 90 days from now to approve the alternative project. The Army Corps is taking public comments till April 15, and Johnson hopes that by July/August, it will go to bid. Johnson stated that the project was estimated first to be \$7.5 million, but now, with inflation, the cost is estimated at \$11.5 million. Johnson has had two meetings with the DNR, regarding the marina, and ICAP has toured it. The DNR will be operating slips and rentals this season and making repairs to docks. Johnson stated that negotiations are continuing.

County Attorney Paul Allen was present for his appointment. Motion by Huseman, second by Snyder, to go into **closed session** (at 10:10 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Altena, second by Snyder, to go out of **closed session** at 10:35 a.m. Carried.

Drainage Engineer Brian Blomme met with the Board to discuss the MidAmerican's utility permits to install fiber optics from Storm Lake to Fort Dodge. Blomme stated that they will be in road right-of-way in BV County, and they will be crossing 13 different drainage district facilities. Blomme has a permit, which is used in Calhoun and Sac counties, and has had MidAmerican sign this permit, which shows clearances required. Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign the **permits** for MidAmerican, to install their fiber optics in Buena Vista County, as they proceed to Fort Dodge, crossing 13 different drainage district facilities. One permit will be kept with the drainage files, and the other permit will be sent to MidAmerican. Carried.

Drainage Engineer Brian Blomme informed the Board that the natural channel of **DD #49** outlets at the county line, and there is a lot of beaver activity. Blomme stated that Sac County doesn't have an open bounty to pay for beavers trapped on the natural channel. Blomme stated that he would like to have the district pay a bounty for the beaver near the DD #49 outlet, even though it is in Sac County, to relieve the drainage tile. The consensus of the Board was to allow the payment of beaver bounty for those trapped in the DD #49 outlet area, in Sac County, and to bill DD #49 for the cost.

Drainage Engineer Brian Blomme informed the Board that landowner Gary Balder contacted him, stating that when **DD #34 Lat 2** was cleaned out in 2007-2008, there was a stretch of 3 miles that was not included in the cleanout. Balder informed Blomme that there was unleveled spoil on his property that needs to be leveled. Blomme asked the Board if the work should be done and charged to the district, or have a cost share split with the landowner, or to allow the landowner to level the spoil out, to the district's specifications, at the landowner's expense. The consensus of the Board was to ask Balder to wait for another project to come up for the district, or have the landowner level the spoil, to the district's specifications, at the landowner's expense.

Hear the Public: Env Health/Zoning Director Kim Johnson stopped in to inform the Board of a permit for Windy Sow, in Section 34 Coon Township. They will be adding another building, but no additional animal units, so there is nothing that is required of the Board. Johnson also informed the Board that Jason Butler will be leaving her office, as he took a State Inspector position with DIA. Butler's last day will be April 19.

Motion by Ringgenberg, second by Snyder, to approve the **minutes** of 3/29/22, as corrected, and the following **reports:** Jan-Mar 3rd Judicial District Dept. of Correctional Services Report of Operations, March Sheriff's Report of Fees Collected, February Rolling Hills Community Services Region Governance Board minutes, and FY'20 Rolling Hills Community Services Region Audit Report. Carried.

Motion by Huseman, second by Altena, to approve the Class C **Liquor License**, Outdoor Service & Sunday Sales, for The Little Sioux Golf and Country Club. Carried.

Motion by Ringgenberg, second by Snyder, to authorize the Auditor to **void and reissue check** #314067 to Lynette Goodman, dated 2/1/2022 for \$31.56. Carried.

Chairman Merten began the discussion of **employer of record** for the two new hires for the Rolling Hills Mental Health Region. Merten stated that normally, wherever the employee lives within the Region, that county is the employer of record, except for CEO Dawn Mentzer, who lives in Sac County, but was already an employee of BV County when the Region started. One of the two new hires lives in Pocahontas County, the other in Buena Vista County. Merten stated that Pocahontas County would prefer not to be the employer of record. Merten stated that unemployment and liability insurance would be reimbursed to the county of record. The consensus of the Board was to be okay with being the employer of record for the two new hires of the Rolling Hills Mental Health Region.

There being no further business, motion by Snyder, second by Huseman, to adjourn the meeting at 11:44 a.m. until Tuesday, April 12 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
SIXTEENTH MEETING, 2022 SESSION (16)
APRIL 12, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 12, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Huseman, Ringgenberg (arrived at 8:45), and Snyder and with Auditor Susan Lloyd as clerk for the meeting. Absent: Altena.

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

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

Engineer Bret Wilkinson informed the Board that the IA County Engineer's Service Bureau website is down, so he cannot print his 5-year Construction Plan and budget. The due date is 4/15/22, however, they will be allowing an extension. Wilkinson recommends tabling this action item. Motion by Huseman, second by Snyder, to table taking any action on the **5-year Construction Plan and budget for the DOT**, due to the Engineer's Service Bureau website being down. Carried.

Secondary Road Report: The crews are working on gravel roads, blading, edge rutting, and spot graveling; they are working on equipment in the shop, and taking snow underbodies off; Wilkinson stated that the ads are in the papers, for the seasonal positions; (Supervisor Ringgenberg arrived at 8:45) Wilkinson informed the Board that there is staking going up at the Platinum Crush Plant site. Wilkinson stated that they will enter the facility on 70th Ave. and exit on 600th Street. Wilkinson has talked with the power company, working on getting the facility temporary power from MidAmerican Energy; Wilkinson informed the Board that the County was awarded \$500,000 for the M44 project, which will take place five years from now.

Board Member Huseman introduced the following Resolution entitled "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS" and moved that it be adopted. Board Member Ringgenberg seconded the motion to adopt,

and the roll being called thereon, the vote was as follows: Ayes: Huseman, Merten, Ringgenberg, Snyder. Nays: None. Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION #2022-04-12-A

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY
REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE COUNTY
FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION
WITH SPECIFIED PROJECTS

WHEREAS, the County anticipates making cash expenditures for one or more capital improvement projects, generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the County reasonably expects to issue debt to reimburse the costs of a Project; and

WHEREAS, the Board believes it is consistent with the County's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the following Project(s), from time to time and in such amounts as this Board determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the County reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the County in the future.

Section 4. That the total estimated costs of the Project(s), the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project(s) and the estimated dates of completion of the Project(s) are reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
Platinum Crush Grading & Paving	Secondary Road	\$4,000,000	\$4,000,000	July 31, 2024

Section 5. That the County reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service, but in no event more than three (3) years after the original expenditure is paid.

Section 6. That this Resolution be maintained by the County Auditor in an Official Intent File maintained in the office of the Auditor and available at all times for public inspection, subject to such revisions as may be necessary.

PASSED AND APPROVED this 12th day of April, 2022.

/s/ Paul Merten, Chairperson.....Attest: Susan K. Lloyd, County Auditor

Board Member Snyder introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$4,800,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF BUENA VISTA COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Ringgenberg seconded the motion to adopt. The roll was called, and the vote was, Ayes: Huseman, Merten, Ringgenberg, Snyder. Nays: None. Whereupon, the Chairperson declared the resolution duly adopted as follows:

Resolution #2022-04-12-B

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$4,800,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF BUENA VISTA COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, by Resolution No. 2022-03-15-A, adopted March 15, 2022, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Platinum Urban Renewal Plan (the "Plan") for the Platinum Urban Renewal Plan Area (the "Area" or "Urban Renewal Area"), which Plan is or will be on file in the office of the Recorder of Buena Vista County, Iowa; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

WHEREAS, before notes may be issued, it is necessary to comply with the procedural requirements of Chapters 331 and 403 of the Code of Iowa, and to publish a notice of the proposal to issue such notes and the right to petition for an election.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 215 E 5th St, Storm Lake, Iowa, at 9:00 A.M., on the 17th day of May, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$4,800,000 General Obligation Capital Loan Notes, for essential county urban renewal purposes, the proceeds of which notes will be used to provide funds to pay the costs of aiding of the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403, including projects for the construction, reconstruction, improvement, repair, or equipping of roads as set forth in the Platinum Urban Renewal Plan, adopted on March 15, 2022.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$4,800,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: April 29, 2022, but not before April 20, 2022)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$4,800,000 (AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY URBAN RENEWAL PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Buena Vista County, State of Iowa, will hold a public hearing on the 17th day of May, 2022, at 9:00 A.M., in the Board Room, County Courthouse, 215 E 5th St, Storm Lake, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$4,800,000 General Obligation Capital Loan Notes, for essential county urban renewal purposes, to provide funds to pay the costs of aiding of the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403, including projects for the construction, reconstruction, improvement, repair, or equipping of roads as set forth in the Platinum Urban Renewal Plan, adopted on March 15, 2022.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402, 331.443 and 403.12 of the Code of Iowa.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Buena Vista County, State of Iowa, as provided by Chapters 331 and 403 of the Code of Iowa.

Dated this 12th day of April, 2022.

/s/ Susan K. Lloyd, County Auditor, Buena Vista County, State of Iowa

(End of Notice)

PASSED AND APPROVED this 12th day of April, 2022.

/s/ Paul Merten, Chairperson.....Attest: Susan K. Lloyd, County Auditor

Recorder Curt Reis presented a request to the Board, for \$122,959 in ARPA Funds, to scan and digitize grantor and grantee index books, and their deed books. Reis stated that this would be done at the same time as the Auditor's digitizing project. Reis stated that it is for preservation of records, and it will also allow everyone to have access to the records without having to come into the Courthouse. Reis stated that the hosting fee is \$1,500 per year. Motion by Ringgenberg, second by Huseman, to approve the request of Recorder Curt Reis, for \$122,959 in **ARPA Funds**, to scan and digitize the grantor & grantee index books, along with their deed books. Carried.

Motion by Huseman, second by Snyder, to approve the **minutes** of 4/5/22, as corrected, today's **claims approval list**, and the following **reports**: April Safety Committee minutes, and FY'21 Audit Report for Mid-Sioux Opportunity. Carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign the **Bond Counsel Engagement Agreement** with Ahlers & Cooney, P.C., for the Not to exceed \$4,800,000 General Obligation Capital Loan Notes, Series 2022A. Carried.

Motion by Ringgenberg, second by Huseman, to change the Official Newspapers designation, removing the Pilot Tribune, since they have been purchased by the Storm Lake Times. The **Official Newspapers** will now be the Buena Vista County Journal and The Storm Lake Times Pilot. Carried.

The **Certificate of Appreciation** is tabled until the April 19th meeting.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 10:00 a.m. until Tuesday, April 19 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
SEVENTEENTH MEETING, 2022 SESSION (17)
APRIL 19, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, April 19, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **amend today's agenda**, adding an additional action item, Jt. DD #14-42 beaver bounty claim. Carried.

Engineer Bret Wilkinson reviewed his FY'23 IDOT budget that will be submitted to the State, along with his 5-year program for construction and repairs. Wilkinson stated that the Budget was the same as what the Board had approved in March. Motion by Huseman, second by Ringgenberg, to accept and authorize the Chair to sign the **State IDOT budget**, for FY'23, and submit to IDOT. Carried. Motion by Altena, second by Snyder, to accept and authorize the Chair to sign the **5-year Construction Program**, for FY'23, and submit to IDOT. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **utility permit** for the City of Marathon, boring under 210th Ave. for a 3-phase power electrical line to the new city sewer plant, in Sections 20 & 21, Poland Township. Carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Regional Water, Spencer, IA, for the accommodation of a 1.5" poly pipeline for the transmission of water along 615th St. in Section 7, Providence Township, to serve the Stille family. Carried.

Engineer Bret Wilkinson brought a request from the BV Fair Board for sand to be used at the fairgrounds for their horse arena. Wilkinson stated that the county has donated sand in the past few years, donating up to 75 ton of sand, with the BV Fair Board responsible for hauling. Motion by Altena, second by Ringgenberg, to donate up to 75 ton of sand to the **BV Fair Board**, with the County loading it, and the BV Fair Board responsible for hauling. Carried.

Secondary Road Report: They have been working on gravel roads and edge rutting; Engineer Wilkinson stated that they have two pieces of equipment broken and hope to get them repaired soon; they will probably start working on driveways next week, or the following week.

Env Health/Zoning Director Kim Johnson was present for the discussion on what the Board intends to do with **zoning**. Johnson stated that today was Jason Butler's last day, and with Environmental Health going under Public Health, and the floodplain maps coming this week, and the Comp Plan kick-off meeting scheduled for May 23, she would like to have the new person on board now and get in on the beginnings of these projects. Engineer Wilkinson stated that he still wants to hire a part-time person to help in the office at Secondary Roads, and Snyder wondered if the same person could also perform the Zoning duties. Wilkinson will contact counties that have zoning in the Secondary Road Department, to see how it is working, and then he and Johnson will work together on developing a new job description for this unique position.

Joanne Follon, Business Retention & Workforce Partnership Coordinator for the Iowa Lakes Corridor, reviewed the **"Best of Iowa" Program**. Follon stated that an 8-page survey was sent to various businesses, and then reviewed to see what the businesses were having issues with, that the Corridor could

help with. Last year they targeted 55 businesses, and 29 completed the surveys. Follon also reviewed labor shed reports, showing the availability of workers in BV County and Storm Lake.

Eric Yunginger, Assistant to the Drainage Engineer, discussed beaver trapping in **DD #49**. Yunginger stated that trapping season ended last week, but there are individuals that will obtain a nuisance trapping license, in order to set up and trap beavers as a nuisance. Yunginger had a request from an individual with a nuisance license, and he is asking for \$200 setup fee, which the drainage districts have never paid before. Yunginger stated that the bounty paid by the county, does not begin to cover the cost of gas. Yunginger stated that the issue with the beavers on DD #49 is where it outlets into Sac County. Yunginger stated that the trapper would set up for \$200, then after a week, comes back to revisit the trap, and charges \$50/beaver tail. Yunginger stated that the contractor still comes in and removes the dams. The Board asked Yunginger if he would develop a policy for this nuisance trapping out of season, and have it as a repair project, rather than a beaver bounty. The Board stated that they will have to revisit the amount they reimburse for beaver tails, in January, 2023. The consensus of the Board was to authorize Yunginger to contact one of the individuals with the nuisance license and ask them to come into a board meeting to discuss.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the **Certificate of Appreciation** for Marty DeMuth, for his 20 years of service to Buena Vista County, with the Sheriff's Department Carried.

Pursuant to Chapter 50.24 of the 2022 Code of Iowa, motion by Huseman, second by Altena, to declare the results, for Buena Vista County, of the **canvass** of the City of Marathon Special Election held April 12, as follows:

City of Marathon: total voters – 86, 57.33% turnout

COUNCIL-TO FILL VACANCY

James Burgess	64	elected
Larry Robinson	22	Carried.

Motion by Snyder, second by Ringgenberg, to approve the **minutes** of 4/12/22, as printed, and the following **reports:** 2021 Iowa Lakes Corridor Annual Report, and March Conservation Board minutes. Carried.

Motion by Huseman, second by Snyder, to approve the **Jt. DD #14-42** beaver bounty claim for Ryan Smith, in the amount of \$100, and return to Clay County for payment. Carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize all of the supervisors to sign **Resolution #2022-04-19-A** Declaring All ARPA Funds as Revenue Loss. Carried.

RESOLUTION NO. 2022-04-19-A

RESOLUTION ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS

WHEREAS, in March 2021, the federal government established the American Rescue Plan Act of 2021 (ARPA) which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide state, local and Tribal governments with the resources needed to respond to the pandemic and its economic effects; and

WHEREAS, the U.S. Department of the Treasury issued an Interim Final Rule implementing the SLFRF program on May 10, 2021, which included replacing lost revenue to County governments, and

WHEREAS, on January 6, 2022, the Treasury issued final rules for the SLFRF program, including authorization for counties to allocate up to \$10,000,000 of their total SLFRF allocation as lost revenue to spend on government services.

NOW, THEREFORE, BE IT RESOLVED, that the Buena Vista County Board of Supervisors approves allocating its total SLFRF allocation in the expected amount of \$3,810,955 as lost revenue to spend on government services.

HEREBY RESOLVED by the Buena Vista County Board of Supervisors this 19th day of April, 2022.

/s/ Paul Merten-Chairman, Kelly Snyder-Vice-Chairman, Don Altena-Supervisor, Tom Huseman-Supervisor, Rhonda Ringgenberg-Supervisor. Attest: Susan K. Lloyd, County Auditor

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the ISAC Group Benefits Program **28E Agreement**. Carried.

Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2022-04-19-B** To Approve the ISAC Group Benefits Program 28E. Carried.

**Resolution #2022-04-19-B
To Approve the ISAC Group Benefits Program 28E Agreement**

WHEREAS, the Iowa State Association of Counties (ISAC) Group Benefits Program, a Chapter 28E organization, has adopted a 28E Agreement for its group health and related benefits program, for the purpose of providing group health and related benefits for employees of participating entities.

WHEREAS, the county of Buena Vista desires to adopt the 28E Agreement for health and related benefits for eligible employees.

NOW, THEREFORE, BE IT RESOLVED by the Buena Vista County Board of Supervisors that the County desires to adopt the 28E Agreement for the ISAC Group Benefits Program.

Approved by the Buena Vista County Board of Supervisors on April 19, 2022.

/s/ Paul Merten, Chair, Board of Supervisors

Motion by Snyder, second by Altena, to approve and authorize the Chair to sign the **FY'23 ISAC Group Benefits Program County Plan Selection Confirmation for AD & D insurance**. Carried.

Supervisor Meeting Reports: Snyder will be attending the Linn Grove Council Meeting on Thursday; Merten will be attending the Rolling Hills Mental Health Region Meeting next week.

There being no further business, motion by Ringgenberg, second by Altena, to adjourn the meeting at 10:55 a.m. until Tuesday, April 26 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
EIGHTEENTH MEETING, 2022 SESSION (18)
APRIL 26, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, April 26, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Altena, to amend **today's agenda**, adding an additional action item, a cigarette/tobacco permit for Al's Corner Oil Company, DBA Sparky's One Stop #16. Carried.

Motion by Huseman, second by Ringgenberg, to approve the **minutes** of 4/19/22, as printed, today's **claims approval list**, **stamped drainage warrant register**, and the following **reports**: March BV County Landfill minutes and Recorder's Report of Fees Collected (Jan-Mar). Carried.

Motion by Altena, second by Huseman, to approve and authorize the Chair to sign the **Jt. DD #22** Beaver Trapping claim for \$250 to Ryan Smith. Carried.

Motion by Snyder, second by Ringgenberg, to set a public hearing for the 4th **FY'22 County Budget Amendment**, for May 31, at 9:00 a.m. Carried.

Supervisor Meeting Reports: Snyder attended the Linn Grove City Council meeting last week; Merten has Plains Area Mental Health meeting tonight, and the Rolling Hills Mental Health Region meeting tomorrow.

Motion by Snyder, second by Altena, to approve the **Cigarette/Tobacco Permit** for Al's Corner Oil Company, DBA Sparky's One Stop #16. Carried.

Sheriff Kory Elston discussed increasing the fees charged for fingerprints, 3rd party requests for accident reports, and 3rd party requests for pictures on cd's. Elston stated that the fees have been the same for several years. Elston recommends increasing the fee for 3rd party requests for accident reports from \$4 to \$10, the fee for fingerprints from \$5 to \$10, and the fee for 3rd party requests for accident pictures on CDs from \$15 to \$20. Motion by Snyder, second by Huseman, to approve increasing the **fees** charged by the Sheriff's Department for 3rd party requests for accident reports from \$4 to \$10, for fingerprints from \$5 to \$10, and for 3rd party requests for accident pictures on CDs from \$15 to \$20, all effective May 1, 2022. Carried.

Sheriff Kory Elston informed the Board that Alyson Sievers was promoted to **Jail Administrator**, and Rochelle Van Houten was promoted to **Jail Supervisor**. Elston stated that he is still taking applications for the vacant deputy position. Elston also informed the Board that 3-4 of the **body cameras** are non-repairable, so he is getting quotes from Watch Guard for new body cameras. The remaining body cameras would be phased out. Elston stated that he is working with other sheriffs on **jail fees**, pursuing options to get reimbursed for fees.

County Attorney Paul Allen presented Resolution #2022-04-26-A Secure Doors, for the Board to consider. Allen stated that the intent of this resolution, in regard to the access to the courthouse, is posting signs showing where the limitations are, protecting the employees, and areas that are not open to the public. Allen requested that areas that are not open to the public, the doors should be shut and locked, or shut and a sign posted with "authorized personnel only". Allen stated that the Judicial Branch should be made aware of this too and should post signs and shut or lock the doors. Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign **Resolution #2022-04-26-A** Secure Doors. Carried.

RESOLUTION # 2022-04-26-A

WHEREAS, the Constitution of the State of Iowa provides that government is instituted for the protection, security, and benefit of the people, and that certain rights are inherent or reserved for the people; and

WHEREAS, the Board of Supervisors is responsible for and has authority over Buena Vista County property; and

WHEREAS, the security and safety of Buena Vista County personnel and property is paramount to the proper functioning of the County in fulfilling its legal obligations; and

WHEREAS, Buena Vista County personnel must be able to fulfill their legal obligations in a secure manner and free from interference; and

WHEREAS, Buena Vista County performs functions that concerns confidential information, confidential procedures, or involves the use of confidential materials or dangerous equipment and materials, or involves a risk to those not authorized to perform certain functions, and

WHEREAS, Buena Vista County must comply with both federal and state statutes and regulations regarding the protection of certain information, materials, facilities, and equipment; and

NOW IT THEREFORE BE RESOLVED, Buena Vista County property shall be open to the public during business hours as determined by the Board of Supervisors, subject to the availability of personnel at individual facilities; and

IT BE FURTHER RESOLVED, the general public shall not, without authorization, be permitted to access Buena Vista County work areas, private offices, storage rooms, or any area in which confidential information, procedures, materials, or dangerous equipment and materials are present, or involves a risk to those not authorized to perform certain functions; and

IT BE FURTHER RESOLVED, any Buena Vista County property, or area therein, of which the general public is not authorized to access shall be properly marked or otherwise secured so as to provide notice that such area is prohibited; and

IT BE FURTHER RESOLVED, that any person who accesses a prohibited area without authorization shall be referred to the proper authorities for criminal prosecution.

PASSED AND APPROVED this 26th day of April, 2022.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Supervisor Meeting Reports-continued: Altena will be attending the Upper Des Moines Opportunity meeting tonight.

There being no further business, motion by Snyder, second by Altena, to adjourn the meeting at 9:25 a.m. until Tuesday, May 3 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
NINETEENTH MEETING, 2022 SESSION (19)
MAY 3, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 3, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Ringgenberg, Snyder and with Huseman (remotely) 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 approve **today's agenda**, Carried.

Engineer Bret Wilkinson reviewed the **utility permit for Mid-American Energy** to bury utility line picking up from their line on 630th to 70th Avenue to power the Platinum Crush project. Motion by Altena, second by Huseman, to accept and approve Utility Permit # 05032022 for Mid-American Energy. Carried.

Secondary Road Report: The crew is working on gravel roads. Good moisture to work with in shaping them back up. He is lining up a contractor as early as next week to test the strength of the road near the crush plant site. Surveying will be done on a 200 ft wide corridor for the 4 miles of roadway around the site to aid the design of the roads and information needs for the RISE Grant with the DOT which has a short deadline. Complaints on dust caused by traffic around the site last week could be due to the reroute of Hwy 7 and 110 and/or the spectators in vehicles checking out the site. Bret is looking at dust control in that area and asked for thoughts and comments from the board on how best to treat for the issue this year. The Board gave Bret direction to monitor the dust control and reapply approximately 600 feet per residence as needed. 27 Iowa engineers attended the conference in New York. Good information and contacts. Heavy conversations on life extension on asphalt and concrete roads.

Motion by Snyder, second by Ringgenberg, to approve **4/26/2022 minutes** as written and today's reports. Carried.

Motion by Ringgenberg, second by Huseman to sign **Resolution 2022-05-03-A to Ratify, Confirm, and Approve Prior Signatures on Agreement for Private Development** The roll was called, and the vote was: Ayes: Merten, Snyder, Altena, Ringgenberg, and Huseman. Nays: None. Motion Carried.

RESOLUTION NO. 2022-05-03-A

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A
DEVELOPMENT AGREEMENT BY AND BETWEEN BUENA VISTA
COUNTY AND PLATINUM CRUSH, LLC, AND TO RATIFY, CONFIRM,
AND APPROVE PRIOR SIGNATURES ON AGREEMENT FOR PRIVATE
DEVELOPMENT

WHEREAS, by Resolution No. 2022-03-15-A, adopted March 15, 2022, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Platinum Urban Renewal Plan (the "Urban Renewal Plan" or "Plan") for the Platinum Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan is on file in the office of the Recorder of Buena Vista County; and

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said Plan; and

WHEREAS, Iowa Code Chapter 15A authorizes counties to make loans and grants for economic development, and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapter; and

WHEREAS, the County received a proposal from Platinum Crush, LLC (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the County and the Developer, pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Urban Renewal Area as defined and legally described in the Agreement (the "Development Property") and consisting of the construction of a soybean crush facility and a new 15,000 square foot building to be used for the soybean crushing plant's main grain receiving building, together with all related site improvements, as outlined in the proposed Agreement; and

WHEREAS, the Agreement further proposes that the County will make up to twenty (20) consecutive annual payments of Economic Development Grants to Developer consisting of a certain percentage of the Tax Increments pursuant to Section 403.19, Code of Iowa, and generated by the construction of the Minimum Improvements, excepting therefrom a portion of such Tax Increments each year for the County's use, the cumulative total for all such payments not to exceed the lesser of \$12,000,000, or the amount accrued under the formula outlined in the proposed Development Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, the Agreement further proposes that the County construct certain Public Use Improvements (as defined in the Agreement) in support of the Project, consisting of updating approximately 4 miles of roads directly surrounding the Project site, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, the Agreement also proposes that Developer will enter into a Minimum Assessment Agreement with the County setting the minimum actual value of the Minimum Improvements for tax purposes at not less than \$30,000,000, before rollback; and

WHEREAS, the Agreement further requires the Developer to occupy the Minimum Improvements and employ employees therein, including complying with the requirements of an Economic Development Assistance Contract between the Iowa Economic Development Authority, the Developer, and the County made through the State's High Quality Jobs Program; and

WHEREAS, on March 29, 2022, following duly published notice, the Board held a public hearing on the Agreement and following said public hearing, the Board, via motion, authorized the Chairperson to sign the Agreement; and

WHEREAS, consistent with such authorization, the Chairperson duly executed the Agreement; and

WHEREAS, the County subsequently determined it prudent to adopt a formal resolution authorizing and ratifying the execution of the Development Agreement; and

WHEREAS, at this meeting of the Board, the County will adopt this resolution to authorize, ratify, and confirm the execution of the Agreement; and

WHEREAS, Chapters 15A and 403, Code of Iowa, authorize counties to make grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

WHEREAS, the Board has determined that the Agreement is in the best interests of the County and the residents thereof and that the performance by the County of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account any or all of the factors set forth in Chapter 15A, Code of Iowa, to wit:

- a. Businesses that add diversity to or generate new opportunities for the Iowa economy should be favored over those that do not.
- b. Development policies in the dispensing of the funds should attract, retain, or expand businesses that produce exports or import substitutes, or which generate tourism-related activities.
- c. Development policies in the dispensing or use of the funds should be targeted toward businesses that generate public gains and benefits, which gains and benefits are warranted in comparison to the amount of the funds dispensed.
- d. Development policies in dispensing the funds should not be used to attract a business presently located within the state to relocate to another portion of the state unless the business is considering in good faith to relocate outside the state or unless the relocation is related to an expansion which will generate significant new job creation. Jobs created as a result of other jobs in similar Iowa businesses being displaced shall not be considered direct jobs for the purpose of dispensing funds.

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

That the performance by the County of its obligations under the Agreement, including but not limited to making of grants to the Developer in connection with the development of the Development Property under the terms set forth in the Agreement, be and is hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and

objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth in Chapter 15A, Code of Iowa.

That the form and content of the Agreement, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the execution of the Agreement for and on behalf of the County following the March 29, 2022 public hearing, in substantially the form and content now before this meeting, is hereby ratified and confirmed.

PASSED AND APPROVED this 3rd day of May, 2022.

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

CERTIFICATE

I, the undersigned County Auditor of Buena Vista County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective county offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 3rd day of May, 2022.

/s/ Sharon Henkel, 1st Deputy Auditor

Play 4 Him Academy Founder Jeramie Hinote came to discuss his plans that he would like to possibly get started as a location for the LLC in Buena Vista County and find any tax incentives available here. In 2016 he started the named business for youth after previously working as a high school basketball coach. The academy has grown nearly 300% in the first 6 years with the interest in the program continuing to grow. This is an outside of school program for 4th grade through High school for basketball and volleyball looking next year to possibly add 3rd grade. All during the year he has 2 regular employees, and then in the summer -14 coaches, 6 of which are college students who get their additional training, and also 5 winter coaches. Consensus of the board was to share information with him to first contact the Iowa Lakes Corridor and see what incentives the business could qualify for.

Env Health Specialist Johanna Hostetler was present for Resolution for the Minor subdivision for Kevin Buse and Michelle Henderson in Section 14 Fairfield Township. Motion by Snyder, second by Altena to Approve **Resolution 2022-05-03-B Minor Subdivision for Kevin Buse and Michelle Henderson NE ¼ Section 14 Fairfield Township.** Carried.

RESOLUTION 2022-05-03-B

WHEREAS Kevin R. Buse and Michelle A. Henderson have presented a preliminary and final plat (of survey) on the following described properties:

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 14; Thence South 89° 34' 15" East, along the North line of said Northeast Quarter (NE ¼), 1256.20 feet; Thence South 00° 02' 47" East, 468.00 feet; Thence South 89° 34' 15" East, 320.00 feet; Thence North 00° 02' 47" West, 468.00 feet to the North line of the Northeast Quarter (NE ¼); Thence South 89° 34' 15" East, along said North line, 22.24 feet; Thence South 00° 02' 47" East, 2621.82 feet to the South line of the Northeast Quarter (NE ¼); Thence North 89° 42' 42" West, along said South line, 1601.53 feet to the West line of the Northeast Quarter (NE ¼); Thence North 00° 01' 18" East, along said West line, 2625.73 feet to the Point of Beginning.

Hereafter known as Lot C, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 92.93 Acres and is subject to all easements of record.

DESCRIPTION LOT D

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2 NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 14; Thence South 89° 34' 15" East, along the North line of said Northeast Quarter (NE ¼), 1256.20 feet to the Point of Beginning; Thence South 00° 02' 47" East, 468.00 feet; Thence South 89° 34' 15" East, 320.00 feet; Thence North 00° 02' 47" West, 468.00 feet to the North line of the Northeast Quarter (NE ¼); Thence North 89° 34' 15" West, along said North line, 320.00 feet to the Point of Beginning.

Hereafter known as Lot D, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 3.44 Acres and is subject to all easements of record.

DESCRIPTION LOT E

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E 1/2 NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) corner of the Northeast Quarter (NE ¼) of said Section 14; Thence North 89° 34' 15" West, along the North line of said Northeast Quarter (NE ¼), 1041.39 feet; Thence South 00° 02' 47" East, 2621.82 feet to the South line of said Northeast Quarter (NE ¼); Thence South 89° 42' 42" East, along said South line, 1041.36 feet to the East line of said Northeast Quarter (NE ¼); Thence North 00° 02' 47" West, along said East line, 2619.27 feet to the Point of Beginning.

Hereafter known as Lot E, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 62.65 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:

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 14; Thence South 89° 34' 15" East, along the North line of said Northeast Quarter (NE ¼), 1256.20 feet; Thence South 00° 02' 47" East, 468.00 feet; Thence South 89° 34' 15" East, 320.00 feet; Thence North 00° 02' 47" West, 468.00 feet to the North line of the Northeast Quarter (NE ¼); Thence South 89° 34' 15" East, along said North line, 22.24 feet; Thence South 00° 02' 47" East, 2621.82 feet to the South line of the Northeast Quarter (NE ¼); Thence North 89° 42' 42" West, along said South line, 1601.53 feet to the West line of the Northeast Quarter (NE ¼); Thence North 00° 01' 18" East, along said West line, 2625.73 feet to the Point of Beginning.

Hereafter known as Lot C, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT D

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2 NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 14; Thence South 89° 34' 15" East, along the North line of said Northeast Quarter (NE ¼), 1256.20 feet to the Point of Beginning;

Thence South 00° 02' 47" East, 468.00 feet; Thence South 89° 34' 15" East, 320.00 feet; Thence North 00° 02' 47" West, 468.00 feet to the North line of the Northeast Quarter (NE ¼); Thence North 89° 34' 15" West, along said North line, 320.00 feet to the Point of Beginning.

Hereafter known as Lot D, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT E

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E 1/2 NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) corner of the Northeast Quarter (NE ¼) of said Section 14; Thence North 89° 34' 15" West, along the North line of said Northeast Quarter (NE ¼), 1041.39 feet; Thence South 00° 02' 47" East, 2621.82 feet to the South line of said Northeast Quarter (NE ¼); Thence South 89° 42' 42" East, along said South line, 1041.36 feet to the East line of said Northeast Quarter (NE ¼); Thence North 00° 02' 47" West, along said East line, 2619.27 feet to the Point of Beginning.

Hereafter known as Lot E, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

are hereby accepted subject to the following if any: None

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

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 14; Thence South 89° 34' 15" East, along the North line of said Northeast Quarter (NE ¼), 1256.20 feet; Thence South 00° 02' 47" East, 468.00 feet; Thence South 89° 34' 15" East, 320.00 feet; Thence North 00° 02' 47" West, 468.00 feet to the North line of the Northeast Quarter (NE ¼); Thence South 89° 34' 15" East, along said North line, 22.24 feet; Thence South 00° 02' 47" East, 2621.82 feet to the South line of the Northeast Quarter (NE ¼); Thence North 89° 42' 42" West, along said South line, 1601.53 feet to the West line of the Northeast Quarter (NE ¼); Thence North 00° 01' 18" East, along said West line, 2625.73 feet to the Point of Beginning.

Hereafter known as Lot C, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT D

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2 NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) corner of the Northeast Quarter (NE ¼) of said Section 14; Thence South 89° 34' 15" East, along the North line of said Northeast Quarter (NE ¼), 1256.20 feet to the Point of Beginning; Thence South 00° 02' 47" East, 468.00 feet; Thence South 89° 34' 15" East, 320.00 feet; Thence North 00° 02' 47" West, 468.00 feet to the North line of the Northeast Quarter (NE ¼); Thence North 89° 34' 15" West, along said North line, 320.00 feet to the Point of Beginning.

Hereafter known as Lot D, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

DESCRIPTION LOT E

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E 1/2 NE 1/4) OF SECTION 14, TOWNSHIP 92 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) corner of the Northeast Quarter (NE 1/4) of said Section 14; Thence North 89° 34' 15" West, along the North line of said Northeast Quarter (NE 1/4), 1041.39 feet; Thence South 00° 02' 47" East, 2621.82 feet to the South line of said Northeast Quarter (NE 1/4); Thence South 89° 42' 42" East, along said South line, 1041.36 feet to the East line of said Northeast Quarter (NE 1/4); Thence North 00° 02' 47" West, along said East line, 2619.27 feet to the Point of Beginning.

Hereafter known as Lot E, in Section 14, Township 92 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

and copies of said finals plat shall be of record in the appropriate County offices.

PASSED, APPROVED AND ADOPTED this 3rd day of May, 2022.

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

Brief discussion was held on office space for the counselor at Catholic Charities. Motion by Snyder, second by Huseman to table the discussion until a later date. Carried.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 9:51 a.m. until Tuesday, May 10 at 8:30 a.m. for a regular meeting.

Sharon Henkel, 1st Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTIETH MEETING, 2022 SESSION (20)
MAY 10, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 10, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman (remotely), 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 Ringgenberg, second by Snyder, to approve today's agenda. Carried.

County Engineer Bret Wilkinson discussed the Iowa DOT City Bridge Funding Agreement between the City of Linn Grove and Buena Vista County. Both County and City of Linn Grove need to sign the agreement to move forward on the bridge project over the Little Sioux River. This project, once completed, will be eligible for reimbursement from the Federal-aid Swap funding agreement as awarded, after all project costs are paid up front. A supervisor will attend the Linn Grove city meeting on Thursday night to help with any questions. Motion by Ringgenberg, second by Huseman, to authorize chair to sign the **DOT City Bridge Funding Agreement**. Carried.

The Engineer asked to declare their 1999 Chevrolet C7500 truck (which was used for their sign truck) with 187,000 miles on it as excess equipment and to be allowed to sell. Motion by Altena, second by Snyder, to **declare 1999 Chevrolet C7500 truck as excess equipment** and allow County Engineer to sell. Carried.

Secondary Road Report: We are blading gravel and hauling rock for much of the week. Also still doing edge rutting and widening some entrances. He is working through details with Platinum Crush on right of way at the site and working with Mid American on details for power to the site. He is talking to the DOT on the RISE Grant to work out the details of the two intersections that go to the site based on the traffic survey. Platinum Crush is not going vertical until around September and Bret would like to see DOT approve the RISE Grant before then. Current rain is slowing down the dust, but future dust control is still on the radar. Advertising for seasonal help has been done and looking at June start date for those hired.

Building and Grounds Maintenance Superintendent Joe Keller was in attendance on behalf of the Parade of Flags to ask for permission from the Board to use the courthouse lawn for the Memorial Day Parade of Flags Dedication at 10 am. The guest speaker flying in from California will be Ryan Hartwig, originally from Storm Lake, who has served approximately 18 tours of duty. The courthouse lawn will be adorned with over 570 flags. In inclement weather, the Memorial Day dedication will be held at the Storm Lake High School auditorium. A Touch of Broadway will perform. The public is welcome to bring lawn chairs. Keller also stated that Awaysis Park in Storm Lake will be adorned with 700 flags. Motion by Snyder, second by Altena, to approve use of the Buena Vista County Courthouse lawn for **Memorial Day Parade of Flags Dedication**. Carried.

Building and Grounds Report: New commercial doors were installed at the County Attorney building and the space previously a garage is being remodeled into usable space. We are working on the LEC building doing rooftop units, duct work and roofing with an estimated late June completion. Public Health building - working on finishing details and looking at a September start date on the remodel. At the Courthouse building we have installed twenty-two new panic buttons replacing the old and broken, working on our spring list of cleaning windows and upkeep to courthouse lawn, carpet squares in offices to make floors warmer, and pricing out for replacement of plexiglass windows at offices with real glass and speaking windows with ARPA funds. Plexiglass is becoming scratched which was a temporary need due to Covid.

Motion by Snyder, second by Ringgenberg, to authorize chair to sign acknowledgement of **FY2021 Buena Vista County CASI report**. Carried.

Motion by Huseman, second by Ringgenberg, to approve the **minutes** of 5/3/22, as printed, today's **claims approval list**, and the following **reports**: April Sheriff report and April Sheriff Inmate report, FY2021 CASI Report. Carried.

Drainage Engineer presented the proposal for \$8,084 from ArcaSearch LLC, to digitally scan county records for drainage using ARPA funds to pay for the project. The Code of Iowa requires us to keep records. Many of the oldest writings in the drainage books are fading so much that if we do not scan soon, we will not be able to follow the history due to the aging of the books. We will receive two complete archived hard copies and can add additions to the files going forward. Motion by Snyder, second by Ringgenberg, to approve Drainage Engineer to use ARPA funds for **Digital Preservation of Drainage Books** and authorize Chair to sign the proposal. Carried.

There being no further business, motion Snyder by, second by Altena, to adjourn the meeting at 10:03 a.m. until Tuesday, May 17 at 8:30 a.m. for a special meeting.

Sharon Henkel, 1st Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY FIRST MEETING, 2022 SESSION (21)
MAY 17, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 17, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Ringgenberg, second by Huseman, to approve **today's agenda**. Carried.

Engineer Bret Wilkinson presented the title sheet for Project STBG-SWAP-CO11(116)--FG-11 bridge replacement. Wilkinson stated that the letting is scheduled for August 16 with IDOT. Motion by Ringgenberg, second by Snyder, to approve and authorize all of the supervisors to sign the title sheet for **Project STBG-SWAP-CO11(116)--FG-11** bridge replacement. Carried.

Engineer Bret Wilkinson informed the Board that FSA shows the Whitney Pit listed as one parcel in their system, when actually BV County owns the north half and Clay County owns the south half of the property. FSA is requesting paperwork be signed for their records, so that they can show the split in the parcel. Motion by Huseman, second by Altena, to approve and authorize the Chair to sign the **Farm Reconstitution form for FSA** on the Whitney Pit property, in order for their records to correctly show the split in ownership. Carried.

Engineer Bret Wilkinson informed the Board that he received notice from the company that he ordered the two dump truck chassis from, stating that they were adding **surcharges** on everything that hasn't been produced yet. The original quote that the Board approved on March 4 was \$273,572 for two dump truck chassis. Wilkinson stated that the new quote is for \$285,172, which includes a surcharge of \$5,800 for each truck. Wilkinson stated that this is the first time he has seen a surcharge on anything, but knows that other counties have seen surcharges, but not as much as the \$5,800 per truck. The consensus of the Board was to have the engineer contact the salesman, to ask more questions, and to find out what

the future holds, will there be additional surcharges. Wilkinson will contact the salesman and report back to the Board next week.

Secondary Road Report: The crew has been hauling gravel, installing driveways, and doing storm cleanup from last Thursday.

Heidi Kuhl, Northland Securities, was present to review the **Official Statement**, which was prepared outlining the details of the proposed sale of the General Obligation Capital Loan Notes. The Notes would provide the funds to pay the costs of aiding of the planning, undertaking, and carrying out of urban renewal projects, including projects for the construction, reconstruction, improvement, repair, or equipping of roads as set forth in the Platinum Urban Renewal Plan. Kuhl stated that these would be 20-year bonds, and that the county would be using TIF dollars, based on the Development Agreement with Platinum Crush. Board Member Ringgenberg introduced the following resolution entitled "RESOLUTION APPROVING OFFICIAL STATEMENT", and moved that the resolution be adopted. Board Member Snyder seconded the motion to adopt. The roll was called, and the vote was: Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Whereupon, the Chairperson declared the resolution duly adopted as follows:

**RESOLUTION #2022-05-17-A
RESOLUTION APPROVING OFFICIAL STATEMENT**

WHEREAS, in conjunction with its Underwriter, Northland Securities, the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Notes.

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

Section 1. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and Auditor, upon the advice of bond counsel and the County's Underwriter, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

PASSED AND APROVED this 17th day of May, 2022.

/s/ Paul Merten, Chairperson.....Attest: Susan K. Lloyd, County Auditor

County Attorney Paul Allen informed the Board that he had prepared a **release agreement** with the City of Linn Grove, regarding the bridge project. The City of Linn Grove was concerned that they would be liable for additional costs for the project, but Allen stated that since it is a Farm-to-Market Road, the city would not be liable for additional costs. Allen stated that the release agreement was no longer needed, so no action by the Board needed to be taken.

County Attorney Paul Allen discussed with the Board, the proposed **Rolling Hills Memorandum of Understanding (MOU)**. CEO Dawn Mentzer, Rolling Hills Mental Health Region, was also present for the discussion. Allen stated that the MOU or a new 28E Agreement was needed to address the changes created by SF619. Allen stated that he had concerns regarding the MOU that was presented, which he reviewed with the Board and Mentzer. Mentzer will take Allen's concerns back to the Governance Board, to make changes or clarify areas of the MOU, and discuss with the other members of the Rolling Hills Mental Health Region.

County Attorney Paul Allen was present for his appointment. Motion by Snyder, second by Huseman, to go into **closed session** (at 10:05 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent

where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Snyder, second by Ringgenberg, to go out of **closed session** at 10:40 a.m. Carried

Conservation Director/Weed Commissioner Greg Johnson was present to give **department updates**. Conservation—All of the parks and campgrounds are open, and they have been busy. The department has worked with 38 firefighters and the DNR in order to do some prescribed burning. They have been mowing. One seasonal employee has started, and the other two that were offered jobs have backed out. The Naturalist has been busy with outdoor classroom events. Still waiting for FEMA to approve the alternative plans for the Linn Grove Dam project. Johnson is still having general conversations with the DNR regarding the marina. Weed Department—They have been helping with the prescribed burning. They are getting the spray equipment ready and calibrated. Spraying will start in the north part of the county. They are working on grant applications that are due the end of the month. Bait Shop—They have been open but are having a hard time keeping bait stocked.

Conservation Director Greg Johnson discussed with the Board the ARPA funds that he had been approved to use for the BV County Park restroom project. Johnson stated that IA Lakes Regional Water would like to know now whether to run pipe for water to the Bur Oak Campground. Johnson asked the Board to allow him to use \$48,000 for IA Lakes Regional Water to install pipe for water to the Bur Oak Campground at this time. Motion by Snyder, second by Altena, to approve **ARPA funds** to be used for the Bur Oak Campground, installation of water pipe by Iowa Lakes Regional Water, instead of the Conservation Park restroom project at this time. Carried.

Conservation Director/Weed Commissioner Greg Johnson requested the budgeted transfer of \$10,000 from General Basic to Conservation Land Acquisition Trust Fund. Motion by Huseman, second by Ringgenberg, to authorize the Auditor to **transfer** \$10,000 from the General Basic Fund to Conservation Land Acquisition Trust Fund, which is in the current budget. Carried.

Motion by Snyder, second by Huseman, to approve the **minutes** of 5/10/22, as corrected, and the following **reports**: April 2022 Conservation Board Meeting Minutes, April 2022 Landfill Meeting Minutes, May 2022 Solid Waste Commission Agenda, FY2023-25 Solid Waste Commission Regulatory Acceptance Proposal, FY 2023-25 Sanitary Landfill Annual Services Proposal, and April 2022 Veteran's Affairs Commissioner Minutes. Carried

The Board recessed their meeting at 10:55 a.m. until 1:15 p.m. for a public hearing.

The Board resumed their meeting at 1:15 p.m. Altena did not return to the meeting.

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

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 \$4,800,000 General Obligation Capital Loan Notes, of Buena Vista County, State of Iowa, in order to provide funds to pay the costs of aiding of the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403, including projects for the construction, reconstruction, improvement, repair, or equipping of roads as set forth in the Platinum Urban Renewal Plan, adopted on March 15, 2022, for essential county urban renewal 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 and the right to petition for an election had been published as provided by Sections 331.402, 331.443 and 403.12 of the Code of Iowa, and the Chairperson then asked the County Auditor whether any petition had been filed in the Auditor's Office, as contemplated in Section 331.306 of the Code of Iowa, and the Auditor reported

that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County.

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

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 \$4,800,000 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: Huseman, Merten, Ringgenberg, Snyder. Nays: None.

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION #2022-05-17-B

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$4,800,000 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 \$4,800,000 General Obligation Capital Loan Notes, for the essential county urban renewal purposes, in order to provide funds to pay the costs of aiding of the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403, including projects for the construction, reconstruction, improvement, repair, or equipping of roads as set forth in the Platinum Urban Renewal Plan, adopted on March 15, 2022, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The 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 \$4,800,000 General Obligation Capital Loan Notes, for the foregoing essential county urban renewal 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 17th day of May, 2022

/s/ Paul Merten, Chairperson.....Attest: Susan K. Lloyd, County Auditor

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 1:35 p.m. until Tuesday, May 24 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-SECOND MEETING, 2022 SESSION (22)
MAY 24, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 24, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 amend **today's agenda**, to discuss and act on two truck chassis, for Secondary Roads. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: Merten. Motion carried.

Engineer Bret Wilkinson continued the discussion of purchasing two truck chassis, which the company has added \$5,800 surcharge per truck, after the quote was signed and approved. Wilkinson contacted the company, and there was already a surcharge included in the first quote of \$4,300, which was effective January 1, 2021, and now they have added an additional surcharge of \$5,800 May 30, 2022. Wilkinson stated that the trucks that he would order now, would not get to the line until 4th quarter. Huseman asked Wilkinson, if the Board says "no", what hardship will that create for your department? Wilkinson stated that they are 18 months – two years out from seeing trucks. Wilkinson informed the Board that the purchase would increase the number of tandem trucks by two, and he intends to sell the single axle trucks. Motion by Huseman, second by Snyder, to deny the request to purchase two **truck chassis** for Secondary Roads. Snyder suggested to purchase one truck, as back in March, snow equipment was ordered for two trucks. Ayes: Altena, Huseman, Snyder. Nays: Merten, Ringgenberg. Motion carried.

Motion by Snyder, second by Ringgenberg, to approve purchasing one truck chassis for Secondary Roads, which includes \$5,800 surcharge, for a total of \$142,586. Ayes: Altena, Ringgenberg, Snyder. Nays: Huseman, Merten. Motion carried. Engineer Wilkinson will contact the company about the snow equipment, to see if the County would be able to cancel one set of snow equipment and will report back to the Board later in their meeting.

Engineer Bret Wilkinson stated that he has been asked to create areas to take ash trees to, in order to burn. Cities do not allow burning in city limits. Wilkinson stated that Secondary Roads has two areas that they haul trees to, in order to burn. Wilkinson stated that DNR recommends not transporting more than three miles. Huseman stated that he is reluctant to get into this, as there will be other issues. Merten suggested opening the area they refer to as the Truesdale dumpsite, which is one mile south of Highway 3, ¼ mile west of 80th Ave., as it is gated. Merten stated that Secondary Road uses this location to burn trees, and so if people wanted to haul to this site, they could contact Secondary Road, and someone would go open the gate, to control what is being brought in. The consensus of the Board was to try one site, the Truesdale dumpsite, with the people contacting Secondary Road to open the gate.

Engineer Bret Wilkinson has received a request to place a 6'-8' cross in county right-of-way, along the fence line, a monument for someone that was killed at the location. Wilkinson stated that he is hesitant to get this started, as it is not benefiting the traveling public and not an informational sign for the traveling public. The Board agreed with Engineer Wilkinson on this request, and not allow it.

