

**BOARD OF SUPERVISORS MEETING
THIRTEENTH MEETING, 2023 SESSION (13)
MARCH 14, 2023**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 14, 2023, at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following other members present: Altena, Croker, Merten, 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, Croker, Merten, Ringgenberg, and Snyder. Nays: none. Abstentions: none.

Motion by Ringgenberg, seconded by Altena, to approve today's **agenda**. Carried.

Secondary Report: Work on the Linn Grove Bridge continues. The final sheet piling is in; the pre-construction meeting on Bluebird Creek will be Thursday and the Engineer's Office; the crew was out plowing Wednesday through Saturday, with the snow deeper in the north part of the county; Engineer Bret Wilkinson stated that they are setting okay on materials; Engineer Wilkinson attended ISAC last week; the department received the new dozer on Friday; both dump trucks chassis will be taken to MN this week, as all equipment be there. Engineer Wilkinson stated that this took 14 months after it was all ordered, and it takes longer to build snow equipment compared to the chassis.

Hear the Public: Kevin Jesse commented on the county budget going up.

Motion by Ringgenberg, second by Merten, to approve the **minutes** of the 3/7/2023 meeting, as printed, approve **today's claims approval list and stamped warrant register**, and accept the following **reports**: February Sheriff's Report of Fees Collected. Carried.

County Attorney Paul Allen was present for the discussion of the WIOA 28E Agreement to withdraw from the Workforce Development Chief Elected Official Consortium. Chairman Snyder stated that all of the other counties in our region have signed off on the agreement, so they are only waiting for BV County. Merten asked what happens if this is dissolved. Snyder stated that Goodwill was a partner for a while and then backed away. Snyder stated that for individuals to sign up for unemployment, they will have to go to Spencer to complete the application. Snyder informed the Board that the CEO Board already voted to disband. County Attorney Paul Allen wanted to be sure that the CEO Board had voted to disband, stating this is a cooperative and not a legal entity. Motion by Merten, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2023-03-14-B** To Withdraw from the Articles of Agreement Which Formed the Workforce Development Chief Elected Official Consortium for the Workforce Innovation and Opportunity Act of 2014. Carried.

RESOLUTION 2023-03-14-B

A RESOLUTION TO WITHDRAW FROM THE ARTICLES OF AGREEMENT WHICH FORMED THE WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014

WHEREAS, Buena Vista County previously signed a resolution to approve the Articles of Agreement creating the Workforce Development Chief Elected Official Consortium (CEO) together with 9 other counties in Northwest Iowa, known as the "Northwest Iowa Local Workforce Development Area" or NWILWDA; and,

WHEREAS, this 28E Agreement was filed with the Iowa Secretary of State on October 2, 2020 and assigned filing number M512998; and,

WHEREAS, Article 12 of the Agreement allows counties, at their sole option, to withdraw from the Agreement at least 90 days prior to the beginning of the fiscal year (April 1 or any year); and,

WHEREAS, at their meeting on February 15, 2023, the CEO Board discussed the 28E Agreement, weighing the roles and responsibilities of counties as a result of the Agreement and impacts to services offered to their citizens both under the agreement and in absence of the Agreement; and,

WHEREAS, the CEO Board voted 10-0 at this meeting, after this discussion, to dissolve the 28E Agreement.

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

1. It does hereby invoke Article 12 of the Articles of Agreement which formed the Workforce Development Chief Elected Official Consortium for the Workforce Innovation and Opportunity Act of 2014 and withdraws from the Agreement at the end of the day June 30, 2023.
2. It understands and is its intention withdrawal of the Agreement by all 10 counties will terminate the Agreement.

Passed and approved this 14th day of March, 2023.

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

CEO Shannon Landauer, **Iowa Lakes Corridor**, updated the Board on activities of the Corridor. Landauer discussed business retention expansions, transition projects, housing, non-farm employment study, and retail analysis. Landauer stated that non-farm employment in BV County hit an all-time high in November, 2022, and there were 550 open positions on January 1. Landauer stated that a market analysis needs to be done.

Sheriff Kory Elston stopped in to introduce his newest **Deputy Sheriff**, Logan Studer. The Board welcomed Studer to the County.

Bldg/Grounds Supt. Joe Keller gave a **department update**: the first phase of the Public Health remodeling is in progress, they will finish the painting and put the flooring down tomorrow. Keller stated that at the end of the month, they will be ready to move the equipment from one side of the building to the other to begin the next phase, with hopes of having the next phase done by mid-June; they have been pulling wiring at the Sheriff's Department.

Bldg/Grounds Supt. Joe Keller stated that he would like to see the Board take action on the Colorize Building, as to whether they wanted the Auditor's Office to move out of the Courthouse or not, and asked them to vote on it so he can move forward with remodeling or whatever needs to be done for someone to move in. Parking is an issue no matter who moves over to the former Colorize Building. Chairman Snyder stated that he was torn, but sees the benefits of moving the Auditor's Office and the Board of Supervisors over to the new building. Ringgenberg stated that she doesn't want the Auditor to another building because according to Code, the Auditor is the "custodian of the courthouse". Croker stated that she is opposed to moving the Auditor's Office. Merten stated that when the Colorize building was purchased, it was the intent for the Auditor's Office to move over there, including the election equipment, with very little remodeling needed. Merten commented that since the Board doesn't want the Auditor moving out of the Courthouse, then maybe consider selling the building. Merten stated that there is more public traffic to the Treasurer and Recorder, and it would be more of an inconvenience for county employees if the Auditor's Office moved rather than the public. Motion by Croker, second by Ringgenberg, to move forward with the process to potentially selling the **former Colorize Building**. Ayes: Altena, Croker, Ringgenberg. Nays: Merten, Snyder. Motion carried.

