

**BOARD OF SUPERVISORS MEETING
TENTH MEETING, 2023 SESSION (10)
FEBRUARY 21, 2023**

The Buena Vista County Board of Supervisors met in special session on Tuesday, February 21, 2023, at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following other members present: Croker, Merten, Ringgenberg, and Altena and with Election Deputy Karla Ahrendsen as clerk for the meeting.

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

Motion by Croker, seconded by Merten to approve today's agenda. Carried.

Secondary Report: Wilkinson told the Board that the crews were working around the shop on equipment and preparing for the next round of storms. Snyder asked how they were sitting on materials and Wilkinson explained that they had the mixed sheds full and had gotten into the back storage of the salt but should be in good shape for the rest of the season. Wilkinson also updated the Board that the bridge construction in Linn Grove was continuing to move forward and that they were on track to start on Bluebird Bridge as planned. They were letting the residents in the area know that the road would be closed longer than originally planned. Croker asked if they had heard anything from the Army Corps on the wetland designation and Wilkinson said he had not heard anything, even though the two weeks they had promised a response was up.

Motion by Merten, second by Ringgenberg, to approve the utility permit of Windstream Iowa Communications of Little Rock, AR to bore under N. River RD section S22 T93N R37W, Linn Grove to place a new pedestal at 1190 N River Rd. Carried.

Motion by Ringgenberg, second by Croker, to approve the utility permit of Windstream Iowa Communications of Little Rock, AR, to bore under CR-M36 section S20 T93N R37W, Linn Grove, to 4534 80th Ave. Carried.

Motion by Croker, second by Merten, to approve the minutes of the 2/14/2023 meeting, and the following reports: Board of Health January 2023 Minutes, January 2023 Landfill minutes, and January 2023 Conservation Board Minutes. Croker wanted it noted that the Max Levy was not published because of the passing of SF181 before the publication deadline that extended the budget deadline to April 30, 2023. Carried

Youth Shooting Range: Bob Luedke and Mike Bartholomew approached the Board to explain that they both operated existing shooting ranges and that they would be willing to discuss with the groups of possibly expanding their locations to accommodate the youth shooting instead of the county starting from scratch. Conservation Direct Greg Johnson stated that he was just facilitating the discussion of the groups and explaining to them all that the county did not have the money or the land for this at this point to do a youth shooting range. He only wanted to help with the discussions and that he would be more than open to having the Luedke and Bartholomew join in on the early stages of discussions on this subject. Both thanked the Board for listening to them and would be in touch on the subject.

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

Conservation: Johnson told the Board that his employees have been busy during the winter working on updating things for Spring. He said they are working on burn plans for the Spring. Five of employees attending a refresher training on Fire Lines, 6 staff members attended Winterfest and learned of many new projects and ideas they would like to bring to the county. Johnson said he had filed paperwork to get the Little Sioux Trail state designation. He was also working on finding a contractor to start on the

electrical updates at Bur Oak campground and is hoping to get the order placed for restrooms. Hopefully this will arrive yet this Fall and not have to wait until next Spring.

Johnson updated the group that he and his board and two Supervisors met with the **DNR** last week in hopes of reviewing the **28E agreement** they had been sent earlier. It was obvious at the start of the meeting that the DNR had not reviewed the documents and the decision would be pushed to a later date. Croker asked what the plans for the 4 docks that were not being replaced by the DNR and Johnson said that if they would get the Marina, he would apply for the RACK Grant to replace them.

Johnson told the Supervisors that IHS had submitted the FEMA appeal on February 7th starting the 90 days for FEMA to review the appeal and come with an answer. They do agree that things were not handled correctly when FEMA assessed the damaged to the **Linn Grove Dam** but unfortunately do not feel that FEMA will change anything. Everyone is waiting to hear the appeal and will move forward at that point. Johnson said that they had opened the bids from the bid letting process last month. The lowest bid coming well over the expected costs that the Conservation Board decided to reject all bids submitted and wait for more answers from FEMA, at which point they will start over with the bid letting process.

Johnson presented the spray contracts that he had received from the DOT stating that they are the same as last year with a \$22,500 Spring payment and a \$22,500 Fall payment. Motioned by Ringgenberg, seconded by Merten to allow the Chairman to sign the **DOT Spray Contract**. Carried.

Lastly Johnson explained to the group that he was reviewing the seeding at the **White Family Trust Land** and felt it was not in compliance with the contract signed with WHKS & Co. He explained that there were ten to eleven issues including late seeding and it not being done correctly. He is estimating it will be \$4,000 to \$6,000 to redo the seeding and feels that the contractors should be held to the agreement. WHKS will review the seeding June 6th and make the decision if they are going to reseed but that will only give them nine days to complete the process. Johnson stated that he would like to come to an agreement with WHKS but if necessarily they do still hold the Construction Bond if that is the only solution to the problem.

Spoil Dirt in Dredge Ditch: Ben Nesheim and Drainage Engineer Brian Blomme explained to the Board that several years ago when Nesheim built a shed on his property that former Engineer Jon Ites allowed him to take spoil dirt from dredge ditch for DD1. Blomme explained to the group that was not the Engineer's decision to make and that the Board would need to make any decisions related to Drainage Districts. Nesheim explained that he is looking to sell his place and by a neighboring property and would like to use the spoil dirt again to build a new shed. Blomme stated that he had talked to the Contractor and explained his concerns. Blomme is for this as long and the Board makes sure that Nesheim understands that there is no guarantee of the quality of dirt and that he would be allowed to oversee that removal making sure that adequate spoil was left to allow the Drainage ditch to operate properly. Motion by Merten, second by Altena to allow Nesheim to have the excess spoil dirt from the dredge ditch with the understanding that Blomme was to oversee removal and that there was no guarantee of the quality of the dirt. Carried.

Motion by Croker, second by Ringgenberg, to approve and authorize the Auditor to **void and reissue** check #922040, issued 02/04/2022 to Walter De Bock in the amount of \$9.23, as the check has been lost. Carried.

Motion by Ringgenberg, second by Merten to accept Don Altena's **letter of retirement** effective 6/30/2023 that was presented to the Board 2/14/2023 with appreciation for a job well done. Carried.

Motion by Croker, second by Merten to approve the Chair to sign **Opioid Settlement participation form** electronically, regarding settlements reached with Teva, Allergan, CVS, Walgreens, and Walmart. Carried.

Resolution 2023-02-21 was presented for signature stating withdrawal from the article of agreement with Workforce Development Chief Elected Official Consortium. Snyder explained to the group that he had attended the last meeting of the Consortium and that the 10 participating counties had all agreed to withdraw

from Consortium. After reviewing the resolution Merten questioned the wording in the document. Motion by Merten, second by Croker to table the approval of Resolution 02-21-2023, regarding withdrawal from the article of agreement with **Workforce Development Chief Elected Official Consortium** until the County Attorney could further review it. Carried

FY24 Budget Discussion: Auditor Susan Lloyd explained to the Board that she did not publish the Max Levy Rate because of SF 181 being passed before the publishing deadline. SF181 extends the Budget deadline to April 30, 2023. Lloyd informed the Board that the new rollbacks were received from the Department of Revenue, and that the county would have up to fifteen days in order to prepare the new valuation reports. Lloyd stated that she would prepare new levy information for the Board as soon as the valuations were ready. The Board reviewed the current budget sheets, as presented with the initial valuation information.

There being no further business, motion by Croker, second by Ringgenberg, to adjourn the meeting at 11:07 a.m. until Tuesday, February 28, 2023, at 8:30 a.m. for a regular meeting. Carried.