Secondary Road Report: Engineer Bret Wilkinson informed the Board that the contractor has moved in to begin the bridge project on M50, one mile south of C49. Wilkinson stated that the road closed signs are up. The crack filling contractor is working on M50.

Bldg/Grounds Supt. Joe Keller informed the Board that he will be replacing the plexiglass at the office counters with tempered glass, with a speak-through. He has a quote from Northwest Glass for \$13,000. Keller stated that this includes the Clerk of Court, but they may be paying for their cost. Keller also stated that he would like to lay carpet down in the first-floor offices and the Clerk of Court. Keller stated that this would help keep the offices warmer in the winter. Keller has a quote from Snooks for \$22,000. Keller stated that Snooks will not come in to lay the carpet on weekends, so Keller would like to have one office closed for the day that they are laying their carpet, and then move on to the next office, and have that office closed for the day. Motion by Ringgenberg, second by Huseman, to approve the use of ARPA funds for installing tempered glass, with a speak-through, for the first-floor offices of the Courthouse and the Clerk of Court for a total of \$13,000, and to install carpet in the same offices, at a cost of \$22,000, with the offices closed to the public for one day. The Board will determine, at a later date, what the office employees will do for day their office is closed. Carried.

Bldg/Grounds Supt. Joe Keller informed the Board that the roof project will be starting June 16 at the Law Enforcement Center, and then at the Courthouse. The Court system will be shut down for a couple of days, while this project is done at the Courthouse, due to the noise.

County Attorney Paul Allen requested \$15,800 in ARPA funds, to be used for replacing three laptops and virtual conferencing equipment, including a large screen monitor, microphones, camera, and workstation. Motion by Snyder, second by Altena, to approve \$15,800 in ARPA funds for the County Attorney's Office, to be used for replacing three laptops and purchasing virtual conferencing equipment, including a large screen monitor, microphones, camera, and workstation. Carried.

County Attorney Paul Allen requested the Board allow Valerie Anspach to carry over an additional 12 hours of vacation. Motion by Huseman, second by Ringgenberg, to approve the request to allow Valerie Anspach to carry over an additional 12 hours of **vacation** over the 40 hours allowed, with the intention that she use it within six months. Carried.

County Attorney Paul Allen was present for his appointment. Motion by Altena, second by Snyder, to go into **closed session** (at 9:45 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Snyder, second by Altena, to go out of **closed session** at 10:05 a.m. Carried

Huseman stepped out of the meeting.

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

Motion by Snyder, second by Altena, to approve the **minutes** of 5/17/22, as printed, today's **claims approval list**, **stamped drainage warrant register**, and the following **reports**: April Board of Health minutes and May Veterans Commission minutes. Carried.

Huseman came back to 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 **rescind the motion** made on March 15, 2022, creating Special Revenue Fund 0035 and transferring \$24,033.65 from the General Basic Fund to Fund 0035, to wait until after July 1, 2022, the start of the new fiscal year. Carried.

Engineer Bret Wilkinson came back to the meeting to report that he spoke with the company about the snow equipment that was ordered and was told that the county could cancel one order for snow equipment if they were only purchasing one truck chassis. The company representative informed Engineer Wilkinson that the cost of the snow equipment will be 15%-20% higher, if the second set of snow equipment is ordered at a later date. County Attorney Paul Allen reviewed the quotes that were originally signed, and informed the Board that there is a disclaimer on the quote, stating that a surcharge may be added, and the county would have to pay it. Engineer Wilkinson stated that he would like to purchase two truck chassis, as the price is not going to come down, and then if we had to order snow equipment, the 15%-20% increase would be more than paying the surcharge for purchasing the second truck. Motion by Snyder, second by Ringgenberg, to **rescind the motion** of purchasing one truck chassis for Secondary Roads. Carried. Motion by Huseman, second by Snyder, to **rescind the motion** to deny purchasing two truck chassis for Secondary Roads. Carried. Motion by Snyder, second by Ringgenberg, to approve the request of Engineer Bret Wilkinson to **purchase two truck chassis**, including surcharges, for a total of \$285,172.00. Carried.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 10:50 a.m. until Friday, May 27 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-THIRD MEETING, 2022 SESSION (23)
MAY 27, 2022**

The Buena Vista County Board of Supervisors met in special session on Friday, May 27, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **today's agenda**. Carried.

County Attorney Paul Allen was present for his appointment. Motion by Huseman, second by Snyder, to go into **closed session** (at 8:30 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Snyder, second by Altena, to go out of **closed session** at 9:00 a.m. Carried

There being no further business, motion by Huseman, second by Ringgenberg, to adjourn the meeting at 9:00 a.m. until Tuesday, May 31 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-FOURTH MEETING, 2022 SESSION (24)
MAY 31, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, May 31, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, and Snyder and with Auditor Susan Lloyd 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 Snyder, second by Huseman, to **amend today's agenda**, adding an additional action item, approving the minutes of 5/27/22. Carried.

Motion by Huseman, second by Altena, to approve the **utility permit** of Iowa Lakes Regional Water, Spencer, IA, to install pipeline under 440th St., in Section 9 Brooke Township, to serve Bur Oak Campground at 371 440th St. in Peterson. Carried.

Engineer Bret Wilkinson presented the Title Sheet on the bridge replacement project over Bluebird Creek. Wilkinson stated that the letting date would be September 20, one month later than the River Bridge. Motion by Snyder, second by Huseman, to approve and authorize the Board to sign the Title Sheet on **Project BRS-SWAP-CO11(100)--FF-11**, for the bridge replacement over Bluebird Creek, installing two-barrel box culverts. Carried.

Secondary Road Report: Engineer Wilkinson informed the Board that the bridge replacement project on M50 was started last week; the crew has been edge rutting and hauling gravel; Wilkinson stated that they went out to shape up 70th Ave. by the Platinum Crush plant, placed some limestone on it, and will be putting dust control on again. Merten commented that he would like to see something in the papers and on the radio, urging people to keep the local traffic off of 70th Ave., by the Platinum Crush plant; the two seasonal mowers are working on the hard surfaces first, and then will move to the gravel roads; the wheel loader was delivered last week.

The Chair opened the public hearing for the fourth **FY'22 budget amendment**. Notice was published as required. No written objections have been submitted and no objections were offered during the hearing. Motion by Snyder, second by Altena, to close the public hearing. Carried. Motion by Huseman, second by Altena, to approve the **FY'22 budget amendment** as published, to authorize the Chair to sign the Budget Amendment certification.

Motion by Snyder, second by Huseman to approve and authorize the Chair to sign **Resolution #2022-05-31-A**, and to approve the following appropriations:

Increase activity	1110	General Basic Fund (0001)	Dept 28	\$10,000
Increase activity	3020	General Basic Fund (0001)	Dept 46	\$23,946
Increase activity	3020	General Suppl Fund (0002)	Dept 46	\$13,563
Increase activity	3040	General Basic Fund (0001)	Dept 23	\$45,000
Increase activity	4413	Mental Health Fund (0010)	Dept 60	\$100,000
Increase activity	6300	Rural Basic Fund (0011)	Dept 53	\$2,500
Increase activity	7140	Secondary Road Fund (0020)	Dept 20	\$80,000
Increase activity	7230	Secondary Road Fund (0020)	Dept 20	\$50,000
Increase activity	7210	Secondary Road Fund (0020)	Dept 20	\$100,000
Increase activity	8101	General Basic Fund (0001)	Dept 03	\$200
Increase activity	8101	General Suppl Fund (0002)	Dept 03	\$1,300
Increase activity	9000	General Basic Fund (0001)	Dept 01	\$5,000
Increase activity	9020	General Basic Fund (0001)	Dept 03	\$10,960 Carried.

Auditor Susan Lloyd presented information from Treasurer Danelle Haberman, requesting suspension of taxes on three parcels, due to receiving a DHS/SSU request for the suspension, and for three additional parcels. Motion by Huseman, second by Altena, to approve the **suspension of taxes** on parcel #1403277021 in Storm Lake, parcel #1033382007 in Storm Lake, parcel #1617479006 in Newell, parcel #1404232005 in Storm Lake, parcel #1620128005 in Newell, and parcel #1034405028 in Storm Lake. Carried.

Env Health/Zoning Director Kim Johnson informed the Board that the final **floodplain maps** have been received, 44 of them, and they are effective October 13, 2022. Johnson stated that the maps are official, and they will be kept until they are replaced.

County Attorney Paul Allen was present for his appointment. Motion by Altena, second by Snyder, to go into **closed session** (at 9:49 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Snyder. Nays: None. Motion carried.

Motion by Snyder, second by Altena, to go out of **closed session** at 10:05 a.m. Carried

Hear the Public: John Pitstick presented information regarding the air permission permit application for Platinum Crush and asked the Board if they were aware that they increased their volume by 25%. Pitstick stated that he knows it is a done deal but is concerned about the side effects. Pitstick quoted that 6.3M people died due to Covid-19 and 8.9M people died due to air pollution. Pitstick stated that this will affect the lives of the people around here and said that Storm Lake and Alta have the capability to monitor air quality. Pitstick is recommending that an air quality monitoring system be installed. Merten was not aware of the increased volume but stated that the Board relies on the Iowa DNR. Pitstick stated that having a meter installed would give the capability to alert Storm Lake, Alta, and the schools when the meter reading is high, that it is not a good day. The Board thanked Pitstick for the information.

Motion by Huseman, second by Altena, to approve the **minutes** of 5/24/22, as corrected, and the minutes of 5/27/22, as presented, along with the following **reports:** October Region III Local Emergency Plan Committee minutes, April NWIPDC Policy Council minutes, April NW IA YES Center Board minutes, December E911 Service Board minutes, and February E911 Service Board minutes. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **Economic Development Assistance Contract** by Platinum Crush, LLC, Buena Vista County, and the Iowa Economic Development Authority. Carried.

Motion by Snyder, second by Altena, to set a public hearing for a FY'22 BV County **budget amendment**, for June 14, at 9:00 a.m. Carried.

Motion by Huseman, second by Merten, to approve and authorize the Chair to sign the **Notice of Appointment** of Kelly Snyder to serve on the Board of Directors of the Third Judicial District Department of Correctional Services for the remainder of calendar year 2022, replacing Tom Huseman. Carried.

Chairman Merten informed the Board that he met with a representative of the Sac and Calhoun County Board of Supervisors, along with Drainage Engineer Brian Blomme, to discuss the employment contract of Blomme for FY'23. Merten stated that the counties agreed to include a 6% increase for Blomme, bringing his FY'23 salary to \$108,120. Sac and Calhoun would like to see a yearly contract and would like to meet in December of each year, to discuss the upcoming Drainage Engineer employment contract, in order to include the salary in the county budget. Motion by Snyder, second by Altena, to approve and authorize the whole Board to sign the **FY'23 employment contract** for Drainage Engineer Brian Blomme, with a salary of \$108,120. Carried.

Chairman Merten informed the Board that when he met with representatives from the Sac and Calhoun Boards, they discussed the FY'23 wage of the Assistant to the Drainage Engineer Eric Yunginger. It was recommended to increase the FY'23 wage for Eric Yunginger 8%. Motion by Huseman, second by Snyder, to approve increasing the **wage** for Assistant to the Drainage Engineer Eric Yunginger 8% for FY'23, bringing his hourly rate to \$34.83. Carried.

Chairman Merten stated that Drainage Engineer Brian Blomme informed Buena Vista, Calhoun, and Sac Counties that the **Shared Joint Drainage Engineer Fund** will be refunding \$70,000 to each County, of their original start-up money. The refund will be sent out in FY'23.

Drainage Engineer Brian Blomme informed the Board that the pickup that Eric Yunginger drives, has 4-ply tires that were ripped out from driving on corn and bean stubble. Blomme stated that they are going to purchase four **new 10-ply tires**, at a cost of \$778.00.

Supervisor Meeting Reports: Merten and Huseman sat in on the S & P bond rating call, and the county received an A+ rating. Altena attended the Memorial Day services, which were held at the SL High School, due to the weather.

There being no further business, motion by Snyder, second by Altena, to adjourn the meeting at 11:10 a.m. until Thursday, June 2 at 8:15 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-FIFTH MEETING, 2022 SESSION (25)
JUNE 2, 2022**

The Buena Vista County Board of Supervisors met in special session on Thursday, June 2, 2022, at 8:15 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, and Snyder and with Auditor Susan Lloyd 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 Snyder, second by Huseman, to approve **today's agenda**. Carried.

County Attorney Paul Allen was present for his appointment. Motion by Huseman, second by Altena, to go into **closed session** (at 8:16 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Snyder. Nays: None. Motion carried.

Motion by Snyder, second by Altena, to go out of **closed session** at 8:30 a.m. Carried

Motion by Snyder, second by Huseman, to approve hiring Brett Redenbaugh, as legal counsel, representing the county on a case.

There being no further business, motion by Huseman, second by Snyder, to adjourn the meeting at 8:31 a.m. until Tuesday, June 7 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**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 APROVED 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.

Susan Lloyd, Auditor

Kelly Snyder, Vice-Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-SEVENTH MEETING, 2022 SESSION (27)
JUNE 10, 2022**

The Buena Vista County Board of Supervisors met in special session on Friday, June 10, 2022, at 10:00 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg (virtual), and Snyder and with Auditor Susan Lloyd 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 Altena, to approve **today's agenda**. Carried.

Auditor Susan Lloyd requested that the Board allow an administrative recount of the CFNP Precinct and GHPW Precinct, from Tuesday's Primary Election. There was a machine issue that was discovered in two precincts, caused if a ballot jammed in the tabulator, which caused the count to be off by one in each precinct. This issue was also reported by several counties in Iowa that use Henry M. Adkins & Son, Inc. tabulating machines. Lloyd, along with the Secretary of State, is recommending the administrative recount to ensure that every eligible vote was counted. Lloyd stated that her office, and the Secretary of State's Office is working with the machine vendor to resolve the problem. Motion by Huseman, second by Ringgenberg, to approve Auditor Susan Lloyd's request for an **administrative recount** of the CFNP Precinct and the GHPW Precinct, used in the Primary Election, June 7, 2022. Carried.

There being no further business, motion by Snyder, second by Huseman, to adjourn the meeting at 10:10 a.m. until Tuesday, June 14 at 8:30 a.m. for a special meeting, and to canvass the Primary Election.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-EIGHTH MEETING, 2022 SESSION (28)
JUNE 14, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 14, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **today's agenda**. Carried.

Veterans Commissioner Gar Otto introduced the new VA Director, Louis DeRoos, who is an Army veteran. The welcomed DeRoos to his new position.

Motion by Ringgenberg, second by Huseman, to approve the utility permit for Northern Natural Gas Company, Menlo, IA, to bore under 70th Ave. by the soybean crushing plant, to 80th Ave., upsizing and replacing an existing pipeline. The crossing is between Section 36 T91N R38W and Section 31 T91N R37W. Carried.

Motion by Huseman, second by Altena, to approve the Chair to sign the fuel contract with Growmark FS, for FY'23 for Secondary Road. Carried.

Secondary Road Report: The crew has been working with the shouldering machine, edge rutting along M27 and then on to C16 and other paved roads; the M50 box culvert is in the ground; Engineer Bret Wilkinson informed the Board that his bid on the auction of 305 NE 1st St. in Alta, IA, was successful, and they will take possession of the property on July 8. Wilkinson is making plans for modifications to the new building. Wilkinson stated that he has received inquiries from individuals interested in the Alta and Truesdale shops, for when the county is ready to sell them.

The Chair opened the public hearing for the fifth **FY'22 budget amendment**. Notice was published as required. No written objections have been submitted and no objections were offered during the hearing. Motion by Snyder, second by Ringgenberg, to close the public hearing. Carried. Motion by Huseman, second by Altena, to approve the **FY'22 budget amendment** as published, to authorize the Chair to sign the **Budget Amendment certification**, to sign **Resolution #2022-06-14-A**, and to approve the following appropriations:

Increase activity (transfer)	0300	General Suppl Fund (0002)	Dept 90	\$11,536
Increase activity (transfer)	0300	LOST to Sec Road (0019)	Dept 90	\$1
Increase activity	0220	Capital Projects Fund (1520)	Dept 52	\$12,000
Increase activity	6000	General Basic Fund (0001)	Dept 92	\$275,000
Increase activity	9110	General Basic Fund (0001)	Dept 52	\$10,650 Carried.

RESOLUTION NO. 2022-06-14-A
RESOLUTION AMENDING THE FY'22 ANNUAL BUDGET
BY ADOPTING BUDGET AMENDMENT #5

WHEREAS the Board of Supervisors approved Departmental Appropriations on June 29, 2021 for all departments, of the fiscal year beginning July 1, 2021 in accordance with Section 331.434, Subsection 6, Code of Iowa; and

WHEREAS the Board of Supervisors approved Budget Amendment #1 on July 27, 2021, thereby increasing appropriations by \$2,540,354, for a total budget after the amendment of \$26,076,867, excluding transfers; and

WHEREAS the Board of Supervisors approved Budget Amendment #2 on March 8, 2022, thereby increasing appropriations by \$340,886, for a total budget after the amendment of \$26,417,753, excluding transfers; and

WHEREAS the Board of Supervisors approved Budget Amendment #3 on October 26, 2021, thereby increasing appropriations by \$824,010, for a total budget after the amendment of \$27,241,763, excluding transfers; and

WHEREAS the Board of Supervisors approved Budget Amendment #4 on May 31, 2022, thereby increasing appropriations by \$442,469, for a total budget after the amendment of \$27,684,232, excluding transfers; and

WHEREAS the Board of Supervisors has held the necessary hearing after having caused to be made the publication and notice required by law; and

WHEREAS the Board of Supervisors has reviewed the budget amendment #5 for FY'22, as presented by the County Auditor, increasing appropriations by \$309,187, which includes additional transfers of \$11,537; and

WHEREAS the Board of Supervisors believe the aforesaid budget amendment #5 proposed for FY'22 to be in the best interests of Buena Vista County.

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

SECTION ONE: That the FY'22 budget for Buena Vista County, Iowa, on file in the County Auditor's Office is hereby amended and approved.

SECTION TWO: That this resolution shall be in full force and effect from and after its passage and approval in the manner provided by law, and the County Auditor is directed to make the filings required by law and to set up the books in accordance with the summary and details as adopted.

PASSED, APPROVED, AND ADOPTED this 14th day of June, 2022, by the Buena Vista County Board of Supervisors.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Lacey Anderson, Public Health Fiscal Manager, informed the Board that the Public Health Agency would like to use the county logo for their Public Health and Homecare Agency. Anderson stated that the county logo is copyrighted, so she was asking for approval from the Board to allow them to use the logo and manipulate it to use for their agency. Motion by Snyder, second by Huseman, to approve the request of Public Health, to allow them to use the county logo for their agency. Carried.

Payroll Clerk Yvonne Sandhoff informed the Board that the Insurance Committee met to review the proposal of switching vision insurance companies. Sandhoff stated that the Insurance Committee liked that more providers were available and that there was added dollar coverage and recommend that the Board of Supervisors change the current vision plan to VSP Principal. Motion by Ringgenberg, second by Snyder, to approve switching the county's vision plan to Principal VSP for FY'23. Merten commented that the Board appreciates the Insurance Committee's input. Carried.

Sheriff Kory Elston and Deputy Joey Speers met with the Board to discuss the need to replace their drone which was purchased with grant dollars in 2017, requested shields to replace the current ones that are 27 years old, and to replace and update their communications equipment for the tactical team. Motion by Snyder, second by Huseman, to approve the request of the Sheriff to use Cares Act funds to purchase a drone, for a cost of \$33,078. Carried.

Motion by Snyder, second by Ringgenberg, to approve the request of the Sheriff to use Cares Act funds for safety equipment, purchasing three shields, for a total of \$9,617.98, purchasing fifteen communication headsets, for a total of \$17,245.99. Carried.

Treasurer Danelle Haberman requested the Board to abate taxes on Parcel #0307101012 in the City of Sioux Rapids. Motion by Ringgenberg, second by Snyder, to abate the taxes on Parcel #0307101012 in the City of Sioux Rapids, in the amount of \$574.00. Carried.

Upon completion of the **Canvass** pursuant to Chapter 50.24 of 2022 Code of Iowa, motion by Ringgenberg, second by Huseman, to declare the results as listed below, to prepare abstracts for submission to the Secretary of State, and to prepare 'notice of nominations' to the political party chairpersons as required. Carried. For the county offices, the person declared nominated will be designated as "#"; where no name with "#" is shown, there is no nominee for that office on that political ticket due to a candidate not receiving the legally required number of votes cast by the party for such office.

OFFICE	DEMOCRATIC PARTY	REPUBLICAN PARTY
Total votes cast:	302	984
For US Senator	Abby Finkenauer-116 Michael Franken-174 Glenn Hurst-10	Jim Carlin-283 Chuck Grassley-684 Scattering-2
for US Rep-Dist. 4	Ryan Melton-266	Randy Feenstra-891 Scattering-14
for Governor	Deidre DeJear-280	Kim Reynolds-934 Scattering-6
for Secretary of State	Joel Miller-181 Eric Van Lancker-67	Paul D. Pate-863 Scattering-4
for State Auditor	Rob Sand-279 Scattering-1	Todd Halbur-479 Mary Ann Hanusa-327 Scattering-1
for State Treasurer	Michael L. Fitzgerald-279	Roby Smith-815 Scattering-6
for Sec of Agriculture	John Norwood-259	Mike Naig-893 Scattering-3
for Attorney General	Tom Miller-279	Brenna Bird-805 Scattering-2
For State Senator-Dist. 3	Scattering-16	Lynn Evans-707 Anthony LaBruna-200
for State Rep-Dist. 5	Scattering-3	Dennis Bush-70 Zachary M. Dieken-138 Thomas Kulper-26
For State Rep-Dist. 6	James Eliason-226 Scattering-1	Megan Jones-625 Scattering-2
for Co. Supervisor Dist. 1	Kathy Croker-22 Scattering-6	Kathy Croker-182 Scattering-30
for Co. Supervisor Dist. 2	Scattering-6	Kelly Snyder-839# Scattering-9

for Co. Supervisor Dist. 3	Paul Merten-237#	Scattering-44
County Treasurer	Scattering-3	Danelle Haberman-825# Scattering-5
County Recorder	Scattering-8	Curtis Reis-827# Scattering-5
County Attorney	Scattering-6	Paul Allen-832# Scattering-2

Ayes—Altena, Huseman, Merten, Ringgenberg, Snyder. Nays—none. Carried.

Michael Pertzborn and Tony Pertzborn, Stille Pierce & Pertzborn Agency, presented information to the Board for the ICAP insurance renewal for FY'23. Motion by Snyder, second by Altena, to continue the current coverage of \$10 million for the **ICAP insurance renewal** for FY'23 and allowing the Chair to sign. Ayes: Altena, Huseman, Snyder, Ringgenberg. Nays: Merten. Motion carried.

Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign the **Commitment to Continue Membership with ICAP**. Carried.

Motion by Ringgenberg, second by Huseman, to approve the **minutes** of 6/7/22, as corrected, and 6/10/22, as printed, and the following **reports**: May Landfill Commission minutes. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the **Loss Report** on the motor grader, for \$18,217.80, as it was short on the first estimate. Carried.

Motion by Ringgenberg, second by Snyder, to approve payment to B & W Control Specialists for **chemical treatment** for the 2021 spray rotation for the following Jt. Drainage Districts: **Jt. DD #16-30-92 MOD** (\$4,061.75), **Jt. DD #16-30-92 Sac Co OD** (\$242.25), **Jt. DD #19-26 MOD** (\$841.00), **Jt. DD #274 MOD (Sac Co only)** (\$899.00), and to authorize the Chair to sign. Carried.

There being no further business, motion by Snyder, second by Merten, to adjourn the meeting at 11:53 a.m. until Tuesday, June 21 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
TWENTY-NINETH MEETING, 2022 SESSION (29)
JUNE 21, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, June 21, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with 1st 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 amend and approve today's agenda, adding action item #24 authorizing members to sign the FY'21 Audit Representation. Carried.

Motion by Huseman, second by Ringgenberg, to approve the utility permit for Windstream Communications, for conduit and fiber optic cable along 510th Street / C29 in Fairfield township on East side of Albert City near ethanol plant. Carried.

Motion by Ringgenberg, second by Huseman, to rescind Resolution #2022-06-07-A To Provide Financial Assurance for Expenses Related to mitigation for the Bridge Replacement Project on M36 over Bluebird Creek, as it was not satisfactory to the Army Corps. Carried.

Motion by Huseman, second by Snyder, to approve new verbiage and authorize the Chair to sign Resolution #2022-06-21-A Providing Financial Assurance for Expenses Related to Mitigation for the Bridge Replacement Project on M36 over Bluebird Creek. Carried.

**RESOLUTION 2022-06-21-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 BUENA VISTA COUNTY BOARD OF SUPERVISORS, that \$60,000.00 in the FY'22 Secondary Road Fund ending fund balance be considered and is hereby unreserved/designated and committed for the Mitigation needed for the Bridge Replacement on M36 over Bluebird Creek to comply with Section 404 Permit #2022-0645. These funds shall remain committed for a minimum of 5 years after the construction of the mitigation site or until the United States Army Corps of Engineers has concurred that the mitigation site has met the requirements of the permit. These funds shall be utilized solely for the construction, maintenance, and inspection of the mitigation site during this period.

PASSED AND APPROVED this 21st day of June, 2022.

Attest:

Paul Merten, Chair, Board of Supervisors

Sharon Henkel, 1st Deputy County Auditor

Secondary Road Report: The Buena Vista County Fair has asked for a donation of six hundred tons of new dirt to construct a motocross track for fair week. It would be a labor and mileage donation for the county to haul the dirt from Storm Lake to Alta and motor grader operators to get the track shaped up for the event. Usual maintenance being done with shouldering and mowing hard surface roads, back blading gravel; they will be widening entrances soon.

Auditor Susan Lloyd requested that the Board allow her employees to be paid out some of their comp time that has been accumulating due to all the extra time worked for elections. Lloyd stated that it is difficult to schedule time off with their vacations and then trying to reduce their comp time. Lloyd stated that there are two more elections this fall, and so there will be more comp time added to the employee's totals. Lloyd would like to pay them for some comp time hours now, reducing their comp time balances to 40 hours, and charging the expense to elections. The request would be to pay Sharon Henkel for 11.30 hours, Karla Ahrendsen for 47.43 hours, and Yvonne Sandhoff for 51.02 hours, all out of the current fiscal year. Kristina Konradi will be taking her 20.67 hours in time off. Motion by Ringgenberg, second by Huseman, to approve the request of Auditor Susan Lloyd, to **pay out comp time** to Sharon Henkel for 11.30 hours, Karla Ahrendsen for 47.43 hours, and Yvonne Sandhoff for 51.02 hours, all out of the current fiscal year. Carried.

Conservation Director/Weed Commissioner Greg Johnson presented department updates to the Board. Brian is spraying weeds and trimming trees, Bait Shop is a little slow right now with river not going as usual but should pick up once dam is fixed. Timber Ridge campground project is ready to begin. It will be a multiphase project. Marina is still in conversation and looking at grant options for that.

Drainage Clerk Kristina Konradi presented a spreadsheet to the Board of the various drainage districts that have negative fund balances, along with proposed levy amounts, including a maintenance fund for each drainage district. Motion by Ringgenberg, second by Snyder, to set the levy for **DD #1 LAT 2 OD** at 71%, **DD #8** at 51.5%, **Jt. DD #18-42 Main** at 1.25%, **DD #48** at 38.25%, **DD #53** at 15.85%, **DD #78** at 21.25%, **DD #81** at 9.75%, **DD #90** at 8.75%, **DD #108 & 108 Ext** at 4.15%, **Jt. DD 144** at 4.10%, **DD #147** at 27.50%, and **Jt. DD #150 North Main** at 16%. Carried.

Hear the public: Environmental Health/Zoning Director Kim Johnson came to inform the Board of a phone call from Elite Clean Energy. They will be decommissioning wind towers in Buena Vista County. 20 to 40 wind towers are being replaced and will still generate the same power as before. All need variances and permits. The company has started negotiations with landowners. On July 12, 2022, a public meeting will be held at the Alta Community Center. Another meeting will be scheduled with Johnson, Wilkinson, and Blomme attending, along with a couple of the Supervisors.

Board Member Ringgenberg introduced the following resolution entitled "RESOLUTION APPOINTING UMB BANK, N.A. OF WEST DES MOINES, IOWA, TO SERVE AS PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT", and moved that the resolution be adopted. Board Member Altena seconded the motion to adopt. The roll was called and the vote was, Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Whereupon, the Chairperson declared said Resolution duly adopted as follows:

RESOLUTION #2022-06-21-B

RESOLUTION APPOINTING UMB BANK, N.A. OF WEST DES MOINES, IOWA, TO SERVE AS PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT

WHEREAS, \$4,340,000 General Obligation Capital Loan Notes, Series 2022A, dated July 6, 2022, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the Notes; and

WHEREAS, this Board has deemed that the services offered by UMB Bank, N.A. of West Des Moines, Iowa, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered notes; and

WHEREAS, a Paying Agent, Bond Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the County and UMB Bank, N.A.

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

1. That UMB Bank, N.A. of West Des Moines, Iowa, is hereby appointed to serve as Paying Agent, Bond Registrar and Transfer Agent in connection with the issuance of \$4,340,000 General Obligation Capital Loan Notes, Series 2022A, dated July 6, 2022.

2. That the Agreement with UMB Bank, N.A. of West Des Moines, Iowa, is hereby approved and that the Chairperson and Auditor are authorized to sign the Agreement on behalf of the County.

PASSED AND APPROVED this 21st day of June, 2022.

/s/ Paul Merten, Chairperson, Board of Supervisors.....Attest: Sharon Henkel, Deputy County Auditor

Board Member Snyder introduced the following Resolution entitled "RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$4,340,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022A, AND LEVYING A TAX TO PAY SAID NOTES; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE" 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, Merten, Ringgenberg, Snyder. Nays: None. Whereupon, the Chairperson declared said Resolution duly adopted as follows:

RESOLUTION #2022-06-21-C

RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$4,340,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022A, AND LEVYING A TAX TO PAY SAID NOTES; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE

WHEREAS, the Issuer is a political subdivision, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the Issuer is in need of funds to pay costs of aiding of the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403, including projects for the construction, reconstruction, improvement, repair, or equipping of roads as set forth in the Platinum Urban Renewal Plan, adopted on March 15, 2022, essential county purposes, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of \$4,340,000 be authorized for said purposes; and

WHEREAS, pursuant to notice published as required by Sections 331.402, 331.441(2)(b)(14) and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purposes; and

WHEREAS, the above mentioned Notes were heretofore sold and action should now be taken to issue said Notes conforming to the terms and conditions of the best bid received at the sale.

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "BAM" shall mean Build America Mutual Assurance Company, or any successor thereto.
- "Beneficial Owner" shall mean, whenever used with respect to a Note, the person in whose name such Note is recorded as the beneficial owner of such Note by a Participant on the records of such Participant or such person's subrogee.
- "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Notes.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Notes.
- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Notes, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
- "Depository Notes " shall mean the Notes as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Note pursuant to the Representation Letter.
- "Issuer" and "County" shall mean Buena Vista County, State of Iowa.
- "Loan Agreement" shall mean a Loan Agreement between the Issuer and a lender or lenders in substantially the form attached to and approved by this Resolution.
- "Note Fund" shall mean the fund created in Section 3 of this Resolution.
- "Notes" shall mean \$4,340,000 General Obligation Capital Loan Notes, Series 2022A, authorized to be issued by this Resolution.
- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Notes as securities depository.

- "Paying Agent" shall mean UMB Bank, N.A., or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Notes as the same shall become due.
- "Policy" shall mean the Municipal Bond Insurance Policy issued by BAM that guarantees the scheduled payment of principal of and interest on the Notes when due.
- "Project" shall mean the costs of aiding of the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403, including projects for the construction, reconstruction, improvement, repair, or equipping of roads as set forth in the Platinum Urban Renewal Plan, adopted on March 15, 2022.
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Notes.
- "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.
- "Registrar" shall mean UMB Bank, N.A. of West Des Moines, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Notes. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Notes.
- "Resolution" shall mean this resolution authorizing the Notes.
- "Security Documents" shall mean the resolution, loan agreement, note, and/or any additional or supplemental documents executed in connection with the Notes.
- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate approved under the terms of this Resolution and to be executed by the Treasurer and delivered at the time of issuance and delivery of the Notes.
- "Treasurer" shall mean the County Auditor or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Notes issued hereunder.

Section 2. Levy and Certification of Annual Tax; Other Funds to be Used. Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Notes hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Buena Vista County, State of Iowa, to-wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$150,398.27*	2022/2023
\$246,595.00**	2023/2024
\$248,395.00***	2024/2025
\$246,398.00	2025/2026
\$349,400.00	2026/2027
\$346,800.00	2027/2028
\$349,000.00	2028/2029
\$350,800.00	2029/2030
\$352,200.00	2030/2031
\$353,200.00	2031/2032
\$348,800.00	2032/2033
\$349,200.00	2033/2034
\$349,200.00	2034/2035
\$348,800.00	2035/2036
\$349,350.00	2036/2037
\$349,550.00	2037/2038
\$349,400.00	2038/2039
\$492,400.00	2039/2040
\$499,200.00	2040/2041

* Payable from capitalized interest.

** \$166,595 payable from capitalized interest.

*** \$106,255 payable from capitalized interest.

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2022 will be collected during the fiscal year commencing July 1, 2023.)

a) Resolution to be Filed With County Auditor. A certified copy of this Resolution shall be filed with the Auditor of Buena Vista County, Iowa and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the County are collected, and when collected be used for the purpose of paying principal and interest on said Notes issued in anticipation of the tax, and for no other purpose whatsoever.

b) Additional County Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the County available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 3. Application of Note Proceeds. Proceeds of the Notes, other than accrued interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Notes at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the

Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Section 4. Investment of Note Fund Proceeds. All moneys held in the Note Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Notes as herein provided.

Section 5. Note Details, Execution and Redemption.

a) Note Details. General Obligation Capital Loan Notes of the County in the amount of \$4,340,000, shall be issued to evidence the obligations of the Issuer under the Loan Agreement pursuant to the provisions of Sections 331.402, 331.441(2)(b)(14) and 331.443 of the Code of Iowa for the aforesaid purposes. The Notes shall be issued in one or more series and shall be secured equally and ratably from the sources provided in Section 3 of this Resolution. The Notes shall be designated "GENERAL OBLIGATION CAPITAL LOAN NOTE, SERIES 2022A", be dated July 6, 2022, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on December 1, 2022, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Notes shall be executed by the manual or facsimile signature of the Chairperson and attested by the manual or facsimile signature of the Auditor, and impressed or printed with the seal of the County and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Note. The Notes shall be in the denomination of \$5,000 or multiples thereof. The Notes shall mature and bear interest as follows:

Principal Amount	Interest Rate	Maturity June 1st
\$80,000	4.00%	2024
\$170,000	2.35%	2026*
\$190,000	4.00%	2027
\$195,000	4.00%	2028
\$205,000	4.00%	2029
\$440,000	4.00%	2031*
\$475,000	4.00%	2033*
\$510,000	4.00%	2035*
\$840,000	3.50%	2038*
\$1,235,000	4.00%	2041*

*Term Notes

b) Redemption.

i. Optional Redemption. Notes maturing after June 1, 2030, may be called for optional redemption by the Issuer on that date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Note. Failure to give written notice to any registered owner of the Notes or any defect therein shall not affect the validity of any proceedings for the redemption of the Notes. All Notes or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Notes to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Notes to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

ii. Mandatory Payment and Redemption of Term Notes. All Term Notes are subject to mandatory redemption prior to maturity at a price equal to 100% of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Term Note #1

Principal Amount	Interest Rate	Maturity June 1st
\$85,000	2.35%	2025
\$85,000	2.35%	2026*

*Final Maturity

Term Note #2

Principal Amount	Interest Rate	Maturity June 1st
\$215,000	4.00%	2030
\$225,000	4.00%	2031*

*Final Maturity

Term Note #3

Principal Amount	Interest Rate	Maturity June 1st
\$235,000	4.00%	2032
\$240,000	4.00%	2033*

*Final Maturity

Term Note #4

Principal Amount	Interest Rate	Maturity June 1st
\$250,000	4.00%	2034
\$260,000	4.00%	2035*

*Final Maturity

Term Note #5

Principal Amount	Interest Rate	Maturity June 1st
\$270,000	3.50%	2036
\$280,000	3.50%	2037
\$290,000	3.50%	2038*

*Final Maturity

Term Note #6

Principal Amount	Interest Rate	Maturity June 1st
\$300,000	4.00%	2039
\$455,000	4.00%	2040
\$480,000	4.00%	2041*

*Final Maturity

The principal amount of Term Notes may be reduced through the earlier optional redemption, with any partial optional redemption of the Term Notes credited against future mandatory redemption requirements for such Term Notes in such order as the County shall determine.

c)Urban Renewal Purposes.

The Notes are hereby declared to be issued for essential public and governmental purposes for qualified urban renewal projects.

Section 6. Issuance of Notes in Book-Entry Form; Replacement Notes.

a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Notes, unless the Issuer determines to permit the exchange of Depository Notes for Notes in Authorized Denominations, the Notes shall be issued as Depository Notes in denominations of the entire principal amount of each maturity of Notes (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Notes must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Notes registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Notes at the address indicated or in the Representation Letter.

b) The Notes will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Notes. Upon initial issuance, the ownership of the Notes will be registered in the registry books of the UMB Bank, N.A. kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Notes registered in its name for the purposes of payment of the principal or redemption price of or interest on the Notes, selecting the Notes or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Notes under the Resolution of the Issuer, registering the transfer of Notes, obtaining any consent or other action to be taken by registered owners of the Notes and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Notes under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Notes; with respect to any notice given to owners of Notes under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Notes, or a consent given or other action taken by DTC as registered owner of the Notes. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Notes only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Notes to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Notes will be transferable to the new nominee in accordance with this Section.

c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Notes certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Notes certificates. The Notes will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Notes at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Notes will be transferable in accordance with this Section.

d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Note is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Note and all notices must be made and given, respectively to DTC as provided in the Representation letter.

e) In connection with any notice or other communication to be provided to Noteholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Noteholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Noteholder.

f) The Blanket Issuer Letter of Representations to DTC sets forth certain matters with respect to notices, consents and approvals by Noteholders and payments on the Notes. The Blanket Issuer Letter of Representations is hereby authorized, and execution thereof by the Chairperson is conclusive evidence of this approval.

g) In the event that a transfer or exchange of the Notes is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Notes to be transferred or exchanged and appropriate instruments of transfer. In the event Note certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Notes, or other securities depository as holder of all the Notes, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Notes, (ii) registration and transfer of interests in Depository Notes by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Notes in accordance with and as such interests may appear with respect to such book entries.

h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Notes, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Notes, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 7 Registration of Notes; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

a) Registration. The ownership of Notes may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Notes, and in no other way. UMB Bank, N.A. is hereby appointed as Note Registrar under the terms of this Resolution and under the provisions of a separate agreement with the Issuer filed herewith which is made a part hereof by this reference. Registrar shall maintain the books of the Issuer for the registration of ownership of the Notes for the payment of principal of and interest on the Notes as provided in this Resolution. All Notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Notes and in this Resolution.

b) Transfer. The ownership of any Note may be transferred only upon the Registration Books kept for the registration and transfer of Notes and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Note (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Note, a new fully registered Note, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Note, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

c) Registration of Transferred Notes. In all cases of the transfer of the Notes, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Notes, in accordance with the provisions of this Resolution.

d) Ownership. As to any Note, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Notes and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note, including the interest thereon, to the extent of the sum or sums so paid.

e) Cancellation. All Notes which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Notes which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Notes to the Issuer.

f) Non-Presentation of Notes. In the event any payment check, wire, or electronic transfer of funds representing payment of principal of or interest on the Notes is returned to the Paying Agent or if any note is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Notes shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Notes shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Notes who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Notes. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Notes of whatever nature shall be made upon the Issuer.

g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one note for each annual maturity. The Registrar shall furnish additional Notes in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 8. Reissuance of Mutilated, Destroyed, Stolen or Lost Notes. In case any outstanding Note shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Note of like tenor and amount as the Note so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Note to Registrar, upon surrender of such mutilated

Note, or in lieu of and substitution for the Note destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Note has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 9. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Note, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Notes to the extent of the payments so made. Upon receipt of the final payment of principal, the holder of the Note shall surrender the Note to the Paying Agent.

Section 10. Execution, Authentication and Delivery of the Notes. Upon the adoption of this Resolution, the Chairperson and Auditor shall execute the Notes by their manual or authorized signature and deliver the Notes to the Registrar, who shall authenticate the Notes and deliver the same to or upon order of the Purchaser. No Note shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Note a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Note executed on behalf of the Issuer shall be conclusive evidence that the Note so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

No Notes shall be authenticated and delivered by the Registrar unless and until there shall have been provided the following:

1. A certified copy of the resolution of Issuer approving the execution of a Loan Agreement and a copy of the Loan Agreement;
2. A written order of Issuer signed by the Treasurer of the Issuer directing the authentication and delivery of the Notes to or upon the order of the Purchaser upon payment of the purchase price as set forth therein;
3. The approving opinion of Ahlers & Cooney, P.C., Bond Counsel, concerning the validity and legality of all the Notes proposed to be issued.

Section 11. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered noteholder.

Section 12. Form of Note. Notes shall be printed substantially in the form as follows:

"STATE OF IOWA"
"COUNTY OF BUENA VISTA"
"GENERAL OBLIGATION CAPITAL LOAN NOTE"
"SERIES 2022A"
ESSENTIAL COUNTY PURPOSE

Rate: _____
Maturity: _____
Note Date: July 6, 2022
CUSIP No.: _____
"Registered"
Certificate No. _____
Principal Amount: \$ _____

Buena Vista County, State of Iowa, a political subdivision organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

(Registration panel to be completed by Registrar or Printer with name of Registered Owner).

or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of UMB Bank, N.A., Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on December 1, 2022, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Note as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Note is issued pursuant to the provisions of Sections 331.402 and 331.443 of the Code of Iowa, for the purpose of paying costs of aiding of the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403, including projects for the construction, reconstruction, improvement, repair, or equipping of roads as set forth in the Platinum Urban Renewal Plan, adopted on March 15, 2022, and in order to evidence the obligations of the Issuer under a certain Loan Agreement dated the date hereof, in conformity to a Resolution of the Board of said County duly passed and approved. For a complete statement of the funds from which and the conditions under which this Note is payable, and the general covenants and provisions pursuant to which this Note is issued, reference is made to the above described Loan Agreement and Resolution.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Notes maturing after June 1, 2030, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Note. Failure to give written notice to any registered owner of the Notes or any defect therein shall not affect the validity of any proceedings for the redemption of the Notes. All notes or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Notes to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Notes to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

The Notes maturing on June 1, 2026 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 2.35% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Term Note #1

<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturity June 1st</u>
\$85,000	2.35%	2025
\$85,000	2.35%	2026*

*Final Maturity

The Notes maturing on June 1, 2031 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 4.00% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Term Note #2

<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturity June 1st</u>
\$215,000	4.00%	2030
\$225,000	4.00%	2031*

*Final Maturity

The Notes maturing on June 1, 2033 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 4.00% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Principal Amount	Maturity June 1st	
\$235,000	4.00%	2032
\$240,000	4.00%	2033*

*Final Maturity

The Notes maturing on June 1, 2035 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 4.00% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Principal Amount	Interest Rate	Maturity June 1st
\$250,000	4.00%	2034
\$260,000	4.00%	2035*

*Final Maturity

The Notes maturing on June 1, 2038 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 3.50% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Principal Amount	Interest Rate	Maturity June 1st
\$270,000	3.50%	2036
\$280,000	3.50%	2037
\$290,000	3.50%	2038*

*Final Maturity

The Notes maturing on June 1, 2041 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 4.00% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Principal Amount	Interest Rate	Maturity June 1st
\$300,000	4.00%	2039
\$455,000	4.00%	2040
\$480,000	4.00%	2041*

*Final Maturity

The principal amount of Term Notes may be reduced through the earlier optional redemption, with any partial optional redemption of the Term Notes credited against future mandatory redemption requirements for such Term Notes in such order as the County shall determine.

Ownership of this Note may be transferred only by transfer upon the books kept for such purpose by UMB Bank, N.A., the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Note at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered Noteholders of such change. All notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Note Resolution.

This Note is a "qualified tax-exempt obligation" designated by the County for purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Note, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Note as the same will respectively become due; that such taxes have been irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Note, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Board, has caused this Note to be signed by the manual or facsimile signature of its Chairperson and attested by the manual or facsimile signature of its County Auditor, with the seal of the County printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, UMB Bank, N.A., West Des Moines, Iowa.

Date of authentication: _____

This is one of the Notes described in the within mentioned Resolution, as registered by UMB Bank, N.A.

UMB BANK, N.A., Registrar

By: _____

Authorized Signature

Registrar and Transfer Agent: UMB Bank, N.A.

Paying Agent: UMB Bank, N.A.

SEE REVERSE FOR CERTAIN DEFINITIONS

(Seal)

(Signature Block)

BUENA VISTA COUNTY, STATE OF IOWA

By: _____ (manual or facsimile signature)

Chairperson

ATTEST:

By: _____ (manual or facsimile signature)

County Auditor

(Information Required for Registration)

STATEMENT OF INSURANCE

Build America Mutual Assurance Company ("BAM"), New York, New York, has delivered its municipal bond insurance policy (the "Policy") with respect to the scheduled payments due of principal of and interest on this Note to UMB Bank, N.A., West Des Moines, Iowa, or its successor, as paying agent for the Notes (the "Paying Agent"). Said Policy is on file and available for inspection at the principal office of the Paying Agent and a copy thereof may be obtained from BAM or the Paying Agent. All payments required to be made under the Policy shall be made in accordance with the provisions thereof. By its purchase of these Notes, the owner acknowledges and consents to (i) the subrogation and all other rights of BAM as more fully set forth in the Policy and (ii) that upon the occurrence and continuance of a default or an event of default under the Resolution or this Note, BAM shall be deemed to be the sole owner of the Notes for all purposes and shall be entitled to control and direct the enforcement of all rights and remedies granted to the owners of the Notes or the trustee, paying agent, registrar or similar agent for the benefit of such owners under the Resolution, at law or in equity.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Note and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Note on the books kept for registration of the within Note, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)

GUARANTEED) _____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or note(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____
Address of Transferee(s) _____
Social Security or Tax Identification
Number of Transferee(s) _____
Transferee is a(n):
Individual* _____ Corporation _____
Partnership _____ Trust _____

*If the Note is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Note, shall be construed as though written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with rights of survivorship and not as tenants in common

ADDITIONAL ABBREVIATIONS MAY
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

(End of form of Note)

Section 13. Loan Agreement and Closing Documents. The form of Loan Agreement in substantially the form attached to this Resolution is hereby approved and is authorized to be executed and issued on behalf of the Issuer by the Chairperson and attested by the County Auditor. The Chairperson and County Auditor are authorized and directed to execute, attest, seal and deliver for and on behalf of the County any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 14. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said County and the purchaser of the Notes.

Section 15. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Notes issued hereunder which will cause any of the Notes to be classified as arbitrage notes within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Notes it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Notes will be used in a manner that would cause the Notes to be arbitrage notes.

Section 16. Approval of Tax Exemption Certificate. Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Notes. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The County Auditor is hereby directed to make and insert all

calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Notes to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 17. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Notes or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Note (including persons holding Notes through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Notes for federal income tax purposes.

Section 18. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Notes from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Notes; (c) consult with Bond Counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Notes; (e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 19. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Notes if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Notes under applicable Federal law or regulations.

Section 20. Qualified Tax-Exempt Obligations. For the sole purpose of qualifying the Notes as "Qualified Tax-Exempt Obligations" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of the United States, the Issuer hereby designates the Notes as qualified tax-exempt obligations and represents that the reasonably anticipated amount of tax-exempt governmental and qualified 501(c)(3) obligations which will be issued during the current calendar year will not exceed Ten (10) Million Dollars.

Section 21. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 22. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

Section 23. Insurer Provisions.

a) Notice and Other Information to be given to BAM. The Issuer will provide BAM with all notices and other information it is obligated to provide (i) under its Continuing Disclosure Agreement upon request of BAM and (ii) to the holders of Insured Obligations under the Security Documents.