Env Health/Zoning Administrator Ben Mueggenberg presented information on a Minor S/D for Glen Wallace & Melvin Wallace in the E½ NW¼ of Section 33 Newell Township. Motion by Merten, second by Croker, to approve and authorize the Chair to sign **Resolution #2023-03-14-A** Minor S/D for Glen Wallace & Melvin Wallace in the E½ NW¼ of Section 33 Newell Township. Carried.

RESOLUTION 2023-03-14-A

WHEREAS Glen Wallace & Melvin Wallace have presented a preliminary and final plat (of survey) on the following described properties:

DESCRIPTION - LOT F:

A PART OF LOT D AND A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER (E 1/2 NW1/4), ALL IN SECTION 33, TOWNSHIP 90 NORTH, RANGE 35 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 Northwest Quarter (NW 1/4) of said Section 33; Thence on a previously recorded bearing of North 90° 00' 00" West, along the North line of said Northwest Quarter (NW 1/4), 388.36 feet to the Point of Beginning. Thence continuing along said North line, North 90° 00' 00" West, 248.61 feet to the East line of Lot B of said Section 33 as shown on a Plat of Survey recorded as Document No. 030848 in the Buena Vista County Recorder's Office; Thence South 01° 55' 22" East, along said East line, 987.10 feet; Thence South 88° 40' 21" East, along a line common to said Lot B, 187.92 feet; Thence continuing along said common line, South 00° 18' 46" East, 320.03 feet to the Southeast (SE) Corner of said Lot B; Thence South 89° 56' 36" West, along the South line of said Lot B, 635.69 feet to the East line of the West 253.23 feet of the East Half of said Northwest Quarter (E 1/2 NW 1/4); Thence South 00° 36' 58" East, along said East line, 1311.59 feet to the South line of said Northwest Quarter (NW 1/4); Thence North 89° 53' 12" East, along said South line, 505.85 feet; Thence North 00° 42' 56" West, 1271.11 feet; Thence North 89° 56' 36" East, 174.35 feet; Thence North 00° 42' 56" West, 1350.94 feet to the Point of Beginning.

Hereafter known as Lot F of Section 33, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

Parcel contains 21.06 Acres and is subject to all easements of record.

DESCRIPTION - LOT G:

A PART OF LOT D AND A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER (E 1/2 NW 1/4), ALL IN SECTION 33, TOWNSHIP 90 NORTH, RANGE 35 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast (NE) Corner of the Northwest Quarter (NW 1/4) of said Section 33; Thence on a previously recorded bearing of South 00° 42' 56" East, along the East line of said Northwest Quarter (NW 1/4), 2621.12 feet to the Southeast (SE) Corner of said Northwest Quarter (NW 1/4); Thence South 89° 53' 12" West, along the South line of said Northwest Quarter (NW 1/4), 562.70 feet; Thence North 00° 42' 56" West, 1271.11 feet; Thence North 89° 56' 36" East, 174.35 feet; Thence North 00° 42' 56" West, 1350.94 feet to the North line of said Northwest Quarter (NW 1/4); Thence South 90° 00' 00" East, along said North line, 388.36 feet to the Point of Beginning.

Hereafter known as Lot G of Section 33, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

Parcel contains 28.45 Acres and is subject to all easements of record.

WHEREAS, the final plat meets with the approval of the Board subject only to the following if any: None.

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Hereafter known as Lot G of Section 33, Township 90 North, Range 35 West of the 5th P.M., Buena Vista County, Iowa.

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

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:

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

PASSED, APPROVED AND ADOPTED this 14th day of March 2023.

/s/ Kelly Snyder, Chairman...../s/ Susan K. Lloyd, County Auditor

Heidi Kuhl, **Northland Securities**, joined virtually to review the Debt Book. Kuhl informed the Board that the county is currently using less than 7% of their allowed debt limit, and stated that she monitors to see if there is an opportunity to refinance any of the debt. Kuhl asked the Board if they were planning to have another capital projects debt levy, and asked what the status was for the Linn Grove Dam. Previously, the county had a hearing for the Linn Grove Dam, of ability to borrow up to \$5M, and have only borrowing \$1M so far. Conservation Director Greg Johnson was online virtually, and updated Kuhl and the Board on the status of the Linn Grove Dam project. Johnson stated that bids were taken on the Dam, and the lowest bid was \$12M, which the Conservation Board rejected. Conservation has filed an appeal and May 7 will be the 90 days that FEMA has to respond to the appeal. Johnson stated that this project is already 4-years into the process. Johnson stated that \$4.5M would be the cost to the county, on the Dam Project, based on the low bid that was rejected. Kuhl mentioned that there is a \$200,000 loan limit for vehicles per department, and there would be a separate hearing for each loan. The Board asked the Auditor to put together a spreadsheet of the capital projects that were submitted by the departments, for the next 3 years, then send to Kuhl, to prepare a pre-levy for the March 28 meeting. Kuhl stated that the levy for purchase of the Colorize Building is nine cents on our debt levy currently.

Motion by Merten, second by Ringgenberg, to approve and authorize the Chair to sign a **Letter of Appreciation** for Kim Johnson, who is retiring after 27 years of service to Buena Vista County. Carried.

There being no further business, motion by Croker, second by Merten, to adjourn the meeting at 11:58 a.m. until Tuesday, March 21, 2023, at 8:30 a.m. for a special session.