The notice address of BAM is: Build America Mutual Assurance Company, 1 World Financial Center, 27th Floor, 200 Liberty Street, New York, NY 10281, Attention: Surveillance, Re: Policy No. _____, Telephone: (212) 235-2500, Telecopier: (212) 235-1542,

Email: notices@buildamerica.com. In each case in which notice or other communication refers to an event of default or a claim on the Policy, then a copy of such notice or other communication shall also be sent to the attention of the General Counsel at the same address and at claims@buildamerica.com or at Telecopier: (212) 235-5214 and shall be marked to indicate "URGENT MATERIAL ENCLOSED."

b) Amendments, Supplements and Consents.

i. *Amendments.* Whenever any Security Document requires the consent of Noteholders, BAM's consent shall also be required. In addition, any amendment, supplement or modification to the Security Documents that adversely affect the rights or interests of BAM shall be subject to the prior written consent of BAM.

ii. *Consent of BAM Upon Default.* Anything in any Security Document to the contrary notwithstanding, upon the occurrence and continuance of a default or an event of default, BAM shall be deemed to be the sole holder of the Notes for all purposes and shall be entitled to control and direct the enforcement of all rights and remedies granted to the holders of the Notes or the Paying Agent for the benefit of such holders under any Security Document. No default or event of default may be waived without BAM's written consent.

c) BAM As Third Party Beneficiary. BAM is explicitly recognized as and shall be deemed to be a third party beneficiary of the Security Documents and may enforce any right, remedy or claim conferred, given or granted thereunder.

d) Policy Payments.

i. In the event that principal and/or interest due on the Notes shall be paid by BAM pursuant to the Policy, the Notes shall remain outstanding for all purposes, not be defeased or otherwise satisfied and not be considered paid by the Issuer, the assignment and pledge of the trust estate and all covenants, agreements and other obligations of the Issuer to the registered owners shall continue to exist and shall run to the benefit of BAM, and BAM shall be subrogated to the rights of such registered owners including, without limitation, any rights that such owners may have in respect of securities law violations arising from the offer and sale of the Notes.

ii. Irrespective of whether any such assignment is executed and delivered, the Issuer and the Paying Agent agree for the benefit of BAM that:

a) They recognize that to the extent BAM makes payments directly or indirectly (e.g., by paying through the Paying Agent), on account of principal of or interest on the Notes, BAM will be subrogated to the rights of such holders to receive the amount of such principal and interest from the Issuer, with interest thereon, as provided and solely from the sources stated in the Security Documents and the Notes; and

b) They will accordingly pay to BAM the amount of such principal and interest, with interest thereon, but only from the sources and in the manner provided in the Security Documents and the Notes for the payment of principal of and interest on the Notes to holders, and will otherwise treat BAM as the owner of such rights to the amount of such principal and interest.

iii. *Special Provisions for Insurer Default.* If an Insurer Default shall occur and be continuing, then, notwithstanding anything in paragraph (ii) above to the contrary, (1) if at any time prior to or following an Insurer Default, BAM has made payment under the Policy, to the extent of such payment BAM shall be treated like any other holder of the Notes for all purposes, including giving of consents, and (2) if BAM has not made any

payment under the Policy, BAM shall have no further consent rights until the particular Insurer Default is no longer continuing or BAM makes a payment under the Policy, in which event, the foregoing clause (1) shall control. For purposes of this paragraph, "Insurer Default" means: (A) BAM has failed to make any payment under the Policy when due and owing in accordance with its terms; or (B) BAM shall (i) voluntarily commence any proceeding or file any petition seeking relief under the United States Bankruptcy Code or any other Federal, state or foreign bankruptcy, insolvency or similar law, (ii) consent to the institution of or fail to controvert in a timely and appropriate manner, any such proceeding or the filing of any such petition, (iii) apply for or consent to the appointment of a receiver, trustee, custodian, sequestrator or similar official for such party or for a substantial part of its property, (iv) file an answer admitting the material allegations of a petition filed against it in any such proceeding, (v) make a general assignment for the benefit of creditors, or (vi) take action for the purpose of effecting any of the foregoing; or (C) any state or federal agency or instrumentality shall order the suspension of payments on the Policy or shall obtain an order or grant approval for the rehabilitation, liquidation, conservation or dissolution of BAM (including without limitation under the New York Insurance Law).

PASSED AND APPROVED this 21st day of June, 2022.

/s/ Paul Merten, Chairperson, Board of Supervisors.....Attest: Sharon Henkel, Deputy County Auditor

Motion by Snyder, second by Ringgenberg, to approve the minutes of 6/14/22, as corrected, today's claims approval list, stamped drainage warrant register, and the following reports: May Conservation Board minutes. Carried.

Motion by Huseman, second by Snyder, to approve and authorize the Chair to sign the payroll change notices for the non-elected department heads, for the FY'23 salary increases. Carried.

Motion by Snyder, second by Altena, to authorize the Chair to sign the termination letter cancelling Vision Care Direct, effective 7/31/2022. Carried.

Motion by Huseman, second by Snyder, to authorize the Chair to sign the new Principal Vision Insurance Policy proposal, effective 8/1/2022. Carried.

Motion by Ringgenberg, second by Snyder to authorize the Chair to sign Policyholder Responsibilities and Electronic Consent for Principal Life Insurance Company. Carried.

Motion by Altena, second by Ringgenberg, to authorize the Chair to sign the Employer Application for Group Insurance with Principal Life Insurance Company. Carried.

Action item # 15 on today's agenda was part of the Principal Vision from previous motion above, not separate.

Motion by Huseman, second by Snyder, to approve and authorize the Chair to sign the Liquor License Application for a Class C Beer permit and Sunday Sales for Al's Corner Oil Co., DBA Sparky's One Stop #16. Carried.

Motion by Ringgenberg, second by Huseman, to approve the Cigarette/Tobacco Permit for Brew Oil LLC, DBA Brew #1 West Lake. Carried.

Motion by Ringgenberg, second by Huseman, to approve and authorize the Chair to sign the engagement letter for **Hunzelman, Putzier & Co., PLC**, to prepare the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Buena Vista County, Iowa as of and for the year ended June 30, 2022, and the related notes to the financial statements, along with preparing the required supplementary information. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the audit engagement letter for **Winther Stave & Co, LLP**, to audit the financial statements of Buena Vista County, for the years ended June 30, 2022, 2023, and 2024. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **Jt. DD #22 MOD** claim to Johnsen Contractors LLC, for removal of beaver dams, in the amount of \$687.50. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the **Jt. DD #22 MOD** claim to Kent Malm, for site visit regarding beaver dams, in the amount of \$60.00. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **Jt. DD #22 Branch 19 Tile** claim to Johnsen Contractors, LLC, for tile repairs, in the amount of \$950.00. Carried.

Motion by Altena, second by Ringgenberg, to approve and authorize the Chair to sign the **Jt. DD #22 Branch 19 Tile** claim to Kent Malm, for site visit regarding tile repairs, in the amount of \$40.00. Carried.

Motion by Snyder, second by Ringgenberg, to approve and authorize the Auditor to **transfer** the FY'21 boat title fees from the General Basic Fund to Conservation Land Acquisition Trust Fund, in the amount of \$765.00. Carried.

Motion by Ringgenberg, second by Huseman, to accept the **FY 21 Audit representation letter** and authorize the Chair to sign. Carried.

There being no further business, motion by Huseman, second by Snyder, to adjourn the meeting at 10:46 a.m. until Tuesday, June 28 at 8:30 a.m. for a special meeting.

Sharon Henkel, Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTIETH MEETING, 2022 SESSION (30)
JUNE 28, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, June 28, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **today's agenda**. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **Iowa DOT Funding Agreement for Project BRS-SWAP-CO11(100)--FF-11**, the bridge replacement project on M36 over Bluebird Creek. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign **Change Order #2 on Project #8716** Flood Mitigation Structures, with B & S Tiling & Excavation as the contractor, in the amount of \$7,520.00. Carried.

Engineer Bret Wilkinson discussed the request from the Buena Vista County Fair, which had been presented at the 6/21 Board meeting. The BV County Fair Board asked for a donation of 600 ton of new dirt to construct a motocross track for fair week. Wilkinson stated that it would be a labor and mileage donation for the county to haul the dirt from Storm Lake to Alta, and then to have the motor grader operators getting the track shaped up for the event. The Fair Board also asked that Secondary Road load the dirt back up on July 8, hauling it to a pile so that the other fair activities can take place. Merten commented that he would be willing to donate ½ of the dirt from his own pile, but Secondary Road would have to load and haul it. Wilkinson estimated the Secondary Road contribution for ½ of the dirt, loading, hauling, and the equipment used would be \$8,100. Wilkinson stated that if the Fair Board had to ask someone else for the dirt, and to load and haul, it would probably cost them \$15,000 - \$20,000. Motion by Snyder, second by Ringgenberg, to approve the request of the Buena Vista County Fair, for a **donation of 600 ton of new dirt** (half of the dirt donated by Paul Merten) to construct a motocross track for fair week, and to have Secondary Road load and haul the dirt, shape the track for the event, and then pick up the dirt after the event and haul it to another area to pile it up. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: None. Abstentions: Merten. Motion carried.

Secondary Road Report: The bridge project on M50 is going well, and hopefully it will be done next week; crew is working on driveways, finishing up the edge rutting, and working on tile repairs; some of the crew will be hauling dirt for the BV County Fair tomorrow and Thursday; office staff is working on the design work for the two bridges in Linn Grove. The River Bridge letting will be in August and the letting for the bridge over Bluebird Creek will be in September; Wilkinson stated that he is working on the RISE Grant application, for the Platinum Crush paving project.

A call was placed to County Attorney Paul Allen for his appointment. Motion by Huseman, second by Altena, to go into **closed session** (at 9:10 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Ringgenberg, second by Snyder, to go out of **closed session** at 9:25 a.m. Carried.

Motion by Ringgenberg, second by Huseman, to approve and authorize the Chair to sign the **Joint Release and Settlement Agreement** by and between Gaylerd A. Sadusky Trust, Gaylerd A. Sadusky, Trustee, and Gaylerd A. Sadusky, Individually, Lake Creek Area Sanitary Sewer District, and Buena Vista County Board of Supervisors, with each party paying one third (1/3) of the court costs, which the amount will be known at a later date. Carried.

Motion by Snyder, second by Altena, to accept the **General Release** of Lake Creek Sanitary Sewer District and authorize payment of \$25,000 to the Lake Creek Sanitary Sewer District upon receipt of the signed release. Carried.

Chairman Merten discussed with the Board the MOU for Rolling Hills Mental Health Region, and stated that Cherokee County wanted to make changes, so the Governance Board tabled any action during their meeting. County Attorney Paul Allen was present on the phone and stated that he has reviewed the MOU and 28E Agreement and stated that there is still an issue of employer of record. Merten stated that any future employees that do not reside in the Region, the Region want Buena Vista County to be the employer of record. Merten stated that the Region is also checking on worker compensation, as they are trying to keep the county with the least amount of exposure. The Board asked Allen for his recommendation, and he stated that he prefers the individuals of the Rolling Hills Region become employees of the Region but stated that he understands the employees' concerns. Merten stated that the Rolling Hills Region Governance Board would be meeting again this week, to work out the issues and then bring back new MOUs to the counties for approval.

Env Health/Zoning Director Kim Johnson presented information to the Board regarding papers she received for a Master Matrix of Blue Jay Farms 1, LLC, in Section 25 of Coon Township. Motion by Snyder, second by Huseman, to set a public hearing on a Master Matrix for Blue Jay Farms 1, LLC, in Section 25 of Coon Township, for July 19, 2022, at 9:00 a.m. Carried.

Sheriff Kory Elston request that the Board increase the mileage rate for serving civils in Storm Lake. Elston stated that the fee has been \$2.00 since 2012, and he recommends increasing the fee to \$6.00, which is the same that Clay County charges for serving civils in Spencer. Motion by Huseman, second by Altena, to increase the mileage rate for serving civils in Storm Lake to \$6.00. Carried.

Sheriff Kory Elston discussed the UTV & ATV State law changes. Treasurer Danelle Haberman and Recorder Curt Reis were also present for the discussion. Elston stated that there is no guidance on the new law. Reis stated that at his summer conference, he was told that the State is writing the regulations now to match the law. Reis stated that most likely the registration will be a DNR sticker rather than a DOT license plate. Elston stated that the law allows ATV and UTV vehicles on all Secondary Roads (gravel) and informed the Board that they could allow ATV and UTV vehicles to travel on County paved roads. Elston recommended that the Board not take any action on this topic today. Motion by Snyder, second by Ringgenberg, to table any action regarding the State law changes of operating ATV's and UTV's in Buena Vista County. Carried.

Motion by Ringgenberg, second by Huseman, to approve the minutes of 6/21/22, as corrected, and the following reports: None. Carried.

Motion by Snyder, second by Ringgenberg, to reappoint Pam Jacobsen to the Veterans Affairs Commission with a term to expire 6/30/2025. Carried.

Motion by Huseman, second by Altena, to approve and authorize the Chair to sign the Certificate of Appointment reappointing Sharon Henkel as First Deputy Auditor, at a salary of 85% of the Auditor's salary excluding any additional paid to the Auditor as Board Secretary, with the increase effective July 1, 2022. Carried.

Motion by Huseman, second by Altena, to approve and authorize the Chair to sign the Certificate of Appointment reappointing Karla Ahrendsen as Election Deputy, at a salary of 81% of the Auditor's salary excluding any additional paid to the Auditor as Board Secretary, with the increase effective July 1, 2022. Carried.

Motion by Huseman, second by Altena, to approve and authorize the Chair to sign the Certificate of Appointment of Kristina Konradi as Real Estate & Drainage Deputy in the Auditor's Office, effective July 1, 2022, at a salary of 80% of the Auditor's salary excluding any additional paid to the Auditor as Board Secretary. Carried.

Motion by Ringgenberg, second by Huseman, to authorize the creation of **Special Revenue Fund 0035** County Attorney Forfeiture Fund on July 1, 2022, and to **transfer** \$24,232.55 from the General Basic Fund to this new fund, as this is the FY'22 balance of the forfeiture funds that currently is included in the General Basic Fund total. Carried.

Auditor Susan Lloyd stated that due to SF 619, counties are required to deposit the remainder of the balance held in Fund 0010 Mental Health to their Region at the end of FY'22. Motion by Snyder, second by Ringgenberg, to authorize the Auditor to issue a check on 6/30/2022 for the balance of **Fund 0010 Mental Health**, after the June apportioning has been completed by the County Treasurer, to the Rolling Hills Mental Health Region, and to deposit the check into Fund 4156 Rolling Hills Mental Health Region. Carried.

Motion by Ringgenberg, second by Huseman, to approve and to authorize the Chair to sign **Resolution #2022-06-28-A** appropriating funds for FY'23 to departments at 100% per the FY'23 budget. Carried.

RESOLUTION 2022-06-28-A

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year commencing July 1, 2022, in accordance with section 331.434 (Sec 6) 2022 Code of Iowa,

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

Section 1. The amounts itemized by department or office on the certified County Budget for 2022-23 are hereby appropriated at 100% to the department or office listed in the 2022-23 budget.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from county funds effective July 1, 2022.

Section 3. In accordance with section 331.437 of the 2022 Code of Iowa, no department or officer shall expend, or contract to expend, any money, or incur any liability, or enter into any contract, which by its terms involves the expenditure of money, for any purpose in excess of the amounts appropriated pursuant to their resolution.

Section 4. If at any time during the 2022-23 budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriation, she shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amount charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers monthly during the FY2022-23 budget year. The Auditor shall also provide a summary report of all departments to the Board monthly.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2023.

PASSED AND APPROVED this 28th day of June, 2022.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Snyder, second by Ringgenberg, to approve and to authorize the Chair to sign **Resolution #2022-06-28-B** authorizing interfund operating transfers from the General and Rural Funds to the Secondary Road Fund, and local option sales tax funds from "Local Option Sales Tax Funds for Secondary Roads" (0019) to the Secondary Road Fund as detailed in the FY'23 budget. Carried.

RESOLUTION 2022-06-28-B

WHEREAS, it is desired to transfer monies from the General Basic Fund (0001) to the Secondary Road Fund (0020) and to transfer from the Rural Services Basic Fund (0011) to the Secondary Road Fund (0020); and

WHEREAS, said operating transfers are in accordance with section 331.432, 2022 Code of Iowa,

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

Section 1. The sum of \$208,544.00 is ordered transferred from the General Basic Fund to the Secondary Road Fund with one-half the amount (\$104,272.00) transferred no earlier than July 1, 2022, and the last one-half transferred no earlier than January 1, 2023.

The sum of \$2,245,727.00 (Rural Basic levy) is ordered transferred from the Rural Services Basic Fund to the Secondary Road Fund (levy) with one-half the amount (\$1,122,863.50) transferred no earlier than July 1, 2022 and the last one-half transferred no earlier than January 1, 2023.

Section 2. The total maximum transfer from the General Basic Fund to the Secondary Road Fund shall not exceed \$208,544.00 (levy) and the total maximum transfer from the Rural Basic Fund to the Secondary Road Fund shall not exceed \$2,245,727.00 (levy) all for the fiscal year beginning July 1, 2022.

Section 3. The total transfer of local option sales tax for Secondary Roads shall be limited to 60% of the total local option sales tax receipts for FY'22 received by the county, estimated for budget purposes at \$600,000.

Section 4. The Auditor is directed to correct her books accordingly and to notify the Treasurer and Engineer of these operating transfers, accompanying the notification with a copy of this resolution and the record of its adoption.

PASSED AND APPROVED this 28th day of June, 2022.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Ringgenberg, second by Huseman, to approve and to authorize the Chair to sign **Resolution #2022-06-28-C** regarding the designation of a portion of the FY'22 General Fund and Rural Fund ending fund balances (June 30, 2022) for the **Drive Trails and County Trail System**. Carried.

RESOLUTION 2022-06-28-C

**Drive Trail & County Trail System
Designated/Committed Ending Fund Balances**

WHEREAS, Buena Vista County included \$73,289.53 of the original \$100,000 in its FY'22 ending fund balances (\$54,967.15-General, \$18,322.38-Rural) for 'signing' for a Drive Trail to the Alta wind-farm and other attractions around the county in connection with Storm Lake's Project Awaysis; and,

WHEREAS, the Drive Trail sign project was started, but not completed by June 30, 2022; and

WHEREAS, Buena Vista County ‘pledged’ a total of \$400,000 over 8 years for Trails in the county in connection with the Storm Lake Project Awaysis; and,

WHEREAS, the FY’14 budget adopted by the Buena Vista County Board of Supervisors included the last tax asking of \$50,000 for the County Trail System (or 1/8th of total \$400,000) in FY’14; and,

WHEREAS, Buena Vista County Trail projects have commenced as of June 30, 2016, with signs being purchased; and,

WHEREAS, the Buena Vista County Board of Supervisors wishes to set aside the taxes levied for both the “signing” for the Drive Trail and Trails for expenditure at a later time; and

WHEREAS, the funding source amounts approved for both “signing” for the Drive Trails and County Trail System are from the General Basic Fund (75%) and Rural Basic Fund (25%);

NOW THEREFORE BE IT RESOLVED BY THE BUENA VISTA COUNTY BOARD OF SUPERVISORS, that \$354,967.13 in the FY’22 General Basic ending fund balance, and, \$118,322.40 in the FY’22 Rural Basic ending fund balance, be considered and are hereby unreserved/designated and committed for the “signing” for the Drive Trail and the County Trail System projects associated with Project Awaysis.

PASSED AND APPROVED this 28th day of June, 2022.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Altena, second by Snyder, to approve and to authorize the Chair to sign **Resolution #2022-06-28-D** regarding the designation of a portion of the General Fund ending balance (June 30, 2022) for the **FY’23 Heritage Tour** expenditures. Carried.

RESOLUTION 2022-06-28-D
BV County Heritage Tours
Designated/Committed Ending Fund Balance

WHEREAS, Buena Vista County received \$828 in FY’10 to be used for Heritage Tours for schools in Buena Vista County, which were received into the General Fund for expenditure, and

WHEREAS, a portion of those funds were not expended in FY’22 and the remainder of those funds may be spent in FY’23,

NOW THEREFORE BE IT RESOLVED, by the Buena Vista County Board of Supervisors, that \$242.86 in the General Fund ending fund balance is hereby designated and committed for expenditure on Heritage Tours only.

PASSED AND APPROVED this 28th day of June, 2022.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Huseman, second by Altena, to authorize the creation of **Capital Projects Fund 1540** Capital Projects-Sec Road/Platinum Crush Project Fund on July 1, 2022. Carried.

Chairman Merten introduced the discussion of whether to discontinue the virtual meetings of the Board of Supervisors as of July 5, 2022. Merten stated that it is a problem of not knowing who is on the phone calls listening to the meetings. The GoToMeeting was started during the 2020 Covid-19 pandemic, and since things are back to normal, Merten would like to see individuals attend the board meetings in person. Merten commented that if someone is wanting to address the Board and is unable to make it to the meeting in person, there would still be the option of dialing in to the meeting. Huseman agreed with the statements made by Merten. Kathy Croker was attending the meeting virtually and suggested to the Board that they could set a policy requesting callers to identify themselves. Croker stated that people can listen to the meetings on their cell phones and urged the Board not to go backwards. Croker stated that by having virtual meetings shows that you are being open and transparent. Croker suggested that the Board check with Iowa Freedom of Information to see if the Board can require the callers to identify themselves, and she urged the Board not to decide today, wait until there are answers to this question. Ringgenberg agrees, that the Board should wait on any decisions until checking on the legality of ending virtual meetings, and whether the Board can require callers to identify themselves. Merten commented that the Board can certainly look into this before making any decision. No action was taken.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 11:00 a.m. until Tuesday, July 5 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

BUENA VISTA COUNTY

JANUARY – MARCH 2022

CLAIMS LISTING

A & A AUTOMOTIVE 79.90 ; ACCESS SYSTEMS 1,058.61 ; ACCREDITED SECURITY 100.00 ; ACCURATE CONTROLS INC 14,161.60 ; ADAM NIELAND 150.00 ; ADVANCED DRAINAGE SYSTEMS 3,781.10 ; AFLAC 9,605.91 ; AG PARTNERS LLC 1,620.25 ; AGSTATE 1,164.95 ; AHLERS & COONEY, P.C. 6,683.50 ; ALERA GROUP 3,750.00 ; ALLEN HALVERSON 32.72 ; ALLIANT ENERGY /IPL 47,186.84 ; ALPHA WIRELESS COMMUNICATIONS CO. 1,729.00 ; ALTA COMMUNITY SCHOOL DISTRICT 300.00 ; ALTA MUNICIPAL UTILITIES 486.95 ; AMAZON CAPITAL SERVICES 4,357.57 ; ANGELA WILKINSON 95.87 ; ANN LANDERS 116.00 ; ANNETTE KOSTER 852.80 ; ARCASEARCH LLC 17,136.50 ; ARENDS, LEE, EMICK, LEGVOLD, & MYOTT PLC 1,153.50 ; ARMINDA MOLINA 210.00 ; ARNOLD MOTOR SUPPLY 753.23 ; ARNOLD MOTOR SUPPLY 50.74 ; ASABE 190.00 ; ASPHALT PAVING ASSOC OF IOWA 325.00 ; ASSESSOR'S OFFICE IPERS 8,386.86 ; ASSOCIATES FOR PSYCHIATRIC SERVICES PC 8,550.00 ; AURELIA LUMBER COMPANY 53.00 ; AUTO TRUCK GROUP 337.00 ; B & S TILE AND EXCAVATION 225,109.39 ; B V CO SECONDARY ROAD 3,044.91 ; B V COUNTY SOIL CONSERVATION 3,500.00 ; B V SOLID WASTE COMMISSION 20.00 ; BANKCARD SERVICES 18,827.44 ; BARB HOGREFE 150.00 ; BAUERLY & LANGE, PLC 100.00 ; BOB BARKER COMPANY INC 221.22 ; BOJI DIVERS LLC 1,770.00 ; BOMGAARS 4,245.45 ; BRAD'S SERVICE INC 54.00 ; BRES REST HOME INC 6,570.00 ; BRET WILKINSON 26.93 ; BRIAN BLOMME 100.00 ; BRIAN JONES 59.77 ; BRIAN MADSEN 171.41 ; BUENA VISTA CO ENV HEALTH / ZO 150.00 ; BUENA VISTA CO TREASURER 356.85 ; BUENA VISTA CO. CONSERVATION 182.53 ; BUENA VISTA CO. SHERIFF 2,121.96 ; BUENA VISTA COUNTY 4,350.00 ; BUENA VISTA COUNTY JOURNAL 4,162.50 ; BUENA VISTA COUNTY PUBLIC HEALTH & HOMECARE 18,059.57 ; BUENA VISTA COUNTY RECORDER 338.00 ; BUENA VISTA REG MEDICAL CENTER 2,548.60 ; BUNTROCK-SALIE PHOTOGRAPHY 255.00 ; BV CO EMPLOYEE HEALTH FUND 534,086.08 ; BV CO EMPLOYEE HEALTH FUND 19,529.80 ; BV CO EMPLOYEE HEALTH FUND 7,159.58 ; BV CO EMPLOYEE HEALTH FUND 29,804.82 ; BV CO EMPLOYEE HEALTH FUND 8,085.34 ; BVRMC PHARMACY 660.80 ; C & B OPERATIONS, LLC 176.34 ; CALHOUN COUNTY PUBLIC HEALTH 371.45 ; CALHOUN COUNTY SHERIFF DEPT 1,446.32 ; CALHOUN-BURNS & ASSOC INC 32,122.31 ; CAMPBELL SUPPLY COMPANY 900.29 ; CANON FINANCIAL SERVICES 149.76 ; CAPITAL ONE 22.18 ; CARD SERVICE CENTER 1,251.72 ; CARING HEARTS OF WEST CENTRAL IOWA, LLC 1,856.00 ; CAROLYN ARMSTRONG 869.35 ; CARROLL COUNTY SHERIFF 313.20 ; CARROLL REFUSE SERVICE 2,038.75 ; CARROT-TOP INDUSTRIES, INC 204.32 ; CCP INDUSTRIES INC 1,663.29 ; CDW GOVERNMENT INC 1,593.93 ; CENTER FOR SIOUXLAND 6,250.00 ; CENTRAL IOWA DETENTION 1,313.25 ; CENTRAL SQUARE 29,301.38 ; CENTURY LINK 1,870.52 ; CERTIFIED POOL TRAINERS OF IA & MN 350.00 ; CERTIFIED POWER INC 205.72 ; CHAMPION ELECTRIC 618.42 ; CHEROKEE COUNTY SHERIFF 38.00 ; CHRISTIAN BROS EXCAVATING LC 995.15 ; CINDY SEWARD 150.00 ; CINTAS FIRST AID AND SAFETY 1,318.42 ; CITY OF ALBERT CITY 238.52 ; CITY OF LINN GROVE 686.87 ; CITY OF MARATHON 632.33 ; CITY OF NEWELL 151.50 ; CITY OF REMBRANDT 2,034.61 ; CITY OF SIOUX CITY 83.78 ; CITY OF SIOUX RAPIDS 463.94 ; CITY OF SIOUX RAPIDS 80.14 ; CITY OF STORM LAKE 6,230.80 ; CITY TREASURER 330.54 ; CLAY COUNTY SHERIFF 16.00 ; CLIA LABORATORY PROGRAM 180.00 ; COBBLESTONE INN & SUITES 100.00 ; CODE 2 K-9 SERVICES, LLC 2,750.00 ; COLLECTION SERVICES CENTER 2,492.28 ; COLOR-IZE INC 324.42 ; COMMUNITY BROADCASTING INC 781.59 ; CONRAD & LEMMENS 455.00 ; COPPER COTTAGE 220.00 ; COUNSEL 1,485.77 ; COUNSELING SERVICES, LLC 10,120.00 ; COUNTRY CARE CENTER CORP 7,502.00 ; CRAWFORD COUNTY HOME HEALTH & 38,748.01 ; CRAWFORD COUNTY SHERIFF 821.48 ; CULLIGAN 265.80 ; CURTIS REIS 371.98 ; CYLINDER EXPRESS 75.50 ; DAKOTALAND AUTOGLASS, INC. 660.67 ; DAN BAILEY 200.00 ; DANA VENNINK 150.00 ; DANELLE HABERMAN 1,072.88 ; DANIEL MALOY 200.00 ; DARWIN REESE 150.00 ; DAVE STRAND 200.00 ; DAVID BALDER 58.20 ; DAVID MERTEN 8.18 ; DAWN MENTZER 473.75 ; DEAN ASSMANN 38.86 ; DEAN K

ELLINGSON 166.65 ; DEBONEY LANGNER 40.40 ; DENISON POLICE DEPT 70.00 ; DENNIS HOGREFE 33.79 ; DES MOINES STAMP MFG CO 41.00 ; DIAMOND MOWERS LLC 3,060.22 ; DIGITAL-ALLY, INC 1,125.00 ; DISTRICT III 200.00 ; DOREEN PEDERSEN 135.96 ; DOUGLAS J MILLER 15.26 ; DR. GARRETT FEDDERSEN 2,400.00 ; EAST CENTRAL DISTRICT IOWA ASSESSOR'S ASSOCIATION 200.00 ; EDWARDS 1,379.67 ; EDWIN A. MADSEN 6.54 ; EJS SUPPLY 4,947.33 ; ELDERBRIDGE AGENCY ON AGING 12,096.00 ; EMMONS & OLIVIER RESOURCES INC 176,798.72 ; EMPLOYEE BENEFIT SYSTEMS 4,384.00 ; ERIC YUNGINGER 150.00 ; ESTATE OF GERALD DEAN SIEKMAN 39.04 ; EVIDENT, INC 103.94 ; EVIZZIT OF IOWA PSYCHIATRY PC 1,920.00 ; EVIZZIT OF IOWA PSYCHIATRY PC 71,929.22 ; FAMILY RESOURCE CENTER 1,983.15 ; FAREWAY STORE 2,262.92 ; FAST LANE MOTOR PARTS, LLC 674.85 ; FASTENAL COMPANY 95.13 ; FILTER CARE OF NEBRASKA LLC 796.25 ; FIRE PROOF PLUS INC 176.50 ; FIRST COOPERATIVE ASSOCIATION 5,907.20 ; FIRST RESOURCES CORP 949.86 ; FOUNDATION ANALYTICAL LABORATORY, INC 771.85 ; FRANK DUNN CO 849.00 ; FRATZKE & JENSEN FUNERAL HOMES 3,400.00 ; FRIGITEC, INC. 511.32 ; GARLAND OTTO 332.40 ; GCG FINANCIAL, LLC 3,750.00 ; GENE BY GENE, LTD. 500.00 ; GEOCOMM 4,820.00 ; GILL HAULING INC 282.48 ; GLAXOSMITHKLINE PHARMACEUTICAL 656.32 ; GORDON FLESCH COMPANY 28.89 ; GRAFFIX 656.33 ; GRAHAM TIRE CO 17,920.00 ; GREAT AMERICA FINANCIAL SVCS 661.12 ; GREAT-WEST LIFE & ANNUITY 300.00 ; GREGORY JOHNSON 102.17 ; GROWMARK FS 76,552.05 ; GROWS GARBAGE SERVICE 500.00 ; GRP & ASSOCIATES INC. 98.00 ; HAROLD ROWLEY RECYCLE CENTER 34,459.00 ; HAWK - I PLUMBING, INC. 645.54 ; HAYES INSTRUMENT CO., INC. 346.81 ; HEALTHCAREFIRST %WELLS FARGO 4,261.72 ; HENRY M ADKINS & SON, INC. 12,040.00 ; HGM ASSOCIATES INC 5,300.00 ; HILLCREST FAMILY SERVICES 2,521.68 ; HISEY LAW OFFICE 1,083.60 ; HOBART SALES AND SERVICES 309.00 ; HOLIDAY INN DES MOINES AIRPORT 1,505.28 ; HOLZHAUER MOTORS 69.88 ; HUMBOLDT COUNTY SHERIFF 66.44 ; HUNDERTMARK CLEANING SYSTEMS 209.76 ; HUNZELMAN PUTZIER & CO 3,261.25 ; HY-VEE INC 141.42 ; HY-VEE PHARMACY 97.50 ; IACCVSO 120.00 ; ICAP IA COMMUNITES ASSURANCE POOL 278.00 ; ICIT 50.00 ; IDA COUNTY SHERIFF 585.59 ; IDALS-STATE APIARY PROGRAM 122.46 ; IGL TELECONNECT 432.00 ; ILEA IOWA LAW ENFORCEMENT ACADEMY 450.00 ; IMAGINE THE POSSIBILITIES INC 11,004.56 ; IMMANUEL LUTHERAN PRE SCHOOL 2,054.00 ; IMWCA 8,017.00 ; INDUSTRIAL SUPPLY SOLUTIONS, INC. 3,159.80 ; INLAND TRUCK PARTS & SERVICE 1,001.85 ; INTERSTATE BATTERY SYSTEM 699.80 ; INTOXIMETERS 262.25 ; IOWA DEPT OF NATURAL RESOURCES 50.00 ; IOWA DIVISION OF LABOR SERVICE 40.00 ; IOWA DIVISION OF LABOR/ELEVATOR SAFETY 175.00 ; IOWA DOT 120.00 ; IOWA EMERGENCY MANAGEMENT ASS. 150.00 ; IOWA LAKES CORRIDOR DEV CORP 15,000.00 ; IOWA LAKES ELECTRIC COOP 4,071.43 ; IOWA LAKES REGIONAL WATER 605.61 ; IOWA PRISON INDUSTRIES 2,478.30 ; IOWA STATE ASSOC OF COUNTIES 1,710.00 ; IOWA STATE COMPTROLLER TREASURER-STATE OF IOWA 72,165.83 ; IOWA STATE MEDICAL EXAMINER 6,385.19 ; IOWA STATE RESERVE 825.00 ; IOWA STATE SHERIFFS & DEPUTIES 525.00 ; IPERS 293,020.97 ; ISAA-IOWA STATE ASS'N OF ASSESSORS 370.00 ; ISAC 1,625.65 ; ISACA 225.00 ; ISCTA DISTRICT III TREASURERS 105.00 ; ITSAVVY LLC 9,594.20 ; J3RED MARKETING LLC 7,438.75 ; JACK'S UNIFORMS & EQUIPMENT 384.63 ; JACQUELINE REGENNITTER 26.00 ; JAMES E PETERSON 8.06 ; JANET GRITTEN 256.61 ; JANITORS CLOSET LTD 296.08 ; JASON BUTLER 356.39 ; JEFF KESTEL 127.20 ; JEFF NIELSEN 95.00 ; JERILYN SAHR 288.80 ; JERRY'S TREE SERVICE 3,300.00 ; JIM FRANZMEIER 5.45 ; JIM WISCHMEYER 126.46 ; JOEY SPEERS 67.95 ; JOHANNA HOSTETLER 45.00 ; JOHN SCHMIT 25.00 ; JOHNSON COUNTY SHERIFF 38.69 ; JOHNSTON AUTOSTORES 2,662.05 ; JON BUSS 180.00 ; JOSEPH KELLER 90.00 ; JOSH NIELSEN 262.69 ; JULIE ALBRIGHT 264.54 ; JULIE GRETEMAN MAYHALL ATTORNEY AT LAW PLC 1,080.00 ; JULIE SATHER 112.36 ; JULIUS CLEANERS 678.20 ; JUSTIN ANDERSON 222.00 ; KAREN CRILLY 150.00 ; KARLA AHRENDSEN 43.60 ; KATEE DEAN 697.63 ; KATHRYN STRUSS 138.47 ; KELLER PLUMBING HEATING & AIR LLC 699.82 ; KELLY SNYDER 1,172.70 ; KENNETH BLAKE MCMILLAN 774.00 ; KEVIN LULLMANN 150.00 ; KIDS WORLD INC 946.20 ; KIM JOHNSON 370.50 ; KIMBALL MIDWEST 4,400.58 ; KUNZ ENGINEERING INC. 6,709.81 ; KYLE HORNOR 13.08 ; L & M PHARMACY CARE 273.55 ; LACEY ANDERSON 65.84 ; LARSON OIL & DISTRIBUTING 49,899.83 ; LEGISLATIVE SERVICES AGENCY

95.00 ; LEISA MAYER 469.60 ; LEXIS NEXIS RISK DATA MANAGEMENT INC. 462.79 ; LIBERTY NATIONAL LIFE INS CO 4,811.88 ; LIFE SKILLS TRAINING 175.00 ; LINDA MATTSON 200.00 ; LISETTE DE LA CRUZ 471.55 ; LLOYD DANIELSON 8.06 ; LOFFLER COMPANIES 1,777.69 ; LONG LINES BROADBAND 10,921.10 ; LOUGHLIN LAW FIRM 1,575.00 ; LOUISE GALBRAITH 285.30 ; L-TRON CORPORATION 374.59 ; LUKE WARKENTIN 171.15 ; LYNETTE GOODMAN 31.56 ; MADSEN DALE F LTD 52.97 ; MAIL SERVICES LLC 2,494.31 ; MAIN STREET SPECIALTIES, LLC 13,371.55 ; MARCO TECHNOLOGIES LLC 612.69 ; MARCO TECHNOLOGIES LLC 1,566.14 ; MARCUS LUMBER 31.97 ; MARK KIRKHOLM 102.24 ; MATT MC CARTHY 5.45 ; MCAFDO 50.00 ; MCKEEVER REPORTING 120.00 ; MEDLINE INDUSTRIES INC 352.38 ; MEIER TOWING INC 7,247.50 ; MENARDS - SPENCER 130.23 ; MERCK SHARP & DOHME CORP 7.50 ; MICHAEL REBHUHN 13.08 ; MID AMERICAN ENERGY 24,799.91 ; MID SIOUX OPPORTUNITY INC 7,531.66 ; MID-STATES ORGANIZED CRIME INFORMATION CENTER 250.00 ; MIDWEST ALARM SERVICES INC 1,776.72 ; MIDWEST COMPLIANCE ASSOCIATES 1,500.00 ; MIDWESTERN MECHANICAL OF IOWA, INC 1,660.45 ; MIDWESTERN MECHANICAL, INC 1,045.00 ; MIKE'S LAWN SERVICE INC 1,039.30 ; MILLER, MILLER, MILLER P.C. 231.00 ; MODERN SOUND ENGINEERING INC. 347.40 ; MOODIE REFRIGERATION 60.00 ; MOTOROLA SOLUTIONS, INC. 549.73 ; MURPHY TRACTOR & EQUIPMENT CO 1,398.90 ; N.A.P. 349.50 ; NACVSO 100.00 ; NATHAN RUBENDALL 5,192.55 ; NATHAN SCHUMANN 200.00 ; NATIONAL ASSOCIATION OF COUNTY ENGINEERS 745.00 ; NEIGHBORHOOD LAW GROUP OF IOWA, P.C. 44.10 ; NETSMART TECHNOLOGIES, INC. 62,918.00 ; NETWORKS, INC. 101.25 ; NEW HOPE VILLAGE 5,576.69 ; NICOLE DIISCHER 105.20 ; NORTH IOWA SCUBA 1,385.00 ; NORTH LAKE TRUCK REPAIR 1,200.36 ; NORTHERN LIGHTS DISTRIBUTING, INC. 11,726.33 ; NORTHWEST IOWA ASSESSOR'S ASSOCIATION 600.00 ; NW IA PLANNING & DEV COM 9,638.00 ; NW IA REGIONAL HOUSING TRUST 6,846.00 ; NW IA YES CENTER 31,852.00 ; OFFICE DEPOT 65.46 ; OFFICE ELEMENTS 20,889.33 ; OFFICE OF AUDITOR OF STATE 425.00 ; OHIO NATIONAL 775.00 ; OLSEN WELDING & MACHINE 1,073.41 ; ONE OFFICE SOLUTION 11.97 ; PAKOR, INC 297.26 ; PAM JACOBSON 250.20 ; PATC 110.00 ; PAUL MERTEN 275.82 ; PERSONNEL CONCEPTS 309.29 ; PHIL REDENBAUGH CLIENT TRUST ACCOUNT 206,599.87 ; PHOENIX SUPPLY 899.61 ; PIETZ LAW OFFICE 185.60 ; PILOT TRIBUNE 4,528.38 ; PITNEY BOWES 1,144.77 ; PITNEY BOWES INC 306.83 ; PITNEY BOWES RESERVE ACCOUNT 400.00 ; PLAINS AREA MENTAL HEALTH, INC 193,770.75 ; PLUMBING & HEATING 3,809.41 ; POCAHONTAS CO SHERIFF 47.92 ; POLK COUNTY MEDICAL EXAMINER 184.77 ; POSTMASTER 382.00 ; POTTAWATTAMIE COUNTY SHERIFF 35.00 ; POWER SOLUTIONS, INC. 662.50 ; POWESHIEK COUNTY SHERIFF 57.64 ; PRACTICAL PRODUCTS GROUP 1,039.96 ; PRAIRIE FABRICATION 1,459.00 ; PRAIRIE FIRE SOLUTIONS, LLC 305.00 ; PRINCIPAL LIFE INSURANCE COMPANY 37,605.82 ; QUILL CORPORATION 856.47 ; R & D INDUSTRIES INC 10,919.70 ; RANDALL WILBUR ERICKSEN 37.28 ; RANDY REDIG 40.00 ; RANDY RICHTER 72.97 ; REBNORD TECHNOLOGIES INC 8,924.85 ; REGIONAL TRANSIT AUTHORITY 15,758.91 ; REIMER, LOHMAN, & REITZ 1,415.70 ; RELIANCE TELEPHONE INC 3,814.50 ; RENT - ALL, INC. 250.00 ; RICHARD HALDIN 241.60 ; RICK MEYER 56.16 ; RICOH USA, INC 88.84 ; RJ THOMAS MFG CO INC 17,560.00 ; ROAD MACHINERY & SUPPLIES CO. 981.64 ; ROBERT DANIELSON 150.00 ; ROBERT HARTJE 9.81 ; ROBERT L SIEKMAN 37.30 ; ROBERT SKOG 11.28 ; ROOTX INC. 2,396.26 ; RR ELECTRIC LLC 7,628.34 ; RUST'S WESTERN SHED 219.90 ; SAC COUNTY ENGINEER 35.76 ; SAC COUNTY HEALTH SERVICES 17,945.02 ; SAC COUNTY SHERIFF 505.50 ; SAM ORTMANN 200.00 ; SANDRA K. SWEENEY 1,792.50 ; SANFORD CENTER 65,182.50 ; SARAH VANDERHOFF 31.80 ; SAVINGS BANK SECURITY TRUST & 224,755.92 ; SAVINGS BANK SECURITY TRUST & 160,925.48 ; SCHNEIDER GEOSPATIAL, LLC 4,854.00 ; SCHNEIDER GRAPHICS, INC 51.34 ; SCHULTE LAW FIRM, LC 1,111.00 ; SCOTT COUNTY SHERIFF 47.77 ; SEAT 150.00 ; SECRETARY OF STATE 180.00 ; SECURITY TRUST 52,565.54 ; SECURITY TRUST & SAVINGS BANK 170.24 ; SETH DICKS 184.05 ; SHARON HENKEL 150.00 ; SHESLER HALL 19,631.41 ; SHRED-IT,C/O STERICYCLE, INC. 65.84 ; SIOUX CENTRAL COMM SCHOOL DIST 4,995.00 ; SIOUX LUMBER 50.98 ; SIOUX RIVERS FISCAL AGENT 474.83 ; SIOUXLAND MENTAL HEALTH SERVICES, INC. 318,634.69 ; SMILE MAKERS 112.89 ; SPENCER OFFICE SUPPLIES 3,338.49 ; SPORTS REHAB & PROFESSIONAL THERAPY ASSOCIATES, INC. 20,028.44 ; ST. MARYS PRESCHOOL 13,050.00 ; ST. ROSE OF LIMA

PRESCHOOL 6,798.45 ; STA-MEL ENTERPRISES INC 28,324.04 ; STAN HOUSTON EQUIP.CO INC 23.00 ; STANARD & ASSOCIATES INC 31.50 ; STANTON ELECTRIC INC 738.11 ; STAPLES CREDIT PLAN 235.50 ; STELLAR INDUSTRIES INC. 708.06 ; STEPHANIE ANDERSON 6.76 ; STEPHEN M BLOOM 91.44 ; STEVE HALDIN 105.00 ; STEVEN BOTCHER 150.00 ; STILLE PIERCE & PERTZBORN 815.00 ; STONE PRINTING OFFICE SUPPLY 1,884.00 ; STOREY KENWORTHY/MATT PARROTT 331.77 ; STORM LAKE ACE HARDWARE 1,708.11 ; STORM LAKE GARAGE DOOR SERVICE 320.00 ; STORM LAKE HEARING AID SERVICE, INC 150.00 ; STORM LAKE HYDRAULICS 9.30 ; STORM LAKE TIMES 5,645.42 ; STREICHER'S 4,366.63 ; SUSAN LLOYD 203.95 ; TASC 797.88 ; TCY MACHINE, INC. 3,644.06 ; TESSIER'S INC 6,313.50 ; THE PRIDE GROUP, INC 60,833.94 ; THE STATION 245.00 ; THERESA JOCHUM 232.25 ; TIFFANY SMITH 114.00 ; TIM HANSON 200.00 ; TODD ANDERSON 154.08 ; TREASURER STATE OF IOWA 59,928.35 ; TREASURER STATE OF IOWA 2,008.27 ; TREASURER, STATE OF IOWA 263.71 ; TRI-COUNTY SPECIAL 41.60 ; TRI-STATE EMERG MGMT ASSN 20.00 ; TRIVIUM LIFE SERVICES 2,983.50 ; TRUCK CENTER COMPANIES 138,664.24 ; TYLER TECHNOLOGIES, INC. 40,464.00 ; UNITY LAW + MEDIATION PLC 870.00 ; UNITYPOINT CLINIC OCCUPATIONAL MEDICINE 42.00 ; UNITYPOINT HEALTH - FORT DODGE 840.00 ; US CELLULAR 2,350.89 ; US CELLULAR 540.00 ; VANCE CORDS 30.00 ; VANGUARD APPRAISALS INC 17,820.00 ; VERIZON 180.00 ; VERIZON CONNECT NWF, INC. 2,574.21 ; VERIZON WIRELESS 5,779.60 ; VETTER EQUIPMENT CO 382.92 ; VISA 9,001.78 ; VISA 452.35 ; VISION CARE ASSOCIATES P.C. 590.00 ; VISION CARE DIRECT 9,780.44 ; VISTA PAINTS 135.25 ; VOYA RETIREMENT INS & ANNUITY 39.00 ; WAG'S EXHAUST PROS 47.31 ; WARRENS SERVICE INC 133.00 ; WASHINGTON NATIONAL INS CO 2,696.10 ; WATCH GUARD VIDEO 3,104.00 ; WEBSTER COUNTY PUBLIC HEALTH 10,426.54 ; WELLMARK BLUE CROSS & BLUE SHI 489,869.13 ; WELLS FARGO FINANCIAL LEASING, INC. 453.00 ; WESCO INDUSTRIES INC 70,258.23 ; WEST PAYMENT CENTER 4,018.95 ; WEX BANK 100.67 ; WEX BANK WRIGHT EXPRESS FSC 3,678.27 ; WHKS & CO. 14,071.22 ; WILLIAM HILSABECK 94.40 ; WINDSTREAM 1,770.60 ; WINDSTREAM CABS 423.95 ; WOODBURY CO AUDITOR/TREASURER 34.95 ; WOODBURY CO BOARD OF SUPERVISORS 400.00 ; WOODBURY CO SHERIFF 10,055.00 ; WRIGHT COUNTY ENGINEER'S OFFICE 995.00 ; ZIEGLER INC 324,918.08 ; ZION LUTHERAN PRE SCHOOL 6,144.00

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

BUENA VISTA COUNTY

APRIL -JUNE 2022

CLAIMS LISTING

ACCESS SYSTEMS 55.61; ACCURATE CONTROLS INC 7,764.26; AFLAC 11,542.48; AGSTATE-A 76.02; AGSTATE-C 7,524.80; AGTERRA TECHNOLOGIES, INC. 705.00; AHLERS & COONEY, P.C. 5,760.00; ALBERT CITY CORP 4,050.00; ALISON HAUSER 2,655.89; ALLIANT ENERGY /IPL 18,570.08; ALPHA WIRELESS COMMUNICATIONS CO. 90,101.81; ALTA COMMUNITY SCHOOL DISTRICT 375.00; ALTA CORP 4,050.00; ALTA IMPLEMENT CO 4.80; ALTA MUNICIPAL UTILITIES 457.90; AMAZON CAPITAL SERVICES 8,835.72; AMERICAN LEGION POST 299 120.00; AMERICAN LEGION POST 394 45.00; AMERICAN LUNG ASSOCIATION 200.00; AMERICAN TIME 493.75; ANDREA BEAN 22.89; ANDREW ALLERDINGS 181.85; ANN LANDERS 136.00; ANNETTE KOSTER 719.55; ARCSEARCH LLC 61,484.50; ARENDS, LEE, EMICK, LEGVOLD, & MYOTT PLC 474.50; ARNOLD MOTOR SUPPLY 523.86; ARNOLD MOTOR SUPPLY 1,311.35; ASSESSOR'S OFFICE IPERS 12,079.05; ASSOCIATES FOR PSYCHIATRIC SERVICES PC 8,550.00; AURELIA LUMBER COMPANY 13,082.95; B & S TILE AND EXCAVATION 450,400.19; B & W CONTROL SPECIALISTS 35,209.13; B V CO SECONDARY ROAD 723.20; B V SOLID WASTE COMMISSION 20.00; BANKCARD SERVICES 26,380.49; BARBARA PUCKETT 21.80; BARRY MOTOR COMPANY 2,862.03; BEAGLE LEGAL 325.50; BEKINS FIRE & SAFETY SERVICES 63.65; BENSON ACRES LLC 470.80; BERNARD NELSON 12.42; BILL MATTSON 21.30; BOB BARKER COMPANY INC 189.26; BOERNER & GOLDSMITH LAW FIRM PC 315.00; BOMGAARS 4,920.09; BONNIE HACH 7.63; BOZ WELLZ RESTAURANT 250.00; BREES REST HOME INC 6,716.00; BRENTWOOD CONSTRUCTION, LLC 5,405.00; BRET WILKINSON 91.18; BRIAN AHRENSEN 83.59; BRIAN BLOMME 104.32; BRIAN DRZYCIMSKI 9.81; BRIAN REBHUEHN 32.53; BRIANA MARROQUIN 390.00; BROOKES PUBLISHING CO. 7,509.86; BRUCE BAIER 11.99; BUENA VISTA CO AUDITOR 55,504.20; BUENA VISTA CO EMS ASSOCIATION 5,000.00; BUENA VISTA CO. CONSERVATION 700.43; BUENA VISTA CO. SHERIFF 1,614.52; BUENA VISTA COUNTY CONSERVATION 267.43; BUENA VISTA COUNTY JOURNAL 2,887.00; BUENA VISTA COUNTY PUBLIC HEALTH & HOMECARE 23,667.80; BUENA VISTA REG MEDICAL CENTER 682.00; BUILDERS SHARPENING & SERVICE 4,600.00; BUSINESS FORMS & SYS CO 980.21; BUTCH ENGEL 226.16; BV CO AGRICULTURAL SOCIETY BUENA VISTA COUNTY FAIR 12,500.00; BV CO EMPLOYEE HEALTH FUND 544,531.08; BV CO EMPLOYEE HEALTH FUND 19,872.76; BV CO EMPLOYEE HEALTH FUND 6,975.14; BV CO EMPLOYEE HEALTH FUND 34,368.46; BV CO EMPLOYEE HEALTH FUND 8,405.16; BV CO/DISASTER SERVICES/HAZMAT 41,500.00; BV GLASS CO. 449.60; BV VETERINARY CLINIC 101.40; BV-CALHOUN-SAC DRAINAGE ENGINEER FUND C/O BV COUNTY TREASURER 21,025.00; BVRMC PHARMACY 3,707.91; C & B OPERATIONS, LLC 5,684.52; CALHOUN COUNTY PUBLIC HEALTH 106.43; CALHOUN-BURNS & ASSOC INC 120,480.10; CAMPBELL SUPPLY COMPANY 414.00; CANON FINANCIAL SERVICES 112.32; CAPITAL ONE 661.72; CARDMEMBER SERVICE 1,005.62; CARING HEARTS OF WEST CENTRAL IOWA, LLC 1,856.00; CAROLYN ARMSTRONG 310.66; CAROLYN DEROOS 7.63; CARROLL COUNTY SHERIFF 918.35; CARROLL REFUSE SERVICE 1,488.00; CARROT-TOP INDUSTRIES, INC 127.66; CAYLYN MCCORMICK 561.85; CDW GOVERNMENT INC 31,858.15; CENTER FOR SIOUXLAND 6,250.00; CENTRAL BANK 45.00; CENTRAL IOWA DETENTION 481.09; CENTRAL IOWA DISTRIBUTING INC 1,292.00; CENTRAL U.S. COATINGS INC. 10,320.00; CENTURY LINK 1,581.35; CERTIFIED POWER, INC 298.33; CHARLENE PLAGMAN 10.90; CHEROKEE COUNTY SHERIFF 2,064.56; CHEROKEE MENTAL HEALTH INSTITUTE 39,164.85; CHET HARTWELL 377.79; CHILDRENS IMAGINATION STATION 2,384.55; CINDY WIEMOLD 270.05; CINTAS FIRST AID AND SAFETY 1,090.58; CITY OF ALBERT CITY 132.00; CITY OF LINN GROVE 570.40; CITY OF MARATHON 489.33; CITY OF NEWELL 151.50; CITY OF REMBRANDT 195.75; CITY OF SIOUX CITY 91.73; CITY OF SIOUX RAPIDS 272.04; CITY OF STORM LAKE 6,306.52; CITY TREASURER 330.54; CJIS SOLUTIONS 1,092.00; CLAY COUNTY SHERIFF 186.32; COLLECTION SERVICES CENTER 2,930.62; COLOR-IZE INC 92.88; COMMERCIAL SIGN & DESIGN 510.00; COMMUNITY BROADCASTING INC 781.59; CONRAD & LEMMENS 86.50; CONTROL SYSTEM

SPECIALISTS, LC 8,369.89; COST ADVISORY SERVICES INC 4,125.00; COUNCIL AGAINST DOMESTIC ABUSE 5,000.00; COUNSEL 1,331.84; COUNTRY CARE CENTER CORP 5,642.00; COZO 75.00; CRAIG REHNSTROM 23.61; CRAWFORD COUNTY HOME HEALTH & 35,068.85; CRAWFORD COUNTY SHERIFF 775.16; CRITTENTON CENTER 56,957.40; CRYSTEEL TRUCK EQUIP INC 94.92; CULLIGAN 286.07; CURTIS REIS 150.00; DAN BAILEY 67.35; DAN CONNELL CLIENT TRUST ACCT. 35,000.00; DANA BENNA 80.00; DANA MORRIS 12,075.00; DANA VENNINK 192.55; DANELLE HABERMAN 582.40; DANIEL ROBINSON 4.58; DARREN STEARNS 800.00; DAVE STRAND 22.72; DAWN MENTZER 215.94; DD #181 JT LITTLE CEDAR 7.25; DEAN K ELLINGSON 106.80; DEB JESSE 25.07; DENCO HIGHWAY CONST. CORP. 297,539.85; DES MOINES STAMP MFG CO 71.00; DETTMANN IMPLEMENT CO 1,846.00; DISTRICT A HOMECARE DIRECTORS 150.00; DIXON CONSTRUCTION CO 284,004.75; DOREEN PEDERSEN 45.15; DR. GARRETT FEDDERSEN 600.00; DUANE MCGREGOR 44.98; DUNCAN HEIGHTS INC 811.68; EAGLE VIEW BEHAVIORAL HEALTH 3,000.00; EARL EDWARD STANLEY 240.00; ECOLAB 1,040.00; EDWARDS 5,166.07; EJS SUPPLY 570.24; EMMONS & OLIVIER RESOURCES INC 52,240.11; EMPLOYEE BENEFIT SYSTEMS 3,400.00; ERIC BANG 100.00; ERIC CHASE 23.27; ERIC YUNGINGER 165.30; ESRI INC 7,800.00; EVIZZIT OF IOWA PSYCHIATRY PC 1,120.00; EVIZZIT OF IOWA PSYCHIATRY PC 43,382.28; FAMILY CRISIS CENTER 5,000.00; FAMILY RESOURCE CENTER 894.70; FAREWAY STORE 3,129.79; FAST LANE MOTOR PARTS, LLC 671.81; FIDLAR TECHNOLOGIES INC 3,106.14; FILTER CARE OF NEBRASKA LLC 1,377.65; FOUNDATION ANALYTICAL LABORATORY, INC 574.00; FRATZKE & JENSEN FUNERAL HOMES 2,000.00; FRONTIER PRECISION, INC. 33,077.99; FS INDUSTRIES 24,350.83; GALLS, LLC 25,864.98; GARLAND OTTO 362.13; GARY SUNDBLAD 282.84; GERALD WEILAND 883.06; GILL HAULING INC 230.93; GINGER BLATCHFORD 7.63; GRAFFIX 575.70; GRAHAM TIRE CO 36,556.99; GREAT AMERICA FINANCIAL SVCS 415.95; GREAT-WEST LIFE & ANNUITY 350.00; GREGORY JOHNSON 60.98; GROWMARK FS 132,230.23; GRP & ASSOCIATES INC. 169.50; HALLETT MATERIALS 898.70; HAYES INSTRUMENT CO., INC. 16.95; HEALTHCAREFIRST %WELLS FARGO 1,764.22; HEATHER TOTTEN 23.98; HELMER INC 5,089.89; HENRY M ADKINS & SON, INC. 10,572.22; HILLCREST FAMILY SERVICES 7,324.88; HISEY LAW OFFICE 963.90; HOBART SALES AND SERVICES 857.34; HOLIDAY INN DES MOINES AIRPORT 772.80; HOLZHAUER FORD LINCOLN, INC. 856.25; HONDO'S SALES & SERVICE 17,421.64; HOPE HAVEN INC 5,061.03; HOTSY EQUIPMENT COMPANY 97.00; HUMBOLDT COUNTY SHERIFF 242.53; HUNDERTMARK CLEANING SYSTEMS 612.10; HUNZELMAN PUTZIER & CO 2,908.19; HY-VEE INC 798.75; I.C.C.S.-IOWA'S COUNTY CONSERVATION SYSTEM 2,000.00; ICAP IA COMMUNITES ASSURANCE POOL 179,879.00; ICEA SERVICE BUREAU 997.00; ICIT 50.00; ICUBE 200.00; IDA COUNTY SHERIFF 552.62; IDALS 1,365.48; IGL TELECONNECT 432.00; ILEA IOWA LAW ENFORCEMENT ACADEMY 250.00; IMAGINE THE POSSIBILITES INC 7,069.76; IMMANUEL LUTHERAN PRE SCHOOL 2,054.00; IMWCA 17,822.00; INLAND TRUCK PARTS & SERVICE 8,083.69; INSTITUTE OF IOWA CERTIFIED ASSESSORS 350.00; INTEGRATED WEED CONTROL 1,900.00; INTERSTATE BATTERY SYSTEM 349.90; IOWA ACEs 360 100.49; IOWA CO RECORDERS ASSOCIATION 200.00; IOWA COUNTY ATTORNEYS ASSN (ICAA) 1,300.00; IOWA COUNTY ATTORNEY'S CASE MANAGEMENT PROJECT 10,000.00; IOWA DEPARTMENT OF INSPECTIONS & APPEALS 64.00; IOWA DEPARTMENT OF REVENUE 128.75; IOWA DEPT OF NATURAL RESOURCES 50.00; IOWA DEPT OF TRANSPORTATION 2,489.00; IOWA DEPT PUBLIC SAFETY 6,636.00; IOWA LAKES CORRIDOR DEV CORP 15,000.00; IOWA LAKES ELECTRIC COOP 1,634.00; IOWA LAKES REGIONAL WATER 48,999.95; IOWA NATURAL HERITAGE FOUNDATI 100.00; IOWA PRISON INDUSTRIES 3,152.13; IOWA SECRETARY OF STATE 1,727.94; IOWA SPORTSMAN 275.00; IOWA STATE COMPTROLLER TREASURER-STATE OF IOWA 82,197.49; IOWA STATE MEDICAL EXAMINER 4,363.73; IOWA STATE UNIVERSITY 125.00; IOWA STATE UNIVERSITY 450.00; IPERS 338,730.20; ISABEL ANDRADE 169.07; ISAC 4,209.15; ISCTA IOWA STATE CO TREASURERS ASSOC 400.00; ITSAVVY LLC 4,207.03; J3RED MARKETING LLC 1,019.75; JACK'S UNIFORMS & EQUIPMENT 39.95; JACOB STEFFEN 200.00; JACOBSEN TREE EXPERTS, INC 1,400.00; JAMES F BLACK 16.36; JAMES MCBROOM 45.78; JAMIE CLARK 1,135.38; JANET GRITTEN 285.59; JANET MARIE MAGNUSSEN 29.54; JANET PETERSON 22.89; JANITORS CLOSET LTD 245.32; JASON BUTLER 45.00; JASON FASTENOW 101.08; JEAN L SASSMAN 308.00; JEANA

CHRISTIANSEN 8.72; JEFF KESTEL 78.48; JENNIFER GOEBEL 150.00; JENNIFER MORAL 148.17; JERILYN SAHR 165.23; JESS BADERTSCHER 68.67; JESUS ROJO 14.00; JIM WISCHMEYER 88.29; JOHANNA HOSTETLER 45.00; JOHN NELSON 13.08; JOHN SCHMIT 990.51; JOHNSTON AUTOSTORES 11,069.12; JON BUSS 60.00; JON KRUSE 26.34; JOSEPH CRONIN 88.73; JOSEPH KELLER 330.00; JOSH NIELSEN 53.30; JPATS/USMS 3,821.00; JUD GRAESING 200.00; JUDY BODHOLDT 40.22; JULIE ALBRIGHT 623.58; JULIE SATHER 361.68; JULIUS CLEANERS 684.50; JUSTICE FIRE & SAFETY 512.75; KARL LAURSEN 8.72; KARLA AHRENDSEN 137.34; KATHY ERICKSON 55.80; KEL ANDERSON 8.52; KELLY SNYDER 559.17; KELSEY ALLEN 769.00; KENNETH BLAKE MCMILLAN 2,400.00; KEN'S PHONE STORE 50.00; KENT L. GEFFE 169.00; KENT PATTERSON 28.35; KEVIN LULLMANN 200.00; KEVIN MCKINNEY 2.73; KEVIN WEIFENBACH 500.00; KIM BRILEY 18.24; KIMBALL MIDWEST 3,828.30; KRISTEN FOX 10.90; KYLE V HANSEN 269.76; L & G PRODUCTS INC 429.00; LACEY ANDERSON 78.49; LAKESHORE LEARNING MATERIALS 1,840.90; LARRY STONE 180.00; LARSON OIL & DISTRIBUTING 3,315.17; LEIGH MADSEN 49.05; LEIGH SCHULTZ 40.33; LEISA MAYER 418.25; LEXIS NEXIS RISK DATA MANAGEMENT INC. 459.29; LIBERTY NATIONAL LIFE INS CO 6,198.90; LIFE SKILLS TRAINING 168.00; LINDA MATTSON 35.42; LINDA WHITE 69.76; LINN GROVE CORP 4,050.00; LISA BRINGLE 1,223.85; LISETTE DE LA CRUZ 590.91; LOEWS CARPET ONE 442.95; LOFFLER COMPANIES 1,953.03; LONG LINES BROADBAND 10,255.37; LORI ARENDS 32.70; LORNA KAHL 500.00; LOUGHLIN LAW FIRM 2,400.00; LOUISE GALBRAITH 938.60; LUCHT HOUSING 800.00; LULLMANN DUST CONTROL 1,912.50; M RUGGED MOBILE TECHNOLOGY 2,971.00; MACQUEEN EQUIPMENT, LLC 1,191.44; MAIL SERVICES LLC 1,330.11; MAIN STREET SPECIALTIES, LLC 22,128.00; MARATHON CORP 4,050.00; MARCO TECHNOLOGIES LLC 1,137.64; MARCUS LUMBER 12.00; MARGIE ROBINSON 21.91; MARK BURKITT 192.59; MARK KIRKHOLM 52.32; MARSHALL CO SHERIFF 31.00; MARTIN MARIETTA MATERIALS 6,160.40; MARY REHNSTROM 25.07; MARY SPRICK 7.63; MATTHEW FASSLER 150.00; MAVIS LOVING 19.62; MEDICAL PRIORITY CONSULTANTS 8,796.00; MEGAN R. SANKEY, CSR,RPR 100.00; MELANIE ANDERSON 282.84; MENARDS - SPENCER 109.93; MID AMERICAN ENERGY 20,205.57; MID SIOUX OPPORTUNITY INC 28,037.13; MIDAMERICAN ENERGY 2,037.77; MIDDENDORFF WELL COMPANY INC 680.00; MIDWEST ALARM SERVICES INC 1,255.80; MIDWEST COMPLIANCE ASSOCIATES 1,500.00; MIDWESTERN MECHANICAL OF IOWA, INC 67,564.03; MIDWESTERN MECHANICAL, INC 190.00; MODLIN CONSTRUCTION 200,000.00; MOODIE REFRIGERATION 360.00; MOTOROLA SOLUTIONS, INC. 3,500.75; MURPHY TRACTOR & EQUIPMENT CO 275,032.00; NATIONAL FLUID POWER INSTITUTE 1,195.00; NEAPOLITAN LABS LLC 3,500.00; NETSMART TECHNOLOGIES, INC. 5,180.38; NETWORKS, INC. 236.25; NEW HOPE VILLAGE 5,303.27; NEWELL CORP 4,050.00; NICOLE DIISCHER 365.40; NORTH LAKE TRUCK REPAIR 6,374.78; NORTHERN LIGHTS DISTRIBUTING, INC. 16,272.84; NORTHWEST IOWA ASSESSOR'S ASSOCIATION 200.00; NW IA PLANNING & DEV COM 4,070.00; NW IA YES CENTER 19,529.55; ODP BUSINESS SOLUTIONS LLC 630.69; OFFICE DEPOT 530.78; OFFICE ELEMENTS 1,414.48; OFFICE OF AUDITOR OF STATE 23,889.40; OHIO NATIONAL 700.00; OLSEN WELDING & MACHINE 3,336.10; PAKOR, INC 290.55; PAM JACOBSON 200.14; PAMELA BOGUE 39.24; PATRICIA BAKER 40.33; PAUL SENNERT 204.36; PEDERSEN FARMS 300.00; PETTY CASH-CO. ATTORNEY 60.00; PHIL REDENBAUGH, P.C. 1,480.00; PHILLIP R DRIVER 15.26; PHOENIX SUPPLY 410.64; PILOT TRIBUNE 1,166.39; PITNEY BOWES 1,144.77; PITNEY BOWES INC 103.23; PITNEY BOWES RESERVE ACCOUNT 8,553.93; PIZZA RANCH #13406 104.50; PLAINS AREA MENTAL HEALTH, INC 545,315.07; PLAINS AUTOMOTIVE EQUIPMENT INC 157.68; PLUMBING & HEATING 807.54; PLYMOUTH COUNTY SHERIFF 46.80; POCAHONTAS CO SHERIFF 78.40; POLICE LEGAL SCIENCES 960.00; POSTMASTER 1,414.00; POWER SOLUTIONS, INC. 2,406.91; PRAIRIE FABRICATION 873.90; PRINCIPAL LIFE INSURANCE COMPANY 18,731.51; PRISCILLA JACKSON 58.00; QUILL CORPORATION 1,241.04; R & D INDUSTRIES INC 50,533.75; RADAR ROAD TEC 691.00; RAINBOW BAIT, INC 563.20; RALPH WARKENTIN 9.82; RANDALL WILBUR ERICKSEN 7.63; RANDY ROBBINS 200.00; RANDY TILK 22.07; RAY ALLEN MANUFACTURING 100.97; REBNORD TECHNOLOGIES INC 14,479.65; REES TRUCK AND TRAILER, INC. 6,244.33; REGIONAL TRANSIT AUTHORITY 18,524.66; REIMER, LOHMAN, & REITZ 1,881.00; RELIANCE TELEPHONE INC 1,074.50; REMBRANDT CORP 4,050.00; RENT - ALL, INC. 95.00; RICHARD HALDIN 287.20; RICHARD

MARSHALL 243.60; RICK MEYER 58.86; RICOH USA, INC 71.21; ROAD MACHINERY & SUPPLIES CO. 46.50; ROBESON IOWA FARMS, LLC 500.00; ROLLING HILLS 282,100.96; RON WOOLRIDGE 500.00; RR ELECTRIC LLC 27,887.36; RTS TACTICAL 1,099.98; RUST'S WESTERN SHED 425.85; RYAN SMITH 560.00; S & P GLOBAL RATINGS 14,250.00; SAC COUNTY ENGINEER 351.36; SAC COUNTY HEALTH SERVICES 31,082.03; SAC COUNTY SHERIFF 170.08; SAC SUN 130.50; SAM ORTMANN 10.00; SANDRA K. SWEENEY 1,225.00; SARAH VANDERHOFF 19.62; SAVINGS BANK SECURITY TRUST & 261,621.42; SAVINGS BANK SECURITY TRUST & 179,331.39; SCHNEIDER GEOSPATIAL, LLC 11,220.00; SCHULTE LAW FIRM, LC 543.40; SEASONS CENTER 25,439.33; SEAT 150.00; SECRETARY OF STATE 60.00; SECURITY TRUST 61,197.00; SECURITY TRUST & SAVINGS BANK 250.00; SEILER INSTRUMENT & MFG. CO. INC 208.99; SEILER PLUMBING HEATING INC 4,800.24; SHANE CARAWAY 69.49; SHARON KOCH 921.47; SHEILA COUGILL 155.87; SHESLER HALL 17,710.61; SHIELD TECHNOLOGY CORPORATION 17,487.50; SHIRLEY JOHNSON 15.26; SHRED-IT,C/O STERICYCLE, INC. 467.42; SIOUX CENTRAL COMMUNITY SCHOOL 4,995.00; SIOUX CITY FIRE RESCUE CITY OF SIOUX CITY IOWA 10,411.50; SIOUX LUMBER 74.24; SIOUX RAPIDS CORP 4,050.00; SIOUX RIVERS FISCAL AGENT 644.58; SIOUXLAND MENTAL HEALTH SERVICES, INC. 622,563.34; SMOKIN' HEREFORD 820.23; SOLUTIONPOINT+, LLC 19,514.00; SOUTH CENTRAL CALHOUN COMMUNITY SCHOOL 500.00; SPENCER OFFICE SUPPLIES 5,832.68; SPORTS REHAB & PROFESSIONAL THERAPY ASSOCIATES, INC. 18,302.92; ST MARK LUTHERAN CHURCH 45.00; ST. MARYS PRESCHOOL 12,594.00; ST. ROSE OF LIMA PRESCHOOL 6,358.50; STAN HOUSTON EQUIP.CO INC 640.00; STANTON ELECTRIC INC 241.47; STAPLES CREDIT PLAN 333.49; STAPLES CREDIT PLAN 121.89; STEPHANIE J. EARLY 23.00; STEPHANIE STRUTHERS 8.18; STEVE HALDIN 255.00; STILLE PIERCE & PERTZBORN 580.00; STOREY KENWORTHY/MATT PARROTT 74.49; STORM LAKE ACE HARDWARE 1,735.51; STORM LAKE CORP 12,150.00; STORM LAKE GARAGE DOOR SERVICE 75.00; STORM LAKE HEARING AID SERVICE, INC 50.00; STORM LAKE HYDRAULICS 535.51; STORM LAKE TIMES 1,184.02; STORM LAKE TIMES PILOT 2,026.10; STORM LAKE UNITED 12,500.00; STRATFORD GRAVEL INC 537.36; STREICHER'S 2,250.08; SUE EHLERS 23.98; SUSAN LLOYD 212.01; SWEENEY COURT REPORTING 230.00; TAILORED GRAPHICS LLC 3,082.00; TAMI TENDAL 31.61; TASC 797.88; TCY MACHINE, INC. 88.00; TESSIER'S INC 197,955.42; THE BRIDGE OF STORM LAKE 285.00; THE JONES LAW FIRM 1,952.50; THE LAURENS HOUSE OF PRINT 1,186.00; THE PRIDE GROUP, INC 46,310.12; THE UNIVERSITY OF IOWA 50,654.69; THERESA JOCHUM 1,055.60; THOMAS HUSEMAN 46.87; THRESHERMAN & COLLECTORS ASSN. 2,500.00; TIFFANY SMITH 131.35; TODD KAY 300.00; TOM BLOMBERG 1,000.00; TREASURER STATE OF IOWA 2,973.98; TRI-COUNTY SPECIAL 130.00; TRIVIUM LIFE SERVICES 108,959.25; TROY THAMS 48.29; TRUAX COMPANY INC 406.90; TRUCK CENTER COMPANIES 258.32; TYLER TECHNOLOGIES, INC. 17,221.76; UNITY LAW + MEDIATION PLC 1,866.00; UNITYPOINT CLINIC OCCUPATIONAL MEDICINE 336.00; UNITYPOINT HEALTH - FORT DODGE 436.00; UPPER DES MOINES 15,000.00; US CELLULAR 4,790.51; US CELLULAR 540.00; VAN DIEST SUPPLY COMPANY 10,071.70; VANCE CORDS 60.00; VANDER HAAG'S INC. 9,616.51; VERIZON 180.00; VERIZON CONNECT NWF, INC. 2,577.34; VERIZON WIRELESS 4,675.65; VETTER EQUIPMENT CO 24.48; VFW POST 6172 180.00; VISA 14,248.83; VISA 1,492.85; VISION CARE DIRECT 4,810.48; VISTA PAINTS 909.10; WAHLTEK INC 61,853.00; WARNER FUNERAL HOMES & CREMATORY 1,400.00; WASHINGTON NATIONAL INS CO 3,514.07; WEBSTER COUNTY PUBLIC HEALTH 4,125.27; WEBSTER COUNTY SHERIFF 33.00; WEE WILDCAT DAYCARE 898.68; WELLMARK BLUE CROSS & BLUE SHI 495,361.21; WELLS FARGO FINANCIAL LEASING, INC. 453.00; WESCO INDUSTRIES INC 201,739.75; WEST PAYMENT CENTER 4,292.46; WEX BANK 4,419.71; WEX BANK 2,325.36; WHKS & CO. 10,714.04; WINDSTREAM 1,358.55; WINDSTREAM CABS 102.57; WOODBURY CO AUDITOR/TREASURER 19.45; WOODBURY CO SHERIFF 14,530.00; WOODHOUSE CHEVY BUICK MISSOURI VALLEY 75,094.00; XYBIX SYSTEMS, INC. 99.90; YOUTH SHELTER CARE OF 569.94; YVONNE SANDHOFF 7.09; ZIEGLER INC 131,902.25; ZION LUTHERAN PRE SCHOOL 6,046.50

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

**BOARD OF SUPERVISORS MEETING
THIRTY-FIRST MEETING, 2022 SESSION (31)
JULY 5, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 5, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **today's agenda**. Carried.

Engineer Bret Wilkinson presented the RISE Grant application for the Board Chair to sign. The application is for Immediate Opportunity Project Funding. Wilkinson stated that he wants the Local Development side, but it is up to IDOT, as they need to be on board with the project. Executive Director of NW IA Planning & Development Ted Kourousis was present for the discussion. Kourousis stated that usually the Local Development is \$10,000 - \$15,000 per new job created, and said that DOT urged them to get the application in. Kourousis stated that the application is for four miles of improvement, and usually they pay for one access, and this has more. Wilkinson stated that he is asking for the full four miles, presenting it as a whole, and let DOT decide. Wilkinson stated that the State could pay up to 50% of the actual costs and said that the consultant estimated the cost at \$13M, but that is on the high side. Wilkinson recommends approval of the application so it can be sent to IDOT soon, stating that September is the Local Development deadline. Motion by Huseman, second by Snyder, to approve and authorize the Chair to sign the **RISE Grant application** and **Resolution #2022-07-05-B** authorizing commitment of Local Funds for a RISE Project and Support of the Grant application and Minority Impact Statement. Carried.

RESOLUTION NO. 2022-07-05-B

A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, IOWA
AUTHORIZING COMMITMENT OF LOCAL FUNDS FOR A RISE PROJECT AND SUPPORT OF THE
GRANT APPLICATION

WHEREAS; Buena Vista County, Iowa, is the sponsor on an application to the IDOT RISE Program for partial funding to assist with roadway improvements to approximately 4 miles of the County roadway system and turning lanes on Iowa Highway 7 to the planned location of a new economic development project; and

WHEREAS; an immediate, non-speculative opportunity exists for permanent job creation; and

WHEREAS; that RISE funding is critical and essential to the job creation; and

WHEREAS; the Buena Vista County Board of Supervisors desires that these roadway and subsequent improvements identified in the proposed RISE project remain dedicated to public use and commit to maintenance of the county roadways now and in the future; and

WHEREAS; the Buena Vista County Board of Supervisors proposes to assist in the financing of said project upon its approval by the Iowa Department of Transportation,

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors, submit the application for RISE assistance to the Iowa Department of Transportation, and upon its approval, provide the non-RISE financial participation as outlined within said application.

Passed and Approved this 5th day of July, 2022.

/s/ Paul Merten, Chairman.....Attest: Susan K. Lloyd, County Auditor

Engineer Bret Wilkinson informed the Board of a property in Truesdale that is for sale and would be a centrally located shop with 14 acres that would be a good place to have a stockpile. Wilkinson stated that the current Truesdale shop could be sold, and they could move the current stockpile on M44 to the new Truesdale location, and then the M44 land could be sold. Wilkinson asked the Board to consider this option, and then to decide on the Alta parcel that was recently purchased. Wilkinson stated that they could keep the parcel in Alta and purchase the parcel in Truesdale, as this is an opportunity to improve. Snyder stated that he would like to see the County purchase the parcel in Truesdale. Merten commented that he does not want to push back projects like roads and bridges in order to buy another building. Merten stated that it would still take a good chunk of money to upgrade the Alta building, and then asked if this was the best value for the county dollars. Wilkinson stated that he will obtain more estimates on what needs to be done at the new parcel in Alta to be a new shop.

Secondary Road Report: They hauled the dirt to the BV County Fairgrounds and talked about what to do with the dirt after the fair event. They may leave the dirt on the infield and level it out as they want to keep it close to the tracks; Wilkinson stated that the asphalt for the M50 box culvert project was placed last Friday. They need to work on the shouldering, seeding, and fertilizing. Secondary Road will plant a few trees before late fall in the SW corner. Wilkinson is hoping to open the road this week; The crew has been mowing and blading gravel roads; Wilkinson stated that Platinum Crush paid for more dust control on 70th Ave.; Wilkinson stated that the survey is done, and they are working on what right-of-way to buy on the four miles of roads.

County Treasurer Danelle Haberman informed the Board that she had a request from Barry Meyer to redeem a tax sale certificate that the county has held since 2017. Meyer stated that he would pay it off and redeem the tax sale certificate, which would place the parcel back on the tax rolls. Meyer stated that he has been mowing the property for twenty plus years. Haberman stated that Meyer would pay the back taxes of \$392.25 plus a \$10 assignment fee, and then he will continue to pay taxes on the parcel. Motion by Huseman, second by Altena, to approve the **assignment of the Certificate of Purchase** on parcel #1002178014, in the City of Truesdale, to allow Barry Meyer to purchase this parcel, paying \$392.25 plus a \$10 assignment fee. Carried.

Motion by Ringgenberg, second by Snyder, to abate the delinquent Lake Creek Sanitary Sewer District special assessment, fees, and interest on **parcel #1030351009** in Washington Township, on the property of Galyerd A. Sadusky Trust. Carried.

Motion by Altena, second by Snyder, to approve the **minutes** of 6/28/22, as presented, today's **claims approval list**, **stamped drainage warrant register**, and the following **reports**: FY'22 Electronic Services System (ESS) Annual Report, BV County Continuing Disclosure Document prepared by Northland Securities, and May Early Childhood Iowa minutes & financials. Carried.

Motion by Ringgenberg, second by Huseman, to set a public hearing for a FY'23 BV County **budget amendment**, for July 26, at 9:00 a.m. Carried.

Env Health/Zoning Director Kim Johnson presented information on a Minor S/D request from the Arlen Carlson Estate in Section 5 Nokomis Township. Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2022-07-05-A** Minor S/D for Arlen Carlson Estate in Section 5 Nokomis Township. Carried.

RESOLUTION 2022-07-05-A

WHEREAS the Arlen Carlson Estate has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION – LOT 1 OF LOT F:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NW 1/4 NW FRAC 1/4) OF SECTION 5, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Northwest Fractional Quarter (NW FRAC 1/4) of the said Section 5; Thence on an assumed bearing of South 00° 04' 23" West, along the West line of said Northwest Fractional Quarter (NW FRAC 1/4), 360.48 feet to the Northwest (NW) Corner of Lot F of said Section 5, said point also being the Point of Beginning. Thence South 88° 21' 20" East, along the North line of said Lot F, 403.01 feet to the Northeast (NE) Corner of said Lot F; Thence South 01° 13' 14" West, along the East line of said Lot F, 243.46 feet; Thence North 88° 38' 00" West, 52.00 feet; Thence South 23° 50' 46" West, 75.00 feet; Thence North 88° 03' 35" West, 74.00 feet; Thence South 06° 31' 56" West, 8.00 feet; Thence South 89° 56' 41" West, 240.90 feet to the West line of said Northwest Fractional Quarter (NW FRAC 1/4); Thence North 00° 04' 23" East, along said West line, 328.00 feet to the Point of Beginning.

Hereafter known as Lot 1 of Lot F of Section 5, Township 91 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

Parcel contains 2.83 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:

DESCRIPTION – LOT 1 OF LOT F:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NW 1/4 NW FRAC 1/4) OF SECTION 5, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Northwest Fractional Quarter (NW FRAC 1/4) of the said Section 5; Thence on an assumed bearing of South 00° 04' 23" West, along the West line of said Northwest Fractional Quarter (NW FRAC 1/4), 360.48 feet to the Northwest (NW) Corner of Lot F of said Section 5, said point also being the Point of Beginning. Thence South 88° 21' 20" East, along the North line of said Lot F, 403.01 feet to the Northeast (NE) Corner of said Lot F; Thence South 01° 13' 14" West, along the East line of said Lot F, 243.46 feet; Thence North 88° 38' 00" West, 52.00 feet; Thence South 23° 50' 46" West, 75.00 feet; Thence North 88° 03' 35" West, 74.00 feet; Thence South 06° 31' 56" West, 8.00 feet; Thence South 89° 56' 41" West, 240.90 feet to the West line of said Northwest Fractional Quarter (NW FRAC 1/4); Thence North 00° 04' 23" East, along said West line, 328.00 feet to the Point of Beginning.

Hereafter known as Lot 1 of Lot F of Section 5, Township 91 North, Range 38 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:

DESCRIPTION – LOT 1 OF LOT F:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (NW 1/4 NW FRAC 1/4) OF SECTION 5, TOWNSHIP 91 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest (NW) Corner of the Northwest Fractional Quarter (NW FRAC 1/4) of the said Section 5; Thence on an assumed bearing of South 00° 04' 23" West, along the West line of said Northwest Fractional Quarter (NW FRAC 1/4), 360.48 feet to the Northwest (NW) Corner of Lot F of said Section 5, said point also being the Point of Beginning. Thence South 88° 21' 20" East, along the North line of said Lot F, 403.01 feet to the Northeast (NE) Corner of said Lot F; Thence South 01° 13' 14" West, along the East line of said Lot F, 243.46 feet; Thence North 88° 38' 00" West, 52.00 feet; Thence South 23° 50' 46" West, 75.00 feet; Thence North 88° 03' 35" West, 74.00 feet; Thence South 06° 31' 56" West, 8.00 feet; Thence South 89° 56' 41" West, 240.90 feet to the West line of said Northwest Fractional Quarter (NW FRAC 1/4); Thence North 00° 04' 23" East, along said West line, 328.00 feet to the Point of Beginning.

Hereafter known as Lot 1 of Lot F of Section 5, Township 91 North, Range 38 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 5th day of July, 2022.

/s/ Paul Merten, Chairman Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Motion by Huseman, second by Altena, to authorize the Chair to sign the response letter to the auditing firm, regarding the **FY'21 audit**. Carried.

Chairman Merten updated the Board regarding the Rolling Hills Region Governance Board Meeting that was held, to discuss the MOU for Rolling Hills Community Services Region. Merten stated that the Governance Board had approved the MOU, and now it was back to all counties for their approval. Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign the **Memorandum of Understanding** (MOU) Regarding Reimbursement from Rolling Hills Community Services Region for County Employees, those employed by Buena Vista County. Carried.

Motion by Snyder, second by Ringgenberg, to approve and authorize the Supervisors to all sign the **28E Agreement** for Rolling Hills Community Services Region. Carried.

Supervisor Meeting Reports: Merten attended the Rolling Hills Governance Board meeting last week and will be at the Department Head meeting on Thursday; Ringgenberg attended the quarterly meeting of the Iowa Lakes Corridor last week.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 10:13 a.m. until Tuesday, July 19 at 8:30 a.m. for a regular meeting. (No meeting is planned for July 12)

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-SECOND MEETING, 2022 SESSION (32)
JULY 12, 2022**

NO BOARD MEETING HELD

**BOARD OF SUPERVISORS MEETING
THIRTY-SECOND MEETING, 2022 SESSION (32)
JULY 19, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, July 19, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, and Snyder and with 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 Snyder, second by Huseman, to approve **today's agenda** and approving to pay the Wellmark bill with today's claims date once it is received. Carried.

Motion by Huseman, second by Altena, to approve the **utility permit** for the City of Storm Lake for fiber optic conduit and cable from water treatment plant to the well 90th Avenue making connection on 590th Street. Carried.

Discussion on whether to purchase or sell buildings for Secondary Road will continue July 26 with a decision to be made on that date.

Secondary Road Report: Busy mowing on gravel roads, will be working on crossroad culverts near Platinum Crush site next week. The M50 Bridge with the new box culvert is now open. The roads department plans to plant a few trees near that location in the fall.

The Chair opened the public hearing for a **Master Matrix** for **Blue Jay Farms 1, LLC** in Section 25 of Coon Township, with Environmental Health Director Kim Johnson, present. Johnson reviewed the Master Matrix with the Board, explaining the points. There are 440 points needed to pass, and Blue Jay Farms 1, LLC received 445 points, and satisfies the minimum requirements for air, water, and community. Public comments were heard and were made note of in the resolution before the motion was made. Motion by Snyder, second by Altena, to close the public hearing. Carried.

Motion by Snyder, second by Huseman, to approve **Resolution 2022-07-19-A**, with added comments for the Blue Jay Farms 1, LLC's application to the DNR. Carried.

RESOLUTION 2022-07-19-A

Recommending approval of the Blue Jay Farms 1 (Legacy Finisher Farm) Construction Application to the Iowa Dept. of Natural Resources.

WHEREAS, the Buena Vista County Board of Supervisors has adopted the Master Matrix CAFO construction applications to provide an opportunity for local input; and

WHEREAS, a construction application for the construction of two 101'.10" X 200' swine wean to finish barns with 8' deep concrete pit manure storage has been submitted by Blue Jay Farms 1 (Legacy Finisher Farm) on June 23, 2022; and

WHEREAS, the Buena Vista County Environmental Health Director has reviewed the application using the Master Matrix, finding a score of 445 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points

WHEREAS, the Board of Supervisors published a notice in the Storm Lake Times Pilot on July1, 2022 as required, and held public hearing in the Supervisors Meeting Room at the Courthouse on July 19, 2022, for the purpose of receiving public comment; with responses provided: None

WHEREAS, the Board of Supervisors shall submit the recommendation within 30 days of DNR receipt of application,

WHEREAS, the Board of Supervisors, has assembled their comments with knowledge provided for submission to the DNR; None

NOW THEREFORE BE IT RESOLVED that the Buena Vista County Board of Supervisors hereby recommends **approval** of the construction application of the Blue Jay Farms 1 (Legacy Finisher Farm) Construction Application.

PASSED, APPROVED AND ADOPTED this 19th day of July 2022.

/s/ Paul Merten -Chairperson, Board of Supervisors.....s/ Sharon Henkel, Deputy Auditor

Motion by Huseman, second by Snyder, to approve the minutes of 7/5/22, as presented, today's claims approval list, stamped drainage warrant register, and the following reports: Quarterly Recorder's Report of Fees Collected (Apr-June), June Sheriff's Report of Federal Inmate Billings, June Sheriff's Report of Fees Collected, March 911 Service Board Meeting minutes, March SHIELD Board Meeting minutes, May RIDES Board of Directors Meeting minutes, May NWIPDC Policy Council Meeting minutes, 2021 Annual Report for Upper Des Moines Opportunity, Buena Vista County OPEB Plan Actuarial Report for FY'22, June Solid Waste minutes, June VA Commission minutes, and June Conservation Board minutes. Carried.

Motion by Huseman, second by Snyder, to approve the request of Steve Haldin to carry over an additional 12.3 hours of vacation, due to being busy and short staffed. Haldin plans to use the vacation by November. Carried.

Motion by Snyder, second by Huseman, to authorize the Auditor to create Fund 2022 Debt Service Fund for the G O Bond Series 2022A, effective July 1, 2022. Carried.

Motion by Altena, second by Huseman, to approve the fireworks permit for Rick Glienke, for August 6, 2022, with Glienke being responsible for all safety and liability. Carried.

Motion by Snyder, second by Altena, to appoint Tom Huseman and Don Altena as Board of Supervisor representatives to the Hazard Mitigation Planning Committee. Carried.

Bldgs/Grounds Supt. Joe Keller reviewed the Public Health remodel project bid that was received. Motion by Altena, second by Snyder, to approve and authorize the Chair to sign the **Public Health remodel project** contract with Efficient Construction LLC in the amount of \$ 750,451, which will be paid from ARPA Funds. Carried.

Bldgs/Grounds Supt. Joe Keller gave his **department update** to the Board. Roofing is almost done. The roofs on the courthouse and the sheriff's office are good and tight now. The new roofs have a 20-year warranty. Keller would like to thank his staff for their hard work during this project with all the extra cleanup.

Treasurer Danelle Haberman presented the semi-annual report, ending June 30, 2022. Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **Treasurer's Semi-Annual Report** for June 30, 2022, and to authorize the publication in the newspapers. Carried.

Discussion with Kim and Bret and the Board about **Env Health/Zoning position** and if they want to separate the two positions when Johnson retires, or if the Board wants to keep them together, as they are currently. The consensus of the Board was to keep the position as one position as it currently is and has been. Johnson said that an inspector needs to be hired as soon as possible.

Supervisor Meeting Reports: Merten will attend the Rolling Hills Governance Board meeting tomorrow.

There being no further business, motion by Snyder, second by Altena, to adjourn the meeting at 11:41 a.m. until Tuesday, July 26 at 8:30 a.m. for a special meeting.

Sharon Henkel, Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-THIRD MEETING, 2022 SESSION (33)
JULY 26, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, July 26, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Ringgenberg, second by Altena, to approve **today's agenda**. Carried.

Motion by Snyder, second by Huseman, to approve the **utility permit** for Cherokee Rural Water, Cherokee, IA, to bore under 70th Ave. from the right-of-way in the SE ¼ of Section 36 Maple Valley Township to the right-of-way in the SW ¼ of Section 31 Washington Township, for a new water pipeline for the transmission of potable water to the soybean crush plant office. Carried.

Motion by Ringgenberg, second by Snyder, to table the discussion of increasing the pricing to the driveway/field entrances construction services until August 2. Carried.

County Engineer Bret Wilkinson presented a resolution to the Board for their consideration, to participate in the SS4A (Safe Streets For All) Grant Application. Wilkinson stated that the IA County Engineers Association plans to apply for a grant to develop and supply all 99 counties with an eligible Action Plan at no cost to the counties, which would allow all counties to apply for SS4A Grant funds in the coming years. Wilkinson recommends that the county approve this resolution. Merten stated that he was concerned about what the Federal Government could do to the county in the future, possibly taking away local control. Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign Resolution #2022-07-26-B, for PARTICIPATION IN SS4A GRANT APPLICATION. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: Merten. Motion carried.

RESOLUTION No. 2022-07-26-B

RESOLUTION FOR PARTICIPATION IN SS4A GRANT APPLICATION

WHEREAS, as part of the new Federal Transportation Bill, Infrastructure Investment and Jobs Act (IIJA), there is over \$1B of roadway safety funding available in the form of Safe Streets and Roads for All (SS4A) grants. To be an eligible applicant for this new safety funding, a county MUST have an eligible Action Plan in place; and

WHEREAS, the Iowa County Engineers Association (ICEA) plans to apply for a SS4A grant to develop and supply all 99 counties in Iowa with an eligible Action Plan at no cost to the counties. ICEA encourages all 99 counties to participate in this grant application; and

WHEREAS, the Buena Vista County Board of Supervisors will commit to achieve significant declines in roadway fatalities and serious injuries in Buena Vista County; and

WHEREAS, the Buena Vista County Board of Supervisors recognizes the Action Plan and will assist the County Engineer's department in achieving the goal of a dramatic decrease in roadway fatalities and serious injuries and zero roadway fatalities and serious injuries by the years 2030 and 2050, respectively; and

WHEREAS, the Buena Vista County Board of Supervisors, after consulting with the Buena Vista County Engineer, desires to participate in a joint SS4A grant to develop and receive an eligible Action Plan for Buena Vista County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY that this County does hereby request to be included in the statewide SS4A grant to develop Actions Plans for all 99 counties in Iowa.

Resolution adopted this 26th day of July, 2022, by the Buena Vista County Board of Supervisors.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Engineer Bret Wilkinson informed the Board that the building in Truesdale is still available and would be a good option for a county shop. Wilkinson informed the Board that the county owns the building in Alta that was purchased from the Arthur Dahl Estate, and he has not found a buyer interested in purchasing this building if the county wanted to pursue purchasing the building in Truesdale instead. Ringgenberg commented that the county already spent the money for the building in Alta and should keep it. Merten stated that the original intention was to combine things in Alta, remodel the new building, and then sell the existing county shop in Alta and Truesdale. Huseman commented that had the Board known about the building in Truesdale prior to the Alta property coming up for auction, their decision may have turned out differently. Snyder commented that there is another individual that is interested in purchasing

the Truesdale property. Motion by Ringgenberg, second by Snyder, to forego the purchase of the Truesdale property. Carried.

Engineer Bret Wilkinson asked the Board if they wanted him to go ahead and insulate the front 80' of the new Alta building, with the crew building an interior wall with 24' sliding doors. Wilkinson stated that he would prefer insulating the whole building, stating that he cannot give up the existing shop building until the new building is insulated. Merten commented that he would prefer that Wilkinson wait until next fiscal year and can include the figures in his budget. The consensus of the Board was to have Wilkinson take his time and do it right, waiting until the remodeling cost is included in the next fiscal year budget, and they have a plan established.

The Chair opened the public hearing for the FY'23 budget amendment. Notice was published as required. No written objections have been submitted and no objections were offered during the hearing. Motion by Snyder, second by Altena, to close the public hearing. Carried.

Motion by Ringgenberg, second by Huseman, to approve the FY'23 budget amendment as published, to authorize the Chair to sign the Budget Amendment certification, to sign Resolution #2022-07-26-A, and to approve the following appropriations:

Increase activity	0300	General Basic Fund (0001)	Dept 90	\$24,233
Increase activity	0030	Shared Drainage Fund (0029)	Dept 15	\$105,000
Increase activity	0030	ARPA Fund (0033)	Dept 59	\$14,654
Increase activity	0110	Debt Service Fund (2022)	Dept 85	\$423,249
Increase activity	0200	Capital Project Loan Fund (1540)	Dept 81	\$4,039,368
Increase activity	0210	CLAT Fund (0027)	Dept 22	\$50,000
Increase activity	0220	REAP Fund (0023)	Dept 22	\$50,000
Increase activity	0220	ARPA Fund (0033)	Dept 59	\$193,207
Increase activity	0220	Capital Loan Fund (1520)	Dept 22	\$92,833
Decrease activity	1100	General Basic Fund (0001)	Dept 04	-\$5,000
Increase activity	1100	Attorney Forfeiture Fund (0035)	Dept 04	\$5,000
Increase activity	3040	ARPA Fund (0033)	Dept 59	\$83,750
Increase activity	6110	General Basic Fund (0001)	Dept 22	\$80,000
Increase activity	6320	ARPA Fund (0033)	Dept 59	\$15,000
Increase activity	9010	ARPA Fund (0033)	Dept 59	\$46,209
Increase activity	9030	General Basic Fund (0001)	Dept 98	\$25,000
Increase activity	9040	MHDS Fund (0006)	Dept 61	\$130,718 Carried.

RESOLUTION NO. 2022-07-26-A

RESOLUTION AMENDING THE FY'23 ANNUAL BUDGET BY ADOPTING BUDGET AMENDMENT #1

WHEREAS the Board of Supervisors approved Departmental Appropriations on June 28, 2022 for all departments, of the fiscal year beginning July 1, 2022 in accordance with Section 331.434, Subsection 6, Code of Iowa; and

WHEREAS the Board of Supervisors has held the necessary hearing after having caused to be made the publication and notice required by law; and

WHEREAS the Board of Supervisors has reviewed the budget amendment #1 for FY'23, as presented by the County Auditor, increasing appropriations by \$5,478,221; and

WHEREAS the Board of Supervisors believe the aforesaid budget amendment #1 proposed for FY'23 to be in the best interests of Buena Vista County.

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

SECTION ONE: That the FY'23 budget for Buena Vista County, Iowa, on file in the County Auditor's Office is hereby amended and approved.

SECTION TWO: That this resolution shall be in full force and effect from and after its passage and approval in the manner provided by law, and the County Auditor is directed to make the filings required by law and to set up the books in accordance with the summary and details as adopted.

PASSED, APPROVED, AND ADOPTED this 26th day of July, 2022, by the Buena Vista County Board of Supervisors.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Engineer Bret Wilkinson informed the Board that he received communication from IDOT regarding the **RISE application**. Wilkinson stated that IDOT offered to convert the application from an Immediate Opportunity to a Local Development. If the application is for an Immediate Opportunity, the potential RISE Grant is estimated between \$510,000-\$663,000, and has a contingency based on jobs. If the application is for a Local Development, the potential RISE Grant is estimated at about \$2.6 million, and has a contingency based on RISE eligible development for a pre-determined number of acres. Local Development is more restrictive, as Wilkinson stated that it is tied more to the land. Wilkinson recommends converting the application from an Immediate Opportunity to a Local Development for the RISE Grant. The consensus of the Board to approve Engineer Wilkinson to email IDOT with his recommendation to convert the application for the RISE Grant to a Local Development.

Secondary Road Report: The crew has been working on driveways, and replacing crossroad culverts by Platinum Crush, with ten to be replaced on the 4-miles of road. Engineer Wilkinson stated that it will take 4-6 weeks to complete all of the culvert replacements; Engineer Wilkinson is waiting for information from the BV County Fair Board as to whether they had a good turnout for the motor cross event, and if they made money on it.

Hear the Public: County Attorney Paul Allen introduced his newest employee, Rebecca Kern, as an Assistant County Attorney, effective July 25, 2022. The Board welcomed Rebecca to Buena Vista County.

Hear the Public: Auditor Susan Lloyd asked the Board to consider moving the Auditor/Elections Department to another location, where the machines, cages, and supplies could be stored, and it would be easier and safer to load the cages and transport them to the precincts prior to Election Day. Election Deputy Karla Ahrendsen presented photos for the Board to see the process currently, on getting everything loaded into the cages, and then maneuvered through the old jail, to the garage, and pushed up the ramp to be loaded on a trailer, to then be delivered to the precincts. Deputy Sharon Henkel, Real Estate Deputy Kristina Konradi, and Payroll Clerk Yvonne Sandhoff also gave their concerns to the Board on the difficulties of the current process, and everyone is concerned about the safety issues. Auditor Lloyd mentioned to the Board that the Color-ize building would be coming up for sale and asked the Board to consider the possibility of using ARPA funds to purchase the building. It would be a perfect location for the election equipment,

cages, and supplies, and has a driveway that would make it ideal for loading on to the trailer for distribution to the precincts. The supervisors were encouraged to stop and look at the building, when they had time, along with Bldg/Grounds Supt. Joe Keller.

Supervisor Meeting Reports: Merten will be meeting with the City of Storm Lake after the meeting today. The city is requesting the use of county green space for their Community Betterment project.

Motion by Snyder, second by Altena, to approve the **minutes** of 7/19/22, as presented, and the following **reports:** None. Carried.

Motion by Huseman, second by Ringgenberg, to approve the **reissuance of a Rolling Hills region check issued to Calhoun County Public Health** for \$45.96 dated 6/7/2022 as the original check has been lost and never received. Carried.

Motion by Altena, second by Snyder, to approve the **Jt. DD #22, Lateral 252** for tile repairs completed by Abel Drainage & Excavating, Inc. in the amount of \$4,649, and return to Clay County for payment. Carried.

Motion by Snyder, second by Ringgenberg, to approve Buena Vista County becoming members of the **Iowa Businesses Against Trafficking (IBAT)**. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: Merten. Motion carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize chair to sign the **EBS - Employer Benefit Systems** renewal forms for the FY23 Plan year. Carried.

There being no further business, motion by Huseman, second by Altena, to adjourn the meeting at 10:20 a.m. until Tuesday, August 2 at 8:30 a.m. for a regular meeting

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-FOURTH MEETING, 2022 SESSION (34)
AUGUST 2, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 2, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Huseman, second by Snyder, to amend **today's agenda**, to add setting a public hearing for a budget amendment to the action items. Carried.

Engineer Bret Wilkinson discussed increasing entrance installation rates. The rates were last updated in March, 2021, and he usually tries to wait two years, but costs keep going up. Wilkinson recommends increasing the cost of pipe and increasing the cost of the dirt fill/entrance construction. Motion

by Huseman, second by Ringgenberg, to approve increasing **entrance installation rates**, for the cost of pipe and driveway entrances, due to increased material and labor costs, effective with any new driveway requests. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: None. Abstentions: Merten. Motion carried.

Engineer Bret Wilkinson discussed **dust control on 70th Ave.** by the Platinum Crush plant. Wilkinson stated that currently, the chemical used for dust control is out of stock, with more available August 10. Wilkinson stated that Platinum Crush paid for dust control from Hwy 7 south to Tate's house, four weeks later the county paid for it, and four weeks after that, Platinum paid for dust control again. Wilkinson asked the Board whether they would like the county to pay for the next application of dust control, which would be approximately \$3,500-\$3,700 for one application. Wilkinson was asking for a consensus of what the Board would like to see with future dust control applications around the Platinum Crush site. Huseman commented that he was in favor of applying the dust control, as it is a very dusty road. Merten agreed, that this is a dusty road, with the heavy traffic, and would be in favor of applying dust control. The consensus of the Board was to have the county apply dust control on 70th Ave. from Hwy 7 south past Tate's house, August 10th or 11th.

Engineer Bret Wilkinson informed the Board that the **DOT Commission** will be meeting next week, August 8-9, and recommends that someone from the County attend, as DOT will be making their decisions on the RISE Grant applications. Wilkinson stated that on August 9, the county may request a time to speak during the public input. The consensus of the Board was to have Engineer Wilkinson attend and request time to speak during the public input.

Secondary Road Report: The crew has been busy hauling gravel, blading, and mowing along the gravel roads; another crew has been working on the culvert replacements along the Platinum Crush site, with three culverts done, a 4th culvert to open today, and another three culverts to be done next week; Engineer Wilkinson has spent a lot of time on the RISE Grant application.

Env Health/Zoning Director Kim Johnson presented information on a Minor S/D request of Robert D. Jensen Jr. in Section 22 Washington Township. Motion by Snyder, second by Altena, to approve and authorize the Chair to sign **Resolution #2022-08-02-A** Minor S/D for Robert D. Jensen Jr. in Section 22 Washington Township. Carried.

RESOLUTION 2022-08-02-A

WHEREAS Robert D. Jensen Jr. has presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION - LOT E:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE 1/4 NW 1/4) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 22; Thence on a previously recorded bearing of South 00° 22' 44" West, along the East line of said Northwest Quarter (NW 1/4), 450.00 feet to the South line of Lot D in said Section 22, being also the Point of Beginning. Thence North 89° 50' 45" West, along said South line, 729.96 feet to the West line of said Lot D; Thence North 01° 17' 36" East, along said West line 450.00 feet to the North line of the South Half of the Northwest Quarter (S 1/2 NW 1/4); Thence North 89° 50' 45" West, along said North line, 160.09 feet; Thence South 00° 17' 36" West, 520.00 feet; Thence South 89° 50' 45" East, 889.95 feet to the East line of the Northwest Quarter (NW 1/4); Thence North 00° 22' 44" East, along said East line, 70.00 feet to the Point of Beginning.

Hereafter known as Lot E, in Section 22, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 3.08 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:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE 1/4 NW 1/4) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 22; Thence on a previously recorded bearing of South 00° 22' 44" West, along the East line of said Northwest Quarter (NW 1/4), 450.00 feet to the South line of Lot D in said Section 22, being also the Point of Beginning. Thence North 89° 50' 45" West, along said South line, 729.96 feet to the West line of said Lot D; Thence North 01° 17' 36" East, along said West line 450.00 feet to the North line of the South Half of the Northwest Quarter (S 1/2 NW 1/4); Thence North 89° 50' 45" West, along said North line, 160.09 feet; Thence South 00° 17' 36" West, 520.00 feet; Thence South 89° 50' 45" East, 889.95 feet to the East line of the Northwest Quarter (NW 1/4); Thence North 00° 22' 44" East, along said East line, 70.00 feet to the Point of Beginning.

Hereafter known as Lot E, in Section 22, Township 91 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:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE 1/4 NW 1/4) OF SECTION 22, TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northeast (NE) corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 22; Thence on a previously recorded bearing of South 00° 22' 44" West, along the East line of said Northwest Quarter (NW 1/4), 450.00 feet to the South line of Lot D in said Section 22, being also the Point of Beginning. Thence North 89° 50' 45" West, along said South line, 729.96 feet to the West line of said Lot D; Thence North 01° 17' 36" East, along said West line 450.00 feet to the North line of the South Half of the Northwest Quarter (S 1/2 NW 1/4); Thence North 89° 50' 45" West, along said North line, 160.09 feet; Thence South 00° 17' 36" West, 520.00 feet; Thence South 89° 50' 45" East, 889.95 feet to the East line of the Northwest Quarter (NW 1/4); Thence North 00° 22' 44" East, along said East line, 70.00 feet to the Point of Beginning.

Hereafter known as Lot E, in Section 22, Township 91 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 2nd day of August, 2022.

/s/ Paul Merten, Chairman Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Env Health/Zoning Director Kim Johnson informed the Board that she has received the draft permit for **Blue Jay Farms 1, LLC**.

Hear the Public: Steve Tate stopped in to voice his concerns about the dust control problem by the Platinum Crush site. Tate understood that the county took over oiling the road, but only did it once. Chairman Merten and Engineer Bret Wilkinson informed Tate that that the product is not available until August 10 and stated they had been discussing this subject before Tate arrived. Tate asked if there would

be extensions installed on the culvert on 70th Ave. south of 600th Street. Engineer Wilkinson stated that there would be extensions placed.

Motion by Ringgenberg, second by Altena, to approve the minutes of 7/26/22, as presented, today's claims approval list and stamped warrant report, and the following reports: May Board of Health minutes, FY'21 County Audit Report, and June 22 & June 30 Rolling Hills Community Services Region Governance Board minutes. Carried.

Motion by Snyder, second by Ringgenberg, to approve the County Attorney's appointment of Rebecca P. Kern, as Assistant County Attorney, beginning July 25, 2022. Carried.

Motion by Ringgenberg, second by Altena, to authorize all of the supervisors to sign the Anti-Human Trafficking Proclamation, taking a stand against human trafficking in Buena Vista County by joining Iowa Businesses Against Trafficking, a statewide initiative by the Iowa Secretary of State's Office which encourages businesses, agencies, and other entities to Learn Something and Do Something to help end Human Trafficking in Iowa. Carried.

Motion by Huseman, second by Snyder, to authorize the Auditor to dispose of the 2020 General Election ballots and papers, after September 2, 2022, and to notify the Party Chairs of when the shredding will happen. Carried.

Motion by Ringgenberg, second by Huseman, to set a public hearing for a FY'23 BV County budget amendment, for August 20, at 9:00 a.m. Carried.

Auditor Susan Lloyd asked the Board to consider moving the Auditor/Elections Department to another location, where the machines, cages, and supplies could be stored, and it would be easier and safer to load the cages and transport them to the precincts prior to Election Day. Auditor Lloyd stated that the Color-ize building would be a perfect location for the election equipment, cages, and supplies, and has a driveway that would make it ideal for loading on to the trailer for distribution to the precincts. Lloyd stated that if the whole Auditor's Office moved to the new location, along with the voting equipment, it would open up several areas in the Courthouse for other departments to expand, and it would remove all voting away from the Courthouse, allowing the Courthouse to be secure and locked on election night. Lloyd stated that by moving voting to the new building, it is handicap accessible, all on ground level, and there would not be as much walking for the voters as there is currently with voting in the courthouse basement. Supervisor Snyder stated he was in favor of purchasing the Color-ize building. Merten suggested that I.T. Director Tyler Van Houten go look at the Color-ize building, to see the existing wiring for servers, and if he can get fiber run to the building. The consensus of the Board was to have Lloyd contact the owner of the building to see if they could have two weeks to research this request further, before a decision is made. Merten commented that the request should be brought to the facilities committee, for their thoughts on this request.

There being no further business, motion by Snyder, second by Huseman, to adjourn the meeting at 10:25 a.m. until Thursday, August 11 at 8:30 a.m. for a special meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-FIFTH MEETING, 2022 SESSION (35)
AUGUST 11, 2022**

The Buena Vista County Board of Supervisors met in special session on Thursday, August 11, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Ringgenberg, second by Snyder, to approve **today's agenda**. Carried.

Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign the **utility permit** for Interstate Power and Light Co. (Alliant Energy), Spirit Lake, IA, for the accommodation of a field built structure for the transmission of electric metering purposes, along 490th St. in Section 10 Elk Township, from 50th Ave. (M31) center line at the intersection to 60' west on the south side ditch of 490th St. Carried.

Motion by Altena, second by Snyder, to approve and authorize the Chair to sign the **utility permit** for MidAmerican Energy Company, Fort Dodge, IA, to install underground three-phase to power a concrete plant for the transmission of three-phase, underground, distribution power, under 70th Ave. at 6027 70th Ave., to service a portable ready-mix plant. Carried.

Secondary Road Report: They have been replacing pipe on 70th Ave. by the Platinum Crush site, finishing #7, with two more to do on 70th Ave. and one more on 600th St.; the mowers have been going on the gravel roads and the hard surface roads; and crews are working on driveways. Wilkinson stated that dust control will be done later today on 70th Ave.

Engineer Bret Wilkinson informed the Board that he, Supervisor Huseman, and Supervisor Snyder attended the IDOT Transportation meeting last Tuesday. Wilkinson stated that BV County was awarded the **RISE Grant**, however DOT trimmed the project down to 1.5 miles of County roadway, the improvements to the Hwy 7/70th Ave. intersection, and the railroad crossing on 70th Ave. Wilkinson stated that the project estimate is \$6,565,982, and the RISE Grant was approved for up to 50% of the actual costs for these improvements. Huseman commended Wilkinson for his work on the RISE Grant application. Wilkinson stated that he is working on a revolving loan for the railroad crossing, along with safety funds. Merten thanked them all for attending the DOT meeting. Wilkinson stated that the county can start incurring costs now that they have been approved for the funding.

Engineer Bret Wilkinson provided a copy of the proposed engine brake ordinance that County Attorney Paul Allen developed. Wilkinson stated that the maximum civil penalty cannot exceed \$750, and the Board will have to decide on the amount that they want listed in the ordinance. Wilkinson stated that this would not be a county-wide ordinance, it would only apply to State Highway 7 between 60th Avenue and 80th Avenue, and Villa Road/70th Avenue between State Highway 7 and County Road 580th Street (C49). Merten asked who received the funds from a civil penalty, and Snyder stated that since it would be a county ordinance then the fees collected would go to the county. Motion by Ringgenberg, second by Altena, to set the civil penalty on the proposed engine brake ordinance at \$250, and to set the public hearing on the 1st Reading of **Chapter 4.5 Ordinance** Prohibiting the Unlawful Use of Engine and Compression Brakes, for Tuesday, August 23, at 9:00 a.m. in the Boardroom of the Courthouse. Carried.

Conservation Director/Weed Commissioner Greg Johnson presented his department update. Weed Department: They have been spraying since June, covering 1,024 miles, a 52% completion. Johnson stated that they will be done in mid-September with noxious weeds. Johnson has submitted a bill to the State for their contract spraying. There were three weed complaints received this year. Conservation: The Timber Ridge sewer project is completed, and they are adding three additional campsites, giving them 23 campsites. Johnson stated that the public response has been good, they have been busy on the weekends. Johnson stated that they will be looking at raising their rates, beginning January, 2023. The Bur Oak water project is to be completed next week. Johnson stated that Bur Oak has 12 campsites. Johnson stated that they are doing general maintenance and spraying the parks. Johnson updated the Board on the Linn Grove FEMA project. As for the Marina project, Johnson stated that there has not been much going on for conversation with the DNR. Johnson stated that the Conservation Board still wants to go forward with the Marina project and is applying for grants. Johnson also informed the Board that they have a vacancy on the Conservation Board, due to the passing of Mark Kirkholm.

Treasurer Danelle Haberman presented a corrected Semi-annual Settlement Report for 6/30/2022. Haberman stated that the Semi-annual report published in the papers is correct. Haberman stated that some numbers were listed in the wrong column, which has been fixed. Auditor Lloyd stated that the previous report did not include credit card payment and web payments as outstanding deposits. Auditor Lloyd also reminded the Board, that they are to also count the "start-up" cash that is in the department, and may have to begin their count sooner, prior to business transactions starting for the day. Motion by Snyder, second by Huseman, to approve and authorize the Chair and Auditor to sign the corrected Semi-annual Settlement Report for 6/30/2022. Carried.

Motion by Huseman, second by Altena, to approve the minutes of 8/2/22, as presented, and the following reports: July VA Commission meeting minutes, July Sheriff's Report of Federal Inmate Billings, and July Sheriff's Report of Fees Collected. Carried.

Motion by Snyder, second by Ringgenberg, to appoint Kaylynn Smit as a Medical Examiner Investigator (MEI), replacing Mark Kirkholm, who passed away. Carried.

Motion by Snyder, second by Ringgenberg, to authorize the Auditor to void and reissue check #315296 for \$46.87, dated 4/26/2022 to Thomas Huseman. Carried.

Motion by Ringgenberg, second by Huseman, to authorize the Auditor to void and reissue check #315945 dated 6/21/2022 for \$8.18, and check #922289 dated 6/24/2022 for \$210.00, both to Stephanie Struthers. Carried.

Motion by Ringgenberg, second by Snyder, to authorize the Auditor to void and reissue check #314859 for \$11.28, dated 3/29/2022 to Robert Skog. Carried.

Motion by Ringgenberg, second by Huseman, to authorize the Auditor to void and reissue check #315405 for \$883.06, dated 5/10/2022 to Gerald Weiland. Carried.

Motion by Snyder, second by Altena, to appoint I.T. Director Tyler Van Houten to the County Facilities Committee. Carried.

Merten informed the Board that the Facilities Committee had met and discussed the Color-ize building, and the request of the Auditor to move the Auditor/Elections Department out of the Courthouse, to a new location, for additional space needs and also providing space for election machines, equipment, cages, and supplies needed for the precincts on Election Day, and providing a safer way to load and unload

the cages of precinct equipment and supplies. Merten stated that the brick building across from Color-ize was sold to Exact Eye Care, and that the former Siefert Consultant building had been sold for over \$500,000. Merten stated that the realtor had contacted him about the old Meta Bank building, which is still for sale. Merten commented that Clay and Dickinson Counties have turned their courthouses over to the State for court services, and both have administration buildings. Merten commented that the Meta Bank would take a lot of additional funds to remodel if it were to be used as a county administration building. Another option discussed was the possibility of building a building on the north side of the courthouse, but that will take a while to be developed and built. If the Auditor's Office and Election department were to move to another building, it would free up office space in the courthouse for other offices to expand. Bldg/Grounds Supt. Joe Keller commented that with the Public Health remodeling, there will be three offices there available for either moving Environmental Health there or keeping the Veterans Office in the building. Huseman and Ringgenberg stated that they have issues with removing the Auditor from the Courthouse. Kathy Croker asked the Board if there had been an official study done on the space needs of the courthouse, to which the Board stated that there has not been a study done, this purchase option came up suddenly. Sherie Elbert stated that if the Drivers License Department were to move across the hall, if the Auditor's Office relocated, the State would have to be involved, as they have to approve, and they do the wiring. Kathy Croker informed the Board that they could ask for an exclusion on the sale of the Color-ize building. Merten stated that the Board needs to decide today whether to purchase the Color-ize building, to make an offer, or state they are not interested in purchasing. Election Deputy Karla Ahrendsen stated that if the Board did not want the whole Auditor's Office to move out of the Courthouse, then it would be better to build a building on the Courthouse grounds, so that the election equipment would be closer to the Courthouse and the Auditor's Office. Auditor Lloyd stated that if only the election equipment were moved and the Auditor's Office remained in the Courthouse, then absentee voting and Election Day voting would have to remain in the Courthouse. Bldg/Grounds Supt. Joe Keller stated that Color-ize is a good building and would like to see the election equipment and supplies moved into the west half, with the Veterans Affairs Office relocated to the east half of the building. Motion by Ringgenberg, second by Huseman to not make an offer on the **Color-ize building**, to think about other long-term plans for voting and an administration building. Ayes: Huseman, Ringgenberg. Nays: Altena, Snyder, Merten. Motion failed. Motion by Snyder, second by Altena, to make an offer of \$290,000 for the **Color-ize building**, including the existing furniture. Ayes: Altena, Snyder, Merten. Nays: Huseman, Ringgenberg. Carried.

There being no further business, motion by Ringgenberg, second by Altena, to adjourn the meeting at 11:02 a.m. until Tuesday, August 16 at 8:30 a.m. for a regular meeting.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-SIXTH MEETING, 2022 SESSION (36)
AUGUST 16, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 16, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **today's agenda**. Carried.

Secondary Road Report: They have opened up the 8th culvert, with one more to do on 70th Ave. and one more on 600th St.; the mowers have been going on the gravel roads and the hard surface roads; and crews are working on driveways; Wilkinson is working on the design of grading and the right-of-way on Hwy 7 and 70th Ave. Wilkinson stated that he will be meeting with the railroad, about the crossings at 70th Ave. and 80th Ave., then he will try to apply for railroad money; Wilkinson will be attending the ISAC meeting next week.

Motion by Huseman, second by Altena, to approve the **minutes** of 8/11/22, as presented, today's **claims approval list and stamped warrant report**, and the following **reports**: July Conservation Board minutes and July BV County Landfill minutes Carried.

Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2022-08-16-A** Approving Reimbursement of Training Expenses Agreement between the BV County Sheriff's Office and Sheriff's Deputies and to establish Residency Requirements for Deputies. Carried.

Motion by Huseman, second by Altena, to authorize the Auditor to **void and reissue check** #316201 for \$16.50, dated 6/21/2022 to Megan R. Sankey. Carried.

Attorney Dan Connell, Kyle Cejka, and Color-ize owner Lona Munger came to talk to the Board about a counteroffer for the Color-ize building. Connell stated that the original offer was for \$340,000 plus \$10,000 for the furniture. The Board had made a counter offer last week for \$290,000, which included the furniture. Connell stated that the building is right on, after looking at sales of other buildings in the area and stated that Kevin Cone appraised the building at \$340,000. Connell stated that the offer was still \$340,000, and Munger stated that the price included the walnut furniture, which was all custom made, and the counters, which were oak. Munger stated that the building is move-in ready, and the interior walls can be moved. Munger stated that the building is hard-wired and has two servers, all lights have been switched to LED with all ballasts having been removed. Munger stated that the building has a loading dock, with a garage door on both ends of the garage, as they needed it to move their large equipment in and out. Connell stated that the house to the north of Color-ize will be sold, so that would be an option to buy for more parking. The Board thanked them all for coming in, and then Connell, Cejka and Munger all left before the remainder of the discussion. Steve Brashears, Real Estate Specialists, was present and informed the Board that the former Meta Bank was for sale, with a listing price of \$575,000, stating there is 13,600 sq. feet of space, three staircases, 7 offices on the second floor, four bathrooms, and a large boardroom. There is also a full basement. Merten suggested that the courthouse facilities committee should go over and walk through the Meta Bank. Ringgenberg commented that the Color-ize building is excellent but does not help with growth in the future. Snyder agrees with Ringgenberg and said that Storm Lake is only going to continue to grow. Huseman asked when Munger would list her building. Merten stated that Munger would be listing her building for sale with a realtor after today's meeting. Altena stated that Color-ize is a good building and stated that the house to the north of the building would be going up for sale. Merten commented that nothing was budgeted for purchasing a building and suggested looking at borrowing from local banks. Auditor Lloyd informed the Board that there would still have to be a public hearing before the Board could borrow funds from a local bank. Lloyd stated that she had talked with Heidi Kuhl at Northland Securities prior to today's meeting, and had information available for the Board, looking at 3-, 5-, and 7-

year loan payback schedules if they were to borrow funds for the purchase. Merten asked Brashears about the county being listed as a reserved buyer, and Brashears stated that if the county did this, then if they decided to purchase the Color-ize building at a later date, Color-ize would not be obligated to pay a realtor fee. Huseman asked if the Board could meet again on Thursday, and if Munger would give them more time. Merten commented that Munger gave the Board until last Friday, and now presented them with the original offer, that if the county does not agree to purchase today, she will list it with a realtor. Kathy Croker asked the Board if a study had been done, to see what the space needs are for other offices and asked if other offices need additional space. Merten commented that depending on what happens with Environmental Health, if they move out to Public Health, then they need an office for the Zoning Administrator and Veterans Affairs, and drivers license needs more space. Croker stated that 20 years ago, a company came into the courthouse, visited with each officer to evaluate their space needs, and then made recommendations to the Board. Croker asked Lloyd if smaller cages could not be purchased, and Lloyd stated that these cages were intended for elections and having one cage per precinct with everything inside and locked until Election Day. Merten stated that the courthouse does not have ground level and we need to make it easier to haul the cages out. Merten stated that the county could look at the Meta Bank for an administration building. Ringgenberg then commented that if there was an administration building, then maybe other county buildings could be sold, and those departments could move into the Courthouse. Ringgenberg stated that the supervisors need to look at the future needs, and what they want to end up with. Env Health/Zoning Director Kim Johnson asked what the court needs were, and that has not been determined at this time. Merten commented that there is a counteroffer on the table and the Board needs to decide today whether to purchase Color-ize or not. Merten stated that he wants a plan on how it would be paid for and asked the Board if they wanted to consider the Meta Bank building across the street, or if they wanted to build a building. Motion by Ringgenberg, second by Snyder, to not purchase the **Color-ize** building, to look for a different temporary solution for the election department, and to make a long-term plan. Ayes: Huseman, Merten, Ringgenberg, Snyder. Nays: Altena. Motion carried.

Conservation Director/Weed Commissioner Greg Johnson talked to the Board about the parcel that was purchased for the Watershed project, which was then turned over to the County, stating that there are taxes due on the parcel, and there will be maintenance in the future. Johnson asked the Board to consider authorizing the Conservation Department to be the land manager of the White Family Trust parcel. Motion by Ringgenberg, second by Snyder, to approve and authorize Conservation to be the land manager of the **White Family Trust parcel**, that the county owns, and to also pay the property taxes that are due. Carried.

Conservation Director/Weed Commissioner Greg Johnson informed the Board of a vacancy on the Conservation Board, due to the passing of Mark Kirkholm. Johnson stated that he could advertise for the position, for a minimum of 30 days, and accept applications, which they would then forward to the Board of Supervisors to make their appointment. The appointment would be to fill the vacancy of Mark Kirkholm's position, with a term to expire 12/31/2025. Motion by Huseman, second by Altena, to authorize Conservation to advertise for the **Conservation Board vacancy**, take applications, and then provide them to the Board of Supervisors in order to make an appointment, for a term to expire 12/31/2025. Carried.

Motion by Ringgenberg, second by Snyder, to accept the Assessor's recommendation for allowance of the **2022 Homestead/Military Credit List**, the **2022 Disabled Veterans Homestead Credit List**, and the disallowance lists of five **2022 Homestead Tax Credits**, as per Iowa Code Section 425.3. Carried.

Chairman Merten suggested that for a temporary fix for the Auditor's **election space needs**, maybe turn the current boardroom over to the Auditor's Office, and to move the boardroom downstairs.

Kathy Croker asked the supervisors if they have been involved in conversations about the new **wind tower project**. Merten stated that a few supervisors had attended a meeting regarding the wind tower project. Croker stated that if they remove 80 current towers, the county will lose \$50M in valuation, and \$500,000 per year of revenue is generated for the county. Croker stated that the county's current ordinance includes a 7-year sliding scale from zero to 30% of valuation. The new wind tower project replaces four old towers with one new unit. Croker stated that the valuation is based on the cost to install, and when the company physically removes one tower and replaces it with four, the valuation starts all over again at zero, and at the 7th year it would be at 30% of value. Croker stated that the county could remove the Ordinance, which would remove the 30% sliding scale. The Board thanked Croker for the information.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 10:23 a.m. until Tuesday, August 23 at 8:30 a.m. for a special meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**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.

Sharon Henkel, 1st Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-EIGHTH MEETING, 2022 SESSION (38)
AUGUST 30, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, August 30, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **today's agenda**. Carried.

Secondary Road Report: The crew has been blading, mowing, and working on driveways. They are still working at building up a spot on 600th St. by the Platinum Crush Plant; Engineer Bret Wilkinson informed the Board that this is the last week of their four 10-hour days, then back to 8-hour days through the winter; Wilkinson has been talking with the contractor on when they will be crushing at the pits. Hayes Pit is to be done next month, and Goldsmith Pit will be done a year from now; Wilkinson stated that they are working on the design of the road in the Platinum Crush area, with a lot of talk about the flow of traffic, railroad crossing arms, and destination lights. Wilkinson stated that there has been a lot of discussion on redesigning the intersection. Wilkinson is looking for additional funding and grants; Wilkinson attended the ISAC meeting last week.

The Chair opened the public hearing for the 2nd **FY'23 budget amendment**. Notice was published as required. No written objections have been submitted and no objections were offered during the hearing. Motion by Ringgenberg, second by Altena, to close the public hearing. Carried.

Motion by Huseman, second by Snyder, to approve the 2nd **FY'23 budget amendment** as published, to authorize the Chair to sign the Budget Amendment certification, to sign Resolution #2022-08-30-A, and to approve the following appropriations:

Increase activity	0220	Capital Project Loan (1520)	Dept 22	\$317,001
Increase activity	0220	CLAT Fund (0027)	Dept 22	\$175,000
Increase activity	0220	CARES Fund (0032)	Dept 58	\$103,872
Increase activity	0220	ARPA Fund (0033)	Dept 59	\$1,158,458
Increase activity	0220	Capital Project Loan Fund (1540)	Dept 81	\$3,282,991
Increase activity	1000	General Basic Fund (0001)	Dept 05	\$27,684
Increase activity	1050	General Basic Fund (0001)	Dept 29	\$5,000
Increase activity	1050	General Suppl Fund (0002)	Dept 29	\$849
Increase activity	3200	General Basic Fund (0001)	Dept 21	\$10,000 Carried.

RESOLUTION NO. 2022-08-30-A
RESOLUTION AMENDING THE FY'23 ANNUAL BUDGET
BY ADOPTING BUDGET AMENDMENT #2

WHEREAS the Board of Supervisors approved Departmental Appropriations on June 28, 2022 for all departments, of the fiscal year beginning July 1, 2022 in accordance with Section 331.434, Subsection 6, Code of Iowa; and

WHEREAS the Board of Supervisors approved Budget Amendment #1 on July 26, 2022, thereby increasing appropriations by \$5,478,221, for a total budget after the amendment of \$38,989,385; and

WHEREAS the Board of Supervisors has held the necessary hearing after having caused to be made the publication and notice required by law; and

WHEREAS the Board of Supervisors has reviewed the budget amendment #2 for FY'23, as presented by the County Auditor, increasing appropriations by \$5,080,855; and

WHEREAS the Board of Supervisors believe the aforesaid budget amendment #2 proposed for FY'23 to be in the best interests of Buena Vista County.

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

SECTION ONE: That the FY'23 budget for Buena Vista County, Iowa, on file in the County Auditor's Office is hereby amended and approved.

SECTION TWO: That this resolution shall be in full force and effect from and after its passage and approval in the manner provided by law, and the County Auditor is directed to make the filings required by law and to set up the books in accordance with the summary and details as adopted.

PASSED, APPROVED, AND ADOPTED this 30th day of August, 2022, by the Buena Vista County Board of Supervisors.

/s/ Paul Merten, Chair, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

The Chair opened the Public Hearing for the 2nd Reading of Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes, with Engineer Bret Wilkinson, board members Altena, Huseman, Merten, Ringgenberg, and Snyder present in-person, and Sheriff Kory Elston, Conservation

Secretary Angie Wilkinson, and 3 other unidentified callers who were virtual. Motion by Altena, second by Ringgenberg, to close the public hearing. Carried. Motion by Snyder, second by Huseman, to approve the 2nd reading of **Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes**, waiving the physical reading of the document, and setting the 3rd reading for September 6, 2022 at 9:00 a.m. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion Carried.

Motion by Snyder, second by Altena, to approve the **minutes** of 8/23/22, as presented, today's **claims approval list and stamped warrant report**, and the following **reports**: None. Carried.

Motion by Ringgenberg, second by Huseman, to authorize the Auditor to **void and reissue check** #315002 for \$165.30, dated 4/12/2022 to Eric Yunginger. Carried.

County Attorney Paul Allen informed the Board that his office is fully staffed, but his 1st Assistant is on the ballot for the Clay County Attorney position, which would leave his office short staffed. Allen requested the Board to allow him to begin advertising for another **assistant attorney**, as it takes about 5-6 months to find someone. Allen stated that the hiring would be contingent on Assistant County Attorney Ashley Herrig vacating her position if she wins the Clay County Attorney position. The consensus of the Board was in favor of County Attorney Paul Allen advertising for an assistant attorney, with the hiring contingent on Herrig vacating the office.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 9:40 a.m. until Tuesday, September 6 at 8:30 a.m. for a special meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
THIRTY-NINETH MEETING, 2022 SESSION (39)
SEPTEMBER 6, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 6, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Altena, to approve **today's agenda**. Carried.

Motion by Ringgenberg, second by Huseman, to approve and authorize the supervisors to sign **Resolution #2022-09-06-A** Allowing the County Engineer to sign Iowa DOT documents on behalf of the supervisors for Project STBG-SWAP-CO11(116)--FG-11. Carried.

RESOLUTION #2022-09-06-A

WHEREAS, the Board of Supervisors, hereafter referred to as “the Board”, believes the STBG-SWAP-C011(116)--FG-11, hereafter referred to as “the project” is in the best interest of Buena Vista County, Iowa, and the residents thereof. The project is defined as Replacement of the bridge over the Little Sioux River in Linn Grove; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Buena Vista County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Godbersen-Smith Construction in the amount of \$3,233,933.45 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Bret R Wilkinson, the County Engineer for Buena Vista County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Buena Vista County, Iowa, this 6th day of September, 2022.

Board of Supervisors of Buena Vista County, Iowa

/s/ Paul Merten, Chairman, /s/ Rhonda Ringgenberg, /s/ Kelly Snyder, /s/ Don Altena, and /s/ Tom Huseman.....Attest: Susan K. Lloyd, County Auditor

Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign the utility permit for Iowa Lakes Regional Water, Spencer, IA, to drill under N. River Road in Section 6 Lee Township, for a new water line to service 1365 N. River Road. 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 drill from west to east under 20th Ave. from private property to private property, in Sections 19 & 20 Elk Township, for a new water line to service 5166 20th Ave. Carried.

Engineer Bret Wilkinson presented information that he received from the IDOT, stating that the State is not allowing placement of signs on State highways, unless it is something that addressed the whole county. Wilkinson stated that there basically is three options that the Board could take, regarding the Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes: the Board could pass the Ordinance as is, knowing signs won't be posted on the State highway right-of-way; the county could post signs on Villa Road or signs could be posted outside of the State highway right-of-way, back to the fence line; or the Board can decide not to pass the Ordinance, due to enforcement. Snyder stated that

it would be difficult to enforce. Merten stated that Wilkinson should go “up the chain of command” at the DOT and see if they give the same answer. Merten commented that it is not just one resident making this request, there are 80 residences in this one stretch of roadway. This will be discussed further during the public hearing today.

Secondary Road Report: They have finished the culvert by the Platinum Crush area; they will be working on raising the road by the railroad track east of Newell; they are still mowing.

The Chair opened the Public Hearing for the 3rd Reading of Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes, with Engineer Bret Wilkinson, board members Altena, Huseman, Merten, Ringgenberg, and Snyder present in-person, and Sheriff Kory Elston, Kathy Croker, KAYL, and two other unidentified callers who were virtual. Engineer Bret Wilkinson stated that he received an email from the DOT stating they will not accept signs on state highways. Wilkinson forwarded the email on to the County Attorney, to make sure it is done right. Wilkinson stated that it will be hard to enforce without signs, and the IDOT will only place signs entering the county. Merten commented that he would like to request Wilkinson to review this with the County Attorney and talk with someone higher up at IDOT and would like to see this tabled for a future meeting, and Snyder and Huseman agreed. Motion by Snyder, second by Ringgenberg, to close the public hearing. Carried. Motion by Snyder, second by Ringgenberg, to table the 3rd Reading of **Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes**, until September 20, at 9:30 a.m. Carried.

Election Deputy Karla Ahrendsen requested that the Board allow use of their boardroom for Precinct 4 voting for the September 13 Special Storm Lake School Election and also for the November 8 General Election in order to have better accessibility to the voters. Ahrendsen also requested that the Board allow an absentee voting area to be set up on the 1st floor of the Courthouse, by the northeast windows, which would also allow better access for voters rather than placing it in the lower level, as it was previously. Ahrendsen also requested extra help from the supervisors for Monday, September 12, to help move the election cages out of the storage area in the former jail, out to the garage and up the ramp to load in the trailers, which will then be delivered to the precincts for the September 13th election. Merten and Snyder volunteered to help move the election cages on Monday. Motion by Ringgenberg, second by Altena, to allow the use of the Supervisor Boardroom for **Precinct SL04** for the September 13 and November 8 elections, and to allow an absentee voting station on the 1st floor of the courthouse by the northeast windows, for early absentee voting. Carried.

Engineer Bret Wilkinson stated that he has received another request for **dust control** on 70th Ave. between 600th and 610th Street. Wilkinson will bring this to the Board at the September 13th meeting.

Env Health/Zoning Director Kim Johnson asked the Board to set a public hearing on the Flood Plain Ordinance, stating that the Zoning Commission has met and made a few changes. Merten asked Johnson to also send the notice to Farm Bureau to distribute to their members and would like to see the notice in a “box” in the paper, which would draw more attention to the hearing. Johnson stated that the Board would be repealing the old Ordinance and adopting the new one. Johnson also stated that the map is on Beacon, so anyone can look at it. Motion by Snyder, second by Altena, to set the Public Hearing for the 1st Reading of the **Flood Plain Ordinance** for September 20, 2022, at 9:45 a.m. in the Boardroom of the Courthouse. Carried.

CEO Shannon Landauer, Iowa Lakes Corridor, updated the Board on activities of the Corridor. Landauer discussed expanding projects, supporting growth of businesses, housing studies, business attraction methods, and discussed the Size-up Program.

Motion by Huseman, second by Altena, to approve the minutes of 8/30/22, as presented, and the following reports: August Sheriff's Report of Fees Collected and May VA Commissioner minutes. Carried.

Motion by Ringgenberg, second by Snyder, to authorize the Auditor to establish Fund 0036 Local Government Opioid Abatement Fund. Carried.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 10:10 a.m. until Tuesday, September 13 at 8:30 a.m. for a regular meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTIETH MEETING, 2022 SESSION (40)
SEPTEMBER 13, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 13, 2022, at 8:30 A.M. in the Courthouse Public Meeting Room with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Huseman, second by Ringgenberg, to approve today's agenda. Carried.

Engineer Bret Wilkinson stated that he has received another request for dust control at 6056 70th Ave., the Steve Poller residence. Wilkinson stated that this residence is one mile south of where the Platinum Crush plant is being built. Motion by Snyder, second by Huseman, to authorize Secondary Road to provide dust control to the residence at 6056 70th Ave. Carried.

Engineer Bret Wilkinson stated that he received an email from the District 3 Engineer for the IDOT. The email stated that it is their standard policy to only place signs at or near the county line, and they do not allow exceptions. Wilkinson informed the Board that they could pass the Ordinance prohibiting the unlawful use of engine and compression brakes, not placing any signs on Hwy 7. Wilkinson stated that it is difficult to post signs anywhere on the west, due to the state right-of-way meeting the railroad right-of-way. Merten commented that if the county cannot place signs, then it cannot be enforced, and he is not in favor of a county-wide ordinance.

Engineer Bret Wilkinson informed the Board that their oldest dozer has issues, and they will also be needing a mower tractor before next season. Wilkinson stated that on his 5-year capital project worksheet, he was planning to purchase a motor grader this fiscal year but stated that he could delay that purchase to FY'24, and then move the dozer and mower tractor from FY'24 up to the current fiscal year.

Wilkinson stated that he found an ad for a 2017 D61PXL with 4,061 hours, for \$185,000. Wilkinson will ask for quotes from three dealers, and he would get rid of the John Deere. This will be discussed at a future meeting.

Secondary Road Report: The crew is working on a crossroad culvert North of Alta; they have been hauling gravel. There is stockpiling to do; in October, they will be putting the snow equipment on; the mowers are still going; contracts have been approved by DOT for the river bridge in Linn Grove. Bluebird Bridge letting will be in November.

Treasurer Danelle Haberman requested the Board to abate taxes on Parcel #0814328004 and Parcel #0814328006 in the City of Albert City, due to the parcels being in the name of Buena Vista County and should be exempt. Parcel #0814328004 has a \$5 drainage assessment that cannot be abated, the Treasurer will pay it through claims. Motion by Ringgenberg, second by Snyder, to **abate the taxes** on Parcel #0814328004 (\$26) and Parcel #0814328006 (\$118) in the City of Albert City. Carried.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of 9/6/22, as presented, today's **claims approval list**, and the following **reports**: September Safety Committee minutes, August BV County Landfill meeting minutes, August Sheriff's Report of Federal Inmate Billings. Carried.

Motion by Huseman, second by Ringgenberg, to go into **closed session** (at 9:23 a.m.) under Chapter 21.5(1)(j) of the 2022 Code of Iowa, to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Snyder, second by Altena, to go out of **closed session** at 10:47 a.m. Carried.

Chairman Merten informed the Board that the Courthouse Facilities Committee was not recommending the former Meta Bank and suggested that the Board consider the Color-ize building again. Merten asked the Board for a motion, stating that he wanted a direction as to what the plan was going to be moving forward. Motion by Snyder, second by Ringgenberg, to forego the **purchase of the Color-ize building**. Ayes: Ringgenberg, Snyder. Nays: Merten, Altena, Huseman. Motion failed. Motion by Altena, second by Merten, to purchase the Color-ize building. Ayes: Altena, Huseman, Merten. Nays: Snyder, Ringgenberg. Motion Carried. Motion by Merten, second by Altena, to not exceed \$340,000 on the offer to purchase the Color-ize building. Ayes: Huseman, Altena, Merten, Snyder, and Ringgenberg. Nays: None. Motion carried.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 11:02 a.m. until Tuesday, September 20 at 8:30 a.m. for a special meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-FIRST MEETING, 2022 SESSION (41)
SEPTEMBER 20, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, September 20, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **today's agenda**. Carried.

Engineer Bret Wilkinson informed the Board that the final DOT Agreement for the **RISE Grant** was received yesterday. Wilkinson stated that it will be on next week's agenda for approval.

Engineer Bret Wilkinson informed the Board that he had received a letter from **Northern Natural Gas** regarding open houses to be held, to talk about line extensions. A few supervisors report that they had also received a letter from Northern Natural Gas.

Secondary Road Report: The crew is still mowing and blading the gravel roads. They are hauling spot rock to some roads, working on driveways and entrances, and working on crossroad culverts; Wilkinson stated that the dust control on 70th Ave. was working, but the road is bumpy. Wilkinson is working on design on the four miles of paving and Highway 7; Wilkinson informed the Board that cities have joint jurisdiction with the State on signing on state highways that go through their towns, but the county does not have that same joint jurisdiction with the State in the rural areas.

Motion by Huseman, second by Altena, to approve the **minutes** of 9/13/22, as presented, and the following **reports**: August Conservation Board minutes. Carried.

Supervisor Meeting Reports: Ringgenberg will be attending the Board of Health meeting this week; Huseman attended the NW IA Regional Housing Trust Fund meeting last week; Merten will be attending the Plains Area Mental Health and Rolling Hills meetings next week; Snyder attended the NW IA Planning, RIDES, and the NW IA Yes Center meetings.

County Attorney Paul Allen informed the Board that the first payment from the Opioid class action lawsuit had been received. Allen stated that he has read the guidelines of establishing a committee, the types of expenditures that could be made with the funds, and the requirements of reporting what the funds were used for. Allen stated that it was recommended to have someone from Public Health, Sheriff, and the Justice System as part of the committee. Chairman Merten stated that a supervisor should be on the committee, and possibly Emergency Management. Motion by Ringgenberg, second by Huseman, to appoint Public Health Administrator Julie Sather, Sheriff Kory Elston, County Attorney Paul Allen, Supervisor Kelly Snyder, and EMA Director Aimee Barritt to the **Opioid Abatement Committee**. Carried.

Pursuant to Chapter 50.24 of the 2022 Code of Iowa, motion by Ringgenberg, second by Altena, to declare the results of the **canvass** of the Storm Lake Community School Special Election held September 13, to issue General Obligation Bonds in an amount not to exceed \$9,950,000 to provide funds to construct, build, furnish and equip a Grade 1 addition to the early elementary school and to improve the site, as follows:

Storm Lake Community School District: total voters – 899, 18.4% turnout

For Public Measure CK YES..... 665 (73.97%) Approved
NO..... 234 (26.03%) Carried.

The Chair opened the Public Hearing for the 3rd Reading of Chapter 4.5 Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes, with Engineer Bret Wilkinson, Env Health/Zoning Director Kim Johnson, board members Altena, Huseman, Merten, Ringgenberg, and Snyder present in-person, and Angie Wilkinson, Kathy Croker, KICD, and two other unidentified callers who were virtual. Croker asked the Board if it would matter to the State, for placement of the signs when there is a small community of residents that are affected by the noise. Wilkinson stated that the State was informed about the number of residents at Lake Creek, and it does not make any difference. Wilkinson stated that the signs can only be placed at city limits and county lines. Croker urged the supervisors to approve the Ordinance and stated that Platinum Crush should be allowing signs to be posted on their property, since they kept stating they wanted to be a “good neighbor”. Snyder stated that Platinum Crush is going to talk to drivers and try to educate them. Croker stated that Platinum Crush should do anything they can to help with this, in their efforts to be a “good neighbor”. Merten stated that the Board has passed two readings of this Ordinance which addresses two sections of Hwy 7 and Villa Road. Merten stated that the issue is that the county cannot get a permit to post the signs along Hwy 7, but they could post signs on Villa Road and 70th Ave. south of Villa Road. Merten stated that there is a problem signing on the west end, as the county does not have right-of-way, due to the railroad and the State having the right-of-way. Merten stated that the signs will be placed where they can be, and that there is a \$250 fine for anyone not following the Ordinance. Croker stated that the Board should communicate with Platinum Crush. Merten stated that a copy of the Ordinance was sent to Platinum Crush, and there has not been any response. Huseman suggested maybe placing signs on M36 in the farthest southeast area of the BV University Golf Course property. Motion by Snyder, second by Ringgenberg, to close the public hearing. Carried. Motion by Ringgenberg, second by Huseman, to approve the 3rd 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, Ringgenberg, Snyder. Nays: None. Motion carried.

TITLE IV STREETS, ROADS, PUBLIC WAYS and TRANSPORTATION
CHAPTER 4.5 ORDINANCE PROHIBITING THE UNLAWFUL USE OF ENGINE AND COMPRESSION BRAKES

Section 4.5-1 PURPOSE. The purpose of this ordinance is to prohibit the excessive, loud, unusual or explosive use of engine and compressed air-braking devices within designated areas in Buena Vista County.

Section 4.5-2 DEFINITIONS. For the purposes of this ordinance the following words and phrases are defined as follows:

1. “Engine retarding brake” means a “Dynamic Brake,” “Jake Brake,” “Jacobs Brake,” “C-Brake,” “Paccar Brake,” transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression.

Section 4.5-3 PROHIBITIONS. It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within designated areas in the unincorporated areas of the County of Buena Vista, State of Iowa, any engine brake, Compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle, unless such use is necessary to avoid imminent danger. Such prohibition shall be applicable only to those public highways or portions specifically identified in this Chapter.

Section 4.5-4 AREAS OF PROHIBITION. The prohibition set forth herein shall apply to the following public ways in Buena Vista County, Iowa or portions thereof:

1. State Highway 7 between 60th Avenue and 80th Avenue
2. Villa Road/70th Avenue between State Highway 7 and County Road 49(C-49)/580th Street

Section 4.5-5 SIGNAGE. Signs stating "VEHICLE NOISE LAWS ENFORCED" or "ENGINE BRAKE ORDINANCE ENFORCED" may be installed at locations deemed appropriate by the Board of Supervisors to advise motorists of the prohibitions contained in this ordinance, except that no sign stating "VEHICLE NOISE LAWS ENFORCED" or "ENGINE BRAKE ORDINANCE ENFORCED" shall be installed on a state highway without a permit from the Iowa Department of Transportation. The provisions of this ordinance shall be in full force and effect even if no signs are installed.

Section 4.5-6 EXCEPTIONS. Emergency vehicles shall be exempt from the application of this ordinance.

Section 4.5-7 ENFORCEMENT. This ordinance is deemed to be a county infraction as permitted under Iowa Code Section 331.307.

Section 4.5-8 PENALTY. Violations of this ordinance shall be punishable by a civil penalty of \$250.

Section 4.5-9 ADOPTION. This ordinance will take effect upon final publication.

Adopted by the Board of Supervisors on this 20th day of September, 2022.

/s/ Paul Merten, Chairperson, Board of Supervisors...../s/ Susan K. Lloyd,
Auditor

First reading 8-23-2022, Second reading 8-30-2022, Third reading 9-20-2022

The Chair opened the Public Hearing for the 1st Reading of the Flood Plain Ordinance with Engineer Bret Wilkinson, Env Health/Zoning Director Kim Johnson, board members Altena, Huseman, Merten, Ringgenberg, and Snyder present in-person, and Angie Wilkinson, Kathy Croker, KICD, KAYL, and two other unidentified callers who were virtual. Johnson stated that the Zoning Commission had met last night, and one person from the public in attendance. The Zoning Commission recommended approval of the Flood Plain Ordinance. Motion by Snyder, second by Ringgenberg, to close the public hearing. Carried. Motion by Snyder, second by Altena, to approve the 1st Reading of the **Flood Plain** Ordinance, waiving the physical reading of the document, and to set the 2nd Reading for Tuesday, September 27, at 9:00 a.m. in the Boardroom. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

The Board discussed options for paying for the **Color-ize building**. Merten commented that there was still a balance in the CARES Fund that may be used for a down payment, and then borrow \$400,000 to be paid off in three years. Merten asked Auditor Lloyd to contact Northland Securities and Bond Counsel to begin the process.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 10:25 a.m. until Tuesday, September 27 at 8:30 a.m. for a regular meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-SECOND MEETING, 2022 SESSION (42)
SEPTEMBER 27, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, September 27, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Huseman, second by Ringgenberg, to amend **today's agenda**, adding two additional action items: Engagement of Northland Securities as Underwriter, and voiding and reissuing check #316625. Carried.

Motion by Snyder, second by Altena, to approve the **utility permit** of Iowa Lakes Electric Cooperative, Estherville, IA, to install an underground primary cable for the transmission of electricity, along 630th Street, between Sections 13 and 24 Hayes Township, from the north right-of-way line under 630th St. to the south right-of-way line at approximately 1,150' east of 120th Ave. From there, plowing along the south right-of-way line to the west for approximately 250' to provide service for a new account. Carried.

Motion by Ringgenberg, second by Huseman, to approve the IDOT Agreement for the **RISE Grant** Project, and to authorize the Chair and Auditor to sign. Carried.

Secondary Road Report: The crew is still working on entrances, mowing, and blading the gravel roads, and hauling gravel. The contractor has started crushing the concrete pile, which will save from hauling limestone. They will be crushing at the Hayes Pit soon; in the office, they are working on the right-of-way and plans on the four miles of the RISE Project.

Motion by Snyder, second by Ringgenberg, to approve the **minutes** of 9/20/22, as presented, today's **claims approval list**, and the following **reports:** August NWIPDC Policy Council minutes, July NW IA YES Center minutes, and July Board of Health minutes. Carried.

The time arrived for the 2nd Reading of the Flood Plain Ordinance with Engineer Bret Wilkinson, Env Health/Zoning Director Kim Johnson, board members Altena, Huseman, Merten, Ringgenberg, and Snyder present in-person, and Angie Wilkinson, Kathy Croker, KICD, KAYL, and two other unidentified callers who were virtual. Motion by Altena, second by Huseman, to approve the 2nd Reading of the **Flood Plain** Ordinance, waiving the physical reading of the document, and to set the 3rd Reading for Tuesday, October 4, at 9:00 a.m. in the Boardroom. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Ringgenberg, second by Snyder, to authorize the Auditor to **void check** #316625, issued 8/2/2022 to Crawford County Sheriff, in the amount of \$181.57, and to **reissue a check** to Denison Police Department for \$35.00 and the balance of \$146.57 to the Crawford County Sheriff. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign the **Underwriter Engagement Letter** with Northland Securities, as underwriter for the issuance of General Obligation Capital Loan Notes Series 2022B. Carried.

Motion by Huseman, second by Altena, to approve and authorize the Chair to sign the **Real Estate Contract** between Color-Ize, Inc. ("Sellers") and Buena Vista County ("Buyers"), to purchase Lot Five (5), except the west twenty-five (25') feet thereof, Block Seventeen (17), in the City of Storm Lake, Iowa, with the total purchase price of \$340,000 to be paid at closing, on November 1, 2022. Buena Vista County will reimburse the Seller for any utilities covering the period from October 1, 2022 through the date of closing. The purchase price includes 10 pieces of the desk setup in the main office area, an L-shaped counter, and a carved eagle (out front). Ayes: Altena, Huseman, Merten, Snyder. Nays: Ringgenberg. Motion carried.

Laney Feight, CR3 Connect, stopped in to ask the Board if they had any questions regarding the **Navigator Pipeline** project. Feight stated that the Iowa Utilities Board has met, and the company must wait 30 days after the meeting to file for a permit with the IA Utilities Board. Feight stated that preliminary negotiations have started with landowners.

Conservation Director/Weed Commissioner Greg Johnson presented his **department updates**. **Conservation:** Johnson stated that the staining project on the cabin and office is complete, the sewer project at Timber Ridge is done but there is still landscaping to be done. Johnson has received two electric quotes for Bur Oak renovation, Conservation Board is still reviewing. Johnson stated that he needs to order the shower house for Bur Oak and the South Shelter bathroom, expected next spring at the earliest if ordered soon. Johnson has applied for a National Park Service Grant, to facilitate State designation for a water trail. Johnson is waiting on FEMA regarding obligation issues with the Linn Grove Dam project. Johnson stated that he went out with the DNR and Homeland Security, working on mussel relocation. Johnson stated that they are stockpiling concrete. Johnson applied for a Low Head Dam Grant for \$200,000 and should hear within 45 days whether the county will receive any funds. Johnson and the Naturalist attended a day at the Clay County Fair, to talk with fairgoers. **Weed Department:** Four people went to the weed conference that was held in Dickinson County. The Weed Department has had truck issues in the last month. Johnson stated that they have about 100 miles left to spray for noxious weeds, then will start spraying along the State highways. Johnson stated that he is looking at reseeding along the roads around the soybean crush plant, and they are hydroseeding some areas around the county. Fall Fun Day is October 8, and there will be free camping and trick-or-treating at the Timber Ridge campground.

Conservation Director/Weed Commissioner Greg Johnson presented the Board with the three applications he received for the Conservation Board vacancy position. Johnson stated that the Conservation Board recommended Erica Larson to fill the remainder of Mark Kirkholm's term on the Conservation Board. Motion by Huseman, second by Snyder, to concur with the recommendation of the Conservation Board, to appoint Erica Larson to fill the remainder of Mark Kirkholm's term on the **Conservation Board**, with her term expiring 12/31/2025. Carried.

VA Service Officer Louis DeRoos was present for the discussion of where his office would be relocated during the East Richland Annex remodeling. Bldg/Grounds Supt. Joe Keller stated that the Facilities Committee had discussed this and recommended placement of VA in the old I.T. room, next to the Recorder's Office. Keller is hoping to have the VA Office moved out of the East Richland Annex in 2-2.5 weeks. The Board thanked DeRoos for all that he does for veterans in Buena Vista County. Motion by Ringgenberg, second by Altena, to allow the **Veterans Affairs Office** to be relocated to the former I.T. room next to the County Recorder's Office in the Courthouse, during the East Richland Annex remodeling. Carried.

Env Health/Zoning Director Kim Johnson informed the Board that she will be **hiring** a new employee for inspections and also someone to take her position when she retires. Johnson stated that she has received four applications for her position. Johnson currently is at \$33.49 per hour, and she is using a proposed \$35/hour in estimating a salary for her replacement, which would put the salary over what some elected officials are making. Johnson stated that she has one good candidate for the inspector position, which was offered \$24.90/hour and refused to take the position. Johnson would like to offer the candidate

\$28.50. Johnson reviewed her budget, and states that there are funds to cover both salaries, as she has gone from four full-time employees down to three. The Board asked if the department wouldn't eventually go back to four employees, and Johnson stated that since DIA will be doing all licensing, she didn't see the need for a fourth employee.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 10:14 a.m. until Tuesday, October 4 at 8:30 a.m. for a special meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

BUENA VISTA COUNTY

JULY-SEPTEMBER 2022

CLAIMS LISTING

A & A AUTOMOTIVE 593.12; ACCESS SYSTEMS 546.00; ADVANCED DOOR SYSTEMS 1,660.30; ADVANCED DRAINAGE SYSTEMS 169,277.43; AFLAC 10,414.84; AGSTATE 13,923.44; AGTERRA TECHNOLOGIES, INC. 755.00; AHLERS & COONEY, P.C. 22,578.50; AIMEE BARRITT 150.00; AL SANDVIG 272.00; AL SLIGHT 500.00; ALLIANT ENERGY/IPL 7,895.46; ALPHA WIRELESS COMMUNICATIONS CO. 46,841.98; ALTA IMPLEMENT CO 180.97; ALTA MUNICIPAL UTILITIES 628.80; AMAZON CAPITAL SERVICES 1,385.20; AMERICAN STATE EQUIPMENT CO., INC. 2,214.96; AMY GROSS 975.00; ANGELA LAI 22.47; ANNETTE KOSTER 72.49; ARCASEARCH LLC 3,863.00; ARENDS, LEE, EMICK, LEGVOLD, & MYOTT PLC 606.00; ARNOLD MOTOR SUPPLY 447.39; ARNOLD MOTOR SUPPLY 94.85; ASHLEY HERRIG 90.80; ASHLYN MORSE 180.00; ASSESSOR'S OFFICE IPERS 12,402.36; ASSOCIATES FOR PSYCHIATRIC SERVICES PC 5,985.00; AURELIA LUMBER COMPANY 112.00; B & S TILE AND EXCAVATION 115,655.32; B V SOLID WASTE COMMISSION 10.00; BANKCARD SERVICES 17,434.15; BARGEN INC 24,891.75; BARRY MOTOR COMPANY 13,454.28; BIG ROCK SPORTS, LLC 483.21; BISON RIDGE LAND IMPROVEMENT LLC 3,700.00; BLACK HAWK COUNTY SHERIFF 36.35; BLUE KNIGHT SECURITY LLC 4,425.00; BOB BARKER COMPANY INC 587.98; BOMGAARS 1,608.47; BRAD NOBLE 150.00; BRAD'S SERVICE INC 51.00; BRES REST HOME INC 6,716.00; BRET WILKINSON 65.01; BRIANA MARROQUIN 300.00; BROOKE TEWES 150.00; BROOKES PUBLISHING CO. 333.35; BUENA VISTA CO TREASURER 6,901.55; BUENA VISTA CO. CONSERVATION 2,544.16; BUENA VISTA CO. SHERIFF 549.76; BUENA VISTA COUNTY 145,750.92; BUENA VISTA COUNTY 8,160.00; BUENA VISTA COUNTY CONSERVATION 736.92; BUENA VISTA COUNTY JOURNAL 4,111.17; BUENA VISTA COUNTY PUBLIC HEALTH & HOMECARE 34,818.99; BUENA VISTA REG MEDICAL CENTER 6,168.14; BUENA VISTA REGIONAL HEALTHCARE FOUNDATION 300.00; BV CO AGRICULTURAL SOCIET BUENA VISTA COUNTY FAIR 50.00; BV CO EMPLOYEE HEALTH FUND 595,182.44; BV CO EMPLOYEE HEALTH FUND 20,902.48; BV CO EMPLOYEE HEALTH FUND 6,184.55; BV CO EMPLOYEE HEALTH FUND 33,785.74; BV CO EMPLOYEE HEALTH FUND 8,215.78; BV VETERINARY CLINIC 70.62; BV-CALHOUN-SAC DRAINAGE ENGINEER FUND C/O BV COUNTY TREASURER 32,750.00; BVRMC PHARMACY 1,335.56; C & B OPERATIONS, LLC 3,445.82; CALHOUN COUNTY 85,962.00; CALHOUN COUNTY PUBLIC HEALTH 274.30; CALHOUN-BURNS & ASSOC INC 41,428.90; CAMPBELL SUPPLY COMPANY 199.00; CANON FINANCIAL SERVICES 112.32; CAPITAL ONE 478.19; CARD SERVICE CENTER 9.25; CARING HEARTS OF WEST CENTRAL IOWA, LLC 1,856.00; CAROLYN ARMSTRONG 396.21; CARROLL COUNTY SHERIFF 2,558.60; CARROLL REFUSE SERVICE 1,525.23; CAYLYN MCCORMICK 827.44; CCP INDUSTRIES INC 1,334.32; CDW GOVERNMENT INC 4,527.12; CENTER FOR SIOUXLAND 6,250.00; CENTRAL IOWA DETENTION 1,677.32; CENTRAL IOWA DISTRIBUTING INC 903.00; CENTURY LINK 1,534.78; CERTIFIED POWER, INC 380.23; CHARLENE PLAGMAN 5.85; CHARLES EADES 75.64; CHEROKEE COUNTY 53,470.00; CHEROKEE COUNTY SHERIFF 375.10; CHEROKEE MENTAL HEALTH INSTITUTE 9,645.33; CHET HARTWELL 30.00; CINDY WIEMOLD 282.70; CINTAS FIRST AID AND SAFETY 835.81; CITY OF ALBERT CITY 129.00; CITY OF LINN GROVE 639.41; CITY OF MARATHON 476.45; CITY OF NEWELL 151.50; CITY OF REMBRANDT 1,399.17; CITY OF SIOUX CITY 84.89; CITY OF SIOUX RAPIDS 410.68; CITY OF SIOUX RAPIDS 158.76; CITY OF STORM LAKE 6,387.34; CITY TREASURER 110.00; CLARK EQUIPMENT CO 20,983.91; CLARK FORT 200.00; COBBLESTONE INN & SUITES 100.00; COLLECTION SERVICES CENTER 2,475.34; COLLEEN KRUSE 3.51; COMPLIANCY GROUP, LLC 5,040.00; CONRAD & LEMMENS 65.00; CONTECH ENGINEERED 2,546.96; CONTROL SYSTEM SPECIALISTS, LC 2,020.39; COUNSEL 970.30; COUNSELING SERVICES, LLC 3,475.00; COUNTRY CARE CENTER CORP 6,164.00; CRAWFORD COUNTY AUDITOR 4,457.85; CRAWFORD COUNTY HOME HEALTH & 37,735.76; CRAWFORD COUNTY SHERIFF 770.49; CRITTENTON CENTER 1,399.50; CULLIGAN 317.35; CURTIS REIS 1,113.67; CYLINDER EXPRESS 75.50; CYPRESS SOLUTIONS 3,979.83;

DAKOTALAND AUTOGLASS, INC. 231.64; DAN BAILEY 217.58; DAN CONNELL CLIENT TRUST ACCT. 315,000.00; DANELLE HABERMAN 821.87; DAVE WESTPHAL 500.00; DAVID BALDER 31.01; DAWN MENTZER 194.67; DCI - SOR 150.00; DEAN & ASSOCIATES 350.00; DEAN K ELLINGSON 106.80; DENISON POLICE DEPT 35.00; DENMAN & COMPANY, LLP 22,818.01; DES MOINES STAMP MFG CO 88.45; DETTMANN IMPLEMENT CO 1,946.52; DIANE ADAMS 412.00; DIXON CONSTRUCTION CO 132,458.45; DONALD JACKSON 7.02; DONNIE CAMPBELL 500.00; DOREEN PEDERSEN 49.60; DOTSON, GUENTHER, CHRISTIAN AND LAUER 105.60; DOUGLAS IMMING 2.93; DR. GARRETT FEDDERSEN 750.00; ECOLAB 1,270.00; ECOSOLUTIONS, LLC. 3,568.44; EDWARDS 4,583.71; EJS SUPPLY 3,251.12; EMMONS & OLIVIER RESOURCES INC 3,873.00; EMPLOYEE BENEFIT SYSTEMS 3,876.00; ERIC CHASE 160.61; ERIC YUNGINGER 215.30; EVIZZIT OF IOWA PSYCHIATRY PC 35,046.35; FAMILY RESOURCE CENTER 2,386.49; FAREWAY STORE 1,913.77; FARM & HOME PUBLISHERS LTD 505.00; FASTENAL COMPANY 101.26; FILTERCARE OF NEBRASKA LLC 1,325.60; FORCE AMERICA 803.43; FORTERRA PIPE & PRECAST 14,883.84; FOUNDATION ANALYTICAL LABORATORY, INC 951.00; FRANK DUNN CO 899.00; FRATZKE & JENSEN FUNERAL HOMES 500.00; FRED ULVEN 300.00; GARLAND OTTO 216.69; GARY PICKHINKE 1,344.02; GCG FINANCIAL, LLC 7,500.00; GERALD WEILAND 932.20; GILL HAULING INC 217.52; GRAHAM TIRE CO 4,596.56; GREAT AMERICA FINANCIAL SVCS 986.62; GREAT-WEST LIFE & ANNUITY 350.00; GREGORY JOHNSON 6.69; GRELL ROOFING, LLC 118,500.00; GROWMARK FS 164,656.03; GROWS GARBAGE SERVICE 400.00; GRP & ASSOCIATES INC. 169.50; GW SUPPLY INC 500.00; HAROLD ROWLEY RECYCLE CENTER 32,002.50; HEALTHCAREFIRST %WELLS FARGO 509.48; HILLCREST FAMILY SERVICES 8,231.06; HISEY LAW OFFICE 849.42; HOLZHAUER FORD LINCOLN, INC. 28,406.03; HONDO'S SALES & SERVICE 25.00; HOPE HAVEN INC 750.00; HOUSBY MACK INC 12,749.24; HUB INTERNATIONAL 4,200.00; HUMBOLDT COUNTY 43,238.00; HUMBOLDT COUNTY SHERIFF 32.00; HUNDERTMARK CLEANING SYSTEMS 474.73; HUNZELMAN PUTZIER & CO 14,076.94; HYVEE CATERING 4,245.44; HY-VEE INC 397.25; IACCVSO 290.00; IACME - IOWA ASS'N OF 350.00; ICAP IA COMMUNITES ASSURANCE POOL 3,231.00; ICEOO 225.00; ICIT 250.00; IDA COUNTY SHERIFF 688.75; IEHA IOWA ENVIRONMENTAL HEALTH ASSN 120.00; IGL TELECONNECT 432.00; ILEA IOWA LAW ENFORCEMENT ACADEMY 325.00; IMAGINE THE POSSIBILITIES INC 6,242.25; IMWCA 22,914.00; INGIOS GEOTECHNICS, INC. 24,282.08; INLAND TRUCK PARTS & SERVICE 1,290.38; INSPIRON LOGISTICS 2,575.00; INSTITUTE OF IOWA CERTIFIED ASSESSORS 175.00; INTERSTATE BATTERY SYSTEM 373.90; IOWA COUNTIES 66,824.14; IOWA COUNTY ATTORNEYS ASSN (ICAA) 80.00; IOWA COUNTY RECORDERS ASSOCIATION 1,446.68; IOWA DEPARTMENT OF REVENUE 566.80; IOWA DEPT OF NATURAL RESOURCES 75.00; IOWA INSURANCE DIVISION 101.59; IOWA LAKES ELECTRIC COOP 4,030.72; IOWA LAKES REGIONAL WATER 1,172.31; IOWA PRISON INDUSTRIES 8,575.66; IOWA SECRETARY OF STATE 2,123.98; IOWA SPORTSMAN 100.00; IOWA STATE COMPTROLLER TREASURER-STATE OF IOWA 93,907.60; IOWA STATE MEDICAL EXAMINER 2,138.59; IOWA STATE SHERIFFS & DEPUTIES 250.00; IPAC 3,984.92; IPERS 372,801.57; ISAC 7,543.55; ISACA 570.00; ISCTA IOWA STATE CO TREASURERS ASSOC 70.00; ITSAVVY LLC 159.42; J & M PROPERTY MANAGEMENT 200.00; J.R. JIM HOWE SEPTIC SERVICE 525.00; J3RED MARKETING LLC 1,133.75; JACK'S UNIFORMS & EQUIPMENT 339.65; JACQUELINE NOBLE 150.00; JAMES E PETERSON 2.93; JAMIE CLARK 508.86; JANET GRITTEN 9.27; JANITORS CLOSET LTD 388.74; JEAN L SASSMAN 233.75; JENNIFER REETZ 8.19; JERILYN SAHR 143.13; JERRY'S TREE SERVICE 450.00; JESS BADERTSCHER 26.92; JIM FOELL 4.68; JOHANNA HOSTETLER 45.00; JOHN SCHMIT 648.65; JOHNSTON AUTOSTORES 2,171.23; JON BUSS 30.00; JOSEPH CRONIN 165.84; JOSEPH KELLER 90.00; JOSH NIELSEN 64.00; JULIE ALBRIGHT 131.42; JULIE SATHER 380.49; JULIUS CLEANERS 680.30; JUSTICE FIRE & SAFETY 648.75; JUSTIN ANDERSON 150.00; KATHRYN STRUSS 150.00; KATHY ERICKSON 55.00; KAY EVANS 15.00; KAYLA VASQUEZ 150.00; KCL ENGINEERING 11,500.00; KELLER PLUMBING HEATING & AIR LLC 1,366.53; KELLY GRIEME PAINTING 14,111.95; KELSEY ALLEN 71.50; KENNETH BLAKE MCMILLAN 3,174.00; KEVIN MCKINNEY 4.68; KIDS WORLD INC 1,368.54; KIM JOHNSON 260.00; KIMBALL MIDWEST 1,926.82; LACEY ANDERSON 66.65; LAKE CREEK AREA SANITARY SEWER DISTRICT 25,000.00; LAKESIDE MARINA 1,566.08; LARSON OIL &

DISTRIBUTING 11,355.10; LEANNE LIVERMORE 44.47; LEIGH MADSEN 52.65; LEISA MAYER 538.00; LENOVO (UNITED STATES) INC. 10,748.99; LEXIS NEXIS RISK DATA MANAGEMENT INC. 458.79; LIBERTY NATIONAL LIFE INS CO 7,821.32; LIBERTY TIRE RECYCLING, LLC 3,779.39; LIFE SKILLS TRAINING 161.00; LINDA WHITE 37.44; LINDSEY L. BROWNING 397.86; LISA BRINGLE 615.25; LISETTE DE LA CRUZ 502.25; LITTLE HAWKS CHILDCARE CENTER 30.00; LLOYD DANIELSON 2.93; LOFFLER COMPANIES 1,171.23; LONG LINES BROADBAND 11,126.50; LORI DIISCHER 125.00; LOUGHLIN LAW FIRM 825.00; LOUIE DEROOS 508.27; LOUISE GALBRAITH 227.45; LULLMANN DUST CONTROL 4,237.50; MAIL SERVICES LLC 2,704.46; MAIN STREET SPECIALTIES, LLC 15,567.95; MARCO TECHNOLOGIES LLC 596.39; MARCUS LUMBER 597.70; MARTIN MARIETTA MATERIALS 4,100.56; MARY GREELEY MEDICAL CENTER 6,000.00; MARY REHNSTROM 15.21; MATTHEW SEFCIK 150.00; MEGAN R. SANKEY, CSR,RPR 817.00; MELANDERS APPLIANCES & TV 3,349.00; MENARDS - SPENCER 71.53; MERCK SHARP & DOHME CORP 1,479.72; MID AMERICAN ENERGY 31,549.31; MID SIOUX OPPORTUNITY INC 1,988.11; MIDWEST ALARM SERVICES INC 477.00; MIDWEST COMPLIANCE ASSOCIATES 1,500.00; MONA MASON 408.00; MOTOROLA SOLUTIONS, INC. 831.51; MURPHY TRACTOR & EQUIPMENT CO 1,138.48; MYRON CORP 218.44; NACVSO 400.00; NATIONAL FLUID POWER INSTITUTE 1,195.00; NEAPOLITAN LABS LLC 1,500.00; NELSONS VET SUPPLY 447.25; NETSMART TECHNOLOGIES, INC. 334.88; NETWORKS, INC. 303.75; NEW HOPE VILLAGE 6,151.74; NEW PERSPECTIVES, INC. 1,254.72; NEW TEC, INC. 140.00; NICOLE DIISCHER 173.40; NORTH LAKE TRUCK REPAIR 8,905.41; NORTHERN LIGHTS DISTRIBUTING, INC. 9,306.30; NORTHERN SAFETY CO., INC. 438.24; NORTHLAND SECURITIES INC 750.00; NORTHWEST IOWA ASSESSOR'S ASSOCIATION 1,020.00; NW IA PLANNING & DEV COM 13,200.00; NW IA YES CENTER 24,882.64; O'BRIEN COUNTY SHERIFF 2.00; ODP BUSINESS SOLUTIONS LLC 122.83; OFFICE ELEMENTS 8,293.94; OFFICE OF AUDITOR OF STATE 625.00; OHIO NATIONAL 700.00; OLSEN WELDING & MACHINE 4,840.67; ONE OFFICE SOLUTION 485.94; OTIS ELEVATOR COMPANY 1,704.00; PAM JACOBSON 436.56; PAMELA BOGUE 26.91; PATC -IOWA ATTORNEY GENERALS OFFICE 220.00; PATRICIA BAKER 5.85; PATRICIA BJORKGREN 2.93; PAUL SENNERT 153.51; PAYTON COOPER 29.25; PEDERSEN SEPTIC & BACKHOE 50,465.00; PHIL REDENBAUGH, P.C. 500.00; PHOENIX SUPPLY 315.41; PICTOMETRY INTERNATIONAL 38,112.20; PILOT ROCK SIGNS RJ THOMAS MFG. CO., INC 817.65; PITNEY BOWES BANK INC RESERVE ACCOUNT 3,455.00; PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC 1,144.77; PLAINS AREA MENTAL HEALTH, INC 230,214.20; PLUMBING & HEATING 88.47; POCAHONTAS COUNTY 44,557.38; POMP'S TIRE SERVICE, INC 717.52; POSTMASTER 457.88; POTTAWATTAMIE COUNTY SHERIFF 35.00; POWER SOLUTIONS, INC. 2,438.15; PRAIRIE FABRICATION 1,098.85; PRINCIPAL LIFE INSURANCE COMPANY 45,562.35; QUILL CORPORATION 472.19; R & D INDUSTRIES INC 28,324.00; RAINBOW BAIT, INC 702.50; RANDALL WILBUR ERICKSEN 11.70; RANDY REDIG 120.00; RAQUEL BARAHONA 150.00; REBNORD TECHNOLOGIES INC 7,799.85; REDING'S GRAVEL & 1,431.48; REDLEAF PRESS 619.15; REIMER, LOHMAN, & REITZ 1,653.30; RELIANCE TELEPHONE INC 826.00; RENT - ALL, INC. 2,037.00; RICHARD MADSEN 500.00; RICHARD RICE 9.95; RICK PETERSON 2.93; RICOH USA, INC 90.03; ROAD MACHINERY & SUPPLIES CO. 604.97; ROBERT SKOG 15.38; RONDA ELLIS 11.74; RR ELECTRIC LLC 6,598.23; RUST'S WESTERN SHED 751.70; S & S EQUIPMENT, INC. 3,306.09; SAC COUNTY ENGINEER 582.72; SAC COUNTY HEALTH SERVICES 12,699.17; SAFELITE AUTOGLASS 112.98; SAMANTHA CORRIN 638.79; SANDRA K HOYT 180.60; SANDRA K. SWEENEY 496.10; SANFORD CENTER 32,591.25; SANOFI PASTEUR INC 1,557.83; SARAH SANGWIN 500.00; SAVINGS BANK SECURITY TRUST & 290,976.08; SAVINGS BANK SECURITY TRUST & 211,555.01; SBB LAND LLC 37.65; SCHLESWIG UNDER THE SON CHILDCARE 71.00; SCHNEIDER GEOSPATIAL, LLC 13,696.00; SCHULTE LAW FIRM, LC 1,925.60; SCOTT COUNTY SHERIFF 169.92; SCOTT MACK 150.00; SEASONS CENTER 13,054.35; SECRETARY OF STATE 60.00; SECURITY TRUST 68,054.48; SHARON HENKEL 189.23; SHARON KOCH 152.05; SHERATON WEST DES MOINES HOTEL 430.08; SHESLER HALL 14,241.41; SIOUX LUMBER 577.48; SIOUX RIVERS FISCAL AGENT 238.69; SIOUXLAND MENTAL HEALTH SERVICES, INC. 402,751.96; SLAA LLC 200.00; SPENCER OFFICE SUPPLIES 4,266.72; SPORTS REHAB & PROFESSIONAL THERAPY ASSOCIATES, INC. 10,133.66;

ST MARK LUTHERAN CHURCH 45.00; STACEY SMITH 150.00; STANARD & ASSOCIATES INC 63.63; STANTON ELECTRIC INC 679.34; STAPLES CREDIT PLAN 843.36; STAPLES CREDIT PLAN 216.98; STEPHANIE ANDERSON 65.84; STEPHANIE STRUTHERS 8.18; STERICYCLE, INC. / SHRED-IT 68.84; STEVE HALDIN 105.00; STEVE JIMMERSON 47.97; STONE PRINTING OFFICE SUPPLY 118.00; STORM CITY AUTO PARTS 25.96; STORM LAKE ACE HARDWARE 1,294.08; STORM LAKE BAKERY 24.00; STORM LAKE HEARING AID SERVICE, INC 50.00; STORM LAKE HYDRAULICS 443.09; STORM LAKE TIMES PILOT 7,194.07; STRATFORD GRAVEL INC 18,186.14; SUSAN LLOYD 950.22; TASC 797.88; TESSIER'S INC 119,439.44; TEXT MY GOV 5,000.00; THE ASSOCIATION OF EARLY CHILDHOOD IOWA AREA BOARDS & ADVOCATES 634.00; THE JONES LAW FIRM 151.25; THE LAURENS HOUSE OF PRINT 195.80; THE OFFICE STOP 163.53; THE PRIDE GROUP, INC 96,697.64; THE UNIVERSITY OF IOWA 9,055.75; THERESA JOCHUM 715.35; THERESA SANDVIG 150.00; THOMAS HUSEMAN 196.87; TODD ANDERSON 150.00; TREASURER STATE OF IOWA 7,076.53; TREASURER STATE OF IOWA 3,099.35; TRIVIUM LIFE SERVICES 1,174.50; TRUCK CENTER COMPANIES 163.35; TUCKER GLASS LLC 1,350.00; TYLER TECHNOLOGIES, INC. 40,560.52; U. S. POSTAL SERVICE 666.30; ULTEIG 115,962.47; UNITED STATES TREASURY 381.71; UNITY LAW + MEDIATION PLC 2,826.00; UNITYPOINT CLINIC OCCUPATIONAL MEDICINE 378.00; UNITYPOINT HEALTH 285.00; US CELLULAR 4,560.04; US CELLULAR 540.00; VAN DIEST SUPPLY COMPANY 4,726.95; VANCE CORDS 30.00; VANGUARD APPRAISALS INC 6,300.00; VERIZON 180.00; VERIZON CONNECT NWF, INC. 2,622.78; VERIZON WIRELESS 3,961.73; VETTER EQUIPMENT 570.00; VETTER EQUIPMENT CO 1,659.60; VGM GROUP INC. 350.00; VISA 12,870.91; VISA 1,859.48; VISION CARE DIRECT 2,419.58; VISTA PAINTS 345.40; VISUAL EDGE IT 373.97; WAG'S EXHAUST PROS 62.09; WAPELLO CO. SHERIFF 20.85; WARRENS SERVICE INC 427.50; WASHINGTON NATIONAL INS CO 3,967.38; WEBSITES TO IMPRESS INC 222.00; WEBSTER COUNTY PUBLIC HEALTH 5,871.74; WEBSTER COUNTY SHERIFF 33.00; WELLMARK BLUE CROSS & BLUE SHI 535,822.32; WELLS FARGO FINANCIAL LEASING, INC. 453.00; WESCO INDUSTRIES INC 85,833.26; WEST PAYMENT CENTER 4,609.51; WESTERN IOWA TOURISM REGION 250.00; WEX BANK 9,906.24; WEX BANK 721.33; WHKS & CO. 15,594.84; WILLIAM SANKEY 150.00; WINDSTREAM 1,534.62; WINDSTREAM CABS 307.71; WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS INC. 3,536.94; WOODBURY CO AUDITOR/TREASURER 24.18; WOODBURY CO SHERIFF 13,375.00; WOODBURY COUNTY 151,354.00; ZIEGLER INC 371,286.32

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

**BOARD OF SUPERVISORS MEETING
FORTY-THIRD MEETING, 2022 SESSION (43)
OCTOBER 4, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 4, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Altena, to amend **today's agenda**, adding an Iowa Lakes Regional Water utility permit as an additional action item. Carried.

Motion by Ringgenberg, second by Snyder. To approve and authorize the Chair to sign the **utility permit** of Iowa Lakes Regional Water, Spencer, IA, to bore under 110th Ave., between Sections 34 & 35, Hayes Township, to install a new service to a residence. Carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign the **utility permit** of Iowa Lakes Electric Cooperative, Estherville, IA, to install an underground primary cable for the transmission of electricity, along 580th Street, between Sections 24 and 25 Coon Township, from the north right-of-way line approximately 1,450' west of 250th Ave. to the south right-of-way line under 580th St., to provide service to a new hog site. Carried.

Motion by Huseman, second by Ringgenberg, to approve and authorize the Chair to sign the **utility permit** of Iowa Lakes Electric Cooperative, Estherville, IA, to install an underground primary cable for the transmission of electricity, along 500th Street, between Sections 10 and 15 Lincoln Township, from the north right-of-way line approximately 140' west of the drive for 1628 500th St. to the south right-of-way line under 500th St., to upgrade existing facilities. Carried.

Motion by Snyder, second by Altena, to approve and authorize the Chair to sign the Design Agreement with **Calhoun-Burns & Associates**, for Bridge #24 and Bridge #25, both on C65 between 30th Ave. and 40th Ave. Carried.

Secondary Road Report: The crew is still working on entrances, finishing crushing the concrete pile, pumping water out of Hayes Pit stripping back where they will be mining, and still hauling gravel; they will start putting the snow equipment on, getting the trucks ready for winter. Engineer Wilkinson stated that they have plenty of salt and sand for now; Wilkinson informed the Board that they will be putting water and sewer in the building in Alta, with no heat this winter. Insulating and heating of the Alta building will be done next fiscal year.

Motion by Ringgenberg, second by Snyder, to go into **closed session** (at 9:40 a.m.) under Chapter 21.5(1)(j) of the 2022 Code of Iowa, to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Ringgenberg, second by Snyder, to go out of **closed session** at 10:14 a.m. Carried.

Env Health/Zoning Director Kim Johnson introduced her **new health inspector**, Kathy Brock.

The time arrived for the 3rd Reading of the Flood Plain Ordinance with Engineer Bret Wilkinson, Env Health/Zoning Director Kim Johnson, board members Altena, Huseman, Merten, Ringgenberg, and Snyder present in-person, and Angie Wilkinson, Kathy Croker, KICD, KAYL, and two other unidentified callers who were virtual. Motion by Altena, second by Huseman, to approve the 3rd Reading of the **Flood Plain** Ordinance, waiving the physical reading of the document. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

BUENA VISTA COUNTY ORDINANCE NO. 6.9

TABLE OF CONTENTS

(Section 3) - Definitions	1
(Section 4) - Statutory Authority, Findings of Fact and Purpose	399
(Section 5) - General Provisions	5
(Section 6) - Administration	6
(Section 7) - Establishment of Zoning (Overlay) Districts	7
(Section 8) - Standards for Floodplain (Overlay) District	402
(Section 9) - Appointment and Duties of Board of Adjustment	405
(Section 10) - Nonconforming Uses	407
(Section 11) - Penalties for Violation	408
(Section 12) - Amendments	408

Title : FLOODPLAIN MANAGEMENT ORDINANCE FOR BUENA VISTA COUNTY

BE IT ENACTED by the Board of Supervisors of Buena Vista County, Iowa:

SECTION 1. Purpose. It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of Buena Vista County and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses.

SECTION 2. Ordinances Repealed. The previous Floodplain Ordinance No. 6.9 is hereby repealed, provided that a) the ordinance or part of the ordinance that was repealed by an ordinance hereby repealed shall not be enforceable or considered re-adopted and b) the repeal shall not operate to release or relinquish any penalty, forfeiture or liability incurred under each such ordinance, and each such repealed ordinance shall be treated as remaining in force for the purpose of instituting or sustaining any proper action or prosecution for enforcement of such penalty, forfeiture, or liability:

Section 3. Definitions.

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

APPURTENANT STRUCTURE - A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

BASE FLOOD - The flood having one (1) percent chance of being equaled or exceeded in any given year (Also commonly referred to as the "100-year flood").

BASE FLOOD ELEVATION (BFE) - The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.

BASEMENT - Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also see "lowest floor."

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling or grading.

ENCLOSED AREA BELOW LOWEST FLOOR - The floor of the lowest enclosed area in a building when all the following criteria are met:

- A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of (SECTION 8(2)(D)(1)) of this Ordinance, and
- B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
- C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the base flood elevation, and
- D. The enclosed area is not a "basement" as defined in this section.

EXISTING CONSTRUCTION - Any structure for which the "start of construction" commenced before the effective date of the first floodplain management regulations adopted by the community.

EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by the community.

EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FACTORY-BUILT HOME - Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.

FACTORY-BUILT HOME PARK OR SUBDIVISION - A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

FIVE HUNDRED (500) YEAR FLOOD - A flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.

FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) - A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.

FLOODPLAIN - Any land area susceptible to being inundated by water as a result of a flood.

FLOODPLAIN MANAGEMENT - An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency preparedness plans, flood control works, floodproofing and floodplain management regulations.

FLOODPROOFING - Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

FLOODWAY - The channel of a river or stream and those portions of the floodplains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one (1) foot.

FLOODWAY FRINGE - Those portions of the Special Flood Hazard Area outside the floodway.

HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - Any structure that is:

- A. Listed individually in the National Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either i) an approved state program as determined by the Secretary of the Interior or ii) directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR - The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of Enclosed Area below Lowest Floor are met.

MAXIMUM DAMAGE POTENTIAL DEVELOPMENT - Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.

MINOR PROJECTS - Small development activities (except for filling, grading and excavating) valued at less than \$500.

NEW CONSTRUCTION - (new buildings, factory-built home parks) - Those structures or development for which the start of construction commenced on or after the effective date of the first floodplain management regulations adopted by the community.

NEW FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed

(including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the effective date of the first floodplain management regulations adopted by the community.

RECREATIONAL VEHICLE - A vehicle which is:

- A. Built on a single chassis;
- B. Four hundred (400) square feet or less when measured at the largest horizontal projection;
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES - Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- A. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
- B. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- C. Basement sealing;
- D. Repairing or replacing damaged or broken window panes;
- E. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

SPECIAL FLOOD HAZARD AREA (SFHA) - The land within a community subject to the "base flood". This land is identified on the community's Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.

START OF CONSTRUCTION - Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE - Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other similar uses.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.

SUBSTANTIAL IMPROVEMENT - Any improvement to a structure which satisfies either of the following criteria:

- A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (i) before the “start of construction” of the improvement, or (ii) if the structure has been “substantially damaged” and is being restored, before the damage occurred.

The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. The term also does not include any alteration of an “historic structure”, provided the alteration will not preclude the structure’s designation as an “historic structure”.

- B. Any addition which increases the original floor area of a building by 25 percent or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed 25 percent.

VARIANCE - A grant of relief by a community from the terms of the floodplain management regulations.

VIOLATION - The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations.

Section 4. Statutory Authority, Findings of Fact and Purpose

- 1. The Legislature of the State of Iowa has in Chapter 335, Code of Iowa, as amended, delegated the power to counties to enact zoning regulations to secure safety from flood and to promote health and the general welfare.

- 2. Findings of Fact

- A. The flood hazard areas of Buena Vista County are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the community.
 - B. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.
 - C. This ordinance relies upon engineering methodology for analyzing flood hazards which is consistent with the standards established by the Department of Natural Resources.

- 3. Statement of Purpose

It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of Buena Vista County and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in (SECTION 4(2)(A)) of this Ordinance with provisions designed to:

- A. Reserve sufficient floodplain area for the conveyance of flood flows so that flood heights and velocities will not be increased substantially.
 - B. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities.
 - C. Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.
 - D. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.

- E. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

(Section 5). General Provisions

1. Lands to Which Ordinance Apply

The provisions of this Ordinance shall apply to all lands within the jurisdiction of Buena Vista County which are located within the boundaries of the Floodplain (Overlay) District as established in (SECTION 7).

2. Establishment of Official Floodplain Zoning Map

The Flood Insurance Rate Map (FIRM) for Buena Vista County and Incorporated Areas, dated October 13, 2022, which was prepared as part of the Flood Insurance Study for Buena Vista County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Buena Vista County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

3. Rules for Interpretation of Floodplain (Overlay) District

The boundaries of the Floodplain (Overlay) District areas shall be determined by scaling distances on the official Flood Insurance Rate Map. When an interpretation is needed as to the exact location of a boundary, the Zoning Administrator shall make the necessary interpretation. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Zoning Administrator in the enforcement or administration of this Ordinance.

4. Compliance

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

5. Abrogation and Greater Restrictions

It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

6. Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

7. Warning and Disclaimer of Liability

The standards required by this Ordinance are considered reasonable for regulatory purposes. This Ordinance does not imply that areas outside the designated Floodplain (Overlay) District areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of Buena Vista County or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

8. Severability

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 6.- Administration

1. Appointment, Duties and Responsibilities of Zoning Administrator

- A. The Zoning Administrator is hereby appointed to implement and administer the provisions of this Ordinance and will herein be referred to as the Administrator.

- B. Duties and responsibilities of the Administrator shall include, but not necessarily be limited to the following:
- 1) Review all floodplain development permit applications to assure that the provisions of this Ordinance will be satisfied.
 - 2) Review floodplain development applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.
 - 3) Record and maintain a record of (i) the elevation (in relation to North American Vertical Datum 1988 of the lowest floor (including basement) of all new or substantially improved structures or (ii) the elevation to which new or substantially improved structures have been floodproofed.
 - 4) Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
 - 5) Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this Ordinance.
 - 6) Submit to the Federal Insurance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.
 - 7) Notify the Federal Insurance Administrator of any annexations or modifications to the community's boundaries.
 - 8) Review subdivision proposals to ensure such proposals are consistent with the purpose of this ordinance and advise the Board of Adjustment of potential conflict.
 - 9) Maintain the accuracy of the community's Flood Insurance Rate Maps when;
 - a. Development placed within the floodway results in any of the following:
 - (i) An increase in the Base Flood Elevations, or
 - (ii) Alteration to the floodway boundary
 - b. Development placed in Zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or
 - c. Development relocates or alters the channel.

Within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.

- 10) Perform site inspections to ensure compliance with the standards of this Ordinance.
 - 11) Forward all requests for Variances to the Board of Adjustment for consideration. Ensure all requests include the information ordinarily submitted with applications as well as any additional information deemed necessary to the Board of Adjustment.
2. Floodplain Development Permit
- A. Permit Required - A Floodplain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, storage of materials and equipment, excavation or drilling operations), including the placement of factory-built homes.
- B. Application for Permit - Application shall be made on forms furnished by the Administrator and shall include the following:
- 1) Description of the work to be covered by the permit for which application is to be made.
 - 2) Description of the land on which the proposed work is to be done (i.e., lot, block, track, street address or similar description) that will readily identify and locate the work to be done.
 - 3) Location and dimensions of all structures and additions
 - 4) Indication of the use or occupancy for which the proposed work is intended.
 - 5) Elevation of the base flood.
 - 6) Elevation (in relation to North American Vertical Datum 1988 of the lowest floor (including basement) of structures or of the level to which a structure is to be floodproofed.
 - 7) For structures being improved or rebuilt, the estimated cost of improvements and market value of the structure prior to the improvements.

- 8) Such other information as the Administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this Ordinance.
- C. Action on Permit Application - The Administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this Ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the County Board of Adjustment.
- D. Construction and Use to be as Provided in Application and Plans - Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, structure floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance, prior to the use or occupancy of any structure.

Section 7 - Establishment of Zoning (Overlay) Districts

The floodplain areas within the jurisdiction of this ordinance are hereby divided into the following districts:

1. Floodplain (Overlay) District - those areas identified as Zone A on the Official Flood Plain Zoning Map

The boundaries shall be as shown on the Official Floodplain Zoning Map. Within these districts, all uses not allowed as Permitted Uses are prohibited unless a variance to the terms of this ordinance is granted after due consideration by the Board of Adjustment.

Section 8 - Standards for Floodplain (Overlay) District

1. Permitted Uses

- A. All development within the Floodplain District shall be permitted to the extent that they are not prohibited by any other ordinance (or underlying zoning district) and provided they meet the applicable performance standards of the Floodplain District.
- B. Any development which involves placement of structures, factory-built homes, fill or other obstructions, storage of materials or equipment, excavation or alteration of a watercourse shall be reviewed by the Department of Natural Resources to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. The applicant shall be responsible for providing the Department of Natural Resources with sufficient technical information to make the determination.
- C. Review by the Iowa Department of Natural Resources is not required for the proposed construction of new or replacement bridges or culverts where:
 - 1) The bridge or culvert is located on a stream that drains less than one hundred (100) square miles, and
 - 2) The bridge or culvert is not associated with a channel modification that constitutes a channel change as specified in 567-71.2(1)(b), Iowa Administrative Code.

2. Performance Standards

All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood elevations have not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

A. All development shall:

- 1) Be designed and adequately anchored to prevent flotation, collapse or lateral movement.
- 2) Use construction methods and practices that will minimize flood damage.

3) Use construction materials and utility equipment that are resistant to flood damage.

B. Residential structures - All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the base flood elevation and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers or extended foundations) may be allowed where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

1) All new residential structures located in areas that would become isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

C. Non-residential structures - All new or substantially improved non-residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988 to which any structures are floodproofed shall be maintained by the Administrator.

D. All new and substantially improved structures:

1) Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

- a. A minimum of two (2) openings, with positioning on at least two (2) walls, having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- b. The bottom of all openings shall be no higher than one foot above grade.
- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.

Where the distance between the floor and ceiling of the fully enclosed area below the "lowest floor" is (FIVE (5)) feet or more, the applicant shall be required to sign and record with the Buena Vista County Recorder a Non-Conversion Agreement that ensures the lower enclosed area remains compliant with the criteria outlined in (SECTION 8(2)(D)(1).)

- 2) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- 3) New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case on non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation.

- 4) New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation or designed to be watertight and withstand inundation to such a level.
- E. Factory-built homes:
- 1) All factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the base flood elevation.
 - 2) All factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.
- F. Utility and Sanitary Systems:
- 1) On-site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
 - 2) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the base flood elevation.
 - 3) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than one (1) foot above the base flood elevation.
 - 4) Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.
- G. Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the base flood elevation. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning.
- H. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from the base flood with a minimum of 3 ft. of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.
- I. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
- J. Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Ordinance. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the base flood. Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the Floodplain (Overlay) District.
- K. Accessory Structures to Residential Uses
- 1) Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied:

- a. The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the base flood elevation must be constructed of flood-resistant materials.
 - b. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
 - c. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
 - d. The structure shall be firmly anchored to resist flotation, collapse and lateral movement.
 - e. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
 - f. The structure's walls shall include openings that satisfy the provisions of (SECTION 8(2)(D)(1)) of this Ordinance.
 - 2) Exemption from the base flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.
- L. Recreational Vehicles
- 1) Recreational vehicles are exempt from the requirements of (SECTION 8(2)(E)) of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied.
 - a. The recreational vehicle shall be located on the site for less than 180 consecutive days, and,
 - b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
 - 2) Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of (SECTION 8(2)(E)) of this Ordinance regarding anchoring and elevation of factory-built homes.
- M. Pipeline river and stream crossings shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.
- N. Maximum Damage Potential Development - All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the 500-year flood, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2% annual chance flood; and that the structure, below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988 to which any structures are floodproofed shall be maintained by the Administrator. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

(Section 9) Appointment and Duties of Board of Adjustment

- 1. Appointment and Duties of Board of Adjustment - A Board of Adjustment is hereby established which shall hear and decide (i) appeals and (ii) requests for variances to the provisions of this ordinance, and shall take any other action which is required of the Board.
- 2. Appeals - Where it is alleged there is any error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance, the aggrieved party may appeal such action. The notice of appeal shall be filed with the Board of Adjustment and with the official from

whom the appeal is taken and shall set forth the specific reason for the appeal. The official from whom the appeal is taken shall transmit to the Board of Adjustment all the documents constituting the record upon which the action appealed from was taken.

3. Variance - The Board of Adjustment may authorize upon request in specific cases such variances from the terms of this Ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship. Variances granted must meet the following applicable standards.
 - A. Variances shall only be granted upon: (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local codes or ordinances.
 - B. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood would result. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
 - C. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - D. In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.
 - E. All variances granted shall have the concurrence or approval of the Department of Natural Resources.
4. Hearings and Decisions of the Board of Adjustment
 - A. Hearings. Upon the filing with the Board of Adjustment of an Appeal or a request for a Variance, the Board shall hold a public hearing. The Board shall fix a reasonable time for the hearing and give public notice thereof, as well as due notice to parties in interest. At the hearing, any party may appear in person or by agent or attorney and present written or oral evidence. The Board may require the appellant or applicant to provide such information as is reasonably deemed necessary and may request the technical assistance and/or evaluation of a professional engineer or other expert person or agency, including the Department of Natural Resources.
 - B. Decisions. The Board shall arrive at a decision on an Appeal or Variance within a reasonable time. In passing upon an Appeal, the Board may, so long as such action is in conformity with the provisions of this ordinance, reverse or affirm, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall make its decision, in writing, setting forth the findings of fact and the reasons for its decision. In granting a Variance, the Board shall consider such factors as contained in this section and all other relevant sections of this ordinance and may prescribe such conditions as contained in (SECTION 9(4)(B)(2)).
 - 1) Factors Upon Which the Decision of the Board of Adjustment Shall be Based. In passing upon applications for Variances, the Board shall consider all relevant factors specified in other sections of this Ordinance and:
 - a. The danger to life and property due to increased flood heights or velocities caused by encroachments.
 - b. The danger that materials may be swept on to other land or downstream to the injury of others.
 - c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 - d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - e. The importance of the services provided by the proposed facility to the County.
 - f. The requirements of the facility for a floodplain location.
 - g. The availability of alternative locations not subject to flooding for the proposed use.

- h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - i. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 - j. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - k. The expected heights, velocity, duration, rate of rise and sediment transport of the flood water expected at the site.
 - l. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities (sewer, gas, electrical and water systems), facilities, streets and bridges.
 - m. Such other factors which are relevant to the purpose of this Ordinance.
- 2) Conditions Attached to Variances - Upon consideration of the factors listed above, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose of this Ordinance. Such conditions may include, but not necessarily be limited to:
- a. Modification of waste disposal and water supply facilities.
 - b. Limitation of periods of use and operation.
 - c. Imposition of operational controls, sureties, and deed restrictions.
 - d. Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purpose of this Ordinance.
 - e. Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Board of Adjustment shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.
5. Appeals to the Court - Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the Board.

(Section 10) Nonconforming Uses

1. A structure or the use of a structure or premises which was lawful before the passage or amendment of this Ordinance, but which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:
 - A. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this Ordinance.
 - B. Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
 - C. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.
2. Except as provided in (SECTION VIII(1)(B)), any use which has been permitted as a Variance shall be considered a conforming use.

(Section 11) - Penalties for Violation

Violations of the provisions of this Ordinance or failure to comply with any of the requirements shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$(500.00 (FIVE HUNDRED DOLLARS)) or imprisoned for not more than (THIRTY (30) days. Nothing herein contained prevent Buena Vista County from taking such other lawful action as is necessary to prevent or remedy violation.

(Section 12) - Amendments

The regulations and standards set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.

ADOPTED AND PASSED by the Board of Supervisors of the County of Buena Vista this 4th day of October, 2022.

/s/ Paul Merten, Chairman.....Attest: Susan K. Lloyd, County Auditor

Public Hearing Date: 9-20-2022 Publication Date: 10-12-2022 Effective Date: 10-13-2022

Motion by Snyder, second by Huseman, to approve the minutes of 9/27/22, as presented, and the following reports: FY'22 REAP Report, August VA Commissioner meeting minutes, June 911 Service Board minutes, and June SHIELD Board minutes. Carried.

Motion by Huseman, second by Altena, to forgo the public hearing on the contract to purchase the Color-ize building, as it is unnecessary. Carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign the Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C., on the proposed issuance of not to exceed \$425,000 General Obligation Capital Loan Notes, Series 2022B. Carried.

Motion by Ringgenberg, second by Snyder, to approve the Jt. DD #150 Main claim to reimburse Pocahontas County Auditor \$6.65 for mailings. Carried.

Treasurer Danelle Haberman and landowner Brent Landsness were present to discuss a county-held tax sale certificate. Landsness is interested in purchasing the certificate for the piece of property adjacent to his property. Landsness would tear the building down and build a garage or shed connecting his place. Haberman stated that the county has held the tax sale certificate since June, 2019, with the taxes owed going back to 2016-17. Haberman stated that Landsness would be required to pay the \$929 that is due to the investors, plus a \$10 assignment fee. Haberman informed the Board that there are \$960 taxes due on the property, and it would be up to the Board to decide if they wanted Landsness to pay the full amount, or if they wanted to abate any or all of the taxes owed. Motion by Snyder, second by Ringgenberg, to assign Tax Certificate #19-00302 to Brent Landsness, and to abate 50% of the \$960 taxes on Parcel #0306385007, with Brent Landsness paying the remaining tax. Ayes: Altena, Merten, Ringgenberg, Snyder. Nays: Huseman. Motion carried.

Board Member Huseman introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$425,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF BUENA VISTA COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Altena seconded the motion to adopt. The roll was called and the vote was, AYES: Altena, Huseman, Merten, Ringgenberg, Snyder. NAYS: None. Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION #2022-10-04-A

RESOLUTION FIXING DATE FOR A MEETING ON THE
AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF
NOT TO EXCEED \$425,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES OF BUENA VISTA COUNTY, STATE OF IOWA (FOR
ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Buena Vista County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$425,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 215 E 5th St, Storm Lake, Iowa, at 9:00 A.M., on the 25th day of October, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$425,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used 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.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$425,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: October 20, 2022; but not earlier than October 5, 2022)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF BUENA VISTA COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$425,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Buena Vista County, State of Iowa, will hold a public hearing on the 25th day of October, 2022, at 9:00 A.M., in the Board Room, County Courthouse, 215 E 5th St, Storm Lake, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$425,000 General Obligation Capital Loan Notes, for essential county purposes, 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. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Buena Vista County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 4th day of October, 2022.

/s/ Susan K. Lloyd, County Auditor, Buena Vista County, State of Iowa

(End of Notice)

PASSED AND APPROVED this 4th day of October, 2022.

/s/ Paul Merten, Chairperson.....Attest: Susan K. Lloyd, County Auditor

Board Member Snyder introduced the following Resolution entitled "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS" and moved that it be adopted. Board Member Ringgenberg seconded the motion to adopt, and the roll being called thereon, the vote was as follows: AYES: Altena, Huseman, Merten, Ringgenberg, Snyder. NAYS: None. Whereupon, the Chairperson declared the resolution duly adopted as follows:

Resolution #2022-10-04-B

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS

WHEREAS, the County anticipates making cash expenditures for one or more capital improvement projects, generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the County reasonably expects to issue debt to reimburse the costs of a Project; and

WHEREAS, the Board believes it is consistent with the County's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the following Project(s), from time to time and in such amounts as this Board determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the County reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the County in the future.

Section 4. That the total estimated costs of the Project(s), the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project(s) and the estimated dates of completion of the Project(s) are reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
Color-ize Bldg	General Basic Fund	\$340,000	Not to exceed \$425,000	November 1, 2022

Section 5. That the County reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after

Section 6. the property is placed in service, but in no event more than three (3) years after the original expenditure is paid.

Section 7. That this Resolution be maintained by the County Auditor in an Official Intent File maintained in the office of the Auditor and available at all times for public inspection, subject to such revisions as may be necessary.

PASSED AND APPROVED this 4th day of October, 2022.

/s/ Paul Merten, Chairperson.....Attest: Susan K. Lloyd, County Auditor

Motion by Ringgenberg, second by Snyder, to go into **closed session** (at 9:40 a.m.) under Chapter 21.5(1)(j) of the 2022 Code of Iowa, to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Ringgenberg, second by Snyder, to go out of **closed session** at 10:14 a.m. Carried.

Motion by Altena, second by Snyder, to authorize the Chair to contact a realtor to **negotiate a potential purchase of a property** as discussed in closed session, up to the amount also discussed in closed session. Ayes: Altena, Huseman, Merten, Snyder. Nays: Ringgenberg. Motion carried.

There being no further business, motion by Ringgenberg, second by Huseman, to adjourn the meeting at 10:20 a.m. until Tuesday, October 11 at 8:30 a.m. for a regular meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-FOURTH MEETING, 2022 SESSION (44)
OCTOBER 11, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, October 11, 2022, at 8:30 A.M. in the Boardroom with Vice-Chairman Snyder presiding, and the following members present: Altena, Huseman, 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 Huseman, second by Ringgenberg, to approve **today's agenda**. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Vice-Chair to sign the **gravel/stockpile lease** for the McKay stockpile beginning January 1, 2023 and ending December 31, 2025 in the amount of \$125 annually. Carried.

Engineer Bret Wilkinson informed the Board about a new Federal SMART Grant, that he would like Buena Vista County to be the lead on, with 15-20 counties included. Wilkinson stated that this is a 2-phase grant for improving infrastructure resilience. Wilkinson stated that this is a \$2M grant and there is no match required. The funds have to be spent first and then reimbursed by the Federal government. Wilkinson stated that the first phase is a proof of concept, the second phase of the grant would be for \$25M to be used for improving things and doing more. Auditor Lloyd asked if the funds would be paid out of Secondary Road, and that the Engineer would be the fiscal agent. Wilkinson stated that the application has to be submitted by November 1, and that he probably will not hear from the Federal government about the award for another year, and that it could be added to the FY'24 budget requests. Lloyd stated that the county is already fiscal agent for several other entities and said this would be an additional burden on the General Fund if the funds had to be paid out of there first and wait to be reimbursed. Motion by Ringgenberg, second by Altena, to have Engineer Bret Wilkinson move forward with the **SMART Grant** application. Carried.

Engineer Bret Wilkinson informed the Board that the **lease** for part of the county building in Linn Grove, which has been leased out to J & D Graesing, ends at the end of December, 2022. Wilkinson asked the Board whether they wanted to renew the lease, if they wanted to take the building back and use it, or if they wanted to offer it to Conservation to use. Wilkinson stated that Graesings have kept up the building and are currently paying \$600/year to lease it. The consensus of the Board was to table the decision on the Linn Grove lease until talking with the Conservation Director, Greg Johnson, to see if he would have use for the building.

County Attorney Paul Allen was present for his appointment. Motion by Ringgenberg, second by Altena, to go into **closed session** (at 9:05 a.m.) under Chapter 21.5(1)(c) of the 2022 Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where

its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: None. Motion carried.

Motion by Huseman, second by Ringgenberg, to go out of **closed session** at 9:22 a.m. Carried.

Motion by Ringgenberg, second by Huseman, to amend **Chapter 4.5 Ordinance** Prohibiting the Unlawful Use of Engine and Compression Brakes, removing the words "Jake Brake and "Jacobs Brake" from the Ordinance. Carried.

Treasurer Danelle Haberman introduced her **new Drivers License Clerk**, Nathan Martinez-Reyes, who started 10/10/2022. The Board welcomed Martinez-Reyes.

Motion by Ringgenberg, second by Huseman, to approve the **minutes** of 10/4/22, as corrected, today's **claims approval list**, and the following **reports**: September Sheriff's Report of Fees Collected. Carried.

Motion by Huseman, second by Altena, to approve the **Liquor License Application** for a Class E Liquor License, beer, wine, and Sunday sales for Brew Oil LLC, DBA Brew #1 West Lake General Store. Carried.

Motion by Ringgenberg, second by Altena, to approve the **Jt. DD #22** claim payable to Johnson Contractors, LLC, for \$975.00 to remove beaver dams. Carried.

Motion by Ringgenberg, second by Huseman, to approve the **Jt. DD #22** claim payable to Kent Malm for \$40.00 for site visits and paperwork. Carried.

Motion by Ringgenberg, second by Altena, to authorize the Auditor to **void and reissue lost check** #316328 for \$30.00, dated 7/5/2022 to Little Hawks Childcare Center. Carried.

There being no further business, motion by Huseman, second by Altena, to adjourn the meeting at 9:43 a.m. until Tuesday, October 18 at 8:30 a.m. for a special meeting. Carried.

Susan Lloyd, Auditor

Kelly Snyder, Vice- Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-FIFTH MEETING, 2022 SESSION (45)
OCTOBER 18, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, October 18, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten 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 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 Snyder, to approve **today's agenda**. Carried.

Motion by Altena, second by Ringgenberg, to approve and authorize the Chair to sign the **gravel/stockpile lease** with the City of Newell beginning January 1, 2023 and ending December 31, 2025 in the amount of \$100 annually. Carried.

Secondary Road Report: The contractor, Godbersen Construction, will be closing the Linn Grove River Bridge in the next few weeks, to begin the bridge replacement project in November, hoping to have it open by the end of June, 2023. They have had their closing out phone call with FEMA on the project. FEMA will pay 90% with the State picking up the remaining 10%; they are hauling sand to Sioux Rapids from Whitney Pit; there are trees to come down; the crews are still working on some driveways and cross-pipes; the west half of the county should be done for the mowing, and they are working towards the east; Bluebird Creek will be let in November with the DOT. Engineer Wilkinson stated that they have restricted the number of days the Bluebird Creek bridge will be closed. Wilkinson stated that after two winters, when it is done settling, then they will pave M36 from C16 to the county line. Wilkinson stated that it is a 6–8-month project.

Chairman Merten asked Engineer Wilkinson about the **bridge on 650th St.**, regarding the change in weight limit, causing a ten-mile detour for farmers. Engineer Bret Wilkinson stated that this particular bridge is not in the 5-year plan. Wilkinson stated that there are currently 9 bridges with the same issue, and also not on the 5-year plan. Wilkinson stated that if he moved all 9 bridges up to be replaced at this time, it would be in the range of \$1.8M-\$2M. Wilkinson stated that these bridges are not Farm-to-Market roads, so those funds are not available, but bridge funding could be used and program it in next year's budget.

Env Health/Zoning Director Kim Johnson informed the Board that she has two **applicants** for her position, which will be interviewed Thursday night by Supervisor Ringgenberg, Supervisor Huseman, and Board of Health member Julie Sievers. Johnson informed the Board that they need to decide on the wage to be offered.

Env Health/Zoning Director Kim Johnson informed the Board that her and the realtor went through the house adjacent to Color-ize, and there are areas of possible **asbestos**.

Sheriff Deputy Joey Speers and Jailer Aly Sievers presented an estimate for jail pod shower floor repair. Speers stated that he has asked another company to submit an estimate, so they have an option, and asked the Board if they would consider authorizing to move forward with the repair, going with the lowest estimate they receive. The consensus of the Board was to approve and allow the Sheriff's Department/Jail to move forward with the repair of the **jail pod shower floor** with the company that submits the lowest estimate.

Motion by Huseman, second by Ringgenberg, to approve the **minutes** of 10/11/22, as printed, and the following **reports:** September Conservation Board minutes and September Landfill Commission minutes. Carried.

Hear the Public: Sid Peterson, Rembrandt, stopped in to request resurfacing of **C25** (west of M36 for 3 miles), **C43** (from M54 to M50 for 5.5 miles), and **C16** (from M36 to M27 for 6 miles) stating that full replacements are needed. Engineer Wilkinson stated that C43 is in the 5-year plan. Dennis Graesing stated that he worked for two county engineers and has 40 years of experience working for Secondary Road, and stated that in previous years, county road employees would go out and patch the roads and get it done. Steven Jessen stated that he had the same issues that Sid Peterson discussed, and also wanted to discuss the **property purchases that the county has made**, which comes off of the tax rolls, and suggested that maybe the county should use current facilities and make them better rather than purchasing new. Chairman Merten stated that the county has a facilities committee that looks at the needs of the departments and recommends to the Board what they feel is best for each situation. Merten stated that the Board takes this very seriously, and he understands the concerns of Jessen. Jessen commented that taxes went up 39%, some due to wasteful spending. Jessen commented to the Board that regarding the exchange of property in Sioux Rapids, he appreciated how they voted. Dennis Graesing informed the Board that he is interested in continuing the **lease on the building in Linn Grove** that the County owns.

Graesing stated that he has asked the previous Engineer Jon Ites to sell it to him, but Ites did not want to give up the building at that point. Graesing stated that the lease is for a building with 1,200 sq. feet, and the Truesdale shop that the Engineer would like to dispose of has 5,100 sq. feet. Graesing stated that he looked at the building in Truesdale, and says it has solid rafters but needs a new roof and is being used by the parks department. Graesing stated that the county paid \$350,000 for the latest Alta building purchase, which has no heat and no insulation. Graesing stated that Engineer Wilkinson sold the Hudson St. Shop for \$350,000 to Tyson, which has heat and insulation, stating that the county should have kept Hudson St. Shop. Graesing would like to purchase the Linn Grove building that he has been leasing, only wanting a quit claim deed, and stated that he would sell it back to the county when he is done using it, for the same amount as what he would pay the county. Graesing also informed the Board that he spoke with two members of the Conservation Board and was told they did not make a recommendation as to the appointment of a board member, for their vacancy, so Graesing feels like he is being singled out. Merten stated to Graesing that he is not being singled out. Merten informed Graesing that the Board would keep the lease under advisement and asked if Graesing was willing to have the lease for another 3 years, to which Graesing said yes he was interested.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 9:50 a.m. until Tuesday, October 25 at 8:30 a.m. for a regular meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**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 580th 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 & 90th Avenue project on the corner of C49 & 90th 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 25th 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.

Sharon Henkel, Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-SEVENTH MEETING, 2022 SESSION (47)
OCTOBER 28, 2022**

The Buena Vista County Board of Supervisors met in special session with the Board of Health, on Friday, October 28, 2022, at 6:00 P.M. in the Law Enforcement Center Conference Room, with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder, and with Auditor Susan Lloyd as clerk for the meeting, Present for the Board of Health was Chairman Jon McKenna, Julie Sievers, Dr. Scott Wulfekuhler, and Rhonda Ringgenberg.

Unless otherwise indicated, all the following **motions** offered at this meeting were carried with the following vote: Ayes: Altena, Huseman, Merten, Ringgenberg, and Snyder for the Board of Supervisors, and McKenna, Sievers, Ringgenberg, and Wulfekuhler for the Board of Health. Nays: none. Abstentions: none.

The purpose of the special meeting was to **interview** two applicants for the Env Health/Zoning Director position. The first candidate to interview was Ben Mueggenberg. Mueggenberg started by informing the Board members about himself and his current position working for Siouxland District Health as a certified food inspector, certified pool operator, inspector of tanning booths and tattoo parlors. The Boards proceeded to ask him their questions. Mueggenberg then requested to go into closed session. Motion by Snyder, second by McKenna, to go into closed session (at 6:21 p.m.) under Chapter 21.5(1)(i)

of the 2022 Code of Iowa, to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder, McKenna, Sievers, Wulfekuhler. Nays: None. Motion carried.

Motion by Ringgenberg, second by Sievers, to go out of **closed session** at 6:33 p.m. Carried.

The next candidate to **interview** was Johanna Knipper. Knipper requested that the Board go into closed session. Motion by McKenna, second by Ringgenberg, to go into closed session (at 6:37 p.m.) under Chapter 21.5(1)(i) of the 2022 Code of Iowa, to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Ayes: Altena, Huseman, Merten, Ringgenberg, Snyder, McKenna, Sievers, Wulfekuhler. Nays: None. Motion carried.

Motion by Huseman, second by Snyder, to go out of **closed session** at 6:53 p.m. Carried.

There being no further business, motion by Snyder, second by Wulfekuhler, to adjourn the meeting at 6:57 p.m. until Tuesday, November 1 at 8:30 a.m. for a special meeting for the Board of Supervisors. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-EIGHTH MEETING, 2022 SESSION (48)
NOVEMBER 1, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 1, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, and Snyder, and with Auditor Susan Lloyd 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 Altena, to add an action item for approving the special joint meeting minutes of 10/28/22 and to approve **today's amended agenda**. Carried.

Engineer Bret Wilkinson presented information to the Board regarding purchasing a forestry mulching head. Wilkinson stated that he was concerned about the weight on the mulching head that was on the Cat. Excavator that was purchased, so he didn't buy one at that time. Wilkinson presented two quotes that he received: one quote was from Midwest Underground, Bondurant, IA, for \$56,750.00, and stated that it would have to be ordered; the second quote was from Trax Plus, Hickory, MS, for \$53,297.14, and the equipment is in-stock. Wilkinson stated that he would like to purchase in Iowa, however, with the difference in price and the availability of the one in Mississippi, he recommended purchasing from Trax Plus. Motion by Snyder, second by Huseman, to approve the purchase of a **2022 Den Dah-125D Mulcher** from Trax Plus, Hickory, MS, in the amount of \$53,297.14. Carried.

Secondary Road Report: The crew has been installing the snow equipment and putting the other equipment away for the winter; they have been trimming around bridges and stocking the gravel piles; the contractor that has been doing the gravel crushing at the Hayes pit is finished; the contractor, Godbersen-Smith say they won't be closing the road going through Linn Grove until after Thanksgiving when they are ready to tear the bridge out. Wilkinson stated that Clay County will help with the one mile of plowing on the north side of Linn Grove, otherwise it will be a 14-mile detour for BV County to plow one road. Wilkinson stated that the road will be closed for eight months.

I.T. Director Tyler Van Houten informed the Board that the County Attorney has requested a .gov domain, and there is an authorization form that needs the Boards approval and the Chair's signature. Motion by Snyder, second by Huseman, to approve and to authorize the Chair to sign the authorization letter for a **.gov domain** for the County Attorney. Carried.

County Attorney Paul Allen discussed two of the contracts with private non-profit agencies that have requested funds and were either not providing the documentation needed or submitted the incorrect documentation. Allen stated that counties are all doing things differently as far as requiring documentation from the non-profit agencies, and some of the agencies work with multiple counties. Merten stated that for years, the county has provided funds to private non-profit agencies, and if the taxpayers had an issue with this process, something would have been said. Merten stated that the new process takes away local control, and he would rather address the constituents rather than the State Auditor. The consensus of the Board was to move forward with asking for more detailed documentation for FY'23 and forward. Motion by Snyder, second by Altena, to move forward with requesting more detail from the **private non-profit agencies** for FY'23 and moving forward, and not to go back and retrieve the funds paid in FY'22. Carried.

Motion by Altena, second by Huseman, to approve the **minutes** of 10/25/22, as corrected, the minutes of 10/28/22, as corrected, and the following **reports:** FY'22 Audit Report for Plains Area Mental Health, September Sheriff's Report of Federal Inmate Billings, and September Board of Health minutes. Carried.

Heidi Kuhl, Northland Securities, was present online, to review the four bids that were received on the proposed \$359,000 GO Capital Loan Note for the purchase of the Color-ize building. Kuhl stated that the lowest bid was from Central Bank, Storm Lake, IA, with a 3.5% interest rate. Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **Final Bank Term Sheet** for \$359,000 General Obligation Capital Loan Note, with Central Bank, Storm Lake, IA, as the purchaser for 3.5% interest. Carried.

Board Member Huseman introduced the following Resolution entitled "RESOLUTION DIRECTING THE ACCEPTANCE OF A PROPOSAL TO PURCHASE NOT TO EXCEED \$425,000 (SUBJECT TO ADJUSTMENT) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022B" and moved that it be adopted. Board Member Altena seconded the motion to adopt, and the roll being called thereon, the vote was as follows: Ayes: Altena, Huseman, Merten, Snyder. Nays: None. Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION NO. 2022-11-01-A

**RESOLUTION DIRECTING THE ACCEPTANCE OF A PROPOSAL TO
PURCHASE NOT TO EXCEED \$425,000 (SUBJECT TO
ADJUSTMENT) GENERAL OBLIGATION CAPITAL LOAN NOTES,
SERIES 2022B**

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 Not to exceed \$425,000 (subject to adjustment) as authorized by Sections 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, Inc. 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 November 1, 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, Inc. of Minneapolis, MN, and takes additional action to permit the entering into of a Loan Agreement.

Section 2. The 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 1st day of November, 2022.

/s/ Paul Merten, Chairperson, Board of Supervisors.....Attest: Susan K. Lloyd, County Auditor

Motion by Huseman, second by Snyder, to allow the maximum amount of \$3,050 for an employee to withhold for **FLEX**, for 2023, and \$5,000 for **Dependent Care**. Carried.

Motion by Snyder, second by Huseman, to approve and authorize the Chair to sign the **Settlement Statement** for the purchase of Color-ize, Inc. at 317 E. 5th St., Storm Lake, IA, for \$337,695.31. Carried.

An email was received from ISAC to the Supervisors reminding them that the ISAC Executive Committee and the IA State Association of County Supervisors (ISACS) Executive Board approved a technical evaluation agreement to determine a "Procedure for Determining Soil Wetness during Construction of Underground Utilities to Minimize Excessive Soil Compaction on Farm Soils". The evaluation is currently underway and is being conducted under the direction of the Principal Investigator Dr. Mehari Tekeste, Associate Professor, Agricultural and Biosystems Engineering at Iowa State University. ISAC and ISACS is requesting that each county contribute \$600 to pay for the evaluation. Motion by Snyder, second by Huseman, to deny the request from ISAC and ISACS to contribute \$600 for the **Soil Compaction Project evaluation**. Carried.

Snyder informed the Board that there will be an open house at **RIDES** in Spirit Lake on Thursday, November 3 from 4:00-5:00 p.m.

There being no further business, motion by Snyder, second by Merten, to adjourn the meeting at 10:00 a.m. until Monday, November 7 at 8:30 a.m. for a regular meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FORTY-NINTH MEETING, 2022 SESSION (49)
NOVEMBER 7, 2022**

The Buena Vista County Board of Supervisors met in regular session on Monday, November 7, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 Ringgenberg, second by Altena, to approve **today's agenda**. Carried.

Engineer Bret Wilkinson informed the Board that he has an opening for and Equipment Operator 1, and stated that he would like to advertise now, to get someone hired, getting them familiar with a dump truck before plowing snow. Motion by Snyder, second by Huseman, to approve and authorize Engineer Wilkinson to advertise for an **Equipment Operator 1 position**, in order to get someone hired and trained prior to plowing snow. Carried.

Secondary Road Report: The crew has started the winter blade routes, to work the roads a little and to move the deposits, and get familiar with their roads; they have hauled salt/sand mix to some of the shops; they are brush cutting and maintaining their routes; Engineer Wilkinson is looking at a couple pieces of equipment that were budgeted for purchase this fiscal year; Wilkinson is pursuing leads on gravel for the south part of the county. Currently there is 100,000 ton of gravel sitting at Hayes Pit, and a good pile at Whitney Pit; Wilkinson stated that the plow trucks are ready to go.

Motion by Altena, second by Huseman, to approve the **minutes** of 11/1/22, as corrected, November 8th **claims approval list & stamped warrant register**, and the following **reports**: September NWIPDC minutes, September RIDES minutes, September NW IA YES Center minutes, Proclamation Recognizing Manufacturing Month, October Sheriff Federal Inmate Billings Report, and FY'22 Annual Report for Rolling Hills Community Services Region. Carried.

Env Health/Zoning Director Kim Johnson presented information on a Minor S/D for Richard Marshall and Nancy Marshall in the SE ¼ NE ¼ of Section 8 Maple Valley Township. Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign **Resolution #2022-11-07-A** Minor S/D for Richard Marshall and Nancy Marshall in the SE ¼ NE ¼ of Section 8 Maple Valley Township. Carried.

RESOLUTION 2022-11-07-A

WHEREAS Richard Marshall and Nancy Marshall have presented a preliminary and final plat (of survey) on the following described property:

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE ¼ NE ¼) OF SECTION 8, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Northeast Quarter (NE ¼) of said Section 8; Thence on an assumed bearing of North 00°00'00" East, along the East line of said Northeast Quarter (NE ¼) 885.50 feet to the Point of Beginning. Thence North 86°38'51" West; 133.23 feet; Thence North 00°00'00" East, 239.71 feet; Thence South 90°00'00" East, 133.00 feet to the East line of said Northeast Quarter (NE ¼); Thence South 00°00'00" West, along said East line, 247.50 feet to the Point of Beginning.

Hereafter known as Lot C, of Section 8, Township 90 North, Range 38 West of the 5th P.M., Buena Vista County, Iowa.

Parcel contains 0.74 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:

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE ¼ NE ¼) OF SECTION 8, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Northeast Quarter (NE ¼) of said Section 8; Thence on an assumed bearing of North 00°00'00" East, along the East line of said Northeast Quarter (NE ¼) 885.50 feet to the Point of Beginning. Thence North 86°38'51" West; 133.23 feet; Thence North 00°00'00" East, 239.71 feet; Thence South 90°00'00" East, 133.00 feet to the East line of said Northeast Quarter (NE ¼); Thence South 00°00'00" West, along said East line, 247.50 feet to the Point of Beginning.

Hereafter known as Lot C, of Section 8, Township 90 North, Range 38 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:

DESCRIPTION LOT C

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE ¼ NE ¼) OF SECTION 8, TOWNSHIP 90 NORTH, RANGE 38 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast (SE) Corner of the Northeast Quarter (NE ¼) of said Section 8; Thence on an assumed bearing of North 00°00'00" East, along the East line of said Northeast Quarter (NE ¼) 885.50 feet to the Point of Beginning. Thence North 86°38'51" West; 133.23 feet; Thence North 00°00'00" East, 239.71 feet; Thence South 90°00'00" East, 133.00 feet to the East line of said Northeast Quarter (NE ¼); Thence South 00°00'00" West, along said East line, 247.50 feet to the Point of Beginning.

Hereafter known as Lot C, of Section 8, Township 90 North, Range 38 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 November, 2022.

/s/ Paul Merten, Chairman Board of Supervisors...../s/ Susan K. Lloyd, County Auditor

Motion by Snyder, second by Ringgenberg, to approve and authorize the Chair to sign the **Jt. DD #22 Main** claim of Heng Home Inspection – Ty Heng for drone work in the amount of \$100.00. Carried.

Motion by Huseman, second by Altena, to approve and authorize the Chair to sign the **Jt. DD #22 Main** claim of Kent Malm for site visits and paperwork in the amount of \$60.00. Carried.

Motion by Huseman, second by Snyder, to authorize the Auditor to **void and reissue check** #317528, issued 10/11/2022 to IGL Teleconnect in the amount of \$144.00. Carried.

Motion by Snyder, second by Altena, to approve and authorize the Chair to sign the work order for **DD #47** proposed beaver dam removal in Section 1 Eden Township, Sac County, with an estimated cost of \$500.00. Carried.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 9:08 a.m. until Tuesday, November 15 at 8:30 a.m. for a special meeting and to canvass the General Election. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTIETH MEETING, 2022 SESSION (50)
NOVEMBER 15, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 15, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 approve **today's 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 100th Ave. between Sections 27 & 28 Washington Township, to provide a new service to 5810 100th Ave. Carried.

Engineer Bret Wilkinson presented the Board with the lease for the secondary road building in Linn Grove with J & D Graesing LLC. The lease is for a 3-year lease for \$600 per year. Motion by Ringgenberg, second by Huseman, to authorize the chair to sign a 3-year lease with J & D Graesing LLC. for the Secondary Road building in Linn Grove for \$600 per year. Carried.

Secondary Road Report: They have been plowing hard surface roads and put material down where the roads were slick; Engineer Wilkinson stated that the ad is running for the Equipment Operator 1 position, with applications due December 2; Engineer Wilkinson toured the Platinum Crush plant, stating that there has been a lot of progress. Wilkinson stated that there are four different crews working at the Platinum Crush site, and he was told that they will be storing 100,000 gallons of water in case of any fires; the road crew is blading the gravel roads, and they have brush cutting to do, with some bigger trees to be removed; Wilkinson stated that he will be submitting the Smart Grant application this week, for \$2M, stating that Secondary Roads will budget for it in FY'24.

Jessica and Yosalina, of **Family Crisis Centers**, updated the Board on their program. In Buena Vista County, they saw 77 domestic violence victims, 64 clients of violent crimes, and United Community Health Center served 53 victims inside their clinic. There were also 82 crisis line calls. County funding continues to be crucial in sustaining these vital services for victims of abuse and crime in BV County. They are requesting \$5,000 in FY'24, their contract amount for services to Buena Vista County residents.

Treasurer Danelle Haberman presented a 28E Agreement with the State of Iowa for the Driver's License Department. Haberman stated that the agreement was updated across the state. Motion by Snyder, second by Ringgenberg, to approve the **28E Agreement** with the State of Iowa for the Driver's License Department. Carried.

Motion by Snyder, second by Altena, to approve the **minutes** of 11/7/22, as presented, and the following **reports:** October Conservation Board minutes and October Landfill Commission minutes. Carried.

Board Member Ringgenberg introduced the following Resolution entitled "RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$359,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022B, AND LEVYING A TAX TO PAY SAID NOTES; APPROVAL OF THE TAX EXEMPTION CERTIFICATE" 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, Merten, Ringgenberg, Snyder. Nays: None. Whereupon, the Chairperson declared said Resolution duly adopted as follows:

RESOLUTION #2022-11-15-A

RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$359,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022B, AND LEVYING A TAX TO PAY SAID NOTES; APPROVAL OF THE TAX EXEMPTION CERTIFICATE

WHEREAS, the Issuer is a political subdivision, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the Issuer is in need of funds to pay 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, essential county purpose(s), and it is deemed

necessary and advisable that General Obligation Capital Loan Notes, to the amount of \$359,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the above mentioned Notes were heretofore sold and action should now be taken to issue said Notes conforming to the terms and conditions of the best bid received at the sale.

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

Section 8. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Issuer" and "County" shall mean Buena Vista County, State of Iowa.
- "Loan Agreement" shall mean a Loan Agreement between the Issuer and a lender or lenders in substantially the form attached to and approved by this Resolution.
- "Note Fund" shall mean the fund created in Section 3 of this Resolution.
- "Notes" shall mean \$359,000 General Obligation Capital Loan Notes, Series 2022B, authorized to be issued by this Resolution.
- "Paying Agent" shall mean the County Auditor, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Notes as the same shall become due.
- "Project" shall mean 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.
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Notes.
- "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.
- "Registrar" shall mean the County Auditor of Storm Lake, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Notes. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Notes.
- "Resolution" shall mean this resolution authorizing the Notes.
- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate approved under the terms of this Resolution and to be executed by the Treasurer and delivered at the time of issuance and delivery of the Notes.

• "Treasurer" shall mean the County Treasurer or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Notes issued hereunder.

Section 9. Levy and Certification of Annual Tax; Other Funds to be Used.

a) Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Notes hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Buena Vista County, State of Iowa, to-wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$6,283	2022/2023*
\$127,565	2023/2024
\$128,540	2024/2025
\$128,340	2025/2026

*Payable from available cash on hand.

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2022 will be collected during the fiscal year commencing July 1, 2023.)

b) Resolution to be Filed With County Auditor. A certified copy of this Resolution shall be filed with the Auditor of Buena Vista County, Iowa and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the County are collected, and when collected be used for the purpose of paying principal and interest on said Notes issued in anticipation of the tax, and for no other purpose whatsoever.

c) Additional County Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the County available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 10. Note Fund. Said tax shall be assessed and collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the County, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the "SERIES 2022B GENERAL OBLIGATION CAPITAL LOAN NOTE FUND" (the "Note Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Notes hereinafter authorized to be issued; and also there shall be apportioned to said fund its proportion of taxes received by the County from property that is centrally assessed by the State of Iowa.

Section 11. Application of Note Proceeds. Proceeds of the Notes, other than accrued interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Notes at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Section 12. Investment of Note Fund Proceeds. All moneys held in the Note Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Notes as herein provided.

Section 13. Note Details, Execution and Redemption.

a) Note Details. General Obligation Capital Loan Notes of the County in the amount of \$359,000, shall be issued to evidence the obligations of the Issuer under the Loan Agreement pursuant to the provisions of Sections 331.402 and 331.443 of the Code of Iowa for the aforesaid purposes. The Notes shall be issued in one or more series and shall be secured equally and ratably from the sources provided in Section 3 of this Resolution. The Notes shall be designated "GENERAL OBLIGATION CAPITAL LOAN NOTE, SERIES 2022B", be dated December 1, 2022, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on June 1, 2023, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Notes shall be executed by the manual or facsimile signature of the Chairperson and attested by the manual or facsimile signature of the Auditor, and impressed or printed with the seal of the County and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Note. The Notes shall be in the denomination of \$100,000 or incremental multiples of \$1,000 in excess thereof. The Notes shall mature and bear interest as follows:

<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturity June 1st</u>
\$359,000	3.50%	2026*

*Term Note

b) Redemption.

i. Optional Redemption. The Notes may not be called for optional redemption by the Issuer.

ii. **Mandatory Payment and Redemption of Term Notes.** All Term Notes are subject to mandatory redemption prior to maturity at a price equal to 100% of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Term Note #1

Principal Amount	Interest Rate	Maturity June 1st
\$115,000	3.50%	2024
\$120,000	3.50%	2025
\$124,000	3.50%	2026*

*Final Maturity

Section 14. Registration of Notes; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

a) **Registration.** The ownership of Notes may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Notes, and in no other way. The County Auditor is hereby appointed as Note Registrar under the terms of this Resolution. Registrar shall maintain the books of the Issuer for the registration of ownership of the Notes for the payment of principal of and interest on the Notes as provided in this Resolution. All Notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Notes and in this Resolution.

b) **Transfer.** The ownership of any Note may be transferred only upon the Registration Books kept for the registration and transfer of Notes and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Note (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Note, a new fully registered Note, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Note, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

c) **Registration of Transferred Notes.** In all cases of the transfer of the Notes, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Notes, in accordance with the provisions of this Resolution.

d) **Ownership.** As to any Note, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Notes and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note, including the interest thereon, to the extent of the sum or sums so paid.

e) Cancellation. All Notes which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Notes which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Notes to the Issuer.

f) Non-Presentation of Notes. In the event any payment check, wire, or electronic transfer of funds representing payment of principal of or interest on the Notes is returned to the Paying Agent or if any note is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Notes shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Notes shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Notes who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Notes. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Notes of whatever nature shall be made upon the Issuer.

g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one note for each annual maturity. The Registrar shall furnish additional Notes in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 15. Reissuance of Mutilated, Destroyed, Stolen or Lost Notes. In case any outstanding Note shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Note of like tenor and amount as the Note so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Note to Registrar, upon surrender of such mutilated Note, or in lieu of and substitution for the Note destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Note has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 16. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Note, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Notes to the extent of the payments so made. Upon receipt of the final payment of principal, the holder of the Note shall surrender the Note to the Paying Agent.

Section 17. Execution, Authentication and Delivery of the Notes. Upon the adoption of this Resolution, the Chairperson and Auditor shall execute the Notes by their manual or authorized signature and deliver the Notes to the Registrar, who shall authenticate the Notes and deliver the same to or upon order of the Purchaser. No Note shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Note a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Note executed on behalf of the Issuer shall be conclusive evidence that the Note so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

Section 18.

Section 19. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered noteholder.

Section 20. Form of Note. Notes shall be printed substantially in the form as follows:

"STATE OF IOWA"
"COUNTY OF BUENA VISTA"
"GENERAL OBLIGATION CAPITAL LOAN NOTE"
"SERIES 2022B"
ESSENTIAL COUNTY PURPOSE

Rate: 3.50%

Maturity: June 1, 2026
Note Date: December 1, 2022
CUSIP No.: N/A
"Registered"
Certificate No. _____
Principal Amount: \$359,000

Buena Vista County, State of Iowa, a political subdivision organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

(Registration panel to be completed by Registrar or Printer with name of Registered Owner).

or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of the County Auditor, Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on June 1, 2023, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Note as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Note is issued pursuant to the provisions of Sections 331.402 and 331.443 of the Code of Iowa, for the purpose of paying 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 in order to evidence the obligations of the Issuer under a certain Loan Agreement dated the date hereof, in conformity to a Resolution of the Board of said County duly passed and approved. For a complete statement of the funds from which and the conditions under which this Note is payable, and the general covenants and provisions pursuant to which this Note is issued, reference is made to the above described Loan Agreement and Resolution.

The Notes may not be called for optional redemption by the Issuer.

The Notes maturing on June 1, 2026 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 3.50% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Term Note #1

<u>Principal Amount</u>	<u>Maturity June 1st</u>
\$115,000	2024
\$120,000	2025
\$124,000	2026*

*Final Maturity

Ownership of this Note may be transferred only by transfer upon the books kept for such purpose by the County Auditor, the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Note at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered Noteholders of such change. All notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Note Resolution.

This Note is a "qualified tax-exempt obligation" designated by the County for purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Note, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Note as the same will respectively become due; that such taxes have been irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Note, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Board, has caused this Note to be signed by the manual or facsimile signature of its Chairperson and attested by the manual or facsimile signature of its County Auditor, with the seal of the County printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, the County Auditor, Storm Lake, Iowa.

Date of authentication: _____

This is one of the Notes described in the within mentioned Resolution, as registered by the County Auditor.

COUNTY AUDITOR, Registrar

By: _____

Authorized Signature

Registrar and Transfer Agent:

County Auditor

Paying Agent:

County Auditor

SEE REVERSE FOR CERTAIN DEFINITIONS

(Seal)

(Signature Block)

BUENA VISTA COUNTY, STATE OF IOWA

By: _____ (manual or facsimile signature)
Chairperson

ATTEST:

By: _____ (manual or facsimile signature)
County Auditor

(Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Note and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Note on the books kept for registration of the within Note, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED) _____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or note(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____
Address of Transferee(s) _____
Social Security or Tax Identification _____
Number of Transferee(s) _____
Transferee is a(n):
Individual* _____ Corporation _____
Partnership _____ Trust _____

*If the Note is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Note, shall be construed as though written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with rights of survivorship and not as tenants in common

IA UNIF TRANS MIN ACT - Custodian

(Cust) (Minor)

Under Iowa Uniform Transfers to Minors Act.....

(State)

ADDITIONAL ABBREVIATIONS MAY
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

(End of form of Note)

Section 21. Loan Agreement and Closing Documents. The form of Loan Agreement in substantially the form attached to this Resolution is hereby approved and is authorized to be executed and issued on behalf of the Issuer by the Chairperson and attested by the County Auditor. The Chairperson and County Auditor are authorized and directed to execute, attest, seal and deliver for and on behalf of the County any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 22. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said County and the purchaser of the Notes.

Section 23. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Notes issued hereunder which will cause any of the Notes to be classified as arbitrage notes within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Notes it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Notes will be used in a manner that would cause the Notes to be arbitrage notes.

Section 24. Approval of Tax Exemption Certificate. Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Notes. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The County Auditor is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Notes to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 25. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Notes from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Notes; (c) consult with Bond Counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Notes; (e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 26. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Notes if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Notes under applicable Federal law or regulations.

Section 27. Qualified Tax-Exempt Obligations. For the sole purpose of qualifying the Notes as "Qualified Tax-Exempt Obligations" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of the United States, the Issuer hereby designates the Notes as qualified tax-exempt obligations and represents that the reasonably anticipated amount of tax-exempt governmental and qualified 501(c)(3) obligations which will be issued during the current calendar year will not exceed Ten (10) Million Dollars.

Section 28. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 29. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this 15th day of November, 2022.

/s/ Paul Merten, Chairperson.....Attest: Susan K. Lloyd, County Auditor

Election Deputy Karla Ahrendsen asked the Board to consider sending a letter to the Storm Lake City Council asking for an additional handicapped parking spot on the east side of the Courthouse. Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign a letter to the Storm Lake City Council requesting an additional **handicapped parking spot** on the east side of the Courthouse. Carried.

Pursuant to Chapter 50.24 of the 2022 Code of Iowa, and upon completion of the **Canvass** of the tally lists of the November 8, 2022 Buena Vista County General Election, motion by Ringgenberg, second by Snyder, to declare the results as follows, and to direct the Auditor to prepare abstracts and certificates of election as necessary:

TOTAL VOTERS: 5,187 (*elected, R=Republican, D=Democrat, L=Libertarian, LC=Liberty Caucus

For **United States Senator**

Michael Franken-D	1,518
Chuck Grassley-R	3,530
Scattering	5

For **U.S.Representative-4th Dist**

Ryan Melton-D	1,316
Randy Feenstra-R	3,602
Bryan Jack Holder-LC	74
Scattering	4

For the office of **Governor & Lt. Governor**

Deidre DeJear & Eric Van Lancker-D	1,299
Kim Reynolds & Adam Gregg-R	3,745
Rick Stewart & Marco Battaglia-L	101

For the office of **Secretary of State**

Joel Miller-D	1,315
Paul D. Pate-R	3,705
Scattering	4

For the office of **State Auditor**

Rob Sand-D	2,034
Todd Halbur-R	2,960
Scattering	3

For the office of **State Treasurer**

Michael L. Fitzgerald-D	1,942
Roby Smith	3,055
Scattering	2

For the office of **Secretary of Agriculture**

John Norwood-D	1,161
Mike Naig-R	3,887
Scattering	1

For the office of **Attorney General**

Tom Miller-D	1,889
Brenna Bird-R	3,097
Scattering	6

For the office of **Secretary of Agriculture**

John Norwood-D	1,161
Mike Naig-R	3,887
Scattering	1

For the office of **Attorney General**

Tom Miller-D	1,889
Brenna Bird-R	3,097
Scattering	6

For **State Senator—District 3**

Lynn Evans-R	4,151
Scattering	40

For **State Representative—District 5**

Zachary M. Dieken-R	854
Scattering	7

For **State Representative—District 6**

James Eliason-D	1,154
Megan Jones-R	2,813
Scattering	4

For **County Supervisor-District 1**

*Kathy Croker-R	4,270
Scattering	51

For **County Supervisor-District 2**

*Kelly Snyder-R	4,270
Scattering	38

For **County Supervisor-District 3**

*Paul Merten-D	3,248
Scattering	144

For the office of **County Treasurer**

*Danelle Haberman-R	4,222
Scattering	41

For the office of **County Recorder**

*Curtis Reis-R	4,254
Scattering	31

For the office of **County Attorney**

*Paul Allen-R	4,102
Scattering	29

For the office of **Township Clerk****Trustee**

Barnes	*Bernard Nelson	88	*Ralph Warkentin	88
	Scattering	1	Scattering	1
Brooke	*Jason Fastenow	46	*Karl Laursen	44

TRUSTEE-VACANCY

*Brian Drzycimski	48
-------------------	----

Coon	*Randall Richter Scattering	72 1	*Matthew McCarthy Scattering	69 1	
Elk	*Jacob L. Mattson	72	*David Rydstrom	75	
Fairfield	*David R. Balder	66	*Scott Loving	80	
Grant	*Andrew J. Kelly Scattering	87 1	*Matt Richardson Scattering	3 8	
Hayes	*Richard Rice Scattering	189 1	*Doug Imming Scattering	218 1	
Lee	**Duane Lansink Doyle Anderson Scattering	2 2 5	**Doyle Anderson Kale Glover Scattering	2 2 5	**(winner drawn by Board of Supervisors)
<u>TRUSTEE-VACANCY</u>					
			*Kale Glover Scattering	2 3	
Lincoln	*Alan Nelsen Scattering	3 7	*Michael R. Rebhuhn Scattering	61 1	
Maple Valley	*Dave Schmitz	84	*David Arnts Scattering	86 1	
Newell	*Brad Mahler Scattering	82 1	Gary Morenz **Daryl Seivert Scattering	2 2 6	**(winner drawn by Board of Supervisors)
Nokomis	*Jim Black Scattering	106 1	*Bruce Baier Scattering	102 1	
Poland	*Julie Schultze	68	*Steve Lind	69	
<u>TRUSTEE-VACANCY</u>					
			*Joel Nagel Scattering	71 1	
Providence	*Stan Peters	84	*Randy Kruse Scattering	2 3	
Scott	*Anna Mae Robbins	87	*Ervin Brake Scattering	89 2	
Washington	*Dean Assmann Scattering	2 2	*Doug Miller Scattering	2 4	

For the office of **County Hospital Trustee (*4-4 yr terms, **1-2 yr term)**

*Tara Hach	2,766
*Brenda Halverson	3,101
*Richard Lampe	2,929
*Duane Miller	2,760
**Randall L. Bobolz	2,601
Scattering	39

For **Soil & Water Conservation Commissioner**

*Rodney Husman	3,118
*Trent Hatlen	2,933
Scattering	19

For **Soil & Water Conservation Comm'r--Vacancy**

*Kristopher Ehlers	3,412
Scattering	22

For **Agricultural Extension Councilmembers**

*Roman De La Torre	2,360
*Stephen Chambang	2,265
*Ann Krummen	2,721
*Jordan Milliren	2,296
*Miguel Negrete	30
Scattering	122

Supreme Court Justices

Matthew McDermott	Yes-2,770 No-744
Dana L. Oxley	Yes-2,453 No-836

Court of Appeals Judges

Paul B. Ahlers	Yes-2,755 No-657
Gina Badding	Yes-2,413 No-727
Michael R. Mullins	Yes-3,249 No-849

District 3A Associate Judges

Shawna Ditsworth	Yes-2,577 No-686
Ann M. Gales	Yes-2,566 No-669

District 3A Court Judges

Shayne L. Mayer	Yes-2,706 No-683
John M. Sandy	Yes-2,636 No-678

Constitutional Amendment 1

Yes-3,709 No-1,035

Motion Carried.

Supervisor Ringgenberg informed the Board that the Board of Health had met and offered the Env Health/Zoning Director position to Ben Mueggenberg, to begin January 3, 2023, for a salary of \$71,000, with a \$1,000 increase every 6-months through July, 2024, not receiving any cost-of-living increases that the Board of Supervisors may approve during that time, until July, 2024 when he is eligible. Mueggenberg will also receive a \$1,000 one-time hiring bonus for his insurance. Ringgenberg stated that Mueggenberg has accepted the offer, but it is pending approval by the Board of Supervisors. Ringgenberg also stated that the Board of Health approved giving Mueggenberg 3-weeks of vacation to start. The Board of Health will ratify this decision on November 22, at their next meeting. Motion by Ringgenberg, second by Huseman, to approve the **hiring** of Ben Mueggenberg, beginning January 3, 2023, as the Environmental Health/Zoning Director, with a salary of \$71,000, and one-time \$1,000 hiring bonus, and a \$1,000 raise July 1, 2023, \$1,000 raise on January 1, 2024, and a \$1,000 raise on July 1, 2024 along with being eligible at July 1, 2024 for any cost-of-living increases granted by the Board of Supervisors, along with 3-weeks of vacation to start. Ayes: Altena, Huseman, Ringgenberg, Snyder. Nays: Merten. Motion carried.

The Board discussed the request from Iowa Select Farms to sign onto a letter of support for an RFP they are submitting to IDALS to help support their Smart Soil Partnership Program. Drainage Engineer Brian Blomme was present for this discussion and stated that this will affect DD #34, and he has always been in favor for water improvement projects. Blomme suggested contacting Drainage Attorney Gary Armstrong, so that there would be awareness of drainage district facilities within BV County, and work would need to be brought to the Board of Supervisors, as Trustees, of any modifications to a drainage district. Motion by Snyder, second by Altena, to approve and authorize all of the Supervisors to sign the **Letter of Support** for Iowa Select Farms, for their RFP being submitted to IDALS to help support their Smart Soil Partnership Program. Carried.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 12:03 p.m. until Tuesday, November 22 at 8:30 a.m. for a regular meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FIRST MEETING, 2022 SESSION (51)
NOVEMBER 22, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, November 22, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following 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 Huseman, second by Ringgenberg, to approve **today's agenda**. Carried.

Motion by Ringgenberg, second by Snyder, to approve and authorize the Chair to sign the **Winter Maintenance Agreements** with the City of Rembrandt. Carried.

Motion by Snyder, second by Altena, to approve and authorize the Chair to sign the **Winter Maintenance Agreements** with the City of Lakeside. Carried.

Secondary Road Report: Bid letting was completed on 11/15/2022 for a twin box culvert to replace the Blue Bird Creek Bridge. The project was limited to a 30-day road closure which contributed to the bids coming in somewhat higher but still cheaper than a comparable IDOT project. Project start date for the Little Sioux River Bridge in Linn Grove is now December 12. There will be a partial reopening of the intersection at Hwy 7 and 90th avenue north of highway 7 on Wednesday, 11/23/2022. Highway 110 from Highway 7 to Hyland Drive will remain closed for the time being.

Bret presented the Iowa Attorney General opinion on the use of ATV/UTV's and where they can be driven, currently gravel roads. County Supervisors can decide which paved roads are allowed to be driven on. Operators of ATV/UTV must be 18 years of age, insured, recognize the maximum speed of 35 mph and have working headlights.

Motion by Ringgenberg, second by Snyder, to approve the minutes of 11/15/22, as presented, today's claims approval list & stamped warrant register, and the following reports: VA Commissioner meeting minutes October 2022. Carried.

Drainage Engineer Brian Blomme was present to review Filing Commissioners' Report on Reclassification for Drainage District No. 101, DD 33 BV, DD 37 BV, DD 38 BV, and DD 39 BV.

The report contains 11 schedules: DD 101 BV, MOD – MAIN OPEN DITCH; DD 101 BV, MTS – MAIN TILE SYSTEM; DD 101 BV, LAT 1; DD 101 BV, LAT 2; DD 101 BV, LAT 3; DD 101 BV, LAT 7; DD 101 BV, LAT 8; DD 33 BV; DD 37 BV; DD 38 BV; DD 39 BV.

Commissioners were Jim Eaton and Loren Anderson. The Commissioners along with Drainage Engineer Brian Blomme met on October 26, 2022, and conducted the work as set forth in Iowa Code Section 468.41

Motion by Snyder, second by Ringgenberg, to tentatively approve the Commissioners Report on Reclassification for DD #101 (MOD, Main Tile System, Lat 1, Lat 2, Lat 3, Lat 7, and Lat 8), DD #33, DD #37, DD #38, and DD #39 with intent to adopt the reclassification. Ayes: Altena, Huseman, Merten, Ringgenberg, and Snyder. Nays: none. Carried.

Motion by Huseman, second by Ringgenberg, to set the Public Hearing for the Reclassification for DD #101 (MOD, Main Tile System, Lat 1, Lat 2, Lat 3, Lat 7, and Lat 8), DD #33, DD #37, DD #38, and DD #39 for Tuesday, January 24, 2023, at 10:00 a.m. in the public meeting room in the lower level of the courthouse. Ayes: Altena, Huseman, Merten, Ringgenberg, and Snyder. Nays: none. Carried.

Motion by Ringgenberg, second by Snyder, to direct the Notice of Public Hearing for the Reclassification for DD #101 (MOD, Main Tile System, Lat 1, Lat 2, Lat 3, Lat 7, and Lat 8), DD #33, DD #37, DD #38, and DD #39 to be developed for official newspaper at least 20 days prior to hearing. Carried.

Tom Jorgensen, DHS Administrator and Leanne Livermore, State I.T. department, came to the Board with their proposal of a new phone system for the DHS office here in Storm Lake. Leanne stated that the current system is very outdated, crackly, and there are hearing issues with the current phones. They would like to upgrade to Microsoft Office 365 Team Calls which would cost \$5,217 for the initial set up cost in year one with a 1/3 of that being reimbursed back to the County. Upgrading the current system would cost \$41,000 as the building would first need to be rewired plus new phones and equipment. Going with the new system would be a substantial savings to the County. Jasper County in Iowa has this system and are pleased with it. Motion by Ringgenberg, second by Snyder, to approve DHS to purchase a new upgraded phone system for their office. Carried.

Auditor Susan Lloyd requested that the Board allow an employee to carry over excess comp time that has been accumulating due to all the extra time worked for elections. Lloyd stated that it is difficult to schedule time off with vacations and then trying to reduce comp time. The request would be for carry over of excess comp time to Karla Ahrendsen for 39.13 comp hours over the 80 that is allowed. Motion by Snyder, second by Ringgenberg, to approve the request of Auditor Susan Lloyd, for Karla Ahrendsen to carry over excess comp time in the amount of 39.13 hours over the 80 hours that is allowed. Carried.

Motion by Huseman, second by Altena, to authorize the Auditor to void and reissue check #317244, issued 9/13/2022 which was lost, to Storm Lake Times Pilot in the amount of \$256.00. Carried.

There being no further business, motion by Ringgenberg, second by Altena, to adjourn the meeting at 10:19 a.m. until Tuesday, November 29 at 8:30 a.m. for a special meeting. Carried.

Sharon Henkel, Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-SECOND MEETING, 2022 SESSION (52)
NOVEMBER 29, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, November 29, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following 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 amend **today's agenda**, adding discussion and action item for the purchase of the LeeBoy/Rosco RA400 Patcher for Secondary Roads. Carried.

County Engineer Bret Wilkinson presented the Resolution for the Bluebird Bridge project north of Linn Grove. Motion by Ringgenberg, second by Huseman to approve and authorize the Board to sign **Resolution #2022-11-29-A** & accept the bid from Dixon Construction on Project BRS-SWAP-CO11(100)--FF-11 Replacement of the bridge at Bluebird Creek on M36 north of Linn Grove. Carried.

RESOLUTION 2022-11-29-A

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the BRS-SWAP-CO11(100)—FF-11, hereafter referred to as "the project" is in the best interest of Buena Vista County, Iowa, and the residents thereof. The project is defined as Replacement of the bridge at Bluebird Creek on M36 north of Linn Grove; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Buena Vista County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Dixon Construction in the amount of \$919,508.10 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Bret R. Wilkinson, the County Engineer for Buena Vista County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Buena Vista County, Iowa, this 29th day of November 2022.

Board of Supervisors of Buena Vista County, Iowa

Ayes: Merten, Ringgenberg, Snyder, Altena, Huseman

ATTEST: None.

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

Motion by Altena, second by Ringgenberg, to approve and authorize the Chair to sign the **Winter Maintenance Agreements** with the City of Linn Grove. Carried.

Secondary Road Report: Been blading during the nice weather. This morning already out sanding and salting hard surface roads with plowing later today with the snow coming in. Plan for the Linn Grove River Bridge project is still December 12. Three legs of the Hwy 7 and 90th Ave intersection are now open for thru traffic. South of Hwy 7 on to 110 remains closed.

Wilkinson explained how the LeeBoy/Rosco RA400 Patcher works. The piece will operate with only a single person vs the usual six-person crew. Motion by Snyder, second by Ringgenberg to approve the engineer to purchase the **2016 LeeBoy/Rosco Patcher** for \$145,000 with delivery included in the price. Carried.

Motion by Snyder, second by Huseman, to approve Sheriff's deputies Rodriguez with sixteen float hours and Beckman with twenty-four **float hours to be extended until March 1, 2023**, as they have been unable to use prior to the end of the year due to ILEA. Carried.

Motion by Ringgenberg, second by Snyder, to declare the former squad car, 2015 Ford Taurus, **excess property** and authorize the sheriff to dispose of it. Carried.

Motion by Ringgenberg, second by Huseman, to declare B & W trailer, 22 computer towers, 14 laptops, and monitors and printers as **excess property** and allow the Sheriff to dispose of all the items. Carried.

Motion by Ringgenberg, second by Altena, to approve the **minutes** of 11/22/22, as presented, and the following **reports:** NWIPDC Policy Council meeting minutes October 2022, NW IA YES Center meeting minutes October. Carried.

Motion by Snyder, second by Huseman, to approve the current listing of **Family Farm Applications** as required by code. Carried.

Shelly Sindt, CEO of Elderbridge Agency, virtually presented the agency's annual report. Elderbridge supports the aging population in BV County and is mandated by the Older Americans Act which is also there primary funding source. Elderbridge has also used ARPA funds subsidy in which required to make a 25% match to those federal dollars. There has been an increase in requests from the elderly since COVID due to social isolation. There primary group served is the lower income seniors. They are asking for \$3.10 per senior in county support for the FY'24 budget allocation for a total of \$13,277. They have currently 4,283 seniors in need. Sindt thanked the board for past and future support to the seniors of our county.

Altena left the meeting at 10:27 a.m.

Conservation Director/Weed Commissioner Greg Johnson presented his department updates.

Trout has been stocked at Gabrielson park, bait shop and camping are closed for the season. Park Maintenance employee Reese will be retiring at the first of the new year after 35 years of service. Oxbow restoration project is on hold. Working on FEMA appeal. Destination Iowa Grant was discussed, and it was the supervisor's consensus to have him go ahead and submit the grant application to see what we score and if qualifying, what we would receive.

There being no further business, motion by Ringgenberg, second by Huseman, to adjourn the meeting at 10:55 a.m. until Tuesday, December 6 at 8:30 a.m. for a regular meeting. Carried.

Sharon Henkel, Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-THIRD MEETING, 2022 SESSION (53)
DECEMBER 6, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 6, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following 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 Ringgenberg, second by Snyder, to approve **today's agenda**. Carried.

Secondary Road Report: Engineer Wilkinson presented the Board a request and information for the purchase of a used Komatsu D61EXI-23 Dozer for \$164,265.00. The EXI is narrower which would fit the ditches better. He currently has two dozers on inventory and is looking to trade the 1984 CAT Dozer D-6. He is also looking to purchase two new motor graders in FY24. They use their inventory of fifteen motor graders like crazy all year -nine of them used for dry weather months and six in the winter; half of the inventory are tandem, and half are all wheel drive. Regarding new purchases, CAT is about 14-15 months out on a new build. For moving forward, we have several options to consider: if buying new, we need to get

ordered. If buying used, they need to start looking because finding one online could take several months. Another option would be leasing brand new motor graders for 5 years, covered by warranty and then sell back to the leasing company after that period for new. Some other counties have been taking this route. However, getting out of a lease is hard. A fourth option would be getting a bond for a new fleet. Merten stated that we could check with the dealer on the newer equipment that Dickinson County recently traded. Wilkinson asked the board if they want him to get quotes on two motor graders as he would get around \$50, 000 in trade. Nothing was decided at today's board meeting.

President of the **Sioux Rapids Historical Society** Ginny Smith along with spouse Rusty presented their 2022 Report and came to ask for continued support in the FY'24 Budget. This year with the help of county support they built a new building which houses the Abner Bell cabin. New financial support would aid in finishing the inside of the new building and adding electricity and bringing authenticity to Abner Bell's cabin and creating a nice visitor option. They have been keeping busy within the community of Sioux Rapids and with fundraising activities this year. They are hoping to replace the carpet in the old theatre which is original from the 1940's. They are looking for new that looks like the original. The rest of the theatre has been restored. They thanked the Board for their support each year.

Motion by Snyder, second by Huseman, to approve the **minutes** of 11/29/22, as presented, today's **claims approval list**, and the following **reports**: November 2022 Sheriff's Report, November 2022 Sheriff Federal Inmate Billing, Third Judicial District FY22 Report. Carried.

There being no further business, motion by Ringgenberg, second by Snyder, to adjourn the meeting at 9:15 a.m. until Tuesday, December 13 at 8:30 a.m. for a special meeting. Carried.

Sharon Henkel, Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FOURTH MEETING, 2022 SESSION (54)
DECEMBER 13, 2022**

The Buena Vista County Board of Supervisors met in special session on Tuesday, December 13, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Auditor Susan Lloyd 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 amend **today's** agenda to add an action to approve the Joint DD 14-42 claim for Clay County to pay. Carried.

Motion by Snyder, second by Ringgenberg, to approve the **utility permit** for Interstate Power & Light, dba Alliant Energy, Spirit Lake, IA, for the accommodation of single-phase underground cable, replacing the existing overhead power lines on different taps off the main 3ph line along M27 from 420th St. to 480th St. in Brooke Township, with the stipulation that they bore under the driveways and that Secondary Road will inspect the project. Carried.

Motion by Snyder, second by Huseman, to approve the purchase of a used **Komatsu D61EXI-23 Dozer** for \$164,265.00, with the Engineer either trading in the 1984 CAT Dozer D-6 or selling it outright. Carried.

Engineer Bret Wilkinson stated that he has been talking to salesmen about **motor graders**. Wilkinson stated that Story County leased ten motor graders from Caterpillar from 2014-2019. In 2019, Story County went to a bank to borrow funds to purchase ten additional motor graders, and now for the third purchase, they are buying ten motor graders outright. Wilkinson stated that Story County traded their other motor graders off, going back to Caterpillar. Wilkinson stated that he would like to talk to the salesman at Caterpillar, letting him know the county would be interested in some of those traded-in motor graders that are only 5-years old, as they would be half the cost of new machines. The consensus of the Board was to have Wilkinson talk to the salesman about purchasing four of the 5-year-old motor graders that were traded from Story County, selling four of BV County's older machines that would pay for one of the four 5-year-old motor graders from Story County.

Engineer Bret Wilkinson stated that he will be attending an engineering conference Wednesday-Friday of this week, and they will be discussing the law that passed regarding the **annual all-systems overweight permit for commercial and farm vehicles**. Wilkinson stated that the counties have a choice to allow all county roads on the permit, to disallow any county road on the permit, or to hand pick which roads to be allowed on the permit. Wilkinson stated that this is a DOT issued permit which allows 12% over current maximum legal weight on 5, 6, and 7 axle trucks. The consensus of the Board was to participate, but to limit the county roads on the permit to where there are no bridges to cross.

Breanna Horsey, Executive Director of **Storm Lake United**, and Gelder Pineda reviewed their activities of the past year. Horsey is requesting increase of \$5,000 in funding for FY'24, to \$35,000. Horsey stated that they are expanding outside of the Storm Lake District. Horsey informed the Board that next year is Storm Lake's sesquicentennial. Horsey thanked the Board for their support. The Board thanked Horsey and Pineda for what they do.

Supervisor Kelly Snyder informed the Board that North Central IA Workforce Development (6 counties) would like to join NW IA Workforce Development (10 counties). Snyder stated that there are a lot of similarities between the two organizations. Members of North Central IA Workforce have already agreed to join. Chairman Merten stated that he is concerned as to where funding will go when you add another large city. Snyder stated that feedback from other counties is that this is a good idea, and if they are combined there are more dollars available. Snyder stated that if this passes, the proposed effective date is July 1, 2023. Motion by Ringgenberg, second by Huseman, to table voting on the **realignment of the Workforce merger** to a later date. Carried.

Bldg/Grounds Supt. Joe Keller gave a **department update** and a **Public Health Building remodeling** update. Keller stated that a door was installed for the Drainage Engineer; the roofing project at the LEC is getting completed; they are waiting for electrician to finish up the LEC HVAC; today they are starting the Public Health remodeling project, with the demolition complete, walls are starting to go up today. Keller stated that there is a question whether Veterans Affairs will be going back out to the East Richland Annex, and if so, they will need a separate entrance so there wouldn't be access to the Public Health side. Public Health Administrator Julie Sather commented that when the original plans were created, the homemakers were working from home. Family Steps are now back in the office, so they need the space and storage. Veterans Affairs Officer Louis DeRoos commented that space is very tight where they are located currently, and they know it is temporary, but they need a central location, easy for veterans to access, and handicap accessibility, along with separate rooms for visits. Snyder stated that he would like to keep the Public Health Building strictly for Public Health only.

Election Deputy Karla Ahrendsen was present virtually, asking the Board to approve and sign Resolution #2022-12-13-A Utilities Resolution. Ahrendsen stated that this is a resolution that needs to be approved annually, and the numbers come from the State. Motion by Altena, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2022-12-13-A** Utilities Resolution. Carried.

RESOLUTION #2022-12-13-A

BE IT HEREBY RESOLVED by the Board of Supervisors of Buena Vista County, Iowa that it is hereby ordered that the lengths of the mileage of the several railroads, electric and gas companies in Buena Vista County, Iowa, and the assessed value and taxable value thereof, fixed according to the following schedule and the County Auditor is hereby ordered to spread the same upon the tax books of said county for the year 2022, payable in the fiscal year 2023-2024.

UTILITY COMPANY	RATE	MILE S	ASSESSED VALUATION	TAXABLE VALUATION
Alliant Energy, IESU			\$25,486,839	\$9,427,951
Alta Municipal Power Plant			1,032	12
Corn Belt Power Coop			6,667,363	2,406,147
Iowa Lakes Electric Coop			7,934,369	1,701,296
ITC Midwest LLC			2,312,603	167,823
Mid-American Energy Company			33,925,472	11,903,589
Racoon Valley Electric Coop			39,611	5,607
Valero Renewable Fuels Co LLC			152,785	8,667,927
WSTN MINN Mun Power Gas Div.			0	295
TOTAL ELECTRIC COMPANIES			\$76,520,074	\$34,280,647
Dakota Access LLC			85,633,295	85633295
Northern Natural Gas Company			1,918,393	1,918,393
NuStar Pipeline Operating Partnership,			121,500	121,500
TOTAL GAS & PIPELINE COMPANIES			\$ 87,673,188	87,673,188
Canadian National Railway	249,626.5656	25.42	\$ 6,345,507	\$ 5,660,696
Union Pacific Railroad Co	1,288,547,268	8.3	10,694,942	9,575,185
TOTAL RAILROADS		33.72	\$17,040,449	\$15,235,881
TOTAL Buena Vista CO UTILITIES			\$181,233,711	\$137,189,716

Dated this 13TH day of December, 2022.

Buena Vista County Board of Supervisors

/s/ Paul Merten, Chairperson.....Attest: Susan K. Lloyd, Buena Vista County Auditor

Motion by Huseman, second by Ringgenberg, to approve the minutes of 12/06/22, as presented, and the following reports: Western Iowa Tourism annual request letter, Third Judicial District December 2022 agenda, and Newell Public Library letter. Carried.

Motion by Snyder, second by Altena, to approve and authorize the Auditor to void and reissue check #317612, issued 10/11/2022 to Jennifer Fulcher, in the amount of \$150.00, as the check has been lost. Carried.

County Attorney Paul Allen submitted a letter requesting that Heidi Hanson be allowed to carry over more than the allowed 80 hours of comp time, stating that Hanson will be earning more comp time for the next four weeks due to workload and another employee being out that she will be covering. Motion by Ringgenberg, second by Snyder, to approve the request of County Attorney Paul Allen to allow Heidi Hanson to carry over more than the allowed 80 hours of comp time, pending receiving a plan from Allen on when Hanson will use the comp time overage. Carried.

Motion by Snyder, second by Altena, to approve the Jt. DD #14-42 BR 223 claim for tile repair in the amount of \$478.28, payable to Christian Bros. Excavating LC. Carried.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 11:04 a.m. until Tuesday, December 20 at 8:30 a.m. for a regular meeting. Carried.

Susan Lloyd, Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY-FIFTH MEETING, 2022 SESSION (55)
DECEMBER 20, 2022**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, December 20, 2022, at 8:30 A.M. in the Boardroom with Chairman Merten presiding, and the following members present: Altena, Huseman, Ringgenberg, and Snyder and with Deputy Auditor Sharon Henkel as clerk for the meeting.

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

Elected officials were sworn in.

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.

Hear the Public: none.

Motion by Snyder, second by Altena, to approve the minutes of 12/13/22, as presented, today's claims approval list & stamped warrant register and the following reports: November Conservation Board Minutes, October Board of Health Minutes, November BV County Landfill minutes. Carried.

Motion by Ringgenberg, second by Snyder, to authorize the chair to sign a Certificate of Appreciation for Buena Vista County Board of Supervisor Tom Huseman for his 8 years of service to the County. Carried.

Dick Aronson with the Albert City Historical Society presented their 2022 Report and came to ask for continued support in the FY'24 Budget. With the requested allocation they hope to receive they will put a new roof on the Anderson Mercantile. It still has the original shingles since 1983. They give several private tours during the year which are made by appointment. The Board thanked him for his time and his group for their dedication and efforts.

Jeff Stewart, Chairman for the Buena Vista County Compensation Board, presented their Board's FY24 salary recommendations from their December 14, 2022 meeting. Recommendations were as follows: 10% increase for the Sheriff, 8% increase for the Auditor, 6% increase for the Attorney, Recorder, Treasurer, and a 3% for the Supervisors, and to continue Longevity for all Elected Officials and a \$1,500 stipend for the Board Chair and for the Board Secretary.

The Board of Supervisors thanked Jeff for his time. Motion by Ringgenberg, second by Snyder, to acknowledge receipt of the Buena Vista Compensation Board salary recommendations.

Martha Olsen with the Newell Historical Association presented their 2022 Report and came to ask for continued support in the FY'24 Budget. The 1891 Allee Mansion in Newell was repainted this year. The mansion is looking very sharp as is the landscaping and the gardens. This year a watermelon days celebration was held in Newell. They hosted several tours this year and received by donation several interesting items. The Board appreciates the group for their commitment on everything they do.

Jennifer Launderville with the Buena Vista County Fair Board along with Mike Christen presented their 2022 Report and came to ask for continued support in the FY'24 Budget. One new improvement the board is working on for 2023 is to build a 32' X 50' permanent covered stage near the Carter building facing the greenspace on the northwest side of the fairgrounds. Proposals have been put out to local businesses and grants. They will also be selling engraved bricks to businesses and area residents who wish to sponsor the building of the stage. They plan to have more interactive entertainment for kids. The racetrack does not use any of the county allocated money, the track is leased to BV Raceway. This year they are asking for a \$10,000 increase above the usual request. Prices on everything are going up – fuel, entertainers, and general upkeep. Fair week will be July 6-11, 2023. The Board thanks them for their time and hard work.

Secondary Road Report: Trying to plan for the upcoming weather this week with the snow and wind. Discussion on the new Iowa All-Systems Overweight DOT permits for commercial & farm vehicles that is effective January 1, 2023. The permits for the vehicles are valid 12 months for \$500. This allows vehicles on designated roads within a county if the vehicle bears the permit. The permits allow for a 12% increase over legal load. The consensus of the board was to have Bret start on the selection of choosing designated routes to get our foot in the door as the county gets reimbursements from the permit cost if we are a participating county. Participating counties in Iowa will split 75% of each \$500 permit issued in the state. Maps of the designated routes within a county will be listed at the iowadot.gov. More discussion will be had once the designated routes are in place.

Colleen Schwanz with the Buena Vista County Soil and Water Conservation District presented their 2022 Report and came to ask for continued support in the FY'24 Budget. They use the county funds to support the conservation education programs in Buena Vista County. They involve K -12 in many exciting activities every year – in our schools and the 4H program. The board thanks the group for all they provide to the communities.

Conservation Director/Weed Commissioner Greg Johnson attended to present his 2022 Annual report reviewing progress and growth of their efforts in conservation for all to enjoy nature and outdoor activities within the county. They have so much to offer -four campgrounds, two large shelter houses, educational programs with their Naturalist, a bait shop in Linn Grove, hiking and canoeing just to name a few.

The reappointment of Sarah Vanderhoff to the Conservation Board with a term ending 12/31/2027 was postponed until January.

There being no further business, motion by Snyder, second by Ringgenberg, to adjourn the meeting at 11 :45 a.m. until Tuesday, January 3, 2023, at 8:30 a.m. for a regular session and organizational meeting of the new year. Carried.

Sharon Henkel, Deputy Auditor

Paul Merten, Chairperson

**BOARD OF SUPERVISORS MEETING
FIFTY- SIX MEETING, 2022 SESSION (56)
DECEMBER 27, 2022**

NO BOARD MEETING HELD

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

BUENA VISTA COUNTY
SEPTEMBER – DECEMBER 2022
CLAIMS LISTING

A & A AUTOMOTIVE 1,331.52; ABBE CENTER FOR COMMUNITY MENTAL HEALTH 1,715.76; ACCESS SYSTEMS 777.56; ACE SIGN DISPLAYS INC 210.0; ADVANCED DRAINAGE SYSTEMS 124,616.68; AFLAC 12,524.52; AGRICULTURAL EXTENSION 1,711.48; AGSTATE 10,358.27; AGTERRA TECHNOLOGIES, INC. 955.0; AHLERS & COONEY, P.C. 11,750.00; AL SLIGHT 500.00; ALBERT CITY CORP 10,208.19; ALBERT CITY HISTORICAL SOCIETY 1,000.00; ALLIANT ENERGY /IPL 13,401.99; ALPHA WIRELESS COMMUNICATIONS CO. 11,919.42; ALTA CORP 10,703.06; ALTA FIRE DEPARTMENT 300.00; ALTA IMPLEMENT CO 176.01; ALTA MUNICIPAL UTILITIES 681.42; AMAZON CAPITAL SERVICES 2,015.27; AMERICAN LEGION POST 394 45.00; AMERICAN STATE EQUIPMENT CO., INC. 1,987.93; AMY GROSS 975.00; ANDREA BEAN 28.08; ANGELA LAI 150.00; ANNETTE KOSTER 734.10; APCO INTERNATIONAL INC 608.00; ARC 148.70; ARENDS, LEE, EMICK, LEGVOLD, & MYOTT PLC 1,005.40; ARNOLD MOTOR SUPPLY 332.78; ARNOLD MOTOR SUPPLY 471.46; ASABE 190.00; ASCENDUM MACHINERY 145,000.00; ASHLEY HERRIG 574.86; ASSESSOR'S OFFICE IPERS 16,042.53; ASSOCIATES FOR PSYCHIATRIC SERVICES PC 10,830.00; AURELIA LUMBER COMPANY 112.00; AUTO TRUCK GROUP DBA HOLMAN 298.00; B V CO SECONDARY ROAD 3,477.75; B V SOLID WASTE COMMISSION 235.00; BANKCARD SERVICES 17,802.81; BARBARA PUCKETT 23.40; BARNES TOWNSHIP 59.12; BISON RIDGE LAND IMPROVEMENT LLC 3,700.00; BLUE KNIGHT SECURITY LLC 4,425.00; BOB BARKER COMPANY INC 1,259.65; BOBCATS, LLC 96.75; BOERNER & GOLDSMITH LAW FIRM PC 333.33; BOMGAARS 3,394.25; BONNIE HACH 8.19; BRAD KNUDTSON 500.00; BRAD NOBLE 200.00; BRAD'S SERVICE INC 76.00; BREES REST HOME INC 6,716.00; BRET WILKINSON 54.11; BRIAN AHRENDSEN 65.40; BRIAN REBHURN 49.07; BRIAN SCHRECK 150.00; BRIANA MARROQUIN 300.00; BRIGHTLAND A PARTNERSHIP 200.00; BROOKE TOWNSHIP 253.01; BRUCE FREDERICK 8.19; BRUCE KIRSCH 150.00; BRUCE MC GOWAN 176.25; BUENA VISTA CO EMS ASSOCIATION 5,000.00; BUENA VISTA CO TREASURER 9,013.38; BUENA VISTA CO. CONSERVATION 2,205.13; BUENA VISTA CO. SHERIFF 1,895.89; BUENA VISTA COUNTY 74,767.00; BUENA VISTA COUNTY 162.08; BUENA VISTA COUNTY ASSESSOR 5,788.55; BUENA VISTA COUNTY JOURNAL 4,937.67; BUENA VISTA COUNTY PUBLIC HEALTH & HOMECARE 42,461.51; BUENA VISTA REG MEDICAL CENTER 2,259.55; BUENA VISTA REGIONAL HEALTHCARE FOUNDATION 300.00; BUENA VISTA RIFLE&PISTOL CLUB 800.00; BUTCH BALL 300.00; BV CO AGRICULTURAL SOCIETY BUENA VISTA COUNTY FAIR 12,500.00; BV CO EMPLOYEE HEALTH FUND 790,698.46; BV CO EMPLOYEE HEALTH FUND 28,107.28; BV CO EMPLOYEE HEALTH FUND 8,317.42; BV CO EMPLOYEE HEALTH FUND 43,517.57; BV CO EMPLOYEE HEALTH FUND 11,298.51; BV CO HISTORICAL SOCIETY 1,000.00; BV CO/DISASTER SERVICES/HAZMAT 41,500.00; BV-CALHOUN-SAC DRAINAGE ENGINEER FUND C/O BV COUNTY TREASURER 34,050.00; BVRMC - HOSPITAL OPERATIONS 4,228.25; BVRMC PHARMACY 1,802.83; CALHOUN COUNTY 42,981.00; CALHOUN COUNTY PUBLIC HEALTH 249.46; CALHOUN COUNTY SHERIFF DEPT 628.56; CALHOUN-BURNS & ASSOC INC 25,824.86; CAMPBELL SUPPLY COMPANY 4,323.65; CANON FINANCIAL SERVICES 149.76; CAPITAL ONE 148.82; CARD SERVICE CENTER 204.66; CARING HEARTS OF WEST CENTRAL IOWA, LLC 6,754.88; CAROLYN ARMSTRONG 647.74; CAROLYN DEROOS 8.19; CARROLL COUNTY SHERIFF 2,204.81; CARROLL REFUSE SERVICE 2,033.64; CASSIE CRUM 163.22; CAYLYN BISHOP 994.04; CCP INDUSTRIES INC 1,478.54; CDW GOVERNMENT INC 23,882.76; CENTRAL IOWA DETENTION 4,231.08; CENTRAL IOWA DISTRIBUTING INC 162.00; CENTURY LINK 1,763.30; CHARLENE PLAGMAN 11.70; CHEROKEE COUNTY 26,735.00; CHEROKEE COUNTY SHERIFF 1,621.68; CHILDRENS IMAGINATION STATION 387.50; CHRISTIAN BROS. EXCAVATING LC 131,690.00; CINDY WIEMOLD 513.29; CINTAS FIRST AID AND SAFETY 990.80; CITY OF ALBERT CITY 176.00; CITY OF LINN GROVE 1,500.99; CITY OF MARATHON 631.51; CITY OF NEWELL 302.00; CITY OF REMBRANDT 1,358.73; CITY OF SIOUX CITY 162.30; CITY OF SIOUX RAPIDS 421.56; CITY OF SIOUX RAPIDS 158.76; CITY OF STORM

LAKE 13,639.70; CITY TREASURER 330.54; CLAY COUNTY SHERIFF 115.00; COBBLESTONE INN & SUITES 100.00; COLLECTION SERVICES CENTER 3,182.58; COLLEEN KRUSE 3.51; COLOR-IZE INC 142.88; COMMUNITY BROADCASTING INC 781.59; COMMUNITY CARE OF KNOXVILLE, LLC 2,144.10; COMPLIANCY GROUP, LLC 5,040.00; COMPUTER PROJECTS OF IL., INC 198.00; CONNIE JESSE 150.00; CONRAD & LEMMENES 188.60; CONSOLIDATED ELECTRICAL DISTRIBUTOR 405.00; CONTECH ENGINEERED 4,271.96; COUNSEL 165.44; COUNTRY CARE CENTER CORP 8,174.00; COUNTRY TIRE AND SERVICE INC. 57.73; CRAWFORD COUNTY AUDITOR 2,691.25; CRAWFORD COUNTY HOME HEALTH & 46,066.15; CRAWFORD COUNTY SHERIFF 933.40; CRIMMINS LAW FIRM 120.00; CRITTENTON CENTER 4,478.40; CROGHAN & RUSSELL, CPA, PC 3,420.00; CULLIGAN 428.30; CURTIS REIS 556.65; CYLINDER EXPRESS 75.50; CYPRESS SOLUTIONS 12,812.98; DAKOTALAND AUTOGLASS, INC. 955.22; DAN BAILEY 67.58; DANE LENHART 188.27; DANELLE HABERMAN 1,382.70; DARREN STEARNS 640.00; DAVE STRAND 22.78; DAVE WESTPHAL 500.00; DAWN MENTZER 343.20; DCI - SOR 150.00; DD# 150 NORTH MAIN (B) 1,546.11; DEAN K ELLINGSON 106.80; DEB JESSE 17.55; DEBBIE R FREDRIKSEN 5.85; DELAWARE COUNTY SHERIFF 315.00; DENISON POLICE DEPT 35.00; DES MOINES STAMP MFG CO 131.35; DETTMANN IMPLEMENT CO 7,101.45; DIANE NELSON - GLEN JESS TRUST 500.00; DISTRICT A HOMECARE DIRECTORS 15.00; DOREEN PEDERSEN 224.88; DOTSON, GUENTHER, CHRISTIAN AND LAUER 105.60; DR. GARRETT FEDDERSEN 900.00; DTN, LLC 6,912.00; DULTMEIER SALES, LLC 810.76; ECOLAB 1,090.00; ECOSOLUTIONS, LLC. 3,568.44; ED M. FELD EQUIPMENT COMPANY, INC. 318.00; EDWARDS 3,749.23; EFFICIENT CONSTRUCTION, LLC 2,292.32; EJS SUPPLY 498.95; ELK TOWNSHIP 240.26; ELLISON EXTINGUISHERS 1,145.85; EMMONS & OLIVIER RESOURCES INC 32,941.25; EMPLOYEE BENEFIT SYSTEMS 3,214.00; ERIC YUNGINGER 50.00; EVIZZIT OF IOWA PSYCHIATRY PC 76,872.74; FAIRFIELD TOWNSHIP 97.46; FAMILY RESOURCE CENTER 1,500.92; FAREWAY STORE 3,756.13; FARM & HOME PUBLISHERS LTD 195.00; FASTENAL COMPANY 88.50; FILTERCARE OF NEBRASKA LLC 1,866.45; FORCE AMERICA 546.82; FOUNDATION ANALYTICAL LABORATORY, INC 1,104.00; FRANK DUNN CO 1,600.00; FRANSYL EQUIPMENT CO INC 704.60; FRATZKE & JENSEN FUNERAL HOMES 3,000.00; FRED ULVEN 300.00; GARLAND A. OTTO 545.97; GARY PICKHINKE 1,344.02; GCG FINANCIAL, LLC 7,500.00; GEOCOMM 4,400.00; GERALD WEILAND 768.61; GILL HAULING INC 358.76; GLAXOSMITHKLINE PHARMACEUTICAL 4,836.67; GRAFFIX 973.67; GRAHAM TIRE CO 8,980.03; GRANT TOWNSHIP 3.91; GREAT AMERICA FINANCIAL SVCS 832.15; GREAT-WEST LIFE & ANNUITY 450.00; GREG L EBERSOLE 311.64; GREGORY JOHNSON 6.69; GRELL ROOFING, LLC 100,534.49; GROWMARK FS 150,556.76; GROWS GARBAGE SERVICE 880.00; GRP & ASSOCIATES INC. 142.00; HANOVER HISTORICAL SOCIETY 1,000.00; HAROLD ROWLEY RECYCLE CENTER 32,002.50; HAYES TOWNSHIP 980.57; HEALTHCAREFIRST %WELLS FARGO 100.00; HEATHER TOTTEN 12.87; HENRY M ADKINS & SON, INC. 25,700.27; HESDUARDO GARCIA 150.00; HILLCREST FAMILY SERVICES 10,091.96; HISEY LAW OFFICE 735.40; HOLIDAY INN DES MOINES AIRPORT 1,434.72; HOLZHAUER FORD LINCOLN, INC. 1,653.53; HONDO'S SALES & SERVICE 845.89; HOPE HAVEN INC 750.00; HUB INTERNATIONAL 1,650.00; HUMBOLDT COUNTY 21,619.00; HUMBOLDT COUNTY SHERIFF 196.65; HUNZELMAN PUTZIER & CO 23,341.25; HY-VEE INC 435.04; IACCVSO 240.00; IACME - IOWA ASS'N OF 350.00; ICAP IA COMMUNITES ASSURANCE POOL 1,521.00; ICEA 1,000.00; ICIT 250.00; IDA COUNTY SHERIFF 1,218.69; IDALS 2,018.65; IDEMIA IDENTITY & SECURITY USA LLC 2,452.00; IEHA IOWA ENVIRONMENTAL HEALTH ASSN 360.00; IGL TELECONNECT 576.00; ILEA IOWA LAW ENFORCEMENT ACADEMY 13,510.00; IMAGINE THE POSSIBILITES INC 11,292.82; IMWCA 35,761.00; INDUSTRIAL SUPPLY SOLUTIONS, INC. 18,158.60; INGIOS GEOTECHNICS, INC. 24,282.08; INLAND TRUCK PARTS & SERVICE 333.60; INSTITUTE OF IOWA CERTIFIED ASSESSORS 1,030.00; INTERSTATE BATTERY SYSTEM OF SIOUX CITY 1,487.45; IOWA COUNTY ATTORNEYS ASSN (ICAA) 370.00; IOWA DEPARTMENT OF REVENUE 347.50; IOWA DEPT OF NATURAL RESOURCES 125.00; IOWA DEPT OF TRANSPORTATION 66.04; IOWA DEPT PUBLIC SAFETY 3,192.00; IOWA DOT 1,406.50; IOWA EMERGENCY MGMT ASSOC 150.00; IOWA INSURANCE DIVISION 101.59; IOWA LAKES ELECTRIC COOP 4,380.72; IOWA LAKES REGIONAL WATER 10,099.88; IOWA PRISON INDUSTRIES 6,034.82; IOWA SECRETARY OF STATE 2,123.98;

IOWA SPORTMAN 950.00; IOWA STATE COMPTROLLER TREASURER-STATE OF IOWA 123,558.57; IOWA STATE MEDICAL EXAMINER 2,045.79; IOWA WORKFORCE DEVELOPMENT 2,204.00; IPERS 487,163.71; ISAC 1,841.00; ISACA 300.00; ISCTA IOWA STATE CO TREASURERS ASSOC 70.00; ISSDA - IOWA STATE SHERIFFS & DEPUTIES ASS'N 1,500.00; ISU AMERICORPS 4-H PROGRAM 1,975.00; ITSAVVY LLC 8,080.53; J.W. CONSTRUCTION INC 41,904.52; J3RED MARKETING LLC 351.75; JACK'S UNIFORMS & EQUIPMENT 524.63; JACQUELINE NOBLE 150.00; JAMES MCBROOM 29.25; JAMIE CLARK 660.33; JAN KIER 14.63; JANET MARIE MAGNUSSEN 26.33; JANET PETERSON 24.57; JC (JAMES) EATON 82.02; JEAN L SASSMAN 233.75; JEN FULCHER 150.00; JENNIFER REETZ 16.38; JERILYN SAHR 1,095.58; JESS BADERTSCHER 304.14; JESSICA SANDHOFF 21.02; JIM TEMPLE 350.00; JIMMY JOHNS #3892 149.80; JODY HARE 58.50; JOHANNA KNIPPER 418.52; JOHN SCHMIT 705.90; JOHNSTON AUTOSTORES 3,014.51; JOLEEN ROBINSON 2.93; JON BUSS 30.00; JOSEPH CRONIN 413.84; JOSEPH KELLER 90.00; JOSH NIELSEN 220.32; JOYCE'S GREENERY 4,800.00; JULIE ALBRIGHT 58.38; JULIE SATHER 640.36; JULIUS CLEANERS 970.20; JUSTICE FIRE & SAFETY 49.50; JUSTIN ANDERSON 150.00; KAREN CRILLY 167.31; KARLA AHRENDSEN 198.90; KATHRYN JOSEPHSON 25.74; KATHRYN STRUSS 39.70; KAY EVANS 150.00; KAYLYNN SMIT 794.12; KCL ENGINEERING 11,500.00; KELLE BARNETT 150.00; KELLER PLUMBING HEATING & AIR LLC 117.49; KELLY SNYDER 314.73; KELSEY ALLEN 198.00; KENNETH KROHN 25.74; KERRI SUHR 164.39; KEVIN MCKINNEY 4.68; KIM JOHNSON 444.00; KIMBALL MIDWEST 3,404.12; KIMBERLY SIEVERS 14.04; KORY DEMEY 200.00; LACAL EQUIPMENT INC 6,186.32; LACEY ANDERSON 88.93; LAKE CREEK AREA SANITARY SEWER DISTRICT 17.28; LAKESHORE CANVAS & LEATHER 80.00; LAKESIDE CORP 131.11; LAKESIDE MARINA 68.72; LARSON OIL & DISTRIBUTING 10,021.01; LAW OFFICE OF ROBERT B BROCK II, PC 20.00; LEE TOWNSHIP 153.95; LEIGH MADSEN 105.30; LEISA MAYER 847.65; LENOVO (UNITED STATES) INC. 10,748.99; LEXIS NEXIS RISK DATA MANAGEMENT, LLC 616.31; LIBERTY NATIONAL LIFE INS CO 10,003.86; LIBERTY TIRE RECYCLING, LLC 3,779.39; LIFE SKILLS TRAINING 168.00; LINCOLN TOWNSHIP 21.38; LINDA WHITE 37.44; LINN GROVE CORP 4,705.19; LISA BRINGLE 388.35; LISA MAZUREK 1,440.00; LISETTE DE LA CRUZ 600.23; LITTLE HAWKS CHILDCARE CENTER 30.00; LLOYD DANIELSON 364.46; LOFFLER COMPANIES 2,895.28; LONG LINES BROADBAND 13,605.62; LOREN ANDERSON 104.25; LORI ARENDS 49.14; LOUGHLIN LAW FIRM 2,475.00; LOUIE DEROOS 1,136.27; LUKE WARKENTIN 150.00; LULLMANN DUST CONTROL 375.00; LUTHERAN SERVICES IN IOWA 405.00; MAIL SERVICES LLC 2,940.92; MAPLE VALLEY TOWNSHIP 177.08; MARATHON CORP 6,969.87; MARCO TECHNOLOGIES LLC 820.60; MARCUS LUMBER 319.41; MARK BURKITT 150.00; MARK VAN HOOSER 150.00; MARLA KOLLASCH 28.00; MARTIN MARIETTA MATERIALS 1,762.52; MARY REHNSTROM 53.82; MARY SPRICK 16.38; MATTHEW FASSLER 200.00; MEDLINE INDUSTRIES INC 303.43; MELANDERS APPLIANCES & TV 850.18; MENARDS - SPENCER 96.50; MID AMERICAN ENERGY 29,421.89; MID SIOUX OPPORTUNITY INC 7,962.78; MIDDENDORFF WELL COMPANY INC 160.00; MIDWEST ALARM SERVICES INC 1,918.80; MIDWEST COMPLIANCE ASSOCIATES 2,000.00; MIDWESTERN MECHANICAL OF IOWA, INC 890.46; MIDWESTERN MECHANICAL, INC 695.00; MIKE'S LAWN SERVICE INC 156.00; MILLER, MILLER, MILLER P.C. 374.79; MODERN MARKETING 324.55; MODLIN CONSTRUCTION 9,300.00; MOTOROLA SOLUTIONS, INC. 1,691.20; MURPHY TRACTOR & EQUIPMENT CO 1,284.40; MYRON CORP 218.44; NATHAN SCHUMANN 150.00; NATIONAL ASSOC OF COUNTIES 450.00; NEAL KUEHL 238.28; NEAPOLITAN LABS LLC 1,500.00; NELSONS VET SUPPLY 148.00; NETSMART TECHNOLOGIES, INC. 43,327.48; NEW HOPE VILLAGE 10,472.74; NEW PERSPECTIVES, INC. 3,764.16; NEWELL CORP 9,902.41; NEWELL HISTORICAL SOCIETY 1,000.00; NEWELL TOWNSHIP 2.68; NICOLE DIISCHER 173.40; NOKOMIS TOWNSHIP 379.15; NORTH LAKE TRUCK REPAIR 4,262.03; NORTHERN LIGHTS DISTRIBUTING, INC. 17,754.63; NORTHERN SAFETY CO., INC. 438.24; NORTHWEST GLASS INC. 1,821.40; NW IA PLANNING & DEV COM 3,500.00; NW IA YES CENTER 39,151.89; O'BRIEN COUNTY 3,726.57; O'BRIEN COUNTY SHERIFF 2.00; ODP BUSINESS SOLUTIONS LLC 80.76; OFFICE ELEMENTS 5,069.46; OHIO NATIONAL 900.00; OLSEN WELDING & MACHINE 443.25; ONE OFFICE SOLUTION 1,016.88; OTIS ELEVATOR COMPANY 125.00; PAKOR, INC 297.43; PAM JACOBSON 234.24; PAMELA BOGUE 50.31; PATRICIA BAKER 38.61; PATRICIA

BJORKGREN 2.93; PATRICIA MOE 51.48; PAUL SENNERT 479.51; PETTY CASH-CO. ATTORNEY 112.50; PHIL REDENBAUGH CLIENT TRUST ACCOUNT 337,695.31; PHIL REDENBAUGH, P.C. 1,000.00; PHOENIX SUPPLY 64.21; PICTOMETRY INTERNATIONAL 38,112.20; PILOT ROCK SIGNS RJ THOMAS MFG. CO., INC 6,920.50; PITNEY BOWES BANK INC RESERVE ACCOUNT #18460493 11,862.84; PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC 1,357.26; PITNEY BOWES INC 246.49; PITNEY BOWES RESERVE ACCOUNT 200.00; PIZZA RANCH #13406 328.96; PLAINS AREA MENTAL HEALTH, INC 851,792.88; PLUMBING & HEATING 863.69; POCAHONTAS COUNTY 22,455.13; POLAND TOWNSHIP 1.02; POTTAWATTAMIE COUNTY SHERIFF 105.00; POWER SOLUTIONS, INC. 7,251.69; PRINCIPAL LIFE INSURANCE COMPANY 36,142.83; PROVIDENCE TOWNSHIP 37.07; QUILL CORPORATION 1,088.65; R & D INDUSTRIES INC 13,438.50; RAINBOW BAIT, INC 200.00; RANDALL WILBUR ERICKSEN 36.27; RANDY REDIG 120.00; RANDY ROBBINS 150.00; RAQUEL BARAHONA 150.00; REBNORD TECHNOLOGIES INC 10,399.80; REDING'S GRAVEL & 242.25; REIMER, LOHMAN, & REITZ 2,497.00; RELIANCE TELEPHONE INC 5,042.10; REMBRANDT CORP 4,264.51; RENT - ALL, INC. 336.00; RICHARD HALDIN 73.40; RICK PETERSON 2.93; RICOH USA, INC 137.26; RINKER MATERIALS 14,418.72; ROLLOFF DUMPSTER RENTAL OF IOWA INC 710.05; RON RECKAMP 350.00; RONDA ELLIS 40.99; RR ELECTRIC LLC 8,717.45; RUST'S WESTERN SHED 288.90; RUTH LINDGREN 2,578.99; S & S EQUIPMENT, INC. 1,890.97; SAC COUNTY ENGINEER 539.93; SAC COUNTY HEALTH SERVICES 21,621.90; SAC COUNTY SHERIFF 282.88; SAFELITE AUTOGLASS 567.96; SAMANTHA CORRIN 1,248.72; SANDRA K. SWEENEY 2,182.95; SANDY LAW FIRM PC 69.48; SANFORD CENTER 65,182.50; SANOFI PASTEUR INC 1,110.17; SAVINGS BANK SECURITY TRUST & 378,969.38; SAVINGS BANK SECURITY TRUST & 275,099.15; SCHNEIDER GEOSPATIAL, LLC 784.00; SCHOON EXCAVATING & FARM DRAINAGE INC. 215.62; SCHREIER PUMPING INC 73,031.02; SCHULTE LAW FIRM, LC 1,428.00; SCHWANZ CONSTRUCTION 2,000.00; SCOTT COUNTY SHERIFF 117.15; SCOTT TOWNSHIP 48.83; SEASONS CENTER 13,054.35; SECRETARY OF STATE 60.00; SECURITY TRUST 88,630.62; SECURITY TRUST & SAVINGS BANK 174.51; SHARON HENKEL 189.23; SHARON KOCH 167.05; SHEILA COUGILL 150.00; SHELBY CO. SHERIFF 137.50; SHESLER HALL 17,172.28; SIOUX CITY FIRE RESCUE CITY OF SIOUX CITY IOWA 10,411.50; SIOUX LUMBER 248.16; SIOUX RAPIDS CORP 7,159.23; SIOUX RAPIDS HISTORICAL ASSOC 1,000.00; SIOUXLAND MENTAL HEALTH SERVICES, INC. 925,807.78; SLIEFERT FUNERAL HOMES & CREMATION CENTER 1,258.75; SMART VENDING SERVICES 2,551.28; SMITH CONCRETE SERVICE INC 550.80; SNAP-ON INDUSTRIAL 9,054.72; SNOOK'S CARPET & FURNITURE LLC 19,423.08; SPENCER OFFICE SUPPLIES 5,521.33; SPORTS REHAB & PROFESSIONAL THERAPY ASSOCIATES, INC. 21,787.99; ST MARK LUTHERAN CHURCH 90.00; STACY BLEE 150.00; STAPLES CREDIT PLAN 1,248.90; STAPLES CREDIT PLAN 216.98; STATE HYGIENIC LABORATORY 440.04; STEPHANIE ANDERSON 126.21; STEPHANIE STRUTHERS 15.21; STERICYCLE, INC. / SHRED-IT 1,385.26; STEVE HALDIN 105.00; STEVE JIMMERSON 47.97; STOCKTON TROUT FARM, LLC 2,745.00; STONE PRINTING OFFICE SUPPLY 69.54; STOREY KENWORTHY/MATT PARROTT 422.87; STORM LAKE ACE HARDWARE 857.62; STORM LAKE BAKERY 55.50; STORM LAKE CORP 91,157.39; STORM LAKE GARAGE DOOR SERVICE 1,936.25; STORM LAKE HEARING AID SERVICE, INC 1,350.00; STORM LAKE HYDRAULICS 576.67; STORM LAKE SENIOR APARTMENTS 200.00; STORM LAKE TIMES PILOT 8,102.02; STORM LAKE UNITED 15,000.00; STRATEGIC HEALTHCARE PROGRAMS, LLC 4,697.50; STRATFORD GRAVEL INC 458,843.63; SUSAN LLOYD 782.86; SWIFT LAW FIRM 379.15; TAILORED GRAPHICS LLC 705.00; TAMI TENDAL 150.00; TASC 1,009.00; TENTH STREET TOWNHOMES 200.00; TESSIER'S INC 150,369.56; TEXT MY GOV 5,000.00; THE JONES LAW FIRM 82.50; THE OFFICE STOP 163.53; THE PRIDE GROUP, INC 125,716.42; THERESA JOCHUM 1,256.85; THOMAS HARE 58.50; THOMAS HUSEMAN 248.28; THRESHHERMAN & COLLECTORS ASSN. 2,500.00; TIM HANSON 150.00; TODD ANDERSON 150.00; TRAX PLUS, LLC 48,797.14; TREASURER STATE OF IOWA 33,598.57; TREASURER STATE OF IOWA 4,040.80; TREASURER STATE OF IOWA ATTN: ANGEL BANKS-ADAMS 2,314.00; TRIVIUM LIFE SERVICES 3,927.00; TRUCK CENTER COMPANIES 526.58; TRUESDALE CORP 179.71; TYLER VAN HOUTEN 150.00; ULTEIG 22,187.75; UNITY LAW + MEDIATION PLC 2,850.00; UNITYPOINT CLINIC OCCUPATIONAL MEDICINE 378.00; UNITYPOINT

HEALTH 423.00; UPPER DES MOINES 3,750.00; US CELLULAR 4,824.16; US CELLULAR 720.00; UTILITY EQUIPMENT COMPANY 1,161.43; VANCE CORDS 30.00; VANGUARD APPRAISALS INC 12,150.00; VERIZON 240.00; VERIZON CONNECT NWF, INC. 3,497.04; VERIZON WIRELESS 4,232.11; VETTER EQUIPMENT 570.00; VETTER EQUIPMENT CO 406.11; VISA 13,728.89; VISA 2,490.71; VISION CARE ASSOCIATES P.C. 658.00; VISTA PAINTS 222.00; VISUAL EDGE IT 1,575.86; WAG'S EXHAUST PROS 568.06; WAPELLO CO. SHERIFF 65.85; WASHINGTON NATIONAL INS CO 5,289.84; WASHINGTON TOWNSHIP 614.90; WEBSTER COUNTY PUBLIC HEALTH 3,741.89; WELLMARK BLUE CROSS & BLUE SHI 713,164.72; WELLS FARGO FINANCIAL LEASING, INC. 604.00; WESCO INDUSTRIES INC 241,942.59; WEST PAYMENT CENTER 6,159.96; WEX BANK 3,896.31; WEX BANK 1,020.37; WINDSTREAM 1,957.71; WINDSTREAM CABS 307.71; WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS INC. 3,536.94; WOODBURY CO AUDITOR/TREASURER 19.05; WOODBURY CO SHERIFF 14,975.00; WOODBURY COUNTY 75,677.00; WOODBURY COUNTY JUVENILE DETENTION CENTER 1,950.00; WSP USA ENVIRONMENT & INFRASTRUCTURE INC. 6,102.36; YOUTH SHELTER CARE OF 148.30; YVONNE SANDHOFF 189.98; ZIEGLER INC 57,085.10

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)